



# BOSTON PATENT LAW ASSOCIATION NEWSLETTER

Serving the  
New England  
Intellectual  
Property Bar  
Since 1924

April 2007

EDUCATION, SERVICE, COMMUNITY

Volume 38, Issue 2

## PRESIDENT'S MESSAGE

by Lee Carl Bromberg, Esq., Bromberg & Sunstein LLP

The United States patent system is attracting a lot of attention these days, in the press, in the courts, in Congress. Many are the criticisms and many are the proposals for "reform," or at least for change. Even the Patent and Trademark Office, itself, has felt the need to put forth a set of revised prosecution rules that would make dramatic changes in patent prosecution practice; it has yet to put them into effect.

The attention undoubtedly reflects the increasing importance of technology in our economy, and the increasing importance of intellectual property rights in a global economy, itself the product of dramatic innovations in recent decades.

But those who would criticize or change the system should take heed to understand the quirky nature of innovation itself, and the difficulties in determining what is new and what is non-obvious. Recently, a Supreme Court Justice referred to the long-standing test for determining obviousness as "gobbledygook." It reminds me of the great George and Ira Gershwin song,

*"They All Laughed":*

*They all laughed at Christopher Columbus  
When he said the world was round  
They all laughed when Edison*

*recorded sound  
They all laughed at Wilbur and his brother  
When they said that man could fly  
They told Marconi  
Wireless was a phony  
It's the same old cry ... .*

It is not always easy to understand and appreciate innovation. As these song lyrics indicate, it is a lot easier to appreciate an invention after time has endorsed its value. The United States patent system, despite its faults and occasional errors, has been a central part of the most innovative society and economy in the history of the world. We would do well to understand clearly the difficult and often competing issues addressed by the patent system before undertaking wholesale changes that may give too little weight to interests vital to our society.

Members of the Boston Patent Law Association grapple with these issues in their daily work and have also been devoting time and effort to evaluating proposals for change and to defining best practices in their Association activities. The work of our members has put the BPLA at the forefront of organizations seeking to improve the operation of our

intellectual property laws to serve the important goals of advancing innovation and improved technology across the spectrum, from information technology to life sciences.

Our committees are busy organizing meetings and panel discussions to evaluate important Supreme Court and Federal Circuit decisions, to look at new rules proposed by the USPTO, to understand proceedings before bodies such as the TTAB, to assess proposals for legislative change in



President Lee Carl Bromberg

Congress, and to address ways to improve procedures for the litigation and trial of intellectual property cases. Our calendar of CLE Programs and other events is readily accessible at our website: [www.bpla.org](http://www.bpla.org).

At the same time, the BPLA provides occasions for members to network, to meet old friends and new, and to connect on issues of professional concern. Our Young Lawyers Committee, for example, organized an IP careers panel at Suffolk Law School on March 7, to help students gain a better understanding of the opportunities in our

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## ANNUAL JUDGES DINNER MAY 4TH

### Features Award to Judge Young, Keynote by Famed Inventor Dean Kamen

by Lee Carl Bromberg, Esq., Bromberg & Sunstein LLP

In what has become a rite of Spring, the Boston Patent Law Association will hold its annual Judges Dinner on Friday, May 4, 2007, at the John Joseph Moakley United States Courthouse. The BPLA Annual Judges Dinner honors the federal judiciary. Featured at this year's Judges Dinner will be the presentation of the BPLA Distinguished Public Service Award to the Honorable William G. Young.

The Board of Governors of the Boston Patent Law Association has established its Distinguished Public Service Award to recognize judges whose work on intellectual property matters has demonstrated:

- Judicial leadership
- Extraordinary contributions to improving the administration of justice
- Advancement of public understanding of the law and legal system
- Great contributions to the body of precedential law

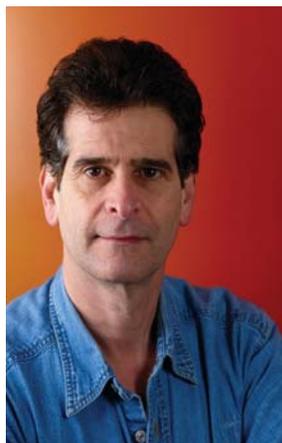
Judge Young serves on the United States District Court for the District of Massachusetts. A graduate of Harvard University and Harvard Law School, Judge Young was nominated to serve on the Federal Court in 1985 by President Ronald Reagan. Prior to his nomination, he was an Associate Justice on the Superior Court of Massachusetts from 1978 to 1985. Judge Young served with distinction as Chief Judge of the United States District Court until 2005 and continues as United



Judge William G. Young

States District Judge. The BPLA Board of Governors voted unanimously to recognize Judge Young with the Distinguished Public Service Award this year.

