



Thomas M. Cooley Law Libraries' Research Guide Series

INTELLECTUAL PROPERTY LAW: A Selective Research Guide

- I. Reporters and Digests
- II. Copyright (U.S. and International Treatises)
- III. Patents (U.S. and International Treatises)
- IV. Trademarks, Trade Secrets, Trade Dress, Unfair Competition (U.S. and International Treatises)
- V. Licensing, Antitrust (U.S. and International Treatises)
- VI. Multidisciplinary and Miscellaneous Treatises
- VII. Specific Foreign Jurisdictions and Comparative Regional Studies
- VIII. Journals, Newsletters and Digests
- IX. Databases
- X. Internet Resources

Overview:

This guide is selective and attempts to provide sources which have become standards in their discipline along with titles which are sometimes narrowly topical and possibly controversial. Sources which are frequently updated to reflect the changing status of the law have been favored. Most of the items are available via the World Wide Web, proprietary on-line databases, or through the Cooley library system. Annotations provide brief descriptions and do not purport to serve as critiques or endorsements of the titles' contents or authority.

I. REPORTERS AND DIGESTS

CCH Copyright Law Reporter.

Location: KF2991.5.C6

This two-volume regularly updated loose leaf service serves as a practical treatise and a reporter for cases, statutes, regulations, and international treaties dealing with copyright law. The set also provides forms, a variety of documentary reference materials, a section on new developments, and a cumulative index.

The United States Patents Quarterly. Bureau of National Affairs (BNA).

Location: KF2975.3.B87

This source, which issues weekly advance sheets, serves as a national digest and reporter service for intellectual property case law. The USPQ started its 2nd series in 1987; the original series covers 1929-1986.



II. COPYRIGHT (U.S. AND INTERNATIONAL TREATISES)

Copyright in a Global Information Society: the Scope of Copyright Protection Under International, US, UK, and French Law by Makeen Fouad Makeen.

Location: K1447.3.M35 2000

The author provides a scholarly discussion on the regional, national and international issues involving copyright protection versus the public's right to dissemination of information in today's high-tech global society. The envisioned audience for this title includes both academia and attorney practitioners.

Copyright Law: A Practitioner's Guide by Bruce P. Kellor, Jeffrey P. Cunnard.

Location: KF2994.H3472

As the title suggests, this is a practical review of the fundamentals of copyright law. The authors cover the law as it applies to all areas of media and provide analyses of leading illustrative and "groundbreaking" case law.

Also available through LEXIS (COPYRT;COPYLW).

Copyright Law in Business and Practice by John W. Hazard, Jr.

Location: KF2994.H352

This text provides a practical and practice-oriented general guide and discussion of copyright law and issues as well as a source for information on current legislation for the protection of new technology products. Appropriate forms and sample licensing agreements are included. Also available through Westlaw (COPYLBP).

Copyright Limitations and Contracts: an Analysis of the Contractual Overridability of Limitations on Copyright by Lucie M.C.R. Buibault.

Location: K1420.5.G85 2002

This monograph explores the contemporary tendency to supercede, or override, traditional statutory copyright law with contracted agreements – both fully negotiated and of the "shrink-wrap" variety. The author considers the impact that legislation such as the Uniform Computer Information Transaction Act (UCITA) may have on the nature of copyright and the distribution of creative and informational works through both traditional and global networks. This "Information Law Series" title includes thirty pages of references.

Copyright Registration Practice by James E. Hawes.

Location: KF3004.H392

The author has provided a concise primer on all aspects of copyright registration.

Also available through Westlaw (COPYREG).

Corporate Counsel's Guide to Copyright Law ed. by William A. Hancock.

Location: KF2994.C685

[For discussion of this title see Multidisciplinary and Miscellaneous Treatises.]

Design and Copyright Protection of Products: World Law & Practice by Morag MacDonald, Spyros M. Maniatis, Uma Suthersanen.

Location: K1490.M32

This source, which is available in both print loose leaf format and CD-ROM, covers copyright and design law in over 140 jurisdictions. It features protection methods for two and three dimensional designs, utility models and semiconductor topography.



Digital Copyright and the Consumer Revolution by Matthew Rimmer.

Location: KF3030.1.R56 2007

This readable and sometimes irreverent text reviews and analyzes the impact of key U.S. legislation, litigation and law reform proposals on digital publication and copyright in general. It also examines U.S. technology, culture (including the “consumer rebellion”) and established jurisprudence in chapters with such titles as “Grand turismo in the high court”, “Agent Smith and the matrix”, and “Google: search and destroy?” The text also includes comparisons between copyright law and regulation in the U.S. and other jurisdictions, such as the UK and the EU.

International Copyright Principles, Law, and Practice by Paul Goldstein.

Location: K1420.5.G65 2001

The author presents an exhaustive analysis of copyright under domestic code, case and common law, international and comparative law, treaty arrangements, and private international law as it applies to litigation and transactional practice. In addition to the scholarly discussion, this text provides a practical and logical guide for advising clients in the area of international authors’ rights and copyright law.

Nimmer on Copyright: A Treatise on the Law of Literary, Musical and Artistic Property, and the Protection of Ideas by Melville B. Nimmer, David Nimmer.

Location: KF2991.5.N5

This often cited work provides comprehensive coverage of U.S. copyright law for both traditional issues and those engendered by ever changing technological advancement. Specific coverage is afforded to such areas as print works, dramatic renditions, music, artistic property rights, copyright protections systems and the Internet. The multivolume loose leaf treatise includes relevant law (Copyright Act, Digital Millennium Copyright Act, international treaties, etc.) with commentary, transaction and litigation forms with expert analysis, scholarly discussion, and legislative history.

Also available through Lexis (COPYRT;NIMMER).

Patry on Copyright by William F. Patry.

Location: KF2991.5.P38

The author presents a comprehensive treatise on the history and present state of copyright protection. Current protection under the U.S. Constitution and legislation, international conventions and individual foreign jurisdictions is covered in twenty-five detailed and interpretive sections. This multivolume resource is updated by annual loose leaf supplements.

Also available through Westlaw (PATRYCOPY).

