

April 16, 2021



Client Alert

Live Tweeting Minerva SCOTUS Oral Arguments on Wednesday

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On Wednesday, April 21, 2021, oral arguments will commence in *Minerva Surgical, Inc. v. Hologic, Inc.*, and [William H. Milliken](#), a director in Sterne Kessler's Trial & Appellate Practice Group, will be live-tweeting updates from the firm's account, [@sternekessler](#). The live-tweeting will begin at 11 a.m. EDT and continue throughout the duration of the proceedings.

In *Minerva v. Hologic*, the Supreme Court will confront the doctrine of "assignor estoppel," which prevents an inventor who has assigned a patent from later contesting the patent's validity. The petitioner, Minerva, argues that the doctrine should be overruled because it lacks footing in the text of the Patent Act, Supreme Court case law, or sound policy. Minerva argues in the alternative that, even if the doctrine is not discarded in its entirety, its scope should be sharply limited. Hologic, naturally, disagrees on both counts. The United States, appearing as amicus curiae, submits that the doctrine should be retained in a narrow form but argues that the Federal Circuit did not apply the doctrine correctly here.

The case is expected to provide significant clarity concerning the continuing viability and scope of the assignor estoppel doctrine and is accordingly being closely watched by patentees and patent challengers alike.

The firm will continue to provide updates and analysis on this case up to the Court's decision and beyond.

For more information, please contact:



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