

MICHIGAN STATE BAR – Council Meeting

Lansing, Michigan

November 7, 2002

MINUTES FOR MEETING

Place: The council meeting was held at Christies Bistro in the Lansing Sheraton.

Attendees: Tom Williams, Dave Kelley, Catherine S. Collins, Craig Baldwin, Steven Underwood, James Drake, Laura Slenzak, Catherine Brown, and Lynn Chard, and Brian Pickell.

Time: The meeting was called to order at 9:30 a.m..

Secretary/
Treasure Report:

Ms. Collins handed out a copy of the financial report for IPLS, which showed a current balance of \$27,000.00 for the 12 months ending September 30, 2002.

Comments were solicited for the September 27, 2002 meeting minutes. The meeting minutes were approved with a correction. Ms. Collins handed out a copy of the latest by-laws, which will be posted on the State Bar website.

Mr. Williams discussed the proposed changes to State Bar annual meeting, which were reported by Karen Williams from the State Bar. The proposed changes provide that sections can “opt-out” of the Fall annual meeting. The council members discussed opting out of the annual meeting. One option discussed was to have our annual meeting at the Summer Institute or Spring Seminar.

The council members discussed having nominations and elections at either the Spring Seminar or the Summer Institute. Preferably, the meeting would be set sometime before September. Also, all council members agreed that we should send out (sometime in December) a notification to all section members of the proposed change to the annual meeting. Ms. Slenzak volunteered to draft a proposed amendment to the by-laws, which can be presented at the Spring Seminar. The council members further discussed when the election process could be scheduled and noted that a notification could be included in the proceedings. Mr. Kelley proposed that the election process could be held before the Thursday reception at the Summer Institute. A motion was presented by Laura Slenzak to 1) opt out of the fall annual meeting; 2) to set an election prior to September at the discretion of the council; and 3) to submit the proposed amendment at the

spring seminar to amend the by-laws. The motion was seconded by Mr. Underwood. All members voted in favor of the motion presented by Ms. Slenzak.

Spring Seminar
Discussion:

Council members discussed the Patent Office topic-HR2215.

Ms. Chard pointed out that we have two Foley and Lardner speakers currently up for consideration for the spring seminar and suggested that we select another speaker. The council members discussed the Spring Seminar schedule and agreed to change the order of the presentations as shown in the attached appendix.

The Appendix was provided by Ms. Chard. Thank you.

Mr. Underwood will be contacting the various speakers for the Spring Seminar and will be reporting at the next meeting the status of the speakers for the Spring Seminar.

Summer Workshop: Discussed complex litigation topics, i.e., anti-trust counterclaims to a patent infringement action with potential speakers from Kirkland and Ellis. Mr. Kelley and Ms. Slenzak suggested the topic of how to prepare a joint defense agreement.

The council also discussed the use of "IPLI" for its Summer program. Ms. Chard urged that we use the institute name since this is consistent with the other State Bar section names. A motion was made and passed to keep using IPLI, with all but Mr. Kelley voting in favor of the motion. Mr. Williams then made a motion to vacate the previous motion until the Section gets an opinion from counsel. This motion was seconded by Mr. Drake. After further consideration, all council members voted in favor of Mr. Williams's motion to vacate.

Proceedings: Catherine Brown has volunteered to take over the proceedings.

Web Site/List
Serve Issues:

Ms. Collins will obtain a list from the State Bar of all the IPLS members and forward it to Lynn Chard. The council will determine at the next meeting how to reconcile the IPLS member listing with the IPLS Listserv so that we can assure that the Listserv includes all section members that have e-mail addresses.

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Old Business: The section discussed whether we want to send out mailings to members regarding updates on patent and trademark laws. Mr. Drake pointed out that we already get mailings from INTA, the ABA IP Section, and other groups.

All agreed to table the discussion of whether we want to get into content publishing. The overall consensus was no, but maybe we would consider providing resource information to our members. This subject will be discussed at the next meeting.

New Business: Maintenance of section member list by State Bar. Ms. Collins is to contact the State Bar to get a section member list. Mr. Williams reminded each of the council members to respond to the State Bar survey, which was sent out sometime ago.

Meeting was adjourned at approximately 12 p.m.

APPENDIX

2003 Intellectual Property Spring Seminar

Presented by
The Intellectual Property Law Section, State Bar of Michigan

Kellogg Center at Michigan State University
Harrison Road, East Lansing Michigan
Friday, March 14, 2003

Course Schedule

Moderators

Steven L. Underwood
Price, Heneveld, Cooper, DeWitt & Litton
Grand Rapids

Craig Baldwin
Guardian Industries Corporation
Auburn Hills

TRACK 1:

9:00 a.m. – 9:55 a.m. **New Rules for Patent Re-examinations**
Nick Godici – US Patent & Trademark Office, Washington, DC

9:55 a.m.– 10:50 a.m. **Responding to Office Actions**
George Wheeler – McAndrews, Held & Malloy, Chicago—[invited]

TRACK 2:

9:00 a.m. – 9:55 a.m. **New Rules for Trademarks**
Speaker TBD from US Patent and Trademark Office, Washington, DC

9:55 a.m.—10:50 a.m. **Practical Implications of US adoption of the Madrid Protocol**
Speaker TBD

10:50 a.m.—11:05 a.m. **Networking Break**

Full Sessions:

11:05 a.m. – 12:00 noon **How to Draft Effective License Agreements – Key Elements, Checklists and Sample Clauses**
Christopher Bloom , Bell, Boyd & Lloyd, Chicago—[invited]

12:00 noon- 1:00 p.m. **Luncheon - Keynote Speaker**
Hon. Nancy Edmonds—[invited]

Concurrent Sessions:

1:00 p.m – 2:00 p.m. **Enforceability of Restricted Covenants and Non-Compete Agreements with respect to Intellectual Property**
Bob Hudson, Butzel Long, Detroit – [invited]

1:00 p.m. –2:00 p.m. **Round table discussion with Law Students**
Beverly Bunting and other IP Council members

Full Sessions:

2:00 p.m. – 3:00 p.m. **Contracts and IP Issues /UCC Article 2B (Electronic Signatures/ Software Contracts)**
John R. Trentacosta, Foley, Lardner—[invited]

3:00 p.m. – 4:00 p.m. **Use of Animation and Video Presentations at Trial**
Ron Coolley – Of Counsel, Jenkins & Gilchrist, Chicago— [invited]