Dear Colleague:

Each year PLI publishes a wide variety of new titles and new editions to provide you with the assistance you need to efficiently advise your clients on new and rapidly evolving areas of the law. Joining our existing library of celebrated treatises, handbooks and answer books, are the following new books:

- **EPA Compliance and Enforcement Answer Book 2013**, which provides, in convenient question-and-answer format, an overview of the main federal environmental laws, and a detailed focus on the practical aspects of compliance and enforcement. *(See page 48)*

- **ERISA Benefits Litigation Answer Book 2013**, which is a comprehensive overview of ERISA law, including possible causes of action, fiduciary duties mandated under the Act, as well as what causes a breach. *(See page 47)*

- **Fashion Law and Business**, which provides clear guidance in the wide range of legal issues faced by the fashion industry. *(See page 19)*

- **Pharmaceutical Compliance and Enforcement Answer Book 2014**, which provides comprehensive answers to questions under the federal food and drug regulatory framework. *(See page 24)*

- **Financially Distressed Companies Answer Book 2013**, which provides a comprehensive understanding of how laws and strategies change when a company is in distress. *(See page 15)*

- **Patent Claim Construction and *Markman* Hearings and Post-Grant Proceedings Before the Patent Trial and Appeal Board**, which provide, respectively, step-by-step instruction on how to construct an effective patent claim and what to do when pursuing post-grant proceedings before the Patent Trial and Appeal Board. Illustrative documents are included in both of these titles. *(See page 25)*

- **Social Media and the Law**, which provides an in-depth discussion of the impact of the various kinds of social media on legal obligations, from the perspectives of both the corporate entity and the individual. *(See page 7)*

- **Telecommunications Law Answer Book 2014**, which provides a comprehensive overview of federal regulation of everything from spectrum licensing to antitrust and content regulation. *(See page 29)*

In addition, PLI offers the following new editions this year:

- **Blattmachr On Income Taxation of Estates and Trusts, Sixteenth Edition**
- **Commercial Ground Leases, Third Edition**
- **Derivatives Deskbook, Second Edition**
- **Electronic Discovery Deskbook, Second Edition**
- **Hillman on Commercial Loan Documentation, Sixth Edition**
- **Kane on Trademark Law, Sixth Edition**
- **Likelihood of Confusion in Trademark Law, Second Edition**
- **Manning on Estate Planning, Seventh Edition**

Finally, PLI’s exciting, recently introduced **Answer Books** provide a series of comprehensive introductions to the law in each of the chosen practice areas. Written by members of major law firms to provide a complete understanding of the relevant practice issues that arise in the selected subject matter, each Answer Book walks you step-by-step through the laws, regulations and issues that the practitioner is likely to face. Each title in the Series uses an easily understood question-and-answer format so that the needed information can be found quickly. Practice pointers and checklists that will assist in responding to everyday client questions are included in every title. Designed as both handy desk references for the skilled practitioner, and comprehensive summaries for lawyers new to a practice area, PLI’s **Answer Book Series** has been a tremendous success.

Our full list of publications is found in the Table of Contents. With each title we bring you up-to-date coverage for these complex and challenging times. We have set up a dedicated phone line for your convenience. To order a book or to ask a question about any PLI title, please call (800) 260-4754.

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Sincerely,

William C. Cubberley
Publisher
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Public Company Deskbook: Sarbanes-Oxley and Federal Governance Requirements

Second Edition
John T. Bostelman, Robert E. Buckholz, Jr. and Marc R. Trevino (Sullivan & Cromwell LLP)

“The most comprehensive of all the texts in the marketplace today.”
— New York Law Journal

“The bible for securities lawyers.”
— Fortune Magazine

Updated to integrate the many changes created by the Dodd-Frank Act and subsequent regulation, Public Company Deskbook: Sarbanes-Oxley and Federal Governance Requirements reflects today’s more intense federal focus on corporate governance by offering expanded discussion of topics including audit committee communications, sample corporate governance guidelines for Nasdaq-listed companies, updates to assessment methodology, and amendments addressing emerging growth companies.

Public Company Deskbook is your one-stop center of expert counsel on how to deal effectively with the many wide-ranging federal corporate governance requirements changes. The Deskbook covers shareholder activism, including the rights of shareholders to call annual meetings, the shareholder proposal process (and relevant exclusions), annual review of common proposals and outcomes, and the shareholder nomination process.

In addition, the Deskbook also offers revised chapters on executive and director compensation disclosure, proposed whistleblower program regulations, and the SEC’s proposed enhanced reporting requirements by “financially significant companies.” You’ll also find a comprehensive discussion of recent changes in corporate governance regulation by the New York Stock Exchange and the Delaware General Corporation Law.

Public Company Deskbook: Sarbanes-Oxley and Federal Governance Requirements is an indispensable resource for securities practitioners, compliance officers, directors, officers, accountants, auditors, and research analysts, and an important reference for securities regulators.

3 looseleaf volumes, 2,951 pages, $695, Order #24730, Updated annually or as needed

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3. Director Independence
4. Audit Committee
5. Compensation Committee
6. Nominating and Corporate Governance Committee
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Holland & Knight LLP
Edited by Christopher A. Myers and Kwamina Thomas Williford

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31. Sarbanes-Oxley Act of 2002
32. The Law and Accounting: The Convergence of Sarbanes-Oxley, COSO, the Federal Sentencing Guidelines, and Caremark Duties
33. SEC Investigations of Public Companies
34. Executive Compensation
35. Institutions of Higher Education
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Stephanie Breslow and Phyllis Schwartz (Schulte Roth & Zabel LLP)

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The most recent update includes new information on the Dodd-Frank Act changes to the registration exemption provisions of the Advisers Act, the impact of the new Volcker Rule, and new SEC Rule 206(4)-5, which places limitations on the engagement of placement agents.

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15. Ongoing Global Issues
Mergers, Acquisitions and Tender Offers: Law and Strategies
Samuel C. Thompson, Jr. (Professor of Law, Dickinson School of Law — Pennsylvania State University)

The Mergers, Acquisitions and Tender Offers four-volume treatise gives you today’s most comprehensive and useful coverage of the key issues involved in M&A transactions. The treatise’s well-stocked toolkit includes real-world acquisition agreements • a confidentiality agreement and letter of intent • annotated IPO on form S-1 • private offering memorandum • SEC disclosure documents for recent public company negotiated acquisitions • tender offer documents • required SEC reports • investment banker engagement letters • and recent M&A deal documents.

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4 looseleaf volumes, 5,174 pages, $495, Order #19786, Updated annually or as needed

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Edited by Kristen J. Mathews (Proskauer Rose LLP)

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— Doron Rotman, Managing Director, National Privacy Service Leader Advisory, KPMG LLP

Today’s hodgepodge of privacy and data security standards creates greater compliance burdens for corporations, employers, public agencies, and legal advisers. PLI’s Proskauer on Privacy: A Guide to Privacy and Data Security Law in the Information Age reduces those costly burdens. This comprehensive, one-stop reference covers the laws governing every area where data privacy and security is potentially at risk — including government records, electronic surveillance, the workplace, medical data, financial information, commercial transactions, and online activity, including communications involving children.

Proskauer on Privacy provides essential details on how to develop compliance programs that help a business satisfy federal and state standards, ensure data privacy and security, prevent cybercrime, and help entities avoid fines, penalties, litigation, damages, and negative publicity. Proskauer on Privacy also examines Europe’s rigorous privacy and data security standards, the laws in Canada, Australia, Japan, China, Hong Kong, India, Russia, and Dubai, as well as legal initiatives in California and other states.

Edited by the head of Proskauer’s Privacy and Data Security Group, Proskauer on Privacy: A Guide to Privacy and Data Security Law in the Information Age is vital reading for privacy and data security professionals and corporate attorneys, executives, managers, and human resource personnel, as well as for federal and state regulators.

1 looseleaf volume, 568 pages, $335, Order #11513, Updated annually or as needed

Outsourcing: A Practical Guide to Law and Business
Stuart D. Levi (Skadden, Arps, Slate, Meagher & Flom LLP)

The outsourcing of virtually every aspect of corporate life continues to grow at a staggering pace. Outsourcing: A Practical Guide to Law and Business describes in detail how to plan and prepare for any outsourcing relationship. The treatise takes the reader through each phase of the outsourcing transaction, from the decision to outsource to the RFP and vendor selection process to the negotiation and drafting of all necessary documents.

This practice-tested reference also examines country specific considerations for more than a dozen offshoring destinations, including India and China.

Sample key provisions and forms help you to efficiently define the scope of services, establish standards of care and governance, set liability caps, deal with intellectual property issues, and resolve disputes.

In addition, this new treatise keeps you up-to-date on the status of the various outsourcing legislation.

Any company considering outsourcing and any vendor providing these services will benefit from this extensive treatise. Companies negotiating an outsourcing agreement will want to keep this volume close at hand and leverage its thorough analysis of different service agreement provisions.

