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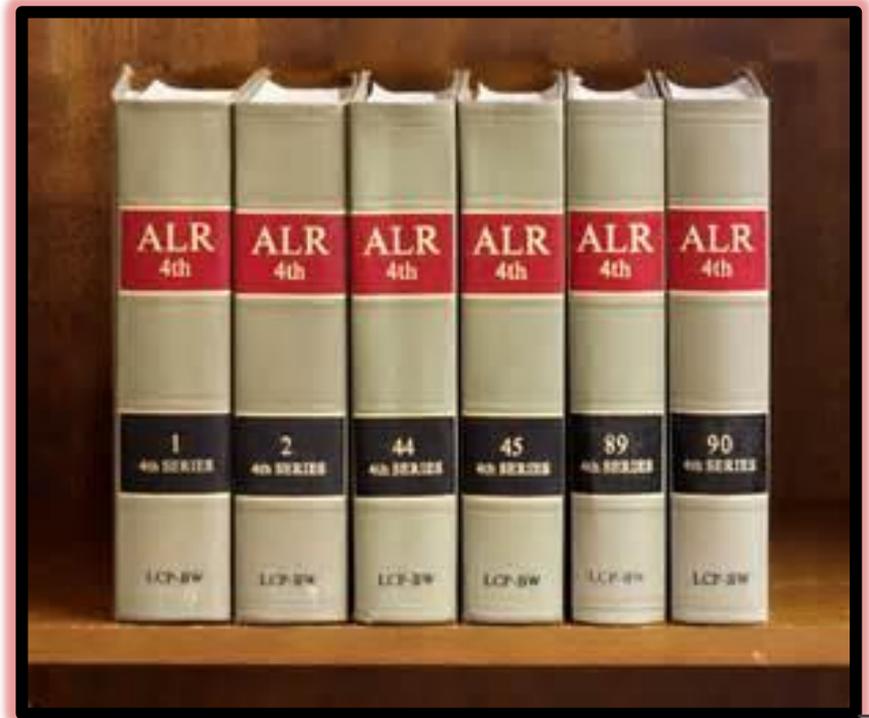
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學習目的

針對英美法學課程之學習與研究，有效運用資料庫檢索功能及
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Administrative & Agency Materials <i>i</i>		Jury Verdicts & Settlements <i>i</i>	Scientific <i>i</i>		Public Records 
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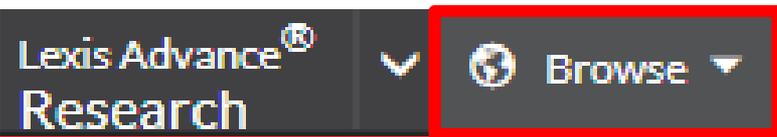
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Search a collection of archived codes, including statutory codes, constitutions, administrative codes, municipal codes, and court rules.

[Archived Code Search](#)

二、資料瀏覽：（一）Sources-檢索方式



二、資料瀏覽：（一）Sources-檢索結果

- ◆ 除了按照上述4種型態分類外，進入結果頁面後還提供首字母分類，方便使用者快速查閱資料。

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U.S. Federal	2,052
International	10
Alabama	11
Alaska	10
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(二) Topics

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Sources

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Within Banking Law

Practice Centers

Administrative Law

Admiralty & Maritime Law

Antitrust & Trade Law

Banking Law

Bankruptcy Law

Business & Corporate Compliance

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Community Reinvestment Act

Depository Institutions Deregulation & Monetary Control Act

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Fair Housing & National Housing Acts

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Financial Institutions Reform, Recovery & Enforcement Act

(三) Practice Centers

Browse

Sources

Topics

Practice Centers

By Jurisdiction

By Practice Area or Industry

Antitrust

Banking and Financial Services

Bankruptcy

Communications

◆ 研究中心提供與該議題相關的各項資料，點選後可快速查閱資料。

▾	 Top Sources	
▾	Affordable Care Act	
	ACA Caselaw ▾	
	Patient Protection and Affordable Care Act ▾	
	ACA Federal Laws ▾	
	ACA Federal Regulations ▾	
	ACA State Laws ▾	
	ACA State Regulations ▾	
	ACA Federal Register Documents ▾	
	Health Care Reform: Law and Practice ▾	
	Table of Contents - Health Care Reform: Law and Practice	
	ACA News ▾	
▶	Primary Sources	
▶	Administrative Materials	
▶	Healthcare Compliance	
▶	Analysis and Guidance from Matthew Bender®	
▶	Forms from Matthew Bender®	

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Add Source as Filter	<ul style="list-style-type: none">Structuring and Drafting Commercial Loan Agreements The Wall Street JournalACI Structural JournalAdvanced Practice Strategies Medical Illustrations Allied Academies International Conference. Academy of Strategic Management. ProceedingsAnatomy of a Merger: Strategies and Techniques for Negotiating Corporate Acquisitions Arthropod Structure & Development	
Documents	<ul style="list-style-type: none">strickland v. washington, 466 u.s. 668strickler v. greene, 527 u.s. 263wood v. strickland, 420 u.s. 308strawbridge v. curtiss, 7 u.s. 267strauder v. w. va., 100 u.s. 303stringer v. black, 503 u.s. 222martin v. struthers, 319 u.s. 141	cial
Legal Phrases	<ul style="list-style-type: none">strict liabilitymotion to strikestrict compliancestrictly construedstrict constructionstrict scrutiny	Tips ctice Areas & Topics

◆ 預設不限定檢索範圍，直接在檢索框任意輸入各種檢索條件（關鍵字），如專有名詞、引證號、人名等進行檢索。

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Select Category
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Filters

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Enter search terms

Court

Federal	17,126
1st Circuit	661
2nd Circuit	1,989
3rd Circuit	1,387
4th Circuit	858
5th Circuit	1,191

More

Select multiple

State	31,825
Alabama	652
Alaska	84
Arizona	290
Arkansas	509
California	1,903

More

Select multiple

Tribal	1
Ho-Chunk Nation Trial Ct.	1

◆ 確認輸入的關鍵字並點選檢索鍵，即可查找到符合條件的全部資料來源，左欄顯示各類型資料數量、在結果中檢索欄及依法院類型、州別、時間等條件來限縮到您所需要的資料。

Cases (10,000+)

first sale



1. Lexmark Int'l, Inc. v. Impression Prods.

United States Court of Appeals for the Federal Circuit | Feb 12, 2016 | 816 F.3d 721

Overview: In this patent infringement action, the district court's judgment of infringement as to the cartridges first sold abroad was affirmed because a foreign sale of a U.S.-patented article, when made by or with the approval of the U.S. patentee, did not exhaust the patentee's U.S. patent rights in the article sold.

Headnotes

Opinions

Terms: Opinion

... well as end users or the binding nature of the Lexmark-reseller agreements. J.A. 2562-64. When Lexmark sells its cartridges to end users, that sale is the first sale; when it sells to resellers, that sale is the first sale. When a reseller subsequently sells to end users, that sale is not the first sale. B Lexmark sued Impression, among other companies, for infringement under ...

[View this passage in full document](#)

2. Simard v. White

Court of Appeals of Maryland | Oct 07, 2004 | 383 Md. 257

Overview: Purported Maryland common law rule allowing a defaulting purchaser at a foreclosure sale to receive any excess proceeds

◆ 右上可切換以圖像、完整及標題方式顯示，預設圖像化顯示的頁面中可直接跳轉至色塊代表的關鍵詞所在的文章段落。

◆ 次級法源 (如期刊文章、條約等等)

Select Category	Results for: st
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Cases	10,000+
Statutes and Legislation	10,000+
Secondary Materials	10,000+
Administrative Materials	7,083
Briefs, Pleadings and Motions	10,000+
Administrative Codes and Regulations	1,725
Forms	896
News	Get
Legal News	10,000+
Dockets	Get
Jury Verdicts and Settlements	0
Jury Instructions	2,997
Expert Witness Materials	618
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Directories	1,798
Scientific	152
Intellectual Property	32
Web	Get
Snapshot	



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Law Reviews and Journals	26,086
Treatises	12,636
Jurisprudence	5,342
Reference Indices	2,308
Practice Guides	1,388
CLE Course of Study Materials	1,345
Expert Analysis	514
Restatements	275
Dictionaries	76
Legal Topic Summaries	62
Practice Insights	7
50 State Surveys	2

三、 檢索方式：（二）指定檢索

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◆ 直接選取首頁中的各種資料來源，進行檢索。

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Administrative Codes and Regulations			Jury Verdicts and Settlements
Administrative and Agency Materials			Expert Witness Analysis
Jury Instructions			Dockets
Forms			Scientific
			News
			Legal News
			Company and Financial
			Directories
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Cases			Secondary Materials	News



