

LexisNexis® Lexis Advance

您所信賴的專業法律權威資料庫



Lexis Advance®法學資料庫，係兼具學術與實務之全球性法學資料庫，專門為世界各地的司法從業人員、法律專家學者以及法律學院學生所設計，提供最權威、最專業之法律資料與文件。收錄內容包括全球150個國家行政區法律資訊、立法、判例及國際公約；近300年美國聯邦與各州的法院判例、立法與法典規章；全球法律期刊、專書、法律百科全書、辭典、法律新聞等等二次文獻，以及各種商情新聞資訊。

Start your search with Lexis Advance,
and turn your insights into action.

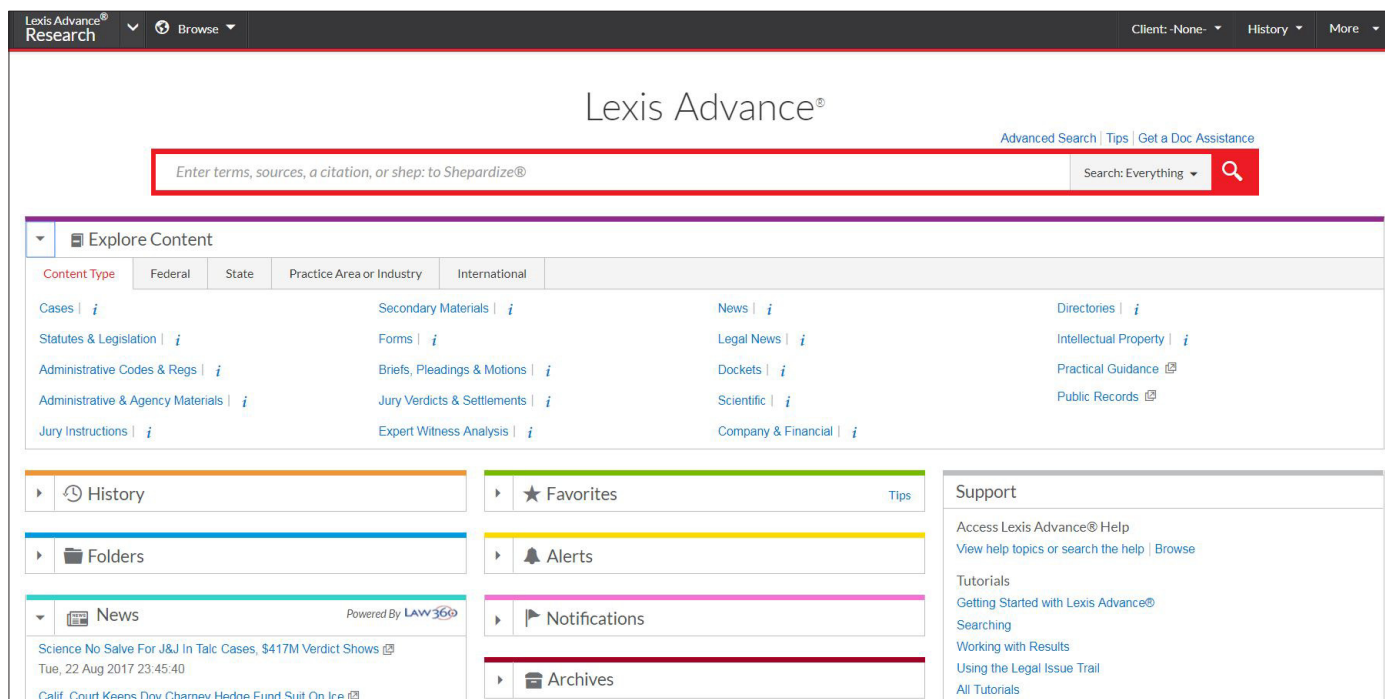


 LexisNexis®

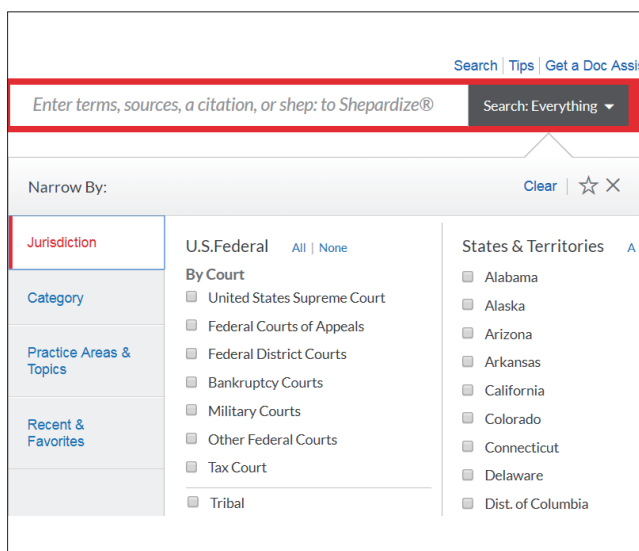
資料庫平臺網址<https://advance.lexis.com/>

★ 全新人性化多元檢索功能，讓您能以簡便的方式找到更準確、更聚焦的資料結果。

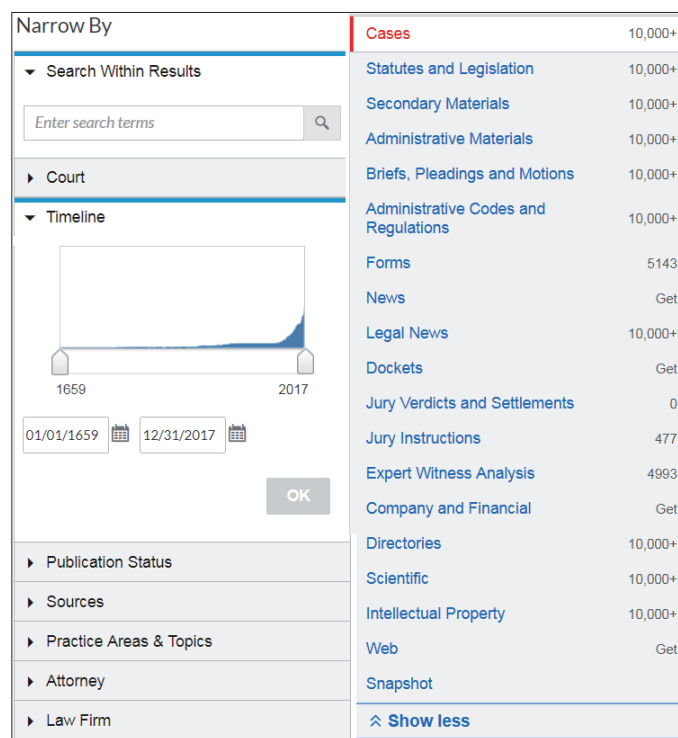
簡潔方便的檢索介面，檢索時無須選擇資料來源，全方位呈現多元資料。



可限定包含各級管轄法院、資料類別、執業領域或主題等檢索範圍。



全方位呈現多元檢索結果，各類資料來源的分佈狀態，以及二次檢索功能；協助您找到更準確、更聚焦的結果。



透過Legal Issue Trail功能，快速找出判例間之關聯性，協助您有效分析發展脈絡。

Legal Issue Trail™: Apple Inc. v. Samsung Elecs. Co., 809 F.3d 633

Selected Passage: Moreover, Apple's proposed ["*6] injunction included a 30-day "sunset period" that would stay enforcement of the injunction until 30 days after it was entered by the district court, during which Samsung could design around the infringing features. This "sunset period" coincided with Samsung's representations at trial that it could remove the infringing features from its products quickly and easily. Injunction Order [2014 U.S. Dist. LEXIS 119963 \[WL\]](#) at *20-22

