

San Diego Intellectual Property Law Association

# SDIPLA News



## OCTOBER 26 LUNCHEON MEETING “USPTO’s CLAIMS AND CONTINUATIONS INITIATIVE”

BY: ROBERT J. SPAR, DIRECTOR  
OFFICE OF PATENT LEGAL ADMINISTRATION AT THE USPTO

**Robert J. Spar** is the Director of the Office of Patent Legal Administration, (OPLA), under the Deputy Commissioner for Patent Examination Policy at the U.S. Patent and Trademark Office (USPTO). A major responsibility of the OPLA is addressing policy initiatives involving the patent examination process. This includes developing, implementing and disseminating information about changes to patent examining practices and procedures via rulemaking, publishing notices in the Federal Register and the Official Gazette, modifying USPTO forms which are used both internally and externally, and distributing internal memoranda. Recent extensive rulemaking efforts undertaken and completed by Mr. Spar and the OPLA are the four AIPA final rule packages (Requests for Continuing Examination or RCE, Patent Term Adjustment, Pre Grant Publication, and Inter Partes Reexamination) and the Patent Business Goals – Final Rule. In addition, OPLA is responsible for implementation of each of the final rule packages, which includes training, as needed, of the technical support staff, the examining corps, and members of Patent management. To inform the patent and inventor communities about the changes made by these various rulemakings, and how they are being implemented, Mr. Spar and his staff have developed AIPA and PBG – Final Rule web pages on the USPTO’s web site, and they have made numerous presentations throughout the country.

### Upcoming Events

- October 26, 2006 SDIPLA Luncheon at the Del Mar Marriott featuring Robert Spar, Director of the USPTO’s Office of Patent Legal Administration
- November 16, 2006 SDIPLA Dinner Meeting, featuring Dr. Respass discussing IP issues for start-ups
- SDIPLA Holiday Party

### IN THIS ISSUE:

#### TABLE OF CONTENTS

|   |           |
|---|-----------|
| Professional Profile:<br>October Lunch Meeting    | 1         |
| Highlights from Sept. Meeting                     | 2         |
| Lunch Reservation Form —<br>October Lunch Meeting | 3         |
| Announcements and<br>Advertisements               | 4,<br>6-8 |
| Upcoming Events                                   | 8         |
| Membership Renewal Form                           | 5         |

### OCTOBER 26th LUNCHEON MEETING — Del Mar Marriott:

#### Date/Time/Location:

October 26, 2006  
12:00 noon—2:30 p.m.  
Del Mar Marriott  
11966 El Camino Real  
San Diego, California

#### Notes:

The meeting is at the Del Mar Marriott.  
  
This is a **lunch** meeting.  
  
Speaker: Robert Spar

#### Directions:

From I-5 exit Carmel Valley Rd. and head east. Turn on 2<sup>nd</sup> left onto El Camino Real, Hotel is on left.

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U.S. District Court Judges Marilyn Huff and Rudi Brewster entertained the audience at the September SDIPLA Meeting by performing several pieces from the repertoire of their band "Judicial Harmony."



The SDIPLA thanks our Sponsors for the monthly meetings:

**Paul, Hastings, Janofsky & Walker LLP**  
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# Reservation Form for October 26, 2006 SDIPLA Meeting

## October 26, 2006 Lunch Meeting

### “USPTO’s CLAIMS AND CONTINUATIONS INITIATIVE”

BY: ROBERT J. SPAR, DIRECTOR

OFFICE OF PATENT LEGAL ADMINISTRATION AT THE USPTO

**Thursday  
October 26, 2006**

Del Mar Marriott on El Camino Real  
Ranch Santa Fe Ballroom

Registration starts at 11:45 a.m..  
Lunch starts at 12:00 noon p.m.  
Presentation starts at 12:30 p.m.

