

1. Record Nr.	UNINA9910815811603321
Autore	Cotter Thomas F. <1961->
Titolo	Comparative patent remedies : a legal and economic analysis // Thomas F. Cotter
Pubbl/distr/stampa	Oxford ; ; New York, : Oxford University Press, c2013
ISBN	0-19-084290-3 0-19-996798-9
Edizione	[1st ed.]
Descrizione fisica	1 online resource (467 p.)
Disciplina	346.04/86 346.0486
Soggetti	Patent infringement Remedies (Law) Patent suits
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Cover; Contents; Preface; 1. Introduction; What Patents Are; International Obligations; Benefits and Costs of Patent Systems; On Comparative Law and Economics, and the Plan of This Book; Identifying Differences and Similarities; Positing Possible Reasons for the Differences; Positive Analysis; Normative Analysis; 2. A Framework for Patent Remedies; The Impact of Infringement; Some General Implications; Implications: Injunctive Relief; Implications: Damages; Summary; 3. Patent Remedies in the United States; Overview. The U.S. Patent and Judicial Systems; Patent Remedies: Historical Development Injunctions Damages; Damages: Lost Profits; Damages: Reasonable Royalties; Enhanced Damages; Attorneys' Fees, Costs, and Interest; Awards of Infringer's Profits in Design Patent Cases; Declaratory Judgments; Summary; 4. Patent Remedies in the United Kingdom, Canada, and Australia; Introduction; Overview; Patent Remedies: An Overview; Injunctions; Damages; Lost Profits; Reasonable Royalties; Accounting of Defendant's Profits; Enhanced Damages, Attorneys' Fees, and Interest; Declaratory Judgments, Oppositions, and Invalidation Proceedings; Summary; 5. Patent Remedies in Continental Europe Introduction Overview; Remedies; Preliminary and Permanent

Injunctions; Cross-Border Injunctions and Torpedo Actions; Damages: General Considerations; Damages: Lost Profits; Damages: Reasonable Royalties; Defendant's Profits; Enhanced Damages, Attorneys' Fees, and Interest; Oppositions, Invalidation Proceedings, and Declaratory Judgments; Summary; 6. Patent Remedies in Japan; Introduction; Overview; Patent Remedies: An Overview; Preliminary Injunctions, Permanent Injunctions, and Border Measures; Damages: Overview; Lost Profits; Reasonable Royalties; Defendant's Profits
Enhanced Damages, Attorneys' Fees, and Interest
Invalidation Actions and Declaratory Judgments; Summary; 7. Patent Remedies in China and Selected Other Patent Systems; Introduction; China: Overview; China: Remedies; China: Injunctions; China: Damages; China: Invalidity Proceedings; South Korea and Taiwan; India; Summary; 8. Conclusion; BIBLIOGRAPHY; TABLE OF CASES; INDEX; A; B; C; D; E; F; G; H; I; J; K; L; M; N; O; P; Q; R; S; T; U; W

Sommario/riassunto

Nations throughout the world receive more patent applications, grant more patents, and entertain more patent infringement lawsuits than ever before. To understand the contemporary patent system, it is crucial to become familiar with how courts and other actors in different countries enable patent owners to enforce their rights. This is increasingly important, not only for firms that seek to market their products worldwide and for the lawyers who provide them with counsel, but also for scholars and policymakers working to develop better policies for promoting the innovation that drives long-ter