Content Type

Treatises, Practice Guides & Jurisprudence	50 State Surveys	Dictionaries
Expert Analysis	Law Reviews & Journals	CLE Course of Study Materials
Practice Insights	Restatements	Legal Topic Summaries

Federal

Federal	American Law Reports (ALR) <i>i</i>	American Jurisprudence 2d (AMJUR) <i>i</i>
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State

Alabama	Illinois	Montana	Puerto Rico
Alaska	Indiana	Nebraska	Rhode Island
Arizona	Iowa	Nevada	South Carolina
Arkansas	Kansas	New Hampshire	South Dakota

Practice Area

Administrative Law	Constitutional Law	Healthcare Law	Public Contracts Law
Admiralty & Maritime Law	Contracts Law	Immigration Law	Public Health & Welfare Law
Antitrust & Trade Law	Copyright Law	Insurance Law	Real Property Law
Banking Law	Criminal Law & Procedure	International Law	Securities Law
Bankruptcy Law	Education Law	International Trade Law	Tax Law

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Clear | ☆ X

Jurisdiction

Category

Practice Areas & Topics

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U.S. Federal

By Court

United States

Federal Circuit

Federal District

Bankruptcy

Military Courts

Other Federal

Tax Court

各級管轄法院

資源來源類型

執業範圍&主題

使用記錄與喜好

Territories

All | None

Louisiana

Maine

Maryland

Massachusetts

Michigan

Minnesota

Mississippi

Include related Federal content

Oklahoma

Oregon

Pennsylvania

Puerto Rico

Rhode Island

South Carolina

South Dakota

1、各級管轄法院

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App.; U.S. Sup.Ct.;



Narrow By: Alabama X Federal Courts of Appeals X United States Su

- 1、勾選欲查詢的管轄法院、州或區域。
- 2、在檢索框輸入關鍵字，點選檢索鍵。

Jurisdiction

Category

Practice Areas &
Topics

Recent &
Favorites

U.S. Federal All | None

By Court

- United States Supreme Court
- Federal Courts of Appeals
- Federal District Courts
- Bankruptcy Courts
- Military Courts
- Other Federal Courts
- Tax Court
- Tribal

By Circuit

- 1st Circuit
- 2nd Circuit
- 3rd Circuit
- 4th Circuit
- 5th Circuit
- 6th Circuit
- 7th Circuit
- 8th Circuit
- 9th Circuit

States & Territories All | None

Alabama

- Alaska
- Arizona
- Arkansas
- California
- Colorado
- Connecticut
- Delaware
- Dist. of Columbia
- Florida
- Georgia
- Guam
- Hawaii
- Idaho
- Illinois
- Indiana
- Iowa
- Kansas
- Kentucky
- Louisiana
- Maine
- Maryland
- Massachusetts
- Michigan
- Minnesota
- Mississippi
- Missouri
- Montana
- Nebraska
- Nevada
- New Hampshire
- New Jersey
- New Mexico
- New York
- North Carolina
- North Dakota
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content

- Oklahoma
- Oregon
- Pennsylvania
- Puerto Rico
- Rhode Island
- South Carolina
- South Dakota
- Tennessee
- Texas
- Utah
- Vermont
- Virgin Islands
- Virginia
- Washington
- West Virginia
- Wisconsin
- Wyoming

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Secondary
Materials; Cases; ▼



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Jurisdiction

Category

Practice Areas &
Topics

Recent &
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- Cases** ▶
- Statutes and Legislation**
- Administrative Codes and Regulations
- Administrative Materials
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- Forms
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Labor & Employment Law X

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Jurisdiction

Category

Practice Areas & Topics

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- Antitrust & Trade Law
- Banking Law
- Bankruptcy Law
- Business & Corporate Law
- Civil Procedure
- Civil Rights Law**
- Commercial Law (UCC)
- Communications Law
- Computer & Internet Law
- Constitutional Law**
- Contracts Law
- Copyright Law
- Criminal Law & Procedure
- Education Law
- Energy & Utilities Law
- Environmental Law
- Estate, Gift & Trust Law
- Evidence
- Healthcare Law
- Immigration Law**
- Insurance Law
- International Law
- International Trade Law
- Labor & Employment Law**
- Legal Ethics
- Mergers & Acquisitions Law
- Military & Veterans Law
- Patent Law
- Pensions & Benefits Law
- Public Contracts Law
- Public Health & Welfare Law
- Real Property Law
- Securities Law
- Tax Law
- Torts
- Trade Secrets Law
- Trademark Law
- Transportation Law

4、使用記錄與喜好

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Forms
and



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Narrow By: Forms and Analysis X

Jurisdiction

All Content Types; All Jurisdictions; All Practice Areas & Topics



Category

Cases



Practice Areas &
Topics

Forms



Federal Taxation of Intellectual Property Transfers

[View Table of Contents for Federal Taxation of Intellectual Property Transfers](#)



Recent &
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Forms and Analysis

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CA; Patent Law; Forms, CA; Patent Law; Forms, CA; Patent Law; Forms



Secondary Materials



Indiana, United States Supreme Court



Table of Contents for Delaware Code Annotated



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U.S. Sup.Ct.; Administrative
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" " Exact phrase

and 2 or more words anywhere in the document (alternative: &)

or Include one or more words

and not Exclude documents containing the word or phrase; should be the last connector, or may produce unexpected results

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! Word variations using this as the root word (alternative: *)

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- 2、在下方的檢索框輸入次要關鍵字，加入檢索。

▼ Terms

All of these terms

damage

Add ↑

Any of these terms

absolute

Add ↑

This exact phrase

strict

Add ↑

Exclude these terms

fault

Add ↑

"" Exact phrase

and 2 or more words anywhere in the document (alternative: &)

or Include one or more words

and not Exclude documents containing the word or phrase; should be the last connector, or may produce unexpected results

/n First word within "n" words of the second (alternative: w/n or near/n)

! Word variations using this as the root word (alternative: *)

[View all connectors and commands](#)

absolute or liability and damage and "strict" and not fault

Search: Everything



四、全方位的呈現多元檢索結果

Select Category
Cases 10,000+

Results for: strict liability | Actions

Filters

Search Within Results

Enter search terms

Court
Select courts to display at the top of this list. Edit Settings

Federal	39,910
1st Circuit	1,393
2nd Circuit	3,915
3rd Circuit	4,854
4th Circuit	2,604
5th Circuit	4,726

More

Select multiple

State	43,349
Alabama	354
Alaska	237
Arizona	512
Arkansas	287
California	4,125

More

Cases (10,000+)

strict liability



Sort by: Relevance

1. Greenman v. Yuba Power Products, Inc.

Supreme Court of California | Jan 24, 1963 | 59 Cal. 2d 57

Overview: The doctrine of strict liability was imposed on a manufacturer because a plaintiff proved that he was injured while using a product in a way it that was intended and as a result of a defect of which he was unaware and which made the tool unsafe.



Terms: Headnotes

... Theories of Liability. Breach of Warranty Theories of Liability, Strict Liability HN6 Although strict liability has usually been based on the theory of an express or implied warranty running from the manufacturer to the plaintiff, the abandonment of the requirement ...

[View this passage in full document](#)

2. Vandermark v. Ford Motor Co.

Clear | ☆

1、檢索結果在各類資料來源的分布狀態，以及二次檢索功能鍵。

Select Category

Cases	10,000+▼
Cases	10,000+
Statutes and Legislation	10,000+
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Administrative Materials	7,083
Briefs, Pleadings and Motions	10,000+
Administrative Codes and Regulations	1,725
Forms	896
News	Get
Legal News	10,000+
Dockets	Get
Jury Verdicts and Settlements	0
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1808 2015

Jan 01, 1808

Dec 31, 2015

◆ Timeline 可任意調動，限縮查閱特定期間的資料。

▶ Publication Status

▼ Sources

3rd Circuit - US District Court Cases	3,503
9th Circuit - US District Court Cases	3,112
5th Circuit - US District Court Cases	2,786
7th Circuit - US District Court Cases	2,773
2nd Circuit - US District Court Cases	2,767

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▶ Attorney

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▶ Most Cited

▶ Keyword

▶ Judge

2、檢索結果呈現方式-圖像

Cases (10,000+)



Graphical View

Sort by: Relevance ▾

strict liability



1. Greenman v. Yuba Power Products, Inc.

Supreme Court of California | Jan 24, 1963 | 59 Cal. 2d 57

Overview: The doctrine of strict liability was imposed on a manufacturer because a plaintiff proved that he was injured while using a product in a way it that was intended and as a result of a defect of which he was unaware and which made the tool unsafe.

Headnotes

Opinions

Terms: Headnotes

... Theories of **Liability**, Breach of Warranty Theories of **Liability**, **Strict Liability** HN6 Although **strict liability** has usually been based on the theory of an express or implied warranty running from the manufacturer to the plaintiff, the abandonment of the requirement ...

