CHAPTER 1
DREAMS, ASPIRATION AND DIRECTIONS

“You see things; and you say, ‘Why?’ But I dream things that never were; and I say, ‘Why not?’”
George Bernard Shaw, “Back to Methuselah,” 1921

“Nothing happens unless first a dream.”
Carl Sandburg, The republic is a dream. Washington Monument by Night, 1922

Whether Dudley B. Smith or Dan Stice framed their thoughts so eloquently would likely be doubted by those who knew them in the 1960s, when there was no organization or association for people dealing with intellectual property licensing. But everyone who knows the Licensing Executives Society today would not be surprised if they had. It was those two businessmen, both attorneys, who contacted a handful of friends and associates to found the professional society that today boasts 30 chapters around the world with some 12,000 members.

It was Dudley, licensing coordinator for Celanese Corporation in New York City, and Dan, a patent counsel for 3-M in Minneapolis, Minnesota, whose professional paths crossed and together they saw the need for an organization that would assist and encourage those engaged in technology transfer, a young and yet-to-be recognized profession. At the time, most technology licensing was limited to dealings among large corporations, mostly in chemicals, oil, heavy industry, and to a lesser extent in aeronautics, few of which fully understood and appreciated the great po-
tential wealth their research and development and other intellectual property assets represented.

Ken Brown, a Charter Member who was elected LES President for 1970, recalls, “Dudley had been doing some licensing and he thought it would be helpful for people to exchange ideas and to learn techniques for profitable licensing.

“He knew that as patent counsel at Cabot Corporation in Boston I was involved in licensing, and he said some people were having a meeting to form a society. He said he thought it would be helpful to exchange ideas and learn techniques for profitable licensing.”

Dudley, who would dedicate much of his professional career to the Licensing Executives Society until he died in 2002, and Dan set out to gauge interest in forming an organization that clearly was needed if technology transfer licensing was to grow and develop. Each promoted the idea among licensing professionals they dealt with. These included company patent attorneys, corporate technology associates, law firms, private practitioners and others. Dan and Dudley were greeted with considerable enthusiasm.

They spoke of the need for an organization that:

- Encourages licensing people to meet and talk with others in technology licensing.
- Offers educational opportunities for members to learn practical and legal aspects of licensing.
- Makes it possible for persons engaged in licensing to congregate to conduct business to reduce travel and expense.
- Extends licensing internationally.

Interestingly and probably to the benefit of an organization in such early incubation, Dan and Dudley brought strong personalities and widely divergent beliefs to the table. Dudley was strongly interested in promoting educational and professional goals for licensing, and Dan more business-oriented, sales-promotion objectives.

Among individuals Dudley and Dan contacted who expressed interest in a technology transfer licensing organization were John Oliver of Northrup Corporation; Peter Hilton, a founder of the Association of Corporate Growth; Bruce Fayerweather
of Dow Chemical Company; Bob Merriam, of the University of Illinois and former Chicago city councilman; Dr. Worth Wade of American Viscose Company and author of a book on licensing; Walter Cairns of A.D. Little; John Wood of the American Management Association; Thelma C. Heatwole, Patent Licensing Officer of Philip Morris, Inc., and Ralph G. Miller, who was an independent licensing consultant to West Coast aeronautical companies. Ralph Miller later designed the LES banner that is still used today.

John Wood arranged for the American Management Association (AMA) to sponsor a seminar on utilizing “research byproducts,” which brought together a nucleus of people interested in licensing. Dudley had been teaching a beginning-licensing course at AMA meetings since 1955. He recognized a need for an organization in which corporate licensing specialists could meet, talk to others in the newly identified and fast-growing specialty, as well as the need for extensive educational opportunities. What better way to learn than hear and share first-hand experiences with others and to meet others in licensing, and be able to contact them when help or professional guidance is needed?

Fortunately, both 3M and Celanese supported the efforts of Dan and Dudley, and company managements generally were credited with encouraging the formation of a licensing organization. After all, the organization, if successful, would expand licensing opportunities and improve the resulting transactions for everyone to benefit people in the four corners of the Earth.

In early 1965 Dan and Dudley met with nine licensing managers in the offices of Peter Hilton in New York to conduct what was to become the first organizational meeting for a new licensing organization. Dudley suggested they form a licensing association, and potential bylaws were discussed. The group agreed that a formal organizational meeting would be held in Hollywood Beach, Florida, that autumn. A few weeks later, the group initiated a chain letter promoting interest to potential members.

A second organizational meeting was held in the office of Bob Merriam at University Patents in Chicago. The name “Licensing Executives Society” was selected from many, and the bylaws were finalized. Ray E. Snyder, a practicing attorney in Chicago, drafted the bylaws, which, it has been noted numerous times over the years, have stood largely unchanged since that date.
Indeed, licensing was coming of age, and an organization that could nurture and grow the vision into global opportunity was in the womb.
CHAPTER 2

THE FIRST MEETING

Word spread among the business, educational, and legal licensing communities during 1965 about the upcoming first meeting that autumn of an organization that promised to fulfill a vast need to create a better way for owners of technology to share their incredible stores with others.

The idea of selling technology protected by patents to others had never been widely exploited. How to transfer the intellectual property safely and to whom were subjects never fully explored. Neither were the legal aspects of licensing addressed in a structured and systematic manner. The Licensing Executives Society, only months old, began examining these issues and many others officially at its first meeting, October 21-22, 1965, at the Hollywood Beach Hotel, Hollywood, Florida.

And it was with considerable trepidation that the licensing professionals met. There was a concern about the antitrust laws, since employees of competing corporations were meeting together under one roof and there could be the accusation that some were conspiring for competitive advantage in violation of the law. After all, this was the era of the famous “Nine No-Nos” of antitrust that questioned the legality of many aspects of technology licensing.

The concern over antitrust may have kept some corporations from sending representatives, but the hearty group of professionals consisting of 79 men and one woman, Thelma Heatwole, many accompanied by spouses, did gather on those historic autumn days. It established customs, unknowingly at the time, that have been nurtured ever since, including holding annual meetings in the fall at well-appointed
venues, and warmly and enthusiastically welcoming spousal attendance with well-planned social events and networking.

Attendees had received invitations to the event through the loose “grapevine” that existed among the relatively few licensing professionals and from many invitations extended to the network of friends of Dudley Smith and Dan Stice.

In attendance at the first meeting and officially listed as Charter Members in the December 1972 _les Nouvelles_ were the following 80 professionals:

| 2.        | Stanley Belsky  | 29. | H.M. Joslin |
| 5.        | Ralph L. Cadwallader | 32. | Harry B. Keck |
| 7.        | John W. Calvert | 34. | Sherman J. Kemmer |
| 11.       | Alfred C. Crane | 38. | Hans H. Lau |
| 15.       | Roy N. Enval    | 42. | William D. McGuigan |
| 16.       | Arne Eriksen    | 43. | John A. McKinney |
| 17.       | Bruce L. Fayerweather | 44. | Robert E. Merriam |
| 18.       | Leo Fornero     | 45. | Ralph G. Miller |
| 22.       | Thelma C. Heatwole | 49. | R. L. Olson |
| 25.       | Rodger B. Herrington | 52. | Roy E. Petherbridge |
| 27.       | Gerald L. Jarvis | 54. | Roger V.N. Powelson |
| 55.       | John L. Rendall | 56. | Fred D. Richter |
| 57.       | W.A. Schaich    | 58. | George G. Scholley |
| 59.       | Irving N. Simmons | 60. | Dudley B. Smith |
| 63.       | Ray E. Snyder   | 64. | J.D. Stice |
| 67.       | W.R. Taylor     | 68. | Dr. Worth Wade |
| 69.       | J.E. Watkins    | 70. | Charles G. Whelpton |
| 73.       | Louis D. Williams | 74. | M.D. Woerpel |
| 75.       | James E. Wolber | 76. | S. Blake Yates |
| 77.       | Donald M. Young | 78. | John P. Young |
| 79.       | Vincent E. Young | 80. | S.G. Zelezinka |

1 Corrected in the June 1973 issue to add with apologies the name of Charles G. Whelpton, which had been inadvertently omitted.
The 8o charter members created a custom that continues in LES today. They were an effective combination of lawyers and non-lawyer business professionals that could share their experiences in law and business. Dan, as temporary President, called the first meeting to order. His goal at the time, he says still today, was the creation of an organization for networking licensing professionals, in particular from industry, business, and university sources. Dan introduced the other temporary officers, most being those who had helped pull the meeting together, and he then gave a brief “history” of the yet-to-be-created organization.

Thelma Heatwole reported in her History of LES (1968–1974) that John Oliver of Northrup Corporation presented the keynote address, referring to the rapid growth in technology and how this has increased the rate of obsolescence.

During the first day of the two-day session speakers talked about licensing experiences and case histories, for what better way to learn the profession and prepare for negotiations than from others? The well-proved “voice-of-experience” technique continues at LES meetings today. The speakers included William Kelly, Westinghouse Electric; Dr. Worth Wade, Management Consultant; Vincent Young, Battelle Memorial Institute, and Kenneth Brown, Cabot Corporation.

They were followed by Stanley Belsky, Itek Corporation; John Sullivan, General Electric Company, and Dr. V. Dvorkovitz, Licensing Consultant. Hershel Clesner, Inventors’ Coordinator, U.S. Public Health Service, was guest speaker. His topic: “East-West Trade.”

The program for this first LES meeting established a format that has withstood the test of time. LES was launched as a professional organization that focused on educational programs on important licensing topics and on providing the opportunity to network with other licensing professionals. LES has continued to have extremely informative and successful meetings that provide these networking opportunities as well as educational sessions including plenary speeches and workshops on topics of major interest in licensing. The keynote speakers throughout the years have included the leaders in the business of technology development, commercialization and licensing. The continuing quality of the LES meeting speakers is evident from the listing of the annual LES plenary speakers and speech topics for the historic first 40 years of LES, as set forth in the accompanying Appendix A. (Ken to provide Appendix A)
On Friday, the second day, the first Licensing Executives Society business session was held to adopt governing documents, elect leaders for the coming year, and discuss organization issues. The following officers and Trustees were elected:

President ................. J.D. Stice
Secretary ................... W.J. Cairns
Treasurer .................... S. Blake Yates
Vice-President (East) ........ Dudley B. Smith
Vice-President (Central) ... Bruce L. Fayerweather
Vice-President (West) ...... John E. Oliver
Trustees: ..................... Stanley Belsky
                    Arne Eriksen
                    William P. Kelly Jr.
                    Ralph G. Miller
                    John E. Sullivan Jr.
                    Dr. Worth Wade

Committee chairmen were also selected:

Site Committee, Charles G. Whelpton, Champion Papers, Inc.; Nominating, James E. Archer, American Cyanamid Company; Membership, Stanley D. Mark Jr., The Carborundum Company; Publication, John L. Rendall, 3M Company; Ethics, Sherman J. Kemmer, Archer Daniels Midland Company; Public Relations, Dr. Worth Wade, Management Consultant, and Speakers Bureau, Emil W. Wickert, University Patents, Inc. of Illinois.

These first officers and chairs have been followed by a long list of volunteers who served LES with the same dedication and enthusiasm over the last 40 years. A complete listing of the officers and Trustees through 2005 is provided in the accompanying Appendix B. (Ken to provide Appendix B)
The following Purposes of LES, as presented in Article II of the proposed Bylaws, was discussed at some length and approved at the first LES meeting:

**PURPOSES OF LES**

- (a) To function as a nonprofit, professional, and educational society, encouraging high professional standards among individuals engaged in the domestic and/or foreign licensing of technology and industrial property;

- (b) To assist its members in improving their skills and techniques in the area of licensing through self education, the sponsorship of educational meetings, the publication of articles and other material, and the exchange of ideas related to domestic and foreign licensing; and

- (c) To inform the public and the business community concerning the importance and value of (1) licensing and (2) the high professional standards of those engaged in licensing.

It was also decided at this first annual meeting that a quarterly newsletter would be published by the Publications Committee to keep members informed of activities and to publish informative and educational licensing information. John Rendall, who worked for 3-M and was Publications Committee chairman, agreed to edit the publication.

John named the publication *les Nouvelles*, using French word “les” for “the” to play on the initials LES, and “Nouvelles” for “news.” He was also responsible for design of the LES logo, featuring the capital letters LES within a unique trilocular view of the world. The logo has since been featured in the nameplate on the cover of every *les Nouvelles* and other LES publications. This original *les Nouvelles* nameplate also included a drawing of an artful French-style mail kiosk, which appears on the inside front cover, where it was moved in the 1980s when the front cover was redesigned. (Ken to include drawing of kiosk in text) Ralph Miller, an independent consultant on the West Coast whose clients included the largest aerospace companies, designed the LES flag. Its basic design has never changed, and every international LES chapter continues to display one at each meeting.
Complex antitrust issues continued to be a concern. However, arms-length discussions were held openly to avoid any appearance of impropriety or conflict of interest among corporate licensing experts. Within two years LES hired Richard G. Moser, partner in the law firm of Patterson Belknap and Webb of New York, an expert in antitrust law, as legal counsel to attend its business meetings and help the society steer clear of conflicts with the complex antitrust law. Dick Moser’s sound legal advice, gentlemanly charm and quick wit, and his wife Alice, became mainstays at LES meetings for the next 20 years.

President Platon Mandros recognizes the many contributions of Dick Moser, LES legal counsel for many years, and his wife Alice in 1990.

In her History of LES, Thelma Heatwole reported that “major objectives” of the new Society were later defined by its founders as:

- To assist its members in improving their skills and techniques in licensing through the conduct of special studies and research, sponsorship of educational meetings, and the publication of articles, reports, statistics, and other material.

- To increase the awareness of the business community and the public of the economic significance and importance to commerce of licensing and other forms of technology transfer.
• To inform national and state legislators, preferably in face-to-face meetings, of the benefits to the country of licensing and of the patent system, to encourage constructive legislation in this field and argue against ill-advised proposed legislation (that) may be before the Congress or being contemplated.

• To advise and inform the judiciary regarding the practical working and benefits of the patent system and laws pertaining to the protection of proprietary information, i.e. know-how or trade secrets, and to act as a “friend of the court” in critical cases involving these concepts.

These objectives, although touched up numerous times in the 40 years since their creation to insure currency with the times, have been reproduced often in LES publications, including each LES (USA & Canada) Annual Report. But the thrust and message, which set the LES heartbeat, have not changed. The most recent Mission Statement is published later in this history.

Charter Member Vince Young has reflected that those attending the organizational meeting were enthusiastic and anxious to share their licensing experiences. They carried those sentiments with them from Hollywood Beach Hotel that autumn, and the result stimulated President Stice to write, with great pride, the following in les Nouvelles as he left office in 1966:

**COMMENTS FROM THE PRESIDENT’S OFFICE**

The success of LES (300 high-caliber members make it an inherent success) is due to two major reasons in the opinion of your president. First of all, our membership has worked to make it a lively and purposeful organization. Secondly, LES is a much-needed organization with a real purpose to serve in the growth of our economy and in maximizing the return and tangible results of technological investment.

We will continue to prosper and grow as we increase our sensitivity to the role of licensing in the business community. We are a professional organization and as such the benefits to be derived from “licensing” are developed and disseminated by us throughout the business community, so also will the stature of LES and its members rise.
The opportunity to serve as president of LES has been a source of great satisfaction to me. I want to take this opportunity to thank each of you for the honor.

Dan Stice

The foresight of the founding members of LES recognized and fulfilled the pressing need for networking and educational opportunities for a fledgling licensing profession. It was certainly beyond the expectations of Dudley Smith, Dan Stice, and the other original founders to have the newly formed Licensing Executive Society explode in 1965 from a mere idea to an annual meeting of over 300 attendees. These insightful founders gave LES a great beginning in 1965 at its first annual meeting.
CHAPTER 3
DEFINING THE ORGANIZATION

The objectives the Founders laid out for their infant organization were so ambitious and far-reaching they could have caused the structure to implode had its creative and imaginative membership not been so enthusiastic and believing. Where was the glue, the framework to give the organization form and keep it intact? Who would do all the administrative and organizational chores? No matter. It was just understood and wholly agreed that more would be accomplished in the licensing profession in a shorter time if people could get together to make contacts and learn the law and business of licensing. And necessary steps were taken to achieve this.

Indeed, the groundwork was laid from the start with themes and spirit and direction that have unfailingly steered LES through its many years of success. They will be referenced repeatedly throughout this history as various administrations moved the organization forward.

The uniqueness and importance of licensing was clearly defined to the early members by speakers whose words remain relevant in today’s world. As recently as 1993, newly-elected President Melvin F. Jager, writing in quoted Peter Schmitt, a Vice-President of Westinghouse Electric International Company, who spoke the following at the 1966 Annual Meeting, to illustrate the value and uniqueness of licensing:

The license . . . agreement . . . is one of the most valuable commodities you have. It is a product that is not easily described. It has neither height, width nor depth — no color — no style — no catalog number, and if properly put together — absolutely no emotional ap-
peal. It is a product with a cost that is as much dependant upon the spirit of the seller as it is upon its intrinsic ingredients.

It has a value to the buyer as great as his will and ability to transform its contents into actions and tangibles. It is a toy to the maker of phrases and a challenge to the word-smith who delights in closing loopholes. It is a work of art to the perfectionist, and it represents money in the bank for him who has no idealistic motive.

It is not just a piece of paper — it is alive — it has meaning — it is multifaceted — it is one of the most interesting commercial products in this world with great present value and unlimited potential.

It is a force which puts things into motion. It is a source of pleasure and a contribution to the advancement of mankind through the interchange of ideas and the human resources to fulfill them. It is a prescription, a curriculum, a legacy, and indeed, an asset.

Finally, it is proof positive that men of different races and nationalities can agree and can abide by their agreements.

Mel added in his 1993 column, “These observations are as valid now as they were in 1966.”

**Organization and Leadership**

Well-defined, strong leadership any organization needs for success was present and in charge when the Founders gathered at Hollywood Beach, Florida, in 1965. And they fortunately established high standards for the interest, energy, and commitment necessary for LES success.

The divergent interests and strong personalities that Dan Stice and Dudley Smith brought to the Founders required thoughtful debate and basic decisions that would lay the course the organization would follow.

“Dudley and Dan each gave a pitch on the organization they wanted to found to promote licensing,” recalls Ken Brown. “Dan wanted more commercialization. Dudley’s point of view was that it was purely an intellectual operation to promote licensing of technology in general. Dudley was a very imaginative guy, and he had all kinds of ideas.”
Vince Young, another Charter Member, says it was Dan who interested him in helping to form a licensing organization by attending and speaking at the Hollywood, Florida, meeting. He too remembers Dan Stice strongly preferring the young organization cater most strongly to commercial aspects of licensing. Another member years later described Dan as preferring a “trade-show, with members displaying wares.” Dan wanted people sharing experiences. His idea was more for commercial people than for lawyers. He saw it as a way for business people to share ideas and experiences. Sherman J. Kemmer, another Charter Member who became 1972 President, recalls that Dan Stice, although himself a practicing patent attorney and member of the Patent Law Association, was “very adamant that LES was a business organization and that the annual meetings should provide a forum for conducting business and pedaling our wares, so to speak.”

Interestingly, although Dan Stice was elected the first President of the newborn organization, his idea of having a “trade-show” type organization was not accepted. Dudley Smith and others felt strongly that interest is not the one that should define LES, and that the Society instead should concentrate on professional aspects. The preference for development of LES as a professional association focusing on licensing education and networking proved extremely well chosen, inducing the growth of the society in its first 40 years from a beginning of 80 members to a global society of more than 12,000.

Membership interests and organizational goals have been a concern throughout LES history. There had been consistent concern among some that the Society would become a “junior ABA,” controlled by its lawyer members with meetings heavily weighted toward technical legal issues of interest and meaning only for lawyers. Lawyer members, meanwhile, felt legal issues relating to licensing needed to be addressed and explored for businessmen as well as for lawyers.

The issue of which direction LES should take was a hot topic for discussion for years before it came dramatically to the fore in 1973 at the Society’s eighth annual meeting. It was then that the organization experienced its first -- and still today the only contested election -- for President-Elect at the Sheraton Palace Hotel in San Francisco, California. Dan Stice had petitioned, pursuant to provisions in the Bylaws, to run for the office against Homer O. Blair, the candidate of the Society nominating committee.
When it came time for the vote at the noon-time Annual Meeting in San Francisco, Dr. Charles Chappell, the 1973 President, called on Robert Whipple, the Nominating Committee chairman, in a dramatic moment, to present the names of candidates for offices, except President-Elect, to serve during the 1973-1974 year. Dudley Smith seconded the nominations.

Dr. Chappell called for a voice vote. The candidates were elected unanimously. Newly elected 1973-1974 President Marcus E. Finnegan stepped forward to announce polls for registering votes for President-Elect would remain open until 3 p.m. that day, with results to be announced at the annual banquet that evening. Marc then introduced the candidates, and each spoke.

Homer Blair, with his long-time friend Dudley Smith his “campaign manager,” recalls focusing his comments on the benefits of maintaining the society as a professional organization.

At the annual Banquet that evening, Marc announced that Homer Blair was elected President-Elect, in line to follow him as President. In the December *les Nouvelles*, Marc wrote:

“...We had our first contested election. This was for the office of President-Elect ... and, I dare say, the election was much closer than almost everyone had expected. I think it would be presumptuous of me to hazard a guess as to what the closeness of the election means. But, most of the comments I have heard would indicate that many feel LES overstates the legal side of licensing, to the detriment of the business side. This has probably been true in the past, and there are, no doubt, many reasons for it.”

History shows LES has achieved and maintained a happy medium over the years, with a balance between educational programs and activities relating to both the business and legal aspects of licensing. This balance has greatly benefited LES, the licensing profession, and international business.

Norman A. Jacobs, 1976 President and a non-lawyer businessman with strong accounting orientation, recalls that legally oriented talks and workshops were of great interest to business members “who were trying to learn the legal side of life, and vice-versa, that the talks on business development and royalty terms attracted enormous numbers of attorneys. It always struck me that that cross-fertilization of
ideas and thoughts and ability and information was at the core of LES’s success. It wasn’t that you wanted to keep an artificial balance and let the business folks talk to themselves and the lawyers talk to themselves, but each was talking to the others to learn aspects of the profession.”

Interestingly, of the first 20 Presidents, only five were members of private law firms. Of the next 20, only 11 were employed by private law firms.

The legal-non-legal membership mixture has been a frequent and sensitive topic at Trustees meetings and in LES (USA & Canada) publications. The 1986 Annual Report, for example, reported the USA/Canada Society had 2,150 members, with most members joining in 1985-1986 being non-lawyers, about 65 percent.

President Larry W. Evans said at the 1986 meeting, “With respect to the synergism between business and legal interests, I am very happy with our performance. The programs during the year were directed to the business of licensing. The commercial aspects were complemented by a recognition of the legal forces affecting licensing’s success or failure. I know of no other organization in the intellectual property or business development field that can present such a well-rounded view.”

President Sam Layton reported in 1987 that 58 percent of the members were from corporations, including research institutes; 5 percent from universities, and 33 percent from private firms, including law, brokers, and consultants. In 1995, President Gayle Parker reported 56 percent of the total membership were non-lawyers, 44 percent lawyers.

In the 1989 Annual Report, President Vance A. Smith urged local chapters to structure meetings to focus on issues facing small businesses. He reported that conferences were held in Milwaukee, Cleveland, and Edmonton, and each was asked to include 50 percent or more of business content.

This balance between business and legal membership continued for LES. In 2005, for example, lawyers constituted 28 percent of the total LES (US & Canada) membership.
PROFESSIONAL TRAINING, EDUCATION, ETHICS

LES leaders acted quickly in response to the Society’s number-one objective, to provide educational opportunities for people in the licensing profession. Three Regions had been created at the 1965 organizational meeting and a vice-president was elected to represent each on the Board of Trustees: Dadley Smith, Eastern; Bruce L. Fayerweather, Central, and John E. Oliver, Western.

All the Regions held educational meetings within weeks. The Eastern Region met at the Harvard Club in New York City. J.F. Mooney, Tax Counsel for the Union Carbide Corporation, the key speaker, discussed “Tax Aspects of Licensing – Domestic and Foreign,” and welcomed questions from the audience.

The Central Region met at the O’Hare Inn, Chicago, and featured workshops, a format repeated countless times at LES meetings: “Formulation of Company Philosophies Concerning Licensing,” chaired by Bruce Fayerweather; “Identification and Organization of Internal Technology,” J.E. Pierce and Roy C. Kirk, co-chairs; and “ Determination of Areas in Which Your Company May be Receptive to Technology,” Bruce Fayerweather and J.L. Rendall, co-chairs.

The Western Region met at the International Hotel in Los Angeles and featured: “Licensing From the Standpoint of a Patent Attorney,” John D. Chestnut; “The Licensing Functions of Battelle Institute,” H.D. Moran; and “Where Licensees Fit In,” William J. Baral, Union Oil Co. of California. Other speakers included Bernard H. Wilcox, British Counsul (Commercial), and Walt Gallows, Manager, Navan, Inc.

Meanwhile, LES publications were providing the growing membership with printed material. les Nouvelles, produced by Charter Member Thelma Heatwole, who had become editor, was gaining respect and international attention. Papers presented at LES meetings were printed in the publication, and it grew from a newsletter format to a multiple-page publication.

By the end of the decade, LES through its Research Committee chaired by Edward P. (Ted) White, and members John R. Pegan and Paul B. Morofsky, published the first edition of Licensing Bibliography, which was updated and reprinted for several years afterward, as were other special publications featuring various aspects of licensing.
Within four years of the Society’s birth, LES membership had grown to 855. It was reported at the 1969 annual meeting, and the membership included a growing number of members new to technology licensing. From the beginning, basic licensing courses were popular. At the 1966 annual meeting Dr. Worth Wade offered a workshop, “Essentials and Elements in Licensing – A School for the Beginner,” and drew 42 listeners, almost a fourth of the meeting attendees. At the 1969 annual meeting, Dr. Worth Wade conducted a well-attended 90-minute “Beginner’s Course in Licensing.”

The following year, Dudley Smith taught a “Primer Course” for members with less than three years’ licensing experience. The course became a well-attended feature, offered annually in one form or another and taught by Dudley for many years. The Basic Licensing course continued to be offered each year by early member Robert Goldschieder and later by a variety of other LES professionals.

Those successes — effective educational meetings and seminars, publications — launched decades of efforts focused on spreading the how-to and why-of licensing for newcomers and to refresh experienced members.

Continuing to be a deep concern at gatherings was avoiding conflict with strict federal antitrust laws that set narrow limits on contacts between employees of competing corporations. This concern led to numerous workshops and speeches featuring speakers from the U.S. Department of Treasury and U.S. Department of Justice, as well as the U.S. Commissioner of Patents. Federal law had not kept pace with the
race toward high technology that world business had begun employing. The law needed to be changed, if U.S. businesses and industries were to continue world leadership. The law was updated a few years later and is reported later in this history.

Professional ethics were an immediate concern of the founding members of LES. They set a high standard in the first order of business at the Society’s Charter Meeting in 1965. The first clause in The Purposes, included in the Society’s Bylaws that were adopted then, requires “encouraging high professional standards among individuals engaged in the domestic and/or foreign licensing of technology and industrial property.” The subject has been a frequent topic at seminars and in publications.

One instance of an alleged lapse of ethics occurred in the early 1980s when two new members were investigated by the LES Ethics Committee, chaired by Trustee David S. Urey, who would become the 1991 LES (USA & Canada) President. There was concern they were involved in sham patent applications and marketing, and using their LES membership to promote their activities. David recalls one member resigned and the other did not renew his membership following an appearance before the Ethics Committee.

**EARLY VOLUNTEERISM/AWARDS**

The spirit of volunteerism and devout beliefs that caused Dudley Smith and Dan Stice to set out to create an organization to organize, promote and educate the promising licensing profession has been the hallmark of the Licensing Executives Society.

The countless hours of expertise contributed by thousands of volunteers pumping energy into the LES engine in the form of leadership, teaching and training, as well as the friendship and personal and professional respect for each other, have been endearing hallmarks of the organization from day one. These features will be revisited repeatedly as this history of LES unfolds.

Recognition is an important and necessary ingredient for healthy volunteerism. And the Society’s leaders launched the philosophy officially at the 1968 annual meeting when Al Schaich, newly-elected President for 1969, announced he had appointed an LES Awards Committee. Its job was to formulate guidelines for granting
awards to members or nonmembers who had performed an excellent service to the licensing profession. Charles Welpton was named chairman.

Thelma Heatwole was awarded a plaque for outstanding work as editor of *les Nouvelles*, a volunteer position at the time.

A year later, however, in 1969, Trustees recognized that certain work was best performed by service professionals, and Thelma was retained as an independent consultant as Editor-in-Chief of *les Nouvelles*. She received an annual retainer for services and expenses. Because of membership growth the volume of service needs exceeded volunteer capacity. Trustees hired the Society of Manufacturing Engineers, a professional management organization, to maintain the Society’s membership rosters and provide meeting and limited administrative services.

In 1970, Award Committee Chairman Whelpton brought a plan developed by his Awards Committee to the Trustees to create the LES Gold Medal award. It was quickly approved, and it remains today the highest award to recognize outstanding contributions in the profession of licensing or to LES. Administration of the award was taken over by LES International when that organization came into existence in 1973 as the parent organization for all LES chapters worldwide. As of printing of this history, 16 Gold Medals had been awarded since the first one was presented in 1971 to Dudley B. Smith. A complete list of awardees for the LES Gold Medal is set out in the accompanying Appendix C. (Ken to Provide Appendix C)

A variety of awards, including Certificates of Appreciation and Certificates of Merit, are made annually and they remain today a meaningful and appreciated recognition. The names of many recipients are noted throughout this history and are listed more extensively in Chapter 9.

**NETWORKING/SOCIAL OPPORTUNITIES**

Networking, the opportunity to meet and know others in the licensing business, was recognized early as a fundamental necessity for conducting efficient, successful transactions, and it remains today a welcome and important feature of LES membership. Likewise, opportunities to socialize and an emphasis on accompanying persons programs have aided the growth and influence of LES. They set the Society
apart from professional organizations where programs focus solely on professional subjects and bypass encouragement of social interaction.

At the 1970 annual meeting at the Hotel del Coronado, Coronado, California, a special program for wives of members was planned and co-chaired by Elinor Whipple, wife of incoming President Robert Whipple and Jan McGuigan, wife of William McGuigan, Speaker’s Program Chairman. This effort began a tradition of Accompanying Persons Programs that has continued since that time, although with a lower number of participants in recent years than in the early years because fewer spouses accompany members to meetings.

At the 1971 annual meeting, social activities expanded to include mixers, informal gatherings, dinner and dancing.

![Newly-elected LES President Robert P. Whipple addresses members at the 1971 Eastern Regional meeting.](image)

**EARLY MEMBERSHIP MAKEUP, GROWTH**

LES membership grew rapidly from the beginning, confirming the strong belief Dudley Smith, Dan Stice and others held that there was indeed a deep need for such an organization. Not surprisingly the interest immediately extended overseas where licensing was also viewed as a viable business opportunity.
An estimated 100 persons, the 80 Charter Members and spouses, attended the first LES meeting at Hollywood Beach, Florida, in October 1965. In only a year, by the 1966 annual meeting at the Monteleone Hotel in New Orleans, Louisiana, the total membership had jumped to 279. The meeting was attended by 75 members and 70 wives. An emphasis on social activity and setting and proclivity to make wives feel welcome, was already showing results. As one member explained years later, the presence of wives makes social interaction easier and improves one’s ability to meet others. Networking was working! And time and results would show it was here to stay.

By the second annual meeting, in 1967 at the El Mirador Hotel, Palm Springs, California, LES had 404 total LES members, 54 from countries outside the U.S. Attendance at the meeting included 174 members, many with their wives. The meeting program emphasized international licensing. In addition to U.S. lecturers, speakers from Australia, France, Japan addressed the meeting.

It was reported at the 1968 annual meeting, at the Emerald Beach Hotel, Nassau, Bahamas, that LES membership had risen to 637, including 145 foreign members.

Attendees at the 1970 annual meeting at the Hotel Del Coronado, Coronado, California learned that LES membership stood just under 1,000, at 969, including a growing foreign contingent.

And a year later, at the sixth annual meeting of LES at the Puerto Rico-Sheraton, San Juan, Puerto Rico, in 1971, membership was 1,159, including 335 foreign members.

By the 1972 annual meeting, at the Hilton Palacio del Rio Hotel in San Antonio, Texas, total membership was 1,361, residing in 28 different countries. Attending the meeting were 202 members, plus 103 wives.

The 1973 annual meeting, at the Sheraton Palace Hotel in San Francisco, California, learned that the total LES membership, including the newly organized LES International organization, totaled 1,670.
CHAPTER 4

ARCHITECTURE, FOUNDATION OF LESI

From the beginning, Licensing Executives Society members welcomed and involved their overseas counterparts in organization activities. By the first annual meeting, in October 1966 in New Orleans, international licensing was a feature that would be highlighted often at future annual and regional meetings. Overseas licensing was well recognized as a win-win opportunity, if negotiated and transacted properly, for parties on both sides of any deal. LES was quickly recognized as the place to meet potential clients, either buyers or sellers, meet and make friends with others in the licensing business and profession, and to learn how to make the best transaction. Right from the start LES was THE place to be if you were, or wanted to be, in licensing. Interest in international licensing grew dramatically, and overseas membership expanded exponentially. Of course, within a few years it did in fact lead to development of what today is LES International.

The 1966 annual meeting featured speakers and topics with strong international interest. “The Barriers to Licensing – Domestic and Foreign,” a panel discussion, was featured; David Ladd, former U.S. Commissioner of Patents, spoke on “Foreign Licensing,” with comment by a Mr. Shronek of Czechoslovakia’s Polyechna. Among case histories was one provided by Dr. Basil J.A. Bard of the U.K., who would become one of the Society’s strongest and most popular leaders. He later was honored as the second recipient of the highly prized LES Gold Medal. His topic that day in 1966, perhaps his introduction to LES, was “The Work of the National Research Development Corporation, United Kingdom.”
FIRST ANNUAL EUROPEAN MEETING

A few months later, in June 1967, some 50 LES members traveled to England for what turned out to be the first annual European meeting of the Society. They met with members of the British Institute of Management for two days. Dr. Bard and Roger B. Leithead, Clupak, Inc. (USA), were the organizers.

Speakers from both sides of the Atlantic presented subjects introducing their counterparts to national issues. In opening talks, LES Charter Member W.A. “Al” Schaich, Vice-President-Midwest Region, discussed, “Major Trends and Problems in Licensing — United States of America.” “Recent Developments in the Field of Licensing in France” was presented by H. Charrin, Societe de Produits Chemique et de Synthese.

The afternoon sessions of that first overseas meeting again opened with more international talks, and then the get-together turned to meetings organized by industry groupings. The next morning featured meetings by industry groups, and the afternoon was devoted to a plenary session with each industry group sharing its discussions with the entire conference.

Significantly, the meeting closed, according to reports, with unanimous agreement: “The quality of these meetings was of the highest and that audience participation was exactly at the level that had been solicited and intended,” Thelma Heatwole reported in her LES History. Before disbanding and returning home, attendees agreed to meet again the next year.

The format of the meeting, stimulating speakers and audience groupings with opportunities for give-and-take on subjects of professional interest and importance, with generous opportunities to meet and socialize with other professionals is a combination that has become a familiar highlight of LES meetings for the many thousands of LES members who would follow.

Again, international licensing heavily flavored speakers’ topics at the second U.S. A. Annual Meeting, in Palm Springs, California, in 1967. Some were introductory to national licensing practices. Toshiro Shimanouchi, Consul General of Japan at Los Angeles, spoke on “New Licensing Policies of the Japanese Government.” The topic of Michael J. Long, Australian Government Trade Commission, was “Australian Licens-
ing Opportunities.” Thomas P. Collier, International Management Consultant, spoke on “Top Management’s View on International Licensing.”

