

LX5643 - Patent Law and Practice

View Online



[1]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, *Intellectual property law*, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[2]

T. F. Aplin and J. Davis, *Intellectual property law: text, cases, and materials*, Third edition. Oxford, United Kingdom: Oxford University Press, 2017.

[3]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, *Intellectual property: patents, copyright, trade marks and allied rights*, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[4]

D. I. Bainbridge, *Intellectual property*, Tenth edition. Harlow, England: Pearson, 2018.

[5]

P. Torremans, *Holyoak and Torremans intellectual property law*, Eighth edition. Oxford: Oxford University Press, 2016.

[6]

C. Waelde, A. E. L. Brown, S. Kheria, and J. Cornwell, *Contemporary intellectual property: law and policy*, Fourth edition. Oxford, United Kingdom: Oxford University Press, 2016.

[7]

A. Christie and S. Gare, Eds., Blackstone's statutes on intellectual property, 14th edition. Oxford, United Kingdom: Oxford University Press, 2018.

[8]

'European Patents Handbook (CIPA)'. [Online]. Available: [https://uk.practicallaw.thomsonreuters.com/Browse/Home/Books/CIPAEuropeanPatents?transitionType=Default&contextData=\(sc.Default\)&firstPage=true&comp=pluk&bhcp=1](https://uk.practicallaw.thomsonreuters.com/Browse/Home/Books/CIPAEuropeanPatents?transitionType=Default&contextData=(sc.Default)&firstPage=true&comp=pluk&bhcp=1)

[9]

Chartered Institute of Patent Attorneys, European Patents Sourcefinder. Sweet & Maxwell.

[10]

C. Jones and Chartered Institute of Patent Attorneys, Patent Co-Operation Treaty Handbook . Sweet & Maxwell.

[11]

N. Fox, A guide to the EPC 2000: a practitioner's guide to the new law, 4th ed. London: Chartered Institute of Patent Attorneys, 2010.

[12]

M. Jewess, Inside intellectual property: best practice in intellectual property law, management, and strategy. London: The Chartered Institute of Patent Attorneys, 2013.

[13]

D. Ealey and Chartered Institute of Patent Agents (London, England), Study guide to the Patents Acts, 2014 ed. London: CIPA, 2014.

[14]

D. Visser, *The annotated European patent convention, Twenty-Fifth revised edition*. Alphen aan den Rijn, The Netherlands: Wolters Kluwer, 15AD.

[15]

'Guidelines for Examination in the European Patent Office'. European Patent Office, Munich, 2017 [Online]. Available: <https://www.epo.org/law-practice/legal-texts/guidelines.html>

[16]

'National law relating to the EPC'. European Patent Office, Munich, 2015 [Online]. Available: <https://www.epo.org/law-practice/legal-texts/national-law.html>

[17]

Intellectual Property Office, 'Patents: Manual of Patent Practice - GOV.UK'. Cardiff [Online]. Available: <https://www.gov.uk/government/publications/patents-manual-of-patent-practice>

[18]

Intellectual Property Office, 'Examining patent applications for biotechnological inventions - GOV.UK'. Cardiff [Online]. Available: <https://www.gov.uk/government/publications/examining-patent-applications-for-biotechnological-inventions>

[19]

Intellectual Property Office, 'Examining patent applications for medical inventions - GOV.UK'. Cardiff, 2016 [Online]. Available: <https://www.gov.uk/government/publications/examining-patent-applications-for-medical-inventions>

[20]

Intellectual Property Office, 'Examining patent applications relating to chemical inventions'. Cardiff [Online]. Available: <https://www.gov.uk/government/publications/examining-patent-applications-relating-to-chemical-inventions>

[21]

'The PCT Applicant's Guide'. World Intellectual Property Organization, Geneva, 2017 [Online]. Available: <http://www.wipo.int/pct/en/appguide/>

[22]

M. J. Adelman, Global issues in patent law. St. Paul, MN: West, 2011.

[23]

W. R. Cornish, Intellectual property: omnipresent, distracting, irrelevant? Oxford: Oxford University Press, 2004.

[24]

G. B. Dinwoodie and M. D. Janis, Trade dress and design law. New York: Aspen Publishers, 2010.

[25]

P. Drahos and J. Braithwaite, Information feudalism: who owns the knowledge economy? London: Earthscan, 2003.

[26]