[View this passage in full document](#)

2、檢索結果呈現方式-詳細

Cases (10,000+)



Sort by Relevance ▾

Full View

1. **Q** [Greenman v. Yuba Power Products, Inc.](#)

Supreme Court of California | Jan 24, 1963 | 59 Cal. 2d 57

Overview: The doctrine of strict liability was imposed on a manufacturer because a plaintiff proved that he was injured while using a product in a way it that was intended and as a result of a defect of which he was unaware and which made the tool unsafe.

... --A manufacturer is **strictly liable** in tort when an article he places on the market, ...
... being. (7) Id. Care by Manufacturers. --Although **strict liability** of a manufacturer has usually been based on the theory ...
... requirement of a contract between them, the recognition that the **liability** is not assumed by agreement but imposed by law, and ...
... its own responsibility for defective products make clear that the **liability** is not one governed by the law of contract warranties but by
the law of **strict liability** in tort. (8) Id. Care by Manufacturers. ...
... of commercial transactions cannot properly be invoked to govern manufacturers' **liability** to those injured by their defective products
unless those rules also serve the purposes for which such **liability** is imposed....
... Theories of **Liability**, Breach of Warranty Theories of **Liability**, **Strict Liability** HN6 Although **strict liability** has usually been based
on the theory of an express ...
... requirement of a contract between them, the recognition that the **liability** is not assumed by agreement but imposed by law, and ...

2. **Q** [Vandermark v. Ford Motor Co.](#)

Supreme Court of California | Apr 21, 1964 | 61 Cal. 2d 256

Overview: The doctrine of strict liability in tort was extended beyond an automobile manufacturer to an automobile dealer, to which the manufacturer delegated final inspections and adjustments in its process, after a defective car caused injuries to users.

... The doctrine of **strict liability** in tort was extended beyond an automobile manufacturer to an ...
... that it was error to grant nonsuit on issues of **strict liability** and negligence against the manufacturer and to direct a verdict ...
... the dealer. The court held that the manufacturer could be **strictly liable** in tort and could not delegate its duty to deliver ...



2、檢索結果呈現方式-標題

Cases (10,000+)



Title View

- 1.  [Greenman v. Yuba Power Products, Inc.](#)
Supreme Court of California | Jan 24, 1963 | 59 Cal. 2d 57

- 2.  [Vandermark v. Ford Motor Co.](#)
Supreme Court of California | Apr 21, 1964 | 61 Cal. 2d 256

- 3.  [Barker v. Lull Engineering Co.](#)
Supreme Court of California | Jan 16, 1978 | 20 Cal. 3d 413

- 4.  [Tincher v. Omega Flex](#)
Supreme Court of Pennsylvania | Nov 19, 2014 | 628 Pa. 296

- 5.  [Carlin v. Superior Court](#)
Supreme Court of California | Aug 30, 1996 | 13 Cal. 4th 1104

2、檢索結果呈現方式-互動圖表

Sort by: Court ▾



1. Greenman v. Yuba Power Products, Inc.

Supreme Court of California | Jan 24, 1963 | 59 Cal. 2d 57

Overview: The doctrine of strict liability was imposed on a manufacturer because a plaintiff proved that he was injured while using a product in a way it that was intended and as a result of a defect of which he was unaware and which made the tool unsafe.

... --A manufacturer is **strictly liable** in tort when an article he places on the market, ...

... being. (7) Id. Care by Manufacturers. --Although **strict liability** of a manufacturer has usually been based on the theory ...

... requirement of a contract between them, the recognition that the **liability** is not assumed by agreement but imposed by law, and ...

... its own responsibility for defective products make clear that the **liability** is not one governed by the law of contract warranties but by the law of **strict liability** in tort. (8) Id. Care by Manufacturers. ...

... of commercial transactions cannot properly be invoked to govern manufacturers' **liability** to those injured by their defective products unless those rules also serve the purposes for which such **liability** is imposed....

... Theories of **Liability**, Breach of Warranty Theories of **Liability**, **Strict Liability** HN6 Although **strict liability** has usually been based on the theory of an express ...

... requirement of a contract between them, the recognition that the **liability** is not assumed by agreement but imposed by law, and ...

Ravel View將各案例以圓圈來表示，可了解各案例之間的引用狀況



1. 垂直軸代表法院層級，由上而下分別為Supreme、Circuit、District、State。也可點選上方Sort by切換為Relevance。
2. 橫軸顯示各案例的確切時間，從最舊到最新。
3. 圓圈越大，代表被引用案例越多。
4. 各區塊中，圓圈越上面代表此案例與檢索內容越相關；如以Relevance排序，則最上方即為關聯程度最大。
5. 右側呈現各筆檢索結果資料。

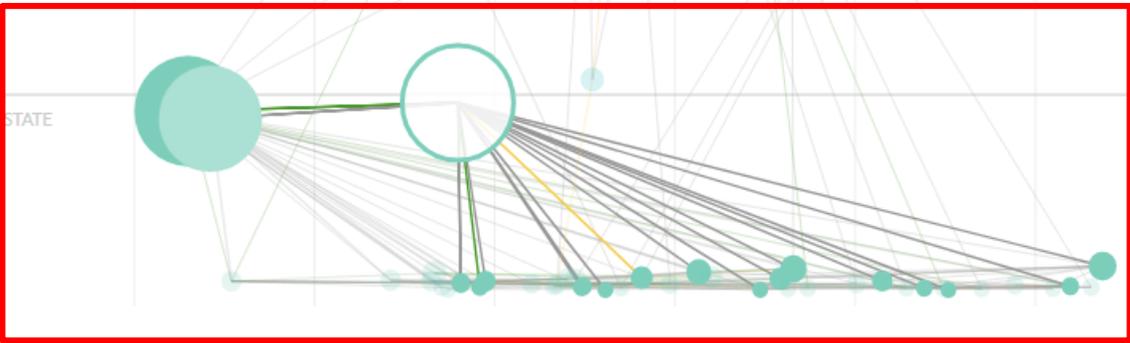
SUPREME

CIRCUIT

STATE

右側自動跳轉為所點擊圓圈之案例

單擊圓圈可查看此案例與其他案例之引用狀況，
連結圓圈之間的線條顏色代表引用之正反面態度
(EX: 綠色為正面，紅色為反面)



3. **Barker v. Lull Engineering Co.**
 Supreme Court of California | Jan 16, 1978 | 20 Cal. 3d 413

Overview: Under the strict product liability doctrine, whether a product was unreasonably dangerous should not have been incorporated into appellant's burden of proof in his product liability action against respondents.

Strict Liability in Tort Instructions Design Defect Unreasonably Dangerous Product. —In a **strict liability** action against the manufacturer of a high-lift loader by a ...

... trial court committed prejudicial error in instructing the jury that "**strict liability** for a defect in design ... is based ...

... or consumer represents an undue restriction on the application of **strict liability** principles, whether the defect in question is a manufacturing defect ...

... the product's "reasonably foreseeable use." (2a) (2b) Products **Liability** § 49...

... erroneous formulation represented an undue restriction on the application of **strict liability** principles in both instances. The court further held that a ...

... Under the **strict product liability** doctrine, whether a product was unreasonably dangerous should not have ...

... been incorporated into appellant's burden of proof in his product **liability** action against respondents. Appellant was injured while he was operating ...

4. **Tincher v. Omega Flex**
 Supreme Court of Pennsylvania | Nov 19, 2014 | 628 Pa. 296

3、檢索結果排序方式

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Cases 10,000+▼

Results for: strict liability  Actions▼

Filters 

Search Within Results

Enter search terms 

Court

Select courts to display at the top of this list.  Edit Settings

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Alaska	237
Arizona	512
Arkansas	287
California	4,125
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Cases (10,000+)



Sort by: Relevance ▼

1.  **Greenman v. Yuba Power Products, Inc.**

Supreme Court of California | Jan 24, 1963 | 59 Cal. 2d 57

Overview: The doctrine of strict liability was imposed on a manufacturer because a plaintiff product in a way it that was intended and as a result of a defect of which he was unaware a

... --A manufacturer is **strictly liable** in tort when an article he places on the market, ...
... being. (7) Id. Care by Manufacturers. --Although **strict liability** of a manufacturer has usual
... requirement of a contract between them, the recognition that the **liability** is not assumed b
... its own responsibility for defective products make clear that the **liability** is not one governe
... the law of **strict liability** in tort. (8) Id. Care by Manufacturers. ...
... of commercial transactions cannot properly be invoked to govern manufacturers' **liability** to
... unless those rules also serve the purposes for which such **liability** is imposed....
... Theories of **Liability**. Breach of Warranty Theories of **Liability**, **Strict Liability** HN6 Althou
... on the theory of an express ...
... requirement of a contract between them, the recognition that the **liability** is not assumed b

2.  **Vandermark v. Ford Motor Co.**

Supreme Court of California | Apr 21, 1964 | 61 Cal. 2d 256

Overview: The doctrine of strict liability in tort was extended beyond an automobile manufacturer to an automobile dealer, to which the manufacturer delegated final inspections and adjustments in its process, after a defective car caused injuries to users.

