For Professor Saucet’s
IP & Business Seminar
Summer 2019

LRC Reference Desk:
(619) 260-4612
lrcrefer@sandiego.edu
What we will cover

- Picking a paper topic
- Evaluating Sources
- Bloomberg Law, Westlaw & Lexis
- Books & articles
  - Law and other disciplines
  - USD and other libraries
  - SSRN
- Web tools
PICKING A PAPER TOPIC
News

- If you hit a paywall, search our library catalog for the publication title
- Lexis & Bloomberg Law both have excellent news and legal news holdings
- Reputable blogs & industry publications
Reliable sources

- Evaluate sources for:
  - **Authority** – author is identified, reputable, credentialed
  - **Objectivity** – fairness, lack of bias
  - **Accuracy** – provides references to sources, verifiable
  - **Scope** – relevant to your topic and argument
  - **Currency** – may vary by topic, but make sure you know the current state of thinking in your field (even if it’s rooted in older writings)
Current news by practice area

- **Bloomberg Law**: several IP-related practice centers
- **Westlaw/PLC**: IP & Technology Practice Area
- **Lexis**: several IP-related practice centers
### Deal Analytics

#### Mergers & Acquisitions

Search results for: **Industry | Technology**

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Supreme Court Says Government Can't Fight Patents as People

New Project Would Help Dem President Pick Judges in 2021

By Patrick L. Gregory
Jun. 10, 2019 4:33PM

Progressives are working on potential nominees for judicial vacancies if a Democrat wins the presidency in 2020.
INSIGHT: Modernizing the Approach to Regulating Software as a Medical Device

Linda A. Malek, Jill E. Anderson, Nora L. Schmitt
Moses & Singer LLP
Jun. 10, 2019 4:01AM

The use of software in medicine is growing and presenting unique regulatory challenges for the FDA, which has recently focused increased attention to the special class of Software as a Medical Device. Moses & Singer attorneys examine the agency’s recent actions and give advice for SaMD developers going forward.

INSIGHT: Ten Ways Machine Learning Will Transform the Practice of Law

Caroline Sweeney
Dorsey & Whitney LLP
Jun. 07, 2019 4:01AM

Law firms are increasingly using machine learning and artificial intelligence, which have become standard in document review. Dorsey & Whitney's Caroline Sweeney says any firm that wants to stay competitive should get on board now and gives examples for use and best practices.
Case: Trade Dress/Infringement (9th Cir.)

Jun. 10, 2019 5:31PM

The Ninth Circuit upholds the denial of both parties' post-judgment motions in National Products Inc.'s action against Arkon Resources Inc. for trademark infringement. Substantial evidence supports the jury verdict of willful infringement against Arkon -- such as Arkon not investigating the listing on National Products Inc.'s website of the registered, nonfunctional hourglass shape of its product. And substantial evidence supports the jury verdict that Arkon did not violate the Washington Consumer Protection Act -- such as Arkon's inadvertent infringement of the hourglass shape in the process of permissibly attempting to copy an expired patent and then failing to conduct an adequate investigation of NPI's other nonfunctional protections. The case is Nat'l Prods., Inc. v. Arkon Res., Inc., 2019 BL 210862, 9th Cir., No. 18-35221, unpublished 6/7/19.

Case: Trade Secrets/Misappropriation (E.D. La.)

Jun. 10, 2019 2:55PM

Questions of material fact preclude summary judgment on the issue of whether Benton Energy Service Company misappropriated Cajun Service Unlimited LLC's alleged trade secrets in business, scientific, engineering, and technical information related to Cajun's elevator roller insert system -- a tool used in drilling for oil. The existence of a contract between the parties that restricts Benton's use of the ERIS tool is disputed, and both sides present testimony telling different stories. It is for the jury, then, to determine the nature of the contract and whether Cajun's allegedly confidential and proprietary information constitutes a trade secret. The case is Cajun Servs. Unlimited, LLC v. Benton Energy Serv. Co., 2019 BL 210684, E.D. La., No. 18-5932 SECTION: M (2) Pertains to all cases, 6/7/19.
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Home

Intellectual Property

Search all Intellectual Property above or browse to specific content below.

ALL INTELLECTUAL PROPERTY  PATENT  TRADEMARK  COPYRIGHT

Intellectual Property Resources

Cases
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Administrative Filings
Statutes & Court Rules
Regulations
Secondary Sources
Forms
Trial Court Orders

Briefs
Trial Court Documents
Expert Materials
Jury Verdicts & Settlements
Proposed & Enacted Legislation
Proposed & Adopted Regulations
Sample Agreements
Arbitration Materials

IP Office Filings

Patents & Applications
Trademarks
U.S. Copyrights
U.S. Patent Assignments
All Office Filings

Tools
Practitioner Insights for Intellectual Property

Intellectual Property Analysis

The Weekly Hill Update
JD Supra (Blog)
Below is the Federal Policy team's weekly preview, published when Congress is in session.

