

BOSTON PATENT LAW ASSOCIATION NEWSLETTER



Serving the
New England
Intellectual
Property Bar
Since 1924

November 2003

EDUCATION, SERVICE, COMMUNITY

Volume 34, Issue 4

President's Message

As the year winds down, and my term as BPLA President ends, I would like to take this last opportunity to report to you and thank all of you who helped make this year special. This year our membership was offered a wide variety of educational programs, new opportunities to contribute in the service of others, and several social events to promote community within our organization.

I first thank Neil Ferraro, the BPLA Activities Chair for 2003, for his friendship and unwavering support of our vision for the organization. I also thank the Officers and Board of Governors of the BPLA for their active participation on behalf of the organization, for their advice in planning events, and for their support in their respective roles: President-Elect, Peter Corless; Vice President, Doreen Hogle; Treasurer, Ingrid Beattie; Secretary, Lee Bromberg; and Board Members, Leslie Meyer-Leon, Mark Solomon, and Lisa Michaud.

This fall, and through the end of the year, the organization will continue to provide a wide variety of informative programs. Since my last report, the BPLA hosted a presentation on September 3 by Maria Eliseeva, from Houston Eliseeva, on Conducting Business Electronically with the USPTO and WIPO. This informative session was well attended and provided attendees with the latest information on electronic patent filings. On September 17, the BPLA Licensing Committee

sponsored a program on Licensing Royalty Audits and Bankruptcy Issues, presented by Martina Rozumberkova from Tofias, P.C., and David McIntosh from Ropes & Gray. This session provided useful insights and practical advice in IP licensing transactions.



The annual BPLA Advanced PCT Practice Seminar was held on October 16-17. The Seminar was given by Louis Maassel from WIPO, Carol Bidwell from the USPTO, and David Reed from Procter & Gamble. The speakers provided their perspectives on new rules and forms required in PCT practice effective in 2004. Materials from the program are available to those who could not attend; see the BPLA website (www.bpla.org) for details.

Finally, on October 16, the Trademark and Unfair Competition Committee hosted A Discussion and Analysis of Foreign Trademark Protection: Community Trademark v. Madrid Protocol. This presentation, by John Olsen from Field Fisher Waterhouse (London) and Vincent O'Reilly, from the Office for Harmonization in the International Market (OHIM) (Alicante, Spain), provided useful practice information and strategies to trademark practitioners now confronted with a new foreign filing alternative. (More detailed summaries of these events are provided in this Newsletter.)

Also, as we have tried to do throughout the year, the BPLA hosted a social event for members to get to know one another. The latest event was the BPLA Fall Festival on September 27 at the Nashoba Valley Winery and Orchard. All in attendance had a fun time at this scenic location with a terrific barbeque and interesting fruit wines, and everyone enjoyed the opportunity provided by the early fall day to pick apples. In this same spirit, I am pleased to report that the Young Lawyers Committee hosted an after work social on September 17, and plans to hold another similar event on November 5.

Upcoming events to put on your calendars include a BPLA Litigation Committee panel presentation, Drafting, Attacking and Defending Patent Opinions, on November 17 in Cambridge. Later that week, on No-

continued on p. 2

IN THIS ISSUE

2002 Annual Meeting Minutes	Page 2	Advanced PCT Seminar	Page 5
Members Who Have Not Paid 2003 Dues	Page 3	Madrid Protocol Seminar	Page 6
Conducting Business Electronically at the Patent Office	Page 4	H.R. 1561	Page 6
Writing Competition	Page 4	Upcoming Events	Page 6
Licensing Royalty Audits and Bankruptcy Issues	Page 5	Positions Available	Page 6-7
		Committees	Page 8

MINUTES OF THE BPLA ANNUAL MEETING December 4, 2002

1. Call to Order and Introduction. The Annual Meeting was called to order by President William G. Gosz at 12:30 p.m. at the Seaport Hotel in Boston. President Gosz introduced the head table, introduced past BPLA presidents in attendance, and introduced special guest Yardley Chittick. President Gosz then presided over a moment of silence in recognition of deceased members Robert Gammons, Tony Lorusso, Stan Sacks, and Richard Testa. President Gosz then recognized new members of the Association. Approximately 240 persons were in attendance at the Annual Meeting.