**The Buffet Menu**

**El gran sabor del mar**

Tortilla Soup

Mixed greens, tomatoes, roasted corn, grilled scal-  
lions, and roasted peppers with avocado dressing

Jicama salad with a radish and cilantro vinaigrette

Poblano mole chicken  
Adobado mole steak

Carnitas Uruapan with tomatillo sauce

Black beans  
Spanish-style rice  
Fresh guacamole

Warm flour and corn tortillas

Rum flan  
Warm churros

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:

Boris Zelkind  
SDIPLA Secretary  
Knobbe, Martens, Olson & Bear LLP  
550 West C Street, Suite 1200  
San Diego, CA 92101  
(619) 235-8550  
Fax: (619) 235-0176  
boris.zelkind@kmob.com

On-line reservation available– go to [www.acteva.com](http://www.acteva.com) and search for SDIPLA or follow the link at [www.SDIPLA.org](http://www.SDIPLA.org)

**Please fill out a separate form for each attendee.**

## REMINDERS

- Please mail, fax, or e-mail your reservation to Boris Zelkind at the address, fax, or e-mail address indicated for receipt **no later than 5:00 p.m. on Tuesday, October 24, 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.

### NOTE MEAL PRICES

**\$45.00 SDIPLA Member**

**\$55.00 Non-Member**

## Registration

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

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

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

Member of SDIPLA? (circle one) YES NO

### **SDIPLA is looking for a Webmaster**

We are looking for a volunteer to take over the duties as Webmaster to maintain SDIPLA's site. If you have interest or special skill in maintaining web pages, please contact any of the board members.

### **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 November 1, 2006.

|                   |                        |                   |                  |
|-------------------|------------------------|-------------------|------------------|
| Matthew Bernstein | Desa Burton            | James Collett     | Dave Deonarine   |
| Wendy Devine      | Bradford J. Duft       | Michael Hess      | Ming-Yuh Hsu     |
| Ericka Jacobs     | Suzanne Jepson         | Jack Ko           | Ann R. Kopels    |
| Michelle Landry   | Aric Ledford           | Yung-Hui Lee      | Joseph Leventhal |
| John Lotfi        | Nathaneal Luman        | Jaime Olin        | Aaron Olsen      |
| Kyle Pendergrass  | Jennifer Risser Suckow | Kenneth Seidenman | Owais Siddiqui   |
| Darryl Steensma   | Yasmin Tavakoli        | Darcie Tilly      | Daniel Townsend  |
| Valentin Zunic    |                        |                   |                  |

**SDIPLA COMMITTEES:** SDIPLA has Amicus, Awards, Editorial, Events, Sponsorship, and Mentoring committees. Please contact a board member 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

### **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 Boris Zelkind if you would like to place an ad or announcement.

## 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:

Attorney Member Dues: \$50/year

Non-Attorney/Retired Attorney Dues: \$25/year  
(e.g. law students, paralegals, patent agents, retired attorneys, etc.)

Boris Zelkind

SDIPLA Secretary

Knobbe, Martens, Olson & Bear LLP  
550 West C Street, Suite 1200  
San Diego, CA 92101

### Please Renew Your Membership for Fiscal 2006-2007

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 has replaced regular mailing.
- **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.




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*“United States Supreme Court Justice Anthony Kennedy will be coming to San Diego in October to honor San Diego-born Ninth Circuit Court of Appeals Judge J. Clifford Wallace ...”*

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## **Justice Kennedy to Honor Judge Wallace in San Diego With the Devitt Distinguished Service Award**

United States Supreme Court Justice Anthony Kennedy will be coming to San Diego in October to honor San Diego-born Ninth Circuit Court of Appeals Judge J. Clifford Wallace with the American Judicature Society’s 24th annual Edward J. Devitt Distinguished Service Award. Justice Kennedy will present the award to Judge Wallace on October 19, 2006, at 4:00 p.m. in the Spreckels Theatre (121 Broadway).

Members of the San Diego Intellectual Property Law Association are invited to mark their calendars and attend this historic event.

Formerly a partner in the law firm of Gray Cary Ames & Frye, and a United States District Judge here in San Diego from 1970, Judge Wallace was elevated in 1972 to the Ninth Circuit Court of Appeals, serving as that Court’s first San Diego Chief Judge from 1991 to 1996, when he took senior status.

In addition to writing hundreds of published opinions over the course of his distinguished career, Judge Wallace has also taken the lead in matters of judicial administration, judicial discipline, and in improving relations between bench and bar. Judge Wallace and the late Chief Justice Warren Burger were the first proponents, for example, for establishing what became the American Inns of Court – in whose work Judge Wallace remains active. His work in service of the rule of law has not been limited only to his homeland, for Judge Wallace has traveled the world in aid of judicial administration and justice in developing countries seeking to fashion fair and efficient judicial systems.

