

# State Bar of Michigan

## Intellectual Property Law Section Council Meeting

May 14, 2015.  
By Teleconference

Attendance: Karl Ondersma, Kristen Spano, David Berry, Gene Rath, Chad Kleinheksel, Kendra Mattison, Beth Coakley, Kristin Murphy, Tamara Clark, and Sharon Brady. Hope Shovein and Steve Hansen were not in attendance.

Meeting was called to order at 9:34 a.m.

Approval of Minutes: The minutes from the April 2015 Council meeting were reviewed and approved.

### Financial Report

David Berry commented on the Section finances. The Section has a current balance of \$125,844.53, which includes funds earmarked for the Michigan Patent Pro Bono Project. Costs associated with the 2014 Spring Seminar and the April program with USPTO Director Michelle K. Lee have not been received. After discussion, the Council agreed to keep Section dues at the same amount for next year.

### IPLS Proceedings

Chad Kleinheksel reported that a IPLS Proceedings issue is planned for later in the summer, probably with a trademark focus.

### Pro Bono

David Berry gave a report on progress in establishing the Michigan Patent Pro Bono Project. The program is operating well, and the immediate need is to increase the number of volunteer attorneys. David will be presenting on the program at the USPTO Detroit Office public IP seminar on Saturday at the Detroit Public Library.

### Social Media

Gene Rath reported he will continue to obtain information from SBM regarding the amount of traffic on the Section webpage.

### Continuing Business:

#### IPLS Award

Beth Coakley and David Berry will coordinate arranging a presentation award for Judge Cohn.

#### Michigan Bar Journal IP Issue

Karl Ondersma led a discussion of articles for a special IP-theme Michigan Bar Journal. One committed article will be submitted by Corey Beaubien of Reising Ethington on Supreme Court activity in the patent area. David and Rob Mathis of the SBM/PBI will submit an article relating to IP pro bono in Michigan. Karl reported that Mark Harper of Gifford Krass would submit a general article on U.S. IP law. The Council agreed that the articles in the issue should cover all areas of IP, and Karl will discuss paper topics with the authors.

#### IPLS Bylaws Amendment

Karl reported that he and David will begin working on a proposed amendment to the Section Bylaws to formally establish the Michigan Patent Pro Bono Project as a Section Committee. The amendment would be circulated and then submitted for approval at the annual business meeting.

#### USPTO-Related Matters

Karl reported that Michelle Lee's appearance at University of Detroit Mercy School of Law on April 17, 2015 was very successful.

#### Budget Discussions

Kristen Spano reported on the efforts of Hope Shovein and David Berry to explore providing additional service to Section members, in light of the expected budget surplus in future years. Suggestions included: Hosting a regular networking reception in West Michigan, perhaps in connection with an annual art or civic event; reserving funds for expected future USPTO receptions; subsidizing the cost of attending the Section IP Institute for in-house counsel, government, and academic members; and potential law school outreach programs. After discussion, the Council agreed to resume discussions at a later date.

#### New Business:

#### USPTO-Related Matters

The Council discussed plans for an upcoming reception/program for Mary Boney Denison, the USPTO Commissioner for Trademarks. Beth Coakley reported that the event will be on May 29, 2015 from 8:30 AM to 10:00 PM at the Detroit Athletic Club in Detroit. After discussion, the Council agreed that the minutes should reflect its prior electronic approval of expenses for the event, which will depend on attendance, but is not expected to exceed \$4,000.

#### Proposed State Troll Act

Karl Ondersma reported that he had been contacted by parties interested in a pending Michigan State Senate Bill, S. 289, which would proscribe abusive patent demand letters. After discussion, the Council agreed that it would provide notice of this proposed legislation to the Section membership, but would not take a position on the merits of the bill at this time.

#### Upcoming Meetings

The Council discussed the upcoming meeting schedule and the need to begin planning the Spring 2016 Seminar and 2016 IP Institute prior to the Section's Annual Meeting in September. As a result, Kristen Spano advised members to plan to participate in active planning meetings in July or August.

The next Council meetings will be: June 11 (by teleconference) and July 9 (by teleconference/if needed). A program planning meeting will be August 13 in person (Lansing).

On a motion by Kristen Spano (seconded by Beth Coakley), the meeting was adjourned at 10:26.

Respectfully submitted:

David C. Berry  
Secretary