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NERVOUS AND MENTAL DISEASE MONOGRAPH SERIES VOLUME 15



RareBooksClub. Paperback. Book Condition: New. This item is printed on demand. Paperback. 40 pages. Original publisher: Washington: U. S. G. P. O.: For sale by the Supt. of Docs., U. S. G. P. O., 2003. LC Number: KF27. J857 2003j OCLC Number: (OCoLC)53179897 Subject: Patent laws and legislation -- United States. Excerpt: . . . 11 3) whether there are alternatives to the product, 4) the adverse effects of removing the product from the market, and 5) the extent to which the party seeking the injunction will suffer harm that cannot be remedied by the payment of damages. Section 283 of title 35 currently reads as follows: 283. Injunction The several courts having jurisdiction of cases under this title may grant in-junctions in accordance with the principles of equity to prevent the violation of any right secured by patent, on such terms as the court deems reasonable. To obtain a preliminary injunction, a party must establish (1) a reasonable likeli-hood of success on the merits; (2) irreparable harm; (3) the balance of hardships tip-ping in its favor; and (4) the impact of the injunction on the public interest. H. H. Robertson, Co. v. United Steel Deck, Inc., 820 F. 2d 384, 2 USPQ2d 1926 (Fed. Cir. 1987); Hybritech Inc. v. Abbott Lab., 849 F. 2d 1446, 7 USPQ2d 1191 (Fed Cir. 1988); Reebok International, Ltd. v. J. Baker, Inc., 32 F. 3d 1552 (Fed Cir. 1994). The trial court must engage in an evaluation and balancing of these factors and the circumstances surrounding each. Illinois Tool Works, Inc. v. Grip-Pak, Inc., 906 F. 2d 679 (Fed. Cir. 1990); Polymer Technologies, Inc. v....



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