



# SDIPLA News

**Please join us for our May 19, 2011 meeting featuring:**

**Ricardo Rodriguez of Cooley, LLP  
and  
Douglas Hallward-Driemeier of Ropes & Gray LLP:**

**“Discussion of the  
*Stanford v. Roche* appeal to the U.S. Supreme Court”**

**1.0 MCLE Credit**

**REGISTER NOW!**

**June 3-5, 2011: SDIPLA-LAIPLA Joint Spring Seminar  
See details at [www.laipla.org](http://www.laipla.org)**

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

**SDIPLA  
Board of Directors**

**President**

John E. Peterson  
619 886-3854

**Vice President**

Kenneth E. Jenkins  
Kilpatrick Townsend & Stockton LLP  
858.350-6100  
kenjenkins@kilpatricktownsend.com

**Secretary**

Kurt M. Kjelland  
Goodwin Procter, LLP  
858.202.2728  
kkjelland@goodwinprocter.com

**Treasurer**

Marc Morley  
Knobbe Martens  
858.836-9000  
mmorley@kmob.com

**Immediate Past President**

Jessica S. Mitchell  
858.361-7401  
jsm\_mitchell@yahoo.com

**Newsletter Editor**

Kurt Kjelland

**Webmaster**

Kurt Kjelland

**REMINDERS**

**Membership for 2010-2011**

Mail your check made payable to 'SDIPLA' to:  
Kurt M. Kjelland, SDIPLA Secretary  
c/o Goodwin Procter, LLP  
4365 Executive Drive, Third Floor, San Diego, CA 92121  
(858) 202-2728  
kkjelland@goodwinprocter.com  
*(\$35 for Non-Attorneys/Retired; \$75 for Attorneys)*

**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:**

Goodwin Procter LLP ([www.goodwinprocter.com](http://www.goodwinprocter.com))

Kilpatrick Townsend & Stockton LLP  
([www.kilpatricktownsend.com](http://www.kilpatricktownsend.com))

Knobbe Martens Olson & Bear LLP ([www.kmob.com](http://www.kmob.com))

Perkins Coie LLP ([www.perkinscoie.com](http://www.perkinscoie.com))

Quant Economics, Inc. ([www.QuantEconomics.com](http://www.QuantEconomics.com))

**(listed alphabetically)**

# May 19, 2011 Dinner Meeting

## Discussion of the *Stanford v. Roche* appeal to the U.S. Supreme Court

**Thursday May 19, 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 & Tea

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

Register online:

<http://www.sdipla.org>

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

Kurt M. Kjelland  
SDIPLA Secretary  
Goodwin Procter, LLP  
4365 Executive Drive, Third Floor  
San Diego, CA 92121  
(858) 202-2728  
[kkjelland@goodwinprocter.com](mailto:kkjelland@goodwinprocter.com)

**MEAL PRICES**

SDIPLA members: \$65.00

Non-members: \$85.00

**Dinner Registration and payment is due  
no later than May 16, 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

# LAIPLA/SDIPLA SPRING SEMINAR 2011



**Philip J. Graves**  
*Spring Seminar Chairman*  
**Graves & Walton, LLP, Partner**

Welcome everyone. We are tremendously excited that so many items on our wish list have come to fruition. Our committee of LAIPLA members **Nikki Ma, Sanjesh Sharma, Mark Treitel** and SDIPLA members **Jo Dale Carothers, Kurt Kjelland** and **John Peterson** have spent countless hours and late nights ensuring we're offering a non-stop weekend of truly dynamic seminar programs and events. Whether this is your first Spring Seminar or your tenth... we have something planned for you.

This calendar of MCLE programs, presented by the LAIPLA/SDIPLA as a service to the profession, offers a rich variety of topics of importance to law professionals who have an interest in Intellectual Property Law. An annual favorite among LAIPLA members, this year's Spring Seminar program will feature a keynote presentation by former CAFC Chief **Judge Paul R. Michel**, a special presentation from USPTO Director, **David Kappos** and includes an array of local in-house attorneys as panelists, and once again concludes with an entire day devoted to the latest developments in Patent, Trademark and Copyright law.

As an IP organization, we wanted to utilize the social networks to enhance your experience. We have started a group on the LinkedIn network so that our attendees can interact with each other prior, during and after the Spring Seminar. You can join our group at [www.tinyurl.com/SpringSeminar2011](http://www.tinyurl.com/SpringSeminar2011).

