

## Binding Claim Construction Rulings Pre-Teva vs. Post-Teva

JULY 12, 2016

This article by [Omar Khan](#) and [Jeffrey Dennhardt](#), published by *Law360*, focuses on whether established case law regarding the preclusive effect of a claim construction ruling in a subsequent or co-pending district court case supports the *Teva* court's assumption that preclusion is a successful means of achieving uniformity.

In *Teva Pharmaceuticals USA Inc. v. Sandoz Inc.*, the US Supreme Court held that clear error review applies to factual determinations underlying district court claim constructions. There has been much discussion about the effect of *Teva* on the resolution of claim construction disputes in district court litigations. Much of that discussion, however, has focused on whether *Teva* “increase[d] the probability that district court results in patent cases will stand up on appeal.” This article focuses on a different issue—whether established case law regarding the preclusive effect of a claim construction ruling in a subsequent or co-pending district court case supports the *Teva* court's assumption that preclusion is a successful means of achieving uniformity. [Read the full article.](#)

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