



# SDIPLA News



On February 16th at the La Jolla Radisson, **DAVID MCGOWAN** of the University of San Diego Law School will present a talk entitled, "A View of Misuse and Antitrust Liability Through An Open-Source Lens." The talk will focus on the general question of how far a licensor may restrict licensee conduct before running into antitrust or misuse troubles. In particular, it will use the restrictions on downstream licensees created by the "copyleft" provision of the General Public License as a starting point to discuss the current state of the relevant doctrines.

## THURSDAY FEBRUARY 16TH MEETING

### "A View of Misuse and Antitrust Liability Through An Open-Source Lens"

BY: PROFESSOR DAVID MCGOWAN

#### Upcoming Events:

~Mar 1 - California Western School of Law Student Intellectual Property Law Association presents Judge Rudi Brewster 5:00-7:00 (co-sponsored by the SDIPLA)

~Mar 14 Joint SDIPLA/LES meeting, Specialty Pharma—Licensing & IP Strategies for Faster Value Creation

~Mar 24-26 - Joint OCIPLA/SDIPLA meeting at La Costa

~May 25 - Chief Judge Damich - US Court of Claims

Professor McGowan teaches and writes in the areas of securities regulation, contracts, corporations, professional responsibility and the intersection of antitrust law and intellectual property. His current research includes theories of collective behavior, such as network economic theory, the role of organizational analysis in assessing legal problems, the changing nature of the legal profession, and legal history.

Professor McGowan received his B.A., magna cum laude, from the University of California at Los Angeles in 1986 and his J.D. from Boalt Hall School of Law, University of California at Berkeley, in 1990. At Boalt he was a member of the Order of the Coif, recipient of the prize for best student publication, and an associate editor of the California Law Review. Professor McGowan served as a law clerk to Judge A. Raymond Randolph of the United States Court of Appeals for the District of Columbia Circuit during the 1990 Term. After clerking, he practiced in the fields of securities and antitrust litigation and counseling for Skadden, Arps, Slate, Meagher & Flom from 1991 to 1994. From 1994 to 1998, he practiced as an associate and later a director of Howard, Rice, Nemerovski, Canady, Falk & Rabkin. Professor McGowan was a lecturer at Boalt Hal from 1995 to 1998 where he taught corporations and corporate control transactions. In 1998, he joined the University of Minnesota faculty.

## FEBRUARY 16th Dinner Meeting-La Jolla Radisson

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#### Date/Time/Location:

February 16, 2006  
6:00 p.m. – 8:30 p.m.

**Radisson La Jolla**  
3299 Holiday Court  
La Jolla, CA 92037

858 453-5500  
[www.radisson.com/lajollaaca](http://www.radisson.com/lajollaaca)

#### Directions:

**From I-5, exit at La Jolla Village Drive**

**Proceed West and turn left at Villa La Jolla Drive**

**Turn left at Holiday Court.**

**Parking is free**

## SDIPLA Board of Directors

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Date	Event	Speaker/Topic
February 8, 2006	Lunch Meeting Del Mar Marriott 11:45– 1:30 P.M.	Robert Spar/USPTO's Claims and Continu- ations Initiative
February 16, 2006	Dinner Meeting La Jolla Radisson 6-8:30 PM	Professor David McGowan, USD—IP Li- censing & Antitrust
March 1, 2006	California Western School of Law Presents the Honor- able Judge Rudi Brewster and possibly additional judges from the USDC, and SD Cal.	Honorable Judge Rudi Brewster
March 4, 2006	5th Annual Black & White Ball	San Diego Chapter of the Association of Corporate Counsel – America
March 14, 2006	Joint SDIPLA/LES meeting at the Mar- riott 6-8 PM	Specialty Pharma—Licensing & IP Strategies for Faster Value Creation
March 24-26, 2006	Joint OCIPLA/ SDIPLA meeting at La Costa	Anticipated Topics include USPTO patent prosecution, trademark policing programs, the copyright year in review and PTO and CAFC appeals
April	TBA	
May 25, 2006	TBA	Chief Judge Damich– US Court of Claims

# Reservation Form for February 16th Meeting (La Jolla Radisson)

## "A View of Misuse and Antitrust Liability Through An Open-Source Lens"

BY: PROFESSOR DAVID MCGOWAN

Thursday- February 16, 2006

6:00-8:30 p.m.

The Menu

**Caesar Salad**

**Grilled Vegetable Pasta**

An array of sautéed & Grilled Seasonal Vegetables lightly tossed with Fresh Herbs, Spinach Fettuccini & Light Cream Sauce

**Chicken Oscar**

Sautéed Chicken Breast topped with Blue Crab Meat, Asparagus Spears & Fresh Herb Béarnaise served with Garlic Mashed Potatoes & Fresh Seasonal Vegetables

**Salmon Florentine**

Grilled Salmon on a bed of Wilted Spinach topped with Sundried Tomatoes & Feta Cheese & Fresh Seasonal Vegetables

**Desert**

Chocolate Fudge Decadence Cake

*Freshly Brewed Coffee, Decaffeinated Coffee, & Iced Tea*

Cash Bar From 6-7:00PM

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, and send it **WITH YOUR CHECK MADE PAYABLE TO 'SDIPLA'** to:

Robert Prince  
SDIPLA Secretary  
14651 Woodhue Lane  
Poway, CA 92064  
(858) 722-4597  
FAX: (858) 748-8201  
[rprince@sbcglobal.net](mailto:rprince@sbcglobal.net)

Please include:

***lchristiansen@san.rr.com*** on all e-mail reservations.

On-line registration available at [www.sdipla.org](http://www.sdipla.org)

Please complete a separate form for each attendee.

