

Defending Against Willful Infringement In A Post-Halo World

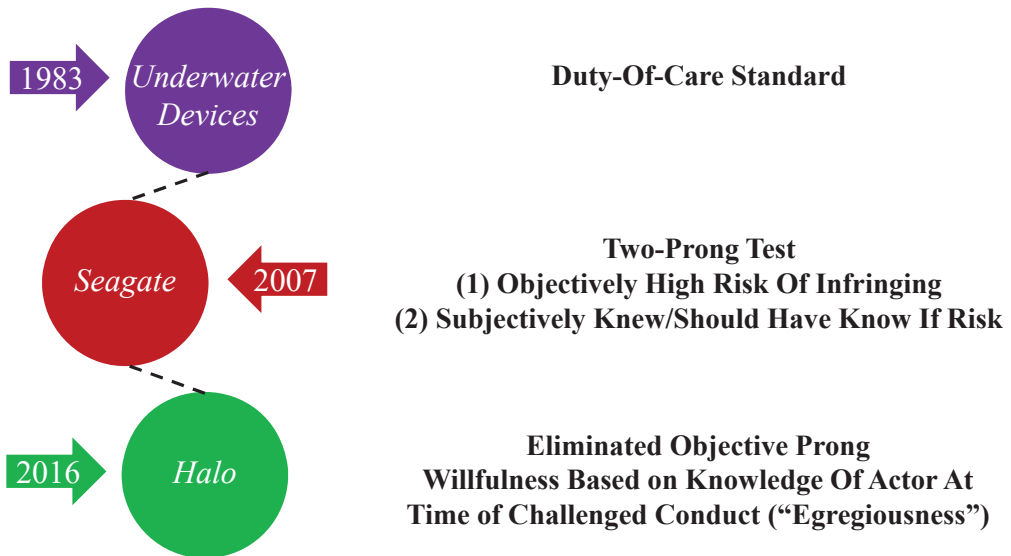
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Overview

- 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



Changing Standards Of Willfulness

“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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