

## VLP Partner Edward Kwok Authors IP Watchdog Article “Briefs Supporting Life Technologies Draw Battle Lines in Battle over Extraterritorial Application of US Patent Laws”

VLP Intellectual Property Partner Edward Kwok wrote an article for *IP Watchdog* titled “Briefs Supporting Life Technologies Draw Battle Lines in Battle over Extraterritorial Application of US Patent Laws.”

The article noted that, for most of us, when we think about patent laws in the context of a foreign country, infringement of a U.S. patent is unlikely to be the first issue that comes to mind. We tend to think that U.S. patent laws, like patent laws of foreign countries, are strongly territorial, with little application beyond their respective national borders. That would be mostly correct, unless you are an exporter in the U.S., supplying your customer in a foreign country components of a patented product. In that case, under 35 U.S.C. § 271(f) (hereinafter, § 271(f)), without authorization from the patentee, you may be infringing a U.S. patent covering the product. Furthermore, the patentee may claim an amount of damage based on your worldwide sales. It would not matter much that you don’t sell the components in the U.S. itself.

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