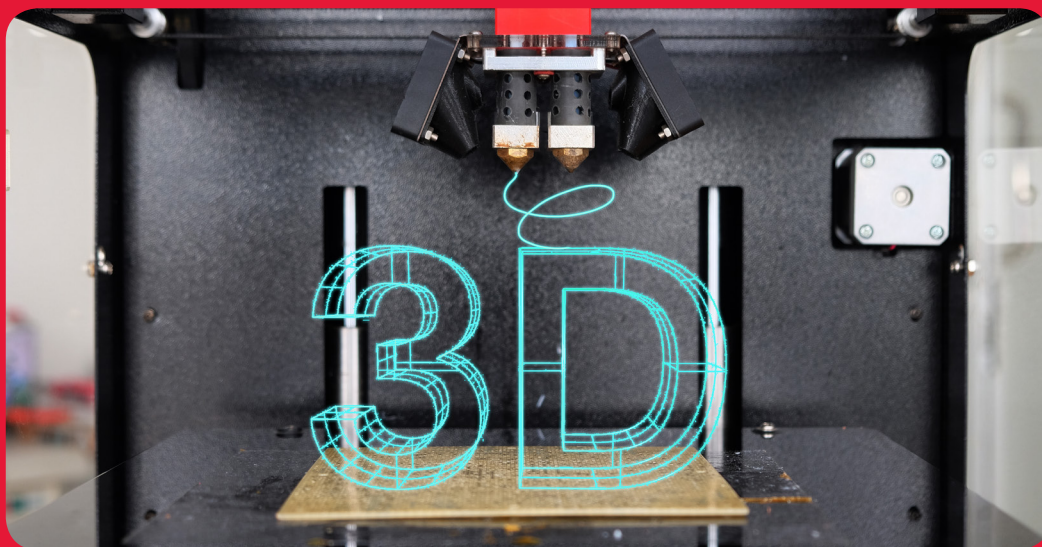


THE TWENTY-FIFTH ANNUAL FALL LECTURE

SPONSORED BY

HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION



**3D Printing, Digital Patent Infringement,
and Its Implications**

TIMOTHY R. HOLBROOK

Vice Provost for Faculty Affairs
Emory University

Asa Griggs Candler Professor of Law
Emory University School of Law

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

Kindly RSVP to ipil@uh.edu. For more information, call 713.743.2180.

IPIL/HOUSTON *at the*

UNIVERSITY OF HOUSTON LAW CENTER

The Fall Lecture
Sponsored by Houston Intellectual Property Law Association
Celebrating 25 Years of Serving
Houston's Intellectual Property & Information Law Bar

PAST PRESENTERS

- 2017** JOHN R. THOMAS, Georgetown University Law Center
- 2016** DANIEL C.K. CHOW, The Ohio State University Moritz College of Law
- 2015** RUTH OKEDIJI, University of Minnesota Law School
- 2014** DENNIS D. CROUCH, University of Missouri School of Law
- 2013** ELIZABETH A. ROWE, University of Florida Levin College of Law
- 2012** HON. JIMMIE V. REYNA, U.S. Court of Appeals for the Federal Circuit
- 2011** ROBERT BRAUNEIS, George Washington University Law School
- 2010** JANE K. WINN, University of Washington School of Law
- 2009** GREGORY N. MANDEL, Temple University Beasley School of Law
- 2008** MARGO A. BAGLEY, University of Virginia School of Law
- 2007** CLARISA LONG, Columbia University School of Law
- 2006** JOHN F. DUFFY, George Washington University Law School
- 2005** DAN L. BURK, University of Minnesota Law School
- 2004** DAVID J. FRANKLYN, University of San Francisco School of Law
- 2003** WILLIAM F. LEE, HALE & DORR LLP
- 2002** HON. PAUL MICHEL, U.S. Court of Appeals for the Federal Circuit
- 2001** YSOLDE GENDREAU, Université de Montréal
- 2000** JERRE B. SWANN, Kilpatrick Stockton LLP
- 1999** JOSEPH STRAUS, Max Planck Institute for Innovation and Competition
- 1998** JOHN R. THOMAS, George Washington University Law School
- 1997** HON. NANCY LINCK, U.S. Patent and Trademark Office
- 1996** HON. GLENN ARCHER, HON. PAULINE NEWMAN, AND HON. EDWARD SMITH,
U.S. Court of Appeals for the Federal Circuit
- 1995** DONALD S. CHISUM, Author, CHISUM ON PATENTS
- 1994** JOHN PEGRAM, Davis, Hoxie, Faithfull & Hapgood LLP



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.

Selected publications include: *Extraterritoriality and Digital Patent Infringement*, in *RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY AND DIGITAL TECHNOLOGIES* (Edward Elgar, forthcoming 2019); *Remedies for Digital Patent Infringement*, in *3D PRINTING AND BEYOND: THE INTELLECTUAL PROPERTY AND LEGAL IMPLICATIONS SURROUNDING 3D PRINTING AND EMERGING TECHNOLOGIES* (Mendis, D., Lemley, M., Rimmer, M., eds.) (Edward Elgar, forthcoming 2018); *Digital Patent Infringement in an Era of 3D Printing*, 48 UC DAVIS L. REV. 1319 (2015) (with Lucas Osborn).

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.

0073054880

University of Houston Law Center

Institute for Intellectual Property & Information Law

4604 Calhoun Road

Houston, Texas 77204-6060

www.law.uh.edu/ipil



2017 FALL LECTURE, L-R: PAUL JANICKE, SAPNA KUMAR,
GREG R. VETTER, JOHN R. THOMAS (LECTURER)



THE FALL LECTURE SERIES:

MADE POSSIBLE BY A GENEROUS GIFT FROM THE

HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION