

Preface

The Court of Appeals for the Federal Circuit continues to work, with vigor and skill, at its assigned task of increasing doctrinal stability in the patent field. This ninth edition covers all Federal Circuit patent opinions reported by BNA in *United States Patents Quarterly (Second)* that were issued by the court through the end of September 30, 2008, and the handful of other important Federal Circuit decisions handed down through the end of the year 2008.

Eleven years ago, at the end of 1997, I retired from my active law firm practice at Chicago's Brinks Hofer Gilson & Lione. My intention was to continue to devote my time and attention to continuing maintenance and revision of this book, to consultation to my former firm, and to service in alternative resolution of patent disputes and as a special master, consultant, and occasional expert witness in patent infringement litigation. I also had in mind a new treatise on patent law which was to be somewhat more succinct than this book, and at the same time broader in scope, in that it was planned to address decisions of other courts in addition to the Federal Circuit and to provide historical perspective where appropriate. I am pleased that this project resulted in the publication by BNA of *Harmon on Patents* in 2007.

This ninth edition marks a transition for me. Maintenance and updating of *Patents and the Federal Circuit* and the production of future editions and supplements will henceforth be handled by a team at my former firm, Brinks Hofer, headed very capably by Cynthia Homan and Charles McMahon. I will be consulting with Cindy and Charlie, but they and their team will be doing the heavy lifting. This transition will enable me to devote more time to preparing a second edition of *Harmon on Patents*, and I very grateful to them for their willingness to undertake this responsibility.

This edition also marks another, sadder, transition for me. My beloved wife of 46 years, Sue, passed on in September of 2008, and I

am in the process of attempting to learn how to manage my life without her. The first edition of this book was dedicated to Judge Arthur Smith of the predecessor Court of Customs and Patent Appeals, for whom I clerked in the period 1963–1965. It was the Judge who set me on the track. But it was Sue who kept me there—a much more formidable task. It was only right, therefore, to dedicate subsequent editions to her.

Thanks are due the editors and staff at BNA, whose encouragement is always timely, and whose guidance is always necessary. They have made the production of this book truly painless for its author.

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