- Relevance
- Document Title (A-Z)
- Document Title (Z-A)
- Jurisdiction (A-Z)
- Jurisdiction (Z-A)
- Court (highest) by date (newest)
- Court (highest - lowest)
- Court (lowest - highest)
- Date (newest - oldest)
- Date (oldest - newest)

4、閱讀記號：點閱該篇文章後，系統會出現特殊記號，以資辨識。

點閱前

2. Simard v. White

Court of Appeals of Maryland | Oct 07, 2004 | 383 Md. 257

Overview: Purported Maryland common law rule allowing a defaulting purchaser at a foreclosure sale to receive any excess proceeds from a resale was not and never had been the law in that state.

... to the original mortgage debt, a defaulting purchaser at the **first sale** is not entitled to claim any of the excess funds ...
... at the resale. If the sum bid at the second **sale** is both higher than the bid at the **first sale** and more than sufficient to pay off the mortgage debt, the defaulting purchaser at the **first sale**, absent fraud or extraordinary circumstances, still is not entitled to ...
... to the original mortgage debt, a defaulting purchaser at the **first sale** is not entitled to claim any of the excess funds ...
... we hold that if the sum bid at the second **sale** is both higher than the bid at the **first sale** and is more than sufficient to pay off the mortgage debt, the defaulting purchaser at the **first sale**, absent fraud or extraordinary circumstances, still is not entitled to ...
... to the original mortgage debt, a defaulting purchaser at the **first sale** is not entitled to claim any of the excess funds ...

點閱後

2. Simard v. White

Court of Appeals of Maryland | Recently viewed: Jul 17, 2018 | 383 Md. 257

Overview: Purported Maryland common law rule allowing a defaulting purchaser at a foreclosure sale to receive any excess proceeds from a resale was not and never had been the law in that state.

... to the original mortgage debt, a defaulting purchaser at the **first sale** is not entitled to claim any of the excess funds ...
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... to the original mortgage debt, a defaulting purchaser at the **first sale** is not entitled to claim any of the excess funds ...
... we hold that if the sum bid at the second **sale** is both higher than the bid at the **first sale** and is more than sufficient to pay off the mortgage debt, the defaulting purchaser at the **first sale**, absent fraud or extraordinary circumstances, still is not entitled to ...
... to the original mortgage debt, a defaulting purchaser at the **first sale** is not entitled to claim any of the excess funds ...

五、全記錄頁面-介面功能

Document: Kirtsaeng v. John Wiley & Sons, Inc., 568 U.S. 519 | Actions

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文內檢索

引證分析

Notes

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Supreme Court of the United States

October 29, 2012, Argued; March 19, 2013, Decided

No. 11-697

Reporter

568 U.S. 519 * | 133 S. Ct. 1351 ** | 185 L. Ed. 2d 392 *** | 2013 U.S. LEXIS 2371 **** | 106 U.S.P.Q.2D (BNA) 1001 | 81 U.S.L.W. 4167 | Copy. L. Rep. (CCH) P30,396 | 75 A.L.R. Fed. 2d 767 | 35 Int'l Trade Rep. (BNA) 1049 | 41 Media L. Rep. 1441 | 24 Fla. L. Weekly Fed. S 87 | 2013 WL 1104736

SUPAP KIRTSAENG, dba BLUECHRISTINE99, Petitioner v. JOHN WILEY & SONS, INC.

Subsequent History: As Amended April 4, 2013.

Prior History: [****1] ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

John Wiley & Sons, Inc. v. Kirtsaeng, 654 F.3d 210, 2011 U.S. App. LEXIS 16830 (2d Cir. N.Y., 2011)

Disposition: 654 F.3d 210, reversed and remanded.

About This Document

Source Information

U.S. Supreme Court Cases, Lawyers' Edition

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- Briefs (36)

五、全記錄頁面-引證號

▲ **Kirtsaeng v. John Wiley & Sons, Inc., 568 U.S. 519**

Copy Citation

Supreme Court of the United States

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Reporter

568 U.S. 519 * | [133 S. Ct. 1351](#) ** | [185 L. Ed. 2d 392](#) *** | [2013 U.S. LEXIS 2371](#) **** | [106 U.S.P.Q.2D \(BNA\) 1001](#) | 81 U.S.L.W. 4167
| Copy. L. Rep. (CCH) P30,396 | 75 A.L.R. Fed. 2d 767 | 35 Int'l Trade Rep. (BNA) 1049 | 41 Media L. Rep. 1441 | 24 Fla. L. Weekly Fed. S 87

案卷上的代碼是本案的**引證號**，分別隸屬於**不同單位所出版的判決彙編**。

◆ **U.S.** 代表《**United States Reports --美國最高法院判決彙編**》，唯一官方版本，權威。
(始於1790年，1817年開始由美國政府出版。)

----568 U.S. 519 表該判決文出現於本判決彙編第568卷，始於該卷第519頁。

◆ **S. Ct.** 代表《**The Supreme Court Reporter --最高法院判決彙編**》，西方出版公司出版。

----133 S.Ct. 1351 表該判決文出現於本判決彙編第133卷，始於該卷第1351頁。

◆ **L. Ed. 2d** 代表《**U.S. Supreme Court Reports --美國最高法院判決彙編**》，律師合作出版公司出版。

----185 L. Ed. 2d 392 表該判決文出現於本判決彙編第185卷，始於該卷第392頁。

Syllabus

[\[1002\]](#) [\[***396\]](#) [\[**1352\]](#) [\[*519\]](#) The “exclusive rights” that a copyright owner has “to distribute copies . . . of [a] copyrighted work,” [17 U.S.C. §106\(3\)](#), are qualified by the application of several limitations set out in [§§107 through 122](#), including the “first sale” doctrine, which provides that “the owner of a particular copy or phonorecord lawfully made under this title . . . is entitled, without the authority of the copyright owner, to sell or otherwise dispose of the possession of that copy or phonorecord,” [§109\(a\)](#). Importing a copy made abroad without the copyright owner’s permission is an infringement of [§106\(3\)](#).

Syllabus

[\[1002\]](#) [\[***396\]](#) [\[**1352\]](#) [\[*519\]](#) The “exclusive rights” that a copyright owner has “to distribute copies . . . of [a] copyrighted work,” [17 U.S.C. §106\(3\)](#), are qualified by the application of several limitations set out in [§§107 through 122](#), including the “first sale” doctrine, which provides that “the owner of a particular copy or phonorecord lawfully made under this title . . . is entitled, without the authority of the copyright owner, to sell or otherwise dispose of the possession of that copy or phonorecord,” [§109\(a\)](#). Importing a copy made abroad without the copyright owner’s permission is an infringement of [§106\(3\)](#).

Syllabus

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五、全記錄頁面-Core Terms

Core Terms

copies, importation, lawfully, manufactured, copyright owner, abroad, first sale doctrine, Revision, geographical, Print, phonorecords, exhaustion, permission, publisher, words, authorization, foreign-made, display, unauthorized, distribute, says, exclusive right, infringement, museums, first sale, copyright infringement, distribution rights, markets, holder, consumers

由系統針對案件全文中**最常提及的字詞**挑選出來的**關鍵字**

五、全記錄頁面-Case Summary

Case Summary

Procedural Posture **Procedural Posture** 案件描述—簡要介紹案件在該法院審理之前的歷史。

Respondent publisher sued petitioner student/importer claiming unauthorized importation and resale of its books in violation of [17 U.S.C.S. §§ 106\(3\), 602](#). The district court held [17 U.S.C.S. § 109\(a\)](#)'s first sale doctrine did not apply to copies of American copyrighted works manufactured abroad, and a jury found willful infringement. The U.S. Court of Appeals for the Second Circuit affirmed. The importer's petition for certiorari was granted.

Overview **Overview**—提供該法院對案件中所提及的法律爭點所持的態度。

The copies were, as authorized, manufactured abroad. When the importer moved from Thailand to the U.S. to study, he asked friends and family to buy foreign edition English-language textbooks in Thai book shops, where they sold at low prices, and mail them to him in the U.S. He then sold the books, reimbursed his family and friends, and kept the profit. The language of [§ 109\(a\)](#) read literally favored a nongeographical interpretation, that "lawfully made under this title" meant made "in accordance with" or "in compliance with" the Copyright Act. [Section 109\(a\)](#) said nothing about geography. [17 U.S.C.S. § 104](#) said that works "subject to protection under this title" included unpublished works "without regard to the nationality or domicile of the author," and works "first published" in any nation that had signed a copyright treaty with the U.S. Copyright-related consequences, along with language, context, and interpretive canons argued strongly against a geographical interpretation of [§ 109\(a\)](#). History reiterated the importance of the "first sale" doctrine. The "first sale" doctrine applied to copies of a copyrighted work lawfully made abroad.

