

# Index

## ACQUISITIONS

Assignment, 10:24  
Authority, 10:24  
Control, 10:24  
Evidence, 10:24  
Notice, 10:24  
Parties, 10:24

## ADVERTISING

Antitrust, 1:7, 2:7, 9:34, 11:11,  
11:20, 11:22 to 11:24, 11:28,  
11:35, 11:36, 11:38, 14:1,  
17:19, 17:25, 17:34, 17:37,  
17:43, 17:64, 17:96  
Consent, 3:24, 3:44, 3:87 to 3:89,  
3:92, 3:93, 7:6, 7:23, 7:25,  
7:45, 7:50, 7:56, 8:28, 8:59,  
9:39, 9:46, 10:58, 14:32, 14:33,  
16:4, 16:6, 17:14, 17:25, 17:97  
Data, 2:15, 3:27, 3:44, 3:86 to 3:89,  
3:93, 5:29, 5A:2, 7:45, 7:50,  
7:54, 8:32, 8:39, 8:62, 9:8,  
14:20, 14:32, 14:33, 16:6,  
17:26, 17:48, 17:64  
Disclosure, 1:7, 1:30, 2:4, 3:25, 3:44,  
3:87, 3:88, 3:92, 3:93, 5:4 to  
5:8, 5:15, 5:16, 5:19, 5:20, 5:22  
to 5:25, 5:27 to 5:31, 5:34, 5:36  
to 5:39, 5A:2, 5A:3, 5A:23,  
5A:41, 6:3, 6:4, 7:39, 7:45,  
7:50, 8:46, 9:8, 9:18, 9:36,  
10:6, 11:20, 14:25, 17:21,  
17:25, 17:43, 17:48, 17:64,  
17:97, 17:105  
Endorsements, 11:38  
Federal Trade Commission, 2:7,  
3:92, 5A:23, 9:34, 11:38, 14:1  
Federal Trademark Dilution Act, 7:43  
Personal jurisdiction, 3:92, 3:93,  
7:47, 17:14, 17:19, 17:21  
Testimonials, 7:45, 11:38  
Trademarks, 1:3, 1:20, 2:4, 2:12,  
3:44, 3:45, 3:86 to 3:89, 3:92,  
3:93, 5:7, 5:15, 5:16, 5:20,

## ADVERTISING—Cont'd

5:24, 5:27, 5:29, 5:38, 5:39,  
5A:23, 6:4, 7:6, 7:7, 7:16, 7:23  
to 7:26, 7:28, 7:30, 7:36 to  
7:43, 7:45, 7:47, 7:49, 7:50,  
7:54, 7:56, 8:28, 8:59, 9:5,  
9:42, 9:44, 10:6, 11:20, 12:2,  
13:35, 17:14, 17:21, 17:42,  
17:43, 17:97

## AFFIRMATIVE DEFENSES

Acquiescence, 7:34  
Laches, 7:34  
Unclean hands, 7:34, 17:25

## AGREEMENTS

Antitrust law, 11:3, 11:4, 11:8, 11:9,  
11:15, 11:16, 11:20, 11:22,  
11:23, 11:38, 11:39, 17:33,  
17:96  
Assignment, 3:17, 3:41, 3:43, 3:45,  
3:46, 3:48 to 3:58, 3:85 to 3:89,  
3:91 to 3:93, 4:1, 4:5, 4:11,  
4:17, 4:22, 5:21, 7:5, 8:59,  
9:30, 10:24, 10:42, 10:43,  
10:45, 10:47, 10:48, 13:22 to  
13:26, 13:38, 14:25, 14:33,  
14:34, 15:22, 16:4, 16:6, 17:20,  
17:24, 17:41, 17:42  
Breach, 2:7, 3:4, 3:6, 3:10 to 3:13,  
3:18 to 3:20, 3:24 to 3:30, 3:33,  
3:34, 3:38, 3:41 to 3:45, 3:48,  
3:50, 3:58, 3:60, 3:61, 3:65,  
3:68 to 3:71, 3:73, 3:85 to 3:89,  
3:91 to 3:93, 4:4, 4:11, 4:14,  
4:17, 4:18, 4:20 to 4:22, 6:4,  
7:6, 7:34, 7:36, 7:47, 7:50, 8:1,  
8:3, 8:4, 8:6, 8:7, 8:9, 8:11,  
8:14, 8:17, 8:19, 8:20, 8:22,  
8:23, 8:28, 8:29, 8:33, 8:34,  
8:36, 8:41, 8:45 to 8:47, 8:49,  
8:53, 8:58 to 8:64, 9:4, 9:8,  
9:14, 9:17, 9:34 to 9:39, 9:42,  
9:45, 9:50, 10:8, 10:12, 10:13,  
10:15, 10:19 to 10:24, 10:32,

AGREEMENTS—Cont'd

10:42, 10:45, 10:47, 10:53,  
13:4, 13:11, 13:22, 13:25,  
13:29, 13:37, 14:25, 14:26,  
14:28, 14:33, 14:34, 15:4,  
15:22, 16:4, 16:6, 17:14, 17:15,  
17:17, 17:19, 17:20, 17:23 to  
17:25, 17:31, 17:34, 17:37,  
17:40 to 17:42, 17:48, 17:60,  
17:67, 17:70, 17:79, 17:81,  
17:87, 17:88, 17:90, 17:91,  
17:96, 17:97  
California, 1:10, 2:9, 3:65, 3:68, 5:3,  
5:5, 5:15, 5:38, 5A:39, 6:4,  
7:45, 7:50, 8:3, 8:4, 8:6, 8:9,  
8:13, 8:16, 8:19, 8:20, 8:22,  
8:28, 8:29, 8:33, 8:37, 8:38,  
8:46, 8:47, 8:49, 8:52, 8:58,  
8:61, 8:63, 9:14 to 9:17, 9:30,  
9:34 to 9:38, 9:42, 9:47, 9:50,  
10:9, 10:15, 10:24, 10:43,  
10:47, 10:48, 10:51, 14:24,  
14:26, 14:33, 14:34, 15:15,  
15:22, 16:4, 16:6, 17:10, 17:14,  
17:17, 17:19 to 17:21, 17:23,  
17:24, 17:32, 17:34, 17:42,  
17:59, 17:70, 17:81 to 17:83,  
17:85, 17:88  
Choice of law, 3:62, 4:17, 5:14, 5:15,  
5:29, 6:4, 8:58, 9:34, 10:48,  
14:22, 14:24, 17:13, 17:14,  
17:20 to 17:24, 17:76, 17:81,  
17:83, 17:85  
Concerted action, 11:3  
Confidentiality, 3:14, 3:35, 3:40,  
3:44, 3:81, 3:88, 3:92, 3:93,  
7:50, 8:53, 8:61, 13:29, 17:67,  
17:72, 17:85  
Damages, 3:4, 3:11, 3:15, 3:25, 3:39  
to 3:41, 3:47, 3:65, 3:68 to  
3:70, 3:85 to 3:89, 3:92, 3:93,  
4:11, 5:15, 5:18, 5:27, 5:36,  
5:38, 6:4, 7:2, 7:6, 7:24, 7:34,  
7:36, 7:43, 7:45, 7:47, 8:1, 8:6,  
8:11, 8:20, 8:23, 8:28, 8:29,  
8:36, 8:37, 8:47, 8:52, 8:58 to  
8:64, 9:4, 9:14, 9:30, 9:34 to  
9:39, 9:50, 10:1, 10:8, 10:12,  
10:13, 10:15, 10:16, 10:19,  
10:20, 10:23, 10:24, 10:42,  
10:43, 10:45, 10:47, 10:48,  
10:58, 11:39, 13:11, 13:26,

AGREEMENTS—Cont'd

13:29, 13:37, 14:25, 14:26,  
14:31, 14:33, 14:34, 15:17,  
15:18, 15:22, 16:4, 16:6, 17:10,  
17:23 to 17:25, 17:31, 17:33 to  
17:35, 17:37, 17:40 to 17:43,  
17:48, 17:59, 17:60, 17:67,  
17:70, 17:80, 17:85, 17:87,  
17:88, 17:91, 17:96  
Employment Contracts, 8:49, 10:15  
Evidence, 2:7, 3:2, 3:3, 3:17, 3:20,  
3:23, 3:43, 3:44, 3:60 to 3:62,  
3:65, 3:66, 3:86, 3:87, 3:89,  
3:92, 4:18, 5:2 to 5:4, 5:15,  
5:21, 5:24, 5:27, 5:29, 5:38,  
5:39, 5A:23, 6:4, 7:6, 7:45,  
7:47, 7:50, 8:3 to 8:12, 8:14 to  
8:17, 8:19, 8:20, 8:22, 8:23,  
8:28, 8:29, 8:33, 8:34, 8:37,  
8:41, 8:48, 8:53, 8:59 to 8:64,  
9:8, 9:14 to 9:17, 9:30, 9:32,  
9:34 to 9:39, 9:42, 9:45, 9:47,  
9:50, 10:4, 10:13, 10:15, 10:19  
to 10:24, 10:32, 10:42, 10:45,  
10:47, 10:53, 10:58, 11:3, 11:4,  
11:9, 11:16, 11:22, 11:23, 11:39,  
13:4, 13:23, 13:26, 13:29, 14:6,  
14:12, 14:24 to 14:26, 14:28,  
14:31, 14:33, 14:34, 15:4, 15:7,  
15:9, 15:10, 15:18, 15:22, 16:4,  
16:6, 17:13, 17:14, 17:17,  
17:19, 17:21, 17:22, 17:24,  
17:25, 17:32 to 17:35, 17:37,  
17:39 to 17:43, 17:48, 17:50,  
17:59 to 17:61, 17:67, 17:79,  
17:80, 17:82, 17:83, 17:85,  
17:87, 17:91, 17:92  
Florida, 3:9, 3:41, 3:62, 5:18, 6:4,  
8:20, 8:46, 8:49, 8:52, 8:53,  
8:58, 8:62, 8:64, 9:4, 9:14,  
9:16, 9:30, 9:34 to 9:38, 10:20,  
10:47, 10:48, 11:3, 13:15,  
13:29, 14:23, 14:24, 14:26,  
14:31, 14:33, 14:34, 16:4, 16:6,  
17:10, 17:13 to 17:15, 17:20 to  
17:24, 17:31, 17:34, 17:43,  
17:96, 17:97  
Formation of contracts, 8:4 to 8:8,  
17:82  
Forms, 3:7, 3:23, 3:24, 3:75, 3:83 to  
3:93, 4:9, 4:10, 4:18, 4:20,  
5:12, 5A:23, 7:6, 7:36, 7:45,

## INDEX

### AGREEMENTS—Cont'd

7:50, 8:3, 8:4, 8:29, 8:38, 8:59,  
9:8, 9:32, 9:37, 10:11, 10:13,  
11:39, 14:12, 14:33, 17:20,  
17:33, 17:34, 17:60, 17:88,  
17:96, 17:97

Illinois, 3:3, 3:68, 5:3, 5:5, 5A:39,  
7:50, 8:3, 8:7, 8:11, 8:19, 8:21,  
8:28, 8:33, 8:37, 8:58, 8:64,  
9:8, 9:16, 9:30, 9:34 to 9:36,  
9:38, 9:39, 9:42, 9:45, 9:50,  
10:12, 10:15, 10:16, 10:22,  
10:47, 10:48, 10:51, 11:39,  
14:24, 14:26, 14:28, 14:33,  
14:34, 16:3, 16:4, 16:6, 17:10,  
17:14, 17:20 to 17:25, 17:81,  
17:87

Kansas, 7:50, 8:21, 8:38, 9:34, 9:38,  
16:4, 16:6, 17:10

Negotiations, 2:9, 3:88, 4:17, 8:6,  
8:9, 8:16, 8:19, 8:23, 8:41,  
8:53, 9:16, 10:42, 17:14, 17:18,  
17:20, 17:22, 17:92

New Jersey, 3:3, 3:6, 3:61, 3:62,  
3:68, 3:85, 3:92, 5:4, 5:27,  
5:29, 8:9, 8:10, 8:19, 8:29,  
8:36, 8:37, 8:49, 8:60, 8:61,  
9:4, 9:16, 9:32, 9:34, 9:38,  
9:50, 10:1, 10:9, 10:13, 10:19,  
10:23, 10:24, 10:32, 10:43,  
10:48, 10:51, 10:58, 11:39,  
14:26, 14:33, 14:34, 16:4,  
17:10, 17:14, 17:20, 17:21,  
17:23, 17:24, 17:32, 17:40,  
17:70, 17:81

New York, 2:9, 3:86, 3:88, 3:89,  
3:91 to 3:93, 4:4, 4:17, 4:19,  
5:3, 7:36, 8:4, 8:22, 8:23, 8:28,  
8:33, 8:34, 8:37, 8:46, 8:48,  
8:53, 8:58 to 8:60, 8:63, 8:64,  
9:4, 9:8, 9:14 to 9:18, 9:20,  
9:30, 9:34 to 9:38, 10:15,  
10:47, 10:48, 11:3, 11:9, 14:22,  
14:24 to 14:26, 14:28, 14:33,  
14:34, 16:4, 16:6, 17:10, 17:14,  
17:17, 17:20, 17:23, 17:24,  
17:34, 17:85, 17:91

Noncompetition agreements, 3:88,  
8:52

North Carolina, 3:62, 6:4, 7:36, 9:4,  
9:14, 9:17, 9:34 to 9:37, 14:22,

### AGREEMENTS—Cont'd

16:3, 16:4, 16:6, 17:20, 17:21,  
17:23, 17:81

Ohio, 3:65, 3:71, 3:74, 3:87, 6:4,  
7:50, 8:5, 8:58, 8:62, 9:37,  
9:38, 10:15, 10:23, 10:51,  
14:24, 14:26, 14:28, 14:33,  
14:34, 16:4, 16:6, 17:10, 17:14,  
17:19, 17:23, 17:24

Price discrimination, 2:7, 14:33,  
17:34

Resale, 2:4, 2:7, 3:5, 3:10, 3:11,  
3:30, 3:86, 5:5, 5:15, 5:22,  
5:29, 5:37, 5:39, 6:4, 7:6, 8:28,  
9:34, 11:3, 11:4, 11:9, 11:39,  
14:6, 16:4, 17:67

Restrictive Covenants, 8:49, 8:53,  
9:4, 17:23, 17:41

Theory, 7:50, 8:5, 8:21, 8:23, 8:38,  
8:62, 9:17, 9:32, 9:34, 9:42,  
9:47, 10:12, 10:15, 11:39, 14:5,  
14:6, 17:90

### ALABAMA

Definitions, 14:33

Remedies, 6:4, 14:30, 14:36, 16:4,  
16:6

Restrictive covenants, 8:49

### AMENDMENTS

Florida, 14:23, 14:32, 14:34

### ANSWERS

Forms, 17:60, 17:100

Notice, 17:32, 17:53

### ANTICIPATION

Application, 3:93, 9:34, 17:10

Public use, 3:93

Publication, 3:93

Records, 3:93, 9:42

Sales, 3:93, 9:34

### ANTITRUST

Advertising, 1:7, 2:7, 9:34, 11:11,  
11:20, 11:22 to 11:24, 11:28,  
11:35, 11:36, 11:38, 14:1,  
17:19, 17:25, 17:34, 17:37,  
17:43, 17:64, 17:96

Case law, 10:12, 11:14, 14:8, 14:19

Conspiracies, 11:3, 11:22, 11:23,  
17:47

**ANTITRUST—Cont'd**

Deal, 2:7, 11:4, 11:6, 11:13, 11:14, 11:23, 17:67

Distribution, 1:5, 1:6, 1:9, 2:7, 3:10, 3:11, 3:30, 3:69, 7:34, 10:12, 10:38, 10:55, 11:1, 11:3, 11:4, 11:6, 11:8, 11:13 to 11:17, 11:21, 11:22, 11:24, 11:27, 11:31, 11:33, 11:34, 11:39, 11:40, 14:1, 14:4, 17:25, 17:45, 17:47, 17:64, 17:67, 17:69, 17:87

Divestiture, 15:7

Economic power, 11:14, 11:16, 11:17, 11:40, 14:11, 17:45

Enforcement, 1:5 to 2:7, 7:9, 8:52, 9:34, 11:4, 11:35, 11:38 to 11:41, 17:3, 17:43, 17:87

Exclusive dealing, 11:17

Federal antitrust laws, 9:34, 10:38, 11:1, 15:7, 17:7

Intellectual property, 7:9, 7:34, 17:37

Intent, 3:11, 8:47, 9:34, 10:55, 11:6, 11:31, 11:32, 11:37, 14:4, 15:7, 17:5, 17:19, 17:34, 17:37, 17:64, 17:67, 17:96

Licenses, 1:6, 3:10, 11:23, 11:26

Licensing, 3:10, 10:55

Markets, 11:4, 11:6, 11:9, 11:15, 11:23, 11:24, 11:33, 11:36, 11:39, 14:1, 17:45, 17:54

Monopolies, 11:7

Networks, 11:24

Operators, 1:9, 11:37, 17:33

Parties, 1:5 to 2:7, 3:11, 3:30, 3:69, 4:4, 4:7, 8:47, 8:52, 9:34, 10:38, 10:55, 11:1 to 11:3, 11:13, 11:14, 11:16, 11:23, 11:38, 14:1, 15:7, 17:2, 17:3, 17:7, 17:19, 17:25, 17:32 to 17:35, 17:37, 17:43, 17:45 to 17:47, 17:54, 17:60, 17:67, 17:69, 17:87

Patents, 3:10

Payment of royalties, 7:34

Per se treatment, 11:23

Price fixing, 11:40, 17:45, 17:47, 17:64, 17:67

Price restraints, 11:4, 11:8, 11:9, 11:11

**ANTITRUST—Cont'd**

Refusal to deal, 11:4, 11:6, 11:13, 11:23

Relevant market, 11:4, 11:6, 11:7, 11:13, 11:17, 11:20, 11:21, 11:23, 11:27, 11:33, 11:40, 11:41, 17:37, 17:45

Restrictions, 1:9, 2:7, 3:10, 3:30, 8:52, 11:1, 11:3, 11:4, 11:22, 11:40, 17:47

Royalties, 1:5, 3:10, 7:34, 10:12, 17:25, 17:64, 17:67, 17:69

Rule of reason, 11:4, 11:7 to 11:10, 11:12 to 11:14, 11:17 to 11:19, 11:21, 11:23, 11:40, 11:41, 17:47

Sherman Act, 7:9, 11:1 to 11:7, 11:9, 11:12, 11:14, 11:15, 11:22, 11:23, 11:30, 11:33, 11:35, 11:38 to 11:40, 17:47, 17:96

State law, 2:7, 10:38, 14:1, 17:3, 17:5, 17:7, 17:16, 17:25, 17:32, 17:37, 17:54, 17:60, 17:69

Time, 1:5, 1:9, 3:10, 3:11, 3:30, 3:69, 7:34, 8:47, 9:34, 10:12, 10:38, 10:55, 11:1, 11:3, 11:15, 11:17, 11:26, 11:29, 11:31, 11:33 to 11:36, 11:39, 14:1, 15:7, 17:7, 17:19, 17:25, 17:32, 17:34, 17:35, 17:43, 17:47, 17:54, 17:60, 17:64, 17:67, 17:69, 17:96

Two separate products, 11:15

Tying, 1:9, 2:7, 4:4, 7:9, 11:1, 11:3, 11:4, 11:7, 11:14 to 11:21, 11:38, 11:41, 14:11, 17:34, 17:37, 17:45, 17:47

Tying arrangements, 2:7, 11:1, 11:3, 11:4, 11:14 to 11:21, 14:11, 17:34

United States, 8:52, 11:6, 11:17, 11:23, 11:25, 11:27, 11:30, 11:35, 11:40, 14:1, 17:3, 17:5, 17:7, 17:16, 17:33, 17:69, 17:96

Validity, 7:34, 17:5

**APPEAL**

Alternatives, 1:30, 17:58, 17:60

Arguments, 17:58, 17:60

Brief, 9:31

Common issues, 17:34

## INDEX

### APPEAL—Cont'd

Decisions, 1:30, 2:8, 8:32, 9:27,  
10:55, 17:20, 17:34, 17:60,  
17:69, 17:72, 17:79, 17:94  
Failure to file, 17:60  
Hearings, 17:94  
Infringement, 3:93, 7:18, 7:25, 8:60,  
17:43, 17:69  
Judicial review, 3:65, 17:81, 17:94  
Notice of appeal, 17:43

### APPLICATION

Amendment, 3:85, 3:87 to 3:89,  
3:91, 3:92, 5:39, 10:4, 10:5,  
10:24, 14:23, 14:32, 14:34,  
14:36, 16:3, 16:4, 16:6, 17:24,  
17:59  
Disclaimers, 3:60, 5:18, 9:17, 9:30,  
10:48  
Discovery, 5:15, 5:20, 5:30, 5:32,  
5:38, 7:20, 9:15, 9:34, 9:41,  
10:48, 17:37, 17:46, 17:54,  
17:56  
Examination, 3:88, 3:89, 17:48,  
17:64  
Forms, 3:85, 3:87 to 3:89, 3:91 to  
3:93, 4:18, 5:6, 5:12, 7:20, 8:3,  
8:29, 8:59, 9:8, 14:32, 14:33,  
17:88, 17:97, 17:105  
Injured party, 8:58, 8:59, 9:41  
Intent to use, 7:18, 7:20  
Judicial Review, 14:37, 17:71  
Patents, 7:4, 7:48, 9:5  
Registered Marks, 3:89  
Registration, 3:87, 3:88, 3:93, 4:2,  
5:1 to 5:39, 5A:1, 5A:3, 5A:35,  
5A:36, 5A:42, 5A:43, 6:4, 7:4,  
7:10, 7:12, 7:14, 7:15, 7:18 to  
7:20, 8:59, 9:8, 9:15, 9:30,  
16:4, 17:22 to 17:24, 17:48,  
17:69, 17:71, 17:97  
Remand, 17:69  
Requests for, 3:92, 3:93, 17:54,  
17:56

### ARBITRATION

Misappropriation of trade secrets,  
10:47, 17:87

### ARIZONA

Restrictive covenants, 9:4, 17:23

### ASSIGNABILITY

Florida, 14:32

### ASSIGNMENT

Agency, 3:87 to 3:89, 3:91 to 3:93,  
9:30, 10:24, 10:47, 14:34  
Applicability, 17:24  
Bankruptcy, 3:43, 3:85 to 3:89, 3:91  
to 3:93, 10:29, 10:43, 13:21 to  
13:28, 13:38, 15:5, 15:22, 16:4,  
16:6  
Banks, 3:53, 14:33  
Burden of proof, 13:21, 16:6, 17:20,  
17:42  
Checks, 8:59, 15:5  
Commercial Code, 3:53, 3:85, 3:89,  
10:42, 13:26, 16:6  
Consent, 3:50, 3:54, 3:55, 3:57, 3:87  
to 3:89, 3:91 to 3:93, 4:5, 4:11,  
4:22, 8:59, 10:42, 10:43, 10:48,  
13:22, 13:26, 13:27, 14:33,  
14:34, 15:5, 16:4, 16:6, 17:20,  
17:24  
Consideration, 3:55, 3:86 to 3:89,  
3:91 to 3:93, 4:11, 4:17, 10:43,  
10:47, 10:48, 13:27, 14:33,  
15:5, 17:41  
Contingencies, 9:30  
Contracts, 3:85, 3:93, 4:5, 8:31,  
8:59, 10:42, 10:43, 10:45,  
13:22, 13:24, 13:38, 14:33,  
15:5, 16:4, 16:6, 17:20, 17:24,  
17:41, 17:42  
Contribution, 3:87, 3:88  
Copyright, 3:87, 3:92, 3:93  
Corporations, 3:51, 3:54, 3:93, 4:11,  
9:30, 10:42, 10:43, 14:25, 16:4  
Counterclaim, 3:85, 10:48, 15:5  
Death, 3:49, 3:52, 3:85 to 3:89, 3:92,  
3:93, 10:43, 14:25, 16:4, 16:6  
Defenses, 4:11, 14:34, 15:22  
Definitions, 3:17, 3:93, 14:33  
Employment, 3:85, 3:87 to 3:89,  
3:92, 3:93, 8:59, 10:42, 14:34,  
17:41  
Evidence, 3:17, 3:43, 3:86, 3:87,  
3:89, 3:92, 5:21, 8:31, 8:59,  
9:30, 10:24, 10:42, 10:45,  
10:47, 13:21, 13:23, 13:26,  
14:25, 14:33, 14:34, 15:5,

**ASSIGNMENT—Cont'd**

15:22, 16:4, 16:6, 17:24, 17:41, 17:42  
 Federal Courts, 3:92, 17:20  
 Guaranty, 3:92, 3:93, 4:11, 10:47, 10:48, 14:33, 15:22  
 Heirs, 3:52, 3:88, 3:93, 10:43, 16:4, 16:6  
 Implied warranties, 3:86  
 Indemnity, 3:85, 3:87, 3:89, 3:92, 3:93  
 Infringement, 3:85, 3:87, 3:88, 3:92, 3:93, 4:11, 17:41, 17:42  
 Insurance, 3:87 to 3:89, 3:93, 8:59, 10:47, 15:5  
 Intent to assign, 13:22  
 Lack of consideration, 4:11  
 Names, 3:17, 3:45, 3:85 to 3:89, 3:91 to 3:93, 8:59, 10:47  
 Novation, 5:21, 10:48, 16:6, 17:24  
 Options, 3:87, 3:93  
 Parties, 3:17, 3:41, 3:43, 3:45, 3:46, 3:50, 3:85 to 3:89, 3:91 to 3:93, 4:1, 4:5, 4:11, 4:17, 5:21, 8:31, 8:59, 10:24, 10:42, 10:45, 10:47, 10:48, 13:26, 13:28, 14:33, 15:5, 15:22, 16:4, 16:6, 17:20, 17:24, 17:42  
 Partnerships, 14:25  
 Payment, 3:45, 3:50, 3:51, 3:85 to 3:89, 3:91 to 3:93, 4:11, 4:17, 5:21, 10:42, 10:43, 10:45, 10:47, 13:26, 14:33, 15:5, 15:22, 16:4, 16:6, 17:41  
 Penalties, 3:89, 3:93, 9:30, 10:47  
 Personal property, 3:87, 3:88, 3:92, 3:93, 4:1  
 Products liability, 14:33  
 Property, 3:43, 3:55, 3:58, 3:85, 3:87 to 3:89, 3:91 to 3:93, 4:1, 4:11, 7:5, 9:30, 10:47, 13:21, 13:23, 13:26, 15:22, 16:4, 16:6, 17:41  
 Public policy, 3:89, 10:42, 10:48, 17:20, 17:24  
 Punitive damages, 3:92, 4:11, 10:48, 16:4, 16:6  
 Real property, 3:93, 17:41  
 Reorganizations, 16:4  
 Res judicata, 4:11

**ASSIGNMENT—Cont'd**

Restatement, 10:42, 17:24  
 Sales, 3:17, 3:41, 3:45, 3:85 to 3:89, 3:93, 4:5, 5:21, 8:31, 8:59, 9:30, 10:24, 10:45, 10:47, 10:48, 13:21, 13:24, 13:27, 14:25, 14:33, 14:34, 15:5, 15:22, 16:4, 16:6, 17:24, 17:41, 17:42  
 Specific performance, 3:92, 8:59  
 Standing, 3:88, 4:11, 9:30, 10:43, 14:25, 14:34, 16:4, 17:20  
 Statute of Frauds, 16:6  
 Subject matter, 3:86 to 3:88, 3:91, 3:92, 4:17, 12:3, 15:22, 17:24  
 Time, 3:41, 3:45, 3:46, 3:50, 3:55, 3:85 to 3:89, 3:91 to 3:93, 4:11, 4:17, 5:21, 8:31, 8:59, 9:30, 10:24, 10:42, 10:43, 10:45, 10:47, 10:48, 13:21, 13:23, 13:26, 13:38, 14:33, 14:34, 15:3, 15:5, 15:22, 16:4, 16:6, 17:20, 17:41, 17:42  
 Torts, 9:30  
 Warranties, 3:86, 3:87, 3:92, 3:93, 14:25, 14:33, 16:6

**BANKRUPTCY**

Agreements, 3:3, 3:42, 3:43, 3:85 to 3:89, 3:91 to 3:93, 4:4, 5A:23, 8:49, 8:52, 9:15, 9:34, 10:1, 10:8, 10:13, 10:43, 13:4, 13:8, 13:11, 13:12, 13:15, 13:16, 13:20, 13:22 to 13:26, 13:29, 13:31, 13:33, 13:37 to 13:39, 14:1, 14:31, 15:7, 15:17, 15:22, 16:3, 16:4, 16:6, 17:25, 17:40, 17:92  
 Assignment, 3:43, 3:85 to 3:89, 3:91 to 3:93, 10:29, 10:43, 13:21 to 13:28, 13:38, 15:5, 15:22, 16:4, 16:6  
 Assignor, 3:88  
 Characterization, 9:15  
 Contracts, 3:3, 3:85, 3:93, 4:4, 8:49, 8:52, 8:55, 8:57, 9:34, 10:1, 10:43, 13:4, 13:5, 13:15, 13:22, 13:24, 13:29, 13:32, 13:38, 13:39, 15:5, 16:3, 16:4, 16:6, 17:40

## INDEX

### **BANKRUPTCY—Cont'd**

- Enforcement, 1:6, 3:87 to 3:89, 3:92, 5A:23, 5A:48, 8:49, 8:52, 8:55, 8:57, 9:15, 9:34, 13:6, 13:21, 14:31, 15:22, 17:40
- Executory contracts, 10:43, 13:4, 13:5, 13:22, 13:32, 13:39
- License, 3:3, 3:43, 3:85 to 3:89, 3:91 to 3:93, 8:49, 9:15, 13:20, 13:25, 13:33, 13:41, 15:7, 16:4
- Termination, 1:6, 3:42, 3:43, 3:85 to 3:89, 3:91 to 3:93, 4:4, 8:49, 8:52, 8:57, 9:15, 9:31, 9:34, 10:1, 10:8, 10:10, 10:13, 10:14, 10:29, 10:43, 13:2, 13:6, 13:7, 13:9, 13:12 to 13:17, 13:19 to 13:21, 13:25, 13:28 to 13:34, 13:38, 13:39, 14:1, 14:31, 15:5, 15:7, 15:17, 15:22, 16:3, 16:4, 16:6, 17:25, 17:40, 17:69
- Transfer, 3:87 to 3:89, 3:92, 3:93, 4:4, 5A:23, 8:49, 8:57, 10:1, 10:43, 13:3, 13:12, 13:13, 13:24, 13:34, 13:35, 13:41, 14:1, 15:5, 15:7, 15:22, 16:4, 16:6, 17:25, 17:40, 17:69, 17:92

### **BELGIUM**

- Damages, 16:4
- Litigation, 16:4
- Remedies, 16:4
- Review, 16:4
- Statutes, 16:4

### **BENEFITS**

- Mexico, 3:93, 12:8

### **BONDS**

- New York, 8:34

### **BOOKS**

- Access, 3:38, 3:87, 3:88, 3:93, 9:19
- Character, 3:87, 4:18, 9:42, 17:64
- Contracts, 1:30, 3:93, 6:4, 9:42, 15:5
- Defamation, 17:26
- Image, 3:44, 3:87, 3:89, 3:93, 7:29, 9:42, 15:5
- Infringement, 3:87, 3:88, 3:93, 7:29
- Libel, 5A:44
- Name, 1:30, 3:23, 3:44, 3:87 to 3:89, 3:93, 4:20, 5:17, 6:4, 7:29, 9:42, 15:5

### **BOOKS—Cont'd**

- Ownership, 3:80, 3:87 to 3:89, 3:93, 9:42
- Packaging, 3:89
- Photographs, 3:44
- Renewal rights, 3:93
- Substantial similarity, 17:64
- Titles, 3:88
- Trademarks, 2:12, 3:44, 3:87 to 3:89, 3:93, 6:4, 7:29, 9:42, 12:8, 15:5

### **BURDEN OF PROOF**

- United States, 11:35, 14:32, 17:94

### **BUSINESS AND PROFESSIONS CODE**

- California, 8:52, 9:35

### **BUSINESS INFORMATION**

- Illinois, 17:14

### **BUSINESS INTERESTS**

- Restrictive covenants, 8:50, 8:53, 17:41

### **CALIFORNIA**

- Actual injury, 9:29
- Advertising, 1:30, 5:5, 5:6, 5:8, 5:15, 5:25, 5:38, 5A:41, 6:4, 7:45, 7:50, 8:28, 8:29, 8:31, 8:32, 8:39, 8:46, 8:63, 9:24, 9:34, 9:36, 9:42, 9:44, 10:6, 10:10, 14:24, 14:32, 14:33, 14:37, 16:4, 16:6, 17:14, 17:19, 17:21, 17:26, 17:34, 17:42
- Arbitration, 3:65, 3:68, 5A:25, 5A:46, 8:2 to 8:4, 8:6, 8:16, 8:20, 8:37, 8:38, 9:34, 9:36, 10:47, 10:51, 14:34, 14:36, 14:37, 16:4, 16:6, 17:4, 17:10, 17:21, 17:23, 17:24, 17:28, 17:32, 17:34, 17:42, 17:59, 17:69, 17:71, 17:75, 17:81 to 17:83, 17:85, 17:86, 17:88
- Cause of action, 5:38, 5A:46, 8:4, 8:25, 8:28 to 8:30, 8:32, 8:33, 8:39, 8:46, 9:11, 9:14, 9:17, 9:34 to 9:38, 10:15, 10:37, 10:47, 14:32, 14:33, 14:36, 14:37, 15:15, 15:22, 16:4, 16:6, 17:4, 17:14, 17:20, 17:24,



**CALIFORNIA—Cont'd**

17:26, 17:32, 17:42, 17:69,  
17:70  
Choice of law rules, 17:23, 17:24  
Civil penalties, 5A:46, 6:4, 9:29,  
9:30, 10:47  
Claims, 1:30, 3:65, 3:68, 5:25, 5:38,  
5A:7, 5A:33, 5A:46, 6:4, 7:45,  
8:4, 8:6, 8:9, 8:20, 8:22, 8:25,  
8:28, 8:29, 8:31, 8:39, 8:46,  
8:47, 8:63, 9:11, 9:14 to 9:17,  
9:24, 9:29, 9:30, 9:34 to 9:37,  
9:42, 9:44, 9:50, 10:10, 10:47,  
10:48, 10:55, 14:33, 14:34,  
14:36, 14:37, 15:22, 16:4, 16:6,  
17:3, 17:4, 17:10, 17:14, 17:17,  
17:19 to 17:21, 17:23, 17:24,  
17:26, 17:28, 17:32, 17:34,  
17:38, 17:42, 17:57, 17:59,  
17:69 to 17:71, 17:81 to 17:83,  
17:85, 17:88  
Class actions, 17:3, 17:24, 17:32,  
17:38, 17:85, 17:88  
Conduct, 3:68, 5:15, 5A:43, 7:44,  
7:45, 8:4, 8:19, 8:20, 8:22,  
8:25, 8:28 to 8:30, 8:32, 8:33,  
8:37, 8:39, 8:46, 8:47, 8:61,  
9:14 to 9:17, 9:29, 9:30, 9:34 to  
9:38, 9:42, 9:44, 9:50, 10:9,  
10:10, 10:15, 10:27, 10:28,  
10:34, 10:35, 10:47, 10:48,  
10:51, 10:55, 12:8, 14:26, 14:32  
to 14:36, 15:22, 16:4, 17:14,  
17:17, 17:19, 17:20, 17:23,  
17:24, 17:26, 17:28, 17:32,  
17:34, 17:42, 17:57, 17:62,  
17:69, 17:71  
Consumers, 1:9, 5:38, 7:45, 8:38,  
9:34, 9:35, 9:38, 10:6, 10:7,  
14:33, 14:34, 17:26, 17:34  
Customer lists, 7:50, 8:39  
Damages, 3:65, 3:68, 5:15, 5:25,  
5:38, 5A:25, 5A:46, 6:4, 7:44,  
7:45, 8:6, 8:20, 8:25, 8:28 to  
8:30, 8:32, 8:37, 8:39, 8:47,  
8:50, 8:52, 8:58, 8:61, 8:63,  
9:11, 9:14, 9:29, 9:30, 9:34 to  
9:38, 9:50, 10:15, 10:24, 10:43,  
10:47, 10:48, 10:55, 14:26,  
14:33 to 14:37, 15:22, 16:4,  
16:6, 17:3, 17:4, 17:10, 17:23,

**CALIFORNIA—Cont'd**

17:24, 17:28, 17:34, 17:38,  
17:42, 17:57, 17:59, 17:70,  
17:85, 17:88  
Defenses, 9:35, 10:51, 10:55, 14:34,  
15:22, 17:34, 17:57, 17:69,  
17:70, 17:81, 17:83  
Definitions, 10:6, 14:24, 14:33  
Enumerated acts, 6:4  
False advertising, 5A:41, 7:45, 9:34,  
17:26  
Fraud, 3:65, 5:38, 5A:43, 5A:44,  
5A:46, 6:4, 7:50, 8:2, 8:4, 8:9,  
8:16, 8:30, 8:32, 8:33, 8:39,  
8:46, 9:11, 9:14 to 9:17, 9:24,  
9:29, 9:30, 9:34 to 9:38, 9:50,  
10:15, 10:43, 10:47, 10:48,  
10:51, 10:55, 14:32 to 14:34,  
14:37, 15:22, 16:4, 17:3, 17:4,  
17:10, 17:14, 17:17, 17:20,  
17:21, 17:23, 17:24, 17:26,  
17:32, 17:34, 17:62, 17:69,  
17:81, 17:82, 17:85, 17:86  
Injunctions, 7:45, 17:85  
Insurance coverage, 5:3  
Jurisdiction, 5:15, 5:25, 5:38, 5A:31,  
8:58, 10:27, 10:48, 12:8, 14:24,  
14:26, 14:32, 14:36, 14:37,  
16:6, 17:3, 17:4, 17:10, 17:14,  
17:17, 17:19 to 17:21, 17:23,  
17:24, 17:28, 17:32, 17:69 to  
17:71, 17:81 to 17:83, 17:85,  
17:86, 17:88  
Jury trial, 14:37, 17:59, 17:85  
Legal Remedies Act, 9:34  
Liability, 1:30, 3:68, 5:15, 5A:25,  
5A:43, 5A:46, 6:4, 8:2, 8:20,  
8:28, 8:29, 8:37, 8:46, 8:47,  
8:58, 9:16, 9:17, 9:30, 9:34,  
9:35, 9:37, 9:38, 9:42, 9:44,  
9:47, 9:50, 10:24, 10:27, 10:43,  
10:47, 10:48, 10:55, 14:32,  
14:33, 15:15, 16:4, 16:6, 17:3,  
17:4, 17:14, 17:17, 17:24,  
17:28, 17:32, 17:34, 17:38  
Licenses, 6:4, 9:44  
Misappropriation, 7:44, 7:50, 8:32,  
10:47  
Misleading advertising, 16:6  
Misrepresentations, 5A:7, 5A:46,  
6:4, 8:9, 8:16, 8:25, 8:46, 9:11,



## INDEX

### CALIFORNIA—Cont'd

9:14 to 9:17, 9:30, 9:34 to 9:36,  
10:47, 10:48, 14:35, 17:14,  
17:17, 17:21, 17:24, 17:26,  
17:32, 17:62  
Penalties, 1:30, 5A:46, 6:4, 9:29,  
9:30, 10:47  
Pleadings, 17:19, 17:26, 17:28,  
17:32, 17:57, 17:69  
Preemption, 15:22  
Professions, 8:52, 8:58, 9:35  
Property rights, 9:34  
Punitive damages, 3:65, 3:68, 8:32,  
8:37, 9:29, 9:34, 9:36, 9:50,  
10:48, 14:36, 16:4, 16:6, 17:23,  
17:34, 17:59, 17:85  
Remedies, 3:65, 3:68, 6:4, 7:22,  
7:50, 8:25, 8:37, 9:34, 9:35,  
9:37, 10:27, 10:39, 14:26,  
14:32, 14:36, 14:37, 15:15,  
16:4, 16:6, 17:42, 17:70, 17:71,  
17:85  
Restrictive covenants, 8:49, 8:50,  
17:23  
Standings, 2:9, 6:4, 8:4, 9:11, 9:30,  
9:34 to 9:36, 9:47, 10:43,  
10:55, 14:24, 14:32, 14:34,  
14:36, 14:37, 16:4, 17:14,  
17:17, 17:20, 17:62, 17:71,  
17:88  
Statutes, 3:65, 5:5, 5:8, 5A:27,  
5A:28, 5A:39, 5A:43, 5A:44,  
5A:46, 7:22, 7:44, 8:2, 8:9,  
8:22, 8:25, 8:49, 8:50, 8:52,  
9:11, 9:15, 9:17, 9:30, 9:34,  
9:36, 10:6, 10:9, 10:24, 10:27,  
10:28, 10:33 to 10:35, 10:37,  
10:39, 10:43, 10:44, 10:47,  
10:48, 10:55, 14:24, 14:26,  
14:32 to 14:34, 14:36, 14:37,  
15:22, 16:4, 16:6, 17:3, 17:10,  
17:14, 17:17, 17:19 to 17:21,  
17:23, 17:24, 17:26, 17:32,  
17:70, 17:71, 17:81, 17:82  
Statutory definitions, 14:24  
Strict liability, 8:46, 9:30  
Transactions, 1:9, 5:15, 5:38, 5A:28,  
5A:33, 6:4, 8:2, 8:3, 8:22, 8:38,  
8:39, 9:11, 9:15, 9:34, 9:35,  
9:44, 14:24, 17:62, 17:69

### CALIFORNIA—Cont'd

Trial, 3:65, 3:68, 5:15, 7:45, 8:6,  
8:28, 8:30, 8:32, 8:61, 8:63,  
9:17, 9:30, 9:42, 9:44, 10:15,  
10:27, 10:47, 14:37, 15:22,  
16:4, 17:19, 17:21, 17:32,  
17:34, 17:38, 17:57, 17:59,  
17:62, 17:69, 17:70, 17:81,  
17:82, 17:85  
Unfair Competition Law, 9:34 to  
9:36, 15:22, 17:26, 17:42, 17:82  
Unlawful practices, 9:34  
Venue, 3:65, 7:45, 10:48, 10:51,  
16:4, 16:6, 17:10, 17:14, 17:19  
to 17:21, 17:23, 17:24, 17:70,  
17:82

### CANADA

Fraud, 17:20  
Litigation, 3:93, 17:20, 17:22  
Obligations, 3:93, 17:22  
Remedies, 3:93, 17:22  
Review, 3:93  
Statutes, 17:20, 17:22

### CAUSES OF ACTION

Illinois, 7:50, 10:47, 17:8, 17:10,  
17:62, 17:64, 17:69, 17:87

### CHEMICAL

Evidence, 6:1, 7:50

### CHINA

Contract law, 9:4  
Damages, 3:93, 9:4, 9:38  
Know-how, 3:93  
Litigation, 3:93  
Remedies, 3:93, 9:4  
Review, 3:93

### CHOICE OF LAW

California, 5:15, 6:4, 8:58, 9:34,  
10:48, 14:24, 17:14, 17:20,  
17:21, 17:23, 17:24, 17:81,  
17:83, 17:85  
Delaware, 4:17, 14:24, 17:21, 17:22,  
17:24  
Florida, 3:62, 6:4, 8:58, 9:34, 10:48,  
14:24, 17:13, 17:14, 17:20 to  
17:24  
Illinois, 8:58, 9:34, 10:48, 14:24,  
17:14, 17:20 to 17:24, 17:81

**CHOICE OF LAW—Cont'd**

New Jersey, 3:62, 5:29, 9:34, 10:48,  
17:14, 17:20, 17:21, 17:23,  
17:24, 17:81  
New York, 4:17, 8:58, 9:34, 10:48,  
14:22, 14:24, 17:14, 17:20,  
17:23, 17:24, 17:85  
Restrictive covenants, 17:23  
State statutes, 3:62, 14:24, 17:14,  
17:23, 17:24  
Tennessee, 9:34, 17:14, 17:23, 17:24  
Tort actions, 17:22  
United States, 3:62, 5:29, 17:81,  
17:94

**CLAIMS**

Adapted, 3:93, 16:6  
Alternatives, 1:3, 1:30, 8:36, 11:17,  
17:18, 17:60  
Amendments, 3:88, 3:92, 7:38,  
14:23, 14:34, 17:25, 17:83  
Arranged, 9:30, 17:89, 17:96  
Business methods, 3:26  
Classifications, 14:23  
Coined words, 3:86  
Complete, 1:30, 3:23, 3:40, 3:50,  
3:60, 3:86 to 3:88, 3:92, 3:93,  
5A:23, 8:6, 8:9, 8:22, 8:24,  
8:28, 8:59, 9:12, 9:16, 9:17,  
9:32, 9:35, 9:42, 10:12, 10:42,  
10:47, 10:63, 13:4, 15:18, 16:4,  
16:6, 17:4, 17:18, 17:28, 17:40,  
17:45 to 17:48, 17:52, 17:60,  
17:64, 17:77, 17:94, 17:103  
Constructed, 3:87, 3:93, 9:8  
Defect, 9:34, 9:39, 14:23, 14:37,  
16:4  
Definite, 5:25, 5:29, 8:4, 8:22, 8:23,  
8:27, 8:64, 10:20, 16:6, 17:38,  
17:45, 17:94  
Dependency, 8:34  
Discovery, 3:65, 3:68, 5:30, 5:32,  
5:38, 5A:46, 9:15, 9:16, 9:32,  
9:34, 9:41, 10:47, 10:48, 11:35,  
17:2, 17:4, 17:7, 17:25, 17:32,  
17:36 to 17:38, 17:45 to 17:47,  
17:52 to 17:54, 17:56, 17:57,  
17:60, 17:67, 17:72, 17:85,  
17:92

**CLAIMS—Cont'd**

Drafting, 3:2, 3:40, 3:65, 4:4, 5A:23,  
8:17, 8:28, 8:29, 10:42, 17:20  
Drawing, 17:45, 17:47  
E-Commerce, 17:83  
Format, 1:15, 2:4, 7:9, 10:45, 10:55,  
16:6, 17:50  
Independent claims, 17:30  
Intangibles, 5:29, 8:62, 16:4  
Intended use, 9:49  
Internet, 3:86, 5:24, 6:2, 7:49, 8:59,  
9:32, 10:55, 14:33, 17:14,  
17:40, 17:41, 17:52, 17:53,  
17:67  
Language, 3:2, 3:6, 3:18, 3:65, 5:29,  
5A:46, 5A:48, 7:4, 7:6, 7:39,  
8:4, 8:6, 8:9, 8:14, 8:17, 8:25,  
8:27 to 8:29, 8:31, 8:42, 8:46,  
8:47, 8:57, 8:59, 8:63, 9:5, 9:15  
to 9:17, 9:29, 9:34, 9:35, 10:20,  
10:23, 10:38, 10:48, 10:55,  
11:16, 11:17, 11:31, 11:38,  
11:39, 14:7, 14:23, 14:28,  
14:30, 14:33, 14:34, 14:36,  
15:22, 16:4, 16:6, 17:6, 17:14,  
17:20, 17:21, 17:23, 17:46,  
17:53, 17:59, 17:70, 17:83,  
17:85, 17:87, 17:88, 17:90,  
17:91  
Objection, 3:93, 9:39, 10:4, 13:40,  
14:28, 17:11, 17:19, 17:52 to  
17:54, 17:56, 17:57, 17:64,  
17:67  
Omission, 3:39, 3:87, 3:92, 3:93,  
5:23, 5A:5, 5A:23, 5A:48, 7:17,  
8:25, 9:3, 9:11, 9:16, 9:30,  
10:47, 17:19, 17:26  
Preamble, 3:93  
Presentation, 3:87, 7:36, 9:9, 9:17,  
9:19, 9:30, 9:49, 17:11, 17:29,  
17:52, 17:56, 17:60, 17:85,  
17:96  
Process, 1:15, 2:4, 2:6, 3:2, 3:65,  
3:86, 3:93, 4:18, 5:23, 5A:5,  
5A:23, 5A:33, 8:6, 8:17, 8:20,  
8:24, 8:36, 9:8, 9:15, 9:19,  
9:26, 9:29, 9:30, 9:32, 9:34,  
9:42, 9:44, 10:12, 10:38, 10:47,  
11:16, 13:3, 14:23, 14:33,  
14:37, 15:22, 16:4, 17:6, 17:14,  
17:16 to 17:19, 17:25, 17:28,

## INDEX

### CLAIMS—Cont'd

17:32, 17:37, 17:38, 17:40,  
17:43, 17:45, 17:52, 17:57,  
17:71, 17:77, 17:82, 17:83,  
17:87, 17:91, 17:92, 17:96

Prosecution, 3:13, 3:87, 3:88, 8:36,  
17:21, 17:37

Royalties, 2:4, 3:23, 3:40, 3:68, 3:88,  
3:93, 5:23, 7:6, 7:34, 8:14,  
8:39, 8:46, 8:59, 8:60, 8:62,  
8:63, 9:16, 9:31, 10:12, 10:19,  
10:20, 10:23, 13:35, 13:41,  
17:4, 17:14, 17:21, 17:25,  
17:41, 17:48, 17:64, 17:67,  
17:69

Spaces, 3:65, 3:92

Special considerations, 7:36

Specification, 3:27, 3:88, 5:23, 11:7

Telecommunications, 16:6

Trade names, 3:13, 3:85 to 3:88,  
3:92, 3:93, 5:29, 5:38

Trademarks, 1:3, 2:4, 2:6, 3:2, 3:6,  
3:13, 3:14, 3:68, 3:85 to 3:88,  
3:92, 3:93, 4:4, 5:21, 5:24,  
5:29, 5:38, 5A:23, 6:4, 7:4, 7:6,  
7:9, 7:17, 7:18, 7:24, 7:25,  
7:34, 7:36, 7:38, 7:39, 7:41,  
7:45, 7:46, 7:49, 8:28, 8:53,  
8:57, 8:59, 9:1, 9:5, 9:17, 9:28,  
9:33, 9:42, 9:44, 10:12, 10:23,  
11:16, 11:17, 13:35, 13:41,  
15:5, 15:18, 17:1, 17:14, 17:17,  
17:21, 17:41 to 17:43, 17:91,  
17:92, 17:97

Value, 2:4, 3:87, 3:88, 3:93, 4:18,  
5:23, 5:25, 5:29, 5:30, 5:38,  
5A:7, 6:4, 7:36, 8:8, 8:28, 8:34,  
8:53, 8:57, 8:59, 8:60, 8:62,  
8:63, 9:2, 9:4, 9:5, 9:17, 9:23,  
9:24, 9:28, 9:32, 9:34, 9:35,  
9:37, 10:38, 11:33, 11:35,  
11:37, 13:3, 13:35, 13:40,  
13:41, 14:20, 14:23, 14:30,  
14:37, 15:22, 16:4, 16:6, 17:4,  
17:40 to 17:42, 17:49, 17:54,  
17:60, 17:64, 17:67, 17:72,  
17:85, 17:96, 17:97, 17:103

### CLAYTON ACT

Compliance, 17:43

Damages, 11:37, 11:39, 11:40, 17:43

### CLAYTON ACT—Cont'd

Federal Trade Commission, 11:1,  
11:14, 11:38, 11:39

Federal Trade Commission Act, 11:1,  
11:14, 11:38, 11:39

Intellectual property, 7:9

Price discrimination, 11:1, 11:24,  
11:37

Sherman Act, 7:9, 11:1, 11:14, 11:38  
to 11:40

Tying arrangements, 11:1, 11:14,  
11:21

Venue, 9:32

### COLORADO

Restrictive covenants, 8:57, 9:4,  
17:23

### COMMERCIAL SPEECH

Advertising, 7:38, 9:5, 16:3

Bankruptcy, 16:3

FTC, 7:38

### COMMON LAW

California, 1:30, 7:22, 7:44, 7:50,  
8:2 to 8:4, 8:33, 8:49, 9:14,  
9:15, 9:30, 9:34, 9:35, 9:37,  
9:38, 9:44, 10:9, 10:10, 10:15,  
10:18, 10:24, 10:47, 10:48,  
10:55, 14:32, 14:34, 14:37,  
15:22, 16:6, 17:14, 17:19,  
17:23, 17:24, 17:26, 17:71

Canada, 17:22

Employment, 1:30, 7:2, 7:3, 7:50,  
7:52, 8:49, 8:59, 9:34, 9:44,  
10:10, 10:15, 10:19, 10:42,  
14:34, 17:14

History, 5:20, 8:33, 9:14, 9:37,  
10:15, 10:24, 10:38, 10:42,  
10:47, 10:55, 14:34

Illinois, 1:30, 5:20, 7:50, 8:2, 8:3,  
8:7, 8:33, 9:30, 9:34, 9:35,  
9:38, 10:15, 10:16, 10:47,  
10:48, 14:32, 14:34, 14:37,  
16:6, 17:14, 17:22 to 17:25

Maryland, 8:49, 9:7, 9:14, 9:30,  
9:34, 9:38, 9:41, 10:19, 10:47,  
10:48, 14:32, 14:34, 16:6,  
17:14, 17:19, 17:22 to 17:24

Misappropriation, 7:36, 7:44, 7:49 to  
7:52, 8:59, 10:47

**COMMON LAW—Cont'd**

United States, 7:14, 8:4, 9:5, 9:32,  
9:37, 14:32, 17:94

**COMPENSATORY DAMAGES**

Illinois, 3:68, 9:29, 16:4  
Rhode Island, 16:4

**COMPETING PRODUCTS**

United States, 10:23

**COMPETITION**

Anticipation, 9:34  
Unfair Competition, 2:7, 3:87, 3:88,  
4:4, 7:1, 7:2, 7:6 to 7:8, 7:12,  
7:13, 7:15, 7:24, 7:27, 7:35 to  
7:47, 7:49, 8:53, 8:58, 9:1, 9:34  
to 9:36, 10:25, 15:22, 16:4,  
17:3, 17:17, 17:26, 17:42,  
17:62, 17:82, 17:87, 17:97  
United Kingdom, 8:57

**COMPLIANCE**

Audits, 3:88, 3:93  
Conflict of interest, 3:92, 10:23  
Federal Trade Commission, 1:10,  
2:6, 2:7, 3:92, 5A:6, 5A:23, 8:4,  
9:30, 10:47, 14:34  
Federal Trade Commission Act, 2:7  
Interviews, 2:8, 5A:6, 17:64  
Programs, 2:4, 2:5, 2:7, 3:87 to 3:89,  
3:92, 3:93, 8:31, 8:41, 8:59,  
8:64, 9:42, 14:28, 14:33, 16:4,  
16:6, 17:43, 17:48, 17:76  
Trade associations, 2:7

**COMPUTERS**

Enforcement, 5:15  
Evidence, 5:15, 5:24, 5:29  
Hardware, 10:63  
Software, 5:29, 10:62, 10:63  
Statutes, 5:29

**CONFIDENTIAL BUSINESS  
INFORMATION**

United States, 11:6, 17:100

**CONFIDENTIALITY**

Canada, 3:93  
China, 3:93  
Evidence, 3:44, 3:92, 7:50, 7:52,  
8:53, 8:61, 13:29, 17:54, 17:57,

**CONFIDENTIALITY—Cont'd**

17:62, 17:67, 17:85

Licensing, 3:44

Misappropriation of trade secrets,  
7:50, 7:52

Restrictive covenants, 8:53

Texas, 8:53, 17:67

**CONNECTICUT**

Restrictive covenants, 9:4

**CONSIDERATION**

Illinois, 5:8, 8:2, 8:7, 8:19, 8:50, 9:8,  
9:28, 9:34, 9:35, 9:42, 10:15,  
10:47, 10:48, 14:33, 17:14,  
17:22, 17:25  
Restrictive covenants, 8:49, 8:50,  
9:4, 17:41

**CONSPIRACY**

Antitrust law, 11:2, 11:3, 11:5 to  
11:7, 11:13, 11:22, 11:23, 11:39  
to 11:41, 17:47, 17:96

**CONSTRUCTION AND  
INTERPRETATION**

Infringement, 3:88  
Intent, 4:17  
New York, 3:88, 4:17  
Specification, 3:88  
Validity, 3:88

**CONSULTANTS**

Forms, 5:6, 9:8

**CONTRACT LAW**

China, 9:4

**CONTRACTS**

Antitrust law, 11:7, 11:9, 11:28,  
11:39, 11:40, 17:33  
Assignment, 3:85, 3:93, 4:5, 8:31,  
8:59, 10:42, 10:43, 10:45,  
13:22, 13:24, 13:38, 14:33,  
15:5, 16:4, 16:6, 17:20, 17:24,  
17:41, 17:42  
Breach, 3:11, 3:26, 3:60, 3:65, 3:85,  
3:93, 4:4, 6:4, 7:36, 7:50, 8:1 to  
8:4, 8:6, 8:7, 8:9, 8:11, 8:14,  
8:17, 8:19, 8:20, 8:22 to 8:36,  
8:39 to 8:47, 8:49, 8:50, 8:53,  
8:56 to 8:64, 9:8, 9:17, 9:34,  
9:37 to 9:39, 9:42, 9:51, 10:15,

## INDEX

### CONTRACTS—Cont'd

10:42, 10:45, 13:4, 13:22,  
13:29, 14:33, 15:5, 16:4, 16:6,  
17:14, 17:20, 17:23, 17:24,  
17:31, 17:34, 17:37, 17:40 to  
17:42, 17:48, 17:81, 17:94  
California, 1:30, 3:65, 5:15, 6:4,  
7:45, 7:50, 8:2 to 8:4, 8:6, 8:9,  
8:13, 8:16, 8:19, 8:20, 8:22,  
8:25, 8:28 to 8:33, 8:37 to 8:39,  
8:46, 8:47, 8:49, 8:50, 8:52,  
8:58, 8:61, 8:63, 9:17, 9:34,  
9:37, 9:38, 9:42, 10:9, 10:15,  
10:18, 10:43, 14:24, 14:33,  
16:4, 16:6, 17:14, 17:20, 17:23,  
17:24, 17:28, 17:34, 17:42,  
17:59, 17:81, 17:82, 17:85  
Choice of law, 5:15, 5:29, 6:4, 8:58,  
9:34, 14:24, 17:13, 17:14,  
17:20, 17:23, 17:24, 17:81,  
17:85, 17:94  
Concerted action, 9:51  
Confidentiality, 3:93, 7:50, 8:53,  
8:61, 13:29, 17:72, 17:85  
Damages, 3:11, 3:65, 3:85, 3:93,  
5:15, 5:36, 6:4, 7:36, 7:45,  
7:53, 8:1, 8:6, 8:11, 8:20, 8:23,  
8:25, 8:28 to 8:30, 8:32, 8:35 to  
8:37, 8:39, 8:42 to 8:44, 8:47,  
8:50, 8:52, 8:57 to 8:64, 9:34,  
9:37 to 9:40, 9:51, 10:1, 10:15,  
10:42, 10:43, 10:45, 11:39,  
11:40, 13:29, 14:33, 15:5, 16:4,  
16:6, 17:8, 17:23, 17:24, 17:28,  
17:31, 17:33, 17:34, 17:37,  
17:40 to 17:43, 17:48, 17:59,  
17:85, 17:94  
Employment Contracts, 8:25, 8:49,  
10:15  
Evidence, 1:30, 3:3, 3:60, 3:65, 3:66,  
5:2, 5:15, 5:29, 5A:16, 6:4,  
7:45, 7:50, 8:2 to 8:12, 8:14 to  
8:20, 8:22 to 8:24, 8:26 to 8:29,  
8:31 to 8:34, 8:37, 8:39, 8:41,  
8:43, 8:48, 8:53, 8:54, 8:57,  
8:59 to 8:64, 9:8, 9:13, 9:17,  
9:23, 9:26, 9:34, 9:37 to 9:39,  
9:42, 9:49, 9:51, 10:4, 10:15,  
10:42, 10:45, 11:9, 11:39,  
11:40, 13:4, 13:29, 14:24,  
14:33, 15:5, 16:4, 16:6, 17:13,

### CONTRACTS—Cont'd

17:14, 17:24, 17:28, 17:33,  
17:34, 17:37, 17:40 to 17:43,  
17:48, 17:59, 17:82, 17:85,  
17:94  
Florida, 6:4, 8:20, 8:46, 8:49, 8:52 to  
8:54, 8:57, 8:58, 8:62, 8:64,  
9:34, 9:37, 9:38, 13:15, 13:29,  
14:23, 14:24, 14:33, 16:4, 16:6,  
17:13, 17:14, 17:20, 17:23,  
17:24, 17:31, 17:34, 17:43  
Formation of contracts, 8:4 to 8:8,  
17:82  
Forms, 1:30, 3:75, 3:85, 3:93, 7:36,  
7:45, 7:50, 8:3, 8:4, 8:29, 8:38,  
8:57, 8:59, 9:8, 9:37, 11:39,  
14:33, 17:20, 17:33, 17:34  
Illinois, 1:30, 3:3, 7:50, 8:2, 8:3, 8:7,  
8:11, 8:19, 8:21, 8:28, 8:33,  
8:37, 8:50, 8:58, 8:64, 9:8,  
9:34, 9:38, 9:39, 9:42, 10:15,  
11:39, 14:24, 14:33, 16:3, 16:4,  
16:6, 17:8, 17:14, 17:20, 17:23,  
17:24, 17:81  
Kansas, 7:50, 8:21, 8:38, 9:34, 9:38,  
16:4, 16:6  
Negotiations, 8:6, 8:9, 8:16, 8:19,  
8:23, 8:41, 8:53, 10:42, 17:14,  
17:20  
New Jersey, 1:30, 3:3, 3:85, 5:29,  
8:9, 8:10, 8:19, 8:25, 8:29,  
8:30, 8:32, 8:36, 8:37, 8:49,  
8:56, 8:60, 8:61, 9:34, 9:38,  
9:51, 10:1, 10:9, 10:43, 10:50,  
11:39, 14:33, 16:4, 17:14,  
17:20, 17:23, 17:24, 17:40,  
17:81  
New York, 1:30, 3:93, 4:4, 7:36, 8:4,  
8:22, 8:23, 8:28, 8:33 to 8:35,  
8:37, 8:46, 8:48, 8:53, 8:56 to  
8:60, 8:63, 8:64, 9:8, 9:17,  
9:34, 9:37, 9:38, 10:15, 11:9,  
14:24, 14:33, 16:4, 16:6, 17:14,  
17:20, 17:23, 17:24, 17:28,  
17:34, 17:85  
Noncompetition agreements, 8:52  
North Carolina, 6:4, 7:36, 7:53, 8:54,  
8:57, 9:17, 9:26, 9:34, 9:37,  
16:3, 16:4, 16:6, 17:20, 17:23,  
17:81

**CONTRACTS—Cont'd**

Ohio, 3:65, 6:4, 7:50, 8:5, 8:39,  
8:54, 8:58, 8:62, 9:37, 9:38,  
9:40, 10:15, 14:24, 14:33, 16:4,  
16:6, 17:8, 17:14, 17:23, 17:24  
Price discrimination, 8:27, 11:28,  
14:33, 17:34  
Resale, 2:4, 3:11, 5:15, 5:22, 5:29,  
6:4, 8:28, 9:34, 11:7, 11:9,  
11:39, 16:4  
Restrictive Covenants, 8:49, 8:50,  
8:53, 8:57, 17:23, 17:41  
Theory, 1:30, 7:50, 8:5, 8:21, 8:23,  
8:25, 8:27, 8:30, 8:38, 8:39,  
8:62, 9:17, 9:34, 9:42, 10:15,  
11:7, 11:39

**COPYRIGHT**

Access, 3:87, 3:92, 3:93, 7:49, 11:14  
Actual damages, 3:93  
Amendments, 3:92  
Appeal, 3:93  
Applications, 3:93  
Arbitration, 3:87, 17:28  
Attorneys, 7:34  
Bad faith, 7:36, 17:6  
Beneficial ownership, 3:93  
Books, 3:87, 3:93, 12:8  
Buildings, 3:92, 3:93  
Burden of proof, 7:34, 17:6  
Certificates, 3:87  
Change, 3:87, 3:92, 3:93, 7:49  
Children, 3:93  
Citizenship, 17:6  
Common law, 7:1, 7:2, 7:34, 7:36,  
7:49  
Competition, 3:87, 3:92, 7:1, 7:2,  
7:36, 7:49, 11:14, 11:17, 11:39  
Confidential information, 3:87, 3:92,  
3:93, 7:2, 7:36  
Contracts, 3:93, 7:36, 11:28, 11:39,  
17:28  
Copies, 3:87, 3:92, 3:93, 7:2  
Copying, 3:93, 7:2, 7:49  
Corporations, 3:93, 7:2, 11:39  
Costs, 3:87, 3:92, 3:93, 11:17, 17:6  
Counterclaims, 11:17

**COPYRIGHT—Cont'd**

Courts, 3:92, 3:93, 7:2, 7:36, 7:49,  
11:14, 11:17, 11:28, 11:39, 17:6,  
17:28  
Damages, 3:87, 3:92, 3:93, 7:2, 7:34,  
7:36, 7:48, 11:39, 17:6, 17:28  
Defenses, 7:34  
Delay, 3:87, 3:92, 3:93  
Derivative works, 7:49  
Destruction, 3:93  
Distribution, 3:87, 3:92, 3:93, 7:34,  
7:36, 7:49, 11:14, 11:17, 11:39  
Errors, 3:92, 3:93  
Evidence, 3:87, 3:92, 7:49, 11:14,  
11:17, 11:39, 17:6, 17:28  
Exclusivity, 3:87, 3:92  
Expenses, 3:87, 3:92, 3:93, 17:6  
Extensions of time, 3:93  
Fees, 3:87, 3:92, 3:93, 7:34, 12:8,  
17:6  
Financial resources, 3:92, 3:93  
Financial statements, 3:87, 3:93  
Fines, 3:92  
Forms, 3:87, 3:92, 3:93, 7:36, 11:39  
Franchises, 7:2, 7:34, 11:17  
Fraud, 7:34  
Good faith, 3:87, 3:93  
Gross receipts, 3:93, 12:8  
Hire, 7:49  
Ideas, 7:49  
Indemnity, 3:87, 3:92, 3:93  
Infringement, 3:87, 3:92, 3:93, 7:2,  
7:34, 7:36, 7:48, 7:49, 17:6  
Infringement actions, 7:34, 7:36  
Injunctions, 3:87, 3:92  
Insolvency, 3:93  
Intent, 3:87  
Interest, 3:87, 3:92, 3:93, 7:2, 7:49,  
11:14, 11:17, 11:39, 17:28  
Internet, 7:49  
Intervention, 17:6  
Irreparable harm, 3:93  
Joint, 3:87, 3:92, 3:93, 17:28  
Judgments, 3:92, 3:93  
Judicial economy, 17:6  
Jurisdiction, 3:87, 3:92, 3:93, 7:34,  
12:8, 17:6, 17:28  
Knowledge, 3:87, 3:92, 7:34

## INDEX

### **COPYRIGHT—Cont'd**

Laches, 7:34  
License fee, 3:87  
Licenses, 3:87, 3:93, 7:2  
Loss, 3:87, 3:92, 7:36  
Misrepresentation, 3:93  
Motion pictures, 7:49  
Music, 3:87, 7:2  
Must carry, 3:93  
Networks, 3:93  
New Jersey, 3:92, 11:39, 12:8  
New York, 3:92, 3:93, 7:36, 12:8, 17:28  
Notice, 3:87, 3:92, 3:93, 7:49, 11:17, 17:6  
Orders, 3:87, 3:92, 17:6  
Original jurisdiction, 17:6  
Originality, 7:48  
Parent, 3:93, 12:8, 17:28  
Penalties, 3:93  
Personal jurisdiction, 3:92, 3:93, 12:8, 17:28  
Pleadings, 17:6, 17:28  
Preemption, 7:49  
Preliminary injunctions, 3:87, 3:92  
Prevailing party, 3:93  
Process, 3:93, 7:48, 12:8, 17:6, 17:28  
Profits, 3:87, 3:92, 7:36, 11:39  
Receipts, 3:93, 12:8  
Refunds, 3:92, 3:93  
Registration, 3:87, 3:93, 7:34  
Removal, 17:6  
Review, 3:87, 3:93, 7:2  
Royalties, 3:93, 7:34, 12:8  
Search, 7:49  
Securities, 3:87, 3:92, 3:93  
Similarity, 7:34, 7:36, 7:49  
Sound recordings, 7:49  
Spouse, 3:92, 3:93  
Standing, 7:49, 11:39, 17:6  
State law claims, 17:6  
Statutes, 7:2, 17:6  
Stay, 3:93  
Substantial similarity, 7:49  
Surcharge, 3:93, 11:17  
Time, 3:87, 3:92, 3:93, 7:34, 11:17, 11:39, 17:6

### **COPYRIGHT—Cont'd**

Titles, 7:49  
Transfers, 3:87, 3:93, 11:28  
Unfair competition claims, 7:36  
United States, 3:92, 3:93, 11:17, 12:8  
Venue, 3:93, 17:6  
Warnings, 3:87

### **COSTS AND EXPENSES**

Discovery, 5:15, 7:47

### **COUNTERCLAIMS**

Compulsory, 17:7, 17:25, 17:69  
Forms, 3:23, 10:27, 17:97

### **COURT RECORDS**

Disclosure, 17:52

### **COURTS**

Korea, 17:19

### **COVENANTS**

Restrictive Covenants, 8:49, 8:50, 8:53, 8:57, 9:4, 10:56, 17:1, 17:23, 17:41

### **COVENANTS NOT TO COMPETE**

United Kingdom, 8:57  
United States, 8:50, 8:52, 8:56

### **CUSTOMERS**

California, 1:30, 5:3, 5:5, 5:6, 5:8, 5:15, 5:38, 7:45, 7:50, 8:29, 8:39, 8:46, 8:47, 8:49, 8:50, 8:52, 8:58, 9:34 to 9:38, 9:44, 10:6, 10:7, 10:24, 10:28, 10:47, 10:55, 12:8, 14:33, 14:34, 16:4, 17:14, 17:34, 17:42  
Canada, 11:39  
Restrictive covenants, 8:49, 8:50, 8:53, 8:57, 9:4, 17:1, 17:41  
Theft of trade secrets, 9:1, 17:1, 17:14  
Uniform Trade Secrets Act, 7:50  
United States, 3:85, 5:29, 7:7, 7:12, 7:16, 7:31, 7:54, 7:56, 8:50, 8:52, 9:5, 9:32, 9:37, 10:23, 10:45, 11:17, 11:23, 11:25, 11:27, 11:35, 11:40, 12:8, 16:4, 17:33, 17:40, 17:96, 17:97

### **DAMAGES**

Belgium, 16:4



**DAMAGES—Cont'd**

California, 3:65, 3:68, 5:15, 5:25, 5:38, 5A:25, 5A:46, 6:4, 7:44, 7:45, 8:6, 8:20, 8:25, 8:28 to 8:30, 8:32, 8:37, 8:39, 8:47, 8:50, 8:52, 8:58, 8:61, 8:63, 9:11, 9:14, 9:29, 9:30, 9:34 to 9:38, 9:50, 10:15, 10:24, 10:43, 10:47, 10:48, 10:55, 14:26, 14:33 to 14:37, 15:22, 16:4, 16:6, 17:3, 17:4, 17:10, 17:23, 17:24, 17:28, 17:34, 17:38, 17:42, 17:57, 17:59, 17:70, 17:85, 17:88

China, 3:93, 9:4, 9:38

Compensatory damages, 3:68, 7:47, 8:60, 8:61, 9:29, 16:4, 17:85

Contract damages, 8:25, 8:30, 8:60, 8:63, 9:28, 13:29, 17:64

Copyright infringement, 7:34, 7:36, 17:6

Defend Trade Secrets Act, 7:51

Definitions, 3:93, 5A:5, 6:3, 14:33, 17:54

False advertising, 7:24, 7:36 to 7:38, 7:42, 7:45, 9:34

Florida, 3:41, 5:18, 6:3, 6:4, 8:20, 8:52, 8:57, 8:58, 8:62, 8:64, 9:4, 9:14, 9:19, 9:29, 9:30, 9:33 to 9:38, 10:20, 10:38, 10:47, 10:48, 10:55, 13:29, 14:26, 14:31, 14:33 to 14:37, 16:4, 16:6, 17:10, 17:23, 17:24, 17:31, 17:34, 17:43, 17:96

Illinois, 3:68, 5A:5, 5A:25, 8:11, 8:28, 8:37, 8:50, 8:58, 8:64, 9:11, 9:28 to 9:30, 9:34 to 9:36, 9:38, 9:39, 9:50, 10:12, 10:15, 10:16, 10:47, 10:48, 11:39, 14:26, 14:33, 14:34, 14:36, 14:37, 16:4, 16:6, 17:8, 17:10, 17:23 to 17:25, 17:64, 17:87, 17:105

Japan, 17:80

Lanham Act, 7:6, 7:21, 7:23, 7:24, 7:34, 7:36 to 7:38, 7:43, 7:45 to 7:47, 8:61, 9:36, 17:41

Lost profits, 3:68, 3:92, 7:47, 8:23, 8:39, 8:47, 8:57, 8:60, 8:62, 8:63, 9:4, 9:28, 9:35, 10:38, 10:42, 11:33, 11:39, 14:20,

**DAMAGES—Cont'd**

15:17, 16:6, 17:40, 17:41, 17:64, 17:96

Misappropriation of trade secrets, 7:51, 7:53, 8:59, 10:47, 17:87

Missouri, 5:25, 5:27, 7:44, 8:6, 8:58, 9:29, 9:38, 9:39, 10:16, 14:25, 14:26, 14:33, 14:34, 16:4, 16:6, 17:10

New Jersey, 3:68, 3:85, 3:92, 5:27, 8:25, 8:29, 8:30, 8:32, 8:36, 8:37, 8:60, 8:61, 9:4, 9:29, 9:33, 9:34, 9:38, 9:41, 9:50, 9:51, 10:1, 10:13, 10:19, 10:23, 10:24, 10:38, 10:43, 10:48, 10:58, 11:39, 14:26, 14:33, 14:34, 16:4, 17:10, 17:23, 17:24, 17:40, 17:70

New York, 3:86, 3:88, 3:89, 3:92, 3:93, 5:30, 5A:25, 5A:46, 7:36, 7:39, 7:44, 8:23, 8:28, 8:35, 8:37, 8:57 to 8:60, 8:63, 8:64, 9:4, 9:11, 9:14, 9:29, 9:30, 9:33 to 9:38, 10:15, 10:47, 10:48, 14:25, 14:26, 14:30, 14:33, 14:34, 14:36, 16:4, 16:6, 17:10, 17:23, 17:24, 17:28, 17:34, 17:54, 17:85, 17:91

Prejudgment interest, 17:38

Punitive damages, 3:65, 3:68, 3:92, 4:11, 7:47, 8:32, 8:37, 8:60, 8:62, 9:4, 9:28, 9:29, 9:33, 9:34, 9:36, 9:50, 10:38, 10:48, 14:36, 16:4, 16:6, 17:11, 17:23, 17:25, 17:34, 17:54, 17:59, 17:60, 17:85, 17:96

Reasonable royalty, 7:47, 7:48

Restrictive covenants, 8:50, 8:57, 9:4, 17:23, 17:41

Rhode Island, 5:30, 9:30, 9:34, 14:33, 14:34, 16:4, 16:6, 17:23

Royalty, 2:17, 3:68, 3:87 to 3:89, 3:93, 5:25, 5:38, 7:6, 7:42, 7:47, 7:48, 8:20, 8:47, 8:59, 8:62, 8:63, 9:30, 10:19, 10:47, 13:29, 17:40, 17:41

Tennessee, 8:32, 9:4, 9:34 to 9:38, 14:34, 14:37, 16:4, 16:6, 17:23, 17:24

Uniform Trade Secrets Act, 7:51

United Kingdom, 8:57, 17:24

## INDEX

### DAMAGES—Cont'd

United States, 3:85, 3:92, 3:93, 7:21, 7:24, 7:31, 7:54, 8:50, 8:52, 9:5, 9:37, 10:23, 10:45, 11:40, 14:31, 16:4, 17:3, 17:10, 17:33, 17:40, 17:53, 17:94, 17:96  
Use, 2:17, 3:11, 3:25, 3:40, 3:68, 3:85 to 3:89, 3:92, 3:93, 4:11, 5:15, 5:18, 5:25, 5:27, 5:30, 5:38, 6:4, 7:2, 7:6, 7:21, 7:23, 7:31, 7:34, 7:36, 7:37, 7:42 to 7:48, 7:53, 7:54, 8:23, 8:28, 8:29, 8:32, 8:36, 8:44, 8:47, 8:57 to 8:63, 9:14, 9:30, 9:31, 9:34 to 9:36, 9:46, 10:8, 10:13, 10:14, 10:20, 10:23, 10:24, 10:47, 10:55, 10:58, 10:63, 11:39, 11:40, 13:29, 14:25, 14:26, 14:30, 14:33, 14:34, 15:3, 15:5, 15:17 to 15:19, 15:22, 16:4, 16:6, 17:11, 17:38, 17:40 to 17:43, 17:46, 17:52 to 17:54, 17:57, 17:60, 17:64, 17:67, 17:85, 17:91, 17:96  
Vicarious liability, 9:41  
Wholly owned subsidiary, 7:24, 9:51, 16:4

