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Intellectual Property Law Research

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Intellectual Property Law Research Finding intellectual property materials in LEAGLE Search the following subject headings: Competition, Unfair Copyright **Intellectual Property**

Patents

Trade Secrets

Marks of origin

Trademarks

Trademark infringement

Note: Use any of the above, narrowed by the following: --jurisdiction and —law and legislation

Statutes

Copyright

17 USC 101-801

Consolidated copyright laws: http://www.copyright.gov/title17/

LexisNexis: 17 USCS; Westlaw: FIP-USCA

Trademarks

15 USC Ch 22

http://www.uspto.gov/trademarks/law/CFR 12-28-09 tmlaw2.pdf

LexisNexis: 15 USCS; Westlaw: FIP-USCA

Patents

35 USC §1 et seg;

Consolidated Patent laws: http://www.uspto.gov/web/offices/pac/mpep/

consolidated laws.pdf

See also 15 USC Ch 63 (Technology Innovation)

LexisNexis: 15 USCS, 35 USCS; Westlaw: FIP-USCA

Trade secrets

Trade secrets law occurs at the state level. Research state statutes pertaining to trade secrets and then federal laws pertaining to criminal sanctions for the misappropriation of trade secrets.

Westlaw: TRDSECRT

Popular Names of Selected Major Statutes

Note: *United States Code* citations included where laws appear together in sequential sections.

Copyright

Emergency Copyright Act of 1941, 55 Stat. 732 Copyright Renewal Act of 1992, 106 Stat. 264

Copyright Revision Act of 1976, 90 Stat. 2540

Berne Convention Implementation Act of 1988,102 Stat. 2853

Copyright Remedy Clarification Act 1990, 104 Stat. 2749

Judicial Improvements Act of 1990,104 Stat. 5089

Copyright Amendments Act of 1992 106 Stat. 264

Copyright Royalty Tribunal Reform Act of 1993,107 Stat. 2304

Uruguay Round Agreements Act, 108 Stat. 4809

Sonny Bono Copyright Term Extension Act, 112 Stat. 2827, 17 USC 302-04

Fairness in Music Licensing Act of 1998 112 Stat. 2827

Digital Millennium Copyright Act 112 Stat. 2860, 17 USC 512, 1201-05, 1301-22; 28 USC 4001

Supplementary Provisions Copyright Amendments of the Intellectual Property and Communications Digital Theft, 113 Stat. 1501

Deterrence and Copyright Damages Improvement Act of 1999, 113 Stat. 1774

Work Made For Hire and Copyright Corrections Act of 2000, 114 Stat. 1444

The Satellite Home Viewer Extension and Reauthorization Act of 2004,113 Stat. 1536, 1501A–523

The Intellectual Property Protection and Courts Amendments Act of 2004, 113 Stat. 1536, 1501A–521

Patents

Patent Law Amendments Act of 1984, 98 Stat. 3383

Inventors' Rights Act of 1999, 113 Stat. 1501, app. I 1501A-521

Patent and Trademark Fee Fairness Act of 1999, 113 Stat. 1501, app. I 1501A-521

First Inventor Defense Act of 1999, 113 Stat. 1501, app. I 1501A-521 (Nov. 29, 1999).

Patent Term Guarantee Act of 1999, 113 Stat. 1501, app. I 1501A-521 (Nov. 29, 1999).

Domestic Publication of Foreign Filed Patent Applications Act of 1999, 113 Stat. 1501, app. I 1501A-521

Optional Inter Partes Reexamination Procedure Act of 1999,113 Stat. 1501, app. I 1501A-521, 35 USC 311 et seq

Patent and Trademark Office Efficiency Act, 113 Stat. 1501, app. I 1501A-521

National Technology Transfer and Advancement Act of 1995, 110 Stat. 775, 15 USC 272

Trademarks

Trademark Act of 1946 (Lanham Act), July 5, 1946, ch. 540, 60 Stat. 427

Trademark Clarification Act of 1984, 98 Stat. 3335

Trademark Counterfeiting Act of 1984, 98 Stat. 2178

Trademark Law Revision Act of 1988, 102 Stat. 3935

Trademark Remedy Clarification Act, 106 Stat. 3567

Trademark Law Treaty Implementation Act, 112 Stat. 3064

Trademark Amendments Act of 1999, 113 Stat. 218

Trade Secrets

Economic Espionage Act of 1996, 110 Stat. 3488, 18 USC 1831

Uniform Trade Secret Act with 1985 amendments, Model Uniform Legislation, http://www.law.upenn.edu/bll/archives/ulc/fnact99/1980s/utsa85.htm

See also an exhaustive, chronological list of statutes by popular name at http://www.law.stanford.edu/program/centers/ttlf/law/us/ip/ (last visited March 17, 2010).

