



SDIPLA News

Please join us for our April 21, 2011 meeting featuring:

**Vicki Norton, Partner of Duane Morris
Ron Katznelson, Ph.D., President, Bi-Level Technologies**

***Microsoft v. i4i* appeal to the U.S. Supreme Court:**

“Must patent invalidity be proven by “clear and convincing” evidence or some lower evidentiary standard, where the PTO did not previously consider the reference or argument being raised in the litigation?”

1.0 MCLE Credit

San Diego Intellectual Property Law Association

<http://www.sdipla.org/index.htm>

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Date/Time/Location:

April 21, 2011
 6:00 p.m.—9:00 p.m.
 Del Mar Marriott
 11966 El Camino Real
 Del Mar, CA 92130

Directions:

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

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REMINDERS

Please renew your membership for 2010-2011 and mail your check made payable to 'SDIPLA' to:

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(\$35 for Non-Attorneys/Retired; \$75 for Attorneys)

SAVE THE DATE

May 19, 2011: Ricardo Rodriguez of Cooley, LLP and Douglas Hallward-Driemeier, Ropes & Gray LLP: "Discussion of the *Stanford v. Roche* appeal to the U.S. Supreme Court.

June 3-5, 2011: SDIPLA-LAIPLA Joint Spring Seminar

Update Contact Info

Please submit changes of your contact information to Kurt Kjelland: (kkjelland@goodwinprocter.com)

Articles

If you have an article for the newsletter, please send it to Kurt Kjelland: (kkjelland@goodwinprocter.com)

Sponsorship

If your firm or company is interested in sponsoring a meeting, please email Kurt Kjelland: (kkjelland@goodwinprocter.com)

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

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(listed alphabetically)

April 21, 2011 Dinner Meeting

Discussion of the *Microsoft i4i* appeal to the U.S. Supreme Court

**Thursday April 21, 2011
Dinner Meeting
Del Mar Marriott**

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

Menu:

Fresh Field Green Salad with Red Wine Shallot Vinaigrette

With one of the following entrees:

- Lemon Rosemary Chicken Breast**
- Deep Seared Atlantic Salmon**
- Chef's choice of Vegetarian Entree**

Chef's choice of Dessert
Coffee and Tea

Register online:

<http://www.acteva.com/booking.cfm?bevaaid=218437>

Or Register below and mail your form and CHECK MADE PAYABLE TO 'SDIPLA' TO:

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MEAL PRICES

SDIPLA members: \$65.00
Non-members: \$85.00

Dinner Registration and payment is due no later than April 18, 2011.
Dinner Meeting, Del Mar Marriott

Please fill out a separate form for Each Attendee

Name: _____ E-Mail Address: _____

Firm/Employer: _____

Telephone Number: _____

Member of SDIPLA? (circle one) YES NO

Entrée Choice: _____ Chicken _____ Salmon _____ Vegetarian

INTERNET SIGHTINGS

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

*The 3/28/11 newsletter reports that the senate version of the patent reform bill contains a provision for post-grant review of the validity of “covered business-method patents.”

*A 3/22/11 message reports on a CAFC case, *Move, Inc. v. Real Estate Alliance, Ltd*, which held that a patentee is entitled to the full scope of claim language unless the inventor disavowed a particular embodiment.

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

*The 3/1/11 blog discusses the Patent Reform Act of 2011, which is renamed, the “America Invents Act of 2011.” Significant provisions of the bill include eliminating first-to-invent rights and pre-filing grace periods except for inventor-derived disclosures and post-inventor disclosure disclosures.

*The 3/3/11 blog reports that the Northern District of Ohio found the false marking statute unconstitutional under the “take care” clause.

* The 3/13/11 blog discusses *Microsoft v. i4i*, pending before the U.S. Supreme Court regarding the standard of proof to invalidate a patent based on prior art not considered by the patent office.

*The 3/25/11 posting analyzes data from patent owner payment of maintenance fees.

IPWatchdog – a patents and patent law blog – IPwatchdog.com.

*The 3/28/11 posting comments on patent reform efforts, stating that expanding prior user rights is a bad idea.

*The 3/27/11 posting discusses what attorneys need to know regarding intellectual property insurance.

* The 3/18/11 blog announces that the patent office makes accommodations for those customers affected by the Japanese earthquake and tsunami.

USPTO - the PTO's website – uspto.gov

* A 3/8/11 press release indicated that the PTO supports the U.S. Senate's passage of the America Patents Act.

TTABlog – a blog written by John Welch – www.TTABlog.com

* The 3/29/11 posting reports that the CAFC reaffirmed the TTAB's dismissal of Citibank's opposition to “Capital City Bank.”

* The 3/21/11 blog mentions a webinar on “Strategies for Dealing With Trademark Bullies.”

Patent Docs – A patent blog – patentdocs.typepad.com/patent_docs

* The 3/23/11 entry mentions that the patent reform bill removes the duty of candor in several instances.

Patent Baristas – A patent blog – www.patentbaristas.com

* The 3/17/11 post describes the futility of using a continuation-in-part application to cure written description problems.

INTERNET SIGHTINGS (cont.)

Spicy IP – An IP blog focusing on India – spicyipindia.blogspot.com/

* The 3/27/11 entry discusses inequitable conduct in the U.S., with a focus on the pending en banc ruling from the CAFC in *Therasense, Inc. v. Becton Dickinson and Co.*

Inventive Step – A patent blog written by Matthew R. Osenga of Goodman, Allen & Filetti, PLLC in Glen Allen, Virginia – inventivestep.net

* The 3/28/11 blog announces that a New York district judge disagreed with the Ohio judge (see 3/3/11 blog in Patently-O, mentioned above) that ruled that the false marking statute is unconstitutional.

AIPLA – the profession’s association – www.aipla.org

* April 28, 2011 is the early bird registration deadline for the May 12-14, 2011 AIPLA 2011 Spring Meeting in San Francisco. More info at http://admin.aipla.org/events/calendar/sml11/Documents/SM2011_Preview_WEB.pdf

* An online seminar occurs on April 20, 2011, entitled “Using the Reexamination Process in Validating Patents Granted Prior to KSR and Avoiding and Winning Appeals Post-KSR. More info at http://www.aipla.org/learningcenter/live_webinars/Pages/default.aspx#Reexamination.

For more information about any of the patent topics mentioned consult *Patent Application Practice*. Trademark topics are discussed in *Trademark Registration Practice*. Both are published by West and updated twice a year.



Patent Cooperation Treaty (PCT) Professional Training Seminars

Course Fee: \$675
(thru 4/11/11)

Comprehensive PCT Seminar

May 9 - 10, 2011

Sheraton La Jolla

*"The best CLE I've
attended in terms of
useful information."*

- Seattle participant

Register at: pctlearningcenter.org

contact us:
contact@pctlearningcenter.org
phone: 1.571.212.3868

Expert WIPO trainers Carol Bidwell and David Reed developed this interactive course for novice and experienced patent practitioners. The seminar reviews "PCT basics" while focusing on more advanced PCT topics. (See website for complete list of topics.)

EMPLOYMENT OPPORTUNITIES AND OFFICE SHARE



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