### DANCE

Name, 3:11, 7:29, 9:42  
Ownership, 9:42  
Performance, 3:11, 9:42  
Trademarks, 3:11, 7:29, 9:42

### DEFAMATION

Actual malice, 9:38  
Clear and convincing evidence, 9:38  
Consent, 3:92, 9:37 to 9:39, 17:67  
Damages, 3:92, 9:37 to 9:40, 17:67  
Inducement, 3:92  
Intent, 9:37 to 9:39, 17:26, 17:67  
Libel, 3:92, 9:40  
Malice, 9:37 to 9:39, 17:26  
Opinion, 17:67  
Publication, 9:40  
Qualified privilege, 9:38  
Reputation, 3:92, 17:26  
Slander, 3:92  
Truth, 9:38, 17:67  
Types, 9:37 to 9:39

### DEFAULT

Abandonment, 3:43, 8:59, 13:25, 17:69  
Debtor, 4:12, 4:18, 10:29, 13:9, 13:13, 13:16, 13:17, 13:21, 13:22, 13:25 to 13:27, 13:30, 13:32, 13:33, 13:38, 16:3, 17:69  
Executory contracts, 10:43, 13:22, 13:32  
Failure to pay, 3:41, 3:44, 3:93, 10:13, 10:19, 10:20, 10:23, 10:27, 10:29, 13:16, 15:5, 16:6, 17:42, 17:48  
Failure to perform, 8:20, 8:59, 10:20  
Foreclosure, 3:43, 3:93, 13:32  
Infringement, 3:85, 3:87, 3:88, 3:92, 3:93, 8:21, 8:60, 10:19 to 17:19, 17:41, 17:42, 17:69  
Intangibles, 4:12  
Repossession, 3:86  
Waiver, 3:3, 3:16, 3:86 to 3:89, 3:91 to 3:93, 4:4, 4:17, 4:18, 8:20, 8:21, 10:12, 10:19, 10:20, 14:28, 16:6, 17:19, 17:25, 17:67, 17:92

### DEFENSES

Description, 14:34  
Enforcement, 4:11, 5A:23, 7:9, 11:35, 14:34, 15:22, 17:43, 17:57, 17:70, 17:81, 17:87, 17:94  
Infringement, 4:11, 7:9, 7:18, 7:21, 7:34, 7:43, 17:43, 17:69  
Laches, 7:34, 17:43  
Pleadings, 17:25, 17:46, 17:57, 17:69  
Utility, 9:35  
Validity, 7:18, 7:34, 17:81, 17:94

### DEFINITION

Combinations, 10:6  
Common Law, 1:30, 5:18, 5:20, 5:21, 5:24, 7:50, 7:51, 9:30, 9:34, 9:44, 14:32, 14:34, 16:6, 17:71  
Customer lists, 7:50, 7:51  
Defend Trade Secrets Act, 7:51  
Franchise, 1:2, 1:13, 1:30, 1:34, 2:3, 3:7, 3:11, 3:17, 3:23, 3:43, 3:88,

**DEFINITION—Cont'd**

3:92, 5:1 to 5:39, 5A:3, 5A:7,  
5A:24, 5A:33, 6:1, 6:3, 6:4,  
7:50, 7:53, 8:9, 8:25, 8:29,  
8:41, 9:30, 9:33, 9:34, 9:44,  
9:47, 10:3, 10:6, 10:7, 10:23,  
10:52, 11:6, 11:17, 11:39, 12:2,  
13:4, 14:4, 14:6, 14:7, 14:24,  
14:32 to 14:34, 15:4, 15:7,  
15:13, 16:4, 16:6, 17:32, 17:34,  
17:45, 17:51, 17:71, 17:98  
Improvement, 5:38, 10:23  
Licensing, 5:11, 5:17, 5:19, 6:4,  
10:3, 10:6, 12:2, 15:4, 16:6  
Machine, 5:8, 5:13, 5:29, 6:1, 7:50,  
16:6  
Manufacture, 5:27, 5:38, 5:39, 7:50,  
10:23, 16:6  
Misappropriation of trade secrets,  
7:50, 7:51, 7:53  
Preamble, 3:7  
Process, 3:17, 5:23, 5:39, 5A:3,  
5A:33, 7:50, 9:30, 9:34, 9:44,  
14:33, 15:13, 16:4, 17:32,  
17:45, 17:71  
Receipts, 3:23, 3:88, 17:34  
Restatement of Torts, 7:50  
Sales tax, 3:88  
Statutes, 1:34, 3:43, 5:5, 5:7, 5:8,  
5:14, 5:18, 5:21, 5:22, 5:29,  
5A:24, 6:1, 6:3, 8:9, 8:25, 9:30,  
9:33, 9:34, 10:3, 10:6, 10:23,  
14:24, 14:32 to 14:34, 16:4,  
16:6, 17:32, 17:51, 17:71  
Statutory definitions, 14:24  
Trade secrets, 2:3, 3:11, 3:88, 3:92,  
5:8, 7:50, 7:51, 7:53, 9:33,  
11:17  
Uniform Trade Secrets Act, 7:50,  
7:51

**DELAWARE**

Choice of law, 4:17, 14:24, 17:21,  
17:22, 17:24

**DEPARTMENT OF JUSTICE**

Intellectual property, 3:93

**DEPOSITIONS**

Confidential information, 17:53,  
17:100

**DEPOSITIONS—Cont'd**

Nonparty, 17:52, 17:100  
Notice, 17:52, 17:53, 17:64  
Objections, 17:52, 17:53, 17:64  
Parties, 17:46, 17:52, 17:53, 17:63,  
17:92, 17:100  
Place, 17:52, 17:53, 17:64, 17:92  
Recording, 17:53  
Responses, 17:52  
Rule 30, 17:53  
Rule 31, 17:53  
Signature, 17:52  
Subpoena, 17:53, 17:63  
Time, 17:52, 17:53, 17:64, 17:92  
Written questions, 17:53, 17:55

**DISCLOSURE**

Agreements, 1:5, 1:10, 2:4, 2:6, 2:9,  
3:2, 3:9, 3:16, 3:25, 3:35, 3:44,  
3:60, 3:66, 3:87, 3:88, 3:92,  
3:93, 4:2, 5:2 to 5:5, 5:12, 5:14  
to 5:16, 5:18, 5:21, 5:22, 5:24,  
5:27, 5:29, 5:36 to 5:39, 5A:6,  
5A:9, 5A:18, 5A:19, 5A:23,  
5A:39, 6:4, 7:2, 7:4, 7:45, 7:50,  
8:4, 8:9, 8:10, 8:38, 8:46, 8:61,  
9:4, 9:8, 9:14 to 9:16, 9:18,  
9:30, 9:32, 9:35, 9:36, 10:9,  
10:19, 10:47, 11:20, 14:25,  
17:13, 17:17, 17:21 to 17:25,  
17:41, 17:43, 17:48, 17:50,  
17:87, 17:97  
Copyright, 3:87, 3:92, 3:93, 7:2  
Court records, 17:52  
Description, 2:4, 2:5, 3:9, 3:87, 3:88,  
3:92, 5A:2, 6:4, 7:3, 7:39, 9:19,  
9:32, 10:6, 10:47, 17:52, 17:97,  
17:100  
Discovery, 5:15, 5:20, 5:30, 5:32,  
5:38, 5A:46, 7:3, 7:53, 8:61,  
9:15, 9:16, 9:32, 10:37, 10:47,  
17:13, 17:25, 17:45, 17:52,  
17:54, 17:57, 17:62, 17:66,  
17:100  
Drawing, 7:2, 17:45  
Effect of, 1:30, 3:66, 3:87, 3:93,  
5A:4, 8:2, 9:16, 9:30, 17:23 to  
17:25, 17:54, 17:64  
Evidence, 1:30, 3:2, 3:44, 3:60, 3:66,  
3:87, 3:92, 5:2 to 5:4, 5:6 to

## INDEX

### DISCLOSURE—Cont'd

5:8, 5:13, 5:15, 5:19 to 5:21,  
5:23 to 5:25, 5:27, 5:29, 5:38,  
5:39, 5A:16, 5A:23, 5A:44,  
5A:46, 6:4, 7:45, 7:50, 8:2, 8:4,  
8:9, 8:10, 8:61, 9:8, 9:11, 9:12,  
9:14 to 9:16, 9:19, 9:30, 9:32,  
9:35, 9:36, 10:6, 10:7, 10:19,  
10:26, 10:27, 10:47, 14:25,  
17:13, 17:17, 17:21, 17:22,  
17:24, 17:25, 17:41, 17:43,  
17:45, 17:48, 17:50, 17:52,  
17:54, 17:57, 17:62, 17:64,  
17:66, 17:71, 17:87, 17:105

Forms, 1:30, 3:87, 3:88, 3:92, 3:93,  
5:6, 5:12, 5A:23, 7:45, 7:50,  
8:4, 8:38, 9:8, 9:32, 10:27,  
17:1, 17:97, 17:100, 17:105

Identification, 3:88, 3:92, 3:93, 5:23,  
5:39, 7:3, 9:16, 17:52

Inevitable Disclosure Doctrine, 7:50

Infringement, 2:4, 3:87, 3:88, 3:92,  
3:93, 7:2 to 7:4, 7:8, 7:39, 7:45,  
9:1, 10:19, 17:1, 17:12, 17:17,  
17:21, 17:41, 17:43, 17:97

Invention, 7:50

Language, 3:2, 3:9, 3:16, 3:66, 4:2,  
5:16, 5:20, 5:29, 5:39, 5A:46,  
5A:48, 7:4, 7:39, 8:4, 8:9, 8:10,  
8:46, 9:15, 9:16, 9:35, 10:9,  
14:25, 17:13, 17:21, 17:23,  
17:87

Listings, 3:88, 5:8, 5:25, 5:39, 7:50

Mistake, 3:87, 6:2, 7:50, 8:46, 17:41,  
17:48, 17:62, 17:87, 17:97

Nondisclosure, 3:88, 5A:46, 7:45,  
9:11, 9:19, 9:35, 9:36

Records, 1:30, 3:44, 3:87, 3:88, 3:92,  
3:93, 5:16, 5A:21, 5A:23,  
5A:40, 5A:46, 6:4, 7:50, 9:4,  
9:8, 9:12, 9:30, 10:19, 10:27,  
10:47, 14:25, 17:25, 17:52,  
17:54, 17:62, 17:64

Reference, 3:9, 3:87, 3:88, 3:93,  
5:22, 5:28, 5A:21, 6:4, 8:9,  
8:10, 8:46, 9:15, 10:6, 17:45,  
17:87

Research and development, 2:4

Specific language, 3:16, 9:16, 17:13

Time, 1:5, 1:9, 1:10, 1:30, 2:2, 2:4,  
3:2, 3:16, 3:44, 3:87, 3:88,

### DISCLOSURE—Cont'd

3:92, 3:93, 4:2, 5:3, 5:4, 5:8,  
5:10, 5:13, 5:20, 5:21, 5:25,  
5:27, 5:29, 5:34, 5:35, 5:38,  
5:39, 5A:2, 5A:4, 5A:7, 5A:11,  
5A:18, 5A:20, 5A:23, 5A:39,  
5A:46, 6:2, 6:4, 7:4, 7:45, 7:50,  
8:2, 8:4, 8:9, 8:10, 8:46, 8:61,  
9:4, 9:8, 9:11, 9:12, 9:14, 9:15,  
9:18, 9:19, 9:30, 9:32, 9:35,  
9:36, 10:6, 10:9, 10:19, 10:26,  
10:37, 10:47, 13:40, 17:1,  
17:22, 17:23, 17:25, 17:41,  
17:43, 17:50, 17:52, 17:54,  
17:57, 17:62, 17:64, 17:97,  
17:105

Trade secret, 2:4, 3:93, 7:3, 7:50,  
7:53, 17:52, 17:100

Trial, 1:7, 3:66, 3:93, 5:15, 5:20,  
7:45, 8:61, 9:8, 9:12, 9:19,  
9:30, 10:19, 10:27, 10:47,  
14:25, 17:21, 17:25, 17:41,  
17:43, 17:45, 17:52, 17:54,  
17:57, 17:62, 17:64, 17:66

### DISCOVERY

Admissions, 17:52, 17:53, 17:56

Answer, 7:47, 17:13, 17:25, 17:45,  
17:52, 17:53, 17:55, 17:60,  
17:100

Authority, 3:65, 5:15, 5:30, 9:15,  
9:34, 9:41, 10:48, 17:72, 17:85,  
17:93

Business records, 17:55

Closing, 17:60, 17:67, 17:93

Conference, 17:52, 17:92

Confidential information, 7:3, 7:53,  
17:53, 17:100

Costs, 5:15, 5:20, 5:38, 5A:46, 7:47,  
8:61, 9:15, 10:47, 10:48, 17:4,  
17:36, 17:38, 17:46, 17:52,  
17:53, 17:57, 17:60, 17:62,  
17:72, 17:85

Depositions, 17:46, 17:52, 17:53,  
17:55, 17:92, 17:100

Disclosure, 5:15, 5:20, 5:30, 5:32,  
5:38, 5A:46, 7:3, 7:53, 8:61,  
9:15, 9:16, 9:32, 10:37, 10:47,  
17:13, 17:25, 17:45, 17:52,  
17:54, 17:57, 17:62, 17:66,  
17:100

## DISCOVERY—Cont'd

Evidence, 3:65, 5:15, 5:20, 5:38, 5A:46, 7:47, 8:61, 9:15, 9:16, 9:32, 9:34, 9:41, 10:14, 10:47, 10:53, 17:2, 17:4, 17:13, 17:25, 17:27, 17:32, 17:37, 17:38, 17:45 to 17:47, 17:52 to 17:58, 17:60, 17:62, 17:65 to 17:67, 17:85, 17:92, 17:93

Expedited discovery, 17:52

Expert witnesses, 17:52

Florida, 9:16, 9:34, 10:47, 10:48, 17:13

Initial disclosure, 17:57

Interrogatories, 17:52, 17:54, 17:55, 17:57, 17:60, 17:98 to 17:100

Malpractice, 17:60

Meeting, 10:47, 11:35, 17:52, 17:62

Motion practice, 17:4, 17:7, 17:92

Motion to compel, 17:56, 17:57, 17:66, 17:67, 17:92

Motions, 17:25, 17:45 to 17:47, 17:52, 17:57, 17:92

New Jersey, 3:68, 8:61, 9:16, 9:32, 9:34, 9:41, 10:48, 17:32

New York, 5:30, 5A:46, 9:15, 9:16, 9:34, 10:47, 10:48, 17:54, 17:85, 17:98

Objections, 17:38, 17:52 to 17:54, 17:60

Opening, 10:37, 17:54, 17:57, 17:60, 17:85, 17:93

Orders, 5:15, 17:13, 17:52, 17:56, 17:57

Parties, 3:65, 3:68, 5:15, 5:20, 5:38, 5A:46, 7:3, 7:20, 7:47, 8:61, 9:15, 9:16, 9:32, 9:34, 9:41, 10:14, 10:47, 10:48, 13:19, 17:2, 17:4, 17:7, 17:13, 17:25, 17:27, 17:32, 17:36 to 17:38, 17:45 to 17:47, 17:52 to 17:54, 17:57, 17:58, 17:60, 17:62, 17:66, 17:67, 17:72, 17:85, 17:92, 17:93, 17:98, 17:100

Records, 5A:46, 7:47, 10:47, 17:25, 17:52, 17:54, 17:55, 17:62, 17:67, 17:99

Relevance, 9:16, 17:52, 17:54, 17:55, 17:62, 17:66

## DISCOVERY—Cont'd

Reports, 11:35, 17:52, 17:54, 17:67, 17:99

Requests for admissions, 17:52, 17:56

Response, 10:14, 11:35, 17:25, 17:46, 17:47, 17:52, 17:54, 17:56, 17:57, 17:98, 17:100

Responses, 17:52, 17:56, 17:57, 17:98

Rule 37, 17:57

Rules of evidence, 17:55, 17:60, 17:93

Sanctions, 7:47, 17:27, 17:52, 17:57, 17:72

Scope of, 3:65, 5:15, 9:15, 9:34, 10:47, 17:2, 17:25, 17:52, 17:54 to 17:56, 17:60, 17:62, 17:65, 17:98

Stay, 10:14, 13:19, 17:25, 17:57, 17:60, 17:92

Subpoenas, 17:52, 17:53, 17:67

Timing, 17:67

United States, 7:20, 9:32, 11:35, 17:7, 17:53, 17:100

Use of, 3:68, 5:15, 5:20, 5:30, 5:38, 7:3, 7:20, 7:47, 7:53, 9:32, 9:34, 10:47, 17:52, 17:65, 17:67, 17:85, 17:92, 17:98

Witnesses, 17:2, 17:52, 17:53, 17:55, 17:57, 17:58, 17:60, 17:62, 17:67, 17:93

Written questions, 17:53, 17:55

## DISTRIBUTION

Computer software, 3:93

## DISTRIBUTION AGREEMENTS

Domestic, 14:6

Drafting, 8:28

## DISTRICT COURT

Parties, 3:30, 3:65, 3:93, 5:18, 5:20, 5:21, 5:23, 5:24, 5:29, 5:36, 6:1, 7:46, 8:11, 8:24, 8:28, 8:34, 8:52, 8:62, 9:17, 9:32, 10:4, 10:24, 10:38, 10:42, 13:19, 14:28, 14:32, 14:33, 14:37, 15:4, 15:19, 16:4, 17:2 to 17:4, 17:6, 17:7, 17:9 to 17:11, 17:17, 17:19 to 17:22, 17:28, 17:32,

## INDEX

### **DISTRICT COURT—Cont'd**

17:34, 17:38 to 17:40, 17:43,  
17:45, 17:46, 17:50, 17:53,  
17:57, 17:69, 17:70, 17:79,  
17:82, 17:83, 17:87, 17:88,  
17:91, 17:93, 17:94, 17:100

Requirements, 3:30, 3:93, 5:18, 5:20,  
5:21, 5:23, 5:24, 5:29, 5:36,  
7:46, 8:28, 8:34, 10:4, 10:24,  
11:39, 14:28, 14:32, 14:33,  
14:37, 15:19, 16:4, 17:6, 17:7,  
17:9, 17:32, 17:34, 17:38 to  
17:40, 17:43, 17:45, 17:57,  
17:69, 17:91, 17:96, 17:100

Subject matter, 8:28, 9:17, 9:32, 17:2  
to 17:7, 17:9 to 17:11, 17:22,  
17:28, 17:43, 17:45, 17:53,  
17:71, 17:87, 17:94, 17:96

Suspension, 3:93, 14:28, 16:4

### **DOMAIN NAMES**

Trademarks, 3:12

### **DRAWINGS**

Claims, 3:87, 3:93

Copyright, 3:87, 3:93

Disclosure, 3:87, 3:93

Evidence, 3:87

Notice, 3:87, 3:93

### **DUE DILIGENCE**

Contractual provisions, 17:77

Purpose, 9:6, 17:94

Scope, 5:38, 5A:6, 9:15, 17:94

Validity, 17:94

### **DURATION**

Canada, 3:93

United States, 3:93, 7:16, 8:50, 8:52,  
8:56, 9:5, 10:23, 14:1

### **ECONOMIC POWER**

Tying arrangements, 11:14, 11:16,  
11:17, 14:11

### **ECONOMIC VALUE**

Misappropriation of trade secrets,  
7:50 to 7:53

Uniform Trade Secrets Act, 7:50 to  
7:52

### **ELEMENTS**

Maximum number, 17:96

### **ELEMENTS—Cont'd**

Minimum number, 5:5

Utility, 5:4, 9:35

Validity, 7:34, 8:4, 8:16, 8:61, 9:17

### **EMPLOYEES**

Agreements, 2:6, 2:7, 2:12, 3:8,  
3:14, 3:17, 3:25, 3:28, 3:35,  
3:38, 3:40, 3:44, 3:50, 3:56,  
3:58, 3:68, 3:85 to 3:89, 3:92,  
3:93, 4:4, 4:7, 4:17, 5:3, 5:5,  
5:15, 5:16, 5:21, 5:22, 5:29,  
5:39, 5A:6, 5A:23, 7:2, 7:45,  
7:50, 8:28, 8:29, 8:46, 8:48,  
8:49, 8:53, 8:58, 8:59, 8:61,  
8:62, 9:8, 9:15, 9:17, 9:30,  
9:32, 9:35, 9:39, 9:42, 9:45,  
9:47, 10:11, 10:12, 10:22,  
10:43, 10:47, 10:48, 11:22,  
13:24, 14:1, 15:4, 15:17, 16:4,  
16:6, 17:14, 17:17, 17:25,  
17:32, 17:34, 17:37, 17:39 to  
17:43, 17:67, 17:81, 17:85,  
17:90, 17:92

Employment Contracts, 8:49

Hiring, 1:30, 2:6, 3:25, 3:40, 3:88,  
3:93, 5:16, 5:21, 5:39, 7:52,  
8:32, 8:59, 9:15, 9:39, 9:42,  
9:49

Interviews, 2:8, 5A:6, 8:62, 17:64

Oral agreements, 16:6, 17:25

Restrictive Covenants, 8:49, 8:53,  
8:57, 17:41

### **EMPLOYERS**

Employees, 1:30, 8:49, 8:53, 8:59,  
9:49

Restrictive covenants, 8:49, 8:53

### **EMPLOYMENT**

Ohio, 3:87, 6:4, 7:50, 8:54, 10:15,  
14:34, 17:14

Restrictive covenants, 8:49, 8:53,  
17:41

### **EMPLOYMENT AGREEMENTS**

Confidentiality, 3:40

### **EMPLOYMENT CONTRACTS**

Restrictive Covenants, 8:49

### **ENFORCEMENT**

Antitrust law, 11:4, 11:35, 11:38 to  
11:41



**ENFORCEMENT—Cont'd**

Computers, 5:15  
 Florida, 8:49, 8:52 to 8:54, 8:57, 8:58, 9:16, 9:34, 9:36, 9:37, 14:31, 14:33, 14:34, 14:37, 17:20, 17:22 to 17:24, 17:43  
 Illinois, 5:20, 5A:25, 5A:32, 5A:48, 8:2, 8:11, 8:50, 8:58, 9:11, 9:16, 9:34, 9:36, 9:39, 10:15, 11:39, 14:33, 14:34, 14:37, 17:8, 17:9, 17:20, 17:22 to 17:24, 17:81, 17:87, 17:105  
 New Jersey, 3:92, 8:9, 8:36, 8:49, 8:56, 8:61, 9:16, 9:34, 11:39, 14:33, 14:34, 17:20, 17:23, 17:24, 17:40, 17:70, 17:81  
 New York, 3:88, 3:89, 3:92, 4:17, 5A:25, 5A:43, 5A:44, 5A:46, 5A:48, 8:22, 8:23, 8:53, 8:56 to 8:58, 9:11, 9:15, 9:16, 9:34, 9:36, 9:37, 10:15, 14:33, 14:34, 17:9, 17:20, 17:23, 17:24, 17:44, 17:85, 17:91  
 Price discrimination, 2:7, 11:35, 11:41, 14:33, 14:37  
 Remedies, 3:87 to 3:89, 3:92, 7:6, 7:47, 8:12, 8:57, 9:34, 9:37, 10:21, 11:38, 14:37, 17:22, 17:40 to 17:44, 17:70, 17:71, 17:85, 17:87  
 Restrictive Covenants, 8:49, 8:50, 8:53, 8:57, 17:23, 17:41  
 Subject matter jurisdiction, 17:3, 17:4, 17:8, 17:9, 17:24  
 United States, 3:92, 7:14, 8:50, 8:52, 8:56, 9:37, 11:35, 11:40, 14:31, 17:3, 17:40, 17:44, 17:81, 17:94

**ENGINEERING**

Evidence, 8:7, 17:48

**EVIDENCE**

Acquisition, 2:7, 3:17, 3:44, 3:89, 3:92, 7:52, 8:28, 8:31 to 9:32, 9:34, 9:36, 9:39, 10:13, 10:24, 11:6, 14:31, 14:32, 16:4, 16:6, 17:14, 17:50  
 Authentication, 3:61  
 Best evidence, 17:62  
 Checklist, 7:50, 9:19  
 China, 9:38

**EVIDENCE—Cont'd**

Confidentiality agreements, 17:67  
 Credibility, 8:53, 17:46, 17:60, 17:62, 17:64, 17:67  
 Disclosure, 1:30, 3:2, 3:44, 3:60, 3:66, 3:87, 3:92, 5:2 to 5:4, 5:6 to 5:8, 5:13, 5:15, 5:19 to 5:21, 5:23 to 5:25, 5:27, 5:29, 5:38, 5:39, 5A:16, 5A:23, 5A:44, 5A:46, 6:4, 7:45, 7:50, 8:2, 8:4, 8:9, 8:10, 8:61, 9:8, 9:11, 9:12, 9:14 to 9:16, 9:19, 9:30, 9:32, 9:35, 9:36, 10:6, 10:7, 10:19, 10:26, 10:27, 10:47, 14:25, 17:13, 17:17, 17:21, 17:22, 17:24, 17:25, 17:41, 17:43, 17:45, 17:48, 17:50, 17:52, 17:54, 17:57, 17:62, 17:64, 17:66, 17:71, 17:87, 17:105  
 Discovery, 3:65, 5:15, 5:20, 5:38, 5A:46, 7:47, 8:61, 9:15, 9:16, 9:32, 9:34, 9:41, 10:14, 10:47, 10:53, 17:2, 17:4, 17:13, 17:25, 17:27, 17:32, 17:37, 17:38, 17:45 to 17:47, 17:52 to 17:58, 17:60, 17:62, 17:65 to 17:67, 17:85, 17:92, 17:93  
 Drawings, 3:87  
 Enforcement, 2:7, 3:87, 3:89, 3:92, 5:15, 5:20, 5A:16, 5A:23, 5A:44, 5A:46, 7:6, 7:47, 8:2, 8:5, 8:9, 8:11, 8:12, 8:15, 8:22, 8:23, 8:26, 8:41, 8:53, 8:54, 8:57, 8:61, 9:11, 9:15, 9:16, 9:34, 9:36, 9:37, 9:39, 10:15, 10:21, 11:4, 11:39, 11:40, 13:21, 14:9, 14:12, 14:31, 14:33, 14:34, 14:37, 15:18, 15:22, 17:4, 17:22, 17:24, 17:40 to 17:44, 17:57, 17:71, 17:82, 17:85, 17:87, 17:91, 17:94, 17:104, 17:105  
 Engineering, 8:7, 17:48  
 Exceptions, 3:43, 3:65, 3:87, 5:25, 6:4, 8:15, 8:17, 8:34, 9:6, 9:7, 9:11, 9:16, 9:17, 9:28, 9:32, 9:41, 9:45, 11:39, 14:34, 15:5, 16:4, 16:6, 17:34, 17:85, 17:87, 17:94



## INDEX

### EVIDENCE—Cont'd

Exclusion, 3:92, 5:13, 5:39, 6:4,  
11:40, 16:4, 17:24, 17:38,  
17:58, 17:87

Expert testimony, 3:44, 7:6, 7:26,  
7:45, 8:27, 8:29, 8:62, 9:28,  
11:4, 13:21, 14:34, 17:37,  
17:40, 17:50, 17:61, 17:64,  
17:71

Expert witnesses, 17:52

Florida, 3:62, 6:4, 7:22, 8:20, 8:53,  
8:54, 8:57, 8:62, 8:64, 9:14,  
9:16, 9:19, 9:22, 9:29, 9:30,  
9:34 to 9:38, 9:44, 10:20,  
10:47, 10:55, 11:3, 13:29,  
14:24, 14:26, 14:31 to 14:34,  
14:37, 16:4, 16:6, 17:13, 17:14,  
17:21, 17:22, 17:24, 17:34,  
17:43

Hearsay, 10:47, 11:33, 17:46, 17:61,  
17:62, 17:65, 17:67

Identification, 3:86, 3:89, 3:92, 5:23,  
5:39, 7:6, 7:12, 7:25, 7:31,  
9:16, 9:38, 13:26, 15:5, 17:52,  
17:55

Illinois, 1:30, 3:3, 5:3, 5:7, 5:8, 5:20,  
7:50, 8:2, 8:3, 8:7, 8:11, 8:19,  
8:28, 8:33, 8:37, 8:64, 9:8, 9:11,  
9:16, 9:28 to 9:30, 9:34 to 9:36,  
9:38, 9:39, 9:42, 9:45, 9:50,  
10:6, 10:7, 10:15, 10:22, 10:27,  
10:47, 11:39, 14:24, 14:26,  
14:28, 14:32 to 14:34, 14:37,  
16:4, 16:6, 17:14, 17:21, 17:22,  
17:24, 17:25, 17:62, 17:64,  
17:69, 17:87, 17:105

Inevitable disclosure doctrine, 7:50

Infringement, 3:87, 3:92, 7:6, 7:12,  
7:15 to 7:18, 7:21, 7:22, 7:25,  
7:26, 7:29, 7:31, 7:32, 7:41,  
7:45 to 7:47, 7:49, 8:60, 10:19,  
10:20, 17:4, 17:6, 17:14, 17:17,  
17:19, 17:21, 17:41 to 17:43,  
17:65, 17:69, 17:85

Injunctions, 3:87, 3:92, 7:45 to 7:47,  
8:57, 17:39 to 17:41, 17:43,  
17:85

Interviews, 8:62, 17:64

Laches, 7:17, 7:25, 7:45 to 7:47,  
8:20, 8:57, 17:43, 17:92

Malpractice, 17:60

### EVIDENCE—Cont'd

Materiality, 5:21, 8:59, 9:5, 9:15,  
9:16, 9:30, 10:20, 10:47, 15:5,  
17:37

Misappropriation of trade secrets,  
7:50, 7:52, 8:59, 10:47, 17:87

New Jersey, 1:30, 3:3, 3:61, 3:62,  
3:92, 5:4, 5:7, 5:27, 5:29, 8:9,  
8:10, 8:19, 8:29, 8:32, 8:37,  
8:60, 8:61, 9:16, 9:29, 9:32,  
9:34, 9:38, 9:41, 9:50, 9:51,  
10:6, 10:7, 10:10, 10:13, 10:19,  
10:23, 10:24, 10:27, 10:32,  
10:58, 11:39, 14:26, 14:33,  
14:34, 16:4, 17:14, 17:21,  
17:24, 17:32, 17:40, 17:69

New York, 1:30, 3:86, 3:89, 3:92,  
5:3, 5:7, 5A:44, 5A:46, 8:4,  
8:22, 8:23, 8:28, 8:33, 8:34,  
8:37, 8:48, 8:53, 8:57, 8:59,  
8:60, 8:63, 8:64, 9:8, 9:11, 9:14  
to 9:17, 9:29, 9:30, 9:34 to  
9:38, 10:7, 10:10, 10:15, 10:47,  
11:3, 11:9, 14:24 to 14:26,  
14:28, 14:32 to 14:34, 16:4,  
16:6, 17:14, 17:17, 17:24,  
17:26, 17:28, 17:34, 17:44,  
17:54, 17:85, 17:91

Notice, 1:30, 3:17, 3:43, 3:44, 3:65,  
3:86, 3:87, 3:89, 3:92, 4:18,  
5:25, 5:27, 5:29, 5A:23, 5A:44,  
5A:46, 6:4, 7:6, 7:10, 7:18,  
7:45, 7:49, 8:3, 8:12, 8:14,  
8:16, 8:19, 8:20, 8:24, 8:27,  
8:32, 8:33, 8:57, 8:59, 8:62,  
9:14, 9:15, 9:29, 9:34, 9:36,  
9:37, 9:45, 10:4, 10:6, 10:7,  
10:13 to 10:15, 10:19 to 10:24,  
10:26, 10:27, 10:31, 10:32,  
10:45, 10:55, 11:17, 13:3, 13:4,  
13:26, 14:24, 14:26, 14:28,  
14:32 to 14:34, 14:37, 15:5,  
15:7, 15:9, 15:13, 15:14, 15:19,  
15:22, 16:4, 16:6, 17:4, 17:6,  
17:13, 17:14, 17:25, 17:32,  
17:38 to 17:40, 17:42, 17:43,  
17:45, 17:48, 17:52, 17:53,  
17:64, 17:85, 17:94, 17:105

Ohio, 3:65, 3:87, 6:4, 7:50, 8:5,  
8:39, 8:54, 8:62, 9:37, 9:38,  
10:15, 10:23, 14:24, 14:26,  
14:28, 14:32 to 14:34, 16:4,

**EVIDENCE—Cont'd**

16:6, 17:14, 17:19, 17:24, 17:45  
 Opinion testimony, 17:64  
 Oregon, 1:30, 5:8, 8:23, 9:30, 10:23,  
 10:47, 14:26, 14:28, 16:4, 16:6  
 Pennsylvania, 1:30, 3:62, 3:92, 7:50,  
 8:3, 8:4, 8:20, 8:33, 8:53, 8:54,  
 8:62, 9:17, 9:29, 9:34, 9:38,  
 10:10, 10:20, 11:6, 14:26,  
 14:28, 14:32 to 14:34, 14:37,  
 16:4, 16:6, 17:19, 17:21, 17:24,  
 17:32, 17:34, 17:37, 17:40,  
 17:42, 17:53  
 Pleadings, 8:60, 9:5, 9:28, 9:32,  
 14:18, 17:2, 17:6, 17:19, 17:25,  
 17:26, 17:28, 17:32, 17:45,  
 17:46, 17:52, 17:57, 17:60,  
 17:69  
 Presumptions, 7:18, 7:19  
 Privileges, 3:2, 8:14, 8:28, 9:35,  
 9:36, 17:14, 17:91  
 Public knowledge, 9:15  
 Record-keeping, 3:87  
 Relevant evidence, 7:15, 17:62  
 Stamps, 5:15, 5:21, 5:38  
 Tests, 1:30, 8:59, 9:16, 9:35, 9:49,  
 11:33, 16:4, 17:50, 17:60  
 Texas, 3:62, 5:29, 6:4, 7:45, 7:47,  
 8:2, 8:27, 8:34, 8:37, 8:53,  
 8:62, 8:63, 9:14, 9:16, 9:34 to  
 9:36, 10:20, 10:26, 14:24,  
 14:26, 14:28, 14:32 to 14:34,  
 14:37, 16:4, 16:6, 17:14, 17:21,  
 17:22, 17:24, 17:41, 17:67  
 United States, 3:62, 3:92, 5:29, 7:12,  
 7:16, 7:17, 7:19, 7:21, 7:31,  
 7:41, 8:4, 9:5, 9:10, 9:32, 9:37,  
 10:4, 10:23, 10:45, 11:6, 11:17,  
 11:23, 11:27, 11:40, 14:31,  
 14:32, 16:4, 17:33, 17:40,  
 17:44, 17:53, 17:63, 17:69,  
 17:94  
 Use, 1:30, 3:2, 3:17, 3:20, 3:44,  
 3:60, 3:61, 3:86, 3:87, 3:89,  
 3:92, 4:18, 5:3, 5:6 to 5:8, 5:15,  
 5:19 to 5:21, 5:23 to 5:25, 5:27,  
 5:29, 5:38, 5:39, 5A:23, 6:1,  
 6:4, 7:6, 7:10, 7:12, 7:15 to  
 7:19, 7:21, 7:22, 7:25, 7:26,  
 7:29, 7:31, 7:32, 7:41, 7:45 to

**EVIDENCE—Cont'd**

7:47, 7:49, 7:50, 7:52, 8:3 to  
 8:5, 8:8, 8:10, 8:14, 8:23, 8:24,  
 8:27 to 8:29, 8:32, 8:34, 8:41,  
 8:53, 8:57, 8:59 to 8:63, 9:6,  
 9:14, 9:16, 9:17, 9:23, 9:30,  
 9:32, 9:34 to 9:36, 9:42, 9:44,  
 9:46, 9:47, 9:49, 10:6, 10:13,  
 10:14, 10:20, 10:23, 10:24,  
 10:31, 10:47, 10:55, 10:58,  
 11:4, 11:9, 11:14, 11:16 to  
 11:18, 11:39, 11:40, 13:4,  
 13:21, 13:23, 13:29, 14:9, 14:24  
 to 14:26, 14:28, 14:32 to 14:34,  
 15:4, 15:5, 15:7, 15:9, 15:10,  
 15:13, 15:18, 15:19, 15:22,  
 16:4, 16:6, 17:11, 17:14, 17:19,  
 17:21, 17:22, 17:38 to 17:43,  
 17:46, 17:51 to 17:54, 17:57,  
 17:58, 17:60, 17:61, 17:64,  
 17:65, 17:67, 17:69, 17:79,  
 17:85, 17:91, 17:92, 17:103  
 Utah, 6:4, 14:24, 16:4, 16:6  
 Validity, 3:2, 3:62, 3:65, 3:87, 4:18,  
 7:6, 7:18, 7:45, 8:2, 8:4, 8:16,  
 8:18, 8:59, 8:61, 9:17, 9:38,  
 10:4, 17:24, 17:28, 17:82, 17:94  
 Value, 3:43, 3:87, 3:89, 4:18, 5:8,  
 5:19, 5:20, 5:23, 5:25, 5:29,  
 5:38, 5:39, 6:4, 7:47, 7:50,  
 7:52, 8:8, 8:16, 8:18, 8:28,  
 8:34, 8:53, 8:57, 8:59 to 8:63,  
 9:5, 9:17, 9:23, 9:24, 9:28,  
 9:32, 9:34, 9:35, 9:37, 9:48,  
 10:15, 10:58, 11:18, 11:33,  
 13:3, 13:21, 13:23, 13:26,  
 14:20, 14:26, 14:32, 14:37,  
 15:9, 15:13, 15:19, 15:22, 16:4,  
 16:6, 17:4, 17:40 to 17:42,  
 17:49, 17:54, 17:60, 17:62,  
 17:64, 17:67, 17:85, 17:103  
 Virginia, 3:62, 5A:46, 6:4, 8:7, 8:19,  
 9:30, 9:38, 9:45, 9:51, 10:6,  
 14:26, 14:32 to 14:34, 15:19,  
 15:22, 16:4, 16:6, 17:24, 17:32,  
 17:69  
 Wisconsin, 5:3, 5:4, 5:6, 5:7, 5:25,  
 5:39, 5A:46, 8:29, 8:62, 9:11,  
 9:13, 9:16, 9:28, 9:36, 9:50,  
 10:4, 10:6, 10:7, 10:13, 10:15,  
 10:22 to 10:24, 10:45, 14:24 to  
 14:26, 14:28, 14:32 to 14:34,

