REINING IN THE DIVERSE WORLD OF EVIDENCE SUBMISSION FOR PATENT LITIGATION

Thomas T. Moga Esq.

Member, International Society for the Development of Intellectual Property Association (Internationale pour le Développement de la Propriété Intellectuelle (ADALPI)), Genève, Switzerland

Evidence Gathering & Submission

- Introduction
- Harmonization
  - TRIPS Agreement (Arts. 50(1)(b), 43(1), 47)
- Narrow procedures - examples
- Broad procedures - examples

Evidence Gathering & Submission

- International treaties
  - Convention on the Taking of Evidence Abroad in Civil and Commercial Matters
- Evidence preparation and presentation
  - Evidence gathering – planning ahead
  - Impact of legal and cultural differences

Evidence Gathering & Submission

- Practical and cost-effective strategies for evidence gathering and submission, including use of AI
- Country survey
  - China
  - France
  - Germany
  - United Kingdom
  - United States

Evidence Gathering & Submission

- Evidence gathering – being creative and flexible
  - Situations are not standard
  - Adapt to the circumstances
- Evidence and mediation
  - Procedures
  - Confidentiality and candor

Thank you for your attention!

tmoga@dykema.com
001-202-230-1012