

Looks Matter...

Legally. ®

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Design Patents: All is Not Quiet on the Federal Circuit Front

17th Annual Advanced Patent Law Institute The University of Texas School of Law March 16, 2022

Perry Saidman





All is Not Quiet on the Federal Circuit Front

- 1. In re Surgisil
 - a. Anticipation Relevant Prior Art
 - b. Infringement "Comparison" Prior Art
 - c. Article of Manufacture
- 2. Campbell Soup v. Gamon
 - 103 Secondary Considerations + Nexus
- 3. Revisiting Overall Appearance in Infringement Determinations



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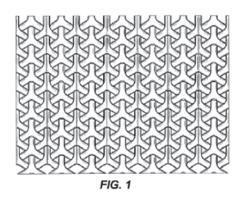
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Curver v. Home Expressions

(Fed. Cir. 2019)



TITLE/CLAIM: Pattern for a Chair

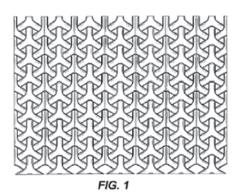


Accused Design: Basket

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Curver v. Home Expressions

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TITLE/CLAIM: Pattern for a Chair



Accused Design: Basket

Fed. Cir. A basket is not a chair. No infringement. In other words, THE TITLE/CLAIM MATTERS.





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First appeared as part of the conference materials for the 17th Annual Advanced Patent Law Institute session "Design Patents: All is Not Quiet on the Federal Circuit Front "