

Index

ACQUIRED DISTINCTIVENESS

Surnames, **9:11, 9:17**

ACQUISITIONS

Consideration, **14:34, 17:14**

Control, **14:34, 17:14**

License, **14:34**

Parties, **14:34**

ADVERTISING

Consent, **6:3, 11:9, 13:5, 13:8, 13:11**

Data, **6:3, 11:38, 17:3, 17:9**

Disclosure, **9:16, 12:8, 13:1, 17:11**

Endorsements, **13:1**

Federal Trademark Dilution Act, **11:26**

Personal jurisdiction, **5:2, 11:1, 11:2**

Trademarks, **9:3, 9:8, 9:10 to 9:12, 9:16, 9:26, 9:30, 10:7, 10:18, 10:31, 10:33, 10:35, 11:9 to 11:11, 11:18, 11:22, 11:28, 11:35, 11:36, 17:4, 17:5, 17:10, 17:11**

AFFIRMATIVE DEFENSES

Laches, **5:33**

Res judicata, **5:33**

AGREEMENTS

Assignment, **2:1, 2:34, 8:1, 14:1, 14:2, 14:6, 14:16, 14:30, 14:37, 17:11**

Breach, **8:1, 12:10, 12:30, 12:36, 14:2, 14:36**

Choice of law, **14:21**

Confidentiality, **12:10, 12:13, 12:30, 14:2, 14:13, 14:34, 14:36**

Damages, **2:1, 5:28, 5:29, 12:36, 14:2, 14:30, 14:36, 15:4**

Employment Contracts, **12:10**

Evidence, **2:34, 5:28, 12:10, 12:30, 12:36**

Forms, **2:1, 14:13, 14:37, 15:3, 15:4**

Negotiations, **2:34, 5:28, 14:13, 14:21, 14:34, 14:36, 15:3**

Noncompetition agreements, **14:36**

Nondisclosure Agreements, **12:9, 17:6, 17:11**

AMERICA INVENTS ACT

Novelty, **2:31, 2:33, 2:34, 4:10**

Obviousness, **4:10**

ANTICIPATION

Application, **3:22, 5:2**

Description, **5:20, 5:35**

Foreign country, **3:22**

ANTICIPATION—Cont'd

Novelty, **5:35**
Printed publication, **3:22, 5:35**
Public use, **3:22, 5:35**
Publication, **3:22, 5:35**
Sales, **5:2**

ANTICYBERSQUATTING CONSUMER PROTECTION ACT

Bad faith intent, **11:34**
Confusingly similar, **11:34**
Cybersquatting, **11:34**
Damages, **11:34**
Dispute resolution, **11:34**
Domain name, **11:34**
Fair use, **11:34**
Famous mark, **11:34**
In personam, **11:34**
In rem actions, **11:34**
Injunctive relief, **11:34**
Jurisdiction, **11:34**
Registration, **11:34**
Remedies, **11:34**
Reverse domain name hijacking, **11:34**
Safe harbor, **11:34**
Use, **11:34**

ANTITRUST

Deal, **5:46**
Distribution, **6:11**
Enforcement, **8:22**
Federal antitrust laws, **8:22**
Geographic restrictions, **14:2**
Intellectual property, **14:2, 14:4, 14:14**
Intent, **5:46, 14:2**
Licenses, **5:46, 6:11, 14:2, 14:14**
Licensing, **5:46, 6:11, 14:2, 14:4, 14:14**
Parties, **5:47, 14:2, 14:14**
Patents, **5:46, 5:47, 14:2, 14:4, 14:14**
Payment of royalties, **14:14**
Relevant market, **5:46**
Restrictions, **5:47, 14:2, 14:14**
Royalties, **5:46, 6:11, 14:2, 14:14**
State law, **6:11**
Time, **6:11, 14:14**
Tying, **5:46, 14:14**
United States, **5:47, 14:2**
Validity, **6:11, 14:2, 14:4, 14:14**

INDEX

APPEAL

- Alternatives, 4:7
- Arguments, 3:30, 4:6, 6:8
- Board of Patent Appeals and Interferences, 3:29
- Brief, 3:29, 10:36, 10:40
- Briefs, 10:36, 10:40
- Decisions, 3:19, 4:6, 4:9, 5:19, 10:40
- District Court Actions, 10:40
- Federal Circuit, 3:1, 3:29, 4:6 to 5:9, 5:13, 5:34, 9:16, 10:40
- Hearings, 4:8, 5:13
- Infringement, 4:6, 4:9, 5:9, 5:13, 5:19, 5:34, 8:32, 9:16, 9:28, 11:16
- Inter partes review, 4:7, 4:9
- Interferences, 3:29, 3:30
- Notice of appeal, 3:19, 3:29, 4:6, 10:36
- Oral argument, 10:36, 10:40
- Oral hearing, 10:40
- Patent Trial and Appeal Board, 3:1, 3:19, 3:29, 3:30, 4:6 to 4:9, 5:19
- Pilot program, 3:19, 3:29
- Pre-appeal brief conference, 3:29
- Reply brief, 10:36
- Time for appeal, 4:6

APPLICATION

- Acquired distinctiveness, 10:33, 10:35
- Amendment, 2:22, 3:27 to 3:29, 3:32, 4:6, 5:2, 5:18, 5:19, 10:7, 10:17, 10:23, 10:35, 11:18, 11:36
- Concurrent use, 10:6, 11:9, 11:28
- Disclaimers, 10:35, 11:18
- Discovery, 2:37, 3:9, 4:9, 5:8, 5:19, 5:34
- Examination, 2:3, 2:7, 2:9, 2:37, 3:3, 3:8, 3:9, 3:19 to 3:29, 4:6, 5:8, 5:18, 10:4 to 10:6, 10:15, 10:18, 10:24, 10:25, 10:34, 10:35, 10:37, 15:3, 15:4, 15:7 to 15:9
- Forms, 3:10, 3:20, 3:24, 7:9, 8:21, 10:17, 10:18, 11:36, 12:1, 15:3, 15:4
- Germany, 2:3, 2:34, 3:12, 15:4, 15:8
- Intent to use, 9:24, 10:8 to 15:9
- Inter partes proceedings, 4:9, 10:38, 10:39
- Patents, 2:3, 2:5, 2:7, 2:11, 2:26, 2:28, 2:33, 2:34, 2:36, 2:37, 3:5, 3:19, 3:23, 3:24, 3:27, 3:29 to 3:31, 3:33, 4:4, 4:6, 4:9, 5:8, 5:19, 5:28, 5:34, 5:40, 5:47, 12:1, 14:2, 14:4, 14:30, 14:34, 15:3 to 15:5, 15:8, 15:10, 16:4, 17:5
- Previously filed, 10:9
- Registered Marks, 9:24, 10:25, 16:5
- Registration, 3:3, 5:19, 7:2, 7:3, 7:6, 7:7, 7:9, 7:10, 8:21, 8:32, 9:21, 9:24, 10:1, 10:4, 10:6, 10:8 to 10:13, 10:16, 10:18, 10:20, 10:21, 10:23 to 10:25, 10:30, 10:34, 10:35, 10:37 to 10:39, 10:41, 11:9, 11:34, 12:1, 14:27, 14:30, 15:3, 15:9 to 15:13, 15:15, 16:1, 16:3
- Remand, 3:29
- Requests for, 5:19, 10:38

ASSIGNMENT

Agency, **14:2**
Bankruptcy, **14:26, 14:33**
Banks, **14:27**
Checks, **3:32**
Consent, **3:15, 6:10, 11:9, 14:4, 14:6, 14:16, 14:33, 14:37**
Consideration, **3:32, 14:2, 17:11**
Constructive notice, **5:5, 6:11**
Contracts, **12:12, 14:33**
Contribution, **12:12**
Copyright, **6:5, 6:10, 6:11, 6:28, 8:1, 13:2, 14:2, 14:26, 14:27, 14:30, 17:11**
Defenses, **5:7**
Definitions, **2:34**
Employment, **2:1, 12:12, 17:11**
Employment Contracts, **12:12**
Evidence, **2:34, 3:14, 6:11, 11:9**
Federal Courts, **8:1**
Formal requirements, **3:32**
Heirs, **6:28**
Infringement, **2:1, 5:5, 5:7, 6:11, 8:1, 11:9, 14:2, 14:4, 14:30, 15:13**
Names, **2:7, 2:11, 6:5, 13:2, 14:2, 14:30, 14:33**
Parties, **2:34, 5:5, 8:1, 9:25, 11:9, 12:12, 13:2, 14:2, 14:5 to 14:11, 14:16, 14:30, 14:32, 14:33, 17:11**
Patents, **2:1, 2:7, 2:11, 2:34, 5:5, 14:1, 14:2, 14:4, 14:26, 14:30, 14:33, 14:37, 17:11**
Payment, **3:4, 3:32, 5:5, 6:11, 14:2**
Personal property, **2:1**
Property, **2:1, 6:5, 6:10, 12:12, 13:2, 14:1, 14:2, 14:4 to 14:11, 14:16, 14:26, 14:27, 14:30, 14:32, 14:33, 14:37, 15:13, 17:11**
Public policy, **12:12**
Punitive damages, **5:5**
Sales, **2:34, 11:9, 13:2, 14:2, 17:11**
Standing, **5:5**
Subject matter, **2:34, 5:5, 6:5, 8:1, 14:2**
Time, **2:7, 2:11, 2:34, 3:4, 3:15, 3:32, 6:5, 6:11, 6:28, 11:9, 12:12, 14:7, 14:30**
Torts, **5:5**
Warranties, **14:2**

BANKRUPTCY

Assignment, **14:26, 14:33**
Contracts, **14:33**
Executory contracts, **14:33**
License, **14:33**
Termination, **14:33**
Transfer, **14:33**

BOOKS

Access, **6:23**
Authorship, **15:14**

INDEX

BOOKS—Cont'd

- Covers, 17:13
- Fair use, 6:23, 11:18
- Graphics, 6:23
- Image, 11:18
- Infringement, 6:23, 11:18, 15:14, 17:13
- Name, 11:18, 17:13
- Packaging, 17:13
- Parody, 6:23, 11:18
- Right of publicity, 11:18
- Text, 6:23
- Trademarks, 11:18, 14:22, 17:13

BREACH OF CONFIDENCE

- United States, 12:18

BRIEFS

- Filing, 10:36, 10:40
- Form, 10:40
- Manual of Procedure, 10:40
- Substance, 10:36

BURDEN OF PROOF

- United States, 5:1

CALIFORNIA

- Advertising, 11:36, 13:5, 13:8, 13:11
- Cause of action, 12:22, 12:23, 13:4, 13:5, 13:8, 13:11, 13:13
- Claims, 11:36, 12:23, 13:4, 13:5
- Conduct, 13:13
- Consumers, 11:19, 11:36
- Damages, 13:5, 13:11, 13:15, 13:16
- Fraud, 13:15
- Jurisdiction, 12:23
- Liability, 11:19, 12:22, 13:4
- Licenses, 14:26
- Misappropriation, 12:22, 12:23
- Pleadings, 12:23
- Preemption, 14:25
- Property rights, 13:12, 14:25, 14:26, 15:11
- Punitive damages, 13:15
- Remedies, 11:19, 13:5
- Standing, 12:23, 14:25
- Statutes, 13:5

CANADA

- Civil law, 15:15
- Litigation, 14:33
- Obligations, 14:33

CHEMICAL

Chemical compounds, 3:25
Compositions, 5:34
Discovery, 5:34
Evidence, 11:18
Genus, 3:25
Isolation, 5:34
Novelty, 12:2

CHILE

Manufacturers, 15:9

CLAIMS

Alternatives, 4:7
Amendments, 2:13, 3:8, 3:19, 3:21, 3:28, 3:32, 4:8, 5:8, 5:18
Apparatus, 2:9, 4:10, 14:13
Business methods, 5:34, 5:48
Combination claim, 5:15
Complete, 3:9, 3:17, 3:18, 5:8, 5:14, 11:1, 11:26, 14:2, 16:1
Composition of matter, 3:20, 5:34, 5:48
Constructed, 2:3, 3:30
Defect, 5:8, 10:38, 11:5
Definite, 5:15, 5:42, 14:13
Dependency, 2:9, 3:32
Design patents, 2:14, 2:26, 2:32, 3:23, 17:3
Discovery, 2:37, 3:9, 4:7 to 4:9, 5:7, 5:8, 5:13, 5:19, 5:23, 5:24, 5:34, 11:5, 11:15, 12:23
Doctrine of equivalents, 5:15, 5:18
Drafting, 3:9, 3:20, 5:19, 11:1, 11:5, 14:2, 14:13, 14:15
Drawing, 2:7, 2:11, 3:9, 3:10, 3:32, 4:4
Electronics, 16:4
Essential features, 5:47
Format, 3:9, 4:8
Independent claims, 2:9
Internet, 11:1, 11:34, 16:4
Language, 1:1, 2:3, 2:9, 2:33, 2:37, 3:19, 3:21, 3:27, 4:7, 5:7, 5:13 to 5:15, 5:18, 5:30, 5:41, 11:15, 11:38, 15:4, 16:4
Literal infringement, 5:14
Means-plus-function, 5:15, 5:30
Method claims, 5:47, 16:4
Multiple dependent claims, 2:9
Objection, 3:19, 3:27, 3:28, 5:19
Omission, 5:19, 5:43, 7:20, 11:38
Patentee, 3:30, 3:32, 4:2, 4:4, 4:6, 5:8, 5:18, 5:19, 5:34, 5:39, 5:43 to 5:48
Presentation, 5:1, 11:38
Process, 2:9, 2:28, 2:32, 2:33, 2:37, 3:1, 3:8, 3:9, 3:19 to 3:21, 3:29, 3:30, 3:32, 4:4, 4:6, 4:7, 4:9, 5:2, 5:13, 5:19, 5:34, 5:39, 5:48, 11:34, 12:18, 12:23, 14:13, 15:4, 16:2, 16:4, 17:3

INDEX

CLAIMS—Cont'd

Prosecution, 2:9, 2:13, 2:17, 2:26, 2:37, 3:1, 3:9, 3:19, 3:25, 3:32, 4:3, 4:4, 4:6 to 5:8, 5:13, 5:18, 5:19, 5:24, 5:30, 5:33, 5:34, 5:42, 5:43, 11:15
Royalties, 5:46, 14:2, 14:13, 14:15, 14:35
Single invention, 2:23, 2:36, 3:24
Specification, 2:9, 2:13, 2:14, 3:9, 3:17, 3:19, 3:21, 3:27, 3:32, 4:4, 4:7, 5:13, 5:15, 5:18, 5:19, 5:34, 5:40 to 5:42
Trade names, 11:24
Trademarks, 3:19, 10:38, 11:5, 11:18, 11:24, 11:28, 11:34, 11:36, 14:2, 14:35, 14:36, 16:1, 17:4, 17:6
Value, 3:8, 3:9, 5:5, 5:39, 11:5, 11:18, 12:4, 12:18, 13:2, 14:2, 14:4, 14:13, 14:35, 14:36, 16:2, 17:3, 17:6

COMMERCIAL SPEECH

Advertising, 11:26, 11:38

COMMON LAW

California, 11:36, 12:22, 13:4, 13:5, 13:15
Canada, 15:15, 16:3
Definitions, 11:22, 12:1
Employment, 12:12
History, 11:23, 12:34
Illinois, 12:22
Misappropriation, 1:2, 12:1, 12:12, 12:22, 12:24, 12:34, 13:7
United States, 1:2, 5:19, 9:34, 11:8, 11:23, 12:1, 12:12, 14:2, 15:15, 16:3

COMPETITION

Anticipation, 5:1
Freedom of Information Act, 12:5
Unfair Competition, 5:1, 5:5, 9:4, 9:23, 11:1 to 11:41, 12:1, 12:5, 12:18, 12:20, 15:3, 15:15, 16:3
United Kingdom, 15:15

COMPUTERS

Copyrights, 14:22
Evidence, 6:21, 11:34, 16:4
Hardware, 14:22
Software, 5:12, 6:21, 14:22, 16:4

CONCRETENESS

Evidence, 3:3

CONFIDENTIALITY

Evidence, 12:10, 12:11, 12:29, 12:30
Licensing, 12:11, 12:29, 14:2, 14:13, 14:34 to 14:36
Misappropriation of trade secrets, 12:17, 12:30

CONFIDENTIALITY AGREEMENTS

Noncompete agreement, 12:10
Nondisclosure, 12:10, 12:13

CONSPIRACY

Economic Espionage Act of 1996, **12:37**
Theft of trade secrets, **12:37**

CONTRACTS

Assignment, **12:12, 14:33**
Breach, **12:10, 12:36, 14:33**
Confidentiality, **12:10, 12:12**
Damages, **12:36, 14:33**
Employment Contracts, **3:3, 12:10, 12:12**
Evidence, **3:3, 5:36, 12:10, 12:36, 16:4**
Negotiations, **16:4**

COPYRIGHT

Access, **6:1, 6:3, 6:5, 6:21, 6:23, 6:25 to 6:27, 7:2, 8:4, 8:14, 8:16, 8:19, 11:1, 14:13, 15:3, 17:11**
Actual damages, **8:29**
Admissions, **14:13**
Amendments, **6:1, 6:25**
Appeal, **6:8, 8:32**
Applications, **8:21, 14:2, 14:3, 14:13, 14:24, 14:27, 14:30, 14:36, 15:3, 17:7, 17:13**
Assignment agreement, **17:11**
Attorneys, **1:4, 6:23, 7:1, 8:32, 11:1, 17:1, 17:3, 17:7, 17:12**
Berne Convention, **6:1, 7:18, 8:20, 15:3, 15:14 to 15:17**
Books, **6:23, 11:18, 12:8, 14:22, 15:14, 17:13**
Burden of proof, **8:18, 8:25**
Cable system, **6:16**
Cable systems, **6:25**
Certificates, **14:24, 14:26, 14:30, 14:31**
Change, **8:18, 12:18, 16:2, 17:13**
Citizenship, **1:2, 16:1**
Civil actions, **8:1, 8:23**
Collective works, **6:3**
Common law, **1:1 to 6:1, 7:13, 8:1, 8:9, 11:1, 11:7, 11:18, 11:23, 12:1, 12:24, 13:7, 14:2, 15:15, 15:18, 16:3, 17:13**
Common source, **8:14**
Competition, **1:2, 6:24, 11:1, 11:7, 11:18, 11:23, 12:1, 12:18, 14:35, 15:3, 15:15, 16:3, 17:7, 17:13**
Computer technology, **8:16**
Confidential information, **8:5, 12:1, 17:11**
Contracts, **8:2**
Contributory infringement, **6:23, 8:8**
Copies, **6:3, 6:12, 6:13, 6:15, 6:20, 6:23, 6:26, 7:1 to 7:3, 7:6, 7:7, 7:9 to 7:11, 7:15, 7:17, 7:19, 7:20, 8:1, 8:7, 8:10, 8:12, 8:18, 8:25, 8:28, 8:30, 11:18, 14:22, 14:35, 15:14, 15:15, 15:17, 16:5**
Copying, **6:3, 6:14, 6:18, 6:21 to 6:23, 6:25, 8:7, 8:8, 8:12, 8:14, 8:16, 8:18, 8:19, 8:23, 8:26, 8:32, 12:18, 17:3, 17:13**
Copyright Act of 1976, **6:1, 6:3, 6:18, 6:24, 7:12, 7:16, 8:5, 8:18**

