THE TWENTY-FIFTH ANNUAL FALL LECTURE

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3D Printing, Digital Patent Infringement, and Its Implications

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TUESDAY, NOVEMBER 13, 2018

2018 VENUE:
THE HOUSTON CLUB
910 Louisiana, Suite 4900, Houston, Texas

Reception 5:30 p.m. • Lecture 6:15 p.m.
One Hour of CLE Credit
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Timothy R. Holbrook, Asa Griggs Candler Professor of Law at Emory University School of Law, is one of the country’s leading patent law scholars. As of August 2018, he serves as the Vice Provost for Faculty Affairs at Emory University. Professor Holbrook’s work has explored the impact of 3D printing on patent law, the extraterritorial reach of U.S. patent law, and the function of patent disclosures. He is the co-author of Patent Litigation and Strategy (5th ed. West 2017) with the Honorable Kimberly A. Moore of the U.S. Court of Appeals for the Federal Circuit and John F. Murphy of BakerHostetler. Before joining the Emory faculty in 2009, Professor Holbrook was a tenured professor at the Chicago-Kent College of Law. He served as the Edwin A. Heafey Jr. Visiting Professor of Law at Stanford Law School and as a visiting professor at the University of Denver Sturm College of Law and Washington University School of Law in St. Louis. Professor Holbrook clerked for the Honorable Glenn L. Archer, Jr., of the Federal Circuit and, after clerking, worked at the Hungarian patent law firm of Danubia in Budapest, Hungary, and Wiley Rein & Fielding (now Wiley Rein) in Washington, D.C. He earned his B.S. in Chemical Engineering, summa cum laude and as valedictorian, from North Carolina State University and his J.D. from Yale Law School.


3D Printing, Digital Patent Infringement, and Its Implications

The digital revolution has moved beyond music and video files. A person can now translate three-dimensional objects into digital files and, at the press of a button, recreate those items through additive manufacturing, colloquially known as 3D printing. Just as digitization placed pressure on the copyright system, so will these digital computer-aided design (CAD) files stress the patent system. How can the patent system respond to protect patent owners against the appropriation of their inventions via these digital files? Should there be some sort of digital patent infringement triggered by the CAD files themselves? If so, what are the implications for remedies and the territorial limits of US patent law? This talk will offer a theory of digital patent infringement, and then explore what consequences would flow from such a theory.