

Nathan Kelley Quoted in Law360—Are Winds of Change Finally Blowing on Patent Eligibility?

Partner Nathan Kelley was quoted in "[Are Winds of Change Finally Blowing on Patent Eligibility?](#)," an article in *Law360*,* regarding a breakthrough in patent eligibility.

American Axle "seemed to a lot of people like the best last shot," said Nate. After the high court turned it down, he said, some observers started saying, "There's no hope in getting the Supreme Court to look at this. We've got to go to Congress." The justices' call for input on more cases soon after "just really surprised people," he added.

Nate noted that those cases are somewhat more narrowly focused than American Axle, where the briefing bled into other areas of patent law, like the requirement that patents describe the invention in a way that enables someone to make and use it.

The decision "really provided a road map for patent owners avoiding an early dismissal of their case under Section 101," Nate said.

[Read the full article on Law360](#).*

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