


# Supreme Court Justices Reject '101 Eligibility Appeal On Telemedicine Patents, June 9, 2025

By [Ryan Davis](#) · [Listen to article](#)

*Law360* (June 6, 2025, 9:27 PM EDT) -- The [U.S. Supreme Court](#) declined Friday to review a decision that telemedicine patents asserted against the U.S. government are invalid for claiming only abstract ideas, in the court's latest refusal to reconsider the standard for determining if inventions are eligible for patents.

The high court [denied](#) a petition [filed in January](#) by Audio Evolution Diagnostics Inc., which argued that following the justices' 2014 [Alice v. CLS Bank](#)  decision on patent eligibility, the law in that area "is in chaos and requires this court's review."

Audio Evolution sued the government in the Court of Federal Claims, alleging that the [U.S. Department of Defense](#) and other agencies use telemedicine equipment supplied by [GlobalMedia Group LLC](#) that infringes its patents on a device that can be placed on the body to detect organ sounds.

The court found the patent claims invalid for covering only the patent-ineligible abstract idea of collecting and analyzing data, and the Federal Circuit summarily affirmed.

Audio Evolution argued to the Supreme Court that its patent covers a diagnostic machine constructed from electronic components, not an abstract idea, and that "the ongoing confusion over" patent eligibility law has "stifled innovation."

The Supreme Court's decision not to hear the case was included in an order list posted on Friday. The court's public information officer said the list was scheduled to be released on Monday, but it was issued early after an email notification about it was sent out Friday afternoon "due to an apparent software malfunction."

Peter J. Corcoran III of [Corcoran IP Law PLLC](#), an attorney for Audio Evolution, said by email Friday that he disagreed with the justices' decision not to hear his client's case.

An attorney for GlobalMedia and a representative of the [U.S. Department of Justice](#) could not immediately be reached for comment late Friday.

The case took an [unusual turn](#) in April, when U.S. Solicitor General D. John Sauer urged the court to reject the case, saying it didn't present a better vehicle than other petitions on the same issue that have been denied, but also said if the court did agree to hear it, the government would seek to revive the patents it is accused of infringing.

If the court agreed to take up patent eligibility, Sauer said, the government "will not defend that aspect of the judgment below, but instead will argue that the relevant claims are patent-eligible."

Sauer noted that the government in both the Biden and first Trump administrations urged the Supreme Court to take cases seeking review of the standard for patent eligibility, only for [those petitions](#) to be [denied](#). The government still believes uncertainty about patent eligibility "has had deleterious consequences, and that clarification by this court would be useful," he wrote, but Audio Evolution's case would not be the best way to address it.

Audio Evolution responded in May that the government's brief shows that the high court should take up the case, since the company's patents "were wrongly invalidated. The government agrees."

Compared to the other patent eligibility cases the solicitor general has previously asked the Supreme Court to hear, "the only difference here is that the government is the defendant," Audio Evolution said.

In addition to the patent eligibility issue, the company also asked the justices to review the Federal Circuit's practice of affirming decisions with one-line orders, arguing that it is "abandoning its role of articulating patent law precedent and bringing uniformity to patent law."

The Supreme Court also has [denied](#) numerous petitions on the Federal Circuit's summary affirmances. The solicitor general urged the justices not to consider that question, saying

the court's practice "does not conflict with any decision of this court or another court of appeals."

The patents-in-suit are U.S. Patent Nos. [8,870,791](#) and [8,920,343](#).

Audio Evolution is represented by Peter J. Corcoran III of Corcoran IP Law PLLC and Joel B. Rothman of SRipLaw PA.

The government is represented by D. John Sauer, Yaakov M. Roth, Joshua M. Salzman and Joshua Dos Santos of the U.S. Department of Justice.

GlobalMedia is represented by Brett W. Johnson of [Snell & Wilmer LLP](#).

The case is Audio Evolution Diagnostics Inc. v. U.S. et al., case number [24-806](#), in the U.S. Supreme Court.