M. Fisher, Fundamentals of patent law: interpretation and scope of protection. Oxford: Hart Publishing, 2007 [Online]. Available: <http://www.vlebooks.com/vleweb/product/openreader?id=Brunel&isbn=9781847313812>

[27]

A. Gosseries, A. Marciano, and A. Strowel, Intellectual property and theories of justice. Basingstoke [England]: Palgrave Macmillan, 2008 [Online]. Available: <http://lib.myilibrary.com/browse/open.asp?id=219811&entityid=https://idp.brunel.ac.uk/entity>

[28]

L. R. Helfer, Ed., Intellectual property and human rights, vol. 7. Cheltenham: Edward Elgar Publishing Limited, 2013.

[29]

A. B. Jaffe and J. Lerner, Innovation and its discontents: how our broken patent system is endangering innovation and progress, and what to do about it, [New ed.]. Princeton, N.J.: Princeton University Press, 2007 [Online]. Available: <http://lib.myilibrary.com/browse/open.asp?id=313338&entityid=https://idp.brunel.ac.uk/entity>

[30]

W. M. Landes and R. A. Posner, The economic structure of intellectual property law. Cambridge, Mass: Harvard University Press, 2003 [Online]. Available: <http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,shib&db=nlebk&AN=282048&site=ehost-live&scope=site&custid=s1123049>

[31]

S. Luginbühl and Molengraaff Instituut voor Privaatrecht. Centrum voor Intellectueel Eigendomsrecht, European patent law: towards a uniform interpretation. Cheltenham, UK: Edward Elgar, 2011 [Online]. Available: <http://lib.myilibrary.com/browse/open.asp?id=302423&entityid=https://idp.brunel.ac.uk/entity>

[32]

T. Terrell, Terrell on the law of patents, Eighteenth edition. London: Sweet & Maxwell, 2016 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/toectomy?crumb-action=reset&stnew=true&crumb-label=Books&sttype=stdtemplate&ao=o.l361019C020F511E68DCBBC525B125694&ndd=2&entityID=https://idp.brunel.ac.uk/entity>

[33]

D. C. Musker, *Community design law: principles and practice*. London: Sweet & Maxwell, 2002.

[34]

H. E. Norman, *Intellectual property law*, 2nd edition. Oxford: Oxford University Press, 2014.

[35]

A. Ohly and J. Pila, Eds., *The Europeanization of intellectual property law: towards a European legal methodology*. Oxford: Oxford University Press, 2013.

[36]

J. Pila, *The requirement for invention in patent law*. Oxford: Oxford University Press, 2010.

[37]

C. Seville, *EU intellectual property law and policy*, Second edition. Cheltenham, UK: Edward Elgar Publishing, 2016 [Online]. Available:
<https://ebookcentral.proquest.com/lib/brunelu/detail.action?docID=4731305>

[38]

D. Stone, *European Union design law: a practitioners' guide*, Second edition. Oxford, United Kingdom: Oxford University Press, 2016.

[39]

U. Suthersanen, *Design law: European Union and United States of America*, 2nd ed. London: Sweet & Maxwell, 2010.

[40]

'European Copyright and Design Reports' [Online]. Available:
http://cm7ly9cu9w.search.serialssolutions.com/ejp/?libHash=CM7LY9CU9W#/search/?searchControl=title&searchType=alternate_title_equals&criteria=European%20Copyright%20and%20Design%20Reports&titleType=JOURNALS&filterBy=All&beginPage=0&language=en-gb

[41]

'European Trade Mark Reports' [Online]. Available:
http://cm7ly9cu9w.search.serialssolutions.com/ejp/?libHash=CM7LY9CU9W#/search/?searchControl=title&searchType=alternate_title_begins&criteria=European%20Trade%20Mark%20Reports&titleType=JOURNALS&filterBy=All&beginPage=0&language=en-gb

[42]

'Entertainment and Media Law Reports' [Online]. Available:
http://cm7ly9cu9w.search.serialssolutions.com/ejp/?libHash=CM7LY9CU9W#/search/?searchControl=title&searchType=alternate_title_begins&criteria=Entertainment%20and%20Media%20Law%20Reports&titleType=JOURNALS&filterBy=All&beginPage=0&language=en-gb

[43]

'European Patent Office Reports' [Online]. Available:
http://cm7ly9cu9w.search.serialssolutions.com/ejp/?libHash=CM7LY9CU9W#/search/?searchControl=title&searchType=issn_equals&criteria=0269-0802&titleType=JOURNALS&filterBy=All&beginPage=0&language=en-gb

[44]

'Fleet Street patent law reports'.

