Supreme Court Changes The Standard Of Review For Claim Construction Decisions

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The U.S. Court of Appeals for the Federal Circuit has long held that a District Court's construction of the meaning of claim terms in a patent is not entitled to any deference and would be reviewed on appeal using a de novo standard. The Supreme Court rejected those decisions on January 20 and held that the Federal Circuit "must apply a 'clear error,' not de novo, standard of review" to the factual underpinnings of a District Court's claim construction determination.