Supreme Court Overview
2016-2017 Term
Civil Cases

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Matal v. Tam

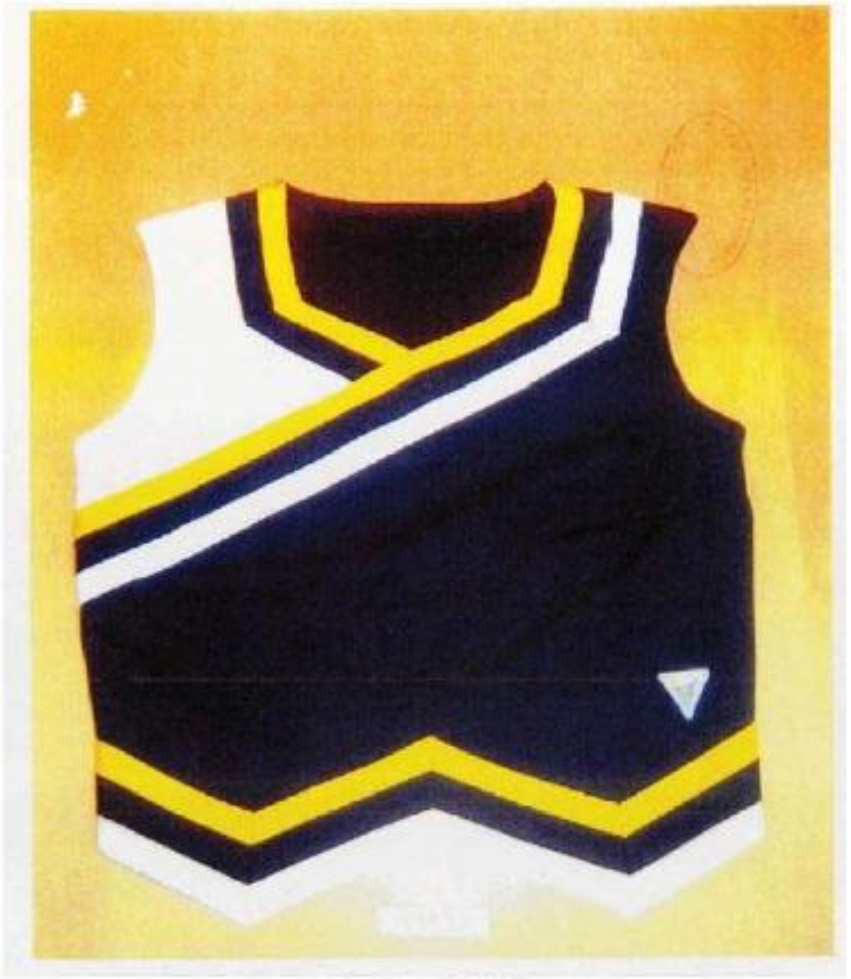
- 8-0
- Provision of 1947 Lanham Act, which prohibits the registration of trademarks which may "disparage … persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt or disrepute," violates the First Amendment.

Samsung v. Apple

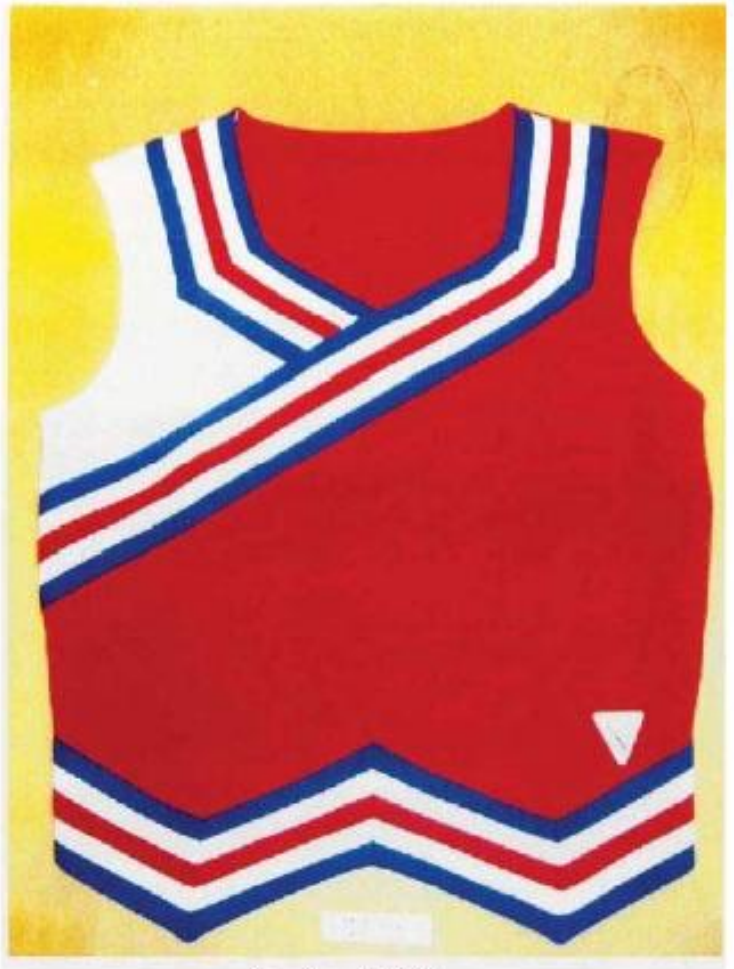
- 8-0
- In the case of a multicomponent product, the relevant article of manufacture for arriving at a damages award under Section 289 of the Patent Act need not be the end product sold to the consumer but may be only a component of that product.