INDEX

COPYRIGHT—Cont'd

Costs, **6:5, 6:23, 8:32, 15:3**
Courts, **6:16, 8:1, 8:2, 8:4, 8:15 to 8:18, 8:22, 8:24, 8:27, 8:31, 8:32, 11:1, 11:7, 11:18, 11:23, 12:1, 12:24, 13:2, 13:8, 14:2, 14:27, 16:2, 16:3, 16:5**
Customs, **7:1, 16:1, 16:2, 16:5**
Damages, **6:23, 7:1, 7:17, 7:18, 7:20, 8:4, 8:6, 8:7, 8:18, 8:20, 8:24, 8:29 to 8:32, 11:7, 14:2, 14:30, 14:36, 16:3, 17:1, 17:3, 17:12**
Dance, **6:3, 6:16**
Defenses, **11:18, 17:12**
Delay, **8:24, 16:1**
Deposits, **7:7, 12:16, 14:30, 15:15**
Derivative works, **6:3, 6:11, 6:13, 6:14, 6:20, 6:22, 7:6, 8:12, 8:18, 15:15**
Destruction, **6:21, 6:28, 7:19, 17:7**
Discovery, **1:2, 6:18, 8:23, 17:12**
Distribution, **1:4, 6:11, 6:15, 6:20, 6:27, 7:2, 7:17, 7:20, 8:5, 8:8, 8:9, 8:12, 8:20, 8:25, 11:7, 16:3, 17:11**
Evidence, **6:8, 6:11, 6:21, 7:1, 7:21, 8:8, 8:9, 8:13, 8:14, 8:30, 8:31, 11:18, 11:23, 12:16, 16:1, 16:2**
Exclusivity, **17:7**
Exemptions, **6:24**
Expenses, **8:29, 14:2, 14:13, 14:36**
Expert witnesses, **8:17, 17:12**
Fair use, **6:22, 6:23, 8:16, 8:18 to 11:18, 13:8**
Federal Communications Commission, **14:35**
Fees, **6:23, 7:1, 7:8, 8:32, 12:1, 14:2, 14:36, 15:3, 15:15, 15:17, 17:12**
Filing fees, **12:1, 15:3**
Films, **11:18**
Fines, **7:11, 16:2**
First Amendment, **11:18**
First sale doctrine, **6:15, 6:20, 8:25, 16:5**
Foreign countries, **14:13, 15:3, 15:14 to 15:18, 17:7**
Forms, **6:3, 6:5, 7:8, 7:9, 7:14, 8:4, 8:18, 8:21, 12:1, 14:13, 15:3, 15:14, 15:18**
Fraud, **8:21, 8:23**
Free speech, **11:18**
Good faith, **7:12, 8:18**
Hire, **6:6 to 7:6, 7:9, 7:12, 7:13**
Ideas, **1:1, 6:8, 6:18, 6:23, 8:15 to 8:17, 11:18, 17:3, 17:11, 17:13**
Independent creation, **8:14, 17:13**
Infringement, **6:2, 6:7, 6:11, 6:20 to 6:24, 6:26, 6:27, 7:1, 7:12, 7:18, 7:20, 7:21, 8:1 to 8:18, 8:20 to 8:32, 11:1, 11:7, 11:18, 11:23, 12:16, 12:18, 13:7 to 13:9, 14:2, 14:13, 14:30, 14:35, 14:36, 15:14, 16:1, 16:3, 17:3, 17:7, 17:12, 17:13**
Infringement actions, **8:11, 8:17**
Injunctions, **8:27**
Innocent infringement, **7:20, 8:20**
Intent, **6:8, 6:28, 8:8, 8:9, 8:11, 11:18, 14:2, 14:22, 14:27, 14:35, 14:36**
Interest, **6:8, 6:11, 6:22, 7:12, 8:10, 8:18, 8:27, 11:18, 13:2, 13:8, 14:2, 14:22, 14:24 to 14:27, 14:30, 14:31**

COPYRIGHT—Cont'd

Internet, 8:2, 8:8, 11:1
Irreparable harm, 8:1, 8:27
Joint, 6:8, 6:11, 7:12 to 15:14
Jurisdiction, 7:21, 8:1 to 8:3, 8:27, 11:1, 14:35, 15:3, 15:14, 16:3
Jury trials, 17:12
Knowledge, 1:1, 6:26, 8:8, 8:16, 8:21, 8:23, 8:24, 8:31, 12:16, 12:18, 14:13, 14:36, 17:1, 17:3, 17:7, 17:12, 17:13
Laches, 8:24
Liability for infringement, 8:22
License fee, 8:1
Licenses, 6:11, 6:12, 14:2, 14:13, 14:26, 14:27, 14:36, 17:3
Loss, 7:14, 7:16, 14:36, 17:11
Mask work, 14:22, 14:24, 14:25, 14:30, 14:31
Merits, 8:27
Misrepresentation, 8:18, 12:18
Monopolies, 1:1
Moral rights, 1:1, 6:28, 15:15
Motion pictures, 6:3, 6:24, 7:7, 7:10, 8:12
Multiple infringements, 8:30
Music, 6:3, 6:11, 6:16, 6:23, 8:8, 8:15, 8:17 to 11:18, 13:7
Must carry, 7:15
Networks, 6:26
New York, 6:28, 13:2
Notice, 6:2, 6:3, 6:11, 6:23, 6:26, 7:2, 7:14 to 7:21, 8:18, 8:20, 8:22, 8:23, 12:18, 14:2, 14:3, 14:25, 15:15, 16:1, 17:13
Objections, 11:18, 14:35
Orders, 7:8, 8:4
Original jurisdiction, 8:1
Originality, 1:2, 6:2, 6:5, 6:14, 6:19, 8:4
Parent, 8:10, 8:27, 13:9, 16:1
Penalties, 7:11, 8:31
Performances, 6:24, 6:25, 6:27, 16:3
Periodicals, 6:3
Personal jurisdiction, 8:2, 8:3, 8:27, 11:1, 16:3
Phonorecords, 6:12, 6:13, 7:2, 7:10, 7:11, 7:15, 7:17, 7:19, 8:12
Photographs, 6:3, 8:18, 8:30, 13:2
Preemption, 14:24, 14:25
Prevailing party, 8:32
Process, 6:3, 6:16 to 6:18, 6:26, 7:1 to 8:2, 8:10, 8:11, 8:16, 8:31, 12:8, 12:16, 12:18, 14:13, 15:3, 16:2, 17:3, 17:12, 17:13
Profits, 6:8, 8:18, 8:28, 8:29, 16:3, 17:7
Questions of law, 17:12
Registration, 6:13, 6:25, 7:1 to 7:3, 7:6 to 7:11, 7:13, 7:17, 7:21, 8:1, 8:4, 8:13, 8:20, 8:21, 8:32, 12:1, 14:13, 14:25, 14:27, 14:30, 15:3, 15:15, 16:1, 16:3, 17:13
Removal, 7:19
Reverse engineering, 6:21, 6:23, 6:25, 8:16, 8:19, 12:8

INDEX

COPYRIGHT—Cont'd

Review, **1:4, 8:18, 11:18, 14:35, 16:2, 17:11 to 17:13**
Royalties, **6:11, 14:2, 14:13, 14:35**
Scripts, **8:30**
Search, **6:26, 8:18, 14:2, 14:13, 14:25, 15:3, 17:13**
Securities, **14:35**
Sentence, **8:16**
Serials, **7:7**
Seventh Amendment, **8:6**
Signatures, **15:14**
Similarity, **6:21, 8:14 to 11:18**
Sound recordings, **6:3, 6:24, 7:7, 7:9, 7:15**
Sovereign immunity, **8:11, 11:7**
Standing, **8:4, 14:25**
State law claims, **8:5**
Statutes, **1:4, 6:27, 11:23, 14:2, 14:3, 14:24, 14:31, 17:12**
Statutory damages, **7:1, 7:17, 7:18, 8:6, 8:20, 8:29 to 8:31**
Stay, **17:3**
Striking similarity, **8:14**
Substantial similarity, **8:14 to 8:17**
Television, **6:3, 6:13, 6:14, 6:16, 6:17, 6:23, 8:15, 8:30, 13:7, 13:8, 14:22**
Time, **1:1 to 6:1, 6:3, 6:5, 6:11, 6:13, 6:26 to 6:28, 7:1, 7:2, 7:7, 7:12, 7:15, 8:14, 8:24, 8:26, 8:28, 8:29, 11:18, 12:1, 12:8, 12:16, 12:18, 14:13, 14:22, 14:30, 14:35, 14:36, 15:3, 17:3, 17:7, 17:13**
Titles, **6:5, 6:24, 7:9, 16:1**
Transfers, **6:11, 6:20, 6:24, 8:25, 14:27**
Unfair competition claims, **11:1**
United States, **1:2, 6:3, 6:15, 6:20, 6:25, 7:1, 7:2, 7:9 to 7:11, 7:16, 7:17, 8:7, 8:27, 11:23, 12:1, 12:18, 14:2, 14:13, 15:3, 15:14, 15:15, 15:17, 16:1 to 16:3, 17:7**
Universal Copyright Convention, **15:3, 15:17**
Venue, **8:3**
Vicarious liability, **8:10**
Video games, **6:3, 6:16**
Visual art, **6:28**
Visual arts, **7:7, 7:9**
Willfulness, **8:28, 8:30, 17:12**
Witnesses, **8:17, 8:32, 13:7, 17:12**

CUSTOMERS

United States, **5:2, 5:27, 11:23, 17:9**

DAMAGES

California, **13:5, 13:11, 13:15, 13:16**
Compensatory damages, **8:31, 11:15, 12:34, 13:15**
Copyright infringement, **6:23, 7:1, 8:4, 8:6, 8:7, 8:18, 8:31, 8:32, 16:3, 17:12**
Defend Trade Secrets Act, **12:36**
Entire market value rule, **5:28**
False advertising, **11:38**

DAMAGES—Cont'd

Germany, **15:4**
Japan, **15:4**
Lanham Act, **9:28, 11:7, 11:11, 11:15, 11:34, 11:35, 11:38 to 11:40, 16:3**
Lost profits, **5:27, 5:29, 5:32, 8:29, 11:15, 12:34**
Marking, **2:1, 2:29, 5:5, 5:29, 15:4**
Misappropriation of trade secrets, **12:34**
New York, **13:5, 13:11**
Notice of infringement, **5:5, 5:29**
Punitive damages, **5:5, 8:31, 11:15, 12:34, 12:35, 13:15**
Reasonable royalty, **5:24, 5:27, 5:28, 5:32, 11:15, 12:34, 12:36, 15:4**
Royalty, **5:9, 5:24, 5:27 to 5:29, 5:32, 11:15, 12:34, 12:36, 14:2, 14:33, 15:4, 17:3**
Trademark damages, **17:12**
United States, **5:23, 5:27, 5:29, 5:32, 7:1, 7:17, 8:7, 14:2, 15:4, 16:3**
Use, **2:1, 5:24, 5:27 to 5:29, 6:23, 7:18, 8:18, 8:31, 9:28, 9:31, 10:1, 11:7, 11:11, 11:21, 11:26, 11:31, 11:34, 11:38, 11:39, 12:34, 12:36, 13:5, 13:15, 14:2, 14:30, 14:33, 14:36, 15:4, 17:3**

DANCE

Authorship, **6:3**
Choreography, **6:3**
Derivative works, **6:3**
Fixation, **6:3**
Ownership, **6:3**
Performance, **6:3, 6:16**
Publication, **6:3**

DATABASES

Copyright, **6:3, 14:35**
Copyright Office, **14:35**
Infringement, **9:32, 14:35**
Licensing, **14:35**
Notice, **6:3**
Publication, **2:3, 6:3**
Text, **2:3, 6:3**
Trade secrets, **14:35**

DEFAMATION

Damages, **11:40**
Libel, **11:40**
Reputation, **15:15**

DEFEND TRADE SECRETS ACT

Actions, **12:36**
Remedies, **12:36**

DEFENSES

Best mode, **5:6**
Description, **5:8**

INDEX

DEFENSES—Cont'd

Infringement, **5:1, 5:6 to 5:8, 5:30, 5:33, 5:34, 5:43, 5:51, 11:18, 11:26, 17:12**
Laches, **5:6, 5:33, 10:38**
Patentable subject matter, **5:8, 5:34**
Pleadings, **5:34**
Utility, **5:34**
Validity, **5:6, 5:30, 5:33, 10:38, 10:39, 17:12**

DEFINITENESS OF CLAIMS

Definiteness, **5:42**
Prior art, **5:42**

DEFINITION

Apparatus, **2:9, 11:17**
Common Law, **5:19, 9:20, 11:18, 11:22, 11:39, 12:1, 12:12, 12:34, 17:13**
Computer program, **6:3**
Customer lists, **12:28**
Databases, **6:3**
Defend Trade Secrets Act, **12:4**
Dependent claims, **2:9**
Fixation, **6:3**
Independent claims, **2:9**
Licensing, **15:14**
Machine, **2:34, 12:2**
Manufacture, **10:3**
Misappropriation of trade secrets, **12:18, 12:25, 12:34**
Originality, **12:28**
Patents, **2:34, 5:13, 5:19, 12:1, 15:10, 17:13**
Process, **2:9, 2:34, 5:13, 5:19, 6:3, 12:2, 12:3, 12:5, 12:18, 12:25, 15:10, 17:13**
Statutes, **11:22, 11:28, 11:39, 12:12**
Trade secrets, **12:1 to 12:5, 12:7, 12:12, 12:18, 12:25, 12:28, 12:34**
Uniform Trade Secrets Act, **12:1**

DEPOSITIONS

Appeal, **10:40**
Confidential information, **12:25**
Foreign, **2:37**
Parties, **10:40, 12:25, 17:12**
Time, **2:37, 10:40**

DESIGN PATENT APPLICATION

Description, **5:41**
Infringement, **5:41**
Written description, **5:41**

DIGITAL MILLENNIUM COPYRIGHT ACT

Exemptions, **6:24**
Infringement, **6:24, 6:26, 6:27**
Management information, **6:25**
System caching, **6:26**

DIGITAL MILLENNIUM COPYRIGHT ACT—Cont'd

Technical amendments, 6:25

Title I, 6:24, 6:25

Title II, 6:24, 6:26

Title III, 6:24

Title IV, 6:24

Title V, 6:24

DISCLOSURE

Abstract, 3:32, 14:13

Agreements, 2:34, 12:10, 12:13, 12:30, 12:36, 14:2, 14:13, 14:30, 15:4, 17:6, 17:11

Copyright, 1:1, 7:2, 8:5, 12:8, 12:16, 12:18, 14:2, 14:13, 14:30, 15:18, 17:11, 17:12

Description, 2:9, 3:21, 5:8, 5:36, 5:40, 9:16, 12:25, 14:30, 17:11

Discovery, 2:37, 4:9, 5:8, 5:19, 5:22, 12:20, 12:25, 12:31, 17:12

Drawing, 3:32, 4:4

Evidence, 2:34, 2:37, 3:3, 3:22, 3:30, 4:9, 5:36, 9:16, 12:10, 12:11, 12:16, 12:29 to 12:32, 12:36

Forms, 5:22, 12:17, 12:21, 14:13, 15:4, 15:18

Germany, 2:34, 15:4

Identification, 3:32, 12:10, 12:25, 14:2, 14:30, 17:6

Inevitable Disclosure Doctrine, 12:31

Information disclosure statement, 3:13, 3:19, 3:32

Infringement, 2:37, 4:4, 4:9, 5:8, 5:19, 8:5, 9:16, 12:16, 12:18, 12:34, 14:2, 14:13, 14:30, 15:4, 17:12

Invention, 1:1, 2:9, 2:21, 2:25, 2:33, 2:34, 2:36, 2:37, 3:3, 3:6, 3:13, 3:19, 3:21, 3:22, 3:30, 4:4, 4:9, 5:19, 5:36, 5:40, 9:16, 12:11, 12:13, 14:13, 14:30, 15:4, 15:6 to 17:6, 17:11

Language, 1:1, 2:9, 2:33, 2:37, 3:3, 3:13, 3:19, 3:21, 12:8, 12:10, 15:4

Mask work, 14:30

Mistake, 3:32, 9:16, 12:18, 12:36

Nondisclosure, 12:10, 12:13, 17:6, 17:11

Patent protection, 1:1, 2:9, 2:33, 2:34, 2:36, 3:3, 3:6, 3:19, 4:4, 12:13, 12:16, 15:4, 15:7

Prior art, 2:9, 2:33, 2:34, 2:37, 3:3, 3:13, 3:19, 3:21, 3:22, 3:32, 4:4, 4:9, 5:8, 5:19, 5:36, 15:4, 15:7, 17:12

Protective orders, 12:25

Records, 2:34, 12:25, 14:13

Reference, 1:1, 2:9, 2:33, 2:37, 3:3, 3:13, 3:22, 4:4, 12:8

Research and development, 5:36, 12:13, 12:21, 14:30, 17:6, 17:11

Time, 1:1, 2:9, 2:34, 2:37, 3:3, 3:6, 3:19, 3:30, 3:32, 4:9, 5:8, 5:22, 5:36, 5:40, 7:2, 9:16, 12:8, 12:10, 12:16, 12:18, 12:20 to 12:22, 12:32 to 12:34, 12:36, 14:13, 14:30, 15:4, 15:7, 17:6, 17:14

Trade secret, 12:3, 12:8, 12:10, 12:11, 12:13, 12:15 to 12:18, 12:20 to 12:22, 12:25, 12:29 to 12:34, 12:36, 14:13, 14:30, 15:4, 15:18, 17:6, 17:11, 17:12