2. Presentation of Writing Competition Awards. Lee Bromberg presented the 2002 Writing Competition Awards. First Place Prize and check were presented to Stephen R. Wilson. Second Prize was awarded to Shannon M. Sidie, who was unable to attend the Annual Meeting.

3. President's Report. President Gosz reported on the very successful year that the BPLA had during 2002 and presented awards to Committee Chairs.

4. Report of Secretary. Secretary Ingrid Beattie was absent due to illness and President Gosz reported in her stead. A motion was made, seconded and passed to waive the

reading of the minutes of the December 12, 2001 Annual Meeting, which had been distributed to the membership prior to this year's meeting, and to adopt the minutes as printed.

5. Report of the Treasurer. Treasurer Doreen Hogle reported on balances in the checking account and the saving account, and noted that during a busy year of BPLA activities, the BPLA net income for the year was running at just over \$6,000, close to the budget. The Treasurer's Report was adopted on motion without objection.

6. Speech of Director James Rogan. President Gosz introduced the Honorable James E. Rogan, Director of the United States Patent and Trademark Office Operations. Director Rogan delivered a stimulating speech on his plans and efforts to modernize and streamline PTO procedures to reduce average pendency for patent applications and to encourage more effective evaluation of applications during the process, while at the same time recognizing budgetary restrictions.

7. Report of the Nominating Committee. Tom Engellener, as Chair of the Nominating Committee, reported the Committee's recommendation for appointment of the following Officers and Members of the Board of the Board of Governors for 2003:

President	Peter C. Lando
President-Elect	Peter F. Corless
Vice President	Doreen M. Hogle
Treasurer	Ingrid A. Beattie
Secretary	Lee Carl Bromberg
Governor	Leslie Meyer-Leon
Governor	Mark B. Solomon
Governor	Lisa Michaud
Governor	William G. Gosz, Past President

On a motion duly made and seconded, it was voted to accept the Nominating Committee's recommendations and to elect the new officers and board members. Thereupon, Peter C. Lando was installed as the new President.

8. Remarks of New President Lando. President Lando made a presentation to outgoing President William G. Gosz, welcomed the new officers of the BPLA, introduced the new Activities Committee Chair, Neil Ferraro, for the coming year and outlined his plans for activities during the year 2003, including several CLE programs, the annual judges' dinner (May 16, 2003) and efforts to provide service to the community. President Lando made available a handsome card listing 2003 Boston Patent Law Events on one side, and Officers, Boards and Committees on the other, which was well received by the members.

9. Adjournment. After the business of the Annual Meeting had been completed, and upon motion duly made and seconded, it was voted, without objection, to adjourn the 2002 Annual Meeting.

PRESIDENT'S MESSAGE

(cont. from p. 1)

vember 20 at the Boston Harbor Hotel Wharf Room, the Chemical Practice Committee will host the USPTO Road Show with PTO Director John Doll.

Our final event of the year, the BPLA Annual Meeting, will be held on December 3 at the Seaport Hotel. This year we are fortunate to have Herbert C. Wamsley, Executive Director of the Intellectual Property Owners Association (IPO) speak to us on

the status of domestic and international intellectual property related legislative initiatives. The IPO is the leading association of IP owners and, as such, is the leading IP lobby in the United States, frequently influencing IP legislation. The IPO will host its annual meeting in Boston, September 12-14, 2004.

You can learn more about these programs on the BPLA's website. As you may not know, the site also provides details on committees,

members, schedules, helpful links and more - please remember the username and password (attorney/minuteman), which are required for some features on the site, such as reviewing and/or editing your personal information, or viewing your current BPLA committee memberships.

Thanks - I look forward to seeing and meeting you soon at an upcoming event!

BPLA MEMBERS WHO HAVE NOT PAID 2003 DUES

Pursuant to the BPLA By-Laws, notice is hereby given of the expiration of memberships granted to the following individuals for failure to pay year 2003 dues. Unless payments are received by the treasurer before December 1, 2003, the following individuals will be removed from the membership roster (the dues payment form can be found on the BPLA website).

