

16.0 Comment

Comment

The Ninth Circuit's model patent jury instructions have been withdrawn. The following patent jury instructions are a helpful source:

United States District Court, Northern District of California, Model Patent Jury Instructions (2017 updated October 2019). The instructions can be accessed at:

or

Other sources of patent jury instructions that may be helpful include:

American Bar Association Section of Litigation, Model Jury Instructions: Patent Litigation (Matthew C. Acosta ed., 2d ed. 2023).

Kevin F. O'Malley, et al., 3A Federal Jury Practice and Instructions ch. 158 Patent Infringement (Thomson West 2006 6th ed.), available through WestLaw.

4-86 Modern Federal Jury Instructions—Civil ¶¶ 86.01-86.04(Matthew Bender), available through LexisNexis.

Revised March 2024