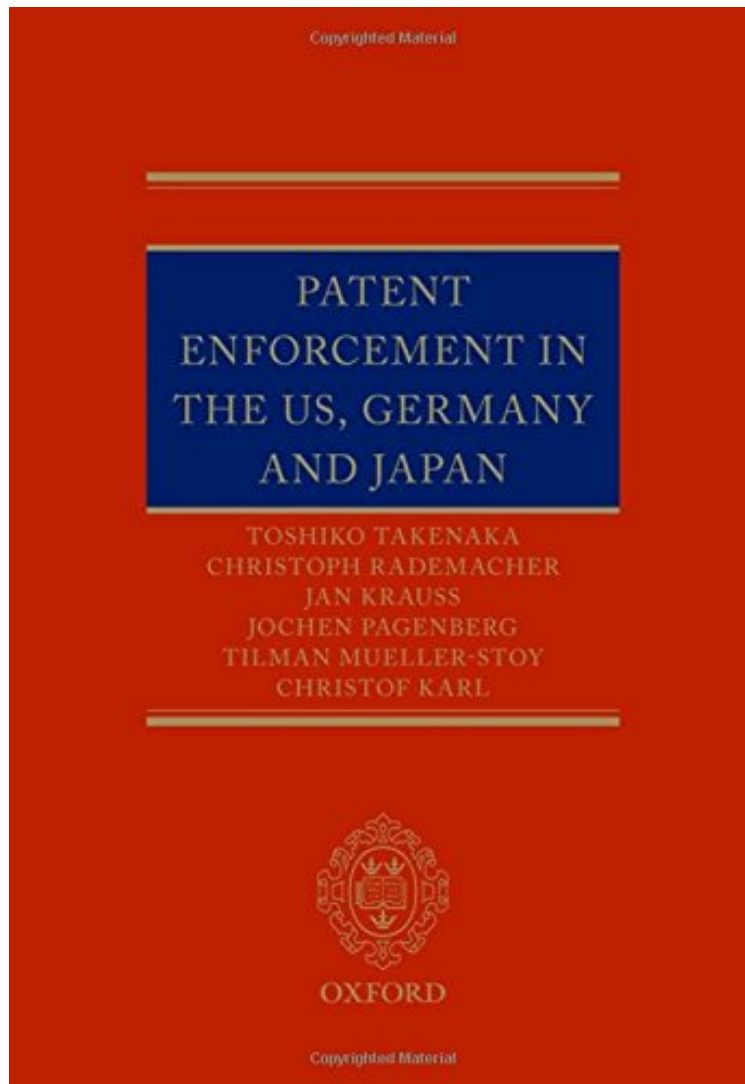


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## Patent Enforcement in the US, Germany and Japan

*Toshiko Takenaka, Christoph Rademacher, Jan Krauss, Jochen Pagenberg, Tilman Mueller-Stoy, Christof Karl*

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The United States, Germany, and Japan constitute the three most significant patent systems, but there is considerable variation in procedure and jurisprudence between them. A comparison of these systems for patent enforcement can

illuminate historical pathways and contemporary conduits to address contemporary challenges and encourage the adoption of new legal ideas. This book provides a comprehensive guide to the extent of patent protection, validity challenges, enforcement procedures, and infringement remedies in these three major jurisdictions. By examining the major provisions of patent statutes and court decisions in these markets, it explores fundamental patent theories and principles, evaluates current systems, and proposes best practice for patent enforcement in developed, emerging, and frontier markets. Comparative analysis and historical jurisprudence of the three core paradigms in patent enforcement will help readers to develop a more nuanced understanding of current systems and how a legal innovation in one jurisdiction is adopted in others. Authored by a team of academics and experienced patent practitioners, it provides invaluable first-hand experience and insightful discussion of patent jurisprudence that will be of great interest to academics, policy-makers and practitioners alike.

A great contribution to existing scholarship on comparative and international intellectual property and a unique resource for both intellectual property practitioners and academics who work and write in a global environment. \* Lior Zemer, European Intellectual Property \*About the Author Toshiko Takenaka, Professor of Law, School of Law, University of Washington, Christoph Rademacher, Patent scholar, Waseda University, Jan Krauss, Partner, Boehmert Boehmert, Jochen Pagenberg, Co-founder and Attorney-at-Law, Bardehle Pagenberg, Tilman Mueller-Stoy, Partner, Bardehle Pagenberg, Christof Karl, Partner, Bardehle Pagenberg Prof. Dr. Toshiko Takenaka is a leading patent comparative law scholar who has been teaching U.S. patent law since 1992 at the University of Washington School of Law, and is also the founder of the IP Law and Policy LL.M. Program. Prof. Dr. Christoph Rademacher is a comparative law scholar at Waseda University, Tokyo. Dr. Jan Krauss is a patent attorney at Boehmert Boehmert, as well as an affiliate instructor of law and guest lecturer at the University of Washington School of Law, and teaches IP on the Executive MBA in Life Sciences at the Ludwig-Maximilians-Universität, Germany. Michael C. Elmer is Senior Counsel at Finnegan. He leads a global patent enforcement project with partner IP law firms in Asia and Europe to develop statistical data to facilitate patent owners and defendants for selecting the best forum. Dr. Jochen Pagenberg is co-founder and senior member of Bardehle Pagenberg, as well as an adviser to the German Federal Ministry of Justice. Dr. Tilman Mueller-Stoy is a Partner of Bardehle Pagenberg, Munich. He lectures on IP Law at Munich Technical University, and teaches patent law at the George Washington School of Law and the Dresden University of Technology.