

**Brian J. Love, Christian Helmers, Fabian Gaessler and Max Ernicke, “Patent Assertion Entities in Europe”, Santa Clara University School of Law, December 2015**

This book chapter presents the findings of an empirical study of German and U.K. patent litigation involving patent assertion entities (PAEs). Overall, the study finds that PAEs account for about 19 percent and 9 percent of patent suits filed in Germany and the UK respectively during the time periods covered by the study: 2000-2008 for Germany and 2000-2013 for the U.K. The study also presents a variety of additional data on the characteristics of European PAE suits and PAE-asserted patents and, finally, considers what its findings suggest are the most important reasons PAEs tend to avoid European courts. The study concludes that, while many factors likely contribute to the relative scarcity of PAEs in Europe, the continent’s fee-shifting regimes stand out as a key deterrent to patent monetization.