



OCPLA NEWSLETTER

Orange County Patent Law Association
www.ocpla.org

Vol. 11, No. 7

July 2005

JULY LUNCHEON MEETING

Please join us at our next luncheon meeting on Wednesday, July 27, 2005, when we are pleased to present **Frederic Douglas** of Klein, O'Neil & Singh, LLP, who will speak on "Inequitable Conduct: How to Lose Your Patent Rights." [Note: This presentation has been certified by OCPLA for 1 hour of MCLE Ethics credit].

The lunch will be held at noon at the Wyndham Garden Hotel.

JULY BOARD MEETING (TO BE HELD IN EARLY AUGUST)

On August 3, 2005 the OCPLA Board of Directors is holding its monthly meeting at noon at the offices of Therox, Inc., in Irvine. Members who wish to present items for the Board's consideration should contact our president, Margaret Kivinski, to have their item placed on the agenda, and to verify the time and location of the meeting.

RSVP ON TIME FOR MONTHLY LUNCHEONS

To reduce the likelihood of additional rate increases associated with last minute reservations, and attendance without advance reservations, we encourage you to RSVP early, i.e., no later than by noon on the Friday preceding the meeting, so that we can provide more accurate numbers of luncheon attendees to the hotel. Your efforts to register at least five days in advance of the lunches will be greatly appreciated, both by the hotel and the OCPLA Board of Directors.

As a reminder, the costs for the monthly luncheon meetings for student members is \$15.

2005 MEMBERSHIP RENEWAL

Dues for 2005 will remain at \$35 for attorneys and agents and entitle you to receive the monthly OCPLA newsletter, frequent announcements, and reduced rates for the monthly luncheons and seminars. A membership form is included in this month's newsletter and is also available on our website, at www.ocpla.org. Please renew early to reduce delays in processing your application.

NEW MEMBERS

There are no new members to announce this month. Please encourage your friends and colleagues to join OCPLA!

E-MAIL DISTRIBUTION OF THE NEWSLETTER



The Newsletter is now being transmitted solely by electronic mail. If you know of anyone who should be, but is not getting this e-mail distribution, please have them contact Neal Cohen at nmc@cohen-sak.com.

OCPLA WEBSITE

Check the OCPLA website at www.ocpla.org for copies of the OCPLA newsletter, for membership information and for current events of interest to members. Let us have your comments. We will be making changes and improvements as time passes, and your comments will be useful in knowing what to change and what to leave alone. Send comments to "webmaster@ocpla.org."

PTO UPDATE

BY GREG S. HOLLRIGEL
STOUT, UXA, BUYAN & MULLINS,
LLP
gsh@patlawyers.com



Effective July 15, 2005, the USPTO centralized fax number will be changing to 571-273-8300. The current fax number (703-872-9306) will also remain effective until September 15, 2005, and faxes sent to the current number will be routed to the new fax number.

In addition, all faxes directed to the Office of Initial Patent Examination must now be sent to the centralized fax number (571-273-8300) as opposed to the previous fax number 703-746-9195. This includes correspondence such as requests for corrected filing receipts and responses to Notices to File Missing Parts.

MINUTIAE

BY NEAL M. COHEN
COHEN SAKAGUCHI & ENGLISH LLP
nmc@cohen-sak.com



Wait! Before You Draft An Appeal Brief, Check This Out!!!

Effective July 12, 2005, the PTO has begun a pilot program to allow applicants to request a pre-appeal-brief review of an appealable rejection. The stated purpose of the program is to help save resources for both the applicants and the PTO, by identifying “the presence or absence of clearly improper rejections”. Any Applicant (except in a reexamination application) can request this pre-appeal-brief review, but the Request **must** be filed at the same time a proper Notice of Appeal is filed. The Request must be filed in a separate paper entitled “Pre-Appeal Brief Request For Review”, and the PTO has created form PTO/SB/33 as a sample. In fact, on the line-item to access form PTO/SB/33 at the PTO website, there is a “click here” link for all the information you need about this pilot program. But just in case you want a quick summary, keep reading.

The PTO expects that an applicant will use the program for pre-appeal-brief review of what the applicant believes is a “clear legal or factual deficiency in the rejections”, as opposed to “an

interpretation of the claims or prior art teachings”. A panel of examiners (including the examiner of record and his or her SPE), will review the Request, and issue a written decision, optimally within 45 days. No interviews will be allowed.

