

Askeladden Supports Supreme Court Review in *Corning Optical v. PPC Broadband*
Amicus brief urges Supreme Court to clarify its Halo decision and ensure proper application by lower courts.

FOR IMMEDIATE RELEASE

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New York, NY — Askeladden submitted an *amicus curiae* brief in support of Corning Optical's petition for a writ of certiorari to the Supreme Court in the case of *Corning Optical Communications RF LLC v. PPC Broadband, Inc.*

Askeladden argues in the brief that it is necessary to clarify the Supreme Court's decision in *Halo Electronics, Inc. v. Pulse Electronics, Inc.*, 136 S. Ct. 1923 (2016), because many lower courts have improperly interpreted *Halo* as a directive to ignore evidence of objective reasonableness in enhanced damages analysis under 35 U.S.C. § 284.

As the brief states:

This Court did not intend such a drastic overcorrection when it determined that objective reasonableness alone is not dispositive of whether enhanced damages are warranted. What is even more troubling in this case is that the indicium of objective reasonableness is a ruling from another federal court reaching the opposite conclusion on patent infringement. It simply cannot be that this Court intended *Halo* to allow a district court to impose enhanced damages without giving any weight to the fact that another tribunal had determined that the defendant did not infringe the same claims in the same patent.

Askeladden filed the brief as part of its Patent Quality Initiative, which seeks to improve patent quality and promote innovation by challenging poor quality patents, addressing questionable patent practices, and regularly filing amicus briefs in cases concerning important issues of patent law.

Askeladden is represented by Wilmer Cutler Pickering Hale And Dorr LLP.

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About the Patent Quality Initiative

Askeladden is an education, information and advocacy organization with the goal of improving the understanding, use and reliability of patents in financial services and other industries. As part of its Patent Quality Initiative, Askeladden strives to promote better patents and patent holder behaviors by regularly filing amicus briefs, Inter Partes Reviews (IPRs) and engaging in educational activities.