

No. 04-607

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**In the Supreme Court of the United States**

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LABORATORY CORPORATION OF AMERICA HOLDINGS,  
DBA LABCORP, PETITIONER

*v.*

METABOLITE LABORATORIES, INC., ET AL.

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*ON WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT*

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**BRIEF FOR THE UNITED STATES AS AMICUS CURIAE**

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## QUESTION PRESENTED

This Court granted the petition for a writ of certiorari limited to question three as presented in the petition, which asks: Whether a method patent setting forth an indefinite, undescribed, and non-enabling step directing a party simply to “correlat[e]” test results can validly claim a monopoly over a basic scientific relationship used in medical treatment such that any doctor necessarily infringes the patent merely by thinking about the relationship after looking at a test result.

(I)

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