Trial, 3:19, 3:30, 4:9, 5:8, 5:19, 5:22, 5:40, 12:21, 12:25, 12:33, 12:34, 17:12

Written description, 2:9, 3:21, 5:8

INDEX

DISCOVERY

Answer, **5:7, 5:8**
Authority, **4:7, 5:19, 12:25**
Business records, **11:15**
Conference, **10:40**
Confidential information, **4:7, 5:21, 12:23, 12:25**
Costs, **4:8, 5:13, 5:24, 11:15**
Declarations, **4:8**
Depositions, **2:37, 10:40, 12:25, 17:12**
Disclosure, **2:37, 4:9, 5:8, 5:19, 5:22, 12:20, 12:25, 12:31, 17:12**
Evidence, **2:37, 4:8, 4:9, 5:13, 5:23, 5:24, 11:10 to 11:13, 11:15, 12:31**
Expert witnesses, **5:24, 17:12**
In-house counsel, **2:37**
Independent discovery, **12:20**
Initial disclosure, **5:19, 17:12**
Interrogatories, **2:37**
Manual of Procedure, **10:40**
Motion practice, **10:40, 17:12**
Motions, **4:8, 4:9, 5:34, 10:40, 17:12**
Opening, **10:40**
Orders, **4:8, 5:21, 11:5, 12:23, 12:25**
Parties, **1:2, 3:9, 4:7 to 4:9, 5:8, 5:13, 5:19, 5:21 to 5:23, 5:34, 10:40, 11:12, 11:15, 12:23, 12:25, 17:12**
Patent applications, **4:8, 5:19**
Patent protection, **5:34**
Protective orders, **4:8, 5:21, 12:25**
Records, **5:13, 5:34, 11:15, 12:25**
Relevance, **5:13**
Response, **3:9, 4:8, 4:9, 5:34**
Sanctions, **5:7**
Scope of, **2:37, 3:9, 4:8, 5:19, 5:22, 5:34, 6:18**
Stay, **5:8**
Summary judgment motions, **17:12**
United States, **1:2, 4:7, 5:19, 5:23, 10:40**
Use of, **4:7, 5:13, 5:22, 5:34, 11:5, 11:11, 11:12, 12:23, 12:31**
Witnesses, **5:24, 17:12**
Work product protection, **5:20**

DISTRICT COURT

Parties, **4:1, 4:7, 5:8, 5:9, 5:13, 5:27, 5:44, 10:40**
Requirements, **5:8, 5:18, 5:43, 11:1**
Subject matter, **5:8, 5:13, 5:18, 11:1, 11:18, 16:3**

DISTRICT OF COLUMBIA

Uniform Trade Secrets Act, **12:1**

DOMAIN NAMES

Property, **11:34**
Trademarks, **9:22, 11:34**

DOMESTIC INDUSTRY

United States, **16:2**

DRAWINGS

Claims, **2:3, 2:7, 2:9, 2:11, 2:14, 3:9, 3:10, 3:17 to 3:19, 3:27, 3:32, 4:4, 5:41**

Copyright, **6:3, 17:11**

Design patents, **2:14, 2:15**

Disclosure, **2:9, 3:19, 3:32, 4:4, 5:36, 9:16, 12:21, 17:11**

Discovery, **3:9, 11:11**

Evidence, **5:36, 9:16, 11:11**

Notice, **3:9, 3:17, 3:19, 3:32, 6:3**

Patentability, **2:3, 3:7, 3:9, 3:18, 3:19, 4:4, 5:36**

DUE DILIGENCE

Checklist, **17:14**

Consideration, **14:34, 17:14**

Infringement, **14:35, 14:36**

Licenses, **14:34, 14:36**

Purpose, **14:34**

Representations and warranties, **14:36**

Scope, **17:14**

DURATION

Canada, **14:33**

United States, **6:3, 7:9, 14:2, 14:13**

DURING EMPLOYMENT

Course of Employment, **12:14**

ECONOMIC ESPIONAGE ACT

Conspiracy, **12:37**

Theft of trade secrets, **12:37**

ECONOMIC VALUE

Misappropriation of trade secrets, **12:18**

EDUCATION

Publications, **17:11**

ELEMENTS

Novel combination, **5:28**

Utility, **2:9, 3:23, 5:28, 5:34, 6:19, 11:8**

Validity, **3:3, 3:9, 5:15, 5:18, 5:39, 11:8, 11:9, 11:16, 11:38, 12:26**

EMPLOYEES

Agreements, **12:9, 12:10, 12:13, 12:30, 12:36, 14:13, 17:6, 17:11**

Employment Contracts, **12:10, 12:12**

Hiring, **6:7, 12:30**

EMPLOYERS

Employees, **12:10, 12:12, 12:36**

INDEX

ENFORCEMENT

New York, **13:2**
Remedies, **16:2**
Subject matter jurisdiction, **8:1**
United States, **6:25, 10:29, 15:4, 16:1, 16:2**

ENGINEERING

Evidence, **6:21, 12:36, 16:2**

EVIDENCE

Acquisition, **12:30 to 12:32, 12:36**
Best evidence, **12:11**
Concreteness, **3:3**
Confidentiality agreements, **12:10**
Disclosure, **2:34, 2:37, 3:3, 3:22, 3:30, 4:9, 5:36, 9:16, 12:10, 12:11, 12:16, 12:29 to 12:32, 12:36**
Discovery, **2:37, 4:8, 4:9, 5:13, 5:23, 5:24, 11:10 to 11:13, 11:15, 12:31**
Drawings, **5:36, 9:16, 11:11**
Enforcement, **16:1, 16:2**
Engineering, **6:21, 12:36, 16:2**
Exceptions, **2:34, 3:22, 5:36**
Exclusion, **11:17, 16:2**
Expert testimony, **5:18, 5:24, 5:28, 11:15, 11:18**
Expert witnesses, **5:24**
Identification, **6:11, 9:17, 11:9, 12:10**
Inevitable disclosure doctrine, **12:31**
Infringement, **2:37, 4:9, 5:1, 5:9 to 5:11, 5:13, 5:15, 5:18, 5:23, 5:27, 5:28, 5:30, 5:31, 5:33, 5:43 to 5:45, 5:48, 6:11, 6:21, 7:1, 7:21, 8:8, 8:9, 8:13, 8:14, 8:30, 8:31, 9:16, 9:28, 10:1, 11:9 to 11:12, 11:15 to 11:18, 11:23, 11:34, 11:38, 12:16, 16:1, 16:4**
Laches, **5:33, 5:44, 5:45, 10:38, 11:9, 11:38**
Materiality, **5:43**
Misappropriation of trade secrets, **12:30**
Notice, **3:14, 4:9, 5:13, 6:11, 7:21, 9:28, 10:1, 10:38, 11:8, 11:34, 12:10, 12:29, 12:30, 12:36, 16:1**
Novelty, **2:34, 4:8, 4:9, 12:28**
Opinion testimony, **5:28**
Presumptions, **10:38, 11:8**
Public knowledge, **2:34, 12:16**
Relevant evidence, **5:36**
Reverse engineering, **6:21, 12:36**
Tests, **2:34, 11:9, 11:38**
Texas, **10:31, 11:40**
United States, **2:34, 3:22, 5:1, 5:10, 5:23, 5:27, 5:48, 7:1, 11:8, 11:17, 11:23, 16:1, 16:2, 16:4**
Use, **2:34, 3:3, 3:22, 5:13, 5:15, 5:24, 5:27, 5:28, 5:43, 5:48, 6:11, 8:8, 8:9, 8:31, 9:10, 9:11, 9:15 to 9:17, 9:24, 9:28, 10:1, 10:18, 10:24, 10:30, 10:33, 10:38, 11:8 to 11:12, 11:16 to 11:18, 11:23, 11:34, 11:38, 12:10, 12:16, 12:28, 12:30 to 12:32, 12:36, 16:1, 16:4**

EVIDENCE—Cont'd

Validity, 2:37, 3:3, 4:8, 4:9, 5:15, 5:18, 5:23, 5:30, 5:33, 5:39, 6:11, 7:1, 7:21,
10:38, 10:39, 11:8, 11:9, 11:16, 11:38, 12:26
Value, 3:3, 5:28, 5:39, 8:30, 11:8, 11:12, 11:18, 12:26, 12:27, 16:2
Witnesses, 5:24, 5:36

EX PARTE

Amendment, 3:32, 4:6
Evidence, 9:24
Extension, 3:32
Failure to file, 3:32
Federal Circuit, 4:1, 4:6
Final judgment, 5:8
Goods, 9:24
Notice of appeal, 4:6
Publications, 4:6, 5:8
Record, 3:32, 4:6
References, 3:32
Registration, 9:24

EXAMINATION

Design patents, 3:23
Fees, 2:9, 2:37, 3:8, 3:19, 3:29, 10:5, 10:15, 15:3, 15:4, 15:8, 15:9
Infringement, 2:2, 2:37, 4:5, 4:6, 5:8, 5:18, 11:11, 11:17, 15:4, 15:8
International examination, 15:3, 15:7
Manual of Patent Examining Procedure, 3:19
Patent Cooperation Treaty, 2:3, 3:8, 15:3, 15:7
Preliminary examination report, 3:8, 15:7
Prioritized examination, 3:19
Supplemental examination, 4:1, 4:5, 5:8

EXAMINERS

Appeal, 3:19, 3:29
Briefs, 1:4
Opinions, 2:2, 2:3

EXECUTORY CONTRACTS

Assignment, 14:33
Bankruptcy, 14:33
License, 14:33
Rejection, 14:33
Royalties, 14:33
Setoff, 14:33
Termination, 14:33
Trustee, 14:33

EXEMPLARY DAMAGES

Punitive Damages, 12:34

EXHAUSTION

Patent law, 5:47

INDEX

EXPERT WITNESSES

Reasonable royalty, **5:24**
Role, **8:17**

FACTS

Germany, **6:5**

FEDERAL CIRCUIT

District Court, **3:29, 4:1, 4:7, 5:9, 5:13, 5:18, 5:27, 5:43, 10:40**
Notice of appeal, **3:29, 4:6**
Parties, **2:34, 4:1, 4:7 to 4:9, 5:3, 5:9, 5:13, 5:22, 5:27, 5:28, 5:34, 5:36, 8:1, 10:40, 11:9, 11:15, 16:4**

FEDERAL COMMUNICATIONS COMMISSION

Copyright, **14:35**

FEDERAL STATUTES

Antitrust laws, **14:2**

FEDERAL TRADEMARK DILUTION ACT

Actual dilution, **11:26, 11:27, 11:30**
Blurring, **11:26, 11:30**
Commercial use, **11:27**
Damages, **11:26, 11:31**
Defenses, **11:26**
Fair use, **11:26**
Famous mark, **11:26, 11:30, 11:31**
Injunctions, **11:31**
Junior user, **11:30**
Remedies, **11:31**
Senior mark, **11:27, 11:30**
State law, **11:26, 11:31**
Tarnishment, **11:26, 11:30**

FEES

Allowance, **3:19**
Examination fee, **15:4**
Filing fee, **3:17, 10:13, 15:4, 15:9**
Inequitable conduct, **5:19**
Micro entities, **3:4**
Misappropriation of trade secrets, **12:34**
Patent Cooperation Treaty, **3:8, 15:3**
Payment, **2:22, 2:26, 3:4, 3:17, 3:33, 5:5, 10:11, 14:2, 14:36**
Prosecution, **2:9, 2:26, 2:37, 3:19, 5:19, 11:15**

FICTIONAL CHARACTERS

Actions, **11:36**
Names, **11:36**
Right of publicity, **11:36**

FIELD OF USE

United States, **14:13**

FIRST AMENDMENT

Appropriation, **11:36**
Intrusion, **11:36**
Political speech, **11:38**
Privacy, **11:36**

FIRST INVENTORS

Patent law, **2:36**

FOIA

Freedom of Information Act, **12:5**

FORECLOSURE

Agreement, **14:22**

FORMER EMPLOYEE

United States, **12:12**

FORMS

Confidentiality, **12:17, 12:21, 14:13**
Manufacturing, **6:3**
Statement of use, **10:17**
Trademarks, **9:1, 9:3, 10:3, 10:17, 10:18, 11:36, 14:28, 14:37, 15:3**

FRANCE

Jurisdiction, **15:3**
Litigation, **15:3, 15:8**
Registration, **15:3, 15:11, 15:15**
Remedies, **15:3**
Review, **2:3**

FRANCHISE

Access, **17:11**
Damages, **17:3**
Design, **17:3**
Quality, **9:3, 17:3**
Use, **9:3, 17:3, 17:11**

FREE SPEECH

Advertising, **11:18**
Content, **11:18**
Customers, **11:18**
Fair use, **11:18**
Foreign countries, **10:28**
Free expression, **11:18**
Right of publicity, **11:18, 13:17**
Time, **11:18**
Trademarks, **10:26, 10:28, 11:18**

FREEDOM OF INFORMATION ACT

Competition, **12:5**

INDEX

GERMANY

- Agent, **2:3, 15:4**
- Case law, **2:34**
- Damages, **15:4**
- Litigation, **15:4, 15:8**
- Review, **2:3**

GOVERNMENT

- Copyright, **1:1 to 6:3, 6:5, 15:15, 15:17, 15:18, 16:1**
- Intellectual property, **1:1, 1:2, 14:39, 15:4, 15:15, 15:17, 15:18, 16:1, 17:4, 17:5**
- Trademark, **1:2, 4:7, 6:3, 10:26, 10:28, 14:39, 15:18, 16:1, 17:4, 17:5**

GREECE

- Intellectual property rights, **15:9**

HARDSHIPS

- Injunctions, **5:25**

HARM

- Injunctions, **5:25, 8:27, 11:14, 12:33**

HEARINGS

- Appeals, **4:8**
- Oral Hearings, **4:8**

HISTORY

- Common law, **11:23, 12:34**
- United States, **2:33, 3:32, 8:27, 11:23**

IDENTIFICATION

- Litigation, **5:5, 11:9, 11:29, 12:23, 12:25**

ILLINOIS

- Common law, **12:22**
- Development, **11:37**
- Improper means, **12:22**
- Misappropriation, **12:22**
- Statute of limitations, **12:22**
- Time, **11:37, 12:22**

IMMUNITY

- Communications, **5:19**

IMPORTATION OF GOODS

- International Trade Commission, **16:4**

INEVITABLE DISCLOSURE DOCTRINE

- Evidence, **12:31**

INFRINGEMENT

- Actual damages, **8:29, 11:15**
- Agents, **2:2, 5:19, 11:2, 14:13**
- Amendments, **5:8, 5:18**
- Appeals, **4:6, 4:9, 5:1, 8:1, 8:15, 11:12, 11:18, 13:7**

INFRINGEMENT—Cont'd

Apportionment, 8:29
Assignment, 2:1, 5:5, 5:7, 6:11, 8:1, 11:9, 14:2, 14:4, 14:30, 15:13
Attorneys, 2:2, 2:37, 5:19, 5:21, 6:23, 7:1, 8:32, 11:1, 11:5, 11:9, 11:24, 17:3, 17:4, 17:7, 17:12
Bond, 16:1
Burden of proof, 4:9, 5:1, 5:33, 5:44, 8:18, 8:25, 11:16
Business method patents, 5:8
Caching, 6:26
Claims, 2:28, 2:37, 4:4, 4:6, 4:9, 5:1, 5:2, 5:5, 5:7, 5:8, 5:13 to 5:15, 5:18, 5:19, 5:23, 5:30, 5:33, 5:34, 5:41, 5:43 to 5:48, 7:20, 8:5, 8:24, 8:25, 11:1, 11:5, 11:7, 11:15, 11:18, 11:24, 11:26, 11:28, 11:31, 11:34, 11:36, 11:38, 12:18, 13:7, 14:2, 14:4, 14:13, 14:15, 14:35, 14:36, 15:4, 16:1, 16:4, 17:3, 17:4
Communication, 5:5, 5:19, 5:29, 5:45, 6:27, 11:18
Computers, 5:12, 6:21, 11:34, 16:4
Contributory infringement, 5:5, 5:11, 5:12, 5:46, 6:23, 8:8, 11:34, 16:4
Copying, 5:18, 5:44, 6:21 to 6:23, 8:7, 8:8, 8:12, 8:14, 8:16, 8:18, 8:23, 8:26, 8:32, 9:16, 11:10, 11:11, 11:22, 11:24, 12:18, 17:3, 17:13
Copyright, 6:2, 6:7, 6:11, 6:20 to 6:24, 6:26, 6:27, 7:1, 7:12, 7:18, 7:20, 7:21, 8:1 to 8:18, 8:20 to 8:32, 11:1, 11:7, 11:18, 11:23, 12:16, 12:18, 13:7 to 13:9, 14:2, 14:13, 14:30, 14:35, 14:36, 15:14, 16:1, 16:3, 17:3, 17:7, 17:12, 17:13
Costs, 5:5, 5:13, 5:27, 6:23, 8:32, 11:15, 11:38, 14:15, 15:4, 15:8, 17:9
Courts, 5:1, 5:5, 5:6, 5:8, 5:13, 5:15, 5:18, 5:19, 5:25, 5:29, 5:30, 5:34, 5:44, 5:50, 8:1, 8:2, 8:4, 8:15 to 8:18, 8:22, 8:24, 8:27, 8:31, 8:32, 9:16, 11:1, 11:2, 11:5, 11:7, 11:9 to 11:12, 11:15, 11:16, 11:18 to 11:24, 11:26, 11:28 to 11:31, 11:33 to 11:36, 11:38, 12:34, 13:8, 14:2, 16:3, 16:4
Damages, 2:1, 2:27, 2:37, 5:4, 5:5, 5:9, 5:23, 5:25, 5:27 to 5:30, 5:32, 5:44, 5:45, 6:23, 7:1, 7:18, 7:20, 8:4, 8:6, 8:7, 8:18, 8:20, 8:24, 8:29 to 8:32, 9:28, 9:31, 10:1, 11:7, 11:11, 11:15, 11:21, 11:26, 11:31, 11:34, 11:35, 11:38, 12:34, 14:2, 14:30, 14:36, 15:4, 16:3, 17:3, 17:12
Deductions, 8:29, 11:15
Defenses, 5:1, 5:6 to 5:8, 5:30, 5:33, 5:34, 5:43, 5:51, 11:18, 11:26, 17:12
Design patent, 2:27, 5:16, 5:32, 5:41, 9:16
Designing around, 5:18
Destruction, 6:21, 17:7
Digital, 6:24, 6:26, 6:27, 8:25
Digital Millennium Copyright Act, 6:24, 6:26, 6:27
Direct infringement, 5:5, 5:10 to 5:12, 8:8, 8:9
Disclosure, 2:37, 4:4, 4:9, 5:8, 5:19, 8:5, 9:16, 12:16, 12:18, 12:34, 14:2, 14:13, 14:30, 15:4, 17:12
Doctrine of equivalents, 5:10, 5:15, 5:18
Drafting, 5:6, 5:19, 11:1, 11:5, 14:2, 14:13, 14:15, 17:12
Engineering, 2:2, 6:21, 6:23, 8:16
Equitable estoppel, 5:45
Estoppel, 4:9, 5:4, 5:6, 5:13, 5:18, 5:33, 5:45, 11:9, 14:4
Evidence, 2:37, 4:9, 5:1, 5:9 to 5:11, 5:13, 5:15, 5:18, 5:23, 5:27, 5:28, 5:30, 5:31, 5:33, 5:43 to 5:45, 5:48, 6:11, 6:21, 7:1, 7:21, 8:8, 8:9, 8:13, 8:14,

