

Syllabus

PATENT LAW

Hamline University School of Law
Professors Devan V. Padmanabhan and Paul J. Robbennolt
Fall 2009: Fridays, 8:00 to 9:50 in Room 240A
(1 Credit)

Course Text:

The required text is Kieff, Newman, Schwartz & Smith, Principles of Patent Law: Cases and Materials (Fourth Edition, 2008).

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.

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Topics & Reading Assignments

Week 1 August 21, 2009	Overview Reading: iii-vi; 90-96; 102-109
Week 2 August 28, 2009	Obtaining a Patent Disclosure: Enablement, Best Mode and Written Description Reading: 129-133; 154-55; 168-72; 186-99; 204-28; skim 15-23
Week 3 September 4, 2009	Patentable Subject Matter Reading: 778-97; 835-44
Week 4 September 11, 2009	Timeliness: Public Use, Experimental Use, and On Sale Reading: 323-26; 341-74
Week 5 September 18, 2009	Anticipation: Known or Used by Another,” “Printed Publication,” and Secret Prior Art Reading: 419-27; 435-43; 449-62
Week 6 September 25, 2009	Derivation, Priority, Inventive Entity and Reduction to Practice Reading: 474-79; 483-515
Week 7 October 2, 2009	Timeliness: Third Party Activity Reading: 388-400; 405-19
Week 8 October 9, 2009	Obviousness Reading: 531-66
NO CLASS ON OCTOBER 16: MID-TERM BREAK	
Week 9 October 23, 2009	Infringement: Claim Construction Reading: 865-77; 891-908
Week 10 October 30, 2009	Infringement: Doctrine of Equivalents & Means-Plus-Function Reading: 921-42; 963-74
Week 11 November 6, 2009	Infringement: Prosecution History Estoppel & Indirect Reading: 942-63; 974-85
Week 12 November 13, 2009	Defenses & Limitations: Patent Misuse, First Sale, Repair and Reconstruction, and Inequitable Conduct Reading: 1063-64; 1072-1111; 1142-45; 1153-55
Week 13 November 20, 2009	Damages Reading: 1292-95; 1299-1302; 1307-08; 1315-24; 1327-36

NO CLASS ON NOVEMBER 27: THANKSGIVING BREAK

Week 13
WEDNESDAY
December 2, 2009

Review