James M. Acheson
Francis Agyare
Theodore R. Allen
Eric Amundsen
Jessica S. Andersen
William M. Anderson
Jacqueline M. Arendt
Andre J. Bahou
Barbara A. Barakat
Deborah Barfield
Melissa Barlow
Anne Barnes
David Barron
Regina S. Bautista
Howard H. Bayless
Nancy Bechet
Elias Behrakis
William D. Belanger
John V. Bianco
Chester A. Bisbee
Maria M. Bjornholm
Duane C. Blake
Debora E. Blodgett
Peter J. Borghetti
Mark F. Boshar
Marianne B. Bowler
Maureen A. Bresnahan
Denise M. Bronsdon
John J. Brooks III
Scott A. Brown
Michelle Brownlee
Jason Bryan
Karen A. Buchanan
Aaron J. Bullwinkel
Jared Burdin
Michelle J. Burke
Jeffrey P. Calfa
Joseph A. Capraro, Jr.
Maria P. Cardoso
Kathleen B. Carr
June A. Casey
Charles H. Cella
Christopher Centurelli
Kathleen Chapman
Alakananad Chatterjee
Fangli Chen
John J. Cheney
John-Paul F. Cherry
Linda M. Chinn
Patricia L. Chisholm
Stephen Y. Chow
Heather M. Ciuryla
Paul T. Clark
Judith D. Cohen
Jeffrey C. Coniaris
Paul M. Coryea
Richard A. Covell
Niki D. Cox
Elizabeth Anne Crawford
Karen E. Crespo
Lee Crews
Kathleen Crowley

William Dailey
Viana Daly
Patricia Davis
Robert J. Decker
Nancy B. Delain
R. Dennis Creehan
Peter J. Devlin
Frederick Dietz, III
Anne-Marie Dinius
Susan M. Dinsmore
Robert J. Doherty
Timothy J. Douros
Jeffrey Duquette
Bruce Ebelsman
Sean J. Edman
Bruce M. Eisen
Lucy Elandjian
Maria Eliseeva
John M. England, Jr.
William N. Erickson
Paula Campbell Evans
Michael I. Falkloff
J. Peter Fasse
David L. Feigenbaum
George P. Field
Leanne J. Fitzgerald
Marianne Flynn
Joseph E. Funk
Therese E. Galante
Dennis R. Gannon
Joseph M. Geller
Scott Gerwin
Michael Giannetta
Carlos J. Gimeno
David J. Glass
Patricia Granahan
Kimberly Granatino
Kerri Grenache
Gearoid P. Griffin
Sean J. Hackett
Thomas E. Hagar
Robert W. Hagopian
Daniel W. Halston
John A. Hamilton
Julia D. Hart
Sharon F. Hausdorff
Mark J. Hebert
Mary K. Hehman
Sean Heneghan
Eric S. Henshaw
George A. Herbster
Eileen M. Herlihy
Judith A. Herrick
Patricia Hillery
Robert E. Hillman
Jong P. Hong
Thomas E. Horan
Jeffrey D. Hsi
George C. Jen
Craig Steven Jepson
Thomas M. Johnston
Warren Kaplan

Catherine Kara
Sean Kavanaugh
Stephen P. Kearney
Thomas Kelley
Edward Kelly
Daniel P. Kennedy
Chi Suk Kim
Elbert B. Kim
Elizabeth E. Kim
Robert V. Klauzinski
Shannon Knight
Kristin E. Konzak
Linda D. Kostrubanic
Toby H. Kusmer
Kathryn Lampron
Inna Landsman
Ayla A. Lari
Ann M. Lawler
Steven R. Lazar
G. R. Lee
Paul E. Lewkowicz
Faustino A. Lichauco
Kurt W. Lockwood
Mark D. Lorusso
Cara Lowen
Leanne J. Lutz
Gregory A. Madera
Stanley C. Mah
Donald E. Mahoney
Vernon C. Maine
David L. Manix
David E. Marder
Terrence Martin
Sandra E. Marxen
Michelle Massicotte
Stephen G. Matzuk
Allison R. McCabe
Patricia A. McDaniels
Angelica McMahan
William H. McNeill
Sapna Mehtani
Nasim G. Memon
Kim M. Meyer
Susan M. Michaud
Kenneth L. Milik
Joseph B. Milstein
David G. Miranda Jr.
Lawrence Monks
Michel Morency
Jules Jay Morris
Indranil Mukerji
Paul L. Myers
Richa Nand
Rama B. Nath
Margarita Navarro
Todd A. Neufeld
Herbert A. Newborn
Bart G. Newland
Karl D. Normington
Elizabeth Nugent
Marie M. Nuguid
Robert F. O'Connell