INDEX

INFRINGEMENT—Cont'd

- 8:30, 8:31, 9:16, 9:28, 10:1, 11:9 to 11:12, 11:15 to 11:18, 11:23, 11:34, 11:38, 12:16, 16:1, 16:4
- Examiner, 2:37, 4:4, 4:6, 4:9, 5:13, 5:18, 5:33, 15:4
- Exceptions, 5:34, 17:12
- Exclusion, 11:17, 11:19
- Exclusive right, 2:1, 6:11, 6:20, 6:27, 8:12, 10:1, 11:9, 11:17, 11:19
- Exemptions, 5:51, 6:24
- Fair use, 6:22, 6:23, 8:16, 8:18, 9:9, 11:17, 11:18, 11:26, 11:28, 11:34, 13:8
- Fees, 2:37, 3:33, 5:5, 5:7, 5:19, 5:31, 5:48, 6:23, 7:1, 8:32, 11:15, 11:34, 12:34, 14:2, 14:36, 15:4, 15:8, 17:12
- Flexibility, 5:19, 5:44
- Forfeiture, 11:34, 16:1
- Fraud, 4:6, 5:6, 5:8, 5:19, 5:43, 8:21, 8:23, 11:38
- Good faith, 5:11, 5:43, 5:48, 7:12, 8:18, 9:9, 10:1, 11:17, 11:19, 11:28, 11:34
- Goodwill, 9:16, 11:9, 11:11, 11:18, 11:29, 11:35, 14:2, 14:30
- History estoppel, 5:18
- Importation, 5:1, 5:47, 5:51, 6:20, 7:1, 10:1, 12:18, 16:1, 16:4
- Impoundment, 8:28
- Induced infringement, 5:11, 16:4
- Injunctive relief, 5:5, 5:26, 5:44, 6:26, 11:19, 11:21, 11:26, 11:31, 11:34, 11:38, 12:34
- Insurance, 11:18, 11:28, 14:35
- Intent, 4:4, 5:10, 5:11, 5:18, 5:29, 5:43, 5:46, 8:8, 8:9, 8:11, 9:4, 9:28, 11:11, 11:16, 11:18, 11:19, 11:21, 11:30, 11:34, 14:2, 14:35, 14:36
- Interchangeability, 5:18
- Joint owner, 2:19, 14:4, 15:14
- Jurisdiction, 5:1 to 5:3, 5:5, 5:9, 5:25, 5:27, 5:32, 7:21, 8:1 to 8:3, 8:27, 11:1 to 11:3, 11:5, 11:9, 11:15, 11:34, 14:35, 15:14, 16:3, 16:4
- Libraries, 6:23, 6:24
- License, 2:28, 5:5, 5:6, 5:9, 5:28, 5:29, 5:32, 5:46 to 5:48, 5:50, 6:11, 6:20, 8:1, 8:22, 8:25, 8:26, 12:34, 13:7, 14:2, 14:13, 14:15, 15:4, 15:14, 16:4, 17:3, 17:4, 17:7, 17:9, 17:13
- Licensing, 2:2, 2:28, 5:28, 5:46, 6:11, 6:23, 8:1, 8:25, 11:15, 11:34, 14:2, 14:4, 14:13, 14:15, 14:30, 14:35, 14:36, 15:4, 15:14, 17:3, 17:7
- Literal infringement, 5:14
- Location tools, 6:26
- Manufacturing, 5:10, 5:27, 5:28, 5:48, 8:26, 11:16, 11:21, 12:16, 16:4, 17:9
- Networks, 6:26, 17:4
- Notice requirement, 8:20
- Online copyright infringement, 6:24
- Order, 2:37, 4:6, 5:1, 5:9, 5:13, 5:21, 5:23, 5:25, 5:34, 5:43, 6:2, 6:11, 6:21, 6:23, 6:26, 7:21, 8:4, 8:8, 8:10, 8:15, 8:16, 8:24, 8:28, 8:30, 8:32, 9:16, 11:9, 11:15, 11:16, 11:18, 11:28, 11:30, 11:33, 11:34, 11:36, 11:38, 13:7, 15:4, 16:4, 17:4, 17:12
- Overhead costs, 11:15
- Patent, 2:1, 2:2, 2:19, 2:27, 2:28, 2:37, 3:33, 4:4 to 4:6, 4:9, 5:1 to 5:19, 5:21, 5:23, 5:25 to 5:34, 5:38, 5:41, 5:43 to 5:48, 5:50, 5:51, 6:2, 8:1, 8:8, 8:9, 9:16, 9:28, 10:1, 11:1, 11:15, 11:23, 12:16, 12:18, 12:34, 14:2, 14:4, 14:13,

INFRINGEMENT—Cont'd

- 14:15, 14:30, 14:35, 14:36, 15:4, 15:8, 16:1, 16:4, 17:3, 17:4, 17:7, 17:9, 17:12, 17:13
- Patents, 2:1, 2:2, 2:19, 2:27, 2:28, 2:37, 3:33, 4:4 to 4:6, 4:9, 5:5, 5:8, 5:12, 5:13, 5:17, 5:19, 5:28, 5:29, 5:32, 5:34, 5:38, 5:46 to 5:48, 9:16, 11:16, 11:23, 14:2, 14:4, 14:13, 14:15, 14:30, 14:35, 14:36, 15:4, 15:8, 16:4, 17:3, 17:12, 17:13
- Payment, 3:33, 5:5, 6:7, 6:11, 14:2, 14:13, 14:36, 17:3
- Preemption, 5:34
- Preliminary injunction, 5:5, 5:13, 5:25, 8:18, 8:27, 8:28, 11:18, 11:33, 17:12
- Public domain, 8:8, 8:16, 8:21, 9:16, 12:16, 16:3
- Reasonable royalties, 5:28
- Remedies, 5:25, 5:32, 8:11, 8:29, 9:31, 11:19, 11:31, 11:34
- Research, 5:19, 6:22, 6:23, 8:18, 11:28, 11:38, 14:30, 14:35, 16:4, 17:3, 17:7, 17:9
- Revenue, 5:28, 8:9, 8:29, 11:38, 14:13
- Reverse engineering, 6:21, 6:23, 8:16
- Seizure, 16:1
- Software, 5:12, 5:34, 6:21, 6:23, 8:8, 8:9, 8:16, 8:22, 12:16, 14:30, 14:36, 16:4, 17:3
- Standard technical measures, 6:26
- Standing, 5:5, 5:9, 5:25, 8:4, 11:5, 11:29, 11:38
- Statute of limitations, 4:6, 5:4, 8:23, 8:24, 11:38, 13:13
- Subscribers, 6:26
- System caching, 6:26
- Technical measures, 6:26
- Tests, 2:28, 5:19, 5:34, 8:15, 11:2, 11:9, 11:38
- Time, 2:37, 3:33, 4:6, 4:9, 5:8, 5:15, 5:18, 5:28, 5:30, 5:34, 5:43 to 5:45, 6:11, 6:26, 6:27, 7:1, 7:12, 8:14, 8:24, 8:26, 8:28, 8:29, 9:16, 9:28, 9:32, 11:2, 11:3, 11:9 to 11:12, 11:16, 11:18, 11:21, 11:28, 11:34, 11:38, 12:16, 12:18, 12:34, 13:13, 14:13, 14:30, 14:35, 14:36, 15:4, 15:8, 16:4, 17:3, 17:7, 17:9, 17:13
- Tools, 2:37, 5:34, 6:7, 6:26, 14:30
- Total profits, 5:32
- Trade dress, 5:16, 9:16, 11:5, 11:9 to 11:11, 11:15, 11:16, 11:20, 11:21, 11:26, 11:28, 11:30, 11:35, 17:3, 17:7, 17:12, 17:13
- Trade secrets, 7:20, 12:16, 12:18, 12:34, 14:2, 14:30, 14:35, 14:36, 15:4
- Trademarks, 3:33, 9:4, 9:6, 9:16, 10:1, 11:5, 11:9 to 11:12, 11:16, 11:18, 11:22 to 11:24, 11:28, 11:34 to 11:36, 14:2, 14:35, 14:36, 15:13, 16:1, 17:4, 17:7, 17:13
- Unjust enrichment, 11:15, 11:31, 12:34
- Use, 2:1, 2:19, 2:28, 4:6, 5:8, 5:12, 5:13, 5:15, 5:16, 5:19, 5:27 to 5:29, 5:34, 5:43, 5:46 to 5:48, 5:50, 6:7, 6:11, 6:20, 6:22, 6:23, 6:26, 7:18, 8:1, 8:2, 8:5, 8:8, 8:9, 8:12, 8:15, 8:16, 8:18, 8:31, 9:4, 9:9, 9:16, 9:23, 9:28, 9:29, 9:31 to 9:33, 10:1, 11:1, 11:2, 11:4, 11:5, 11:7, 11:9 to 11:12, 11:16 to 11:24, 11:26, 11:28 to 11:31, 11:33, 11:34, 11:36, 11:38, 12:16, 12:18, 12:34, 13:7 to 13:9, 14:2, 14:4, 14:13, 14:30, 14:35, 14:36, 15:4, 15:13, 16:1, 16:4, 17:3, 17:4, 17:7, 17:13
- Users, 5:11, 6:26, 8:2, 8:9, 8:16, 11:1, 11:11, 11:17, 11:19, 11:29, 11:34

INDEX

INFRINGEMENT—Cont'd

Video games, **11:36**

INGREDIENTS

Addition, **6:5, 11:39**

Containing, **6:5**

Including, **6:5**

Infringement, **11:17**

INJUNCTIONS

Hardships, **5:25**

Harm, **5:25, 8:27, 11:14, 12:33**

Irreparable harm, **5:25, 8:27, 11:14, 12:33**

Likelihood of success, **5:25, 8:27**

Orders, **11:14**

Parties, **8:27**

Permanent Injunctions, **5:25**

Perpetual injunctions, **12:33**

Preliminary Injunctions, **5:25**

Public interest, **5:25, 8:27, 12:33**

Restraining orders, **11:14**

Success, **5:25, 8:27, 12:33**

Temporary restraining orders, **11:14**

United States, **8:27**

INJUNCTIVE RELIEF

Misappropriation of trade secrets, **12:34**

INTELLECTUAL PROPERTY PORTFOLIO

Copyrights, **14:35, 17:10**

Destruction, **17:7**

Growth, **17:7**

Management, **17:10**

Marketing, **14:35**

Markets, **17:3**

Patents, **14:35, 17:3, 17:10**

Records, **14:35**

Services, **17:3, 17:7, 17:10**

Systems, **17:7, 17:10**

Trade secrets, **14:35, 17:10**

Trademarks, **14:35, 17:7, 17:10**

Use, **14:35, 17:3, 17:7**

INTEREST

Damages, **5:5, 5:25, 5:27, 8:18, 11:11, 11:15, 11:38, 14:2, 14:30, 14:33**

INTERFERENCES

Reconsideration, **3:29**

Record, **3:29**

Review, **3:29**

INTERNATIONAL TRADE COMMISSION

United States, **5:1, 12:18, 16:1, 16:2, 16:4**

INTERNET

Access, **11:1, 11:2**

Authority, **11:19, 11:34, 16:4**

California, **11:19**

Competition, **11:1, 11:2, 11:11, 11:19, 11:30, 11:34, 17:5**

Contributions, **17:5**

Copyright, **8:2, 8:8, 11:1**

Customers, **8:2, 11:11**

Development, **9:32, 17:5**

Evidence, **2:34, 8:8, 9:11, 9:24, 11:11, 11:34, 16:4**

Privacy, **11:34**

Speech, **2:34**

Statutes, **9:22, 11:2, 11:11**

Technology, **17:5**

Trademarks, **9:11, 9:22, 11:11, 11:34, 17:5**

Websites, **8:2, 11:1, 11:2**

INTERROGATORIES

Number, **2:37**

IRREPARABLE HARM

Preliminary injunctions, **5:25**

JAPAN

Damages, **15:4**

Litigation, **15:4**

Review, **2:3**

Technology, **15:4**

JURISDICTION

California, **12:23**

Federal question, **11:1**

France, **15:3**

Long Arm Jurisdiction, **11:2**

United States, **3:32, 5:1, 5:2, 5:27, 5:32, 8:27, 10:7, 11:2, 14:23, 15:3, 15:14, 16:3, 16:4**

LANHAM ACT

Litigation, **11:5, 11:7, 11:8, 11:10, 11:11, 11:14 to 11:16, 11:18, 11:19, 11:23, 11:28, 11:34 to 11:36, 11:38 to 11:40**

LIABILITY FOR MISAPPROPRIATION

United States, **12:1, 12:12, 12:18**

LICENSES

Allegations, **14:34**

Antitrust, **5:46, 6:11, 14:2, 14:14**

California, **14:26**

Canada, **14:33, 14:39**

INDEX

LICENSES—Cont'd

Confidentiality, **14:2, 14:13, 14:34, 14:36**
Copyright, **6:11, 6:12, 14:2, 14:13, 14:26, 14:27, 14:36, 17:3**
Definitions, **14:13**
Enforcement, **14:20, 15:4**
Fees, **14:2, 14:36, 15:4**
Germany, **15:4**
Infringement, **2:2, 5:28, 5:46, 6:11, 14:2, 14:13, 14:15, 14:36, 15:4, 17:3, 17:4**
Japan, **15:4**
Language, **14:34, 15:4**
Litigation, **2:2, 5:28, 5:39, 5:46, 14:14, 14:15, 14:33, 14:36, 15:4**
Maintenance, **14:2, 14:36, 15:4**
Modification, **14:36**
Modifications, **14:13**
Music, **6:11**
Negotiations, **2:2, 5:28, 14:13, 14:21, 14:34, 14:36**
Parties, **5:28, 14:2, 14:5, 14:12 to 14:15, 14:20, 14:21, 14:33, 14:34, 14:36, 14:39, 15:4**
Patent infringement, **5:28, 15:4**
Patent law, **2:2**
Patents, **2:2, 5:28, 5:39, 5:46, 14:1, 14:2, 14:13 to 14:15, 14:20, 14:26, 14:33, 14:34, 14:36, 14:37, 15:4, 17:3**
Purpose, **14:1, 14:34**
Restrictions, **14:2, 14:13, 14:14, 14:33**
Subject matter, **5:39, 14:2, 14:12, 14:13**
Support, **5:39**
Termination, **6:11, 14:2, 14:5, 14:15, 14:33, 14:34**
United States, **3:18, 14:2, 14:13, 15:4**
Validity, **2:2, 5:39, 6:11, 14:2, 14:14, 14:15**
Warranties, **14:2, 14:13, 14:36**

LICENSING

Allegations, **14:34**
Antitrust, **5:46, 6:11, 14:2, 14:4, 14:14**
Arbitration, **11:34, 14:6, 14:16**
Arbitration clause, **14:6, 14:16**
California, **14:25, 14:26, 15:11**
Canada, **14:33, 14:39, 15:9**
Chile, **15:9**
Confidentiality, **12:11, 12:29, 14:2, 14:13, 14:34 to 14:36**
Copyright, **6:11, 6:23, 8:1, 8:25, 14:2, 14:3, 14:13, 14:22, 14:24 to 14:27, 14:30, 14:31, 14:35, 14:36, 15:14, 16:2, 17:3, 17:7**
Databases, **14:35**
Definitions, **14:13, 15:14**
Enforcement, **8:1, 14:20, 14:32, 15:4, 16:2**
Fees, **6:23, 11:15, 11:34, 14:2, 14:36, 15:4, 15:5, 15:9**
France, **15:11**
Germany, **15:4**

LICENSING—Cont'd

Greece, 15:9
India, 15:14
Infringement, 2:2, 2:28, 5:28, 5:46, 6:11, 6:23, 8:1, 8:25, 11:15, 11:34, 14:2, 14:4, 14:13, 14:15, 14:30, 14:35, 14:36, 15:4, 15:14, 17:3, 17:7
Insurance, 14:35
Internet, 11:34
Ireland, 15:9
Japan, 15:4
Jurisdiction, 8:1, 11:15, 11:34, 14:23, 14:35, 15:14
Language, 11:15, 14:34, 15:4, 15:9
Litigation, 1:3, 2:2, 5:28, 5:46, 8:1, 8:25, 11:15, 11:34, 14:14, 14:15, 14:33, 14:35, 14:36, 15:4
Maintenance, 14:2, 14:36, 15:4, 15:5
Modification, 14:36
Modifications, 14:13
Negotiations, 2:2, 2:28, 5:28, 12:11, 12:29, 14:11, 14:13, 14:21, 14:34, 14:36
Parties, 1:3, 5:28, 8:1, 9:25, 11:15, 11:34, 14:2, 14:5 to 14:21, 14:25, 14:29, 14:30, 14:32 to 14:36, 14:39, 15:4
Patent infringement, 5:28, 8:1, 15:4
Patent law, 1:3, 2:2, 2:28
Patents, 2:2, 2:28, 5:28, 5:46, 14:1 to 14:4, 14:13 to 14:15, 14:20, 14:22, 14:24, 14:26, 14:28 to 14:31, 14:33 to 14:37, 15:4, 15:5, 17:3, 17:8
Purpose, 6:23, 12:29, 14:1, 14:34
Restrictions, 14:2, 14:6, 14:13, 14:14, 14:16, 14:33
Service provider, 11:34
Source code, 6:23
Subject matter, 8:1, 14:2, 14:12, 14:13
Support, 11:15
Termination, 6:11, 14:2, 14:5, 14:15, 14:33, 14:34
United States, 14:2, 14:13, 14:23, 15:4, 15:9, 15:14, 16:2, 17:7
Validity, 2:2, 6:11, 14:2, 14:4, 14:14, 14:15
Warranties, 14:2, 14:13, 14:36

