



SDIPLA News

Upcoming Events:

November 19, 2009 Dinner Meeting:

Harry Leonhardt, Vice President, Legal/Deputy General Counsel
Amylin Pharmaceuticals will speak regarding
“Patent Reform Legislation”

****Save the Date****

December 10, 2009 Holiday/Awards Party
(details forthcoming)

San Diego Intellectual Property Law Association
<http://www.sdipla.org/index.htm>

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Date/Time/Location:

November 19, 2009
6:00 p.m.—9:00 p.m.
Del Mar Marriott
11966 El Camino Real
San Diego, CA 92130

Directions:

From I-5 exit Carmel Valley Road
East on Carmel Valley Road
North on El Camino
West on Valley Centre Drive

SDIPLA Board of Directors	
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REMINDERS

Update Contact Info

Please submit changes of your contact information to Ken Jenkins: (kejenkins@townsend.com)

Membership Renewal

Please renew your membership at:
<http://www.acteva.com/booking.cfm?bevaaid=95102>

Articles

If you have an article for the newsletter, please send it to Ken Jenkins: (kejenkins@townsend.com)

Sponsorship

If your firm or company is interested in sponsoring a meeting, contact Ken Jenkins: (kejenkins@townsend.com)

The SDIPLA would like to thank our Sponsors for the monthly meetings:

Foley & Lardner LLP (www.foley.com)

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(listed alphabetically)

November 19, 2009 Dinner Meeting

Harry Leonhardt, Vice President, Legal/Deputy General Counsel
Amylin Pharmaceuticals will speak regarding
“Patent Reform Legislation”

Thursday November 19, 2009

Dinner Meeting
Del Mar Marriott

Registration: 6:00 p.m.
Cocktails: 6:00 p.m.
Dinner: 7:00 p.m.
Discussion: 7:30 p.m.

Menu:

Fresh Seasonal Salad
With one of the following entrees:
Chicken Marsala
Grilled Salmon
Mushroom Pasta w/Vegetables

Dessert
Coffee and Tea

Registration and payment is due
no later than November 17, 2009.

Reserve your space online at:
[http://www.acteva.com/booking.cfm?
binid=1&bevalD=192787](http://www.acteva.com/booking.cfm?binid=1&bevalD=192787)

Or register below and mail
**WITH YOUR CHECK MADE
PAYABLE TO ‘SDIPLA’ to:**

Ken Jenkins
SDIPLA Secretary
Townsend and Townsend and Crew LLP
12730 High Bluff Drive, Suite 400
San Diego, CA 92130
(858) 350-6100
kejenkins@townsend.com

MEAL PRICES

SDIPLA members: \$55.00
(plus \$3.32 Acteva service fee)

Non-members: \$65.00
(plus \$3.77 Acteva service fee)

Name: _____

E-Mail Address: _____

Firm/Employer: _____

Telephone Number: _____

Member of SDIPLA? (circle one) YES NO

Entrée Choice: _____ Chicken _____ Salmon _____ Vegetarian

CALL FOR NOMINATIONS IP ACHIEVEMENT AWARD

The San Diego Intellectual Property Law Association is calling for nominations of outstanding inventors, investors, service providers, organizations and others who have significantly contributed to the San Diego IP community.

Past award recipients have included Flossie Wong-Staal, Ph.D., Andrew Viterbi, Ivor Royston, Howard Birndorf, Larry Maxham, Dr. Drew Senyei and the Honorable Rudi M. Brewster.

The winner of the Award will be announced in December, and the Award presented at the annual SDIPLA Holiday Dinner.

* * *

For nominations please contact the Award Committee Chairs:

Jessica S. Mitchell, Co-Chair, SDIPLA President
Email: jsm_mitchell@yahoo.com

John E. Peterson, Co-Chair, SDIPLA Vice-President
Email: john.e.peterson.ph.d@gmail.com

INTERNET SIGHTINGS

By: Jim Hawes

This column highlights some of the more notable recent internet notices, newsletters and blogs dealing with IP prosecution issues. The full IS column, with compilations of some of the sources such as Hal Wegner's newsletter, is now up and available at www.internetsightings.com. Check it out.

Hal Wegner's newsletter – a lot of great stuff – Contact: hwegner@foley.com

- The 9/3/09 email states that Bob Stoll will be the new Commissioner of Patents beginning 10/1/09, and Peggy Focarino will be the new Deputy Comm.
- Hal's top ten list of cases on appeal are discussed in his newsletters of 9/3/09, 9/11/09, 9/14/09, 9/15/09 (2), 9/16/09 and 9/17/09.
- The 9/9/09 message reports that Chief Judge David Sams of the TTAB will retire on 11/1/09.
- Hal's 9/12/09 commentary surveys the questionable views of Gene Quinn in his No. 2 blog, *IP-Watchdog* (per Pat-O survey of 7/11/09).
- The 9/14/09 email reports that the American Inns of Court will hold a "Celebration of Excellence" black tie dinner at the Supreme Court following the AIPLA Annual Meeting.
- The 9/22/09 posting focuses on the recent WIPO IP report showing the 2007 top patent application filings of China (673K), Japan (443K) and the US (347K).

Patently-O – a blog written by Dennis Crouch – www.patentlyo.com.

