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Federal Circuit Further Defines the Scope of Patent Venue

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Recently, in *In Re: Volkswagen Group of America, Inc.*, the United States Court of Appeals for the Federal Circuit (CAFC) further defined the level of control a defendant must exercise over an in-district agent to establish patent venue – *i.e.*, where a case can be filed. The Federal Circuit held that the requisite control a principal must establish over its alleged agent in order to establish venue is "interim control": day-to-day control over the manner of carrying out the specific actions for which the alleged agency relationship exists. Accordingly, in reversing the lower court, the Federal Circuit held that the dealerships in question were not agents of Hyundai or Volkswagen *for the purposes of* selling cars to consumers and providing warranty services.

Read the full article published in *IPWatchdog* by Dustin Ferzacca, Griffin Mesmer, Ryan Deck, and Greg Len.

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