

San Diego Intellectual Property Law Association

# SDIPLA News



**Special points of interest:**

- SDIPLA and the San Diego chapter of the Federal Bar Association will host a dinner meeting on March 16 featuring a panel comprised of Federal Circuit Judge Rader, Chief Judge Huff (S.D. Cal.), Judge Brewster (S.D. Cal.), David Doyle of Morrison Foerster LLP and Lee Bromberg of Bromberg & Sunstein.
- OCPA and SDIPLA will host a weekend IP workshop in Palm Springs on March 26-28, 2004.
- SDIPLA will host a dinner meeting on April 21 featuring R. Danny Huntington of Burns Doane on patent interferences.

## March 16, 2004 Joint SDIPLA and FBA Dinner (MCLE 1hr)

### Claim Construction Panel

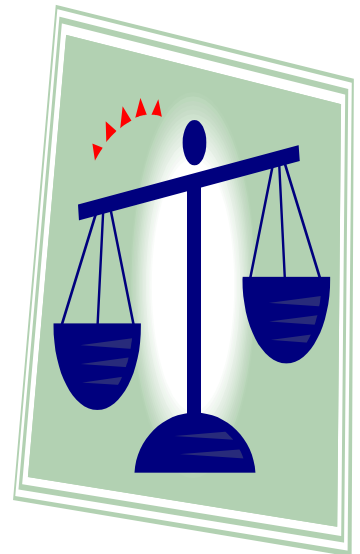
**JUDGE RADER (U.S. Ct. of Appeals for the Fed. Cir.),  
JUDGE HUFF (U.S. S.D. Cal.), JUDGE BREWSTER (U.S. S.D. Cal.),  
DAVID DOYLE (Morrison Foerster), LEE BROMBERG (Bromberg & Sunstein)**

**TOPIC:** Claim construction—Three Perspectives. Hear three perspectives on claim construction from this distinguished panel, including a circuit judge from the Federal Circuit, two judges from the District Court in San Diego and two prominent patent practitioners. SDIPLA is pleased to sponsor this dinner and panel presentation jointly with the San Diego chapter of the Federal Bar Association.

**PANEL:** Judge Randall R. Rader is a Circuit Judge on the U.S. Court of Appeals for the Federal Circuit. Judge Rader was appointed to the United States Claims Court by President Reagan in 1988, and President Bush nominated him to the Court of Appeals for the Federal Circuit in 1990. While on the appellate bench, he has also actively served as an educator at the University of Virginia and George Washington University law schools, including specialized intellectual property law courses.

**Judge Marilyn L. Huff** is the Chief Judge for the District Court for the Southern District of California, which is one of the busiest District Courts in the nation. Judge Huff has presided over several claim construction hearings and patent cases.

**Judge Rudi M. Brewster** is a Senior Judge for the District Court for the Southern District of California and is known for his interest in claim construction hearings and patent cases.



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**Date/Time/Location:**

March 16, 2004  
6:00 p.m.—8:30 p.m.

La Jolla Marriott  
4240 La Jolla Village Drive  
La Jolla, California  
858-587-1414

Checks payable to SDIPLA.

**DIRECTIONS TO THE MARCH 16, 2004 MEETING**

**Notes:**

This meeting is at the La Jolla Marriot.

This is a dinner meeting.

**Directions:**

I-5 to La Jolla Village Drive;  
.5 miles east, between Genesee and Regents Road  
I-805 to La Jolla Village Drive,  
1 mile west

## SDIPLA Board of Directors

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## Continued from page 1 (Panel presentation at dinner meeting)

**David C. Doyle** is the Co-Chair of Morrison Foerster's Intellectual Property Group. His practice focuses on patent litigation and patent licensing disputes for pharmaceutical, biotechnology, telecommunication, and other technology companies. He was recognized as one of San Diego's leading intellectual property attorneys by *San Diego Magazine*. He practices on a nationwide basis, currently serving as lead trial counsel in patent cases pending in Boston, Maryland, New Jersey, Denver, Sacramento, Oakland and San Diego. Mr. Doyle served as lead appellate counsel in two cases before the Federal Circuit in 2003.

**Lee C. Bromberg** is co-founder of Bromberg & Sunstein LLP in Boston and chairs its Litigation Practice Group. A leading intellectual property litigator and accomplished trial strategist, Mr. Bromberg has successfully handled a wide range of technology-based disputes, including numerous patent infringement actions, and trademark, copyright, trade secret, unfair competition and related cases in high technology areas.

Many of you have already made your reservations, but there is still room for a limited time.

### OCPLA/SDIPLA 2004 SPRING SEMINAR TO BE HELD IN PALM SPRINGS ON MARCH 26-28

The OCPLA/SDIPLA 2004 Spring Seminar will be held on March 26, 2004 to March 28, 2004 at the Hyatt Regency Suites Palm Springs, 285 North Palm Canyon Drive. Save the date! Don't miss your chance to meet the PTO's Commissioner Rogan, and other distinguished speakers.

To register and for more information, see pages 7 and 8

NOTE: In the next newsletter there will be a "call for nominations" for the treasurer position, so start thinking of nominees, and nominees start thinking about "statements" for publication in the newsletter.

**SDIPLA COMMITTEES:** SDIPLA has Amicus, Awards, Editorial, Events, and Sponsorship committees. **Members are needed for the sponsorship and events committees.** Please contact an officer if you are interested in joining a committee. Go to the SDIPLA website at [www.sdipla.org](http://www.sdipla.org) for more information about these committees and SDIPLA. David Guttman is our webmaster.

### Applications for SDIPLA Membership

The following individuals have applied for SDIPLA membership. Active Members may oppose membership status to these individuals by lodging a formal notice of opposition. The opposition must include relevant grounds for disqualification and should be submitted to the Secretary on or before March 14, 2004.

Carola Emelius-Swartz  
Jeannette V. Filippone  
Sandra Godsey  
Jennifer Y. Lai

Michele D. Lipscomb  
Ryan G. Roemer  
C. Amy Smith  
Amy M. Waldron

**ARTICLES:** If you have an article for the newsletter, please send it to Kent Walker.

**DUES:** To pay or renew your **membership dues:** Go to [www.sdipla.org](http://www.sdipla.org). Please pay your dues.

## Dinner Reservation Form for March 16, 2004 Meeting

### Topic— Claim Construction- Three Perspectives

### The Distinguished Panel—

JUDGE RADER (U.S. Ct. of App. Fed. Cir.),  
 JUDGE HUFF (U.S. S.D. Cal.), JUDGE BREWSTER (U.S. S.D. Cal.),  
 DAVID DOYLE (Morrison Foerster), LEE BROMBERG (Bromberg & Sunstein)

TUESDAY

March 16, 2004

La Jolla Marriott on La Jolla Village Drive  
 Registration starts at 6:00 p.m.  
 Dinner starts at 6:45 p.m.  
 Panel presentation starts at 7:15 p.m.

#### The Menu

Tomato Bisque and Caesar Salad

With one of the following entrees:

Chicken Madagascar

(with Creamy Peppercorn Demi Glaze and Garlic Mashed Potatoes)

\*\* OR \*\*

Grilled Mediterranean Salmon

(with Tomatoes, Olives, Capers and Oregano served over Spinach Fettuccini)

\*\*OR\*\*

Vegetarian Lasagna

With

Chef's Selection of Accompaniments and

California Fruit Tart with Creamy Vanilla Sauce

Please register early. Due to the large number of attendees expected at this event, the SDIPLA is again requesting **Pre-Registration and Pre-Payment.**

To reserve your place, please fill out the below registration, indicate your meal choice, and send it **WITH YOUR CHECK MADE PAYABLE TO 'SDIPLA'** to:

Kent Walker  
 SDIPLA Secretary  
 c/o Cooley Godward  
 4401 Eastgate Mall  
 San Diego, CA 92121-9109  
 (858) 550-6065  
 Fax: (858) 550-6420  
 walkerkm@cooley.com

Please include Wanda Robinson  
 (wrobinson@cooley.com)  
 On email reservations

## REMINDERS

- Please mail, fax, or e-mail your reservation to Kent Walker at the address, fax, or e-mail address indicated for receipt **no later than Tuesday, Mar. 14, 2004.**
- The reservation deadline is dictated by the hotel and not by the SDIPLA.
- This program has been approved for MCLE credit by the State Bar of California in the amount of one (1.0) unit.

### NOTE MEAL PRICES

**\$40.00 SDIPLA Member**

**\$45.00 Non-Member**

## Registration

Name: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Firm/Employer: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Member of SDIPLA? (circle one) YES NO

Entree Choice: \_\_\_ Chicken Madagascar \_\_\_ Grilled Salmon \_\_\_ Vegetarian Lasagna



**THE SAN DIEGO CHAPTER OF THE FEDERAL BAR ASSOCIATION  
and SDIPLA present:**

## **Claim Construction Hearings: Three Perspectives**

**Featuring: THE HONORABLE RANDALL R. RADER,  
United States Court Of Appeals For The Federal Circuit**

**The Honorable Marilyn L. Huff, Chief Judge, U.S. District Court  
The Honorable Rudi M. Brewster, Senior Judge, U.S. District Court  
David C. Doyle, Partner, Morrison & Foerster LLP  
Lee C. Bromberg, Partner, Bromberg & Sunstein LLP**

**DATE:** March 16, 2004  
**TIME:** 6:00 p.m. – Registration and cocktails.  
6:30 p.m. – Dinner and program.  
**COST:** \$50.00 FBA and SDIPLA members, \$65.00 non-members  
**PLACE:** Marriott Hotel La Jolla  
4240 La Jolla Village Dr.  
San Diego, CA 92037

*The San Diego Chapter of the Federal Bar Association certifies that the State Bar of California has approved this activity for MCLE credit in the amount of 1.0 hour. The San Diego Chapter of the Federal Bar Association is a State Bar of California MCLE approved provider.*

**To register for this event, send a check made payable to  
"Federal Bar Association," by March 9, 2004 to:  
Kent Walker, Esq.,  
Cooley Godward LLP, 4401 Eastgate Mall, San Diego, CA 92121  
Or R.S.V.P. to [walkerkm@cooley.com](mailto:walkerkm@cooley.com), (858) 550-6000**

**ARE YOU A MEMBER OF THE FEDERAL BAR ASSOCIATION?  
IF NOT, YOU'RE MISSING OUT ON KEY EVENTS, PROGRAMS AND NEWS  
RELATING TO FEDERAL PRACTICE IN SAN DIEGO AND THROUGHOUT THE COUNTRY!  
See our website at [www.fedbar.org/sandiego.html](http://www.fedbar.org/sandiego.html)**



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## SYMPOSIUM ANNOUNCEMENT

Title: Enforcement of Patents in the Pacific Rim

Speakers: Patent Attorneys from China, Japan, Australia, and the US

Where: Anaheim Convention Center

When: 9:30 AM - NOON  
Monday, March 29, 2004

The Symposium is sponsored by the American Chemical Society (ACS) in conjunction with the 227th National Meeting of the ACS. For registration, contact the ACS at [www.chemistry.org](http://www.chemistry.org) and register for a day pass (Monday) to the ACS National Meeting in Anaheim. For more information, contact Don Lewis at [dlewis@scripps.edu](mailto:dlewis@scripps.edu).

## AGENT POSITION SOUGHT

Patent Agent (BSc. in Mathematics and Physics) with **6 years** experience in Patent Prosecution of Hardware, Software, and Mechanical Patents seeking Immediate Full-Time Position to work in the area of Patent Prosecution.

Resume (with samples of issued U.S. patents to date) and References will be provided upon request.

Relocating to Irvine Area with Fiancé for immediate placement after November 1st, 2003.

Please contact **Paul Taylor** at +1 (780) 699-9999 or via email at [paul\\_taylor@shaw.ca](mailto:paul_taylor@shaw.ca).