Outcome **Outcome**—提供法院對該案例所裁定之決定。

The Second Circuit's judgment finding that the first sale doctrine did not apply was reversed, and the case was remanded for further proceedings. 6-3 Decision; 1 opinion; 1 concurrence; 1 dissent.

五、全記錄頁面-內文反白右鍵功能

HN14 Courts, Judicial Precedent

The United States Supreme Court is not necessarily bound by its prior dicta should more complete argument demonstrate that the dicta is not correct.

[Shepardize - Narrow by this Headnote \(3\)](#)

Constitutional Law > [Congressional Duties](#)

Copyright Law > [Constitutional Copyright](#)

HN15 Congressional Duties & Power

The United States Constitution describes the power to secure to authors for limited time

[More like this Headnote](#)

[Shepardize - Narrow by this Headnote \(9\)](#)

A screenshot of a right-click context menu overlaid on a document. The menu items are: Copy (Advanced), Add to folder, Add to search, Annotate, and Highlight. A pink box highlights the menu items, and a larger pink box contains Chinese annotations for each item.

- Copy (Advanced) 引證號格式
- Add to folder 加入資料夾
- Add to search 選擇欲檢索字串
- Annotate 批註
- Highlight 突出加亮

五、全記錄頁面 - Shepardize® this document - 判決引文援引查詢

Doctrine of Stare Decisis 遵循先例原則

◆ 定義：

英美法最重要的法律原則之一，意即遵循之前所做過的決定。當法院第一次作出相關的判決或決定時，意謂著它建立了一個法律先例，之後其他法院在審議類似案件時，須遵循這個先例所作出的判決理由。

◆ 例外：

不同層級法院在審理同一案件時，上級法院的判決對下級法院具有其約束力，因此上級法院可以推翻下級法院的判決。另外，在援用的過程中，有些案件會因為事實的發生或適用的法律有所不同而導致援用上變得合理，法院可以改變甚至推翻這個先例。

◆ 援引範圍：

Shepard' s Citation 可提供以下材料之引證歷史和評價，及查找引用案例和相關文章。

- 聯邦判例法，包括未公佈之判決
- 來自全部50州及D.C.和波多黎各的判例
- 美國法典以及來自於全部50州的法典
- 規章，包含聯邦行政法典
- 美國和州的憲法條文
- 法院規則，包括聯邦證據規則和聯邦民事訴訟規則

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Results for: first sale 🔔 | Actions ▾

Filters ▾

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Enter search terms 🔍

Court
Select courts to display at the top of this list. ✕
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Federal	17,126
1st Circuit	661
2nd Circuit	1,989
3rd Circuit	1,387
4th Circuit	858
5th Circuit	1,191

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State	31,825
Alabama	652
Alaska	84
Arizona	290
Arkansas	509
California	1,903

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Tribal	1
Ho-Chunk Nation Trial Ct.	1

Clear | ☆

Cases (10,000+)

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Sort by: Relevance ▾

◆ 案例前面會出現特定符號，提供援引時的參考。

1 Lexmark Int'l, Inc. v. Impression Prods. 60
United States Court of Appeals for the Federal Circuit | Feb 12, 2016 | 816 F.3d 721

Overview: In this patent infringement action, the district court's judgment of infringement as to the cartridges first sold abroad was affirmed because a foreign sale of a U.S.-patented article, when made by or with the approval of the U.S. patentee, did not exhaust the patentee's U.S. patent rights in the article sold.

Lexmark sells its cartridges to end users, that sale is the first sale; when it sells to resellers, that sale is the first sale. When a reseller subsequently sells to end users, that sale is not the first sale. B Lexmark sued Impression, among other companies, ... its patent rights in those cartridges, upon the manufacturing licensee's sale (the first sale), if a buyer with knowledge of the restrictions sold or ... same communicated restriction, rather than having left the manufacture and sale to others under license. ... And the patentee's authorization to the licensee to make (the first) sales was not subject to any conditions, much less conditions to be embodied in those sales. ... question is about patentees' ability to do for their own sales what they already can do by contracting out their manufacturing and ...

2 Stuard v. White 60
Court of Appeals of Maryland | Oct 07, 2004 | 383 Md. 257

Overview: Purported Maryland common law rule allowing a defaulting purchaser at a foreclosure sale to receive any excess proceeds from a resale was not and never had been the law in that state.

... to the original mortgage debt, a defaulting purchaser at the first sale is not entitled to claim any of the excess funds ... at the resale. If the sum bid at the second sale is both higher than the bid at the first sale and more than sufficient to pay off the mortgage debt, the defaulting purchaser at the first sale, absent fraud or extraordinary circumstances, still is not entitled to ... to the original mortgage debt, a defaulting purchaser at the first sale is not entitled to claim any of the excess funds ... we hold that if the sum bid at the second sale is both higher than the bid at the first sale and is more than sufficient to pay off the

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I Citation information available

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Analysis

 Red	Warning
 Orange	Questioned
 Yellow	Caution
 Green	Positive
 Blue	Neutral
 Light Blue	No phrase exists

警告，存在負面的評價：之後的判決中有強烈的否定歷史或評價。例如：overruled或 reversed

警告，引用的法院有質疑：由於某些情況或事實的出現，包括司法或立法否定，導致的對案件某些爭點的有效性和先例價值的質疑。

注意，可能負面的評價：在隨後的判決中可能是負面的評價。例如：limited或criticized

正面的評價：隨後判決中的評價與此案例的沿革對該案由正面的影響。例如：affirmed或 followed by

被引用或者存在中性的分析：隨後的判決中未出現正面或者負面的評價。例如：explained

存在引證文獻：雖然有文獻引用，但在隨後無任何判決有相關評價或歷史沿革，如被法律期刊引用。

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▲ **Kirtsaeng v. John Wiley & Sons, Inc., 133 S. Ct. 1351**

Copy Citation

Supreme Court of the United States

October 29, 2012, Argued; March 19, 2013, Decided

No. 11-697

Reporter

133 S. Ct. 1351 | [185 L. Ed. 2d 392](#) | [2013 U.S. LEXIS 2371](#) | 81 U.S.L.W. 4167 | 106 U.S.P.Q.2D (BNA) 1001 | Copy. L. Rep. (CCH) P30,396 | 35 Int'l Trade Rep. (BNA) 1049 | 75 A.L.R. Fed. 2d 767 | 41 Media L. Rep. 1441 | 24 Fla. L. Weekly Fed. S 87 | 2013 WL 1104736

SUPAP KIRTSAENG, dba BLUECHRISTINE99, Petitioner v. JOHN WILEY & SONS, INC., Respondent

Notice: The LEXIS pagination of this document is subject to change from the published version.

Subsequent History: As Amended April 4, 2013.

Prior History: ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

[John Wiley & Sons, Inc. v. Kirtsaeng, 654 F.3d 210, 2011 U.S. App. L. Rep. 1441](#)

Shepard's®

No subsequent appellate history. [Prior history available.](#)

Citing Decisions (43)

- ▲ Caution (2)
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- Ⓐ Neutral (7)
- ⓘ Cited By (34)