Gayle O'Brien
Frank R. Occhiuti
Lois A. O'Connell
Andrew T. O'Connor
Karen A. Oliver
Bryon V. Olsen
Lin B. Olsen
Joanne Pappas
Sam Pasternak
Mark R. Patterson
John J. Penny
Frank P. Perillo
Susan M. Perkins
Scott K. Peterson
Jacqueline M.K. Petrillo
Richard J. Pickreign
Edmund R. Pitcher
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Michelle Small
Alan D. Smith
Craig R. Smith
Montgomery W. Smith
Cynthia Soumoff
Peter Stecher
Mark Steinberg
Thomas C. Stover
Harriet M. Strimpel
Carolyn Sullivan
Thomas M. Sullivan
Janine M. Susan
Ramon K. Tabtiang
Jennifer Tegfeldt
Regina Thibault
Merton E. Thompson
Edward Timmer
Jan N. Tittel
Patricia Tocci
Kevin M. Tormey
Teresa C. Tucker

Brian Turano
Jill E. Uhl
Deborah U. Verga
Matthew P. Vincent
Diane Vitello
Robert J. Waeldner
Shelby Walker
Joel Wall
Lisa A. Walsh
W. Eric Webostad
Ernst B. Weglein
John L. Welch
Ned Whalen
Carolyn E. Whyte
Charles C. Winchester
Sandra Wysocki Cappelis
Anne Elizabeth Yates
Gwendolyn H. Yip
Kimberly A. Young
Jennifer A. Zarutskie
Roger P. Zimmerman
Ivan D. Zitkovsky
Frederick P. Zotos



L 2004 DUES REMINDER

This is a notification that dues for the **2004** calendar year are due by February 1, 2004. Renewal forms can be downloaded from the website.

CONDUCTING BUSINESS ELECTRONICALLY AT THE PATENT OFFICE

By Neil Ferraro

The USPTO and WIPO now welcome and encourage conducting business electronically. Most transactions traditionally performed by mail can now be performed electronically and such transactions are not limited to e-filing of patent applications.

On September 3, 2003, Maria Eliseeva of Houston, Eliseeva, LLC presented an informative session to a sell-out audience on electronic transactions now available. Ms. Eliseeva demonstrated filing utility and

recordable documents, such as Assignments.

The session also covered the use of PAIR (Patent Application Information Retrieval) System, both Private and Public, Rule on e-IDS and Paper IDS Submitted on the Same Day, Overview of Available Private Vendors' Authoring/Submission Tools and Useful Tools and Tips.

Ms. Eliseeva is the Chairperson of the AIPLA Committee on Electronic Business

Automation and Harmonization of Standards, is one of the top e-fillers in the US and regularly speaks on this topic.



BPLA WRITING COMPETITION

By Mark B. Solomon

The Boston Patent Law Association has just completed its 2003 Writing Competition. This year's writing competition was very competitive, with eight entries being submitted from law schools in and around the Boston area. Each of the entries presented a subject relating to intellectual property law written or published between August 1, 2002 and July 31, 2003. The subjects covered in this year's entries included copyright law, right of publicity, attorney-client privilege, the Hatch-Waxman

Act, trade secret law and patent law.

Each of the entries was judged in four categories, including: analytical quality, writing quality, interest of the subject and skill at treating the subject, and overall quality. The panel of judges included Past-President Bill Gosz; BPLA Secretary Lee Bromberg; and Board Member Mark Solomon.

On behalf of the BPLA, we are pleased to announce this year's first place winners, Andrew A. Caffrey, III and Jonathan M. Rotter from Harvard Law School, who co-authored

an entry entitled "Consumer Protection, Patents, and Procedure: Generic Drug Market Entry and the Need to Reform the Hatch-Waxman Act." We are also pleased to announce the second place winner, Keren Goldenberg from Northeastern University School of Law, whose entry is entitled "Creating a Patent Agent-Client Privilege."

We look forward to honoring the first and second place winners of the 2003 BPLA Writing Competition at the BPLA Annual Meeting on December 3, 2003.