[45]

'Reports of Patent, Design and Trade Mark Cases' [Online]. Available:
http://cm7ly9cu9w.search.serialssolutions.com/ejp/?libHash=CM7LY9CU9W#/search/?searchControl=title&searchType=alternate_title_equals&criteria=Reports%20of%20Patent,%20Design%20and%20Trade%20Mark%20Cases&titleType=JOURNALS&filterBy=All&beginPage=0&language=en-gb

[46]

'European intellectual property review' [Online]. Available:
http://cm7ly9cu9w.search.serialssolutions.com/ejp/?libHash=CM7LY9CU9W#/search/?searchControl=title&searchType=alternate_title_equals&criteria=European%20intellectual%20property%20review&titleType=JOURNALS&filterBy=All&beginPage=0&language=en-gb

[47]

Intellectual Property Institute, 'Intellectual property quarterly' [Online]. Available:
http://cm7ly9cu9w.search.serialssolutions.com/ejp/?libHash=CM7LY9CU9W#/search/?searchControl=title&searchType=alternate_title_equals&criteria=Intellectual%20property%20quarterly&titleType=JOURNALS&filterBy=All&beginPage=0&language=en-gb

[48]

'Journal of Intellectual Property Law and Practice' [Online]. Available:
http://cm7ly9cu9w.search.serialssolutions.com/ejp/?libHash=CM7LY9CU9W#/search/?searchControl=title&searchType=alternate_title_equals&criteria=Journal%20of%20Intellectual%20Property%20Law%20and%20Practice&titleType=JOURNALS&filterBy=All&beginPage=0&language=en-gb

[49]

'The journal of world intellectual property' [Online]. Available:
http://cm7ly9cu9w.search.serialssolutions.com/ejp/?libHash=CM7LY9CU9W#/search/?searchControl=title&searchType=alternate_title_equals&criteria=journal%20of%20world%20intellectual%20property&titleType=JOURNALS&filterBy=All&beginPage=0&language=en-gb

[50]

'IIC - International Review of Intellectual Property and Competition Law' [Online]. Available:
<https://link.springer.com/journal/40319>

[51]

'Entertainment Law Review' [Online]. Available:
http://cm7ly9cu9w.search.serialssolutions.com/ejp/?libHash=CM7LY9CU9W#/search/?searchControl=title&searchType=issn_equals&criteria=0959-3799&titleType=J

OURNALS&filterBy=All&beginPage=0&language=en-gb

[52]

'The UK Intellectual Property Office (IPO)'. [Online]. Available:
<https://www.gov.uk/government/organisations/intellectual-property-office>

[53]

'European Patent Office (EPO)'. [Online]. Available: <https://www.epo.org/index.html>

[54]

'European Union Intellectual Property Office (EUIPO)'. [Online]. Available:
<https://euipo.europa.eu/ohimportal/en/>

[55]

'HM Courts & Tribunals Service - GOV.UK'. [Online]. Available:
<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service>

[56]

'British and Irish Legal Information Institute'. [Online]. Available: <http://www.bailii.org/>

[57]

'EU law - EUROPA | European Union'. [Online]. Available:
https://europa.eu/european-union/law_en

[58]

'Court of Justice of the European Union'. [Online]. Available:
https://curia.europa.eu/jcms/jcms/Jo2_6999

[59]

'World Intellectual Property Organization (WIPO)'. [Online]. Available: <http://www.wipo.int/portal/en/index.html>

[60]

'World Trade Organization (WTO)'. [Online]. Available: <https://www.wto.org/>

[61]

'The IPKat'. [Online]. Available: <http://ipkitten.blogspot.com/>

[62]

'The 1709 Blog'. [Online]. Available: <http://the1709blog.blogspot.com/>

[63]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, Intellectual property law, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[64]

T. F. Aplin and J. Davis, Intellectual property law: text, cases, and materials, Third edition. Oxford, United Kingdom: Oxford University Press, 2017.