The American Judicature Society aptly describes Judge Wallace’s work as “instrumental in the field of state-federal judicial relations, in the improvement of relations between the bench and bar, and in the pursuit of judicial efficiency for trial and appellate courts.”

Named for the late Judge Edward J. Devitt (D. Minn.), the Devitt Award annually honors Article III judges of national stature who have made significant contributions to the administration of justice, to the advancement of the rule of law, and to the community. Judge Wallace was chosen for the award by a distinguished panel comprising Justice Kennedy himself, joined by Chief Judge John M. Walker, Jr., of the Second Circuit and Chief Judge Barbara Brandriff Crabb of the United States District Court for the Western District of Wisconsin. They will join Justice Kennedy and retired Utah Supreme

continued on page 8

**CALL FOR NOMINATIONS—SDIPLA 2006 IP ACHIEVEMENT AWARD**

The San Diego Intellectual Property Law Association (SDIPLA) is making a call for nominations for outstanding inventors, attorneys, patent agents, technology transfer specialists, investors, organizations, service providers and other individuals or entities who have made significant contributions to the San Diego intellectual property community. Past winners have included Andrew Viterbi, Ivor Royston, Howard Birndorf, and Larry Maxham. The winner of the SDIPLA 2006 IP Achievement award will be announced in December. Please use the form below to submit nominations.

**SDIPLA  
IP Achievement Award Nominations**

The purpose of the IP Achievement Award is to recognize the achievements for outstanding inventors, attorneys, patent agents, technology transfer specialists, investors, organizations, service providers and other individuals or entities who have made significant contributions to the San Diego intellectual property community.

**Annual Award**

The SDIPLA would like to recognize every year at least one outstanding company, individual or organization that has made significant achievements in the area of intellectual property and/or made significant contributions to the San Diego intellectual property community and its members. Nominations may be made by SDIPLA members to the Awards Committee and Board members of SDIPLA.

**The Awards Committee welcomes your nominations:**

**Nominee:** \_\_\_\_\_

**Employer/Address:** \_\_\_\_\_

**Basis for Nomination:**

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

**By:** \_\_\_\_\_ **of** \_\_\_\_\_

**Nominating Member**

**The SDIPLA Annual Award will be presented at the December 2006 Holiday Party.**

**Please send your nominations to:**

**Boris Zelkind  
Knobbe, Martens, Olson & Bear, LLP  
550 West "C" Street, Suite 1200  
San Diego, CA 92101  
Fax: (619) 235-0176  
E-mail: boris.zelkind@kmob.com**

Continued from p.6:

Court Justice Dallin H. Oaks in honoring Judge Wallace in San Diego on October 19.

Attorneys and others who plan to attend should e-mail their name with title or affiliation to [RSVP@luce.com](mailto:RSVP@luce.com) or may call 619-699-5561 with this information. Limited special seating will be available for judges and community leaders.

For further information on the 24th annual Devitt Award please see:

<http://www.ce9.uscourts.gov/web/ocelibra.nsf/3cf90a23430db5a9852562840073ae37/ccaefd498f03be70882571d4005abf98?OpenDocument>

<http://sdbj.com/article.asp?aid=8468884.3462588.1354028.1449815.6437719.900>

[http://www.ajs.org/ajs/awards/Devitt%20Award/ajs\\_awards\\_devitt.asp](http://www.ajs.org/ajs/awards/Devitt%20Award/ajs_awards_devitt.asp)

<http://www.uscourts.gov/ttb/05-06/judgewallace/index.html>

<http://www.uscourts.gov/newsroom/wallace.html>

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

**MAIL REGISTRATION AND PAYMENT TO:**

Boris Zelkind  
SDIPLA Secretary  
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San Diego, CA 92101

**ARTICLES:** If you have an article for the newsletter, please send it to Boris Zelkind.  
**DUES:** To pay or renew your **membership dues:** Please use the form on page 5, and send form via mail or fax to Boris Zelkind. - online registration now available - visit [www.SDIPLA.org](http://www.SDIPLA.org).

| Date              | Event                        | Speaker/Topic  |
|-------------------|------------------------------|--|
| October 26, 2006  | SDIPLA October Lunch Meeting | Robert Spar, Director of the Office of Patent Legal Administration at the USPTO                          |
| November 16, 2006 | SDIPLA November Meeting      | Dr. Respass will discuss creating and aggressively enforcing intellectual property in a start up setting |
| December 2006     | SDIPLA Holiday Party         |  |