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## Firm News

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07/09/2018

### Kevin A. O'Connor, Ph.D and Kevin C. May File Amicus Brief on Behalf of IPLAC; Reported in *Law360*

On April 15, 2016, Kevin A. O'Connor, Ph.D and Kevin C. May, partners in the Intellectual Property & Technology Transactions practice group, filed an amicus brief in the United States Court of Appeals for the Federal Circuit on behalf of the Intellectual Property Law Association of Chicago (IPLAC). The brief was written in support of Purdue Pharma's petition for an *en banc* review of a panel decision that improperly restricts a Supreme Court decision on obviousness, *Eibel Process Co. v. Minnesota & Ontario Paper Co.*, 261 U.S. 45 (1923). The Federal Circuit's panel decision excludes claims covering "end product[s]" from analysis under *Eibel Process*. This exclusion finds no support in the language or reasoning of *Eibel Process*, is contrary to legal precedent and violates well-settled principles of obviousness. The brief calls for an *en banc* review to maintain uniformity in judicial decisions.

It can be viewed in its entirety by [clicking here](#).

The brief and the related case were featured in *Law360* on April 20. [Click here](#) to read the article (login required).

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