[65]

T. F. Aplin and J. Davis, 'Intellectual property law: text, cases, and materials', in Intellectual property law: text, cases, and materials, Third edition., Oxford, United Kingdom: Oxford University Press, 2017, pp. 603–721 [Online]. Available: <https://contentstore.cla.co.uk/secure/link?id=b82d2c83-8c2b-e911-80cd-005056af4099>

[66]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, 'Intellectual property: patents, copyright, trade marks and allied rights', in Intellectual property: patents, copyright, trade marks and allied rights, Eighth edition., London: Sweet & Maxwell, Thomson Reuters, 2013, pp. 1–51

[Online]. Available:

<https://contentstore.cla.co.uk/secure/link?id=c56f2b34-9a28-e911-80cd-005056af4099>

[67]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, *Intellectual property: patents, copyright, trade marks and allied rights*, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[68]

M. Fisher, 'Classical economics and philosophy of the patent system', *Intellectual Property Quarterly*, 2005 [Online]. Available:

<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IBD9B2790E72111DA9D198AF4F85CA028&entityID=https://idp.brunel.ac.uk/entity>

[69]

C. Geiger, 'Intellectual property shall be protected!? Article 17(2) of the Charter of Fundamental Rights of the European Union: a mysterious provision with an unclear scope', *European Intellectual Property Review*, vol. 31, no. 3, 2009 [Online]. Available:

<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IDE325F70E45111DD8BEBE47BB36F59BF&entityID=https://idp.brunel.ac.uk/entity>

[70]

Hughes, J., 'The Philosophy of Intellectual Property', *Georgetown Law Journal*, 1988

[Online]. Available:

<https://heinonline.org/HOL/P?h=hein.journals/glj77&i=309&a=YnJ1bmVsLmVkdQ>

[71]

E. W. Kitch, 'The Nature and Function of the Patent System', *The Journal of Law & Economics*, vol. 20, no. 2, 1977 [Online]. Available:

https://www.jstor.org/stable/725193?seq=1#metadata_info_tab_contents

[72]

W. M. Landes and R. A. Posner, 'The economic structure of intellectual property law', in *The economic structure of intellectual property law*, Cambridge, Mass: Harvard University Press, 2003 [Online]. Available:
<http://search.ebscohost.com/login.aspx?direct=true&AuthType=ip,shib&db=nlebk&AN=282048&site=ehost-live&scope=site&custid=s1123049>

[73]

F. Machlup and E. Penrose, 'The Patent Controversy in the Nineteenth Century', *The Journal of Economic History*, vol. 10, no. 1, 1950 [Online]. Available:
https://www.jstor.org/stable/2113999?seq=1#metadata_info_tab_contents

[74]

R. P. Merges and R. R. Nelson, 'On the Complex Economics of Patent Scope', *Columbia Law Review*, vol. 90, no. 4, May 1990, doi: 10.2307/1122920.

[75]

'Prizes, Not Patents by Joseph E. Stiglitz - Project Syndicate'. [Online]. Available:
<https://www.project-syndicate.org/commentary/prizes--not-patents?barrier=accesspaylog>

[76]

Commission on Intellectual Property Rights, 'Integrating Intellectual Property Rights and Development Policy', 2002. [Online]. Available:
http://www.cipr.org.uk/graphic/documents/final_report.htm

[77]

C. A. Arthur, 'Should Apple finally call time on smartphone patent wars?', *Guardian*, May 2014 [Online]. Available:
<https://www.theguardian.com/technology/2014/may/05/apple-iphone-android-wars-legal-patent-battles>

[78]

D. Gillmor, 'America's dysfunctional patent system is stifling innovation', *Guardian*, Nov. 2012 [Online]. Available:

<https://www.theguardian.com/commentisfree/2012/nov/30/america-dysfunctional-patent-system-innovation>

[79]

'Difference Engine: The PC all over again?', The Economist, 2012 [Online]. Available: <https://www.economist.com/babbage/2012/09/09/difference-engine-the-pc-all-over-again>

[80]

O. Bowcott, 'Unified Patent Court split between Paris, London and Munich', Guardian, Jul. 2012 [Online]. Available: <https://www.theguardian.com/law/2012/jul/03/unified-patent-court-london>

[81]

A. Plomer, 'EU ban on stem cell patents is a threat both to science and the rule of law | Aurora Plomer', Guardian, Dec. 2011 [Online]. Available: <https://www.theguardian.com/science/blog/2011/dec/12/eu-ban-stem-cell-patents>