At their meeting following the general membership session, LES Trustees learned that the 1967 membership already had risen to 404. This included 54 foreign members, 20 to 30 of whom were from the United Kingdom.

LES (UK) IS BORN

It was also at that 1967 Palm Springs meeting that the first foreign LES organization, the United Kingdom Region, came into formal existence. Dr. Bard and C.F. Thring of the U.K. made a presentation requesting the action. The Board approved it, and Dr. Bard became Chairman.

The new LES United Kingdom group moved quickly. In January 1968, within weeks of being recognized, LES (United Kingdom) held its inaugural meeting in London. It drew more than 100 licensing professionals and representatives from industry and public bodies. Under Dr. Bard’s leadership, the group began a tradition of monthly meetings.

Three of the most popular personalities to grace LES, Mark Finnegan, his wife Betzi, and Dudley Smith, visit at the 1977 LES (UK) meeting in London.

The year 1968 was a busy one for LES’s new international interests. In June, LES (United Kingdom) and the British Institute of Management held a meeting they
called the Management of International Licensing Conference. Eleven countries — Belgium, Canada, Ireland, France, Germany, Holland, Italy, Sweden, Switzerland, U.S.A., and U.S.S.R. — were represented by 220 attendees. Dr. Bard and Roger Leith-head were program chairs.

Two plenary sessions, the first chaired by LES President John E. Oliver, on the first day featured business, industry, and government speakers talking on various aspects of licensing as affecting their specialized interests. Others spoke more broadly, explaining issues of licensing in their nations.

Then Michel Brochon, Chef du Service Propriete Industrielle et Accords, Societe Nationale de Petroles D’Aquitaine, highlighted “Licensing in France.” Oliver Axster, partner of Axster, Decker and Axster, who became very active in LES and would be awarded the LES Gold Medal, spoke on “Licensing Into and Out of Germany.” Also at that conference, “Licensing Developments in Benelux” was presented by C.H. Bogaardt of Shell International, Ltd.

The conference broke into three seminars devoted to licensing into and out of France, Germany and Italy.

The next day, international licensing subjects were on the program with presentations about aspects of licensing into and out of the U.S. by members Dudley B. Smith, Dr. Worth Wade, and John E. Oliver, 1968 President of LES John Oliver was later quoted as saying, “Everyone... appeared to be highly pleased with the conference and indicated a desire to schedule one for next year.” Then he added, “These English seem to know how to put on a ‘jolly good show.’”

International licensing was featured again in the 1968 Annual meeting of LES in Nassau, Bahamas. Among keynote speakers were Klaus Newes, partner of Baker & McKenzie in residence in Brussels, who spoke on “Public Law Considerations in Common Market Licensing,” and Norman St. Landau, International Counsel for Johnson & Johnson, speaking on “The Summary of the East-West Conference in the Summer of 1968 in Vienna.” It was not by chance that members received the summary. A letter was sent earlier in the year to all LES members from Charles G. Whelpton, LES Speakers’ Bureau chairman, inviting them to attend and perhaps speak at the Vienna conference. LES had been asked by the Austrian International Association for Protection of Industrial Property to supply speakers. The theme of the meeting was “The Protection of Industrial Property in the Economic Relations Between East and West.”
Topics of workshops later that day and speeches the next also featured international themes and subjects, particularly dealing with Latin American and Eastern Europe countries.

LES Trustees learned the U.S. Society had grown to a membership of 637, including 145 foreign members, through 1968. Dr. Bard announced that LES (United Kingdom) membership totaled 88, and the region had plans for numerous meetings the following year.

The agenda of the U.S.A. Board of Trustees at a meeting in early 1969 included the following question concerning the function of its Foreign Expansion Committee: Was its primary function to increase foreign memberships or attempt to form foreign chapters? The answer: develop plans for formation of foreign chapters, subject to action by the LES Board of Trustees.

U.S.A. Chapter’s Horizon Expands

The U.S.A. chapter made its first move toward expanding its own international horizon in early 1969. It held its first meeting of the year, the Eastern Regional Meeting, in Canada. Gathering at the Sheraton-Mt. Royal Hotel in Montreal, the session drew 110 members and guests. U.S. and Canadian plenary speakers and workshops addressed international licensing issues.

A few weeks later, at the Midwest Regional meeting in Bloomington, Minnesota, Marcus B. Finnegan, senior partner of Finnegan, Henderson, Farabow & Garrett, spoke on “Bureaucracy Run Amok — Problems Involving Licenses for Foreign Filing of Patent Applications.” Marc Finnegan would become extremely active in U.S. and international LES activities, and eventually would be awarded the LESI Gold Medal in recognition of his achievements. A. Duncan Whitaker of Howrey, Simon, Baker and Murchison, spoke on “Exporting Technical Data: Finding a Path Through the Thicket.”

By April, at the Western Regional meeting at the Newporter Inn, Newport Beach, California, Board of Trustees members learned the Society had grown to 731, including 93 in LES (United Kingdom). Also at that meeting, the Foreign Expansion Committee asked to become the International Committee and the Trustees agreed. The Trustees then laid plans to offer amended Bylaws to provide for an International Region and create the position of International Vice-President to LES membership.
for approval at the next annual meeting. The Region would include all foreign countries except Canada, Mexico, and the United Kingdom.

In June 1969 the third British Institute of Management/LES Conference took place at the Royal Lancaster Hotel in London. Al Schaich, who had been elected President at the 1968 LES Annual Meeting, told attendees that he and all Charter Members of LES were amazed at the rapid growth of LES.

International licensing topics were numerous in the two-day conference. Among them was “Licensing Into the U.K. as Seen Through the Eyes of a U.S.A. Practitioner,” by Dudley B. Smith, Licensing Coordinator of the Celanese Corporation of America. J. Daltrop, Legal Adviser (Commercial Services) of General Electric & English Electric Companies, Ltd., spoke on “International Licensing Negotiations as Seen Through British Eyes.”


The international conference was judged by attendees as the best yet, and plans were laid for a similar Paris Conference a year hence.

In October 1969, it was reported at the U.S.A. annual meeting in Daytona Beach, Florida, that foreign membership had grown to 230, including 145 in LES (United Kingdom), for a total membership of 855. LES had been in existence only four years. The theme of the annual meeting was business aspects of licensing. International licensing was not the subject of many speeches and workshops, although Dr. David Zenoff, Associate Professor of International Business at Columbia University, a plenary speaker, spoke on “Case Analysis of International Licensing and Comparison With Research Findings.”

At the membership business meeting, members unanimously approved giving the Licensing Executives Society greater international focus. They changed the Licensing Executives Society Bylaws to create an International Region and the position of International Vice-President that Trustees had approved earlier in the year. And as usual at annual meetings, the membership elected officers for the following year, 1970. However, reflecting the growth in foreign membership, history was made when
two new officers were elected: Vice-President (International), George Von Gehr, and
Vice-President (United Kingdom), Basil J.A. Bard.

1970 was an active year for international licensing topics at LES meet-
ings, beginning with the Western Regional meeting in April, which included a panel
consisting of Thomas P. Collier, Vice-President-Western Region; George Von Gehr,
Vice-President-International, and Robert P. Whipple, President-Elect. The session
featured give-and-take with attendees concerning problems regarding appropriate
royalty rates and equity participation abroad.

The Board of Trustees met and was told by M. Jean-Claude Loucheur that a
proposed French Chapter had already met once.

The next month brought the Joint Conference in London of the United
Kingdom Chapter of LES with the British Institute of Management. It drew some 200
persons from the U.K., several other European countries and the United States. The
program included numerous talks, case histories, and workshops covering various
aspects of licensing.

June of 1970 found LES jointly sponsoring the International Congress
on Licensing in Paris with the Commission Generale d’Organisation Scientifique
(GEGOS). The meeting’s theme was “The Role of Licensing in the Development of
Europe.” Some 250 attendees came from France, U.K., Switzerland, Germany, Italy,
Finland, Sweden, The Netherlands, Austria, Portugal, Belgium, Norway, Denmark,
USSR, Israel, and the U.S.

The two-day session featured 18 workshops and numerous case history
presentations of international licensing. A highlight was a report on the Wash-
Schuyler Jr., Commissioner of Patents in the U.S.

On September 21, 1970, the Scandinavian Chapter of LES came into being
at a meeting in Copenhagen. The chapter included Denmark, Finland, Norway, and
Sweden. The new chapter held its first meeting the next month and approved bylaws
drafted by Bertil Hedberg and H. Billberg of Sweden. Bertil became extremely active
in LES and his contributions were recognized in 1982 when he was awarded the LES
Gold Medal.
The new chapter immediately announced plans for an International Licensing Conference the next year. It had been approved by the LES Board of Trustees with the support of U.S., U.K. and French LES organizations. Groups in several more countries were expressing interest in forming LES chapters. The total LES membership stood at 969.

International licensing dominated the subject matter in 1970 at Society’s sixth annual meeting. In his opening remarks, President Kenneth W. Brown told of a planned exchange of visits related to licensing between the United States and the USSR. The U.S. delegation was co-sponsored by the U.S. Patent Office and LES.

Following a morning program on international licensing subjects, the first-day luncheon speaker was Henry Kears, President and Chairman of the Export-Import Bank of the United States. His topic was “Selling Services and Technology in the World Markets.”

Speakers, workshops and panels at the remainder of the three-day meeting also generally concentrated on government and United Nations relations, and international and regional aspects of international licensing.

At their session following the 1970 annual meeting, Sherman J. Kemmer, who had just been elected President-Elect for 1971, suggested that LES jointly sponsor a licensing meeting with the United Nations. The Board agreed to a joint meeting, and put Sherm in charge of making arrangements.

By January of 1971, international affairs were moving rapidly. At a Board meeting, President Ken Brown reported seven LES members would soon travel to Russia with Patent Commissioner Schuyler, and Russians would visit the U.S. for three weeks in March. They would spend time with the U.S. State Department, U.S. Patent Office, and five companies.

Sherm Kemmer reported plans for the proposed UNIDO/LES meeting were moving ahead. The Board decided it should be held at the Eastern Region the next year. Leonard Mackey, who would later provide key U.S. and LES International leadership, was designated conference chairman.

The Board also learned that the United Kingdom, French, and Scandinavian Chapters were flourishing, and organizational meetings were planned for chapters in Germany and Japan. Total LES membership, the Board learned, stood at 1,017.
The U.K. and French chapters held Annual meetings during the 1971 summer, and LES Scandinavia co-sponsored a licensing conference with the Danish Association of Industries in Copenhagen.

Creation of an international LES organization gained further momentum at the 1971 U.S.A. chapter’s annual meeting in San Juan, Puerto Rico, in October. The Board of Trustees learned that more than a third of LES members belonged in non-U.S. chapters: U.K., 174; France, 70, and Scandinavia, 91. With this membership already and interest expressed for chapters in Italy, Germany and Japan there was “much talk” about changing the society’s name to LES International. The matter was referred to a committee.

**INTERNATIONAL VICE-PRESIDENTS ADDED**

Ever-growing international interest was further reflected in another Board decision, which required unusual maneuvering. Two additional International Vice-Presidencies were created: Vice-President (France), Michel Brochon, and Vice-President (Scandinavia), Heikki Solin. Edward P. White was re-elected Vice-President-International, and Cyril Wickham, Vice-President (United Kingdom).

The unusual aspect was that creating new positions required a change in the Bylaws, which necessitated a vote of approval by the general membership. The problem was that the Board meeting was held, as usual, after the general membership
meeting, and there was insufficient time for notice to the total membership. The next opportunity to vote on the needed Bylaws changes would be a year later, in the fall of 1972. So the Board gave interim approval, with exact form of the revisions to be published in les Nouvelles. The formation of an international LES moved forward.

The 1971 Annual Meeting, occurring before the Board meeting and led by President Robert P. Whipple, featured a program filled with international licensing topics, including reports by participants on USSR/LES exchange visits (reported in detail in Chapter 10), and talks by Willy Schlieder, Director-General of Competition, European Communities, and His Excellency K.S. Chang, Vice-Minister of Economic Affairs, Republic of China, who spoke on "Marketing Technology in Southeast Asia—Political and Economic Considerations."

1972 was another busy international year for LES. At a meeting in New York City on January 5, the LES Board learned from Dudley Smith, who later came to be known as the “father” of numerous LES overseas chapters, that LES (Italia) had been formed and it already had elected a Board and its first president. The addition prompted the LES Board to create another regional position of Vice-President (Italy), with the necessary update in the Bylaws, in time for the already scheduled membership ratification vote at the fall meeting. The Board learned that total LES membership was 1,235.

International licensing continued a key subject at meetings in 1972 of all the chapters, including Regional meetings in the U.S. and Canada. At a Board of Trustees meeting in January at Niagara Falls, Canada, Secretary Homer E. Blair reported LES had 1,314 members: United Kingdom, 169; Scandinavia, 139; Italia, 58; France, 48, and USA, 900.

**LES International Takes Form**

An international organization for LES came into yet sharper focus in October preceding the 1972 U.S.A. Annual Meeting in San Antonio, Texas. At the Board of Trustees meeting preceding the annual meeting Charles H. Chappell, who would be elected LES President by the general membership meeting later in the week, discussed plans for the international organization. He said that upon becoming President he would create a committee to draft a proposed constitution to be presented to the Board in January. He said Marc Finnegan would chair the committee.
At the traditional luncheon-an annual business meeting later in the week, where he was elected President for 1973, Chuck Chappell outlined his thoughts on an international organization. He noted that although each of the overseas chapters had its own leadership and was autonomous regarding its internal affairs, the Board of LES as constituted administered the international affairs of LES as well as those domestic to North America, which includes the U.S., Canada, and Mexican members. He pointed out the Board has 20 members, six being from overseas, and within a few years the Board could swell to 25 members with 11 from outside North America.

President Chappell called it “unfair and illogical” to expect overseas Board members to attend one-day meetings in the U.S. that are devoted to domestic matters or to ask North American members to attend one-day meetings where there is time only for international issues. Total membership then was 1,561, with members from 28 countries.

He added, “It seems to me that a logical resolution of this situation would be to create a North American Chapter with a North American Board, analogous to the organizations of the other chapters, and then to slim down our International Board by reducing the number of North American members. What title would be given to the North American Chapter and what to the International Board are secondary questions...”
He said the issue would be up to the new committee on international organization. Members of the committee in addition to Chairman Finnegan were Sherman Kemmer, Bob Whipple, Norm Jacobs, Ted White, Dudley Smith, Richard Sabin, Homer Blair, Ken Brown, and Harold Haidt.

President Chappell asked the committee to bring recommendations regarding numerous issues, including proportional representation for the chapter in each country on the International Board, and responsibility for the publication of les Nouvelles, to the Board at its meeting in January.

He concluded, “This is a formidable but not impossible task ... The result, far from weakening LES, should serve to strengthen it, both internationally and with respect to the individual chapters. Our common interests and objectives have brought us together, but only an efficient administrative organization can keep us together.”

Creation of a North American licensing organization was boosted when a number of LES members traveled to Mexico City immediately after the 1972 U.S. annual meeting for a two-day joint meeting with Association Amexicana de la Propiedad Industrial A.C., the Mexican Industrial Property Association. Among the visitors were LES President Charles Chappell and President-Elect Marc Finnegan. LES (Mexico) was created and held its first annual meeting in 1975.

Closing out 1972 were LES member meetings with WIPO and UNIDO, and the Scandinavia chapter held a licensing seminar at the important Norwegian Trade Fair in Oslo. In December a joint French and United Kingdom meeting was held in Paris.

The LES New Year 1973 found the Board meeting in January and initiating action that would ultimately result in creation of LES International in mid-year. The Board learned that total membership was 1,400: North American, 813; United Kingdom, 181; France, 52; Scandinavia, 147; Italy, 78; Japan, 51, and the balance in other countries and not yet members of a chapter.

President Chappell called for a report by the Committee on International Organization, which had been created in 1972 to recommend an administrative structure reflecting the international character of the Society, and organization of a North American LES Chapter that could deal efficiently with LES matters. Committee Chairman Marc Finnegan moderated a discussion of drafts of the proposed constitution and bylaws and suggested they be distributed to the full membership prior to the
London Constitutional Meeting scheduled for June 4, where they would be proposed for adoption.

Marc Finnegan and LES legal counsel Richard G. Moser revised the documents for worldwide distribution to invite comments and suggestions from members and chapters. Each chapter was asked to send at least two delegates or the number allowed in the Constitution and Bylaws.

The Board decided the name of the U.S.-Canada-Mexico chapter should be “The Licensing Executives Society of North America, Inc.” or LES (North America), although these changes were not finally adopted. Pursuant to the proposed bylaws, President Chappell appointed five Delegates and Alternates:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Alternates</th>
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<tr>
<td>Homer O. Blair</td>
<td>Harold Haidt</td>
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<tr>
<td>Charles H. Chappell</td>
<td>Sherman J. Kemmer</td>
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<tr>
<td>Marcus B. Finnegan</td>
<td>Leonard B. Mackey</td>
</tr>
<tr>
<td>Norman A. Jacobs</td>
<td>John L. Sniado</td>
</tr>
<tr>
<td>Dudley B. Smith</td>
<td>Edward P. White</td>
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The Board again met in April, and after discussion and review led by President Chappell Trustees unanimously approved bylaws as proposed by Marc Finnegan and Attorney Moser for the Licensing Executives Society (U.S.A.), Inc. If the plan for the international organization were approved at the Constitutional Convention in London in June, these bylaws would be presented at the LES U.S.A. (a conveniently shortened and quickly adopted version of the U.S. Society’s name) annual meeting in San Francisco in October for membership approval.

1973 CONSTITUTIONAL CONVENTION

Marc Finnegan proposed an agenda for the London Constitutional Convention in June of 1973. A get-acquainted cocktail party for delegates was planned for the night before; the convention would be opened by President Chappell; and the first order of business would be the election of a meeting chairman.
Thus, the stage, which Norm Jacobs recalls today was largely set by Dudley Smith and Marc Finnegan, was prepared to make LES truly an international organization. As Norm noted: “They had the foresight and courage to give that body a superior role rather than be a subsidiary of the U.S. organization. They knew that would never fly with other people in the world, and they knew if they really wanted to achieve their dream of LES being a worldwide organization that organization had to be on top. I was involved, but they were the leaders.”

Norm Jacobs, Homer Blair, Leonard B. Mackey, Chuck Chappell and Marc Finnegan attended the Convention as delegates for LES U.S.A. les Nouvelles Editor Thelma Heatwole, LES Legal Counsel Moser, Trustee John L. Sniado, and former President Dan Stice attended as Observers.

Delegates from the six LES chapters, observers, and others convened the evening before the Convention for a dinner in the House of Commons arranged by the United Kingdom Chapter and emceed by John Parkinson, Member of Parliament.

The Constitutional Convention convened the next morning with President Chappell calling the session to order. Following a few formalities, he spoke:

“We are gathered here today to undertake the restructuring of the Licensing Executives Society into a new union of ‘member societies’ appropriate to the worldwide organization we have become, a union we hope will be much more than the sum of its components, a union we hope will enable us to attain common objectives on an international scale beyond the scope or ability of any individual member society, a union that will represent all of us internationally on a level and with a stature we could not otherwise achieve...

“I trust that we will find it possible, and perhaps rather easy, to agree today, at least in substance, on a Constitution and Bylaws for the proposed organization; subject, of course, to formal ratification by the individual Chapters, but I want to emphasize that it is only the cultivation and promotion of our common interests that will keep us together and make this new organization effective and enduring...

“As long as we continue to adhere to the same principles and to pursue the same objectives we may here agree upon, the Constitution and Bylaws will serve only to provide an administrative mechanism or plan, to enable us to work together toward those objectives...”
Following his welcome, Dr. Chappell was unanimously elected convention Chairman, and he opened the meeting to what turned out to be lively and very long discussion that could have lasted the rest of the day. However, Dudley Smith, well known for being short on patience and long on desire to get things done, moved that the draft Constitution and Bylaws, after being made “consistent with the views expressed by the convention and otherwise no changes of substance, be approved in principle . . .”. The motion passed unanimously — and quickly!

A key and lasting concept of the organizational structure adopted by LESI is the proportional representation of each chapter on the organization’s Board of Delegates. This structure gives each chapter a say in the running of LESI, and a financial commitment in the form of dues, in proportion to number of members in the chapter.

Other important concepts adopted include the fact that LESI is a governing umbrella organization that has only chapters or societies as members, and no individual members; that you must be a member of the chapter in your country of residence (if there is one) before joining other chapters; and that any LES member cannot be refused membership in a another society or be refused attendance or participation, if he or she qualifies. Further, LESI adopted the existing policy of the U.S. Society when it decreed that one could join LESI only if able to demonstrate involvement in licensing, e.g., if you were a lawyer but not involved with licensing you could not be a member.

Also at the convention, a Nominating Committee appointed by Chairman Chappell and made up of representatives of each Chapter and approved by the convention, presented the following nominees for the first officers of the new international organization:

- President: Bertil Hedberg, Scandinavia
- President-Elect: Marcus Finnegan, U.S.A.
- Secretary: Anthony McClellan, U.K.
- Treasurer: Florent Gevers, France
- Vice-Presidents: Chairman or representative of each Member Society
Later, Bertil Hedberg learned he would be unable to serve as President, and the Nominating Committee nominated John A. Gay, Chairman of the United Kingdom Chapter, to replace him. The international LES organization thus had a framework ready to become a reality, but the years of fleshing out and maturing were just beginning.

During the summer and early weeks of autumn 1973, international licensing was the subject at LES chapter meetings and conferences around the world, and a delegation of LES U.S.A. members participated with the U.S. Department of Commerce in a second government-industry patent and licensing program with the USSR, similar to the exchange two years earlier. The U.S. group visited the USSR in July, and the Russians visited the U.S. in October.

**U.S.A. Society Backs International Organization**

The business session at the mid-October 1973 LES annual meeting in San Francisco — scene of the U.S. Society’s first and only contested election of an officer — recorded two additional historic high-marks. The membership approved U.S. Society acceptance of the LES International Constitution and organization, and it amended the U.S. Society’s charter to be in accordance with LES International organization as a member of LES International. Among documentation the membership approved was amending the State of New York Certificate of Incorporation, dating back to November 1967, to add U.S.A. to its name: Licensing Executives Society (U.S.A.) Inc. The votes provided the critical and essential approval that gave substantive life and form to the international LES organization. The U.S. membership had been provided the necessary notices and documentation for review months earlier in the June *Les Nouvelles*.

President Charles Chappell announced that all overseas chapters, except the new Benelux Chapter, which had yet to hold its first formal meeting, had already approved the documents at the Constitutional Convention in London.

President Chappell also announced a slate of Delegates representing LES (U.S.A.). Dr. Chappell, Leonard B. Mackey, and John L. Sniado were selected for one year terms, and Homer O. Blair, Norman A. Jacobs, and Dudley B. Smith were selected for two year terms. Additionally, Chapters had been asked earlier to approve
international dues of $1 per member, due November 1, and $3 per member starting on April 1, 1974.

Marc Finnegan moved the approval of: (1) the plan establishing the Licensing Executives Society as an international association; (2) acceptance and agreement to abide by the Constitution and Bylaws as presented; and (3) officers and delegates and payment of dues as proposed. The motion was seconded by Dudley Smith.

It carried unanimously. President Chappell signed the letter of consent. The Licensing Executives Society International was born!

The new organization’s officers were:

President John A. Gay (U.K.)
President-Elect Marcus B. Finnegan (U.S.A.)
Vice-President Mitsuya Okano (Japan)
Vice-President Michel Brochon (France)
Vice-President Alberto M. Ferrari (Italy)
Vice-President Bertil Hedberg (Scandinavia)
Secretary Anthony McClellan (U.K.)
Treasurer Florent Gevers (Benelux)

LES U.S.A.’s support of LESI since its birth has been strong, intense and unwavering.

It did not take long for a “serious” problem to arise (and be resolved) worldwide, as described with his typical humor by President Homer O. Blair in the September 1975 les Nouvelles:

“There is only one LES flag at present. It is carried to as many meetings as possible in the United States and overseas by the LES U.S.A. president and others. At my recommendation, the Board authorized LES U.S.A. to make a number of additional flags to be prepared as gifts to LES member societies and LES International.
Although the LES U.S.A. President must still carry our flag to all meetings (to forget it is an impeachable act), he won’t have to worry about the rest of the world.”

After the birth of LESI in 1973, LES U.S.A. elected its first Vice-President - Canada, a position filled every year since, and in 1985 the Society was re-named Licensing Executives Society (U.S.A. & Canada), Inc. All national chapters have provided leadership generously in numerous capacities, including chairing and actively participating in LESI Operating Committees. Five of the 15 recipients of the LES Gold Medal, the Society’s highest award, represent LES (USA & Canada). Those recipients are indicated with a (*) and the year of receipt in the following list of Past-Presidents of LESI:

**LESI Presidents From (USA & Canada)**

1975     Mark Finnegan * (1977)
1978     Dudley Smith * (1971)
1986     Leonard Mackey
1993 Larry Evans *(2000) 
1995 Norman Jacobs 
1997 Sam Layton 
1999 Platon Mandros

The LESI Board of Delegates meeting in session at the LES (USA & Canada) 1989 Annual Meeting in Maui, Hawaii.

**NEW MILLENNIUM - LESI OFFICERS FROM LES (USA & CANADA)**

1999-2000  
President-Elect  Edwin Shalloway  
Past President  Platon Mandros  
Treasurer  Mel Jager

2000-2001  
President  Edwin Shalloway  
Treasurer  Mel Jager

2001-2002  
President-Elect  Melvin Jager  
Past President  Edwin Shalloway  
Treasurer  Willy Manfroy
2002-2003
President  Melvin Jager
Treasurer  Willy Manfroy
Vice-President  Ron Grudziecki

2003-2004
President-Elect  Willy Manfroy
Past President  Melvin Jager
Treasurer  David Braunstein
Vice-President  Ron Grudziecki

2004-2005
President  Willy Manfroy
Vice-President  Ron Grudziecki
Treasurer  David Braunstein
Legal Counsel  Clyde F. Willian
PART II
LES U.S.A. & CANADA TAKES FORM
CHAPTER 5

ORGANIZATION

MISSION/PURPOSE/ORGANIZATION

Dan Stice, first President of LES, wrote in the initial issue of les Nouvelles that “(Licensing) provides a vehicle to build our economy ... extend and expand on the utilization of the results of research ... settle disputes ... reward individual initiative and performance... improve East-West relations ... help under-developed countries.” Licensing professionals have worked tirelessly through LES to achieve those and additional goals evolving in the years since 1965 while keeping the Society pertinent professionally and a global licensing leader.

Defining the Society’s objectives and then establishing the stewardship to insure they are preserved and properly respected and adhered to has been a task beginning at day one and continuing as a work in progress to be addressed regularly through the present day.

DEFINING THE TASK

The Bylaws adopted at the Charter meeting included the Purposes of the Society as stated earlier in this History. More recently referred to as the Mission Statement, they have been touched up in the Bylaws over the ensuing years and restated many times, often in strategic plans and the Society’s Annual Reports to members, but the themes have remained largely unchanged. The 2004 Annual Report contains the following on its inside front cover:
MISSION STATEMENT

To function as a nonprofit professional and educational society encouraging high standards and ethics among persons engaged in the domestic and international licensing and other transfer of technology and intellectual and industrial property rights.

To assist its individual members in improving their skills and techniques in licensing through self-education, conduct of special studies and research, sponsorship of educational meetings, publication of articles, reports, statistics and other materials, and exchange of ideas related to domestic and international licensing or other transfer of technology and industrial property rights.

To inform the public, the business community and governmental bodies concerning the economic significance and importance of licensing or other transfer of technology and intellectual property rights and the high professional standards of those engaged in the profession.

To function as a research organization and assist in furthering the employment of technology and the licensing and other transfer of technology.

John Oliver of Northrop Corporation, who gave the keynote address at that first meeting in October 1965, would be the first of many LES leaders in the following four decades to give form to the job ahead for a Society with such lofty goals. According to Editor Thelma Heatwole’s description in les Nouvelles, he described the rapid growth in technology and the resulting rising rate of obsolescence. He pointed out that this disadvantages small- and medium-size companies, which generally possess limited engineering and research capacity to update their technology. Licensing-in offers a viable alternative.

Dan Stice touched on defining the task a year later in les Nouvelles as his term as the first LES President wound down. He wrote, in part: “We will continue to prosper and grow as we increase our sensitivity to the role of licensing in the business
community. We are a professional organization and as the benefits to be derived from ‘licensing’ are developed and disseminated by us throughout the business community, so also will the stature of LES and its members rise.”

An “obstacle” that is unknown today, but clearly a reality for the fledgling LES organization, was the newcomer status of the licensing profession in the business community. It is illustrated by the following exchange some 30-35 years ago as reported in les Nouvelles. In 1970, the LES Research Committee chaired by Edward P. (Ted) White, asked its Subcommittee on Planning for the Future, to comment on how “typical” licensing executives contribute to business. W.D. (Bill) McGuigan, subcommittee chair, wrote in part:

“...I think it might be worthwhile to re-examine the image of licensing that has developed thus far.

“The AMA (American Management Association) review on licensing concluded that three-fourths of corporate licensing was motivated by defensive considerations. This places licensing in an overhead role, tolerated but not in the mainstream of corporate activity.

“Articles on fallout licensing and foreign licensing give the general suggestion that corporations can pick up some pin money by putting leftover technology to work. Again, the licensing executive is not in the mainstream; rather, he is cast in the role of dealing with things that are of secondary importance.

“...(If we ... assume the bulk of LES members, while responsible for licensing, are primarily working at other functions ... the role of LES is to help someone who is a corporate planner, director of research or whatever, to minimize his mistakes in licensing. To this end, checklists, articles on the art of negotiating, or forming a national computer library on the subject would be useful.”

McGuigan added that upgrading the licensing function that emphasizes licensing— especially to corporations under $100 million a year should result in the licensing executive replacing the vice-president of research. “This assertion is based on the certain bet the companies of this size (would) get more of their technology from outside than from an internal research program...
“Another possibility is to emphasize the role of licensing in the startup of new ventures. In this case the licensing becomes a central feature of the operation and the company is formed expressly to carry it out.

“While I think there are many possibilities, the objective of LES should be to make its members think bigger...this means less of the defensive big-company approach and more emphasis on the problems of aggressive medium and small companies.”

Bill McGuigan closed his report by suggesting this strategy would move the emphasis of LES to subjects that are mainline items to the corporation. “(It) will involve more of the corporate strategy, will focus more on the financial as contrasted with the legal aspects of licensing. One effort that might be useful would be to encourage a study to show how the role of licensing changes with corporate size or with position in an industry....

“I would expect the licensing executive to become more important as the size of the company gets down to the $100 million range, and the most critical role of licensing should be in companies that rank number two and number three in their industry.”

Bill McGuigan’s thoughtful comments stimulated numerous responses. One suggested LES should have two objectives:

- “Help each member enlarge his expertise concerning the total function of evaluating the effects on the business concerning licensing.” The writer noted a survey showed most members’ “interest in areas outside of the legal arena seems to be quite modest indeed.

- “LES can also make a real contribution by the broad promotion of licensing as a meaningful alternative to any corporation’s business planning. As this becomes more and more accepted, it is hopeful that the role of the licensing executive ... will rise in stature.”

Another member had this concern: “The image of licensing varies widely depending upon the individual and the company ... In our company, licensing has virtually no image at all. Only a very few people appear to have any conception of the possible value of a patent and its value as an item to buy or sell ...”
Yet another wrote that he agreed LES should emphasize the problems of medium and small companies, but added “... it should also emphasize the opportunities for these companies ... because ... these companies are likely to be more flexible than their larger brothers and more able to exploit a license fully, provided they know how to get it.”

And another commented that LES could assist members as follows: (1) Provide ... an analysis of the markets and technology with which (the member) is concerned ...; (2) Provide ground for Licensing Executives to meet and exchange views ... I would suggest ... they be held on a regional, national or international basis. Special arrangements can be made to gather executives operating in the same field of technology together;” and “(g) Allocate conference time to deal with the question of interdependence between licensing, R&D, and marketing and possibly other sections of the corporation.”

The question about who LES is and what its mission should be continued to be explored in depth in the late 1960s through the 1970s. The Board of Trustees formed the Project/Research Committee, with Trustee Edward P. (Ted) White as chairman, to help. The Project/Research Committee came into being near the end of 1968 and in 1971 it reported that two college professors, with cooperation of LES respondents, had produced a study of international licensing that would be useful in evaluating royalty rates and establishing appropriate bargaining techniques in foreign licensing.

Another survey by LES member E.G. Fronko outlined the various backgrounds and interests of the LES membership. The committee planned additional similar surveys to assist the LES leadership in directing the Society’s efforts. This same keep-in-touch interest pervades today’s leadership. The LES Foundation currently conducts an annual survey on the State of Licensing in the U.S. that is published and analyzed each year in les Nouvelles.

Ted White reported further that his Project/Research Committee’s investigation showed the need for a new in-depth publication on licensing. The LES Licensing Bibliography, with contents categorized by multiple subject headings on a cross-reference basis, was published under the direction of member Paul Morofsky. It was distributed to all members.
The committee reported having studies underway in numerous areas such as evaluation of patents, trademark licensing, education, and licensing in international and developing countries. The results of the active committee’s work appeared in issues of *Les Nouvelles*.

In December 1972, Charles H. Chappell, as newly-elected President, wrote in *Les Nouvelles* about philosophical questions: “When LES was started seven years ago...we talked about the desirability of keeping the membership small to retain close personal relationships among all members and to avoid the financial and other difficulties involved in managing a large organization – and there is much to be said for that viewpoint. However, although we have never had an organized effort to increase our ... membership, it has, nevertheless, grown much more rapidly and to a much larger size than we had ever contemplated.

“And now we find ourselves somewhat schizophrenic. We don’t want to become too large, but we already have the problems of a large organization. And we do want to do things that only a relatively large organization can realistically expect to do ... publish a fine journal ... become the recognized authority on licensing and related matters ... promote licensing as a profession with high standards ... advise and assist governmental and other agencies in licensing matters ... make known our viewpoints to legislators ... file amicus curiae briefs ... and undertake educational and research projects related to technology transfer.”

President Chappell’s reference to amicus curiae briefs was to those filed by LES in the United States Supreme Court urging reversal of a decision of the Sixth Circuit Court of Appeals in Kewanee Oil Co. v. Bicron Corp., which had held that the state law protecting trade secrets was preempted by the federal patent law. Tom Arnold, Houston, Texas, attorney and member of the LES Committee on Laws who would become Society President for 1980, drafted two extensive amicus curiae briefs, without remuneration, that were filed in the U.S. Supreme Court by LES U.S.A.

President Marcus B. Finnegan wrote in the December 1973 *Les Nouvelles* that the lower court’s decision “essentially obliterated legal protection for any trade secret that falls within the broad definition of patentable subject matter, and which has been commercially used for more than one year. Almost all commercially successful trade secrets would thus be struck down by this decision, and the implications of the decision are broad enough essentially to destroy trade secret and know-how licensing.”
The case attracted comment from numerous organizations urging reversal. The High Court reversed the lower court’s decision, and preserved the protection and licensing of trade secrets in the U.S.

LES CHARACTER ISSUE

How LES U.S.A. should represent itself at LES International meetings became a hot issue in 1976 during the annual meeting, which was held in Las Vegas. At its meeting traditionally held the day before the annual meeting the Board of Trustees adopted a resolution that would be found offensive by some members, particularly Dudley B. Smith, well known and respected for sharing his opinions.

A few weeks later, in the December les Nouvelles, Dudley explained the problem in a “letter” to members:

“...The LES U.S.A. Board on Monday, October 25, passed a motion (binding on all U.S.A. members) to the effect that our U.S.A. delegation to International must go ‘instructed’ to the Rome meeting – instructed and thus handcuffed to advocate and in no way to compromise. The substance was that LES International must not participate in any licensing meeting where any group of LES members would be excluded. In actuality, the language used was so broad as to exclude even a U.S.A.-based International meeting, if we ever have a Cuban LES member. This is because the U.S. Government discriminates as a class (on visa matters) against Cubans. I objected to the motion as did others. However, once passed, the only way the motion could be brought back before the incoming board for re-examination on Friday, October 29, was to raise a clamor at the Annual Meeting. This we did and it was effective.”

