



Bilski v. Kappos, 130 S.Ct. 3218 (2010)

545 F.3d 943 (2008)

Topics Covered: Patents

Outcome: Favorable

Issue

The issue in this case was whether a computer program designed to help commodities traders hedge their risks was patentable.

Case Summary

By a split decision, the Supreme Court affirmed the decision of the Federal Circuit that the particular computer program at issue was unpatentable. It held that the program was an abstract idea, rather than a concrete application of the idea.

AMA Involvement

At the request of the Minnesota Medical Association, the Association for Molecular Pathology, and the Mayo Clinic, the AMA joined in an *amicus curiae* brief. The brief was formally filed in support of the United States Patent and Trademark Office, but it said little about the issues in the *Bilski* case, the suit before the Court. Instead, it encouraged the Supreme Court to accept a contemplated petition for *certiorari*, which at that point had not yet been filed, in *Prometheus Laboratories v. Mayo Collaborative Services*.

United States Supreme Court brief