



# Experimental Use and Patents

*David Gilat*

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The metes and bounds of the experimental use exemption to patent infringement liability are controversial, giving rise to contradictory rulings handed down by courts throughout the world.

The present study analyzes the nature of the experimental use exemption and defines its scope in the light of statutory provisions, court decisions and commentaries in various legal systems throughout Continental Europe, the USA and Japan. It deals with numerous experimental use constellations, categorized according to the purposes of the experiments. A special chapter is dedicated to the field of biotechnological inventions, which has presented new challenges to the patent system.

This book provides clear guidelines as to the correct interpretation of the experimental use doctrine.

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