Gillis, Diana L.

From: Gillis, Diana L.
Sent: Tuesday, September 22, 2015 10:01 AM
To: [redacted]; Walsh, Kathryn E.; Whitehead, Nora
Subject: RE: Foreign patent

For purposes of the foreign exemptions, that is correct (it is possible there could be US revenues for Item 5, e.g. if a US entity handles the licensing).

From: [redacted]
Sent: Tuesday, September 22, 2015 9:50 AM
To: Walsh, Kathryn E.; Gillis, Diana L.; Whitehead, Nora
Subject: RE: Foreign patent

I should add that Interpretation 0802007 supports this view—as do a number of conversations I have had with Mike and others over the years. I ask again only because there is nothing recent confirming this position.

Thank you.

[redacted]

From: [redacted]
Sent: Tuesday, September 22, 2015 9:47 AM
To: 'kwalsh (kwalsh@ftc.gov)'; 'Gillis, Diana L.'; Whitehead, Nora
Subject: Foreign patent

I have always understood that a non-US patent is an asset located outside the US for HSR purposes. I also believed that such a patent or trademark could not generate any sales in or into the US because it afforded no rights at all in the US and only a US patent or trademark could provide such rights.

Do you agree?

[redacted]