LIKELIHOOD OF CONFUSION

Actual confusion, 10:25, 11:9, 11:11, 11:14, 11:15, 11:18, 11:23
Affiliation, 11:18, 11:24, 11:36, 11:39
Appeal, 10:40
Appearance, 9:4, 10:25, 11:9, 11:12, 11:28
Background, 11:11, 11:20
Cease and desist, 11:6
Channels of trade, 9:4, 10:25, 10:38
Commercial impression, 11:9
Common law, 9:4, 9:32, 10:38, 10:39, 11:5, 11:18, 11:22, 11:23, 11:36, 11:39
Confusingly similar, 9:4, 9:15, 11:11, 11:22
Constructive notice, 11:19
Context, 11:9, 11:11, 11:17, 11:18
Copying, 11:11, 11:22, 11:24

INDEX

LIKELIHOOD OF CONFUSION—Cont'd

Customer confusion, 11:11, 11:15, 11:18
Deception, 11:11, 11:15, 11:26
Dilution, 9:4, 10:38, 10:39, 11:2, 11:5, 11:11, 11:18, 11:22 to 11:24, 11:26, 11:28, 11:30
Disclaimers, 11:18, 11:20
Evidence, 9:15, 10:25, 10:38, 10:39, 11:9, 11:11 to 11:13, 11:15, 11:17, 11:18, 11:23
Expert testimony, 11:15, 11:18
Fair use, 11:17, 11:18, 11:26, 11:28
Federal registration, 10:39, 11:19
Goods, 9:4, 9:32, 10:9, 10:25, 10:38, 10:39, 11:2, 11:9, 11:11, 11:15, 11:17 to 11:20, 11:23, 11:24, 11:26, 11:28, 11:39
Inference, 11:17, 11:18
Inference of intent, 11:18
Infringement, 5:16, 9:4, 9:32, 11:2, 11:5, 11:9, 11:11, 11:12, 11:15, 11:17 to 11:24, 11:26, 11:28, 11:30, 11:36
Initial interest confusion, 11:11, 11:18
Intent, 9:4, 10:9, 11:11, 11:14, 11:18, 11:19, 11:21, 11:30, 11:39
Inter partes proceedings, 10:38 to 10:40
Jury verdict, 11:18
Knowledge, 11:17, 11:19
Label, 11:11, 11:18, 11:20
Lack of actual confusion, 11:9
Lanham Act, 10:38, 10:39, 11:5, 11:11, 11:14, 11:15, 11:18, 11:19, 11:23, 11:28, 11:36, 11:39
Lettering, 11:11, 11:17, 11:18
Nominative fair use, 11:17, 11:18
Overall impression, 11:9, 11:11, 11:20
Precedent, 11:9
Prefix, 9:15
Presumption, 11:18, 11:28
Presumptions, 10:38
Priority, 10:9, 10:38, 11:19
Public interest, 11:36
Questions, 11:17
Relevance, 11:9, 11:36
Secondary meaning, 9:15, 11:5, 11:9, 11:15, 11:18, 11:20, 11:28
Senior user, 9:4, 11:30
Services, 9:4, 9:32, 10:9, 10:38, 10:39, 11:2, 11:9, 11:11, 11:17, 11:19, 11:26, 11:28, 11:39
Similarity, 9:4, 10:25, 11:9, 11:11, 11:18, 11:20, 11:26, 11:30
State of mind, 11:13
Suffix, 9:15
Summary judgment, 10:40, 11:17, 11:18, 11:36
Supplemental Register, 10:39
Supreme Court, 5:16, 11:2, 11:15, 11:18, 11:23, 11:26, 11:30
Survey evidence, 11:15, 11:18

LIKELIHOOD OF CONFUSION—Cont'd

Trade dress, 5:16, 11:5, 11:9, 11:11, 11:14, 11:15, 11:20, 11:21, 11:26, 11:28, 11:30
Unfair competition, 9:4, 11:2, 11:5, 11:6, 11:9, 11:11 to 11:15, 11:17 to 11:24, 11:26, 11:28, 11:30, 11:36, 11:39
Validity, 10:38, 10:39, 11:9
Wrongful intent, 11:11

LIKELIHOOD OF SUCCESS

Preliminary injunctions, 5:25

LIST

Customer Lists, 12:28
Customer lists, 12:28

LITIGATION

Amendments, 4:8, 5:8, 5:18
Canada, 14:33
Disclosure, 2:37, 3:13, 3:22, 4:9, 5:8, 5:19, 5:22, 5:36, 5:40, 8:5, 12:25, 15:4, 17:14
Discovery, 2:37, 3:9, 4:7 to 4:9, 5:7, 5:8, 5:13, 5:19 to 5:24, 5:34, 8:23, 11:5, 11:10 to 11:13, 11:15, 12:23, 12:25
Expert testimony, 5:18, 5:24, 5:28, 8:15, 8:17, 11:15, 11:18
Fees, 2:37, 5:5, 5:7, 5:19, 5:31, 5:48, 7:1, 8:32, 11:15, 11:34, 11:39, 14:36, 15:3, 15:4, 15:8, 17:5
France, 15:3, 15:8
Germany, 15:4, 15:8
Identification, 5:5, 11:9, 11:29, 12:23, 12:25
Japan, 15:4
Jurisdiction, 5:1 to 5:3, 5:5, 5:9, 5:25, 5:27, 5:32, 7:21, 8:1 to 8:3, 8:27, 11:1 to 11:3, 11:5, 11:9, 11:15, 11:34, 11:39, 11:40, 12:23, 14:35, 15:3
Jury trial, 8:6, 11:26
Lanham Act, 11:5, 11:7, 11:8, 11:10, 11:11, 11:14 to 11:16, 11:18, 11:19, 11:23, 11:28, 11:34 to 11:36, 11:38 to 11:40
Orders, 4:8, 5:5, 5:21, 8:4, 11:5, 11:14, 12:23, 12:25
Pleadings, 5:34, 11:5, 12:23
Privilege, 5:19, 5:20, 12:25
Protective orders, 4:8, 5:21, 12:25
Remedies, 5:25, 5:32, 8:11, 8:29, 11:19, 11:25, 11:31, 11:34, 11:39, 15:3
Sovereign immunity, 8:11, 11:7
Statutes, 1:4, 5:33, 5:35, 11:2, 11:4, 11:5, 11:11, 11:16, 11:22 to 11:26, 11:28, 11:29, 11:31 to 11:33, 11:39, 11:41
Strategies, 11:11, 11:35
Sweden, 15:8
Trial, 4:6 to 4:9, 5:3, 5:8, 5:13, 5:19, 5:20, 5:22 to 5:24, 5:30, 5:40, 5:43, 8:6, 11:8, 11:11, 11:15, 11:16, 11:26, 12:25
Trial by jury, 5:23, 8:6
United States, 3:22, 4:7, 5:1, 5:2, 5:10, 5:12, 5:19, 5:23, 5:27, 5:29, 5:32, 5:40, 5:47, 5:48, 5:51, 7:1, 8:7, 8:27, 11:2, 11:8, 11:17, 11:23, 15:3, 15:4
Venue, 5:3, 5:5, 5:9, 8:3, 11:3, 14:15

INDEX

LOST PROFITS

Misappropriation of trade secrets, 12:34

MANUAL OF PROCEDURE

Discovery, 10:40

Motions, 10:40

Oral hearing, 10:40

MASK WORK

Copyright, 14:22, 14:24, 14:25, 14:30, 14:31

Deposits, 14:30

Infringement, 14:30

Registration, 14:25, 14:30

Semiconductor Chip Protection Act, 14:25

MERGERS

Assignment, 14:37

Consideration, 14:34, 17:14

Control, 14:34, 17:14

Fees, 14:36

License, 14:34, 14:39

Parties, 14:34 to 14:36, 14:39

Trademarks, 14:35 to 14:37, 14:39

MISAPPROPRIATION

California, 12:22, 12:23

Confidential relationship, 12:18, 12:21, 12:22, 12:30 to 12:32, 16:2

Defend Trade Secrets Act, 12:4, 12:36

Disclosure, 12:10, 12:13, 12:15 to 12:18, 12:20 to 12:22, 12:25, 12:30 to 12:34, 12:36, 17:12

Evidence, 12:10, 12:16, 12:26, 12:28, 12:30 to 12:32, 12:36, 16:2

Illinois, 12:22

Inevitable Disclosure Doctrine, 12:31

Injunction, 12:33, 12:35, 12:36, 16:2, 17:12

International Trade Commission, 12:18, 16:2

Lost profits, 12:34

Pleadings, 12:23

Punitive damages, 12:34, 12:35

Remedies, 12:1, 12:24, 12:36, 12:37, 16:2

Statute of limitations, 12:1, 12:22

Texas, 1:2

Threatened misappropriation, 12:33

Uniform Trade Secrets Act, 12:1

United States, 1:2, 12:1, 12:12, 12:17, 12:18, 16:2

MISSOURI

Confidential relationships, 12:22

Property, 12:22

MORALITY

Commercial morality, 12:19

MOTION PICTURES

Authorship, **6:3**
Collective works, **6:3**
Copyright, **6:3, 6:24, 7:7, 7:10, 8:12**
Derivative works, **6:3, 8:12**
Publication, **6:3, 7:7, 7:10**
Titles, **6:24**

MOTIONS

Decisions, **4:9, 10:40**
Deposition, **10:40**
Discovery, **4:8, 4:9, 5:34, 10:40, 17:12**
Grant, **4:8, 4:9, 5:34**
Manual of Procedure, **10:40**
Oral hearings, **4:8**
Pleadings, **5:34**
Protective orders, **4:8**
Summary judgment, **10:40, 17:12**

MUSIC

Access, **6:3, 6:23**
Advertising, **6:3, 11:18**
Authorship, **6:3**
Copyright, **6:3, 6:11, 6:16, 6:23, 8:8, 8:15, 8:17 to 11:18, 13:7**
Defenses, **11:18**
Derivative works, **6:3, 6:11, 8:18**
Fair use, **6:23, 8:18, 11:18**
Infringement, **6:11, 6:23, 8:8, 8:15, 8:17 to 11:18, 13:7**
Licenses, **6:11**
Lyrics, **6:3**
Merchandise, **11:18**
Musical compositions, **6:3, 6:16**
Ownership, **6:3, 6:11, 8:18**
Reproduction, **2:4, 6:3, 6:23, 11:18**
Right of publicity, **11:18, 13:7**
Sampling, **13:7**
Sound recordings, **6:3**
South Carolina, **11:18**
Substantial similarity, **8:15, 8:17**
Trademarks, **11:18**

NAFTA

Mexico, **10:31**

NEGOTIATIONS

Licensing, **2:2, 2:28, 5:28, 12:11, 12:29, 14:11, 14:13, 14:21, 14:34, 14:36**

NEW YORK

Actions, **11:36**
Advertising, **11:28, 11:33, 11:36, 13:5, 13:11**

INDEX

NEW YORK—Cont'd

- Claims, 6:28, 11:28, 11:36, 13:2, 13:4, 13:5
- Consumers, 11:19, 11:28, 11:36
- Copyright law, 6:28
- Damages, 13:5, 13:11
- Enforcement, 13:2
- Notice, 11:19
- Remedies, 11:19, 13:5
- Services, 11:19, 11:28, 11:33, 13:5, 13:11
- Statutes, 11:28, 11:33, 13:5
- Unfair competition, 11:19, 11:28, 11:33, 11:36

NONDISCLOSURE

- United States, 4:7, 17:9

NOVELTY

- Evidence, 2:34, 4:8, 4:9, 12:28
- United States, 1:2, 2:31, 2:33, 2:34, 15:4

OBSCENITY

- Public, 11:29

OHIO

- Remedies, 11:25

ORDERS

- Appeal, 4:8
- Protective orders, 4:8, 5:21, 12:25
- Restraining orders, 11:14
- Temporary restraining orders, 11:14
- Venue, 5:5

OWNERSHIP

- Appeal, 3:30, 6:8, 11:8
- Assets, 14:13, 14:34, 17:14
- Assignments, 6:11
- Audiovisual works, 6:3, 7:9, 8:12
- Common law, 10:38, 11:5, 11:8, 12:1, 12:12
- Competition, 5:5, 11:5, 11:8, 11:9, 11:19, 11:26, 12:1, 12:14
- Copyright, 6:3, 6:6 to 6:12, 6:21, 7:1, 7:2, 7:6, 7:9, 8:4, 8:12, 8:13, 8:18, 8:24, 8:25, 12:1, 14:13, 16:1
- Distribution, 6:11, 7:2, 8:12, 8:25
- Due diligence, 14:34, 17:14
- Employment, 2:16, 6:6, 6:7, 8:13, 12:12, 12:14
- Evidence, 2:34, 3:16, 3:30, 5:44, 6:8, 6:11, 6:21, 7:1, 8:13, 10:33, 10:38, 11:8, 11:9, 16:1
- Licenses, 6:11 to 14:13, 14:34
- Media, 6:21
- Patents, 2:19, 2:34, 2:36, 3:30, 5:5, 12:1, 12:6, 14:13, 14:34, 17:6
- Skills, 12:14
- State laws, 6:3, 12:1

OWNERSHIP—Cont'd

Termination, **6:11, 14:34**
Trade secrets, **12:1, 12:6, 12:12 to 12:14, 12:23, 12:25, 14:34, 17:6**
Transfer of ownership, **6:11, 7:2, 8:12**
Validity, **6:11, 7:1, 10:38, 11:8, 11:9**

PARODY

Books, **6:23, 11:18**

PARTIES

Depositions, **10:40, 12:25, 17:12**
Discovery, **1:2, 3:9, 4:7 to 4:9, 5:8, 5:13, 5:19, 5:21 to 5:23, 5:34, 10:40, 11:12, 11:15, 12:23, 12:25, 17:12**
Infringement, **2:19, 4:9, 5:3, 5:5, 5:8 to 5:10, 5:13, 5:19, 5:21, 5:23, 5:26 to 5:28, 5:32, 5:34, 5:44, 5:47, 6:7, 8:1, 8:5, 8:6, 8:8, 8:9, 8:14, 8:27, 8:30, 9:4, 9:9, 9:31, 11:9, 11:12, 11:15, 11:17, 11:19, 11:22, 11:26, 11:28, 11:32, 11:34, 12:34, 14:2, 14:13, 14:15, 14:30, 14:35, 14:36, 15:4, 16:4, 17:12**
Injunctions, **8:27**
Necessary parties, **5:5**
Pleadings, **5:34, 12:23**
Removal, **2:34, 4:7**
Transfer, **2:34, 5:34, 9:25, 11:34, 14:2, 14:13, 14:30, 14:33, 14:34, 16:4**
United States, **1:2, 2:34, 3:22, 4:7, 5:10, 5:19, 5:23, 5:27, 5:32, 5:47, 8:27, 10:11, 10:40, 11:17, 12:12, 14:2, 14:13, 15:4, 16:4**

PATENT ACT

Assignment, **14:26**
Security interests, **14:26**
Subsequent purchaser or mortgagee, **14:31**

PATENT COOPERATION TREATY

Amendments, **3:8, 15:7**
Application, **2:3, 3:8, 15:3, 15:7**
Demand, **15:7**
European Patent Convention, **15:3**
European Patent Office, **15:3**
Examination, **2:3, 3:8, 15:3, 15:7**
Exceptions, **15:7**
Fees, **3:8, 15:3**
International application, **3:8, 15:7**
International examination, **15:3, 15:7**
International preliminary examination, **3:8, 15:7**
International preliminary examination report, **3:8, 15:7**
International preliminary report on patentability, **3:8, 15:7**
International search, **3:8, 15:3, 15:7**
National phase, **15:7**
Patentability, **2:3, 3:8, 15:3, 15:7**
Preliminary examination, **3:8, 15:7**
Priority, **2:3, 3:8, 15:3, 15:7**
Publication, **2:3**

INDEX

PATENT COOPERATION TREATY—Cont'd

Reports, 15:7
Search, 2:3, 3:8, 15:3, 15:7
Time, 2:3, 3:8, 15:3, 15:7
Written opinion, 3:8, 15:7

PATENTS

Abandonment, 3:27, 4:6, 9:2, 11:16, 15:4
Accounting, 2:19, 14:33
Admissions, 14:13
Affidavits, 4:8
Agents, 2:2, 2:3, 3:19, 5:19, 14:13
Amendments, 3:19, 4:8, 5:8
Antitrust laws, 14:2, 14:4, 14:14
Applications, 2:3, 2:5, 2:7, 2:11, 2:26, 2:33, 2:34, 2:36, 2:37, 3:5, 3:19, 3:24, 3:30, 4:1, 4:4, 4:6, 4:8, 5:19, 5:34, 5:38, 5:40, 10:2, 14:2, 14:3, 14:13, 14:24, 14:28 to 14:30, 14:33, 14:36, 15:3, 15:4, 15:8, 17:5, 17:13
Arbitration, 3:30
Attorneys, 1:4, 2:2, 2:37, 3:19, 3:29, 4:3, 5:19, 5:40, 10:2, 17:3, 17:5, 17:6, 17:12
Availability, 2:33, 4:7, 5:29, 14:35
Best mode, 5:40
Certificates, 4:1 to 4:4, 14:24, 14:26, 14:30, 14:31
Claims, 1:1, 2:3, 2:7, 2:11, 2:14, 2:26, 2:28, 2:32, 2:33, 2:35 to 2:37, 3:19, 3:23, 3:24, 3:27, 3:29, 3:30, 4:2 to 4:4, 4:6 to 4:10, 5:5, 5:8, 5:13, 5:19, 5:34, 5:39, 5:40, 5:46 to 5:48, 14:2, 14:4, 14:13, 14:15, 14:31, 14:35, 14:36, 15:4 to 16:4, 17:3, 17:6
Classification, 2:3, 2:7, 2:11, 14:22
Collateral estoppel, 5:13
Combinations, 9:16
Commissioner of Patents and Trademarks, 3:19, 3:33, 10:2, 11:16
Compensation, 14:2, 14:13, 17:6, 17:11
Competition, 1:2, 5:5, 5:46, 9:16, 11:16, 11:23, 12:1, 14:35, 15:3, 17:5, 17:13
Computer listings, 2:4
Confidentiality, 3:5, 5:19, 14:2, 14:13, 14:34 to 14:36
Conflicting claims, 14:31
Contributory infringement, 5:5, 5:12, 5:46, 16:4
Convoyed sales, 5:28
Cost, 3:19, 9:16, 15:8, 17:5, 17:8, 17:10, 17:12, 17:13
Damages, 2:1, 2:27, 2:37, 4:1, 5:5, 5:28, 5:29, 5:32, 14:2, 14:30, 14:33, 14:36, 15:4, 17:3, 17:12
Death, 15:3
Defenses, 5:8, 5:34, 17:12
Design patents, 2:14, 2:15, 2:26, 2:32, 3:23, 5:32, 17:3
Disclaimers, 4:3, 14:13
Disclosure, 1:1, 2:33, 2:34, 2:36, 2:37, 3:19, 3:30, 4:4, 4:9, 5:8, 5:19, 5:40, 9:16, 14:2, 14:13, 14:30, 15:4, 17:6, 17:11, 17:12
Discovery, 1:2, 2:37, 4:7 to 4:9, 5:8, 5:13, 5:19, 5:34, 17:12
Distinct inventions, 3:19