CBD Trademarks Out of the Weeds
JD Supra (Blog)
The continuing internal tension between various agencies and offices of the U.S. federal government over how to address the (seemingly) unstoppable growth of the marijuana industry in light of current federal law has been a bit like watching the

3 key areas where the NYDFS ups the ante on cybersecurity
Practitioner Insights Commentaries
Elizabeth E. McGinn and David Rivera of Buckley LLP and James Shreve of Thompson Coburn LLP discuss the New York State Department of Financial Services' cybersecurity regulation and how it differs from federal requirements and those of Massachusetts.

U.S. – District Court reversed: No fair use defense for Adams Morgan neighborhood photo
IP & IT in Corporate Transactions (161)

Practice note: overview

1. Assignment of Employee Inventions State Laws Chart: Overview
   Practice note: overview  Law stated as of 29-Mar-2019
   California, Delaware... Show all Jurisdictions

Practice notes

2. Asset Purchase Agreement Commentary
   Practice notes  Maintained  National/Federal
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Week hours
June 10th - 16th

Library
- Today's hours
  Summer
  + View more hours
- Reference
  Today's hours
  + View more hours

UPCOMING EVENTS

AUG 14  LLMC Course Registration
WEDNESDAY, AUGUST 14, 2019 // 2 P.M.
Pardee Legal Research Center, Main Computer Lab, Room 122

View All Events
Searching the catalogs

USD’s online catalog find items located in the LRC and also in the Copley Library collection.

• Remember that the catalog can be used to find not just materials in our print collection, but it also provides direct access to materials in our subscription databases, and it also links to websites!

• You can search USD’s online catalog from LRC’s homepage
Searching the catalogs

Circuit Catalog:

- USD is a member of a library consortium, the Circuit
- borrow materials from SDSU, UCSD, & the San Diego County & City Libraries.
- greatly increases the universe of materials that are accessible to you!
- delivered to LRC in 24–48 hrs.—pickup at Circulation desk

**Access:** You can link to the Circuit catalog through Sally (click on the hyperlinked Circuit logo) or go to: [http://circuit.sdsu.edu](http://circuit.sdsu.edu)
31 results found. Sorted by relevance | date | title.

KEYWORDS (1-31 of 31)

Most relevant titles entries 1-1

1. Biotech patent news

2. Glossary of biotechnology and agrobiotechnology terms
   - Nill, Kimball R., author
   - Boca Raton: CRC Press, [2016]
   - 1 online resource

   - xv, 299 pages: illustrations, maps;

Relevant titles entries 4-4

   - Westerlund, Li, 1967-
   - x, 351 pages;
Choose Your Institution

Requesting *The bioethics of enhancement: transhumanism, disability, and biopolitics / Melinda Hall*

With which institution are you affiliated?

- CSU San Marcos
- U of San Diego
- UC San Diego
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• If you can’t find an item at USD or through the Circuit, we may be able to get it through interlibrary-loaned from another library
• Check [http://www.worldcat.org](http://www.worldcat.org) or come ask a reference librarian
• Delivered to LRC anywhere from 3 days to 3 weeks—make your request early!

[http://www.sandiego.edu/law/library/find-resources/ill/](http://www.sandiego.edu/law/library/find-resources/ill/)
LAW ARTICLES
Law articles

- Lexis
- Westlaw
- Google Scholar

Unpublished or forthcoming
- SSRN
Exploiting Intellectual Property to Promote Innovation and Create Value
T. Joe - 2017 - books.google.com
There are two traditional views of the role of intellectual property (IP) within the field of innovation management: in innovation management research, as an indicator or proxy for innovation inputs or outputs, e.g., patents or licensing income; or in innovation management ... ...

CGIP: managing consumer-generated intellectual property
P Berthon, L Pitt, J Kietzmann ... California ..., 2015 - journals.sagepub.com
... Facebook is not alone, but it typifies a significant business phenomenon of the 21st century: much of the value and intellectual property nowadays lies in information generated by customers, consumers, and users, rather than by firms themselves ...

Intellectual property: valuation, exploitation, and infringement damages
RL Parr - 2018 - books.google.com
... Mr. Parr’s books about intellectual property value and management are published in Japanese, Korean, Italian, and English ... This book also is about intangible assets that in conjunction with intellectual property create value in a business enterprise ...

Capturing value from intellectual property (IP) in a global environment
J Alcácer, K Beukel, B Cassiman - Geography, Location, and ..., 2017 - emeraldinsight.com
Globalization should provide firms with an opportunity to leverage their know-how and reputation across countries to create value. However, it remains challenging for them to actually capture that value using traditional Intellectual Property (IP) tools. In this paper, we ...
1. "Catchy Phrases That Convey a Message": The Danger of Tam's Copymark Creep and Trademark Law's New First Amendment Analysis
   
   Stacey Lantagne
   University of Mississippi School of Law
   Keywords: copyright, trademark, intellectual property, tam, disparagement, free speech, first amendment, ...