## Patent Agent Seeks IP Work

**Patent Agent and law student with excellent grades open to any type of patent/IP work, part-time or full-time. BS in Cellular and Molecular Biology. Six years of academic and biotech lab experience.**

Barbara Treash-Osio  
Ph: (619) 482-4706  
Email: [btreashosio@yahoo.com](mailto:btreashosio@yahoo.com)

## IP Attorney Position Open

AV rated North County firm seeks IP attorney with 4-5 years experience to assist with various IP matters, with special emphasis on trademarks, including trademark clearance and counseling, trademark prosecution, trademark infringement litigation, Internet-related trademark disputes, and opposition and cancellation proceedings before the Trademark Trial and Appeal Board of the U.S. Patent and Trademark Office. Send resume via email to [info@mandclaw.com](mailto:info@mandclaw.com) or via fax to 760-931-9086.

## Announcements

This Announcements section is designed to better serve the needs of the membership. This page may be used to advertise for positions offered or desired, as well as to provide a forum for announcements of interest to the San Diego IP community. Please contact Kent Walker if you would like to place an ad or announcement.

# Silicon Valley Seminars'

## 2004 Workshop Schedule

### U.S. PATENTS & the PATENT PROCESS

(Secretaries • Paralegals • New Patent Attorneys/  
Agents)

San Diego 3/15 • LA 4/1

San Fran Area 5/13

San Francisco 10/28

### The PCT & the PCT PROCESS

(Secretaries • Paralegals • Patent Attorneys/Agents)

San Fran Area 3/15 • Los Angeles 4/19

San Diego 4/20

### PATENTS & PATENT CLAIM DRAFTING

(Patent Attorneys/Agents)

San Diego 3/26, 27 • Los Angeles 4/2, 3 • San Fran Area  
5/14, 15

San Fran Area (Summer and new Associates/agents,  
July 12, 13

San Fran Area 10/29, 30

### TRADEMARKS & and the TRADEMARK PROCESS

(Secretaries • Paralegals • Attorneys)

San Francisco 6/15 • San Diego 6/16

FOR DETAILS VISIT [www.patentseminars.com](http://www.patentseminars.com)

or contact Steve Shear at [steve@patentseminars.com](mailto:steve@patentseminars.com)

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Nath & Associates, a boutique patent and trademark procurement firm based in Washington, DC is seeking mature, successful patent attorneys to join its San Diego office. Our unique approach to managing our law practice permits us to offer an interesting alternative to traditional law firms and solo practice. If you are an entrepreneurial-minded, client-development able patent attorney looking for a new opportunity, please contact us.



(858) 792-8211

Fax: (858) 792-8946

Email:

[repstein@nathlaw.com](mailto:repstein@nathlaw.com)

**TOWNSEND AND TOWNSEND AND CREW LLP**, one of the premier Intellectual Property law firms, is seeking a patent agent to join our growing San Diego office. Ideal candidate has an electrical engineering background, 1-3 years of patent prosecution experience, and excellent writing and communication skills. Competitive salary and good benefits. Please send resume to:

Lindy Van der Reis, Esq.

Manager of Recruitment and Professional Development

Townsend and Townsend and Crew LLP

2 Embarcadero Center, 8th Floor

San Francisco, CA 94111

[mhv@townsend.com](mailto:mhv@townsend.com)

[www.townsend.com](http://www.townsend.com)

2004 OCPLA/SDIPLA Spring Seminar  
March 26-28, 2004

Hyatt Regency Suites Palm Springs  
285 North Palm Canyon Drive  
Palm Springs, California 92262  
www.palmsprings.hyatt.com

PROGRAM SUMMARY:

Patent Year in Review – *Laurence Pretty, Hogan & Hartson LLP*

Trademark Year in Review - *Tawnya Wojciechowski, Sheppard Mullin Richter & Hampton LLP*

Copyright Year in Review – *Professor Margreth Barrett, UC Hastings College of the Law*

*Former USPTO Director James E. Rogan, Venable LLP*

Update on PCT/EPO Practice for US Applicants - *Andreas Rutetski, Muller Bore & Partner*

Adverse Inferences in Willful Patent Infringement Cases, the Knorr-Bremse Issue– *Doug Olson, Paul Hastings*

Mock Markman Hearing – *David Stein, Jennifer Yokoyama and Matthew F. Weil, McDermott, Will & Emery*

HOTEL RESERVATIONS

Please contact Hyatt directly at (800) 233-1234 for room reservation.