PATENTS—Cont'd

Drawings, 2:3, 2:7, 2:8, 2:11, 2:14, 2:15, 3:19, 3:27, 4:4, 9:16, 17:11
Employees, 1:4, 5:19, 14:13, 17:6, 17:8, 17:11, 17:13
Enhanced damages, 2:37, 5:32, 17:3, 17:12
Entire market value rule, 5:28
Equal protection, 15:10
Evidence, 2:34, 2:37, 3:23, 3:30, 4:8, 4:9, 5:13, 5:28, 5:39, 5:48, 9:16, 11:16, 11:23, 16:4
Experimentation, 2:34, 3:23, 5:40, 15:4
Financial records, 14:34
First inventors, 2:36
Forms, 2:1, 3:24, 12:1, 14:13, 14:28, 14:37, 15:3, 15:4
Future inventions, 14:30
Good faith, 4:2, 5:48
Hearings, 4:8, 5:13
Identification, 5:5, 14:2, 14:30, 17:6
Immunity, 5:19
Independent contractors, 5:19
Induced infringement, 16:4
Infringement, 2:1, 2:2, 2:19, 2:27, 2:28, 2:37, 3:33, 4:4 to 4:6, 4:9, 5:5, 5:8, 5:12, 5:13, 5:17, 5:19, 5:28, 5:29, 5:32, 5:34, 5:38, 5:46 to 5:48, 9:16, 11:16, 11:23, 14:2, 14:4, 14:13, 14:15, 14:30, 14:35, 14:36, 15:4, 15:8, 16:4, 17:3, 17:12, 17:13
Injunctions, 2:1
Insurance, 14:35
Intellectual property, 1:1, 1:2, 1:4, 2:1, 2:3, 2:27, 9:2, 11:23, 12:1, 14:1 to 14:4, 14:13 to 14:15, 14:20, 14:22, 14:24, 14:26, 14:28 to 14:31, 14:33 to 14:37, 15:1, 15:3 to 15:5, 15:8, 15:10, 16:4, 17:3, 17:5, 17:6, 17:8, 17:10 to 17:13
Interferences, 3:29, 3:30
Jurisdiction, 3:5, 5:5, 5:32, 14:35, 15:3, 16:4
Jury trials, 17:12
Libraries, 2:3
Listings, 2:4
Loss of rights, 14:36
Lost profits, 5:29, 5:32
Mail, 3:27
Maintenance fee, 2:26, 3:33
Manual of Patent Examining Procedure, 3:19
Materiality, 5:5
Mistake, 4:2, 9:16
Models, 14:13
Mortgages, 14:36
Motion, 2:32, 4:2, 4:8, 5:5, 5:13, 5:34, 16:4, 17:12
Motions, 4:8, 4:9, 5:34, 17:12
Multiple patents, 5:39
New matter, 3:27, 4:6
Novelty, 1:2, 2:28, 2:33 to 2:36, 3:5, 3:27, 4:8 to 4:10, 5:8, 12:6, 15:4

INDEX

PATENTS—Cont'd

Objections, 3:19, 3:27, 14:35
Offering to sell, 15:4
Orders, 4:8, 5:5
Parties, 1:2, 2:19, 2:34, 3:5, 3:30, 3:31, 4:1, 4:7 to 4:9, 5:5, 5:8, 5:13, 5:19, 5:28, 5:32, 5:34, 5:47, 14:2, 14:13 to 14:15, 14:20, 14:29, 14:30, 14:33 to 14:36, 15:4, 15:10, 16:4, 17:5, 17:6, 17:11, 17:12
Patent and Trademark Office, 1:4, 4:7, 10:2, 14:2, 14:24, 17:12
Performance, 14:33, 16:4
Perpetual motion, 2:32
Petitions, 3:19, 4:8 to 4:10
Photographs, 2:4, 2:14, 2:15
Place of business, 2:7, 2:11
Plant patents, 2:4, 2:15, 2:27, 2:32, 5:17
Pleadings, 5:34
Preemption, 5:34, 14:24
Priority, 1:2, 2:3, 2:5, 2:7, 2:11, 2:26, 2:33, 3:5, 3:19, 3:30, 4:2, 4:4, 5:38, 14:31, 15:3 to 15:5, 15:10
Privity, 5:48
Profits, 5:29, 5:32
Public, 1:1 to 2:3, 2:27, 2:33, 2:34, 2:36, 2:37, 3:24, 4:3, 4:4, 4:6 to 5:8, 5:13, 5:19, 5:29, 5:48, 9:2, 9:16, 11:16, 12:6, 14:2, 14:30, 15:1, 15:4, 15:10, 17:6, 17:11
Public interest, 5:19
Publications, 1:4, 2:3, 2:5, 2:7, 2:34, 2:35, 3:31, 4:5, 4:6, 4:8 to 5:8, 15:4, 17:6, 17:11
Reasonable royalty, 5:28, 5:32, 15:4
Reciprocity, 15:1
Reconsideration, 3:27, 3:29, 4:6
Records, 2:34, 5:13, 5:34, 5:48, 14:13, 14:34, 14:35, 17:13
References, 2:3, 2:7, 2:35, 2:37, 3:19, 3:23, 3:27, 3:29, 4:7, 4:8, 5:39, 10:2
Registration, 5:19, 9:16, 10:2, 11:16, 12:1, 14:13, 14:30, 15:3, 15:10, 17:13
Reissue patents, 4:4, 4:6
Relevant market, 5:46
Reply, 4:6, 5:19
Rest, 2:35
Revenues, 5:28
Rules of practice, 10:2
Sales, 2:33, 2:34, 2:37, 3:5, 5:8, 5:28, 5:32, 5:46, 11:16, 14:2, 14:13, 16:4, 17:3, 17:5, 17:11, 17:12
Secret use, 2:34
Specifications, 5:34, 14:30
Subject matter, 2:4, 2:34, 2:35, 3:5, 3:19, 3:23, 3:27, 3:30, 4:4, 4:8, 4:9, 5:5, 5:8, 5:13, 5:34, 5:39, 5:48, 9:16, 12:1, 14:2, 14:13
Summary judgment, 5:13, 17:12
Suppliers, 17:5, 17:6, 17:11
Surveys, 5:28
Terminal disclaimers, 4:3

PATENTS—Cont'd

Termination, 4:9, 14:2, 14:15, 14:33, 14:34
Third parties, 2:34, 3:31, 4:1, 4:8 to 5:8, 5:19, 14:29, 14:30, 14:34 to 14:36, 15:4, 15:10, 17:6, 17:11
Time, 1:1 to 2:5, 2:7, 2:11, 2:34, 2:35, 2:37, 3:5, 3:19, 3:27, 3:29 to 3:31, 3:33, 4:6, 4:9, 5:8, 5:28, 5:34, 5:39, 5:40, 9:16, 11:16, 12:1, 12:6, 14:13, 14:14, 14:22, 14:30, 14:35, 14:36, 15:3, 15:4, 15:8, 15:10, 16:4, 17:3, 17:5, 17:6, 17:8, 17:10, 17:13
Trade secrets, 1:4, 12:1, 12:6, 14:2, 14:22, 14:28, 14:30, 14:33 to 14:36, 15:3, 15:4, 17:6, 17:8, 17:10, 17:11
United States, 1:2, 2:3, 2:7, 2:11, 2:33, 2:34, 4:7, 5:12, 5:19, 5:29, 5:32, 5:40, 5:47, 5:48, 11:23, 12:1, 14:2, 14:13, 15:1, 15:3 to 16:4
Use, 1:1, 2:1, 2:4, 2:15, 2:19, 2:26, 2:28, 2:32 to 2:34, 4:2, 4:6, 4:7, 4:10, 5:8, 5:12, 5:13, 5:19, 5:28, 5:29, 5:34, 5:40, 5:46 to 5:48, 9:2, 9:16, 11:16, 11:23, 12:6, 14:1, 14:2, 14:4, 14:13, 14:14, 14:22, 14:30, 14:33 to 14:36, 15:4 to 16:4, 17:3, 17:8, 17:11, 17:13
Utility patent, 2:11, 2:14, 2:26, 2:27, 2:32, 3:33, 9:16, 12:1
Venue, 5:5, 14:15
Verdict, 5:39
Witnesses, 17:12
Work product immunity, 5:19

PENALTIES

United States, 7:11, 10:29

PEOPLE

Advertising, 9:11, 11:10, 11:18, 11:28, 11:36, 11:38, 13:1, 17:9
Appropriation, 1:1, 11:36, 13:1
Attribution, 11:36
Copyright, 1:1, 6:2, 6:5, 11:18, 11:23, 14:30, 17:12, 17:13
Defamation, 13:1
False attribution, 11:36
Intrusion, 11:36, 13:1
Privacy, 11:36, 13:1
Reputation, 11:18, 11:28, 11:38
Right of publicity, 11:18, 11:36, 13:1, 14:30
Title, 6:5, 11:36, 14:30
Trademarks, 9:11, 11:10, 11:18, 11:23, 11:28, 11:36, 15:9, 17:13
Voice, 11:36
Works of authorship, 6:2

PERIODICALS

Advertising, 6:3
Authorship, 6:3
Collective works, 6:3
Copyright, 6:3
Ownership, 6:3

PERSONAL JURISDICTION

Advertising, 5:2, 11:1, 11:2

INDEX

PERSONAL JURISDICTION—Cont'd

- Contacts, 5:2, 8:2 to 11:2
- Forum state, 5:2, 11:2
- Purposeful availment, 8:2
- Residents, 8:2
- Specific jurisdiction, 5:2, 8:2, 11:2
- Statutes, 11:2
- Stream of commerce, 5:2
- Torts, 5:5

PLEADINGS

- California, 12:23
- Defenses, 5:34
- Discovery, 5:34, 11:5, 12:23
- Dismissal, 12:23
- Judgment, 5:34
- Parties, 5:34, 12:23
- Records, 5:34

PREEMPTION

- California, 14:25
- Patent law, 5:34

PRELIMINARY INJUNCTIONS

- Irreparable harm, 5:25
- Likelihood of success, 5:25
- Public interest, 5:25

PRICE

- United States, 5:27, 7:11, 14:13, 17:7, 17:9

PRIVACY

- Credit, 11:36
- Enforcement, 6:25, 13:2
- Names, 11:34, 11:36, 13:2
- Responses, 11:34
- Security, 6:25
- Solicitation, 13:5

PRODUCT CLAIMS

- Infringement, 17:4

PROFITS

- Misappropriation of trade secrets, 12:34

PROPERTY

- Assignment, 2:1, 6:5, 6:10, 12:12, 13:2, 14:1, 14:2, 14:4 to 14:11, 14:16, 14:26, 14:27, 14:30, 14:32, 14:33, 14:37, 15:13, 17:11
- Avoidance, 15:3
- Bankruptcy, 14:26, 14:33
- California, 11:36, 12:22, 13:4, 13:12, 14:25, 14:26, 15:11
- Cause of action, 11:1, 11:23, 11:34, 12:22, 12:36, 13:3, 13:4, 14:2, 14:13, 15:18

PROPERTY—Cont'd

Contracts, 5:36, 12:12, 12:36, 14:33, 16:4
Copyright, 1:1, 1:2, 1:4, 6:5, 6:10, 6:23, 6:24, 8:15, 11:1, 11:18, 11:23, 12:1, 13:2, 13:9, 14:2, 14:3, 14:13, 14:22, 14:24 to 14:27, 14:30, 14:31, 14:35, 14:36, 15:3, 15:14 to 15:18, 16:1 to 16:3, 16:5, 17:1, 17:3, 17:7, 17:11 to 17:13
Escrow, 14:30
Intent, 11:18, 11:21, 11:34, 14:2, 14:22, 14:27, 14:34 to 14:36, 15:9
Licensing, 1:3, 2:28, 5:28, 6:23, 11:34, 14:1 to 14:39, 15:4, 15:5, 15:9, 15:11, 15:14, 16:2, 17:3, 17:7, 17:8
Lien creditor, 14:31
Missouri, 12:22
Patents, 1:1, 1:2, 1:4, 2:1, 2:3, 2:27 to 5:28, 9:2, 11:23, 12:1, 14:1 to 14:4, 14:13 to 14:15, 14:20, 14:22, 14:24, 14:26, 14:28 to 14:31, 14:33 to 14:37, 15:1, 15:3 to 15:5, 15:8, 15:10, 16:4, 17:3, 17:5, 17:6, 17:8, 17:10 to 17:13
Preferences, 17:5
Royalties, 5:28, 14:2, 14:13 to 14:15, 14:33, 14:35
Sale, 2:1, 2:18, 2:27, 5:36, 11:1, 11:2, 11:18, 11:23, 12:17, 13:4, 13:9, 14:2, 14:13, 14:22, 14:33, 14:36, 15:6, 15:14, 16:2, 16:4, 16:5, 17:3, 17:5, 17:7, 17:9, 17:13
Security interest, 14:22 to 14:27, 14:29 to 14:31
Trade secrets, 1:4, 12:1, 12:12, 12:17, 12:22, 12:36, 12:37, 14:2, 14:22, 14:28, 14:30, 14:33 to 14:36, 15:3, 15:4, 15:18, 16:2, 17:6, 17:8, 17:10, 17:11
Trademark registration, 14:13, 15:3, 15:9, 15:10, 15:12, 16:3
Trademarks, 1:2, 1:4, 9:2, 11:18, 11:23, 11:24, 11:34, 11:36, 14:1, 14:2, 14:10, 14:20, 14:22, 14:27, 14:28, 14:33, 14:35 to 14:37, 14:39, 15:3, 15:9 to 15:13, 16:1, 17:4 to 17:7, 17:10, 17:11, 17:13
Transfers, 6:24, 14:6, 14:16, 14:27
Use, 1:1, 2:1, 2:28, 5:28, 6:5, 6:23, 8:15, 9:2, 11:1, 11:2, 11:8, 11:18, 11:21, 11:23, 11:24, 11:34, 11:36, 11:38, 12:12, 12:22, 12:36, 13:2 to 13:4, 13:9, 14:1, 14:2, 14:4, 14:12 to 14:14, 14:22, 14:27, 14:30, 14:32 to 14:36, 15:4 to 15:6, 15:9, 15:11, 15:13, 15:15, 15:18, 16:1, 16:4, 17:3, 17:4, 17:7, 17:8, 17:11, 17:13, 17:14

PROSECUTION

Abandonment, 3:9, 3:32, 4:6
Allowance, 3:9, 3:19, 3:25, 3:31, 3:32, 4:4, 5:13
Apparatus, 2:9
Attorneys, 1:3, 1:4, 2:37, 3:9, 3:13, 3:19, 4:3, 5:19
Challenges, 3:9, 4:7
Chemical compositions, 5:34
Civil action, 5:8
Claim language, 2:37, 3:19, 5:13, 5:30
Claims, 2:9, 2:13, 2:17, 2:26, 2:37, 3:1, 3:9, 3:19, 3:25, 3:32, 4:3, 4:4, 4:6 to 5:8, 5:13, 5:18, 5:19, 5:24, 5:30, 5:33, 5:34, 5:42, 5:43, 11:15
Complete, 3:9, 3:26, 5:8
Continuation applications, 3:9, 4:6
Continuation-in-part, 3:9

INDEX

PROSECUTION—Cont'd

- Corrections, 3:32
- Decisions, 3:19, 4:6, 5:19, 5:33
- Defects, 4:4, 5:8
- Defenses, 5:8, 5:30, 5:33, 5:34, 5:43
- Dependent claims, 2:9
- Description, 2:9, 3:9, 3:26, 4:7, 5:8, 5:13
- Disclaimer, 2:37, 4:3, 5:18, 5:34
- Disclosure, 2:9, 2:37, 3:13, 3:19, 3:32, 4:4, 5:8, 5:19
- Double patenting, 4:3, 5:34
- Error, 2:9, 4:4, 5:8
- Evidence, 2:37, 5:13, 5:18, 5:24, 5:30, 5:33, 5:43, 11:15
- Examination, 2:9, 2:37, 3:9, 3:19, 3:25, 3:26, 4:5, 4:6, 5:8, 5:18
- Failure, 2:26, 2:37, 3:9, 3:25, 3:32, 4:4, 4:5, 5:18, 5:30, 5:43, 10:10
- Final rejection, 3:26, 4:6
- Foreign countries, 5:19
- Foreign patents, 2:37
- Hearings, 5:13
- Inequitable conduct, 2:17, 3:13, 4:5, 5:8, 5:19, 5:24, 5:33, 5:43
- Information disclosure statements, 3:13
- Intent, 3:13, 4:4, 5:18, 5:43
- Interference, 3:32, 5:19
- Interviews, 3:26
- Language, 2:9, 2:37, 3:13, 3:19, 4:7, 5:13, 5:18, 5:30, 11:15
- Manual of Patent Examining Procedure, 3:19
- Manufacturing, 3:19
- Mistake, 3:32
- Modification, 3:25, 3:32
- Negligence, 5:43
- New matter, 2:13, 4:6
- Novelty, 5:8
- Obviousness, 5:8, 5:34
- Original application, 4:4
- Patentability, 3:1, 3:9, 3:13, 3:19, 4:4 to 4:6, 5:19, 5:33, 5:34
- Payment, 2:26, 3:32
- Petition, 3:19, 3:25, 3:32, 4:7, 5:8, 5:19
- Prior art, 2:9, 2:37, 3:1, 3:9, 3:13, 3:19, 3:32, 4:4 to 5:8, 5:13, 5:18, 5:19, 5:30, 5:33, 5:42, 5:43
- Priority, 2:9, 2:26, 3:19, 3:32, 4:4
- Product of nature, 5:34
- Publications, 1:4, 3:31, 4:5, 4:6, 5:8
- References, 2:9, 2:37, 3:13, 3:19, 3:32, 4:7, 5:18
- Search, 2:37, 3:19, 3:32, 4:6
- Skill, 2:9, 5:13, 5:18, 5:42
- Summary, 2:9, 3:9, 3:13, 3:26, 4:5, 5:13, 11:15
- Telephone interview, 3:26
- Terminal disclaimer, 4:3, 5:34
- Third party submissions, 3:31