We are also cognizant of our attendees' needs to network and socialize. Hotel Del Coronado is a perfect place to spend a weekend and we will make sure you enjoy every minute of your time at our conference. Enjoy! - Phil



**John E. Peterson, PhD.**  
*SDIPLA President*

Greetings! The San Diego Intellectual Property Law Association (SDIPLA) is proud to join with the LAIPLA to bring you the 2011 Spring Seminar program.

On behalf of the SDIPLA, I welcome all area lawyers with an interest in IP law to attend this exciting and informative program. And, because it will be held in San Diego, local attorneys have the unique opportunity to attend the program without the added cost of a hotel. Enrollment is open to all interested attorneys – you do not need to be a member of the LAIPLA or the SDIPLA to attend. SDIPLA members, however, can register at the lower, LAIPLA member price.

I am proud of the members of the SDIPLA Board, consisting also of **Ken Jenkins** (Vice-President), **Kurt Kjelland** (Secretary), **Marc Morley** (Treasurer) and **Jessica Mitchell** (Past President), who have worked tirelessly to make this program a success. I am also delighted to work with the LAIPLA Board, and specifically, the members of the LAIPLA Spring Seminar planning committee, who made this event possible, particularly **Alex Schlee**, LAIPLA President.

Once again, welcome to the 2011 LAIPLA/SDIPLA Spring Seminar program and thank you for your interest in this event. We look forward to seeing you in June! - John

## PLEASE REGISTER NOW

See details at [www.laipla.org](http://www.laipla.org)



## SDIPLA 2011-2012 BOARD ELECTION



- Elections will be held at the May 19, 2011 dinner meeting. The SDIPLA Board is proud to endorse the candidacy of JoDale Carothers for Treasurer. Ms. Carothers' Statement of Candidacy is listed on page 7.
- If you are unable to attend the May 19th meeting, please fill out attached proxy form found on page 5 and send to Kurt Kjelland (kkjelland@goodwinprocter.com)

# PROXY VOTE FOR SDIPLA BOARD 2011-2012 ELECTION

Please mail or e-mail your proxy vote by Tuesday, May 17, 2011 to:

Kurt Kjelland  
(kkjelland@goodwinprocter.com)  
Goodwin Procter, LLP  
4365 Executive Drive  
Third Floor  
San Diego CA 92121  
(858) 202-2728



## POSITION

Past-President

President

Vice-President

Secretary

Treasurer

## SDIPLA BOARD'S NOMINEES

John Peterson

Ken Jenkins

Kurt Kjelland

Marc T. Morley

JoDale Carothers

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

*Please check one of the boxes below:*

- I vote to elect the SDIPLA Board's nominees for each Board position.
- I wish to vote for the SDIPLA Board's nominees except for the following write-in candidate(s) for the position listed:

\_\_\_\_\_  
Position

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Name

## CANDIDATE STATEMENT FOR JO DALE CAROTHERS

I would like to submit my name for consideration as Treasurer of the San Diego Intellectual Property Law Association (SDIPLA). Over the past several months, I have served on the LAIPLA/SDIPLA Spring Meeting planning committee with John Peterson and Kurt Kjelland. We are looking forward to a very successful joint meeting in San Diego this June. Having benefited from the programs and relationships built through my participation in SDIPLA, I would like to increase my service to the organization and to our IP community. My unique background—first an engineering professor, then an expert witness and now a law firm partner—allows me to bring diverse experiences to the organization so that we can continue to have interesting and timely programs, provide opportunities to interact with colleagues and serve the IP community in San Diego.

Currently, I am a partner at Covington & Burling. My law practice centers around IP litigation, including patent and trade secret cases that emphasize electronics, communication systems, semiconductor processes and software. I also provide related licensing and counseling advice. In 1989, I received a Ph.D. in electrical engineering from the University of Texas at Austin and then became a professor at the University of Arizona. During my tenure at Arizona, I served as an expert witness in IP cases involving patents, trade secrets and copyrights. These experiences rekindled a long-time interest in going to law school, so I entered law school in 1997. In 1999, I served as a judicial extern to the Honorable William D. Browning, U.S. District Court for the District of Arizona, and then after law school, I joined Brown & Bain (now Perkins Coie) in Phoenix. In 2003, I moved to San Diego to join Fish & Richardson and later moved to Heller Erhman, where I was named a shareholder. In 2008, I became one of the founding partners of the San Diego office of Covington & Burling.

