No. 15-777

IN THE
Supreme Court of the United States

SAMSUNG ELECTRONICS CO., *et al.*,
Petitioners,

v.

APPLE INC.,
Respondent.

On Writ of Certiorari to the United States Court of Appeals for the Federal Circuit

Brief *Amicus Curiae* of the Software Freedom Law Center in Support of Petitioners

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QUESTION PRESENTED

1. Can Congress constitutionally award "total profits" damages for infringement of design patents, where 35 U.S.C. §171 contains none of the constitutionally required safeguards for First Amendment protected speech this Court has held are required for constitutional exercise of the Article I, §8 power?

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