Dudley did indeed present a motion at the general membership business luncheon meeting, and 60% approved it. The next day, at its regular first meeting after the Annual Meeting, Trustees agreed to supersede the earlier resolution with the following:

“BE IT RESOLVED that it is the general policy of LES U.S.A. will not knowingly sponsor or cosponsor any meeting at any place where any nationality or any class of LES U.S.A. members is not permitted to attend.

“BE IT RESOLVED that LES U.S.A. recommends that LES International adopt the same general policy with respect to its members and meetings.
“BE IT RESOLVED that the two resolutions just passed be deemed to clarify the intent of the Board’s resolution on the same subject on October 25, 1976, and to supersede the October 25 resolution.”

However, as he noted further in his letter in *les Nouvelles*, Dudley, credited with being the most active organizer of LESI, did not expect the U.S. vote to resolve the issue. He opposed even addressing the issue. He wrote, “...in my opinion, by the way, the motion at Rome will face certain defeat. Too many delegates from other LES Chapters feel as I do – namely, that the entire subject matter is ‘out of order’ for LES Board action. We are a licensing society, not the U.N.” At Rome, LES delegates quickly agreed with Dudley.

**ADJUSTING TO ECONOMIC CONDITIONS**

Helping members keep up with the business economic times has been a mission and concern of every LES administration since 1965. For example, the late Edwin A. Shalloway began his Presidency with the following included in his message to the membership in the December 1994 issue of LES Viewpoints:

“We are entering an era of profound far-reaching change that is dramatically reshaping the world in which we live and work. I believe that the highly industrialized economies of Asia (Japan), Europe, and the United States and Canada are quickly evolving toward a new economic and social structure where knowledge and innovation are valued above all else.

“Intellectual property is the lifeblood of this new economic order. And licensing executives assume much of the responsibility for keeping that blood flowing.

“It’s an environment where the only certainty is rapid and continuous change ... and, where the window of opportunity is fleeting.

“Today, the velocity of change has become so incredibly fast that even huge multinational companies – with extensive worldwide production and marketing resources – are finding it difficult, if not impossible, to fully exploit innovations before they are overtaken by something newer, faster, better, cheaper, or at least more cost-effective.

“The shorter life cycles and enormous development costs surrounding many new products and technologies make the need for cooperative efforts by licensing
executives an essential part of bringing such products and technologies to market. As a result, licensing is the key factor in successfully exploiting new advances in science and technology. Inventors are increasingly looking to us to help them fully exploit their inventions, while protecting their intellectual property rights in this fast-moving global market.

“Licensing and technology transfer have become the fundamental engine of growth – in these dynamic markets – due to rapidly changing global economic conditions.

“We as licensing executives must be able to handle increasingly complex joint ventures, production and marketing agreements, and licensing arrangements in order to be effective in this global high-tech competitive environment.”

Ed, who would become President of LES International for 2001, then listed ways he believed LES could best assist members better serve their companies, firms and profession. First among them was: “LES must continue to become more aggressive in addressing and resolving various issues, whether they are governmental or legal, that can adversely affect the development and application of new scientific and technological advances that endanger the rights of innovators or inhibit licensing and business arrangements involving intellectual property.”

He then offered recommendations for achieving those objectives, including enhancing working relationships and cooperative efforts with LESI members around the world, working closely with appropriate United Nations agencies, and making every effort to enhance communications with LES members worldwide. Ed suggested that these goals could be met by improving access to educational programs and publications through the LES online network.

MOLDING CHARACTER

The question of how the Society should conduct itself has been under constant scrutiny since the organization’s founding, being dealt with by means of Board decisions and occasionally by a membership vote when the policy was adopted into a Bylaw.

For example, in 1971, after receiving a recommendation from the LES Ethics Committee, the Board, under the guidance of General Counsel Richard G. Moser,
added a rule limiting use of membership lists: “The membership and attendance lists are the property of the Licensing Executives Society and are entrusted to Society members for their personal information only. Reproduction of such lists is not authorized and their use for general mailings or any other similar purpose is unethical.” The rule was approved by the membership at the 1971 Annual Meeting and continues to be the rule some 40 years later.

BYLAWS REVISIONS

At the 1969 Annual Meeting, members voted to change the Bylaws to eliminate any distinction between Corporate and General Members and create only two classes of membership: Active Members and Honorary Members.

It was not until 1991 that the membership was again asked to approve changes in the Bylaws and Rules of Conduct. Edward P. Grattan, Society Secretary and later the President, wrote in a notice to the membership, “The documents were well written when the Society was founded in 1965 and, therefore, there has not been a great need for revision over the years.”

Nonetheless, the membership was asked to approve an increase in the number of Trustees-at-Large from 10 to 12; amend Article 9 with respect to the number of votes needed for the Society to advocate a position on a legislative or legal matter, and modify the Rules of Conduct for members.

In the Preamble to the Rules, the following was inserted after the first sentence:

For purposes of these Rules of Conduct, the conduct of a corporation, partnership or other entity which is owned, controlled or managed by a member may be imputed to the member.

Item 9 of the Rules, “Enforcement” was changed to read:

Any charge of violation of these Rules of Conduct or any other disciplinary charge within the scope of business of the Society shall be made by presenting all facts supporting such charge to the Chairman of the Ethics Committee, who, if he shall deem it appropriate, with the prior approval of the President shall cause a subcommittee of at least 3 members of the Society to make a preliminary investigation as to the facts supporting the charge, a report summarizing the facts known to the subcommittee, and a recommendation to the Ethics Committee.
The question of commercial sponsorship of LES activities came to the Board of Trustees in 1998 at the behest of the Council of Past-Presidents. It was a matter of formalizing long-standing policies against law firm- and company-sponsored business promotion activities, including private cocktail parties at LES meetings. The resolution adopted by the Board stated:

Resolved, that it is the policy of LES (USA & Canada) to not permit sponsorship of events and functions at our Annual and Seasonal Meetings, including add-ons associated with those meetings, except with the approval of the Board or the Executive Committee.

Also in 1998 the Board adopted an Antitrust Compliance Policy, as recommended by Society legal counsel, pursuant to federal and state antitrust laws regarding professional societies. 1998 President Tom Small wrote in LES Viewpoints, “To that end, the Board of Trustees has adopted the following policy statement that governs LES-sanctioned activities. All committee and meeting chairpersons are expected to review proposed meeting presentation and discussion topics to ensure compliance with this policy and these guidelines and should forward any questions to the Executive Committee.”

The LES Antitrust Compliance states:

All activities or discussions are prohibited that:

- Include non-historical pricing or pricing practices (including royalty practices). This prohibition includes member and nonmember practices.
- Allocate or limit markets, customers, or production.
- Involve a blacklist or boycott or any other action or restraint of competition or are in conflict with the antitrust laws.
- Seek to exclude one or more members from the meetings, activities, publications or participation without approval of the Board of Trustees.

Implementation of the LES Compliance Policy requires that all Officers, Board Members, Committee Chairs, meeting Chairs and all LES Members comply with the following guidelines and procedures:

- Refrain from conducting surveys as part of an LES activity, where such survey regards or relates to licensing practices, royalty rates, other industry/market studies and the like, until prior, written approval is received from the Executive Committee of the Board of Trustees to conduct such a survey. A request for approval to
conduct such a survey shall include a copy of the proposed survey, which shall be submitted to the Executive Committee and the LES Counsel.

- Comply with any request by the Executive Committee or LES Counsel to exclude from presentations or material to be distributed information that may violate the LES Antitrust Compliance or these Guidelines.

- Violation of the above Compliance Guidelines could result in Sanctions.

Later in 1998 another issue came to the fore, this because business consolidations resulted in multiple Trustees from the same firms serving simultaneously. It had been unwritten policy and practice to avoid having more than one officer or Trustee from the same firm or corporation. The subject received lively debate by the Board at its session at the Society’s Summer Meeting in Boston.

In the end, the Board adopted a resolution confirming that it is the general policy of the Society, as reported by President Tom Small in LES Viewpoints, “... to maintain balanced representation on the Board and among the officers, representatives of different categories of members and interests of the membership, and directs the Nominating Committee to limit its nominations from the same or closely related entities to not more than one as officers who will be members of the Executive Committee and not more than two on the Board as a whole. The resolution also limited the members of the Nominating Committee to not more than one from the same or closely related entities, and a second resolution required that the nominations made by the Nominating Committee be approved by the Board.”

President Small further noted that, “While practices have been consistent with these policies, the Board’s resolution will answer questions that may arise in the future.”

**FORMALIZING THE ADMINISTRATIVE FUNCTION**

The path to the present-day Administrative Office in Alexandria, Virginia, was long and twisting. The Society benefited greatly from Presidents and many other leaders, as well as from their employers and partners (and secretaries), carrying the Society’s behind-the-scenes work and resulting financial burden.

The subject of creating a professional staff was first raised at the Society’s third Annual Meeting, 1968, at the Emerald Beach Hotel, Nassau, Bahamas, when the
Society reported 637 members. Minutes kept by Homer O. Blair, Secretary at the time, who later would become President, reported Stanley Belsky, a Charter Member and Vice-President, Eastern Region, said, “LES should consider the use of paid professional help to run the organization including a paid executive secretary. The President said this was a subject that the Trustees would discuss specifically with the need for a central office with a secretary as well as the use of a professional management association to handle details of the annual meeting.”

A Management Committee composed of Stanley Belsky, Homer Blair, Kenneth Brown and Blake Yates recommended to the Board a few weeks later, in early 1969, that in 1970 the Society establish a part-time staff consisting of an executive director, who would be a volunteer from the membership, and two secretaries. A second recommendation was that when the membership reached 1,500, predicted to be 1972-1973, a fulltime staff, consisting of an administrative secretary and two stenographic secretaries, be retained.

Finally, following considerable debate, President W. A. (Al) Schaich was authorized to establish an LES administrative office for 12 months, employ a part-time administrative secretary with a budget that “does not increase the Society’s annual expenses by more than $20,000...” Mr. Schaich recommended the membership be asked to approve the plan at the 1969 Annual Meeting. The Board agreed.

In his message in the March 1969 les Nouvelles President Schaich urged members to attend the Annual Meeting “...to add your counsel to the proposed ...changes that will convert LES from a group of volunteer workers to an international professional society with a permanent headquarters.” And in his comments in the September issue, he promised a proposal for a professional management of the Society’s activities beginning January 1, 1970, that not only would provide professional assistance but would do it at less cost than anticipated.

As mentioned in Chapter 3, the Board in 1969 contracted with the Society of Manufacturing Engineers, a nonprofit national organization of 46,000 members, to use its staff to maintain LES membership rosters, manage U.S. meetings administratively, and perform other services. The annual cost would be $5,200 after startup. LES membership totaled 855, including international members. LES International had not yet come into existence.
Traditionally, only the President is provided with a modest budget for expenses, and this is often offered as the reason for extensive historical involvement of lawyers among the Society’s officers and Trustees. LES members who are partners in law firms are more often successful at convincing other partners that the experience and expense are a worthwhile investment in the profession than are their corporate counterparts. They are therefore more likely to get approval to obtain the employer administrative assistance that is necessary.

However, Gayle Parker, a self-employed licensing consultant with no administrative staff behind him, managed to serve the Society in numerous roles, including two terms as secretary. “I often did Society work during the day and client work at night,” he recalls. Then, when under consideration for the position of Society treasurer, he recalls, he was asked if he could handle the paperwork and other administrative responsibilities, since he had no personal secretary. He hired a secretary full-time to do Society work and paid her out of his own pocket for the two years he was treasurer. He became President for 1996.

Charles H. Chappell, as Immediate Past-President, had addressed the issue of leadership expenses quite clearly in the March 1974 *les Nouvelles*, as LES International took formal formation and LES (U.S.A.) became a chapter. He wrote:

Contrary to the impression some members are said to have regarding emoluments of office in LES, the only persons in our Society who receive any compensation for their services are the editor of *les Nouvelles* and our general counsel, and in both cases the amounts paid are quite modest. We do have a contract with the Society of Manufacturing Engineers for assistance in maintenance of the membership roster...

The officers of the Society, especially the president, president-elect, secretary, and treasurer, and many of the committee chairmen and members, including the Annual Meeting Chairman and Committee, devote a very substantial proportion of their time to LES matters, all without any financial compensation whatsoever...

The officers and trustees must pay all their own expenses for all meetings, including Board meetings. Likewise, all officers and trustees, including the president, pay the same registration fees for all meetings as any other member. The only exceptions to this practice are:
(a) It is customary for the hotel at which the Annual Meeting is held to provide complimentary rooms for the president, president-elect and the meeting chairman.

(b) Before the international organization, when it was obligatory for the president to make one or more overseas trips to international meetings, he was provided an economy-class round-trip ticket for one such meeting, if he had no other business reason to make the trip.

(c) On two occasions the Board has voted to pay the travel expenses for one uniquely-qualified member to provide his assistance in the formation of an overseas members society and the concurrent holding of an international meeting, because such assistance was considered essential to the successful achievement of the objective.

(d) It has been customary for the Society to defray the cost of lunches at Board meetings and the annual “Trustees dinner” following each Annual Meeting.

Hiring an executive director also continued to be a subject for examination, and in 1974 an ad hoc committee interviewed eight applicants for the position. The committee unanimously decided that the benefits of employing an executive director at the time would not be commensurate with the costs. Marcus B. Finnegan summed up the issue in his President’s report in the June 1974 les Nouvelles:

“In the end, it appears there is a tremendous amount of administrative work being done ... on a volunteer low-cost basis by members. If all this work were transferred to a paid Executive Director it would inundate him. The present system seems to be working, and working reasonably well; hence, there was a feeling that we should continue along this path and devote any excess funds to appropriate publishing and research projects.”

It was some five years later that the next major shift was made in administrative services. In 1979, when the LES U.S.A. membership reached 1,400, the Society left SME and turned to Baxter Associates of Stamford, Connecticut, a firm specializing in organization management. The relationship with Baxter, however, proved less fulfilling than expected, and the Board decided in 1986 to switch to a new firm, Bayfield Resources, Inc. of Norwalk, Connecticut, managed by James Menge, who had handled the LES account for Baxter Associates.
LES (USA & Canada) 1992 President B.I. (Woody) Friedlander focused sharply in that year’s Annual Report on the growing need for yet greater administrative assistance for the Society. He wrote: “The President’s duties have expanded along with the growth in membership of the Society and the Society’s increased level of activity. Consequently, delegation of responsibilities to the President-Elect, the immediate Past-President, and the officers is increasing and will continue. The Society cannot be managed by one woman or man and a small ‘old-boy’ or ‘old-girl’ network.”

Edward P. Grattan, in his President-Elect message in the same Annual Report, noted, “Volunteering is never easy for busy people. Particularly in recent years, staff cutbacks in many organizations have aggravated an already difficult situation.”

The stage had been set. The Society’s Executive Committee met repeatedly before agreeing to take a dramatic step toward the future and the dream first expressed in 1968 by the earliest LES leadership. After extensive preparation and debate, President Mel Jager, at the annual LES meeting in Hawaii in 1994, led the Board of Trustees to approve the establishment of a permanent LES management office with its own dedicated staff. The trustees also made a commitment at that time to earmark a substantial part of the LES General Fund for establishing the office.

An Administrative Services Committee, co-chaired by Edwin A. Shalloway and James E. Malackowski, was appointed to work with Gayle Parker, Vice-President-Administration, to conduct a search for an LES headquarters office. Potential sites on the West Coast, Midwest, and east coast metropolitan areas near airports were considered.

In 1994 a location in the Washington, D.C. suburb, Alexandria, Virginia, was recommended, according to Gayle, since it was close to the Patent Office and convenient for visits by members. The selected office space also had a meeting room for potential use by LES members and for a use as licensing library. Mel Jager, President that year, whose office and home were in Chicago, approved, as did President-Elect Ed Shalloway. Ed’s law office was in Alexandria, along with those of other LES leaders, including 1990 President Platon Mandros, so invaluable assistance and oversight was available if needed. The headquarters space was rented and the Society soon employed its first fulltime internal staff member. A selection committee of eight interviewed five experienced association management candidates pared from a list of 51, including
former independent contractor Jim Menges. Ms. Margaret Nagle was hired as Administrative Manager, and Ms. Inga Gilmore later added as Senior Administrator.

The process of equipping the office, establishing administrative procedures, and hiring an office assistant, which Gayle helped with, began immediately. He relates with humor how he loaned the Society $5,000, which of course was soon repaid, to open an immediately accessible bank account. The following months were filled collecting sometimes complex, technical records from widespread sources, analyzing and organizing them, and establishing operational plans for the office.

Mel Jager, as 1994 President of LES (USA & Canada), discussed the upcoming opening of the office in the September 1994 les Nouvelles: “The time had come, in the growth and complexity of our Society, to stop relying on others for administrative services. Our own internal office, under our control, will permit the Society to service our members more efficiently. It will also ease the burden of administration that has fallen quite heavily in the past on the Officers, Trustees and Committee chairs.”

In the November–December 1994 issue of Viewpoints, Ed Shalloway, who had been elected 1995 President at the 1994 annual meeting, wrote:

“We believe that our internal administrative office will provide the highest quality of administrative support required for our growing Society. However, the management and direction of LES (USA & Canada) will continue to remain in the hands of our members, guided by your Society’s officers and trustees.”

The office opened for business with a three-person staff and began administering activities of the Society on January 1, 1995, assuming full responsibility for the administrative support for LES (USA & Canada), the Board of Trustees, the committees, the local chapters and the LES membership. And by the end of the first year, the new office also provided administrative support for LESI Societies throughout the world on a cost-reimbursable basis.

Early in the year, Jack L. Hummel, former LES (USA & Canada) Treasurer, replaced Gayle Parker as Vice-President-Administration, and assumed responsibility for overseeing the office operation. Gayle resigned the administrative position after becoming a candidate for President-Elect. Jack Hummel was assisted in office oversight by D. Patrick O’Reilley and David M. Braunstein, long-time Society volunteers, whose offices were conveniently close-by.
President Shalloway thanked Gayle, Jack, Pat, and David near the end of the first year in the 1995 Annual Report for their important work:

“We appreciate the committee’s recommendations, support, assistance and its most recent contribution to produce and implement policy and procedure manual for the headquarters. The Administrative Office handled a multitude of chores this first year. They include but are not limited to handling new member applications, membership renewals, label sales, LES professional publications, video and audio tapes sales, all registration activities and mailings in conjunction with our local and seasonal meetings, as well as our upcoming Annual Meeting. Further, they include handling worldwide registration and other support for the International Conference that took place in Buenos Aires in April, the membership directory, inquiries from our membership, and all of the other dozens and dozens of tasks and projects necessary to continue to provide the broadest scope and higher quality of services for LES.”

By the end of 1998, an Employee Handbook and Policy Manual was formalized. And Ronald L. Grudziecki, newly elected LES (USA & Canada) President for 1999, reported in his acceptance speech at the 1998 Annual Meeting in Miami, Florida:

“I have been fortunate over the last few years to have been a member of your Board of Trustees, during a period of significant growth and change. When I was Chair of the Membership Committee in 1992, we had 3,200 members. We now have 4,565 and counting, a 43% increase in just six years.

“We have had 2,100 new members in just the last three years. In 1992, our administrative staff was one person hired from an outside agency.” He noted the office staff had grown to four, and added, “It is functioning efficiently and smoothly and, frankly, better than some of us thought possible.”

With the new century, however, just a week before the 2000 Annual Meeting in Toronto, Canada, Kenneth Schoppmann was named Director, bringing new management to the Administrative Office. More details of this major improvement in the quality of the office staffing are discussed later in this History.
MEMBERSHIP TRACKING AND FINANCES

As noted earlier, LES traditionally enjoyed support, although in some cases quite limited, of major corporations and law firms through their employees and partners who became members. Some 18 months after the Charter meeting, in April 1967, for example, Treasurer Blake Yates reported to the Trustees that the Society’s bank balance totaled $11,466.86, and Secretary Walter Cairns announced a total membership of 367. Regional distribution was: Eastern, 238; Central, 75, and Western, 54.

By the end of 1972 membership had reached 1,235, including those from the international community, and President Charles H. Chappell urged members to look among fellow professionals to expand the total. He wrote in les Nouvelles, “Now, I do not propose lowering of our membership standards in any respect, nor any membership drive in the sense of an effort to get members just for the numbers or for their dues, but it seems evident to me that there are many persons, particularly in companies and corporations around the world, who are eminently qualified to be members of LES and who, as members would be a real asset to our Society and enhance the value of membership to all of us.”

Although meetings provided income that helped keep the Society’s operations in the black and provide funding for professional and educational advancement, it was traditional, if not policy that each meeting would provide at least sufficient income to avoid financial loss. Samuel G. Layton Jr., for example, reported the 1987 Annual Meeting in Toronto, during his presidency drew more than 600 registrants and 270 accompanying persons, setting an attendance record. LES (USA & Canada) membership totaled 2,200.

President Layton reported that the excess of income over expenses was about 8%, considered as close as a meeting of that magnitude could be run without incurring the risk of loss. All the meetings of 1987 were run successfully at comparatively break-even figures.

In 1990, annual membership dues were increased from $75 to $100, the first increase since 1981. Total membership had grown by almost 1,000, but, reported Treasurer Guy J. Houle, “(We) have gone through a high-inflation period. Operating expenses have gone up slightly faster than the revenue from dues derived from the growth in membership. To maintain our general fund at an acceptable level, and to maintain our current rate of activities, the dues have to be increased.”

Meetings also produced and recorded revenues at historically consistent rates, ranging from 64% to 69% of total revenue each year.

Meeting costs, as a percentage of total Society expenses, varied widely: from a low of 52% in 1995 to 65% in 1992. Administrative costs as a percentage of total expenses, meanwhile, grew annually during the 1990s from 8% in 1991 to 21% in 1999.

Significantly, the New Millennium brought additional program policies that resulted in continued membership increases and additional revenues for enhancing the level and quality of services that could be provided to all LES members.
CHAPTER 6

COMMUNICATIONS

LES NOUVELLES—ITS GROWTH, ITS ROLE

When John Rendall, the first LES Publications Committee chairman, named the Society’s publication les Nouvelles and designed its nameplate, as reported in Chapter 2, he could only have hoped the publication’s owner would grow into a worldwide organization. The idea that the journal would someday enjoy global respect in the licensing profession and be embraced and respected by international, judicial, government, and business interests could have been only a dream.

Thelma Heatwole, patent agent at Philip Morris Inc., in Richmond, Virginia, and a Charter Member of LES, published the first edition, a brief newsletter on legal-size paper in late 1965 soon after the Charter Meeting. But No. 2 of Volume 1, published in the spring of 1966, was already improved. On the first page, John Rendall wrote, “At the suggestion of many of you, our ‘LES NOUVELLES’ is now being published normal size and ready for insertion into loose-leaf binders — for posterity. Please keep your contributions and comments coming in. We’ll make a real publication of this yet.”

In addition to selecting the distinctive name that continues today, John Rendall initiated punching holes so each publication could be conveniently stored in common three- or five-ring notebooks for easy storage and search of contents, another unique feature. Later, for many years the Society offered for sale handsome four-issue storage covers imprinted with the publication name.

The Publications Chairman actively encouraged member participation in les Nouvelles publication through contribution of articles and information. Thelma Heat-
wole carefully and faithfully published the licensing papers she received from members and talks at LES meetings, and the publication grew expansively. Dudley Smith soon became the chair of the Editorial Review Board, which solicited and screened all potential articles and contributions for publication in les Nouvelles. Dudley continued performing that important task for many years.

les Nouvelles provided an important information exchange and educational tool for members. The content, largely copies of speeches and articles written by licensing professionals on “the front lines,” made the journal invaluable to anyone practicing in the new and fast-growing profession. It was a vital service for an expanding Society that immediately attracted international members.

In the early 1970s, the pressures of publishing a quarterly international publication and failing health prompted Thelma Heatwole to indicate a desire for relief, and Trustees began an extended search for a replacement. In 1974 they named Jack Stuart Ott the second Editor-in-Chief of les Nouvelles. He is the author of this history. His career had been in publications and newspaper editorial. He also had graduated from Cleveland State University Law School and was admitted to the Ohio Bar. He was employed in the publications unit of The Standard Oil Company of Ohio in Cleveland and had met Sherman J. Kemmer, a recent past-president of LES, who was Patents and Licensing Manager at the company. Sherman arranged for Jack to meet with current LES officers.

In 1973, Jack had an introductory meeting about the editing position in Cleveland with Norman A. Jacobs, who was Treasurer of LES (USA), as it was designated at the time. Norm emphasized that les Nouvelles is “the glue that holds the organization together,” and cited its importance to the licensing profession, saying it was the only publication of its kind. Jack later met with Marc Finnegan and other officers. He was employed in early 1974.

The Annual Meeting later that year in Bermuda, was dedicated to Thelma, and President Finnegan paid tribute to her at the meeting and later in les Nouvelles: “...It would be hard to say enough gracious and kind things about Thelma’s important contributions to the success of the Licensing Executives Society. She took les Nouvelles from a small four-page newssheet to a licensing journal of international renown and high reputation. As I have said in this column before, I have always felt that when LES obtained a large international membership, les Nouvelles provided the critically
important communication link that has held us together as one worldwide organization... We are all truly indebted to Thelma for her 10 years of stewardship in which she has been the highly capable and faithful overseer of the initiation, development, and growth of *les Nouvelles*. The dedication of our 10th Anniversary Annual Meeting to her is but a small expression of our gratitude for her outstanding accomplishment ...”

Marc also paid tribute to Dudley B. Smith, saying, “It would perhaps be unfair ... not to mention that she (Thelma Heatwole) has had tremendously valuable and generous assistance from others... particularly from Dudley Smith, who has shepherded the gathering in and editing of many, if not most, of the articles that appeared ... His contribution, too, has been above and beyond the call of duty.”

Thelma’s final work for the Society, after publishing the June 1974 *les Nouvelles*, was to produce in loose-leaf form a documentation of events covering the first nine years of LES existence. As noted earlier, this early History has served as a valuable reference for segments of this history of the first 40 years.

**NEW EDITOR, FIRST JOURNAL**

The new editor, like the former editor, was able to edit and manage *les Nouvelles* on a part-time basis. He worked from his home in a Cleveland suburb, and employed local printing and mailing services. Jack’s wife Phyllis was at his side as proofreader, organizer, and record-keeper.

His first issue was published on time, in September 1974, and reflected the former format, including the five holes for convenient storage in notebooks. It made the editorship transfer seamless. Like all former issues, the publication was printed entirely on sheet paper, and so was inserted in envelopes and postage applied individually for mailing in the U.S. and internationally.

For the next issue, December 1974, the new editor asked an artist to draft an interim but appropriate design featuring the *les Nouvelles* name, date, and other information, to be printed on gray, dense cover stock, which provided traditional protection to the journal’s contents. The new look not only presented readers with a professional appearance, it allowed direct mailing in the U.S. without insertion into envelopes, saving manpower and envelope costs. The change also permitted use of
bulk postal mailing, which lowered postage costs substantially, adding further savings to publication costs.

The inside front cover carried this announcement: “les Nouvelles is undergoing changes. Beginning with this issue, the magazine is wrapped in an attractive cover. And articles, which are laid out in a new format, are separated from Society news, which has its own section in the back of the magazine.

“Also, in an effort to cut spiraling postal and handling costs, the magazine is being shipped in the United States via third-class mail. The Editor would appreciate a note from readers finding delivery service unacceptable.” (The Editor received none.)

The announcement continued:

“In another effort to cut mail costs, LES U.K., LES Benelux, and LES Mexico kindly offered to distribute les Nouvelles to their members, and bundles of the magazine are being air-mailed to secretaries of those Societies for distribution. Other Societies are encouraged to do likewise.” (Most did.)

The new look prompted numerous compliments, the first being from former Editor Heatwole. Her note said, “May I congratulate you upon an excellent issue of les Nouvelles? I think your changes in the cover and your format changes are to be admired.”

More came from President Homer O. Blair, immediate Past-President Marc Finnegan, Vice-President Western Region William Foms, and numerous others.

In 1975, Society news was moved from the rear of the journal to the newly-created “les News” section. To clearly separate it from substantive articles, the section was printed on blue paper and inserted in the center of the journal. Members who wished not to store the Society news with the substantive articles could easily remove the section by simply opening the staples to release the blue pages.

Dudley continued his deep interest and support for les Nouvelles, working with the new editor and offering invaluable insight into LES matters and operations. In 1978, while he was President of LES International, he wrote the following to Niels J. Reimers, who had just been nominated to be President of LES (USA) for the next year:

“...I am the one who works most closely with Jack Ott on les Nouvelles, and reads all articles, solicits articles, grabs people at meetings for articles, whips the
contributors into action ... and is the Jack-of-all-Trades for Jack Ott ... My official title these days seems to be Co-Chairman, Publications Committee. If you want me to continue, I will do so. If you don’t want me to continue, I probably still will be so involved training my replacement that the hours will be the same ...

“To me, les Nouvelles is our single #1 most important ‘glue’ holding the diverse LES world together. It is for that reason I continue to favor les Nouvelles with my help before all other activities.”

Needless to say, Dudley continued his involvement with les Nouvelles and his close relationship with the editor. He often was complimentary, and occasionally critical, as only Dudley could be. An example of the former was a letter he sent LESI Officers and Delegates in 1978. In it he said an old friend and Associate Professor of Journalism at Columbia University had read a copy of les Nouvelles. “He said he used it as an example in teaching one of his courses in journalism “as being consistently the best professional journal he knew of ... He said (it) is head and shoulders above any medical, dental, scientific, etc. journal. Those are pretty heavy words from a man who should know what he is talking about.”

However, a few months later in 1978 the les News section announced on page 2 that a meeting of the Southern California Section of LES would be held on July 19. A copy of the newsletter arrived in the mail on the editor’s desk with the July 19 date circled with heavy black magic-marker and this note scrawled over the bottom: “My copy arrived Aug. 3, so I feel this article makes us look silly! FIRST TIME I WAS CRITICAL, so feel proud. DUDLEY”

LESI Becomes Publisher of les Nouvelles

Upon its inception in 1973 the Licensing Executives Society International became publisher of les Nouvelles, accepting the responsibility from LES (USA), the founder. LESI then assigned the financial and substantive responsibility for publishing the journal back to the originating Society, where it remained until the LES (USA & Canada) 2004 Annual Meeting. It was then that LESI assumed full financial, editorial, and publishing responsibility, although continuing to use the LES Administrative Office in Alexandria, Virginia, for assistance.
Traditionally, each member Society pays LESI a fixed sum per member for the publication, and each Society decided how it wanted each edition delivered to its members. The system did not change substantially when LESI assumed publication responsibility in late 2004 and its publication assigned to the Communications Committee, chaired by Arthur M. Nutter, also an LES (USA & Canada) Trustee.

EDITORIAL REVIEW BOARD

Traditionally, articles have been contributed for publication regularly by Society members in many international chapters as well as speakers at meetings and many others in judicial, government, corporate, and professional or educational positions. In 1982 an Editorial Review Board, consisting of LES (USA) and international chapter members, was officially established to advise the editor on article selection, although the final selection of articles to be published was left to the editor.

The Board of Trustees established the responsibility of the Review Board in a resolution: “The content of les Nouvelles is the responsibility of an Editorial Review Board...” Accordingly, upon receipt each article was mailed to Review Board members with a form requesting an overall “grade” of 1 to 5 and written comment regarding professional relevance and significance to the licensing profession, as well as accuracy, along with a recommendation regarding appropriateness for publication in the journal.

If the editor received a negative recommendation from a reviewer, the article was rejected and the author notified, or the author was asked by the editor to change or add information. Otherwise, the author was sent a notice of acceptance and asked to sign a “License to Publish in les Nouvelles,” which permitted republication of articles on the web sites of LESI, LES (USA), and of course LES (USA & Canada) after 1985, when the Society’s name was updated, and in special LES publications.

The first official members of the Board were those who already had been advising the editor: Dudley Smith, Norman Jacobs, and Brian Brunsvoeld, all appointed by the LES (USA & Canada) President. Upon creation of the Editorial Review Board, they were joined by Michael Burnside, LES Britain/Ireland; Masataka Hashimoto, LES Japan; and Gloria Isla del Campos, LES Mexico. Later members included: Rodney M. DeBoos, LES Australia; John T. Ramsey and C.A. (Clem) Wächinski, LES (USA &
Canada); Clarisse Escorel, LES Brazil; Masato Kobaskyashi, LES Japan, and Marek Lazewski, LES Poland.

The Editorial Review Board serves an invaluable service to the Society and the Editor, and its members contribute considerable time reviewing articles. Many years up to 100 articles were distributed to members for review. In his report to Trustees in 1998, the Editor wrote, “Members of the Editorial Review Board were extremely helpful and valuable to the Editor in determining the suitability of articles submitted for publication and in encouraging the submission of papers for publication. All members contribute many volunteer hours to the Society, and they are to be congratulated and thanked.”

LES members worldwide were -- and still are -- urged to submit articles for publication in the journal in fulfillment of the Society’s education and information exchange mission. It was recognized from the beginning that information from the “front lines” of licensing around the world, where the decisions are made and ideas are generated and tested, is perhaps the most valuable contribution that can be made to the profession.

In a 1987 issue of les Nouvelles, Tom Arnold, then Chairman of the LESI Committee on Publications, in urging members worldwide to contribute articles, put it this way: “Articles that describe particular transactions or case histories and include sufficient financial and statistical detail to be meaningful to readers find particular favor among members of the Review Board... An important criteria ...in selecting articles to publish is whether the article contains information directly connected to licensing. Thus, articles dealing only with substantive intellectual property laws ... are likely to be deemed less publishable than articles that contain information that is directly connected to licensing issues...”

Promoting submission of articles and other information to the ever-growing list of communications produced and distributed by Members Societies has been repeated often in les Nouvelles and in other LES communications by the LESI organization as well as LES (USA & Canada).
INTERNATIONAL MEMBERS AUTHOR MANY ARTICLES

International members contributed richly to establishing les Nouvelles as a highly respected intellectual property licensing journal in the world. During its 40-year history the journal has consistently been published four times annually, and each issue separated into four distinct sections in addition to the four cover pages.

The white pages contain substantive articles. A “blue-page” section, since March 2002 stylishly printed on white paper but attractively identified with a blue stripe along the edges of each page, is still formally known as les News. The section, first printed in 1975, still includes “new” Society, chapter, new-member lists, and brief member articles. And as needed, a third section, distinguished by a third color, publicizes a particular meeting or other event.

The cost of special sections was invoiced by the administrative service back to LESI or the originating chapter. The first meeting section published in les Nouvelles publicized the LES (USA) 1976 Annual Meeting.

The number of articles written by international authors and published in les Nouvelles is evident in the annual activity report the Editor filed with the Board of Trustees. Typically, 40 substantive articles were published each year in the white pages. Examples of the breakdown between the number of U.S. and international authors include: 1989, U.S./Canada 13, international 27; 1990, U.S./Canada 20, international 20; 1991, U.S./Canada 25, international 15; 1993, U.S./Canada 19, international 21; 1994, U.S./Canada 21, international 19; 1998, U.S./Canada 26, international 14.

FACELIFTS FOR LES NOUVELLES

With adoption of the first cover for the journal, LES (USA) trustees, as well as LESI delegates who have accepted their recommendations for changes, were very much interested in maintaining a professional, yet not stodgy, appearance for the publication. The journal consistently rates great respect and value to members in surveys.