Also on the agenda at the Annual Judges Dinner will be a Keynote Address by



Keynote Speaker Dean Kamen

Dean Kamen, a prolific inventor who was awarded the National Medal of Technology in 2000, the Lemelson-MIT Prize in 2002, is a member of the National Academy of Engineers and was inducted into the National Inventors Hall of Fame in May 2005.

Dean has many inventions to his credit, including the first wearable insulin pump for diabetics, the HomeChoice™ portable peritoneal dialysis machine, the INDEPENDENCE® IBOT® Mobility System, and the Segway® Human Transporter, among others. Dean is the founder of DEKA Research & Development Corporation and also of FIRST (For Inspiration and Recognition of Science and Technology), an organization dedicated to motivating the next generation to understand, use, and enjoy science and technology.

The BPLA Annual Judges Dinner will begin with cocktails at 6:00 pm. Dinner and program will begin at 7:15 pm.

It promises to be an enjoyable and inspiring Spring-time evening on the Boston waterfront. ◇

#### President's Message *(Continued from page 1)*

practice area. The Giles Rich Moot Court Competition in mid-March provided education and excitement for the student teams and judge-practitioners alike. Our Annual Judges Dinner will take place May 4. We also look forward to our outing to Fenway Park to see the Red Sox in action on July 19. In addition, we anticipate a full slate of panel discussions on important intellectual property issues in the fall.

We are doubtless in a period that will see many proposals for changes in the patent system and in intellectual property laws. Some will make sense, others likely will not. As BPLA members enjoy the interest and excitement of intellectual property law practice, we hope that our efforts at student training and outreach, continuing legal education, and commentary on important proposals for change in the law will help to bring clarity and wisdom to the debate. ◇

#### **SAVE THE DATE**

**May 4, 2007**

BPLA Annual Judges Dinner  
Federal Courthouse Boston  
*Award to Judge Young*  
Keynote Speaker:

*Dean Kamen*

*\$200 for members and their guests*

*\$250 for non-members*

*\$2,000 for a table of 10*

## Mark Your Calendar for the AIPLA Spring Meeting

see [www.aipla.org](http://www.aipla.org) for more details



### **PATENTS**

- Prosecution Strategies During the Appeals Process
- *KSR v. Teleflex*
- Patent Law Reform/USPTO Rule Changes
- Protecting Cutting-Edge and Emerging Technologies

### **LITIGATION**

- Gunfight at the IP Corral – World Class Trial Lawyers Demonstrate How to Win a “Bet the Company” Case
- Expert Witnesses: Finding Them, and the Proper Care and Feeding of Them Once You Do
- Litigation Strategies and Tactics

### **TRADEMARKS**

- Trademark Counterfeiting
- Trademark Dilution and the TDRA of 2006: A New Era
- Keyword-Triggered Advertising/Sponsored Links – Is it Trademark Infringement?

### **COPYRIGHT**

- Copyright Piracy

### **PATENTS/LICENSES**

- Representing University Clients – IP and IP Counsel from an Academic Technology Transfer Perspective

### **PATENTS/INTERNATIONAL**

- New and Improved PCT Practice

### **ETHICS**

- Ethics of Opinions and Indemnification

### **PATENTS/COPYRIGHT/TRADEMARKS**

- Handicapping Pending Supreme Court and Federal Circuit Cases: Patent, Copyright and Trademark

The Boston Patent Law Association is proudly co-sponsoring  
the Wednesday Opening Night Reception and Buffet  
May 9, 2007 from 7-9 PM at the Seaport Hotel

Advance ticket purchase is recommended. Casual attire. You may purchase tickets through the AIPLA.  
For more information, see [www.aipla.org](http://www.aipla.org)

## THE UNDOING OF A CORPORATE IP THIEF

By Brian T. Moriarty, Esq., Hamilton Brook Smith Reynolds and John F. Curran, Jr., Esq., Stroz Friedberg, LLC

Recent studies indicate over 90 percent of all business information is stored electronically. It's no surprise then that companies invest heavily in network security to guard against outside threats.

