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.