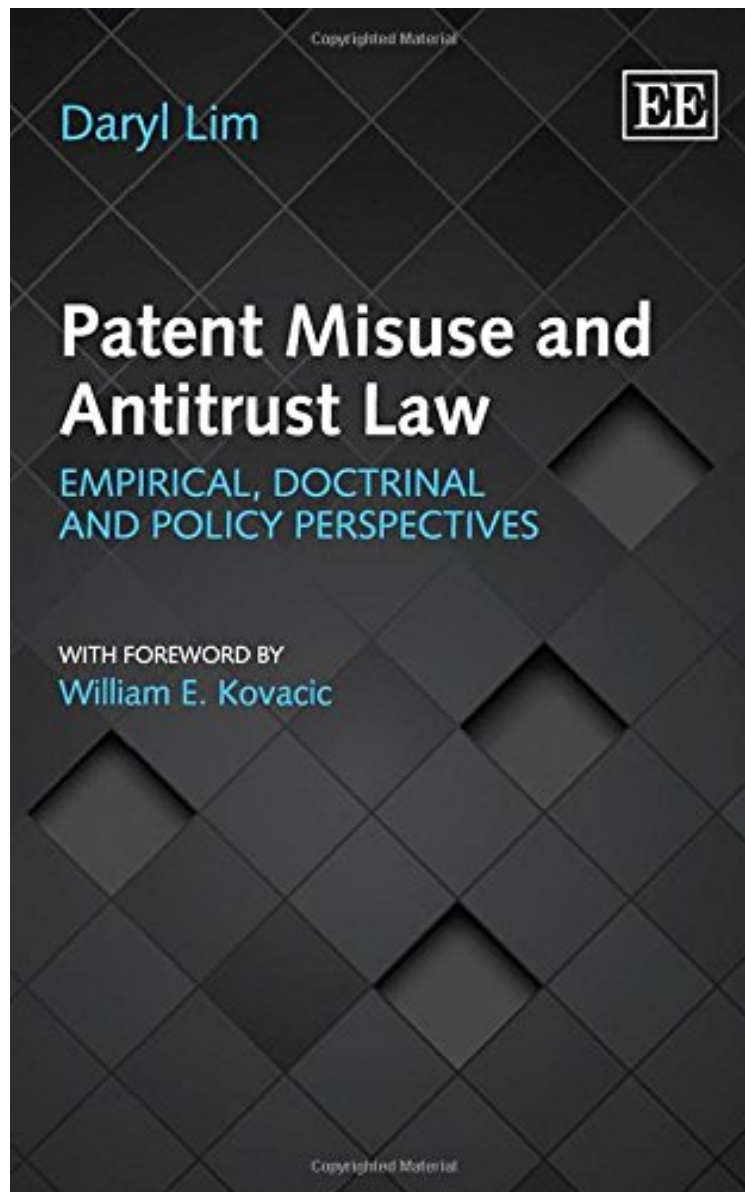


(Download) Patent Misuse and Antitrust Law: Empirical, Doctrinal and Policy Perspectives

Patent Misuse and Antitrust Law: Empirical, Doctrinal and Policy Perspectives

Daryl Lim

*audiobook / *ebooks / Download PDF / ePub / DOC*



DOWNLOAD



+

READ ONLINE

#3935712 in Books 2013-12-31 Original language: English 9.25 x 6.25 x 1.251, #File Name: 0857930176512 pages | File size: 43.Mb

Daryl Lim : Patent Misuse and Antitrust Law: Empirical, Doctrinal and Policy Perspectives before purchasing it in order to gauge whether or not it would be worth my time, and all praised Patent Misuse and Antitrust Law:

Empirical, Doctrinal and Policy Perspectives:

Three major contributions [of *Patents Misuse and Antitrust Law*] stand out. First, it illustrates as well as any other work how to bridge the study of antitrust law and patent law... A second and related feature is Professor Lim's excellent use of historical narratives to show how patent misuse concepts have developed over time... A third impressive dimension is its powerful empirical orientation. Professor Lim combines a comprehensive examination of misuse cases with extensive interviews to demonstrate how theory meets practice. In these respects and others, *Patent Misuse and Antitrust Law* broadens and extends the emerging path of a refreshing new scholarship that links antitrust and patent law.--From the foreword by Prof. William E. Kovacic, former Chairman of the Federal Trade Commission, Global Competition Professor of Law and Policy, George Washington University Law School 'The age old debate as to whether patents are simply a property right in that any trespassing on the property should be punishable, or whether they are tools of economic policy so that questions of misuse can arise when they are not used to encourage commercial developments of new products, has become heated with the advent of patent assertion entities and the problems that arise when use of a patented invention is necessary to comply with an industry standard. Daryl Lim's timely book provides a sober background against which to consider such ideas and possible expansion of types of action that may give rise to claims of patent misuse in the future.'- John Richards, Partner, Ladas Parry, LLP 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 increasingly complex environments that demand a clear understanding of where illegality ends and legitimate corporate strategy begins. The book is an essential resource for the curious, the expert and all those engaged in deciding what patent misuse means and should mean today. In addition to in-depth doctrinal and policy perspectives, it looks at patent misuse through the eyes of today's leading practitioners, judges, government officials and academics. It also presents a qualitative analysis of modern misuse case law spanning 1953 to 2012. The result is a compelling account that lays out an important doctrinal, policy and empirical framework for future cases and scholarship. Patent law students and scholars will find the author's comprehensive study of popular and actual perceptions of the misuse doctrine a valuable resource, while practitioners, government officials and judges will appreciate the predictive value of the author's findings. Contents: Foreword by William E. Kovacic Preface Prologue Introduction 1. Misuse and Antitrust 2. A Brief History of Patent Misuse 3. The Anatomy of a Defense 4. Key Objections 5. Rethinking the Future of Patent Misuse 6. The Empirical Landscape of Misuse 7. Charting the Scope of Patent Misuse 8. Conclusion Index

This is a long overdue book on the evolution of the US doctrine of patent misuse and its relationship with antitrust law. --Steven Anderman, *Queen Mary Journal of Intellectual Property* Patent Misuse and Antitrust Law in an excellent analysis of an understudied area of law bound to become increasingly important as watershed controversies and reforms continue to buffet patent law. --Shannon L. Malcolm, *Law Library Journal* One of the most detailed and insightful analyses of the important, but maddeningly vague, doctrine of patent misuse and its relationship to antitrust law Professor Lim tackles this complicated topic in an innovative and effective way. In addition to thoughtful legal, economic, and policy analysis, he uses a comprehensive empirical survey and coding of all patent misuse cases through the end of 2012 and substantial qualitative empirical research through interviews with practitioners and judges about the perceived, and actual, metes and bounds of this slippery doctrine. He thus throws valuable light on the state of the conventional wisdom as well as when and how actual practice and case law departs from that conventional wisdom --Spencer Weber Waller, *World Competition Law and Economics* About the Author Daryl Lim, Assistant Professor of Law, The John Marshall Law School, US