Bar Year: 2016-2017

Submitted: May 31, 2017

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:

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Term Ending: 2017
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P57284 Kristin L. Murphy, Southfield
P73748 Angela Kathleen Caligiuri, Detroit

Term Ending: 2018
P65709 Thomas J. Appledorn, Bloomfield Hills
P56165 Kimberly A. Berger, Detroit
P67837 Aaron J. Wong, Grand Rapids
Term Ending: 2019
P66094 E. Colin Cicotte, Troy
P55994 Matthew L. Goska, Grand Rapids
P53467 Mary Margaret O'Donnell, Birmingham

Commissioner Liaison
P74182 Andrew Frederick Fink, III, Ann Arbor

Council Meeting Schedule:

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<th>Meeting Type</th>
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<th>Location</th>
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<tr>
<td>Section Annual Meeting</td>
<td>July 23, 2016</td>
<td>Grand Hotel Mackinac Island, MI</td>
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<tr>
<td>Council Meeting</td>
<td>August 11, 2016</td>
<td>Lansing Crown Plaza Hotel, Lansing, MI</td>
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<tr>
<td>Council Meeting</td>
<td>September 8, 2016</td>
<td>Lansing Crown Plaza Hotel, Lansing, MI</td>
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<td>Council Meeting</td>
<td>October 13, 2016</td>
<td>Teleconference</td>
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<td>Council Meeting</td>
<td>November 10, 2016</td>
<td>Teleconference</td>
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<tr>
<td>Council Meeting</td>
<td>December 8, 2016</td>
<td>Teleconference</td>
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<tr>
<td>Council Meeting</td>
<td>January 12, 2017</td>
<td>Teleconference</td>
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<tr>
<td>Council Meeting</td>
<td>February 9, 2017</td>
<td>Teleconference</td>
</tr>
<tr>
<td>Council Meeting</td>
<td>March 13, 2017</td>
<td>Kellogg Conference Center, East Lansing, MI</td>
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<tr>
<td>Council Meeting</td>
<td>April 13, 2017</td>
<td>Teleconference</td>
</tr>
<tr>
<td>Council Meeting</td>
<td>Scheduled for June 8, 2017</td>
<td>Teleconference</td>
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Minutes of all meetings are available at: http://connect.michbar.org/iplaw/council/minutes.


General Budget Information: The Section continues to maintain a solid financial position, with a balance reported for April 30, 2017 of $130,457.89. The balance includes $26,915.20 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, $8,025.01 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 13, 2017, which totaled $13,527.91. 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:**

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<tr>
<th>Event or Seminar Title</th>
<th>Date</th>
<th>Location</th>
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<tbody>
<tr>
<td>Reception for Dep. Director Russ Slifer, USPTO</td>
<td>September 15, 2016</td>
<td>Detroit Athletic Club, Detroit, MI</td>
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<tr>
<td>IP Law Section Reception at SBM Annual Meeting</td>
<td>September 21-23, 2016</td>
<td>DeVos Place/Reserve, Grand Rapids, MI</td>
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<tr>
<td>2017 Spring IP Law Seminar</td>
<td>March 13, 2017</td>
<td>Kellogg Center, East Lansing, MI</td>
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<tr>
<td>World IP Day</td>
<td>May 6, 2017</td>
<td>The Henry Ford Museum, Dearborn, MI</td>
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<tr>
<td>USPTO Midwest Regional Office 5-Year Anniversary Reception</td>
<td>Scheduled for July 14, 2017</td>
<td>To Be Announced (Metro Detroit Area)</td>
</tr>
<tr>
<td>Intellectual Property Law Fall Seminar: Basic Trademark and Patent Practice for Lawyers and Paralegals</td>
<td>Scheduled for October 3, 2017</td>
<td>The Inn at St. John’s, Plymouth, MI</td>
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**Reception with Russell Slifer, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the U.S. Patent & Trademark:** On September 15, 2016, the IPLS hosted Russell Slifer, the Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the U.S. Patent & Trademark Office, for a luncheon to recognize the fifth anniversary of the Leahy-Smith America Invents Act. Dr. Christal Sheppard, Director of the Midwest Regional U.S. Patent Office introduced Mr. Slifer. Mr. Slifer provided a presentation and led a discussion of recent events at the USPTO.

**IP Law Section Reception at SBM Annual Meeting:** On September 21-23, 2016, the Section hosted a reception for attendees at the State Bar of Michigan Annual Meeting at the DeVos Place/Reserve, in Grand Rapids, MI. The reception was generously sponsored by Price Heneveld, LLP. The reception was co-sponsored by the Information Technology Law Section and the Arts, Communications, Entertainment & Sports Section. The reception was well-attended.

