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Can Lack of Knowledge Still Prevent a Finding of Induced Infringement?

NGE Intellectual Property attorney Mike Turner authored the article "Can Lack of Knowledge Still Prevent a Finding of Induced Infringement?" The article discusses how courts have long struggled with legal claims and defenses that involve an element of intent, and clear statements of what must be shown to prove state of mind are rare. The Federal Circuit is not immune to this struggle, as evidenced by the many conflicting opinions it has produced over the years on the various intent questions within its purview. While many issues remain without clear direction, the Court has recently addressed a few intent requirements en banc, thereby providing precedential guidance going forward.

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