Please identify yourself as an OCPLA/SDIPLA Seminar Registrant at the time of registration to receive the Group Rate of \$175/night.

Early reservation is recommended as the number of rooms blocked at the Group Rate is limited. Please note that the cut-off date with the hotel is March 5, 2004. After this date, reservations can be made on a space-available basis only at the prevailing rate.

For directions to the hotel, please visit the hotel website, at [www.palmsprings.hyatt.com](http://www.palmsprings.hyatt.com).

For further information, visit [www.ocpla.org](http://www.ocpla.org), or contact Margaret Kivinski, at [mkivinski@therox.com](mailto:mkivinski@therox.com), or call at (949) 757-1999.

## 2004 OCPLA/SDIPLA Spring Seminar REGISTRATION FORM

Name: \_\_\_\_\_  
 Firm/Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Adult Guest(s): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Child(ren) : \_\_\_\_\_ Age: \_\_\_\_\_  
 \_\_\_\_\_ Age: \_\_\_\_\_  
 \_\_\_\_\_ Age: \_\_\_\_\_

**Registration Fees (refunds available through March 15, 2004):**

	Early Bird Registration	After 3/5/04	Fill-in Amount(s)
OCPLA/SDIPLA Member	\$340	\$390	\$ _____
Non-Member	\$390	\$440	\$ _____
Guest(s)*	\$75 x _____	\$100 x _____	= \$ _____
Child(ren) over 5*	\$35 x _____	\$50 x _____	= \$ _____
Printed Course Materials (optional)**	\$25	\$25	\$ _____

\*\*limit 1 per attendee; available at seminar

Total Enclosed: \$ \_\_\_\_\_

**Registration Fee includes:**

- 7.5 hours of MCLE Credits
- Course materials (electronic copy on CD)
- Friday Evening Reception
- Saturday Breakfast Buffet
- Saturday Evening Reception and Dinner
- Sunday Breakfast Buffet

**\*Paid guests/children are invited to attend:**

- Friday Evening Reception
- Saturday Breakfast Buffet
- Saturday Evening Reception and Dinner
- Sunday Breakfast Buffet

Please send this completed form, with a check made payable to OCPLA, to:

Margaret Kivinski  
 TherOx, Inc.  
 2400 Michelson Drive  
 Irvine, CA 92612



SDIPLA  
 c/o Kent M. Walker  
 Cooley Godward LLP  
 4401 Eastgate Mall  
 San Diego, CA 92121-9109

**Visit SDIPLA on the Web at:  
[www.sdipla.org](http://www.sdipla.org)**

## Upcoming SDIPLA Events

Date	Event	Speaker/Topic
March 16, 2004	Joint Dinner Meeting SDIPLA and the Federal Bar Association	Panel presentation featuring Federal Circuit Judge Rader, Chief Judge Huff (S.D. Cal.), Judge Brewster (S.D. Cal.), David Doyle of Morrison Foerster and Lee Bromberg of Bromberg & Sunstein on Claims Construction—Three Perspectives.
March 26-28, 2004	Orange County Patent Law Association and SDIPLA Workshop in Palm Springs	Multiple Speakers and MCLE opportunities; see page 2 and <a href="http://www.ocpla.org">www.ocpla.org</a> for details.
April 21, 2004	SDIPLA Dinner Meeting	R. Danny Huntington, Esq. of Burns Doane Swecker & Mathis, LLP on Patent Interferences.
May 2004	SDIPLA Dinner Meeting	EPO Attorney Hugh Dunlop on European Patent Rules and Procedures (to be confirmed).
July 16, 2004	Golf Tournament	Second Annual SDIPLA Charity Golf Tournament for the benefit of San Diego Volunteer Lawyer Program.