[82]

K. McVeigh, 'US supreme court rules human genes cannot be patented', Guardian, Jun. 2013 [Online]. Available: <https://www.theguardian.com/law/2013/jun/13/supreme-court-genes-patent-dna>

[83]

'BBC Radio 4 - In Business, Gene Patenting', Aug. 08, 2013. [Online]. Available: <https://www.bbc.co.uk/programmes/b037vb4d>

[84]

T. Southgate, 'Can you patent an experience?', The Guardian, Apr. 2013 [Online]. Available: <https://web.archive.org/web/20140831204301/http://www.theguardian.com/media-network/partner-zone-brand-union/patent-brand-experience>

[85]

T. Smedley, 'Patent wars: has India taken on Big Pharma and won?', Guardian, May 2013 [Online]. Available: <https://www.theguardian.com/sustainable-business/patent-wars-india-takes-on-big-pharma>

[86]

P. Harris, 'Monsanto sued small famers to protect seed patents, report says', Guardian, Feb. 2013 [Online]. Available: <https://www.theguardian.com/environment/2013/feb/12/monsanto-sues-farmers-seed-patents>

[87]

'Patently Absurd! - Weird & wacky patents'. [Online]. Available: <http://www.patentlyabsurd.org.uk/>

[88]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, Intellectual property law, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[89]

T. F. Aplin and J. Davis, 'Intellectual property law: text, cases, and materials', in Intellectual property law: text, cases, and materials, Third edition., Oxford, United Kingdom: Oxford University Press, 2017, pp. 603–721 [Online]. Available: <https://contentstore.cla.co.uk/secure/link?id=b82d2c83-8c2b-e911-80cd-005056af4099>

[90]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, Intellectual property: patents, copyright, trade marks and allied rights, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[91]

'Integrating Intellectual Property Rights and Development Policy: Report of the Commission on Intellectual Property Rights'. [Online]. Available: http://www.iprcommission.org/papers/pdfs/final_report/ciprfullfinal.pdf

[92]

P. Cullet, 'Patents and medicines: the relationship between TRIPS and the human right to health', *International Affairs*. [Online]. Available: <http://www.ielrc.org/content/a0301.pdf>

[93]

G. B. Dinwoodie, '*The International Intellectual Property Law System: New Actors, New Institutions, New Sources', *Marquette Intellectual Property Law Review*, 2006 [Online]. Available: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=749349

[94]

G. E. Evans, 'Intellectual Property as a Trade Issue: The Making of the Agreement on Trade-Related Aspects of Intellectual Property Rights' [Online]. Available: <https://www.kluwerlawonline.com/document.php?id=WOCO1994013&PHPSESSID=fbv506fb18nbgip10pr4a9mpl0>

[95]

D. T. Keeling, *Intellectual property rights in EU law: Vol.1: Free movement and competition law*. Oxford: Oxford University Press, 2003.

[96]

A. Kur and T. Dreier, 'European intellectual property law: texts, cases and materials', in *European intellectual property law: texts, cases and materials*, Cheltenham: Edward Elgar, 2013, pp. 39-83 [Online]. Available: <https://contentstore.cla.co.uk/secure/link?id=fe07e640-4f29-e911-80cd-005056af4099>

[97]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, *Intellectual property law*, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[98]

T. F. Aplin and J. Davis, 'Intellectual property law: text, cases, and materials', in *Intellectual property law: text, cases, and materials*, Third edition., Oxford, United Kingdom: Oxford University Press, 2017, pp. 603–721 [Online]. Available: <https://contentstore.cla.co.uk/secure/link?id=b82d2c83-8c2b-e911-80cd-005056af4099>

[99]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, *Intellectual property: patents, copyright, trade marks and allied rights*, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[100]

Struve, F. W., 'Ending Unnecessary Novelty Destruction: Why Europe Should Adopt the Safety-Net Grace Period as an International Best Practice', *William Mitchell Law Review*, no. 4, 2013 [Online]. Available: <https://heinonline.org/HOL/P?h=hein.journals/wmitch39&i=1424&a=Ynj1bmVsLmVkdQ>

[101]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, *Intellectual property law*, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[102]

