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Most Recent Summaries

Amphastar Pharms., Inc. v. Momenta Pharms., Inc.

March 6, 2017

Patent, Intellectual Property, Antitrust & Trade Regulation

(United States First Circuit) - In a dispute among competitors in the United States market for generic enoxaparin, an anticoagulant, alleging antitrust violations of the Sherman Act 15 U.S.C. sections 1 and 2 by defendants, predicated upon the defendants' alleged misrepresentations to the United States Pharmacopeial Convention (USP), a private standard-setting organization (SSO) charged with ensuring the quality of drugs, the district court's dismissal of the complaint under the so-called Noerr-Pennington doctrine, which immunizes good-faith petitioning of government entities from antitrust liability, where the district court erroneously applied Noerr-Pennington.

US v. Rivera-Izquierdo

March 6, 2017

Evidence, Criminal Law & Procedure

(United States First Circuit) - Convictions of two counts of money laundering, in violation of 18 U.S.C. sections 1957 and 2, are affirmed over defendant's claims of insufficient evidence, prosecutorial misconduct, other various evidentiary errors, and cumulative error, where there was no reversible error committed by the district court.

Robb Evans & Associates, LLC v. US

March 3, 2017

Tax Law

(United States First Circuit) - In a tax-refund suit brought by a court-appointed receiver, involving the meaning and application of 26 U.S.C. section 1341(a), which addresses the situation of a taxpayer who pays taxes on income that she must later restore because it is established in a subsequent year that she did not have an unrestricted right to the income, the district court's denial of the government's motion to dismiss is reversed where the district court erred in its application by not following the clear language of the statute as written.