

# CHARLES DUAN

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## EXPERIENCE

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*2018–Present*    **Associate Director of Technology and Innovation Policy, at the R Street Institute**, a nonprofit, nonpartisan, public policy research organization.

- Managed a team of about 10 full-time and part-time fellows producing research on cutting-edge technology policy questions.
- Wrote research papers, articles, and materials directed to policymakers and the public.
- Issue areas included intellectual property, artificial intelligence, surveillance and privacy, and emerging technologies.

*2013–2018*    **Director of the Patent Reform Project, at Public Knowledge**, a nonprofit public interest organization focused on consumer protection with regard to digital rights issues.

- Prepared and filed *amicus curiae* briefs before the Supreme Court, and federal courts of appeal, as well as administrative comments before agencies such as the USPTO, FTC, and Department of Justice.
- Testified before congressional committees on public concerns with patent demand letters.
- Wrote extensively in national publications and spoke regularly on patent reform and other current policy topics.
- Issue areas included patent law, copyright law, access to broadband Internet, and online privacy.

Representative matters:

- *Impression Products v. Lexmark International* (Sup. Ct. 2017): Lead counsel on three *amicus* briefs. Coordinated signatories and other *amici*, and wrote and spoke extensively on the case.
- *ClearCorrect v. International Trade Commission* (Fed. Cir. 2014): Filed *amicus* brief, organized advocacy among nonprofit policy groups, and managed press outreach with several national news publications. Successfully convinced court of major policy implications of the case.

*2012–2013*    **Research Fellow with Colorado Law School**, for Professor Paul Ohm, funded by the National Science Foundation.

- Analyzed next-generation Internet technologies for legal implications in the areas of intellectual property, privacy, federal investigative law, and communications law.
- Explained technology law to computer science researchers through research papers and discussion.

*2008–2012*    **Attorney at Knobbe Martens Olson & Bear, LLP**, an intellectual property law firm. Specialized in patent litigation and computer patent prosecution.

- Drafted and prosecuted over 100 patent applications, many successfully to issuance, and conducted interviews with over 30 patent examiners.
- Prepared patent non-infringement analysis opinions, and drafted reexamination requests.
- Counseled clients on patent portfolio strategy, invention disclosures, design-arounds, and other intellectual property matters.

Representative litigation matters:

- *Autobytel Inc. v. Auto by Rent, Inc.* (Trademark Trial & Appeal Bd. 2011): Successfully opposed a competitor's trademark on the grounds of likelihood of confusion.

**EXPERIENCE, continued**

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- *Toshiba Corp. v. Wistron Corp.* (Int'l Trade Comm'n 2010): Successfully opposed summary judgment on invalidity and noninfringement; analyzed patents and computer source code.
- *Advanced Thermal Sciences v. Applied Materials, Inc.* (C.D. Cal. 2010): Trial counsel for plaintiff in patent inventorship dispute. Court ruled in favor of client on all substantive issues.

- 2007–2008 **Chief software developer at Labmeeting.com, Inc.**, a web technology startup. Developed online software for facilitating collaboration in biotechnology and biomedical research fields.
- Summer 2006 **Electronic Frontier Foundation** legal intern. Prepared legal research and advocacy materials on technology and intellectual property issues.
- Summer 2006 **National Consumer Law Center** legal intern. Drafted comments for FTC rulemaking on identity theft. Analyzed legislation on bankruptcy and mobile home tenant laws.
- Summer 2005 **Electronic Privacy Information Center** summer clerk. Prepared legal advocacy and educational materials on emerging privacy and technology issues, such as surveillance under the Fourth Amendment.
- 2004–2007 **Berkman Center for Internet and Society at Harvard Law School** intern and research assistant to co-director, Prof. Jonathan Zittrain. Investigated international use of Internet filtering and censorship; studied substantive trends in spam e-mails and legal implications of such trends.
- 2003 **Summer Quantitative Analyst** for Geode Capital Management, LLC. Designed statistical models for predicting the stock market, for a medium-sized hedge fund corporation. Worked with major financial databases and non-linear mixed effects models.

**EDUCATION**

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- 2004–2007 **Harvard Law School**: JD. Focused on intellectual property law, including patent law.
- 2000–2004 **Harvard University**: AB in Computer Science, *magna cum laude*. Thesis title: *A Theoretical Taxonomy of Anti-Spam Technologies*.