2003

BOARD OF GOVERNORS

President Peter C. Lando, Lowrie, Lando & Anastasi, LLP, One Main Street, Cambridge, MA, ph (617) 395-7000, fax (617) 395-7070, plando@ll-a.com

President Elect Peter F. Corless, Edwards & Angell, LLP, 101 Federal Street, Boston, MA, ph (617) 439-4444, fax (617) 439-4170, pcorless@ealaw.com

Vice President Doreen M. Hogle, Hamilton, Brook, Smith & Reynolds, PC, P.O. Box 9133, Concord, MA, ph (978) 341-0036, fax (978) 341-0136, doreen.hogle@hbst.com

Treasurer Ingrid A. Beattie, Mintz, Levin, Cohn, Glovsky & Popeo, PC, One Financial Center, Boston, MA, ph (617) 542-6000, fax (617) 542-2241, ibeattie@mintz.com

Secretary Lee Carl Bromberg, Bromberg & Sunstein, LLP, 125 Summer Street, Boston, MA, ph (617) 443-9292, fax (617) 973-9748, lbromberg@bromsun.com

Board

William G. Gosz, Ropes & Gray, One International Place, Boston, MA, ph (617) 951-7000, fax (617) 951-7050, wgosz@ropesgray.com

Mark B. Solomon, Hamilton, Brook, Smith & Reynolds, PC, P.O. Box 9133, Concord, MA, ph (978) 341-0036, fax (978) 341-0136, mark.solomon@hbst.com

Leslie Meyer-Leon, IP Legal Strategies Group, PC, PO Box 1210, Centerville, MA, ph (508) 790-9299, fax (508) 790-1955, LMeyer-leon@iplegalstrategies.com

Lisa J. Michaud, Nutter, McClennen & Fish, LLP, World Trade Center West, 155 Seaport Boulevard, Boston, MA, ph (617) 439-2000, fax (617) 973-9748, lmichaud@nutter.com

LICENSING ROYALTY AUDITS AND BANKRUPTCY ISSUES

By Doreen M. Hogle

On September 17, 2003 the Licensing Committee held a seminar titled "Licensing Royalty Audits and Bankruptcy Issues" at the Boston Harbor Hotel. Guest speakers were Martina Rozumberkova, senior consultant, and David Sullivan, partner, at Tofias, P.C., the largest regional accounting and consulting firm in New England, and David McIntosh, of Ropes & Gray's Corporate Department and Intellectual Property & Technology Practice.

Ms. Rozumberkova and Mr. Sullivan discussed royalty underpayments, stating that underpayments are

often unintentional, due to poor internal control, poor communication or ambiguous language in the licensing agreement. However, it is important that the company/institution is receiving all of the royalty they are entitled to under the licensing agreement and royalty audits can ensure complete, timely and proper reporting. Some key issues and considerations to ensure proper royalty payments include designating a single person to be in charge of royalty calculations and reporting; using adequate accounting software; and instituting systems to identify royalty bearing sales and to identify derivative products with royalty bearing technology. Roy-

alty audits take much preparation and planning, but the costs of royalty audits can be managed by clearly defining the scope of the audit and testing procedures.

Mr. McIntosh shared strategies for structuring licensing agreements to avoid some common pitfalls due to language ambiguities, and in particular emphasized drafting agreements to protect the non-bankrupt party in the event that either the licensor or licensee files for bankruptcy court protection. Mr. McIntosh summarized provisions of the U.S. Bankruptcy Code and discussed recent cases related to bankruptcy concerns.

ADVANCED PCT SEMINAR

By Neil Ferraro

On October 16 and 17, Louis O. Maassel, consultant to the PCT Legal Division of the World Intellectual Property Organization; Carol Bidwell, supervisor for the Office of PCT Legal Administration of the U.S. Patent & Trademark Office; and David Reed, manager of Global Patent Services, Procter & Gamble Corp. spoke to attendees at the annual PCT Seminar.

This seminar covered aspects of PCT practice from filing of the original PCT application, through International search, publication, prelimi-

nary examination and entry into the National/Regional stage. Strategies for use of the PCT as part of a comprehensive program for protection of patent rights in the U.S. and foreign countries were also addressed, with particular attention to issues of importance and concern to U.S. practitioners.

Importantly, the PCT practice changes to take effect in January 2004 were also discussed.

A limited number of presentation materials are available from Neil Ferraro at a cost of \$75 for members and \$95 for non-members. Please make checks

payable to the **Boston Patent Law Association** and, along with your request, send to:

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We cannot accept credit cards and materials will not be sent until a check is received.



