Bar Year: 2015-2016

Submitted: May 31, 2016

Section Name: Intellectual Property Law Section (“Section” or “IPLS”)

Mission Statement: The purposes of this Section are to study the laws and procedures pertaining to federal and state patent, trademark and copyright laws and to promote the fair and just administration of such laws; to study and report upon proposed legislation; to promote the legal education of members of the bar, and the general public on the problems of patent, trademark and copyright law by sponsoring meetings, institutes and conferences devoted to the problems of patent, trademark and copyright law by the preparation and dissemination of pamphlets and brochures with respect thereto and by preparing, sponsoring and publishing legal writings in the patent, trademark and copyright field.

Officers and Council Members:

Chair

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Chair-Elect

P65605 David Charles Berry, Southfield

Secretary-Treasurer

P64116 Hope V. Shovein, Southfield

Council Members

Term Ending: 2016
P49241 Sharon K. Brady, Midland (resigned September 2015)
P70376 Tamara Ann Clark, Gregory
P56075 Eugene J. Rath, Kalamazoo

Term Ending: 2017
P34108 Lisabeth H. Coakley, Troy
P71221 Kendra Sue Mattison, Auburn Hills
P57284 Kristin L. Murphy, Southfield

Term Ending: 2018
P65709 Thomas J. Appledorn, Bloomfield Hills
P56165 Kimberly A. Berger, Detroit
P67837 Aaron J. Wong, Grand Rapids

Council Meeting Schedule:

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<th>Meeting Type</th>
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<th>Location</th>
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<tr>
<td>Council Meeting</td>
<td>June 11, 2015</td>
<td>Teleconference</td>
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<tr>
<td>Council Meeting</td>
<td>August 13, 2015</td>
<td>Lansing Crown Plaza Hotel, Lansing, MI</td>
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<tr>
<td>Section Annual Meeting</td>
<td>September 17, 2015</td>
<td>Book Cadillac Hotel, Detroit, MI</td>
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<tr>
<td>Council Meeting</td>
<td>October 8, 2015</td>
<td>Lansing Crown Plaza Hotel, Lansing, MI</td>
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<tr>
<td>Council Meeting</td>
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<td>Council Meeting</td>
<td>December 10, 2015</td>
<td>Teleconference</td>
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<td>Council Meeting</td>
<td>January 14, 2016</td>
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<td>Council Meeting</td>
<td>February 11, 2016</td>
<td>Teleconference</td>
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<tr>
<td>Council Meeting</td>
<td>April 21, 2016</td>
<td>Teleconference</td>
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<tr>
<td>Council Meeting</td>
<td>Scheduled for June 9, 2016</td>
<td>Teleconference</td>
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<tr>
<td>Section Annual Meeting</td>
<td>Scheduled for July 22, 2016</td>
<td>Grand Hotel Mackinac Island, MI</td>
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Minutes of all meetings are available at: [http://connect.michbar.org/iplaw/council/minutes](http://connect.michbar.org/iplaw/council/minutes).

Intellectual Property Law Section Membership: 1234 Members

Intellectual Property Law Section Publication: As of this Report, the Section has published one issue of the *IPLS Proceedings* this year. A second issue is planned for summer 2016. In an effort to save costs and "go green," the *IPLS Proceedings* is now distributed electronically. Copies of the *IPLS Proceedings* are available at: [http://connect.michbar.org/iplaw/newsletter](http://connect.michbar.org/iplaw/newsletter).