I have gained valuable experience in the many leadership roles I have had throughout my career. For example, I have served as General Chair of the Southwest Symposium on Mixed-Signal Design, General Chair of the International Symposium on Performance Analysis of Systems and Software, Vice Chair of the IEEE International Conference on Image Processing and Vice General Chair of the IEEE International Symposium on Circuits and Systems. In addition, I have served on the San Diego Benefit on the Bay Committee to benefit Hospice and I am currently co-chair of the Vino & Vistas event to benefit San Diego's LabRescuers. These roles have involved planning and marketing events, coordinating committees, managing budgets and organizing programs.

Thank you for your consideration of my candidacy.

By Frederic M. Douglas and Jim Hawes

This column highlights some of the more notable recent internet notices, newsletters and blogs dealing with IP prosecution issues.

**Hal Wegner's** newsletter – a lot of great stuff – Contact: [hwegner@foley.com](mailto:hwegner@foley.com)

\*The 4/4/11 newsletter reports that at least one of the current active members of the Federal Circuit Court is expected to take senior status in the near term, thus leaving the Federal Circuit once again short-handed with only ten active members of the Court.

\* The 4/21/11 newsletter brings the news that “the Track One expedited patent examination program, scheduled to go into effect on May 4, 2011, is postponed until further notice.” **Reinstatement** depends on budget cut issues.

\*The 4/28/11 message discusses a provision of the pending patent reform bill which provides for a derivation procedure before the patent office when Applicant A contends that Applicant B has attempted to patent the invention of Applicant A.

**Patently-O** – a blog written by Dennis Crouch – [www.patentlyo.com](http://www.patentlyo.com).

\*The 4/1/11 blog announces that the European Patent Office (EPO) and Google signed an agreement to use Google's technology to translate patents on the EPO website into 28 European languages as well as Japanese, Korean, Chinese, and Russian.

\*The 4/5/11 blog reports that the U.S. Patent Office will commence a prioritized examination system with a final disposition within 12 months for a \$4,000 fee.

\* The 4/19/11 blog discusses the Federal Circuit case, *In re Yasuhito Tanaka* which permitted adding narrower claims in reissue without canceling original claims.

\*The 4/27/11 posting discusses the Federal Circuit case, *Radio Systems Corp. v. Accession, Inc.*, regarding personal jurisdiction and third-party contacts with a patent examiner.

**IPWatchdog** – a patents and patent law blog – [IPwatchdog.com](http://IPwatchdog.com).

\*The 4/11/11 posting informs that the patent office has updated the registration examination.

\*The 4/26/11 posting discusses debunking of patent troll myths.

**USPTO** - the PTO's website – [uspto.gov](http://uspto.gov)

\* A 4/25/11 press release announces a new proposed process to streamline patent reexamination.

**TTABlog** – a blog written by John Welch – [www.TTABlog.com](http://www.TTABlog.com)

The 4/11/11 posting reports “SNAP” found merely descriptive of safety syringes for medical use.

The 4/22/11 blog mentions that the TTAB seeks comments on possible TTAB involvement in settlement discussions.

**Patent Docs** – A patent blog – [patentdocs.typepad.com/patent\\_docs](http://patentdocs.typepad.com/patent_docs)

\* The 4/06/11 entry mentions that the patent office proposed rulemaking regarding revising patent term adjustments and patent term extensions.

\* The 4/11/11 entry announces that the patent office has automated the process for eight different petitions.

**Patent Baristas** – A patent blog – [www.patentbaristas.com](http://www.patentbaristas.com)

\* The 4/6/11 post explores the question, “Does the USPTO's policy regarding examination of RCEs cause unnecessary delay?”

**Spicy IP** – An IP blog focusing on India – [spicyipindia.blogspot.com/](http://spicyipindia.blogspot.com/)

\* The 4/25/11 entry discusses IP and development in light of fifteen years of TRIPS.

**Inventive Step** – A patent blog written by Matthew R. Osenga of Goodman, Allen & Filetti, PLLC in Glen Allen, Virginia – [inventivestep.net](http://inventivestep.net)

\* The 4/15/11 blog discussed the lack of a grace period in the America Invents Act.

# EMPLOYMENT OPPORTUNITIES AND OFFICE SHARE



**Space Available:**

**\$25/quarter page**  
**\$50/half page**  
**\$100 full page**

