

Proposed Membership By-Law Change

The Boston Patent Law Association Board of Governors recommends the following amendment to the membership provision of the [BPLA's by-laws](#), Article III. The amendment adds a fourth class of membership, namely, government employees, such as judges, judicial law clerks, patent examiners, TTAB and PTAB judges, trademark examining attorneys, and other government employees with an interest in intellectual property law. The purpose of this amendment is to encourage and enable such government employees to become BPLA members and to attend BPLA-sponsored programs at reduced rates. The Board will establish appropriate, discounted rates for government employees in accordance with its power under Article VIII, Section 2, of the by-laws to establish dues. The proposed amendment, which the Board will present to the membership for a vote at the [2016 BPLA Annual Meeting](#) on December 7, 2016, is shown in redline below:

ARTICLE III: MEMBERSHIP

The membership of this Association shall consist of ~~three~~ **four** classes of membership: Attorney, Non-Attorney, **Government Employee**, and Life.

(A) ATTORNEY MEMBERS. Attorneys at law who are in good standing in any court of record in the United States, or any of the States or territories thereof, and engaged in the practice of patent, trademark, copyright, or other intellectual property law shall be eligible for election to Attorney membership. Attorney Members shall have the right to vote. Only Attorney Members who reside or have a principal office in the First Federal Judicial Circuit ~~as now fixed by law~~ shall have the right to hold office.

(B) NON-ATTORNEY MEMBERS. Non-Attorney Members shall have the powers, privileges, and obligations of Attorney Members of the Association except those of voting and holding office. The following categories of persons who do not qualify for Attorney Membership and who reside or have a principle place of business in the First Federal Judicial Circuit ~~as now fixed by law~~ may be eligible for election to Non-Attorney Membership, subject to the discretion of the Board of Governors:

- (1) patent agents registered in the United States Patent and Trademark Office;
- (2) students who are enrolled and in good standing in an accredited law school;
- (3) paralegals and technical specialists who are employed by, or provide services to, a firm or company engaged in the practice of patent, trademark, copyright, or other intellectual property law;
- (4) inventors, engineers, scientists, researchers, technicians, authors, and artists;
- (5) academics and university students (a) in any science, engineering, or technical field recognized by the United States Patent and Trademark Office or (b) who have demonstrated a verifiable interest in intellectual property issues;

(6) subject matter consultants and experts who regularly advise or provide services to intellectual property lawyers and their law firms; provided, however, that are not seeking membership merely as a means to gain access to sales and business opportunities;

(7) others who have demonstrated a verifiable interest in intellectual property issues and who are not seeking membership merely as a means to gain access to sales and business opportunities.

In exercising its discretion to admit or deny admission to Non-Attorney Members, the Board of Governors may delegate its authority to the Secretary of the Board of Governors. The Board of Governors reserves the right to revoke membership of any person deemed by the Board of Governors to be marketing products or services to other members to the detriment of the Association.

(C) GOVERNMENT EMPLOYEE MEMBERS. Government Employee Members shall have the powers, privileges, and obligations of Attorney Members of the Association except those of voting and holding office. Subject to the discretion of the Board of Governors, the following categories of persons who reside or have an office in the First Federal Judicial Circuit may be eligible for election to Government Employee Membership, even if they would otherwise qualify for Attorney Membership:

(1) federal and state court judges, including magistrate judges, who sit in any federal or state court located within the First Federal Judicial Circuit;

(2) any judge of the Court of Appeals for the Federal Circuit and any justice of the United States Supreme Court;

(3) Law clerks for any judge included in Sections C(1) and (2) above;

(4) Employees of the United States Patent and Trademark Office, including the Trademark Trial and Appeal Board and the Patent Trial and Appeal Board;

(5) other employees of the federal government who have an official interest in, or official responsibility for, establishing, overseeing, or implementing intellectual property policy and practice; and

(6) other government employees of states or territories within the First Federal Judicial Circuit who have an official interest in, or official responsibility for, establishing, overseeing, or implementing intellectual property policy and practice

In exercising its discretion to admit or deny admission to Government Employee Members, the Board of Governors may delegate its authority to the Secretary of the Board of Governors.

(**C**) LIFE MEMBERS. All Attorney and Non-Attorney Members upon reaching the age of seventy shall automatically become Life Members of the Association. Life Members shall continue to have all the powers, privileges and obligations they had prior to becoming Life Members except that they shall be exempt from the payment of dues.