

Syllabus

PATENT LAW

Hamline University School of Law
Professors Devan V. Padmanabhan and Paul J. Robbennolt
Fall 2008: Fridays, 8:00 to 9:50 in Room 240
(2 Credits)

Course Text:

The required text is Chisum, Nard, Schwartz, Newman & Kieff, Principles of Patent Law: Cases and Materials (Third Edition, 2004), and the current statutory supplement.

Course Objectives:

This class provides an in-depth investigation of patent law, including patentability requirements, the process of securing patent protection through the U.S. Patent Office, post-allowance procedures, patent licensing, and the legal issues surrounding patent infringement.

Final Examination:

The final examination will consist of one or more essay questions. Anything that is covered in class, in your assigned reading, or by a guest speaker is fair game for an exam question.

Class Participation and Attendance:

We expect everyone to attend class regularly and be fully prepared. Missing more than one class is presumptively excessive and may result in involuntary withdrawal from the course.

Questions Outside of Class:

We will try to take questions immediately after class and during breaks. Please feel free to call either of us with questions or comments at other times as well. You can reach us at work, or leave a voice-mail and we will return your call as soon as possible. You also can reach us by email.

Devan V. Padmanabhan
Dorsey & Whitney LLP
50 South Sixth Street, Suite 1500
Minneapolis, MN 55402
612-343-7990
padmanabhan.dev@dorsey.com

Paul J. Robbennolt
Dorsey & Whitney LLP
50 South Sixth Street, Suite 1500
Minneapolis, MN 55402
612-340-2864
robbennolt.paul@dorsey.com

Topics & Reading Assignments

- Week 1
August 22, 2008 Overview
Reading: iii-vi; 90-96; 103-110
- Week 2
August 29, 2008 Obtaining a Patent
Disclosure: Enablement, Best Mode and Written Description
Reading: 130-34; 155-56; 169-73; 188-200; 205-230; skim 16-23

NO CLASS ON SEPTEMBER 5

- Week 3
September 12, 2008 Patentable Subject Matter
Reading: 772-791; 829-38
- Week 4
September 19, 2008 Timeliness: Public Use, Experimental Use, and On Sale
Reading: 324-27; 342-75
- Week 5
September 26, 2008 Anticipation: Known or Used by Another,” “Printed
Publication,” and Secret Prior Art
Reading: 420-28; 436-444; 450-63
- Week 6
October 3, 2008 Derivation, Priority, Inventive Entity and Reduction to Practice
Reading: 474-80; 484-516
- Week 7
October 10, 2008 Timeliness: Third Party Activity
Reading: 389-401; 406-420

NO CLASS ON OCTOBER 17: MID-TERM BREAK

- Week 8
October 24, 2008 Obviousness
Reading: 532-66
- Week 9
October 31, 2008 Infringement: Claim Construction
Reading: 859-71; 885-902
- Week 10
November 7, 2008 Infringement: Doctrine of Equivalents & Means-Plus-Function
Reading: 915-936; 956-68
- Week 11
November 14, 2008 Infringement: Prosecution History Estoppel & Indirect
Reading: 936-56; 968-79
- Week 12
November 21, 2008 Defenses & Limitations: Patent Misuse, First Sale, Repair and
Reconstruction, and Inequitable Conduct
Reading: 1059-60; 1066-1105; 1136-38; 1146-49

NO CLASS ON NOVEMBER 28: THANKSGIVING BREAK

Week 13
WEDNESDAY
December 3, 2008

Damages

Reading: 1284-87; 1291-94; 1299-1300; 1307-1316; 1320-28