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Design Patents: 'Campbell Soup' Stirs the Pot

Jonathan Tropp, an intellectual property litigator, authored an article, "Design Patents: 'Campbell Soup' Stirs the Pot," published by the *New York Law Journal*. In his piece, Tropp discusses the U.S. Court of Appeals for the Federal Circuit decision in *Campbell Soup Co. v Gamon Plus*, which concluded substantial evidence did not support the Patent Trial and Appeal Board's finding that a reference was insufficiently similar to the claimed designs to be a primary reference. He also raises whether the decision will have long-term impact on validity arguments in design patent cases.

Authors



Jonathan B. Tropp
Partner

New Haven, CT | (203) 977-7337

jbtropp@daypitney.com