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Life Technologies Corp. v. Promega Corporation: What No One Is Telling the Supreme Court

Jonathan Tropp authored an article, "Life Technologies Corp. v. Promega Corporation: What No One Is Telling the Supreme Court," for *IPWatchdog*. In the article, Tropp provides an analysis of the arguments in *Life Tech. Corp. v. Promega Corp., No. 14-1538,* in which the Supreme Court will "once again consider the extraterritorial effect of U.S. patent law" in its upcoming term. The central question is whether "the Federal Circuit Court erred in holding that supplying a single, commodity component of a multi-component invention is an infringing act under 35 U.S.C. § 271(f)(1), exposing the manufacturer to liability for all worldwide sales." In his article, contrary to the petitioner and its amici, who seek a broad pronouncement of law, Tropp argues, "The Supreme Court should reverse, reinstating the district court's judgment [only] on the narrow, alternative basis stated in that court's opinion, that as a matter of law a single commodity component is not a 'substantial portion of the components' of a multi-component invention, at least without meaningful proof that the component particularly plays a substantial role in the invention."

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