## INDEX

### EVIDENCE—Cont'd

14:37, 15:22, 16:4, 16:6, 17:21,  
17:22, 17:24, 17:40, 17:43,  
17:54, 17:71, 17:94, 17:105  
Witnesses, 3:44, 3:61, 5A:44, 7:32,  
11:13, 17:2, 17:19, 17:21,  
17:22, 17:40, 17:52, 17:53,  
17:55, 17:57, 17:58, 17:60,  
17:62 to 17:64, 17:67, 17:93

### EXAMINATION

Fees, 3:88, 3:89, 17:6, 17:48, 17:53,  
17:57  
Infringement, 3:88, 7:33, 17:6

### EXECUTORY CONTRACTS

Adequate assurance, 13:22  
Assignment, 10:43, 13:22  
Assumption, 10:43, 13:5, 13:22,  
13:39  
Bankruptcy, 10:43, 13:4, 13:5, 13:22,  
13:32, 13:39  
Debtor in possession, 13:22  
Default, 10:43, 13:22, 13:32  
Petition, 13:4, 13:5, 13:32  
Possession, 13:4, 13:22  
Property of the estate, 13:4  
Rejection, 10:43, 13:5, 13:22, 13:39  
Royalties, 10:43  
Termination, 10:43, 13:32, 13:39  
Trustee, 13:4, 13:22

### EXEMPLARY DAMAGES

Punitive Damages, 3:68, 8:60

### EXEMPTIONS

Communications, 5A:33  
Compliance, 6:4  
Federal Trade Commission, 5A:1,  
5A:10, 5A:15, 5A:29, 5A:31  
Securities, 5:23, 5A:33, 6:3, 6:4

### EXHAUSTION

Licensing, 14:37

### EXPENSES

Costs and Expenses, 3:87, 3:88, 3:92,  
3:93, 5:15, 7:47, 9:24, 13:40,  
17:6, 17:70

### FEDERAL CIRCUIT

District Court, 17:6

### FEDERAL CIRCUIT—Cont'd

Parties, 7:14, 17:6

### FEDERAL COURTS

Venue, 7:45, 17:6, 17:7, 17:10,  
17:16, 17:19, 17:20, 17:45,  
17:82

### FEDERAL STATUTES

Antitrust laws, 17:5

### FEDERAL TRADE COMMISSION

Actions, 1:6, 3:92, 5:14, 5A:23,  
9:34, 11:39  
Adjudications, 11:39  
Advertising, 2:7, 3:92, 5A:23, 9:34,  
11:38, 14:1  
Antitrust, 1:5, 1:6, 1:9, 2:7, 9:34,  
11:1, 11:14, 11:38, 11:39, 14:1  
Antitrust law, 11:1, 11:14, 11:38,  
11:39  
Commencement, 2:6  
Commissioner, 5A:7, 5A:29, 5A:31,  
14:34  
Compliance, 1:10, 2:6, 2:7, 3:92,  
5A:6, 5A:23, 8:4, 9:30, 10:47,  
14:34  
Confidentiality, 3:92  
Consumer redress, 5A:23  
Data, 2:6, 9:30, 10:47, 14:34  
Defense, 3:92, 5A:23, 9:30, 10:47,  
11:14, 11:39, 14:34  
Disclosure, 1:5, 1:6, 1:9, 1:10, 1:13,  
1:14, 1:22, 2:6, 3:92, 5:14,  
5A:1, 5A:6 to 5A:23, 5A:29,  
5A:31, 6:2, 7:4, 8:4, 9:30,  
10:47  
Discovery, 9:34, 10:47  
Dissemination, 9:30, 10:47  
Employee, 3:92, 5A:10, 5A:18  
Endorsements, 11:38  
Exceptions, 7:4, 11:39, 14:34  
Exemptions, 5A:1, 5A:10, 5A:15,  
5A:29, 5A:31  
Expenses, 3:92, 7:4, 9:30, 10:47  
False advertising, 2:7, 9:34  
Federal Trade Commission Act, 2:7,  
5A:7, 9:34, 11:1, 11:14, 11:38,  
11:39  
Fees, 3:92, 5A:7, 5A:23, 5A:29,  
9:30, 9:34, 10:47

**FEDERAL TRADE COMMISSION  
—Cont'd**

Horizontal restraints, 2:7  
Injunctions, 3:92  
Intellectual property, 7:4  
Investigations, 14:1  
Jurisdiction, 3:92, 5:14, 5A:31  
Licenses, 1:6, 5A:10, 5A:13  
Licensing, 7:4  
Orders, 1:10, 3:92, 5A:23  
Penalties, 1:6, 5A:23, 9:30, 10:47  
Price discrimination, 2:7, 11:1  
Private enforcement, 5A:23  
Proceedings, 3:92, 5A:9, 5A:23  
Reports, 2:6, 5A:7  
Restraining orders, 3:92  
Robinson-Patman Act, 11:1, 11:38, 11:39  
Security, 3:92, 9:30, 10:47, 14:1  
Statute of limitations, 5A:23, 8:4, 9:30, 9:34, 10:47, 11:14, 11:39  
Testimonials, 11:38  
Tying arrangements, 2:7, 11:1, 11:14  
Unfair competition, 2:7, 9:34  
Unfair methods of competition, 11:38  
Vertical restraints, 2:7  
Witness, 3:92

**FEDERAL TRADE COMMISSION  
ACT**

Antitrust, 2:7, 9:34, 11:1, 11:14, 11:38, 11:39  
Consumer injury, 9:34  
Deception, 9:34, 11:38  
Injunctive relief, 9:34  
Likely to mislead, 9:34  
Public policy, 9:34  
Reasonable consumer, 9:34  
Remedies, 9:34, 11:38  
Unfair or deceptive acts or practices, 9:34, 11:38

**FEDERAL TRADEMARK  
DILUTION ACT**

Actual dilution, 7:43  
Blurring, 7:43  
Commentary, 7:43  
Damages, 7:43  
Defenses, 7:43

**FEDERAL TRADEMARK  
DILUTION ACT—Cont'd**

Fair use, 7:43  
Famous mark, 7:43  
News, 7:43

**FEES**

Allowance, 3:23, 3:93, 7:47, 11:24, 16:4, 16:6, 17:67, 17:85  
Filing fee, 7:47, 17:85  
Inequitable conduct, 7:34  
Insurance coverage, 3:88, 3:89, 3:93, 5:24  
Misappropriation of trade secrets, 3:27, 8:59, 10:47, 17:87  
Payment, 1:4, 1:30, 2:4, 3:1, 3:16, 3:23, 3:38, 3:44, 3:45, 3:50, 3:51, 3:77, 3:87 to 3:89, 3:91 to 3:93, 4:11, 4:17, 4:19, 5:8, 5:13, 5:15, 5:19 to 5:22, 5:24, 5:25, 5:28 to 5:30, 5:34, 5:35, 5:38, 5:39, 5A:25, 6:4, 7:34, 8:2, 8:5, 8:19, 8:20, 8:28, 8:39, 8:46, 8:47, 8:61, 8:63, 10:9, 10:19, 10:20, 10:23, 10:31, 10:47, 11:24, 12:8, 13:35, 15:5, 16:4, 16:6, 17:1, 17:3, 17:6, 17:14, 17:19, 17:25, 17:34, 17:38, 17:40, 17:48, 17:72, 17:97  
Prosecution, 3:87, 3:88, 17:21

**FINANCING AGREEMENTS**

License agreement, 3:3

**FIRST AMENDMENT**

Appropriation, 10:24  
Internet, 7:53, 17:53  
Privacy, 17:53

**FLORIDA**

Amendments, 14:23, 14:32, 14:34  
Assignability, 14:32  
Competition, 8:20, 8:52 to 8:54, 8:57, 8:58, 9:19, 9:34 to 9:38, 10:20, 10:55, 11:3, 14:23, 14:33, 14:34, 16:4, 16:6, 17:96, 17:97  
Contract construction, 17:22  
Damages, 3:41, 5:18, 6:3, 6:4, 8:20, 8:52, 8:57, 8:58, 8:62, 8:64, 9:4, 9:14, 9:19, 9:29, 9:30, 9:33 to 9:38, 10:20, 10:38, 10:47,

## INDEX

### FLORIDA—Cont'd

10:48, 10:55, 13:29, 14:26,  
14:31, 14:33 to 14:37, 16:4,  
16:6, 17:10, 17:23, 17:24,  
17:31, 17:34, 17:43, 17:96  
Definitions, 6:3, 14:24, 14:33  
Discovery, 9:16, 9:34, 10:47, 10:48,  
17:13  
Enforcement, 8:49, 8:52 to 8:54,  
8:57, 8:58, 9:16, 9:34, 9:36,  
9:37, 14:31, 14:33, 14:34,  
14:37, 17:20, 17:22 to 17:24,  
17:43  
Evidence, 3:62, 6:4, 7:22, 8:20, 8:53,  
8:54, 8:57, 8:62, 8:64, 9:14,  
9:16, 9:19, 9:22, 9:29, 9:30,  
9:34 to 9:38, 9:44, 10:20,  
10:47, 10:55, 11:3, 13:29,  
14:24, 14:26, 14:31 to 14:34,  
14:37, 16:4, 16:6, 17:13, 17:14,  
17:21, 17:22, 17:24, 17:34,  
17:43  
Injunctions, 8:57, 17:43  
Preliminary injunctions, 8:57, 17:43  
Privilege, 8:20, 9:37, 9:38, 17:14,  
17:15  
Protectable interest, 8:49, 8:53  
Public policy, 3:62, 8:46, 8:49, 8:58,  
9:16, 9:34 to 9:36, 10:38,  
10:48, 13:29, 17:20, 17:21,  
17:23, 17:24  
Remedies, 5:18, 6:3, 6:4, 7:22, 8:57,  
9:4, 9:34, 9:35, 9:37, 10:38,  
13:29, 14:26, 14:32, 14:36,  
14:37, 16:4, 16:6, 17:22, 17:43  
Restrictive covenants, 8:49, 8:53,  
8:57, 9:4, 17:23  
Statutes, 3:41, 3:62, 5:18, 6:3, 7:22,  
8:49, 8:52, 9:30, 9:33, 9:34,  
9:36, 10:38, 10:47, 10:48,  
10:55, 13:28, 13:29, 14:23,  
14:24, 14:26, 14:31 to 14:34,  
14:36, 14:37, 16:4, 16:6, 17:10,  
17:13 to 17:15, 17:20 to 17:24,  
17:43  
Unfair competition, 8:53, 8:58, 9:34  
to 9:36, 16:4, 17:97

### FORECLOSURE

Advertising, 3:93, 8:32

### FORECLOSURE—Cont'd

Agreement, 3:43, 3:93, 8:32, 13:19,  
13:32, 17:47  
Notice, 3:43, 3:93, 8:32, 13:19,  
13:32  
Price, 3:93, 8:32, 11:18, 17:47  
Resale, 17:47

### FORMER EMPLOYEE

United States, 11:40, 17:53

### FORMS

Confidentiality, 3:88, 3:92, 3:93,  
7:50, 17:100  
Consultants, 5:6, 9:8  
Manufacturing, 3:85, 7:50, 14:32  
Trademarks, 3:7, 3:85 to 3:89, 3:91  
to 3:93, 5:12, 5A:23, 7:6, 7:13,  
7:20, 7:36, 7:38, 7:40, 7:41,  
7:45, 7:50, 7:54 to 7:56, 8:57,  
8:59, 13:35, 17:1, 17:97

### FRANCHISE

Access, 2:4, 3:38, 3:87, 3:88, 3:92,  
3:93, 5:27, 7:18, 7:21, 7:49,  
7:50, 7:52, 8:2, 8:46, 8:52,  
8:57, 9:15, 9:19, 10:11, 10:45,  
10:47, 11:4, 11:14, 14:14,  
14:33, 16:4, 17:14, 17:19,  
17:21, 17:72, 17:75, 17:85  
Amendment, 2:6, 2:9, 3:61, 3:85 to  
3:89, 3:91, 3:92, 5:39, 5A:39,  
5A:44, 7:38, 7:41, 7:53, 8:2,  
8:4, 8:19, 9:29, 10:4, 10:5,  
10:24, 11:24, 13:28, 13:38,  
14:2, 14:23, 14:26, 14:28,  
14:32, 14:34, 14:36, 15:3, 16:3,  
16:4, 16:6, 17:6, 17:24, 17:25,  
17:28, 17:53, 17:59, 17:60,  
17:63, 17:81, 17:83  
Amortization, 8:62  
Antitrust, 1:5 to 1:7, 1:9, 2:1, 2:5,  
2:7, 3:10, 3:11, 3:30, 3:69, 4:4,  
4:6, 4:7, 7:9, 7:34, 8:47, 8:52,  
9:34, 10:12, 10:38, 10:40,  
10:55, 11:1, 11:3 to 11:8, 11:12,  
11:14 to 11:17, 11:20, 11:22,  
11:24, 11:26, 11:37, 11:39,  
11:40, 14:1, 14:4, 14:8, 14:11,  
14:19, 15:7, 17:2, 17:3, 17:5,  
17:7, 17:16, 17:19, 17:25, 17:32  
to 17:35, 17:37, 17:43, 17:45 to

**FRANCHISE—Cont'd**

17:47, 17:54, 17:60, 17:64,  
17:67, 17:69, 17:87, 17:96  
Appeal, 1:30, 2:3, 2:8, 3:25, 3:65,  
3:93, 7:18, 7:25, 8:9, 8:32,  
8:60, 8:63, 9:27, 9:29, 9:31,  
9:44, 9:45, 10:11, 10:15, 10:55,  
11:37, 14:36, 15:7, 15:18, 16:4,  
17:10, 17:20, 17:34, 17:43,  
17:58, 17:60, 17:69, 17:72,  
17:79, 17:81, 17:94  
Arbitration, 3:4, 3:42, 3:63 to 3:65,  
3:68, 3:87 to 3:89, 3:91, 4:4,  
4:11, 5:2, 5:20, 5A:5, 5A:25,  
5A:46, 8:2 to 8:4, 8:6, 8:16,  
8:20, 8:21, 8:24, 8:36 to 8:38,  
8:48, 8:57, 8:60, 9:6, 9:8, 9:20,  
9:32, 9:34, 9:36, 10:14, 10:47,  
10:51, 14:2, 14:19, 14:34,  
14:36, 14:37, 16:4, 16:6, 17:1,  
17:4, 17:10 to 17:12, 17:18,  
17:21, 17:23 to 17:25, 17:28,  
17:32 to 17:34, 17:36, 17:40,  
17:42, 17:43, 17:58, 17:59,  
17:69, 17:71 to 17:94  
Authority to grant, 17:91  
Billing, 1:30, 3:92, 3:93, 5:3, 5:33,  
5:37, 6:1, 8:59, 17:61, 17:70,  
17:77  
Bonds, 8:34  
Charges, 3:23, 3:44, 3:86, 3:87, 3:89,  
3:92, 3:93, 4:18, 5:8, 5:15,  
5:20, 5:23, 5:25, 5:31, 5:34,  
5:35, 5:38, 5:39, 5A:34, 5A:44,  
8:29, 9:5, 9:27, 10:28, 10:32,  
11:24, 14:5, 14:16, 14:17,  
14:33, 15:7, 16:6, 17:34, 17:48  
Collection, 1:8, 1:29 to 1:31, 3:93,  
4:19, 5:3, 7:50, 8:20, 8:59,  
9:26, 9:32, 9:36, 10:10, 10:58,  
13:19, 13:33, 15:3, 17:10,  
17:34, 17:40, 17:87, 17:97  
Commercial impracticability, 10:24  
Complaints, 1:34, 3:25, 3:38, 3:41,  
3:44, 5A:23, 7:3, 7:29, 7:34,  
7:38, 7:45, 9:31, 9:32, 9:42,  
10:11, 10:20, 10:32, 10:40,  
10:45, 10:47, 11:7, 11:22, 14:1,  
14:12, 14:33, 14:37, 15:3,  
15:11, 15:12, 16:6, 17:26,

**FRANCHISE—Cont'd**

17:34, 17:41, 17:45, 17:47,  
17:67, 17:71  
Construction, 2:15, 3:3, 3:5, 3:11,  
3:16, 3:17, 3:19, 3:21, 3:80,  
3:87 to 3:89, 3:91 to 3:93, 4:4,  
4:10, 4:17, 5:7, 5:18, 5:23,  
5:39, 5A:46, 7:34, 8:2, 8:11,  
8:25, 8:28, 8:29, 8:31 to 8:33,  
8:45, 8:49, 8:58, 9:3, 9:4, 9:6,  
9:11, 9:15, 9:30, 9:32, 9:39,  
9:45 to 9:47, 10:2, 10:9, 10:24,  
10:47, 13:31, 13:34, 13:40,  
14:6, 14:24, 14:33, 15:3, 15:13,  
16:6, 17:14, 17:15, 17:22 to  
17:24, 17:51, 17:57, 17:81,  
17:82, 17:87, 17:94, 17:98  
Consumer complaints, 7:29, 10:45,  
16:6  
Contract, 1:5 to 1:8, 1:24, 1:30, 1:32,  
2:1, 2:7, 2:11, 3:2, 3:3, 3:6, 3:7,  
3:10 to 3:13, 3:16 to 3:20, 3:23  
to 3:30, 3:33, 3:34, 3:41, 3:42,  
3:44, 3:45, 3:50, 3:55, 3:56,  
3:59 to 3:61, 3:65, 3:66, 3:68 to  
3:71, 3:86 to 3:88, 3:91 to 3:93,  
4:1, 4:2, 4:4, 4:11, 4:17 to 4:19,  
5:3, 5:8, 5:14, 5:15, 5:17, 5:18,  
5:20, 5:21, 5:23 to 5:25, 5:29 to  
5:31, 5:33, 5:37 to 5:39, 5A:25,  
5A:46, 6:2, 6:4, 7:1, 7:2, 7:6,  
7:8, 7:24, 7:34, 7:45, 7:47,  
7:50, 7:52, 8:1 to 8:43, 8:45 to  
8:49, 8:51, 8:53 to 8:64, 9:3 to  
9:6, 9:8 to 9:12, 9:14 to 9:22,  
9:27 to 9:30, 9:34 to 9:39, 9:41,  
9:42, 9:49, 9:50, 10:1, 10:4,  
10:6 to 10:11, 10:13, 10:15 to  
10:25, 10:27, 10:29, 10:31,  
10:37, 10:38, 10:42, 10:45,  
10:47, 10:48, 10:50, 10:51,  
10:55, 11:3, 11:14, 11:17, 11:20,  
11:26, 11:37, 11:39, 11:40, 13:4,  
13:5, 13:9, 13:14, 13:17, 13:19  
to 13:26, 13:28, 13:29, 13:32 to  
13:34, 13:37 to 13:39, 14:2,  
14:6 to 14:9, 14:14, 14:19,  
14:20, 14:23, 14:25, 14:26,  
14:28, 14:29, 14:31 to 14:34,  
14:36, 15:4 to 15:7, 15:10,  
15:13, 15:22, 16:3, 16:4, 16:6,  
17:1 to 17:5, 17:7, 17:10 to



## INDEX

### FRANCHISE—Cont'd

17:15, 17:17 to 17:26, 17:28,  
17:31, 17:32, 17:37, 17:40 to  
17:42, 17:45, 17:48, 17:50,  
17:54, 17:59 to 17:62, 17:64,  
17:65, 17:67, 17:69, 17:70,  
17:72, 17:79 to 17:91, 17:93,  
17:94, 17:96, 17:97, 17:104,  
17:106

Damages, 2:17, 3:4, 3:11, 3:15, 3:25,  
3:39 to 3:41, 3:47, 3:65, 3:68 to  
3:70, 3:85 to 3:89, 3:92, 3:93,  
4:11, 5:15, 5:18, 5:25, 5:27,  
5:30, 5:36, 5:38, 5A:5, 5A:25,  
5A:46, 6:3, 6:4, 7:2, 7:6, 7:21,  
7:23, 7:24, 7:31, 7:34, 7:38,  
7:39, 7:45, 7:47, 7:48, 7:53,  
7:54, 8:1, 8:6, 8:11, 8:20, 8:23,  
8:25, 8:28 to 8:30, 8:32, 8:35 to  
8:37, 8:39, 8:42 to 8:44, 8:47,  
8:50, 8:52, 8:57 to 8:64, 9:3 to  
9:5, 9:11, 9:14, 9:19, 9:27 to  
9:31, 9:33 to 9:39, 9:41, 9:46,  
9:50, 10:1, 10:8, 10:12 to  
10:17, 10:19, 10:20, 10:23 to  
10:25, 10:38, 10:42, 10:43,  
10:45, 10:47, 10:48, 10:55,  
10:58, 10:63, 11:37, 11:39,  
11:40, 13:26, 13:29, 13:37,  
13:40, 14:8, 14:20, 14:25,  
14:26, 14:30, 14:31, 14:33 to  
14:37, 15:3, 15:5, 15:17 to  
15:20, 15:22, 16:4, 16:6, 17:3,  
17:4, 17:6, 17:8, 17:10, 17:11,  
17:23 to 17:25, 17:27, 17:28,  
17:31, 17:33 to 17:38, 17:40 to  
17:43, 17:45, 17:46, 17:48,  
17:52 to 17:55, 17:57, 17:59,  
17:60, 17:64, 17:66 to 17:68,  
17:70, 17:80, 17:84, 17:85,  
17:87, 17:88, 17:91, 17:94,  
17:96, 17:102, 17:105, 17:106

Definitions, 1:2, 1:34, 3:2, 3:17,  
3:93, 5:2, 5A:5, 5A:24, 6:1, 6:3,  
10:6, 14:3, 14:24, 14:33, 15:4,  
17:54, 17:98

Design, 2:4, 2:15, 3:86 to 3:89, 3:91,  
3:93, 4:4, 5:6, 5:11, 5:12, 5:15,  
7:2, 7:12 to 7:14, 7:25, 7:29,  
7:41, 7:48, 8:32, 8:54, 9:19,  
9:46, 9:47, 10:15, 11:3, 11:20,  
14:32, 17:26

### FRANCHISE—Cont'd

Discrimination, 2:7, 2:9, 2:17, 5:20,  
8:27, 9:34, 9:36, 9:42, 9:47,  
9:49, 10:1, 10:11, 10:53, 11:1,  
11:24, 11:26, 11:37, 14:17,  
14:28, 14:32, 14:33, 14:37,  
15:5, 15:9, 15:10, 15:19, 16:2,  
16:4, 17:12, 17:32, 17:34, 17:82

Disputes, 1:6, 1:7, 2:4, 3:23, 3:31,  
3:42, 3:65, 3:86, 3:87, 3:89,  
3:91, 3:93, 5:2, 5:8, 7:7, 7:18,  
7:45, 7:52, 8:1, 8:14, 8:25,  
8:58, 9:1, 9:16, 9:34, 9:37,  
10:1, 10:11 to 10:14, 10:22,  
10:58, 14:1, 14:23, 14:28,  
14:32, 14:36, 14:37, 15:3, 15:9,  
15:12, 16:4, 16:6, 17:1 to  
17:107

Enforceability of provisions, 17:94

Enforcement, 1:5 to 2:7, 3:13, 3:31,  
3:40, 3:70, 3:87 to 3:89, 3:92,  
4:11, 4:17, 5:15, 5:20, 5A:8,  
5A:23 to 5A:25, 5A:32, 5A:42  
to 5A:48, 7:3, 7:5, 7:6, 7:9,  
7:14, 7:47, 7:53, 8:2, 8:5, 8:9,  
8:11, 8:12, 8:15, 8:22, 8:23,  
8:26, 8:36, 8:41, 8:49, 8:50,  
8:52 to 8:58, 8:61, 9:11, 9:15,  
9:16, 9:34, 9:36, 9:37, 9:39,  
10:15, 10:17, 10:21, 11:4,  
11:39, 11:40, 13:6, 13:21, 14:2,  
14:9, 14:12, 14:31, 14:33,  
14:34, 14:37, 15:18, 15:22,  
17:3, 17:4, 17:8, 17:9, 17:20,  
17:22 to 17:24, 17:40 to 17:44,  
17:57, 17:70, 17:71, 17:77,  
17:81, 17:82, 17:85 to 17:88,  
17:90, 17:91, 17:94, 17:104,  
17:105

Equipment, 1:2, 1:11, 1:12, 1:20,  
1:30, 2:3, 2:4, 2:10 to 2:12, 3:1,  
3:5, 3:11, 3:13, 3:16, 3:26 to  
3:28, 3:30, 3:31, 3:34, 3:36,  
3:44, 3:45, 3:59, 3:86 to 3:89,  
3:91 to 3:93, 4:6, 4:9, 4:10,  
4:12, 4:18, 4:22, 5:5, 5:6, 5:8,  
5:15, 5:20 to 5:24, 5:26, 5:29,  
5:34, 5:37 to 5:39, 5A:7, 5A:37,  
6:1 to 7:5, 7:7, 7:12, 7:31, 7:34,  
7:48, 7:53, 7:54, 8:2, 8:28 to  
8:30, 8:32, 8:33, 8:38, 8:54,  
8:58, 8:59, 8:64, 9:3, 9:6, 9:11,



**FRANCHISE—Cont'd**

9:14, 9:28, 9:30, 9:32, 9:34,  
9:35, 9:37, 9:39, 9:42, 9:45,  
9:49, 10:3, 10:4, 10:6, 10:9,  
10:10, 10:13, 10:15, 10:16,  
10:19 to 10:21, 10:23, 10:24,  
10:26, 10:31, 10:38, 10:39,  
10:43, 10:45, 10:47, 10:52,  
10:63, 11:4, 11:6, 11:14, 11:16,  
11:17, 11:22, 12:3, 13:21,  
13:24, 13:40, 13:41, 14:6,  
14:24, 14:25, 14:28, 14:30,  
15:7, 15:9, 15:13, 15:22, 16:3,  
16:6, 17:4, 17:14, 17:21 to  
17:24, 17:32, 17:34, 17:40,  
17:42, 17:44, 17:51, 17:53,  
17:55, 17:62, 17:67, 17:87,  
17:96, 17:97, 17:105  
Exemptions, 5:23, 5:25, 5A:1, 5A:4,  
5A:15, 5A:26 to 5A:33, 6:3, 6:4  
Existing franchises, 8:54, 9:8, 9:14,  
14:33, 14:34, 15:16  
Facilities and equipment, 10:13  
Flexibility, 2:4, 2:9, 3:2, 3:3, 3:10,  
8:28, 8:62, 10:5, 13:38, 15:2,  
15:3, 15:10, 15:22, 17:34,  
17:43, 17:73  
Grantor, 5:3, 5:4, 5:16, 5:29, 5:33,  
5:38, 5:39, 6:4, 8:59, 10:6,  
10:9, 10:13, 10:24, 10:45, 16:6,  
17:54  
Gross revenues, 3:23, 3:24, 3:60,  
3:88, 3:93, 5:39, 8:57, 8:61,  
8:62, 9:31, 17:64  
History, 1:8 to 1:10, 2:12, 3:40, 3:66,  
5:20, 5:29, 5:39, 5A:7, 5A:23,  
5A:29, 7:27, 8:29, 8:31, 8:33,  
8:36, 8:62, 8:63, 9:11, 9:14,  
9:28, 9:29, 9:37, 10:12, 10:14,  
10:15, 10:24, 10:38, 10:42,  
10:47, 10:55, 10:62, 11:4, 11:8,  
13:32, 13:40, 14:3, 14:4, 14:12,  
14:17, 14:25, 14:34, 15:7, 15:9,  
15:11, 15:13, 15:14, 15:16,  
16:4, 17:12, 17:43, 17:57,  
17:59, 17:64, 17:107  
Inclusions, 14:7  
Inference, 5A:34, 7:31, 7:39, 8:17,  
8:32, 9:5, 9:8, 9:12, 9:30, 9:32,  
9:49, 10:15, 10:24, 11:3, 11:17,  
11:22, 11:24, 11:26, 14:5, 14:6,

**FRANCHISE—Cont'd**

15:10, 17:25, 17:26, 17:34,  
17:42, 17:47, 17:63, 17:67  
Insurance, 1:29, 1:30, 2:4, 2:12,  
2:16, 2:17, 3:21, 3:39, 3:87 to  
3:89, 3:93, 4:18, 5:1, 5:3, 5:8,  
5:14 to 5:16, 5:20, 5:24, 5:29,  
5:37, 5:38, 5A:23, 5A:33, 6:1,  
6:4, 8:9, 8:25, 8:29, 8:30, 8:34,  
8:59, 9:8, 9:10, 9:24, 9:26,  
9:34, 9:41, 9:42, 10:6, 10:23,  
10:32, 10:47, 14:24, 14:30,  
15:5, 15:7, 17:40, 17:52, 17:92  
Internet, 3:11, 3:12, 3:30, 3:86, 5:24,  
5A:6, 5A:22, 5A:41, 6:2, 7:49,  
7:53, 8:59, 9:32, 10:55, 11:22,  
14:32, 14:33, 17:14, 17:15,  
17:40, 17:41, 17:52, 17:53,  
17:67  
Jurisdiction, 1:2, 1:29, 3:4, 3:40,  
3:52, 3:62, 3:86 to 3:89, 3:91 to  
3:93, 4:11, 4:17, 4:20, 5:9 to  
5:39, 5A:31, 5A:42, 7:34, 7:47,  
8:57, 8:58, 9:4, 9:28, 9:32,  
10:12, 10:13, 10:27, 10:29,  
10:45, 10:48, 12:8, 13:4, 13:8,  
13:36, 14:6, 14:24, 14:26,  
14:32, 14:36, 14:37, 15:2,  
15:18, 16:6, 17:2 to 17:25,  
17:28, 17:32, 17:43 to 17:45,  
17:69 to 17:71, 17:79, 17:81 to  
17:83, 17:85 to 17:88, 17:92,  
17:94, 17:96  
Local franchise, 17:23  
Modifications, 3:61, 3:87, 3:88, 3:90,  
3:93, 4:4, 4:5, 4:21, 6:1, 6:4,  
8:5, 8:16, 8:19, 8:22, 8:56,  
9:47, 14:24  
Monopolies, 11:7  
Negotiation, 2:6, 2:14, 3:2, 3:16,  
3:63, 3:64, 3:66, 4:2, 8:3, 8:5,  
8:6, 8:36, 8:37, 8:47, 14:33,  
17:20, 17:22, 17:50, 17:59,  
17:72, 17:73, 17:75 to 17:77,  
17:85, 17:87  
Ownership, 1:3, 1:23, 1:24, 1:26,  
1:27, 3:4, 3:13, 3:41, 3:45,  
3:50, 3:51, 3:54, 3:57, 3:80,  
3:85 to 3:89, 3:91 to 3:93, 4:3,  
5:8, 5:12, 5A:15, 5A:27, 7:6,  
7:18, 7:21, 7:24, 7:31, 7:34,

## INDEX

### FRANCHISE—Cont'd

8:2, 8:20, 9:42, 9:46, 9:49,  
10:23, 10:32, 10:42 to 10:44,  
11:39, 12:6, 13:24, 14:1, 14:6,  
14:14, 14:16, 14:28, 14:30,  
14:32, 14:34, 14:35, 15:4, 16:4,  
16:6, 17:4, 17:12, 17:14, 17:15,  
17:28  
Payments, 2:12, 3:19, 3:23, 3:25,  
3:41, 3:42, 3:44, 3:61, 3:71,  
3:87 to 3:90, 3:92, 3:93, 4:4,  
4:10, 4:11, 5:3, 5:8, 5:13, 5:15,  
5:19 to 5:26, 5:30, 5:35, 5:37 to  
5:39, 6:1, 6:2, 6:4, 7:6, 7:47,  
8:6, 8:11, 8:20, 8:21, 8:26, 8:29,  
8:59, 8:63, 9:38, 10:19, 10:23,  
10:31, 11:37, 12:3 to 12:5, 12:7,  
12:8, 13:14, 13:29, 14:26,  
14:30, 14:33, 15:4, 15:7, 15:17,  
16:4, 16:6, 17:12, 17:14, 17:15,  
17:22, 17:41, 17:48, 17:54,  
17:60, 17:62, 17:97  
Performance bond, 5A:23  
Periodic review, 2:17  
Permits, 1:10, 2:15, 3:19, 3:23, 3:30,  
3:41, 3:50, 3:52, 3:86 to 3:89,  
3:93, 4:5, 4:6, 5:20, 5:29,  
5A:29, 5A:42, 7:5, 7:21, 8:7,  
8:24, 8:28, 9:12, 9:32, 9:35,  
9:36, 9:38, 9:50, 10:9, 10:20,  
10:36, 10:38, 10:43, 10:44,  
13:24, 13:29, 14:17, 14:20,  
14:33, 14:34, 14:36, 15:5, 15:7,  
15:16, 15:19, 15:22, 16:3, 16:6,  
17:8, 17:26, 17:37, 17:53,  
17:56, 17:62, 17:70, 17:81  
Police powers, 13:19, 14:25  
Precision, 14:20  
Preemption, 7:49, 14:31, 15:22  
Privacy, 3:12, 17:53, 17:62  
Privilege, 1:4, 3:10, 3:88, 3:93, 5:27,  
7:38, 7:39, 8:20, 8:47, 9:37 to  
9:39, 16:3, 17:14, 17:15, 17:53,  
17:62, 17:85  
Proposal, 2:3, 3:75, 3:88, 7:54, 8:5,  
8:6, 8:59, 10:24, 10:42, 10:55,  
10:61, 13:40, 14:14, 14:25,  
14:34, 14:36, 14:37, 15:9,  
17:40, 17:62  
Quality, 1:1, 1:3, 1:14, 1:21, 2:3, 2:4,  
2:9, 2:18, 3:16, 3:30, 3:34, 3:87

### FRANCHISE—Cont'd

to 3:89, 3:93, 4:6, 4:7, 4:18,  
5:5, 5:11, 5:15, 5:23, 5:24, 5:29,  
5:39, 7:2, 7:3, 7:5, 7:6, 7:8,  
7:12 to 7:14, 7:24, 7:27, 7:34,  
7:39, 7:45, 8:42, 8:43, 8:59,  
8:64, 9:2, 9:4 to 9:6, 9:14, 9:15,  
9:26, 9:27, 9:34 to 9:36, 9:38,  
9:42, 9:47, 10:3, 10:23, 10:32,  
10:52, 11:4, 11:6, 11:7, 11:14 to  
11:16, 11:20, 12:2, 12:3, 13:26,  
16:4, 16:6, 17:2, 17:14, 17:50,  
17:70, 17:96  
Rates, 3:86, 3:93, 7:50, 9:8, 9:9,  
9:30, 9:42, 10:27, 10:53, 10:55,  
11:5, 14:23, 14:33, 17:60, 17:77  
Receipts, 3:23, 3:88, 3:89, 3:93,  
8:62, 12:8, 15:5, 15:17, 17:34  
Renewal of franchises, 3:16  
Revenues, 3:23 to 3:25, 3:38, 3:44,  
3:47, 3:60, 3:88, 3:92, 3:93,  
5:4, 5:29, 5:39, 5A:23, 5A:46,  
7:45, 7:47, 8:57, 8:61 to 8:63,  
9:9, 9:14, 9:29 to 9:31, 10:6,  
10:38, 10:47, 11:4, 17:6, 17:21,  
17:26, 17:31, 17:42, 17:43,  
17:64  
Security deposit, 10:58  
Security requirements, 17:39  
Streets, 15:4  
Tax, 3:23, 3:25, 3:43, 3:44, 3:58,  
3:59, 3:87 to 3:89, 3:93, 4:3,  
4:4, 8:39, 8:57, 8:59, 9:29,  
9:32, 9:34, 9:42, 10:20, 10:23,  
10:27, 10:32, 10:33, 12:1 to  
12:8, 13:36, 14:32, 16:4, 17:43,  
17:54, 17:66, 17:67  
Telecommunications, 16:6  
Unilateral modification, 10:58  
Use, 1:2, 1:3, 1:8, 1:10 to 1:12, 1:15,  
1:20, 1:21, 1:30, 2:3, 2:4, 2:13,  
2:17, 3:2, 3:6 to 3:8, 3:10 to  
3:14, 3:17, 3:18, 3:20 to 3:22,  
3:24 to 3:27, 3:30, 3:31, 3:33,  
3:34, 3:36, 3:40, 3:44, 3:45,  
3:49, 3:50, 3:53, 3:58, 3:60,  
3:61, 3:68, 3:79, 3:85 to 3:93,  
4:2, 4:4, 4:6, 4:7, 4:10 to 4:12,  
4:14, 4:16, 4:18, 4:20, 4:22,  
5:3, 5:5 to 5:9, 5:11, 5:12, 5:14  
to 5:21, 5:23 to 5:30, 5:37 to

**FRANCHISE—Cont'd**

5:39, 5A:2, 5A:3, 5A:23,  
5A:34, 6:1, 6:2, 6:4, 7:2 to  
7:14, 7:18, 7:21, 7:23, 7:25,  
7:27, 7:29, 7:31, 7:34, 7:40,  
7:41, 7:45, 7:47 to 7:50, 7:52 to  
7:54, 8:3 to 8:5, 8:8, 8:10, 8:14,  
8:21, 8:23, 8:24, 8:27 to 8:29,  
8:32, 8:34, 8:36, 8:40, 8:41,  
8:44, 8:47, 8:49, 8:53, 8:56 to  
8:63, 9:6, 9:14, 9:16, 9:17, 9:30  
to 9:32, 9:34 to 9:36, 9:42,  
9:44, 9:46, 9:47, 9:49, 10:3,  
10:6, 10:8, 10:9, 10:13, 10:14,  
10:20, 10:23, 10:24, 10:31,  
10:34, 10:47, 10:50, 10:55,  
10:58, 10:61, 10:63, 11:4, 11:7,  
11:8, 11:14 to 11:17, 11:20,  
11:26, 11:39, 11:40, 12:2 to  
12:5, 12:8, 13:4, 13:10, 13:21,  
13:23, 13:29, 13:35, 13:36,  
13:38, 13:41, 14:9, 14:24 to  
14:26, 14:28, 14:30, 14:32 to  
14:34, 15:3 to 15:5, 15:7 to  
15:10, 15:13, 15:17 to 15:19,  
15:22, 16:3, 16:4, 16:6, 17:1,  
17:5, 17:11, 17:12, 17:14,  
17:15, 17:19 to 17:22, 17:38 to  
17:43, 17:46, 17:51 to 17:54,  
17:57, 17:58, 17:60, 17:61,  
17:64, 17:65, 17:67, 17:69,  
17:73, 17:79, 17:85, 17:91,  
17:92, 17:96 to 17:98, 17:103  
Validity, 3:2, 3:13, 3:31, 3:62, 3:65,  
3:80, 3:85, 3:87, 3:88, 3:93,  
4:18, 7:3, 7:4, 7:6, 7:18, 7:34,  
7:45, 8:2, 8:4, 8:13, 8:16, 8:18,  
8:59, 8:61, 9:17, 9:38, 10:4,  
10:28, 14:23, 17:5, 17:24,  
17:28, 17:81, 17:82, 17:94