T. F. Aplin and J. Davis, 'Intellectual property law: text, cases, and materials', in *Intellectual property law: text, cases, and materials*, Third edition., Oxford, United Kingdom: Oxford University Press, 2017, pp. 603–721 [Online]. Available: <https://contentstore.cla.co.uk/secure/link?id=b82d2c83-8c2b-e911-80cd-005056af4099>

[103]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, *Intellectual property: patents, copyright, trade marks and allied rights*, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[104]

E. Bonadio, 'Biotech patents and morality after Brussels', *European Intellectual Property Review*. 2012 [Online]. Available: <http://openaccess.city.ac.uk/4097/1/Biotech%20patents%20and%20morality%20after%20Brussels.pdf>

[105]

'Opinion of the Economic and Social Committee on the 'Proposal for a Directive of the European Parliament and of the Council on the patentability of computer-implemented inventions' (COM(2002) 92 final — 2002/0047(COD))', *Official Journal of the European Union*. [Online]. Available: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2003:061:0154:0163:EN:PDF>

[106]

'The Ethics of Patenting DNA - Nuffield Bioethics'. Nuffield Council on Bioethics, 2002 [Online]. Available: <http://nuffieldbioethics.org/project/patenting-dna>

[107]

S. H. E. Harmon, G. Laurie, and A. Courtney, 'Dignity, plurality and patentability: the unfinished story of *Brustle v Greenpeace*', *European Law Review*, vol. 38, no. 1, 2013 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I446810B274CB11E2BD04BE991BF76CB2&entityID=https://idp.brunel.ac.uk/entity>

[108]

M. A. Heller and R. S. Eisenberg, 'Can Patents Deter Innovation? The Anticommons in Biomedical Research', *Science*, vol. 280, no. 5364, 1998 [Online]. Available: https://www.jstor.org/stable/2895332?pq-origsite=summon&seq=1#metadata_info_tab_contents

[109]

J. Pila, 'Dispute over the meaning of "invention" in Art.52(2) EPC - the patentability of computer-implemented inventions in Europe', *International Review of Intellectual Property*

and Competition Law, vol. 36, no. 2, 2005 [Online]. Available:
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IF3AE89208C7F11DDA308CE7DDE22A835&entityID=https://idp.brunel.ac.uk/entity>

[110]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, *Intellectual property law*, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[111]

T. F. Aplin and J. Davis, *Intellectual property law: text, cases, and materials*, Third edition. Oxford, United Kingdom: Oxford University Press, 2017.

[112]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, *Intellectual property: patents, copyright, trade marks and allied rights*, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[113]

J. Cockbain and S. Sterckx, 'Is the Enlarged Board of Appeal of the European Patent Office authorised to extend the bounds of the patentable? The G5/83 Second Medical Indication/EISAI and G2/08 Dosage Regime/ABBOTT RESPIRATORY cases', *International Review of Intellectual Property and Competition Law*, vol. 42, no. 3, 2011 [Online].

Available:

<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IE5E58D00B69A11E08901C93154A11BF4&entityID=https://idp.brunel.ac.uk/entity>

[114]

C. Floyd, 'Novelty under the Patents Act 1977: the state of the art after Merrell Dow', *European Intellectual Property Review*, vol. 18, no. 9, 1996 [Online]. Available:
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I7D8B5500E45411DA92358E85EE602D8A&entityID=https://idp.brunel.ac.uk/entity>

[115]

A. Sharples and D. Curley, 'Experimental novelty: Synthon v SmithKline Beecham', *European Intellectual Property Review*, vol. 28, no. 5, 2006 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I7D89A751E45411DA92358E85EE602D8A&entityID=https://idp.brunel.ac.uk/entity>

[116]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, *Intellectual property law*, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[117]

T. F. Aplin and J. Davis, *Intellectual property law: text, cases, and materials*, Third edition. Oxford, United Kingdom: Oxford University Press, 2017.

[118]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, *Intellectual property: patents, copyright, trade marks and allied rights*, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[119]

P. England and S. Parker, 'Obviousness in the new European order', *Journal of Intellectual Property Law & Practice*, vol. 7, no. 11, pp. 805–815, Nov. 2012, doi: 10.1093/jiplp/jps162. [Online]. Available: <https://academic.oup.com/jiplp/article/7/11/805/931030>

[120]

M. Franzosi, 'Non-Obviousness', *The Journal of World Intellectual Property*, vol. 6, no. 2, pp. 233–250, Nov. 2005, doi: 10.1111/j.1747-1796.2003.tb00200.x. [Online]. Available: <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1747-1796.2003.tb00200.x>

[121]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, *Intellectual property law*, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[122]

T. F. Aplin and J. Davis, *Intellectual property law: text, cases, and materials*, Third edition. Oxford, United Kingdom: Oxford University Press, 2017.