Legislative Histories

Legislative History of the 1909 Copyright Act. Print: KF 2989.54 .A15 1976

HeinOnline Legislative History

Library

The Kaminstein Legislative History Project: A Compendium and Index of Materials Leading Up

to the Copyright Act of 1976. Print: KF 2989.56.A16 K35

HeinOnline Legislative History

Library

Copyright Act of 1976: Omnibus Copyright Revision Legislative History.

HeinOnline Legislative History

Library

Federal Copyright Law: The Legislative Histories of the Major Enactments of the 105th Congress (Digital Millennium Copyright Act, No Electronic Theft Act, Copyright Term Extension Act).

HeinOnline Legislative History

Library

Copyright and the GATT: An Interpretation and Legislative History of the Uruguay Round Agreements Act, 1995 Supplement to Copyright Law and Practice.

Print: KF 2994 .P345 1995

The Legislative History of the Drug Price Competition and Patent Term Restoration Act of 1984.

Print: KF 3885.A315 A15 1987

The Trademark Law Revision Act of 1988 (Public Law 100-667): The Legislative History, Reports, Testimony and Annotated Statutory Text. New York: United States Trademark Association, 1989.

Available through interlibrary

loan, OCLC no. 19217635

See also

Westlaw: COPYREV76-LH General Revision of the Copyright Law, 1976.

LexisNexis: US - CIS Legislative Histories - Copyright Law.

Exhaustive pre-1995 list (not full-text) of legislative history titles at Franklin Pierce Law Center IP Mall, http://ipmall.info/about/user12.asp (last visited March 17, 2010).

Regulations

Copyright: 37 CFR 201-360

Patents: 37 CFR Ch. 1

Trademarks: 37 CFR Ch. 1, 4,5

LexisNexis: CFR Title 37 (Patent, Trademark & Copyright)

Westlaw: FIP-CFR

Selected Treaties

Berne Convention, 25 UST 1341 Print: KZ 235.3.U55

LLMC Digital

HeinOnline Treaties and Agreements

Library

LexisNexis: U.S. Treaties

Universal Copyright Convention, 25 *UST* 1341 Print: KZ 235.3.U55

HeinOnline Treaties and Agreements

Library

Convention for the Protection of Producers of Phonograms, 25 UST 309

Print: KZ 235.3.U55

HeinOnline Treaties and Agreements

Library

International Convention for the Protection of Performers, Producers of Phonograms and

Broadcasting Organizations, 496 UNTS 43. Print: KZ 172.T74

HeinOnline United Nations Law Col-

lection

General Agreement on Tariffs and Trade (including Agreement on Trade Related Aspects of Intellectual Property), 33 *ILM* 81 . Print: KZ 64.I58

HeinOnline Treaties and Agree-

ments Library

LexisNexis: U.S. Treaties

Case Law

US Supreme Court

U.S. Reports. Supreme Court Reporter; U.S. Reports, Lawyers' Edition

Print: 1st Floor, Federal

LexisNexis: Copyright Cases,

Federal

Westlaw: FIP-SCT; FIP-CS

US Court of Appeals for the Federal Circuit

Hears intellectual property appeals arising from the Board of Patent Appeals and Interferences, the Trademark Trial and Appeal Board, U.S. Court of Federal Claims, as well as US district court cases relating to patents. According to the Court's website intellectual property cases comprise 31% of its caseload.

Federal Reporter Print: 1st Floor,

Federal

Court's website (2004-present), http://www.cafc.uscourts.gov/ LexisNexis: Copyright Cases,

Federal

Westlaw: FIP-CTA, FIP-CS

US Court of Customs and Patent Appeals (1929-1982)

Heard appeals from the US Patent Office and those which theretofore had been heard in US Court of Appeals for the District of Columbia Circuit. Under the Federal Courts Improvement Act of 1982 the US Court of Customs and Patent Appeals and the appellate division of the United States Court of Claims were merged and their jurisdictions, dockets, and judges were transferred to the US Court of Appeals for the Federal Circuit. See http://www.fjc.gov/history/home.nsf/page/patent_bdy.

Westlaw: FIP-CTA; FIP-CS
LexisNexis: GENFED/CCPA;
MEGA/CCPA; PATENT/CCPA;

TRDMRK/CCPA

US District Courts

Have "original jurisdiction of any civil action arising under any Act of Congress relating to patents...copyrights and trademarks." 28 USC 1338

Federal Supplement 1st Floor, Federal

Westlaw: FIP-DCT

LexisNexis: Copyright Cases,

Federal

US Court of Federal Claims (1982-present)

Has jurisdiction over claims for patent and copyright infringement against the United States.