**FRANCHISE RENEWAL**

Agreement, 9:35  
Causation, 9:35  
Competition, 9:35  
Defenses, 9:35  
Federal law, 9:35  
Injury, 9:35  
Performance, 9:35  
Price, 9:35  
Standing, 9:35

**FRAUD**

Canada, 17:20  
United Kingdom, 8:57, 17:24

**FREE SPEECH**

Commerce Clause, 14:23  
Harm, 14:23

**GEORGIA**

Restrictive covenants, 17:23

**GOOD FAITH AND FAIR  
DEALING**

Restrictive covenants, 17:23

**GOVERNMENT**

Copyright, 3:93  
Intellectual property, 3:93  
Trademark, 3:11, 3:88, 3:93, 5:7,  
5A:23, 10:32, 10:34, 11:38,  
15:17, 17:16

**HARDSHIPS**

Injunctions, 7:45, 8:57, 17:43

**HARDWARE**

Claims, 3:93, 10:63, 16:6, 17:41,  
17:87  
Disclosure, 3:93, 5:39, 17:41, 17:87  
Format, 16:6  
Infringement, 3:93, 17:41  
Records, 3:93, 10:63, 16:6

**HARM**

Injunctions, 7:45, 7:46, 8:57, 17:39  
to 17:41, 17:43

**HEARINGS**

Appeals, 14:34, 14:37

**HISTORY**

Common law, 5:20, 8:33, 9:14, 9:37,  
10:15, 10:24, 10:38, 10:42,  
10:47, 10:55, 14:34  
Massachusetts, 14:25, 14:34, 16:4  
United States, 1:8, 5:29, 9:37, 16:4

**IDAHO**

Restrictive covenants, 8:53  
Uniform Trade Secrets Act, 7:50

**IDENTIFICATION**

Litigation, 3:88, 3:93, 7:3, 17:52,  
17:55, 17:98

## INDEX

### ILLINOIS

Business information, 17:14  
Causes of action, 7:50, 10:47, 17:8, 17:10, 17:62, 17:64, 17:69, 17:87  
Choice of law rules, 17:22 to 17:24  
Common law, 1:30, 5:20, 7:50, 8:2, 8:3, 8:7, 8:33, 9:30, 9:34, 9:35, 9:38, 10:15, 10:16, 10:47, 10:48, 14:32, 14:34, 14:37, 16:6, 17:14, 17:22 to 17:25  
Compensatory damages, 3:68, 9:29, 16:4  
Consideration, 5:8, 8:2, 8:7, 8:19, 8:50, 9:8, 9:28, 9:34, 9:35, 9:42, 10:15, 10:47, 10:48, 14:33, 17:14, 17:22, 17:25  
Covered, 3:68, 5:8, 5:20, 8:2, 9:16, 9:34, 9:38, 10:47, 14:24, 14:26, 14:32, 14:33, 14:36, 16:4, 16:6, 17:69, 17:87, 17:105  
Damages recoverable, 3:68, 8:37  
Definitions, 1:34, 5A:5, 10:6, 14:24, 14:33  
Development, 5:3, 5A:39, 8:7, 8:28, 9:11, 9:16, 9:30, 9:35, 9:36, 9:39, 10:47, 14:33, 17:14, 17:64  
Enforcement, 5:20, 5A:25, 5A:32, 5A:48, 8:2, 8:11, 8:50, 8:58, 9:11, 9:16, 9:34, 9:36, 9:39, 10:15, 11:39, 14:33, 14:34, 14:37, 17:8, 17:9, 17:20, 17:22 to 17:24, 17:81, 17:87, 17:105  
Engineering, 8:7  
Exclusions, 16:6  
Improper means, 7:50, 9:38, 9:39  
Misappropriation, 7:50, 10:47, 17:87  
Pleadings, 9:28, 17:25, 17:69  
Punitive damages, 3:68, 8:37, 9:28, 9:29, 9:34, 9:36, 9:50, 10:48, 14:36, 16:4, 16:6, 17:23, 17:25  
Readily ascertainable, 7:50  
Restrictive covenants, 8:50, 17:23  
Secrecy, 7:50  
Statute of limitations, 3:68, 8:3, 8:37, 9:30, 9:34, 9:35, 9:38, 10:16, 10:37, 10:47, 10:48, 11:39, 14:26, 14:36, 14:37, 16:6, 17:25, 17:81

### ILLINOIS—Cont'd

Statutes, 1:34, 5:5, 5:7, 5:8, 5A:28, 5A:32, 5A:39, 5A:48, 8:2, 8:50, 9:11, 9:30, 9:34, 9:36, 10:5, 10:6, 10:22, 10:27, 10:36, 10:37, 10:47, 10:48, 14:24, 14:26, 14:28, 14:32 to 14:34, 14:36, 14:37, 16:3, 16:4, 16:6, 17:8 to 17:10, 17:14, 17:20 to 17:25, 17:81, 17:87  
Stipulations, 8:37, 10:48  
Territorial limits, 17:14  
Time, 1:30, 3:3, 3:68, 5:3, 5:8, 5:20, 5A:39, 7:50, 8:2, 8:3, 8:11, 8:19, 8:21, 8:28, 8:33, 8:37, 8:50, 8:58, 8:64, 9:8, 9:11, 9:28 to 9:30, 9:34 to 9:36, 9:39, 9:45, 10:6, 10:12, 10:15, 10:16, 10:37, 10:47, 10:48, 10:51, 11:39, 14:26, 14:28, 14:32 to 14:34, 14:36, 14:37, 16:4, 16:6, 17:10, 17:14, 17:20, 17:22, 17:23, 17:25, 17:62, 17:64, 17:69, 17:81, 17:105  
Uniform Trade Secrets Act, 7:50

### INDEPENDENT ECONOMIC VALUE

Uniform Trade Secrets Act, 7:50 to 7:52

### INDIANA

Criminal sanctions, 6:4  
Restrictive covenants, 10:56, 17:23  
Uniform Trade Secrets Act, 7:50

### INEVITABLE DISCLOSURE DOCTRINE

Evidence, 7:50  
Overview, 7:50

### INFRINGEMENT

Actual damages, 3:93, 7:47, 7:54, 10:38  
Agents, 3:85, 3:87, 3:88, 3:92, 3:93, 7:33, 7:56, 17:14, 17:43  
Amendments, 3:88, 3:92  
Appeals, 8:21, 17:14, 17:19, 17:69  
Assignment, 3:85, 3:87, 3:88, 3:92, 3:93, 4:11, 17:41, 17:42

**INFRINGEMENT—Cont'd**

Attorneys, 3:88, 4:11, 7:34, 7:42, 7:47, 7:54, 17:4, 17:43, 17:85, 17:97  
 Bond, 3:87, 3:92, 7:45, 17:43  
 Burden of proof, 7:34, 17:6, 17:42  
 Claims, 2:4, 3:13, 3:39, 3:85, 3:87, 3:88, 3:92, 3:93, 4:11, 7:4, 7:6, 7:9, 7:17, 7:18, 7:24, 7:25, 7:34, 7:36, 7:39, 7:41, 7:45, 7:46, 7:49, 8:21, 8:60, 9:1, 10:19, 10:20, 10:38, 17:1, 17:4, 17:6, 17:12, 17:14, 17:16, 17:17, 17:19, 17:21, 17:41 to 17:43, 17:69, 17:85, 17:97  
 Communication, 3:87, 3:93  
 Contributory infringement, 7:23  
 Copying, 3:93, 7:2, 7:16, 7:31, 7:47, 7:49, 17:21  
 Copyright, 3:87, 3:92, 3:93, 7:2, 7:34, 7:36, 7:48, 7:49, 17:6  
 Costs, 2:4, 3:87, 3:88, 3:92, 3:93, 4:11, 7:45, 7:47, 7:54, 8:60, 10:38, 17:4, 17:6, 17:42, 17:43, 17:85, 17:97  
 Court costs, 3:88, 3:92, 3:93  
 Courts, 3:92, 3:93, 7:2, 7:7, 7:15, 7:21, 7:23, 7:25 to 7:28, 7:30 to 7:32, 7:36, 7:39, 7:41, 7:42, 7:45 to 7:47, 7:49, 10:8, 10:19, 10:20, 17:1, 17:4, 17:6, 17:8, 17:14, 17:16, 17:17, 17:19, 17:21, 17:41 to 17:43, 17:69, 17:85  
 Damages, 3:39, 3:85, 3:87, 3:88, 3:92, 3:93, 4:11, 7:2, 7:6, 7:21, 7:23, 7:24, 7:31, 7:34, 7:36, 7:37, 7:39, 7:42 to 7:48, 7:54, 8:60, 10:8, 10:19, 10:20, 10:38, 17:4, 17:6, 17:8, 17:41 to 17:43, 17:85  
 Deductions, 7:47  
 Defenses, 4:11, 7:9, 7:18, 7:21, 7:34, 7:43, 17:43, 17:69  
 Design patent, 7:48  
 Destruction, 3:93, 17:42  
 Direct infringement, 7:23  
 Disclosure, 2:4, 3:87, 3:88, 3:92, 3:93, 7:2 to 7:4, 7:8, 7:39, 7:45, 9:1, 10:19, 17:1, 17:12, 17:17,

**INFRINGEMENT—Cont'd**

17:21, 17:41, 17:43, 17:97  
 Engineering, 3:93  
 Equitable estoppel, 8:21  
 Estoppel, 3:92, 3:93, 7:34, 7:45, 7:47, 8:21, 17:69  
 Evidence, 3:87, 3:92, 7:6, 7:12, 7:15 to 7:18, 7:21, 7:22, 7:25, 7:26, 7:29, 7:31, 7:32, 7:41, 7:45 to 7:47, 7:49, 8:60, 10:19, 10:20, 17:4, 17:6, 17:14, 17:17, 17:19, 17:21, 17:41 to 17:43, 17:65, 17:69, 17:85  
 Exceptions, 3:87, 4:11, 7:4, 17:85  
 Exclusion, 3:92, 3:93, 7:36  
 Exclusive right, 3:87, 3:88, 3:93, 7:21, 7:22, 7:26, 7:48, 7:49  
 Fair use, 7:43  
 Fees, 2:4, 3:87, 3:88, 3:92, 3:93, 4:11, 7:6, 7:34, 7:42, 7:47, 7:54, 8:60, 10:19, 10:20, 10:38, 17:1, 17:4, 17:6, 17:14, 17:19, 17:21, 17:42, 17:43, 17:69, 17:85, 17:97  
 Flexibility, 2:4, 17:43  
 Format, 2:4, 3:12, 7:9  
 Fraud, 2:4, 7:6, 7:18, 7:31, 7:34, 7:47, 9:1, 10:19, 10:38, 17:1, 17:4, 17:14, 17:17, 17:21, 17:69, 17:85, 17:97  
 Good faith, 3:13, 3:85, 3:87, 3:88, 3:93, 7:6, 7:31, 7:45, 7:47, 10:19, 10:20, 17:4, 17:12, 17:65  
 Goodwill, 3:13, 3:85, 3:87, 3:88, 3:92, 3:93, 7:3, 7:6, 7:7, 7:31, 7:36, 7:41, 7:44 to 7:47, 7:54, 10:19, 10:20, 10:38, 17:41 to 17:43, 17:97  
 Gross revenues, 3:88, 3:93  
 Hardware, 3:93, 17:41  
 Importation, 7:7  
 Indemnification, 3:39, 3:87, 3:88, 3:92, 3:93, 4:11, 17:85  
 Indirect costs, 3:93  
 Injunctive relief, 3:87, 3:92, 7:7, 7:18, 7:21, 7:23, 7:24, 7:34, 7:43 to 7:48, 10:38, 17:4, 17:6, 17:12, 17:41 to 17:43, 17:85, 17:97  
 Insurance, 2:4, 3:39, 3:87, 3:88, 3:93

## INDEX

### INFRINGEMENT—Cont'd

Intent, 3:39, 3:87, 7:17, 7:18, 7:25, 7:31, 7:42, 7:43, 7:47, 10:8, 10:19, 17:4, 17:14, 17:17, 17:19, 17:97

Jurisdiction, 3:87, 3:88, 3:92, 3:93, 4:11, 7:34, 7:47, 7:56, 17:4, 17:6, 17:8, 17:12, 17:14, 17:16, 17:17, 17:19, 17:21, 17:43, 17:69, 17:85

License, 2:4, 3:13, 3:85, 3:87, 3:88, 3:92, 3:93, 7:2, 7:4, 7:6, 7:8, 7:25, 7:31, 7:34, 7:46, 7:47, 7:49, 17:12, 17:17, 17:19

Licensing, 2:4, 3:87, 7:4, 7:17, 7:24, 7:36, 7:47

Manufacturing, 3:85

Networks, 3:93, 17:41

Order, 2:4, 3:13, 3:85, 3:87, 3:88, 3:92, 3:93, 4:11, 7:3, 7:12, 7:15 to 7:18, 7:23, 7:31, 7:34, 7:39, 7:41 to 7:43, 7:45 to 7:47, 7:49, 7:54, 8:60, 10:19, 10:38, 17:4, 17:6, 17:8, 17:12, 17:14, 17:17, 17:19, 17:21, 17:41 to 17:43, 17:69, 17:85

Overhead costs, 3:93

Patent, 3:92, 3:93, 7:2 to 7:4, 7:12, 7:15, 7:16, 7:18, 7:21, 7:22, 7:31, 7:34, 7:36, 7:47 to 7:49, 17:97

Patents, 2:4, 7:4, 7:48, 17:6

Payment, 2:4, 3:12, 3:85, 3:87, 3:88, 3:92, 3:93, 4:11, 7:34, 10:19, 10:20, 17:1, 17:6, 17:14, 17:17, 17:19, 17:41, 17:97

Preemption, 7:49

Preliminary injunction, 4:11, 7:6, 7:12, 7:26, 7:27, 7:29, 7:45, 7:46, 10:38, 17:8, 17:41 to 17:43

Public domain, 3:87, 7:8, 7:36

Quantum, 7:6

Remedies, 3:87, 3:88, 3:92, 3:93, 7:6, 7:22, 7:23, 7:34, 7:47, 8:60, 10:8, 10:38, 17:41 to 17:43, 17:85

Research, 2:4, 3:93

Restraining order, 7:45, 17:6, 17:8, 17:43

### INFRINGEMENT—Cont'd

Revenue, 3:88, 7:47, 10:38, 17:4, 17:42, 17:43

Seizure, 3:87

Software, 3:93, 7:49, 8:60

Standing, 3:88, 4:11, 7:24, 7:28, 7:37, 7:41, 7:49, 17:6, 17:12, 17:14, 17:17

Statute of limitations, 17:85

Taxation, 17:12

Temporary restraining order, 7:45, 17:6, 17:43

Time, 2:4, 3:13, 3:85, 3:87, 3:88, 3:92, 3:93, 4:11, 7:4, 7:6, 7:17, 7:18, 7:31, 7:34, 7:45, 7:47, 7:54, 8:21, 10:8, 10:19, 10:20, 10:38, 17:1, 17:4, 17:6, 17:14, 17:19, 17:41 to 17:43, 17:65, 17:69, 17:85, 17:97

Trade dress, 3:13, 3:39, 3:87, 3:93, 7:2, 7:4, 7:7, 7:12, 7:15 to 7:17, 7:36, 7:37, 7:45, 7:47, 8:60, 17:41, 17:97

Trade secrets, 2:4, 3:12, 3:13, 3:87, 3:88, 3:92, 3:93, 7:2, 7:3, 7:8, 7:41, 7:45, 9:1, 17:1, 17:14, 17:17, 17:19, 17:41

Trademarks, 2:4, 3:12, 3:13, 3:85, 3:87, 3:88, 3:92, 3:93, 7:2 to 7:4, 7:6 to 7:9, 7:12, 7:15 to 7:18, 7:21 to 7:34, 7:36, 7:37, 7:39, 7:41 to 7:49, 7:54, 7:56, 9:1, 10:8, 17:1, 17:14, 17:17, 17:21, 17:41 to 17:43, 17:97

Unjust enrichment, 7:47

Use, 2:4, 3:12, 3:13, 3:85, 3:87, 3:88, 3:92, 3:93, 4:11, 7:2 to 7:4, 7:6 to 7:9, 7:12, 7:15 to 7:18, 7:21 to 7:23, 7:25 to 7:29, 7:31, 7:32, 7:34, 7:36, 7:37, 7:41 to 7:49, 7:54, 8:21, 8:60, 10:8, 10:20, 17:1, 17:12, 17:14, 17:19, 17:21, 17:41 to 17:43, 17:65, 17:69, 17:85, 17:97

Users, 7:4, 7:21, 17:1, 17:14

### INGREDIENTS

Addition, 3:87, 17:102

Consisting of, 7:15, 8:62, 17:37

Containing, 7:15, 17:37



**INGREDIENTS—Cont'd**

Including, 3:68, 3:87, 7:15, 8:62,  
17:21, 17:37  
Infringement, 3:87, 7:15, 17:21  
Limitations, 3:68

**INJUNCTIONS**

California, 7:45, 17:85  
Evidence, 3:87, 3:92, 7:45 to 7:47,  
8:57, 17:39 to 17:41, 17:43,  
17:85  
Florida, 8:57, 17:43  
Hardships, 7:45, 8:57, 17:43  
Harm, 7:45, 7:46, 8:57, 17:39 to  
17:41, 17:43  
Irreparable harm, 7:45, 8:57, 17:39  
to 17:41, 17:43  
Likelihood of success, 7:45, 7:46,  
8:57, 15:21, 17:39, 17:40, 17:43  
New Jersey, 3:92, 17:40  
New York, 3:92, 8:57, 17:85  
Orders, 3:87, 3:92, 17:39, 17:43  
Parties, 3:87, 3:92, 7:35, 7:46, 7:47,  
8:57, 17:39, 17:40, 17:43, 17:85  
Preliminary Injunctions, 3:87, 3:92,  
8:57, 17:39 to 17:41, 17:43  
Public interest, 7:45 to 7:47, 8:57,  
17:39, 17:41, 17:85  
Restraining orders, 3:87, 3:92, 17:39  
Subject matter, 3:87, 3:92, 17:43  
Success, 3:87, 3:92, 7:45, 7:46, 8:57,  
15:21, 17:39, 17:40, 17:43  
Temporary restraining orders, 17:39  
Territory, 3:92, 7:45, 8:57, 17:40,  
17:41  
United Kingdom, 8:57  
United States, 3:92, 17:40

**INJUNCTIVE RELIEF**

Misappropriation of trade secrets,  
7:51, 7:53, 8:59, 17:87  
Restrictive covenants, 8:49, 8:50,  
8:53, 8:57, 17:41

**INSURANCE COVERAGE**

California, 5:3  
Fees, 3:88, 3:89, 3:93, 5:24

**INTEREST**

Damages, 3:41, 3:65, 3:85 to 3:89,  
3:92, 3:93, 5:15, 5:18, 5:25,

**INTEREST—Cont'd**

5:27, 5:30, 5:36, 5:38, 7:2, 7:6,  
7:24, 7:31, 7:38, 7:39, 7:45 to  
7:47, 8:20, 8:23, 8:29, 8:30,  
8:35, 8:50, 8:57 to 8:62, 9:5,  
9:14, 9:29, 9:30, 9:34, 9:35,  
9:37 to 9:39, 9:50, 10:8, 10:15,  
10:23, 10:24, 10:42, 10:47,  
10:55, 11:39, 13:26, 13:29,  
13:40, 14:20, 14:25, 14:26,  
14:33 to 14:35, 14:37, 15:22,  
16:4, 16:6, 17:4, 17:8, 17:23,  
17:24, 17:28, 17:31, 17:35 to  
17:38, 17:41, 17:42, 17:60,  
17:85, 17:87, 17:94, 17:96

Illinois, 1:30, 1:34, 5:7, 5:20, 5A:32,  
5A:36, 8:33, 8:50, 8:58, 9:8,  
9:29, 9:30, 9:34, 9:35, 9:38,  
9:39, 9:42, 9:50, 10:5, 10:6,  
10:15, 10:22, 10:47, 11:39,  
14:24, 14:26, 14:32 to 14:34,  
14:37, 16:4, 16:6, 17:8, 17:14,  
17:20 to 17:24, 17:62, 17:87

Restrictive Covenants, 8:49, 8:50,  
8:53, 8:57, 17:23, 17:41

**INTERNATIONAL TRADE  
COMMISSION**

United States, 17:69

**INTERNET**

Access, 7:49, 14:33, 17:14  
Authority, 3:86, 5:24, 10:55, 17:15  
California, 5A:41, 10:55, 14:32,  
14:33, 17:14  
Competition, 3:30, 6:2, 7:49, 10:55,  
11:22, 14:33, 17:41  
Contributions, 17:40  
Copyright, 7:49  
Customers, 3:11, 3:30, 5:24, 6:2,  
7:28, 8:59, 9:32, 10:55, 11:22,  
14:33, 17:14, 17:40, 17:41  
Defamation, 17:67  
Development, 8:59, 14:33, 17:14,  
17:40, 17:52  
Evidence, 3:86, 5:24, 7:49, 8:59,  
9:32, 10:55, 11:22, 14:32,  
14:33, 17:14, 17:40, 17:41,  
17:52, 17:53, 17:67  
First Amendment, 7:53, 17:53



## INDEX

### INTERNET—Cont'd

Franchise, 3:11, 3:12, 3:30, 3:86,  
5:24, 5A:6, 5A:22, 5A:41, 6:2,  
7:49, 7:53, 8:59, 9:32, 10:55,  
11:22, 14:32, 14:33, 17:14,  
17:15, 17:40, 17:41, 17:52,  
17:53, 17:67  
Options, 9:32  
Privacy, 3:12, 17:53  
Providers, 7:28, 17:52  
Speech, 17:53  
Statutes, 5A:6, 8:59, 9:32, 10:55,  
14:32, 14:33, 17:14, 17:15,  
17:40  
Tax, 8:59, 9:32, 14:32, 17:67  
Technology, 5:24  
Trademarks, 3:11, 3:12, 3:86, 5:24,  
7:20, 7:28, 7:49, 7:53, 8:59,  
17:14, 17:41  
Websites, 17:14

### INTERPRETATION

Construction and Interpretation, 3:88,  
4:17

### INTERROGATORIES

Limitations of, 17:54  
Number, 3:44, 17:52, 17:54, 17:55,  
17:98  
Objections, 17:52, 17:54, 17:60  
Responses, 3:44, 17:52, 17:57, 17:98

### INTERVIEWS

Evidence, 8:62, 17:64

### IRREPARABLE HARM

Preliminary injunctions, 8:57, 17:39  
to 17:41, 17:43

### IRS

Internal Revenue Service, 12:7

### ITALY

Litigation, 17:10  
Review, 17:10  
Statutes, 17:10

### JAPAN

Damages, 17:80  
Litigation, 17:80  
Statutes, 17:80

### JUDICIAL REVIEW

Appeal, 3:65, 17:81, 17:94  
District Court, 3:65, 14:37, 17:9,  
17:71, 17:94  
Parties, 3:65, 14:37, 17:8, 17:9,  
17:81, 17:94  
Requirements, 14:37, 17:9, 17:81  
Scope of review, 17:81, 17:94  
Subject matter, 17:8, 17:9, 17:71,  
17:94

### JURISDICTION

California, 5:15, 5:25, 5:38, 5A:31,  
8:58, 10:27, 10:48, 12:8, 14:24,  
14:26, 14:32, 14:36, 14:37,  
16:6, 17:3, 17:4, 17:10, 17:14,  
17:17, 17:19 to 17:21, 17:23,  
17:24, 17:28, 17:32, 17:69 to  
17:71, 17:81 to 17:83, 17:85,  
17:86, 17:88  
Federal question, 14:37, 15:2, 17:3,  
17:5, 17:6, 17:16, 17:81  
New York, 3:86, 3:88, 3:89, 3:91 to  
3:93, 4:17, 5:30, 8:57, 8:58,  
9:4, 10:48, 12:8, 14:24, 14:26,  
14:32, 14:36, 16:6, 17:9, 17:10,  
17:14, 17:16, 17:17, 17:20,  
17:23, 17:24, 17:28, 17:44,  
17:85  
United States, 3:62, 3:92, 3:93, 5:29,  
7:56, 9:32, 10:45, 12:8, 14:32,  
17:3, 17:5, 17:7, 17:10, 17:15,  
17:16, 17:44, 17:69, 17:81,  
17:94, 17:96

### KANSAS

Uniform Trade Secrets Act, 7:50

### KNOW-HOW

China, 3:93  
United States, 3:92, 3:93, 8:50

### KNOWLEDGE

Restrictive covenants, 8:53, 17:41

### KOREA

Courts, 17:19  
Statutes, 17:19

### LANHAM ACT

Litigation, 7:21, 7:45, 7:46, 17:19,  
17:41

## **LEGITIMATE INTEREST**

Restrictive Covenants, 8:49, 8:53

## **LICENSES**

Acceptance, 3:87, 3:88  
 Allegations, 11:23  
 Antitrust, 1:6, 3:10, 11:23, 11:26  
 Arbitration, 3:87 to 3:89, 3:91  
 California, 6:4, 9:44  
 Canada, 3:93  
 Confidentiality, 3:88, 3:93  
 Construction and interpretation, 3:88  
 Consultant, 2:15, 3:88  
 Copyright, 3:87, 3:93, 7:2  
 Definitions, 1:2, 3:93  
 Delivery, 1:2, 3:87, 3:89, 3:93, 14:25  
 Enforcement, 1:6, 3:87 to 3:89, 7:5  
 Federal Trade Commission, 1:6, 5A:10, 5A:13  
 Fees, 2:12, 3:1, 3:10, 3:38, 3:50, 3:87 to 3:89, 3:91, 3:93, 6:4, 9:44, 11:26  
 FTC, 1:6, 6:4  
 Indemnification, 3:87 to 3:89, 3:91, 3:93  
 Infringement, 3:87, 3:88, 3:93, 7:2  
 Insurance, 2:12, 3:87 to 3:89, 3:93, 6:4  
 Jurisdiction, 1:2, 3:87 to 3:89, 3:91, 3:93  
 Know-how licenses, 1:20  
 Language, 3:6, 3:89, 3:91, 14:25  
 Leases, 3:89  
 Litigation, 3:87, 3:88, 3:93, 13:19  
 Maintenance, 3:10, 3:87, 3:93, 6:4, 9:44, 14:25  
 Mexico, 3:93  
 Modification, 3:88, 3:93  
 Modifications, 3:87, 3:88, 3:93, 6:4  
 Music, 3:87, 7:2  
 Negotiations, 3:88  
 Parties, 1:6, 3:1, 3:6, 3:19, 3:50, 3:87 to 3:89, 3:91, 3:93, 6:4, 8:1, 9:44, 11:23, 13:19  
 Patents, 3:10  
 Payment of fees, 3:38  
 Petition, 3:87, 3:88, 3:91  
 Promises, 3:87 to 3:89, 3:91, 3:93, 6:4

## **LICENSES—Cont'd**

Purpose, 3:6, 3:87 to 3:89, 3:91, 3:93, 6:4, 7:2, 9:44, 13:19  
 Restrictions, 2:15, 3:10, 3:50, 3:87 to 3:89, 3:93, 6:4  
 Rule of reason, 11:23  
 Source code, 3:93  
 Subject matter, 3:87, 3:88, 3:91  
 Support, 1:2, 3:93, 6:4, 9:44, 11:26, 14:25  
 Taxation, 1:6  
 Termination, 1:6, 3:6, 3:50, 3:87 to 3:89, 3:91, 3:93, 8:1, 13:19, 14:25  
 Unfair trade practices, 1:6, 6:4  
 Uniform Commercial Code, 3:89  
 United States, 3:93, 11:23  
 Validity, 3:87, 3:88, 3:93  
 Warranties, 3:19, 3:87, 3:93, 9:44, 14:25

## **LICENSING**

Acceptance, 3:87  
 Allegations, 7:47, 8:59, 9:8, 9:12, 17:26  
 Antitrust, 3:10, 10:55  
 Arbitration, 3:87, 3:89, 3:91, 8:3, 9:8, 14:37, 16:6  
 Arbitration clause, 8:3  
 California, 6:4, 8:3, 10:6, 10:33, 10:55, 12:8, 14:37, 16:6, 17:26  
 Confidentiality, 3:44  
 Contract language, 10:55  
 Copyright, 3:87, 7:36, 12:8  
 Definitions, 10:6, 15:4  
 Delivery, 3:87, 3:89, 5:17, 8:3, 9:41, 10:55, 14:21, 14:25, 16:6  
 Enforcement, 3:87, 3:89, 7:5, 7:47, 8:23, 14:37  
 Federal Trade Commission, 7:4  
 Fees, 2:4, 3:10, 3:44, 3:87, 3:89, 3:91, 5:19, 6:4, 7:47, 8:59, 10:6, 12:2, 12:8, 16:6, 17:26  
 FTC, 5:11, 6:4, 7:4, 10:6, 10:55, 14:21, 17:26  
 Indemnification, 3:87, 3:89, 3:91  
 Infringement, 2:4, 3:87, 7:4, 7:17, 7:24, 7:36, 7:47

## INDEX

### LICENSING—Cont'd

Insurance, 2:4, 3:87, 3:89, 6:4, 8:59, 9:8, 9:41, 10:6  
Internet, 8:59, 10:55  
Jurisdiction, 3:87, 3:89, 3:91, 5:11, 5:17, 5:19, 7:47, 12:8, 14:37, 16:6  
Kansas, 14:37, 16:6  
Know-how licenses, 1:20  
Language, 3:89, 3:91, 7:4, 7:47, 8:59, 10:55, 14:25, 14:28, 15:4, 16:6  
Leases, 3:89, 8:59, 9:41, 15:4  
Litigation, 2:4, 3:87, 8:3, 9:12, 14:37, 17:26  
Maintenance, 3:10, 3:26, 3:87, 6:4, 14:25, 14:28, 15:4, 16:6  
Merger clause, 9:8  
Mexico, 7:47, 12:8, 14:28, 16:6  
Modification, 14:28, 14:37, 16:6  
Modifications, 3:87, 6:4  
Negotiations, 8:23, 9:12, 17:26  
Parties, 2:4, 3:87, 3:89, 3:91, 5:11, 5:19, 6:4, 7:4, 7:17, 7:24, 7:36, 7:47, 8:3, 8:23, 8:59, 9:8, 9:41, 10:3, 10:6, 10:55, 12:2, 14:22, 14:28, 14:37, 15:4, 16:6, 17:26  
Patent law, 7:36  
Patents, 1:8, 2:4, 3:10, 7:4  
Petition, 3:87, 3:91, 16:6  
Promises, 2:4, 3:87, 3:89, 3:91, 6:4, 8:23, 9:8  
Purpose, 3:87, 3:89, 3:91, 5:17, 6:4, 7:47, 8:3, 14:22, 14:37, 16:6  
Restrictions, 1:8, 3:10, 3:87, 3:89, 6:4, 8:59, 16:6  
Subject matter, 3:87, 3:91, 12:2  
Support, 2:4, 3:26, 6:4, 7:17, 7:36, 8:23, 8:59, 9:8, 9:41, 10:55, 12:8, 14:25, 14:28, 16:6, 17:26  
Taxation, 12:8  
Termination, 1:8, 3:44, 3:87, 3:89, 3:91, 7:4, 7:17, 7:36, 7:47, 8:3, 8:23, 8:59, 10:3, 10:6, 10:33, 10:55, 14:21, 14:22, 14:25, 14:28, 14:37, 15:4, 16:6  
Unfair trade practices, 6:4, 17:26  
Uniform Commercial Code, 3:89, 8:3, 16:6

### LICENSING—Cont'd

United States, 1:8, 7:17, 7:24, 10:3, 12:8  
Validity, 3:87, 7:4, 8:59  
Warranties, 3:87, 14:25, 16:6

### LIKELIHOOD OF CONFUSION

Actual confusion, 7:25, 7:29, 7:31, 7:32, 7:46  
Affiliation, 7:25, 7:37, 7:41, 17:97  
Appeal, 7:18, 7:25  
Appearance, 7:7, 7:12, 7:15, 7:29  
Call to mind, 7:44  
Cease and desist, 7:6  
Channels of trade, 7:28, 7:43  
Common law, 7:34, 7:44, 7:49  
Confusingly similar, 7:6, 7:12, 7:27, 7:29, 7:43, 7:45  
Context, 7:15, 7:35, 7:45  
Copying, 7:31, 7:49  
Customer confusion, 7:18, 7:25, 7:29, 7:32, 7:41  
Deception, 7:7, 7:25, 7:34, 7:37, 7:41, 7:43, 7:45, 7:54, 17:97  
Dilution, 7:43, 7:44  
Direct copying, 7:31  
Duty to avoid confusion, 7:31, 7:45  
Evidence, 7:6, 7:12, 7:15, 7:18, 7:25, 7:26, 7:29, 7:31, 7:32, 7:41, 7:45, 7:46, 7:49, 17:39  
Expert testimony, 7:6, 7:26, 7:45  
Fair use, 7:43  
Federal registration, 7:15, 7:18, 17:97  
Foreign words, 7:15  
Goods, 7:6, 7:7, 7:12, 7:15, 7:18, 7:20, 7:23, 7:25, 7:28, 7:31, 7:34, 7:37, 7:41, 7:43, 7:45, 17:97  
Gray market, 7:7  
Inference, 7:31, 7:32  
Infringement, 7:6, 7:7, 7:12, 7:15, 7:18, 7:23, 7:25 to 7:34, 7:37, 7:41, 7:43 to 7:46, 7:49, 7:54, 17:97  
Initial interest confusion, 7:25  
Intent, 7:18, 7:20, 7:25, 7:31, 7:43, 17:97

**LIKELIHOOD OF CONFUSION**

**—Cont'd**

Irreparable injury, 7:35, 7:45, 7:46, 17:39, 17:97  
 Knowledge, 7:18, 7:28, 7:34, 7:45, 7:46, 17:97  
 Label, 7:37, 7:49  
 Lanham Act, 7:6, 7:7, 7:12, 7:18, 7:20, 7:23, 7:25, 7:26, 7:34, 7:37, 7:41, 7:43, 7:45, 7:46  
 Lettering, 7:7  
 Necessity, 7:34  
 Overall impression, 7:12, 7:29  
 Palming off, 7:6, 7:12, 7:37  
 Precedent, 7:12  
 Preliminary injunctions, 17:39  
 Presumption, 7:6, 7:7, 7:18, 7:25, 7:32, 7:45, 7:49  
 Presumptions, 7:18  
 Public interest, 7:45, 7:46, 17:39  
 Questions, 7:45  
 Secondary meaning, 7:12, 7:15, 7:26, 7:27, 7:29, 7:31, 7:41, 7:44, 7:45, 7:49  
 Senior user, 7:20, 7:45  
 Services, 7:6, 7:15, 7:18, 7:20, 7:23, 7:25 to 7:29, 7:33, 7:34, 7:37, 7:41, 7:43, 7:45, 17:97  
 Similarity, 7:25 to 7:31, 7:33, 7:34, 7:43, 7:44, 7:49  
 Stronger marks, 7:29  
 Summary judgment, 7:25, 7:32  
 Supplemental Register, 7:18  
 Supreme Court, 7:12  
 Survey evidence, 7:32  
 Trade dress, 7:7, 7:12, 7:15, 7:37, 7:45, 17:97  
 Unfair competition, 7:6, 7:7, 7:12, 7:15, 7:27, 7:35, 7:37, 7:41, 7:43 to 7:46, 7:49, 17:97  
 Validity, 7:6, 7:18, 7:34, 7:45

**LIKELIHOOD OF SUCCESS**

Preliminary injunctions, 8:57, 17:39, 17:40, 17:43

**LIST**

Customer Lists, 3:89, 7:40, 7:50, 8:34  
 Customer lists, 3:89, 7:40, 7:50, 8:34

**LIST—Cont'd**

Theft of trade secrets, 7:40  
 Uniform Trade Secrets Act, 7:50

**LITIGATION**

Amendments, 3:88, 14:32, 17:25, 17:68, 17:83, 17:99  
 Belgium, 16:4  
 Canada, 3:93, 17:20, 17:22  
 China, 3:93  
 Court records, 17:52  
 Disclosure, 1:7, 2:4, 3:87, 3:88, 3:93, 5A:5, 5A:23, 5A:29, 5A:39, 5A:46, 7:3, 7:45, 7:53, 8:38, 8:46, 9:11, 9:12, 9:30, 9:32, 10:47, 17:1, 17:9, 17:12, 17:13, 17:17, 17:21 to 17:25, 17:41, 17:43, 17:45, 17:48, 17:50, 17:52, 17:54, 17:57, 17:62, 17:64, 17:66, 17:71, 17:87, 17:97, 17:100, 17:105  
 Discovery, 3:68, 5A:46, 7:3, 7:53, 9:32, 10:47, 10:48, 13:19, 17:2, 17:4, 17:7, 17:13, 17:25, 17:27, 17:32, 17:36 to 17:38, 17:45 to 17:47, 17:52 to 17:58, 17:60, 17:62, 17:65 to 17:67, 17:72, 17:85, 17:92, 17:93, 17:98 to 17:100  
 Expert testimony, 7:45, 11:4, 17:37, 17:40, 17:50, 17:61, 17:64, 17:71  
 Federal question jurisdiction, 14:37, 17:3, 17:5, 17:6, 17:81  
 Fees, 2:4, 3:68, 3:87, 3:88, 3:93, 4:11, 5A:5, 5A:23, 5A:29, 5A:39, 5A:46, 8:37, 8:46, 8:57, 9:29 to 9:32, 10:12, 10:13, 10:47, 10:48, 10:58, 13:36, 14:32, 14:36, 15:21, 16:4, 17:1, 17:3, 17:4, 17:6, 17:14, 17:18 to 17:22, 17:24 to 17:27, 17:34, 17:36, 17:38, 17:40, 17:42, 17:43, 17:48, 17:53, 17:54, 17:56, 17:57, 17:67, 17:69, 17:70, 17:72, 17:77, 17:84, 17:85, 17:87, 17:93, 17:94, 17:96, 17:97  
 Identification, 3:88, 3:93, 7:3, 17:52, 17:55, 17:98  
 Italy, 17:10

