

Intelle©tual Prope®ty **LAW SECTION**

Newsletter, Spring 2000

Message from the Chairman

By Jason Bernstein

Greetings. As a section, we have grown tremendously over the past few years, with our membership now at nearly 800. Since assuming the role as chairman of the section last July, I have tried to focus on three areas.

First, we have solidified the organizational infrastructure of the section leadership by having more clearly defined roles for each of the executive committee members. Also, we are creating a "farm team" of people interested in being involved with the section from which we can grow the future leadership of the section. From a financial standpoint, we are creating an operating budget to help us use your membership dues and other revenues better and predict the cost of future events.

Second, we have increased the number and diversity of events held by the section or with our involvement. The roundtables have started again, as well as the social events. Each of the patent, trademark, copyright and licensing committees is responsible for planning and executing their own events. To do this, we are developing a master schedule and planning events over a one-year timeframe to avoid conflicts and maximize the event availability to the membership.

Third, one of my long-term goals has been to increase the visibility of the section to others around the country. This will benefit us as lawyers and corporations in different parts of the United States gain a better understanding of the quality of the lawyers in Georgia, being judged in part by the quality of the events we hold and the quality of speakers we attract. The annual IP Institute is drawing more out-of-state attorneys than ever. Our co-sponsorship of diverse CLE programs creates cross-pollination opportunities with other local firms. Having PTO Commissioner Q. Todd Dickinson and Copyright Register Marybeth Peters here helps, too. We are creating a long-term plan for larger events that, like the New York judges dinner, will raise our image. We are planning on hosting at least one, and possibly several, examining groups from the U.S. and

European Patent Office over the next year as part of the PTO field trips. Through these and other programs, we can show that Georgia lawyers are competitive with those in the traditional stronghold locations of IP practice, thus attracting corporate counsel to select our attorneys for outside work, as well as for companies looking for in house counsel.

We have made some staffing changes in the wake of disappointing performance regarding the number of newsletters. But now, with Doug Isenberg of GigaLaw.com taking the helm of the newsletter and our new section web site (<http://www.GeorgialP.org>), I feel confident that we will be able to keep you up-to-date with events and news. The newsletter will have a new and improved format. We welcome your contributions.

Finally, as my year of tenure draws to a close, I would like to thank all the officers and committee members for their hard work and commitment to making the section a tremendous success. Also, no section can succeed without the efforts of Lesley Smith at the State Bar. I look forward to the continued growth of the section under the capable leadership of Greg Kirsch and the other executive committee members. Your interest and involvement are critical to the section's future. Please get involved and have fun. Thank you for allowing me to be a part of your section leadership.

IntellectualProperty Institute – 2000 in Costa Rica!

The IP Section, in association with the Institute for Continuing Legal Education in Georgia (ICLE), will hold its annual ICLE Intellectual Property Institute at the Marriott Los Suenos resort, just outside San Jose, Costa Rica, on October 27 through October 30, 2000. This event will take place concurrently with, and at the same venue as, the Southern Regional Entertainment & Sports Law ICLE Seminar, with each section having its own separate CLE track.

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More details regarding this event, including details on cost, registration process, etc., will be mailed out in due course. In the meantime, however, please save the date, as we look forward to seeing all of you in Costa Rica in October.

Finally, we are now forming a committee to help plan the event. If you have an interest in helping out, please let me know.

*Submitted by Greg Kirsch
Chair-Elect*

New Web Address: **www.GeorgialP.org**

The IP Section now has its own web site, which will enable us to provide more accessible and timely information for members. The address is <http://www.GeorgialP.org>.

The site will continue to be linked from the State Bar's site (<http://www.gabar.org>), which is being redesigned.

In addition, we will now make all of this and future newsletters' content available on the web site. We are curious to know whether it is worthwhile to continue publishing both a hard-copy newsletter and an online version, so if you have an opinion, please let me know by sending me an e-mail (disenberg@GigaLaw.com).

Finally, if you have any suggestions for the web site or this newsletter -- or if you have any articles, seminars or other relevant information about the intellectual property community in Georgia -- please let us know.

*Submitted by Doug Isenberg
Webmaster and Newsletter Editor*

Seminars and Programs in Review

1999 INTELLECTUAL PROPERTY INSTITUTE

The fifth annual Georgia Intellectual Property Law institute was held November 5-6 at Brasstown. More than 90 people attended, up nearly 30% from previous years. We had more than 20 speakers and a new format in which we introduced morning

roundtable topic discussion groups to cover more specific topics in greater depth than is possible during a general lecture. Register of Copyrights Marybeth Peters presented an update on the Copyright Office affairs.

We also had, for the first time, several sponsors that helped defray costs to members and the section and allowed us to have the Bacchus Mystery Theater perform during dinner. More than 120 guests stayed well into the evening to take part in the interactive comedy/mystery play. Overall response to the seminar was outstanding.