1 looseleaf volume, 1,024 pages, $335, Order #10624, Updated annually or as needed

Business, Corporate and Securities Law
Social Media and the Law
Kathryn L. Ossian (Ossian Law P.C.)

In the past few years, more and more individuals and companies have been using social media in every aspect of their personal lives and corporate existences, from keeping up with families and friends by individuals, to product research and understanding customer preferences by business entities. PLI’s new Social Media and the Law helps you understand the legal environment and mitigate the risks of using the many new social media platforms.

In Social Media and the Law you’ll learn:

• The privacy issues presented by social networking sites and what steps users can take to maintain their privacy and limit unwanted third-party access to personal information
• What copyright issues are raised in the developing social media world, such as who owns and who can use user-generated content on social media sites

In a separate chapter on regulated industries, Social Media and the Law discusses the unique issues faced by publicly traded companies • financial services • broker-dealers • healthcare providers • and pharmaceutical manufacturers.

Essential reading at a time when the legal issues are still evolving, Social Media and the Law minimizes the risk of litigation and other issues while maximizing your comfort level when using the many powerful tools now available through social media platforms.

1 looseleaf volume, 392 pages, $335, Order #48876, Updated annually or as needed

Securities Law and Practice Deskbook
Sixth Edition
Gary M. Brown (CMG Life Services, Inc.)

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— John F. Olsen, Partner, Gibson, Dunn & Crutcher LLP

In one concise volume, the new sixth edition of Securities Law and Practice Deskbook contains thorough but accessible insight into securities law and regulation, including the sweeping Dodd-Frank changes and the Commission’s recent enactment of the “proxy access” rules.

Securities Law and Practice Deskbook covers the recent legislative, regulatory, and judicial changes that revised the net-worth standard of qualifying as an accredited investor • increased the SEC’s ability to impose penalties in cease-and-desist proceedings • requires the creation of “claw-back” provisions in listed company compensation plans • and significantly revised “proxy access” and “proxy voting” regulations.

1 looseleaf volume, 682 pages, $335, Order #38162, Updated annually or as needed

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Financial Services Regulation Deskbook

Arthur S. Long (Gibson, Dunn & Crutcher LLP)

PLI’s new title, Financial Services Regulation Deskbook, walks you through the significant changes made by the Dodd-Frank Wall Street Reform and Consumer Protection Act and subsequent implementing regulations. It is organized by subject matter and is accompanied by commentary on the practical effects of the legislation on industry practice, which points out areas of legal ambiguity that must be solved only by advocacy with the relevant regulators.

The Financial Services Regulation Deskbook details all of the important provisions of Dodd-Frank, including those that created two new significant federal agencies, the Financial Stability Oversight Council (FSOC) and the Consumer Financial Protection Bureau (CFPB); require significant heightened prudential standards for systemically significant financial companies; prohibit, subject to exceptions, banks from engaging in proprietary trading and sponsoring and investing in hedge funds and private equity funds; require U.S. banks and other entities that receive federal “financial assistance” to push-out much of their derivatives businesses to nonbank affiliates; create a new “Orderly Liquidation Authority” for systemic financial firms; impose increased prudential regulation on banks and their holding companies; and for the first time, comprehensively regulate derivatives activities.

1 looseleaf volume, 490 pages, $335, Order #38525, Updated annually or as needed

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Hedge Fund Regulation

Second Edition

Scott J. Lederman (Grosvenor Capital Management LP)

With scores of enforcement actions over the past seven years involving hedge funds, high-profile insider trader cases implicating hedge fund managers, the sweeping provisions of the new Dodd-Frank Act, and the resulting proposed SEC and CFTC rules that affect hedge funds, the legal and compliance pressures on the industry have hit an all-time high. Hedge Fund Regulation helps you steer a safe course through the turbulence by clearly explaining the current federal and state standards governing the organization and operation of hedge funds.

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1 looseleaf volume, 1,026 pages, $365, Order #42542, Updated annually or as needed

Consumer Financial Services Answer Book 2014

Edited by Richard E. Gottlieb, Arthur B. Axelson and Thomas M. Hanson

The Consumer Financial Protection Act of 2010 (CFPA), Title X of the Dodd-Frank Act, made major changes in how consumer financial services are regulated.

The Consumer Financial Services Answer Book 2014 helps the practitioner, through an easy question-and-answer format, understand the revised regulations in such areas as the secondary loan market, including securitization and assignee liability • mortgage loan servicing • automotive financing • and privacy and identity theft.

Consumer Financial Services Answer Book 2014 provides practical insight on litigation practices in this area, including special coverage on e-filing and document retention requirements, as well as expert, practical insights into consumer financial class actions and other issues of emerging concern.

1 softcover volume, Approximately 800 pages, $255, Order #47864, Published annually
Initial Public Offerings: A Practical Guide to Going Public

Second Edition

David A. Westenberg (Wilmer Cutler Pickering Hale and Dorr LLP)

“There is no better tool for anyone needing an in-depth, step-by-step guide to the IPO process.”
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The new second edition of Initial Public Offerings: A Practical Guide to Going Public provides battle-tested, real-world advice on how to create a winning IPO. Initial Public Offerings is packed with best practices, planning tips, checklists and sample documents to help implement its guidance. Completely revised and substantially expanded, the second edition addresses key changes in legal requirements and market practices of critical interest to IPO companies, lawyers, and market professionals alike. Among other new and updated topics, the book covers the impact of the JOBS Act on private company fundraising, pre-IPO activities, Form S-1 disclosure requirements, and the IPO process; ongoing changes in corporate governance requirements and practices; and important developments in accounting preparation, SEC review, and underwriting practices. The new edition also includes updated market data, IPO forms, and planning tips to help ensure a smooth IPO in the post-Dodd-Frank, post-JOBS Act world.

1 looseleaf volume, 1,502 pages, $365, Order #42523, Updated annually or as needed

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Gibson, Dunn & Crutcher LLP
Edited by Jonathan C. Dickey

Securities litigation has increased significantly with the recent financial crisis. **Securities Litigation: A Practitioner’s Guide** can help you cope effectively with this major challenge, by providing you with the guidance you need to help your clients get the competitive edge in securities class actions. This timely reference helps you master relevant federal procedural rules for securities class actions • effective defenses against such actions • appellate standards of review • and the steps involved in achieving favorable settlements. **Securities Litigation** also makes sure you’re ready to go to trial if it’s necessary, by showing you how to develop persuasive trial themes • strengthen your trial presentation • use facts and arguments that resonate with jurors • maximize the impact of expert witnesses • get valuable deposition testimony admitted at trial • and strengthen other litigation skills.

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7. Class Certification in Securities Cases
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18. Subprime- and Other Credit Crisis-Related Securities Class Actions and Derivative Suits

The Securities Law of Public Finance
Third Edition
Robert A. Fippinger (Orrick, Herrington & Sutcliffe LLP)

“[The Securities Law of Public Finance ii] recommended reading for every bond lawyer, investment banker, and issuer . . . Thorough in its description of this complex area of law.”
— Philip Korot, Managing Director, Dean Witter Reynolds

For this third edition, **The Securities Law of Public Finance** has been completely revised and updated to provide in-depth analysis of the most recent changes to this heavily regulated area. Written by one of the most respected figures in the field, the author and practitioner Robert A. Fippinger, this classic guide covers every vital area, from finance structuring to securities distribution to the many recent regulatory changes made in response to the recent economic downturn. It takes you through each aspect of the regulatory framework controlling the issuance of municipal securities, with special attention to disclosure and fraud issues, including the sovereign immunity defense.

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7. Underwriters’ Due Diligence on New Issues of Municipal Securities
8. Disclosure Issues
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11. Municipal Advisor Regulation
12. Investment Adviser Regulation
13. Developments in the Municipal Securities Marketplace
14. Fraud Concepts in Public Finance
15. SEC Enforcement Powers and Criminal Violations
16. The Sovereign Immunity Defense
Conducting Due Diligence in a Securities Offering
Valerie Ford Jacob and Stephanie J. Goldstein (Fried, Frank, Harris, Shriver & Jacobson LLP)

Today’s major financial scandals demonstrate what can happen when investigators fail to uncover illegal activity because they failed to do effective background searches. Conducting Due Diligence in a Securities Offering gives you the knowledge you need of the players, procedures, and practices involved in an effective due diligence process so that you can uncover problems early in an offering and, if need be, establish a viable due diligence defense.