## INDEX

### LITIGATION—Cont'd

Japan, 17:80  
Jurisdiction, 3:62, 3:87, 3:88, 3:93,  
4:11, 8:57, 9:32, 10:12, 10:13,  
10:48, 13:36, 14:32, 14:36,  
14:37, 15:18, 17:2 to 17:25,  
17:28, 17:32, 17:43 to 17:45,  
17:69 to 17:71, 17:79, 17:81 to  
17:83, 17:85 to 17:88, 17:92,  
17:94, 17:96  
Jury instructions, 17:6, 17:60, 17:67,  
17:95, 17:107  
Jury trial, 14:37, 15:18, 17:11, 17:59,  
17:60, 17:68, 17:80, 17:85  
Lanham Act, 7:21, 7:45, 7:46, 17:19,  
17:41  
Long-arm jurisdiction, 17:16  
Mexico, 3:93, 9:37, 14:32, 14:36,  
16:4, 17:24  
Orders, 2:17, 3:87, 3:88, 5A:23,  
10:13, 17:6, 17:8, 17:13, 17:39,  
17:43, 17:48, 17:52, 17:56,  
17:57, 17:96, 17:97  
Pleadings, 1:7, 9:32, 17:2, 17:6,  
17:19, 17:25, 17:26, 17:28,  
17:32, 17:45, 17:46, 17:52,  
17:57, 17:60, 17:69, 17:95  
Privilege, 3:88, 3:93, 9:37, 17:14,  
17:15, 17:53, 17:62, 17:85  
Remedies, 3:68, 3:87, 3:88, 3:93,  
8:37, 8:57, 9:37, 14:32, 14:36,  
14:37, 16:4, 17:22, 17:39 to  
17:44, 17:70, 17:71, 17:85,  
17:87  
Statutes, 3:62, 5A:39, 5A:46, 7:46,  
9:11, 9:12, 9:30, 9:32, 10:1,  
10:13, 10:28, 10:42, 10:47,  
10:48, 10:58, 13:19, 14:32,  
14:36, 14:37, 15:21, 16:4, 17:3,  
17:5 to 17:10, 17:13 to 17:26,  
17:32, 17:39, 17:40, 17:43,  
17:44, 17:51, 17:60, 17:70,  
17:71, 17:80 to 17:82, 17:84,  
17:87, 17:103  
Strategies, 7:45, 17:41  
Trial, 1:7, 3:68, 3:93, 7:45, 8:57,  
9:12, 9:30, 10:47, 10:58, 14:37,  
15:18, 15:19, 16:4, 17:7, 17:11,  
17:19, 17:21, 17:25, 17:32,  
17:34, 17:37 to 17:41, 17:43,  
17:45, 17:46, 17:52 to 17:70,

### LITIGATION—Cont'd

17:72, 17:80 to 17:82, 17:85,  
17:92 to 17:94, 17:96  
Trial by jury, 17:11, 17:59, 17:60,  
17:68  
United Kingdom, 8:57, 17:24  
United States, 3:62, 3:93, 7:21, 9:32,  
9:37, 14:32, 16:4, 17:3, 17:5,  
17:7, 17:10, 17:15, 17:16,  
17:33, 17:40, 17:44, 17:53,  
17:63, 17:69, 17:81, 17:94,  
17:96, 17:97, 17:100  
Venue, 3:62, 3:88, 3:93, 7:45, 9:32,  
10:48, 15:19, 16:4, 17:6, 17:7,  
17:10, 17:13, 17:14, 17:16,  
17:19 to 17:24, 17:45, 17:70,  
17:82, 17:92, 17:94

### LOUISIANA

Criminal sanctions, 6:4  
Uniform Trade Secrets Act, 7:50

### MAIL FRAUD

Theft of trade secrets, 9:33

### MAINE

Uniform Trade Secrets Act, 7:52

### MAINTENANCE

Uniform Trade Secrets Act, 7:50

### MALPRACTICE

Damages, 17:60  
Evidence, 17:60  
Failure to advise, 2:1  
Fraud, 17:60  
Termination, 17:60

### MARYLAND

Common law, 8:49, 9:7, 9:14, 9:30,  
9:34, 9:38, 9:41, 10:19, 10:47,  
10:48, 14:32, 14:34, 16:6,  
17:14, 17:19, 17:22 to 17:24  
Remedies, 6:4, 8:25, 9:34, 10:4,  
14:32, 16:4, 16:6, 17:22, 17:85  
Restrictive covenants, 8:49, 17:23

### MASSACHUSETTS

Remedies, 5:18, 9:4, 9:34, 9:35,  
14:32, 16:4, 16:6, 17:22  
Restrictive covenants, 8:53, 9:4,  
17:23

**MASSACHUSETTS—Cont'd**

Statute, 1:30, 5:18, 8:19, 8:53, 9:4,  
9:34 to 9:36, 10:32, 14:18,  
14:22 to 14:25, 14:32 to 14:34,  
15:22, 16:4, 16:6, 17:4, 17:8,  
17:21 to 17:23, 17:34, 17:81,  
17:96

**MERGERS**

Assignment, 10:24, 16:4  
Authority, 10:24, 16:4  
Consideration, 14:17  
Contractual provisions, 10:11  
Control, 10:24, 16:4  
Definition, 16:4  
Deliveries, 16:4  
Fees, 16:4  
License, 16:4  
Notice, 10:24, 16:4  
Parties, 10:24, 16:4  
Remedies, 16:4

**MEXICO**

Expense, 3:93, 16:6  
Income, 3:93, 7:47, 9:34, 12:8  
Investment, 3:93, 9:34, 9:36, 12:8,  
14:28, 17:24  
Litigation, 3:93, 9:37, 14:32, 14:36,  
16:4, 17:24  
Remedies, 3:93, 7:47, 9:34, 9:37,  
14:32, 14:36, 16:4, 16:6  
Review, 3:93, 14:32, 16:4  
Statutes, 9:34, 9:36, 14:28, 14:32,  
14:36, 16:4, 16:6, 17:24  
Taxation, 12:8

**MICHIGAN**

Remedies, 5:24, 6:4, 7:6, 8:25, 8:37,  
9:4, 9:37, 10:4, 10:38, 14:26,  
14:32, 16:4, 16:6, 17:22  
Restrictive covenants, 9:4, 17:23

**MINNESOTA**

Restrictive covenants, 9:4, 10:56  
Uniform Trade Secrets Act, 7:50

**MISAPPROPRIATION**

Arbitration clauses, 17:87  
California, 7:44, 7:50, 8:32, 10:47  
Confidential relationship, 7:52, 8:34  
Defend Trade Secrets Act, 7:51

**MISAPPROPRIATION—Cont'd**

Disclosure, 7:50, 7:53, 10:47, 17:87  
Evidence, 7:49, 7:50, 7:52, 8:32,  
8:34, 8:59, 10:47, 17:87  
Illinois, 7:50, 10:47, 17:87  
Inevitable Disclosure Doctrine, 7:50  
Injunction, 7:44, 7:50, 7:52, 8:59,  
17:87  
Preemption, 7:49  
Punitive damages, 8:32  
Remedies, 7:50, 8:59, 17:87  
Royalties, 8:59  
Scope of protection, 7:36  
Sound recordings, 7:49  
Statute of limitations, 10:47  
Texas, 8:34  
Uniform Trade Secrets Act, 7:50 to  
7:52  
Use of information, 7:50

**MISSOURI**

Damages, 5:25, 5:27, 7:44, 8:6, 8:58,  
9:29, 9:38, 9:39, 10:16, 14:25,  
14:26, 14:33, 14:34, 16:4, 16:6,  
17:10  
Property, 5:25, 7:44, 9:29, 9:38,  
14:24, 14:32, 16:4, 16:6, 17:10  
Remedies, 10:27, 14:26, 14:32, 16:4,  
16:6

**MONOPOLIES**

Antitrust law, 11:7  
Conspiracy, 11:7  
Geographic market, 11:7  
Product market, 11:7  
Rule of Reason, 11:7  
Shared monopoly, 11:7

**MONTANA**

Restrictive covenants, 17:23

**MOTION PICTURES**

Copyright, 7:49  
Derivative works, 7:49  
Publication, 7:49  
Titles, 7:49  
Trademarks, 7:49

**MOTIONS**

Answers, 17:57

## INDEX

### MOTIONS—Cont'd

Decisions, 8:27, 14:6, 14:18, 17:12, 17:47, 17:52, 17:57  
Delays, 17:77, 17:92  
Deposition, 17:46, 17:48, 17:52, 17:57  
Discovery, 17:25, 17:45 to 17:47, 17:52, 17:57, 17:92  
Dispositive motions, 17:25, 17:45 to 17:51, 17:92  
Forms, 8:57  
Grant, 8:57, 14:18, 17:25, 17:39, 17:43, 17:45, 17:47, 17:48, 17:50, 17:68  
Interrogatories, 17:52, 17:57  
More definite statement, 17:45  
Objections, 17:52  
Pleadings, 14:18, 17:25, 17:45, 17:46, 17:52, 17:57  
Right to relief, 17:45  
Sanctions, 17:43, 17:52, 17:57  
Summary judgment, 8:27, 8:57, 14:6, 14:18, 17:25, 17:45 to 17:51, 17:57, 17:68, 17:92

### MUSIC

Access, 3:87  
Advertising, 3:87, 8:59  
Arrangements, 3:87  
Colorado, 3:87  
Copyright, 3:87, 7:2  
Delaware, 3:87  
Infringement, 3:87, 7:2, 7:33  
Licenses, 3:87, 7:2  
New York, 8:59  
Ownership, 3:87  
Packaging, 8:59  
Reproduction, 3:87  
Trademarks, 3:87, 7:2, 7:33, 8:59

### NEGOTIATIONS

Licensing, 8:23, 9:12, 17:26

### NEW JERSEY

Damages, 3:68, 3:85, 3:92, 5:27, 8:25, 8:29, 8:30, 8:32, 8:36, 8:37, 8:60, 8:61, 9:4, 9:29, 9:33, 9:34, 9:38, 9:41, 9:50, 9:51, 10:1, 10:13, 10:19, 10:23, 10:24, 10:38, 10:43, 10:48,

### NEW JERSEY—Cont'd

10:58, 11:39, 14:26, 14:33, 14:34, 16:4, 17:10, 17:23, 17:24, 17:40, 17:70  
Discovery, 3:68, 8:61, 9:16, 9:32, 9:34, 9:41, 10:48, 17:32  
Enforcement, 3:92, 8:9, 8:36, 8:49, 8:56, 8:61, 9:16, 9:34, 11:39, 14:33, 14:34, 17:20, 17:23, 17:24, 17:40, 17:70, 17:81  
Evidence, 1:30, 3:3, 3:61, 3:62, 3:92, 5:4, 5:7, 5:27, 5:29, 8:9, 8:10, 8:19, 8:29, 8:32, 8:37, 8:60, 8:61, 9:16, 9:29, 9:32, 9:34, 9:38, 9:41, 9:50, 9:51, 10:6, 10:7, 10:10, 10:13, 10:19, 10:23, 10:24, 10:27, 10:32, 10:58, 11:39, 14:26, 14:33, 14:34, 16:4, 17:14, 17:21, 17:24, 17:32, 17:40, 17:69  
Injunctions, 3:92, 17:40  
Penalties, 1:30, 9:29, 10:58  
Preliminary injunctions, 3:92, 17:40  
Protectable interest, 8:49  
Public policy, 3:62, 3:68, 8:32, 8:37, 8:49, 9:16, 9:34, 10:7, 10:38, 10:48, 17:20, 17:21, 17:23, 17:24  
Remedies, 3:68, 3:92, 8:25, 8:37, 8:60, 9:4, 9:34, 10:27, 10:38, 14:26, 16:4, 17:40, 17:70  
Restrictive covenants, 8:49, 9:4, 17:23  
Unfair competition, 9:34, 16:4

### NEW YORK

Actions, 3:89, 3:91 to 3:93, 5A:43, 5A:44, 5A:46, 7:36, 8:23, 8:34, 8:46, 8:59, 9:4, 9:15, 9:29, 9:34, 9:35, 9:38, 10:10, 14:26, 14:28, 16:4, 16:6, 17:9, 17:10, 17:16, 17:17, 17:20, 17:24, 17:85  
Actual harm, 9:29  
Advertising, 1:30, 3:86, 3:88, 3:89, 3:92, 3:93, 5:7, 5:30, 7:36, 7:39, 8:28, 8:46, 8:48, 8:59, 8:63, 9:8, 9:18, 9:34, 9:36, 10:10, 14:24, 14:25, 14:32, 14:33, 16:4, 16:6, 17:14, 17:26, 17:34



**NEW YORK—Cont'd**

Bonds, 8:34  
 Choice of law rules, 17:23, 17:24  
 Claims, 1:30, 3:86, 3:88, 3:92, 3:93, 4:4, 5:30, 5A:33, 5A:46, 5A:48, 7:36, 7:39, 8:4, 8:22, 8:23, 8:28, 8:34, 8:46, 8:53, 8:57, 8:59, 8:60, 8:63, 8:64, 9:4, 9:8, 9:11, 9:14 to 9:18, 9:20, 9:29, 9:30, 9:33 to 9:37, 10:10, 10:47, 10:48, 14:28, 14:30, 14:33, 14:34, 14:36, 16:4, 16:6, 17:9, 17:10, 17:14, 17:16, 17:17, 17:20, 17:23, 17:24, 17:26, 17:28, 17:34, 17:54, 17:85, 17:91  
 Construction and interpretation, 3:88, 4:17  
 Consumers, 7:36, 8:59, 9:34, 9:35, 9:38, 10:7, 14:25, 14:33, 14:34, 17:26, 17:34  
 Contract construction, 8:33  
 Damages, 3:86, 3:88, 3:89, 3:92, 3:93, 5:30, 5A:25, 5A:46, 7:36, 7:39, 7:44, 8:23, 8:28, 8:35, 8:37, 8:57 to 8:60, 8:63, 8:64, 9:4, 9:11, 9:14, 9:29, 9:30, 9:33 to 9:38, 10:15, 10:47, 10:48, 14:25, 14:26, 14:30, 14:33, 14:34, 14:36, 16:4, 16:6, 17:10, 17:23, 17:24, 17:28, 17:34, 17:54, 17:85, 17:91  
 Deceptive acts or practices, 9:30, 9:34 to 9:36, 10:47  
 Definitions, 1:34, 3:93, 14:24, 14:33, 17:54, 17:98  
 Discovery, 5:30, 5A:46, 9:15, 9:16, 9:34, 10:47, 10:48, 17:54, 17:85, 17:98  
 Disparagement, 7:36, 7:39, 16:4  
 Enforcement, 3:88, 3:89, 3:92, 4:17, 5A:25, 5A:43, 5A:44, 5A:46, 5A:48, 8:22, 8:23, 8:53, 8:56 to 8:58, 9:11, 9:15, 9:16, 9:34, 9:36, 9:37, 10:15, 14:33, 14:34, 17:9, 17:20, 17:23, 17:24, 17:44, 17:85, 17:91  
 Evidence, 1:30, 3:86, 3:89, 3:92, 5:3, 5:7, 5A:44, 5A:46, 8:4, 8:22, 8:23, 8:28, 8:33, 8:34, 8:37, 8:48, 8:53, 8:57, 8:59, 8:60,

**NEW YORK—Cont'd**

8:63, 8:64, 9:8, 9:11, 9:14 to 9:17, 9:29, 9:30, 9:34 to 9:38, 10:7, 10:10, 10:15, 10:47, 11:3, 11:9, 14:24 to 14:26, 14:28, 14:32 to 14:34, 16:4, 16:6, 17:14, 17:17, 17:24, 17:26, 17:28, 17:34, 17:44, 17:54, 17:85, 17:91  
 False advertising, 7:36, 9:34, 17:26  
 Injunctions, 3:92, 8:57, 17:85  
 Jurisdiction, 3:86, 3:88, 3:89, 3:91 to 3:93, 4:17, 5:30, 8:57, 8:58, 9:4, 10:48, 12:8, 14:24, 14:26, 14:32, 14:36, 16:6, 17:9, 17:10, 17:14, 17:16, 17:17, 17:20, 17:23, 17:24, 17:28, 17:44, 17:85  
 Materiality, 8:59, 9:15, 9:16, 9:30, 10:47, 10:48  
 Notice, 1:30, 3:86, 3:88, 3:89, 3:91 to 3:93, 4:4, 4:17, 4:19, 5A:27, 5A:29, 5A:33, 5A:43, 5A:44, 5A:46, 5A:48, 8:33, 8:57 to 8:59, 9:14, 9:15, 9:29, 9:34, 9:36, 9:37, 10:7, 10:15, 14:24, 14:26, 14:28, 14:32 to 14:34, 14:36, 16:4, 16:6, 17:10, 17:14, 17:85  
 Omissions, 3:92, 3:93, 5A:46, 9:8, 9:11, 9:29, 9:30, 10:47, 10:48, 17:26  
 Pleadings, 8:60, 17:26, 17:28  
 Preliminary injunctions, 3:92, 8:57  
 Product disparagement, 7:36, 7:39, 16:4  
 Public policy, 3:89, 8:37, 8:46, 8:58, 9:16, 9:34 to 9:36, 10:7, 10:48, 17:20, 17:23, 17:24, 17:91  
 Puffery, 9:8, 9:14, 9:20, 9:30  
 Remedies, 3:88, 3:89, 3:91 to 3:93, 8:37, 8:57, 8:59, 8:60, 9:4, 9:34, 9:35, 9:37, 14:26, 14:30, 14:32, 14:36, 16:4, 16:6, 17:44, 17:85  
 Restitution, 8:60  
 Restrictive covenants, 8:53, 8:57, 9:4, 17:23  
 Services, 1:30, 3:86, 3:88, 3:89, 3:91 to 3:93, 5:3, 5:7, 5:30, 5A:25,

## INDEX

### NEW YORK—Cont'd

7:36, 7:39, 8:22, 8:28, 8:34,  
8:53, 8:56, 8:57, 8:59, 9:4, 9:8,  
9:11, 9:33 to 9:36, 10:7, 10:10,  
11:9, 12:8, 14:24, 14:32, 14:33,  
16:6, 17:14, 17:91

Statutes, 1:34, 5:7, 5A:27, 5A:28,  
5A:43, 5A:44, 5A:46, 5A:48,  
7:44, 8:22, 8:59, 9:11, 9:15,  
9:17, 9:30, 9:33, 9:34, 9:36,  
10:5, 10:47, 10:48, 14:22, 14:24  
to 14:26, 14:28, 14:30, 14:32 to  
14:34, 14:36, 16:4, 16:6, 17:9,  
17:10, 17:14, 17:16, 17:17,  
17:20, 17:23, 17:24, 17:26,  
17:44

Trial, 3:93, 8:28, 8:56, 8:57, 8:59,  
8:63, 9:8, 9:17, 9:30, 10:15,  
10:47, 14:25, 14:28, 14:30,  
16:4, 17:34, 17:54, 17:85

Unfair Competition Law, 7:36, 9:34  
to 9:36, 17:26

Unfair competition, 3:88, 4:4, 7:36,  
7:39, 7:44, 8:53, 8:58, 9:34 to  
9:36, 16:4, 17:17, 17:26

### NONCOMPETITION

Mexico, 16:6

Restrictive covenants, 8:53, 8:57

United States, 8:52

### NONDISCLOSURE

Forms, 3:88, 7:45

Mexico, 9:36

### NORTH CAROLINA

Restrictive covenants, 8:57, 9:4,  
17:23

### NOVELTY

California, 17:70

### OHIO

Definitions, 14:24, 14:33

Employment contracts, 10:15

Evidence, 3:65, 3:87, 6:4, 7:50, 8:5,  
8:39, 8:54, 8:62, 9:37, 9:38,  
10:15, 10:23, 14:24, 14:26,  
14:28, 14:32 to 14:34, 16:4,  
16:6, 17:14, 17:19, 17:24, 17:45

Remedies, 3:65, 3:71, 3:87, 6:4,  
7:50, 9:37, 14:26, 14:32, 16:4,  
16:6

### OHIO—Cont'd

Restrictive covenants, 17:23

Secrecy, 7:50

Statutory definitions, 14:24

### OKLAHOMA

Remedies, 6:4, 9:34, 9:37, 16:4, 16:6

Restrictive covenants, 17:23

### ORAL AGREEMENTS

Employees, 16:6, 17:25

### ORDERS

Appeal, 1:30, 17:43

Preliminary injunctions, 3:87, 3:92,  
17:39, 17:43

Restraining orders, 3:87, 3:92, 17:39

Sanctions, 5:24, 6:3, 6:4, 14:10,  
14:33, 17:43, 17:52, 17:57

Temporary restraining orders, 17:39

Venue, 3:88, 17:6, 17:13

### OREGON

Evidence, 1:30, 5:8, 8:23, 9:30,  
10:23, 10:47, 14:26, 14:28,  
16:4, 16:6

Remedies, 14:26, 14:36, 16:4, 16:6

### OWNERSHIP

Appeal, 3:93, 7:18, 16:4

Assets, 3:45, 3:87 to 3:89, 3:91 to  
3:93, 5A:27, 14:32, 16:4, 16:6

Assignments, 3:50, 3:87 to 3:89,  
3:92, 3:93, 7:21, 9:49

Bankruptcy, 3:85 to 3:89, 3:91 to  
3:93, 10:43, 13:24, 14:1, 16:4,  
16:6

Common law, 3:50, 7:34, 8:2, 10:42,  
14:32, 14:34, 16:6, 17:14

Competition, 3:87, 3:88, 3:92, 7:6,  
7:24, 8:20, 11:39, 14:34, 16:4,  
16:6

Copyright, 3:87, 3:92, 3:93, 7:34,  
11:39, 17:28

Distribution, 1:3, 1:23, 1:24, 3:4,  
3:13, 3:41, 3:45, 3:50, 3:51,  
3:54, 3:57, 3:80, 3:85 to 3:89,  
3:91 to 3:93, 5:8, 5:12, 7:6,  
7:17, 7:34, 8:20, 11:39, 14:1,  
14:6, 14:14, 15:4, 16:4, 16:6,  
17:14, 17:15

Due diligence, 10:42

**OWNERSHIP—Cont'd**

Employment, 1:3, 3:85, 3:87 to 3:89, 3:92, 3:93, 7:31, 9:42, 9:49, 10:32, 10:42, 14:14, 14:34, 17:14, 17:15

Evidence, 3:86, 3:87, 3:89, 3:92, 5:8, 7:6, 7:17, 7:18, 7:21, 7:31, 8:2, 8:20, 9:42, 9:46, 9:49, 10:23, 10:32, 10:42, 11:39, 14:6, 14:28, 14:32, 14:34, 15:4, 16:4, 16:6, 17:4, 17:14, 17:28

Exemptions, 5A:15, 5A:27

Franchise, 1:3, 1:23, 1:24, 1:26, 1:27, 3:4, 3:13, 3:41, 3:45, 3:50, 3:51, 3:54, 3:57, 3:80, 3:85 to 3:89, 3:91 to 3:93, 4:3, 5:8, 5:12, 5A:15, 5A:27, 7:6, 7:18, 7:21, 7:24, 7:31, 7:34, 8:2, 8:20, 9:42, 9:46, 9:49, 10:23, 10:32, 10:42 to 10:44, 11:39, 12:6, 13:24, 14:1, 14:6, 14:14, 14:16, 14:28, 14:30, 14:32, 14:34, 14:35, 15:4, 16:4, 16:6, 17:4, 17:12, 17:14, 17:15, 17:28

Joint ownership, 3:89

Licenses, 3:50, 3:87 to 3:89, 3:91, 3:93

Media, 3:87, 3:88, 3:92, 3:93

Networks, 3:93

Newspapers, 7:17

Representations and warranties, 3:93

Skills, 3:88, 3:92, 10:42, 13:24

State laws, 3:4, 3:89, 5:12, 8:2, 14:1, 14:28, 14:30, 14:32, 14:34, 14:35

Termination, 1:24, 3:41, 3:45, 3:50, 3:85 to 3:89, 3:91 to 3:93, 5:8, 7:6, 7:17, 7:21, 7:31, 7:34, 8:2, 8:20, 9:49, 10:23, 10:32, 10:42 to 10:44, 14:1, 14:6, 14:14, 14:28, 14:30, 14:32, 14:34, 14:35, 15:4, 16:4, 16:6, 17:4, 17:14, 17:15

Trade secrets, 3:13, 3:87 to 3:89, 3:92, 3:93, 5:8, 10:43, 17:14, 17:15

Transfer of ownership, 3:57, 10:43, 14:28, 16:4

Validity, 3:13, 3:80, 3:85, 3:87, 3:88, 3:93, 7:6, 7:18, 7:34, 8:2, 17:28

**OWNERSHIP—Cont'd**

Verification, 16:4

**PARTIES**

Depositions, 17:46, 17:52, 17:53, 17:63, 17:92, 17:100

Discovery, 3:65, 3:68, 5:15, 5:20, 5:38, 5A:46, 7:3, 7:20, 7:47, 8:61, 9:15, 9:16, 9:32, 9:34, 9:41, 10:14, 10:47, 10:48, 13:19, 17:2, 17:4, 17:7, 17:13, 17:25, 17:27, 17:32, 17:36 to 17:38, 17:45 to 17:47, 17:52 to 17:54, 17:57, 17:58, 17:60, 17:62, 17:66, 17:67, 17:72, 17:85, 17:92, 17:93, 17:98, 17:100

Equitable estoppel, 8:20, 8:21, 8:23, 17:76, 17:89

Indispensable parties, 17:28

Infringement, 2:4, 3:13, 3:39, 3:85, 3:87, 3:88, 3:92, 3:93, 4:11, 7:3, 7:4, 7:15, 7:17, 7:24 to 7:26, 7:28, 7:29, 7:32, 7:36, 7:37, 7:44, 7:46, 7:47, 7:56, 8:21, 8:60, 9:1, 10:8, 10:19, 10:20, 10:38, 17:1, 17:4, 17:6, 17:8, 17:12, 17:14, 17:17, 17:19, 17:21, 17:42, 17:43, 17:69, 17:85, 17:97

Injunctions, 3:87, 3:92, 7:35, 7:46, 7:47, 8:57, 17:39, 17:40, 17:43, 17:85

Intervention, 17:6, 17:7, 17:30

Joinder, 17:4, 17:6, 17:7, 17:24, 17:28, 17:29, 17:33, 17:52

Necessary parties, 17:28

Pleadings, 8:60, 9:28, 9:32, 17:2, 17:6, 17:19, 17:25, 17:26, 17:28, 17:32, 17:45, 17:46, 17:52, 17:57, 17:60, 17:69, 17:95

Removal, 9:36, 10:45, 15:5, 17:4, 17:6, 17:9, 17:10, 17:92

Transfer, 3:1, 3:4, 3:45, 3:50, 3:87 to 3:89, 3:92, 3:93, 4:4, 4:5, 4:11, 5:3, 5:15, 5:20, 5:21, 5:24, 5:39, 8:2, 8:7, 8:15, 8:16, 8:28, 8:37, 8:57 to 8:59, 9:3, 9:8, 9:16, 9:35, 9:37 to 9:39, 10:1, 10:42, 10:45, 10:47, 10:48,

## INDEX

### **PARTIES—Cont'd**

12:2, 13:3, 14:1, 14:28, 14:32,  
14:33, 14:36, 14:37, 15:5, 15:7,  
15:22, 16:4, 16:6, 17:10, 17:14,  
17:19 to 17:21, 17:25, 17:39,  
17:40, 17:43, 17:48, 17:50,  
17:67, 17:69, 17:81, 17:87,  
17:91, 17:92  
United States, 1:1, 3:62, 3:85, 3:92,  
3:93, 5:29, 7:14, 7:17, 7:20,  
7:24, 7:56, 8:4, 8:52, 8:56,  
9:32, 9:37, 10:3, 10:4, 10:45,  
10:51, 11:23, 14:1, 14:31,  
14:32, 16:4, 17:3, 17:7, 17:10,  
17:33, 17:40, 17:44, 17:53,  
17:63, 17:69, 17:81, 17:94,  
17:97, 17:100

### **PATENTS**

Abandonment, 7:4  
Affidavits, 7:4  
Agents, 1:8  
Capacity, 2:4, 17:6  
Claims, 2:4, 7:4, 9:5, 17:6  
Competition, 2:4, 7:1, 7:13  
Cost, 1:8, 2:4, 7:13, 9:5  
Damages, 7:48, 9:5, 17:6  
Disclosure, 2:4, 7:4  
Dismissal, 17:6  
Diversity jurisdiction, 17:6  
Evidence, 9:5, 17:6  
Federal question jurisdiction, 17:6  
Forms, 7:13  
Good faith, 3:10  
Identification, 7:1, 7:13  
Infringement, 2:4, 7:4, 7:48, 17:6  
Insurance, 2:4  
Intellectual property, 7:1, 7:4, 7:13,  
7:48  
Jurisdiction, 17:6  
Materiality, 9:5  
Motion, 3:10, 9:5, 17:6  
Novelty, 7:48  
Orders, 17:6  
Parties, 2:4, 7:4, 17:6  
Patent and Trademark Office, 7:4,  
7:48  
Performance, 2:4, 3:10, 7:13  
Pleadings, 9:5, 17:6

### **PATENTS—Cont'd**

Profits, 9:5  
Public, 1:8, 7:13, 9:5  
Reasonable royalty, 7:48  
Registration, 2:4, 3:10, 7:4, 7:13  
Revenues, 17:6  
Sales, 2:4, 3:10, 9:5  
Specifications, 2:4, 3:10  
Subject matter, 17:6  
Summary judgment, 3:10  
Suppliers, 2:4  
Termination, 1:8, 7:4  
Third parties, 2:4  
Time, 1:8, 2:4, 3:10, 7:4, 9:5, 17:6  
Trade secrets, 2:4, 3:10, 7:1  
United States, 1:8, 9:5  
Use, 1:8, 2:4, 3:10, 7:4, 7:13, 7:48  
Venue, 17:6

### **PAYMENT**

Restrictive covenants, 17:1, 17:41

### **PENALTIES**

China, 3:93  
Massachusetts, 1:30  
New Jersey, 1:30, 9:29, 10:58  
United States, 3:93

### **PENNSYLVANIA**

Definitions, 14:33  
Evidence, 1:30, 3:62, 3:92, 7:50, 8:3,  
8:4, 8:20, 8:33, 8:53, 8:54,  
8:62, 9:17, 9:29, 9:34, 9:38,  
10:10, 10:20, 11:6, 14:26,  
14:28, 14:32 to 14:34, 14:37,  
16:4, 16:6, 17:19, 17:21, 17:24,  
17:32, 17:34, 17:37, 17:40,  
17:42, 17:53  
Remedies, 3:92, 7:50, 8:25, 9:4,  
9:34, 14:26, 14:32, 14:37, 16:4,  
16:6, 17:40, 17:42  
Restrictive covenants, 8:53, 9:4,  
17:23  
Sanctions, 14:33  
Uniform Trade Secrets Act, 7:50

### **PEOPLE**

Advertising, 1:3, 2:4, 3:93, 5:7, 5:24,  
5:29, 5:37, 8:14, 9:5, 9:18,  
10:63, 14:32, 17:42  
Assignability, 14:32

**PEOPLE—Cont'd**

Confidential information, 3:93  
 Copyright, 3:93  
 Reputation, 2:4, 5:29, 10:32, 17:42  
 Title, 2:4, 3:93, 5:37, 6:2  
 Trademarks, 1:3, 2:1, 2:4, 3:93, 5:7,  
 5:24, 5:29, 7:32, 9:5, 10:12,  
 17:42

**PERSONAL JURISDICTION**

Advertising, 3:92, 3:93, 7:47, 17:14,  
 17:19, 17:21  
 Consent, 3:62, 3:92, 3:93, 17:13 to  
 17:15, 17:17, 17:20  
 Contacts, 3:62, 12:8, 17:14 to 17:17,  
 17:19  
 Fair play, 17:13, 17:14  
 Fairness, 17:19, 17:21  
 Forum state, 9:32, 17:14, 17:15,  
 17:17  
 Intent, 3:62, 7:47, 9:32, 17:14,  
 17:17, 17:19, 17:20  
 Interactive websites, 17:14  
 Lack of jurisdiction, 17:17, 17:20,  
 17:45  
 Passive website, 17:14  
 Presence, 12:8, 17:13 to 17:15,  
 17:17, 17:19, 17:28  
 Purposeful availment, 17:14  
 Residents, 17:14, 17:15  
 Specific jurisdiction, 17:14  
 Statutes, 3:62, 9:32, 17:13 to 17:21  
 Substantial justice, 17:13, 17:14  
 Torts, 9:32, 17:13, 17:14, 17:17

**PLEADINGS**

Amendment, 17:6, 17:25, 17:28,  
 17:60  
 California, 17:19, 17:26, 17:28,  
 17:32, 17:57, 17:69  
 Compulsory counterclaims, 17:25  
 Counterclaims, 17:25, 17:69  
 Default judgment, 17:25, 17:57,  
 17:69  
 Defenses, 17:25, 17:46, 17:57, 17:69  
 Depositions, 17:46, 17:52  
 Discovery, 9:32, 17:2, 17:25, 17:32,  
 17:45, 17:46, 17:52, 17:57,  
 17:60

**PLEADINGS—Cont'd**

Dismissal, 9:32, 17:6, 17:19, 17:25,  
 17:45, 17:46, 17:57, 17:69  
 Evidence, 8:60, 9:5, 9:28, 9:32,  
 14:18, 17:2, 17:6, 17:19, 17:25,  
 17:26, 17:28, 17:32, 17:45,  
 17:46, 17:52, 17:57, 17:60,  
 17:69  
 Illinois, 9:28, 17:25, 17:69  
 Judgment, 1:7, 9:5, 9:32, 14:18,  
 17:2, 17:25, 17:28, 17:32,  
 17:45, 17:46, 17:57, 17:60,  
 17:69  
 More definite statement, 17:45  
 Motion to strike, 17:25, 17:32  
 Objections, 8:60, 17:52, 17:60  
 Parties, 8:60, 9:28, 9:32, 17:2, 17:6,  
 17:19, 17:25, 17:26, 17:28,  
 17:32, 17:45, 17:46, 17:52,  
 17:57, 17:60, 17:69, 17:95  
 Records, 17:25, 17:52  
 Summary judgment, 9:32, 14:18,  
 17:25, 17:45, 17:46, 17:57  
 United States, 9:5, 9:32, 17:69

**PREEMPTION**

California, 15:22  
 Copyright Law, 7:49  
 United States, 14:31

**PRELIMINARY INJUNCTIONS**

Florida, 8:57, 17:43  
 Irreparable harm, 8:57, 17:39 to  
 17:41, 17:43  
 Likelihood of success, 8:57, 17:39,  
 17:40, 17:43  
 New Jersey, 3:92, 17:40  
 New York, 3:92, 8:57  
 Public interest, 8:57, 17:39, 17:41

**PRESUMPTION**

Preliminary injunctions, 8:57, 17:40,  
 17:41, 17:43

**PRICE**

Antitrust law, 11:1, 11:3 to 11:12,  
 11:14, 11:16 to 11:20, 11:22 to  
 11:37, 11:39 to 11:41, 17:47,  
 17:96  
 United States, 3:85, 3:93, 5:29, 7:7,  
 8:4, 9:5, 9:37, 10:23, 10:45,

## INDEX

### PRICE—Cont'd

11:6, 11:17, 11:23, 11:25, 11:27,  
11:30, 11:35, 11:40, 16:4,  
17:40, 17:96

### PRICE DISCRIMINATION

Availability, 11:34 to 11:36, 14:33  
Commercial bribery, 2:7, 11:37  
Commodities, 11:25, 11:28, 11:35,  
11:36, 14:33  
Competing customers, 11:36  
Competitive injury requirement,  
11:31, 11:32  
Defenses, 11:35, 17:34  
Discrimination in price, 11:27, 11:31  
Enforcement, 2:7, 11:35, 11:41,  
14:33, 14:37  
Establishment, 14:37  
Functional discounts, 11:34  
Injury, 11:25 to 11:27, 11:31 to  
11:37, 14:33, 14:37, 17:12,  
17:34  
Interstate commerce, 11:25, 11:30,  
11:36, 11:41  
Like grade and quality, 11:25, 11:29,  
11:33  
Predatory pricing, 11:31, 11:32  
Primary-line injury, 11:31, 11:32  
Promotional allowances, 11:33, 11:36  
Robinson-Patman Act, 11:1, 11:24 to  
11:28, 11:30 to 11:37  
Sale, 2:7, 11:1, 11:26, 11:28, 11:30,  
11:35 to 11:37, 14:33, 14:37,  
17:34  
Secondary-line injury, 11:31 to 11:33  
Standing to sue, 17:12

### PRIVACY

Abuse, 17:62  
Communications, 17:53, 17:62  
E-mail, 3:12  
Fraud, 17:62  
Names, 3:12, 17:62

### PRIVATE ENFORCEMENT

Collateral estoppel, 5A:23  
Federal Trade Commission, 5A:23  
Injunctive relief, 5A:23  
Statute of limitations, 5A:23  
Summary judgment, 5A:23

### PRIVILEGE

Florida, 8:20, 9:37, 9:38, 17:14,  
17:15

### PROFITS

Illinois, 3:68, 5:20, 8:33, 9:11, 9:16,  
9:28, 9:30, 9:35, 9:39, 10:6,  
10:15, 10:47, 10:48, 11:39,  
14:33, 14:34, 16:4, 16:6, 17:62,  
17:64  
Misappropriation of trade secrets,  
8:59, 10:47

### PROPERTY

Alienation, 7:45, 17:41  
Assignment, 3:43, 3:55, 3:58, 3:85,  
3:87 to 3:89, 3:91 to 3:93, 4:1,  
4:11, 7:5, 9:30, 10:47, 13:21,  
13:23, 13:26, 15:22, 16:4, 16:6,  
17:41  
Automatic stay, 13:6, 13:10, 13:12,  
13:14, 13:15, 13:18, 13:20,  
13:21, 13:32, 13:33, 13:37  
Avoidance, 7:3, 8:21, 17:10, 17:28,  
17:87, 17:94  
Bankruptcy, 3:43, 3:85, 3:87 to 3:89,  
3:91 to 3:93, 4:4, 9:34, 10:10,  
13:1, 13:3, 13:4, 13:6, 13:9,  
13:10, 13:12, 13:14, 13:15,  
13:18, 13:20, 13:21, 13:23,  
13:26, 13:29, 13:32 to 13:34,  
13:36, 13:37, 13:40, 13:41,  
15:22, 16:4, 16:6, 17:40  
California, 1:30, 5:8, 5:25, 5:38,  
5A:46, 7:22, 7:44, 7:45, 7:50,  
8:46, 8:63, 9:17, 9:29, 9:30,  
9:34, 9:35, 9:37, 9:38, 9:42,  
10:10, 10:34, 10:47, 12:8,  
14:24, 14:32, 14:36, 15:22,  
16:4, 16:6, 17:10, 17:14, 17:19,  
17:28  
Cash collateral, 13:10  
Cause of action, 3:87, 4:11, 5:23,  
5:38, 5A:46, 7:40, 7:43, 8:46,  
9:3, 9:4, 9:17, 9:32, 9:34, 9:35,  
9:37, 9:38, 9:40, 9:41, 9:51,  
10:47, 11:39, 14:30, 14:32,  
14:36, 15:10, 15:22, 16:4, 16:6,  
17:14, 17:15, 17:37, 17:44,  
17:87, 17:102  
Contracts, 1:30, 2:4, 3:85, 3:93, 4:4,  
5:22, 7:36, 7:45, 7:50, 7:53,