Court website, http://

www.uscfc.uscourts.gov/ (1997-) Westlaw: FIP-FEDCL, FIP-CS

LexisNexis: Patent Cases from Federal Courts and Administrative Materials; U.S. Court of Appeals for the Federal Circuit - Patent Cases

United States Claims Court Reporter (1983-1993) KF 125.C5 U55

United States Claims Court Digest KF 125.C51 U49

Federal Claims Reporter (1993-date) KF 125.C5 U55

United States Federal Claims Digest KF 125.C51 U49

Note: Trademark cases can be subject to state jurisdiction. See *Forum Shopping in Trademark Litigation in the United States*, by David J. Kera, and Jonathan Hudis, and Kathleen Cooney-Porter, http://www.oblon.com/media/index.php?id=77 (last visited March 17, 2010).

Agency Courts

Commissioner of Patents and Trademarks LexisNexis: USPTO Commis-

sioner of Patents and Trademark

Decisions

Westlaw: FIP-PTO

U.S. Patent and Trademark Office, combined administrative decisions

LexisNexis: USPTO Decisions,

Combined

Westlaw: FIP-PTO

Board of Patent Appeals and Interferences

"The Board of Patent Appeals and Interferences shall, on written appeal of an applicant, review adverse decisions of examiners upon applications for patents and shall determine priority and patentability of invention in interferences ... [35 U.S.C. § 6(b)]."

http://www.uspto.gov/web/ offices/dcom/bpai/index.html

Westlaw: FIP-BPAI

LexisNexis: USPTO Board of Patent Appeals & Interferences Deci-

sions

Trademark Trial and Appeals Board

The Trademark Trial and Appeal Board is an administrative tribunal of the United States Patent and Trademark Office within the Office of General Counsel. The Board is empowered to determine only the right to register. The Board has jurisdiction over four types of inter partes proceedings, namely, oppositions, cancellations, interferences, and concurrent use proceedings.

Trademark Trial and Appeal Board Manual of Procedure, pp. 100-5-100-6.

http://des.uspto.gov/Foia/ TTABReadingRoom.jsp

Topical Reporters

CCH Copyright Law Reporter

Full text of federal laws, precedent-setting court decisions, annotated explanations, Copyright Office forms, official circulars and reference materials. Recent decisions are filed behind the "Copyright Law Decisions" card in volume 2 and later moved to sepa-

rate volumes entitled *Copyright Law Decisions*. Print: KF 2991.5 .C64

Westlaw: CCH-CLR CCH Intelliconnnect

United States Patent Quarterly (BNA—1ST and 2nd series)

Full text of copyright cases from federal courts and several administrative agencies.

Print: KF 2976 .P44 and

KF 2976 .P443

BNA Intellectual Property Li

brary,

http://iplaw.bna.com/iplw/

Westlaw: USPQ

LexisNexis: BNA/USPQ

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Print: Reserve KF 2979 .K86 2009

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Print: Reserve KF 3180 .L34 2009

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Print: Reserve KF 2979 .M94 2008

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Schechter, Roger E. et al. *Principles of Patent Law*. St. Paul, MN: Thomson/West, c2004.

Print: Reserve KF 3114 .S34 2004

What Is a Patent? Chicago, IL: ABA Section of Intellectual Property Law, c2006.

Print: KF 3114.85 .W452 2006

Major Treatises

Callmann, Rudolf. The Law of Unfair Competition Trademarks and Monopolies. 4th ed.

Wilmette, IL: Callaghan, c1981. Print: KF 1609 .C33 1981

Westlaw: CALLMANN

Chisum, Donald S. Chisum on Patents: A Treatise on the Law of Patentability, Validity and In-

fringement. New York, NY: M. Bender, c1997- . Print: Reserve KF 3114 .C47

LexisNexis: CHISUM

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nal Press, 2000- . Print: KF2 979 .D69 2000

Westlaw: CIPDM

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Print: KF 2994 .G654

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Agreements and the Law. 3rd ed. [St. Paul, MN]: Thomson/West, c2004- .

Print: KF 4290 .L56 3d

Westlaw: LINDEY3D

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West Group, c1997- . Print: KF 3180 .M3

Westlaw: MCCARTHY

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LexisNexis: MILGRM

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Print: KF 3114 .M69 2003

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Artistic Property, and the Protection of Ideas. New York, NY: M. Bender, 1978-.