For example, long-time member Richard Razgaitis conducted a wide-range sampling membership regarding numerous subjects. and on the topic of les Nouvelles he reported to Trustees in 1997 that members “like it the way it is,” and he reported they considered it a “scholarly work.”
The first issue with a cover, December 1974, featured an interim design that maintained the French newsstand kiosk and name as they appeared on the first page of paper issues of previous issues. The words "Journal of the Licensing Executives Society" were added under the title, a
global drawing dominated the page under the nameplate, and a few internal contents were listed. The cost-saving colors blue, gray and black were used.

The March 1977 issue brought a new, brighter face printed with blue and black ink on white-coated cover stock. It featured a Table of Contents, providing an easy and convenient reference for readers. The table was enclosed in a box; the les Nouvelles nameplate and logo remained unchanged.

Some 10 years later, December 1987, the journal received a third makeover. The slick, white heavy coated-cover stock featured a more open and welcoming appearance, minus the box surrounding the index, with blue and black ink highlighting horizontal bars above and below the Table of Contents, which was enlarged and made more readable. The nameplate was unchanged, although the issue identification and date, which continued to be printed on the inside front cover, were added onto the cover. The kiosk was decreased in size and moved to the inside front cover. This new cover design was some of the first LES work by graphic artist Carla Blackman, who has continued designing and producing numerous documents and publications, including the LES (USA & Canada) member newsletter LES Viewpoints for the Society. She and her firm most recently redesigned les Nouvelles in 2005 to feature the most modern, yet professional typography and design, and numerous high-quality four-color photographs.

Since the early issues, the inside covers and back cover of les Nouvelles remained largely unchanged, the inside front cover listing ownership data, LES International and Chapter leaders; inside back cover, meeting calendars, and back cover the headquarters address and postage indicia.

Graphically, the inside of the journal was changed occasionally to improve appearance and readability – two wide columns became three narrower columns, graphics brightened, and type faces became more modern, and with the June 2002 issue, a second color, blue, was added to subheads and other highlights to enhance the white pages.
In June 2003, LESI President Melvin F. Jager reported the LESI Publications Working Group led by LESI Vice-President Ron Grudziecki and Publications Chair D. Patrick O’Reilley reviewed recommendations concerning les Nouvelles and concluded moving printing and distribution of the journal to different locations throughout the world was not a viable option.

A bright, colorful new look arrived on members’ desks in 2004 with the LES (USA & Canada) Annual Report and the October issue of Viewpoints. They were the first products of the LES Design Style Guide, developed by Carla Blackman, whose graphics firm had assisted the Society for nearly 20 years. The publications featured bright graphics, four-color photographs, and up-to-date presentation. A make-over for les Nouvelles was being considered as well in 2005.

The contents stayed true to publishing substantive articles of interest to licensing professionals. The column “Recent Developments in the Law Relating to Licensing,” authored by Marcus B. Finnegan, was first published in les Nouvelles in 1971. The column has appeared in nearly every issue since. Brian G. Brunsvold, who often joined Marc in authoring the popular column, continued the articles after Marc’s death in 1979. Brian, an original member of the les Nouvelles Editorial Review Board, is often joined in writing by other LES members.

Les News, the “blue pages,” was improved numerous times, but most dramatically in 2002, when graphics artist Carla Blackman added her expertise to production of the entire journal.

**ADDING ADVERTISING**

Whether to include paid advertising in les Nouvelles is a subject that arose occasionally while the journal was the responsibility of LES (USA & Canada), but interest waned each time as complexities were considered. In 1989, when he was President-Elect, David S. Urey reported the AIPLA generated about $46,000 in gross income through its classified ads in its AIPLA Bulletin, but noted the organization had been audited by the IRS regarding the possibility of “unrelated business income” from advertising, suggesting the need for caution.

In 2002, however, the LES International Board of Delegates assigned its Publications Committee the task of developing standards and procedures for adver-
tising in *les Nouvelles*, and advertising was later accepted. The decision, announced in the journal, noted, “Initially, advertisements will be accepted for books and journals of professional interest to members. As LESI membership broadly encompasses various professions having an interest in intellectual property, any book or journal directed to any business or legal aspect of intellectual property will be acceptable. The quantity of advertising in each issue will be limited . . .”

**EDITOR RETIRES; NEW EDITOR IS NAMED**

In September 1999, Jack Ott wrote LES (USA & Canada) President Ron Grudziecki that he wished to retire “as soon as practicable” and that he and his wife Phyllis would be doing so “with reluctance.” He noted that in his 26 years of editing and publishing *les Nouvelles* and other publications for LES that, “It is with great pride and pleasure that we participated in the growth of the Society into a truly international organization that enjoys professional respect the world over.”

He noted that 2,500 copies were printed of the first issue he published in 1974, compared with 10,200 in September 1999. The last issue he edited and published was March 2000.

Outgoing President Grudziecki honored Jack at the 2000 Annual Meeting in Toronto, and an extensive article authored by Brian Brunsvold was published in *les Nouvelles* that autumn. The LES (USA & Canada) 2000 Annual Report included highly complimentary farewells by President Emmett J. Murtha and President-Elect John H. Woodley. In 1985, the Board of Trustees elected Jack to Honorary Membership in the Society. “This very high honor is in recognition of your outstanding contribution to the licensing profession and to the Society . . .” wrote 1985 President Cruzan Alexander in a letter. In 2003 Jack was awarded the LESI Certificate of Merit.

**EDITORSHIP CHANGES**

Thomas G. Ryder, long-time LES member and former Trustee with many years of licensing experience became the new Editor. Tom’s first publication of *les Nouvelles* was September 2000.

The editor’s chair changed again in 2005. Larry Plonsker, a long-time LES (USA & Canada) member with a 30-year career in finding, evaluating, and develop-
ing new business at Ethyl Corporation, and in more recent years as a consultant, was named editor. Larry’s LES activities include helping create and expand the LES website and serving as its editor.

At the same time, Rodney de Boos, a member of LES Australia/New Zealand and a former secretary and president of LESI, became Chair of the les Nouvelles Editorial Review Committee.

**LES Goes Digital With Websites**

The LES trip down digital lane began in the early 1990s with the recognition that much valuable research and knowledge collected and distributed in speeches and papers at some 150 presentations to LES members each year — much more than could be economically printed and distributed in printed media — were lost to members unable to attend the seminars and meetings. By 1992 the Ad Hoc Committee on Information Collection, Storage and Retrieval, chaired by member Edmund G. Astolf, was formed and called to action.

In the 1992 Annual Report, President-Elect Edward P. Grattan wrote, “This committee’s mission is to identify all sources of valuable technology transfer and licensing information generated by this Society, make recommendations to assure optimum means of capturing and storing it so that members will be kept current on what information is available and how they can access it.”

LES members attend the Plenary session at the 1992 Annual Meeting in Boca Raton, Florida.
The committee jumped into action immediately, creating a database it named LES Online. LES International expressed great interest in participating in the database. In 1993, LES (USA & Canada) Trustees, under the leadership of President Grattan, funded the committee’s work with $40,000, $25,000 of which came from the Endowment Fund. The Endowment Fund would be repaid with the $35 annual access fee to users.

By the end of 1993, Mark A. Peterson, chairman of the LES (USA & Canada) Annual Report Committee, wrote in that year’s annual report, “Licensing as both an art and a science increasingly turns to the computer to assist in developing answers to a myriad of questions. Questions such as what technologies are available in a given field, how big is the market, and where one can go for help, are more and more researched by computer. This year’s Annual Report is devoted to information collection, storage, and retrieval.”

Working with a professional digital communications firm, in 1994 the committee established an e-mail network, and encouraged creation by members of Professional Interest Areas to organize interest groups. The committee set out to create an online searchable membership directory that permitted members to describe their skills and expertise, said Chairman Astolfi. The result was that almost overnight, it seemed, LES members could search available LES databases, opening a vast library of references to technology, legislation, member contacts, and archives. In addition, every back issue as well as each new issue of les Nouvelles, was routinely added to the database in searchable format, as were other publications.

The system continued to grow, and in 1995 LES (USA & Canada) Trustees approved placing LES Online on the World Wide Web http://www.usa-canada.les.org effective January 1, 1996. Features continued to be added to further assist members. The website includes links to each international chapter, as well as Enhanced Membership Directory. LES Technologies listing, workshop abstracts, committee postings, special presentations, jobs available and wanted, and ability to link with other web sites such as companies, universities, law firms, etc.

Every LES member is provided with a User ID and Password for free access to both public and private pages.
In his message in the 1996 Annual Report, President Gayle Parker thanked Co-Chairs Brian O’Riordan and Merrill Brenner of the LES Online Committee, as well as Trustees Louis Berneman, David Braunstein and Richard Razgaitis.

LES Online activities continued constant upgrades and service expansion in the New Millennium, which are reported later in this history.

MEMBERSHIP GETS AN ANNUAL REPORT

LES (USA & Canada) leaped forward in 1986 with its first Annual Report to the Membership, which was designed to report on the past year’s activities and lay forth the challenges to the coming year. The publication, edited by Jack Ott, was designed also to introduce the Society and tell its story to nonmembers, such as employers, the judiciary, governmental leaders, and educators and guest speakers. Both the President and President-Elect wrote columns for the publication, a tradition that has continued.

President Larry W. Evans explained in the first issue, published in the fall in advance of the 1986 Annual Meeting, as have been all the following annual reports, “My objective in this first annual President’s Report to the membership “…is to review the accomplishments of our Society during my year in office and to challenge our membership and next year’s officers to accept challenging goals for the future.”

Among his numerous topics President Evans complimented members for their volunteerism and participation, commented on the influence in transforming the licensing profession, successful educational programs, and participation and influence in LES International pursuits. Reflectively, President Evans asked: “…whether during the past year LES (USA & Canada) lived up to its purposes: (1) to encourage high standards and ethics, (2) to educate its members in licensing skills and techniques, (3) to inform the public concerning the economic significance and importance of licensing, and (4) to conduct research that will assist in advancing the use and transfer of technology.

“I believe highly professional standards in licensing have been promoted, and they continue to be the rule among LES members. I am satisfied that our Society has been a tremendous influence in establishing and maintaining these standards.”
Beginning with the inaugural issue, each report is wrapped in a distinctive, attractive four-color cover, bright and appealing graphics, and a tone-setting theme. Among the themes: “The Web of Licensing,” “Members & Education,” “Global Aspects of Licensing,” “Communication: The Road to Success.”

Carla Blackman, who designed the first LES Annual Report, has designed each one since.

Jay Simon, who chaired the 1991 Annual Report Committee, in introductory paragraphs in that year’s report, defined the publication this way: “The Annual Report is the State-of-the-Society message.” There is ample evidence that the Society has successfully fulfilled that mission.

USA & CANADA LAUNCHES MEMBER NEWSLETTER

LES (USA & Canada) leaders, wanting to communicate specifically with their members on a regular schedule, launched a newsletter in 1994 titled LES Viewpoints. President Melvin F. Jager sparked the publication to augment information available in the blue pages of the quarterly les Nouvelles. Usually containing eight pages, it was published bi-monthly, but was reduced to quarterly in 2002 with brighter, more attractive format and typography. Jack Ott was named editor, and upon his retirement, Carla Blackman’s firm took over those responsibilities.

“The new format and content of les Viewpoints represents one of our efforts to upgrade the communication and exchange of information between LES members,” President Jager wrote in the first issue. “Remember, this is your newsletter. Please submit your notices of relevant LES activities or short articles … LES Viewpoints will be published at least bi-monthly so that your information will reach the membership quicker than it did in the past.”

The publication has been mailed to USA & Canada members ever since, each issue focusing on activities at the growing numbers of local meetings, lists of new members, upcoming meetings, networking opportunities, and various LES (USA & Canada) “housekeeping” matters. Items of international interest continued to be published in the blue-page section of les Nouvelles as well.
CHAPTER 7  
MEMBER VOLUNTEERS: LES ENERGY BANK

Members’ historically deep and abiding interest in the welfare and successful fulfillment of an organization’s purposes is the fiber that insures the LES’s strength and direction to success. Such has been the case from day one of the Licensing Executives Society. Member participation and support through volunteerism, supported by corporate and partner financial assistance, has been the Society’s hallmark for success and growth. This unique feature has distinguished it from many professional societies. To further the Society, volunteer members have donated countless hours and untold dollars never charged back to the Society.

As noted earlier, however, membership growth of LES (USA & Canada) increased administrative burdens, and professional administration needs proliferated and demanded attention.

In 1980, President William E. Riley Jr. visited the subject when he wrote about what he viewed as a growing problem and how it might be dealt with: “We now have over 1,700 members and we are growing at a rate of more than 10% per year. Size alone makes it necessary for us to buy some professional services that were previously performed by members. Last year the billings for such services were well over $50,000.

“Continually increasing size and inflation will undoubtedly push such costs higher in the future ... One might nostalgically conclude that we can return to operation by volunteer services alone. Such thought, in my opinion, shows praiseworthy idealism, but lacks practicality. We can, however, adopt the idea in large part by ar-
ranging not to pay for services that the membership is willing and able to provide. To do so we must increase our member-contributed services at least in the same proportion as our continuing growth. This can only be done through more personal involvement.”

President Thomas Small wrote in 1998 that “an important fringe benefit of the volunteerism of LES members is the healthy financial picture that we have achieved with very modest annual dues. Because we put on our own meetings, and have a tradition of careful and efficient management of meeting functions, we usually generate a surplus of revenue over cost for each meeting. The substantial financial resources of LES (USA & Canada) are attributable almost entirely to such surpluses. Without meeting revenues, LES would be compelled to charge much higher dues to support its activities.”

He called “involvement” and “volunteerism” the “fuel on which LES runs.” He noted that the 30 LES members who put on the 1997 Annual Meeting in San Diego, where he took office, were typical. Although they worked at the meeting, “they paid the same registration fee ... as you did. From the President and Board of Trustees down, thousands and thousands of volunteer hours are spent each year by hundreds of LES members to keep LES working.”

**COSTLY CONTRIBUTIONS OF THE SOCIETY LEADERSHIP**

As noted in Chapter 5 of this history, the day-to-day problem-solving burden was largely resolved with the opening of the fully staffed Administrative Office in Alexandria, Virginia, in 1994. Still, although basic administrative operations moved under a single roof, volunteerism remains a vital tradition within the Society, and strides lively and well today. The Society benefits, and perhaps more importantly, the volunteers themselves grow professionally more from the experience than they may realize at the time.

President Vance A. Smith wrote the following in a 1989 *les Nouvelles*:

“Before becoming President of LES (USA & Canada), I absorbed, via osmosis to some extent, the complexity, patience and perseverance needed by the committee organized to structure and run Annual Meetings. Actually, I sorely underestimated the effort required to accomplish and implement such meetings. Through my close in-
volvement in working with Mel Jager and his committee chairpersons on the Annual Meeting in Maui, I have slowly come to understand the magnificent effort that these individuals, who do so voluntarily and on their own time, put forth in order to give us all meetings that are second to none in both meeting and social content.

“From time to time, information concerning various meetings of other groups comes across my desk and I compare the costs of those to an LES (USA & Canada) Annual Meeting and the many side benefits that we get. There is no comparison. Most meetings (of other professional organizations) of a three-day duration cost in excess of $1,000, and there are no social events worthy of consideration. We owe such committee chairpersons and members our gratitude.”

Ed Grattan, 1992-1993 President, recalls his employer, Monsanto Company, estimated its expenses for him in secretary time, travel, copying and mailing documents, at $40,000 while he was President-Elect. Presidents were the only LES officers to enjoy a modest budget to pay part of the costs.

Ed gives Monsanto great credit for supporting his LES activities by financing his extensive worldwide travels in the 1980s, particularly in China and Japan. “I was able to get to know people, and it helped me later to do business,” Ed recalls.

GETTING ACTIVE AND ON THE LEADERSHIP TRACK

When he was President-Elect, Ronald L. Grudziecki wrote in the 1999 Annual Report, “LES (USA & Canada) is a volunteer society in many ways. Even though we are fortunate to have a hardworking staff at the LES administrative office, members carry out many activities. It is the work done by each of us, whether in committees, in the local chapter meetings, or in other meetings that causes our Society to be the premier technology transfer society. And it is only by continuing these volunteer efforts that we can maintain our preeminent position in our field.”

Over the years, the volunteer contribution appears to have remained stable through the 1990s. In 1987, then-President Samuel G. Layton Jr. reported, “With respect to volunteer spirit, almost one half of the approximately 2,200 members of LES (USA & Canada) are actively engaged in some aspect in the affairs of the Society.” They were officers, Trustees, LESI delegates, chairpersons of some 80 standing and ad
hoc committees, and more than 500 members who volunteered to speak at meetings, conduct workshops and serve on committees.

Five years later, in 1992, President Grattan reported a similar percentage participating, although membership had increased 42% to 3,200. “At present, about 400 members are active as members of the Board of Trustees, committee chairpersons and workshop chairpersons and panel members, and other resource people, e.g. the Past-Presidents.” In addition some 1,200 were committee members.

Each year at the Annual Meeting volunteers who contributed greatly that year were acknowledged and called forward to receive plaques and certificates noting their contributions. After the 1986 meeting, President Larry W. Evans wrote, “The volunteer spirit of our Society was exemplified by the awards that I presented to the officers, trustees and committee chairman of our Society who devote many hours of their productive time to LES. But I’m sure for all of them it’s a labor of love.”

With arrival of an in-house administrative staff and administrative headquarters, and a USA/Canada membership that by 1998 had grown to more than 4,500 members, how was the volunteer spirit fairing?

President Grudziecki addressed the issue extensively in his 1998 acceptance speech at the Miami Annual Meeting: “Such growth is good in many ways. It provides a greater diversity and a larger pool of talent to draw from for speakers, workshop presenters, committee members and the like. However, it also has a negative side. It is far harder for anyone to know all or even a large portion of our membership because of the size of the organization. One of the reasons for setting up the LES administrative office was to provide the necessary assistance, so that a member did not have to be backed by a large corporation or law firm to meaningfully participate in LES activities. However, the office may be thought of now as a substitute for the volunteer spirit that always distinguished LES from other (professional) organizations ... We need to ensure the continuation of this volunteerism.”

GETTING INVOLVED

“When I am asked the question, ‘How can I become involved?’ my recommendation is inevitably to join a committee or two and participate,” wrote Vance A.
Smith in 1988 when he was President-Elect. “Through active committee participation, an individual learns more about the specific topics and projects being undertaken by the committee. He or she gains more visibility through networking with other committee members and by demonstrating a willingness to exert a vigorous role in committee projects.”

His thoughts were restated countless times by Vance’s predecessors and many times since. Eleven years later, President-Elect Emmett J. Murtha wrote it this way in the Annual Report: “... I will seek to modernize the process by which the Society leadership – its officers and Board of Trustees – is selected, and open every door to involve and recognize our future leaders as early as possible in their careers ... I am calling for greater involvement by younger members, female members and members from sectors that are under-represented, such as electronics, telecommunications and software. Involvement, participation and voluntary service have always been and will continue to be the key attributes of those aspiring to LES leadership.

“How to get involved and get recognized? Start by resolving not only to attend, but also to support your local LES meeting. Get out of the audience and be a speaker, or offer to recruit a speaker, or to host a meeting. The positive feedback will become addictive, and you will learn a lot in the process. And a final word on that note: attend all of the local meetings, even those not directly related to your particular business. You will learn something or meet someone worthwhile at every meeting.”

Emmett closed, “If you, as an LES member, accept my invitation to become involved or to help others become involved with the Licensing Executives Society, then my Presidency will have been a success. I am counting on your support!”

Perhaps it was Dudley B. Smith, employing humor in a way only Dudley could, expressed the volunteer spirit of the quintessential Licensing Executives Society member. In 1978, having already been the second President of LES (USA & Canada) and who was then the President of LES International, wrote the following to Niels Reimers, President of LES (USA & Canada):

“Old Dudley will continue to help LES (USA & Canada) and by all means will help you any way you judge best, any time I can, always to the best of my ability, and all for no pay. So will my wife, Esther, my children, and our dog Zep. We will contribute our money, time, dog food, and blood. You just name it, Mr. President.” Dudley meant it. Anyone who knew him knows he did.
It is from the pool of roughly 1,000 volunteers who contribute each year to LES success that the LES (USA & Canada) leadership is selected. Its officers, Trustees, and committee chairpersons are evaluated, elected and/or appointed each year in order to give members an opportunity to serve in those positions. It is likely that every member who volunteered for committee work or speaking assignment, and who contributed substantial time and effort to the affairs of the Society, has had the opportunity to rise through the organization.

**Leaders Tell How They Became Involved**

Following are classic examples of how easy it is to get involved, and benefits that one can derive.

Edward P. Grattan’s rise to the Presidency in 1992 went like this: “I joined LES in ... 1982 because I was involved in some difficult licensing negotiations (for his employer, the Monsanto Company; he later founded Gralton International) in Japan. I became a member of the LES Japan Committee and presented the results of a study on license agreements between U.S. and Japanese companies at the Japan workshop at the 1982 Annual Meeting in San Francisco. LES helped me to resolve the Japan issue.

“I had an immediate benefit. At the 1983 Eastern meeting at Williamsburg, Ken Payne asked me if I would be interested in becoming more involved in LES. I said, ‘Yes.’ Then, everything moved very, very fast.

“I formed a new committee ... then moved to chair the China Committee ... in 1986 Larry Evans asked if I would co-chair the 1987 China Symposium. I agreed. This was followed by the China delegation, which presented intellectual property and technology transfer symposia in five cities in China in 1988. I became a Trustee for one year and then Secretary for three years. And here I am.”

B.I. (Woody) Friedlander’s experience was a little different and perhaps more stressful. He told his story at the 1991 Annual Meeting in San Diego, where he was elected President of LES (USA & Canada). Woody, then employed by Union Carbide Corporation (and later forming his own Venture Insights organization), joined LES in 1972. He spoke at LES seminars and attended Annual Meetings with his corporate boss the next four years.
“Then, one fateful day in 1979 some guy named Bill Riley (LES President-Elect) ... asked if I would work on the Annual Licensing Course given by LES and AMA and assist the chairperson (in those days it was a chairman) that Spring and perhaps I would become the Chairperson the following year.

“It would only require five days at the seminar plus some organizational time! My boss said okay. So I listened to the speakers, helped with the arrangements, moved chairs and hung posters. I became Chair of the committee.

“We changed the course format to include a number of speakers on different topics, did away with a two-day basic and three-day advanced course and went to a three and a half-day advanced course and went to a three and a half-day format. We disassociated ourselves from the AMA and began what is today the Spring Technology Transfer Seminar in New York City. It was a busy couple of years. . .

“After three years of seminars I was asked to help organize local meetings in the Eastern Region as Vice-President-Eastern.”

Woody then served as program chair for an annual meeting and assisted with seminar and other meetings, and then was asked to be LES secretary.

“It was like quicksand,” Woody wrote. “The more active you were, the deeper in you got. My boss signed my expense accounts, but he was convinced that I was a paid employee of LES . . .”

Woody concluded his good-natured report on his volunteerism experience with this summation, “The Society provides an immeasurably valuable network for doing business and making personal contacts . . . The Society provides a wonderful personal network for us all. Work in the organization and build your network.”

Woody’s enthusiasm drew another licensing professional into LES, and that professional became active and eventually was elected President of LES (USA & Canada). Emmett J. Murtha took office in 1999 at the San Antonio meeting. Here’s how he describes his experience:

“Our local chapter chair, Woody Friedlander, . . . drew me in with speaking invitations and other tasks at local and seasonal meetings. LES loves a ‘volunteer,’ one job led to another, and here I am today. Recently, my friend Kathy Ku of Stanford (University) reminded me of a conversation in the late 1980s in which I said ‘LES was trying to get me more involved.’ In retrospect, this was an understatement, and my
experience is one I would wish for all LES members. Here is a promise to our newer members: get involved! You will grow in your professional knowledge, and you will make many new friends in the process, as I most certainly have . . .”

Mark A. Peterson, in the 1991 LES (USA & Canada) Annual Report, contributed this insight into benefits of membership in the Society: “When I joined LES, my sponsor gave me what has proved to be sage advice. The advice was, what you get out of LES is in direct proportion to what you put in. That advice has been echoed to me by the actions and dedication of the many LES members who donate their time and efforts to see that the programs sponsored by LES are of the highest quality.

“I encourage those in LES to get actively involved in the organization, particularly at the local and committee levels. This is what will keep the LES experience a valuable one for years to come.”

The vital contribution of volunteers, which began before the Society’s Charter Meeting and became a valuable tradition is exemplified with the following recognition published in the May 1967 issue of les Nouvelles. When President Dudley B. Smith wrote: “Your President, having just returned from attending each of the LES Section meetings, would like to take this opportunity to congratulate the committee men and speakers who arranged the Section meetings. While the subject matter varied materially from meeting to meeting, the quality of the presentations and arrangements were of uniform excellence. From all of us in LES, a sincere ‘Thank You’ to each of you . . .”

**MAGIC ROLE OF COMMITTEES, SECTORS**

Committees and Sectors provide the invaluable framework that creates the shape and size and structure that makes an organization function and succeed. How well all the elements are conceived and connected and organized determines how efficiently that structure and the body it covers operates.

LES’s history indicates a great respect and dependence on committee support to achieve its goals and purposes.

In 1987, President Gary Lande wrote in les Nouvelles that the “committee structure is the very essence of LES (USA & Canada) . . . if LES is to be successful . . . it
is of the utmost importance that every committee have active members who are willing to work very hard in making sure that the committee performs ... “

Dan Stice, first president of LES, said it well when he wrote in the second issue of les Nouvelles: “Fundamental to the original concept of LES... was the hope that people with common interests would get to know each other and have a chance to communicate, individually or collectively. The value of this informal communication between the members and the organizations they represent should not be overlooked, and I personally hope it is fostered.”

President Stice’s hope has been fulfilled countless times in LES history through the organization’s many committees of volunteers working together on get-togethers of committees largely molded by member professional interests, organization-oriented committees, general membership meetings, and a growing number of local chapters. The designations of some committees changed over the years with the member makeup of the groups, their professional interests and objectives, and the social and family activities of the members.

The first committees, created for organizational purposes, were appointed at the LES Charter Meeting in October 1965, but professional committees grew exponentially. By 1974 there were some 28 committees with such licensing profession subject titles as Arbitration, U.S. Developments, EEC Developments, Franchising, Laws, Research, University-Industry Licensing, and University Licensing. Since then many others have been created and deleted as needed.

LES committees have been often recognized and saluted by the LES leadership for their immeasurable contributions. Typical recognition was that by President Gary Lande, who wrote in the 1988 Annual Report, “I have been a member for many years, but it was not until this year that I appreciated the vast amount of work done by our committees ... Suffice it to say, the committees are the heart of our Society, and all have done a tremendous job this year.”

By 1995 the list of committees had expanded to 72 in addition to 31 local chapters. President Gayle Parker reported 21 of these were Society “work committees,” e.g. audit, bylaws, membership, etc. in which members agree to perform a task for the Society. He reported there also were nine Planning and Education, 22 Business and Professional Interest groups, eight International Affairs committees, and other committees.
“Surely, there are numerous interest groups here for each and every one of you that would directly help you in your current and future activities in your profession,” he wrote in Viewpoints. “For your own good you should get involved.”

Many members join committees not only to network and make friends with other members but also to contribute to the welfare of the Society. All the committees are designed to offer these opportunities. Although surveys, such as one conducted by the Strategic Issues Committee in 1998, suggest many members believe committees do not contribute significantly to their LES experience, a majority of respondents expressed interest in committee participation.

President Edwin A. Shalloway noted in Viewpoints in 1995, “It is hoped the local meeting committees will continue providing frequent opportunities for LES members to have programs on a ‘grass-roots’ level. They enhance our educational objectives and stimulate active participation by the membership in our Society.”

The ever-changing Society organizational landscape was refigured in 1997 when the word “sector” was officially added to the Society’s organizational vocabulary to better recognize more member interests and communicate broader participation in industry-specific activities. Included were the chemicals, plastics and allied industries group organized years before by Willy Manfroy. Eleven business and industry groups that had been called committees were changed to sectors. President Tom Small said each was intended to be a forum for focused educational and networking activities.

The new sectors included: Health Care; Chemicals & Polymers; Computer Industries; Electronics Industries; Telecommunications Industries; Energy Industries; Biotechnology Industries; Animal, Plant and Food Sciences Industries; University; Environmental Industries; and Aerospace/Transportation Industries.

The missions and objectives of committees and sectors are updated and kept relevant to reflect membership interests. The next year after the sectors category was created, President Ron Grudziecki consolidated the Internet and Telecommunications and Electronics Sectors into one committee and renamed it the Information Technologies and Electronics Industries Committee, because the communications and Internet industries were merging.
And in another example of how committees benefit members and how committees stay abreast of changing member interests, in 2001 the LES University Sector was restructured to become the University/Industry Transactions Committee. The change attracted more industry members to the committee, an efficient place for examining transactions between University and Industry professionals.

Lynda Covello, committee chair and LES (USA & Canada) Trustee, explained that university and industry professionals come to the table with different missions. The university professional focuses on development and dissemination of knowledge, while an industry professional looks for an asset that can become a revenue producer. The Industry/University Transactions Committee provides a forum where people can meet and discuss issues that arise from doing deals together.

Lynda explains the committee has programs that assist industry professionals “navigate their way through scientists, sponsored research departments and internal decision making at universities. University representatives are informed about industry issues, especially the financial aspect. The committee presented a “Success Stories” program that drew more than a hundred attendees at the 2000 Annual Meeting in Toronto.

THE MEMBERSHIP AND WHAT IT WANTS

It did not take long for Dudley Smith, Dan Stice and other early leaders to want to know and understand their membership better and to confirm the new organization was effectively responding to the needs and expectations of its members. This sensitivity was carried forward by almost every administration, and the results helped leaders keep the Society current and responsive to the membership and profession.

In 1969, the LES Research Committee, chaired by Edward G. Fronko, sent a questionnaire to each of the Society’s 731 members, getting a 41.5 percent response, considered statistically good. Among the many statistics in the extensive report were the following.

Education-wise, 48 percent held degrees in engineering and the sciences, 32 percent in law, 20 percent the arts. Regarding age, 98 percent were over 30, 23 percent over 50, and the median age was 44. The survey found 39 percent reported job
titles of attorney, patent counsel or general counsel; 25 percent as manager or director of patents and/or licensing, and 11 percent as vice-presidents, assistants or corporate officers. Almost 25 percent were individual contributors; 54 percent reported having one to 10 employees reporting to them. Respondents listing licensing as their prime function totaled 54 percent, 29 percent listed law.

Education was reported as the most important aspect of LES membership with 80 percent wanting to learn more about licensing techniques; 57 percent on licensing management, and 54 percent on drafting documents. Of high interest, Edward Fronko reported, was the expectation of 67 percent of the members of exchanging views on licensing experiences, especially with foreign countries.

A mere three years later, in 1972, LES members were again surveyed. Some 1,390 questionnaires were mailed; responses totalled 41 percent, about the same as the earlier survey. In a preliminary report based on a partial review of returns, William F. Pinsak, Long-Range Planning Committee chairman, reported that two-thirds of respondents were corporate employees, with the remainder in private practice (law, license brokers, consultants), although approximately one-half reported a legal background. Members requested regional meetings, which were scheduled a short time later.

In 1978, a detailed and insightful survey, based on 475 responses from 1,305 members (36 percent), was undertaken for the Long-Range Planning Committee by John R. Stock of Battelle-Columbus Laboratories, who reported statistics on many aspects. Among them was the median number of years respondents had been involved in licensing was 11 years, the median age category was 46-50 (slightly higher than 1973), 70 percent reported employment by corporations and 17 percent by law firms (the remainder by consulting firms), and 25 percent were involved in licensing full-time and 75 percent part-time. The majority of the latter group indicated their primary duty was legal.

Mr. Stock also reported that respondents reported education and information was the most important activity of LES, with personal contacts second. They reported these preferences: licensing techniques, first; antitrust law, second; drafting agreements, third; patent law, fourth, and technology evaluation, fifth. They reported obtaining most education and information through les Nouvelles, first; annual meet-
ings, second; private contacts with other LES members, third; and through regional or chapter meetings, fourth.

Networking was ranked high, and four benefits of the contacts rated approximately equal: learning skills and knowledge, facilitating licensing work, identifying and extending business opportunities, and developing professional friends and acquaintances.

In 1984 and 1987, surveys directed at licensing experience in developing countries were conducted. The later survey of the then 2,214 LES (USA & Canada) members, received 270 responses and was intended as a helpful tool to inform LES members of others with licensing experience who are willing to share or at least discuss that experience to assist others dealing in a specific country. The name of the participants, their field of experience, and the countries they had experience in were published in the blue pages of the March 1998 les Nouvelles.

While the 1984 survey of licensing experience in developing countries showed a concentration of interest in Korea and Taiwan, the 1987 survey showed interest concentrated in the People’s Republic of China, with more than 51 percent indicating experience there; India drew the second highest response, followed by Korea and Taiwan. Twenty-six members indicated experience in Saudi Arabia, more than triple the number in the 1984 survey, although little interest was reported in other Middle East countries.

LES (USA & Canada) again looked closely at its membership in 1990 when the Long-Range Planning Committee, led by J. Terry Lynch and Jack Barnes, x-rayed membership interests and makeup. They sent 2,750 questionnaires and received 1,364 responses.

The results caused 1991 President David S. Urey to comment in les Nouvelles: “Did you know that 8 percent of our members are engaged in university licensing; that 20 percent are PhDs; that 40 percent specialize in medical, pharmaceutical or biotechnology industries and another 20 percent are in the closely related chemical industry (what happened to the railroads, steel, and machine tools?); that nearly 10 percent of our members are from Canada and another 50 percent are in the Eastern Region of the U.S.”
A detailed report in the March 1991 *les Nouvelles* also showed that an ever-increasing number of companies and governmental bodies were realizing they needed to protect their intellectual property rights to successfully compete globally. The results showed 75 percent of members involved in international licensing, a third of these in Pacific Rim countries and half in Europe. Few reported working with organizations or companies in South America or the Soviet Union. The membership employment broke down as 65 percent corporate; 10 percent university-related; 2 percent government; 22 percent private law practice, and the remainder private consulting.

Regarding LES participation, 11 percent said they served as an officer, trustee or committee chairperson; 29 percent served on a committee; 60 percent attended a regional, national or international LES meeting in the prior three years.

**WOMEN MEMBERS TAKE ACTIVE ROLE, LEADERSHIP**

While firm numbers are not available nationwide, it is generally thought the numbers of women members of LES has kept pace with the growing number of women employed in the technology transfer profession, particularly in the biotechnology and pharmaceutical industries. It can be noted, however, that there has always been a female member in LES, beginning with Thelma Heatwole, the first editor of *les Nouvelles* and a charter member who was employed by Philip Morris in Richmond, Virginia. In the late 1960s and early 1970s, Joyce C. Jones of the Massachusetts Institute of Technology was a member of the LES Membership Committee.

Since LES records do not reflect gender, other earlier members are not identified. Kathryn Ku, who had just joined the Stanford University licensing organization, became an LES member in 1991. Kathy, a frequent speaker at LES meetings and seminars, became active in local and regional LES activities and served on the Board of Trustees and as Vice-President-Western Region in 1989-1990. She became Director of Licensing at Stanford in 1991, following Niels J. Reimers’ retirement.

The 1990 membership survey of 2,750 members showed just under 10 percent were women. The growth prompted President El Grattan, in his 1993 Annual Report, to note, “An increasingly diverse membership (including higher numbers of ... females), which I regard as a sign of strength not only for the future of the Society but also for our profession.”
Woody Friedlander, 1992 President, recalls female membership numbers began growing in the 1980s, and during his term a long-range plan for the Society was developed that delved into changing demographics of the Society. One issue was a forecast that, as the number of women members grew, and assuming they had working spouses, the high ratio of spouses attending LES meetings would plummet. “In the old days,” Woody recalls, “we had 70 percent attending spouses. Now, at a recent annual meeting we had 1,200 registrants and only 200 spouses.”

