

The Long Arm of US Patent Laws

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This article addresses how US patent laws can be applied to activities that take place entirely outside of the country. It demonstrates how the US Congress and the Court of Appeals for the Federal Circuit (CAFC) have slowly eroded the presumption against extraterritoriality and extended the foreign reach of US patents.

The article further explains how liability for infringement of a US patent may arise even though key activities occur abroad and emphasizes the importance for any company that does business outside of the United States to understand the territorial reach of US patents in order to protect its intellectual property and avoid liability for infringing a US patent.

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