



Patent Law and Policy: Cases and Materials (2013)

Robert Patrick Merges, John Fitzgerald Duffy

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This leading casebook makes Patent Law accessible to a wide audience of students and instructors. **Patent Law and Policy** provides numerous diagrams and figures, concise explanations of relevant legal principles, and to the extent possible, cases involving relatively simple technologies. This is a thorough and comprehensive post-AIA revision of **Patent Law and Policy**, integrating extensive new material in almost every chapter. Highlights include:

- Detailed coverage of the new "first inventor to file" novelty rules, with analysis of new statutory provisions integrated into traditional case coverage under the 1952 Act.
- Extensive discussion relating to the structure of the new AIA section 102; categories of prior art under the AIA compared to the 1952 Act; the critical (filing) date under the AIA versus traditional first to invent rules; the new AIA "public disclosure" grace period provisions, compared to the 1952 Act statutory bars; and all other important aspects of the AIA
- In-depth description and discussion of all the major new administrative proceedings under the AIA: Post-Grant Review; the new Inter Partes Review (replacing inter partes reexaminations); the Supplemental Examination (inequitable conduct "purging") procedure; and Derivation Proceedings.
- Concise discussions of many other features of the AIA, integrated into each chapter of the book. Examples include: the new prior commercial use ("prior user") right, discussed in the section of Chapter 8 on Defenses to Infringement; the transitional Business Method Patent review proceeding, discussed in Chapter 2 on Patentable Subject matter; and the new virtual patent marking provision, integrated into Chapter 9, Damages.
- Coverage of all new and recent Supreme Court cases, including *Mayo v. Prometheus* (section 101), *Globaltech v. SEB* (inducement to infringe), *Bowman v. Monsanto* (exhaustion/licensing); *Stanford v. Roche* (patent ownership and the Bayh-Dole Act).

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