

No. 04-1329

Title: Illinois Tool Works Inc., et al., Petitioners  
v.  
Independent Ink, Inc.

Docketed: April 5, 2005

Lower Ct: United States Court of Appeals for the Federal Circuit

Case Nos.: (04-1196)

Decision Date: January 25, 2005

**Questions  
Presented**

~~~Date~~~ ~~~~~Proceedings and Orders~~~~~

Apr 4 2005 Petition for a writ of certiorari filed. (Response due May 5, 2005)

May 4 2005 Motion for leave to file amicus brief filed by American Intellectual Property Law Association.

May 4 2005 Brief of respondent Independent Ink, Inc. in opposition filed.

May 5 2005 Motion for leave to file amicus brief filed by American Bar Association.

May 5 2005 Motion for leave to file amicus brief filed by Pfizer Inc.

May 5 2005 Motion for leave to file amicus brief filed by Intellectual Property Owners Association.

May 17 2005 DISTRIBUTED for Conference of June 2, 2005.

May 17 2005 Reply of petitioners Illinois Tool Works Inc. and Trident, Inc. filed. (Distributed)

May 31 2005 DISTRIBUTED for Conference of June 16, 2005.

Jun 9 2005 Supplemental brief of petitioners Illinois Tool Works Inc., et al. filed. (Distributed)

Jun 20 2005 Petition GRANTED.

Jun 20 2005 Motion for leave to file amicus brief filed by American Bar Association GRANTED.

Jun 20 2005 Motion for leave to file amicus brief filed by American Intellectual Property Law Association GRANTED.

Jun 20 2005 Motion for leave to file amicus brief filed by Pfizer Inc. GRANTED.

Jun 20 2005 Motion for leave to file amicus brief filed by Intellectual Property Owners Association GRANTED.

Jul 25 2005 SET FOR ARGUMENT on November 29, 2005.

Jul 26 2005 Brief amicus curiae of Intellectual Property Law Association of Chicago filed.

Aug 4 2005 Brief amicus curiae of United States filed.

Aug 4 2005 Joint appendix filed. (Jt appendix in three volumes).

Aug 4 2005 Brief of petitioners Illinois Tool Works Inc., et al. filed.

Aug 4 2005 Brief amicus curiae of American Bar Association filed.

Aug 4 2005 Brief amicus curiae of Verizon Communications filed. (Distributed)

- Aug 4 2005 Brief amicus curiae of New York Intellectual Property Law Association filed. (Distributed)
- Aug 4 2005 Brief amicus curiae of Houston Intellectual Property Law Association filed. (Distributed)
- Aug 4 2005 Brief amicus curiae of Intellectual Property Owners Association filed. (Distributed)
- Aug 4 2005 Brief amicus curiae of American Intellectual Property Law Association filed. (Distributed)
- Aug 4 2005 Brief amicus curiae of Bar Association of the District of Columbia - Patent Trademark & Copyright Section filed. (Distributed)
- Aug 4 2005 Brief amicus curiae of Washington Legal Foundation filed. (Distributed)
- Aug 4 2005 Motion for leave to file amici brief filed by Motion Picture Association of America, Inc. (Distributed)
- Aug 5 2005 CIRCULATED.
- Aug 10 2005 Extension of time within which to file respondent's brief on the merits to and including September 28, 2005.
- Sep 2 2005 Motion for leave to file amici brief filed by Motion Picture Association of America, Inc., et al. GRANTED.
- Sep 27 2005 Brief amici curiae of National Association of Theatre Owners and Video Software Dealers Association filed. (Distributed)
- Sep 28 2005 Brief amici curiae of Barry Nalebuff, Ian Ayres, and Lawrence Sullivan filed. (Distributed)
- Sep 28 2005 Brief amicus curiae of F.M. Scherer filed. (Distributed)
- Sep 28 2005 Brief amici curiae of District of Columbia, et al. filed. (Distributed)
- Sep 28 2005 Brief of respondent Independent Ink, Inc. filed. (Distributed)
- Sep 28 2005 Brief amici curiae of International Imaging Technology Council, et al. filed. (Distributed)
- Sep 28 2005 Brief amici curiae of AARP, et al. filed. (Distributed)
- Sep 28 2005 Brief amici curiae of American Antitrust Institute, et al. filed. (Distributed)
- Oct 6 2005 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed.
- Oct 17 2005 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED.
- Nov 2 2005 Reply of petitioners Illinois Tool Works Inc., et al. filed. (Distributed)
- Nov 3 2005 Record received from U.S.C.A. for Federal Circuit. (2 expandable folders)
- Nov 29 2005 Argued. For petitioners: Andrew J. Pincus, Washington, D.C.; and Thomas G. Hungar, Deputy Solicitor General, Department of Justice, Washington, D.C. (for United States, as amicus curiae.) For respondent: Kathleen M. Sullivan, Redwood Shores, Cal.
- Dec 2 2005 Record received from U.S.D.C. Central Dist. of California. (4 boxes)

Mar 1 2006 Judgment VACATED and case REMANDED. Stevens, J., delivered the opinion of the Court, in which all other Members joined, except Alito, J., who took no part in the consideration or decision of the case.

Apr 3 2006 JUDGMENT ISSUED.

Apr 4 2006 Record returned to U.S.D.C. for Central District of California.

Apr 11 2006 Acknowledgement of receipt (04/04/06) of judgment from Clerk, United States Court of Appeals for the Federal Circuit received.

Aug 8 2006 Record returned to U.S.C.A. for Federal Circuit.

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Party name: Illinois Tool Works Inc., et al.

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Party name: Independent Ink, Inc.

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