Substantial Similarity in Copyright Law by Robert Osterberg, Eric Osterberg.

Location: KF2994.O78

This loose leaf text devotes its entire twelve chapters to explanation, analysis, and discussion of this one sub-topic of the law. An entire chapter is devoted to judicially acceptable tests to satisfy the substantial similarity standard in copyright law. Specific types of copyrighted works covered include music, audio, visual, compilations and computer software. Illustrative cases and applicable jury instructions are included in the appendices.



Tax Planning for the Development and Licensing of Copyrights, Computer Software, Trademarks and Franchises by Charles Edward Falk.

Location: KF6289.A1 T35 no. 558.

This is part of the BNA "Tax Management Portfolio" series. The author reviews and analyzes tax planning with regard to the creation, licensing and sale of intangible assets, with emphasis on the treatment of capital gains. The publisher suggests that it be used in conjunction with **Tax Planning for the Development and Licensing of Patents and Know-How**. [See below at "Patents."]

Understanding Copyright Law by Marshall A. Leaffer.

Location: KF2994.L43 1999

This has been described as a pocketbook treatise for law students, providing a concise review of doctrine, policy, major cases, and the necessary elements of copyright law.

III. PATENTS (U.S. AND INTERNATIONAL TREATISES)

Biotechnology and the Law by Iver P. Cooper.

Location: KF3133.B56 C66 1982

This resource seeks to assist practitioners understand the patent protection process for biotechnology. The three-volume treatise is updated annually. Also available through Westlaw (BIOTECHLAW).

Biotechnology and the Law by Hugh B. Wellons, et al.

Location: KF1893.B56 B558 2007

This ABA published treatise deals with the management of innovation and the particular legal challenges facing biotechnology companies, from company financing and formation and technology acquisition to federal regulation, preclinical research, employee relations and privacy issues. The chapters are individually penned by experts in these and other aspects of biotechnology law and industry.

Chisum on Patents: a Treatise on the Law of Patentability, Validity and Infringement by Donald S. Chisum.

Location: KF3114.C472

This multi-volume reference analyzes all aspects of patent law including validity, infringement, application procedures, perfecting rights to an invention, effects of GATT on the U.S. patent process, etc. Precedent, case law, statutes and international treaties are examined in detail. Abstracts of all federal circuit decisions, arranged topically with a chronological case table, can be found in volumes 11-14. The set is updated by regular loose leaf releases and cumulative supplements. Also available through Lexis (PATENT;CHISUM).

Drafting Technology Patent License Agreements 2d. ed by Michael J. Lennon.

Location: KF3145.L462

This one-volume loose leaf covers patent licensing and technology transfer agreements involving the telecommunications, computer, electronics, and semiconductor industries. The subscription includes separate CD-ROM updates with examples and forms.



Global Patent Litigation ed. by Wiollem A. Hoyng, Frank W. E. Eijvogels.

Location: K1536.G58

This regularly updated loose leaf source covers international conventions and cross-border litigation as well as patent protection and litigation in individual countries. Over twenty countries in the Americas, Europe and Asia are presently covered and additional countries may be added with upcoming supplements.

Manual of Patent Examining Procedure (MPEP). U.S. Patent and Trademark Office.

Location: KF3120.A54 (also accessible online)

This is the official USPTO manual; all patent attorneys, examiners and applicants should be well versed in its contents and use.

Also available through Lexis (PATENT;MPEP) and the USPTO website:

<http://www.uspto.gov/web/offices/pac/mpep/index.html>

Manual for the Handling of Applications for Patents, Designs and Trade Marks Throughout the World. Kluwer Law International.

Location: K1500.M36

This regularly updated multi-volume loose leaf service provides a comprehensive international manual for the protection of industrial property and the handling of patent, design and trademark applications.

Patent Application Practice by James E. Hawes.

Location: KF3125.C5 H38

This one-volume loose leaf provides an introduction to patent application practice for students and individuals hoping to gain PTO registration. Each topical chapter is presented in a "how to" style using plain and instructional language. This text could also serve experienced practitioners as a ready reference tool. More detailed and advanced treatises include **Walker on Patents** and **Chisum on Patents**.

Patent Claim Construction by Robert C. Kahrl.

Location: KF3125.C5 K34

This text deals with the substantive and procedural law for claim construction analysis of issued patents. The annually supplemented single volume source provides a detailed and logical aid to case law analysis in this area of practice. Although patent drafters will benefit from understanding the claims process, the actual drafting of patents is not covered in this treatise.

Patent Disputes: Litigation Forms and Analysis by Gregory J. Battersby, Charles W. Grimes.

Location: KF3155.A65 B37

The authors provide a step-by-step guide to patent litigation including drafting complaints, cease and desist letters, motion practice, trial presentation, Markman Hearings, and the federal appeals process up through the U.S. Supreme Court.



Patent Law Fundamentals by John Gladstone Mills III, Robert Clare Highley, and Donald Cress Reiley.

Location: KF3114.R663

This multi-volume loose leaf source provides an overview of current patent law and practice for attorneys who are new to the area of intellectual property law and, specifically, to U.S. patent prosecution practice before the USPTO.

Also available through Westlaw (PATLAWF).

Patent Law: Legal & Economic Principles by John W. Schlicher.

Location: KF3116.S353

This text presents a scholarly and reflective compilation of treatises on the particular features of the law of patents. The chapter headings appear similar to those in “how to practice the law” books; however, the discussions in this work encompass the historical and philosophical reasons for the economic protection of invention. The state of the law is covered through discussion of legislative action and judicial interpretation. This two-volume loose leaf resource is updated annually.

Also available through Westlaw (PATLEGECON).

Patent Licensing: Strategy, Negotiation, Forms by Mark S. Holmes.

Location: KF3145.H64

This loose leaf source provides a regularly updated practical guide to patent license drafting with ready-to-use documents, sample clauses, explanation and commentary.

Also available through Westlaw (PLIREF-PATLIC).

Patent Licensing Transactions by Harold Einhorn.

