

CASE STUDY:

Patent Case Transferred to Massachusetts Under New Supreme Court Precedent

> SUMMARY:

(February 8, 2018, Boston, MA) Sheehan Phinney lawyers Peter Nieves and Bob Lucic, along with their Lex Mundi colleague Brian Kramer of Morrison & Forster, as local counsel, **successfully moved to transfer a patent infringement case** from the Southern District of California to the District of Massachusetts relying on the US Supreme Court's recent decision in *TC Heartland v. Kraft Foods*.

> BACKGROUND:

Our client, MRSI, based in Billerica, Massachusetts was sued in San Diego by its competitor Palomar. MRSI relied on the Supreme Court's landmark decision in *TC Heartland* holding, in part, that a defendant in a patent infringement lawsuit can **only be sued in the jurisdiction in which it resides**.

> OUTCOME:

After briefing the issue for the court, the Federal Circuit rendered the *In re Micron Technology* decision, confirming MRSI's arguments that *TC Heartland* was new law, thereby providing the Court in *Palomar v. MRSI* with additional basis for transferring to Massachusetts, as petitioned by MRSI. The *TC Heartland* and *In re Micron Technology* cases, in combination with this present court decision, are extremely important because **they reduce the likelihood that defendants will be stuck defending patent litigation claims** in a jurisdiction where they do not reside.

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