Banner & Witcoff Represents IDSA in Move to Protect Section 289

Banner & Witcoff attorneys Robert S. Katz and Jeffrey Chang represent the Industrial Designers Society of America in its effort to persuade the Supreme Court that it should not require apportionment or impose burdens on design patentees that would weaken Section 289 with *Samsung Electronics Co., Ltd. v. Apple Inc*. The IDSA filed its amicus brief in the case on June 8.

The Supreme Court granted cert in the case on March 21, agreeing to consider the question, "Where a design patent is applied to only a component of a product, should an award of infringer's profits be limited to those profits attributable to the component?" Arguments have not yet been scheduled.

Law360 reported on the IDSA brief in an article titled, "Tech Cos. Tell Justices $400M Apple-Samsung Ruling Flawed." Please click here to read the article.

See attached file for more information:
IDSA amicus brief Samsung v. Apple (PDF)

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