[123]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, *Intellectual property: patents, copyright, trade marks and allied rights*, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[124]

J. Giles, 'The *Brustle* and *Eli Lilly* cases: Creation--God or humankind?', *Oxford Journal of Law and Religion*, vol. 1, no. 2, pp. 518–523, Oct. 2012, doi: 10.1093/ojlr/rws009. [Online]. Available: <http://oro.open.ac.uk/56700/2/56700.pdf>

[125]

A. Sharples, 'Industrial applicability, patents and the Supreme Court: *Human Genome Sciences Inc v Eli Lilly and Co*', *European Intellectual Property Review*, vol. 34, no. 4, 2012 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=109DDC441647711E1AAB4EE4A0ACB9543&entityID=https://idp.brunel.ac.uk/entity>

[126]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, *Intellectual property law*, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[127]

T. F. Aplin and J. Davis, *Intellectual property law: text, cases, and materials*, Third edition. Oxford, United Kingdom: Oxford University Press, 2017.

[128]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, *Intellectual property: patents, copyright, trade marks and allied rights*, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[129]

D. J. Brennan, 'Biogen sufficiency reconsidered', *Intellectual Property Quarterly*, 2009 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I42B534B0CE7911DE91DCE6753676A05A&entityID=https://idp.brunel.ac.uk/entity>

[130]

M. Fisher, 'Extracting the price of a patent: enablement and written description', *Intellectual Property Quarterly*, 2012 [Online]. Available: <https://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=I9AF8DA802C4211E29A4AF883571617EC&crumb-action=append&context=25>

[131]

J. Pila, 'Chemical Products and Proportionate Patents Before and After', *King's Law Journal*, vol. 20, no. 3, pp. 489-526, Oct. 2009, doi: 10.1080/09615768.2009.11423685. [Online]. Available: <https://www.tandfonline.com/doi/abs/10.1080/09615768.2009.11423685>

[132]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, *Intellectual property law*, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[133]

T. F. Aplin and J. Davis, *Intellectual property law: text, cases, and materials*, Third edition. Oxford, United Kingdom: Oxford University Press, 2017.

[134]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, *Intellectual property: patents, copyright, trade marks and allied rights*, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[135]

H. Laddie, '*Kirin Amgen — The End of Equivalents in England?1', International Review of Intellectual Property and Competition Law, vol. 40, no. 1 [Online]. Available: <https://login.ezproxy.brunel.ac.uk/login?url=https://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?ini=57VC-N3D1-DXM0-0292&csi=402200&oc=00240&perma=true&elb=t>

[136]

N. Pumfrey, 'The Doctrine of Equivalents in Various Patent Regimes: Does Anybody Have It Right?' [Online]. Available: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2224188

[137]

B. Whitehead, 'Patent construction after Amgen: are patent claims construed more widely or narrowly than previously?', Journal of Intellectual Property Law & Practice, vol. 1, no. 5, pp. 332–337, Mar. 2006, doi: 10.1093/jiplp/jpl019. [Online]. Available: <https://academic.oup.com/jiplp/article-abstract/1/5/332/800035?redirectedFrom=fulltext>

[138]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, Intellectual property law, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[139]

T. F. Aplin and J. Davis, Intellectual property law: text, cases, and materials, Third edition. Oxford, United Kingdom: Oxford University Press, 2017.

[140]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, Intellectual property: patents, copyright, trade marks and allied rights, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[141]

C. Floyd, 'Infringement by Repair and the Troublesome Definition of "Making" the Invention: A critique of *Schütz v Werit*'. 2010 [Online]. Available: http://fordhamconference.com/wp-content/uploads/2010/08/Floyd_InfringementByRepair.pdf

[142]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, *Intellectual property law*, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[143]

T. F. Aplin and J. Davis, *Intellectual property law: text, cases, and materials*, Third edition. Oxford, United Kingdom: Oxford University Press, 2017.