But the greatest threat may come from the inside: An employee who walks out the door with reams of intellectual property secreted in his pocket on a device no larger than a pack of gum. Once copied, that information can be easily taken to a competitor or used by the employee to form a new competitive venture.

When a company suspects its IP has been stolen by an insider, in-house counsel's first instinct may be to examine the data on the departed employee's computer, find the "smoking gun," and stop the thief cold.

### Don't touch the hard drive

Although the critical evidence is usually found on the employee's computer, prematurely following one's instincts may irrevocably compromise the investigation. Do not immediately search the ex-employee's computer, because there is a real danger of altering or overwriting data critical to your investigation by merely turning on the computer. Instead, secure the computer under lock and key for later analysis.

The second thing to consider is there may not be "smoking gun" evidence. Most successful investigations are built on many small and large pieces of evidence from multiple sources, which may collectively show wrongdoing or, just as importantly, a lack of wrongdoing.

Because an analysis of computer data may be the lynchpin of an investigation, it must be approached in a way that preserves, but does not destroy or create, evidence. As has been seen time and time again, a botched "crime scene" preservation leads inevitably to a failed investigation.

### Who, what, where

The first step, which is often overlooked, is to learn the basics about the ex-employee, such as the type of trade secrets he had access to and suppos-

edly took, and the nature of the competitor's business. This step, which may involve witness interviews, Internet searches and a review of paper documents, is the bedrock of an investigation that leads to: (1) an identification of the kind of information taken, (2) a legal theory as to why the information can be protected, and (3) a time line of events.

Once developed, the investigator will have an informed hunch to view the disparate strands of evidence in the proper context and make the right connections.

### Mirror, mirror

The key to preserving critical computer evidence is to make an exact duplicate copy of the computer hard drive without changing a single bit of information. The creation of a duplicate hard drive is sometimes called a bit-stream or mirror-image copy. Professionals trained in forensically sound acquisition methods use specialized software that prevents the computer itself from overwriting or destroying data in the analysis process.

The forensic analyst will verify or authenticate a successful acquisition by applying an electronic fingerprint, which matches the original data to any exact copy. Once properly authenticated, useful data harvested from the copy is now turned into admissible evidence while the "original" bit stream copy is safely locked away.

### Follow the data trail

Among the best evidence of a theft of trade secrets are the data clues unwittingly left by the employee on the computer hard drive in the act of misappropriation. These clues include metadata, which is data about time stamps indicating creation, last modification, and last access, print dates and author information.

Analysis of this type of information may show wholesale access to and copying or printing of files, as well as searches run by the employee for particular client or file names. The metadata may also show the mass deletion of files, or "cached" copies of web surf-

ing history, including access to personal web-based e-mail accounts the ex-employee used just before departing.

This information can create a time line essential to show the ex-employee had inappropriate access to and critical knowledge of confidential information. It alone may be sufficient to bring a legal action or persuade a new employer to take remedial steps.

### When a deletion is not a deletion

Typically, a trade secret thief will open documents, save data to a new file and copy these files to a thumb or flash drive, or some other portable storage medium, and then delete the files from the computer, believing he has eliminated the evidence of copying.

However, if the thief (in a Windows environment) only hit the delete button, all the accessed files are not truly deleted but remain easily recoverable from the "Recycle Bin." A more sophisticated thief may "empty" the Recycling Bin or the computer operating system itself may automatically perform this function when the computer is started or shut off.

This alone, however, will not necessarily erase the data from a computer disk and such information can often be retrieved through computer forensic software. In reality, data saved or "cached" to a computer hard drive is never removed until it is completely overwritten with new data. Until the operating system (or specialized data destruction tools) overwrites the data, the information is recoverable.

Similarly, "snapshots" of the web pages visited prior to departure may be saved to "temporary" files on the hard drive, which are also recoverable if not overwritten. This data may still be recoverable months later if the ex-employee's computer has been effectively preserved.