**42nd Annual Intellectual Property Law Institute held July 21-23, 2016, Mackinac Island, MI:** The 2016 IP Institute was held at the Grand Hotel on Mackinac Island, returning to the
island after last year’s program at the Book Cadillac Hotel in Detroit, Michigan. This year 234 people registered for the event, with 207 actual attendees. This was up from the 172 attendees at the 2015 program at the Westin Book Cadillac in Detroit. Attendance was down slightly from the 228 attendees at the last Mackinac program in 2014. The program included outstanding presentations from nationally renowned speakers on a range of patent, trademark, copyright, and other related topics. Featured speakers included Hon. Kara F. Stoll, Circuit Judge, U.S. Court of Appeals for the Federal Circuit, and Hon. Gerard F. Rogers, Chief Judge of the U.S. Patent and Trademark Office, Trademark Trial and Board. Evaluations of the speakers were positive. The overall rating for the seminar was 6.57 out of 7.0. The program included a Women in IP Breakfast and two receptions on the Grand Hotel porch. Platinum sponsors were Cantor Colburn, LLP, Fishman Stewart, PLLC, and Harness, Dickey & Pierce, PLC. The Section appreciates ICLE’s support for this program.

2017 Spring IP Law Seminar, held March 13, 2017 in at the Kellogg Center, East Lansing: Our annual Spring IP Law Seminar had 170 registrants and 133 attendees. Registration and attendance was down from the 194 registrants/192 attendees in 2016. Actual attendance was affected by a snow storm on the morning of the event. Programming for the Spring Seminar continued to focus on practical topics to benefit members’ practice areas. This included presentations on the new Federal Defend Trade Secrets Act, cybersecurity and privacy, IP asset valuation, and ethics and conflicts of interest in patent prosecution. The luncheon speaker was Prof. Megan Carpenter of Texas A&M University Law School, who presented on disparaging and scandalous trademarks. Scores for the speakers were very solid, averaging 5.99 out of 7.0.

43rd Annual Intellectual Property Law Institute to be held July 20-22, 2017 at the Grand Hotel, Mackinac Island: The 43rd 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 Jimmie V. Reyna of the U.S. Court of Appeals for the Federal Circuit will speak, along with a slate of outstanding speakers providing IP perspectives from government, corporate, and outside counsel perspectives.

2017 Annual Business Meeting: The Section’s annual business meeting will be held July 22, 2017 at 8:00 a.m. at the Grand Hotel, Mackinac Island in conjunction with the 43rd 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 21 regional programs providing pro bono patent legal services in all 50 states, plus the District of Columbia and Puerto Rico.
During 2016-2017, the Project expanded its operations, including:

In its second year of operation, the Project received requests for legal services from 35 persons. Of these, seven were placed with volunteer attorneys and three more were placed with law school patent clinical programs.

David C. Berry, who serves as chair of the Steering Committee, continued to serve on 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 2017 program (part of Detroit Startup Week); the USPTO Detroit Office Saturday Program at Detroit Public Library; the Michigan Inventors Entrepreneurs Coalition, 4th Annual Innovate MI Event in Lansing; 16th Annual Collaboration for Entrepreneurship (ACE'16); and the USPTO Midwest Regional Seminar: “Seminar for Startups: Protecting Your Intellectual Property,” MSU Technology Innovation Center, East Lansing.

During 2016, the following firms and organizations accepted pro bono clients through the program: Dobrusin Law Firm; Fishman Stewart PLLC, Ford Global Technologies LLC, Harness Dickey & Pierce PLC, Kreis Enderle, Price Heneveld LLP, University of Detroit Mercy Law School International IP Clinic, and Wayne State Law School Patent Procurement Clinic.

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 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 2016, Harold W. Milton, Jr. of Dickinson Wright PLLC was the second recipient of the Michigan State Bar Excellence in IP Award. Nominations for the 2017 award are currently being received and reviewed. The 2017 recipient will be announced and presented with the award during the annual IP Law Institute in July 2017.

Looking Forward to 2017-2018:

Planned Activities:

- Spring Seminar, March 2018, Lansing
- 44th Annual Intellectual Property Law Institute, Dearborn Inn, Dearborn, Michigan
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.
- Fully utilize social media to connect members and promote programs and events.
- Continue to partner with the USPTO to provide presentation, information and networking events with USPTO personnel through the USPTO’s Detroit Regional Office.
- Create a shared drive to archive historical Council documents and reference materials.

Submitted on May 31, 2017 via PDF e-mail to:

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