

**FACT SHEET:
U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

Hon. Edward J. Damich
Chief Judge, U.S. Court of Federal Claims

1. Overview

- Established in 1982 to promote greater uniformity in certain areas of federal jurisdiction (particularly patents) and to relieve the pressure on the dockets of the Supreme Court and the courts of appeals for the regional circuits
- The only U.S. court of appeals defined exclusively by jurisdiction rather than geographical boundaries
- A specialized court for patent appeals but with very broad non-patent subject matter jurisdiction
- Assumed the jurisdiction of the U.S. Court of Customs and Patent Appeals and the appellate jurisdiction of the U.S. Claims Court, both of which were abolished
- The 7 judges from the Court of Customs and Patent Appeals and the 5 judges from the Court of Claims were reassigned to serve on the Federal Circuit court

2. Jurisdiction

- U.S. District Court decisions relating to patents
- Merit Systems Protection Board (labor relations between federal agencies and their employees)
- Patent and Trademark Office (appeals from Trademark Trial and Appeals Board and Board of Patent Appeals and Interferences)
- International Trade Commission (unfair competition, dumping, patent and copyright infringement)
- U.S. Court of Veterans Appeals
- U.S. Court of Federal Claims (claims against the United States not sounding in tort, including patent and copyright infringement)
- U.S. Court of International Trade (classification and valuation of imported merchandise, the exclusion of merchandise from entry into the U.S. under the customs laws, and issues relating to antidumping and countervailing duties)
- Boards of Contract Appeals (contract disputes between private contractors and the government)
- Other: regulations of the Secretary of Veterans Affairs; certain employment-related claims, including discrimination claims against the Senate, House of Representatives, the White House, and various federal agencies

3. Membership of the Court

- 12 judges
- 4 have professional patent-related experience
- 7 have general litigation or government service backgrounds
- 1 has policy-legislative experience in the IP field

ADDITIONAL INFORMATION:

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

1. THE UNITED STATES JUDICIAL CONFERENCE COMMITTEE ON THE BICENTENNIAL OF THE CONSTITUTION OF THE UNITED STATES, THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT: A HISTORY 1982-1990 (1991).
2. Richard H. Seamon, *The Provenance of the Federal Courts Improvement Act of 1992*, 51 GEO. WASH. L. REV. 543 (2003).
3. Haldane Robert Mayer, *Reflections on the Twentieth Anniversary of the Court of Appeals for the Federal Circuit*, 52 AM. U.L. REV. 761 (2003).
4. Howard T. Markey, *The Phoenix Court*, 32 CLEV. ST. L. REV. 1 (1983).
5. Pauline Newman, *The Federal Circuit – A Reminiscence*, 14 GEO. MASON L. REV. 513 (1992).
6. Helen W. Nies, *The Federal Circuit: A Court for the Future*, 41 AM. U.L. REV. 5713 (1992).
7. SPECIAL SESSION OF THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT COMMEMORATING ITS FIRST TEN YEARS, 2 FED. CIR. B.J. 267 (1992).
8. Paul R. Michel, *The Court of Appeals for the Federal Circuit Must Evolve to Meet the Challenges Ahead*, 48 AM. U.L. REV. 1177 (1999).
9. Randall R. Rader, *Specialized Courts: The Legislative Response*, 40 AM. U.L. REV. 1003 (1991).
10. Third Bench and Bar Conference, 11 FED. CIR. B.J. no. 3 (200-2002). This volume is devoted to a wide-ranging assessment of the Federal Circuit by judges, practitioners, and government officials.
11. Rochelle Cooper Dreyfuss, *The Federal Circuit: A Case Study in Specialized Courts*, 64 N.Y.U. L. REV. 1 (1989).
12. ROBERT L. HARMON, PATENTS AND THE FEDERAL CIRCUIT (BNA, 6th ed. 2003).
13. Donald R. Dunner et al., *A Statistical Look at the Federal Circuit's Patent Decisions: 1982-1994*, 5 FED. CIR. B.J. 151 (1995).
14. The Federal Circuit's Web site is www.fedcir.gov. The site contains a daily log of precedential opinions (available for at least 90 days in Microsoft Word format), information about the current judges, and statistical information on the Court's docket.
15. The *Federal Circuit Bar Journal* is a quarterly journal published by the Federal Circuit Bar Association, a national organization for the bar of the Federal Circuit. The journal features in-depth articles by attorneys, academics, judges and government officials on all

aspects of the substantive and procedural law applicable to the Federal Circuit's jurisdiction, as well as reviews of the Court's most recent precedential decisions. The Association's Web site is: www.fedcirbar.org. Articles are available on LEXIS and Westlaw.

16. The Federal Circuit is located in the Howard T. Markey National Courts Building, 717 Madison Place, N.W., Washington, DC 20439, one block from the White House. The nearest Metro stop is McPherson Square. Phone: (202) 633-6550.