Additionally, forensic examiners can recover data from the computer's registry, which stores hardware and software application information. The registry captures details on the connection

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## 34TH ANNUAL AIPLA GILES RICH MEMORIAL MOOT COURT COMPETITION

by Thomas Johnston, Esq., Holland & Knight LLP

The Northeast Regional of the 34th Annual Giles Sutherland Rich Memorial Moot Court Competition was held at Suffolk University Law School in Boston on March 16-18. Thirteen teams from twelve schools came to argue various patent and copyright issues, including marking, damages and permanent injunctions. The judges consisted of practicing patent attorneys and litigators from several Boston firms, including Holland & Knight, Fish & Richardson, Bromberg & Sunstein, Wolf Greenfield, Burns & Levinson,



*The University of Maryland argues in the first round before Ms. Toohey, Ms. Quish and Mr. Kozik.*

McKenna), each well known in the Boston IP community. The panel challenged the students with an hour of tough questions. Ultimately, the team from University of Minnesota prevailed. As those that participate as judges for this competition can attest, the students are always well prepared and the issues facing them challenging. Many of the students commented on how well prepared the judges were and how much they learned from this competition. We would like to thank all the BPLA members and members of the Boston legal community for help-



*Seth Skiles from the University of Minnesota argues during the first round.*



*Michelle Dawson from the University of Minnesota presents during the finals, while the team from Catholic University looks on.*

Lowrie, Lando & Anastasi, Cesari and McKenna, Alavi & Braza, Proskauer Rose, Goodwin Procter, Lahive & Cockfield and Brown Rudnick as well as in-house attorneys at Reebok and the Naval Undersea Warfare Center.

The thirteen teams argued two rounds on Friday night to advance to the semi-final round on Saturday. The teams from Suffolk University, University of Minnesota, George Washington and Catholic University advanced to the semi-finals. Michelle Dawson and Seth Skiles from the University of Minnesota and Kinari Patel and Michael Astorino from Catholic University won their respective arguments to advance to the final round on Sunday.



*Chuck Hieken (Fish & Richardson), Martin O'Donnell (Cesari and McKenna) and David Wolf (Wolf Greenfield) challenge the finalists with tough questions.*

The final round found the contestants arguing before Charles Hieken (Fish & Richardson), David Wolf (Wolf Greenfield) and Martin O'Donnell (Cesari and

ing to make this year's competition another successful one. We would also like to thank the BPLA and Holland & Knight for hosting a wonderful reception for the students and judges after Friday's arguments, as well as Suffolk University Law School for providing the facilities in which to argue. We hope to see everyone again next year at the 35th Annual Giles Rich Moot Court Competition. ◇

## The Undoing of a Corporate Thief

(Continued from page 4)

of removable devices to the computer, such as flash drives, including the manufacturer of the device, the date and time of the connection and the drive letter assigned to the device. When placed into context with the metadata analysis, such information may establish a time line of events and show the intent of the employee in accessing and copying the data.

### To preserve is to protect

In sum, if persons untrained in computer forensics, including in-house IT professionals, simply turn on the computer of a suspected IP thief to "take a look," critical evidence may be destroyed and the investigation doomed before it has even begun.

While not every investigation needs a forensic professional, savvy in-house counsel will be sure to preserve the computer evidence for future analysis – and the company's options – until the investigation is complete.

Brian T. Moriarty is a principal at Hamilton Brook Smith Reynolds specializing in IP, trade secret and patent investigations and litigation. Mr. Moriarty is one of the few registered patent attorneys who has also served as a federal prosecutor. Mr. Moriarty was a federal prosecutor in New York City.

John F. Curran Jr. is managing director and deputy general counsel for Stroz Friedberg, LLC, a computer forensics and investigations firm. Mr. Curran previously served as a federal prosecutor in New York City and deputy general counsel for National Security Affairs at the FBI in Washington, D.C., where he provided counsel to the FBI Director and senior FBI executives on counter-terrorism, counter-intelligence and counter-espionage programs.

