

State Bar of Michigan

Intellectual Property Law Section Council Meeting

October 8, 2015

Lansing Crowne Plaza
925 South Creyts Road, Lansing MI

Attendance: Kristen Spano, David Berry, Kendra Mattison, Beth Coakley, Tamara Clark, Sharon Brady, Hope Shovein, Kim Berger, Tom Appledorn and Aaron Wong. Kristin Murphy and Gene Rath did not attend.

Meeting was called to order at 9:35 a.m.

Introductions of council members

Approval of Minutes: The minutes from the August 13 and September 17 (Annual Meeting), 2015 Council meeting were reviewed and approved.

Reports:

Financial Report

David Berry commented on the Section finances. The Section has a balance of approx. \$95k, which includes funds earmarked for the Michigan Patent Pro Bono Project. The Council is considering forming a working group to address programming.

IPLS Proceedings

Tamara Clark and Beth Coakley reported on the status of the IPLS Proceedings issue. Next issue targeted for late November.

Continuing Business:

Pro Bono

David Berry gave a report on the Michigan Patent Pro Bono Project. Working with Patent Office to set up pro bono office for Michigan (exists in very state). We partner with the State Bar Pro Bono initiative. We launched about a year ago in November. Next meeting we will prepare a proposal for a steering committee.

Social Media

Kristen Spano briefly reported on social media, noting that the IP Section maintains an information page within the State Bar's website.

Achievement Award

Beth Coakley reported on the award process and selection of the winner, as this was the first year for the Achievement Award. We will begin the process earlier for 2016, increase promotion, and revisit the possibility of moving the award presentation to the Spring meeting.

USPTO initiated events/receptions

Kristen, Sharon and Beth formed committee to address venues for PTO events and process for inviting PTO speakers.

USPTO Enhanced Quality Initiative @ Cooley Law School, November 4th

Reception/Dinner and working meeting November 3rd

Dave Berry reported on a Tues Nov. 3 – Wed Nov. 4 PTO event at Cooley. PTO would like to host event on Tuesday – discussion group regarding patent quality. The discussion group will be at Wayne State.

Dave Berry moved to authorize reasonable expenditures in connection with patent office road show, incl up to 3k catering at a reception at cooley on nov 4, and also a council dinner. Krisen seconded the motion. motion carried.

Old Business:

Michigan Bar Journal IP Issue

Submissions for the special IP-theme Michigan Bar Journal (February 2016) are set. Comments have been provided to the authors. Final versions of articles due from authors October 31st.

IPLS Bylaws Amendment

Revised Section Bylaws to establish the Pro Bono Steering Committee as a formal committee of the Section, and to address several minor issues. On Consent Agenda for October 7th MSB BOC meeting and approved.

New Business

Consent Agenda

Kristen Spano presented a consent agenda of the following items:

- A. Council members may submit an expense report to the Section for mileage to attend the meetings, including the Annual Business Meeting held at the annual Intellectual Property Law Summer Institute.
- B. The Section will pay expenses (two nights for each member) for attending the Summer Institute for the Section's Chair, Chair-Elect, and moderators, and that the Chair and/or Chair-Elect should each serve as a moderator of one of the tracks provided the track is in the person's practice area (i.e., a patent lawyer would not have to moderate the trademark track and a trademark attorney would not have to moderate the patent track).
- C. The Section will pay the Summer Institute seminar fee for any council member whose employer will not reimburse the seminar fee, on that council member's written request to the Chair for the Section to do so.
- D. The Section will pay expenses for the Chair-Elect to attend the State Bar of Michigan's annual Bar Leadership Forum.

Spano made a motion to approve the consent items (seconded by Hope Shovein). The Council approved the motion unanimously.

AIPLA Annual Meeting

Section Representation at IP Law Association and Pro Bono Advisory Meetings. David Berry will be attending. Kristen Spano made a motion to cover one night's stay (seconded by Tom Appledorn). The Council approved the motion unanimously.

Amicus Curiae invite for the IP Section in the case of *Peter Deacon v. Pandora Media, Inc.*

Kristen Spano reported that we received an Amicus Curiae invite. Dave Berry summarized case. Following some discussion, it was decided to contact the SBM IT Section to collaborate.

Inquiry from SBM, Director of Gov. Relations regarding Michigan SB 289

Michigan bill introduced "to prohibit the bad-faith assertion of patent infringement." IPLS is being asked to review new draft of bill and Civil Procedure and Courts Committee's comments and provide thoughts. Kristen Spano suggested forming a committee to review the comments, as requested by SBM. Kristen Spano, Dave Berry and Tom Appledorm will review.

IP Law Institute

The Council discussed the IP Law Institute, which took place at the Westin Book Cadillac Hotel September 17-18, 2015. Reviewed evaluations from the event.

2016 Program Planning

- Spring Seminar, March 2016, Lansing, MI
There was an extended and active discussion of potential formats, speakers, and topics for the 2016 Spring Seminar, to be held at the Kellogg Center in East Lansing in March 2016.
- Summer Seminar, July 2016, Mackinac Island
The Council will have a conference call on October 22 to finalize speakers/schedule.

Upcoming Meetings

The next Council meeting will be held on November 12, 2015 (in person), followed by a meeting on December 10, 2015 (teleconference).

On motion, the meeting was adjourned at 12pm.

Respectfully submitted:



Hope V. Shovein
Secretary