- The 9/1/09 blog reports the Bose CAFC decision holding that fraud in trademark prosecution requires more than "should have known." It will excuse false statements based on inadvertence, misunderstandings, etc.
- The 9/2/09 email discusses new PTO Director Kappos' desire to give examiners sufficient incentives to ensure complete and competent first actions and compact prosecution, with applicant interviews early and often.
- The 9/3/09 blog is a data master's delight. It reports a study of Jan-Aug 09 original patent applications – the favorite day to file is Friday, the average number of words (8000) and the average number of claims (20).

INTERNET SIGHTINGS

By: Jim Hawes (cont.)

- The 9/4/09 email discusses the design patent issued to Google for its home page.
- The 9/8/09 blog offers more for data masters. It reports that about 30% of patents issued in 1975 had at least one method claim, with a gradual rise to more than 60% in 2009 having at least one such claim.
- The 9/15/09 email summarizes Director Kappos' speech to the IPO about the PTO's near-term future. *See also* Hal's 9/16/09 posting.
- The 9/17/09 posting presents a paper by Prof. Collins discussing method claims in light of the *Bilski* and *Prometheus* decisions. Hal Wegner's email of 9/17/09 lists many other comments about the *Prometheus* case.
- The 9/26/09 email discusses the recent 40% increase in BPAI filings, the upswing in decisions, and the likely reasons behind these increases.
- The 9/28/09 message reports that Prof. Espinel is the new IP Czar for the Administration. Trademarks and copyrights are her likely focus.
- The 9/29/09 blog reports that the government has filed its brief with the Supreme Court in the *Bilski* case, asking the Court to limit "process" to the machine or transformation test of *Alappat*.

Carl Oppedahl – emails of PCT practice matters: carl@oppedahl.com.

- The 9/3/09 emails discuss the last day to file a PCT application under a valid claim of priority to a provisional US application. Interesting.
- The 9/5/09 emails discuss filing a demand for preliminary examination with an IPEA. Also interesting.
- The 9/12/09 and subsequent emails discuss the need for claims in a provisional application.

INTERNET SIGHTINGS

By: Jim Hawes (cont.)

Incontestable – a monthly review of trademark developments – www.finnegan.com

- The July-Aug review reports that the CAFC has held Hotels.com to be generic for obvious reasons.

Patent Docs – a frequent newsletter about patents – zuhn@mbhb.com

- The 9/29/09 message discusses the *AstraZeneca en banc* CAFC Decision on inequitable conduct, requiring both an omission (or misstatement) and evidence of deceptive intent.

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Cal Bar IP Section – alerts when appropriate – Contact: mitch.wood@calbar.ca.gov

- The annual IP Institute will be held in Dana Point on Nov. 12-14.

AIPLA Direct – a newsletter issued from time to time :http://www.aipla.org/Content/ContentGroups/About_AIPLA1/AIPLA_Reports/AIPLA_Reports_TOC.htm

- The Association held its 2009 Annual Meeting at the Marriott Wardman Park Hotel in DC on 10/15/09 - 10/17/09.

WIPO – madrid@wipo.int

- On 9/21/09 WIPO published a report on worldwide IP rights showing recent IP trends, including an apparent drop in 2008 filings.

Other Stuff –

- Signals magazine reports a 41% funding increase in specialty drug companies for the first half of '09.
- In an article in the August Life Sciences Leader magazine a VC – CEO opines that biotechnology is entering a “golden era” of discoveries. I guess that means a golden era for biopatents too.
- The American Conference Inst. announced a Foreign Patent Law & Regulation for Life Sciences conference in NYC on 12/7/09 –12/8/09.

For more information about any of the patent topics mentioned consult Patent Application Practice, and for trademark topics consult Trademark Registration Practice, both published by West and updated twice a year.

EMPLOYMENT OPPORTUNITIES AND OFFICE SHARE



TOWNSEND AND TOWNSEND AND CREW

PATENT PROSECUTION ASSOCIATE ATTORNEY

Townsend and Townsend and Crew is currently seeking an experienced patent prosecution associate for the San Diego office with 2-5 years experience with wireless and/or telecom work experience and/or circuit work experience. A strong academic background is required.

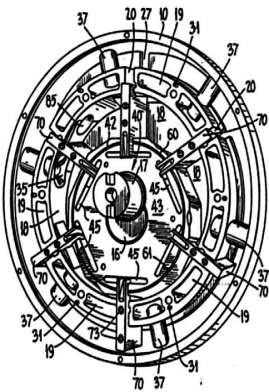
To apply, go to www.townsend.com

HTC CORPORATION

PATENT LICENSING DIRECTOR

In San Diego or Seattle/Bellevue

- At least 3 years experience in patent licensing; must have knowledge of patent licensing terms, CDMA, and WCDMA
- Negotiation experience preferred
- Will report directly to General Counsel or Chief Patent Counsel
- Resumes can be sent to lara_zwerling@htc.com and alex_chen@htc.com



III. 2.

CARLSBAD OFFICE SHARE

IP attorney needed to share Carlsbad law office suite, central location, 24-hour access, conference room, kitchen, lobby, copy machine, all furnished, month to month, no deposit, \$250.00.

(760) 931-0030