



IP litigation news from
the law firm of Jackson Walker L.L.P.

Qui Tam, Quo Vadis?

By: John Jackson and Sara Hollan

Yogi Berra once said “[i]f you don’t know where you are going, you might wind up someplace else.” For the past year, Yogi’s words have aptly described qui tam false marking jurisprudence. Recently, however, several rulings have provided some clarity concerning two important issues: (1) the requirements for a qui tam plaintiff to establish standing; and (2) whether the intent to deceive element of a false marking claim is subject to Rule 9(b)’s heightened pleading standard.

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Five Tips for More Effective Legal Writing

By: Bob Latham

When I was asked to be on a panel at the International Trademark Association Annual Conference on the subject of legal writing, my first reaction was: “Wasn’t everyone already indoctrinated into the ways of legal writing in law school?” Then I realized that I had identified the problem. In the process of learning how to write like lawyers, lawyers sometimes forget how to write. Thus, I took on the assignment.

[more>](#)

EDTX, Patent Plaintiffs, and Law Firms

By: Tom Adolph

We have begun an analysis of patent infringement cases filed in the Eastern District so that we can report any interesting trends or relationships. Of the 49 cases in our preliminary review, 23 were brought by non-practicing entities (NPEs). One plaintiff was an individual inventor, and 25 plaintiffs were practicing entities or competitors. Thus, 23 out of 49 cases (47%) were filed by NPEs.

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