

# *Defending Against Willful Infringement In A Post-Halo World*

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*November 2, 2018*

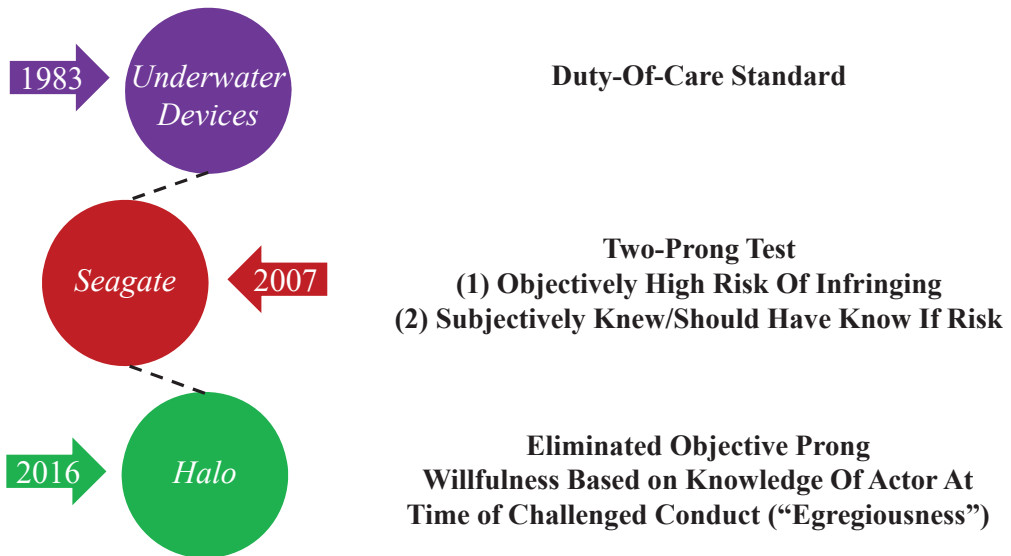
## Overview

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- Changing Standards Of Willfulness
- Additional Post-*Halo* Implications
- Why Else Alleged Infringers Need To Be Careful
- Best Practices - Generally
- Best Practices – Opinions of Counsel
- Conclusions and Questions

# Changing Standards Of Willfulness

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# Changing Standards Of Willfulness

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“The subjective willfulness of a patent infringer, intentional or knowing, may warrant enhanced damages, *without regard to whether his infringement was objectively reckless.*”

*Halo Electronics, Inc. v. Pulse Electronics, Inc.*, 136 S. Ct. 1923, 1933 (2016).

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First appeared as part of the conference materials for the  
23<sup>rd</sup> Annual Advanced Patent Law Institute session

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