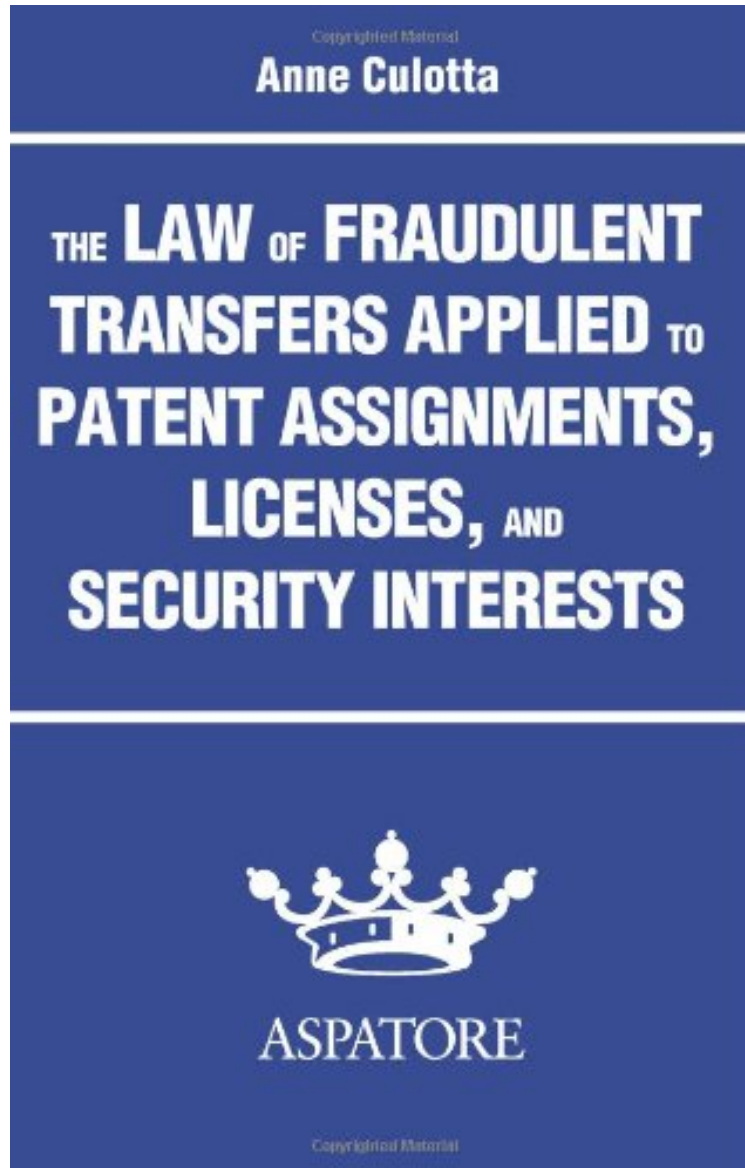


# The Law of Fraudulent Transfers Applied to Patent Assignments, Licenses, and Security Interests

Anne Culotta

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**Anne Culotta : The Law of Fraudulent Transfers Applied to Patent Assignments, Licenses, and Security Interests** before purchasing it in order to gauge whether or not it would be worth my time, and all praised The Law of Fraudulent Transfers Applied to Patent Assignments, Licenses, and Security Interests:

1 of 1 people found the following review helpful. Thoroughly researched, carefully thought-through, easy to read. By

D. C. Toedt Disclosure: The author, a lawyer, is a colleague and friend. She gave me a copy of the book and asked me to review it, inasmuch as I have some background and experience in the subject area. In essence, this book is the author's thesis for her master's degree in law (LLM), adapted to book form. (Another disclosure: I teach at the law school where the author earned both of her law degrees.) It's evident that she has thoroughly researched and carefully thought through the issues that can arise when the ownership of a patent is transferred and then things "go south" afterwards. Any lawyer who deals in any way with patents will benefit from this book. The book clearly lays out both the "how" and the "why" of the law of fraudulent transfers, both generally and for patents specifically. The author uses simple, everyday examples and analogies to illustrate her points, and summarizes judicial opinions by telling the underlying human- and business stories.

Written by a transactional intellectual property attorney, *The Law of Fraudulent Transfers Applied to Patent Assignments, Licenses, and Security Interests* explores the three bodies of law under which fraudulent transfer claims can arise: (1) federal bankruptcy law, (2) pure state law not involving bankruptcy, and (3) a mixture of federal bankruptcy law and state law. Fraudulent transfer law is not the law of fraud. On their face, fraudulent transfer laws are easy to misconstrue without additional guidance. This book aims to provide guidance in the face of confusion propagated through case law and examines how third parties to a transaction involving patent assignments, licenses, or security interests have used fraudulent transfer law to at least extract money from transferees and, at times, gain ownership of the transferred patent itself. Patents can be particularly vulnerable to fraudulent transfer claims. It can be difficult to ascribe value to a patent with any degree of certainty. Yet, lack of exchange of reasonably equivalent value for a patent can open the door to a claim of fraudulent transfer in many cases. This book provides a detailed discussion of patent valuation in view of how valuation can be used in advance of or to defend against fraudulent transfer claims involving patents. About the Author Anne Culotta, JD, PhD, MBA, was appointed UTMB Associate Vice President for Technology Transfer effective October 1, 2013. Dr. Culotta, most recently in private practice, managed a diverse range of intellectual property (IP) issues and transactions for start-up companies and entrepreneurs involving technology and IP licensing, patent, copy right and trademark, as well as the many aspects of IP commercialization.