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Anna T. Pinedo and James R. Tanenbaum (Morrison & Foerster LLP)

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Kaye Scholer LLP’s White Collar Litigation and Internal Investigations Practice Group

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Mayer Brown LLP
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Insider Trading Law and Compliance Answer Book 2014
Schulte Roth & Zabel LLP
Edited by Harry S. Davis

Because the insider trading laws apply to everyone — not just corporate insiders — a proper understanding of both the basics of insider trading law as well as some of the complexities and nuances of this important area of the law is important to anyone who invests in the securities markets. Insider Trading Law and Compliance Answer Book 2014 provides you with a step-by-step understanding of the legal requirements imposed upon all investors. It walks you through:

• The elements of an insider trading claim
• What is legitimate company research that can be freely acted upon and what is nonpublic information that may not
• When acting on a “tip” can incur legal liability
• The framework of penalties when insider trading has been successfully proved

In today’s turbulent financial markets, a claim of insider trading often hits the newspapers. Insider Trading Law and Compliance Answer Book 2014, which fully integrates recent regulatory changes, provides a concise roadmap, helping the reader to navigate the legal requirements safely.

1 softcover volume, 668 pages, $255, Order #47889, Published annually

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Edited by Clifford E. Kirsch (Sutherland)

Updated to include coverage of the significant FINRA and SEC responses to the recent economic downturn, the second edition of Broker-Dealer Regulation provides you with a complete and practical understanding of the many requirements of this highly regulated area. This two-volume work ensures that you satisfy SEC/SRO standards governing your firm.

Broker-Dealer Regulation is filled with practical suggestions on how to best comply with requirements in such areas as electronic trading, safeguarding customer information, trading desk activities and business continuity planning.

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At a time when the SEC, FINRA and state authorities are putting increasing regulatory pressure on the securities industry, Variable Annuities and Variable Life Insurance Regulation remains today’s most comprehensive and accessible guide to the many federal and state rules governing these instruments.

Additional material in the new second edition of Variable Annuities and Variable Life Insurance Regulation includes discussion of Rule 22e-3 under the Investment Company Act, which is intended to reduce the vulnerability of investors to the harmful effects of a run on the fund, and minimize the potential for disruption to the securities markets • the DOL regulations that require, effective for plan years beginning on or after November 1, 2011, plan administrators to provide certain disclosures to participants in participant-directed individual account plans regarding the plan’s investment options and fees and expenses paid by participants and the plan • and Section 201(a) of the JOBS Act, which required the SEC, within ninety days following the JOBS Act’s passage, to revise Rule 506 of Regulation D to permit offers and sales of securities through the use of a general solicitation, provided that all of the ultimate purchasers are accredited investors.

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Edited by Clifford E. Kirsch (Sutherland)

Financial Product Fundamentals is a clear, comprehensive, and easy-to-use reference that gives you a thorough understanding of the regulations, benefits, advantages, pricing, distribution, marketing, and current and future viability of registered offerings. It includes expert analysis of private placements, mutual funds, hedge funds, money market funds, exchange traded funds, real estate investment trusts, international investment funds, variable insurance products, and other instruments.

Now in a new second edition, Financial Product Fundamentals has been completely revised to reflect the Dodd-Frank Act, SEC actions, and other regulatory changes made to spur the economy and reform the financial markets. New material includes a discussion of the foreign broker-dealer; and Rule 483 advertising, or advertising that can be done prior to delivery of a statutory or summary prospectus and includes information that may be different from or in addition to that contained in the prospectus, so long as it does not conflict.

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Investment Adviser Regulation: A Step-by-Step Guide to Compliance and the Law

Third Edition
Edited by Clifford E. Kirsch (Sutherland)

At a time of many regulatory changes being made as a result of the recent economic downturn, the third edition of Investment Adviser Regulation guides you safely through the maze of Congressional, SEC, and state standards impacting investment advisers, and helps you understand the practical aspects of building a practice. The revised third edition of Investment Adviser Regulation describes:

• Regulation S-AM, which tightens the privacy requirements on client financial information
• The various proposals on harmonizing broker-dealer and financial adviser regulation

• Proposals on increased fiduciary responsibilities
• The need for the development of improved risk management systems as a result of recent market disruptions

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Mutual Funds and Exchange Traded Funds Regulation

Third Edition
Edited by Clifford E. Kirsch (Sutherland)

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This two-volume treatise is also filled with practical suggestions on how to approach complex issues in such areas as: dealing with valuation matters • distribution through intermediaries • structuring a 12b-1 plan • conducting a compliance review • and guarding against conflicts of interest. The most recent updates include an overview of mutual fund and investment adviser regulation as an introduction to the treatise • the recent credit crisis and the Congressional and Administrative response in enacting the Dodd-Frank Act • an overview of the formation and operation of exchange traded products, which are one of many types of financial products that involve the pooling of financial instruments, and the offering of interests in those pools to the public.

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Douglas P. Bartner and Susan A. Fennessey (Shearman & Sterling LLP)

Financially Distressed Companies Answer Book 2013 provides a broad overview of topics relating to financially distressed companies. It is intended to be an easy reference with respect to issues for the management of a company finding itself in financial distress, a vendor or other creditor trying to manage its exposure or understand a bankruptcy process, or a nonbankruptcy lawyer needing a description of the legal concepts relevant to distressed companies. The book provides answers detailed enough to provide a working understanding of concepts, and relevant statutory and case law cites to facilitate any necessary further reading. Examples and practice tips help illustrate concepts and provide practical guidance.

Topics discussed in Financially Distressed Companies Answer Book 2013 include:

• The roles and fiduciary duties of directors and management in distress situations;
• Rights and limitations of creditors in dealing with companies in distress and in bankruptcy;
• Concepts and considerations relating to out-of-court restructurings;
• Cross-border reorganizations and issues in international restructurings;
• Key concepts in U.S. bankruptcy cases; illustrative timelines to help guide strategic planning; and
• Practice and cautionary tips to provide guidance on issues such as how to recognize financial distress, when the securities laws might require disclosure, and what actions a creditor may take to protect its rights or limit its exposure.

1 softcover volume, 536 pages, $255, Order #46612, Published annually

Derivatives Deskbook • Close-Out Netting • Risk Mitigation • Litigation

Sylvie A. Durham (Greenberg Traurig LLP)

Derivatives Deskbook: Close-Out Netting, Risk Mitigation, Litigation is a comprehensive derivatives resource geared to all users of swap agreements and derivatives, from financial institutions to corporate end users. This new second edition defines the key terminology; identifies the major players; discusses the full range of documentation; and highlights risk mitigation techniques and best practices that can significantly minimize risks.

Derivatives Deskbook examines the termination events and events of default that can trigger the early termination of OTC derivative transactions; the important process of closing out these deals; and the complex process of calculating the early termination amounts due the parties under the transactions, as well as how these transactions can be terminated in ways that minimize the damage to the parties and to the global financial system.

Most importantly, Derivatives Deskbook provides a comprehensive resource to all key litigation cases involving derivative transactions around the key jurisdictions in the world. It is an essential resource for every lawyer or business person engaged in derivative transactions.

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Fourth Edition

Linda O. Smiddy (Professor of Law, Vermont Law School)

Focusing on the Model Business Corporation Act, the Delaware General Corporation Law, and the corporate law of other leading jurisdictions, as well as groundbreaking judicial rulings, Soderquist on Corporate Law and Practice shows you how to:

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You’ll also learn how to draft contracts that shield the company from liability, draft more effective business agreements by mastering accounting issues, and prevent corporate control transactions from being upset by competing bidders.

1 looseleaf volume, 516 pages, $335, Order #43395, Updated annually or as needed
Doing Business Under the Foreign Corrupt Practices Act
Second Edition
Don Zarin (Holland & Knight LLP)

Doing business overseas means learning new ways of negotiating. It also means understanding when an accepted and even expected “gift” to the other party will be considered a bribe under the U.S. Foreign Corrupt Practices Act (FCPA).

The new second edition of Doing Business Under the Foreign Corrupt Practices Act gives you that vital legal and procedural information. This comprehensive reference helps you to:

• Develop internal compliance programs that detect and prevent illegalities
• Spot cautionary “red flags” and sidestep potential legal pitfalls in planned business steps

Over the past few years, the number and size of recoveries under the FCPA have significantly grown. In addition, the whistleblower provision in the Dodd-Frank Act increases potential recoveries for actions before as well as after the effective date of the Act. Doing Business Under the Foreign Corrupt Practices Act, Second Edition provides you with all of the latest enforcement actions, reminding companies and their counsel of the harsh penalties for falsified books and records, mischaracterized payments, fictitious invoices, insufficient internal accounting controls, and other charges.

Doing Business Under the Foreign Corrupt Practices Act, Second Edition contains chapters on recurring issues and hypothetical case studies. It is filled with a variety of sample model contract provisions and contains a model compliance program. The new second edition discusses in detail the factors to consider in determining whether an entity is an instrumentality of a foreign government; the updated and strengthened Rules for Combating Corruption issued by the International Chamber of Commerce; and a discussion of the activities of the Asian Development Bank, which was the first multilateral development bank to adopt a policy on governance.

This treatise is an invaluable handbook for in-house and outside corporate counsel, corporate executives and managers, and anyone who is responsible for business relationships with overseas partners or customers.