Again, in 1996, President Willy Manfroy reported changing demographics to members at the Annual Meeting in Puerto Rico. “As I look out, I see ... more young faces and more women. These changes are much welcomed, and will increase our diversity ... one of our organization’s prime assets. This diversity will, over time, transition into changes in committee and chapter chairs, and in the composition of the Board.”

Many women members have contributed enthusiastically on the Board of Trustees and in committee leadership. They include Carol B. Wallace of Buckman Laboratories International; Varda N. Main, Rochester Institute of Technology; Cathryn Campbell, Campbell & Flores LLP; Marcia L. Rorke, Mohawk Research Corporation; Kathleen A. Denis, The Rockefeller University; Arlene M. Morris, Clearview Projects; Linda P.S. Covello, Margolis Covello LLP; Mary Beth Cicero, MarketSense, and Ada C. Nielsen, BP Chemicals.

Women were elected to office-level positions as well. As noted above, Kathy Ku was a Trustee and became the Vice-President for the Western Region in 1989-1990. Cathryn Campbell, who had been a Trustee several years, followed Kathy Ku by later becoming Vice-President, Western Region, serving from 1996-1999. In 2000, Kathleen Denis, a several-term Trustee, was elected Vice-President, Administration; in 2001, she was the first to be elected to the newly created position of Regional Vice-President (U.S.), and Lynda Covello became Vice-President-Education. In the 2002 election, Kathleen Denis became the first woman member to be elected President-Elect, and Lynda Covello advanced to Vice-President-Administration. In 2003, Kathleen Denis was elected to serve as President through 2004.

Indeed, the wishes of prior leaders were being met as LES (USA & Canada) began the new century.
CHAPTER 8

MEETINGS WITH SPIRIT; EDUCATION MISSION

Abe Fortas, former Associate Justice of the U.S. Supreme Court, spoke at the LES (USA & Canada) Annual Meeting at The Breakers hotel in Palm Beach, Florida, in 1977, only a dozen years after the organization’s founding, and said the following:

“You have opened a new chapter in history by the nature and scale of your activities. You’ve engaged in what is inadequately called the transfer of technology, i.e. the worldwide exchange of industrial and technical skills, of plants and physical facilities; and in the cross-national training of people to utilize the skills and produce the products which, without your efforts, would remain the parochial possession of a few nations and of limited groups of people.

“What you are doing is new, not because the transfer of technology between nations and peoples is new — it is probably thousands of years old — but because of the scope and dimensions of your work and the complexity of the skills that are its subject matter.”

Indeed, and the scope and dimensions of work and the complexity of the required skills of today’s licensing professionals have grown and expanded in the nearly three decades since Justice Fortas spoke those words. And it is likely that in the next 30 years, technology transfer historians will be able to repeat those words and again describe additional years of advancement. That forecast can be written today because of the achievements, enthusiasm, spirit and volunteerism exuded by members from the beginning, and the proven determination that LES will provide the needed education and information-exchange opportunities for its members.
MEETINGS, THE LAUNCHING PADS

Meetings are a traditional source of education and personal and professional relationships in LES. They offer seemingly limitless opportunities for growth and advancement. And they are offered in all shapes and sizes.

LES members network at the annual meeting business luncheon during the 1988 Annual Meeting on Marco Island, Florida.

“Large” meetings were a concern of some leaders as far back as 1969, when President A.W. “Al” Schaich, with Society membership at 855, noted the “disadvantage of a large organization with its attendant large meetings is the substantial reduction in the opportunity for face-to-face swapping of experiences with your counterparts in the licensing profession.” To offset this he urged the three regional Vice-Presidents of LES to initiate informal luncheon meetings in major metropolitan areas where eight or ten members could meet.

It’s a philosophy emphasized diligently and strategically well honed through the years by every LES administration. Regional meetings, in recent years known as seasonal meetings, local chapter meetings in communities, seminars, and many committee and sector meetings throughout the U.S. and Canada, in addition to the major seasonal and annual meetings, which in recent years have featured day-long “Add-On Sessions,” have brought greatly focused education and networking opportunities literally to members’ doorsteps. Importantly, and vitally so, for the most part it has hap-
pened because of the volunteerism and spirit of members, who pulled the sessions together with only tangential professional help.

LES members perhaps benefited most because programs were designed and pulled together enthusiastically by fellow professionals “on the firing lines” who were knowledgeable and competent regarding current issues. The 1996 Summer Meeting held in Asheville, North Carolina, for example, attacked, “Information Superhighway Applications in Health Care – Telemedicine for Tomorrow.” Meeting Chair Michael D. McCoy wrote in les Nouvelles, “Electronic communications are revolutionizing health care. This meeting blends health care, communications, and computers to illustrate how licensing professionals must expand their technological bases to meet the telemedicine challenges of tomorrow.”

Simpler, more intimate meetings became popular. One example was related by 1988 President Gary E. Lande: “A major function of LES (USA & Canada) is education. This was certainly fulfilled in the recent and very successful Canadian Regional Meeting in Ottawa. This meeting went back to the old format of having an inexpensive one and one-half-day meeting. However, even though the program was relatively short, the content was long on the practical aspects of licensing ... It was a meeting that all LES members would be proud of.”

In 1989, then-President Vance Smith urged local chairpersons to structure meetings focused on licensing issues for small businesses, and such conferences were held in Milwaukee, Cleveland, and Edmonton, and others were planned by other local chapters.

Local meetings received continued emphasis, and in 1990 President Platon Mandros reported in the Annual Report that there had been 41 such meetings at some 20 locations throughout the U.S. and Canada. “This demonstrates a willingness and interest by our members to participate at the local level. For many who, for one reason or another, do not attend our annual or regional meetings, these local meetings provide the only meaningful opportunity for interaction with other LES members...

“Apart from the education and interaction of our own members, another important feature of our local meetings is to acquaint others, including government and small-to-mid-size business managers, with the importance and usefulness of intellectual property licensing.” President Mandros then cited as an example the Philadelphia local meeting where Pat Harsche and Andy Ney organized a one-day conference
directed to “Licensing Strategies for Small- and Mid-Sized Companies.” He noted most attendees were not LES members.

Four two-day symposiums, organized by the LES Symposium Committee, co-chaired by Edwin A. Shalloway, Larry W. Evans, and Robert Goldsheider, were held to highlight positive aspects of the technological interactions and potentials between the United States and Canada and other regions. The first two focused on licensing issues involving The People’s Republic of China (1987) and the new Free Market Economies of Czechoslovakia, Hungary and Poland (1991), and Technology Rivalries and Synergies Between North America and Japan (1993), and Licensing Under the European Block Exemptions (1994).

Each symposium was tape recorded and the co-chairmen edited them and had their offices transcribe them, and four books were published. “It was a lot of work, but committees put in a lot of independent effort,” recalls Ed Shalloway.

LES has held Technology Transfer Seminars for some 30 years in New York and Boston, and in 1991 President David S. Urey reported, “As usual, the New York Seminar was oversubscribed and was limited to 70 participants. Elton Dry orchestrated the presentations by some of the Society’s most astute and articulate speakers.” The multi-day program, designed to provide a solid foundation for persons entering the profession or seeking a fundamental understanding, was expanded in 1994 by President Mel Jager to include a similar seminar in San Francisco at the World Trade Club. This additional West Coast seminar eliminated the need for interested students in the western part of the United States and Canada to travel to New York for the program. Both educational events, taught by LES volunteers, consistently record sell-out attendance and enjoy high ratings by attendees. They continue today.

Add-On Sessions, usually day-long get-togethers devoted to specific subjects and scheduled the day before or day after seasonal or annual meetings with an additional fee, have been extremely popular. Importantly, they result from solicitations of topics and outlines from members who want to make their presentation to others and are filtered through committees for approval. What better way for the membership to learn than from someone who is an expert and has current first-hand knowledge and experience to pass on? Add-On Sessions are taught by LES volunteers. One of the earliest Add-Ons was the Health Care Seminar held in 1994 at the regional meeting in Williamsburg, Virginia, which was organized and chaired by meeting
chair Ron Grudziecki. As an example of the variety of Add-On subjects offered, at the 1997 Annual Meeting seven were available: Introduction to the Real World of Licensing & Strategic Partnership, Robert Goldscheider, chair; Intellectual Property Management & Exploitation in Japan, Roger Taylor, chair; Strategic Alliances, Julia Oliver, chair; Problematic Clauses in BioTech Licenses for the Advanced Practitioner, John R. Wetherell, chair; Digital Contracting: Protecting IP in the Digital Age, Varda Main, chair; Intellectual Asset Management: Best Practices, Roger Hailstone, chair; Valuation of Intellectual Properties: Case Studies, Sam Khoury, chair.

The day before the 1995 Annual Meeting, Tom Arnold, 1980 President, led a 10-hour add-on course on mediation. Sponsored by the Alternative Dispute Resolution Committee, it featured lectures, audiovisual materials, and practice mock mediations. The add-on was a sellout.

The one-day Third Annual Healthcare Licensing Conference, the day before the 1998 Summer Meeting, drew almost 400 attendees.

The 1999 Winter Meeting was held at the renowned Silverado Country Club and Resort in Napa, California. Two add-ons were offered, one on health care and the other on electronics, both the result of Western members in those industry groups requesting LES-style meetings in venues close to their concentration. Both were highly successful.

The Silverado meeting featured Plenary speakers and workshops. Among speakers was Michael R. Greene, Vice-President—Intellectual Properties for Lucent Corporation, speaking on leveraging IP for the communications revolution.

The 1999 Winter Meeting Health Care add-on at Napa was a sell-out.
The LES Intellectual Property Valuation Seminar, a unique presentation pulled together by members of the Washington, D.C. Chapter and the Valuation Committee of LES, was held in 2000 in Washington. The event discussed basic and advanced IP valuation techniques that are meaningful and useful in many professions. Speakers were licensing executives at DuPont, Mobil Oil, and Deloitte & Touche, and other organizations.

In 1979, LES (USA & Canada) launched a lecture service at the Annual Meeting in the memory of Marcus B. Finnegan, who had died earlier in the year. The lecturer, a long-time friend of LES and Marc, was 1961 Nobel Prize winner Dr. Melvin Calvin, a biochemist who detected the crucial phase of photosynthesis that now bears his name.

A unique lecture series established by the LES Foundation was announced in 2001 by Trustee Richard Razgaitis, who was instrumental in establishing the Foundation. The annual series is entitled the Dudley Smith Licensing Lecture Series, in honor of Dudley as a founding member of the Society and long-time LES leader. More detail about Foundation achievements are reported in Chapter 13 of this History.

Joint meetings with other professional groups, such as the Association of University Technology Managers (AUTM), are scheduled regularly so professionals in both organizations keep abreast of developments affecting technology transfer.

**ANNUAL MEETINGS MOST POPULAR**

Annual Meetings, most often held in October and occasionally September, have evolved in style and content as the LES (USA & Canada) membership numbers grew and changed. In early years of the Society, when technology licensing was newly recognized as a potential source of income by many major corporations, members often were ranking corporate managers, patent department officers, senior law firm partners. Luxury resorts and occasionally offshore locations were favored meeting sites.

Comparatively small early on, annual meetings grew with the membership, and corporate managers and partners of large law firms played a greater role. Attendance of accompanying persons averaged more than 50%.

In 1989, LES (USA & Canada) held its annual meeting, scheduled years before, for the first time in Hawaii and on the island of Maui at the Hyatt Regency. Its
theme was “Technology Transfer With the Pacific Rim – Risks and Rewards” and fea-
tured special workshops dealing with licensing in the Far East.

1989 LES (USA & Canada) President Vance Smith named Melvin F. Jager, who would later become vice-president, then President of LES (USA & Canada) and in 2003 President of LESI, general meeting chairman. He was assisted by a commit-
tee: Jack Barnes, Program Chair; Ron Coolley and Dick Lione, arrangements; Jim Buchanan and Bill Lee Jr., workshops; Steve Cagle, travel arrangements; Bob Schroeder, sports; Jean Schroeder, women’s sports; Ginny Jager, accompanying persons program; Mike Lane, special events, and Paul Wylie, publicity.

The Society returned to Hawaii for its 1994 Annual Meeting at the Hilton Waikoloa Village Hotel on Waikoloa Village on the Big Island. With three days of plenary sessions, 70 workshops to choose from, seminars and post-conference “add-ons” to address the “Licensing on the Pacific Rim” theme, attendees had little problem justifying the travel. The meeting drew 750 attendees with more than 500 accompa-
nying persons.

Meeting Chairman Tom Small and his committee chairs, including Em-
mett Murtha, Program Chairman, and Workshop Co-Chairmen Richard Razgaitis
and James O’Shaughnessy were commended by President Mel Jager at the annual LES Business Meeting.

The traditional sports afternoon proved highly popular as well: 130 golfers, 42 boaters, and 40-60 tennis players took advantage of the perfect Hawaii weather. Networking programs and outings also were popular and memorable, particularly the evening waterfront picnic in which President Jager, standing and clothed humorously as the “Big Kahuna” and his wife Ginny came ashore from the Pacific Ocean standing in a small dugout canoe as the sun set in the background.

Annual meetings traditionally are well attended by former Society leaders who turn out to assist and support the current leadership. Sixteen former Presidents were counted at the 1993 Annual Meeting in San Francisco: Dan Stice, Dudley Smith, Norm Jacobs, Bill Poms, Len Mackey, Niels Reimers, Tom Arnold, Bill Lee Sr., Larry Evans, Sam Layton, Gary Lande, Vance Smith, Platon Mandros, David Urey, and Woody Friedlander.

A long-standing and much-anticipated bit of good-natured fun-poking occurs during a reception in the President’s Suite one evening at each annual meeting when
Past-Presidents gather and take turns “roasting” the outgoing President by relating anecdotes to attending friends and invitees and placing humorous gifts and costume items on the newest Past-President.

**Networking: Highest Rated Value**

LES members responding in the 2002 survey rated networking as the highest valued feature of annual and seasonal meetings. No surprise there, based on previous member surveys going back to 1969, when 67 percent of the membership said exchanging views of licensing experiences, especially of foreign countries, was of high expectation. And it matters not how the question is asked. When surveyed in 1999 regarding what they valued most about annual and seasonal meetings, 58 percent of the members rated networking highest, the same as the previous three surveys. Workshops came in a distant second. Asked to comment what they value most in LES, networking and contacts are repeated over and over.

The 1977 membership survey provided insight into the value of networking by asking respondents to rate four uses of personal contacts: Learning skills and knowledge received top rating; facilitating licensing work, second; identifying and extending business opportunities, third, and developing professional friends and acquaintances, fourth.

Networking was recognized from the beginning as a highly valued and necessary aspect of intellectual property and technology transfer. It is essential that licensing professionals meet to exchange ideas, discuss professional issues, and in general make friends. LES makes this possible globally through its communications and meetings.
Teri F. Willey, Associate Director, Purdue Research Foundation, Office of Technology Transfer, summed up networking well in an article in the 1992 LES (USA & Canada) Annual Report:

“Recently, I sponsored an individual into LES membership. He commented to me that he had read the purpose of the organization and was pleasantly surprised. I suppose he hadn’t expected such a hardened group of capitalists to have such honorable aspirations. For ease of reference, the LES purpose states:

“To function as a nonprofit professional and educational society encouraging high standards and ethics among persons engaged in the domestic and international licensing and other transfer of technology and intellectual property rights. To assist the individual members ... in improving their skills and techniques in licensing through self-education, conduct of special studies and research, sponsorships of educational meetings, publication of articles, reports, statistics and other materials, and exchange of ideas related to domestic and international licensing and other transfer of technology and intellectual property rights ...”

“I responded that I had found the members I had interacted with to reflect this creed. In fact, this is one of the strongest ‘Why LES’ reasons – the people. We use the buzz words of ‘network’ or ‘contacts’ or maybe even ‘the directory’ to describe this. In practice, of course, it is the people who make participating in the organization worthwhile. It has been my experience that if one needs a contact in a company, one can always start with an LES member in that company. Even if it’s not the right person for the particular situation one is in, the LES members I have ‘cold-called’ are incredibly helpful in finding the right one ... LES offers many opportunities to meet fellow licensing professionals.”

Social programs of all kinds during meetings have always been emphasized to provide forums for networking. Typically, the evening of the first day of the meeting was devoted to a theme event, ranging from a beach party in Hawaii to a cookout at a Texas ranch, Halloween costume party, or other fun, informal social gatherings. President Edwin A. Shalloway, as others have also reported, said he received many compliments from attendees “for the social activities setting that encouraged networking in a very relaxed and informal atmosphere.”

In the 1998 Annual Report, President Tom Small wrote: “There is no doubt that LES offers outstanding educational opportunities at its meetings. Moreover, each
of these meetings affords a variety of opportunities for networking, ranging from industry-specific workshops and cocktail parties to gatherings of all of the registrants at receptions, banquets and extracurricular activities. Even our coffee breaks now sometimes are referred to as ‘networking sessions’ for business and social contact.”

New members get special attention at meetings. Beginning early in LES, the first night at Annual Meetings was dedicated to new member meetings, where members new to the organization, easily identified with a unique badge design, were given a special reception with ample opportunity to meet other members and Trustees and Officers. Success and expressed appreciation by members encouraged the tradition to extend to regional and seasonal meetings.

When he became LES (USA & Canada) President in 1988, Vance Smith wrapped up networking and socialization aspects of LES when he recalled his experience at his first LES annual meeting as a young attorney 16 years earlier:

“I attended the first part of this meeting without my spouse. Committee members were invited to come early and meet with the chairmen. I knew very few people in LES, and it was nearing dinner-time when I realized that most had previously made dinner arrangements. I was feeling the victim of benign neglect when suddenly a white-haired gentleman grabbed my hand and invited me to join him and
his wife and others for dinner. For the next couple of hours he and his wife Betzi made me feel comfortable and part of the group. Marc is no longer with us. I am sure Marc never knew the impact on me of that invitation.

"Marc's welcoming hand to a new member, while certainly epitomizing an endearing trait of his, is characteristic in LES. That trait abounds in this Society. Relaxed social networking is a fundamental characteristic deliberately woven into the fabric of LES by that initial group that met in 1965. Meeting one another in various social settings offered at our meetings paves the way for the development of many solid business relationships. We should never forget this profound fact."

A major networking opportunity traditionally climaxes Annual Meetings by way of a formal ("black tie preferred") banquet at which all attendees are invited. Table-size groups of members and guests reserve seats so they can dine together in a social atmosphere that includes live dance music and often a brief awards ceremony.

LES members and their wives enjoy the formal dinner dance at the 1990 Annual Meeting.

**ACCOMPANYING PERSONS AND 'SPIRIT'**

Accompanying persons did not receive much attention in planning the very first meeting when the 80 Charter Members got together at Hollywood Beach, Florida, in 1965. But spouses were welcomed with open arms at the second meeting in 1966 in New Orleans. The meeting program announced by Dudley Smith and Bill McGuigan listed speakers and workshops and said "200 of your fellow licensing men with whom
to swap experiences” were expected. Then the program asked, “Who else? Your wife, of course. We expect 75 wives. Special wives’ programs for both days!”

And so began the tradition of emphasizing spousal attendance and developing special programs for guests while the member spouse attends the educational program. Spousal activities typically have included receptions, licensing introductions and updates and tours to make the visit informative as well as enjoyable. Later, as more women became LES members and they brought their husbands, the spousal description in meeting programs changed to “accompanying persons.”

LES members and their accompanying persons enjoy a luau at the 1989 Maui meeting as well as becoming cowpokes at the 1999 Annual Meeting in San Antonio, Texas.

As reported elsewhere in this history, membership surveys in the 1990s confirmed a changing technology transfer profession with added business areas such as biotechnology, electronics, health care, pharmaceutical, and aero/transportation. The changes were reflected in the makeup of attendance at meetings.

Records show, for example, that for the years 1997 through 2002, registrations for annual meetings averaged almost 1,100, while the number of accompanying persons during those six years dropped from a high of 433 (33 percent of registrants) to 235 (22.3 percent) in 2002. There was speculation that perhaps this reflected a growing number of members whose partners also were employed and therefore less able to adjust their schedules to attend.

Also, there was speculation that since the 2002 meeting was held in a city, Chicago, rather than a resort setting, partner attendance was discouraged. With some west coast exceptions, city locations traditionally have recorded lower accompanying persons participation. However, a membership survey in 2002 indicated the mem-
bership did not rate the resort versus urban location as highly important (rated 3 on
a scale of 5). And during the six years from 1997 through 2002, the lowest attendance
was at the 1998 meeting at Miami Beach, a very popular resort attraction, although
the accompanying persons attendance was average. Another thought explaining the
lagging accompanying persons attendance, beginning notably in 2000, was a slowing
national business economy, which discouraged pleasure spending by individuals.

Traditionally, the accompanying persons program, usually chaired by the
reigning President’s wife, includes a wide variety of activities, often tours, depending
on the location. The 1997 Annual Meeting in San Diego offered 23 tours in addition to
a sports schedule, continental breakfasts, and access all day to a hospitality suite.

In response to needs of members with young children, childcare began be-
ing offered in the 1990s. In 1995, when the Annual Meeting was held at Disney World
at Orlando, Florida, children five and older could have an LES “Youthpass,” which
permitted them to attend many LES social functions. Child-care arrangements also
are made available through the hotel.

**SPECIAL AWARD TO ESTHER SMITH FOR ‘VOLUNTEER SPIRIT’**

At the 1986 Annual Meeting a special award was made to Esther Smith, wife
of Dudley B. Smith, for her long service to the Society. President Larry W. Evans, in
presenting her with an LES Pendant with gold chain, said, ”... The person we are
honoring is not a member of LES. She is a person who exemplifies more than anyone
the ‘Volunteer Spirit’ of our Society ... an individual who has given more time, effort
and ‘tender loving care’ to LES since its founding in 1965. Esther, the reason for this
award is that LES appreciates all you have done for it and we want you to know it.”

This presentation to Esther Smith started a tradition that continues today
of presenting the spouse of the out-going president with a gold LES pendant or pin
at the formal dinner dance on the last day of the annual LES meeting. The present is
meant as a “thank you” to the spouse for the support given to the past president dur-
ing the many years of LES activity leading up to the presidency.
LES-SUPPORTED EDUCATIONAL PUBLICATIONS

LES has for many years maintained a proud record of supporting publication of educational publications to promote advancement of the technology and intellectual property licensing profession. Perhaps the earliest book was “The Law and Business of Patent and Know-How Licensing,” which was prepared jointly by LES members, led by Marc Finnegan and co-edited by Brian G. Brunsvo. It was published in early 1973 for use in the graduate-level course on licensing taught to students at George Washington University Law School. Profits from the sale went to the LES treasury.

In 1975, the first in the long-lived series of books called The Law and Business of Licensing and targeted at the fast-growing professional audience, was published for LES by Clark Boardman Company, Ltd. The volumes contained articles reprinted from les Nouvelles, with a few from other publications. Among the editors of the series were Robert Goldscheider, Tom Arnold, Robert Whipple, William Poms, Homer Blair, Norman A. Jacobs, Jay Simon, Larry Evans and Woody Friedlander.

In 1987, the International License Negotiation Thesaurus, a collection of licensing words and phrases often used in patent technology license negotiations was published in les Nouvelles by the LES International Patent and Technology Licensing Committee, chaired by Cruzan Alexander, 1984-1985 president of LES (USA & Canada).
Another highly successful book, entitled “ Licensing – A Strategy for Profits,” was published in 1990 and authored by Edward P. (Ted) White, a long-time LES member and officer. Written in non-legal language for the business executive, the book dealt with interests and problems of small and mid-size companies and start-up companies. It covered the strategies, advantages, and disadvantages of licensing, with supplementary attention to franchising and joint ventures. Funded by the LES Endowment Fund, proceeds from the sale went to LES and The Franklin Pierce Law Center, which co-sponsored the publication.

**Videotapes**

LES education “publications” include two videotapes produced in 1988. The first was produced in coordination with the Education Committee chaired by Paul Bell, and recorded the Basic Licensing Course. It was available to new members.

The second was produced in 1988 by Guy J. Houle, LES (USA & Canada) Trustee, and related the licensing of an invention by a Canadian joint venture to a Japanese company. Employing professional actors and an award-winning production company, the video was produced to indoctrinate executives of small and medium businesses, universities, inventors, and the general public to the discipline of licensing. Funding was provided by the LES (USA & Canada) Endowment Fund, the Institute of Electrical and Electronic Engineers (Canadian Region), and the Industrial Innovation Center of Montreal.

**University Licensing**

Technology licensing at universities took a major leap forward with the help and guidance of LES members. Niels J. Reimers, who joined Stanford University in 1968 as Associate Research Administrator and Licensing Officer, led that university’s licensing effort. The process had been left much to the efforts of individual inventors, since the university did not have a licensing program. This was a problem for the inventors, Niels explains, because licensing required they become more involved in the process than they wished. It required them to spend time away from teaching and research. He wrote in *Les Nouvelles* in 1970 about the university’s fledgling effort, which included a pilot patent licensing program that he launched. It provided an option to university inventors for developing inventions that was in addition to licens-
ing the invention themselves at their own expense or using the services of an outside nonprofit organization that licensed inventions for a large number of educational institutions.

Niels, who became highly active in LES, first as a Trustee and as 1979 President, was named Stanford’s Director, Office of Technology Licensing, and grew the university’s licensing and technology transfer program in the coming years, building it into one of the premier university successes.

The late Roger G. Ditzel, assistant director, Iowa State University Research Foundation and former LES Trustee, also successfully advanced technology transfer and licensing at universities. In 1977, he spoke at the LES (USA & Canada) Central Region Meeting in Chicago and promoted the role of universities in the nation’s technology transfer. He said, in part:

“The need for the effective promotion and transfer of university technology to industry is more important today than ever before to us as a nation. We are at a critical point. This transfer process must be made more effective . . .

“The formal licensing of university technology to industry is often the culmination of a process that has long preceded the involvement of the licensing executive. It is long-term scientific cooperation that is the most effective mechanism for substantive technology transfer from a university to an industrial company. Licensable subject matter springs from that joint scientific endeavor.

“To the industrial company, licensing is often a condition precedent to the investment of substantial sums of money in personnel and plant, which the company expects to later recover in profits . . . (U)niversities must continue to improve their efforts to transfer the results of their research to industry and other universities, for unless their research results are used at some time in some way, the funds spent for that research are a complete waste of resources.

“It is imperative for industry to reconsider the attention it gives to the conduct and output of university research. The time is upon us where industries critically need the results of basic research conducted in the university. We cannot continue to have universities’ basic research efforts isolated in an ivory tower.”

Roger Ditzel prepared a list of individuals at universities responsible for licensing technology at their institutions, and the list was published in les Nouvelles.
The list proved to be highly used, and not long afterward the Society of University Patent Administrators (SUPA) was organized. Its members represent a majority of universities doing a significant amount of research, and a number of members also have joined LES. In 1989, the organization took on a new name, The Association of University Technology Managers. The change was made to reflect changing approaches to technology development and transfer from the university setting into the business setting. Today the organization, known as ATUM, meets regularly and discussions continue regarding the university-based organization joining with LES.
PART III

GROWTH AND EMPOWERMENT
CHAPTER 9

THE ENDOWMENT OF LEadership

When one reviews four decades of a unique professional organization as it grew and matured from a mere concept to global respect and influence, the gifts of individual talent, selfless dedication and support in time and spirit by members, and yes, dollars by supportive employers, are virtually impossible to totally identify, let alone quantify. This extends from officers and trustees, whose names are recorded faithfully in Society documents, to innumerable committee chairs and helpers who assisted them fulfill wide ranging, often vital Society and professional assignments. Without those voluntary contributions of time and talent, LES would enjoy neither the success and acceptance nor the respect that it enjoys worldwide today.

Appendix D (Ken to provide Appendix D) lists all who have served as officers and Trustees of LES (USA & Canada). Members elected to LES International leadership and presented the Gold Medal, the highest award, were noted in Chapter 4 of this History. This chapter seeks to further honor many of those and note as many additional volunteer leaders as possible to highlight their notable achievements and contributions.

Additionally, a brief interview or historical statement and photograph of each of the 40 Presidents is included in the accompanying sidebar articles.

THE LEGENDS

1. Dudley B. Smith

When Dudley Smith passed away on June 19, 2000, scores of tributes memorializing his contributions to the Licensing Executives Society poured in from LES
members and friends the world over. Some were from fellow Charter Members who helped Dudley shape the organization into what he strongly believed LES should be. Many more came from those like Larry W. Evans, Past-President of LES (USA & Canada) and LESI and Gold Medal recipient, who joined LES after its founding but who attributes his positive LES experiences to the guidance and coaching of Dudley:

“Dudley was not only one of the Founders of LES he was the heart and soul of LES ... when I joined ... (Dudley) was by far the most active and enthusiastic member of the Society. As I became more active, I acquired a level of respect for Dudley as a person and as a licensing professional that is unequalled ... It was Dudley’s example that I have attempted to follow in my LES participation ... It is my profound regret that the newer members will not have the benefit of Dudley’s experience in licensing and in LES...”

*les Nouvelles* and LES Viewpoints published tributes to his memory shortly after his passing, following a lengthy bout with cancer, at age 77 in San Mateo, California. He was preceded in death by his first wife Esther, mother of his three children and constant LES champion, who died in 1987, and his second wife Caroline, who also enjoyed Dudley’s later LES involvement. She passed away in 1995.

Following World War II navy service, Dudley earned his J.D., went into private practice and in 1965 was recruited by Celanese Corporation in New York City as licensing counsel. Dudley said he would accept, “if they would give me sufficient time and support to attempt to form an educational society of licensing executives.” The company agreed, and he was employed by Celanese and generously supported by the company in his LES activities until 1981, when he retired and moved to Brookings, Oregon. He traveled worldwide as an expert witness in patent and licensing litigation until shortly before his passing. Within LES, having been LES’s second president, Dudley became very active in international LES activities. In 1971, he became the first LES Gold Medal recipient. Marcus B. Finnegan, who worked shoulder-to-shoulder with Dudley to advance LES, nominated him, writing “... it would be appropriate for the first recipient ... to be someone everyone in LES would immediately recognize as a person who has made a major contribution to the success of LES. To my mind, Dudley is the ideal candidate ...” In 1977, he was elected President of LESI.

From the start, Dudley was a passionate supporter of *les Nouvelles* and worked closely and tirelessly with the editor to advance the publication. He was an active
member of the journal’s Editorial Review Board, even after being diagnosed with his final illness. Another LES passion was evident in his global travels to assist establishing many of the Society’s national chapters, which numbered 27 at the time of his death. It earned him the admiring moniker of “LES Midwife,” a term he humorously endorsed in a 1974 report to LESI leaders the next year after the international organization came into existence:

“Your LES midwife wishes to report that our newest baby, Australia, was launched feet up (Australia is on the bottom of the globe, as you in the North Hemisphere must know) March 7, and he indeed is vigorous, intelligent, robust and friendly. A finer group we could not have join us ...”

Tributes to Dudley by surviving Charter Members upon his passing were published in les Nouvelles. They included:

“... Dudley’s vision of the need and purpose of LES never changed ... He only enlarged it with time ... LES lost a visionary and a friend.” Vince Young

“... Dudley was a provider of many innovations that led to the worldwide expansion of LES ...” Ken Brown

“... I had the honor and pleasure of being President of LES when Dudley and many of us were working to form LES International. We all owe Dudley much.” Chuck Chappell

Dudley Smith’s humor was always in the forefront, even when he was being honored. So it was at the 1971 Annual Meeting of LES at San Juan, Puerto Rico, when he became the first recipient of the LES Gold Medal, an honor he always considered his greatest. At LES events he constantly and proudly displayed the medal on his chest as it hung from a ribbon around his neck.

At the award ceremony, President Bruce L. Fayerweather, following introductory remarks on other subjects, couldn’t help but poke a little fun. He said:

Dudley Smith proudly wore his Gold Medal at every LES meeting after receiving it in 1971.
“When the Trustees said ‘A guy named Smith,’ I immediately thought of Captain John and a little gal named Pocahantas. There was a certain amount of ‘license’ involved there. Then there were the Smith Brothers. While their beards represented a measure of ‘technical accomplishment’ and ‘Trade’ and ‘Mark’ are terms not unknown in licensing, it seemed unlikely that they were candidates in the present situation.

“Then there was the Smith who crossed the Delaware with General George Washington in the interest of better ‘trade relations’ with the British and a Smith who served with Bowie at the Alamo in a ‘closed-end negotiation’ with representatives of Mexico, and the Smith who was lost to further ‘innovations’ on ‘technical improvements’ after one wild afternoon on the Little Big Horn with Custer and an ‘undue multiplicity’ of Indians. But then someone said Dudley B. Smith, and it all became quite clear. (But) this comes as no surprise to Dudley. Actually, in default of another messenger, he brought the medal himself from New York City to San Juan in his coat pocket!”

Emmett J. Murtha, LES (USA & Canada) President in 2000, the year Dudley died, wrote a tribute to him in that year’s Annual Report, including the following: “Dudley was active in LES to the end ... (he) will be missed by all who knew him, and should be remembered with gratitude by all Society members who continue to benefit from his early and continuous work on behalf of LES...”

Bob Whipple, who was LES President in 1971, recalls that while attending an international meeting of LES in Paris in about 1969: ‘Dudley grabbed me in the lobby of the George V and said, ‘Whipple, let’s get the Scandinavians up to your room and organize them.’ Several hours later, my bed, chairs and floor were crowded with lawyers from Norway, Sweden, Denmark, and Finland. Dudley and other officers of the U.S. LES were there. After some hours of ‘LES talk’ by Dudley, LES Scandinavia had been formed.”

Robert Goldsheider, former LES Trustee, chair of numerous committees, and consummate contributor to LES publications and seminars, remembers: “He was so unfailingly warm, frequently jolly, and even boyish at times. Dudley made many lasting contributions to LES, including the fact that he kept our Society focused on its educational mission ... His greatest contribution ... was his open attitude to growth...”
and development, which have become the hallmarks of LES and underlie the continuing success of the Society.”

Finally, Gerard A. Blaufarb, long-time Western Regional LES member and Dudley B. Smith friend, preferred recalling how he and his wife Mardell socialized with Dudley in San Francisco when he visited from his home in Oregon: “After Caroline’s death, Dudley spent more time in the Bay Area. Dudley was a football fan and held season tickets to the San Francisco 49er games. He joined our rather eclectic Monday Night Football TV Watching Group. However, oftentimes, rather than watching the game, he socialized in a grandfatherly way with children who were present ... To the end, Dudley loved to party and have a good time. We are sure that is what he is doing now.”

2. Marcus B. Finnegan

Marc Finnegan was the sixth President of what was then designated LES U.S.A., and the second President of LES International, who died on April 13, 1979, following a lengthy battle with cancer. Some four years earlier, though, while serving as International President, he had reported in his typical optimistic fashion about his illness to LES members in a 1975 issue of les Nouvelles when he inserted the following in a long article on other LES matters:

“On the personal side, and so that everyone will know the facts, I will briefly describe my recent illness – which ended happily. On October 25 (1974), a doctor removed a small growth from the right shoulder region of my back. He sent a sample of the tissue to the laboratory for routine pathology. The results a week later showed the tissue was malignant. I had flown to London, and my wife Betzi telephoned me there to tell me the doctor wanted me to return home right away to undergo further surgery. On November 6, a fairly extensive operation was performed to remove much additional tissue from the area surrounding the original growth. Laboratory analysis of this tissue fortunately showed that the malignancy had not spread. I returned to work full-time on December 2. My doctors assure me that I am 100 percent cured and should never be troubled again.”

Marc’s much-Adored wife Betzi, who accompanied him on many LES travels and who was active in LES accompanying persons activities, still resides in the Washington area, and is warmly remembered by many LES friends.
Tom Arnold, senior partner in the patent law firm bearing his name in Houston, Texas, was perhaps the last non-family person to talk with Marc before he died at a hospital in Houston, where he was being treated. Tom and Grace had hosted Marc and Betzi each time Marc visited the Houston facility for numerous earlier treatments. Tom recalls being with Marc in his room for three hours the day before he passed away, and listening to him “talk and plan and think about the future; his determination and spirit was such that you would never think he was so ill.”