PROSECUTION—Cont'd

Time, 1:3, 2:9, 2:37, 3:19, 3:31, 3:32, 4:6, 5:8, 5:18, 5:24, 5:30, 5:34, 5:43, 10:10
Trade secrets, 1:4
Utility, 2:9, 2:13, 2:26, 3:19, 5:34
Withdrawal, 3:25, 3:32, 4:6
Written description, 2:9, 3:9, 3:26, 4:7, 5:8, 5:13

PROTECTION OF TRADE SECRETS

Trade secrets, 12:22, 15:18

PROTECTIVE ORDERS

Discovery, 4:8, 5:21, 12:25

PUBLIC DOMAIN

Canada, 16:3
Software, 8:8, 8:16, 12:16
United States, 6:3, 6:25, 7:16, 16:3

PUBLIC INTEREST

Preliminary injunctions, 5:25

PUBLIC KNOWLEDGE

Evidence, 2:34, 12:16

PUBLIC USE

Patent law, 2:20, 2:33, 2:34, 12:15

PUBLICATION

Copyright, 6:1, 6:3, 6:5, 6:13, 6:22, 7:1 to 7:5, 7:7, 7:9 to 7:14, 7:16, 7:17, 7:20, 7:21, 8:18, 8:20, 8:32, 11:18, 12:8, 13:8, 15:17, 17:7

PUNITIVE DAMAGES

Misappropriation of trade secrets, 12:34

REASONABLE PRECAUTIONS

Disclosure, 12:18
Under the circumstances, 12:9

REASONABLE ROYALTY

Actual damages, 11:15
Awards, 11:15
Business proposition, 5:28
Business risks, 5:28
Causation, 5:27
Commercial embodiment, 5:28
Commercial relationship, 5:28
Commercial success, 5:24, 5:28
Comparable businesses, 5:28
Compensatory damages, 11:15, 12:34
Competition, 5:27, 11:15
Conditions, 5:28
Convoyed sales, 5:28

INDEX

REASONABLE ROYALTY—Cont'd

- Design patents, 5:32
- Duration, 5:28, 12:33
- Embodiment, 5:28
- Entire market value rule, 5:28
- Established royalty, 5:27, 5:28
- Evidence, 5:24, 5:27, 5:28, 11:15, 12:36
- Expert witnesses, 5:24
- Georgia-Pacific factors, 5:28
- Improvements, 5:28
- Infringement, 5:27, 5:28, 5:32, 11:15, 12:34, 15:4
- Injunctions, 12:33
- Inventor, 5:24, 5:28, 15:4
- Market value, 5:28
- Marketing, 5:27, 5:28
- Misappropriation, 12:33, 12:34, 12:36
- Monopoly, 5:28
- Patents, 5:28, 5:32, 15:4
- Popularity, 5:28
- Price, 5:27, 5:28, 11:15
- Production, 12:34
- Profitability, 5:28, 12:34
- Prudent licensee, 5:28
- Qualified experts, 5:28
- Rates, 5:28
- Realizable profit, 5:28
- Reasonable profit, 5:28
- Sales, 5:24, 5:27, 5:28, 5:32, 11:15, 12:34
- Similar results, 5:28
- Special conditions, 5:28
- Specialty, 5:28
- Territory, 5:28
- Trade secrets, 12:33, 12:34, 12:36, 15:4
- Utility, 5:28, 5:32
- Value, 5:28, 12:34

RECORDS

- Addresses, 14:13
- America Invents Act, 2:34
- Appeal, 5:13, 5:34
- Assignment, 2:34
- Claim, 5:13, 5:34, 5:44, 11:18, 11:36, 12:25, 13:7
- Continuation-in-part, 14:13
- Database, 17:13
- Delay, 5:44
- Diligence, 2:34, 14:34, 14:35
- Disclosure, 2:34, 12:25, 14:13
- Documentation, 17:13

RECORDS—Cont'd

Evidence, 2:34, 5:13, 5:44, 5:48, 11:15, 11:18
Examiner, 5:13
Exceptions, 2:34, 5:34
Foreign application, 2:34
Foreign countries, 14:13
Good faith, 5:48, 7:12, 11:28
Infringement, 5:13, 5:34, 5:44, 5:48, 7:12, 11:15, 11:18, 11:28, 11:36, 13:7,
14:13, 14:35, 17:13
Languages, 2:34
Manufacturing, 5:48, 6:3
Merger, 14:34
Name, 5:34, 11:18, 11:36, 13:7, 17:13
Notice, 5:13, 6:3, 17:13
Orders, 12:25
Prior art, 2:34, 5:13, 5:48
Prosecution, 5:13, 5:34, 11:15
Publication, 2:34, 6:3, 7:12, 11:18
Response, 5:34, 11:18
Time, 2:34, 5:34, 5:44, 6:3, 7:12, 11:18, 11:28, 14:13, 14:35, 17:13
Witnesses, 13:7

REGISTRATION

Amendment, 5:19, 10:23, 10:26, 10:28, 10:35
Applications, 1:3, 3:3, 5:19, 8:21, 9:22, 10:2, 10:6, 10:8 to 10:13, 10:18, 10:21,
10:23, 10:26, 10:34, 10:37, 14:13, 14:27, 14:30, 15:3, 15:11 to 17:13
Cancellations, 10:39
Concurrent use, 10:6, 11:9
Copyright law, 6:13, 6:25, 8:1, 12:1, 15:15, 16:3
France, 15:3, 15:11, 15:15

REISSUE

Intervening rights, 4:4, 4:6

REMEDIES

Defend Trade Secrets Act, 12:36
Economic Espionage Act of 1996, 12:37
France, 15:3
Misappropriation of Trade Secrets, 12:37
United States, 5:32, 12:1, 15:3, 16:2

REMOVAL

Appeal, 4:7
Parties, 2:34, 4:7

REPRESENTATIONS AND WARRANTIES

Due diligence, 14:36
Infringement, 14:36
Licenses, 14:36
Noninfringement, 14:36

INDEX

REVERSE ENGINEERING

Defined, **12:8, 12:36**
Evidence, **6:21, 12:36**
United States, **6:25**

REVIEW

France, **2:3**
Germany, **2:3**
Japan, **2:3**
United States, **2:3, 3:32, 4:7, 5:48, 16:2, 17:9**

RIGHT OF PRIVACY

Appropriation, **13:1**
Commercial exploitation, **13:1, 13:5**
False light, **13:1**
Intrusion, **13:1, 13:8**
Public disclosure of embarrassing private facts, **13:1**

RIGHT OF PUBLICITY

Advertisements, **11:18, 11:36, 13:5, 13:8**
Advertising, **11:18, 11:36, 13:1, 13:3, 13:5, 13:8, 13:11**
Agreement, **13:7, 14:30**
Books, **11:18**
California, **11:36, 13:4, 13:5, 13:8, 13:11 to 13:13, 13:15, 13:16**
Celebrities, **11:36, 13:1, 13:8**
Colorado, **13:15**
Commercial exploitation, **11:18, 13:1, 13:5, 13:15**
Damages, **13:5, 13:11, 13:14 to 13:16, 14:30**
Defenses, **11:18**
Endorsement, **11:36, 13:1, 13:3**
Fair use, **11:18, 13:8**
Fictional characters, **11:36**
First Amendment, **11:18, 11:36, 13:17**
Free speech, **11:18, 13:17**
Infringement, **11:18, 11:36, 13:6 to 13:10, 13:13, 14:30**
Injunctions, **13:14**
Intent, **11:18**
Malice, **13:15**
Music, **11:18, 13:7**
Names, **11:18, 11:36, 13:2, 13:17, 14:30**
New Jersey, **13:12**
New York, **11:36, 13:2, 13:4, 13:5, 13:11**
News reporting, **13:8**
Ohio, **13:3**
Organizations, **11:36**
Parody, **11:18, 11:36**
Performance, **13:7, 13:17**
Policy, **13:3**
Punitive damages, **13:15**

RIGHT OF PUBLICITY—Cont'd

Release, **13:2**
Remedies, **13:5**
South Carolina, **11:18**
Television, **13:7, 13:8**
Video games, **11:36**

ROYALTIES

Antitrust, **5:46, 6:11, 14:2, 14:14**
Damages, **5:28, 14:2, 14:33**
Reasonable royalties, **5:28**
United States, **14:2, 14:13**

SCRIPTS

Infringement, **8:30**
Plot, **8:30**

SECRECY

Germany, **2:34, 15:4**
United States, **2:34, 5:19, 12:17, 12:18, 15:4**

SECRET USE

Patent law, **2:34**

SECURITY

Evidence, **5:45, 12:10, 12:29, 16:1**

SEIZURE

Civil, **12:36**
Defend Trade Secrets Act, **12:36**

SEMICONDUCTOR CHIP PROTECTION ACT

Mask works, **14:25**
Notice, **14:25**
Registration, **14:25**

SEQUENCE

Software, **16:4**

SETTLEMENT

Form, **14:13**
Inter partes proceedings, **4:9**

SOFTWARE

Claims, **2:17, 5:34, 14:36, 16:4, 17:3**
Design patents, **17:3**
Disclosure, **12:16, 14:30**
Format, **6:4**
Infringement, **5:12, 5:34, 6:21, 6:23, 8:8, 8:9, 8:16, 8:22, 12:16, 14:30, 14:36, 16:4, 17:3**
Method claims, **16:4**
Patentability, **5:34**
Public domain, **8:8, 8:16, 12:16**

INDEX

SOFTWARE—Cont'd

Records, **5:34**

Statutory subject matter, **5:34**

Use, **5:12, 5:34, 6:23, 8:8, 8:9, 8:16, 8:19, 12:16, 14:22, 14:30, 14:33, 14:36, 16:4, 17:3**

SOVEREIGN IMMUNITY

Litigation, **8:11, 11:7**

STANDARD OF PROOF

United States, **5:27**

STATE LAWS

Licensing, **14:2, 14:24**

Uniform Trade Secrets Act, **12:1**

STATES

Disclosure, **1:1, 2:33, 2:34, 2:36, 3:6, 3:22, 3:32, 5:19, 5:40, 7:2, 12:10, 12:17, 12:18, 12:20, 12:22, 12:34, 12:36, 14:2, 14:13, 15:4, 15:7**

Discovery, **1:2, 4:7, 5:19, 5:23, 5:34, 10:40, 11:5, 12:20, 12:23**

Uniform Trade Secrets Act, **12:1**

STATUTE OF LIMITATIONS

Misappropriation of trade secrets, **12:22**

United States, **12:1**

STATUTES

Anti-Dilution Statute, **9:4, 11:31**

Criminal sanctions, **11:39**

Definitions, **11:22**

Digital Millennium Copyright Act, **6:27**

Economic Espionage Act, **12:37**

Lanham Act, **9:22, 10:2, 11:5, 11:11, 11:16, 11:23, 11:28, 11:39**

Patents, **1:4, 3:19, 10:2, 11:16, 11:23, 14:2, 14:3, 14:24, 14:31, 17:12**

Protection, **1:4, 3:19, 9:4, 9:34, 10:2, 11:11, 11:16, 11:23, 11:24, 11:26, 11:28, 11:39, 12:37, 14:2**

Theft, **12:37**

STRUCTURE

Software, **8:16, 17:3**

SUBJECT MATTER

United States, **2:31, 2:34, 5:1, 5:48, 6:3, 7:10, 9:34, 10:29, 12:1, 14:2, 14:13, 16:3**

SUBJECT MATTER JURISDICTION

Appellate jurisdiction, **5:1, 8:1**

Civil actions, **8:1**

Competition, **5:1, 5:5, 11:1, 16:3**

Controversy, **5:1, 11:1**

Diversity jurisdiction, **11:1**

Federal district courts, **5:5, 8:1**

SUBJECT MATTER JURISDICTION—Cont'd

Infringement, **5:1, 5:5, 8:1, 11:1, 16:3**
Orders, **5:5**
Related claim, **5:1**
Standing, **5:5**
Supplemental jurisdiction, **5:1**
Unfair competition, **5:1, 5:5, 11:1, 16:3**

SUCCESS

Preliminary injunctions, **5:25**

SUMMARY JUDGMENT

Cancellations, **10:40**
Defenses, **11:18, 17:12**
Evidence, **5:13, 11:17, 11:18**
Motions, **10:40, 17:12**
Objections, **11:18**
Oppositions, **10:40**
Patent, **5:13, 17:12**
Responses, **11:18**
Testimony, **5:13, 10:40, 11:17, 11:18**
Validity, **17:12**

SUPPLIERS

United States, **17:9**

SUPREME COURT

United States, **4:7, 5:2, 5:12, 5:27, 5:40, 5:47, 10:28, 11:2, 11:8, 11:23, 16:3, 16:4**

SWEDEN

Litigation, **15:8**

TECHNOLOGY

Japan, **15:4**
United States, **2:7, 2:11, 3:18, 5:48, 14:13, 15:4, 17:7**

TELEVISION

Authorship, **6:3, 6:13**
Copyright, **6:3, 6:13, 6:14, 6:16, 6:17, 6:23, 8:15, 8:30, 13:7, 13:8, 14:22**
Internet, **9:11**
Publication, **6:3, 6:13, 11:33, 13:8**
Right of publicity, **13:7, 13:8**
Trademarks, **9:10, 9:11, 9:20, 11:28, 14:22**

TERMINATION

United States, **14:2**

TESTIMONY

Briefs, **10:40**
Discovery, **5:13, 5:24, 10:40, 11:10, 11:11, 11:15**
Examination, **5:18, 11:11, 11:17**

INDEX

TESTIMONY—Cont'd

Hearings, **5:13**
Publications, **11:18**
Records, **5:13, 11:15, 11:18**
Summary judgment, **5:13, 10:40, 11:17, 11:18**
Witnesses, **5:24, 5:36, 8:17**

TESTS

Evidence, **2:34, 11:9, 11:38**

TEXAS

Evidence, **10:31, 11:40**
Misappropriation, **1:2**

THEFT

Civil remedies, **12:37**
Computer programs, **12:18**
Economic Espionage Act of 1996, **12:37**
Software, **17:3**
Statutes, **12:37**

THIRD PARTIES

Canada, **9:9**
United States, **2:34, 3:22, 5:19, 15:4**

TITLES

Copyright, **6:5, 6:24, 7:9, 16:1**
People, **6:5**
Trademarks, **16:1**

TORTS

Damages, **5:5, 11:40**

TRADE SECRETS

Agreements, **12:9, 12:10, 12:13, 12:30, 12:36, 14:2, 14:30, 14:34, 14:36, 15:3, 15:4, 17:6, 17:11**
Compilation, **12:2, 12:3, 12:6**
Confidentiality agreements, **12:10, 12:13, 14:36**
Customer lists, **12:10, 12:28, 14:34**
Damages, **7:20, 12:34 to 12:36, 14:2, 14:30, 14:33, 14:36, 15:4**
Definitions of trade secrets, **12:5**
Economic value, **12:3, 12:4, 12:6, 12:7, 12:18, 12:26, 12:27**
Information, **1:4, 12:1 to 12:23, 12:25 to 12:33, 12:36, 14:2, 14:30, 14:34 to 14:36, 15:18, 17:6, 17:10, 17:11**
Infringement, **7:20, 12:16, 12:18, 12:34, 14:2, 14:30, 14:35, 14:36, 15:4**
Lists, **12:10, 12:28, 14:34**
Misappropriation of Trade Secrets, **12:17, 12:18, 12:22, 12:25, 12:30, 12:34, 12:37**
Nondisclosure Agreements, **12:9, 17:6, 17:11**
Patents, **1:4, 12:1, 12:6, 14:2, 14:22, 14:28, 14:30, 14:33 to 14:36, 15:3, 15:4, 17:6, 17:8, 17:10, 17:11**

TRADE SECRETS—Cont'd

Protection of Trade Secrets, 12:22, 15:18
Reasonable precautions, 12:9, 12:18
Software, 12:9, 12:16, 14:22, 14:30, 14:33, 14:36
Statute of limitations, 12:1, 12:22
Theft, 12:18, 12:19, 12:32, 12:36, 12:37
Under the circumstances, 12:3, 12:9, 12:19
Uniform Trade Secrets Act, 12:1
Value, 12:2 to 12:4, 12:6, 12:7, 12:9, 12:17, 12:18, 12:26, 12:27, 12:34, 12:37, 14:2, 14:35, 14:36, 16:2, 17:6, 17:8, 17:11

TRADEMARKS

Abandonment, 9:2, 9:25, 11:16
Administrative proceedings, 11:34
Affidavit, 10:1, 10:7, 10:41
Amendments, 3:19, 10:23, 10:31, 10:35
Antitrust laws, 14:2
Applications, 3:19, 9:22, 10:2, 10:5 to 10:15, 10:18, 10:19, 10:21, 10:23, 10:26, 10:34, 10:37, 14:2, 14:27, 14:28, 14:33, 14:36, 15:3, 15:11, 15:12, 17:5, 17:7, 17:13
Applications for registration, 10:37
Arbitration proceedings, 11:34
Assignments, 14:1, 14:2, 14:10, 14:27, 14:33, 14:39
Attorneys, 1:4, 3:19, 10:2, 10:15, 10:17, 10:34, 10:38, 11:5, 11:9, 11:24, 17:4 to 17:7
Authority, 3:19, 10:2, 11:34, 17:11
Books, 11:18, 14:22, 17:13
Briefs, 1:4, 10:36, 10:40
Burden of proof, 10:38, 10:39, 11:16
Cancellations, 10:39, 10:40
Caption, 11:18
Change, 3:33, 9:25, 17:6, 17:13
Charges, 11:28, 17:13
Collective marks, 10:3
Commerce, 1:2, 9:4, 9:12, 9:16, 9:22, 10:2, 10:7 to 10:10, 10:12, 10:14, 10:16, 10:19, 10:23, 10:30, 10:33, 10:41, 11:35, 15:9, 15:11
Commissioner of Patents and Trademarks, 3:19, 3:33, 10:2, 11:16
Composite mark, 9:10
Confidential information, 17:6, 17:11
Contempt, 10:28
Copies, 10:34, 11:11, 11:18, 14:22, 14:35
Counterfeits, 16:1
Damages, 10:1, 11:11, 11:34, 11:35, 14:2, 14:33, 14:36
Date, 3:19, 3:33, 9:11, 10:1, 10:6, 10:7, 10:9 to 10:12, 10:15, 10:17, 10:20, 10:23, 10:30, 10:31, 10:34, 10:35, 10:37, 10:38, 10:40, 10:41, 11:16, 15:3, 15:10 to 15:12, 17:5
Decisions, 1:2, 3:19, 9:3, 10:26, 10:40, 11:24, 17:10
Depositions, 10:40
Description, 9:16, 10:11, 10:23, 10:35, 11:35, 17:11

