

The Supreme Court Update - June 4, 2026

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On June 4, 2026, the Supreme Court of the United States issued three decisions:

Hikma Pharmaceuticals USA Inc. v. Amarin Pharma, Inc., Case No. 24-889: This patent dispute addresses when a generic drug manufacturer may face liability for allegedly inducing infringement of a brand-name manufacturer's method-of-use patent. Amarin markets Vascepa, a prescription drug approved for multiple uses, including certain cardiovascular-risk indications that Amarin contends remain patent protected. Hikma launched a generic version using a "skinny label," which omitted the patented cardiovascular use while preserving approval for non-patented uses. Amarin alleged that Hikma nevertheless induced infringement by encouraging physicians to prescribe the generic product for the carved-out patented use. The district court dismissed Amarin's inducement claim, but the Federal Circuit reversed, holding that Amarin had plausibly alleged that Hikma's label and public statements encouraged doctors to prescribe Hikma's generic product for Amarin's patented cardiovascular-risk indication. In a unanimous decision authored by Justice Jackson, the Supreme Court reversed, holding that Amarin failed to state a claim for active inducement in violation of § 271(b), so its complaint cannot withstand Hikma's motion to dismiss.

View the Court's [decision](#).

Sripetch v. Securities and Exchange Commission, Case No. 25-466: This securities-enforcement dispute addresses whether the SEC must prove that investors suffered financial losses before obtaining disgorgement of a defendant's ill-gotten gains. The SEC brought a civil enforcement action against Ongkaruck Sripetch, alleging that he engaged in multiple fraudulent schemes involving at least 20 penny-stock companies, including pump-and-dump schemes. Sripetch consented to judgment and agreed that the district court could order disgorgement, but he objected when the SEC sought more than \$4.1 million, arguing that disgorgement was unavailable absent proof that investors suffered pecuniary loss. The district court awarded disgorgement after concluding that the SEC had adequately shown investor losses, while the Ninth Circuit affirmed on a broader

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ground, holding that the SEC need not prove pecuniary harm to obtain disgorgement. In a unanimous decision authored by Justice Gorsuch, the Supreme Court affirmed, holding that the SEC may obtain disgorgement without showing pecuniary loss to investors. The Court reasoned that traditional equitable principles allow a wrongdoer's unlawful profits to be stripped even when the victim cannot show a corresponding financial loss. Justice Thomas concurred separately to note that, because Congress has separated SEC disgorgement from equitable remedies and made it an enumerated legal remedy, a future case may require the Court to decide whether the Seventh Amendment guarantees a jury trial when the SEC seeks disgorgement.

View the Court's [decision](#).

Federal Communications Commission v. AT&T, Inc., Case No. 25-406: This Seventh Amendment dispute addresses whether the FCC may issue administrative forfeiture orders without a jury when the government must later bring a civil enforcement action to collect any unpaid penalty. The FCC investigated AT&T and Verizon for allegedly mishandling customer location data and assessed forfeitures of roughly \$57 million against AT&T and \$47 million against Verizon. The carriers paid the penalties and sought review, arguing that the FCC's administrative process violated the Seventh Amendment because it imposed monetary penalties without a jury trial. The Fifth Circuit granted AT&T's petition and vacated the FCC's order, while the Second Circuit denied Verizon's petition, holding that the FCC's order did not itself compel payment because the government would need to bring a separate collection action. In a decision authored by Chief Justice Roberts, the Supreme Court reversed the Fifth Circuit and affirmed the Second Circuit, holding that the FCC's forfeiture process does not violate the Seventh Amendment because the agency's orders do not conclusively determine legal obligations and its factual findings are not binding in a later de novo collection action. Justice Thomas dissented, arguing that AT&T and Verizon paid under protest in response to orders that reasonably appeared binding and that the Court should have given the parties an opportunity to proceed under the corrected understanding of the law.

View the Court's [decision](#).