

November 26, 2014

This letter provides an update on our Division's activities.

This will be my first letter since becoming chair of the Division at our Annual Meeting in October (see a complete report on the Annual Meeting below).

There is a lot going on, including some projects with some deadlines coming up in early December.

**Suggestions for proposed Workshops for 2015 Rio Congress, and proposed topics for 2016 Study Questions (Milan) - December 5 deadline for submitting each to AIPPI**

The AIPPI Reporter General is now seeking proposals for the workshop program for the Congress in Rio de Janeiro in 2015 and for the Working Questions for the Congress in Milan in 2016.

ANY AIPPI member can propose topics which you think would be relevant to address. These can include current hot topics or emerging areas of interest in any area of intellectual property law (patents, trademarks, designs, copyright, or geographical indications), as well as enforcement and general IP related topics.

If you have any ideas or thoughts concerning workshops for Rio, or topics for the Working questions for Milan, please send them to me ([pswain@foleyhoag.com](mailto:pswain@foleyhoag.com)), or to the Secretary of our AIPPI-US Division, Josh Goldberg ([jgoldberg@nathlaw.com](mailto:jgoldberg@nathlaw.com)), along with a short explanation for each proposed topic (why it is relevant / important, and whether it is should be the subject of a workshop or better studied as a Working Question), **by Friday, December 5**, so that we can forward them to the AIPPI Reporter General by that date.

**Population of AIPPI Standing Committees (new approach - suggestions for nominations due December 8)**

During the Toronto Congress, the Reporter General announced that the Bureau was considering a new approach to the population of the AIPPI international "Standing Committees" (formerly called Special Committees, the committees that are selected by the Bureau and consist of members from several different countries/national groups). For many years, it was typically the case that only one person from each country was allowed to be on each of these committees at any one time.

In November, the Reporter General formally announced a new approach to the selection of members to these committees, which would actually allow up to three members from any one country (national group) to be appointed to a committee. Under this new approach, each national group could nominate two members to each committee (preferably, one "senior member," and one "junior member"), and a third member if that person was an in-house counsel or a person from industry. The nominations would be for three-year appointments to each committee.

The list of AIPPI Standing Committees is below. You can see the list of current members of these committees and a description of the committees' work and their status at the AIPPI international web site [www.aippi.org](http://www.aippi.org). The Reporter General is particularly looking for candidates for two new Standing Committees, one on Pharma, and one on Commercialization of IP, which have yet to be populated.

We are currently seeking suggestions of any persons who the AIPPI-US Division should nominate to any

of these AIPPI Standing Committees. **The AIPPI Reporter General has asked that these nominations be submitted by Monday, December 8.** You may nominate yourself or suggest other candidates. Please let me know if you have any suggestions for nominations ([pswain@foleyhoag.com](mailto:pswain@foleyhoag.com)).

#### AIPPI Standing Committees

- Q 243 Unitary Patent / Unified Patent Court
- Q 228 Patents
- Q 227 Designs
- Q 226 Copyright
- Q 225 ADR
- Q 224 Enforcement
- Q 223 Piracy and Counterfeiting
- Q 222 Standards and Patents
- Q 220 Geographical Indications
- Q 212 Trademarks
- Q 207 Development and Intellectual Property
- Q 199 Client Attorney Privilege
- Q 198 IP and Green Technology
- Q 184 Free Trade Agreements
- Q 166 IP and genetic resources / traditional knowledge
- Q 132 IT and Internet
- Q 114 Biotechnology
- Q 109 PCT
- Q 94 TRIPS

New Committee: Pharma

New Committee: Commercialization of IP

#### Request for volunteers for Rio Study Questions (please respond by December 19)

We are soliciting volunteers for the AIPPI US Division committees to draft the US group reports on the four Study Questions for the Rio Congress:

- o Q 244 Inventorship of Multinational Inventions
- o Q 245 Taking unfair advantage of trademarks: parasitism and free riding
- o Q 246 Exceptions to and limitations of copyright protection for libraries and archives, and for educational and research institutions
- o Q 247 Trade secrets

We expect to receive the detailed questions and guidelines for the Working Questions in December or early January. If you are interested in being part of the US committee that will be drafting the US reports and responses to these Working Questions, **please contact me [pswain@foleyhoag.com](mailto:pswain@foleyhoag.com) by December 19.**

#### Update on Annual Meeting

We held our Annual Meeting on Friday, October 24, 2014, during the AIPLA Annual Meeting. Highlights from the meeting included a detailed report on the past year's activities by our Chair, Dave Hill, and brief addresses by two members of the newly elected AIPPI Bureau, AIPPI President Felipe Claro of Chile, and AIPPI Secretary General Laurent Thibon of France. We also held our annual election of Officers and Steering Committee members, and the following persons were elected:

#### OFFICERS

Sharon Israel - President (Mayer Brown LLP)

Denise DeFranco - President-Elect (Finnegan Henderson Farabow Garrett & Dunner, LLP)  
Philip Swain - Chair (Foley Hoag LLP)  
Peter Schechter - Vice-Chair (Osha Liang, LLP)  
Maria Scungio - Treasurer (Edwards Wildman Palmer, LLP)  
Josh Goldberg - Secretary (Nath Goldberg & Meyer)  
STEERING COMMITTEE (two-year terms except as otherwise noted):  
Bing Ai (Perkins Coie, LLP)  
David Hill (Finnegan Henderson Farabow Garrett & Dunner, LLP)  
Chris Scherer (Andrus Intellectual Property Law, LLP)  
Ray Farrell (Carter DeLuca Farrell & Schmidt, LLP)  
Sunhee Lee (Sughrue Mion, PLLC)  
Dale Nelson (Warner Bros. Entertainment, Inc.)  
Larry Welch (Eli Lilly and Company)  
Chris Carani (McAndrews Held & Malloy, Ltd)  
(one year term to fill vacancy from election of Peter Schechter)

In addition, we voted to amend our Operating Procedures on nominations and elections. The changes included providing that the President-Elect, who will serve as President in the year following the election, will make the nomination of the officers and Steering Committee members for that coming year, as well as certain other administrative changes to nominations and elections procedures.

#### **AIPPI-US Division Trip to Japan and Korea December 1-2**

Our AIPPI-US Division is again sending a delegation to visit AIPPI Japan and AIPPI Korea this year. The trip will take place December 1-2. The group will visit AIPPI Japan on December 1 and AIPPI Korea on December 2. The trip is being planned by our Asia Pacific subcommittee, which is co-chaired, by Sunhee Lee, and John Carson.

#### **Conclusion**

As always, the AIPPI-US Division needs your active support in the coming year. Please take advantage of some of the many opportunities to get more involved in the work of our Division. We are looking forward to an active and successful year as our Division works toward the AIPPI Rio Congress next October and beyond!

"AIPPI-US Division - become an international IP lawyer."

With best regards,

Philip C. Swain  
Chair, AIPPI-US Division