

## INTRODUCTION TO THE 2025 EDITION

### Highlights of the 2025 Edition of *Intellectual Property*

#### *Law for Business Lawyers* include:

- Discussion of terminal disclaimers and how a terminal disclaimer will not change the term of a child patent with an expiration date earlier than the expiration date of a parent patent, as decided by the Federal Circuit in *Allergan USA, Inc. v. MSN Laboratories Private Ltd.* (see § 2:36)
- Discussion of obviousness and how the same test for obviousness is applied to both utility patents and design patents, as clarified by the Federal Circuit in *LKQ Corp. v. GM Global Tech. Operations LLC.* (see § 3:23)
- Discussion of the statute of limitations in copyright infringement claims and how damages for infringing acts that occurred before the window of the statute of limitations can still be pursued when the suit is timely, as clarified by the Supreme Court in *Warner Chappell Music, Inc. v. Nealy.* (see § 8:23)
- Discussion of names in trademarks, and whether the phrase “Trump too small” can be trademarked. (see § 9:17)
- Discussion about jurisdiction in trademark disputes and how the Lanham Act does not have jurisdiction of a “use in commerce” that is extraterritorial, as clarified by the Supreme Court in *Abitron Austria GmbH v. Hetronic International, Inc.* (see § 11:1)
- Discussion of trademark parody, and that parody of a mark is not a defense against a claim of trademark infringement or trademark dilution when the parody uses the mark as a source identifier for selling goods and is likely to cause confusion, as set forth by the Supreme Court in *Jack Daniel’s Properties, Inc. v. VIP Products LLC.* (see § 11:18)