

Fundamentals of Intellectual Property
Final Examination

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Instructions

This is a three-hour, open-book exam. You may consult any written materials. Do not discuss the exam with others.

- Put your exam number and answers on the sheet provided.
- Note that questions in Part I are worth four times as much as those in Part II.

Do not waste time answering more questions than you need to!

Part I: Multiple choice
[80 points — 20 questions total]

Enter the *letter* for the most correct concluding phrase or statement in the numbered space on the answer sheet. In Part I, *only the first 5 answers* will count in each section.

A. Patents [Section references to 35 U.S.C.]

Answer only 5 of 7.

1. If Cyber-Auction.com infringes Al's software patent, but he does not practice it:
 - A. he will be denied all relief because patentees must practice their patents.
 - B. no relief will be withheld merely because he doesn't practice it.
 - C. he will be denied damages for failure to practice.
 - D. he will be granted damages but no injunction.

2. Mabel assigned a patent to e-Com.net software. After that assignment was registered under § 261, she assigned the same patent to Bozo radio. The second assignment is:
 - A. void because the first one was registered.
 - B. void if it covers a different geographic area.
 - C. good if the two assignments cover different fields of use.
 - D. good because assignments convey only non-exclusive rights.

3. If GoofSoft infringes a patent, its best defense would be that:
 - A. information provided in the specification does not yield optimal results.
 - B. practicing the patent requires key information not in its specification.
 - C. GoofSoft's activities literally infringe no claim.
 - D. most claims are too broad.

4. Besides any defense mentioned above (Q3), GoofSoft would find it most helpful if the allegedly-infringed patent claims:
 - A. a mathematical algorithm.
 - B. a novel use of a well-known algorithm.
 - C. an important method of doing business.
 - D. a process for making an old, and well-known product.