

**INTELLECTUAL PROPERTY LAW SECTION  
MEETING MINUTES  
October 14, 2004**

**Attendees:**

Craig Baldwin, Greg Bondarenko, Catherine Brown, Beverly Bunting, Catherine Collins, Denise Glassmeyer, Laura Hargitt, Lisa Smith (via phone), Laura Slenzak, and Lynn Chard and Kelly Miller of ICLE

Absent –Charles Ashbrook, Frank Angileri, John Naber.

Ms. Collins called the meeting to order at approximately 9:40.

**1. Secretary/Treasurer Report**

The September 9, 2004 meeting minutes was unanimously approved.

Ms. Bunting reported that the Section has an account balance of \$54,000.

**2. Spring Seminar 2005 – March 14, 2005**

- a. Ms.Glassmeyer made a detailed presentation on topic ideas and speaker suggestions for the seminar. Two tracks are proposed: track one is patents, and track 2 is trademarks in the morning and “other” in the afternoon. The patent topics include: PTO update; PTO specific topic (appellate practice); Written description Requirement; PCT practice (Carol Bidwell); restriction practice; or, willfulness and discovery in wake of Knorr-Bremse. The trademark topics include: Fair Use after KP Permanent Marker (B. Sacoff); Trademark Prosecution Update (tips, best practice, description of goods/services (Beth Coakly); Global Filing tips and strategies. The “other” topics include: Electronic Presentation of Evidence, Update of Trade Secrets (Ed Papas); Licensing and anti trust (Pfizer); and Law Student Roundtable. The lunch speaker will provide a Judicial Perspective on Claim Construction Procedure.
- b. The cost for the seminar was set at \$75 for members; \$15 for students; and \$175 for non-members.
- c. The prospect of a new location in the Lansing area was discussed, no consensus reached.

**3. Summer Institute ‘05**

- a. A general discussion was held regarding potential topics and presenters.
- b. The Topic for track 1 is Enforcing ITC judgments (Steve Adkins)

- c. David Bernstein and Lesleigh Linn were suggested as a potential speaker for the update on trademarks. David Bernstein is the first choice.
- d. The PTO solicitor is confirmed as a speaker.
- e. Lynn Chard will try to arrange for a Federal Circuit Judge as a keynote speaker.
- f. A litigation track and an internet track with trademark flavor were proposed. For the trademark track, topics suggested include ICANN (Michael Stuart); Asian TM Enforcement (Vivian Chen). Catherine Collins or Lisa Smith will contact Vivian Chen. Other trademark speakers are Betsy Bilus from Pepsi and Tsan Abrahamson. Should this topic tie in with internet?
- g. The litigation section will also be holding a seminar at the same time. Do we want to have a joint session on Friday? Do we want to have a panel discussion with the judges present at the litigation meeting?
- h. Schedule ideas include ethics 4-5pm; litigation topic 5-6pm; social hour 6-7:30 pm.
- i. It was agreed not to hold Camp Invention for children.

#### **4. International Trade Forum**

- a. Lisa Smith reported that seminar is on schedule. Dinner plans with the guests are being finalized. Ms. Smith will moderate in Grand Rapids. Jerry Tschura will moderate at OU location, and Laura Hargitt will assist. IPLS will cover the cost of parking for attendees in Grand Rapids. At present the number of registrations is 26 in Grand Rapids and 41 in Rochester.

#### **5. Proceedings**

The next issues are planned for January 05 and May 05.

#### **6. Old Business**

- a. Summer Institute 2004 – no discussion
- b. Change to Bylaws – Ms. Glassmeyer will forward proposed change to State Bar for review and approval.
- c. The section joined in on the amicus brief filed by the New York IP section on *Phillips v. AWH Corp.*, 363 F.3d 1207, 70 USPQ2d 1417 (Fed. Cir. 2004) (67 PTCJ 576, 4/16/04 📄). Ms. Slenzak will continue to monitor.
- d. Ms. Slenzak and Ms. Smith sent a notice to the law schools in Michigan announcing the writing contest for law students. The SBM IPLS will provide a cash award of \$1000 to the winning paper which provides a study of the proposed Model State Trademark Act as compared and contrasted to existing Michigan trademark law and which provides a

recommendation for what Michigan should do as far as enactment of the model act or a modified version of the model act. The judges will be an ad hoc panel approved by the section.

**7. New Business**

There was no new business discussed.

The next meeting is scheduled for November 11, 2004, and will be held in Lansing at 9:30 am.

The meeting adjourned by unanimous consent at approximately 12:00.