Speakers David Reed, Carol Bidwell and Louis Maassel

COMMUNITY TRADEMARK (CTM) v. MADRID PROTOCOL

By Doreen M. Hogle

On Thursday October 16, at the Marriott Boston Cambridge Hotel, the Trademarks and Unfair Competition Committee presented a seminar on foreign trademark protection. Guest speakers were John Olsen, head of the Trade Mark and Brand Protection Group at Field Fisher Waterhouse in London, England, and

Vincent O'Reilly, director of the Trade Mark and Designs Department of the Office for Harmonization in the Internal Market in Alicante, Spain. Since the United States accession to the Madrid Protocol, strategies for obtaining foreign trademark protection has changed. The speakers discussed some of the features and benefits of registration

under the Community Trademark and Registered Community Design systems as well as registration under the Madrid Protocol. Common issues pertaining to these forms of protection were highlighted and some practical tips for U.S. trademark practitioners were provided.

H.R. 1561, THE U.S. PATENT AND TRADEMARK FEE MODERNIZATION ACT OF 2003

By Doreen M. Hogle

In the spring of this year, House Representatives Smith and Berman introduced H.R. 1561 in Congress. Key provisions of the Bill included an increase of Patent Office fees, for example, for filing and examining applications, excess claims fees and excess page fees. The increase in user fees is seen by many as necessary to fund improvements in the PTO patent prosecution system to ensure quality examination of patent applications in a timely manner. A key provision of the Bill ends the

practice of diverting PTO user fees away from the PTO to fund other non-patent/trademark government programs. Over the last 12 years, over \$650 million of PTO-generated fees have been taken away from the PTO through the annual appropriations process. Mr. Herb Wamsley, Executive Director of the Intellectual Property organization (IPO) has issued an alert to all IP practitioners that H.R. 1561 is in danger of not passing this year, or if passed, the key provision to eliminate diversion of

PTO funds may be excluded from the final version of the Bill. This means that PTO user fees could be increased from 15-25% without any guarantee that this increased revenue would be retained for PTO improvements. Mr. Wamsley, our guest speaker for the Annual BPLA Meeting in December, will address these issues. However, Mr. Wamsley, on behalf of IPO, urges all IP practitioners to contact their government officials and lobby for passage of H.R. 1561.

UPCOMING EVENTS

YOUNG LAWYERS COMMITTEE

GET TOGETHER

November 5, 2003

The Young Lawyers Committee of the Boston Patent Law Association is meeting for drinks and appetizers on Wednesday, November 5, 2003 at 6:30 pm at the 21st Amendment.

The 21st Amendment is located in Beacon Hill near the State House at:

148 Bowdoin Street

Phone: (617) 227-7100.

This will be a great chance to meet and network with others interested in patent law in Boston. Please encourage first years to join us so that they can learn about the Boston Patent Lawyers Association and meet other's who have just started. Please R.S.V.P. to Hathaway Russell at hpr@lahive.com or Kevin Cronin at kcronin@nutter.com.

CHEMICAL COMMITTEE

PROSECUTION PROGRAM

November 21, 2003

Boston Harbor Hotel, Boston, MA

The Chemical Committee Prosecution Program, also known as the USPTO Road Show, is scheduled to take place at the Boston Harbor Hotel Wharf Room on November 21, 2003 with a buffet lunch. Please visit www.bpla.org for more details.

Missed the Advanced PCT Practice Seminar held on October 16-17, 2003?

Seminar Materials are available at \$75 for members and \$95 for non-members.

Please visit www.bpla.org for more details.

POSITIONS AVAILABLE

PALMER & DODGE LLP

PATENT PROSECUTION ATTORNEY

Palmer & Dodge LLP seeks to hire a patent prosecution associate to join our growing patent group. The ideal candidate will have an advanced degree in organic chemistry and at least two years of chemical prosecution and/or litigation experience in a law firm as well as excellent academic credentials and strong written and oral presentation skills. Please email resume to: Katy von Mehren at kvonmehren@palmerdodge.com.



79TH ANNUAL BOSTON PATENT LAW ASSOCIATION MEETING

December 3, 2003

Seaport Hotel, Boston, MA

The Annual Meeting will take place on December 3, 2003. Herb Wamsley, Executive Director of the Intellectual Property Owners Association, will be the guest speaker. He will talk about legislative initiatives in Congress and international harmonization efforts. Please visit www.bpla.org for more details.

