

Courts to Police Direct Infringement Pleadings More Strictly

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Amendments to the Federal Rules of Civil Procedure that delete all the forms, including Form 18, the model patent infringement pleading, take effect Dec. 1, 2015. Despite the U.S. Supreme Court's guidance for pleading standards in *Bell Atlantic v. Twombly* and *Ashcroft v. Iqbal*, the Federal Circuit repeatedly allowed direct infringement pleadings that complied with the sparse Form 18, even if such a pleading did not provide the factual detail required by *Twombly* and *Iqbal*. See *In re Bill of Lading Transmission & Processing Sys. Patent Litig.*; *McZeal v. Sprint Nextel Corp.*

Intellectual Property attorney Ben Hodges reviews the cases and their implications in the guest column, "[Courts to Police Direct Infringement Pleadings More Strictly](#)." (Subscription required)

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