

No. 21-746

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In the Supreme Court of the United States

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APPLE INC., PETITIONER

v.

QUALCOMM INCORPORATED

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ON PETITION FOR A 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

Whether petitioner established Article III standing to pursue a judicial challenge to the validity of two patents covered by its license agreement with respondent, where petitioner presented no evidence that, if it prevailed in its challenge, it was likely to terminate the license agreement, pay less in licensing fees, or manufacture otherwise-infringing products.

(I)

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