General Budget Information: The Section continues to maintain a solid financial position, with a balance reported for April 30, 2016 of $122,080.72. The balance includes $28,249.01 in funds dedicated for the establishment of the Michigan Patent Pro Bono Project. The funds are attributable to excess sponsorship funds from the Elijah J. McCoy United States Patent and Trademark Office Detroit Office Grand Opening Gala, held on July 12, 2012 at the Henry Ford (Dearborn, MI). To date, $6,691.20 has been incurred in connection with the pro bono program. The Section’s most significant expenditure this year was associated with the IPLS Spring Seminar held at the Kellogg Center on March 14, 2016, which totaled $15,735.00. This amount has not yet been deducted from the above noted balance as of the submission of this report due to the timing of the invoice.
Events and/or Seminars:

<table>
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<tr>
<th>Event or Seminar Title</th>
<th>Date</th>
<th>Location</th>
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<tr>
<td>Reception with U.S. Trademark Trial and Appeal Board (TTAB) Chief Judge Gerard F. Rogers</td>
<td>August 7, 2015</td>
<td>Detroit Athletic Club, Detroit, MI</td>
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<tr>
<td>41st Annual Intellectual Property Law Institute</td>
<td>September 17-18, 2015</td>
<td>Book Cadillac Hotel, Detroit, MI</td>
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<tr>
<td>2016 Spring IP Law Seminar</td>
<td>March 14, 2016</td>
<td>Kellogg Center East Lansing, MI</td>
</tr>
<tr>
<td>42nd Annual Intellectual Property Law Institute</td>
<td>Scheduled for July 21-23, 2016</td>
<td>Grand Hotel Mackinac Island, MI</td>
</tr>
<tr>
<td>IP Law Section Reception at SBM Annual Meeting</td>
<td>Scheduled for September 21-23, 2016</td>
<td>DeVos Place/Reserve, Grand Rapids, MI</td>
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Reception with U.S. Trademark Trial and Appeal Board (TTAB) Chief Judge Gerard F. Rogers: On August 7, 2017, the IPLS hosted TTAB Chief Judge, Gerard F. Rogers for a discussion of current developments in TTAB proceedings. Chief Judge Rogers provided a presentation and discussed the state of the TTAB and the evolution of Board Proceedings.

41st Annual Intellectual Property Law Institute held September 17-18, 2016, Detroit, MI: The 2015 IP Institute was held at the Book Cadillac Hotel in Detroit, Michigan. 212 people registered for the event, with 195 actual attendees. This was down from 252 registrants and 228 attendees in Mackinac in 2014; and 245 registrants and 224 attendees in Mackinac in 2013. However, it was up from the 181 registrants and 152 attendees in Traverse City in 2012. Evaluations of the speakers were positive. The overall rating for the seminar was 6.16 out of 7.0. The program included a wonderful reception at the Detroit Institute of Arts and outstanding presentations from nationally renowned speakers on a range of patent, trademark, copyright, and other related topics. The Section appreciatesICLE’s support for this program.

2016 Spring IP Law Seminar, held March 14, 2016 in at the Kellogg Center, East Lansing: Our annual Spring IP Law Seminar had 219 registrants and 195 attendees. Registration and attendance was up from the 188 registrants/170 attendees in 2015 and consistent with the 232 registrants/194 attendees in 2014. Programming for the Spring Seminar continued to focus on practical topics to benefit members’ practice areas. This included a presentation on considerations in sending and responding to IP cease and desist letters, tips regarding how to avoid IP licensing issues and agreement mistakes, and a presentation providing the in-house perspective from the Senior Director, IP Legal Counsel for Abercrombie & Fitch.
US Patent & Trademark Office Enhanced Patent Quality Roadshow and Reception held on November 4, 2016 at Thomas M. Cooley Law School in Auburn Hills: The Section was honored to host the United States Patent and Trademark Office’s Enhanced Patent Quality Roadshow in Auburn Hills. This event was one of several that the USPTO conducted nationwide. Patent quality experts and executives were on-hand and in remote attendance to lead discussions on clarity of the record, improving global patent prosecution, measuring patent quality, enhancing examiner interviews and patent automation initiatives. The IPLS also hosted a reception following the presentation. Both events were free to the public.

42nd Annual Intellectual Property Law Institute to be held July 21-23, 2016 at the Grand Hotel, Mackinac Island: The 42nd Annual IP Law Institute will return to the Grand Hotel in July, with advanced patent and copyright sessions Thursday afternoon, updates Friday morning, and various topics Saturday morning. The Section is very excited that the Honorable Kara F. Stoll and Honorable Gerard F. Rogers will speak and provide practical advice relevant to the Federal Circuit and the Trademark Trial and Appeal Board (TTAB).

