United States of America

“Medtronic v. Mirowski”

Patent Law – *Medtronic, Inc. v. Mirowski Family Ventures, LLC*

Decision of the Supreme Court

22 January 2014 – Case No. 12-1128

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A patentee ordinarily bears the burden of proving infringement. *Agawam Co. v. Jordan*, 7 Wall. 583, 609 (1869). This case asks us to decide whether the burden of proof shifts when the patentee is a defendant in a declaratory judgment action, and the plaintiff (the potential infringer) seeks a judgment that he does *not* infringe the patent. We hold that, when a licensee seeks a declaratory judgment against a patentee to establish that there is no infringement, the burden of proving infringement remains with the patentee. We reverse the Federal Circuit’s determination to the contrary.

Full text is available at <http://www.supremecourtus.gov>.