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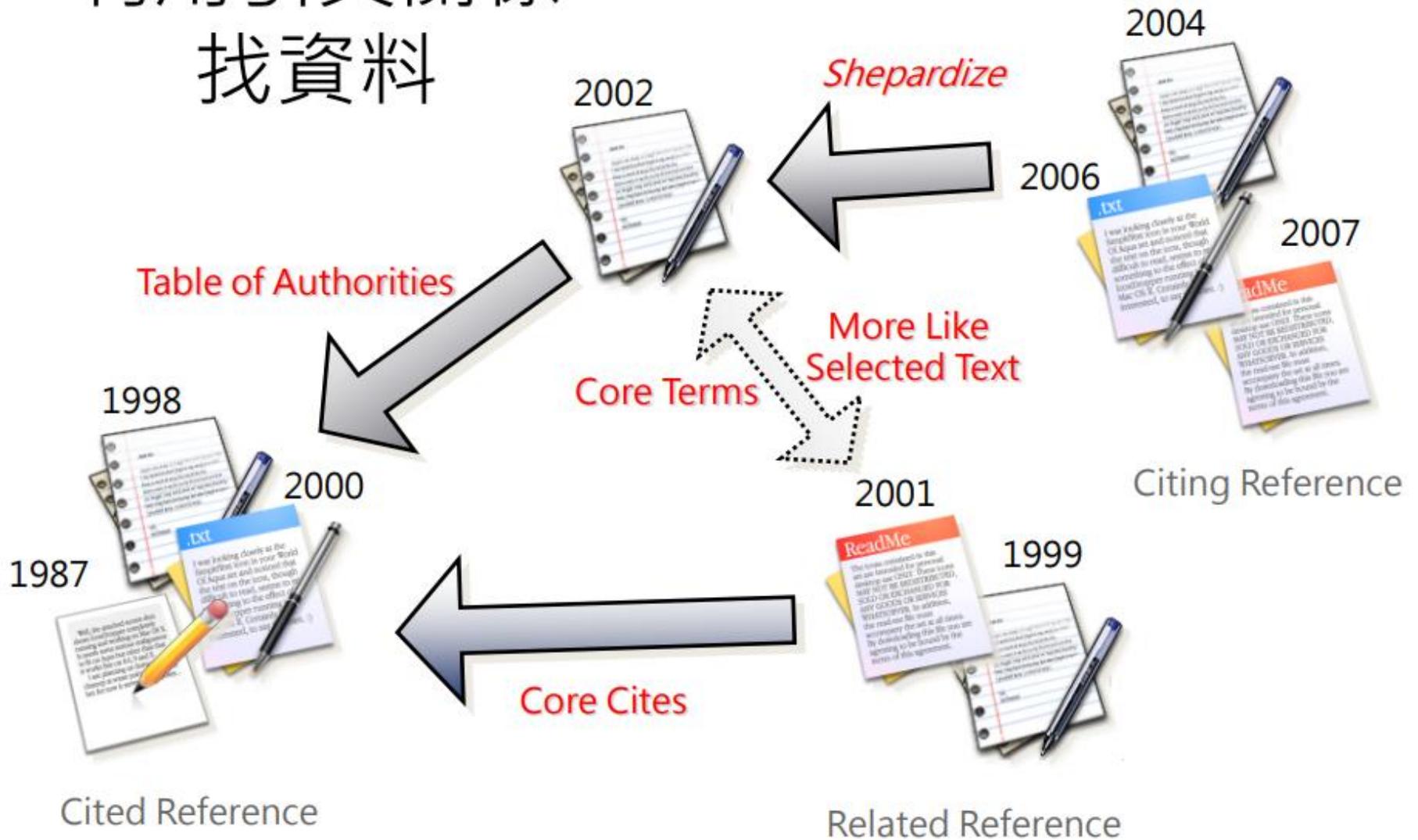
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▲ Citing Decisions

Other Citing Sources

Table of Authorities

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1、Appellate History：本案訴訟歷程

Shepard's®: [Kirtsaeng v. John Wiley & Sons, Inc., 568 U.S. 519](#)

Parallel Citations



Actions

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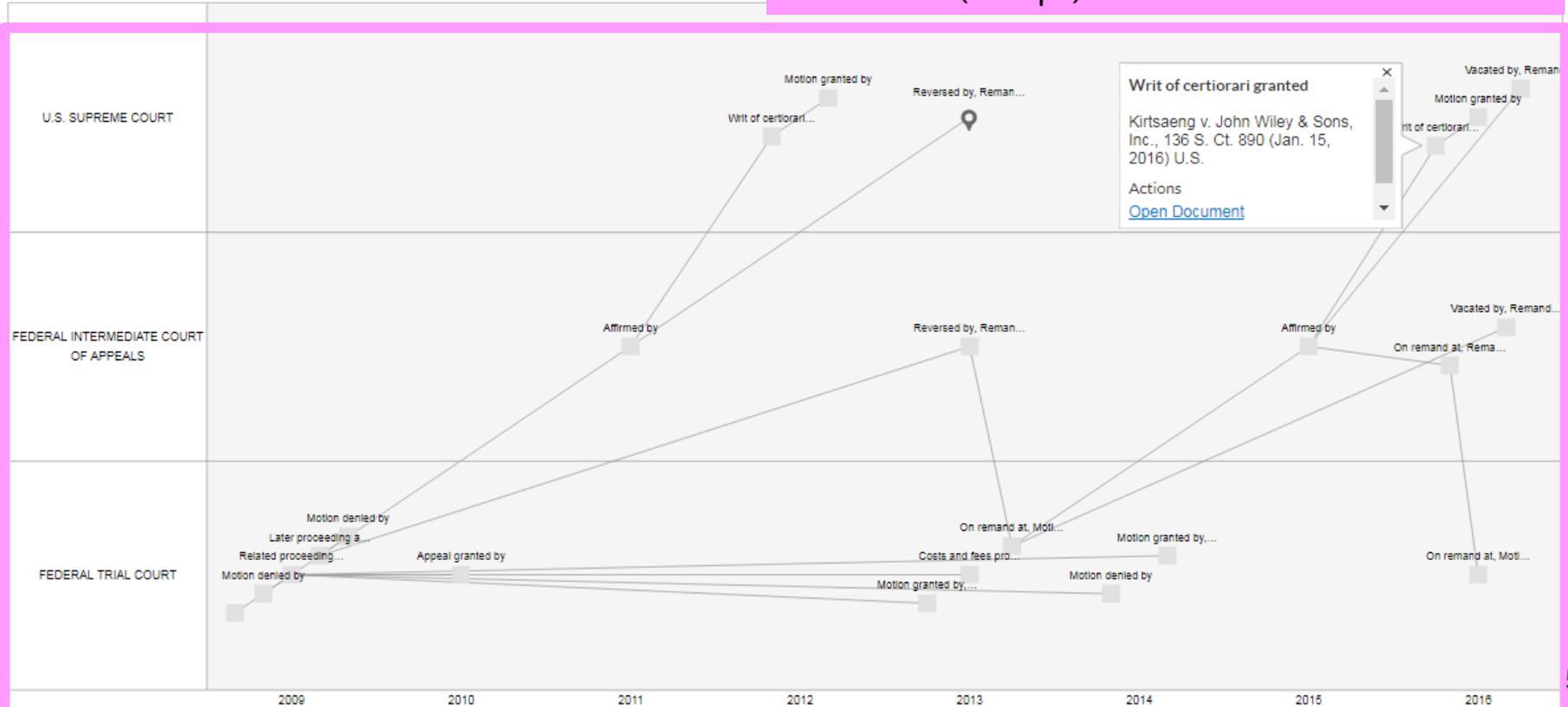
No subsequent appellate history. [Prior history](#) available.

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※ 大量訴訟歷程範例

Shepard's®: ● Apple Inc. v. Samsung Elecs. Co., 801 F.3d 1352 (Fed. Cir., Sept. 17, 2015) | Actions ▾

● Appellate History

- Citing Decisions
- Other Citing Sources
- Table of Authorities

Appellate History (212)

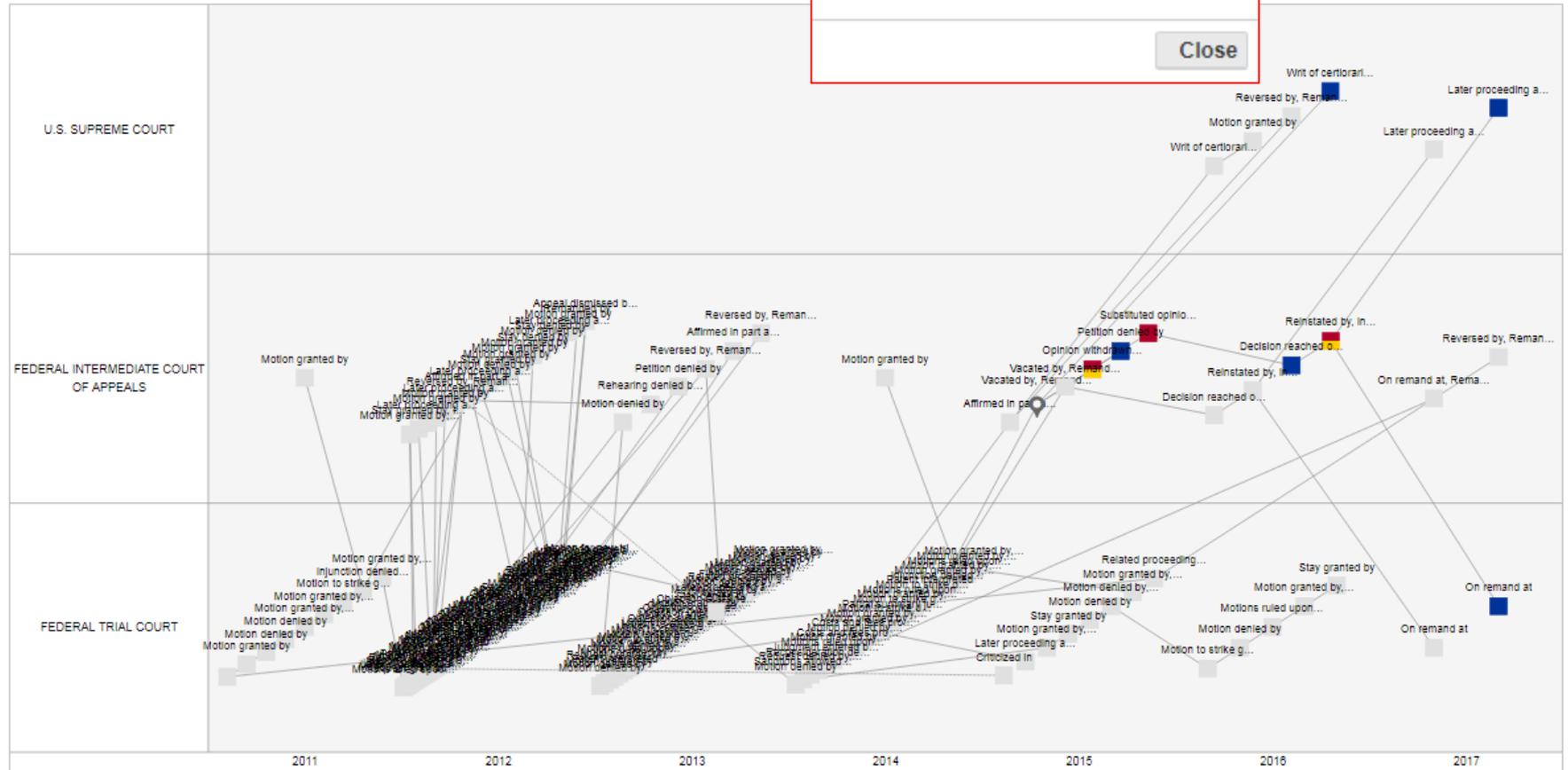
Subsequent appellate history contains negative analysis.
[Related Court Materials](#)

