Syllabus
Litigation Strategies for Protection of Technology
Law E 548  9:00 - 10:20 a.m. Tuesday and Thursday
2010 Winter Quarter
Instructor:  Paul T. Meiklejohn


Week 1
Chapter 1:  Introduction
Chapter 2:  The Parties
1/5  (Tues)  Introduction: Overview, Whose Law to Apply, and Run of the Mill Infringement Suits (pp. 1-20)
1/7  (Thurs)  Declaratory Judgment Actions and Pre-Suit Investigations (pp. 11-90)

Week 2
Chapter 3:  The Proper Court: Where Can You Bring Suit
1/12  (Tues)  Jurisdiction and Venue - Patent Cases (pp. 63-101)
Chapter 4:  The Pleadings
1/14  (Thurs)  Complaint and Answer (pp. 102-133)

Week 3
Chapter 5:  Discovery
1/19  (Tues)  Discovery: Scope and Mechanisms (pp. 134-144; 167-179)
  Privilege and Protective Order (pp. 144-166)
  Test 1
Chapter 6:  Experts
Chapter 7:  Post Discovery Strategies and Preparation for Trial
1/21  (Thurs)  Experts and Post Discovery Strategies (pp. 180-225)
Week 4

Chapter 8: Claim Construction

1/26 (Tues) Claim Construction (pp. 226-291)

Chapter 9: Proving Infringement

1/28 (Thurs) The Doctrine of Equivalents (pp. 292-329)

Week 5

Chapter 10: Proving Non-Infringement

2/2 (Tues) Limitations on the Doctrine of Equivalents (pp. 330-386)

Chapter 11: Proving Invalidity

2/4 (Thurs) § 101/102/103 (pp. 387-446)

Week 6

Chapter 11: Proving Invalidity

2/9 (Tues) Defenses Based on the Specification (pp. 446-473)

Chapter 12: Proving Unenforceability

2/11 (Thurs) Inequitable Conduct and Patent Misuse (pp. 474-505)

Week 7

2/16 (Tues) Guest Lecture
Paper Assigned

2/18 (Thurs) Off

Week 8

Chapter 12: Proving Unenforceability

2/23 (Tues) Antitrust Counterclaims, Laches and Estoppel (pp. 505-543)
Test 2
Chapter 13: Injunctive Relief

2/25 (Thurs)  Injunctions and Contempt (pp. 544-592)

Week 9

Chapter 14: Damages

3/2  (Tues)  Lost Profits (pp. 593-620)

3/4  (Thurs)  Reasonable Royalty/Enhanced Damages/Attorneys Fees/Marking (pp. 620-684)

Week 10

Chapter 15: Jury Instructions
Chapter 16: The Appeal

3/9  (Tues)  Jury Instructions, Special Verdict Forms, and Post-Trial Motions (pp. 685-714) and the Appeal (pp. 715-721)

(Paper Due)

Week 11

3/15-19  FINAL EXAM WEEK