

RCW 19.350.010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Assertion of patent infringement" means:

(a) Sending or delivering a demand to a target;

(b) Threatening a target with litigation asserting, alleging, or claiming that the target has engaged in patent infringement;

(c) Sending or delivering a demand to the customers of a target;

or

(d) Otherwise making claims or allegations, other than those made in litigation against a target, that a target has engaged in patent infringement or that a target should obtain a license to a patent in order to avoid litigation.

(2) "Claim" means the scope of the patent owner's exclusive rights to the use and control of the patent owner's invention.

(3) "Demand" means a letter, an email, or any other communication asserting that a person has engaged in patent infringement.

(4) "Person" means any individual, corporation, partnership, limited liability company, government, governmental subdivision, institution of higher education, or any other legal or commercial entity.

(5) "Target" means a person:

(a) Who has received a demand or against whom an assertion of patent infringement has been made;

(b) Who has been threatened with litigation or against whom a lawsuit has been filed alleging patent infringement; or

(c) Who has at least one customer who has received a demand letter asserting that the person's product, service, or technology has infringed a patent. [2015 c 108 § 2.]