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## BPLA PRO BONO EFFORTS HELP DEVELOPING NATIONS IMPROVE IP SKILLS

by *Monica Grewal, Esq., Wilmer Cutler Pickering Hale and Dorr LLP*  
and *Mary Rose Scozzafava, Esq., Wilmer Cutler Pickering Hale and Dorr LLP*

**Calling all volunteers!** The BPLA has been offered an exciting opportunity to work with the IP and New Technologies Division of the World Intellectual Property Organization (WIPO) to help developing nations build their own IP capabilities. The WIPO program enlists knowledgeable patent practitioners from around the world to help train local practitioners and governmental agents in the basics of patent drafting. This program seeks to train indigenous practitioners in developing countries to use IP to promote and strengthen scientific and technological research, development, and commercialization. WIPO has already trained many patent drafters in developing countries, including Singapore, Morocco and Tunisia, and is aggressively extending its program to Brazil, Egypt and the African Regional Intellectual Property Organization (ARIPO) in 2007.

The program contains both a teaching and a tutoring component. As teachers, a panel of practitioners spends about two weeks in a developing country teaching indigenous practitioners the art of drafting patents using a program curriculum developed by WIPO. The tutoring program provides distance learning that follows the teaching program and reinforces the techniques learned in the program. Tutoring spans about four months and includes an exercise per month that the participants complete and is reviewed by the tutors. Interaction with tutors provides an opportunity to practice newly acquired skills and corrective feedback to the participants of the teaching program. The exercises are defined and administered by the WIPO regional offices in the developing countries, so that the success of the program should be easy to achieve.

The BPLA is currently providing tutors for an ongoing program in Singapore. One volunteer tutor, Dr. Jim Olesen of WilmerHale LLP, describes the program as both innovative and fun. Dr. Olesen has students from all over the world, including Malaysia, Pakistan and the Philippines. The exercises are prepared by experts in the field and provide relatively advanced "real world" patenting problems in the fields of chemistry, biotechnology and related life science technologies. A sepa-

rate tutorial group provides exercises in mechanical, engineering and IT-related fields for developing practitioners in that area. The exercises are designed to be challenging, and students learn practical solutions for dealing with difficult issues of novelty and nonobviousness, as well as written description and enablement. Each tutor receives the answers to the problem sets from each of his or her students and provides feedback in whatever manner is most efficient. The tutor may send back a marked-up copy of the student's answers with questions and comments for them or they may simply email them back regarding the relative strengths and weaknesses of their answers.

Says Dr. Olesen about the experience:

The students are incredibly bright, and I feel that I'm learning as much as they are through this process. It's interesting and educational for me to see fresh perspectives on patent drafting and strategy issues. While not every student has the same "cookie-cutter" ideal answer to the problem set, the solutions they do come up with are often surprising and challenge the tutor to address their own practice conventions. I feel it is a learning experience for both tutor and student, and would encourage anyone with an inquisitive mind to participate.

Indeed, WIPO is currently in urgent need of additional volunteer tutors, in particular in the chemistry and life sciences fields. Furthermore, both teaching and tutoring opportunities are anticipated for 2007 in Brazil, Morocco, Africa and Egypt. The BPLA has committed to provide tutors for each of these events. If you are interested in volunteering for this rewarding pro bono program, or if you would like to learn more, please contact Monica Grewal or Mary Rose Scozzafava at the addresses below. ♦

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617-526-6223

Monica.Grewal@wilmerhale.com

Mary Rose Scozzafava, Esq., Wilmer Hale  
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MR.Scozzafava@wilmerhale.com

## BPLA SUPPORTS PATENT CASE PILOT PROGRAM LEGISLATION

by Jeffrey L. Snow, Partner, Intellectual Property Group, K&L Gates

With its new term beginning in January of this year, Congress has been considering substantial new patent reform legislation. One bill currently under consideration, titled "Pilot Program in Certain District Courts," is particularly significant to patent practitioners and the technology community of Massachusetts and the greater Boston area. For this reason, the Boston Patent Law Association supports this proposed legislation.

The bill would establish a pilot program in certain U.S. district courts to consolidate and focus on actions arising under the patent statute. In particular, to encourage expertise in patent cases among district judges, judges with a particular interest in intellectual property cases could opt into the program. Cases would still be assigned randomly within the district court, but judges who are not part of the program would be able to decline them and the cases would be randomly reassigned to other judges in the program. The ten-year pilot program would involve at least five U.S. district courts in at least three different judicial circuits, and each of the eligible courts must have at least ten district judges, three of whom agree to opt into the program.

