

Looks Matter...

Legally.®

POTPOURRI OF HOT DESIGN PATENT
ISSUES & PRACTICAL IMPLICATIONS

Perry Saidman

POTPOURRI OF HOT DESIGN PATENT ISSUES & PRACTICAL IMPLICATIONS

1. Maximizing Total Profit Damages
2. Using Single-View Drawings
3. Choosing an Effective Title/Claim
4. Protecting Fashion with Design Patents
AND Copyrights
5. Kicking the Can Down the Road After
Campbell v. Gamon

POTPOURRI OF HOT DESIGN PATENT ISSUES & PRACTICAL IMPLICATIONS

1. Maximizing Total Profit Damages
2. Using Single-View Drawings
3. Choosing an Effective Title/Claim
4. Protecting Fashion with Design Patents
AND Copyrights
5. Kicking the Can Down the Road After
Campbell v. Gamon

35 U.S.C. 289

Whoever ... sells ... any article of manufacture to which the patented design ... has been applied shall be liable to the owner to the extent of his total profit ...

Samsung v. Apple (SCOTUS 2016)

The Supreme Court (SCOTUS):

The “article of manufacture” upon which total profit is based can be the end product sold by the infringer, or a component of that product.

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Potpourri of Hot Design Patent Issues: Practical Implications

Also available as part of the eCourse

[2020 Advanced Patent Law \(USPTO\) eConference](#)

First appeared as part of the conference materials for the
15th Annual Advanced Patent Law Institute session

"Potpourri of Hot Design Patent Issues: Practical Implications"