**SKILLS AND ABILITIES**

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**Legal policy.** Conducted public interest advocacy on a wide range of issues before congressional offices, federal agencies, and courts. Also experienced in engaging with media and press on complex policy matters.

**Intellectual property law**, including patent litigation, patent policy, and copyright, trademark, and trade secret law.

**Computer programming** proficiency in numerous languages (e.g., C/C++, Java, Ruby, Perl, SQL). Also proficient in networking and web technologies (e.g., HTML, Javascript, HTTP, TCP/IP, SMTP).

Admitted to practice in California, the District of Columbia, the Supreme Court of the United States, many federal courts of appeal and district courts, and the U.S. Patent and Trademark Office.

**AMICUS CURIAE BRIEFS**

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2017 Brief of Public Knowledge as *Amicus Curiae* in Support of Defendant-Appellee, **Cisco Sys., Inc. v. Arista Networks, Inc.**, No. 17-2145 (Fed. Cir. Dec. 23, 2017), available at <https://www.publicknowledge.org/documents/amicus-brief-in-cisco-v-arista>.

Brief of Public Knowledge and the Electronic Frontier Foundation as *Amici Collegii* in Opposition to the Motion to Terminate, **Mylan Pharm. Inc. v. Saint Regis Mohawk Tribe**, Case IPR2016-01127 etc. (P.T.A.B. Nov. 30, 2017), available at <https://patentlyo.com/media/2017/12/IPR2016-01127-105-Amicus-Curiae-Brief-of-the-Public-Knowledge-and-the-Electronic-Frontier-Foundation.pdf>.

Brief of Sixty-Six Library Associations, Nonprofit Organizations, Legal Technology Companies, Former Senior Government Officials, Librarians, Innovators and Professors of Law as *Amici Curiae* in Support of Defendant-Appellant, **Am. Soc’y for Testing & Materials v. Pub.Res.Org, Inc.**, No. 17-7035 (D.C. Cir. Sept. 25, 2017), available at <https://www.publicknowledge.org/documents/public-knowledge-amicus-brief-astm-v-public-resource-2017>.

Brief of Public Knowledge, the Electronic Frontier Foundation, Engine Advocacy, and the R Street Institute as *Amici Curiae* in Support of Respondents, **Oil States Energy Servs., LLC v. Greene’s Energy Group, LLC**, No. 16-712 (U.S. Oct. 26, 2017), available at <https://www.publicknowledge.org/documents/pk-eff-engine-rsi-amicus-brief-in-oil-states-v-greenes-energy>. Discussed in:

- Dennis Crouch, *Oil States Amicus Briefs Seek to Stabilize IPR Constitutional Footing*, **PATENTLY-O** (Nov. 1, 2017), <https://patentlyo.com/patent/2017/11/stabilize-constitutional-footing.html> (“a serious pursuit of historical issues worth reading”).

Brief of Public Knowledge, the American Library Association, the Association of Research Libraries, the Association of College and Research Libraries, the Organization for Transformative Works, the Institute of Intellectual Property and Social Justice, and Forty-One Librarians and Professors of Law as *Amici Curiae* in Support of Public.Resource.Org, Inc., **Code Revision Comm’n ex rel. Gen. Assembly v. Pub.Res.Org, Inc.**, No. 17-11589 (11th Cir. May 23, 2017), available at <https://ia601502.us.archive.org/25/items/gov.uscourts.ca11.17-11589/gov.uscourts.ca11.17-11589.01109552152.1.pdf>.

Brief of Public Knowledge, the Electronic Frontier Foundation, and Engine Advocacy as *Amici Curiae* in Support of the Petition, **Samsung Elecs. Co. v. Apple Inc.**, No. 16-1102 (U.S. Apr. 10, 2017), available at <http://www.scotusblog.com/wp-content/uploads/2017/04/16-1102-cert-amicus-Public-Knowledge.pdf>. Discussed in:

- Giuseppe Macri, *Consumer Groups Ask Supreme Court to Hear Second Apple v. Samsung Patent Dispute*, **INSIDESOURCES** (Apr. 15, 2017), <http://www.insidesources.com/consumer-groups-ask-supreme-court-to-hear-second-apple-v-samsung-patent-dispute/>.
- Mike Wuerthele, *Four Filings Exhort Supreme Court to Re-examine Apple vs. Samsung ‘Slide to Unlock’ Patent Trial*, **APPLEINSIDER** (Apr. 13, 2017), <http://appleinsider.com/articles/17/04/13/four-filings-exhort-supreme-court-to-re-examine-apple-vs-samsung-slide-to-unlock-patent-trial>.

