TIMELINE OF EVENTS
Bilski v. Kappos, Supreme Court Docket No. 08-964

1981 — *Diamond v. Diehr* ruling; last time the question of what is a patentable "process" is addressed

April 10, 1997 — Bernard L. Bilski and Rand A. Warsaw file a patent application for a method of hedging risks in commodities trading

- Application rejected by examiner
- Application appealed to the Board of Patent Appeals and Interferences; Board affirms rejection
- Application appealed to U.S. Court of Appeals for the Federal Circuit

October 1, 2007 — Case is argued before a three judge panel of the Federal Circuit. Before issuing a decision, the court orders an en banc rehearing sua sponte

May 8, 2008 — En banc rehearing before 12 Federal Circuit judges; en banc Federal Circuit upholds the rejection, 9-3

- Three separate dissenting decisions filed

January 28, 2009 — Bilski and Warsaw petition the U.S. Supreme Court for a writ of certiorari, seeking to overturn the Federal Circuit decision

May 1, 2009 — U.S. Solicitor General files brief in opposition for Patent and Trademark Office

June 1, 2009 — U.S. Supreme Court grants writ of certiorari

July 30, 2009 — Bilski and Warsaw file opening brief

September 25, 2009 — Solicitor General files opening brief for Patent Office

August – October 2009 — 67 amicus briefs filed by patent owners, bar associations, interested organizations, academics, and individuals

November 9, 2009 — U.S. Supreme Court to hear oral argument

Spring 2010 — Decision by U.S. Supreme Court expected

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