1 looseleaf volume, Approximately 400 pages, $365, Order #52717, Updated annually or as needed

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1. Introduction
2. Overview of the FCPA
3. The Accounting Provisions
4. The Foreign Payments Provisions
5. Exceptions and Affirmative Defenses
6. Recurring Issues
7. Hypothetical Case Studies
8. Fines, Penalties, and Other Sanctions
9. Contract Language
10. Compliance Programs
11. Other U.S. Laws Applicable to Overseas Bribery
12. The FCPA Opinion Procedure
13. Multilateral Efforts Concerning Transnational Bribery of Foreign Officials

Sample Appendix Material

• Model Provisions for Agency or Consultancy Agreement
• Model Provisions for Foreign Joint Venture/Shareholder Agreement
• Model Compliance Program
• Model Acknowledgment: Ethical Business Practices Policy
• Department of Justice FCPA Review Procedure Releases and Opinion Procedure Releases
Financial Institutions Answer Book 2013
Law • Governance • Compliance
Stuart G. Stein, Richard Schaberg, Daniel S. Meade and Laura R. Biddle (Hogan Lovells)

Reflecting the many statutory and regulatory changes made since the beginning of the recent economic downturn, the newly published Financial Institutions Answer Book 2013 provides, in a handy Q&A format, a comprehensive overview of the complex federal requirements regulating financial institutions in the United States. Every aspect of a financial institution life cycle is covered, from understanding the differences in regulation based on what type of charter is chosen, through ongoing capital and deposit activities requirements and major changes in corporate control, to the cessation of entity activity through merger, acquisition or entity failure. Financial Institutions Answer Book 2013 covers the entire spectrum of financial institution regulation, including those regulating:
• The creation of branch offices • Corporate governance • Executive compensation • Deposit insurance requirements • Insider and affiliate transactions • Anti-money laundering and U.S. trade sanctions • Examination and audit • Privacy and data security

1 softcover volume, 502 pages, $255, Order #38517, Published annually

Corporate Legal Departments: Practicing Law in a Corporation
Fourth Edition
Carole Basri (Corporate Lawyering Group LLC) and Irving Kagan (Kagan Consultants, Inc.)

Designed to help the in-house attorney deal with bigger compliance demands and tighter budgets, the fourth edition of Corporate Legal Departments shows you how to implement a corporate compliance program that:
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• Uses cost-effective litigation strategies
• Manages corporate crises with a firm hand
• Minimizes your own legal exposure as a corporate counselor

Corporate Legal Departments is an indispensable guide for in-house corporate practitioners, outside corporate counsel, compliance officers, and top managers.

2 looseleaf volumes, 1,566 pages, $395, Order #32867, Updated annually or as needed

International Corporate Practice:
A Practitioner’s Guide to Global Success
Edited by Carole Basri (Corporate Lawyering Group LLC)

International Corporate Practice enables you to develop a comprehensive global legal department and provides guidance on structuring, staffing, and budgeting, as well as on the use of foreign legal consultants and outsourcing. It helps you to:
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• Commercialize intellectual property
• Evaluate and effect successful mergers and acquisitions abroad
• Structure effective international project financing transactions
• Ensure clients satisfy international guidelines crucial to their global viability, including financial reporting standards, transfer pricing rule, and environmental requirements
• Manage legal challenges facing clients overseas

The volume also includes helpful case studies, checklists, and sample documents.

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**Antitrust Law Answer Book 2014**

Edited by Joe Sims, Kathryn M. Fenton and David P. Wales (Jones Day)

American antitrust law, now over a century old, is a huge and complex area of practice. Antitrust Law Answer Book 2014 steps back from the many details to provide a basic, practical overview of U.S. antitrust law for the non-expert who wants to understand the primary concepts and to know when to seek more expert help.

Antitrust Law Answer Book 2014 covers such issues as investigations and litigation, agreements between suppliers and customers, monopolization claims, pricing, and unilateral conduct not related to price. The authors, attorneys at Jones Day with decades of experience in the area, also provide suggestions for effective antitrust compliance programs that can help you avoid or minimize future problems.

The recently published Antitrust Law Answer Book 2014:
- Focuses on the most common business problems as well as those that illustrate the entire scope of the U.S. antitrust laws
- Includes illustrative examples and real-life case studies to provide additional background and practical guidance
- Is written in plain English to provide practical, useful answers, not just theoretical musings
- Contains a separate chapter on the complex antitrust issues arising in the intellectual property area

1 softcover volume, 808 pages, $255, Order #47832, Published annually

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**Corporate Whistleblowing in the Sarbanes-Oxley/Dodd-Frank Era**

Second Edition

Michael Delikat and Renée Phillips (Orrick, Herrington & Sutcliffe LLP)

“This is a title that really needs to be on the shelf of every legal and business library.”

— Deborah I. Rusin, Reference Librarian, Latham & Watkins LLP, in Legal Information Alert

The number of whistleblower/employee retaliation lawsuits has been increasing in recent years, and these lawsuits have been the subject of an increasing number of appellate court decisions. The new second edition of Corporate Whistleblowing in the Sarbanes-Oxley/Dodd-Frank Era helps you to understand the current legal landscape, and gives you practical advice on how to minimize the risk and damage of retaliation claims against employers. Written by leading corporate practitioners who have successfully defended many companies against employee claims, this authoritative and accessible resource shows you how to take preventive steps that ensure employee grievances don’t become court battles.

1 looseleaf volume, 1,180 pages, $335, Order #32923, Updated annually or as needed

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**Corporate Political Activities Deskbook**

Kenneth A. Gross, Ki P. Hong, Lawrence M. Noble and Patricia M. Zweibel (Skadden, Arps, Slate, Meagher & Flom LLP)

Corporate Political Activities Deskbook provides a thorough grounding in the current state of the law on federal and state campaign finance, pay-to-play, lobbying, and gift compliance. A practical manual for in-house attorneys who advise corporations about involvement in the political process, this new Deskbook draws on the extensive practice and regulatory experience of Skadden Arps authors Ken Gross, Ki Hong, Lawrence Noble and Patricia Zweibel.

After describing the impact of the seminal 2010 U.S. Supreme Court decision in Citizen’s United that expanded permitted corporate speech in the political realm, the Corporate Political Activities Deskbook walks the reader through the Federal Election Campaign Act (FECA) requirements.

Other chapters of the Corporate Political Activities Deskbook address federal lobbying and gift rules, the Foreign Agents Registration Act, and practice and appearances before the FEC.

The Deskbook appendices include helpful model documents, such as sample PAC bylaws, a PAC contribution card, and resolution establishing a PAC. In addition, summary charts of the fifty state contribution and lobbying laws are included. Rather than utilizing the extensive analytical approach of a treatise, the Corporate Political Activities Deskbook emphasizes the rules and provides practical examples of best practices and “dos and don’ts.” In many cases, the suggestions go beyond the black letter requirements to incorporate advice about practices that will help the reader utilize the available avenues of interacting with the government while avoiding negative press, and public as well as legal regulatory attention.

1 looseleaf volume, 676 pages, $335, Order #15457, Updated annually or as needed
Fashion Law and Business: Brands & Retailers
Lois F. Herzeca and Howard S. Hogan (Gibson, Dunn & Crutcher LLP)

“If you want to be successful in the fashion industry, but haven’t had the time to go to law school . . . I highly recommend Fashion Law and Business.”
– Fern Mallis, former Executive Director of the Council of Fashion Designers of America, creator of New York Fashion Week, and fashion industry consultant

“Up until now, starting a business in fashion has been a trial and error process. With this book, Lois Herzeca and Howard Hogan have created a brilliant step-by-step guide to being a successful entrepreneur in fashion. It’s the kind of book I wish had been available when I started my company.”
– Jaqui Lividini, Founder and CEO of L&Co.

“Herzeca and Hogan provide an accessible overview of key issues facing any fashion business, with case studies, examples, and sample forms that will help people working at any level of the industry. The multiple layers of intellectual property and advertising law can seem impossibly complex, but Fashion Law and Business clearly sets out each area a business must consider.”
– Rebecca L. Tushnet, Professor of Law, Georgetown University Law Center and author, 43(B)log

“The guidebook we have all been searching for.”
– Shirley Cook, CEO of Proenza Schouler

To the general public, the fashion industry is most closely identified with celebrated fashion houses mounting elaborate and highly publicized runway shows in the major fashion capitals of the world. In reality, the fashion industry is much more diverse, complex, and global. Fashion Law and Business unravels the complexity and provides clear guidance on the wide range of legal and business issues faced by fashion industry participants, including designers, suppliers, manufacturers of apparel and accessories, and retailers. In Fashion Law and Business, you’ll learn:

• The considerations involved in starting a company in the fashion industry, including developing a business plan, determining the form and structure of the legal entity, and obtaining financing.
• How patent, trademark, and copyright laws have been applied to the fashion industry, and their impact in such areas as gray market goods and counterfeiting.
• The contractual relationships and regulatory issues applicable to the design and production of fashion products.
• The dynamics of retail sales in the apparel industry, including a discussion of e-commerce and mobile commerce.
• The legal issues involved in leasing and licensing brick-and-mortar retail stores, with a focus on the significant contractual terms that should be considered in connection with such real estate transactions.
• How to deal with labor and employment issues that relate to the fashion industry, including working conditions, wages and hours, child labor, use of independent contractors such as sales representatives, and developments in collective bargaining.

