

U.S. Test, Inc and Bobby Cobb vs. N.D.E. Environmental Corp and United Coastal Insurance

Year: 1998

Court: U.S. Court of Appeals, Federal Circuit

Case Number: 99-1087

Addresses the scope of “advertising injury” coverage for inducements to infringe a patent in light of 28 U.S.C. section 271(a). The Court erred in relying on the absence of the word “patent” with the offenses of “infringement of copyright, title, or slogan” to exclude coverage for an inducement to infringe a patent claim arising under the code section which is based on the insured’s advertising activities.

UP's brief was written pro bono by David A. Gauntlett, Esq. of Gauntlett & Associates, and Amy Bach, Esq.

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