

**13-854 TEVA PHARMACEUTICALS USA, INC. V. SANDOZ, INC.**

DECISION BELOW: 723 F.3d 1363

LOWER COURT CASE NUMBER: 2012-1567, 2012-1568, 2012-1569, 2012-1570

QUESTION PRESENTED:

Rule 52(a) of the Federal Rules of Civil Procedure provides that in matters tried to a district court, the court's "[f]indings of fact ... must not be set aside unless clearly erroneous."

The question presented is as follows:

Whether a district court's factual finding in support of its construction of a patent claim term may be reviewed *de novo*, as the Federal Circuit requires (and as the panel explicitly did in this case), or only for clear error, as Rule 52(a) requires.

CERT. GRANTED 3/31/2014