



## **James M. Burns Comments on the Likelihood the Supreme Court Will Review the 2nd Circuit's "Reverse Payment" Patent Infringement Settlement Antitrust Case**

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Jim Burns was one of several antitrust attorneys who commented for the BNA Pharmaceutical Law and Industry Report regarding whether the Supreme Court was likely to review a 2nd Circuit case involving "reverse payments" in the settlement of patent infringement disputes. The case raises the issue of whether such payments constitute violations of the antitrust laws. In response to an amicus brief by several Attorneys General supporting Supreme Court review, he commented that the filing, together with the Federal Trade Commission's support for review "certainly enhances the chances" that the Supreme Court will take the case, although "obtaining Supreme Court review is always an uncertain prospect."

Please click on the attached file to read the entire article.

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