Written by two of America’s leading fashion and retail law authorities, Fashion Law and Business provides you with an integrated, comprehensive guide to the issues affecting the fashion industry today.

1 hardcover volume, 888 pages, $185, Order #52790

Table of Chapters

1. Starting a Fashion Company
2. Trademarks and Trade Dress
3. Patents
4. Copyrights
5. Unfair Competition and Misappropriation
6. Counterfeiting
7. Gray Market Issues and the First Sale Doctrine
8. Design and Manufacturing
9. Licensing Arrangements
10. Retail Sales
11. Antitrust
12. Real Estate
13. E-Commerce and Mobile Commerce
14. False Advertising
15. Labor and Employment
16. Employment Agreements
17. Rights of Publicity
18. International Trade and Customs Issues
19. Foreign Corrupt Practices Act
20. Going Public
21. Selling a Fashion Company or Fashion Brand

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Sixth Edition

Robert C. Faber (Ostrolenk Faber LLP)

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— The Licensing Journal

“Truly useful to practitioners at all levels of experience . . . a must have.”
— IP Law Weekly

“Bob Faber is the guru in the claim drafting area.”

More patent applications are rejected because of claim drafting flaws than because of problems with inventions. A trusted working tool for more than two decades, Faber on Mechanics of Patent Claim Drafting spotlights proven claim drafting practices and techniques that have been firmly established by patent authorities and custom. This lucid, time-saving handbook offers you:

- Start-to-finish directions for each type of claim — apparatus or machine, method or process, composition of matter, article of manufacture, and biotechnology.
- Extensive discussion of nonart rejections, classic and more recent constructions of means clauses, inherent function of the apparatus doctrine, mental steps and computer programs, product-by-process claims, and claims referring to drawings.
- Quotations from litigated claims to help you see which types of limitations and phrases have (and have not) been “judicially approved.”
- Real-world examples of dependent claims, Jepson claims, generic and species claims, subcombination claims, and biotechnology.
- Numerous tips on how to avoid common claim drafting mistakes.
- Definitions and preferred usage of stylized words and phrases in patent law, such as “comprising,” “consisting,” “means for,” “step for,” and “whereby.”
- Guidance on how to review claims to eliminate errors and superfluous language.

Faber on Mechanics of Patent Claim Drafting examines:

- Ways of avoiding transition words that can cause unnecessary claim interpretation problems.
- Claim terms that are incapable of interpretation and can render claims indefinite and invalid.
- Problematic alternative expressions.
- Practical issues involved in amending filed claims, claiming numerical ranges and amounts, and disclosing in a specification several alternatives of elements or embodiments of the invention.

Faber on Mechanics of Patent Claim Drafting provides full coverage of U.S. Supreme Court and other court decisions critical to claim drafting. It is an indispensable guide for patent specialists and other intellectual property attorneys, corporate counsel, and non-specialists who represent inventors, patent officials, and inventors.

1 looseleaf volume, 900 pages, $365, Order #16966, Updated annually or as needed

Table of Chapters

Chapter 1: Statutory Provision—Some Basic Principles
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Chapter 4: Method or Process Claims
Chapter 5: Other Types of Claims
Chapter 6: Composition of Matter Claims—Chemical Cases
Chapter 7: Claims of Varying Scope
Chapter 8: Nonart Rejections
Chapter 9: Claiming Biotechnology Inventions
Chapter 10: Thoughts on Writing a Claim

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How to Write a Patent Application

Second Edition

Jeffrey G. Sheldon (Sheldon, Mak & Anderson PC)

“This book belongs on the shelf of every patent practitioner.” — Legal Information Alert

“One of the most thorough treatments on the subject.” — The Licensing Journal

Stocked with drafting checklists and sample drafting language, documents and drawings, the second edition of How to Write a Patent Application walks you step-by-step through the entire process of preparing patent applications.

This hands-on resource helps you:
- Get from an inventor all the information needed to prepare an effective application
- Claim an invention with sufficient breadth
- Claim an invention so that the elements that render the invention nonobvious are clearly set forth in the claims
- Claim an invention whose validity will be sustained by the courts
- Avoid damaging drafting mistakes such as faulty transitions, inconsistent terminology, incorrect verb forms, and deficient functional language

Completely up-to-date, How to Write a Patent Application analyzes developments under the America Invents Act, the latest USPTO initiatives, and key decisions of the federal courts, and provides the author’s practical suggestions and commentary.

A highly practical resource, How to Write a Patent Application has over one hundred invaluable aids, including sample forms, checklists, model applications, illustrative diagrams, and other tools that will assist you in creating foolproof documents.

The following are illustrative of the many sample documents included in How to Write a Patent Application:
- Declaration for Utility or Design Patent Application (37 C.F.R. § 1.63)
- Assignment of Application
- Verified Statement Claiming Small Entity Status – Independent Inventor
- Information Disclosure Statement by Applicant
- Checklist for Filing Patent Applications
- Checklist for Patent Protection Evaluation (Annotated)
- Inventor Prior Art Information Disclosure
- Proper and Improper Cooperation Among Elements of a Claim
- Jepson Method Claim
- Product-by-Process Claim
- Checklist of Possible Claim Deficiencies
- Factors to Be Considered When Filing Foreign Patent Applications Based on a U.S. Application
- Model Assignment for Use When a PCT Application Containing Added Subject Matter Has Been Filed

Plus sample filings of specific patents in the design, plant, electrical, software, chemical invention and biotechnology areas.

1 looseleaf volume, 1,086 pages, $365, Order #21867, Updated annually or as needed

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Fourth Edition
Ronald B. Hildreth (Formerly of Baker Botts L.L.P.) and David Aker (Ohlandt Greeley Ruggiero & Perle LLP)

“An excellent guide for understanding United States patent law, and also for foreign applicants and attorneys.”
— Dr. Heinrich Wirtz, Head of the Patent Department, Volkswagen AG

Widely appreciated by attorneys and inventors for its clear, uncomplicated approach to a complex field, Patent Law: A Practitioner’s Guide gives you a solid working knowledge of the legal framework governing patents, including:

• Developments under the America Invents Act
• Federal regulations and court decisions
• The widely accepted four-step test used by the courts to determine an invention’s patentability
• The various tests used to indicate direct infringement and other patent violations
• Drafting techniques used to prepare the full variety of documents, including specifications and claims

Added to the fourth edition are chapters on comparative patent law, derivation proceedings, and post-grant procedures. Patent Law features numerous time-saving sample forms, flowcharts, diagrams and tables that quickly enhance your understanding of key patent law issues, and hypothetical questions (with answers) that help prepare you for the real-world challenges of patent prosecution.

1 looseleaf volume, 1,138 pages, $335, Order #38092, Updated annually or as needed

Patent Litigation
Second Edition
Laurence H. Pretty (Law Office of Laurence H. Pretty)

“Both timely and insightful . . . This volume makes a fine and necessary tool in analyzing many issues often faced by the patent litigator.”
— Edward V. Filardi, Skadden, Arps, Slate, Meagher & Flom LLP

Patent Litigation enhances your ability to prevail at trial while helping you cut the costs and complexity of litigation. America’s leading patent litigators guide you through all the stages of litigation, helping you to:

• Understand various infringement actions and their respective burdens of proof
• Conduct comprehensive pre-suit investigations that streamline your cases

The second edition features coverage of the America Invents Act, including AIA provisions regarding the first inventor-to-file system, prior art, swearing back, the defense of prior commercial use by the accused infringer, the on-sale and public use bars, tax strategy patents, best mode, false marking, joinder of defendants, obtaining opinions of counsel, and more. An all-new chapter is devoted to challenges to patent validity in the Patent and Trademark Office under the AIA, including the new inter partes review, post-grant review, derivation proceedings, and supplemental examinations.

1 looseleaf volume, 982 pages, $335, Order #37931, Updated annually or as needed
Patent Licensing and Selling: Strategy, Negotiation, Forms
Second Edition
Mark S. Holmes (PatentBridge LLC)

Now in a new second edition, Patent Licensing and Selling: Strategy, Negotiation, Forms has been completely updated and significantly expanded to include additional strategies for successfully monetizing a patent portfolio. Featuring hundreds of sample licensing clauses and provisions, Patent Licensing and Selling, Second Edition shows you how to draft fair and litigation-free patent license and patent purchase agreements that serve your clients’ interests, satisfy other parties, and shield clients from legal exposure.

