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## SCOTUS Opinion: Court Rejects Judicial Review Of USPTO Inter Partes Determinations

21 Apr 2020

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The Court, in a 7-2 decision by Justice Ginsburg, reversed, holding that Section 314(d) precluded judicial review of any inter partes decision, including whether a request for such review was timely. The majority held that the statute barring review clearly applied to the determination of whether the request itself was valid. Justice Gorsuch, joined by Justice Sotomayor, dissented, arguing that Section 314(d)'s prohibition of review expressly did not apply to the time limit statute, and judicial review should have been permitted. A link to the opinion is here:

[https://www.supremecourt.gov/opinions/19pdf/18-916\\_f2ah.pdf](https://www.supremecourt.gov/opinions/19pdf/18-916_f2ah.pdf)

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