Location: KF1355.B87 1963 v.14

This is an expansive treatise which is regularly updated through loose leaf releases. Areas covered include Principal Rights and Obligations, Duration and Termination, Foreign Licensing, Biotechnology Licenses, Antitrust Considerations, Tax Planning, Patent Settlement Agreements, Export Administration, and Relevant Federal Acquisition Regulations. Relevant case law, statutes, and international agreements are cited and explained in extensive footnotes to the textual discussion.

Also available through Lexis (PATENT;PALITR).

Patent Litigation: Procedure and Tactics by Lester Horowitz, Ethan Horowitz.

Location: KF3155.A6 P372

This is a litigation guide offering “black letter law,” issue checklists, forms, tactical advice, sample jury instructions and advice regarding such topics as claim construction, infringement and estoppel.

Also available through Lexis (PATENT;PALIPT).

Patent Office Rules and Practice by Lester Horowitz.

Location: KF3120.A6 H67

Horowitz provides a detailed analysis of the PTO Rules of Practice, explanations of the rules contained in 37 CFR, citations to relevant case law, and a large library of forms (over 350) which may be used when practicing before the PTO. It is available in print and CD-ROM.

Also available through Lexis (MATBEN;PTORUL).



Patent Practice & Policy in the Pacific Rim by Thomas T. Moga.

Location: KVC390.P38

[See Specific Foreign Jurisdictions and Comparative Regional Studies.]

A Patent System for the 21st Century ed. by Stephen A. Merrill, Richard C. Levin and Mark B. Myers.

Location: T211.P366 2004

This treatise provides an in-depth discussion of current U.S. patent law, practice and policy. The author advocates strengthening the powers of the U.S. Patent and Trademark Office and harmonizing some aspects of U.S., European and Japanese intellectual property law and policy. Also available online.

Patents in the Knowledge-Based Economy edited by Wesley M. Cohen, Stephen A. Merrill.

Location: T211.P37 2003

This book discusses the patent examination process, opposition process, patent enforcement and litigation. The individually penned chapters also cover intellectual property concerns in such specialized areas as the semiconductor and software industries, biomedical innovations, and Internet business patents.

Walker on Patents by R. Carl Moy.

Location: KF3114.D442

This regularly updated multi-volume source successfully marries a scholarly discussion of the underlying concepts of patent law with a practical tool for the experienced practitioner. Also available through Westlaw as Moy's Walker on Patents (MOY-PAT).

**IV. TRADEMARKS, TRADE SECRETS, TRADE DRESS, UNFAIR COMPETITION
(U.S. AND INTERNATIONAL TREATISES)**

Callmann on Unfair Competition, Trademarks, and Monopolies by Louis Altman and Rudolf Callmann.

Location: KF1609.C33 1981

Callmann's treatise continues as this multi-volume resource. The set provides an in-depth analysis of unfair competition relating to trademarks, trade secrets, misappropriations and monopolies. The full text of selected legislation and administrative regulations are included as is a Table of Trademarks, Trade Names and Slogans. Also in Westlaw (CALLMANN).

Corporate Counsel's Guide to Trademark Law ed. by William A. Hancock.

Location: KF3178.4.C67

[See Multidisciplinary and Miscellaneous Treatises.]

Gilson on Trademarks by Anne Gilson LaLonde, Karin Green.

Location: KF3180.G54

This multi-volume regularly updated loose leaf treatise provides a comprehensive discussion and analysis of trademark law and practice. Of note is the consistently updated bank of forms, tailored to a myriad of specific applications and circumstances. This work's former title was **Trademark Protection and Practice** by Jerome Gilson, et al. Also available through Lexis (MATBEN;GILSON).



Guide to Registering Trademarks by Steven H. Bazerman, Jason M. Drangel.

Location: KF3181.B39

This guide's main goal is to offer the practitioner practical assistance in obtaining trademark registration and includes step-by-step procedures for using the U.S. Patent and Trademark Office's electronic trademark application system.

The Madrid Protocol: A Slumbering Giant Awakens At Last by Jerome Gilson, Anne Gilson Lalonde.

Location: K1557.A41891 G54 2003

The authors present a concise discussion of the international convention regarding registration of trademark. Also available in PDF:

<http://www.lexisnexis.com/practiceareas/ip/pdfs/MadridProtocolPamphlet.pdf>.

McCarthy on Trademarks by J. Thomas McCarthy.

Location: KF3180.M292

This regularly supplemented six volume treatise includes explanation and analysis of trademark statutes and cases, as well as guidance on protecting, litigating and defending against unfair competition and infringement under domestic and international law.

Also available through Westlaw (MCCARTHY).

Milgrim on Trade Secrets by Roger M. Milgrim.

Location: KF3197.M54 1967

This four-volume loose leaf treatise analyzes both traditional employer/employee/agent trade secret issues as well as possible problems arising out of taxation, antitrust, and administrative matters, industrial espionage and criminal misappropriation.

Also available through Lexis (MATBEN;MILGRIM).

Protection of Well-Known Marks in Asia ed. by Christopher Heath, Kung Chung Liu.

Location: KM396.P76 2000

[See Specific Foreign Jurisdictions and Comparative Regional Studies for a discussion on the Max Planck Series.]

Trade Dress Protection by William E. Levin.

Location: KF3178.4.L48

This single-volume regularly updated text covers both substantive and procedural issues involved in trade dress protection for the practicing lawyer. A detailed overview of the law is followed by individual chapters devoted to such subjects as examples and elements of trade dress, protection under federal and state law, proofs, available relief, defenses, discovery and trial technique. The author also discusses the relationship of trade dress to other areas of intellectual property law and the availability of international protection.

Trade Secrets by James Pooley.

Location: KF3197.P657

This regularly updated, one-volume text offers a detailed overview of the law of trade secrets and is targeted at the lawyer/practitioner. The author emphasizes that, although the law of trade secrets is grounded in state case law and the Uniform Trade Secrets Act, it is highly enhanced by federal civil law. The book includes discussion of international aspects of trade secret protection and criminal violations of trade secret law. Includes CD-ROM.



Also available through Westlaw (TRADESECRETS).

Trademark Law: Protection, Enforcement, and Licensing by Adam L. Brookman.