INDEX

TRADEMARKS—Cont'd

Discovery, **1:2, 10:40, 11:5, 11:10 to 11:12**
Distinctiveness, **9:4 to 9:8, 9:10 to 9:12, 9:15, 9:16, 10:30, 10:31, 10:33, 10:35, 11:9 to 11:11, 11:22, 11:28, 15:13**
Diversity, **1:2**
Domain name registration, **11:34**
Drawings, **3:19, 9:16, 10:17, 10:35, 11:11, 17:11**
Evidence, **9:10, 9:11, 9:15, 9:16, 10:1, 10:18, 10:24, 10:25, 10:30 to 10:33, 10:38, 10:39, 11:9 to 11:12, 11:16, 11:18, 11:23, 11:34, 16:1**
Extension, **3:19, 3:33, 10:11, 10:12, 10:16, 10:23, 10:38, 15:12**
Extensions of time, **10:38**
Federal Rules of Civil Procedure, **10:40, 11:5**
Fees, **3:19, 3:33, 10:5, 10:11 to 10:13, 10:15, 11:34, 14:2, 14:36, 15:3, 15:9, 17:5**
Fictional characters, **11:36**
Filing, **3:19, 10:5 to 10:7, 10:9 to 10:18, 10:20, 10:23, 10:34, 10:36 to 10:41, 11:5, 11:34, 14:22, 14:27, 14:35, 14:36, 15:3, 15:9 to 15:13, 16:1, 17:5, 17:7, 17:11**
Final action, **10:23**
Foreign country, **10:7, 10:9, 10:14**
Foreign marks, **15:10**
Form, **3:19, 9:3, 9:10, 9:12, 9:16, 9:18, 9:25, 9:30, 10:1, 10:3, 10:14, 10:17, 10:19, 10:23, 10:40, 11:11, 11:18, 11:23, 14:2, 14:27, 15:3, 15:9, 15:12, 17:7, 17:11**
Free speech, **10:26, 10:28, 11:18**
Generic terms, **9:10**
Goods and services, **9:3, 9:25, 10:4, 10:5, 10:15, 10:17, 10:23, 10:35, 10:41, 11:9 to 15:9**
Incontestability, **10:1, 10:39, 11:9**
Infringement, **3:33, 9:4, 9:6, 9:16, 10:1, 11:5, 11:9 to 11:12, 11:16, 11:18, 11:22 to 11:24, 11:28, 11:34 to 11:36, 14:2, 14:35, 14:36, 15:13, 16:1, 17:4, 17:7, 17:13**
Inspection, **10:37, 14:2**
Intent-to-use application, **10:7, 10:17, 10:18, 10:23, 14:2, 14:27**
Inter partes proceedings, **10:38 to 10:40**
International registration, **10:11, 10:12, 10:16, 15:12**
Jurisdiction, **10:7, 10:38, 11:5, 11:9, 11:34, 14:35, 15:3**
Knowledge, **9:12, 10:19, 14:36, 17:6, 17:7, 17:13**
Lanham Act, **1:2, 9:1, 9:10, 9:12, 9:16, 9:22, 9:26, 10:2, 10:3, 10:10, 10:12, 10:24, 10:26, 10:28, 10:31, 10:38, 10:39, 10:41, 11:5, 11:10, 11:11, 11:16, 11:18, 11:23, 11:28, 11:34 to 11:36, 14:27**
Library, **10:34, 16:1**
Likelihood of confusion, **9:4, 9:15, 10:9, 10:25, 10:38 to 10:40, 11:5, 11:9, 11:11, 11:12, 11:18, 11:22 to 11:24, 11:28, 11:36**
Madrid Protocol, **10:11, 10:12, 15:3, 15:12**
Modification, **14:36**
Motion, **10:40, 11:18**
Motions, **10:40**
Music, **11:18**

TRADEMARKS—Cont'd

Notice, **3:19, 10:1, 10:23, 10:36 to 10:38, 11:5, 11:34, 14:2, 15:13, 16:1, 17:13**
Number, **3:19, 3:33, 9:2, 9:11, 9:12, 10:1, 10:5, 10:9, 10:15, 10:24, 10:37, 11:5, 11:9 to 11:12, 11:16, 11:28, 11:34, 11:36, 14:2, 15:3, 16:1, 17:5, 17:13**
Oath, **10:19**
Objections, **3:19, 11:18, 14:35**
Oppositions, **10:12, 10:39, 10:40**
Oral argument, **10:36, 10:40**
Oral hearing, **10:40**
Orders, **11:5**
Parties, **1:2, 9:4, 9:10, 9:25, 10:6, 10:11, 10:38, 10:40, 11:9, 11:12, 11:22, 11:28, 11:34, 14:2, 14:10, 14:20, 14:33, 14:35, 14:36, 14:39, 15:10, 17:5, 17:6, 17:11**
Patents, **1:2, 1:4, 3:19, 3:33, 9:2, 9:16, 10:2, 11:16, 11:23, 14:1, 14:2, 14:20, 14:22, 14:28, 14:33, 14:35 to 14:37, 15:3, 15:10, 17:5, 17:6, 17:10, 17:11, 17:13**
People, **9:11, 11:10, 11:18, 11:23, 11:28, 11:36, 15:9, 17:13**
Petitions, **3:19, 10:39**
Pleadings, **11:5**
Prior registrations, **10:33**
Priority, **1:2, 3:19, 9:20, 9:25, 10:6, 10:9, 10:38, 15:3, 15:9 to 15:11, 16:1**
Publications, **1:4, 11:18, 17:6, 17:11**
Questions, **10:14**
Refusal, **10:11, 10:12, 10:24 to 10:32, 10:36**
Registration, **9:1, 9:10, 9:12, 9:16, 9:22, 9:26, 10:1 to 10:4, 10:6, 10:8 to 10:13, 10:16, 10:18, 10:20, 10:21, 10:23 to 10:26, 10:28 to 10:31, 10:34, 10:35, 10:37 to 10:39, 10:41, 11:5, 11:9, 11:16, 11:34, 14:27, 15:3, 15:9 to 15:13, 16:1, 17:13**
Restrictions, **3:19, 10:15, 14:2, 14:33, 17:6**
Review, **1:4, 10:36, 11:18, 11:24, 14:35, 17:11, 17:13**
Rules, **3:19, 10:2, 10:17, 10:18, 10:36, 10:40, 11:5, 17:4, 17:7**
Sample, **11:28, 17:11**
Search library, **10:34**
Service marks, **9:1, 9:3, 9:12, 10:3, 14:22**
Services, **9:1, 9:3, 9:4, 9:7, 9:12, 9:16, 9:20, 9:25, 9:26, 10:1, 10:3 to 10:5, 10:7, 10:9, 10:11 to 10:17, 10:20, 10:23, 10:26, 10:30, 10:31, 10:33 to 10:35, 10:37 to 10:39, 10:41, 11:9 to 11:11, 11:28, 11:34, 11:35, 15:9, 17:4, 17:5, 17:7, 17:10, 17:11**
Signature, **10:14, 10:29, 10:32, 14:2**
Special form drawings, **10:17**
Specimen, **10:13, 10:18, 10:23, 10:32, 10:41**
Standard character drawings, **10:17**
Summary judgment, **10:40, 11:18, 11:36**
Supplemental register, **9:10, 10:4, 10:6, 10:24, 10:27, 10:30, 10:31, 10:37, 10:39**
Supporting evidence, **10:18**
Surveys, **9:10, 11:10, 11:11**
Television, **9:10, 9:11, 9:20, 11:28, 14:22**

INDEX

TRADEMARKS—Cont'd

Testimony, **9:10, 10:40, 11:10, 11:11, 11:16, 11:18**
Third parties, **9:4, 9:25, 11:12, 11:22, 11:28, 14:35, 14:36, 15:10, 17:6, 17:11**
Time, **1:2, 3:19, 3:33, 9:1, 9:11, 9:16, 10:4, 10:10, 10:12, 10:14, 10:15, 10:18, 10:23, 10:35, 10:37 to 10:41, 11:9 to 11:12, 11:16, 11:18, 11:28, 11:34, 14:22, 14:35, 14:36, 15:3, 15:9, 15:10, 15:12, 17:5 to 17:7, 17:10, 17:13**
Titles, **16:1**
Trade secrets, **1:4, 14:2, 14:22, 14:28, 14:33, 14:35, 14:36, 15:3, 17:6, 17:10, 17:11**
Transcript, **10:40**
Trial, **3:19, 10:36, 10:40, 11:11, 11:16**
Types of marks, **10:3, 11:10, 15:9**
Use, **9:2 to 9:4, 9:10 to 9:12, 9:15, 9:16, 9:20, 9:22, 9:26, 9:30, 10:1, 10:3, 10:4, 10:6 to 10:10, 10:12 to 10:19, 10:23, 10:24, 10:26, 10:27, 10:29, 10:30, 10:33, 10:35, 10:37, 10:38, 10:40, 10:41, 11:5, 11:9 to 11:12, 11:16, 11:18, 11:22 to 11:24, 11:28, 11:34, 11:36, 14:1, 14:2, 14:22, 14:27, 14:33, 14:35, 14:36, 15:9, 15:11, 15:13, 16:1, 17:4, 17:7, 17:11, 17:13**
Verification, **10:19**
Video games, **11:36**

TRANSFER

Appeal, **5:34, 6:8**
Parties, **2:34, 5:34, 9:25, 11:34, 14:2, 14:13, 14:30, 14:33, 14:34, 16:4**

TRIAL

Disclosure, **3:19, 3:30, 4:9, 5:8, 5:19, 5:22, 5:40, 12:21, 12:25, 12:33, 12:34, 17:12**
Jury trial, **8:6, 11:26, 17:12**

UNFAIR COMPETITION

New York, **11:19, 11:28, 11:33, 11:36**
Texas, **11:40**

UNIFORM TRADE SECRETS ACT

Definitions, **12:1**
District of Columbia, **12:1**
Misappropriation, **12:1**
United States, **12:1**
Virgin Islands, **12:1**

UNITED STATES

Antitrust, **5:47, 14:2**
Antitrust law, **5:47**
Breach of confidence, **12:18**
Burden of proof, **5:1**
Common law, **1:2, 5:19, 9:34, 11:8, 11:23, 12:1, 12:12, 14:2, 15:15, 16:3**
Copyrights, **1:2, 7:9, 7:11, 11:23, 12:1, 14:2, 15:3, 15:14, 15:15, 16:1**
Damages, **5:23, 5:27, 5:29, 5:32, 7:1, 7:17, 8:7, 14:2, 15:4, 16:3**
Definitions, **2:34, 11:17, 12:1, 14:13, 15:3, 15:14**
Discovery, **1:2, 4:7, 5:19, 5:23, 10:40**
Domestic industry, **16:2**

UNITED STATES—Cont'd

Duration, 6:3, 7:9, 14:2, 14:13
Foreign nationals, 2:34
Former employee, 12:12
History, 2:33, 3:32, 8:27, 11:23
Injunctions, 8:27
Injury, 5:2, 11:2, 12:18, 16:2
Jurisdiction, 3:32, 5:1, 5:2, 5:27, 5:32, 8:27, 10:7, 11:2, 14:23, 15:3, 15:14, 16:3, 16:4
Liability for misappropriation, 12:1, 12:12, 12:18
Limitations, 3:6, 4:7, 6:20, 12:1, 14:13
Litigation, 3:22, 4:7, 5:1, 5:2, 5:10, 5:12, 5:19, 5:23, 5:27, 5:29, 5:32, 5:40, 5:47, 5:48, 5:51, 7:1, 8:7, 8:27, 11:2, 11:8, 11:17, 11:23, 15:3, 15:4
Misappropriation, 1:2, 12:1, 12:12, 12:17, 12:18, 16:2
Parties, 1:2, 2:34, 3:22, 4:7, 5:10, 5:19, 5:23, 5:27, 5:32, 5:47, 8:27, 10:11, 10:40, 11:17, 12:12, 14:2, 14:13, 15:4, 16:4
Patents, 1:2, 2:3, 2:7, 2:11, 2:33, 2:34, 4:7, 5:12, 5:19, 5:29, 5:32, 5:40, 5:47, 5:48, 11:23, 12:1, 14:2, 14:13, 15:1, 15:3 to 16:4
Registration, 5:19, 6:25, 7:1, 7:2, 7:9 to 7:11, 7:17, 9:34, 10:9 to 10:13, 10:16, 10:28, 10:29, 11:8, 12:1, 14:13, 15:3, 15:9, 15:12, 15:15, 16:1, 16:3
Remedies, 5:32, 12:1, 15:3, 16:2
Reverse engineering, 6:25
Review, 2:3, 3:32, 4:7, 5:48, 16:2, 17:9
Royalties, 14:2, 14:13
Standard of proof, 5:27
Statute of limitations, 12:1
Subject matter jurisdiction, 5:1, 16:3
Technology, 2:7, 2:11, 3:18, 5:48, 14:13, 15:4, 17:7
Trade secrets, 12:1, 12:12, 12:17, 12:18, 14:2, 15:3, 15:4, 16:2
Uniform Trade Secrets Act, 12:1

USE

Antitrust law, 5:47
Damages, 2:1, 5:24, 5:27 to 5:29, 6:23, 7:18, 8:18, 8:31, 9:28, 9:31, 10:1, 11:7, 11:11, 11:21, 11:26, 11:31, 11:34, 11:38, 11:39, 12:34, 12:36, 13:5, 13:15, 14:2, 14:30, 14:33, 14:36, 15:4, 17:3
Evidence, 2:34, 3:3, 3:22, 5:13, 5:15, 5:24, 5:27, 5:28, 5:43, 5:48, 6:11, 8:8, 8:9, 8:31, 9:10, 9:11, 9:15 to 9:17, 9:24, 9:28, 10:1, 10:18, 10:24, 10:30, 10:33, 10:38, 11:8 to 11:12, 11:16 to 11:18, 11:23, 11:34, 11:38, 12:10, 12:16, 12:28, 12:30 to 12:32, 12:36, 16:1, 16:4
Patent law, 2:1, 2:4, 2:9, 2:15, 2:19, 2:20, 2:26, 2:28, 2:32 to 2:34, 5:24, 5:34, 5:47, 8:9, 9:16, 12:2, 12:6, 12:12, 12:15, 16:4, 17:13
Software, 5:12, 5:34, 6:23, 8:8, 8:9, 8:16, 8:19, 12:16, 14:22, 14:30, 14:33, 14:36, 16:4, 17:3

UTILITY

Enablement requirement, 5:41

VALIDITY

Anticipation, 5:39

INDEX

VALIDITY—Cont'd

Burden of proof, 4:8, 4:9, 5:33, 10:38, 10:39, 11:16, 12:26
Defenses, 5:6, 5:30, 5:33, 10:38, 10:39, 17:12
Effective filing date, 4:8, 5:39
Evidence, 2:37, 3:3, 4:8, 4:9, 5:15, 5:18, 5:23, 5:30, 5:33, 5:39, 6:11, 7:1, 7:21, 10:38, 10:39, 11:8, 11:9, 11:16, 11:38, 12:26
Inequitable conduct, 3:3, 5:6, 5:33
Intent, 5:18, 11:16, 14:2
Obviousness, 4:8, 4:9, 5:39
Presumption of validity, 2:37
Prior art, 2:37, 3:3, 3:9, 4:7, 4:9, 5:18, 5:30, 5:33, 5:39, 17:12
Requirements, 3:9, 5:6, 5:18, 5:33, 7:21, 10:38, 11:1, 11:8, 15:8
Subject matter, 3:9, 4:8, 4:9, 5:18, 5:39, 7:21, 11:1, 14:2
Use, 3:3, 3:9, 4:7, 5:15, 6:11, 10:38, 11:1, 11:8, 11:9, 11:16, 11:38, 14:2, 14:4, 14:14
Utility, 2:27, 11:8
Witnesses, 17:12

VALUE

Economic Value, 12:3, 12:4, 12:6, 12:7, 12:18, 12:26, 12:27
United States, 6:3, 11:8, 12:17, 12:18, 14:2, 14:13, 16:2, 17:7, 17:9

VENDORS

Evidence, 12:30

VENUE

Appeal, 5:9
Established place of business, 5:3
Infringement, 5:3, 5:5, 5:9, 8:3, 11:3, 14:15
Jurisdiction, 5:3, 5:5, 5:9, 8:3, 11:3
Litigation, 5:3, 5:5, 5:9, 8:3, 11:3, 14:15
Omissions, 11:3
Orders, 5:5
Place of business, 5:3
Residence, 5:3

VIDEO GAMES

Authorship, 6:3
Code, 6:3
Copyright, 6:3, 6:16
Derivative works, 6:3
Exclusive rights, 6:3
Infringement, 11:36
Likenesses, 11:36
Names, 11:36
Notice, 6:3
Ownership, 6:3
Reproduction, 6:3
Right of publicity, 11:36
Trademarks, 11:36

VIDEO GAMES—Cont'd

Voice, **11:36**

VIRGIN ISLANDS

Uniform Trade Secrets Act, **12:1**

VISUAL ART

Copyright, **6:28**

Moral rights, **6:28**

WAIVER

Litigation, **5:19**

WITNESSES

Discovery, **5:24, 17:12**

Expert witnesses, **5:24, 8:17, 17:12**

Invalidity, **5:36, 17:12**

Validity, **17:12**