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*SCA Hygiene Products Aktiebolag v. First Quality Baby Products, LLC*, No. 15-927

Although the Patent Act has a six-year statutory limitations period for patent infringement claims, the Federal Circuit

has historically permitted infringement defendants to invoke the equitable defense of laches to bar claims for

money damages, if the plaintiff inexcusably delayed filing suit and prejudiced defendant through that delay. In

*Petrella v. Metro-Goldwyn-Mayer*, 134 S. Ct. 1622 (2014), the Supreme Court declined to apply laches in the

context of the Copyright Act, relying on the existence of a statutory limitations period and observing that the Court

had “never applied laches to bar in their entirety claims for discrete wrongs occurring within a federally prescribed

limitations period.” After *Petrella*, the Federal Circuit continued to permit the laches defense in patent cases. The

Supreme Court has now granted certiorari to decide whether the laches defense remains available in damages

actions for patent infringement.