

Licensing Intellectual Property

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The New and Complete Business of Licensing
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Jacques de Werra Jacques de Werra Robert W. Gomulkiewicz Mikko Välimäki
Eric M Adams William E. O'Brien Robert Goldscheider Jay Dratler Raman Mittal
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full of valuable tips techniques illustrative real world examples exhibits and best practices this handy and concise paperback will help you stay up to date on the newest thinking strategies developments and technologies in licensing intellectual property order your copy today

licensing intellectual property law and application is a streamlined and highly accessible casebook on the law of licensing and the application of licensing in practice the authors painstakingly cover all aspects of licensing from the global why is licensing the predominant transaction model for ideas and information why and how do social policy decisions limit creative legal practice solutions to the particular what are the most common licensing provisions what are the issues in various types of intellectual property licensing this exciting new casebook is imminently teachable and can be used in courses of varying length the book is user friendly and accessible to students and instructors of varied backgrounds and levels of expertise the authors carefully explain the legal and business context for licensing and provide students with a framework that enables them to understand why and how social policy shapes creative legal practice solutions e g limits from fair use first sale and antitrust on contract the text clearly and concisely enumerates the basic substantive rules of licensing law and underlying policy concerns and explains why licensing is the predominant transaction model for ideas and information and why publishers inventors software developers and others often use licensing as a transaction model the book goes beyond familiar licensing transactions e g an in box license and an online clickwrap agreement to explore more sophisticated licenses and what clients licensor or licensee are trying to accomplish and why alternative transaction models e g first sale public domain assignment are covered so that students can help future clients assess the alternatives and choose the best fitting transaction model there is extensive discussion of timely topics such as free and open source software technology transfers from universities and research institutions and the government and licensing in litigation the students are introduced to license drafting through a series of problems and drafting exercises the authors website will offer additional drafting exercises and sample language with its problem and exercise based approach licensing intellectual property law and application is the ideal casebook for the instructor who takes a practice oriented approach to teach licensing law an author website to support classroom instruction using this title is available at aspenlawschool.com/gomulkiewicz

this book is the definitive treatise in the field it provides in depth coverage of not only standard contract provisions but also the intellectual property antitrust misuse and more

this new legal environment has expanded the range of licensing options due to these changes lawyers and business professionals operating within the confines of the old law are missing valuable opportunities how does one go about understanding and profiting from this new situation the most direct approach is to learn and apply the concepts and methods that lead to the legal changes the new methods do not treat law and business behavior as

separate subjects these methods integrate issues of law and business organization that is the approach of this book john w schlicher

transactions involving intellectual property whether by way of out and out assignment or by one of the myriad variants of licensing which are possible are really really important they help the world of business go round but such transactions can be complex with things like national rules preventing alienation getting in the way of bargains people wish to make so it is quite astonishing how sparse the literature on the subject is particularly literature taking a comparative view this book is perhaps the very first of its kind taking as it does perspectives from the major legal systems of the world moreover its distinguished authors have not written in a technical or abstruse way as academics and some judges can all too easily do far from it this book is readable and anyone concerned with intellectual property licensing should read it and will find it a pleasure to do so they will also learn a lot about some of the pitfalls and bear traps to be found around the world at ucl we have recognised the importance of this subject this book will be on our students readinglist the rt hon sir robin jacob ucl faculty of laws uk ip licensing underpins the information economy this impressive book brings together leading academic lawyers and practitioners from a range of key jurisdictions to explore a number of major current issues the book is both thoughtful and practical and it is not afraid to call for greater harmonization of ip licensing law it is a must have for all those involved in the field simon stokes blake laphorn this research handbook provides a valuable mix of practical and theoretical perspectives on ip licensing and will serve as a reference resource for scholars and practitioners in this field of study francesco parisi university of minnesota us and university of bologna italy the handbook brings together a unique collection of world renowned experts providing detailed discussion in every chapter the brilliance of this collective work is found in its broad two dimensional focus beyond patents to all key ip assets on the one hand and country specific discussion for key regions around the world on the other whether read cover to cover as a compilation of current best practice or used as a true reference guide the research handbook on intellectual property licensing is a must have for anyone seeking to capture value from intangible assets from the foreword by james e malackowski the research handbook on intellectual property licensing explores the complexities of intellectual property licensing law from a comparative perspective through the opinions of leading experts this major research tool analyses the features of specific types of licensing agreements and also addresses other practical issues which apply across different types of licensing transactions such as the treatment of licensing in bankruptcy and the use of arbitration for solving licensing disputes the handbook ultimately provides a scholarly contribution to the development of global intellectual property licensing policies including transversal and comparative analysis this handbook will appeal to

