VLP Partner David Thibodeau Authors IPWatchdog Article “Why SAS Institute Matters More Than Oil States”

VLP Intellectual Property Partner David Thibodeau wrote the article “Why SAS Institute Matters More Than Oil States” for *IPWatchdog*. The article reported on two important patent cases about to be argued before the Supreme Court.

Mr. Thibodeau wrote: *“Oil States Energy Services LLC v. Greene’s Energy Group, LLC,* now scheduled for oral argument before the Supreme Court on November 27, is clearly receiving all the attention this fall. The possibility of finding Patent Trial and Appeal Board (PTAB) post grant proceedings unconstitutional cannot be understated. But oral arguments will also be heard on that same day in the less-noticed *SAS Institute v. Matal*. That case involves 35 U.S.C. § 318(a), which requires PTAB to ‘issue a final written decision with respect to the patentability of any patent claim challenged by the petitioner.’ Despite the plain meaning of the statute, current PTAB practice is to only issue a final decision on some of the claims.”

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