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Federal Circuit Finds Claim Is Not “Materially Broader” and Inventor Estopped From Challenging Asserted Claim

Kilpatrick Townsend MEMO|Biopharma Industry Blog

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Previously, we reported on the Supreme Court's limits on assignor estoppel and arguments on remand at the Federal Circuit. Last week, on August 11, 2022, the Federal Circuit issued its opinion deciding whether Hologic's claims are “materially broader” than the claims at the time of assignment, barring application of the assignor estoppel doctrine. The Federal Circuit found the claims are not “materially broader” than what the inventor (now trying to challenge the patent) originally assigned, and accordingly, Minerva is estopped from challenging the validity of Hologic's claims.

Related People



April Abele Isaacson
t 415.273.8306
aisaacson@ktslaw.com