**16. Patents**

**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The Ninth Circuit’s model patent jury instructions have been withdrawn.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:

https://www.cand.uscourts.gov/wpcontent/

uploads/2019/12/NDCAL\_Model\_Pat\_Jury\_Inst\_8-2017\_updated\_10-2019.pdf

https://www.cand.uscourts.gov/wpcontent/

uploads/2019/12/NDCAL\_Model\_Pat\_Jury\_Inst\_8-2017\_updated\_10-2019.docx

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).

Federal Circuit Bar Association, Model Patent Jury Instructions (2016). The instructions can be accessed at:

https://www.fedcirbar.org/IntegralSource/Model-Patent-Jury-Instructions/

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.

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