intellectual property licensing practitioners lawyers and intellectual property and contract law academics

in this thoroughly revised and expanded second edition of an acclaimed handbook leading experts explore the multiple facets of ip licensing law from a global and comparative perspective

intellectual property licensing strategies provides an authoritative insiders perspective on key tips for navigating the licensing agreements process

the lesi guide to licensing best practices to which i was proud to contribute has found solid acceptance in the international licensing community the new volume of licensing best practices maintains this high standard it was designed to be complementary to its predecessor and broadens the scope of the scholarship standing alone licensing best practices is a valuable source of contemporary information in combination with the lesi guide to licensing best practices we have a very valuable source of insights and practical knowledge heinz goddar partner boehmert boehmert few if any other intellectual property references lay there required geographic foundation for the scientific business and legal issues presented goldscheider and gordon demonstrate that tech transfer occurs in a global arena the book lives up to its title licensing best practices james e malackowski president ceo ocean tomo llc past president les usa canada an invaluable complement to the field s acclaimed book on licensing best practices spanning the globe from scandinavia to japan and mexico tokorea licensing best practices provides a comprehensive and user friendly resource for professionals in licensing and technology management featuring contributions from some of the most highly regarded lesi professionals this definitive guide includes detailed discussions on some of the hottest topics in licensing including licensing and technology transfer to china software licensing as a driver of the indian economy secrets of successful dealmaking in asia licensing in scandinavia home of entrepreneurial inventors industrialists and philanthropists global innovation and licensing opportunities on the internet energy and environment driving technology and licensing licensing nanotechnology assuring royalty compliance in high technology licensing intellectual property allocation strategies in joint ventures applications of game theory to ip royalty negotiations

licensing of intellectual property is the definitive treatise in the field it provides in depth coverage of not only standard contract provisions but also the intellectual property antitrust misuse and common law and unauthorized copying issues involved in licensing transactions that are not always directly reflected in contract language these include implied licenses the difficult relationship between antitrust and intellectual property antitrust and misuse

limitations on licensing terms the influence of trade secret protection and patent expiration and invalidation on licensing and royalty terms licensees standing to sue for infringement of licensed intellectual property the use of declaratory judgments to challenge the validity enforceability or infringement of licensed intellectual property and the effect of the supreme court's eBay decision on licensing related remedies appendices provide sample patent licensing and publishing agreements coverage includes step by step guidance and in depth analysis of patent license agreements for use with developmental biotechnology state vs federal jurisdiction the standing of co owners and licensees of intellectual property to sue infringers separately the federal agencies licensing guidelines the impact of anti cybersquatting laws and the digital millennium copyright act how infringement warranties and indemnities help shape business transactions licensing of commercially valuable technology that may not be patentable the legal status of the essential facilities doctrine and the validity of field of use restraints exclusivity territorial restraints tying package licensing grantbacks and other contractual restraints in the united states europe and japan the analysis of eu law includes the block exemption for technology transfer agreements and related guidelines licensing of intellectual property also explores when an involuntary license can be implied whether when and how a licensee may challenge the validity of intellectual property what effect licensing and licensing negotiations may have on declaratory judgments of patent invalidity when courts may decline to exercise their declaratory judgment jurisdiction how inevitable confusion affects courts willingness to find equitable licenses in trade symbol cases how most favored licensee clauses work in practice and how the robinson patman act applies to royalties and licenses

an overview of the basics of international licensing with informative material about the various practices of all aspects of the licensing industry it includes information that will help those new and experienced to hone their licensing skills the book provides a worldwide perspective of the industry and is the definitive guidebook for anyone who is interested in capitalizing on this potentially lucrative market

misuse is an increasingly important topic because of the central role intellectual property plays in our economy the consequences of a misuse finding are severe unenforceability of the patent or copyright involved and defense to a suit to recover royalties in a license the defense continues to arise in patent cases has led to the dismissal of several recent copyright cases and is now being asserted in trademark cases the misuse defense thus represents a nexus of intellectual property and antitrust law and has the potential to affect business practices involving computer copyrights and other areas highly relevant in today's economic environment this timely

handbook covers the origin and development of the misuse doctrine the debate about its scope and existence in relation to antitrust law and its present status in patent copyright and trademark law it also gives practical insights into how the doctrine affects both licensing and litigation practice

licensing intellectual property 1998 is both a companion to the main volume and sold on its own as a resource on international law and licensing it describes the antitrust and competition policy limits on licensing practices in the european union and japan and summarizes the different governmental enforcement approaches and the different legal limits on licensing provisions in the european union japan and the united states it also describes the antitrust enforcement policy of the u s government this title is free with the purchase of the main volume

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