POSITIONS AVAILABLE

CRITICAL THERAPEUTICS

CHIEF PATENT ATTORNEY

This is a part-time position for an entrepreneurial individual to assist the Company in all matters related to intellectual property. It will start out as three days/wk and may grow to become a full-time position over the course of a year or so. This individual will work on the drafting and prosecution of patent applications, development and maintenance of the company's intellectual property (IP), and the development of intellectual property strategies and policies. He/she will review intellectual property provisions of various contractual arrangements and assist in rendering opinions on validity and infringement. In coordination with senior management, patent counsel will draft opinions and develops legal strategies for the company's business and research endeavors, will interact extensively with scientists and advise on general contract, commercial and intellectual property issues. In addition, he/she will also be responsible for the supervision of a Patent Agent. This position would be open on a fulltime basis immediately for the individual capable of also handling contracts and licensing activities in addition to IP work. Education/Experience: This position requires a JD degree and at least a BS degree in a relevant scientific field plus a minimum of 6 years post-JD experience in all aspects of US/Foreign intellectual property and patent laws relating to biotechnology. This individual must be admitted to practice before a state bar and in the US Patent Office. Experience with biotechnology and/or pharmaceutical patent prosecution, contract work and technology licensing as well as intellectual property strategy development and implementation is essential. Code: W5231. Edie Estabrook, Critical Therapeutics, 675 Massachusetts Avenue, 14th Floor, Cambridge, MA 02139, 617-354-9311, fax: 617-354-9311 x 222.

TERADYNE INC.

PATENT MANAGER ATTORNEY

Teradyne Inc. seeks a talented Patent Mgr. Attorney with engineering background to lead the Company's patent strategy. Reporting to the VP and General Counsel, the Patent Mgr. Attorney will manage three in-house patent attorneys and one paralegal, and will define and implement the legal policies and programs that protect Teradyne's inventions, patentable products and intellectual property. The ideal candidate will have diversified IP experience at a law firm or as in-house corporate or high-tech patent/IP counsel, including patent preparation, prosecution, litigation management and opinion/counseling work. Prior management experience a plus. Juris doctorate or equivalent degree from ABA-accredited law school with engineering related undergraduate or graduate degrees required. Member of a state bar and license to practice before the US Patent and Trademark Office required. Elizabeth Leon, Human Resources (MS-L42), Teradyne, Inc., 321 Harrison Avenue, Boston, MA 02118, 617-422-3978, fax: 617-422-3890.

IANDIORIO & TESKA

ELECTRICAL ENGINEER

Small Boston (Rte. 128) Intellectual Property Law Firm seeks EE with substantial experience in preparing patent applications and responses, able to work with minimum supervision. E-mail qualifications to joe@iandiorio.com.

VisEn Medical, Inc.

BIOTECHNOLOGY IP CORPORATE POSITION

VisEn Medical is pioneering the development of novel molecular imaging agents and systems that enable imaging of molecular activity in animals and in humans. The Company's technology platforms are expected to have a major impact in drug development and on the detection, characterization and treatment patterns of many different disease states. Please see www.visenmedical.com for more company information.

VisEn Medical is seeking an individual with experience in the area of biotechnology intellectual property to lead the development and implementation of the Company's intellectual property program and strategy. In this position, you will help prepare and prosecute patent applications, manage the Company's patent docket and patent committee, execute license transactions, and work closely with management and outside patent counsel to develop strategies for protecting and building the Company's intellectual property portfolio. Additional duties include conducting patentability, freedom-to-operate, prior art and in-licensing due diligence assessments. The ideal candidate will have an advanced degree (M.S. and/or Ph.D.) in biology, chemistry, biochemistry, or related field, plus 4-6 years of biotechnology patent experience at either a law firm or biotechnology company. A J.D. degree is preferred. Please e-mail your resume or CV as a Word attachment to jobs@visenmedical.com or send your resume to VisEn Medical, Inc. 12B Cabot Road, Woburn, MA 01801. VisEn Medical offers a competitive salary plus excellent benefits, including an equity incentive package.

EMC Corporation

IP COUNSEL

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The BPLA Newsletter is published four times a year by the Boston Patent Law Association. Articles appearing in the newsletter represent the views of the authors and do not necessarily carry the endorsement of the BPLA.

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