The author helps you:
• Avoid terms that trigger delays and disputes
• Grant exclusive patent licenses and successfully buy or sell a patent portfolio
• Retain the right to choose which markets to enter first
• Swiftly bring licensed or purchased products to market
• Protect against infringement of licensed or purchased patents
• Set license duration and termination guidelines
• Maintain the confidentiality of agreements

The new second edition includes two new chapters on patent sales and purchase agreements. After describing the different kinds of possible sales, the new Chapter 18 walks the reader through the steps for the seller to take to establish the value of and for the purchaser to conduct the necessary due diligence on the patents being considered for sale. In addition a new patent purchase checklist is included.

A new Chapter 19 on patent purchase agreements provides a complete legal analysis of the recent line of cases that essentially mandates the use of the words “hereby assigns” in all patent assignment documents. It also provides direction on such other mandatory topics in a patent purchase agreement as:
• Representations and warranties of both the buyer and the seller, including authority to sell, title to the patents, the validity and enforceability of the patents, any pre-existing licenses or other obligations affecting the patents, and notice of any other legal proceeding that might affect rights to the patents
• Purchase price and payment requirements
• Taxes
• Closing requirements

In addition, Patent Licensing and Selling, Second Edition includes a complete discussion of the recently decided U.S. Supreme Court case, Bowman v. Monsanto, which held that patent exhaustion does not permit a farmer to reproduce patented seeds through planting and harvesting without the patent holder’s permission. The impact of this case, and recent Federal Circuit patent licensing decisions, are discussed fully in the updated Chapter 17, “Strategies for the New Patent Law Frontier.”

1 looseleaf volume, Approximately 1,000 pages, $355, Order #47893, Updated annually or as needed

Cravath, Swaine & Moore LLP

Intellectual Property Law Answer Book 2014 is an easy-to-use resource for practitioners facing a patent, trademark, or copyright issue for the first time, or looking for a refresher on IP law. It answers basic questions (What is a utility patent? Who owns a trademark?) and questions that help readers grasp key terminology (What is trademark dilution? What does it mean to “reproduce” a copyrighted work?). It addresses both transactional issues (How are copyrights transferred? Who may grant a license to a patent?) and litigation issues (Who has standing to enforce a patent? What equitable defenses are available to a defendant charged with trademark infringement?). And it supplies abundant practical guidance (What should a cease-and-desist letter say? What form should the notice of copyright take?).

Throughout Intellectual Property Law Answer Book 2014, the focus remains on providing practical guidelines and using recent cases to explain key concepts. The convenient, easy-to-follow Q&A format allows readers to develop an understanding of patent, trademark and copyright law and concepts in a methodical way, and also allows readers to locate specific information quickly, so that the book can serve as an ongoing reference tool. Authored by litigators specializing in complex intellectual property practice, the book aims to provide a summary that is easy to understand and retain.

1 softcover volume, 790 pages, $255, Order #47896, Published annually
Pharmaceutical and Biotech Patent Law

Kaye Scholer LLP

“A home run. The book is clear, easy to read, thorough, thoughtful, and practical . . . [It] is a great addition to the library of any legal or business practitioner in the field, as well as for any government office.”
— New York Law Journal

Pharmaceutical and Biotech Patent Law provides you with the legal, scientific, and technical information you need to help clients obtain, defend, and challenge patents in these important business areas.

This practical guide shows you how to craft problem-free patent applications, including how to partner with the government to bring patented inventions quickly to the marketplace • invalidate competitors’ patents by proving that they fail to meet key requirements • protect against various forms of patent infringement • and successfully rebut charges that your clients are infringers. It includes detailed checklists that help you resolve thorny patent problems in the complex pharmaceutical and biotech fields, and is regularly updated to reflect Federal Circuit rulings and other significant court decisions.

Written by patent specialists at Kaye Scholer LLP, Pharmaceutical and Biotech Patent Law provides a wealth of case-tested practice tips for the experienced attorney. Including both a glossary of biotechnology terminology and a unique “Primer on Basic Biotechnology Concepts,” it also provides a comprehensive resource for the attorney new to this practice area.

1 looseleaf volume, 918 pages, $335, Order #15140, Updated annually or as needed

Pharmaceutical Compliance and Enforcement Answer Book 2014

Howard L. Dorfman (Ferring Pharmaceuticals)

Regulation of the pharmaceutical industry by the U.S. Food and Drug Administration (FDA) has increased in the past decade. In particular, passage of the Food and Drug Administration Amendments Act of 2007 has led to heightened supervision. PLI’s Pharmaceutical Compliance and Enforcement Answer Book 2014 provides a comprehensive overview of the regulatory issues faced by the different participants in the pharmaceutical industry.

In an easy Q&A format, Pharmaceutical Compliance and Enforcement Answer Book 2014 describes:

• The FDA’s authority and potential actions to regulate prescription drugs and biologics both before and after approval by the agency
• A facility’s rights and compliance obligations during an inspection by the agency
• How to best evaluate a company’s potential of being in violation and what to do to mitigate those risks
• What advertising and promotion of prescription drugs is permitted
• How product liability issues overlap with FDA enforcement initiatives
• When criminal prosecution is used as part of the regulatory enforcement effort

Filled with practical suggestions, Pharmaceutical Compliance and Enforcement Answer Book 2014 provides the attorney and his or her clients with a roadmap to effective compliance with FDA pharmaceutical regulations.

1 softcover volume, Approximately 300 pages, $255, Order #53632, Published annually

Medical Devices Law and Regulation Answer Book 2014

Edited by Suzan Onel (K&L Gates LLP) and Karen M. Becker (Precision for Medicine)

The regulation of medical devices has grown increasingly complex since the Medical Device Amendments to the federal Food, Drug and Cosmetic Act (FDCA) were introduced in 1976. Medical Devices Law and Regulation Answer Book 2014 walks you through the current regulatory requirements and describes every aspect from pre-market requirements for specific types of devices, to post-market regulation and ongoing government enforcement and investigation.

With over thirty contributors from a variety of major law firms and consulting firms specializing in medical device work, Medical Devices Law and Regulation Answer Book 2014 provides practical guidance on how to handle everyday questions on a wide variety of topics, as well as what issues are likely to arise and how to avoid them.

1 softcover volume, 1,042 pages, $255, Order #47819, Published annually
Since the decisions of the Federal Circuit and the Supreme Court in *Markman v. Westview Instruments*, it has been clear that patent claim construction is a question of law exclusively for the court, not something to be submitted to the jury. *Patent Claim Construction and Markman Hearings* explains the guiding principles that the courts use, the intrinsic and extrinsic evidence they consider, and the effect of prior constructions of the same claim. Since “rules” of construction are hard to come by, the book provides insight into the process by fully discussing how judges have decided upon particular claim constructions.

The law as it has developed after *Markman* makes it clear that there is no mandated or standard procedure to accomplish claim construction. The book explains the differing approaches among the courts, including the local rules in force in some courts, and how they affect case management conferences, briefing, discovery, and the timing of the *Markman* hearing itself.

1 looseleaf volume, 594 pages, $335, Order #38526, Updated annually or as needed

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1. Overview
2. Selecting Claims and Claim Elements for Construction
3. Prior Claim Construction
4. Timing for Construction
5. Local Court Claim Construction Rules
6. Preparing for the Hearing
7. Use of a Special Master, Expert Witness, Technical Advisor, or Magistrate Judge
8. Conducting the Hearing
9. Form and Use of the Claim Construction
10. Construing Claims Outside of Markman Hearings
11. Appealing Claim Constructions

The America Invents Act created the Patent Trial and Appeal Board that will preside over various new proceedings designed to provide parties with a more effective venue in which to litigate patent validity. The most commonly used procedure will be *inter partes* review, which effectively replaced *inter partes* reexamination in September 2012.

*Post-Grant Proceedings Before the Patent Trial and Appeal Board* guides readers through the process of initiating a post-grant proceeding, taking discovery, seeking sanctions, proposing and opposing claim amendments, effectively advocating at the oral hearing, appealing to the Federal Circuit, and handling a wide array of issues involving co-pending district court litigation.

1 softcover volume, 494 pages, $295, Order #43756, Updated annually or as needed

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1. Introduction
2. Prefiling Considerations
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9. Petitioner Discovery Period, Reply and Opposition to Proposed Amendments
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12. Hearing
13. Final Written Decision and Rehearing Requests
14. Appeals to the Federal Circuit
15. Parallel Litigation
16. Transitional Program for Covered Business Method Patents
17. Preview of Post-Grant Review Procedures

An essential resource for every patent practitioner, the *2013 Federal Circuit Yearbook* is the easy, effective, and economical way for you to keep pace with all patent decisions published by the U.S. Court of Appeals for the Federal Circuit during the past year. The *Yearbook*’s concise yet comprehensive case synopses zero in on the prime issues, providing you with an expert account of the facts and law of the key rulings in the field. Covering everything from utility to claim construction, nonobviousness to infringement, and inequitable conduct to inventorship, the *Yearbook* brings you readily accessible summaries packed with authoritative commentary on the CAFC’s legal analyses, and its current thinking on pivotal patent concerns.

