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Strategies For Patent Drafting As Eligibility Questions Linger

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Law360 (July 14) -- Practitioners' hopes — or fears — that the U.S. Supreme Court would clarify what constitutes patent-eligible subject matter under Title 35 of the U.S. Code, Section 101 were dashed in May when the Supreme Court denied certiorari in *Interactive Wearables LLC v. Polar Electro Oy* and *Tropp v. Travel Sentry Inc.*

While the Supreme Court has seemingly little interest in taking up Section 101-related cases, lessons learned from these cases' lower court opinions can allow practitioners to adapt their patent application drafting strategies to better prepare patent applications for future challenges under Section 101.