*AMICUS CURIAE BRIEFS, continued*

Brief of the Electronic Frontier Foundation and Public Knowledge as *Amici Curiae* in Support of Petitioner, ***TC Heartland, LLC v. Kraft Foods Group Brands LLC***, 137 S. Ct. 1514 (Feb. 6, 2017) (No. 16-341), available at [http://www.scotusblog.com/wp-content/uploads/2017/02/16-341\\_amicus\\_pet\\_electronic\\_frontier\\_foundation.pdf](http://www.scotusblog.com/wp-content/uploads/2017/02/16-341_amicus_pet_electronic_frontier_foundation.pdf). Discussed in:

- Joe Mullin, *Will the Supreme Court End the East Texas Patent Scam?*, **ARS TECHNICA** (Mar. 28, 2017), <https://arstechnica.com/tech-policy/2017/03/will-the-supreme-court-end-the-east-texas-patent-scam/>.
- Chris Welch, *The US Supreme Court Just Made Life Much Harder for Patent Trolls*, **THE VERGE** (May 22, 2017), <https://www.theverge.com/2017/5/22/15676206/supreme-court-patent-venue-ruling>.
- Dennis Crouch, *TC Heartland: Statutory Interpretation, Fairness, and E.D.Texas*, **PATENTLY-O** (Feb. 7, 2017), <https://patentlyo.com/patent/2017/02/heartland-statutory-interpretation-fairness.html> (describing this brief as “one of the best briefs” in the case).

Brief of Public Knowledge, the Electronic Frontier Foundation, AARP, AARP Foundation, Mozilla, and the R Street Institute as *Amici Curiae* in Support of Petitioner, ***Impression Prods., Inc. v. Lexmark Int’l, Inc.***, 137 S. Ct. 1523 (Jan. 23, 2017) (No. 15-1189), available at [http://www.scotusblog.com/wp-content/uploads/2017/01/15-1189\\_amicus\\_pet\\_public\\_knowledge.pdf](http://www.scotusblog.com/wp-content/uploads/2017/01/15-1189_amicus_pet_public_knowledge.pdf). Discussed in:

- Kyle Wiens, *How a Supreme Court Ruling on Printer Ink Bolsters Your Digital Rights*, **WIRED** (June 1, 2017), <https://www.wired.com/2017/06/impression-v-lexmark/>.
- Joe Mullin, *Supreme Court Overturns Lexmark’s Patent Win on Used Printer Cartridges*, **ARS TECHNICA** (May 31, 2017), <https://arstechnica.com/tech-policy/2017/05/supreme-court-strikes-down-federal-circuit-again-limits-lexmark-patent-rights/>.
- Thomas Claburn, *How Lexmark’s Patent Fight to Crush an Ink Reseller Will Affect Us All*, **THE REGISTER** (Jan. 24, 2017), [https://www.theregister.co.uk/2017/01/24/eff\\_mozilla\\_laxmark\\_patent\\_exhaustion/](https://www.theregister.co.uk/2017/01/24/eff_mozilla_laxmark_patent_exhaustion/).

2016

Amicus Curiae Brief of Electronic Frontier Foundation, Public Knowledge, and Center for Democracy & Technology in Support of Petitioner, ***Packingham v. North Carolina***, 137 S. Ct. 1730 (Dec. 22, 2016) (No. 15-1194), available at [http://www.scotusblog.com/wp-content/uploads/2016/12/15-1194\\_amicus-petitioner-EFF.pdf](http://www.scotusblog.com/wp-content/uploads/2016/12/15-1194_amicus-petitioner-EFF.pdf). Discussed in:

- ***Packingham v. North Carolina***, 137 S. Ct. 1730, 1735–36 (2017).
- Mike Masnick, *Supreme Court Says You Can’t Ban People from the Internet, No Matter What They’ve Done*, **TECHDIRT** (June 20, 2017), <https://www.techdirt.com/articles/20170620/10455137631/supreme-court-says-you-cant-ban-people-internet-no-matter-what-theyve-done.shtml>.
- Jeff John Roberts, *Facebook Ban for Sex Offenders Goes Before Supreme Court*, **FORTUNE** (Feb. 27, 2017), <http://fortune.com/2017/02/27/supreme-court-social-media-facebook/>.

