Insights: News

# Return Mail Reaction: Patent Bar Sampling Narrowly Favors Finding for Petitioner

*IP Watchdog*

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On February 19, the U.S. Supreme Court heard oral arguments in *Return Mail Inc. v. United States Postal Service*—one of two IP cases the Court heard that week. The courtroom for the *Return Mail* hearing was particularly full of press because it was Justice Ruth Bader Ginsburg's first hearing following a recent hiatus to have nodules on her lungs removed.

*Return Mail* asks whether the federal government constitutes a "person" for the purposes of instituting post grant review proceedings at the Patent Trial and Appeal Board (PTAB) under the Leahy-Smith America Invents Act (AIA). As reported earlier this week, the justices appeared to be dissatisfied with arguments from counsel on both sides—and skeptical that Congress had any view on the issue to begin with—but they arguably pushed back more against the government's position.

Justin Krieger discussed the case with *IP Watchdog.* Click **READ FULL ARTICLE** to read his comments.

## Related People




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