To memorialize his passing in les Nouvelles, another long-time LES friend, Dudley B. Smith, wrote the following:

“Like a cut gem, Marc’s life shone with many facets. One of the most brilliant was that which we called LES.

“Always cooperative, full of fun, he gave of his substance freely and cheerfully that LES might prosper and we the members benefit.

“A grateful society, meeting in London, awarded him its Gold Medal, with a lighthearted presentation that caused him to laugh and us to laugh with him.

“And oh, how he loved to tell jokes – jokes he researched as if they were a legal brief, moved around so they somehow had a licensing connection, and then (smiling as he did so) sprang them on us to warm our otherwise staid meetings.

“Marc’s life, responsibly and courageously lived, was an inspiration. Each of us is more blessed by having known him. And as we continue the good works of LES, therein will lie our true memorial to Marc.

“We miss you, good friend.”

Marc was senior partner in the law firm of Finnegan, Henderson, Farabow & Garrett in Washington, D.C. He received his bachelor’s degree from the United States Military Academy at West Point and spent three years on active duty in the Army Corps
of Engineers. He received his J.D. degree from the University of Virginia in 1955, and his LLM degree from George Washington University in 1957.

For two years he was U.S. Patent Advisor to Japan in Tokyo, and in 1959 he entered private practice. In 1965, he founded his own firm specializing in patent litigation, licensing, antitrust law, and other phases of patent and trademark law.

Marc taught graduate-level courses on patent and know-how licensing at George Washington University Law School, and was a consultant on licensing and antitrust to the United Nations (UNIDO, Vienna and UNCTAD, Geneva) and advisor to the Government of Mexico, and Advisor to the White House Council on International Economic Policy, and a member of the Advisory Board of the Patent, Trademark, and Copyright Journal. He was a member of numerous professional societies and associations.

His Gold Medal was presented in 1977 at the international conference in London. The ceremony included the projection of slides of humorous photos collected from Marc’s family and professional associates. Marc began his acceptance speech with the following words, “I was absolutely astounded to look up a few minutes ago and see my photograph as a two-year old projected on a wide screen and simultaneously hear my friend of many years, Dudley Smith, announce, ‘Marc Finnegan, This Is Your Life.’”

Marc continued his remarks by recalling many LES advances he had witnessed and participated in, and he concluded by reminding members of some of the benefits of an active LES relationship: “On the more personal side, participation in LES has meant the forming of many warm, vital, and rewarding friendships, again, all over the world. You have made me very proud today by honoring me with this wonderful symbol of recognition.”

3. Dan Stice

Dan Stice, a patent attorney in the New Products Commercial Development Group at 3M Company in Minneapolis, and Dudley Smith joined to pull together the founding meeting of what would become the Licensing Executives Society at Hollywood Beach, Florida, in October 1965. That same year, Dan formed his own firm, Dan Stice Associates, which specialized in locating new products and new venture opportunities for clients.
As reported in Chapter 2, Dan set the agenda and led the Charter meeting and was elected the organization’s first President. Interestingly, while he and Dudley Smith contacted many professional acquaintances and created a network to attract other interested parties to the meeting, the two men, both intensely attracted conceptually to creating a technology transfer and licensing organization, were stimulated by divergent interests.

Dan’s dream was to promote business aspects of licensing. A long-time member and friend said Dan wanted to create business “fairs” where representatives would meet to discuss transferring their technology. Dudley’s plan was to create a professional organization whose objective was to offer training and educational opportunities as well as networking for its members. Dudley saw an international opportunity from the start, while Dan thought it best to limit overseas growth.

While Dudley’s vision was generally adopted over the years, it was Dan’s philosophy, which was endorsed by many early members, that perhaps caused LES to adopt policies that steered away from becoming “just another professional society.”

Dan feared a membership heavily weighted with attorneys, and was dedicated to making sure it never happened. A careful and cautious blending of business and legal educational objectives and a rich mixture of social and networking opportunities was the outcome. As a result, members have for decades gained knowledge, exposure to, and understanding of a wide range of business as well as legal interests not available elsewhere. And a policy requiring blending workshop and plenary presentations on legal and non-legal topics was adopted by the Board of Trustees, assuring business members learned appropriate legal subjects and lawyers were educated about business issues.

As noted earlier, Dan, known as a prolific letter writer, ran for the office of President-Elect in 1973-1974 against Homer O. Blair in the only contested election in LES history. He won 48 percent of the vote, which has been a point of pride with Dan. With that vote, however, and the formation of LES International, which Dan considered disappointing, he became less active, although he always stayed in touch with the Society and attended the 1993 Annual Meeting in San Francisco.

Among those who Dan Stice influenced into LES membership is Sherman J. Kemmer, who with Dan’s encouragement was a Charter Member and became LES U.S.A. President in 1972. Sherm, a patent attorney for Archer-Daniels, met Dan, a
patent attorney at 3–M, at a business appointment. Sherm recalls, “While he was a bit of a controversial figure sometimes, he certainly was an idea guy and did as much as anybody to start the organization . . . in fact, I’d say more than anybody else.”

**Movers and Shakers**

In addition to volunteers holding officer positions, who have for the most part been noted elsewhere in this history, there are many others who need further recognition. Recognizing every LES volunteer, or even attempting to, is a mission impossible, for without exaggeration it would involve reprinting virtually 40 years of membership directories. The author apologizes for not being able to lengthen the list and for the omission of the names of many deserving high praise and recognition. However, following is an effort to identify as many as possible of those volunteers and a brief description of some of their contributions. Some are also mentioned in other chapters, but their work was of such broad magnitude it requires recognition in this section. Given in alphabetical order, they include:

**Donald W. Banner,** a partner of Schuyler, Banner, Birch, McKie & Beckett and former U.S. Commissioner of Patents and Trademarks was a frequent lecturer and contributor to LES. He served as Trustee.

**Jack Barnes** chaired meetings, was Program Chairman of the 1989 Annual Meeting in Maui, Hawaii, served as Secretary and Trustee in the 1990s, and was Publications Committee chair in the 1980s, and received a Letter of Appreciation in 1985. He was Senior Patent Counsel for 3M in Austin, Texas.

**Robert Bayes,** manager of Process Licensing for Shell Development Company, and his wife Gloria were among the most familiar faces at LES meetings beginning in the 1970s and into the 1990s. Bob served the Society through several officer positions as well as multiple terms as Trustee and Delegate to LESI, and he chaired a number of committees.

**Paul B. Bell,** senior member of the intellectual property law firm bearing his name in Charlotte, North Carolina, has done much to support LES since the early 1980s, has been a consistent committee volunteer. One he chaired was the Education Committee, which helped produce the Basic Licensing Course videotape in 1988.
Louis P. Berneman, with his association with the University of Pennsylvania, has been active in LES educational developments, first as a Trustee beginning in 1995 and more recently as Vice-President-Eastern and Vice-President-Education. He served LES in numerous capacities, including chair of the Professional Development Committee and other committees.

Gerard A. Blaufarb, former Society Trustee, and familiar face and voice at Annual Meetings and Western Region seminars since the 1980s, and an activist on numerous committees. Gerry and his wife Mardell, who reside in the San Francisco Bay Area, were close friends with Dudley Smith and were with him in his final days.

Bertram Bradley, an officer and Trustee in the 1970-1980s, did much to advance LES by accepting additional duties. One was the Task Force created by President Homer O. Blair to study future directions for the Society. He was director of Patents and Trademarks at Cutter Laboratories, Inc.

David M. Braunstein, who died in 2005 while vacationing in Peru with his wife Diana, became a Trustee in the 1994-1995 term and served in a succession of Vice-Presidential positions, assuming multiple responsibilities and assignments as administrations changed.

W. Dexter Brooks has served as Trustee, Delegate to LES International, and he has chaired committees.

Brian Brunsvold, one of the first members of the Finnegan law firm to assist Marc Finnegan with editorial matters after Marc became active in LES in the 1960s, Brian is an original member of the les Nouvelles Editorial Review Board and remains an active and valuable contributor.

Cathryn Campbell, a founding partner of Campbell & Flores LLP, San Diego and Seattle, Cathryn has filled many LES leadership positions, including Vice-President-Western, Trustee, committee chair, and frequent speaker and presenter at various LES and LESI conferences, such as the one in 1996 in Capetown, South Africa.

Mary Beth Cicero has been Trustee, chaired the Health Care Committee, helped organize the first LES Annual Healthcare Licensing Conference, and has been a frequent speaker at meetings and seminars.

Ronald B. Cooley served on numerous committees and for many years chaired the Public Relations Committee.
Lynda P.S. Covello, most recently Regional Vice-President—Canada, has served as Vice-President—Administration, and chaired numerous committees, including those at the 2002 Annual Meeting, workshop co-chair for the 2000 Annual Meeting and Add-On sessions for the 1999 Annual Meeting. She also was an International Delegate to LESI. Lynda is a partner in Margolis Covello LLP, Toronto, Canada.

E.B. (Ted) Cross, a member of LES since 1984, was Director of the University of Waterloo’s Technology Transfer and Licensing Office before retiring and forming his own consulting company, E.B. Cross & Company. He earned his Chemical Engineering degree at the University of Waterloo. In LES, he has served as Trustee and fulfilled numerous meeting and committee leadership responsibilities.

William T. Davis joined LES in 1974, chaired committees including Western European Committee, Seminar Committee, led the Basic Licensing Course and chaired the Business Development Committee. He was an LES Trustee, Vice-President—Eastern Region, and frequent annual meeting speaker. He was Director of Licensing for Pfizer, Inc. of New York City.

Roger G. Ditzel was Vice-President for Research at Iowa State University and later Chairman of the Board of Patents at the University of California. Roger was very active in LES—University relations. As LES vice-president and Trustee, he often represented university technology licensing viewpoints at Board meetings and seminars.

Thomas J. Filarski has been active in numerous capacities, including Vice-President—Communications, chair of the 2002 Annual Meeting, and chair of the Publications Committee and other Society activities dating back to 1994.

Robert Goldscheider, an early member of LES, Bob is a frequent speaker at LES annual and regional meetings, as well as seminars on a multitude of topics. He has authored and co-authored books, including the popular LES series The Law and Business of Licensing, and written numerous articles published in les Nouvelles and many other professional publications. Additionally, he has chaired LES Foundation projects supporting technology licensing.

Alan H. Gordon, long-time very active participant and for several years Chairman of the Annual Report Committee, he most recently was Society Secretary.
He has been a Trustee and Vice-President—Eastern Region, and chaired committees, including meeting leadership positions.

**Corwin R. Horton** very active in LES affairs during 1970-1980s, chairing numerous committees, two terms as Trustee, and Vice-President—Western Region for four years.

**Guy J. Houle** joined LES in 1973 as a partner in the Canadian firm of Swabey, Ogilvy, Renaud and served as Treasurer and member of the Executive Committee. He led numerous LES committees, chaired meetings; was delegate to LES International, and was Vice-President—Canada in the 1980s. He contributed articles to *les Nouvelles* and produced an educational video for LES.

**Jack Hummel** joined LES in 1978 and served LES as treasurer for three terms, beginning in 1991. Trustee for a term, and he was then Vice-President—Administration in 1995-1996.

**Harry Keck**, a Charter Member, served as a Trustee, chairman of numerous committees, and led annual meeting workshops for more than 20 years.

**Katharine Ku** joined LES as a staff member in technology licensing at Stanford University when Niels Reimers served as the university’s first Director of Technology Licensing. Kathy, one of the early female members of LES, served on the Board of Trustees, was Vice-President—Western Region, chaired the Industry-University Relations as well as the Biotechnology Committees. She was a frequent speaker at LES meeting workshops. She later became Director of Licensing at Stanford when Niels retired.

**Gerald E. Lester** served LES many years in leadership positions, including chairman of a number of professional technical committees in the 1980s.

**Felix Klaas**, a Charter Member and retired Director of Licensing at Celanese Corporation, employed Dudley Smith at Celanese and supported Dudley’s extensive involvement in LES, including many overseas travels. In presenting a Life Membership to Felix in 1987, President Sam Layton said Felix, who “preferred to stay in the background” and never served as trustee or officer, “contributed enormously to many of the concepts upon which the Society was formulated.”
James H. Marsh Jr. joined LES in 1974 and became a familiar participant in many Society activities, including Trustee, and frequent meeting chair and speaker. He helped prepare an LES amicus curiae brief for the U.S. Supreme Court.

William McGuigan, a Charter Member, served as a Vice-President or trustee through the 1960s and assisted in establishing key LES directions and policies.

Arlene Morris has been Vice-President-Education, where she taught and developed curriculum for LES courses, and Trustee in charge of Meeting Content.

Andrew L. Ney served first as a Trustee and then for four terms as Vice-President-Eastern Region, beginning in 1991. He chaired numerous meetings and assisted in others. He chaired an LES initiative to Eastern Europe shortly after the fall of the Berlin Wall.

Ada Nielsen has been Trustee-Public Affairs and Trustee with oversight for the Professional Development Series, and a member of committees. She co-chaired the 2004 LES Foundation dinner.

Arthur M. Nutter, long active as Trustee, International Delegate, and committee chair, he has been responsible for the LES Web site, LESI Communications, co-chair of the Electronics and Communications Industry Sector.

Dwight C. Olson has served multiple terms as Trustee, co-chair of the LES Internet and LES Online Committees, and chaired or co-chaired various meeting committees.

Brian O’Riordan has been an active member of the Cleveland-Akron Chapter and one of the organizers and a continuing contributor to LES Online and the LES websites.

Thomas A. Picone has been active in LES since 1990 as a Trustee, Vice-President-Membership, co-chair of the Healthcare Committee and the LESI Health Care Committee.

John Pegan, a Charter Member, John remained active in LES as a Trustee and other positions and recruited numerous leaders, including 1991 President David Urey. John directed patent, licensing, trademark responsibilities for United States Steel Corporation.
Mark A. Peterson has been a Trustee and chaired the Technology Transfer Seminar Committee, and the Annual Report Committee from 1993-1997. A Certified Public Accountant, Mark was also LES Treasurer.

William Pinsak, early, long-time member who served several terms as Society Secretary, Long-Range Planning Committee chair, and adviser to Presidents and other leaders.

Ernest G. Posner has been a frequent contributor as a Trustee, leader and participant in numerous meetings, International Delegate and Vice-President-International.

Richard Razgaitis, a long-time member serving LES in a multitude of positions, as a Trustee for five years, Vice-President-Eastern for two years, chaired meetings, was Secretary for two years, and was co-Chair of the Strategic Issues Committee. Rich also served as LES Treasurer and was one of the founders and president of the LES Foundation.

Arthur S. Rose has been an active member of LES since 1986, serving multiple terms as Vice-President-Western and Trustee, and chair of the Orange County Chapter and numerous meetings.

Donald M. Sell joined LES in 1981, was Trustee, Vice-President-Central Region, and active in many workshops, on Committee on Public Affairs, and for two years he was Membership Committee chair.

Jay Simon joined LES while Chief Attorney, Exxon Research & Engineering Company, and was active in leadership, including multiple terms as Vice-President-Eastern Region, and chair of the Annual Report Committee. He chaired the Licensing Seminar at the Harvard Club and was a frequent speaker at LES meetings.

Norman St. Landau, for many years a Contributing Editor and Editor of World Practice Notes for les Nouvelles, Norman was International Counsel and Chief Trademark Counsel of Johnson & Johnson.

Herman S. Weisman has been a long-time contributor to LES as Trustee and chair of numerous committees, particularly in health care licensing.

Charles Whelpton, a Charter Member and chairman of the first Awards Committee, which initiated creation of the LES Gold Medal award
Edward P. (Ted) White for 40 years in technology development and licensing with Aluminum Company of America, became deeply active in LES shortly after its founding. He participated in workshops, served numerous terms as Trustee and Vice-President, and as a member of LES international delegations. He frequently contributed articles for les Nouvelles, and edited and authored books on licensing subjects.

Glen P. Winton was awarded the LES (USA & Canada) Certificate of Recognition at the 1985 Annual Meeting.

Clyde F. Willian has served LES (USA & Canada) in numerous capacities over many years, including Trustee, legal counsel, and most recently LES International as its legal counsel.

Vincent E. Young, a Charter Member, was a Trustee in the early 1970s, co-chaired the Cleveland LES Chapter and organized Chapter seminars and meetings.

Honor Winners

Highest Honor: The Gold Medal

Five LES (USA & Canada) members have been awarded the LES Gold Medal, the highest honor that can be bestowed by LES. As noted earlier, the award became a reality in 1970 when Trustees of LES accepted the recommendation of its Awards Committee, chaired by Charles Whelpton. When LES International was created in 1973, it accepted responsibility for administering and awarding the medal, which has been bestowed on only 15 licensing professionals in seven member Societies in the world organization.

The award is made "to individuals whose achievements have definitely contributed to the practice of licensing, or the utilization of technology, or to the promotion of the professional standing of individuals engaged in the practice of licensing or the utilization of technology."

Dudley Smith was the first recipient of the Gold Medal, in 1971. Later LES (USA & Canada) member recipients include Marc Finnegan, 1977; William Poms, 1988; Kenneth Payne, 1994; and Larry Evans, 2000, all of whom were President of LESI as well as the U.S.A./Canada Society.
LES (USA & Canada)’s success, often attributed to the voluntary achievements and contributions of many members, also benefits from a program that rewards and recognizes the accomplishments. The plan is cemented in the Society Bylaws, which lays out awards to honor individuals who have made substantial contributions to the practice of licensing, utilization of technology, and the licensing profession or to the Society. Any member may nominate qualified individuals simply by writing to the Awards Committee. Among awards and recipients are:

**Award of Honor**

The Award of Honor represents the highest LES (USA & Canada) recognition. It was created shortly after LES International came into existence and the Gold Medal was transferred to the international Society. The Award of Honor was then created to: “Recognize those individuals who have made outstanding contributions to the profession of licensing or to the Licensing Executives Society.”

**Dr. Betsy Ancker-Johnson** was the first Award of Honor in 1976. Dr. Betsy Ancker-Johnson, Assistant Secretary of Commerce for Science and Technology, U.S. Department of Commerce, who gave the keynote address at the 1976 LES (USA & Canada) Annual Meeting, President Norman A. Jacobs, in presenting the award, noted: “Our Society has been particularly impressed and pleased with your strong leadership and personal participation in the 1973 U.S./USSR Exchange on Patent Management and Patent Licensing…”

**Homer O. Blair** was presented the second Award of Honor by President Leonard B. Mackey at the 1978 Annual Meeting in New Orleans in recognition of his years of service to the Society as a leader of international organization and recognition of LES. Homer worked closely with appropriate United Nations organizations to expand understanding and appreciation of technology transfer. He served LES U.S.A in numerous chairmanships, as Secretary and as 1975 President.

**Edward “Ted” White** was the third winner of LES U.S.A.’s highest award. Edward “Ted” White received the award during ceremonies at the Society’s 1982 Annual Meeting in San Francisco. In presenting what was labeled the Silver Tray Award, President William S. Campbell said, “This is a very special meeting of our Society. It is our Annual Meeting and it is an international meeting... and now I have the honor of presenting the highest award of LES U.S.A./Canada.” Noting Ted joined LES in 1966
led numerous successful LES undertakings, including chairing an LES delegation to China, President Campbell enumerated additional successes, including authoring three books about technology licensing.

Robert P. Whipple, 1971 President, was presented the Award of Honor at the 1985 Annual Meeting by President Cruzan Alexander and 1977 LES (USA & Canada) President Bill Poms, who would receive the Gold Medal in 1988. Bob was recognized for his long and continuous service in numerous capacities to the USA/Canada Society, as well as LES International, where Bill Poms described him as a “prime mover” to the Society, including leadership in the organization of LES International, and to the entire licensing profession.

Chief Judge Howard T. Markey of the United States Court of Appeals for the Federal Circuit was presented the LES Award of Honor by President Larry W. Evans at the 1986 Annual Meeting. The United States Court of Appeals for the Federal Circuit was established in 1982, creating a single, unified, predictable appellate court having exclusive jurisdiction over patent cases. LES (USA & Canada) campaigned for creation of the court, which could provide a clearer, more predictable law under which patents are judged.
Norman A. Jacobs, LES (USA & Canada) President in 1975-1976, was presented the Award of Honor by President Vance Smith at the 1989 Annual Meeting for his outstanding service to the Society. He had held many leadership positions and was an original member of the les Nouvelles Editorial Review Board.

Edmund G. Astolfi received the Award of Honor from President Edward P. Grattan at the 1993 Annual Meeting in San Francisco in recognition of his numerous major contributions as a member for nearly 20 years, including chairing numerous committees, and serving as Vice-President and Trustee. Among his numerous achievements, Ed laid the groundwork for what is today LES’s web site and electronic communications. He worked with an outside digital communications firm to establish online databases and complex global communications with other LES chapters.

Judge Giles G. Rich was presented with the Award of Honor at the LES meeting in Williamsburg in 1994. Judge Rich at the time was the longest-presiding Judge on the Federal Circuit Court of Appeals that handles all patent cases. He was the chief author of the federal 1952 Patent Act that formed the basis for the modern day protection of patentable intellectual property in the United States. He was considered by many as the Father of the present patent code in the U.S.

**LIFE MEMBER**

This award is granted to any individual who has retired from his or her active business career and who has been an active member for five consecutive years, and has significantly contributed to the affairs of the Society, and is elected by the Board of Trustees as a Life Member. Life Members are entitled to all privileges and are exempt of payment of dues.

The first Life Member Award was made in 1971 to Bruce L. Fayerweather, an LES Charter Member and officer. The honor has since been granted to all living Charter Members (designated ** in following list). As of writing of this history, the following are Life Members:
Life Members

Cruzan Alexander      Kenneth W. Brown**      Niels J. Reimers
Tom Arnold            Peter F. Casella       William E. Riley Jr.
Edmund G. Astolfi      Charles Chappell       W. A. Schaich
Proctor Avon          William A. Damson       Dudley Smith
Robert E. Bayes       H. Gordon Howe         Joachim W Staaekmann
Robert W. Beart**     Gary E. Lande           Charles G. Whelpton
Homer O. Blair        Wm. Marshall Lee        Edward P. White
Bertram Bradley       William D. McGuigan      Vincent E. Young

Frank Barnes Mentoring Award

Made through the LES Licensing Foundation, the award annually honors licensing executives who mentor in biotechnology and pharmaceuticals. Frank Barnes was active with LES in the pharma industry and personally mentored numerous members. The award is more fully described in Chapter 13.

Hank Weisman        Lou Berneman        Jack Anthony
Arlene Morris       James Foley

Honorary Life Membership

In addition to the formal awards, other honors have been bestowed on occasion. Included is Honorary Life Membership, which was presented to former Associate Justice of the United States Supreme Court Tom C. Clark in 1973; in 1974, to astronaut Rear Admiral Alan B. Shepard Jr., U.S.N., in recognition of outstanding accomplishments in the space technology and advancement of science and learning; and Dr. Jonas Salk whose research led to development of a vaccine for paralytic polio.
LICENSING ACHIEVEMENT AWARD

The Licensing Achievement Award was initiated in 1999 by LES (USA & Canada) and is given in recognition of a company that has made an outstanding contribution to licensing or other technology transfer activity. Tom Small, Chair of the 1999 Licensing Achievement Award Committee, explained the criteria for making the award: All types of licensing and technology transfer subject matter are considered, including contribution to the progress or recognition of licensing as a business activity, long-term licensing success, and innovative licensing programs. He added, “The award is extra-ordinary and is granted from time to time to a deserving candidate, as determined solely by the Trustees in the exercise of their discretion.”

Stanford University

The first recipient was Stanford University. The award was presented by LES President Ronald L. Grudziecki at the 1999 Annual Meeting in San Antonio, Texas before some 1,000 meeting attendees. Receiving for Stanford were Dr. Charles H. Kruger, Vice- Provost, Dean of Research and Graduate Policy; Kathy Ku, Director of Licensing since 1991, I.F.S member and former Vice-President and Trustee, and Niels J. Reimers, retired Director of Licensing at Stanford and 1978–1979 President of LES (USA & Canada). Stanford’s renowned licensing program was organized under Niels’ leadership.

In nominating Stanford for the award, Louis P. Berneman, LES (USA & Canada) Trustee, wrote, “In many ways, Stanford University invented university-industry technology transfer ... (No) university is more closely associated perceptually with university-industry technology transfer. Now, while corporate America has emerged as the global industrial leader in a knowledge-based economy, Stanford is reinventing the collaboration mechanisms between university and industry and between research and commerce. Stanford’s most successful licensing activity came from the 1973 discovery and subsequent patent of a recombinant DNA process ...”
Pfizer Incorporated

Pfizer Incorporated received the Licensing Achievement Award in 2000 at the LES (USA & Canada) Annual Meeting in Toronto, Canada. It was presented by President John Woodley.

IBM Corporation

IBM Corporation became the third recipient of the Licensing Achievement Award. It was presented at the 2002 Annual Meeting in Chicago by Past-President John Woodley. Gerald Rosenthal, Vice-President of IBM, received the award. He noted, “IBM’s success is built on the premise that we offer products and services that address customers’ needs. This task falls to our scientists and engineers. Their inventive capability to solve customer problems leads to our having something of value to license to others.

THE 40 PRESIDENTS

The following are brief biographical sketches effective at the time of their LES presidential service (please refer to the LES Membership directory for current data) and available photographs of the 40 LES Presidents from 1965 through 2005. Their LES service is highlighted throughout this history.

1. J.D. STICE * 1965–66

Dan was Patent Counsel for 3M in Minneapolis when he began gathering business and professional acquaintances who would eventually meet up with those collected by Dudley B. Smith to organize and create the Licensing Executives Society. With a focus on business and sales aspects of technology licensing he attracted professionals with divergent interests and skills. He earned his law degree from the William Mitchell School of Law, St. Paul, Minnesota, and later left 3M to form Dan Stice Associates consulting firm.
2. **Dudley B. Smith * 1967**

Dudley, a Charter Member of LES, was Licensing Coordinator for Celanese Corporation in New York City. He would be awarded the LES Gold Medal in 1971 and elected LES International President in 1978. He passed away in 2000.

3. **John E. Oliver * 1968**

John had been LES Vice-President-Western Region before becoming President. At Northrop Corporation in Los Angeles, California, he was Corporate Administrator, Product Licensing.

4. **W.A. Schaich * 1969**

A Charter Member of LES, Al Schaich was Administrative Division and Director of Patents of Owens-Illinois Inc., Toledo, Ohio, when he became President of LES. During his term, the LES Awards Committee was created to recognize LES and professional achievements, and its first LES meeting was held in Canada. During Al’s term the position of President-Elect was created and Bob Whipple was selected to fill it during 1970.

5. **Kenneth W. Brown * 1970**

During his term, Ken organized, planned, and participated in an historic program of exchange in patent management and licensing that resulted in delegations, including LES and U.S. Patent representatives visiting USSR operations and USSR interests viewing U.S. operations. Ken was Chief Patent Counsel, Cabot Corporation. Ken was a Charter Member of LES.

6. **Robert W. Whipple * 1971**

Bob, corporate group Vice-President of Technical Development and Technical Marketing for Dart Industries Inc. (The Rexall Drug and Chemical Company), was an LES Trustee for five years and helped create and organize LES International. He remained extremely active in LES U.S.A. for many years. Bob received his J.D. from the University of Akron Law School.
7. SHERMAN J. KEMMER * 1972
Sherm, General Manager of the Patent and License Division of The Standard Oil Company of Ohio, finalized numerous major license agreements in the Far East. A graduate of the University of Minnesota with degrees in engineering and business, he earned his J.D. at the William Mitchell College of Law at St. Paul, Minnesota. His professional work took him often to the Far East and led him to assist in establishing LES chapters there and is often credited with creating the LES Japan chapter.

8. CHARLES H. CHAPPELL * 1973
Dr. Chappell, who headed up technology licensing for Union Carbide Corporation, was only getting started when, as a Charter Member of LES he became an organizer and energizer of LES U.S.A. He soon became active in creating a global organization of licensing professionals, LES International. And as President in 1973 he presided over the LES U.S.A. annual meeting at which LESI officially came into existence. Dr. Chappell died in 2002 at the age of 92. As shown in early chapters in this history, Chuck was instrumental in the successful formulation of LES.

9. MARCUS B. FINNEGAN * 1974
A 1949 graduate of the U.S. Military Academy, Marc earned a law degree from the University of Virginia Law School and a Master of Laws at the George Washington University Law School in 1957. He was Senior Partner in the law firm of Finnegan, Henderson, Farabow & Garrett. He became President of LESI in 1975 and was awarded the LES Gold Medal in 1977. He died in 1979 following a lengthy illness. (A tribute to Marc is published earlier in this Chapter 9.)

10. HOMER O. BLAIR * 1975
Homer, Vice-President, Patents and Licensing, at Itek Corporation, fulfilled numerous assignments with LES, including several terms as Secretary, and was active in creation and organization of LES International. His interests extended to participating in delegations advising United Nations agencies regarding technology licensing. Among his achievements
with LES was being the first — and is still the only — candidate to be challenged in an election for office in LES U.S.A. when he ran for President-Elect. Homer was the winner.

11. NORMAN A. JACOBS * 1976

A founder and President of Amico Corporation, which manufactured and sold scientific research and diagnostic equipment, Norm had a long interest in scientific intellectual property before joining LES. He received degrees from Yale and M.I.T. and MBA from Harvard Business School. With LES, he served in many capacities, including Delegate to LESI, Treasurer, co-chair of the Audit Committee, and member of the Long-Range Planning Committee. He was a founding member of the les Nouvelles Editorial Review Board and advisor to the journal editor. He was President of LES International in 1995.

12. WILLIAM POMS * 1977

Bill, partner in the Poms, Smith, Lande & Rose law firm in Los Angeles, joined LES in 1967 and became active immediately coordinating Western Region meetings. By 1973 he was chairman of the LES Annual Meeting in San Francisco, which attracted a record 300 attendees. Bill’s drive and contagious enthusiasm and energy drew him through numerous LES U.S.A. and LES International leadership positions. He became LESI President in 1982 and was awarded the LES Gold Medal in 1988. He earned his J.D. at Georgetown Law School.

13. LEONARD B. MACKAY * 1978

Joining LES in the 1960s, Len was Vice-President and General Counsel of ITT Corporation. He served LES in numerous capacities as an officer and advisor until his death in 2002. Len was President of LES International in 1986. He earned his law degree from George Washington University.
14. **NIELS J. REIMERS * 1979**
Niels established the Office of Technology Licensing at Stanford University in 1969 and then was named its Director. Under his leadership, Stanford’s technology licensing program received widespread recognition for its entrepreneurial licensing methods.

15. **TOM ARNOLD * 1980**
Tom, partner in the firm of Arnold, White & Durkee served LES in many leadership capacities and was a frequent lecturer and participant in LES conferences and workshops. He authored amicus curiae briefs for LES and was an author or co-author of many continuing legal education courses, articles, speeches and books on licensing and other subjects.

16. **WILLIAM E. RILEY * 1981**
Bill joined Battelle Memorial Institute and moved through various positions, becoming Director of Marketing for Battelle Development Corporation. He was responsible for market evaluation of inventions, licensing of technology coordination with industry, and coordination with technology transfer organizations.

17. **WILLIAM MARSHALL LEE * 1982**
Senior Partner in the Chicago law firm of Lee, Smith & Jager, Bill had initiated numerous activities in LES. He had received degrees in aeronautical and mechanical engineering before earning his J.D. at Loyola University of Chicago.

18. **WILLIAM S. CAMPBELL * 1983**
Bill, who passed away in 1989, was Executive Vice-President for Marketing, Development, and Licensing of Consumers Packaging, Inc., in Toronto, Canada. He was extremely active in LES as Vice-President-Canada and Trustee before being nominated for Society President. In the mid-1970s he was one of the first Canadians to become active in the Society, and he became known as “Mr. Canada.” He was the first Canadian to be President of LES (USA & Canada).
19. KENNETH E. PAYNE * 1984
A partner in the Finnegan, Henderson, Farabow, Garrett & Dunner law firm, Ken had been a Patent Examiner and Assistant General Counsel in the Department of Commerce, and he was a U.S. Department of State delegate to the Inter-American Commission on Science and Technology Transfer. He also was consultant to the United Nations Industrial Development Organization. He became President of LES International in 1989 and was awarded the LES Gold Medal in 1994.

20. CRUZAN ALEXANDER * 1985
Chief Patent Counsel, 3M Company, St. Paul, Minnesota, was noted for his hard work; Larry W. Evans, his successor, described him as “the hardest working President LES/Canada ever had.” His accomplishments were numerous, including tripling the number of workshops available at the 1985 Annual Meeting at The Broadmoor hotel, Colorado Springs, Colorado.

In 1985, Cruzan became the only LES President to be “snowed in” and “snowed out” at the same time. He could not speak at a Canadian seminar in Ottawa because he was snowed in at the Minneapolis airport and was snowed out of Ottawa, where the airport was also closed. The one-day meeting went on with 45 attendees, however.

21. LARRY W. EVANS * 1986
A frequent lecturer and author of articles on process licensing, pricing and technology transfer, Larry, was Manager of Patents and Licensing for The Standard Oil Company of Ohio in Cleveland, served LES in many capacities, including Vice-President-Central Region and Secretary before being elected President for 1986. Larry’s interests extended to LES International, and he was elected LESI President in 1993. He was awarded the Gold Medal in 2000.
22. SAMUEL G. LAYTON JR. * 1987

Sam joined LES in 1973 and became active immediately. He rose in the next years to chair the Bylaws Committee, Membership Committee, and 1981 Annual Meeting. He then was elected a Trustee, Treasurer, and International Delegate before becoming President. He became President of LES International in 1997. Sam was senior partner of Bell, Seltzer, Park and Gibson in Charlotte, North Carolina.

23. GARY E. LANDE * 1988

A partner in the law firm of Poms, Smith, Lande & Rose in Los Angeles, California. Gary joined LES in the mid-1970s and became active immediately in Western Region meetings leadership. He chaired two Western Regional Meetings. He also chaired the 1985 Annual Meeting and the LES (USA & Canada)’s Ethics Committee. He served as Western Regional Vice-President for two years, Trustee for four years, Secretary for one year, International Delegate for two years before becoming President. Gary remained active at annual meetings and leading committees. He earned a BS in Chemistry from the University of South Dakota and a JD from American University.

24. VANCE A. SMITH * 1989

Vance joined LES in 1972 and chaired the Education Committee and became Trustee, then Secretary and International Vice-President, International Delegate and for four years he chaired the LES International Committee on International Activities (LESIAC). Vance was a partner in the Milwaukee, Wisconsin, firm of Foley & Lardner, specializing in international licensing and intellectual property. He earned his J.D. at the University of Louisville.

25. PLATON N. MANDROS * 1990

A partner in the Alexandria, Virginia, law firm of Burns, Doane, Swecker & Mathis, Platon was workshop chairman for the 1977, 1979, and 1980 annual meetings and General Chairman for the Eastern Regional Meeting in 1981 before becoming General Chairman for the 1983 Annual Meeting. He served as Trustee from 1983-1989, and a Delegate to LESI
from 1986 to 1989. He became President of LESI in 1999. Platon earned his Bachelor of Law degree from Duquesne University.

26. DAVID S. UREY * 1991
David, Senior General Counsel, Licensing and Intellectual Property Law, with USX Corporation in Pittsburgh, Pennsylvania, served LES as Trustee and as Vice-President-Eastern Region. He chaired numerous committees and was a speaker and leader of numerous seminars and workshops. David earned his J.D. (with honors) from George Washington University.

27. B.I. (WOODY) FRIEDLANDER * 1992
Woody was Director of the Institute for Technology Transfer and Licensing Studies at the University of Bridgeport when he became President of LES. For 20 years he was involved in licensing and the transfer of intellectual property at Union Carbide Corporation, where he was Associate Director of Technology Transfer Marketing and Associate Director Patents and Licensing. Woody has been an active LES member, serving as Secretary, International Delegate, and Trustee.