Brief of Public Knowledge and the Electronic Frontier Foundation as *Amici Curiae* in Support of Petitioner, ***Google Inc. v. Arendi SARL***, No. 16-626 (U.S. Dec. 1, 2016), available at <https://www.publicknowledge.org/documents/pk-eff-amicus-brief-in-google-v-arendi>.

Brief of *Amicus Curiae* Public Knowledge in Support of Neither Party, ***Matal v. Tam***, 137 S. Ct. 1744 (Nov. 21, 2016) (No. 15-1293), available at <http://www.scotusblog.com/wp-content/uploads/2016/12/15-129320ac20Public20Knowledge.pdf>.

*AMICUS CURIAE BRIEFS, continued*

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Brief of Public Knowledge, the Electronic Frontier Foundation, and the Center for Democracy and Technology as *Amici Curiae* in Support of Neither Party, **BMG Rights Mgmt. (US) LLC v. Cox Commc'ns, Inc.**, No. 16-1972 (4th Cir. Nov. 14, 2016). Discussed in:

- Wendy Davis, *Broadband Providers, Digital Rights Groups Back Cox in Copyright Battle*, **MEDIAPOST** (Nov. 17, 2016), <http://www.mediapost.com/publications/article/289331/broadband-providers-digital-rights-groups-back-co.html>.
- Bill Donahue, *Telecom, Consumer Groups Back Cox On DMCA Safe Harbor*, **LAW360** (Nov. 15, 2016), <http://www.law360.com/articles/862618/telecom-consumer-groups-back-cox-on-dmca-safe-harbor>.

Brief of Public Knowledge as *Amicus Curiae* in Support of the Petition for Rehearing *En Banc*, **FTC v. AT&T Mobility LLC**, No. 15-16585 (9th Cir. Oct. 24, 2016).

Brief of the Electronic Frontier Foundation and Public Knowledge as *Amici Curiae* in Support of the Petition, **TC Heartland, LLC v. Kraft Foods Group Brands LLC**, 137 S. Ct. 1514 (Oct. 12, 2016) (No. 16-341), *available at* <http://www.scotusblog.com/wp-content/uploads/2016/10/16-341-cert-amicus-EFF.pdf>.

Brief of the Electronic Frontier Foundation and Public Knowledge as *Amici Curiae* in Support of Respondents, **SCA Hygiene Prods. Aktiebolag v. First Quality Baby Prods., LLC**, No. 15-927 (U.S. Sept. 7, 2016). Discussed in:

- Ronald Mann, *Stakes Are High as Justices Consider Laches as a Bar to Patent Damage Suits*, **SCOTUSBLOG** (Oct. 25, 2016), <http://www.scotusblog.com/2016/10/argument-preview-stakes-are-high-as-justices-consider-laches-as-a-bar-to-patent-damage-suits/>.

Motion for Leave to File Brief, and Brief of Public Knowledge and the Electronic Frontier Foundation as *Amici Curiae* in Support of the Petition, **Google, Inc. v. Cioffi**, No. 16-200 (U.S. Sept. 7, 2016).

Brief of Public Knowledge as *Amicus Curiae* in Support of Plaintiffs-Counter-Defendants-Appellants, **Williams v. Gaye**, No. 15-56880 (9th Cir. Aug. 30, 2016), *available at* <https://www.publicknowledge.org/documents/amicus-brief-in-blurred-lines-case>. Discussed in:

- Daniel Sanchez, *Public Knowledge to 9th Circuit Court in Defense of Blurred Lines Appeal: Borrowing is a Part of Music*, **DIGITAL MUSIC NEWS** (Aug. 31, 2016), <https://www.digitalmusicnews.com/2016/08/31/borrowing-a-part-of-music/>.
- Eriq Gardner, *Marvin Gaye Family Defends 'Blurred Lines' Trial Outcome to Appeals Court*, **HOLLYWOOD REP.** (Dec. 22, 2016), <http://www.hollywoodreporter.com/thr-esq/marvin-gaye-family-defends-blurred-lines-trial-outcome-appeals-court-958705>.