Location: KF3178.4.B68

This practical guide offers discussion and “how to” advice on registration, conducting due diligence, concepts of fair use and licensing, drafting of enforcement letters and trade dress protection. The author stresses that the law of trademarks is deceptive in its apparent simplicity; the uninitiated practitioner should be wary of its underlying complexity. The treatise is supplemented by annual loose leaf updates.

Trademark Manual of Examining Procedure (TMEP). U.S. Patent and Trademark Office (USPTO).

Internet Location: KF3181.A329i

This is the official government manual which contains guidelines for examining trademark applications. It is an essential source for trademark examiners, attorneys and applicants. It may be searched, studied and downloaded free of charge.

Also available through Lexis (MATBEN:TMEP) and the USPTO website:
<http://tess2.uspto.gov/tmdb/tmep/>.

Trademark Practice Throughout the World by Mary M. Squyres.

Location: K1555.S69

This two-volume regularly updated loose leaf resource has been described as a “how to do the law” book for international trademark protection and practice. Major chapters are devoted to such topics as pre-filing strategies, types of treaties and various international unions, conventions, organizations, and agreements, the Madrid System, examination and oppositions, use and licensing, and the impact of the Internet on trade mark protection. Also available through WESTLAW (TMPRWLD)

Trademark Protection and Practice by Jerome Gilson, Anne Gilson LaLonde, Karin Green Practice [see Gilson on Trademarks].

V. INTELLECTUAL PROPERTY LICENSING; ANTITRUST (U.S. AND INTERNATIONAL TREATISES)

Computer Contracts: Negotiating, Drafting by Esther C. Roditti.

Location: KF905.C6 R62

This five-volume loose leaf treatise covers all aspects of negotiating and drafting computer contracts in the U.S. The author includes practical advice and provides drafting examples and forms. A glossary, table of cases, and a volume on unreported cases are included. Also available on-line through Lexis (MATBEN;CMPCON).

Corporate Counsel’s Guide to International Distribution and Licensing ed. by William A. Hancock, Robert S. Chaloupka.

Location: K1530.C67

[See Multidisciplinary and Miscellaneous Treatises for a description of the Guide(s).]

Corporate Counsel’s Guide to Licensing.

Location: KF3145.A6 C67

[See Multidisciplinary and Miscellaneous Treatises for a description of the Guide(s).]



Drafting License Agreements ed. by Michael A. Epstein, Frank L. Politano.

Location: KF2979.D6922

This source offers full-text model licensing agreements as well as expert insight on drafting custom clauses and agreements. The two-volume treatise also provides in-depth analysis of the law and business of licensing.

Eckstrom's Licensing in Foreign and Domestic Operations by David M. Epstein.

Location: K1530.E34

The regularly updated five volumes which comprise this resource present a comprehensive treatise on the licensing and protection of intellectual property rights, with contributions by over twenty prominent practitioners and policy setters. The fifth edition continues coverage of U.S. and world licensing operations and increases the attention given to new technologies and emerging markets.

Also available through Westlaw (ECKLICN; ECKLICN-JV; ECKLICN-FO).

Intellectual Property and Antitrust Law by William C. Holmes.

Location: KF3116. H64

The author presents a general overview of antitrust law as it applies to Intellectual property and detailed analyses of particular key aspects of this area of law. Acquisition, pricing, competitive restraints, territorial restraints, distribution rights, and enforcement issues are included topics. The two-volume set is updated semi-annually.

Intellectual Property and Open Source: A Practical Guide to Protecting Code by Van Lindenberg.

Location: K1519.C6 L56 2008

The author, who is an engineer and practicing attorney, presents an overview of open-source licensing and protection of code targeted at engineers, developers and system administrators. The text is clear and well organized and includes contemporary licenses with instructions on how they can be modified and/or customized.

Intellectual Property Licensing and Joint Venture Profit Strategies by Gordon V. Smith, Russel L. Parr.

Location: KF2979.S646 2004

The authors offer expansive discussions on the various means of globally exploiting intellectual property rights, including the licensing of technology, licensing of trade marks, and collection of royalties. Antitrust limitations, investment risks, political risks and cultural issues are included in the areas of concern covered in this text. This title has been kept up to date by the frequent publication of new editions and interim supplements.

Intellectual Property Licensing: Forms and Analysis by Richard Raysman, Edward Pisacreta, Kenneth A. Adler and Seth H. Ostrow.

Location: KF3154 .I583

This text provides an analytical discussion of license drafting concerns and covers all areas of IP law. Forms and clauses are interspersed throughout the text, with additional forms available on the accompanying CD-ROM. The publication is updated by regular loose leaf releases.



IP and Antitrust: An Analysis of Antitrust Principles Applied to Intellectual Property Law by Herbert Hovenkamp, Mark D. Janis, Mark A. Lemley.

Location: KF3116.H68

This detailed two-volume loose leaf text reviews and analyzes U.S. antitrust law and its impact on intellectual property law and policy, with special attention given to possible antitrust scrutiny of licensing arrangements by the U.S. Justice Department.

Legal Rules of Technology Transfer in Asia ed. by Christopher Heath, Kung Chung Liu.

Location: KNC393.L44 2002

[For a discussion on this source, see the Max Planck series below.]

Lindey on Entertainment, Publishing and the Arts: Agreements and the Law by Alexander Lindey and Michael Landau.

Location: KF2992.L52

[See Multidisciplinary and Miscellaneous Treatises]

Multimedia and Technology Licensing Agreements: Forms and Commentary by Gregory J. Battersby and Charles W. Grimes.

Location: KF3145.B384

This regularly updated loose leaf source deals with the difficulty of defining a property which is in more than one media, and then drafting a licensing agreement which legally protects that defined property. The two-volume text includes a detailed index and a table of cases. The accompanying CD-ROM contains full agreements with annotated clauses.

Open Source Licensing: Software, Freedom and Intellectual Property by Lawrence Rosen.

Location: KF3024.C6 R67 2005

The author presents an overview and discussion of open-source licensing for developers, managers, lawyers and end users. Examples and reviews of contemporary licenses are included.