28. EDWARD P. GRATTON * 1993
Ed, Associate General Patent Counsel and Director, International Patent, Monsanto Company, St. Louis, Missouri, was especially active in international affairs as a member of the Japan Committee, Chair of the Technology Agreement Administration Committee and chair of the PRC Committee. He was co-chair of the 1987 China Seminar, which LES (USA & Canada) sponsored. He chaired the LESIAC Committee, served as LES Secretary for three years and was a Trustee. He earned his J.D. degree at the University of Maryland.

29. MELVIN F. JAGER * 1994
Mel Jager, a partner of the Chicago law firm of William Brinks Hofer Gilson & Lione, was an active leader in LES since 1978. He acted as chair of the 1982 regional meeting, Workshop Chair of the 1986 Annual Meeting and as chair of the 1989 Annual meeting in Maui, Hawaii. When he was President, his Annual Meeting was again in Hawaii, at the Hilton Waiko-
loa Village Hotel. It was here that he was crowned the “Big Kahuna.” He had been a member of the Board of Trustees as a Trustee and Vice-President—Central Region. Mel was also chair of the Chicago LES chapter and active for many years as a speaker and lecturer at LES Meetings. He was a regular speaker at the LES Technology Transfer Institute in New York City and San Francisco. After serving for many years as the chair of the LES Endowment Committee he was one of the founders and first president of the LES Foundation. In 2003 he became President of LES International. Mel earned his B.S. and J.D. from the University of Illinois.

30. EDWIN A. SHALLOWAY * 1995

Ed, a Senior Partner in the law firm of Sherman & Shalloway, Alexandria, Virginia, immediately accepted numerous responsibilities when he joined LES and executed them tirelessly and with great enthusiasm, traits that distinguished his some 25-year LES membership before he died in 2004. He chaired numerous meeting and membership committees beginning in 1979, and served a number of terms as Trustee and Vice-President. He also participated in international conferences and seminars. He served LES International as an officer, becoming President in 2001.

31. GAYLE PARKER * 1996

Gayle joined LES in 1966 and became active almost immediately, involving himself in organization and leadership at annual meetings. He chaired the 1990 Annual meeting in New Orleans, became a Trustee in 1991; Vice-President—Administration 1995, and President-Elect in 1995. He began his patent career in 1956 as an examiner in the U.S. Patent Office. He began patent licensing with Naval Research and NASA, and in 1980 he took early retirement, formed his own agency and became President of Technology Licensing Corporation of Arlington, Virginia. He earned his J.D. from George Washington University.

32. WILLY MANFROY * 1997

Willy, as Director of Strategic Alliances and Licensing at Eastman Chemical Company in Kingsport, Tennessee, was responsible for all mergers, acquisitions, divestitures and licensing. Always active in
LES, he served multiple terms as Trustee, Vice-President-Central, and Vice-President-International before becoming President-Elect. He chaired various committees, and was the founding Chair of the E4 Committee, which has grown to include more business interests and is now called a sector. In addition, Willy, who received a Master’s Degree in Chemical Engineering from Ecole Polytechnique University of Brussels, Belgium, was active in international activities. He became LES International President in 2005.

33. THOMAS M. SMALL * 1998

Tom, a member of LES since 1971 and a Senior Partner at Small Larkin, LLP, Los Angeles, California, served the Society in many capacities. He was a Trustee, Vice-President-Western, and chaired and assisted in multiple national and regional meetings. He chaired the 1986 and 1994 Annual Meetings, and served as arrangements chair at others. He has been an International Delegate to LESI and chaired the LESI Trademark Licensing and Membership Committees. He earned his J.D. from the Indiana University School of Law.

34. RONALD L. GRUDZIECKI * 1999

A Partner in the Alexandria, Virginia, firm of Burns, Doane, Swecker & Mathis, Ron has served LES in many leadership capacities including Treasurer, Trustee, 1995 Annual Meeting Chair, Vice-President-Administration, and Membership Committee chair. He has chaired a number of LES International committees. Ron earned his J.D. at Georgetown University.

35. EMMETT J. MURTHA * 2000

While President of LES (USA & Canada), Emmett was also President and CEO of the company he founded, Fairfield Resources International, Inc. in Stamford, Connecticut, in 1997 upon leaving IBM licensing department. He had been Director of Licensing at IBM for 14 years. Before becoming President-Elect of LES, he served as Secretary of the Society for four years and was an International Delegate and had been a Trustee. He chaired annual meeting committees and was a plenary speaker and workshop leader. Emmett
received his BS in Accounting from the University of Connecticut and executive programs at Harvard Business School and Columbia University.

36. JOHN H. WOODLEY * 2001
A partner of Sim & McBurney, Toronto, association with LES came shortly after becoming a Registered Patent Agent, Canada in 1973, Trademark Agent, Canada, 1974, and Patent Agent, USA, 1974. With LES, he had been a Trustee, Vice-President-Canada for multiple terms, Regional Meeting Chair, Annual Meeting Program Chair, and in 1987 and again in 2000 he was Annual Meeting Chair. In addition, he chaired technology committees.

37. JAMES E. MALACKOWSKI * 2002
Jim served LES as Vice-President-International and as Treasurer for 1997 to 1999, and in 1998 he was also Meeting Chair of the Annual Meeting. Jim was a Trustee from 1992 until becoming President-Elect, and steered the Society’s Long-Range Planning and reorganization in the New Millennium. He also chaired other meetings and committees and became a Delegate to LES International. He is a Certified Public Accountant in Illinois. Jim received his BA degree at the University of Notre Dame.

38. JAMES R. SOBIERAJ * 2003
Patent attorney at Brinks, Hofer, Gilson & Lione in Chicago, Jim began serving on the LES (USA & Canada) Board of Trustees in 1996 after chairing numerous committees, including those for seasonal and annual meetings and the Chicago Chapter. He has been a featured speaker at many LES meetings in the U.S. and abroad. Jim obtained his JD from the University of Michigan.

39. KATHLEEN A. DENIS * 2004
Dr. Kathleen Denis is Associate Vice-President of Technology Transfer at The Rockefeller University in New York City. She received her PhD from the University of Pennsylvania. She was Regional Vice-President-USA, and has chaired numerous committees during her many
years of service in LES. She was a founder of the Fundamentals of Intellectual Asset Management course, and active in the LES Professional Development Series.

40. D. PATRICK O’REILLEY * 2005

Pat, a partner with the Washington, D.C., law firm of Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P, has fulfilled many leadership roles since assisting Marc Finnegan in the early years of LES history. Most recently, he was Vice-President-Communications, and Vice-President-Eastern Region. He was Trustee, and Co-Chair of the Strategic Issues Committee, whose studies and surveys provided the basis for vital New Millennium LES (USA & Canada) organizational changes. Pat earned his BS degree from the U.S. Naval Academy and JD from George Washington University Law School.
CHAPTER 10
GLOBAL OUTREACH

LES USA/Canada members, once they themselves were organized, wasted no time spreading the word globally about the benefits of and need for effective technology transfer well before LES International was created. They helped local licensing professionals around the world organize and educate others to develop and negotiate agreements that benefit all parties. A few examples follow.

LES U.S.A. members led and assisted in an historic agreement entered into between the U.S. and the then Union of Soviet Socialist Republics on February 10, 1970. The agreement launched a program of exchange in patent management and licensing, which it defined as:

"Mechanized and automated systems for the control and processing patent documentation, study of the practical steps, procedures and formalities necessary to exploit the patent grant, including identification of channels of communication available to bring together prospective licensees with the foreign patent holder."

The program was co-sponsored by the U.S. Patent Office and LES in the U.S. and by the Committee for Inventions and Discoveries in the USSR. It resulted in three delegates from the USSR visiting the U.S. from March 21 to April 7 in 1971 and the U.S. delegation, consisting of the following, returning the visit May 30 to June 12: William E. Schuyler Jr., U.S. Commissioner of Patents, and representing LES were Homer O. Blair, Kenneth W. Brown, Dudley B. Smith, and E.P. (Ted) White.

Upon return from Russia, the delegates authored an extremely detailed report, including numerous photos, published in a 36-page special issue of les Nouvelles in October 1971. It was circulated free of charge to all LES members to:
Participants gather at the historic 1970 meeting between the U.S. and the Union of Soviet Socialist Republic. Pictured are Soviet visitors, U.S. government representatives, and LES members E.B. (Ted) White (first row, left end), Homer Blair (first row, second from left), and Dudley B. Smith (first row, third from right).

“... describe the visit of the U.S.A. team and to acquaint industry and the patent profession with practices in the USSR pertaining to the generation and utilization of industrial property. Procedures for obtaining and exploiting patents in the USSR and for licensing both into and out of the USSR (are) described...”

To further assist licensing executives the publication includes delegates’ observations and conclusions regarding how the Soviet system functioned, listed persons and organizations visited, provided individual reports of meetings, and literature and other references.

U.S. delegates were given tours to break up their full schedule. Among his numerous entries, Homer Blair described a visit the delegates made to Piskaryov Cemetery in Leningrad. “This cemetery is very impressive and sobering. It is the place where 500,000 people are buried who were among those who died during the 900-day siege of Leningrad during World War II...”
Friendships and respect deeper than business relationships developed and remained long after those 1971 meetings. In January 2003, Homer Blair wrote a letter to Thomas G. Ryder, editor of les Nouvelles:

“I was saddened to read . . . in the December 2002 les Nouvelles of the death of Dr. Mikhail Gorodissky of Russia. I first met him in Moscow in June 1971 when he was Chief of the Patent Department of the All Union Chamber of Commerce of the Soviet Union . . . I met him on a number of other occasions, but the most interesting took place at Geneva in December 1988 at a United Nations Conference on Trade and Development (UNCTAD) meeting . . . I was the U.S. person and Mr. Gorodissky was the Soviet Union person . . . Most of the rest were from developing countries.

“In the fairly lively discussions that took place, Mr. Gorodissky and I agreed on nearly every position, much to the surprise of the UNCTAD and developing country people. They couldn’t believe a Soviet citizen and an American could think alike during the Cold War. Of course we agreed because we were both from development countries with strong patent systems and advanced technology.”

**UNIDO/LES SYMPOSIUM**

A global highlight of 1972 was the UNIDO/LES Symposium, an international extravaganza proposed by Sherman J. Kemmer and approved by Trustees in 1971 when he was President-Elect. The three-day session was held in May at the United Nations in New York City and co-sponsored by the United Nations Industrial Development Organization, Vienna, Austria, and the worldwide chapters of LES. (After all his organizational work, Sherman was unable to participate in the symposium; he was on the opposite side of the globe on business for his employer.)

Leonard B. Mackey, who would be LES President in 1978, took the lead and coordinated the meeting for LES. N. Beredjik, Senior Industrial Development Officer of the United Nations Industrial Development Office in New York at the United Nations Headquarters, was coordinator for UNIDO.

The symposium drew some 200 attendees and featured speakers from many countries discussing varied and numerous aspects of licensing into and out of developing as well as developed countries.
Joseph Markus, Director of New Product Development, Nabisco, Inc., was program chairman, and he closed the symposium with these words: “The clarity, excellence, and timely relevance of the many papers that have been presented here ... is particularly significant and speaks...well for the theme, concept, and importance of this symposium. The invaluable insight each of us has received into each of the areas of interest covered by our speakers and workshop leaders is in itself justification for the concept of the program.”

A special edition of les Nouvelles was devoted to Symposium papers and was made available to all LES members.

**Advice to UNIDO**

In August 1972, UNIDO asked LES for advice when it held a three-day meeting of 22 experts in licensing practices, evenly divided between developing and advanced countries. Of the 22, nine were LES members (all the others later became members), and five of the nine speakers were LES members. The subject for discussion was “What UNIDO Can and Should Do to Assist and Guide Developing Nations in the Field of Licensing and Technology Transfer.” U.S.A. participants included Marc Finnegan and Edward P. (Ted) White, Vice-President International.

**First LES Meeting in Asia**

The following month, September 1972, LES members traveled to the other side of the world to Japan, where organization of the just-created Japanese Chapter resulted in the first ever LES meeting in Asia. And it featured simultaneous translation for its 165 attendees.

LES (USA) speakers participated. They included Dudley B. Smith, who gave his “Beginners Licensing Course,” Charles G. Whelpton, speaking on “Licensing to Developing Countries and the Role of UNIDO” on behalf of Enrique Aguilar, Industrial Development Officer of UNIDO, who could not attend. Marc Finnegan, Vice-President-Eastern, spoke as a panelist on “Patent, Trademark, Licensing and Antitrust Problems.”

A memorable point in the program occurred early when LES U.S.A. President Sherm Kemmer, who had worked with numerous licensing professionals there
for his employer and is credited with generating the interest for creating a Japanese chapter, opened the meeting with a brief history of LES. He gave the entire talk in the Japanese language – to everyone’s surprise and appreciation. He received a traditional Western-style standing ovation from his Japanese audience.

ASSISTING DEVELOPING COUNTRIES WITH WIPO

In 1975, the U.S. Patent and Trademark office asked LES U.S.A. for reaction to a 14-point study prepared by WIPO for a meeting later in the year of the Ad Hoc Group of Governmental Experts on the Revision of the Paris Convention. Deputy Patent Commissioner Lutrelle F. Parker, in a cover letter addressed to Past-President Homer O. Blair, explained the meeting was motivated by developing countries’ desire that future industrial property protection promote their economic objectives.

“We would welcome your reaction, and the reactions of other members of your organization, to the WIPO analysis of the issues and the possible alternative solutions to these fourteen questions. A sensitivity to the views of U.S. industry will be very helpful in connection with our participation at the . . . meeting,” the Deputy Commissioner wrote. Past-President Blair authored the Society’s eight-page response, commenting on each of the 14 questions presented.

U.S. PATENT LICENSE DELEGATION TO CHINA

LES U.S.A. members joined with U.S. Department of Commerce officials in introducing concepts of the sale, purchase and licensing of patent and technology to the People’s Republic of China. Together, the delegation traveled for two weeks in November 1980, to meet with that nation’s business and government leaders. The first Chinese Patent Law had been enacted only months earlier, and Huang Kunyi, Director General, Patent Office of the People’s Republic of China, later described it as providing "legal protection for technological and economic interflow and cooperation between China and the various countries of the world . . . We may say that the Chinese Patent Law was born at the right time and in the right circumstances, and it will undertake very glorious and arduous historical tasks . . .”

Representing LES were Edward P. (Ted) White, Dudley B. Smith, William Poms, and Leonard B. Mackey, all long-time LES leaders.
U.S. government members were Chairman Sidney A. Diamond, Commissioner of Patents and Trademarks, and Vice-Chairmen Rene D. Tegtmeyer, Assistant Commissioner for Patents/USPTO, and Eugene L. Bernard, Senior Partner of Law Firm, Bernard and Brown. Other members of the government delegation were Michael K. Kirk, Director, Office of Legislation and International Affairs, USPTO; Claude A. Aoussat, International Industrial Property Specialist/USPTO; David L. Denny, International Trade Specialist/DOC, and David A. Gruberman, Special Assistant to the Assistant Secretary for Productivity, Technology & Innovation/DOC.

Within six months after the visit, Ted White had edited and produced an extensive, three-ring book report, “USA and China Technology and Patents Sale and License, The LES Guide to China.” The book, with an objective of assisting LES U.S.A. members seeking to do licensing business in China, as well as introducing Chinese professionals to USA and Canada licensing practices, was reproduced by LES and made available to members and nonmembers at a cost of $50 per copy. In the preface, Ted wrote:

“Tell me what I need to know for selling my process in China.” This imaginary request from a friend is the theme of our book. What should our friends—business executives, lawyers, and engineers—know in order to develop a successful, profitable sale or license of technology and patents to China? How can we help people to be properly prepared? How can we give people a feeling for the changes going on in China, where to look for the opportunities, and how to go after them? We hope that we will have succeeded in our self-assigned task of answering these questions... We have endeavored not only to describe adequately the present situation and operation of China’s many organizations with respect to technology/patents sales and licensing but also to outline the nature and reasons for changes now going on in China... We hope that those who study our report will be able to approach the China market with understanding and the proper preparation...”
PART IV
THE NEW MILLENNIUM
CHAPTER 11
RUN-UP TO NEW ERA

LES (USA & Canada)’s leadership in the years leading up to the New Millennium understood well that the organization was in transition, thanks to its’ sensitivity to member needs and interests, a gift originated by the organization’s founders. It was first noticed in the 1980s and was even more apparent the 1990s that the organization’s membership makeup, reflecting the licensing profession itself, was evolving dramatically. LES leaders, like their forebears, recorded meticulous membership surveys, and the noticeable changes triggered stepped-up organizational research and study and multiple detailed in-depth inquiries.

INTROSPECTION

The Society, like the respect for intellectual property assets in corporate boardrooms and the world, was transitioning from focusing most sharply on evolving esoteric legal concepts to greater emphasis on business-related aspects of transferring intellectual property. The Society’s lawyer membership count was shrinking from more than 60 percent at LES’s founding to less than half that number. The expanding business-oriented membership began to understand that they could realize previously unknown income by licensing their high-value intellectual property into an expanding and eagerly receptive global economy. The nation’s and the world’s legal understanding and standards for intellectual property transfer were still in the formative stages in those early years. Also, the U.S. revised antitrust restrictions that had closely restricted licensing transactions.

By the late 1980s through the 1990s more and more members arrived from diverse business fields of interest. A rapidly growing, younger and less experienced
membership reflecting a widening variety of licensing interests was coming aboard. Jay Simon, chairman of the 1990 Annual Report Committee, reflected in his introduction to that year’s 25th anniversary publication on the growing need for change:

“...The work we do requires humankind to strive for its best: In teaching and sharing knowledge, in developing and protecting intellectual property, in developing trust and confidence in others, and in achieving common goals and benefiting the living conditions of all.

“As civilization advances, the problems facing us, as individuals and as a Society, seem to become more complex. The world is changing rapidly. New frontiers are beckoning. The need for technology, old and new, and for solving problems, old and new, is ever increasing. There are gaps to be bridged.

“Our Society provides a forum where gaps are bridged, where knowledge and learning are shared for the benefit of all.

“As we begin our second quarter century we can be secure in the knowledge that the need for our profession and our Society will become more and more important. The role our Society plays in our profession and the prominence our Society attains depends on our abilities and efforts. Therefore, we must continue recognizing and meeting the challenges ahead. If the past is prologue, the future appears bright.”

And a couple years later, in the 1992 Annual Report, President Bernard I. (Woody) Friedlander wrote: “The evolving composition and changing interests of our membership are reflected in the type of planning now necessary for our Society to continue to grow and stay current with the real world of licensing and technology transfer. The Executive Committee, several recent past presidents and some past committee chairs met for two one-day strategic planning sessions to address the future plans and needs of the Society and its membership. Besides addressing such topics as the changing composition of the membership, we have also discussed the number and quality of the programs, the administration of the Society, and the Society’s role in the public arena. This is the first time ‘management’ has addressed this subject.”
FIRST STRATEGIC PLAN

In 1994, the future of LES was dealt with in great detail when the Board, following up on groundwork laid under President Friedlander, adopted what it called the first LES Long-Range Strategic Plan. It was the result of a three-year effort by many volunteers co-chaired by Paul Bell, a long-time LES committee chair, and Larry Evans, past-President of LES (USA & Canada) and future LES International President and LES Gold Medal recipient. The extensive document effectively laid out a solid foundation for LES (USA & Canada) leaders to build on in the New Millennium. Although the 1994 plan was entitled the “first” Long-Range Strategic Plan, long-range planning had become a permanent assignment of LES management in 1971, when then President-Elect Sherman J. Kemmer followed up on a suggestion he attributed to Dan Stice. Long-range plans had been updated regularly afterward, but not as extensively as in 1994.

The new LES Long-Range Strategic Plan prompted President Jager to write in the 1994 Annual Report that “...we now have a well-drafted document that sets the direction and goals of the Society ... Future LES leaders will be able to review and fine-tune this strategic plan to adjust for the changing needs of the Society and its members.”

The Strategic Plan was approved by the membership at the LES (USA & Canada) 1994 Annual Meeting in Hawaii. And later administrations did indeed accept President Jager’s challenge to examine and refine the document to keep it current and effective in the fast-changing organization.

The extensive 1994 document gave readers important background with the Purpose of the Plan and Status of the Society, and then addressed: Planning Assumptions—Impacting Factors in a Changing World; Long-Range Vision (Goals); Areas of Emphasis; and Tactical Implementation. The latter subjects laid the foundation for considerations in future plans, which are detailed later in this History, and notes that the Strategic Plan should be made available to members regularly and preferably revisited every two years.

D. Patrick O’Reilley, then Membership Chairman who would later become President, and Richard (Raz) Razgaitis, holder of numerous leadership positions over many years, co-chaired the Strategic Issues Committee, which the Board of Trustees created to research aspects of the newly adopted Strategic Plan.
Pat and Raz launched a series of member surveys that would extend over several years. The information they gathered through personal contact, mailed questionnaires, telephone polls, and focus panels was geared to accurately detail the LES membership’s professional makeup, and reflect members’ interests and needs and to solicit suggestions regarding their implementation. Their findings were regularly reported to Trustees and the membership to provide accurate data for the necessary introspection.

The younger membership noted in the 1990s was not only literally putting a new face on the Society, it was creating subtle impacts that became more apparent each year. One was that fewer and fewer spouses were accompanying members to annual meetings and other Society-planned get-togethers. A few years earlier it was common for more than half of members to bring their spouse to annual meetings.

The practice became LES tradition because it encouraged networking at social events, golf and tennis outings, and friend making, all to provide opportunities to develop long-lasting contacts and future business and legal relations. And it became apparent that long-favored resorts offshore and on the South and West Coasts were losing favor as annual meeting locations. Member surveys showed that a significant number of members’ spouses -- more and more likely to be husbands as a result of a growing female membership -- also were employed, and together the couple would choose to save their vacation leaves from their jobs for times convenient for the entire family.

Raz Razgaitis recalls surveys showed increasing numbers in the changing membership preferred metro areas rather than resort for meetings so they could piggyback business visits with the meeting trip. They reported this helped them get employer approval for attending meetings.

Perhaps a more common reason for concern over resort locations for meetings was opposition by a growing number of employers. This was a reflection, in part, of the changing nature of licensing in more corporations. Corporate licensing was being moved to a business function from the traditional legal or patent department, the latter of which typically provided LES members experiencing comparably little career turnover. Although legal assistance, of course, would still be needed for some company licensing transactions, the licensing function was more likely to originate in a business rather than legal department.
As explained by Pat O’Reilley, surveys showed that corporations rotate their young employees through various operational functions, such as business development. As a result, those young employees get involved in licensing for only three or four years. They continue their LES membership only during that relatively short period in their professional training. Their employers often do not support sending them to resorts or large meetings that have costly additional features that promote networking beyond educational seminars and speakers.

Early on, LES leaders noted the increasing number of members not renewing annual membership and sought to understand this trend. Raz and Pat surveyed ex-members and learned that, by a wide margin most valued their LES membership highly and would have continued had they not been transferred to a position where they were no longer in licensing.

“They come to us for three or four years and learn licensing, and then move on to another corporate position,” Pat says. “They see LES as a training organization.” Because of the planned short-term fling in licensing, networking is not an important feature to them. Pat, however, reminds, “Our mission is professional training and networking. Networking is important in the critical mass of our membership, such as in the healthcare industry.”

Surveys also showed a growing number of members coming from small technology firms and institutions, universities and hospitals with fewer licensing assets to justify the greater expense of attending larger meetings. In earlier eras, members who were corporate executives or law partners or owners of advisory groups were more likely to favor resort settings that encouraged networking.

Another sign of changing business practices affecting LES traditions was that fewer of these growing numbers of members could depend on employer support for administrative assistance even though the member possessed the interest and desire to volunteer for Society responsibilities. Lacking personal staff backup on the job and without employer office staff to help with details, more and more members could make only less generous contributions of time and talent to the Society.

Meanwhile, although the Administrative Office had come into existence in 1994, Society leadership was deeply troubled by the Society’s decreasing bank of volunteers to handle important administrative details. By the end of the 1990s the office had become heavily overburdened and was depended on to provide services it
was neither staffed nor prepared to handle. The new century arrived with a problem urgently needing attention.

**Closing Out the Century, the Achievements**

“Learning from the past, we can prepare for the future,” wrote Alan H. Gordon, committee chairman writing in the 1999 LES (USA & Canada) Annual Report. “As we end this millennium we see fading away the old approaches that worked so well for the ‘Bob Hope’ and ‘Baby-Boomer’ generations. The ‘X’ and ‘Dot-com’ generations have entered the world of business and with them comes a revolution of the delivery of goods and services. No longer can we rely on the successes of the past. We need to open our eyes and minds to a new calculus to continue to enjoy success in the new era; a new paradigm in business has arrived with the dawning of the new millennium.

“LES always has been committed to education in the business and profession of licensing. We will study the changes that the new generation of business demands as we transfer and exchange technology. We will study what worked so well the past decades to reveal the needed changes for business and law of the future. Both the delivery of goods and services as well as the governing law are undergoing major overhaul as the Internet and telecommunications have begun to saturate our lives. LES will be the organization that defines the new metrics and becomes the beacon of leadership in licensing in the new millennium...”

1999 President Ronald L. Grudziecki wrote the following in the same document: “As we enter the new millennium, the Licensing Executives Society (USA & Canada) is stronger than ever, larger than ever, and financially more sound than ever. Attendance is up at our meetings, and our LES Online capabilities are growing. While everything seems to be going well, we cannot forget the challenges of the future.

“LES has been operating from the strong base provided by our founding members and the first generation of members. It is our responsibility to provide for the next group, the next generation, of technology transfer specialists. They must be taught the lessons we’ve learned and given an opportunity to meet and work in the type of setting we’ve enjoyed...”
And Emmett J. Murtha, President-Elect in 1999, wrote this about the year 2000, when he would be President: “My goals for LES in the next year are simple: a more open organization, one with opportunity for inclusion of all members, an approachable, pro-active and representative leadership, continued emphasis on member education and enhanced networking, and involvement by members.

“Specifically, I will seek to modernize the process by which the Society leadership – its officers and Board of Trustees – is selected and open every door to involve and recognize our future leaders as early as possible in their careers. Concurrently, I am calling for greater involvement by younger members, female members and members from sectors that are under-represented, such as electronics, telecommunications and software involvement; participation and voluntary service have always been and will continue to be the key attributes of those aspiring to LES leadership . . .”

And, so, LES leaders gave a heartfelt farewell to the Society’s first 35 years, and a warm welcome to the New Millennium and the well recognized challenges it brings.

Indeed, LES (USA & Canada) closed out the 20th Century with a history of great achievements in the profession and in the Society, as recorded in preceding chapters. Leadership had created strong traditions of outreach in many directions, including providing LES International leaders and sharing administrative support though the Arlington, Virginia, office. Also, LES (USA & Canada) had been extremely aggressive in helping the international aspects of LES grow and strengthen globally by assisting and participating in numerous seminars and workshops in many nations for the United Nations and professional organizations worldwide.

Significantly, it was in 1993 that LES Online was founded under the direction of Edmund G. Astolfi, with the objective of sharing knowledge and making the sheer volume of information LES produces at meetings and in publications easily accessible to the membership. From its humble and limited launch, it has blossomed into the rich, easy-to-use and invaluable Internet information source that it is in the 21st Century.

LES (USA & Canada)’s leadership exerted considerable outward vision beyond its own organization in more traditional ways. Among them was support of numerous publications designed for professional reference, education support, and for Society membership information and promotion. The Society continued to improve
les Nouvelles. In 1986 it published its first Annual Report, and in 1994 the first independent membership newsletter, LES Viewpoints, was published. In addition, there were the highly regarded and successful Law and Business of Licensing book series; the International Thesaurus; the licensing “Bibliography”; the “Basics of Licensing,” and videotape educational programs in 1988, to name a few.

LES established the Endowment Committee in 1983 and charged it with the goal of developing additional worthwhile educational projects for LES. One of the Endowment projects is the LES Fellowship Program, which was established to award up to four $5,000 LES Fellowships each academic year to U.S. and Canadian undergraduate and graduate degree candidates. Their topics had to focus on some aspect of technology licensing.

Sixteen applications were received the first year by the LES Fellowship Committee, chaired by Edmund G. Astolfi. Also on the committee were Robert Goldscheider, Guy Houle, and Niels Reimers. The committee chose four winners “with great difficulty”: Kenneth Loberstein, studying law at the University of Oregon; Wiljaeanne McLean, New York City, studying a special licensing course at Université Libre de Bruxelles; William Mitchell, Ann Arbor, Michigan, studying business at the University of California, Berkeley; and Susan Sell, studying for a PhD in Political Science at the University of California, Berkeley. Each winning paper was published in les Nouvelle the same year. This Endowment Fellowship program continued to assist worthy graduate students for many years.

In 2000 the LES Foundation was incorporated to replace the Endowment Committee. The charter of the LES Foundation was to provide new and exiting educational and outreach programs with respect to licensing that would benefit the members of LES and the general public. More details of the LES Foundation are set out in chapter 13.

As reported in an earlier chapter, LES further actively engaged in public debate by filing amicus curiae briefs in Federal Courts.

Educational opportunities grew with the membership, with more seminars and workshops and plenary sessions for more and larger meetings each year. The Professional Development Series was introduced and carried forward and expanded into the new century with sold-out attendance. Also carried forward was the long-
popular Technology Transfer Seminar series offered annually at East and West Coast locations.

LES (USA & Canada) leadership, with well-deserved pride, did deliver the Society to the New Millennium in a financially strong position, record-size membership numbers, and a Strategic Plan that would make it possible to successfully deal with challenges that they could not possibly have foreseen.
CHAPTER 12
THE NEW ERA

LES (USA & Canada)’s leadership welcomed the New Millennium with great confidence, giving thanks in large part to preparations they and their predecessors together had taken in the preceding years. They tackled numerous challenges with the enthusiasm, clarity, pride and creativeness of the organization’s Founders more than three decades earlier.

OPEN AND WELCOME

A main objective of 2000 President Emmett J. Murtha was to encourage a more welcoming Society. He says, “I wanted to assure that the Society was far more open than it had appeared to be in the past to non-lawyers, to younger people, and to females and minorities by bringing in these members as much as possible as committee chairs, board members, and playing important roles in meeting organization. And I think that happened.” He was joined in the effort by other long-time members, including Ron Grudziecki and Willy Manfroy, and “new-generation” members who would follow him into top leadership roles.

When he became President, Emmett, who had served LES (USA & Canada) as Secretary for four prior administrations, initiated changes to the Nominating Committee that helped assure transition to younger and newer leadership. “The committee had been made up of all Past- Presidents,” Emmett recalls. “We got it changed to include the President-Elect, who will be serving with those nominated, and then we got members-at-large who were not candidates for office but represented constituencies that hadn’t been represented.” The result, Emmett believes, was to minimize any
feeling of the Society being an “old-boys’ network” and appear more welcoming to newcomers.

It was also in the first New Millennium year that the planned administrative office reorganization and expansion got underway. Kathleen Denis, Associate Vice-President, Technology Transfer, at The Rockefeller University in New York City, had joined LES in 1992, and with encouragement of Lou Berneman assumed numerous leadership roles. She was nominated a Trustee in 1998 by Willy Manfroy. By the end of the decade she was Vice-President-Administration, and in that role she managed the reorganization and orderly expansion of the LES Administrative Office in Arlington, Virginia.

Kathleen exemplified the “New Era” of LES leadership.

In 2003-2004 she became the 39th LES (USA & Canada) President, the first female President, and only the second President representing a university. The first was Niels J. Reimers, the 14th President, from Stanford University, in 1979.

**Professional Assistance**

By the year 2000 the Administrative Office that had been established in 1994 was being called upon to serve a membership that had grown to near 5,000 and back-up meetings drawing record attendance. Causing even greater pressure was the still evolving makeup of the membership.

Member volunteerism, so precious to LES success since the beginning in 1965, grew increasingly, but in a new direction. The creation and growth of the LES Administrative Office eliminated the need for volunteers to perform the routine tasks for planning and executing successful meetings and programs. The significant expansion of the Administrative Office in stature and capability quickly as the the new century approached allowed the volunteer membership to focus on the substantive issues important to LES, such as designing, creating and conducting new educational and outreach programs.

James E. Malackowski, who joined LES in the mid-1990s as a younger member, generously volunteered his expertise, became an officer and Trustee and the 2002 President. He recalls the Society had difficulty attracting corporate professionals to volunteer for leadership positions; many wished to volunteer to be leaders, but they
could not provide the administrative assistance that was needed and generously don- 
nated by leaders or their employers or partners in preceding administrations. “What 
we had to do to maintain the LES volunteer spirit was make an investment as an organ- 
ization by creating an administrative infrastructure that would support anyone who 
was qualified and had earned an opportunity for a leadership role in LES,” Jim says.

Creation of an office with a full-time staff might be thought of as the op- 
opposite of encouraging volunteering. “Actually, just the contrary is true,” Jim says. “We 
wanted qualified people who would volunteer even if they didn’t have the needed 
support behind them.” When a skilled office staff became available to handle detail, 
make arrangements, keep records, and possess the competence to assist, members 
possessing the skills, interest, and desire to be LES leaders could step forward. Jim 
points to Kathleen Denis, who became 2004 President, but could not have done so 
without the assistance of the LES administrative staff.

In the first year of the Millennium, Emmett welcomed Kenneth 
Schopmann as the Executive Director of the LES Administrative Office in Alexan-
dria, Virginia. Ken ably assumed an expanded role. It would be in the coming months 
that the Administrative Office staff would grow sufficiently in size and understanding 
to share responsibilities and duties with the rapid heartbeat of Society volunteers.

“Our role is to forge a partnership with LES volunteers, building on the 
culture and traditions that have been established,” Ken says. “Today, people have less 
and less time available to volunteer, and they need help in getting administrative and 
logistics parts of the organization accomplished, and that’s where our staff comes in.”

As a result, volunteers today are asked to provide more substantive contributions and 
leave administrative detail to the staff, he explains.

Ken points, for example, to standardizing the approach to meetings, which 
are so vital to the Society in achieving educational and financial goals. “Doing those 
events well is very important now, rather than having them vary from committee to 
committee and meeting to meeting. By having staff consistency we can provide con- 
tinuity of the common arrangements of the meetings, and the volunteers can come in 
and provide that special touch and programming that drives attendance and makes 
every meeting different.”

At the turn of the century, the Society was already well into a hiatus period, 
with its membership reflecting the transitional status of the licensing profession
itself. LES (USA & Canada) membership numbers had grown, topping 5,000 for the first time, although they declined briefly with the U.S. economy following the 9/11 national tragedy.

Pat O’Reilley reminded in his acceptance speech upon being elected President for 2005 that the licensing profession and LES are considerably changed when compared to earlier eras: “Licensing is a hybrid. It is a cross-fertilization of technology, principles of R&D, intellectual property, marketing, business-development, and many legal concepts. The LES membership is also a hybrid . . . LES is doctors, lawyers, CPAs, scientists, venture capitalists, bankers, and executives from healthcare companies, software companies, universities, hospitals, computer companies, food product companies, and aerospace companies . . .”

Alan H. Gordon, chairman, and David R. Lipson, in their introduction to the 2002 LES (USA & Canada) Annual Report explained the situation this way: “. . . The Society’s Board has worked to bring to the membership unique educational opportunities to explore accounting standards, metrics, and real and perceived values of intellectual property to business. New species of intellectual property have been created in concert with new inventions in health care, therapeutics, communications, the Internet, material science, energy, and transportation . . .”

NEW STRUCTURE, ORGANIZATION

It was in 2001–2002 that the results of years of research, study, and deep, internal examination moved off paper and took form. The plan was designed to refocus the LES (USA & Canada) organization in a way that spread and specifically assigned responsibilities, while calling for accounting of achievements. “Our goal was to refocus the organization to have an operating structure that was much more like a corporation,” recalls Jim Malackowski, who organized and led the changes for the Board.