Brief of Public Knowledge, the International Costumers Guild, Shapeways, Inc., the Open Source Hardware Association, Formlabs Inc., Printrobot Inc., the Organization for Transformative Works, the American Library Association, the Association of Research Libraries, and the Association of College and Research Libraries as *Amici Curiae* in Support of Petitioner, **Star Athletica v. Varsity Brands, Inc.**, No. 15-866 (U.S. July 21, 2016), *available at* [http://www.scotusblog.com/wp-content/uploads/2016/07/15-866\\_amicus\\_pet\\_public\\_knowledge.pdf](http://www.scotusblog.com/wp-content/uploads/2016/07/15-866_amicus_pet_public_knowledge.pdf). Discussed in:

- Bill Donahue, *Amici Jump Into High Court's Apparel Copyright Case*, **LAW360** (July 28, 2016), <http://www.law360.com/articles/822668/amicus-jump-into-high-court-s-apparel-copyright-case>.

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- Mike Masnick, *How a Supreme Court Case on Cheerleader Costumes & Copyright Could Impact Prosthetic Hands and Much, Much More*, **TECHDIRT** (July 26, 2016), <https://www.techdirt.com/articles/20160723/15225535049/how-supreme-court-case-cheerleader-costumes-copyright-could-impact-prosthetic-hands-much-much-more.shtml>.
- Michael Weinberg, *Advocating for a Clear Test on Copyright and 3D Printed Objects*, **SHAPEWAYS BLOG** (July 26, 2016), <http://www.shapeways.com/blog/archives/26366-advocating-for-a-clear-test-on-copyright-and-3d-printed-objects.html>.
- Michael Petch, *Intellectual Property & 3D Printing: A Changing Landscape*, **3D PRINTING INDUSTRY** (July 19, 2016), <https://3dprintingindustry.com/news/intellectual-property-3d-printing-changing-landscape-87447/>.

Brief of Public Knowledge, the Electronic Frontier Foundation, the R Street Institute, the American Antitrust Institute, and IP Justice as *Amici Curiae* in Support of Petitioners, ***Samsung Elecs. Co. v. Apple Inc.***, No. 15-777 (U.S. June 7, 2016), available at <https://www.publicknowledge.org/documents/apple-v.-samsung-supreme-court-amicus-brief>. Discussed in:

- Tony Dutra, *Gov't Tells High Court to Send Samsung, Apple Back to Court*, **BLOOMBERG BNA** (June 10, 2016), <http://www.bna.com/govt-tells-high-n57982073919/>.
- Kelly Knaub, *Feds Urge Justices to Ax \$400M Apple Win in Samsung Case*, **LAW360** (June 9, 2016), <http://www.law360.com/articles/805360/feds-urge-justices-to-ax-400m-apple-win-in-samsung-case>.

Brief of Public Knowledge, the Electronic Frontier Foundation, and the R Street Institute as *Amici Curiae* in Support of Petitioner, ***Impression Prods., Inc. v. Lexmark Int'l, Inc.***, 137 S. Ct. 1523 (Apr. 20, 2016) (No. 15-1189), available at <https://www.publicknowledge.org/documents/amicus-impression-v-lexmark-scotus-petition>. Discussed in:

- Adam Liptak, *Supreme Court to Hear Lexmark Patent Case*, **N.Y. TIMES**, Dec. 2, 2016, at B5.
- Lorraine Bailey, *High Court to Decide Whether Patent Rights Extend Abroad*, **COURTHOUSE NEWS SERV.** (Dec. 5, 2016), <http://www2.courthousenews.com/high-court-to-decide-whether-patent-rights-extend-abroad/>.
- Cory Doctorow, *Printer Ink Wars May Make Private Property the Exclusive Domain of Corporations*, **BOING BOING** (Apr. 21, 2016), <https://boingboing.net/2016/04/20/printer-ink-wars-may-make-priv.html>.
- Dani Meyer, *Nonprofits Urge High Court To Hear Patent Exhaustion Suit*, **LAW360** (Apr. 21, 2016), <http://www.law360.com/articles/787388/nonprofits-urge-high-court-to-hear-patent-exhaustion-suit>.