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4、Table of Authorities：本案引用其判決理由或見解的前案。

Shepard's®: [Kirtsaeng v. John Wiley & Sons, Inc., 133 S. Ct. 1351](#) Parallel Citations Actions

Appellate History
 ▲ Citing Decisions
 Other Citing Sources

Table of Authorities (36)

No subsequent appellate history. **Prior history** available.

Sort by: Court (highest-lowest)

1. **Quality King Distribs. v. L'anza Research Int'l** ●

523 U.S. 135, 118 S. Ct. 1125, 140 L. Ed. 2d 254, 1998 U.S. LEXIS 1606, 66 U.S.L.W. 4188, 11 Fla. L. Weekly Fed. S 383, 98 Cal. Daily Op. Service 1651, 1998 Colo. J. C.A.R. 1216, 98 D.A.R. 2291, Copy. L. Rep. (CCH) P27750, 19 Int'l Trade Rep. (BNA) 2281, 26 Media L. Rep. (BNA) 1385, 45 U.S.P.Q.2d (BNA) 1961

Discussion
 Court U.S.
 Date 1998

2. **Kucana v. Holder** ▲

558 U.S. 233, 130 S. Ct. 827, 175 L. Ed. 2d 694, 2010 U.S. LEXIS 764, 78 U.S.L.W. 4056, 22 Fla. L. Weekly Fed. S 68, 53 A.L.R. Fed. 2d 589

Discussion
 Court U.S.
 Date 2010

3. **Ardestani v. INS** ▲

502 U.S. 129, 112 S. Ct. 515, 116 L. Ed. 2d 496, 1991 U.S. LEXIS 7173, 60 U.S.L.W. 4035, 91 D.A.R. 15063, 9 Immigr. Law & Proc. Rep. A1-1

Discussion
 Court U.S.
 Date 1991

4. **Department of Revenue v. ACF Indus.** ▲

510 U.S. 332, 114 S. Ct. 843, 127 L. Ed. 2d 165, 1994 U.S. LEXIS 1141, 62 U.S.L.W. 4097, 7 Fla. L. Weekly Fed. S 729, 94 Cal. Daily Op. Service 467, 94 D.A.R. 847, 73 A.F.T.R.2d (RIA) 460, 94 TNT 16-1

Discussion
 Court U.S.

Warning 3
 Abrogated in part by 2
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 Explaining 1
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Court

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六、 Legal Issue Trail™ --- 特定法律問題或觀點的援引查詢

Document: Apple, Inc. v. Samsung Elecs. Co., 2014 U.S. Dist. LEXIS 119963 | Actions ▾



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▲ Apple, Inc. v. Samsung Elecs. Co., 2014 U.S. Dist. LEXIS 119963

Copy Citation

United States District Court for the Northern District of California, San Jose Division

August 27, 2014, Decided; August 27, 2014, Filed

Case No.: 12-CV-00630-LHK

Reporter

2014 U.S. Dist. LEXIS 119963 | [112 U.S.P.Q.2D \(BNA\) 1872](#)

APPLE, INC., a California corporation, Plaintiff, v. SAMSUNG ELECTRONICS CO., LTD, A Korean corporation; SAMSUNG ELECTRONICS AMERICA, INC., a New York corporation; SAMSUNG TELECOMMUNICATIONS AMERICA, LLC, a Delaware limited liability company, Defendants.

Subsequent History: Motion granted by, in part, Motion denied by, in part, Request granted [Apple, Inc. v. Samsung Elecs. Co., 2014 U.S. Dist. LEXIS 127972 \(N.D. Cal., Sept. 8, 2014\)](#)

Prior History: [Apple, Inc. v. Samsung Elecs. Co., 2014 U.S. Dist. LEXIS 43908 \(N.D. Cal., Mar. 28, 2014\)](#)

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▲ Subsequent appellate history contains possible negative analysis.

[Other Citing Sources \(2\)](#)

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❖ **Apple's** current motion follows multiple rulings regarding preliminary and permanent injunctions in the two patent lawsuits between **Apple** and Samsung in this Court, including three opinions from the Federal Circuit. In its March 6, 2014 order denying **Apple's** request for a permanent injunction in the first lawsuit, this Court summarized the relevant proceedings in both litigations, the appeals to the Federal Circuit regarding injunctions, and the Federal Circuit's guidance regarding the proper analysis for assessing injunctive relief in patent cases. See Order Denying **Apple's** Renewed Mot. for Permanent Injunction at 5-14, [Apple, Inc. v. Samsung Elecs. Co., No. 11-CV-01846-LHK, 2014 U.S. Dist. LEXIS 29721 \(N.D. Cal. Mar. 6, 2014\) \[87\]](#) (ECF No. 3015, "1846 Injunction Order").

❖ Of particular relevance are the Federal Circuit's opinions in "**Apple I**" ([678 F.3d 1314 \(Fed. Cir. 2012\)](#)), "**Apple II**" ([695 F.3d 1370 \(Fed. Cir. 2012\)](#)), and "**Apple III**" ([735 F.3d 1352 \(Fed. Cir. 2013\)](#)). 

Apple's current motion follows multiple rulings regarding preliminary and permanent injunctions in the two patent lawsuits between **Apple** and Samsung in this Court, including three opinions from the Federal Circuit. In its March 6, 2014 order denying **Apple's** request for a permanent injunction in the first lawsuit, this Court summarized the relevant proceedings in both litigations, the appeals to the Federal Circuit regarding injunctions, and the Federal Circuit's guidance regarding the proper analysis for assessing injunctive relief in patent cases. See Order Denying **Apple's** Renewed Mot. for Permanent Injunction at 5-14, [Apple, Inc. v. Samsung Elecs. Co., No. 11-CV-01846-LHK, 2014 U.S. Dist. LEXIS 29721 \(N.D. Cal. Mar. 6, 2014\) \[87\]](#) (ECF No. 3015, "1846 Injunction Order"). Of particular relevance are the Federal Circuit's opinions in "**Apple I**" ([678 F.3d 1314 \(Fed. Cir. 2012\)](#)), "**Apple II**" ([695 F.3d 1370 \(Fed. Cir. 2012\)](#)), and "**Apple III**" ([735 F.3d 1352 \(Fed. Cir. 2013\)](#)). 