Patent Licensing: Strategy, Negotiation, Forms by Mark S. Holmes.

Location: KF3145.H64

This loose leaf source provides a regularly updated practical guide to patent license drafting with ready-to-use documents, sample clauses, explanation and commentary. Also available through Westlaw (PLIREF-PATLIC).

Patent Licensing Transactions by Harold Einhorn.

Location: KF1355.B87 1963 v.14

This is an expansive treatise which is regularly updated through loose leaf releases. Areas covered include Principal Rights and Obligations, Duration and Termination, Foreign Licensing, Biotechnology Licenses, Antitrust Considerations, Tax Planning, Patent Settlement Agreements, Export Administration, and Relevant Federal Acquisition Regulations. Relevant case law, statutes, and international agreements are cited and explained in extensive footnotes to the textual discussion.

Also available through Lexis (MATBEN;PALITR).



VI. MULTIDISCIPLINARY AND MISCELLANEOUS TREATISES

Amortization of Intangibles by Annette Nellen.

Location: KF6289.A1 T35 no. 533-3rd

This dual-discipline guide reviews the amortization of intellectual property and other intangibles under U.S. tax law and administrative regulations. This reference is one of BNA's Tax Management Portfolios which are regularly revised and/or superseded.

Assets and Finances, Calculating Intellectual Property Damages by William Owen Kerr, Richard B. Troxel.

Location: KF2983.C35

This text targets financial professionals who may serve as expert witnesses in intellectual property infringement litigation. The authors are not attorneys and this resource does not interpret or discuss the legal aspects of damages or remedies except in the context of what the responsibilities of the expert witness may be.

Biotechnology Law, Business, and Regulation by Michael J. Malinowski.

Location: KF1893.B56 M35

This regularly updated text provides a comprehensive and multifaceted review of the legal and business treatment of biotechnology. The reference's stated purpose is to facilitate an understanding of how to turn the fruit of innovative research into commercial products. Its intended audience includes biotech executives as well as the attorneys who counsel them.

Border Control of Intellectual Property Rights ed. by Michael Blakeney.

Location: K1401.B67

This loose leaf source provides a survey of national laws and administrative rules addressing border control measures promulgated by the TRIPS agreement. In addition, it reviews systems used by the European Union, NAFTA, the World Customs Organization and other regional trade and economic groups.

Calculating Intellectual Property Damages [See Assets and Finances, Calculating Intellectual Property Damages]

Sports Law in a Nutshell by Walter T. Champion, Jr.

Location: KF3989.Z9 C48 2009

Sports law is often considered a sub-category of entertainment law. However, Champion's "Nutshell", now in its 3rd (2004) edition, highlights the specific IP aspects of sports law in one succinct chapter. The same subject matter is also covered in the author's hardbound work, **Fundamentals of Sports Law**.

Corporate Counsel's Guide(s) are published by Business Laws, Inc. and are targeted at corporate attorneys rather than IP specialists. The independent volumes are periodically supplemented and provide excellent overviews of the titled subject matter with detailed tables of contents. Individual chapters are often penned by experts in a particular sub-topic. Forms and sample documents are included on the accompanying CD-ROM disks.

Corporate Counsel's Guide to Copyright Law ed. by William A. Hancock.

Location: KF2994.C685



Corporate Counsel's Guide to Intellectual Property ed. by William A. Hancock.

Location: KF2979 .C67

Corporate Counsel's Guide to International Distribution and Licensing ed. by William A. Hancock, Robert S. Chaloupka.

Location: K1530.C67

Corporate Counsel's Guide to Licensing.

Location: KF3145.A6 C67

Corporate Counsel's Guide to Software Transactions ed. by William A. Hancock.

Location: KF905.C6 C67

Corporate Counsel's Guide to Trademark Law ed. by William A. Hancock.

Location: KF3178.4.C67

Emerging Technologies and the Law: Forms and Analysis by Richard Raysman, et al.

Location: KF390.5.C6 E465

The contributing authors of this text examine the impact that the constant evolution of communication technologies has on intellectual property law and other areas of law related to intellectual property rights and liabilities. Regular loose leaf updates include a "Highlights" page which provides a brief on the new text and new forms.

Expert Witnesses: Intellectual Property Cases by Michael G. Atkins, et al.

Location: KF2983.E97 2009-2010

This resource provides a detailed review of when to use expert witnesses in various types of IP litigation, disclosure and supplemental disclosure requirements, identifying and hiring expert witnesses and "expert witness pitfalls." Sample documents such as engagement letters, technical expert reports and deposition samples for different types of IP infringement are also included.

Federal Income Taxation of Intellectual Properties and Intangible Assets by Philip F. Postlewaite, David L. Cameron, Thomas Kittle-Kamp.

Location: KF6525.A6 P67

The authors of this treatise seek to provide the novice with an in-depth discussion and explanation of this area of law while providing experienced practitioners with a guide to citations and secondary sources. The printed source, although in loose leaf format, is not regularly updated; it is also available on-line through RIA.

Fundamentals of Intellectual Property Valuation: A Primer for Identifying and Determining Value [see Intellectual Property Valuation: A Primer for Identifying and Determining Value]

Intellectual Property in the Food Technology Industry: Protecting Your Innovation by Ryan W. O'Donnell et al.

Location: KF1900 .I57 2008

This brief text provides an overview of IP rights within the food industry including protection through patent or trade secrets, the protection of trade marks, licensing, copyright issues, and litigation and negotiation in the event of infringement.



Intellectual Property Law Dictionary by Rachel Gader-Shafran.

Location: KF2977.5 .G33

This reference source provides definitions to terms of art under seven IP law subdivisions: Copyright, Patents, Trademark, Trade Dress, Nanotechnology and Trade Secrets.

Appendices to each dictionary section provide additional information such as comparative charts on international treaties, IP website URLs and nanotechnology paradigms.

Intellectual Property Law in Cyberspace by G. Peter Albert, Jr. and Laff, Whitesel & Saret, Ltd.