Brief of Public Knowledge as *Amicus Curiae* in Support of Respondent, ***Cuozzo Speed Techs., LLC v. Lee***, No. 15-446 (U.S. Mar. 29, 2016), available at <https://www.publicknowledge.org/documents/amicus-cuozzo-v-lee>. Discussed in:

- Dennis Crouch, *Cuozzo v. Lee: The Problem of Standing*, **PATENTLY-O** (Mar. 30, 2016), <http://patentlyo.com/patent/2016/03/cuozzo-problem-standing.html>.
- Patrick Boyle, *Justices Pushed To Back PTAB's Broad Claim Construction*, **LAW360** (Mar. 30, 2016), <http://www.law360.com/articles/778070/justices-pushed-to-back-ptab-s-broad-claim-construction>.

*AMICUS CURIAE BRIEFS, continued*

Brief of Public Knowledge as *Amicus Curiae* in Support of Petitioner, **Kirtsang v. John Wiley & Sons, Inc.**, No. 15-375 (U.S. Feb. 29, 2016), available at <https://www.publicknowledge.org/documents/pk-amicus-brief-in-kirtsang-v.-john-wiley>.

Brief of Public Knowledge as *Amicus Curiae* in Support of Defendant/Counter-Plaintiff Public.Resource.Org, **Am. Educ. Research Ass'n, Inc. v. Pub.Res.Org**, No. 1:14-cv-857 (D.D.C. Feb. 11, 2016), available at <https://www.publicknowledge.org/documents/amicus-brief-aera-v-public-resource>.

Brief of Public Knowledge, the Royal Manticoran Navy, and the International Costumers Guild as *Amici Curiae* in Support of Petitioner, **Star Athletica v. Varsity Brands, Inc.**, No. 15-866 (U.S. Feb. 5, 2016), available at <https://www.publicknowledge.org/documents/public-knowledge-amicus-brief-for-star-athletica-v-varsity-brands>. Discussed in:

- Adam Longman, *Cheerleading in SCOTUS? The Uniforms Could Make It There*, **GW INTELL. PROP. & ENT. L. BRIEF** (Apr. 13, 2016), <http://gwipbrief.org/cheerleading-in-scotus-the-uniforms-could-make-it-there/>.

Brief of Public Knowledge and the Electronic Frontier Foundation as *Amici Curiae* in Support of Petitioner, **Vermont v. MPHJ Tech. Invs., LLC**, No. 15-838 (U.S. Jan. 29, 2016), available at <https://www.publicknowledge.org/documents/pk-eff-brief-in-vermont-v-mphj>.

Brief of Public Knowledge and the Electronic Frontier Foundation as *Amici Curiae* in Support of Petitioners, **Samsung Elecs. Co. v. Apple Inc.**, No. 15-777 (U.S. Jan. 14, 2016), available at <https://www.publicknowledge.org/documents/amicus-samsung-apple-design>.

Brief of Public Knowledge and the Electronic Frontier Foundation as *Amici Curiae* in Support of Petitioner, *In re Marten Transp., Ltd.*, No. 16-108 (Fed. Cir. Jan. 11, 2016), available at <https://www.publicknowledge.org/documents/amicus-brief-marten-transport>.

2015

Brief of Public Knowledge and the Electronic Frontier Foundation as *Amici Curiae* in Support of Neither Party, **Altera Corp. v. Papst Licensing GmbH & Co. KG**, Nos. 15-1914, -1919 (Fed. Cir. Dec. 21, 2015), available at <https://www.eff.org/files/2015/12/21/brief-altera-v-papst.pdf>. Discussed in:

- Patrick Boyle, *Fed. Circ. Urged To Overturn Patent Jurisdiction Law*, **LAW360** (Dec. 22, 2015), <http://www.law360.com/articles/741081/fed-circ-urged-to-overturn-patent-jurisdiction-law>.