The Boston Patent Law Association has submitted a letter of support for the pilot program bill to Senator Edward M. Kennedy, the senior senator from Massachusetts, who is also a member of the U.S. Senate's Committee on the Judiciary. The Boston Patent Law Association operates in a center for technology, innovation and development, which includes Senator Kennedy's district. Members of the Boston Patent Law Association, which comprises local patent attorneys and practitioners, work with individuals and technology and manufacturing companies in Massachusetts and the greater Boston area that rely on the integrity of the patent system in bringing their products and innovations to the marketplace. In addition to supporting the pilot program bill as a means to strengthen the legal underpinnings of the patent system generally, the Boston Patent Law Association has advocated that the U.S. District Court for the District of Massachusetts would be a prime candidate for the proposed pilot program.

The pilot program legislation was previously introduced in both the House of Representatives and the Senate, but failed to pass last year. The bill was reintroduced in the House of Representatives this term as H.R. 34, and the House passed it on February 12. The proposed legislation is currently awaiting action by the Committee on the Judiciary and the full Senate. ◇

### UPCOMING EVENTS

Wednesday, April 25  
12:00-2:00 pm

#### **Licensing after Medimmune: A Discussion of Pitfalls and Opportunities**

Friday, May 4, 2007  
**Annual Judges Dinner  
at the Federal Courthouse**

Thursday, July 19, 2007  
7:00 pm

#### **Annual Summer Outing Boston Red Sox v. Chicago White Sox -- SOLD OUT --**

Wednesday, December 5, 2007  
**2007 Annual Meeting**

### Article Submission

If you would like to write an article for an upcoming issue of the Boston Patent Law Association's Newsletter, please submit it to:

Mark Solomon, BPLA Vice President  
at [vice-president@bpla.org](mailto:vice-president@bpla.org)

*Electronic photographs are also welcome.*

**Friday, June 22, 2007**

is the deadline  
for submissions to the  
**BPLA August 2007 Newsletter.**

## BPLA WEBSITE UPGRADES

by Website Committee

In 2006, the BPLA Board decided to renovate various functionalities of the BPLA website. The project started based on a concern that access to a member's information was available to anyone who had knowledge of our universal password -- we all shared the same password.

We immediately recognized that other benefits would flow from a password protected site. A Website Committee was formed with the initial goal to explore various attributes that an improved website could provide. Toward that end, we reviewed other IP associations' websites, including New York, Houston, Chicago and Los Angeles. Most offered their members the ability to renew their memberships on-line, using a secure on-line payment process. Some also provided the ability to register and pay for events on-line.

Our new website now offers members the ability to choose personalized passwords. When you enter the BPLA website at [www.bpla.org](http://www.bpla.org), simply click on the Member Login tab in the upper right corner of your screen. You will be prompted to enter your e-mail address and password. Your e-mail address is not case sensitive and your password has temporarily been set to the old, generic password. At your initial login, you will be asked to change your password. If you have already changed your password and forgotten it, simply enter your e-mail address, and your password will be sent to you via e-mail.

Certain parts of the website are only made available after you successfully login. You can download the BPLA Bylaws, access the member directory, review archived information, edit your membership information, and renew your membership via on-line payment.

The on-line payment option is made available through

PayPal. You do not need a PayPal account -- payment is made by entering your credit card information, but billing and payment are facilitated by PayPal. Once your payment is entered, your membership status will be automatically updated for the current year. You will also receive a statement from PayPal itemizing your transaction. New member applications continue to be handled through a paper application.

Firms and companies will also have the ability to renew members in bulk. Any member can renew members of his or her firm or company. After you login,

click on the Firm Login tab and a website generated list of your firm's/company's members up for renewal will appear. You can then click on those members you wish to renew or select "all". Payment is made by entering your credit card information, as above. Once your payment is entered, the membership status of each selected firm/company member will be automatically updated for the current year, and an itemized transaction statement listing all those

members renewed at this transaction will be sent to your e-mail address. Attempts to renew a member where the renewal is already in process are prevented.

At the time of this writing, approximately one-third of the 2007 renewals have been performed on-line.