Print: Reserve KF 2991.5.N5

1978

Patry, William F. Patry on Copyrights. Westlaw: PATRYCOPY

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AIPLA Quarterly Journal Westlaw: AIPLAQJ

LexisNexis: PATENT/AIPLA; COPYRT/AIPLA; E-COMM/ AIPLA; TRDMRK/AIPLA

Akron Intellectual Property Journal HeinOnline

Berkeley Technology Law Journal Print: 2nd Floor Periodicals

Westlaw: BERKTLJ

LexisNexis: LAWREV/BRKTLJ

HeinOnline

BNA's Patent, Trademark & Copyright Journal Print: KF 3091.A3 B58

BNA Intellectual Property Library, http://iplaw.bna.com/iplw/

Westlaw: BNA-PTCJ

LexisNexis: BNA Patent, Trademark & Copyright Journal

BNA's Patent, Trademark & Copyright Law Daily BNA Intellectual Property Li

brary, http://iplaw.bna.com/iplw/

Westlaw: BNA-PTD

LexisNexis: BNA Patent Trademark

& Copyright Daily

Buffalo Intellectual Property Law Journal Print: Current

Westlaw: BFIPLJ

LexisNexis: LAWREV/BUFIP

HeinOnline

Boston College Intellectual Property & Technology Forum

Westlaw: BCIPTF

HeinOnline

Chicago-Kent Journal of Intellectual Property Print: Current, 2nd Floor Peri-

odicals, and WRLC storage

Westlaw: CHIKJIP

LexisNexis: LAWREV/JIPROP

HeinOnline

DePaul Journal of Art, Technology & Intellectual Property Law

Westlaw: DPLJATIP

LexisNexis: LAWREV/JAELAW

Fordham Intellectual Property, Media & Entertainment Law Journal

Print: 2nd Floor Periodicals Westlaw: FDMIPMELJ

LexisNexis: LAWREV/IPMELJ

HeinOnline

Intellectual Property & Technology Law Journal Westlaw IPTLJ

LexisNexis: BUSFIN/ABI

Intellectual Property Journal Westlaw: IPTLJ

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HeinOnline Westlaw: IPLB

John Marshall Law School Review of Intellectual Property Law

Westlaw: JMARRIPL

LexisNexis: LAWREV/JMRIPL

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Journal of Intellectual Property Law Print: 2nd Floor Periodicals

Westlaw: JIPL

LexisNexis: LAWREV/JIPL

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Journal of the Copyright Society of the U.S.A. Print: 2nd Floor Periodicals

Westlaw: JCPS

Journal of the Patent and Trademark Office Society Print: Current, 2nd Floor Peri-

odicals, and WRLC storage

Westlaw: JPTOS

LexisNexis: LAWREV/JPTOS; PAT-

ENT/JPTOS HeinOnline

Marquette Intellectual Property Law Review Current, 2nd Floor Periodicals,

and WRLC storage Westlaw: MARQIPLR

LexisNexis: LAWREV/MIPLR

Minnesota Journal of Law, Science & Technology Print: Current, 2nd Floor Periodicals

Westlaw: MNJLST

LexisNexis: LAWREV/MNIPR

HeinOnline

Northwestern Journal of Technology & Intellectual Property

Westlaw: NWJTIP

LexisNexis: LAWREV/NJTAIP

HeinOnline

LexisNexis Academic

Journal website: http://

www.law.northwestern.edu/journals/

<u>njtip/</u>

Texas Intellectual Property Journal Westlaw: TXIPLJ

Lexis: LAWREV/TXIPLJ

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The Trademark Reporter Current, 2nd Floor Periodicals,

and WRLC storage Westlaw: TMARKR

LexisNexis: TRDMRK/TMR

HeinOnline

Tulane Journal of Technology and Intellectual Property Print: Current, 2nd Floor Periodicals

Westlaw: TLNJTIP

LexisNexis: LAWREV/TJTIP

HeinOnline

University of Baltimore Intellectual Property Law Journal

Westlaw: UBAIPLI

LexisNexis: LAWREV/UBIPJ

LexisNexis Academic

Wake Forest Intellectual Property Law Journal Westlaw: WFIPLJ

Lexis: LAWREV/WAKFIP

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http://www.copyright.gov/

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http://www.justice.gov/atr/public/

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http://www.ftc.gov/os/2003/10/ innovationrpt.pdf

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http://www.uspto.gov/patents/ law/index.jsp

U.S. Patent and Trademark Office. *Manual of Patent Examining Procedure*.

http://www.uspto.gov/web/ offices/pac/mpep/mpep.htm Westlaw: fip-mpep8d LexisNexis: patent;mpep

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http://www.uspto.gov/ trademarks/process/appeal/ tmlaw2.pdf U.S. Patent and Trademark Office. Trademark Manual of Examining Procedure.

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Print: KF 3193 .U64 1995

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Copyfight: The Politics of IP http://copyfight.corante.com/

Current Patent Legal Literature (University of Texas at Austin) http://tarlton.webhost.utexas.edu/patent/

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Promote the Progress http://www.promotetheprogress.com/

The Invent Blog http://inventblog.com/

The Patry Copyright Blog http://williampatry.blogspot.com/

The Trademark Blog http://www.schwimmerlegal.com/

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WCL's Program on Information Justice and Intellectual Property, links to other IP sources http://www.wcl.american.edu/pijip/go/research-and-advocacy/links-to-other-ip-resources

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