Issued annually, *Federal Circuit Yearbook: Patent Law Developments in the Federal Circuit* is must reading for patent attorneys and other intellectual property practitioners, as well as a useful reference for corporate attorneys and inventors.

1 softcover volume, 578 pages, $295, Order #47816, Published annually
Copyright Law: A Practitioner’s Guide
Bruce P. Keller and Jeffrey P. Cunard (Debevoise & Plimpton LLP)

“Written in a clear, sensible, and authoritative voice. An indispensable guidebook that is firmly rooted in practical experience.”
— Ralph Oman, Former Register of Copyrights

“Manages the impossible: canvassing most of the field while providing readable, helpful advice . . . Highly recommended.”
— New York Law Journal

Copyright Law clearly explains major federal copyright legislation and related court rulings, giving you the legal knowledge you need to protect your clients’ copyright interests in both the real world and the virtual world of cyberspace.

Written by two nationally recognized lawyers who have litigated major copyright cases in today’s digital age, Copyright Law helps you to understand the scope of copyright owners’ exclusive rights • prove copyright infringement and obtain appropriate remedies • renew, restore, and recapture copyrights • know when Internet-related activities constitute copyright infringement • find out who owns a work for clearance purposes • exploit unique defenses and statutory safe harbors that exist in the digital environment • get insurance against litigation risks arising from possible infringing uses • and know when and how to register copyrights with the Copyright Office.

1 looseleaf volume, 790 pages, $295, Order #639, Updated annually or as needed

Table of Chapters
1. Introduction
2. Subject Matter
3. Ownership and Transfer
4. Copyright Practice — Exclusive Rights
5. Deposit, Registration, and Recordation
6. Publication and Notice
7. Duration and Renewal
8. Fair Use Doctrine
9. Specific Limitations on a Copyright Owner’s Exclusive Rights
10. Clearing Rights
11. Copyright Practice — Infringement
12. Copyright Practice — Remedies
13. The Copyright Office
14. Copyright in the Digital Age

Substantial Similarity in Copyright Law
Robert C. Osterberg (Formerly of Abeles Clark & Osterberg) and Eric C. Osterberg (Osterberg LLC)

“Deserves a prominent place on the shelf of any copyright specialist.”
— Texas Bar Journal

Substantial Similarity in Copyright Law gives you in-depth insight into the types of similarities that trigger findings of infringement. It clarifies the principal substantial similarity tests used by the courts to decide whether the copying in question constitutes infringement, giving you an invaluable understanding of the guiding legal principles in each federal circuit. You’ll learn how substantial similarity tests are applied to different kinds of copyrightable subject matter — from fiction to computer programs, and from sound recordings to architectural works — and how substantial similarity is proved at different stages in litigation. Packed with illustrations from litigated cases, this wide-ranging reference enables you to see how this vital concept is applied in your jurisdiction, enhancing your ability in copyright disputes.

1 looseleaf volume, 814 pages, $335, Order #631, Updated annually or as needed

Table of Chapters
1. The Meaning and Significance of Substantial Similarity
2. Principles of Substantial Similarity
3. Tests for Substantial Similarity
4. Fictional Literary and Dramatic Works
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7. Audiovisual Works
8. Computer Programs
9. Musical Works and Sound Recordings
10. Works of Visual Art
11. Architectural Works
12. Choreography
13. Compilations and Collective Works
14. Works in Different Media and Different Formats
15. Derivative Works
16. Useful Articles
17. Selected Trial Issues
18. Appellate Review
Kane on Trademark Law: A Practitioner’s Guide

Sixth Edition

Siegrun D. Kane (Kane Advisors LLP)

“Smart attorneys should turn to Kane’s penetrating analysis of the precedents as the foundation of their research, for there is no better starting point . . . Practitioners can easily and instantaneously find the point in question in this very well formatted, clearly articulated treatise.”

— Judge Paul Michel, Former Chief Judge of the Court of Appeals for the Federal Circuit

“Kane on Trademark Law is the perfect resource for both the novice and the experienced trademark practitioner.”

— Daniel J. Noonan, Director, Trademarks and Copyrights, Dell Inc.

Written by one of the nation’s foremost trademark practitioners, the new sixth edition of Kane on Trademark Law tells you everything you need to know about trademark issues and tactics — all in one convenient, easy-to-read volume with a searchable CD-ROM.

How do your facts stack up against the cases? Kane on Trademark Law, Sixth Edition will not only tell you with illustrative lists of cases on both sides of all major trademark issues, but will show you with full-color illustrations of previously litigated marks.

The new sixth edition of Kane on Trademark Law provides court-tested practical suggestions, including how to:

• spot potential conflicts and save searching time and expense with effective shortcuts
• overcome common descriptiveness rejections
• update or amend registrations based on changes in the mark, and
• prepare for depositions and prepare your deponents for the ordeal ahead.

Kane on Trademark Law, Sixth Edition will also bring you the latest on:

• Internet issues, such as social media, ICANN domain names and likely confusion factors in keyword advertising cases
• the courts’ increasing reliance on surveys in proving dilution under the Lanham Act
• the extension of work-product protection to communications between counsel and expert witnesses under amended Federal Rule 26
• the First Amendment defense in cases involving parody and negative comments by competitors, and
• the increasing number of cases cracking down on counterfeiters and willful infringers.

Plus you get easy access to key forms, step-by-step checklists and excerpts from key statutes.

1 looseleaf volume with CD-ROM, 1,100 pages, $395, Order #50513, Updated annually or as needed

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2. Selecting a Trademark
3. Protecting Trade Dress As a Trademark
4. Searching a Trademark
5. Using a Trademark
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7. Maintaining a Registration
8. Protecting a Trademark from Infringement
10. Protecting Against False Advertising Claims
11. Interacting with the Internet
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13. Negotiating a Settlement
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Appendix 12 Combined Declaration of Use in Commerce/Application for Removal of Registration of Mark Under Sections 8 and 9
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Appendix 19 Factors Under the ACPA for Determining Bad-Faith Intent to Profit
Appendix 20 Trademark Dilution Revision Act (Enacted October 6, 2006)
Likelihood of Confusion in Trademark Law

Second Edition

Richard L. Kirkpatrick (Pillsbury Winthrop Shaw Pittman LLP)

“Practical insight that all trademark law practitioners should have at their fingertips.”
— Chetuan L. Shaffer, Former Intellectual Property/Brand Protection Counsel at Apple Inc.

“Explains what every trademark lawyer needs to know about this essential trademark element.”
— Martha Sarra, Trademark Counsel, The Kroger Company

The new second edition of Likelihood of Confusion in Trademark Law illuminates the pivotal multiple-factor test, giving you a strong grasp of the key elements used by the courts to determine if likelihood of confusion exists. It’s packed with hundreds of real-world examples that help to spotlight the kinds of trademarks that are likely to be confused with established trademarks, and those that are not. Included are effective, trial-tested strategies and tips on how to outmaneuver your opponent in court, whatever side you represent. To further aid your understanding, the treatise includes an appendix of color illustrations of marks from trade dress infringement cases.

Updated with every relevant U.S. Court of Appeals decision, Likelihood of Confusion in Trademark Law, Second Edition is a must-have reference for trademark specialists and other intellectual property attorneys, and important reading for corporate counsel, generalists, and corporate executives.

1 looseleaf volume, 590 pages, $375, Order #46331, Updated annually or as needed

Table of Chapters

1. Principles of Likelihood of Confusion
2. The Multiple Factor Test
3. Strength of the Senior Mark
4. Similarity of the Marks
5. Product Relatedness
6. The Consumers and Their Degree of Care
7. Actual Confusion
8. The Junior User’s Intent

Sack on Defamation: Libel, Slander, and Related Problems

Fourth Edition

Robert D. Sack (U.S. Circuit Judge, U.S. Court of Appeals, Second Circuit)

“Judge Robert Sack is the leading expert on the Law of Defamation. His book is, or should be at the elbow of every lawyer who practices media law.”
— James C. Goodale, Debevoise & Plimpton

Written by a current U.S. Court of Appeals judge and member of the adjunct faculty of Columbia Law School who practiced media law at the highest level for more than thirty years, Sack on Defamation gives you comprehensive, practical legal guidance. It fully covers the basic elements of a defamation claim • the types and amounts of damages that can be awarded • the sometimes confusing treatment of libel per se and slander per se • invasion of privacy torts • the causes of action for injurious falsehood, intentional infliction of emotional distress, negligent misstatement, and more • and issues of jurisdiction and motion practice.

