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Brulotte Vs. Thys Co.

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Court : US Supreme Court

Decided On : 1964

Appeal No. : 376 U.S. 905

Appellant : Brulotte

Respondent : Thys Co.

Judgement :

BRULOTTE v. THYS CO. - 376 U.S. 905 (1964)
U.S. Supreme Court BRULOTTE v. THYS CO. , 376 U.S. 905 (1964)

376 U.S. 905

Walter C. BRULOTTE et al., petitioners,
v.
THYS COMPANY.
No. 707.

Supreme Court of the United States

February 17, 1964

Edward S. Irons, for petitioners.

George W. Wilkins, for respondent.

Petition for writ of certiorari to the Supreme Court of Washington granted limited to Questions 1 and 2 presented by the petition which read as follows:

> '1. Whether it is a misuse to include in a license agreement a provision which perpetuates the monopoly of a licensed patent by a requirement that royalties be paid for the use of the invention after the patent has expired and the invention had been dedicated to the public.
>
> '2. Whether it is a misuse or an antitrust violation to include in a license agreement a provision which extends the monopoly of a patent to unpatented subject matter by a provision which requires the payment of post-expiration royalties.'

The case is placed on the summary calendar.[Brulotte v. Thys Co. 376 U.S. 905 (1964)]

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