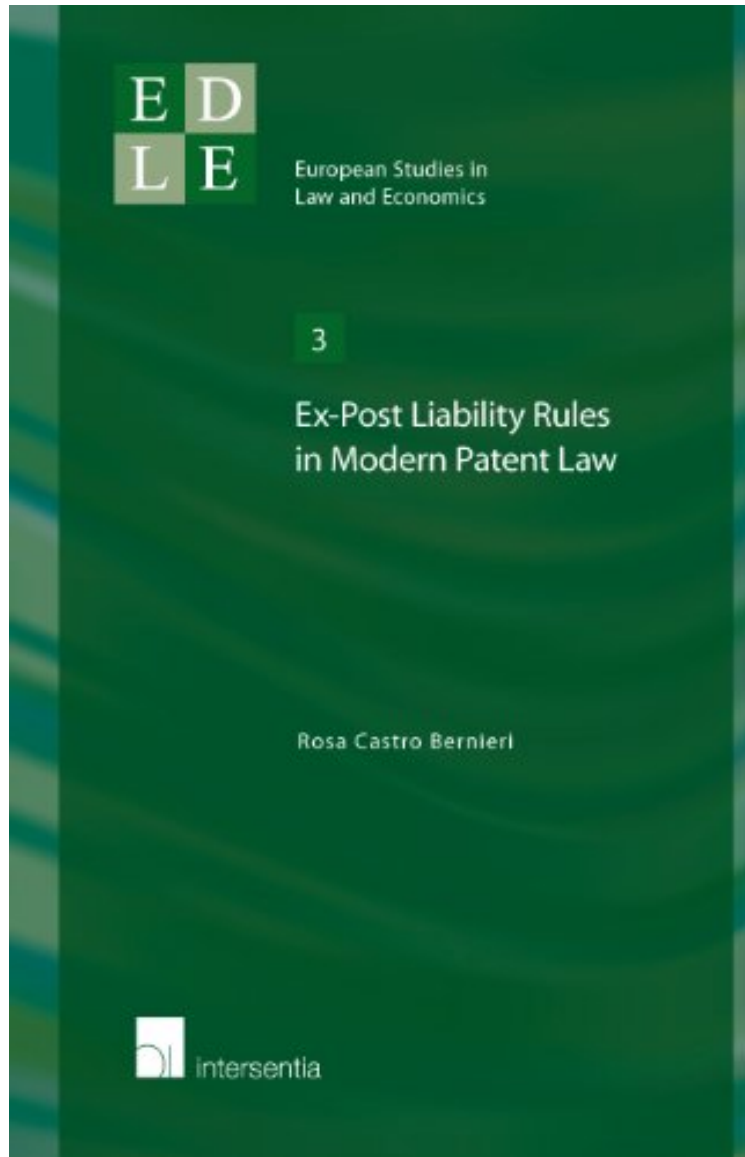


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Ex-Post Liability Rules in Modern Patent Law (European Studies in Law and Economics)

Rosa Castro Bernieri

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Rosa Castro Bernieri : Ex-Post Liability Rules in Modern Patent Law (European Studies in Law and Economics) before purchasing it in order to gage whether or not it would be worth my time, and all praised Ex-Post Liability Rules in Modern Patent Law (European Studies in Law and Economics):

This book examines alternative ways of protecting patent rights using the law and economics framework of property and liability rules. Traditional compulsory licenses are compared with the most recent discussions on the choice between granting or denying injunctive relief for patents (ex post liability rules). The debate about strategic behavior triggered by the patent system, especially in the aftermath of the US Supreme Court decision in *eBay v. MercExchange* is discussed, along with policy perspectives on both sides of the Atlantic. The problem of calculating the level of compensation, which is one of the most important critiques against the use of liability rules in patent law, is also examined in depth. The book concludes by suggesting that a coherent patent system could opt for property rules in general cases, while leaving enough space for exceptions and limited liability rules. Curtailing exceptions and limitations to patent rights, including the use of patent liability rules, could otherwise risk stifling innovation and even contradicting the goals of patent law.