Impressions Products v. Lexmark Int'l

- (1) (8-0) Lexmark exhausted its patent rights in toner cartridges sold in the United States through its "Return Program"; and (2) (7-1) Lexmark cannot sue Impression Products for patent infringement with respect to cartridges Lexmark sold abroad, which Impression Products acquired from purchasers and imported into the United States, because an authorized sale outside the United States, just as one within the United States, exhausts all rights under the Patent Act.



Design 299B
Registration No. VA 1-319-226



Design 299A
Registration No. VA 1-319-228

Star Athletica v. Varsity Brands

- 6-2
- A feature incorporated into the design of a useful article is eligible for copyright protection under the Copyright Act of 1976 only if the feature (1) can be perceived as a two- or three-dimensional work of art separate from the useful article, and (2) would qualify as a protectable pictorial, graphic or sculptural work -- either on its own or fixed in some other tangible medium of expression -- if it were imagined separately from the useful article into which it is incorporated; that test is satisfied here.

TC Heartland v. Kraft Foods Group Brands

- 8-0
- The patent venue statute, 28 U.S.C. § 1400(b), provides that "[a]ny civil action for patent infringement may be brought in the judicial district where the defendant resides, or where the defendant has committed acts of infringement and has a regular and established place of business." As applied to domestic corporations, "reside[nce]" in Section 1400(b) refers only to the state of incorporation; the amendments to Section 1391 did not modify the meaning of Section 1400(b) as interpreted in Fourco Glass Co. v. Transmirra Products.

Expressions Hair Design v. Schneiderman

- New York law governing credit card surcharges regulates the communication of prices rather than prices themselves and therefore regulates speech. On remand the court of appeals should determine whether the law survives First Amendment scrutiny as a speech regulation.

Lewis v. Clarke

- 8-0
- (1) In a suit brought against a tribal employee in his individual capacity, the employee, not the tribe, is the real party in interest and the tribe's sovereign immunity is not implicated; and (2) an indemnification provision cannot, as a matter of law, extend sovereign immunity to individual employees who would otherwise not be protected.

Wells Fargo & Co. v. City of Miami

- 5-3
- (1) The city of Miami is an "aggrieved person" authorized to bring suit under the Fair Housing Act; and (2) the Court of Appeals erred in concluding that the city's complaints, charging that the banks engaged in discriminatory conduct that led to a disproportionate number of foreclosures and vacancies in majority-minority neighborhoods, which diminished the city's property-tax revenue and increased the demand for police, fire, and other municipal services, met the FHA's proximate-cause requirement based solely on the finding that the city's alleged financial injuries were foreseeable results of the banks' misconduct; proximate cause under the FHA requires "some direct relation between the injury asserted and the injurious conduct alleged"; the lower courts should define, in the first instance, the contours of proximate cause under the FHA and decide how that standard applies to the city's claims for lost property-tax revenue and increased municipal expenses.

Cooper v. Harris

- 5-3
- (1) the district court did not err in concluding that race furnished the predominant rationale for District 1's redesign and that the state's interest in complying with the Voting Rights Act of 1965 could not justify that consideration of race; and (2) the district court also did not clearly err by finding that race predominated in the redrawing of District 12.

Bethune-Hill v. Va. St. Bd. of Elections

- (1) a conflict or inconsistency between the enacted plan and traditional redistricting criteria is not a threshold requirement or a mandatory precondition in order for a challenger to establish a claim of racial gerrymandering; and (2) the district court's judgment regarding District 75 -- that the legislature had good reason to believe that a 55 percent target for black voting-age population was necessary to avoid diminishing the ability of black voters to elect their preferred candidates, which at the time would have violated Section 5 of the Voting Rights Act of 1965 -- is consistent with the basic narrow tailoring analysis explained in *Alabama Legislative Black Caucus v. Alabama*.

Trinity Lutheran Church of Columbia v. Comer

- The Missouri Department of Natural Resources' express policy of denying grants for playground resurfacing to any applicant owned or controlled by a church, sect or other religious entity violated the rights of Trinity Lutheran Church of Columbia, Inc., under the Free Exercise Clause of the First Amendment by denying the church an otherwise available public benefit on account of its religious status.

Endrew F. v. Douglas Co. Sch. Dist.

- 8-0
- To meet its substantive obligation under the Individuals with Disabilities Education Act, a school must offer an “individualized education program” reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.

Fry v. Napoleon Community Schools

- 8-0
- Exhaustion of the administrative procedures established by the Individuals with Disabilities Education Act is unnecessary when the gravamen of the plaintiff's suit is something other than the denial of the IDEA's core guarantee of a "free appropriate public education."

Murr v. Wisconsin

- 5-3
- A multi-factor test governs the identification of the relevant parcel for purposes of the Takings Clause.
- The Court of Appeals of Wisconsin was correct to analyze the lot owners' property as a single unit in assessing the effect of the challenged governmental action.

Microsoft Corp. v. Baker

- Federal courts of appeals lack jurisdiction under 28 U. S. C. §1291 to review an order denying class certification (or, as in this case, an order striking class allegations) after the named plaintiffs have voluntarily dismissed their claims with prejudice.

Town of Chester v. Laroe Estates, Inc.

- 9-0
- A litigant seeking to intervene as of right under Federal Rule of Civil Procedure 24(a)(2) must meet the requirements of Article III standing if the intervenor wishes to pursue relief not requested by a plaintiff.

BNSF Railway Co. v. Tyrrell

- 8-1
- (1) Section 56 of the Federal Employers' Liability Act -- which provides that "an action may be brought in a district court of the United States," in, among other places, the district "in which the defendant shall be doing business at the time of commencing such action" -- does not address personal jurisdiction over railroads; and (2) the Montana courts' exercise of general personal jurisdiction under Montana law does not comport with the 14th Amendment's due process clause.

Bristol-Myers Squibb Co. v. Sup. Ct.

- 8-1
- California courts lack specific jurisdiction to entertain the claims in this case brought by plaintiffs who are not California residents, because there is an insufficient connection between the forum and the specific claims at issue.

Cal. Public Employees Retirement System v. ANZ Securities

- 5-4
- Under Section 13 of the Securities Act of 1933, a plaintiff who was originally a member of a class action must bring a separate action within the three-year statute of repose; otherwise, the claim must be dismissed.

Perry v. Merit Systems Protection Bd.

- 7-2
- The proper review forum when the Merit Systems Protection Board dismisses a mixed case on jurisdictional grounds is district court.

Sessions v. Morales-Santana

- 6-2
- (1) The gender line Congress drew in Section 1409(c) of the Immigration and Nationality Act -- which creates an exception for an unwed U.S.-citizen mother, but not for such a father, to the physical-presence requirement for the transmission of U.S. citizenship to a child born abroad -- is incompatible with the Fifth Amendment's requirement that the government accord to all persons "the equal protection of the laws"; and (2) because the Supreme Court is not equipped to convert Section 1409(c)'s exception into the main rule displacing other relevant provisions of the statute, it falls to Congress to select a uniform prescription that neither favors nor disadvantages any person on the basis of gender.

Venezuela v. Helmerich & Payne Int'l.

- 8-0
- A case falls within the scope of the Foreign Sovereign Immunities Act's expropriation exception only if the property in which a party claims to hold rights was indeed "property taken in violation of international law"; simply making a nonfrivolous argument to that effect is not sufficient; a court should resolve any factual disputes about a foreign sovereign's immunity defense as near to the outset of the case as is reasonably possible.

NLRB v. SW General Inc.

- 6-2
- (1) Subsection (b)(1) of the Federal Vacancies Reform Act of 1998, which prevents a person who has been nominated to fill a vacant office requiring presidential appointment and Senate confirmation from performing the duties of that office in an acting capacity, applies to anyone performing acting service under the FVRA and is not limited to first assistants performing acting service under Subsection (a)(1); and (2) Subsection (b)(1) prohibited Lafe Solomon from continuing his service as acting general counsel of the National Labor Relations Board once the president nominated him to fill the position permanently.

Czyzewski v. Jevic Holding Corp.

- 6-2
- Bankruptcy courts may not approve structured dismissals of Chapter 11 bankruptcy cases that provide for asset distributions which do not follow ordinary priority rules established by the Bankruptcy Code without the consent of affected creditors.

Goodyear Rubber & Tire v. Haeger

- 8-0
- When a federal court exercises its inherent authority to sanction bad-faith conduct by ordering a litigant to pay the other side's legal fees, the award is limited to the fees the innocent party incurred solely because of the misconduct.

McClance Co. v EEOC

- 7-1
- A district court's decision whether to enforce or quash a subpoena issued by the Equal Employment Opportunity Commission should be reviewed for abuse of discretion, not de novo.

Henson v. Santander Consumer USA

- 9-0 (Gorsuch, J.)
- A company may collect debts that it purchased for its own account without triggering the statutory definition of a "debt collector" under the Fair Debt Collection Practices Act.

Pavan v. Smith

- Per curiam (3 justices dissenting)
- Having chosen to make its birth certificates more than mere markers of biological relationships and to use them to give married parents a form of legal recognition that is not available to unmarried parents, Arkansas may not, consistent with *Obergefell v. Hodges*, deny married same-sex couples that recognition.