

IP File

The IP File's mission is to scour the universe for compelling stories in intellectual property law. In the United States, there are four main types of intellectual property protection available: patents, copyrights, trademarks and trade secrets.

May 4, 2016

TVEyes on the Prize: Clarifying the Law of Copyright Fair Use

By: Guy Rodgers

TVEyes is a media monitoring service, claiming, "to organize the world's TV and radio broadcasts and make them universally searchable by the spoken word."^[1]

TAGS: Audio Mining, Copyright & Idea Theft, Copyrights, direct infringement, Fair Use, federal court, Fox News, Intellectual Property, Intellectual Property, Media Monitoring Service, S.D.N.Y., Southern District of New York, Transformative, TVEyes

October 20, 2015

The En Banc Federal Circuit in Akamai v. Limelight Broadens the Scope of Direct Infringement under Section 271(a)

By: Dan Liu

Recently, the Federal Circuit, for a second time this year, evaluated infringement of a method claim.^[1] The Court, vacating the recent panel decision in May, outlined the governing framework for direct infringement of a method claim. It held that direct infringement occurs "where all steps of a claimed method are performed by or attributable to a single entity."^[2] This holding is significant because proving direct infringement of a method claim where steps of the method are performed by more than one party no longer requires the parties to be in principal-agent or contractual relationships, or joint enterprise, as demanded by the vacated panel decision.

TAGS: akamai technologies, direct infringement, Federal Circuit, Intellectual Property, Intellectual Property, limelight, patent claim, Patent Law, Patent Litigation, patent litigation, Section 271(a), Supreme Court, USPTO

February 4, 2015

Navigating Patent Damages Part II: How Infringement Allegations Can Impact or Limit Potential Damages

Previously, we discussed the implications of the failure to mark defense on damages prior to the filing of a patent case. In this next article in the series, we examine how allegations of direct and/or indirect infringement, as well as the type of patent claim being asserted (e.g., method, system, or apparatus) can impact the amount of potential damages a patent holder can recover.

TAGS: asserted patents, contributory infringement, direct infringement, direct infringement damages, indirect infringement, indirect infringement theory, induced infringement, infringement allegations, method claims, patent case, patent claim, patent damages, patent holder, patent litigation, pre-filing damages, strict liability tort, *synqor inc. v. artesyn techs. inc.*, system claims