

Jorge L. Contreras, “Patent Assertion Entities and Legal Exceptionalism in Europe and the United States, a Comparative View”, Max Planck Institute for Innovation & Competition, Research Paper No. 17-11, September 2017

Patent assertion entities are playing an increasing role in patent policy and patent litigation, both in the U.S. and Europe. Analyzing the resulting case law, mainly in the SEP/FRAND context, this article shows similarities as well as differences in the approaches taken by U.S. and EU courts.