Location: KF2979 .A77 1999

The authors present a comprehensive discussion and analysis of intellectual property law as it applies to network technologies and the Internet in particular. The 2004 supplement addresses changes in business method patents, domain name issues, file sharing, and personal jurisdiction in international and U.S. based Internet activity.

Intellectual Property Litigation: Pretrial Practice by Eric M. Dobrusin and Katherine E. White.

Location: KF2983 .D632

This one-volume loose leaf source provides a comprehensive desk book for litigation attorneys. It includes regularly updated textual analyses of copyright, trademark, patent, and unfair competition law as well as litigation strategy for such topics as discovery, jurisdiction and venue, Markman proceedings, and evidence issues. A comprehensive library of pretrial practice forms is also included.

Intellectual Property Rights in a Networked World: Theory and Practice ed. by Richard A. Spinello and Herman T. Tavani.

Location: K1401 .I566 2005

This source contains lengthy essays discussing theoretical, philosophical, ideological, and legal perspectives on intellectual property rights in the new technological age.

Intellectual Property Taxation: Transaction and Litigation Issues by Jeffrey A. Maine, Xuan-Thao N. Nguyen.

Location: KF6428.I5 M35 2003

The authors review the tax treatment of different types of intellectual property including patents, trademarks, trade secrets, and copyright as well as treatment of the different stages of intellectual property, such as IP development, acquisition, and transfers. A notable feature is the coverage of federal and state tax regulation of e-commerce. The text is updated by annual supplements.

Intellectual Property Valuation: A Primer for Identifying and Determining Value by Weston Anson, Donna Suchy.

Location: KF2979 .A85 2005

Written by experts in this area of law, the primer provides a guide to accurate valuation of intellectual property and intangible assets. It includes case studies and explores both traditional and non-traditional methods of valuation.



Intellectual Property World Desk Reference: A Guide to Practice by Country, State, and Province ed. by Anthony Prenol, John L. Welch, and Dawn H. Giebelhaus-Mains.

Location: K1401.I576

As the title suggests, this two-volume loose leaf publication provides a succinct and practical ready reference to what kinds of intellectual property are protected in the covered countries, and how that protection can be accomplished. Information necessary to completing transactions (e.g. limitations on royalty rates, whether private agreements are subject to government approval) is also provided. Local information is afforded for each of the United States and the Canadian provinces as well.

International Encyclopedia of Laws: Intellectual Property ed. by R. Blanpain, M. Colucci, H. Vanhees.

Location: K1401.I545

The encyclopedia is divided into three sections: one devoted to European Union intellectual property law, another containing monographs which cover the national law of individual jurisdictions, and a separate section which reviews and discusses international conventions in the domain of intellectual property. This source is regularly updated by loose leaf supplements.

International Protection of Performers' Rights by Owen Morgan.

Location: K1481.M67 2002

This text reviews the international protection of performers' rights under the Rome Convention of 1961, TRIPPS (1994) and the World Intellectual Property Organization (WIPO) Performers and Phonograms Treaty of 1996. International instruments which sought to provide additional rights for performers, but never gained total concession, are also discussed. This source is directed at academe, government policy makers, and attorney practitioners.

Lindey on Entertainment, Publishing and the Arts: Agreements and the Law by Alexander Lindey and Michael Landau.

Location: KF2992.L52

One of the leading references for entertainment law, this multi-volume treatise covers all areas of communication and the arts, including sound recordings, computer software, motion pictures, books, magazines and mass media. It provides forms and agreements and clauses and commentary on drafting custom contracts. Updated annually, including appendices and case tables.

Also available on Westlaw (LINDEY).

McCarthy's Desk Encyclopedia of Intellectual Property by J. Thomas McCarthy, Roger E. Schechter and David J. Franklyn.

Location: KF2976.4.M38 2004

This one-volume desk book provides dictionary like entries for terms of art used in IP law. Terms such as *best mode*, *dependent claim*, *fair use*, *geographic mark*, and *presumption of validity* are conferred a column, or perhaps a page. The target audience includes law students, non-specialists, and the IP attorneys who want a quick-reference aid.

Tax Planning for the Development and Licensing of Copyrights, Computer Software, Trademarks and Franchises by Charles Edward Falk.

Location: KF6289.A1 T35 no. 558



This is part of the BNA “Tax Management Portfolio” series. The author reviews and analyzes tax planning with regard to the creation, licensing and sale of intangible assets, with emphasis on the treatment of capital gains. The publisher suggests that it be used in conjunction with **Tax Management Portfolio 557**.

Tax Planning for the Development and Licensing of Patents and Know-How by Charles Edward Falk.

Location: KF6289.A1 T35 no. 557

This overview of U.S. tax law as it relates to research and development expenditures is part of BNA’s “Tax Management Portfolio” series. The author includes a discussion of capital gain treatment and amortization of intangibles. This title is meant to be used in conjunction with **Tax Management Portfolio 558**.

VII. SPECIFIC FOREIGN JURISDICTIONS AND COMPARATIVE REGIONAL STUDIES

China Intellectual Property—Challenges & Solutions: An Essential Business Guide by Rebecca Ordish, Alan Adcock.

Location: KNQ1155 .O73 2008

This book provides insight into navigating through the “minefield” of intellectual property protection challenges companies can encounter when doing business in or with China. The authors state that this text does not impart legal advice but “simply shares some ideas and strategies” which may assist businesses succeed in their China ventures.

Copyright: World Law & Practice by Morag Macdonald, Uma Sugheran, Cristina Garrigues.

Location: K1420.5 .C66

This two-volume loose leaf source addresses the simultaneous similarity and diversity in copyright concepts around the world. The originally targeted audience was practitioners within the European Union; however, updates and added material have made it a very detailed international source.

European Patent Law: Law and Procedure Under the EPC and PCT by Ian Muir, Matthias Brandi-Dohrn, Stephan Gruber.

Location: KJC2725 .M85 2002

The authors present an analysis of European patent law, procedure, practice under the PCT, case law and various controlling treaties and conventions. This source is touted as a study tool for those preparing for the European Patent Attorney examinations.

The European Patent System: the Law and Practice of the European Patent Convention by Gerald Paterson.