❖ **Selected Passage:** Of particular relevance are the Federal Circuit's opinions in "Apple I" ([678 F.3d 1314 \(Fed. Cir. 2012\)](#)), "Apple II" ([695 F.3d 1370 \(Fed. Cir. 2012\)](#)), and "Apple III" ([735 F.3d 1352 \(Fed. Cir. 2013\)](#)). [1](#) ▲
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Citations (3)



Sort by: Relevance ▼

Apple, Inc. v. Samsung Elecs. Co., 2014 U.S. Dist. LEXIS 119963 cited the following cases for this issue

1. ● [Apple Inc. v. Samsung Elecs. Co., 695 F.3d 1370](#)

It is well established that as the party seeking emergency relief, Apple "must make a clear showing that it is at risk of irreparable harm, which entails showing a likelihood of substantial and immediate irreparable injury." *Apple, Inc. v. Samsung Electronics Co.*, 678 F.3d 1314, 1325 (Fed. Cir. 2012) (hereinafter *Apple I*) (citing *Winter*, 555 U.S. at 22; *Weinberger v. Romero-Barcelo*, 456 U.S. 305, 311, 102 S. Ct. 1798, 72 L. Ed. 2d 91 (1982); *O'Shea v. Littleton*, 414 U.S. 488, 502, 94 S. Ct. 669, 38 L. Ed. 2d 674 (1974)); see also *Beacon Theatres, Inc. v. Westover*, 359 U.S. 500, 506-507, 79 S. Ct. 948, 3 L. Ed. 2d 988 (1959) ("The basis of injunctive relief in the federal courts has always been irreparable harm and inadequacy of legal remedies."). But in cases such as this—where the accused product includes many features of which only one (or a small minority) infringe—a finding that the patentee will be at risk of irreparable harm does not alone justify injunctive relief. Rather, the patentee must also establish that the harm is sufficiently related to the infringement.

Jurisdiction
U.S. Federal
Court
Federal
Circuit Court
of Appeals
Date
Oct 11, 2012

2. ▲ [Apple Inc. v. Samsung Elecs. Co., 735 F.3d 1352](#)

This court has previously issued two opinions in appeals involving these particular parties and the issue of injunctive relief. In *Apple Inc. v. Samsung Electronics Co.*, 678 F.3d 1314 (Fed. Cir. 2012), referred to here as *Apple I*, we resolved an appeal in this case arising from the district court's denial of a preliminary injunction with respect to four Apple patents, including three patents that are at issue in the current appeal. We affirmed the district court's denial of injunctive relief with respect to those three patents but vacated the denial of injunctive relief with respect to the fourth patent on the ground that the patent was likely not invalid. See *id.* at 1333.

Jurisdiction
U.S. Federal
Court
Federal
Circuit Court
of Appeals
Date
Nov 18, 2013

3. ● [Apple, Inc. v. Samsung Elecs. Co., 678 F.3d 1314](#)

Because the district court has not yet weighed the balance of hardships to the parties and the public interest factors, we do not have a sufficient basis for concluding that the failure to enter an injunction was an abuse of discretion. It is normally not appropriate for this court

Jurisdiction
U.S. Federal
Court

小 試 身 手

一、法律主題或研究領域

- 『Fruit of the poisonous tree』 毒樹果理論
- 『Miranda Warning』 米蘭達警告 (384 U.S. 436)
- 『Strict Liability』 無過失責任
- 『Gestational Surrogacy』 代理孕母
- 『Employment Discrimination』 就業歧視

二、已知檢索條件之案例、法規、期刊

- 「毒樹果」案例 --Brown v. Illinois > [66 Ill. 344, *](#) ; [1872 Ill. LEXIS 536, **](#)
- 美國法典『專利』 --TITLE 35. PATENTS PART II CHAPTER 11 § 116. Inventors
> [35 USCS § 116](#)
- 法學評論所刊載的文章--Civil Mediation in Taiwan: Legal Culture and the Process of Legal Modernization
> [6 E. Asia L. Rev. 191](#)

七、Folders-可依資料屬性與研究主題建立專屬資料夾

The screenshot displays the Lexis Advance Research interface. At the top, the search bar contains '133 s.ct. 1351'. The 'More' dropdown menu is open, listing options: Folders, Alerts, Notifications, Settings, Feedback, Help, Price Guide, Live Support, Sign-in Profile, My Lexis™, and Sign Out. A pink callout box states: '◆ 點選後可將該筆資料直接加入My Folders 中。' (After clicking, you can directly add this document to My Folders.)

The document details for 'ARTICLE: Civil Mediation in Taiwan: Legal Culture and the Pr...' are shown. The 'Add to' button is highlighted with a red box. The document title is 'ARTICLE: Civil Mediation in Taiwan: Legal Culture and the Process of Legal Modernization, 6 E. Asia L. Rev. 191'. The citation is 'Fall, 2011'. The document is associated with the client 'TW TEST 001' and was last modified on 'Aug 28, 2013 10:05:17 p.m. EDT'.

八、Settings---可配合使用目的或結果呈現等進行設定

The screenshot shows the Lexis Advance Research interface. At the top, there is a navigation bar with 'Lexis Advance® Research', a 'Browse' dropdown, 'Client: TW TEST 002', 'History', and 'More'. A sidebar on the right contains a menu with 'Folders', 'Alerts', 'Notifications', 'Settings' (highlighted with a pink box), 'Feedback', 'Help', 'Price Guide', 'Live Support', 'Sign-in Profile', 'My Lexis™', and 'Sign Out'. The main content area is titled 'Lexis Advance®' and 'Settings'. Below the title, there are four menu items: 'General', 'Lexis Advance® Research', 'Lexis Advance® Litigation Profile Suite', and 'Lexis Practice Advisor®'. A pink box highlights a text block: 'Once you click 'Save Changes to Settings & Close', your preferences will be applied to any pages you view. If you have changed your default start page, you will see the new preference the next time you sign in to the product.' Below this, there is a table with search results for 'Legal Search' showing '133 s.ct. 1351' and 'GOOGLE.INC'. On the right, a message states: 'You have not created any alerts. See [Help](#) to find out how to create an alert.'

Lexis Advance® Research

Client: TW TEST 002

History

More

Folders

Alerts

Notifications

Settings

Feedback

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Price Guide

Live Support

Sign-in Profile

My Lexis™

Sign Out

Lexis Advance®

Settings

- General
- Lexis Advance® Research
- Lexis Advance® Litigation Profile Suite
- Lexis Practice Advisor®

Once you click 'Save Changes to Settings & Close', your preferences will be applied to any pages you view. If you have changed your default start page, you will see the new preference the next time you sign in to the product.

Legal Search
133 s.ct. 1351 Legal Search
GOOGLE.INC

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1000516&evd=942a235d-38a0-4498-b95e-0b5d3eh18a67&ecomp=twk&nid=3df85576-c252-4b3a-a578-875fc47489a7#

General

Lexis Advance® Research

Lexis Advance® Litigation Profile Suite

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General

Start page

Research

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Number of results to display per page
(for search results, Shepard's®, and Legal Issue Trail only)

10

Choose how much detail to include for each result

 'Narrow By' Filters

Choose how you want post-search filters to be displayed

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Lexis Advance® Research

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Search

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- Recognize and use legal entities when performing a search
- Retain search filters for future sessions

Results

Display search results in this category first

Cases

Preferred results set display

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Category Display

Case law

- Show Overview (Shows an editorial summary of the document)
- Show Terms (Shows the overview plus a view of search terms in context)
- Show Extract (Shows the overview plus a view of a section of the document)

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- Extract (Shows a section of the document)

Narrow results

- Apply filters for subcategories [What's this?](#)

Sort 'Browse Sources' filter:

- By number of results (highest - lowest)
- Alphabetically (A - Z)

Narrow By:

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Cases 

Statutes and Legislation

Administrative Codes and Regulations

Administrative Materials

Secondary Materials

Forms

Briefs, Pleadings and Motions

Jury Instructions

Jury Verdicts and Settlements

Expert Witness Analysis

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Directories

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Legal News

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Practice Area &
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Lull Engineering Co., 20 Cal. 3d 413

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Supreme Court of California

January 16, 1978

S.F. No. 23519

Reporter

[20 Cal. 3d 413](#) | [573 P.2d 443](#) | [143 Cal. Rptr. 225](#) | [1978 Cal. LEXIS 176](#) | 96 A.L.R.3d 1

RAY P. BARKER, Plaintiff and Appellant, v. LULL ENGINEERING COMPANY, INC., et al., Defendants and Respondents; EMPLOYERS INSURANCE OF WAUSAU, Intervener and Respondent

Prior History: Superior Court of the City and County of San Francisco, No. 627755, [Leland J. Lazarus](#) ▾, Judge.

Disposition: The judgment in favor of defendants is reversed.

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included the photo in a book.

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2011年，史雷特(David Slater)在印尼蘇拉威西島國家公園拍攝瀕臨絕種的黑冠獼猴，結果猴子(Naruto)搶走他的相機，還開始研究摸索，進而瘋狂自拍！等到史雷特搶回相機後，發現裡面有上百張自拍照，照片有的很模糊，但快門按多了總有佳作，例如幾張露齒微笑的照片，猴子把自己拍得帥到爆。David宣稱擁有照片版權(copyright)，有意提告使用照片的《維基百科》。美國「善待動物組織」(PETA)2015年代表黑冠猴Naruto向美國法院提告David Slater，指控David Slater侵犯納魯托的著作權，要求賠償……

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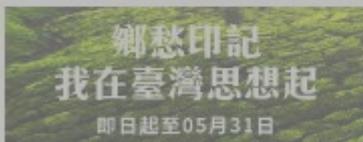
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