“For years the Board had been Trustees and Vice-Presidents who had assigned geographic responsibilities or no responsibilities assigned whatsoever. So, the executive offices — the President, President-Elect, Treasurer, and Secretary — really ended up doing the vast majority of the work. It wasn’t because others didn’t want to help; there simply wasn’t a culture that gave them things to do.”
Historically, LES was created with a geographic orientation with East, Central, West, and Canada regions, each represented on the Board by a Vice-President. Additionally, there were up to a dozen at-large Trustees chosen generally for geographic representation. The structure worked effectively, but by the end of the 20th Century, leadership had become intensely aware of the need for fundamental organizational updates to assure the Society’s continued world leadership role in intellectual property transfer education.

“In early 2000, a small ad-hoc group was formed to consider a more effective means to govern our Society,” Jim Malackowski, as President-Elect, wrote in the 2001 Annual Report. “A number of interviews were held with new and senior members.” And the Board sent Jim to a three-day program at Harvard’s Business School on the governance of non-profit organizations.

Ultimately, the Board received and approved the “LES Organizational Structure” proposal that organized the officers and Trustees along functional lines, and approved necessary changes to the Society Bylaws. The membership gave its approval at the 2001 Annual Meeting in Palm Springs, California, and the new structure came into existence immediately.

The 2005-2006 organizational structure, slightly modified since the original 2001 version, is included in the Society Plan, which is reproduced in Appendix E. (Ken to provide Appendix E)

Every trustee and officer has goals to achieve each term, and trustees have reporting relationships to vice-presidents. Regional vice-presidents were assigned objectives not always addressed by the board previously.

As President, Jim Malackowski described the new plan in the 2002 Annual Report as “...more detailed and task-oriented than before. Each office examined the mission statement of the Society and the known administrative needs of the organization. Every trustee and officer has a specific set of goals and tasks...”

The 2002 Society Plan was revised slightly in the 2003-2004 Committee, Sector & Chapter Manual, and again in the latest 2004-2005 manual. The major topic headings, each followed by text clearly defining responsibilities and tasks necessary to meet the Society Plan, include:
Overview
A. Purpose of Society Plan
B. Society Mission
C. Long-Range Vision and Goals
D. The Board of Trustees
   President
   President-Elect
   Past-President
   Secretary
   Regional Vice-Presidents
   Treasurer
   Vice-President-Administration
   Vice-President-Membership
   Trustee-New Membership
   Trustee-Mentoring
   Vice-President-Education
   Trustee-Meeting Content
   Trustee-Professional Development Series
   Trustee-Technology Transfer Seminar
   Vice-President-Communication
   Trustee-Public Affairs
   Trustee-LES Online
   Vice-President-Local Chapters
   Trustee-USA-West
   Trustee-USA-East
   Trustee-Canada
   Vice-President-Member Interests
   Trustee-Industrial Sectors
   Trustee-Committee

The complete copy of the first Society Plan was published in its entirety in the 2001 Annual Report.

Jim noted that the Society Plan and functional blueprint provides a secondary benefit. “They give us a way to identify up-and-coming leaders because the executive committee and nominating committee can readily tell who is making contributions because now there are defined plans and people executing the plans.”

Jim credits many for helping make it possible to revise the basic New Millennium Society Plan, which brought the Society in tune with intellectual property licensing executive needs in the New Millennium. It started with the early work of
Larry Evans and Willy Manfroy, and later John Woodley as 2001 President. They supported Jim’s foundation building for the Society Plan and Functional Reorganization before and during John’s 2001 presidency, which led up to Malackowski’s presidency and implementation of the functional plan and organizational structure.

Another major activity related to the restructuring that President Malackowski initiated was reorganization of the Society’s committees. After acknowledging the valuable activity and contributions of several committees, Jim, as President-Elect, wrote in the 2001 Annual Report that “…the committee structure is generally weak and grossly underutilized… Many of our committees are wholly inactive, not even responding to calls for program participation, les Nouvelles contributions or reports for the Board. In short, it’s a black eye on an otherwise stellar organization.”

Among changes he planned -- and ultimately made -- were eliminating unneeded committees and greater recognition of achievers, as well as replacing the traditional succession plan with a three-part Chair, Chair-Elect, and Past-Chair. This would provide a greater planning horizon and ability to manage longer-term substantive project.

The following year, reporting as President in the 2002 Annual Report, Jim thanked committee Chairs and members, and reported: “I am pleased to report that a great percentage of our committees have been very active. Our local chapter activities have been outstanding, in some cases attracting crowds that until recently exceeded many of our major national meetings.” Jim credited the late David Braunstein, then Vice-President-Member Interests, and Trustees Tom Picone and Bob Gruetzmacher with nearly all local chapters having submitted annual plans for the year.
FINANCES IN THE NEW CENTURY

In the first months and years of the New Century, LES (USA & Canada) saw its finances sail in heavy seas in which it could do little more than roll in the waves. And ride them out the Society did – in style, with new and expanded services and education and networking opportunities, and ending with a record of financial success.

2000

The Society managed to finish the year with a slight surplus of revenues over expenses in its general fund despite the expense and uncertainties of numerous changes that would signal the arrival of a new era for LES.

Among achievements was formation of the LES Foundation to expand the Society’s educational and philanthropic mission. At the Annual Meeting in Toronto, the Board authorized $150,000 as seed money.

“The year 2000 was a tough one for our executive office,” Mark A. Peterson, 2000 Treasurer reported. “We had a 100% turnover in office staff. Despite this challenge, our new staff rose to the occasion, handling the transition of our accounting records to new accounting software and keeping our meetings running and profitably…”

The Society took on other projects, which increased non-meeting expenditures: Expanding the education-based Professional Development Series program with the Intermediate Asset Management course; expanding Online services such as online registration for meetings and dues payment; adding administrative staff to handle increased needs of the larger, more diverse membership, and authorizing increasing audits by an accounting firm from bi-annual to annual.

2001

The national economic downturn in 2001, combined with finalizing planned investment in the Society, resulted in a financial loss for the year. This resulted from a $150,000 founding contribution to the LES Foundation, continued investment of substantial funds in new professional development programs, and a reduction in earned investment income.

The Board immediately took steps that would result in a positive report the next year. Treasurer Richard Razgaitis noted in his year-end report on 2001 that membership fees were the same as they were in 1996 but covered only 22% of 2001
expenses, compared with 30% in 1996, causing greater reliance on other revenue sources.

Another negative impact in 2001 was greatly reduced attendance at Society meetings. “Contributing to the decrease was a more challenging national economy that year, affecting discretionary travel budgets, and in the aftermath of 9/11 some understandable travel concerns . . . A further economic challenge for LES is that our costs of putting on first-class meetings have grown faster than we have increased registration fees.” The result was a drop in net revenue over costs of 54% from 2000 meeting revenues.

Nonetheless, the Society provided an unprecedented level of formal educational opportunities, including two Tech Transfer courses, eight courses and modules of the Professional Development Series, all taught by LES faculty volunteers. Attendance was almost double the 2000 attendance.

The Society spent several hundred thousand dollars more on those educational programs than the revenue they produced, which was 13% less in 2000. “. . . During the last several years, we as a society made a conscious decision to grow our educational capabilities significantly in response to member needs with the attendant consequence of requiring net investment of more than $400,000,” reported Treasurer Razgaitis. Looking ahead to 2002, he envisioned a net gain from professional development activities.

The new Administrative Headquarters operation, with a staff of seven in the organizational year 2001 supporting all operational aspects of the Society including chapters, committees, Board and trustees required $148,491 more than the year before. Treasurer Razgaitis predicted the headquarters would operate below budget in 2002.

The contribution of $150,000 to the LES Licensing Foundation appeared as an expense to LES, but shows up as an asset of the Foundation.

2002

2002 recorded a whole new financial story. Treasurer Razgaitis reported that despite reductions in our investment accounts, reflecting the economic downturn of 2002, and despite continuing travel restrictions and concerns having some effect on our meeting attendance and income, the Society finished the year with an excess
of revenues over costs. In addition, it was able to make a $50,000 contribution to the LES Licensing Foundation. “This is a dramatic improvement compared to 2001, where our expenses exceeded revenues,” the treasurer concluded.

Membership, meanwhile, was 4,999, down 136 members from 5,135 in 2001, attributable to historically high non-renewals. However, thanks in part to an annual dues increase from $135 to $180, the first increase since 1996, collections raised a quarter of Society revenues. Approximately 27.5% of the dues revenue is transferred to LESI for services, including the membership directory and les Nouvelles.

Paid meeting attendance in 2002 at two seasonal meetings and the annual meeting totaled 1,792, a 12% increase over 2001, and only slightly below the record 1,795 in 1999. Importantly, the three meetings created a 5% increase in revenues over 2001, while expenses were down 8%. The net financial contribution was about double that of a year earlier.

Investment the prior three years in formal, expanded educational offerings paid off in 2002. In addition to two Tech Transfer courses, the Society had four “Fundamentals of Intellectual Asset Management” and two full “Intermediate Intellectual Asset Management” courses in the Professional Development Series (PDS). Total attendance was 361, compared with 80 in 1999, when the annual series was introduced. Education generated revenue which was below budgeted estimates but which made a positive contribution to Society financial requirements.

In 2002, LES (USA & Canada) continued publishing les Nouvelles for LESI, and, importantly as a financial factor, began distributing the membership directory in CD-ROM format and separately charging for hard copies. The result was a reduction in the previously accumulated deficit in the les Nouvelles/Directory account.

Investment income again reflected national trends and proved challenging. The Society ended the year recording a net loss compared with a small gain in 2001 and higher gain in 2000.

2003

2003 was another record year financially, and provided the Society with greatly improved investment results. Treasurer Razgaitis reported increased mem-
bership of 5,686, outstanding attendance and financial performance at the Society’s three major meetings, and increased return on investment income.

Total expenses in 2003 provided a net excess of revenues over costs. This improvement allowed increased funding of the LES educational programming and a contribution of $250,000 to the LES Licensing Foundation.

The record membership resulted in dues collections which provided more than 21% of the Society’s total revenues and contributed importantly to administrative office services.

In the Annual Report, Treasurer Razgaitis wrote: “The meeting committees for each of these meetings deserve special recognition for not only delivering the excellent meeting content and networking opportunities (and ambiance) but providing the substantial resources needed to fund our society’s operations and provide a cushion in our reserve equity for future investment or adversity.” He credited hard work and careful attention to expense management by the meeting committees.

The PDS and Tech Transfers programs also produced Education revenues resulting in revenues over expenses.

2003 became the final year that LES (USA & Canada) was responsible for publishing les Nouvelles and the Membership Directory for LESI, a responsibility it assumed when LESI came into existence in 1973. LES (USA & Canada), not always able in the past to end the year with revenues in excess of costs for the journal and online services (excess dollars were passed on to LESI, although negative numbers were absorbed), did end 2003 with an excess of revenues. Credited with making the difference was making the Directory available at much lower cost on CD-ROM format and charging for requested hard copies.

In 2004, all the dues and expenses and editorial content for les Nouvelles and the LESI website became the full financial responsibility of LESI, although LES (USA & Canada) continued to produce both. LES (USA & Canada) Trustees approved the action at the Society’s 2004 Annual Meeting in Boston.

The Administrative Office, supporting core Society operations and leadership responsibilities, recorded expenses not otherwise allocated to those activities that were slightly above the 2002 figure.
Investment results recorded reversal of the 2002 loss on paper. By the end of the year, the Society’s combined investment and savings again allowed the Society to contribute $250,000 to the LES Foundation.
CHAPTER 13
LOOK TO THE FUTURE

If the Past is Prologue, as Jay Simon wrote in his introduction to the 1990 LES (USA & Canada) Annual Report, the New Millennium LES (USA & Canada) can look ahead with confidence it will serve its members and the profession well, and will grow with confidence and in good health. Few with experience, however, would predict that success will come easily. History says the future will offer a continuing challenge to leaders. The Society Mission Statement adopted on Day One of the Society in 1965 and only slightly amended for currency in the four decades since, assures it. The following version was published in the 2004 Annual Report:

MISSION STATEMENT

To function as a nonprofit, professional and educational society encouraging high standards and ethics among persons engaged in domestic or foreign licensing or other transfer of technology and industrial property rights.

To assist its individual members in improving their skills and techniques in licensing through self-education, conduct of special studies and research, sponsorship of educational meetings, publication of articles and other material, and exchange of ideas related to domestic and international licensing or other transfer of technology and industrial and/or intellectual property rights.

To inform the public, the business community and governmental bodies concerning the economic significance
and importance of licensing or other transfer of technology and industrial and/or intellectual property rights and the high professional standards of those engaged in the profession.

To function as a research organization and assist in furthering the employment of technology and the licensing and other transfer of technology. (For comparison, refer to the 1965 Mission Statement reprinted in Chapter 2 of this History.)

Following is a look into the Society as it faces the years ahead.

LOCAL CHAPTERS

Local Chapters have come into their own, and their growth in numbers, membership, and enthusiastic leadership forecast a continuing strength and deepening substance to the Society. Now with a Vice-President-Local Chapters representing them on the Board of Trustees for organizational support, and with availability of website registration and headquarters administrative assistance, local chapters are being added every year. Since the start of the New Century, the number of chapters has grown from 27 in the U.S. and Canada to 43.

The 2002 annual meeting featured a “how-to” workshop for chapter chairs. Members who are unable to attend national or seasonal meetings gain all-important networking and educational opportunities at local meetings.

Local chapters became active in Society meetings in 2003 when the Society met in Salt Lake City and the local chapter participated in the meeting committee. “It worked out very well,” says 2003 President James R. Sobieraj. “They rolled out the welcome wagon, and supplied information about the city, handed out Olympic pins, and did a lot of things to generate enthusiasm and hometown pride.”

At the Annual Meeting later that year in San Diego, Arthur S. Rose, Vice-President-Local Chapters, presented $1,000 Outstanding Chapter Awards to five chapters for chapter-related expenses: The recipients: Silicon Valley, Chairs Larry Udell and Brad Friedman; Salt Lake City, Chair George Simon; Edmonton, Chairs Claire Leighton-Morris and Gordon Sustrik; Rochester, Chairs Thomas Fitzgerald,
Rodger Jackson and Varda Main, and Wisconsin, Chairs John Pienkos and Thomas Pienkos.

And in 2004, President Kathleen Denis presented similar $1,000 awards to five more chapters at the annual meeting in Boston.

Local Chapters, experiencing growing memberships and activity, are engaging in activities unknown in years past. Four chapters — New Jersey, Philadelphia, New York, and Connecticut-Westchester — put together a 2004 holiday celebration event in Jersey City, New Jersey, that featured fun and networking, food, music, gifts, and 12 corporate sponsors.

**Membership Makeup**

Reinforcing interest in LES among corporate leadership is another long-term goal adopted by New Millennium leaders as they look to the future. Experience supports in hard numbers what earlier survey studies forecast: a large portion of membership turnover resulting from changing U.S. corporate organization and overseas migration of heavy industries and businesses. Corporations and aerospace industries are not as heavily engaged in developing new licensing opportunities as they once were. Their licensing activities, previously the territory of lifelong professionals, are being assigned to corporate business development units whose managements viewed LES as a training organization for young employees being exposed for the first time to intellectual property and technology transfer. As a result many industrial sector members began attending meetings mainly to learn licensing basics for three or four years — instead of a career, as had been the tradition in LES — before moving on to other corporate assignments. As a result of their relatively short-term professional interest they tended not to involve themselves in networking or socialization activities, the traditional LES settings for developing long-term professional relations and friendships. With changing membership makeup, industry-based licensing executives and lawyers, traditionally the core of LES membership, now make up less than half. The healthcare segment makes up the largest membership segment, about 50 percent.

Further insight into the Society membership was provided in the 2003 Compensation Survey carried out under guidance of the LES Membership Committee, assisted by a survey research firm specializing in compensation studies. Guiding the
undertaking was Dwight Olson, Vice-President—External Affairs; E. Robert Yoches, Trustee—New Membership, and Mary Beth Cicero, Co-Chair LES Membership Committee.

The survey contacted some 3,000 of the total 5,000-plus LES (USA & Canada) members via an on-line survey instrument and received 1,025 responses, designated a representative sample of the membership, and representative of the target population, by industry section and professional category. Some 60% of the responses were from members in industry.

The survey showed the highest median salary reported was in the Multimedia sector ($187,500), with the lowest in the Transportation Mechatronics and Government/University sectors ($97,500). Executive or Senior Vice-Presidents reported a median base salary of $202,500, almost double that of Counsel ($97,500).

The survey also shows:

• Median total 2003 cash compensation is $127,000.
• Most respondents have 5-10 years of experience.
• Most respondents have been LES members three years.
• 76% have a Master’s degree or PhD.

The complete, detailed survey report is available at: http://www.usa-canada.les.org/membersonly.

“Titans” of Licensing

A continuing challenge for LES leaders is attracting, involving, and retaining industrial segment members. 2005 President Pat O’Neilley credits Jim Malackowski with launching a program called “Titans of Licensing,” which Pat says “gives corporate licensing managers an opportunity to meet and gain exposure to the organization, and we get to know them.”

The first was at the San Diego Annual Meeting in 2003, when the heads of nine major corporate licensing organizations were in a panel at a plenary session, and they answered both prepared and audience questions. “We also gave them an opportunity to meet among themselves at a luncheon, and they liked that,” Pat says. It has since been repeated at seasonal meetings and the 2004 annual meeting. “The net
effect is they are attending our meetings and learning about LES, and our members are getting to listen to a panel of the heads of major licensing departments discuss generic issues,” Pat adds.

**BECOMING A MEMBER**

Membership was made more convenient to attain when the former requirement of vouching signatures of two current members was reduced to one. Of greater importance to many, however, is the fact the name and professional association and contact information is published promptly on the LES website and in *les Nouvelles* and Viewpoints, so the information is immediately available to other licensing professionals. 2003 President Sobierzaj notes the importance of timely publication because of the current rate of comings and goings.

New members also get special treatment at seasonal and annual meetings. They, as well as first-time attendees, get unique identification so longer-term members can welcome them. Also, they are invited to special receptions at the President’s Suite, where they meet other new members as well as trustees and officers. “It’s a good way to get people energized into the organization and into networking, says 2002 President Jim Sobierzaj.”

Another innovation to introduce members to meetings they are attending is to publish the names of attendees before each meeting so those attending know who will be there. “The list is available on the LES website beforehand only to those attending, and it cannot be downloaded and used to spam people,” Jim says.

**MENTORING**

The LES culture of member mentoring (“No LES Member Stands Alone”) received an additional burst of energy in the new century with introduction in 2001 of the LES Foundation Frank Barnes Mentoring Award, which honors licensing executives who mentor in the biotechnology and pharmaceutical fields. The annual award was established to honor Frank Barnes, an early supporter of LES in the pharma industry. He personally mentored some 20 licensing executives. Mentoring pairs new members with experienced members to help new members understand how the organization works and how to get the most from it.
Society leaders have promoted mentoring enthusiastically. 2003 President Sobieraj points to the success of the Salt Lake City seasonal meeting, at which Meeting Chair Mark Butler assembled a meeting committee that included members with and without experience working on a major meeting. “We saw this as a chance to attract younger members to LES at the beginning of their career,” said mentor Ada Nielsen.

Ten PhD and MBA students were invited to the meeting, and with assistance of their LES mentors they had opportunities to interact with licensing, business and academia professionals, as well as listen to plenary speakers and attend workshops.” President Sobieraj wrote in Viewpoints, “I think mentoring is an important initiative in its own right. LES, like any organization, needs a constant influx of new people with fresh ideas in order to prevent stagnation … I have asked the 2003 meeting committee to include a combination of new members and veteran members, who will act as mentors.”

Later that year, Brian Oliver and Dwight Olson, chaired the Philadelphia and the San Diego annual meeting, respectively, and each highlighted mentoring successfully.

The mentoring website www.usa-canada.les.org/membersonly/mentoring provides links to various information sources, including a form to sign up as a mentor or as a “mentoree.”

NETWORKING

Networking, a highlight of LES meetings since the Society was founded, opens numerous opportunities to make business friends and contacts, and to easily meet nice people and enjoy friends. Jim Sobieraj, while president-elect, wrote in the 2002 Annual Report:

“Knowledge is power, and that includes knowledge of people. At LES meetings, you not only learn about the latest developments in various aspects of licensing, you get to know the people who are leading it. There are abundant opportunities to meet people who may be able to help, if not today, perhaps tomorrow.

“How many times have you sat at your desk and thought about who you could call to help you with a particular issue in a particular part of the world? What is a better way to find that person -- to search the Internet for someone who you don’t know
from Adam or to call someone you have met in person? I think most of us would prefer to deal with someone with whom we have some personal experience with their knowledge base, their communication skills, and their personality.”

The high value of networking was underscored in multiple surveys and member focus groups undertaken by Richard Razgaitis and Pat O’Reilly when they co-chaired the Strategic Issues committee under President Willy Manfroy in the mid-1990s and later. They confirmed networking emphasis was one of the highest values of LES. Raz recalls the findings showed that coffee breaks, especially at the plenary sessions at annual meetings, “…were really important networking sessions, so we began setting up the venues and timing of the breaks to promote networking.”

**EDUCATION AND MEETING LOCATIONS**

The character of meetings, like the Society itself, continues to evolve in these early years of the New Century. The change follows Strategic Issues surveys of companies and members that showed a perception that the Society aimed its meetings for resort areas, whereas the preference of current members was for piggybacking meetings with clients or customers or other business. “They wanted more meetings in ‘deal towns’,” Raz says. In earlier times resorts were favored as places to network and conduct the level of business of the era as well as learn the licensing art and profession.

The tradeoff in recent years has been a reduction of accompanying persons by roughly half, from typically 50 percent to 20–25 percent. Accompanying persons are always welcomed at all meetings at no extra registration cost, and a full program of daily events such as tours and entertaining classes is scheduled at annual meetings.

Meanwhile, meeting attendance has swelled. “Our seasonal meetings now draw as many members as our annual meetings did not that long ago,” says 2004 President Kathleen Denis, noting that in 2004 the San Francisco Winter Meeting drew 400 and 450 attended the New York Spring Meeting. The 2003 Annual Meeting in San Diego drew what turned out to be a relatively brief record high of 1,400 persons. A year later the Boston Annual Meeting recorded more than 1,500 attendees.
ADDMING MEETINGS VALUES

As has been shown numerous times in this history, LES arrived at the New Millennium with an abundance of the principled spirit, intellect, pride and courage that had empowered its members as intellectual property professionals the previous 35 successful years. With a new, efficient leadership organization, Strategic Plan, and a professional headquarters staff all in place, and a sound understanding of member needs from years of surveys and studies, LES meetings took on new life. They became bigger, better organized, and more complex, comprehensive, engaging, and fulfilling — and flashier.

For example, the 2003 Annual Meeting in San Diego kicked off with a professional audio-visual presentation. “Anyone walking into this meeting knew ‘this was not your grandfather’s LES,’” says Kathleen Denis, then President-Elect. “It was amazing, all the screens . . . It was very professional, and our members have come to expect a certain level of professionalism, and we’re thrilled we can deliver it to them.”

The annual and season meetings now feature more mini-plenary industry sessions, plenary, add-ons, and workshops on specialized topics. Annual meetings usually feature about 80 workshops, and oft-times paid speakers at plenary sessions.

TECHNOLOGY TRANSFER FAIRS

Raz recalls that surveys signaled the need for increasing networking and opportunities, “. . . so we began looking at meeting structures to set up breaks that led to industry-specific receptions, more openness to sponsorship, which had been a ‘no’ before, and expanded tech fairs, and even to tech ‘deal-making’.”

This signaled a shift in historic opposition to commercial sponsorship, which was formally prohibited in a 1998 resolution adopted by the Board of Trustees (as reported in Chapter 5). LES annual meetings had permitted only “forums” permitting promotion of technology or services only with display literature on a table in a designated room. New style and expanded displays became possible at seasonal meetings in 2003. “We made it possible to have a display table for a nominal fee to cover set-up and audio-visual costs, we had a reception, and we had tables around the perimeter of the room, and they could staff it with people who could explain what
technology opportunities or services they had, “says Jim Sobieraj. “The displays were popular.”

At the annual meeting that year the “forum” was designated a “Fair,” and included some 40 exhibit booths, and the event was repeated at the 2004 annual meeting, with all the spaces filled well in advance. It was designed as a showcase for companies with licensing needs and opportunities, universities, and other research organizations with out-licensing opportunities and intellectual asset management service providers. Both were financial successes.

SPONSORSHIPS

Sponsorship became a reality at LES meetings for the first time in 2003. It was an historic occasion. The 1998 Board of Trustees approved a resolution formalizing the long-standing policy that prohibited sponsorship, except if approved by the Board or Executive Committee. It was only five years later that a different Board took a different tact. “We decided to allow law firms, corporations, and other organizations to sponsor our meetings,” says 2003 President Jim Sobieraj. “So for a fee they get recognition, a complimentary booth at the technology fair, and an opportunity to give away a small token, such as a pen.

“By doing it in a way that is controlled by LES, we satisfied people who had been wanting to do it for years, and we brought in additional money, which helps us avoid escalating costs to our members less than we might have to otherwise. Hotel costs have been escalating. And we haven’t had complaints from members about the fairs that we had always expected.”

In 2004, sponsorships were offered at the annual and two seasonal meetings at four different benefit levels and costs. The program is designed to give sponsors visibility and opportunities to meet and identify potential clients and customers. Gold-level sponsors, the highest recognition, for example, may have their logos and names reproduced in meeting publications and programs and on LES website meeting promotions, inclusion of promotional material or item in individual registrant packets, an exhibit booth at the accompanying Tech Fair, a reserved table at the traditional dinner-dance, and opportunity to host a hospitality suite in the guest hotel one evening.
For 2005, LES (USA & Canada) Executive Director Ken Schoppmann sent potential sponsors a letter and brochure urging them to participate:

"Why sponsor LES meetings? LES members are decision makers in the health care, high tech, energy, chemicals, government, and university sectors. In 2005, three registration brochures will be mailed to over 10,000 licensing and business development executives. Based on recent meeting performance, we expect over 2,000 attendees at LES meetings in the next year. Those attendees will be exposed to sponsor names and logos . . . ."

**INDUSTRY SECTORS AND PROFESSIONAL COMMITTEES**

Industry Sectors, which took form under Willy Manfroy’s guidance in the 1990s, and Professional Committees experienced increased activity with the new Century. The Healthcare and High Tech groups were among the most active by holding monthly conference calls. Newly formed in 2003 were a new Consumer Products sector, and committees for Mentoring, Bankruptcy, and Women in Licensing.

**PROFESSIONAL DEVELOPMENT SERIES/TECHNOLOGY TRANSFER**

The LES Professional Development Series was launched at the 1999 annual Meeting in San Antonio, Texas, when 80 licensing executives attended the first four courses. The series was initiated by Willy Manfroy, LES (USA & Canada) 1997 President (and 2005 President of LES International), assisted by Allan Johnston and Allen Baum. The curriculum, the result of a collaborative effort by some of the most experienced licensing and intellectual property experts, was edited and organized by Marcia Rorke, long-time LES member.

The educational program has grown in size and stature and popularity every year since. Typically, PDS classes include small-group activities, question and answer sessions, lectures, and class discussion. The curriculum offers in-depth instruction and development for lawyers, financial and business development professionals, intellectual asset managers, and members from all industries. The program offers instruction in three levels:

- Fundamentals -- for those with less than three years’ experience, three and one-half days;
• Intermediate -- for those with more than three years experience, or who have completed Fundamentals, four days;

• Advanced -- for professionals specializing in a specific field of intellectual asset management, such as negotiation.

All three levels are enhanced occasionally and in 2003 seven PDS workshops were added.

In 2005, the Fundamentals and Advanced courses were given twice each in San Francisco and Chicago. The faculty included 28 LES volunteers. Guidance was provided by Vicki Hancock, PhD, of the LES administrative staff.

In Viewpoints, Judy Walter, Education Program Manager at the LES (USA & Canada) Administrative Offices, noted the curriculum is an important characteristic of the PDS, adding, “These courses raise the level of knowledge and skills, as well as having a huge networking component built in.” Arlene M. Morris, Vice-President-Education, and Aida Nielsen, Trustee, Professional Development Series, worked with Judy Walter to develop the Advanced Course.

The two-day Technology Transfer Seminar is offered twice annually; in 2004, in San Diego and Philadelphia. Offered for many years, the course addresses issues in the basics of patents, trademarks, trade secrets, and copyrights, including managing the licensing function as a for-profit business. Due diligence for IP mergers and acquisitions valuation, litigation and other key topics are included as well.

Faculty consists of volunteer LES members who are practitioners: attorneys, valuation experts, and corporation executives.

Full details for both the PDS and TTS programs are available at: www.usa-canada.les.org/education/fundamentals.

OUTREACH - LES FOUNDATION

The LES Foundation, a not-for-profit corporate entity, was created and funded by LES trustees in 2000, replacing the long lived LES Endowment Committee. Like the Endowment, the Foundation is funded largely by LES (USA & Canada). A mission, according to its website, is to obtain additional funds from individuals and organizations that have benefited from the licensing profession. “The Founda-
tion provides an opportunity for sharing the increased wealth created by the growth of licensing throughout the world. The Foundation is also a perfect vehicle to contribute back to the licensing profession through your estate planning,” the website urges.

The Foundation receives tax-deductible contributions from LES (USA & Canada) and other sources. Mel Jager served as its first president for three years, with Richard Razgaitis the Treasurer. Raz became president in 2005.

In 2001, the Foundation established the Dudley Smith Licensing Lecture Series. Raz Razgaitis, who was instrumental in establishing the series as well as the Foundation itself, said the annual series would feature blunt talk about issues and licensing. “Those who knew Dudley know how appropriate this is. Dudley, as a founding member of the Society, took on many key roles, and served as President and Vice-President. His bold style endeared many, while his vision helped form LES as it is today... The lecture series stands as a testament to his influence in the Society,” Raz says.

The annual competition began in 2001; papers are solicited and a $20,000 honorarium awarded to the winner, who then presents his or her ideas at two locations throughout the year.

The first recipient was Dr. Leroy Hood, M.D., Ph.D., President and Director of the Institute for Systems Biology. Dr Hood is recognized as a world-leading scientist in molecular biology and genomics. Members of the selection committee were Corwin Horton, Kerry Peterson, Kathy Ku, and Gerry Blaufarb.

Dr. Hood presented his paper at the 2001 annual meeting in Palm Desert, California, before some 1,200 attendees. It’s title was, “The Gnome Revolution: Implications for Biological Intellectual Property and Licensing.” His presentation was repeated at the Annual LES Foundation dinner in New York. The following year, Dr. Hood received the 2002 Kyoto Prize for Advanced Technology, sponsored by the Japanese Inamori Foundation, which is given annually to recognize those who have “contributed significantly to human progress in the areas of advanced technology, basic sciences, and Arts and Philosophy.”
The 2002 Dudley Smith Award recipient was Robert W. Lucky for his work in data communications, co-authoring what has become the most-cited reference in the communications field. He invented the adaptive equalizer, a technique for correcting distortions in telephone signals, which is used in all high-speed data transmission. He received the award at the LES annual meeting in Chicago, where he presented his speech “Reflections on the Next Big Thing: Innovation and the Information Economy. The speech was presented a second time to the LES Foundation Dinner in New York.

The 2003 Dudley Smith Award went to John Denniston at the 3rd Annual Dinner in Chicago in April 2004. The title of his presentation was, Innovation and Venture Capital in the Post-Bubble World.” Mr. Denniston is Chief Operating Officer of Kleiner Perkins Caufield & Byers, prominent Silicon Valley-based venture capital firm dedicated to investing in ideas that create new business categories or radically change existing ones. His presentation, with an interesting follow-up question and answer session was repeated at the LES Foundation Dinner which was also in Chicago.

The fourth LES Foundation award was The Honorable Richard A. Posner, Judge, U.S. Seventh Circuit Court of Appeals and Senior Lecturer at the University of Chicago Law School, and a prolific author of books on the economic aspects of law and technology licensing. The award was presented in April 2005 Annual Meeting in Phoenix and duplicated at the Foundation Dinner at the Four Seasons Hotel in Chicago.

The Foundation sponsored and conducted an annual in-depth survey of LES members, beginning in early 2004, that reports current licensing activity in the U.S. by LES members, provides insight into issues facing licensing professionals and focusing on “impediments and challenges” to licensing. It was the subject of a 13-page article, including seven tables, authored by Foundation President Richard Razgaitis, in the December 2004 les Nouvelles. The results are also reported on the Foundation website at www.licensingfoundation.org.

A second survey, designed to probe more deeply into licensing issues in the 2004 study and in addition focus on “motivations for licensing” was conducted in early 2005. Initial results were presented at a Colloquium at the Foundation’s Annual Dinner in April 2005 for reporting later that year. The survey results were again published in the December 2005 issue of les Nouvelles.
The Frank Barnes Mentoring Award, another important Foundation project, is presented annually to a member of the Health Care Industry that has excelled in mentoring others in licensing skills. The award is described earlier in this chapter and award recipients are listed in Chapter 9.

The Foundation also initiated a Collegiate Licensing Competition, which is conducted annually in cooperation with local LES chapters. Teams of college students at the Masters level compete by drafting business plans for a hypothetical start-up high-tech business. The plans are presented to a panel of experienced LES members. The winning team is awarded a prize and invited to participate in a regional LES meeting and repeat the presentation. The victorious teams are Stanford University, Med Gen (2005), and University of Waterloo – Ontario, Tangam Gaming Technology (2004).

LES (USA & Canada) outreach continued in many directions into the new century. Thanks to the Foundation, LES extended the spirit of volunteerism outside of LES, coordinating with other LES Societies. Members of technology-related professional organizations are regularly invited to LES meetings and to meet with LES leaders. AUTM (The Association of University Technology Managers) attended and networked at the Society’s 2003 Spring Meeting in Philadelphia.

Another outreach event occurred in 2002. “We started the Presidential Forum and invited the president of IPO, AIPLA, ABA, BIO and others to come to the annual meeting so those presidents and the president of LES could sit down and talk about ways our organizations could work together on important issues,” recalls 2002 President Jim Malackowski.

History was made in October 2004 when LES members and The Society of Automotive Engineers (SAE) met for the first time, then presented a joint session on technology transfer and licensing. The event took place at the SAE Commercial Vehicle Engineering Congress & Exhibition in Chicago. The program was organized by SAE members from Caterpillar Inc. and moderated by LES Member Alfred Zaher, chairman of the Transportation and Mechatronics sector. A follow-up program was scheduled for 2005.

LES outreach turned inward from national and international attention to community attention in 2003. The LES Foundation donated gifts and cash to the
Monarch School in San Diego during the annual meeting there. The school provides education to homeless and at-risk children. Representing LES were Mel Jager and Jim Sobieraj and Dwight and Lois Olson, annual meeting chairs that year in San Diego. This tradition of making a meaningful donation to a local community group has been continued at following LES annual meetings.

**NEW MILLENNIUM BRINGS NEW OLD LOOK**

LES (USA & Canada)’s New Millennium leaders can view their new organization in 2005 with pride equal to or even exceeding that the Society’s Founding Fathers must have felt after the first five years.

The 21st Century accomplishments and successes provide rock-solid footing for forecasting a bright and successful future for the Society as it moved forward. Today’s leaders display enthusiasm, commitment and imagination equivalent to that the Founders possessed and used to energize their successes in the first 30-plus years. They molded and shaped a professional Society that creatively responded to a need and provided education and business opportunities to a receptive market in the U.S. and Canada, and eventually the whole world.

Then, after nearly 40 years, as the 20th Century was coming to a close, the needs of the technology licensing profession were changing. The licensing profession itself adjusted, prompting the leadership of the Licensing Executives Society to update the organization and strategies to assure the Society’s success in meeting the needs of the membership in the New Millennium. Like the Founders, they carefully and successfully identified what needed to be done. And then they did it.

*As a result, the next 40 years are certain to shine even brighter than the first 40.*