

patent misuse and antitrust pdf

The Article concludes by recommending that judges and attorneys use the opportunity provided by Actavis to develop a more thoughtful framework for patent misuse that draws upon the strengths of its roots in patent policy and its interface with antitrust policy.

Patent Misuse and Antitrust: Rebirth or False Dawn? by

Spring, 1991] Patent Misuse and Antitrust Reform 3 "extension" of monopoly. The degree of market power required to establish patent misuse was not specified by Congress, and the legislative

"Patent Misuse and Antitrust Reform: "Blessed be the Tie?"

Patent Misuse and Antitrust Law Empirical, Doctrinal and Policy Perspectives Daryl Lim The John Marshall Law School, USA Edward Elgar Cheltenham, UK & Northampton, MA, USA

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The Insufficiency of Antitrust Analysis for Patent Misuse Robin C. Feldman* Patent misuse lies at the intersection of patent and antitrust law.

The Insufficiency of Antitrust Analysis for Patent Misuse

This unique book provides a comprehensive account of the patent misuse doctrine and its relationship with antitrust law. Created to remedy and discourage misconduct by patent owners a century ago, its proper role today is debated more than ever before. Innovation and competition take place in

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Patent and Antitrust: Differing Shades of Meaning

Patent Misuse & History: "Origins in equitable doctrine of unclean hands" Gradually becomes increasingly associated with antitrust analysis

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would normally be analyzed under the doctrine of patent misuse.² Moreover, the Federal Trade Commission (FTC) is considering enacting a rule that would subject companies to antitrust liability for failing to disclose patents and even pending

ANTITRUST COUNTERCLAIMS IN PATENT INFRINGEMENT CASES A

Should We Breathe Life into Patent Misuse? Robin Feldman¹ Patent misuse lies at the intersection of patent and antitrust law. The history and

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the antitrust tectonic plate was dominant, when patents and patent licensing practices “mostly of a vertical nature” were viewed with anti-competitive suspicion. It was the era of the “Nine No-Nos,” articulated by the

The Patent-Antitrust Interface: Are There Any No-No™s Today?

Empirical, Doctrinal and Policy Perspectives Daryl Lim This unique book provides a comprehensive account of the patent misuse doctrine and its relationship with antitrust law.

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