In 2007, the Website Committee will investigate on-line registration and payment for events in addition to other upgrades. ♦

### **On-Line Membership Renewal**

*For those of you who have not yet renewed your membership, please note that you can now renew on-line at [www.bpla.org](http://www.bpla.org)*

## **YOUNG LAWYERS AND LAW STUDENTS COMMITTEE EVENT AT SUFFOLK LAW SCHOOL**

by Doris Fournier, Esq., Mintz, Levin, Cohn, Ferris, Glovsky & Pope PC

The Young Lawyers and Law Students Committee of the BPLA held a free panel entitled "Careers in IP Law" on Wednesday, March 7th, 2007 at the Suffolk University Law School. Panelists for the event included Lisa Fleming, partner at Bromberg & Sunstein, LLP, whose practice focuses on IP litigation, Patrick Waller, shareholder at Wolf, Greenfield & Sacks, P.C., whose practice focuses on patent prosecution and corporate and licensing matters, Dan McLoughlin, IP attorney at IBM Corporation and John Ala, corporate counsel for Thomson Compumark. The panelists discussed their career paths in IP law, including how they became interested in pursuing a career in IP law, and what steps they took in their careers to get where they are today. Discussions included patent litigation, patent prosecution, the job of a technology specialist, the role of an IP in-house counsel, and trademark law. Most importantly, panelists gave valuable advice to the student audience about steps to take while in law school to get ahead in the IP world,

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**CAREER OPPORTUNITIES**

**Young Lawyers and Law Students**

*(Continued from page 8)*

how to network, and what to look for from an IP career. About 45 students were in attendance, representing the law schools of Suffolk University, New England School of Law, Northeastern University, Boston College, and Boston University. The students were eager to ask questions of all the panelists and the discussion was informal and lively throughout the seminar.

If you would like more information about the Young Lawyers and Law Students Committee, please contact the co-chairs:

Michelle Bielunis at  
mBielunis@proskauer.com

Doris Fournier at  
dfournier@mintz.com

Scott Gerwin at  
Scott.Gerwin@WolfGreenfield.com

◇

**Notice to Committee Chairs**

We would like to know of any upcoming events, whether CLE or brown bag lunches, that the committees are planning. We are happy to promote your events in our newsletter listings, and welcome descriptions of your planned events for publication. We also welcome articles and electronic photographs of your events. Please send articles and photographs to: vice-president@bpla.org

**TECHNOLOGY & INTELLECTUAL PROPERTY ASSOCIATE**

**Nixon Peabody**

Nixon Peabody's national Technology & Intellectual Property Practice Group is seeking to hire an associate in Boston with a biotech and/or chemical background and experience in patent prosecution and opinion work. Qualified candidates must have a minimum of three years' experience, excellent academic credentials, and superb communication and writing skills. EOE

Please submit cover letter and resume to:

Cari Chronert  
National Lateral Attorney Recruiting  
Coordinator  
100 Summer Street  
Boston, MA 02110  
cchronert@nixonpeabody.com  
617-716-2102 (fax)

**CHEMICAL PATENT COUNSEL**

**Eisai Research Institute**

Diverse responsibilities include licensing, counseling, opinions, client education, and supervising outside counsel on pharmaceutical prosecution matters. Responsible for at least three projects/teams in different stages of development. Day or single-overnight travel to East Coast sites (4-6 times/year). Chemistry or biochemistry degree, preferably graduate degree; 7+ years USPTO registration; 6+ years as an attorney.

For more information, please visit:  
[www.eisairesearchinstitute.com](http://www.eisairesearchinstitute.com)

We are an equal opportunity employer. M/F/D/V

**PATENT ATTORNEY/PATENT AGENT**

**Bromberg & Sunstein LLP**

A leading Boston law firm with a focus on intellectual property, seeks patent attorney or agent with 1-5 years experience, strong academic credentials, and exceptional analytical skills and writing ability. While our patent practice emphasizes portfolio development using strategic filings, our patent professionals also work with our IP litigators in developing enforcement and defense strategies. Patents from our office, in a wide range of technologies, have been involved in multi-million dollar litigation recoveries.

We offer a rewarding and stimulating career in a firm that recognizes merit and outstanding representation of our clients. Our ideal candidate is a vigorous advocate who enjoys working in a congenial atmosphere.

Please send resume and writing samples to:

HR Director at  
Employment2@bromsun.com

*(Career Opportunities Continued on page 10)*

A limited number of **books** from the recent **PCT Seminar** are now available for purchase, \$75.00.

*First come, first served.*

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**2006-2007**

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