### REMINDERS

- Please mail, fax, or e-mail your reservation to Robert Prince at the address, fax, or e-mail address indicated for receipt *no later than 12:00PM, February 10, 2006*.
- 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 .
- Meeting is at the La Jolla Radisson

### NOTE Meeting PRICES

**\$40.00 SDIPLA Member**

**\$55.00 Non-Member**

## Reservation Form for FEBRUARY 16TH Meeting

Name: \_\_\_\_\_

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

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

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

Member of SDIPLA? (circle one) YES NO

- Salmon**
- Chicken**
- Vegetable Pasta**

**DEADLINE FOR REGISTRATION IS 12:00PM, February 10, 2006**

## MEMBERSHIP RENEWAL

Name: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_  
(required to receive newsletters)

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

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

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

Send check or money order payable to SDIPLA Dues to: Robert Prince

Attorney Member Dues:	\$50/year	SDIPLA Secretary
Non-Attorney/Retired Attorney Dues:	\$25/year	14651 Woodhue Lane
(e.g. law students, paralegals, patent agents, retired attorneys, etc.)		Poway, CA 92064

### Please Renew Your Membership for Fiscal 2005-2006

All SDIPLA members are asked to send in their membership dues, if they have not already, using the Membership Renewal form above.

- E-Mailing of newsletters and notices will replace regular mailing.
- Members who have not renewed membership **by November 30, 2005**, will be **removed** from the active member mailing list.
- SDIPLA had approximately 275 active members in 2004-2005.
- **On-line registration now available– visit [www.SDIPLA.org](http://www.SDIPLA.org).**
- SDIPLA would like to increase active membership, including significantly in-house practitioners.
- SDIPLA welcomes any suggestions to make the renewal process more efficient.
- SDIPLA welcomes any suggestions to increase membership.
- If you have suggestions, please do not hesitate to contact one of the officers.

### 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 Rob Prince if you would like to place an ad or announcement.

#### INGRASSIA FISHER & LORENZ, P.C.

##### WE LEFT THE BIG GENERAL PRACTICE FIRMS BEHIND

. . . because we knew we could run a better patent practice ourselves. **Ingrassia, Fisher & Lorenz** is now one of the largest intellectual property boutique firms in the southwest, and we are looking for qualified patent attorneys for our expanded San Diego office. We provide top quality counsel to some of the nation's best technology companies, and we do it in an environment that is relaxed, flexible, generously-compensated and savvy to the unique needs of patent attorneys. If you have outstanding technical skills, a deep commitment to client service, and a burning desire for life beyond the almighty billable hour, we'd like to talk to you. EE degree and at least five years of patent preparation and prosecution experience required.

Email resume and writing sample in confidence to [recruiting@ifllaw.com](mailto:recruiting@ifllaw.com).

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

#### 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.

#### 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 before March 1, 2006.

John Conroy

Michael Eddy

Heidi Gutierrez

Jennifer Koh

Ryan Mallen

Ali Shalchi

Dwight Thompson

Karen Watson

Lin Yu

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

**DUES:** To pay or renew your **membership dues:** Please use the form on page 4, and send form via mail or fax to Rob Prince. - online registration now available - visit [www.SDIPLA.org](http://www.SDIPLA.org).

## Announcements (continued)

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 Rob Prince if you would like to place an ad or announcement.

The SDIPLA thanks our Sponsors for the  
2/16/06 meeting:

**Buchanan Ingersoll**  
[www.bipc.com](http://www.bipc.com)

**Morrison & Foerster**  
[www.mofo.com](http://www.mofo.com)

**Townsend and Townsend and Crew**  
[www.townsend.com](http://www.townsend.com)

(listed alphabetically)



**San Diego Chapter of the  
Association of  
Corporate Counsel – America  
Hosts 5th Annual  
Black & White Ball**

*Gala to Benefit*  
**The Association of  
Corporate Counsel - America &  
San Diego Habitat for Humanity**

**What:** The San Diego chapter of the Association of Corporate Counsel – America will host its 4th annual “Black & White Ball,” a black-tie optional gala benefit for San Diego Habitat for Humanity. The evening will include music by Innovation, silent auction and a casino. San Diego Habitat for Humanity is an affiliate of Habitat for Humanity International, a non-profit, ecumenical organization with a mission to eliminate poverty housing. San Diego Habitat for Humanity builds homes and sells them to low-income families with a 20-year, 0%-interest mortgage.

**When:** Saturday, March 4, 2006  
Wine Reception at 6:00 p.m.;  
Dinner at 7:30 p.m.

**Where:** Manchester Grand Hyatt

**Info:** For more information or sponsorship opportunities please contact:

**Hillary Wilson** ([hwilson@alarismed.com](mailto:hwilson@alarismed.com)) or  
**Jon Hellings** ([jhellings@cox.net](mailto:jhellings@cox.net)).

For ticket information please contact:  
**Jon Hellings** at 619-758-0795 or  
[jhellings@cox.net](mailto:jhellings@cox.net).