Brief of Public Knowledge, the Electronic Frontier Foundation, and Engine Advocacy as *Amici Curiae* in Support of Neither Party, **Halo Elecs., Inc. v. Pulse Elecs., Inc.**, 136 S. Ct. 1923 (Dec. 15, 2015) (Nos. 14–1513, 14–1520), available at <https://www.publicknowledge.org/documents/amicus-brief-halo>. Discussed in:

- **Halo Elecs., Inc. v. Pulse Elecs., Inc.**, 136 S. Ct. 1923, 1936, 1938 (2016) (Breyer, J., concurring).
- Ronald Mann, *Argument Analysis: Justices Unsettled on Standard for Enhanced Damages in Patent Cases*, **SCOTUSBLOG** (Feb. 24, 2016), <http://www.scotusblog.com/2016/02/argument-analysis-justices-unsettled-on-standard-for-enhanced-damages-in-patent-cases/>.
- Transcript of Oral Argument at 34 ll. 12–16, **Halo Elecs., Inc. v. Pulse Elecs., Inc.**, 136 S. Ct. 1923 (Feb. 23, 2016) (Nos. 14–1513, 14–1520) (colloquy of Mr. Carter Phillips and Breyer, J.).
- Ryan Davis, *Calls For Bigger Patent Awards 'Disastrous,' Justices Told*, **LAW360** (Dec. 16, 2015), <http://www.law360.com/ip/articles/738653>.

*AMICUS CURIAE BRIEFS, continued*

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Brief of Public Knowledge and the Electronic Frontier Foundation as *Amici Curiae* in Support of Petitioner, ***Nautilus, Inc. v. Biosig Instruments, Inc.***, No. 15-561 (U.S. Nov. 16, 2015), available at <https://www.publicknowledge.org/documents/pk-eff-nautilus-ii-cert>.

Brief of Public Knowledge and the Electronic Frontier Foundation as *Amici Curiae* in Support of the Petition, ***Apple Inc. v. Samsung Elecs. Co.***, No. 14-1802 (Fed. Cir. Nov. 2, 2015), <https://www.publicknowledge.org/documents/amicus-apple-samsung-injunction>. Discussed in:

- Vin Gurrieri, *Ban On Samsung Phones Flouts High Court*, *Fed. Circ. Told*, **LAW360** (Nov. 3, 2015), <http://www.law360.com/articles/722533/ban-on-samsung-phones-flouts-high-court-fed-circ-told>.
- John Eggerton, *PK: Court Overvalues Patent Rights Injunctions*, **BROADCASTING & CABLE** (Nov. 2, 2015), <http://www.broadcastingcable.com/news/washington/pk-court-overvalues-patent-rights-injunctions/145498>.

Brief of Amici Curiae Electronic Frontier Foundation, Public Knowledge, and Engine Advocacy in Support of Petitioner, *In re TC Heartland, LLC*, 821 F.3d 1338 (Fed. Cir. Oct. 29, 2015) (No. 16-105), available at [https://www.eff.org/files/2015/10/29/16-105\\_heartland\\_eff\\_amicus\\_.pdf](https://www.eff.org/files/2015/10/29/16-105_heartland_eff_amicus_.pdf). Discussed in:

- Joe Mullin, *EFF Asks Appeals Court to “Shut Down the Eastern District of Texas”*, **ARS TECHNICA** (Oct. 30, 2015), <http://arstechnica.com/tech-policy/2015/10/eff-asks-appeals-court-to-shut-down-the-eastern-district-of-texas/>.
- By Ryan Davis, *Fed. Circ. Urged To Close “Absurd” East Texas Patent Docket*, **LAW360** (Oct. 30, 2015), <http://www.law360.com/articles/721246/fed-circ-urged-to-close-absurd-east-texas-patent-docket>.
- Dennis Crouch, *Support for Mandamus Action to Limit Patent Forum Shopping*, **PATENTLY-O** (Nov. 6, 2015), <http://patentlyo.com/patent/2015/11/support-mandamus-shopping.html>.

Brief of Public Knowledge and the Electronic Frontier Foundation as *Amici Curiae* in Opposition to Plaintiffs’ Motion for Summary Judgment, ***BMG Rights Mgmt. (US) LLC v. Cox Enters., Inc.***, No. 1:14-cv-1611 (E.D. Va. Oct. 14, 2015), available at <https://www.publicknowledge.org/documents/brief-bmg-v-cox>. Discussed in:

- Ernesto Van der Sar, *Piracy Claims Are No Basis to Terminate Internet Accounts*, *Court Hears*, **TORRENTFREAK** (Oct. 15, 2015), <https://torrentfreak.com/piracy-claims-are-no-basis-to-terminate-internet-accounts-court-hears-151015/>.

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