

FOREWORD

The American Bar Association Antitrust Law Section is pleased to present the second edition of *Intellectual Property Misuse—Licensing and Litigation*. Patent misuse is an affirmative defense to an action for patent infringement or for royalties under a license that arises when the patentee engages in certain anticompetitive conduct, or conduct contrary to public policy, using the patent in suit. Courts have applied the doctrine to other types of intellectual property, such as copyright and trademarks. This book provides an update on new developments in the law since the first edition, and is intended to provide a practical, practitioner-orientated approach to understanding and applying misuse doctrine.

The Section is grateful to Perry Lange and his team of contributing authors for helping to update this book, under the leadership of Renata Hesse, Hartmut Schneider, Dina Kallay and Daniel Sokol, past and current Co-Chairs of the Intellectual Property Committee of the Antitrust Law Section. We trust that this book will serve as a guide to those who practice in this important and ever-changing field.

March 2020

Brian R. Henry
Chair, Antitrust Law Section
American Bar Association
2019-2020