**PROPERTY—Cont'd**

8:21, 8:46, 8:53, 8:63, 9:17,  
9:34, 9:37, 9:38, 9:40, 9:42,  
9:51, 11:39, 11:40, 13:4, 13:15,  
13:29, 13:32, 14:24, 16:4, 16:6,  
17:14, 17:28, 17:37, 17:40,  
17:41, 17:94  
Copyright, 3:87, 3:92, 3:93, 7:1, 7:2,  
7:34, 7:36, 7:48, 7:49, 11:39,  
12:8, 17:28  
Discharge, 3:85, 3:88, 3:92, 12:5,  
13:41  
Equitable interests, 13:4, 13:15  
Fraudulent concealment, 9:30  
Intent, 3:87, 4:1, 4:2, 5A:46, 7:17,  
7:18, 7:20, 7:25, 7:31, 7:42,  
7:43, 7:47, 8:46, 9:3, 9:29,  
9:30, 9:32 to 9:35, 9:37, 9:38,  
9:45, 10:10, 10:47, 13:34,  
14:24, 14:32, 14:36, 15:9,  
15:10, 15:13, 15:22, 16:4, 16:6,  
17:10, 17:14, 17:19, 17:37,  
17:44, 17:50, 17:64, 17:96,  
17:103  
Licensing, 1:20, 2:4, 3:87, 3:89,  
3:91, 5:19, 7:4, 7:5, 7:17, 7:24,  
7:36, 7:47, 9:41, 9:46, 12:8,  
16:6  
Missouri, 5:25, 7:44, 9:29, 9:38,  
14:24, 14:32, 16:4, 16:6, 17:10  
Patents, 2:4, 7:1, 7:4, 7:13, 7:48  
Preservation, 7:3, 7:17, 17:41  
Proceeds, 3:85, 4:12, 4:18, 5:8, 5:25,  
5:38, 9:28, 13:3, 13:23, 17:10  
Reform Act, 9:32, 12:4  
Restrictive covenants, 8:53, 9:4,  
17:41  
Royalties, 1:20, 2:4, 3:40, 3:88, 3:89,  
3:93, 5:23, 5:39, 7:6, 7:34,  
7:47, 8:46, 8:63, 10:23, 12:8,  
13:37, 13:41, 17:14, 17:41,  
17:64  
Sale, 1:30, 2:4, 3:30, 3:40, 3:85,  
3:87 to 3:89, 3:93, 4:6, 4:18,  
5:8, 5:19, 5:23, 5:25, 5:30,  
5:35, 5:37 to 5:39, 5A:46, 7:2,  
7:4 to 7:7, 7:9, 7:12, 7:14, 7:17,  
7:22, 7:23, 7:34, 7:37, 7:45,  
7:56, 8:53, 9:4, 9:17, 9:30, 9:32  
to 9:34, 9:37, 9:38, 9:42, 10:23,

**PROPERTY—Cont'd**

10:47, 11:39, 12:4, 12:5, 13:23,  
13:32, 14:24, 14:32, 14:36,  
15:9, 15:13, 15:19, 15:22, 16:4,  
16:6, 17:14, 17:40, 17:41, 17:96  
Secured creditor, 13:10  
Security interest, 3:30, 3:85, 3:88,  
3:89, 3:93, 4:6, 4:12, 4:18,  
9:37, 13:4, 13:41, 16:6, 17:28,  
17:41, 17:44  
Third persons, 4:4, 9:45, 14:36  
Trade secrets, 1:20, 2:4, 3:14, 3:27,  
3:40, 3:87 to 3:89, 3:92, 3:93,  
5:8, 7:1 to 7:3, 7:8, 7:40, 7:41,  
7:45, 7:50 to 8:53, 9:33, 10:47,  
17:14, 17:15, 17:19, 17:41,  
17:52, 17:87  
Trademark registration, 3:87, 7:18,  
7:22, 9:30, 10:47  
Trademarks, 1:20, 2:4, 3:1, 3:14,  
3:15, 3:85, 3:87 to 3:89, 3:91 to  
3:93, 4:2, 4:4, 4:6, 5:38, 5:39,  
7:1 to 7:56, 8:53, 9:17, 9:28,  
9:33, 9:42, 10:23, 10:34, 12:8,  
13:21, 13:26, 13:41, 15:9,  
15:18, 17:14, 17:41  
Transfers, 3:87, 3:88, 3:93, 5:25,  
7:21, 9:37, 12:4, 13:34, 13:41,  
14:32, 15:22, 16:4, 16:6, 17:14  
Use, 1:20, 1:30, 2:4, 3:14, 3:20,  
3:24, 3:27, 3:30, 3:40, 3:58,  
3:85, 3:87 to 3:93, 4:2, 4:4, 4:6,  
4:11, 4:12, 4:18, 5:8, 5:19, 5:23,  
5:25, 5:30, 5:37 to 5:39, 7:2 to  
7:23, 7:25 to 7:29, 7:31, 7:32,  
7:34 to 7:37, 7:40 to 7:50, 7:52  
to 7:54, 8:21, 8:53, 8:63, 9:17,  
9:30, 9:32, 9:34, 9:35, 9:42,  
9:46, 10:23, 10:34, 10:47,  
11:39, 11:40, 12:4, 12:5, 12:8,  
13:4, 13:10, 13:21, 13:23,  
13:29, 13:36, 13:41, 14:24,  
14:30, 14:32, 15:9, 15:10,  
15:13, 15:18, 15:19, 15:22,  
16:4, 16:6, 17:14, 17:15, 17:19,  
17:40, 17:41, 17:52, 17:60,  
17:64, 17:65, 17:96, 17:103

**PROSECUTION**

Attorneys, 3:88, 17:100  
Claims, 3:13, 3:87, 3:88, 8:36,  
17:21, 17:37



## INDEX

### PROSECUTION—Cont'd

Complete, 3:87, 3:88, 17:100  
Decisions, 3:88  
Derivation, 3:87, 3:88  
Description, 3:87, 3:88, 17:100  
Disclosure, 3:87, 3:88, 17:21, 17:100  
Error, 8:36  
Evidence, 3:87, 17:21, 17:37  
Examination, 3:88  
Failure, 3:87, 3:88  
Hearings, 17:37  
Intent, 3:87, 17:37  
Interference, 13:37  
Language, 17:21  
Mistake, 3:87  
Modification, 3:88  
Negligence, 3:87  
Operational, 3:88  
Orders, 3:87, 3:88  
Payment, 3:87, 3:88  
Petition, 3:87, 3:88  
References, 3:87, 3:88  
Skill, 3:87, 3:88  
Time, 3:13, 3:87, 3:88, 8:36  
Trade secrets, 3:13, 3:87, 3:88

### PROTECTABLE INTEREST

Florida, 8:49, 8:53  
New Jersey, 8:49  
Restrictive covenants, 8:49, 8:53

### PROTECTION OF TRADE SECRETS

Trade secrets, 1:20, 8:52, 11:20

### PUBLIC INTEREST

Preliminary injunctions, 8:57, 17:39,  
17:41  
United Kingdom, 8:57

### PUBLIC KNOWLEDGE

Evidence, 9:15

### PUBLIC POLICIES

Discovery, 9:34, 10:48  
Florida, 8:49, 9:34, 10:48  
Illinois, 9:34, 10:48  
Innovation, 10:48  
New Jersey, 8:49, 9:34, 10:48  
New York, 9:34, 10:48

### PUBLICATION

Copyright, 3:87, 3:93, 7:49

### PUNITIVE DAMAGES

Illinois, 3:68, 8:37, 9:28, 9:29, 9:34,  
9:36, 9:50, 10:48, 14:36, 16:4,  
16:6, 17:23, 17:25  
Restrictive covenants, 9:4, 17:23  
Rhode Island, 9:34, 16:4, 16:6, 17:23

### REASONABLE IN TIME

Restrictive covenants, 8:49

### REASONABLE ROYALTY

Actual damages, 7:47  
Assessment, 7:47  
Awards, 7:47  
Compensatory damages, 7:47  
Competition, 7:47  
Evidence, 7:47  
Infringement, 7:47, 7:48  
Injunctions, 7:47  
Intent, 7:47  
Patents, 7:48  
Price, 7:47  
Sales, 7:47  
Value, 7:47

### REASONABLENESS

Restrictive Covenants, 8:49, 8:50,  
8:57

### RECORDS

Abandonment, 3:43, 7:50, 8:59,  
10:11  
Addresses, 3:80, 3:88, 3:89, 3:92,  
3:93, 5A:23, 6:4, 8:59, 10:47,  
17:52, 17:54  
Amendments, 3:88, 3:89, 3:92,  
17:25, 17:99  
Appeal, 1:30, 3:93, 8:63, 9:27,  
10:11, 16:4, 17:34  
Assignment, 3:43, 3:86 to 3:89, 3:92,  
3:93, 8:59, 9:30, 10:29, 10:47,  
14:25, 14:33, 15:5, 16:4, 16:6  
Claim, 1:30, 2:17, 3:23, 3:38, 3:44,  
3:86 to 3:89, 3:92, 3:93, 4:18,  
5:16, 5A:23, 5A:46, 7:21, 7:29,  
7:47, 7:50, 8:34, 8:59, 8:63,  
9:4, 9:8, 9:12, 9:27, 9:30, 9:40,  
9:42, 9:50, 10:19, 10:20, 10:23,

**RECORDS—Cont'd**

10:27, 10:47, 11:26, 14:28,  
14:33, 15:5, 16:4, 16:6, 17:25,  
17:34, 17:52, 17:54, 17:55,  
17:61, 17:62, 17:64, 17:67,  
17:70  
Conversion, 3:92, 3:93, 10:47  
Correspondence, 3:87, 10:11, 17:99  
Database, 14:28  
Declaration, 3:93, 9:8, 14:25, 16:6  
Delay, 3:86 to 3:88, 3:92, 3:93,  
5A:46, 7:47, 9:30, 14:25, 14:28,  
16:4, 16:6, 17:25, 17:62  
Diligence, 17:25  
Disclosure, 1:30, 3:44, 3:87, 3:88,  
3:92, 3:93, 5:16, 5A:21, 5A:23,  
5A:40, 5A:46, 6:4, 7:50, 9:4,  
9:8, 9:12, 9:30, 10:19, 10:27,  
10:47, 14:25, 17:25, 17:52,  
17:54, 17:62, 17:64  
Documentation, 3:93, 6:4, 9:30,  
10:11, 10:19, 10:47, 14:28, 16:4  
Energy, 3:87, 3:92, 7:54  
Enforcement, 3:87 to 3:89, 3:92,  
5A:23, 5A:46, 7:47, 14:33,  
17:70  
Evidence, 1:30, 3:23, 3:43, 3:44,  
3:86, 3:87, 3:89, 3:92, 4:18,  
5A:23, 5A:46, 6:4, 7:21, 7:29,  
7:47, 7:50, 8:34, 8:59, 8:63,  
9:8, 9:12, 9:27, 9:30, 9:42,  
9:50, 10:19, 10:20, 10:23,  
10:27, 10:47, 14:25, 14:28,  
14:33, 15:5, 16:4, 16:6, 17:25,  
17:34, 17:52, 17:54, 17:55,  
17:61, 17:62, 17:64, 17:67,  
17:80  
Examination, 3:88, 3:89, 17:64  
Exceptions, 3:43, 3:87, 6:4, 8:34,  
15:5, 16:4, 16:6, 17:34  
Facsimile, 3:93  
Good faith, 3:38, 3:44, 3:86 to 3:88,  
3:93, 7:47, 8:34, 8:59, 9:8,  
10:11, 10:19, 10:20, 10:23,  
14:25, 14:28, 14:33, 15:5, 16:4,  
16:6, 17:25, 17:52, 17:54,  
17:67, 17:70  
Guarantee, 3:80, 3:92, 6:4, 16:6,  
17:67

**RECORDS—Cont'd**

Infringement, 3:87, 3:88, 3:92, 3:93,  
7:21, 7:29, 7:47, 7:54, 10:19,  
10:20  
Interference, 7:50, 9:4, 9:40, 9:50,  
14:33, 16:4, 17:54, 17:64, 17:67  
Manufacturing, 7:50  
Merger, 3:89, 3:93, 8:59, 9:8, 9:30,  
10:47, 16:4, 16:6  
Name, 1:30, 3:23, 3:44, 3:86 to 3:89,  
3:92, 3:93, 4:20, 5:16, 5A:23,  
6:4, 7:21, 7:29, 7:47, 7:54,  
8:59, 9:42, 10:19, 14:28, 15:5,  
16:4, 17:25, 17:52, 17:54  
Notice, 1:30, 3:43, 3:44, 3:80, 3:86  
to 3:89, 3:92, 3:93, 4:18,  
5A:23, 5A:46, 6:4, 8:59, 10:19,  
10:20, 10:23, 10:27, 10:63,  
14:28, 14:33, 15:5, 16:4, 16:6,  
17:25, 17:52, 17:64  
Orders, 1:30, 2:17, 3:86 to 3:89,  
3:92, 5:16, 5A:23, 6:4, 7:54,  
8:59, 14:25, 14:33, 17:52  
Payment of fees, 3:23, 3:38, 10:23  
Personal property, 3:87, 3:88, 3:92,  
3:93  
Petition, 3:43, 3:87, 3:88, 3:92,  
5A:23, 16:6  
Prosecution, 3:87, 3:88  
Publication, 3:87, 3:93, 9:40, 17:64  
Reply, 17:25  
Response, 3:92, 3:93, 6:4, 10:63,  
16:6, 17:25, 17:52, 17:54, 17:64  
Time, 1:30, 2:17, 3:23, 3:44, 3:86 to  
3:89, 3:92, 3:93, 4:18, 4:20,  
5A:23, 5A:46, 6:4, 7:47, 7:50,  
7:54, 8:59, 8:63, 9:4, 9:8, 9:12,  
9:27, 9:30, 10:11, 10:19, 10:20,  
10:23, 10:47, 10:63, 11:26,  
14:28, 14:33, 15:5, 16:4, 16:6,  
17:25, 17:34, 17:52, 17:54,  
17:62, 17:64, 17:67, 17:70  
Witnesses, 3:44, 17:52, 17:55, 17:62,  
17:64, 17:67

**REGISTRATION**

Amendment, 2:6, 2:9, 3:87, 3:88,  
5:39, 5A:39, 5A:44, 8:2, 16:4,  
17:24  
Applications, 3:93, 5:6, 7:18, 7:19,  
8:59, 17:24

## INDEX

### REGISTRATION—Cont'd

Judicial Review, 17:9, 17:71

Refusals, 9:39

Withdrawal, 5:4, 5:29

### REMEDIES

Belgium, 16:4

Canada, 3:93, 17:22

China, 3:93, 9:4

Inevitable disclosure doctrine, 7:50

Mexico, 3:93, 7:47, 9:34, 9:37,  
14:32, 14:36, 16:4, 16:6

Misappropriation of Trade Secrets,  
7:50, 8:59, 17:87

Restrictive covenants, 8:57, 9:4,  
17:41

Tennessee, 9:4, 9:34, 9:35, 9:37,  
14:37, 16:4, 16:6

United Kingdom, 8:57

United States, 3:92, 3:93, 9:37, 10:4,  
14:32, 16:4, 17:40, 17:44

### REMOVAL

Appeal, 17:10

Orders, 9:36, 17:6

Parties, 9:36, 10:45, 15:5, 17:4, 17:6,  
17:9, 17:10, 17:92

Remand, 17:4, 17:6

Witnesses, 10:28, 17:10

### REPRESENTATIONS AND

#### WARRANTIES

Computer software, 3:93

Financing, 3:93, 17:96

Infringement, 3:93

Licenses, 3:93

Materiality, 9:16

Ownership, 3:93

Source code, 3:93

Validity, 3:93, 9:17

### RESTRICTIVE COVENANTS

Alabama, 8:49

Arizona, 9:4, 17:23

Business interests, 8:50, 8:53, 17:41

California, 8:49, 8:50, 17:23

Choice of law rules, 17:23

Colorado, 8:57, 9:4, 17:23

Connecticut, 9:4

Consideration, 8:49, 8:50, 9:4, 17:41

### RESTRICTIVE COVENANTS

#### —Cont'd

Damages, 8:50, 8:57, 9:4, 17:23,  
17:41

Disclosure, 9:4, 17:1, 17:23, 17:41

Employer, 8:49, 17:41

Employment, 8:49, 8:53, 17:41

Enforcement, 8:49, 8:50, 8:53, 8:57,  
17:23, 17:41

Florida, 8:49, 8:53, 8:57, 9:4, 17:23

Georgia, 17:23

Good faith and fair dealing, 17:23

Idaho, 8:53

Illinois, 8:50, 17:23

Indiana, 10:56, 17:23

Injunctive relief, 8:49, 8:50, 8:53,  
8:57, 17:41

Interest, 8:49, 8:50, 8:53, 8:57,  
17:23, 17:41

Knowledge, 8:53, 17:41

Legitimate interest, 8:49, 8:53

Limitations, 8:50, 10:56

Lists, 8:49

Maryland, 8:49, 17:23

Massachusetts, 8:53, 9:4, 17:23

Michigan, 9:4, 17:23

Minnesota, 9:4, 10:56

Montana, 17:23

New Jersey, 8:49, 9:4, 17:23

New York, 8:53, 8:57, 9:4, 17:23

North Carolina, 8:57, 9:4, 17:23

Ohio, 17:23

Oklahoma, 17:23

Pennsylvania, 8:53, 9:4, 17:23

Reasonable in time, 8:49

Remedies, 8:57, 9:4, 17:41

Restrictions, 8:49, 8:50, 8:57, 9:4

Skills, 8:53

South Carolina, 17:23

South Dakota, 10:56

State law, 17:41

Statutes, 8:49, 8:50, 10:56, 17:23

Tennessee, 9:4, 17:23

Territorial restrictions, 8:50

Texas, 8:50, 8:53, 9:4, 17:23, 17:41

Time, 8:49, 8:50, 8:53, 8:57, 9:4,  
17:1, 17:23, 17:41

## **RESTRICTIVE COVENANTS**

### **—Cont'd**

Trade secrets, 8:49, 8:50, 8:53, 8:57,  
17:1, 17:41  
Unfair competition, 8:53  
Utah, 17:23  
Virginia, 17:23  
Washington, 8:53, 17:23  
Wisconsin, 8:49, 9:4, 17:23

## **REVIEW**

Belgium, 16:4  
Canada, 3:93  
China, 3:93  
Italy, 17:10  
Mexico, 3:93, 14:32, 16:4  
United States, 3:93, 9:32, 14:32,  
16:4, 17:3, 17:10, 17:53, 17:81,  
17:94

## **RHODE ISLAND**

Compensatory damages, 16:4  
Damages, 5:30, 9:30, 9:34, 14:33,  
14:34, 16:4, 16:6, 17:23  
Punitive damages, 9:34, 16:4, 16:6,  
17:23

## **ROBINSON-PATMAN ACT**

Cost justification, 11:35  
Price discrimination, 11:1, 11:24 to  
11:28, 11:30 to 11:37

## **ROYALTIES**

Antitrust, 1:5, 3:10, 7:34, 10:12,  
17:25, 17:64, 17:67, 17:69  
Damages, 3:40, 3:47, 3:68, 3:88,  
3:89, 3:93, 5A:25, 7:6, 7:34,  
7:47, 8:39, 8:59 to 8:63, 9:31,  
10:12, 10:19, 10:20, 10:23,  
10:43, 13:37, 17:4, 17:25,  
17:41, 17:48, 17:64, 17:67  
Reasonable royalties, 10:43  
United States, 3:62, 3:93, 10:23,  
12:8, 17:69

## **RULES OF EVIDENCE**

State, 17:55, 17:60, 17:64, 17:68,  
17:71, 17:80

## **RUSSIA**

Protection, 16:4

## **SECRECY**

Illinois, 7:50  
Ohio, 7:50

## **SECURITY**

Evidence, 3:23, 3:89, 3:92, 4:18, 6:4,  
8:5, 8:57, 9:10, 9:30, 9:37,  
9:42, 9:45, 10:47, 10:58, 13:4,  
14:24, 16:6, 17:28, 17:39,  
17:41, 17:43, 17:44  
New York, 3:88, 3:89, 3:92, 3:93,  
8:57, 9:30, 9:37, 10:47, 14:24,  
16:6, 17:28, 17:44

## **SETTLEMENT**

Form, 3:88, 3:92, 3:93, 4:11, 8:5,  
8:46, 10:42, 10:48, 14:36,  
17:18, 17:38, 17:42, 17:58  
Suspension, 3:93, 14:28

## **SHERMAN ACT**

Compliance, 11:6, 16:4  
Concerted action, 11:3, 17:47  
Intellectual property, 7:9, 16:4  
Price discrimination, 11:1, 11:30,  
11:33, 11:35  
Tying arrangements, 11:1, 11:3, 11:4,  
11:14, 11:15

## **SKILLS**

Restrictive covenants, 8:53

## **SOFTWARE**

Claims, 3:27, 3:93, 5:29, 7:49, 8:59,  
8:60, 9:23, 9:35, 9:36, 10:63,  
11:14, 16:6, 17:50  
Disclosure, 3:93, 5:8, 5:19, 5:20,  
5:29, 7:50, 9:35, 9:36, 17:50  
Format, 3:10, 3:24, 16:6, 17:50  
Infringement, 3:93, 7:49, 8:60  
Records, 3:93, 7:50, 8:59, 10:63,  
16:6  
Use, 3:10, 3:24, 3:27, 3:93, 5:8,  
5:19, 5:20, 5:29, 6:1, 7:49,  
7:50, 7:52, 8:59, 8:60, 9:23,  
9:35, 9:36, 10:63, 11:14, 16:6

## **SOUTH CAROLINA**

Restrictive covenants, 17:23

## **SOUTH DAKOTA**

Restrictive covenants, 10:56

## INDEX

### STAMPS

Evidence, 5:15, 5:21, 5:38

### STATE LAWS

Licensing, 2:4, 3:89, 7:4, 7:47, 10:3,  
14:21, 14:22, 14:25, 14:28,  
14:37

Ownership rights, 5:12

### STATE STATUTES

Restrictive covenants, 17:23

Theft of Trade Secrets, 9:33, 17:14

### STATES

Disclosure, 1:5, 1:9, 1:10, 1:14, 1:22,  
1:30, 1:34, 2:6, 2:9, 2:13, 3:2,  
3:25, 3:44, 3:60, 3:92, 3:93,  
5:1, 5:3 to 5:5, 5:7, 5:8, 5:14 to  
5:39, 5A:1, 5A:3 to 5A:6, 5A:8,  
5A:15, 5A:24, 5A:26 to 5A:31,  
5A:33 to 5A:48, 6:3, 6:4, 7:2,  
7:4, 7:50, 8:2, 8:4, 8:10, 9:2,  
9:4, 9:11, 9:30, 9:32, 9:35, 9:36,  
10:6, 10:9, 10:46, 10:47, 14:25,  
17:9, 17:12, 17:13, 17:17, 17:22  
to 17:25, 17:43, 17:45, 17:52,  
17:62, 17:71, 17:97, 17:100

Discovery, 3:65, 5:15, 5:20, 5:30,  
5:32, 5:38, 5A:46, 7:20, 9:32,  
9:34, 10:47, 10:48, 10:53,  
11:35, 17:2, 17:4, 17:7, 17:13,  
17:25, 17:32, 17:45, 17:52,  
17:53, 17:56, 17:62, 17:100

Restrictive covenants, 8:49, 8:50,  
9:4, 10:56, 17:23

Uniform Trade Secrets Act, 7:50

### STATUTE OF LIMITATIONS

Misappropriation of trade secrets,  
10:47

United States, 5:29, 8:4, 9:32, 10:45,  
17:81, 17:94

### STATUTES

Criminal sanctions, 6:3

Definitions, 1:34, 5A:24, 6:1, 6:3,  
10:6, 14:24, 14:33

District of Columbia, 5A:24, 14:21,  
16:6, 17:6

Lanham Act, 7:38, 7:43, 7:46, 9:36,  
10:2, 10:3, 17:19

Mail and Wire Fraud, 9:32

### STATUTES—Cont'd

Patents, 7:4, 17:6

Protection, 3:62, 5:18, 5:21, 5:22,  
5:29, 5A:1, 7:2, 7:4, 7:22, 7:38,  
7:43, 7:44, 7:46, 8:2, 8:49,  
8:50, 8:52, 8:59, 9:7, 9:30,  
9:34, 9:36, 9:41, 10:6, 10:9,  
10:17, 10:22 to 10:24, 10:34,  
10:37, 10:47, 10:48, 10:53,  
10:55, 10:58, 13:14, 14:22,  
14:23, 14:28, 14:31, 14:33,  
15:22, 16:2, 16:4, 16:6, 17:8,  
17:10, 17:22 to 17:24, 17:26,  
17:40, 17:43, 17:60, 17:80

Tax laws, 3:43, 10:27

Taxation, 1:6

Theft, 9:1, 9:32, 9:33, 10:27, 10:32,  
16:6, 17:6, 17:14, 17:17, 17:19

### STIPULATIONS

Illinois, 8:37, 10:48

### STRUCTURE

Software, 3:93, 16:6

### SUBJECT MATTER

United States, 3:92, 7:56, 9:32, 17:3,  
17:5, 17:7, 17:10, 17:15, 17:53,  
17:94, 17:96

### SUBJECT MATTER

#### JURISDICTION

Actual controversy, 17:3, 17:11

Civil actions, 17:8

Competition, 17:3, 17:96

Conduct, 9:32, 17:11, 17:12, 17:24,  
17:28

Controversy, 17:3 to 17:7, 17:10 to  
17:12, 17:24, 17:28, 17:96

Declaratory judgment, 17:3, 17:5,  
17:10, 17:11

Diversity jurisdiction, 17:3, 17:4,  
17:6, 17:7

Federal district courts, 9:32, 17:3,  
17:5

Federal question jurisdiction, 17:3,  
17:5, 17:6

Infringement, 17:4, 17:6, 17:8, 17:12

Orders, 17:6, 17:8, 17:96

Ripeness, 17:3

**SUBJECT MATTER**

**JURISDICTION—Cont'd**

Standing, 9:32, 17:6, 17:12, 17:45, 17:96  
 Statutes, 9:32, 17:3, 17:5 to 17:10, 17:18, 17:24  
 Supplemental jurisdiction, 17:3, 17:7  
 Unfair competition, 17:3

**SUCCESS**

Preliminary injunctions, 3:87, 3:92, 8:57, 17:39, 17:40, 17:43

**SUMMARY JUDGMENT**

Advantages, 5:29, 8:64  
 Decisions on, 5:24, 17:57  
 Defenses, 4:11, 5A:23, 9:35, 10:55, 11:35, 15:22, 17:25, 17:46, 17:57, 17:70  
 Discovery requests, 17:53, 17:56, 17:57  
 Evidence, 1:30, 3:3, 3:44, 5:23, 5:24, 5:29, 5:38, 5:39, 5A:23, 5A:46, 6:1, 6:4, 7:17, 7:25, 7:32, 8:4 to 8:7, 8:9 to 8:12, 8:14, 8:17, 8:20, 8:27 to 8:29, 8:31 to 8:34, 8:37, 8:43, 8:57, 8:59, 8:61, 8:64, 9:7 to 9:12, 9:15 to 9:17, 9:19, 9:21, 9:22, 9:27, 9:30, 9:32, 9:35, 9:37 to 9:39, 9:41, 9:42, 9:44, 9:45, 9:49, 10:4, 10:6, 10:13, 10:15, 10:20, 10:22 to 10:24, 10:27, 10:31, 10:42, 10:45, 10:47, 10:55, 11:3, 11:4, 11:6, 11:17 to 11:19, 11:22, 11:27, 11:40, 14:6, 14:18, 14:24, 14:32, 14:33, 15:5, 15:9, 15:22, 16:4, 16:6, 17:25, 17:45 to 17:51, 17:53, 17:56, 17:57, 17:64, 17:65, 17:67, 17:68, 17:82, 17:92  
 Motions, 8:27, 8:57, 14:6, 14:18, 17:25, 17:45 to 17:51, 17:57, 17:68, 17:92  
 Objections, 14:32, 17:53, 17:64, 17:82  
 Patent, 11:17  
 Responses, 3:44, 17:56, 17:57  
 Suspension, 14:35, 16:4  
 Testimony, 3:27, 3:44, 5A:23, 7:17, 7:32, 8:9, 8:14, 8:27, 8:29,

**SUMMARY JUDGMENT—Cont'd**

8:34, 8:46, 8:59, 8:61, 9:8, 9:15, 9:18, 9:27, 9:30, 9:32, 9:37, 9:38, 9:42, 9:44, 10:15, 10:42, 10:47, 11:3, 11:4, 11:35, 14:32, 17:46, 17:48, 17:50, 17:53, 17:64, 17:67  
 Timing, 9:30, 10:13, 17:67  
 Trade secrets, 3:10, 3:27, 7:53, 8:34, 8:57, 8:59, 9:33, 10:47, 11:17  
 Validity, 8:4, 8:59, 8:61, 9:17, 9:38, 10:4, 17:82

**SUPPLIERS**

Evidence, 1:30, 2:7, 3:44, 3:86, 3:87, 5:29, 7:47, 8:2, 8:23, 8:27, 8:28, 9:9, 9:10, 9:15, 9:32, 9:34 to 9:39, 10:15, 10:31, 10:42, 10:47, 11:3, 11:4, 11:9, 11:13, 11:14, 11:16, 11:17, 11:23, 11:33, 11:34, 11:39, 11:40, 14:33, 15:4, 16:4, 16:6, 17:21, 17:26, 17:40, 17:47, 17:64  
 United States, 1:1, 3:93, 5:29, 9:10, 9:32, 9:37, 11:17, 11:23, 11:40, 13:38, 16:4, 17:15, 17:40

**SUPREME COURT**

United States, 1:8, 3:62, 7:12, 9:32, 10:51, 11:17, 11:27, 11:30, 11:35, 11:40, 12:8, 16:4, 17:15, 17:16, 17:81, 17:94

**SUSPENSION**

Bankruptcy, 3:43, 3:93, 16:4  
 Civil action, 16:4  
 Summary judgment, 14:35, 16:4  
 Withdrawal, 14:28

**TAXATION**

Income, 12:1, 12:8  
 Mexico, 12:8  
 State tax, 12:8  
 Statutes, 1:6  
 United States, 12:8

**TECHNOLOGY**

United States, 3:93, 5:29

**TELEVISION**

Contracts, 5:29, 7:45, 8:5, 8:22, 8:28  
 Publication, 5:25, 5:30, 5:31

## INDEX

### TELEVISION—Cont'd

Trademarks, 5:29, 7:17, 7:30, 7:45, 8:28

### TENNESSEE

Choice of law, 9:34, 17:14, 17:23, 17:24

Remedies, 9:4, 9:34, 9:35, 9:37, 14:37, 16:4, 16:6

Restrictive covenants, 9:4, 17:23

### TERMINATION

United States, 1:8, 3:62, 3:85, 3:92, 3:93, 5:29, 7:17, 7:21, 7:31, 7:41, 7:54, 8:50, 8:52, 8:56, 9:37, 10:3, 10:4, 10:23, 10:45, 10:51, 11:17, 11:40, 13:38, 14:1, 14:31, 14:32, 16:4, 17:3, 17:10, 17:15, 17:16, 17:40, 17:44, 17:53, 17:69, 17:81, 17:94, 17:96, 17:97

### TERMINATION OF EMPLOYMENT

Licensing, 3:44

### TERRITORIAL RESTRICTIONS

United States, 8:50

### TERRITORIES

Antitrust law, 11:3, 11:4, 11:11, 11:12, 11:16, 11:22, 11:23

Illinois, 3:3, 8:11, 8:28, 9:34, 9:39, 14:34, 16:4

Injunctions, 8:57, 17:40

### TESTIMONY

Cross-examination, 17:53, 17:60, 17:64

Direct examination, 17:60, 17:64

Discovery, 3:68, 5:30, 8:61, 9:15, 9:32, 9:34, 10:47, 11:35, 17:2, 17:37, 17:46, 17:53, 17:60, 17:62, 17:67, 17:100

Examination, 17:48, 17:53, 17:60, 17:64

Hearings, 14:34, 14:37, 17:37

Oral testimony, 3:2, 8:9, 8:15, 8:19, 10:18, 14:20, 15:19, 17:50, 17:53

Publications, 7:17

### TESTIMONY—Cont'd

Records, 3:44, 5A:23, 8:34, 8:59, 9:8, 9:27, 9:30, 9:42, 10:47, 17:34, 17:61, 17:62, 17:64, 17:67

Summary judgment, 3:27, 3:44, 5A:23, 7:17, 7:32, 8:9, 8:14, 8:27, 8:29, 8:34, 8:46, 8:59, 8:61, 9:8, 9:15, 9:18, 9:27, 9:30, 9:32, 9:37, 9:38, 9:42, 9:44, 10:15, 10:42, 10:47, 11:3, 11:4, 11:35, 14:32, 17:46, 17:48, 17:50, 17:53, 17:64, 17:67

Unreasonable notice, 8:62

Witnesses, 3:44, 3:61, 7:32, 10:12, 17:2, 17:21, 17:40, 17:53, 17:60, 17:62 to 17:64, 17:67

Written questions, 17:53

### TESTS

Evidence, 1:30, 8:59, 9:16, 9:35, 9:49, 11:33, 16:4, 17:50, 17:60

### TEXAS

Definitions, 14:24, 14:33

Evidence, 3:62, 5:29, 6:4, 7:45, 7:47, 8:2, 8:27, 8:34, 8:37, 8:53, 8:62, 8:63, 9:14, 9:16, 9:34 to 9:36, 10:20, 10:26, 14:24, 14:26, 14:28, 14:32 to 14:34, 14:37, 16:4, 16:6, 17:14, 17:21, 17:22, 17:24, 17:41, 17:67

Misappropriation, 8:34

Remedies, 6:4, 7:47, 8:25, 8:37, 9:4, 9:34, 9:35, 14:26, 14:30, 14:32, 14:36, 14:37, 16:4, 16:6, 17:22, 17:41, 17:70

Restrictive covenants, 8:50, 8:53, 9:4, 17:23, 17:41

Statutes, 3:62, 5:29, 8:2, 8:25, 8:50, 9:34, 9:36, 10:26, 10:43, 13:28, 14:22 to 14:24, 14:26, 14:28, 14:30, 14:32 to 14:34, 14:36, 14:37, 16:4, 16:6, 17:8, 17:10, 17:14 to 17:16, 17:21 to 17:24, 17:70

### THEFT

Architectural plans, 7:50

Case law, 16:6

Customer lists, 7:40, 7:50, 8:39



**THEFT—Cont'd**

- Lists, 5A:23, 7:40, 7:50, 8:39, 16:6
- Personal use, 16:6
- Software, 7:50, 16:6
- State laws, 9:33
- State statutes, 9:33, 10:27, 10:32, 16:6, 17:14
- Statutes, 9:1, 9:32, 9:33, 10:27, 10:32, 16:6, 17:6, 17:14, 17:17, 17:19
- Wire fraud statutes, 9:32

**THIRD PARTIES**

- Canada, 3:93, 17:20
- China, 3:93, 9:38
- Misappropriation of trade secrets, 7:50, 8:59
- United States, 3:85, 3:92, 3:93, 9:37, 17:44

**TITLES**

- Copyright, 7:49
- Trademarks, 3:88, 7:49

**TORTS**

- Choice of law, 9:34, 17:13, 17:14
- Damages, 9:3 to 9:5, 9:11, 9:14, 9:19, 9:27 to 9:31, 9:33 to 9:41, 9:46, 9:48, 9:50, 9:51, 17:3, 17:31

**TRADE SECRETS**

- Agreements, 2:3, 2:4, 2:7, 3:10 to 3:14, 3:27, 3:40, 3:87 to 3:89, 3:92, 3:93, 4:7, 4:20, 7:2, 7:45, 7:50, 8:34, 8:49, 8:52, 8:53, 8:59, 9:36, 10:43, 10:47, 11:20, 17:14, 17:15, 17:17, 17:19, 17:41, 17:87
- Compilation, 3:89, 7:50, 7:53
- Customer lists, 2:7, 3:89, 4:20, 7:40, 7:50 to 7:52, 8:34, 17:52
- Damages, 3:11, 3:40, 3:87 to 3:89, 3:92, 3:93, 7:2, 7:45, 7:51, 7:53, 8:50, 8:52, 8:57, 8:59, 9:33, 9:36, 10:43, 10:47, 17:41, 17:52, 17:87
- Disclosure of Trade Secrets, 7:50, 17:41
- Economic value, 7:50 to 7:53

**TRADE SECRETS—Cont'd**

- Information, 3:10, 3:12, 3:14, 3:27, 3:87 to 3:89, 3:92, 3:93, 4:7, 4:20, 5:8, 7:2, 7:3, 7:8, 7:45, 7:50 to 7:53, 8:34, 8:50, 8:52 to 8:54, 8:57, 8:59, 9:36, 10:43, 10:47, 17:14, 17:17, 17:41, 17:52, 17:87
- Infringement, 2:4, 3:12, 3:13, 3:87, 3:88, 3:92, 3:93, 7:2, 7:3, 7:8, 7:41, 7:45, 9:1, 17:1, 17:14, 17:17, 17:19, 17:41
- Lists, 2:7, 3:89, 3:92, 3:93, 4:20, 7:40, 7:50 to 7:52, 8:34, 8:49, 8:54, 17:52
- Misappropriation of Trade Secrets, 3:27, 7:50 to 7:53, 8:59, 10:47, 17:87
- Patents, 2:4, 3:10, 7:1
- Protection of Trade Secrets, 1:20, 8:52, 11:20
- Restatement of Torts, 7:50
- Software, 3:10, 3:27, 3:93, 5:8, 7:50, 7:52, 8:59, 9:36
- Statute of limitations, 10:47
- Theft, 2:3, 3:87, 3:88, 7:40, 7:50, 9:1, 9:33, 17:1, 17:14, 17:17, 17:19
- Under the circumstances, 3:93, 5:8, 7:50
- Uniform Trade Secrets Act, 7:50 to 7:52
- Value, 2:4, 3:87 to 3:89, 3:93, 5:8, 7:3, 7:50 to 7:53, 8:34, 8:53, 8:57, 8:59, 11:20, 17:41

**TRADEMARKS**

- Abandonment, 7:3 to 7:5, 7:14, 7:17, 7:34, 7:50, 8:59, 10:25, 10:34
- Administrative proceedings, 5A:23, 17:91, 17:92
- Admissions, 17:97
- Advertising material, 3:87, 3:89, 3:92
- Affidavit, 5:24, 7:12, 7:18, 7:20, 7:21, 17:41, 17:42
- Affiliate, 3:88, 3:91, 3:93, 5:7, 5:15, 5:16, 5:38, 5:39, 11:16, 15:4, 17:97
- Affirmative defenses, 7:34

## INDEX

### TRADEMARKS—Cont'd

Amendments, 3:88, 3:89, 3:92, 5:15, 7:38, 15:7  
Antitrust laws, 3:11, 4:4, 4:7, 7:9, 7:34, 8:52, 11:16, 11:17, 15:7  
Applications, 3:89, 3:93, 7:18, 7:19, 8:28, 8:59  
Arbitration proceedings, 3:89, 17:21  
Assignments, 3:87 to 3:89, 3:92, 3:93, 7:5, 7:21  
Attorneys, 2:1, 3:88, 5:29, 6:4, 7:34, 7:42, 7:47, 7:54, 15:5, 17:43, 17:97  
Authority, 3:10, 3:86 to 3:88, 3:93, 5:12, 5:15, 5:16, 5:24, 5A:23, 7:6, 7:34, 8:28, 8:57, 9:17, 9:42, 9:44, 10:25, 11:17, 15:4, 15:5, 15:9, 17:91  
Books, 2:12, 3:44, 3:87 to 3:89, 3:93, 6:4, 7:29, 9:42, 12:8, 15:5  
Burden of proof, 7:34, 13:21, 15:18, 17:42  
Caption, 17:97  
Challenges, 12:8  
Change, 2:4, 3:2, 3:10, 3:13, 3:16, 3:85 to 3:89, 3:91 to 3:93, 4:4, 4:21, 5:20, 5:29, 7:4, 7:17, 7:20, 7:25, 7:41, 7:49, 8:28, 8:59, 9:17, 9:42, 9:44, 10:12, 15:4, 15:5, 15:7, 15:9, 17:21, 17:41, 17:92  
Charges, 3:44, 3:86, 3:87, 3:89, 3:92, 3:93, 5:15, 5:20, 5:38, 5:39, 9:5, 10:28, 15:7  
Collateral estoppel, 5A:23  
Collective marks, 7:2  
Commerce, 3:11, 3:85, 5:21, 5:29, 7:2, 7:13, 7:14, 7:18 to 7:21, 7:23, 7:25, 7:34, 7:37, 7:41, 7:49 to 7:51, 7:54, 12:8, 17:41, 17:97  
Composite mark, 7:15  
Confidential information, 3:10, 3:14, 3:44, 3:87, 3:88, 3:92, 3:93, 4:7, 7:2, 7:3, 7:36, 7:45, 7:50 to 8:53, 8:57, 8:59, 17:39, 17:41  
Contempt, 7:6, 7:47, 8:57, 17:43  
Contents, 2:4, 3:14, 3:85 to 3:89, 3:92, 17:97

### TRADEMARKS—Cont'd

Copies, 3:86 to 3:88, 3:92, 3:93, 6:4, 7:2, 17:97  
Counterclaims, 10:53, 11:17, 17:97  
Damages, 3:11, 3:15, 3:68, 3:85 to 3:89, 3:92, 3:93, 5:15, 5:27, 5:38, 6:4, 7:2, 7:6, 7:21, 7:23, 7:24, 7:31, 7:34, 7:36 to 7:39, 7:42 to 7:48, 7:51, 7:53, 7:54, 8:28, 8:52, 8:57, 8:59, 9:5, 9:28, 9:33, 10:8, 10:12, 10:23, 10:25, 13:26, 15:5, 15:18, 17:41 to 17:43, 17:91  
Dance, 3:11, 7:29, 9:42  
Date, 3:2, 3:15, 3:16, 3:45, 3:85 to 3:89, 3:91 to 3:93, 4:2, 7:10, 7:17, 7:18, 7:20, 7:47, 7:54, 7:56, 8:57, 9:5, 10:8, 10:23, 10:61, 13:26, 14:9, 15:5, 15:7, 15:9, 15:18, 17:42, 17:43, 17:91  
Decisions, 3:16, 3:88, 5:16, 5:24, 7:4, 7:33, 7:37, 8:28, 8:52, 9:42, 10:53, 15:9, 17:14  
Denial, 3:92, 7:45, 8:57, 17:42  
Depositions, 17:92  
Description, 2:4, 3:10, 3:87, 3:88, 3:92, 6:4, 7:3, 7:12, 7:15, 7:16, 7:36, 7:39, 7:41, 7:52, 10:6, 17:97  
Discovery, 3:68, 5:15, 5:20, 5:38, 7:3, 7:20, 7:47, 7:53, 10:53, 17:92  
Distinctiveness, 5:15, 7:13, 7:15, 7:19, 7:21, 7:43, 7:44, 11:17  
Diversity, 17:21  
Drawings, 3:87, 3:93, 7:40  
Enhancement, 7:47  
Equitable principles, 7:36  
Evidence, 3:2, 3:44, 3:86, 3:87, 3:89, 3:92, 5:7, 5:15, 5:20, 5:21, 5:24, 5:27, 5:29, 5:38, 5:39, 5A:23, 6:4, 7:6, 7:10, 7:12, 7:15 to 7:19, 7:21, 7:22, 7:25, 7:26, 7:29, 7:31, 7:32, 7:41, 7:45 to 7:47, 7:49, 7:50, 7:52, 8:28, 8:53, 8:57, 8:59, 9:5, 9:17, 9:28, 9:42, 9:44, 10:6, 10:23, 10:53, 11:16, 11:17, 13:21, 13:26, 14:9, 15:4, 15:5, 15:7, 15:9, 15:18, 17:14, 17:17,

**TRADEMARKS—Cont'd**

17:21, 17:39, 17:41 to 17:43,  
17:91, 17:92  
Exhibits, 3:87, 3:92, 3:93, 5:20,  
17:97  
Extension, 3:16, 3:87, 7:48, 8:28,  
10:8, 15:4  
Extensions of time, 3:93  
Federal Rules of Civil Procedure,  
8:57  
Federal Trade Commission, 2:6,  
3:92, 5A:23, 7:4  
Fees, 2:3, 2:4, 2:12, 3:1, 3:10, 3:16,  
3:44, 3:45, 3:68, 3:87 to 3:89,  
3:91 to 3:93, 4:4, 5:15, 5:20,  
5:21, 5:24, 5:29, 5:38, 5:39,  
5A:23, 6:4, 7:6, 7:34, 7:42,  
7:47, 7:54, 8:28, 8:57, 8:59,  
9:44, 10:6, 10:12, 10:23, 12:2,  
12:8, 13:35, 15:5, 17:1, 17:14,  
17:21, 17:42, 17:43, 17:97  
Filing, 3:13, 3:15, 3:85, 3:86, 3:88,  
3:89, 3:91, 3:93, 5:20, 5A:23,  
7:10, 7:18, 7:20, 7:21, 7:47,  
8:52, 13:21, 13:26, 13:41,  
17:39, 17:41, 17:43, 17:91,  
17:92  
Foreign country, 5:15  
Form, 1:20, 2:4, 2:6, 3:1, 3:2, 3:6 to  
3:8, 3:10 to 3:16, 3:21, 3:44,  
3:45, 3:48, 3:68, 3:85 to 3:89,  
3:91 to 3:93, 5:12, 5:20, 5:38,  
5:39, 5A:23, 6:4, 7:3, 7:6, 7:7,  
7:13, 7:36 to 7:40, 7:47, 7:52,  
7:54, 8:53, 8:57, 9:5, 11:16,  
13:35, 17:14, 17:17, 17:42  
Generic terms, 7:15  
Goods and services, 3:88, 3:93, 5:15,  
5:24, 5:27, 5:29, 5:39, 7:5, 7:6,  
7:8, 7:15, 7:24, 7:45, 10:3, 10:6  
Incontestability, 7:18, 7:21, 7:34  
Infringement, 2:4, 3:12, 3:13, 3:85,  
3:87, 3:88, 3:92, 3:93, 7:2 to  
7:4, 7:6 to 7:9, 7:12, 7:15 to  
7:18, 7:21 to 7:34, 7:36, 7:37,  
7:39, 7:41 to 7:49, 7:54, 7:56,  
9:1, 10:8, 17:1, 17:14, 17:17,  
17:21, 17:41 to 17:43, 17:97  
Infringement litigation, 7:3  
Insolvency, 3:85, 3:86, 3:91, 3:93,  
10:25, 13:26, 13:35, 15:7

**TRADEMARKS—Cont'd**

Inspection, 3:86 to 3:88, 3:93, 4:7,  
5:16, 9:42, 10:23, 11:16, 17:21  
Interrogatories, 3:44  
Jurisdiction, 3:86 to 3:89, 3:91 to  
3:93, 5:9, 5:11, 5:12, 5:15, 5:16,  
5:20, 5:21, 5:24, 5:27, 5:29,  
5:38, 5:39, 7:34, 7:47, 7:51,  
7:56, 8:57, 9:28, 10:12, 12:8,  
15:18, 17:14, 17:17, 17:21,  
17:43, 17:92  
Knowledge, 3:87 to 3:89, 3:92, 5:20,  
5:29, 5A:23, 6:4, 7:3, 7:18,  
7:28, 7:34, 7:42, 7:45, 7:46,  
7:50, 7:52, 8:28, 8:52, 8:53,  
8:59, 9:5, 9:42, 10:23, 15:5,  
15:7, 17:17, 17:41, 17:43, 17:97  
Lanham Act, 7:5 to 7:8, 7:12, 7:16 to  
7:18, 7:20, 7:21, 7:23 to 7:26,  
7:34, 7:36 to 7:38, 7:41, 7:43,  
7:45 to 7:47, 9:43, 10:3, 17:41  
Library, 7:49  
Likelihood of confusion, 7:6, 7:7,  
7:12, 7:15, 7:18, 7:20, 7:23,  
7:25 to 7:35, 7:37, 7:41, 7:43 to  
7:46, 7:49, 7:54, 17:39, 17:97  
Master, 3:87, 3:88, 5:16, 5:21, 5:29,  
7:25, 9:5, 9:42, 9:44  
Modification, 3:88, 3:92, 3:93, 4:21,  
5:15  
Motion, 3:10, 3:11, 3:68, 5:16, 5:20,  
5:24, 5:29, 5:39, 7:6, 7:27,  
7:32, 7:45, 7:49, 8:28, 8:53,  
8:57, 8:59, 9:5, 9:33, 9:42,  
9:44, 10:6, 10:23, 10:53, 11:17,  
13:21, 13:38, 14:9, 15:4, 15:5,  
17:17, 17:21, 17:39, 17:41 to  
17:43, 17:91, 17:92  
Motion pictures, 7:49  
Motions, 7:49, 8:57, 17:39, 17:43,  
17:92  
Music, 3:87, 7:2, 7:33, 8:59  
Notice, 2:12, 3:6, 3:13 to 3:16, 3:44,  
3:45, 3:48, 3:85 to 3:89, 3:91 to  
3:93, 4:4, 4:21, 5:27, 5:29,  
5A:23, 6:4, 7:3, 7:6, 7:10, 7:18,  
7:20, 7:45, 7:49, 7:56, 8:57,  
8:59, 10:6, 10:8, 10:12, 10:23,  
10:25, 10:28, 10:34, 11:17,  
13:26, 15:5, 15:7, 15:9, 17:14,  
17:39, 17:42, 17:43, 17:97

## INDEX

### TRADEMARKS—Cont'd

Number, 2:3, 2:12, 3:1, 3:6 to 3:8, 3:44, 3:45, 3:87 to 3:89, 3:91 to 3:93, 4:6, 5:7, 5:16, 5:20, 5:29, 5:39, 7:9, 7:13 to 7:16, 7:22 to 7:25, 7:27, 7:29, 7:31, 7:32, 7:36, 7:40, 7:41, 7:45 to 7:47, 8:28, 8:57, 8:59, 9:5, 9:17, 9:42, 10:23, 10:61, 11:16, 11:17, 17:21, 17:39, 17:41 to 17:43  
Oppositions, 7:4  
Oral argument, 7:47  
Orders, 3:15, 3:45, 3:85 to 3:89, 3:92, 5:15, 5:16, 5:24, 5:29, 5:39, 5A:23, 6:4, 7:54, 8:59, 17:39, 17:43, 17:97  
Parties, 2:4, 2:6, 3:1, 3:2, 3:6 to 3:8, 3:11, 3:13, 3:15, 3:16, 3:45, 3:68, 3:85 to 3:89, 3:91 to 3:93, 4:4, 4:7, 5:11, 5:15, 5:16, 5:20, 5:21, 5:24, 5:27, 5:29, 5:38, 5:39, 6:4, 7:3, 7:4, 7:14, 7:15, 7:17, 7:20, 7:24 to 7:26, 7:28, 7:29, 7:32, 7:35 to 7:37, 7:44, 7:46, 7:47, 7:50, 7:56, 8:28, 8:52, 8:57, 8:59, 9:1, 9:17, 9:28, 9:42, 9:44, 10:3, 10:6, 10:8, 11:16, 12:2, 13:26, 15:4, 15:5, 15:7, 15:9, 17:1, 17:14, 17:17, 17:21, 17:39, 17:42, 17:43, 17:91, 17:92, 17:97  
Patents, 2:4, 3:10, 7:1, 7:4, 7:13, 7:48, 9:5  
People, 1:3, 2:1, 2:4, 3:93, 5:7, 5:24, 5:29, 7:32, 9:5, 10:12, 17:42  
Personal jurisdiction, 3:92, 3:93, 7:47, 12:8, 17:14, 17:17, 17:21  
Pleadings, 9:5, 9:28  
Power of attorney, 3:13  
Preliminary injunctions, 3:87, 3:92, 8:57, 17:39, 17:41, 17:43  
Priority, 7:10, 7:14, 7:17  
Publications, 2:12, 3:93, 5:20, 5:29, 7:17, 10:6  
Punitive damages, 3:68, 3:92, 7:47, 9:28, 9:33  
Quantity, 2:3, 3:87, 5:24, 5:39, 8:59, 17:14  
Questions, 2:3, 2:4, 2:12, 3:10, 7:4, 7:45, 8:53, 8:59, 9:17, 9:44,

### TRADEMARKS—Cont'd

10:53, 15:4, 15:9, 15:18, 17:41 to 17:43  
Receipts, 3:88, 3:89, 3:93, 12:8, 15:5  
Refusal, 3:44, 3:45, 3:68, 3:86 to 3:89, 7:41, 7:54, 8:28, 8:59, 10:23, 15:4, 15:5, 15:7, 15:9, 17:21, 17:41, 17:43, 17:97  
Registration, 2:1, 2:4, 2:6, 3:1, 3:10, 3:87, 3:88, 3:93, 4:2, 5:7, 5:9, 5:11, 5:12, 5:15, 5:16, 5:20, 5:21, 5:24, 5:27, 5:29, 5:38, 5:39, 5A:23, 6:4, 7:4, 7:10, 7:12 to 7:15, 7:18 to 7:22, 7:28, 7:34, 7:43, 8:52, 8:59, 10:6, 10:28, 17:1, 17:14, 17:42, 17:97  
Relationship of parties, 3:86, 3:93  
Removal, 10:28, 13:35, 15:5, 17:92  
Restrictions, 3:10, 3:87 to 3:89, 3:92, 3:93, 4:2, 5:12, 5:15, 5:29, 6:4, 7:8, 7:50, 8:28, 8:52, 8:57, 8:59  
Review, 2:4, 3:6, 3:87 to 3:89, 3:91, 3:93, 7:2, 9:42, 10:12, 15:9, 17:1  
Rules, 2:6, 3:44, 3:85, 3:87 to 3:89, 3:91 to 3:93, 5:12, 5:16, 5:29, 5A:23, 6:4, 7:19, 7:45, 8:57, 8:59, 9:42, 15:5, 17:17, 17:43, 17:91  
Sample, 3:21, 3:87, 3:88, 5:20, 5A:23, 7:46  
Service marks, 2:4, 3:13, 3:16, 3:87 to 3:89, 3:91 to 3:93, 5:9, 7:2 to 7:4, 7:13 to 7:34, 7:54, 13:26  
Services, 1:3, 2:3, 2:4, 3:1, 3:2, 3:7, 3:10, 3:11, 3:44, 3:86 to 3:89, 3:91 to 3:93, 5:7, 5:9, 5:11, 5:12, 5:15, 5:16, 5:20, 5:21, 5:24, 5:27, 5:29, 5:38, 5:39, 5A:23, 6:4, 7:2 to 7:6, 7:8, 7:9, 7:14, 7:15, 7:18 to 7:21, 7:23 to 7:29, 7:33, 7:34, 7:36 to 7:39, 7:41, 7:43, 7:45, 7:47, 7:50, 7:56, 8:28, 8:53, 8:57, 8:59, 9:5, 9:33, 9:42 to 9:44, 10:3, 10:6, 10:12, 11:16, 11:17, 12:2, 12:8, 13:21, 13:26, 13:35, 13:41, 17:1, 17:14, 17:41, 17:91, 17:97  
Signature, 3:85, 3:93, 9:44  
Six-month period, 7:20

**TRADEMARKS—Cont'd**

Submission, 3:86, 3:88, 3:89, 15:5  
 Sufficiency, 8:59, 9:17, 17:14  
 Summary judgment, 3:10, 3:16, 3:44, 5:24, 5:29, 5:38, 5:39, 5A:23, 6:4, 7:17, 7:25, 7:32, 7:53, 8:28, 8:57, 8:59, 9:17, 9:33, 9:42, 9:44, 10:3, 10:6, 10:23, 11:17, 15:5, 15:9, 17:92  
 Supplemental register, 7:4, 7:18, 7:19  
 Surveys, 3:44, 7:6, 7:17, 7:26, 7:32, 8:28, 8:59  
 Television, 5:29, 7:17, 7:30, 7:45, 8:28  
 Temporary restraining orders, 17:39  
 Testimony, 3:2, 3:44, 3:68, 5:27, 5A:23, 7:6, 7:17, 7:26, 7:32, 7:45, 8:53, 8:59, 9:28, 9:42, 9:44, 10:12, 13:21, 17:21, 17:43  
 Third parties, 2:4, 3:85, 3:87, 3:92, 3:93, 4:7, 5:15, 7:3, 7:15, 7:50, 8:59, 9:1, 9:42, 9:44, 11:16, 15:7, 17:1, 17:14  
 Time, 2:2 to 2:4, 3:2, 3:7, 3:10, 3:11, 3:13 to 3:16, 3:21, 3:44, 3:45, 3:68, 3:85 to 3:89, 3:91 to 3:93, 4:2, 5:20, 5:21, 5:27, 5:29, 5:38, 5:39, 5A:23, 6:4, 7:4, 7:6, 7:14, 7:17, 7:18, 7:31, 7:34, 7:45, 7:47, 7:50, 7:51, 7:54, 8:28, 8:53, 8:57, 8:59, 9:5, 9:17, 9:28, 9:33, 9:44, 10:3, 10:6, 10:8, 10:12, 10:23, 10:25, 10:53, 10:61, 11:17, 13:21, 13:26, 13:38, 14:9, 15:4, 15:5, 15:7, 15:9, 17:1, 17:14, 17:41 to 17:43, 17:92, 17:97  
 Titles, 3:88, 7:49  
 Trade secrets, 1:20, 2:3, 2:4, 3:10 to 3:14, 3:87 to 3:89, 3:92, 3:93, 4:7, 7:1 to 7:3, 7:8, 7:40, 7:41, 7:45, 7:50 to 8:53, 8:57, 8:59, 9:1, 9:33, 11:17, 11:20, 17:1, 17:14, 17:17, 17:41  
 Trademark Trial and Appeals Board, 7:20  
 Transcript, 7:47  
 Treble damages, 6:4, 7:31, 7:47  
 Trial, 3:68, 3:93, 5:15, 5:20, 7:18, 7:20, 7:45, 7:47, 7:56, 8:28,

**TRADEMARKS—Cont'd**

8:57, 8:59, 9:17, 9:42, 9:44, 15:4, 15:7, 15:18, 17:21, 17:39, 17:41, 17:43, 17:92  
 Use, 1:3, 1:20, 2:3, 2:4, 3:2, 3:6 to 3:8, 3:10 to 3:14, 3:21, 3:44, 3:45, 3:68, 3:85 to 3:89, 3:91 to 3:93, 4:2, 4:4, 4:6 to 5:7, 5:9, 5:11, 5:12, 5:15, 5:16, 5:20, 5:21, 5:24, 5:27, 5:29, 5:38, 5:39, 5A:23, 6:4, 7:2 to 7:23, 7:25 to 7:29, 7:31, 7:32, 7:34 to 7:37, 7:40 to 7:50, 7:52 to 7:54, 8:28, 8:53, 8:57, 8:59, 9:17, 9:42, 9:44, 10:3, 10:6, 10:8, 10:23, 10:34, 10:61, 11:16, 11:17, 11:20, 12:2, 12:8, 13:21, 13:35, 13:38, 13:41, 14:9, 15:4, 15:5, 15:7, 15:9, 15:18, 17:1, 17:14, 17:21, 17:39, 17:41 to 17:43, 17:91, 17:92, 17:97  
 Venue, 3:88, 3:93, 7:45, 17:14, 17:21, 17:92  
 Verification, 14:9  
 Withdrawal, 5:29, 15:5, 15:9, 17:92

**TRANSFER**

Appeal, 3:93, 14:36, 15:7, 16:4, 17:10, 17:20, 17:43, 17:69, 17:81  
 Forum non conveniens, 17:19 to 17:21  
 Orders, 3:45, 3:87 to 3:89, 3:92, 5:3, 5:15, 5:24, 5:39, 5A:23, 7:54, 8:7, 8:59, 9:38, 14:25, 14:33, 17:39, 17:43, 17:48  
 Parties, 3:1, 3:4, 3:45, 3:50, 3:87 to 3:89, 3:92, 3:93, 4:4, 4:5, 4:11, 5:3, 5:15, 5:20, 5:21, 5:24, 5:39, 8:2, 8:7, 8:15, 8:16, 8:28, 8:37, 8:57 to 8:59, 9:3, 9:8, 9:16, 9:35, 9:37 to 9:39, 10:1, 10:42, 10:45, 10:47, 10:48, 12:2, 13:3, 14:1, 14:28, 14:32, 14:33, 14:36, 14:37, 15:5, 15:7, 15:22, 16:4, 16:6, 17:10, 17:14, 17:19 to 17:21, 17:25, 17:39, 17:40, 17:43, 17:48, 17:50, 17:67, 17:69, 17:81, 17:87, 17:91, 17:92  
 Remand, 17:69

## INDEX

### TRANSFER—Cont'd

Witnesses, 3:44, 17:10, 17:19, 17:21,  
17:40, 17:64, 17:67

### TRIAL

California, 3:65, 3:68, 5:15, 7:45,  
8:6, 8:28, 8:30, 8:32, 8:61,  
8:63, 9:17, 9:30, 9:42, 9:44,  
10:15, 10:27, 10:47, 14:37,  
15:22, 16:4, 17:19, 17:21,  
17:32, 17:34, 17:38, 17:57,  
17:59, 17:62, 17:69, 17:70,  
17:81, 17:82, 17:85

Disclosure, 1:7, 3:66, 3:93, 5:15,  
5:20, 7:45, 8:61, 9:8, 9:12,  
9:19, 9:30, 10:19, 10:27, 10:47,  
14:25, 17:21, 17:25, 17:41,  
17:43, 17:45, 17:52, 17:54,  
17:57, 17:62, 17:64, 17:66

Jury trial, 3:66, 14:2, 14:37, 15:18,  
17:11, 17:59, 17:60, 17:68,  
17:80, 17:85

New York, 3:93, 8:28, 8:56, 8:57,  
8:59, 8:63, 9:8, 9:17, 9:30,  
10:15, 10:47, 14:25, 14:28,  
14:30, 16:4, 17:34, 17:54, 17:85

### TWO SEPARATE PRODUCTS

Tying arrangements, 11:15

### UNFAIR COMPETITION

Florida, 8:53, 8:58, 9:34 to 9:36,  
16:4, 17:97

New Jersey, 9:34, 16:4

New York, 3:88, 4:4, 7:36, 7:39,  
7:44, 8:53, 8:58, 9:34 to 9:36,  
16:4, 17:17, 17:26

Restrictive covenants, 8:53

Texas, 7:45, 7:47, 8:53, 9:34 to 9:36,  
16:4

### UNIFORM TRADE SECRETS ACT

Contracts, 7:50

Customer lists, 7:50 to 7:52

Damages, 7:51

Economic value, 7:50 to 7:52

Idaho, 7:50

Illinois, 7:50

Independent economic value, 7:50 to  
7:52

Indiana, 7:50

Injunctive relief, 7:51

### UNIFORM TRADE SECRETS ACT

—Cont'd

Kansas, 7:50

Louisiana, 7:50

Maine, 7:52

Maintain secrecy, 7:50, 7:52

Minnesota, 7:50

Misappropriation, 7:50 to 7:52

Pennsylvania, 7:50

Readily ascertainable, 7:50

Value, 7:50 to 7:52

Washington, 7:50

### UNITED KINGDOM

Covenants not to compete, 8:57

Damages, 8:57, 17:24

Injunctions, 8:57

Litigation, 8:57, 17:24

Public interest, 8:57

Remedies, 8:57

Trade secret, 8:57

### UNITED STATES

Antitrust, 8:52, 11:6, 11:17, 11:23,  
11:25, 11:27, 11:30, 11:35,  
11:40, 14:1, 17:3, 17:5, 17:7,  
17:16, 17:33, 17:69, 17:96

Antitrust law, 11:6, 11:17, 11:23,  
11:25, 11:27, 11:30, 11:35,  
11:40, 17:33, 17:96

Burden of proof, 11:35, 14:32, 17:94

Choice of law, 3:62, 5:29, 17:81,  
17:94

Common law, 7:14, 8:4, 9:5, 9:32,  
9:37, 14:32, 17:94

Competing products, 10:23

Confidential business information,  
11:6, 17:100

Copyrights, 3:93, 11:17

Covenants not to compete, 8:50,  
8:52, 8:56

Damages, 3:85, 3:92, 3:93, 7:21,  
7:24, 7:31, 7:54, 8:50, 8:52,  
9:5, 9:37, 10:23, 10:45, 11:40,  
14:31, 16:4, 17:3, 17:10, 17:33,  
17:40, 17:53, 17:94, 17:96

Definitions, 3:93

Discovery, 7:20, 9:32, 11:35, 17:7,  
17:53, 17:100



**UNITED STATES—Cont'd**

Duration, 3:93, 7:16, 8:50, 8:52, 8:56, 9:5, 10:23, 14:1  
 Former employee, 11:40, 17:53  
 History, 1:8, 5:29, 9:37, 16:4  
 Income tax, 3:93  
 Injunctions, 3:92, 17:40  
 Injury, 3:92, 3:93, 7:24, 7:41, 9:32, 9:37, 11:17, 11:23, 11:25, 11:27, 11:35, 11:40, 17:15, 17:40, 17:96, 17:97  
 Jurisdiction, 3:62, 3:92, 3:93, 5:29, 7:56, 9:32, 10:45, 12:8, 14:32, 17:3, 17:5, 17:7, 17:10, 17:15, 17:16, 17:44, 17:69, 17:81, 17:94, 17:96  
 Limitations, 5:29, 8:4, 8:50, 8:52, 9:32, 10:45, 10:51, 13:38, 17:16, 17:81, 17:94  
 Litigation, 3:62, 3:93, 7:21, 9:32, 9:37, 14:32, 16:4, 17:3, 17:5, 17:7, 17:10, 17:15, 17:16, 17:33, 17:40, 17:44, 17:53, 17:63, 17:69, 17:81, 17:94, 17:96, 17:97, 17:100  
 Parties, 1:1, 3:62, 3:85, 3:92, 3:93, 5:29, 7:14, 7:17, 7:20, 7:24, 7:56, 8:4, 8:52, 8:56, 9:32, 9:37, 10:3, 10:4, 10:45, 10:51, 11:23, 14:1, 14:31, 14:32, 16:4, 17:3, 17:7, 17:10, 17:33, 17:40, 17:44, 17:53, 17:63, 17:69, 17:81, 17:94, 17:97, 17:100  
 Patents, 1:8, 9:5  
 Preemption, 14:31  
 Registration, 3:93, 5:29, 5A:4, 7:12, 7:14, 7:19 to 7:21, 8:52, 16:4, 17:69, 17:97  
 Remedies, 3:92, 3:93, 9:37, 10:4, 14:32, 16:4, 17:40, 17:44  
 Review, 3:93, 9:32, 14:32, 16:4, 17:3, 17:10, 17:53, 17:81, 17:94  
 Royalties, 3:62, 3:93, 10:23, 12:8, 17:69  
 Statute of limitations, 5:29, 8:4, 9:32, 10:45, 17:81, 17:94  
 Subject matter jurisdiction, 9:32, 17:3, 17:5, 17:7, 17:10, 17:96  
 Taxation, 12:8  
 Technology, 3:93, 5:29

**UNITED STATES—Cont'd**

Trade secrets, 3:92, 3:93, 7:41, 8:50, 8:52, 11:17, 17:15

**USE**

Antitrust law, 11:4, 11:7 to 11:9, 11:14 to 11:18, 11:20, 11:25, 11:26, 11:28, 11:30, 11:39, 11:40, 17:96  
 Damages, 2:17, 3:11, 3:25, 3:40, 3:68, 3:85 to 3:89, 3:92, 3:93, 4:11, 5:15, 5:18, 5:25, 5:27, 5:30, 5:38, 6:4, 7:2, 7:6, 7:21, 7:23, 7:31, 7:34, 7:36, 7:37, 7:42 to 7:48, 7:53, 7:54, 8:23, 8:28, 8:29, 8:32, 8:36, 8:44, 8:47, 8:57 to 8:63, 9:14, 9:30, 9:31, 9:34 to 9:36, 9:46, 10:8, 10:13, 10:14, 10:20, 10:23, 10:24, 10:47, 10:55, 10:58, 10:63, 11:39, 11:40, 13:29, 14:25, 14:26, 14:30, 14:33, 14:34, 15:3, 15:5, 15:17 to 15:19, 15:22, 16:4, 16:6, 17:11, 17:38, 17:40 to 17:43, 17:46, 17:52 to 17:54, 17:57, 17:60, 17:64, 17:67, 17:85, 17:91, 17:96  
 Evidence, 1:30, 3:2, 3:17, 3:20, 3:44, 3:60, 3:61, 3:86, 3:87, 3:89, 3:92, 4:18, 5:3, 5:6 to 5:8, 5:15, 5:19 to 5:21, 5:23 to 5:25, 5:27, 5:29, 5:38, 5:39, 5A:23, 6:1, 6:4, 7:6, 7:10, 7:12, 7:15 to 7:19, 7:21, 7:22, 7:25, 7:26, 7:29, 7:31, 7:32, 7:41, 7:45 to 7:47, 7:49, 7:50, 7:52, 8:3 to 8:5, 8:8, 8:10, 8:14, 8:23, 8:24, 8:27 to 8:29, 8:32, 8:34, 8:41, 8:53, 8:57, 8:59 to 8:63, 9:6, 9:14, 9:16, 9:17, 9:23, 9:30, 9:32, 9:34 to 9:36, 9:42, 9:44, 9:46, 9:47, 9:49, 10:6, 10:13, 10:14, 10:20, 10:23, 10:24, 10:31, 10:47, 10:55, 10:58, 11:4, 11:9, 11:14, 11:16 to 11:18, 11:39, 11:40, 13:4, 13:21, 13:23, 13:29, 14:9, 14:24 to 14:26, 14:28, 14:32 to 14:34, 15:4, 15:5, 15:7, 15:9, 15:10, 15:13, 15:18, 15:19, 15:22, 16:4, 16:6, 17:11, 17:14, 17:19,



## INDEX

### USE—Cont'd

17:21, 17:22, 17:38 to 17:43,  
17:46, 17:51 to 17:54, 17:57,  
17:58, 17:60, 17:61, 17:64,  
17:65, 17:67, 17:69, 17:79,  
17:85, 17:91, 17:92, 17:103

Patent law, 7:36

Software, 3:10, 3:24, 3:27, 3:93, 5:8,  
5:19, 5:20, 5:29, 6:1, 7:49,  
7:50, 7:52, 8:59, 8:60, 9:23,  
9:35, 9:36, 10:63, 11:14, 16:6

### UTAH

Evidence, 6:4, 14:24, 16:4, 16:6

Remedies, 6:4, 16:4, 16:6

Restrictive covenants, 17:23

### VALIDITY

Anticipation, 3:93

Burden of proof, 7:34, 17:94

Defenses, 7:18, 7:34, 17:81, 17:94

Evidence, 3:2, 3:62, 3:65, 3:87, 4:18,  
7:6, 7:18, 7:45, 8:2, 8:4, 8:16,  
8:18, 8:59, 8:61, 9:17, 9:38,  
10:4, 17:24, 17:28, 17:82, 17:94

Inequitable conduct, 7:34

Intent, 3:2, 3:62, 3:65, 3:87, 7:18,  
8:4, 8:16, 9:38, 17:5, 17:81,  
17:82

Judgments, 3:93, 8:59

Materiality, 8:59

Records, 3:80, 3:87, 3:88, 3:93, 4:18,  
8:59

Requirements, 3:13, 3:31, 3:87, 3:88,  
3:93, 7:18, 7:45, 8:4, 8:59,  
10:4, 17:24, 17:81

Subject matter, 3:87, 3:88, 7:34, 8:2,  
8:16, 9:17, 9:38, 17:5, 17:24,  
17:28, 17:94

Use, 3:2, 3:13, 3:31, 3:85, 3:87,  
3:88, 3:93, 4:18, 7:3, 7:4, 7:6,  
7:18, 7:34, 7:45, 8:4, 8:59,  
8:61, 9:17, 17:5

Utility, 10:4

Witnesses, 10:28

### VALUE

Canada, 3:93

Economic Value, 7:43, 7:50 to 7:53

### VALUE—Cont'd

United States, 3:93, 5:29, 9:5, 9:32,  
9:37, 11:35, 14:32, 16:4, 17:40,  
17:96, 17:97

### VENDORS

Evidence, 9:32, 9:38

### VENUE

Appeal, 3:65, 3:93, 16:4, 17:10,  
17:20, 17:94

Corporations, 3:93, 16:4, 17:13,  
17:94

Diversity, 17:6, 17:7, 17:19, 17:21,  
17:22, 17:45, 17:94

Infringement, 3:88, 3:93, 7:45, 17:6,  
17:14, 17:16, 17:19, 17:21

Jurisdiction, 3:4, 3:62, 3:88, 3:93,  
4:17, 5:14, 9:32, 10:48, 16:6,  
17:6, 17:7, 17:10, 17:13, 17:14,  
17:16, 17:19 to 17:24, 17:45,  
17:70, 17:82, 17:92, 17:94

Litigation, 3:62, 3:88, 3:93, 7:45,  
9:32, 10:48, 15:19, 16:4, 17:6,  
17:7, 17:10, 17:13, 17:14,  
17:16, 17:19 to 17:24, 17:45,  
17:70, 17:82, 17:92, 17:94

Omissions, 3:93, 10:48, 17:19,  
17:21, 17:45

Orders, 3:88, 17:6, 17:13

Place of business, 3:62, 3:88, 5:14,  
8:14, 16:6, 17:14, 17:20 to  
17:24

Residence, 17:6, 17:19, 17:22, 17:23

Statutes, 3:62, 3:65, 5:14, 9:32,  
10:48, 16:4, 16:6, 17:6, 17:7,  
17:10, 17:13, 17:14, 17:16,  
17:19 to 17:24, 17:70, 17:82

### VICARIOUS LIABILITY

Damages, 9:41

### VIRGINIA

Evidence, 3:62, 5A:46, 6:4, 8:7,  
8:19, 9:30, 9:38, 9:45, 9:51,  
10:6, 14:26, 14:32 to 14:34,  
15:19, 15:22, 16:4, 16:6, 17:24,  
17:32, 17:69

Restrictive covenants, 17:23

### WAIVER

Forms, 3:86 to 3:89, 3:91 to 3:93,  
4:18, 7:6, 14:33, 17:33, 17:60,  
17:88

**WAIVER—Cont'd**

Litigation, 3:62, 3:87, 3:88, 3:93,  
4:11, 8:37, 8:46, 9:30, 10:12,  
10:42, 10:47, 10:48, 14:36,  
14:37, 16:4, 17:6, 17:16, 17:18,  
17:19, 17:22, 17:24, 17:25,  
17:33, 17:59, 17:60, 17:67,  
17:77, 17:80, 17:85, 17:88,  
17:92, 17:93

Noncompetition agreements, 3:88

**WASHINGTON**

Remedies, 6:4, 7:50, 8:37, 9:34,  
9:35, 10:4, 10:27, 14:32, 16:4,  
16:6, 17:22, 17:85

Restrictive covenants, 8:53, 17:23

Uniform Trade Secrets Act, 7:50

**WEB SITES**

Development agreements, 17:14

**WIRE FRAUD**

Theft of trade secrets, 9:33

**WISCONSIN**

Definitions, 1:34, 10:6, 14:24, 14:33,  
17:54

Evidence, 5:3, 5:4, 5:6, 5:7, 5:25,  
5:39, 5A:46, 8:29, 8:62, 9:11,

**WISCONSIN—Cont'd**

9:13, 9:16, 9:28, 9:36, 9:50,  
10:4, 10:6, 10:7, 10:13, 10:15,  
10:22 to 10:24, 10:45, 14:24 to  
14:26, 14:28, 14:32 to 14:34,  
14:37, 15:22, 16:4, 16:6, 17:21,  
17:22, 17:24, 17:40, 17:43,  
17:54, 17:71, 17:94, 17:105

Restrictive covenants, 8:49, 9:4,  
17:23

Statutory definitions, 14:24

**WITNESSES**

Discovery, 17:2, 17:52, 17:53, 17:55,  
17:57, 17:58, 17:60, 17:62,  
17:67, 17:93

Enforcement, 5A:44, 17:22, 17:40,  
17:57

Expert witnesses, 17:52

Forum non conveniens, 17:19, 17:21

Opinion testimony, 17:64

Removal, 10:28, 17:10

Transfer, 3:44, 17:10, 17:19, 17:21,  
17:40, 17:64, 17:67

Validity, 10:28

**WYOMING**

Remedies, 16:4, 16:6