

## Preface

I decided to write this book five or six years ago. At that time my earlier book, *Patents and the Federal Circuit*, was in its fifth edition (it is now in its eighth). I felt like I had *that* particular project well under control: I was routinely and systematically reading all the opinions of the Federal Circuit as they were handed down, making my notes, and eventually plugging them in where I thought they belonged. Nonetheless, I was vaguely troubled. I really wasn't learning anything *new* about patent law. Worse, I was starting to realize that I had *forgotten* much of what I once knew, particularly from an historical standpoint. At one early stage of my career, I felt I was pretty well versed in the ancient utterances of the Supreme Court, and in the fascinatingly adept words used by those true giants in the field (people like Judge Learned Hand and William Robinson of *Robinson on Patents* fame) to describe difficult concepts in patent law.

Thus, the initial rationale for this book was to produce a single-volume treatise on patent law that would set out the boiler-plate rules and refer to the important modern cases, and yet illustrate some of the origins of those rules and recapture some of the foundational law underlying those modern cases. I don't think it is too outrageous a boast to say that I was always confident that I knew as much patent law as the next person. About two years into the project, however, I experienced an epiphany: I realized I didn't know nearly as much about patent law as I thought I did.

This realization produced a subtle but ultimately quite significant expansion of the book's rationale. Instead of simply trying to restate or expound patent law, I was now also trying to *teach myself as much as I could about patent law*. Many times during the subsequent work I would stop and find myself thinking "so *that's* what this is all about."

I am pleased with the result, and I hope you will be too. I hope in your use of this book you will learn some things and gain some insights, just as I did in writing it. If not, you will at least enjoy reading what Hand and Robinson had to say back in the day.

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Thanks to my family, and particularly to my wife Sue, for the support and tolerance that made this work possible. I have dedicated it to my five grandchildren.

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