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Patent case: BioDelivery Sciences International, Inc. v. Aquestive Therapeutics, Inc., USA

Joseph Arshawsky · Tuesday, August 14th, 2018

The U.S. Court of Appeals for the Federal Circuit has granted BioDelivery Sciences International, Inc.'s motion to remand to the Patent Trial and Appeal Board a consolidated appeal of the Board's final decisions upholding the patentability of three Aquestive Therapeutics patents for water-soluble drug-dosage films incorporating anti-tacking agents. On remand, the Board was directed to consider in the first instance both non-instituted claims and non-instituted grounds raised by BioDelivery in its petitions seeking inter partes review of the patents in accordance with the Supreme Court's recent decision in *SAS Institute, Inc. v. Iancu*, 138 S. Ct. 1348 (2018) ("SAS") (*BioDelivery Sciences International, Inc. v. Aquestive Therapeutics, Inc.*, July 31, 2018, per curiam).

Case date: 31 July 2018

Case number: No. 2017-1265

Court: United States Court of Appeals, Federal Circuit

A full summary of this case has been published on [Kluwer IP Law](#).

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