Citations (6)

Apple Inc. v. Samsung Elecs. Co., 809 F.3d 633 cited the following cases for this issue

- Apple, Inc. v. Samsung Elecs. Co., 2014 U.S. Dist. LEXIS 119963**

Nor does Samsung dispute that it could accomplish all relevant design-arounds within the sunset period. In light of these repeated admissions, Samsung fails to demonstrate that it would suffer any hardship. See, e.g., *Douglas Dynamics*, 717 F.3d at 1345 ("If indeed Buyers had a non-infringing alternative which it could easily deliver to the market, then the balance of hardships would suggest that Buyers should halt infringement and pursue a lawful course of market conduct."); *Brocade*, 2013 U.S. Dist. LEXIS 4834, 2013 WL 140039, at * 5 ("A10's witnesses also stated at trial that A10 could easily design around Brocade's patented claims.

Jurisdiction: U.S. Federal
Court: California Northern District Court
Date: Aug 27, 2014
- Apple Inc. v. Samsung Elecs. Co., 816 F.3d 788**

This is our third appeal in this case. In the first appeal, we reversed the district court's order granting a preliminary injunction enjoining Samsung from selling one of its smartphones in the United States based on a patent no longer at issue in this case. *Apple Inc. v. Samsung Elecs. Co.*, 695 F.3d 1370 (Fed. Cir. 2012) ("Apple I"). In the second appeal, we vacated a district court remedial order denying Apple's request for a permanent injunction that would have enjoined Samsung from "making, using, selling, developing, advertising, or importing into the United States software or code capable of implementing the infringing features [of the '647, the '721, and the '172 patents] in its products." *Apple Inc. v. Samsung Elecs. Co.*, 809 F.3d 633, 638 (Fed. Cir. 2015). The district court decision and our reversal addressed the appropriateness of injunctive relief for assumed infringement. That decision did not address or resolve the merits of the underlying case that is now before us. In this third appeal, we confront the core infringement and invalidity issues with respect to the asserted patents.

Jurisdiction: U.S. Federal
Court: Federal Circuit Court of Appeals
Date: Feb 26, 2016
- Endo Pharms., Inc. v. Amneal Pharms., LLC, 2016 U.S. Dist. LEXIS 57420**

When a patentee alleges it suffered irreparable harm stemming from lost sales solely due to a competitor's infringement, a finding that the competitor's infringing features drive consumer demand for its products satisfies the causal nexus inquiry. *Id.* at 641. But this rule is neither categorical nor is it mechanically applied; the four-factor eBay analysis exists because it may well be impossible if for the patentee to proffer affirmative evidence showing direct causation.

Jurisdiction: U.S. Federal
Court: New York Southern District Court
Date: Apr 29, 2016
- Presidio Components, Inc. v. Am. Tech. Ceramics Corp., 2016 U.S. Dist. LEXIS 110212**

But those sales and the resulting harm caused by the sales became infringing and unlawful on December 8, 2015 once the reexamination certificate with the amended claims issued. ATC's ongoing sales of infringing products, whether resulting from new or historical design wins, result in irreparable harm to Presidio. Further, the Federal Circuit has explained that "[t]he causal nexus requirement ensures that an injunction is only entered against a defendant on account of a harm resulting from the defendant's wrongful conduct, [and] that an injunction is not entered on account of 'irreparable harm caused by otherwise lawful competition.'" *Apple*, 809 F.3d at 640.

Jurisdiction: U.S. Federal
Court: California Southern District Court
Date: Aug 17, 2016

隨時關注最新案件及文件最新進展

透過Alert相關功能設定，就可快速自動收到您關注的議題文件更新訊息，並可分享給其他研究者。

Search Alert Tips | X

Overview | Monitor | **Deliver** | Share

Duration

Start:

End:

Delivery type

Online only

Email + Online

Email address:

Distribution is subject to [Terms & Conditions](#)

