

No. 20-74

IN THE
Supreme Court of the United States

UNITED STATES,

Petitioner,

v.

IMAGE PROCESSING TECHNOLOGIES LLC ET AL.,

Respondent.

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

**MICRON TECHNOLOGY, INC.'S
BRIEF IN SUPPORT OF PETITION**

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QUESTIONS PRESENTED

1. Whether, for purposes of the Appointments Clause, U.S. Const. art. II, § 2, cl. 2, administrative patent judges of the U.S. Patent and Trademark Office are principal officers who must be appointed by the President with the Senate’s advice and consent, or “inferior Officers” whose appointment Congress has permissibly vested in a department head.

2. Whether the court of appeals erred by adjudicating Appointments Clause challenges brought by litigants that had not presented such a challenge to the agency.

CORPORATE DISCLOSURE STATEMENT

Respondent Micron Technology, Inc., has no parent corporation, and no publicly held company owns 10% or more of its stock.

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