I

INTRODUCTION TO PATENT LAW

1. Introduction to Patents

Tuesday., Jan. 16
read: pp. 1-18

2. Edges of Patent Law

Introduction
Preemption of State Laws

Wednesday., Jan. 17
read: pp. 19-46

II

REQUIREMENTS FOR PATENTABILITY


Anticipation

Thursday., Jan. 18, Tuesday, Jan. 23
read: pp. 47-60

Public Use
Experimental Use
On Sale
Printed Publication
Patented

Wednesday, Thursday, Jan. 24-25
read: pp. 60-93

“known or used by others . . .”
§ 102(c)
§ 102(d)
§ 102(e)
§ 102(f)
§ 102(g)

Tuesday, Wednesday., Jan. 30-31
read: pp. 93-131
   • Introduction – Before Graham
   • The Graham Test
     .................................................................Thursday., Feb.1
     read: pp. 133-156
   • More on Nonobviousness
   • The Scope and Content of the Prior Art
     .................................................................Tuesday., Feb. 6
     read: pp. 156-179
   • The Hypothetical Artisan
   • Objective Indicia of Nonobviousness
     .................................................................Wednesday., Feb.7
     read: pp. 179-194
   • Class Exercise: An Obviousness Trial
     .................................................................Thursday., Feb.8
     read: Class Exercise Handout

3. The Patent Document
   • Introduction
   • Enablement
     .................................................................Tuesday., Feb. 13
     read: pp. 247-257
   • Written Description
     .................................................................Wednesday., Feb. 14
     read: pp. 257-274
   • Best Mode
     .................................................................Thursday., Feb. 15
     read: pp. 257-286
   • Definiteness
     .................................................................Tuesday., Feb. 20
     read: pp. 286-304
   • Inventorship
     .................................................................Wednesday, Feb. 21
     read: pp. 304-328
THE SCOPE AND ENFORCEMENT OF PATENTS

1. Claim Construction
     read: pp. 329-353

   • The Process of Claim Construction ............................................................... Tuesday, Feb. 27
     read: pp. 353-369

   • Claim Format .................................................................................................. Wednesday, Feb. 28
     read: pp. 369-395

   • Class Exercise: Claim Construction ............................................................... Thursday, Mar. 1
     Read: Class Exercise Handout

2. Doctrine of Equivalents Infringement
   • Introduction: the History of DOE ................................................................. Tuesday, Mar. 6
     read: pp. 397-411

   • Introduction: Modern DOE ........................................................................... Wednesday, Mar. 7
     read: pp. 411-425

   • The “All-Elements Rule” ............................................................................. Thursday, Mar. 8
     read: pp. 425-431

   [spring break – no classes March 13-15]

   • The DOE and Means-Plus-Function Claims .............................................. Tuesday, Mar. 20
     Read: pp. 431-447
• **Prosecution History Estoppel**  
  Wednesday, Mar. 21  
  Read: pp. 447-485  
  [focus on Festo majority opn.]

• **Prior Art Limitations on DOE | Reverse DOE**  
  Thursday, Mar. 22  
  Read: pp. 485-492

• **Class Exercise: The Doctrine of Equivalents**  
  Tuesday, Mar. 27  
  Read: Class Exercise Handout

3. **Defenses and Counterclaims**

• **The Experimental Use Exception**  
  Wednesday, Mar. 28  
  Read supplemental materials listed at page 494

• **Inequitable Conduct**  
  Thursday, Mar. 29  
  Read: pp 495-504

• **Antitrust & Patent Misuse**  
  Tuesday, Apr. 3  
  Read supplemental materials listed at page 505

4. **Remedies**

• **The Calculation of Patent Damages**  
  Wednesday, Apr. 4  
  Read: pp 507-521

**III**  
**THE SUBJECT MATTER OF PATENTS**

• **Introduction | Practical Utility**  
  Thursday, Apr. 5  
  Read: pp. 523-534

• **Biotechnological Inventions: The Supreme Court**  
  Tuesday, Apr. 10  
  Read: pp. 534-545

• **Biotechnological Inventions: Modern Problems**
Wednesday, Apr. 11
Read: pp. 545-561

- Software & Business Models: The Supreme Court

Thursday, Apr. 12
Read: pp. 562-574

- Software & Business Models: The Federal Circuit

Tuesday, Apr. 17
Read: 574-593

- Software & Business Models | Modern Problems: Controversy

Wednesday, Apr. 18
Read: 594-607

- Software & Business Models | Modern Problems: Solutions?

Thursday, Apr. 19
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