Location: KJC2725 .P38 2001

This treatise provides analysis and explanation of the European Patent Convention and details the patent application process in the European Community. Tables of cases, statutes, treaties, regulations and abbreviations are included.



Fox on Canadian Law of Trademarks and Unfair Competition by Kelly Gill, R. Scott Jolliffe.

Location: KE2988.A6 G54

This treatise offers comprehensive coverage of Canadian trademark law. Topics include distinctiveness and use, passing off, acquisition and registration, infringement and remedies, defenses, criminal offenses, goodwill issues, likelihood of confusion, and unfair competition. This text has been regularly updated by loose leaf releases.

Intellectual Property: Eastern Europe and Commonwealth of Independent States ed. by David L. Garrison.

Location: K1401 .I554

This five-volume publication provides a detailed analysis of intellectual property law and policy in the countries which once comprised the U.S.S.R. The course of their transformation and transition into market economies continues to be closely monitored through semi-monthly loose leaf updates. International agreements, regional law, legal forms, and laws applicable to individual countries are included in English translation.

Japanese Copyright Law in the 21st Century by Teruo Doi; ed. by Dennis Campbell.

Location: KNX1160 .D65 2001

This volume provides an authoritative translation of the current [Japanese] Copyright Act of 1970 and the historic 1899 law. The author also offers in-depth analyses of changes to the legal protection of photographs, digital sound and visual media, and Internet control inspired by international agreements such as the World Intellectual Property Organization Copyright Treaty.

Max Planck Series on Asian Intellectual Property Law.

Due to wide acceptance of the TRIPs Agreement, most Asian nations have overhauled their intellectual property laws since 1995. Those that did not initially become signatories to the agreement are in the process of revising IP and related law in an effort to become more in-step with contemporary enforcement instruments and mechanisms. The Max Planck Institute for Foreign and International Patent, Copyright and Competition Law has supported these changes through its Asian Department, founded in 1975. The Institute has published in-depth treatises on these new developments, known collectively as the Max Planck Series on Asian Intellectual Property Law. Individual titles penned by practicing lawyers and academics provide reliable information on the state of the law in these important markets, focusing on those countries and regions where English is not a dominant language. The currently available titles are listed below without further annotation. Additional treatises continue to be published and may be found in the catalog under the series title.

Industrial Property in the Bio-Medical Age: Challenges for Asia ed. by Christopher Heath, Anselm Kamperman Sanders.

Location: K1500.A6 I53 2003

Intellectual Property Harmonisation within ASEAN [Association of Southeast Asian Nations] and APEC [Asia-Pacific Economic Cooperation] ed. by Christoph Antons, Michael Blakeney, Christopher Heath.

Location: KNC370.I567 2004



Intellectual Property Law in Asia ed. by Christopher Heath.

Location: KNC370.I568 2003

Intellectual Property Law in China by Peter Ganea, Thomas Pattloch; ed. by Christopher Heath.

Location: KNQ1155.G355 2005

Intellectual Property Law in Indonesia ed. by Christoph Antons.

Location: KNW1155.A97 2000

Intellectual Property Law in Korea by Soo-Kil Chang, et al.; ed. by Christopher Heath.

Location: KPA1155.I58 2003

Intellectual Property Law in Taiwan by Hubert Hsu, et al.; ed. by Christopher Heath.

Location: KNP115.I58 2003

Japanese Copyright Law: Writings in Honour of Gerhard Schricker ed. by Peter Ganea, Christopher Heath, Hiroshi Saito.

Location: KNX1160.A67 J36 2005

Legal Rules of Technology Transfer in Asia ed. by Christopher Heath, Kung Chung Liu.

Location: KNC393.L44 2002

Parallel Imports in Asia ed. by Christopher Heath.

Location: KNC370.P37 2004

Protection of Trade Secrets in China by Shan Hailing.

Location: KNQ1256.T72 S53 2008

The Protection of Well-Known Marks in Asia ed. by Christopher Heath, Kung Chung Liu.

Location: KM396.P76 2000

Traditional Knowledge, Traditional Cultural Expressions, and Intellectual Property Law in the Asia-Pacific Region ed. by Christoph Antons.

Location: KVC735.T73 2009

Patent Practice & Policy in the Pacific Rim by Thomas T. Moga.

Location: KVC390.P38

This three-volume treatise provides English translations of patent laws of the Pacific Rim countries and extensive commentary on protection and enforcement procedures, license requirements, political environments, and potential obstacles to invention protection. The text is regularly updated by loose leaf releases.

A Practical Approach to Intellectual Property Law in Hong Kong by Kenny K. S. Wong, Alice S. C. Lee.

Location: KNR112.W66 2002

The authors present a comprehensive overview of intellectual property law practice in Hong Kong. Detailed consideration is given to the process necessary to assure proper IP



registration and protection. Special attention is also afforded the subjects of optical media piracy, parallel imports and customs issues, and the role of the Internet.

World Intellectual Property Rights and Remedies ed. by Dennis Campbell.

Location: K1401.W675

This treatise includes selected intellectual property legislation in translation from jurisdictions in Europe, Latin America and Asia. Each section includes commentary by experts in that particular area of law with emphasis on the procedural aspects of intellectual property registration and protection.

VIII. JOURNALS, NEWSLETTERS AND DIGESTS

The majority of periodicals on the following list publish articles, news and information on diverse areas of intellectual property law. Annotations are included for some of the more specialized publications. URL links have been provided if available.

