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"Heavy Hands on Hard Clay: The Supreme Court as an Instrument of Patent Law Reform"

At a time when many voices call for legislative reform of the patent system to correct perceived excesses, the Supreme Court shows unprecedented interest in patent law. Can the Court with its recent record of balancing fairness and certainty interests serve as a more rational alternative or additional instrument for reforming patent law? Experience with Supreme Court decisions, such as *Pfaff* and *Warner-Jenkinson*, suggests that the Court's "heavy hands" can effectively shape the "hard clay" of Federal Circuit patent jurisprudence only if in the future, unlike the past, the Federal Circuit heeds the spirit as well as the letter of the Court's rulings.