2. Audits, Markets, and Patents
   
   87 University of Chicago Law Review Online 78 (2019)
   Daniel Jacob Hemel
   University of Chicago - Law School
   Keywords: property tax, self assessment, audits, market test, patent buyouts

3. Dead Celebrity Persona-Who Owns It?
   
   Sanjeev Chaswal
   Mewar University
   Keywords: personality, persona, publicity right, famous, celebrities, dead, posthumous right, likeness, ...
Search strategies

• Use multiple search techniques
  • keyword (natural language & Boolean)
  • subject
  • browse

• Ask a librarian

• Build from the sources you’ve already found
  • look at sources cited by those sources
  • use a citator (Shepard’s or KeyCite) to find sources that have cited to sources you’ve already found
Highly cited articles on IP value

1. POLICY LEVERS IN PATENT LAW


...Indeed, there is a significant literature on the economic value of rewards rather than intellectual property rights. See, e.g., Michael Abramowicz, Perfecting Patent Prizes, 56 Vand...

...Rev. 115 (2003) (advocating a reward system to complement existing intellectual property protection); Steven Shavell & Tanguy van Ypersele, Rewards Versus Intellectual Property Rights, 44 J.L. & Econ. 525 (2001) (concluding that an optimal reward system is more effective than intellectual property rights). Rebecca Eisenberg and others have explored in detail the...

2. RATIONAL IGNORANCE AT THE PATENT OFFICE
Northwestern University Law Review - Summer 2001 - 95 Nw. U. L. Rev. 1495

How much time and money should the Patent and Trademark Office spend deciding whether to issue a patent? To judge by recent criticism of the office from academics, industry leaders, and the press, the answer is "a lot more than it does now." The PTO has come under attack of late for failing to do a serious job of examining patents, thus allowing...
2003 article by Burk & Lemley

POLICY LEVERS IN PATENT LAW

89 Va. L. Rev. 1575

Virginia Law Review
November, 2003

Article
Dan L. Burk d1 Mark A. Lemley d2

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I. Heterogeneity in Innovation and Patent Law 1580

A. The Industry-Specific Nature of Innovation 1581

B. The Industry-Specific Nature of the Patent System 1589
Citing References: Secondary Sources

POLICY LEVERS IN PATENT LAW

89 VA L Rev 1575
Dan L. Burk, Mark A. Lemley
Virginia Law Review (Approx. 125 pages)

Document
Citing References (678)
Table of Authorities
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Cases (3)
Secondary Sources (634)
Appellate Court Documents (41)

89 Va. L. Rev. 1575

Virginia Law Review
November, 2003

Article
Dan L. Burk d1 Mark A. Lemley dd1

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POLICY LEVERS IN PATENT LAW

Introduction

I. Heterogeneity in Innovation and Patent Law

A. The Industry-Specific Nature of Innovation
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1. Involving Lead Users in Innovation: A Structured Summary of Research on the Lead User Method
   By: Brem, A.; Bilgram, V.; Gutstein, A.
   International Journal of Innovation and Technology Management Volume: 15 Issue: 3 Pages: 1850022 (27 pp.)
   Published: June 2018

2. Identifying 3D printer residual data via open-source documentation
   By: Miller, D.B.; Gilson, W.B.; Yampolskiy, M.; et al.
   Computers & Security Volume: 75 Pages: 10-23 Published: June 2018

3. Study on government's optimal incentive intensity of intellectual property rights
   By: Chengbin Yang; Shengxiang Sun; Hua Wei
   Meeting Information: 6th International Conference on Computer-Aided Design, Manufacturing, Modeling and Simulation (CDMMS 2018) Location: Busan, South Korea Date: 14-15 April 2018
   AIP Conference Proceedings Volume: 1967 Pages: 040024 (6 pp.) Published: 23 May 2018

4. A Functionality-Based Runtime Relocation System for Circuits on Heterogeneous FPGAs
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By Adam Liptak

Sept. 23, 2013

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This can sometimes be amusing. A link in a 2011 Supreme Court opinion about violent video games by Justice Samuel A. Alito Jr. now leads to a mischievous error message.

“Aren’t you glad you didn’t cite to this Web page?” it asks. “If you had, like Justice Alito did, the original content would have long since disappeared and someone else might have come along and purchased the domain in order to make a comment about the transience of linked information in the Internet age.”

Avoiding link rot

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Eastern District of Texas (Marshall)
CIVIL DOCKET FOR CASE #: 2:18-cv-00177-JRG


Date Filed: Apr 30, 2018
Nature of suit: 830 Patent
Assigned to: District Judge Rodney Gilstrap
Cause: 35:271 Patent Infringement
Jurisdiction: Federal Question
Jury demand: Plaintiff
Related Documents:
- U.S. Patent No. 8,624,718, Alert signal control using receiver velocity
- U.S. Patent No. 8,446,270, Alert signal control using receiver velocity
- U.S. Patent No. 8,212,661, Alert signal control using receiver velocity
- U.S. Patent No. 9,313,826, Alert signal control using message priority

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Plaintiff: Alert Signal Intellectual Property, LLC
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