AIPLA Quarterly Journal. (American Intellectual Property Law Association)

Location: K1.M46

Akron Intellectual Property Journal. (University of Akron, School of Law)

Location: K1.K757

Boston University Journal of Science & Technology Law (JSTL). (Boston University, School of Law)

Location: K10.O8968

Buffalo Intellectual Property Law Journal. (University of Buffalo School of Law)

Location: K2.U346

The Columbia Journal of Law & the Arts. (Columbia University School of Law)

Location: K1.R765

Fordham Intellectual Property, Media & Entertainment Law Journal. (Fordham University School of Law)

Location: K6.O714

Intellectual Property Journal. (Carswell Co., Agincourt, Ontario)

Location: K9.N7477

The Intellectual Property Strategist. (Leader Publications)

Location: KF2972.I585

IP Litigation Quarterly. (Law Journal Newsletters)

Location: KF2972.I5852

Journal of Intellectual Property. (Chicago-Kent College of Law)

Location: K10.O868i



Journal of Intellectual Property Law. (University of Georgia School of Law)

Location: K10.O8683

Loyola Law and Technology Annual. (Loyola University School of Law)

Location: K12.O874

Minnesota Journal of Law, Science & Technology. (University of Minnesota Law School)

Location: K13.I524

Texas Intellectual Property Law Journal. (Intellectual Property Law Section of the State Bar of Texas; University of Texas School of Law)

Location: K24.E92

Tulane Journal of Technology and Intellectual Property. (Tulane University School of Law)

Location: K24.U46

Washington University Journal of Law and Policy. (Washington University School of Law)

Location: K25.R2513

World Intellectual Property Report

Location: K1401.A15 W67

This monthly publication provides news, commentary and analysis of worldwide developments in intellectual property law, regulation and policy. Each volume includes a subject index and a "Table of Cases and Dispute Resolution Reports." Individual issues include an index of developments by country affected.

IX. DATABASES

Lexis and Westlaw have databases specific to Intellectual Property law and there are also good resources on the Internet. We have provided a database name or a hyperlinked URL when a source included in this guide is also available on-line. To search Westlaw and Lexis for additional IP resources, follow the instructions below.

To review IP databases in Westlaw:

- >Choose "Westlaw Research"
- >Choose "View Westlaw Directory" (or click-on "Directory" at the top of the page)
- >Select "Topical Practice Areas"
- >Choose "Intellectual Property"

Westlaw will at this point list additional database/folders on the subject of IP law.

To review IP databases in Lexis:



Enter the “Research System

Choose “by Topic or Headnote” (from the red bar near the top of the page)

Lexis will at this point offer choices such as Patent Law, Copyright Law, Trademark Law or Trade Secrets Law, as well as other legal topics.

X. INTERNET RESOURCES

U.S. Government Websites

U.S. Copyright Office

U.S. Copyright Office Home Page:

<http://www.copyright.gov/>

This site provides a gateway to U.S. government sponsored copyright information with related links.

U.S. Patent and Trademark Office (USPTO)

USPTO Home Page:

<http://www.uspto.gov/index.html>

This is the government site to use when researching patents, patent files and patent status.

United States International Trade Commission (USITC)

USITC Home Page:

<http://www.usitc.gov/>

Review the Commission’s calendar of events and recent releases at this site.

Applicable U.S. Code and CFR Sections, Michigan Acts

Title 15 (Commerce and Trade; Trademarks = Ch. 22 (Lanham Act); Technology Innovation = Ch. 63)

<http://uscode.house.gov/download/pls/15C22.txt>

<http://uscode.house.gov/download/pls/15C63.txt>

Title 17 (Copyrights):

<http://www.copyright.gov/title17/>

Title 35 (Patents):

http://uscode.house.gov/download/title_35.shtml



Patents, Trademarks and Copyright Regulations

Code of Federal Regulations (37 CFR)

<http://www.access.gpo.gov/cgi-bin/cfrassemble.cgi?title=200337>

Michigan's Uniform Trade Secrets Act:

<http://www.michiganlegislature.org/mileg.asp?page=getObject&objName=mcl-Act-448-of-1998&highlight>

International Intellectual Property Web Sites

IP Offices Worldwide:

<http://www.uspto.gov/web/menu/other.html>

This page is sponsored by the USPTO. It provides links to the Web pages of IP offices world wide.

IPR help-desk:

<http://www.ipr-helpdesk.org/index.htm>

This site touts "[f]ree of charge service supporting creativity and innovation in Europe. " Available languages include English, French, Spanish, German, Italian and Polish.

International Chamber of Commerce home page:

<http://www.iccwbo.org/>

The ICC is an international business policy making entity. The home page offers links to many practical sites and sources of information.

International Trademark Association

<http://www.inta.org/>

This site provides links to both general and specific information of value to trademark owners and those professionals involved in the safeguarding of trademarks, trade dress, and other aspects of IP identity.

World Intellectual Property Organization (WIPO) home page:

<http://www.wipo.org/>

This is the home page of WIPO, the venerated institution involved in international IP policy, education and enforcement.

Select Treaties, Conventions, Agreements

Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) (WTO)

http://www.wto.org/english/tratop_e/trips_e/t_agm0_e.htm

Agreement Between the World Intellectual Property Organization and the World Trade Organization

http://www.wipo.int/treaties/en/agreement/trtdocs_wo030.html

Berne Convention for the Protection of Literary and Artistic Works (WIPO)

<http://www.wipo.int/treaties/en/ip/berne/>



European Patent Convention

<http://www.european-patent-office.org/legal/epc/e/contents.html>

Madrid Agreement Regarding the International Registration of Marks (WIPO)

<http://www.wipo.int/treaties/en/registration/madrid/index.html>

Paris Convention for the Protection of Industrial Property (WIPO)

http://www.wipo.int/treaties/en/ip/paris/trtdocs_wo020.html

Patent Cooperation Treaty (PCT)

<http://www.wipo.int/treaties/en/registration/pct/index.html>

Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (WIPO)

<http://www.wipo.int/treaties/en/ip/rome/>

Other IP Websites

Findlaw's Intellectual Property page:

<http://www.findlaw.com/01topics/23intellectprop/index.html>

This site offers very current IP opinions from the U.S. Supreme Court, the U.S. Circuit Courts and selective U.S. District Courts

The Open Source Initiative

<http://www.opensource.org/>

The Open Source Initiative (OSI) is a non-profit corporation which educates about open source and advocates for it. It is also a standards body for Open Source.

World Legal Information Institute (WorldLII). Intellectual Property Catalog.

<http://www.worldlii.org/catalog/315.html>

This is the entrance to a gigantic IP on-line resource and catalog which contains links to additional resources. The IP collection is only a small part of the WorldLII on-line legal information system.