2 looseleaf volumes, 1,638 pages, $395, Order #26242, Updated annually or as needed

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1. Constitutional Principles
2. The Cause of Action
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4. Opinion
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7. Republication, Rumor, Fair Report, and Neutral Reportage
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9. Qualified Privilege
10. Damages and Other Remedies
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12. Related Causes of Action: Invasion of Privacy
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14. Discovery; Sources, Confidentiality, and Anonymity
15. Jurisdiction and Choice of Law
16. Motion Practice and Appeal
17. Insurance Policies
Telecommunications Law Answer Book 2014
Drinker Biddle & Reath LLP

With the vast increase in the number and kinds of communication devices in the past few decades, the importance and complexity of federal regulation of everything from spectrum licensing to antitrust and content regulation has grown. Telecommunications Law Answer Book 2014 is a comprehensive overview of the issues faced by the many different participants in the telecommunications industry.

In an easy-to-read Q&A format, Telecommunications Law Answer Book 2014 describes:

• The duties and obligations that apply to common carriers that provide telecommunications services
• The impact of and policy goals behind the Communications Act of 1934 and Telecommunications Act of 1996, as well as other federal statutes and regulations
• The FCC regulation of the radio and television spectrum, as well as ownership of broadcast stations and cable systems
• “Accessibility by design,” or the idea that from the moment of concept to realization, a communications product should be designed with accessibility in mind for those with cognitive or physical disabilities
• The enforcement process for companies or individuals that are alleged to have violated the rules of the Federal Communications Commission
• The rules regulating customer relationships as well as how political advertising should be handled

Telecommunications Law Answer Book 2014 also provides a comprehensive overview of the recent Congressional and FCC initiatives on data privacy and security, as well as the restrictions on foreign ownership of U.S. communications companies regulated by the FCC. This new Q&A guide provides answers in this dynamic area of law to practitioners, corporate general counsel and senior management, and other professionals in the many areas of the telecommunications industry.

1 softcover volume, 680 pages, $255, Order #50743, Published annually

Advertising and Commercial Speech: A First Amendment Guide
Second Edition
Steven G. Brody (Bingham McCutchen LLP) and Bruce E. H. Johnson (Davis Wright Tremaine LLP)

Written by First Amendment experts, Advertising and Commercial Speech: A First Amendment Guide examines the origin, meaning, and legal evolution of the Supreme Court’s commercial speech doctrine, focusing on how this central doctrine’s rights and restrictions affect advertising in nearly fifty industries and professions, including advertising for alcohol, financial institutions, prescription drugs, real estate, schools, and tobacco, and for the services of accountants, doctors and dentists, lawyers, pharmacists, and more.

Advertising and Commercial Speech shows you how commercial speech is defined today and when it can be regulated and even prohibited • what the appropriate legal standard is for defamation lawsuits based on advertising • how much legal “breathing room” advertisers have for false commercial speech • what “disparagement” is and how it can be proved in court • when the media is prohibited from refusing advertisements • and when broadcasters and publishers can be sued for negligently false statements.

1 looseleaf volume, 840 pages, $335, Order #4906, Updated annually or as needed

Trade Secrets: A Practitioner’s Guide
Second Edition
Henry H. Perritt, Jr. (Professor of Law, Chicago-Kent College of Law, Illinois Institute of Technology)

In clear, direct terms, Trade Secrets: A Practitioner’s Guide spells out what a trade secret is, how it should be protected, and what to do when its secrecy is compromised.

Trade Secrets defines what trade secret misappropriation is, how you can prove it in court, how you can protect trade secret information during the course of litigation, and how you can gain appropriate legal and monetary remedies for clients when violations are proven. Included are time-saving sample forms, proactive checklists, and instructive trial testimony from actual cases.

Trade Secrets: A Practitioner’s Guide is an essential tool for trade secret specialists and other intellectual property attorneys, corporate counsel and executives, scientists, engineers, business leaders, and generalists representing clients on trade secret matters.

1 looseleaf volume, 860 pages, $335, Order #7792, Updated annually or as needed
Widely acknowledged as the cornerstone reference for visual art professionals and their attorneys since it was first published in 1989, *Art Law* provides unsurpassed legal, business, financial, tax, and estate planning information and guidance for this major sector of the creative arts.

Written by two of America’s foremost art law authorities, the fourth edition of *Art Law* enables you to:

- Draft effective agreements clearly defining the rights and obligations of the parties involved, whether they’re artists, dealers, collectors, investors, appraisers, museums, or auction houses.
- Create tax-advantaged strategies for collectors and artists — with the help of detailed coverage of complete and partial *inter vivos* charitable transfers, noncharitable transfers, deductions of expenses when selling collections, outright bequests of artwork, and income tax deductions for expenses when creating art.
- Minimize the legal exposure of clients — by helping collectors avoid valuation errors, dealers avoid conflicts of interest, artists avoid copyright infringement, and auction houses avoid antitrust violations and other illegal practices.

In addition, the recently published fourth edition has been completely updated to reflect the most recent legal developments and business trends in the area, and includes new material on Holocaust-looted art, stolen art claims by sovereign entities, and the liability of sellers in such cases.

*Art Law* includes a host of step-by-step, field-tested checklists and a storehouse of adaptable model agreements involving collectors and dealers, owners and dealers, and dealers and dealers, as well as forms for appraisals, fine art licenses, property exchanges, tax-free exchanges, loans and promised gifts from artists’ estates, dealings with auction houses, private and public commissions, and museum donations.

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2 hardcover volumes, 2,074 pages, $295, Order #38149

**Table of Chapters**

1. Artist-Dealer Relations
2. Private Sales
3. Statute of Limitations for Theft and Breach of Warranty
4. Auctions
5. Prints and Sculpture Multiples
6. Commissioned Works
7. Expert Opinions and Liabilities
8. International Trade
9. Holocaust-Looted Art
10. First Amendment Rights
11. Copyrights
12. Moral Rights
13. Resale Rights (Droit de Suite)
14. The Collection As Investment Property
15. Tax and Estate Planning for Collectors
16. Tax and Estate Planning for Artists
17. Museums
18. Art Law Online and Digital Art
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Sixteenth Edition

F. Ladson Boyle (Charles Simon Professor of Federal Law, University of South Carolina) and
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Blattmachr on Income Taxation of Estates and Trusts offers today’s most comprehensive treatment of how the Internal Revenue Code taxes estates and trusts in light of recent legislative, regulatory, and judicial developments.

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1. Types of Trusts
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4. Medicare Tax — Section 1411
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9. Retirement Benefits
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7. Other Estate Planning Documents
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Third Edition
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4. Jointly Held and Community Property
5. Sovereign Risks, Expropriation, and the Act of State Doctrine
6. Trusts
7. Wills, Administration, and the Revenue Law Doctrine

The Circular 230 Deskbook • Related Penalties • Reportable Transactions • Working Forms
Jonathan G. Blattmachr (Milbank, Tweed, Hadley & McCloy LLP, Retired), Mitchell M. Gans (Professor of Law, Hofstra University) and Damien Rios (Caciques Consulting)

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**Trial Handbook** is the one-stop resource you can trust in the planning, trial, and post-trial stages of litigation. Designed for quick reference in the courtroom, **Trial Handbook** is keyed to the Federal Rules of Evidence and focuses on the presentation of proof and the evidentiary problems faced by counsel. The two-volume softcover format of this 2013 edition further increases the portability and usefulness of **Trial Handbook** by separating the materials of the first seven chapters — particularly the Presentation of Proof materials in chapter 4 and the indispensable Evidence Guide — into one easy-to-carry volume that is small and lightweight enough to drop into a briefcase or carry under your arm into the courtroom. The extensive Case Authority now exists in its own volume, which can be brought into the courtroom or left on your desk and referred to as you prepare for trial. Finally, the laminated Federal Rules of Evidence at a Glance distills all the evidence rules into one handy, portable, easy-to-access fold-out that may be left open on the counsel table throughout the trial. Packed with practical checklists, charts, outlines, sample jury selection questions, and a searchable CD-ROM, **Trial Handbook** gives you the knowledge and tools to:

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Edited by Terry Budd, Eric R. I. Cottle and Clifton T. Hutchinson (K&L Gates LLP)

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1 softcover volume, 336 pages, $175, Order #46261, Published annually

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Fourth Edition
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Milton R. Friedman and Patrick A. Randolph, Jr. (Professor of Law, University of Missouri School of Law)

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Pro Bono Service by In-House Counsel: Strategies and Perspectives

Edited by David P. Hackett (Baker & McKenzie LLP)

“Offers essential guidance as to why such pro bono services should be undertaken, how such programs should be structured, examples of such programs, lessons learned, and tips for service providers, lawyers, and clients.”
— Judge Robert A. Katzmann, U.S. Court of Appeals for the Second Circuit

Pro bono service in corporations, once unusual, is now the norm. Gathering together the wide-ranging experiences of in-house corporate counsel, this practical guide shows you how to start, maintain, and expand company pro bono legal services. It offers essential guidance as to why pro bono services should be undertaken and how they should be structured, and provides examples of pro bono programs, lessons learned, and tips for service providers, lawyers, and clients.

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