No. 15-1189

IN THE Supreme Court of the United States

IMPRESSION PRODUCTS, INC.,

Petitioner,

v.

LEXMARK INTERNATIONAL, INC.,

Respondent.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

BRIEF OF AMICUS CURIAE INTELLECTUAL PROPERTY OWNERS ASSOCIATION IN SUPPORT OF RESPONDENT

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B. <i>Talking Pictures</i> established the enforceability of sales and license provisions that restrict the use of patented items				

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	С.	The Mallinckrodt decision and the decision below reflect a straightforward application of Talking Pictures
	D.	Talking Pictures was distinguishedand reaffirmed in this Court's Quantadecision
II.	not	s Court's decision in <i>Kirtsaeng</i> does apply to patents and did not overrule <i>z Photo</i>
	А.	The policies that underlie patent exhaustion differ fundamentally from those defining the first-sale doctrine in copyright law
	В.	This Court's decision in <i>Kirtsaeng</i> relied primarily on a proper statutory construction of section 109 of the Copyright Act
	С.	The <i>Kirtsaeng</i> decision does not mention patents or rely on any cases dealing with patent exhaustion
	D.	Both this Court's and the Federal Circuit's international-exhaustion jurisprudence are well-established and fully applicable to the facts at issue

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