[144]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, *Intellectual property: patents, copyright, trade marks and allied rights*, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[145]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, *Intellectual property law*, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[146]

T. F. Aplin and J. Davis, *Intellectual property law: text, cases, and materials*, Third edition. Oxford, United Kingdom: Oxford University Press, 2017.

[147]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, *Intellectual property: patents, copyright, trade marks and allied rights*, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[148]

A. Hobson and T. Shafran, 'Kelly and Chiu v GE Healthcare Limited: pharmaceutical companies at risk of successful employee inventor compensation claim following landmark ruling', *European Intellectual Property Review*, vol. 31, no. 10, 2009 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I1C7E77A099C911DE8BBDB40346639712&entityID=https://idp.brunel.ac.uk/entity>

[149]

C. Howell, 'Extra compensation for inventive employees: is our system equitable, unbiased and motivating?', *Intellectual Property Quarterly*, 2011 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I37DBCE500DFB11E1B928A0CFA159DA04&entityID=https://idp.brunel.ac.uk/entity>

[150]

R. P. Merges, 'The Law and Economics of Employee Inventions', *Harvard Journal of Law and Technology*, 1999 [Online]. Available: <https://heinonline.org/HOL/P?h=hein.journals/hjlt13&i=7&a=Ynj1bmVsLmVkdQ>

[151]

J. Pila, "'Sewing the Fly Buttons on the Statute": Employee Inventions and the Employment Context', *Oxford Journal of Legal Studies*, vol. 32, no. 2, 2012 [Online]. Available: https://www.jstor.org/stable/41682779?pq-origsite=summon&seq=1#metadata_info_tab_contents

[152]

L. Bently, B. Sherman, D. Gangjee, and P. Johnson, *Intellectual property law*, Fifth edition. Oxford, United Kingdom: Oxford University Press, 2018.

[153]

T. F. Aplin and J. Davis, 'Intellectual property law: text, cases, and materials', in *Intellectual property law: text, cases, and materials*, Third edition., Oxford, United Kingdom: Oxford University Press, 2017, pp. 603–721 [Online]. Available: <https://contentstore.cla.co.uk/secure/link?id=b82d2c83-8c2b-e911-80cd-005056af4099>

[154]

W. R. Cornish, D. Llewelyn, and T. F. Aplin, *Intellectual property: patents, copyright, trade marks and allied rights*, Eighth edition. London: Sweet & Maxwell, Thomson Reuters, 2013.

[155]

'Unitary patent – ratification progress'. [Online]. Available: <http://unitarypatent.com/ratification-process/>

[156]

C. N. Pehlivan, 'The creation of a single European patent system: from dream to (almost) reality', *European Intellectual Property Review*, vol. 34, no. 7, 2012 [Online]. Available: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I527E01A0B9BE11E1AAED857176AF78A8&entityID=https://idp.brunel.ac.uk/entity>

[157]

J. Pila, '*THE EUROPEAN PATENT: AN OLD AND VEXING PROBLEM*', *International and Comparative Law Quarterly*, vol. 62, no. 04, pp. 917-940, Oct. 2013, doi: 10.1017/S0020589313000304. [Online]. Available: <https://www.cambridge.org/core/journals/international-and-comparative-law-quarterly/article/european-patent-an-old-and-vexing-problem/E716460F268D7382391120CA66475DCC>

[158]

R. Hilty, T. Jaeger, M. Lamping, and H. Ullrich, 'The Unitary Patent Package: Twelve Reasons for Concern', *SSRN Electronic Journal*, 2012, doi: 10.2139/ssrn.2169254. [Online]. Available: https://www.ip.mpg.de/fileadmin/ipmpg/content/stellungnahmen/mpi-ip_twelve-reasons_2012-10-17_01.pdf

[159]

L. J. Kitchin, 'Transcript of Lord Justice Kitchin's Speech on the Unitary Patent (2012)', 2012. [Online]. Available:

<http://www.cipa.org.uk/pages/Congres-Dinner-2012-Lord-Justice-Kitchin>

[160]

A. Ohly and J. Pila, Eds., 'The Europeanization of intellectual property law: towards a European legal methodology', in *The Europeanization of intellectual property law: towards a European legal methodology*, Oxford: Oxford University Press, 2013, pp. 199-216 [Online]. Available:
<https://contentstore.cla.co.uk/secure/link?id=74535763-8228-e911-80cd-005056af4099>