2016 Annual Business Meeting: The Section’s annual business meeting will be held July 22nd at 8:00 a.m. at the Grand Hotel, Mackinac Island in conjunction with the 42nd Annual Intellectual Property Law Institute.

Other Section Projects During 2016-2017

IP Pro Bono Initiative: The Michigan Patent Pro Bono Project (Project) is a service project of the IPL Section. The Project seeks to address the unmet need for patent legal services in Michigan by matching low-income inventors and innovators with volunteer patent attorneys. The Project was launched in November 2014, and is one of 18 regional programs providing pro bono patent legal services.

During 2015-2016, the Project expanded its operations, including:

In its first year of operation, the Project received requests for legal services from 42 persons. Of these, six were placed with volunteer attorneys and three more were placed with law school patent clinical programs.

On September 17, 2015, the IPLS formally amended its by-laws to establish the Project as a standing committee of the Section. The Section subsequently appointed a Steering Committee of seventeen IP professionals to administer the Project.

David C. Berry, who serves as chair of the Steering Committee, was appointed to the Board of Directors of the Pro Bono Advisory Council, a not-for-profit corporation that coordinates patent pro bono programs nationwide.

Representatives of the Project have promoted the program to audiences across the state, including: the Small Business Legal Academy 2016 program (part of Detroit Entrepreneur Week); the USPTO Detroit Office Saturday Program at Detroit Public Library; and the
Cornerstone Alliance Community Program, in Benton Harbor, MI. The Project was featured in a blog post by USPTO Director Michelle K. Lee on the USPTO Director’s Blog, on the Department of Commerce’s Minority Business Development Agency website, in a Law360 feature article by Jennifer M. McDowell, the USPTO Pro Bono Coordinator, and an article in the February 2016 Michigan Bar Journal.

In addition to coordinating with law firms and in-house law departments, the Project has coordinated with other IP legal resources. It has referred inquiries involving non-patent IP legal issues to Creative Many of Michigan, which operates the Lawyers for the Creative Economy (“LCE”) program. It has referred clients to USPTO-certified law school patent clinical programs at Wayne State University Law School and University of Detroit Mercy Law School.

**Michigan State Bar Excellence in IP Award**: The IPLS created the Michigan State Bar Excellence in IP Award in an effort to recognize and celebrate the accomplishments of a lawyer who had excelled in the intellectual property field and exemplified professionalism, excellence, and dedication to furthering opportunities and accomplishments in the area of intellectual property. In 2015, Judge Avern Cohn was the first recipient of the Michigan State Bar Excellence in IP Award. Nominations for the 2016 award are currently being received and reviewed. The 2016 recipient will be announced and presented with the award during the annual IP Law Institute meeting on July 22, 2016.

**Looking Forward to 2016-2017:**

**Planned Activities:**
- IPLS Reception at SBM Annual Meeting, September 2016, Grand Rapids
- Spring Seminar, March 2017, Lansing
- 43rd Annual Intellectual Property Law Institute, July 2017, Mackinac Island

**Recommendations for Next Council:**
- Continue efforts to grow the IP pro bono program in Michigan.
- Continue to focus Spring Seminar sessions on topics designed to provide practical information/“best practices” and the Annual IP Institute sessions on topics that provide an annual review of IP law.
- Consider conducting another membership survey to assist in planning the 2018 Annual IP Institute (the next “off-year”/non-Mackinac Island location).
- Continue to partner with the USPTO to provide presentation, information and networking events with USPTO personnel through the USPTO’s Detroit Regional Office.
- Continue efforts to increase IPLS’s social media presence in order to improve communication and increase collaboration and networking between Section members.
- Create a share drive to archive historical Council documents and reference materials.
- Establish a form budget document/plan to be passed to future Council officers.
Submitted on May 31, 2016 via PDF e-mail to:

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