

The Discursive Structure of Patent Law

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Osgoode Hall Law School, Room 2027



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Dan L. Burk is Chancellor's Professor of Law at the University of California, Irvine, where he is a founding member of the law faculty. An internationally prominent authority on issues related to high technology, he lectures, teaches, and writes in the areas of patent, copyright, electronic commerce, and biotechnology law.

Patents are widely believed to offer a crucial legal predicate to technical innovation, but their actual function remains poorly understood. Unlike other forms of intellectual property, the exclusive rights entailed in patents are textually and intertextually defined. By examining the structure of the patent text, we see that patents are deeply embedded in particular communities of composition, interpretation, and practice. We also see that the patent text as artifact serves as a passage point between these communities. Such rhetorical studies of the patent point the way to better outcomes in current jurisprudential debates over patent use and patent reform.

A light lunch will be provided, please RSVP by Nov. 21

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