



## The US Supreme Court continues to follow stare decisis on the outdated Brulotte rule, but notes work-arounds on same

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*Kimble v Marvel Entertainment, LLC, No 13-720, 192 L. Ed. 2d 463 (US 22 June 2015)*

### Abstract

The US Supreme Court declined to overrule its precedent in *Brulotte v Thys Co.*, 379 US 29 (1964), which prohibits patent royalty payments for activities continuing after the expiration of the patent term. However, the court did specify several methods by which parties to a patent royalty agreement can work around *Brulotte*.