DISTRIBUTION OF PRODUCTS OVER THE INTERNET

On December 2, 1999, the section joined with the Antitrust, Business Law and Computer Law sections to sponsor a full day CLE seminar on Distribution of Products Over the Internet. More than 120 people attended.

77TH ANNUAL JUDGES DINNER IN NEW YORK CITY

On March 24, Jason Bernstein represented the section at the 77th Annual Judges Dinner in New York City, sponsored by the New York Intellectual Property Association. Between 3,000-4000 people attended the black-tie event, including Todd Dickinson, commissioner of the PTO. The event was very well-organized, and many of the local firms had hospitality suites at the Waldorf Astoria hotel to entertain clients, judges and other guests.

INTELLECTUAL PROPERTY IN A GLOBAL ENVIRONMENT

On April 6, 2000, the IP Section joined with the International Law Section and the Georgia Chapter of the American Corporate Counsel Association in a full-day CLE seminar on Intellectual Property In a Global Environment. More than 60 people attended, some from as far away as Belgium.

Submitted by Jason Bernstein

Licensing Committee Update

The newly formed Licensing Committee held its first luncheon of the year on April 26 in the elegant "boardroom" of Jones & Askew's new Buckhead offices.

Jeff Young was the host to 20 lawyers at the meeting. The featured speaker was Bryan Benoit, a partner in PricewaterhouseCoopers' Intellectual Asset Management practice group in Houston. Mr. Benoit gave an excellent, in-depth presentation on Internet intellectual property exchanges, including IPEX, TechEx, Yet2.com, and PL-X. These portals post technologies available for sale or license, and thereby provide a means for buyers, sellers, licensors and licensees to locate each other in a well-managed, secure and centralized place. The portals attempt to facilitate a faster licensing cycle, thus benefiting participants and the public by increasing the speed at which innovations are brought to market. Bryan described how the portals work, and the background and strengths of each. Many thanks to him for taking time to make the presentation and to Jeff for hosting the event.

The Committee's next meeting is tentatively set for Wednesday, July 19, at 11:45 a.m.. The featured speaker will be Chris Kennedy, Senior Counsel for Intellectual Property at the U.S. Department of Justice. He will discuss and explain DOJ's antitrust guidelines for licensing intellectual property and DOJ's latest position on enforcement. An e-mail flyer giving meeting location and other details will be circulated to Committee members in June.

If you are interested in being on the mailing list, please contact me by e-mail (racurrie@gapac.com) as soon as possible with name, address, title and contact numbers.

*Submitted by Bob Currie
Chair, Licensing Committee*

chaired by Daniel Santos of Thomas, Kayden, Horstemeyer & Risley.

In late June, Kimberly Prior of Jones & Askew will chair a Roundtable lunch on "New Rules Implementing the Patent Statutes Effective May 29, 2000." Additional information on this Roundtable lunch will be forthcoming.

*Submitted by Griff Griffin
Chair, Patent Committee*

Trademark Committee Update



On March 7, 2000, the Trademark Committee sponsored a panel discussion on the Trademark Law Treaty Implementation Act (TLTIA) at the Grand Hyatt Hotel in Atlanta. Moderated by Mike Hobbs from Troutman Sanders, panelists Ted Davis from Kilpatrick Stockton, Sandy Evans from BellSouth and Ginabeth Hutchison from Alston & Bird discussed the changes created by TLTIA on trademark application filing date requirements, revival of abandoned applications and new rules on post-registration practice.

A copy of the written materials from the discussion will be made available on the IP Section's web site at <http://www.GeorgialP.org>.

*Submitted by Mike Hobbs
Chair, Trademark Committee*

Patent Committee Update

The year's first Patent Roundtable Lunch took place on February 24. Presenting at the Roundtable lunch was Michael J. Mehrman of Morris, Manning & Martin LLP. The topic was the Inventor Protection Act of 1999. Michael provided an excellent overview of the Act with particularly insightful commentary as to the possible impact of the various provisions of the Act on the patent practice. There was a great turnout of approximately 35-40 people in attendance.

The second program was scheduled for May 25. The topic was "Drafting Business Method Claims That Meet PTO Requirements." The discussion was to be

Copyright Committee Update



The Intellectual Property Section will host a "Copyright Application Basics" seminar on June 7 at the Grand Hyatt in Buckhead. The seminar will focus on software, sound recording, and audiovisual copyright applications, as well as other legal issues to be aware of when drafting applications for clients. Speakers will include Charlie Henn from Kilpatrick Stockton and Steve Sidman from Greenberg Traurig. Stay tuned for more details -- this should be an excellent learning tool for summer associates as well as practicing attorneys.

*Submitted by Judy Dray
Chair, Copyright Committee*

Calendar

June 7	Copyright Application Basics Seminar
Late June	Patent Roundtable Discussion
July 19 (tentative)	Licensing Committee Meeting
October 27-30	IP Institute, Marriott Los Suenos resort, just outside San Jose, Costa Rica

Intellectual Property Section Officers, 1999-2000

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