

FOOTNOTES

1. Tom Arnold, "Basic Considerations in Licensing", *Les Nouvelles* vol.XV, No. 3, p.171, 177, Sept. 1980.
2. 168 USPQ 617 (7th Cir. 1971).
3. Martin Landis, "Pricing and Presenting Licensed Technology", *The Journal of Proprietary Rights*, p. 18, 20, Aug. 1991.
4. Tom Arnold, "1988 Licensing Law Handbook," Clark Boardman, Appendix C, p. 295, 308.
5. 8 EIPR, 385, 389, 1995.
6. *Ibid.*
7. *Idem* at 390.
8. 39 USPQ2d 1754 (10th Cir. 1996).
9. I was an expert witness in an arbitration proceeding involving this clause. However, there was a settlement without a clearcut decision.
10. 205 F.152 (W.D.Pa. Apr. 30, 1913).
11. 15 USPQ2d 1550 (6th Cir. 1990).
12. *See* Patrick O'Reilly and Michael Morin, "Troubles for Most-Favored Licensees," *Les Nouvelles*, vol.XXXIII, No. 1, p. 26, March 1998.
13. *See* the exhaustive discussion of this topic in the following article: Julie Schwartz, "Antitrust Issues Can Arise When Sublicensing," *Les Nouvelles*, vol.XXXII, No. 3, p. 153, Sept. 97.
14. *See* Patricia Schreck, "The Importance of Termination Clauses in License Agreements," *The Licensing Journal*, p. 5, August 1997.
15. *The National Law Journal*, p. B5, Feb. 3, 1997.
16. 1997 WL 271720 (E.D.N.Y., May 16, 1997).
17. 84 F.3d 73 (2d Cir. 1996).
18. Richard Tashjian, *The National Law Journal*, p. B4, June 23, 1997.
19. *Shann v. Dunk*, 84F.3d at 77.
20. Richard Tashjian, *Ibid.*
21. *Ibid.*
22. 19 USPQ2d 1641 (*D. Arizona* 1991).
23. 41 USPQ2d 1263 (Fed. Cir., 1997).

24. Tom Arnold, "Basic Considerations in Licensing", *Les Nouvelles*, vol.15, p.171, 177, Sept. 1980.

25. This Licensing Case History is based partly on my own experience and materials and partly on a memorandum provided me for use in my IP Licensing/Technology Transfer classes by Albert Miller, former Patlex Director of Patent Operations.