The Request (and Notice of Appeal) should be mailed to Mail Stop AF, or faxed to the central fax number (whatever that happens to be at the time). The Request should be no more than five pages, and should refer to papers already of record. The PTO believes that if the error is clearly improper, then a long detailed explanation is not necessary. No supplemental requests are allowed, and the appeal fee is non-refundable. Also, the Examiner may still exercise his or her authority to re-open prosecution.

The time for filing an appeal brief will be the later of the standard two-month period, or one month from the mailing date of the decision on the Request. However, this review process does **not** toll the patent term, as it is not conducted by the BPAI.

The Request will be considered withdrawn if, prior to a decision on the request being mailed, the Applicant files an appeal brief, an RCE, an amendment after final, an affidavit or other evidence, or an express abandonment.

For more information, check out the link on the line-item by form PTO/SB/33, or contact Mr. Anton Fetting at 571 272-7701, anton.fetting@uspto.gov.

Please e-mail any questions, comments, or submissions for future Minutiae columns, to Neal M. Cohen, at nmc@cohen-sak.com. (Note: all submissions must be approved by the Editor prior to publication).

RECENT INTERESTING IP CASES

BY LEONARD R. SVENSSON
BIRCH, STEWART, KOLASCH &
BIRCH, LLP
irs@bskb.com



1. Consumer Confusion Not an Element of the Trademark Fair Use Defense

KP Permanent Make-Up, Inc. v. Lasting Impression I, Inc., 543 U.S. ___, 125 S. Ct. 542, 160 L. Ed. 2d 440, 72 U.S.P.Q.2d (BNA) 1833 (Dec. 8, 2004)

Issue: Does a defendant have a burden to negate any likelihood of consumer confusion when raising the statutory affirmative defense of fair use? **Answer:** No.

Facts: Lasting Impression I ("Lasting") is the registered owner of an incontestable trademark, "Micro Colors," which was initially registered in 1992. KP Permanent Make-Up ("KP") had used a single-word term, "microcolor," on advertising flyers since 1990 or 1991. In 1999, Lasting demanded that KP stop using the term. KP sued and sought a declaratory judgment that it did not infringe Lasting's trademark based upon the statutory affirmative defense of fair use. After finding that Lasting conceded that KP's use of "microcolor" was only a description of goods and not use as a mark, the district court held that KP had made out its affirmative defense and entered summary judgment accordingly. The district court did not address whether KP's practice would likely cause consumer confusion.

On appeal, the Ninth Circuit reversed the district court. That court held it was error for the fair use defense to be addressed without resolving issues of possible consumer confusion. Additionally, the Ninth Circuit found that the fair use defense could not be recognized whenever consumer confusion was probable. Finally, the court placed upon KP, as the party arguing fair use, the burden of proving an absence of confusion. KP appealed.

Argument: Lasting (and the Ninth Circuit) argued that the phrase "used fairly" in the description of the fair use defense (Lanham Act sec. 33(b)(4), 15 U.S.C. sec. 1115(b)(4)) is

an incorporation of a likelihood-of-confusion test transplanted from unfair competition common law. This would place upon the defendant an additional burden of negating confusion. Additionally, Lasting suggested that the fair use defense has historically required a defendant to show a lack of confusion in the use of another's mark.

Reasoning: The Lanham Act places the burden of proving likelihood of confusion on the party charging infringement, "even when relying on an incontestable registration;" however Congress failed to even mention likelihood of confusion when enumerating the elements of the fair use defense. The Court reasoned, "it takes a long stretch to claim that a defense of fair use entails any burden to negate confusion." As for unfair competition, the Court noted that the common law tolerates some level of confusion from descriptive uses of words in marks of another. In regard to the historical nature of the fair use defense, the Court opined, "Lasting's assumption ... is wrong."

Conclusion: Since the fair use defendant has no need to show that confusion is unlikely, "it follows ... that some possibility of consumer confusion must be compatible with fair use." Mere risk of confusion cannot defeat fair use. This conclusion, however, "does not foreclose the relevance of ... consumer confusion in assessing whether a defendant's use is objectively fair." Accordingly, the judgment of the Ninth Circuit was vacated and the case remanded.

A SUMMARY OF THE GROKSTER DECISION

BY DARREN S. RIMER
RIMER & MATHEWSON LLP
darren@rimermath.com

The U.S. Supreme Court has spoken in the closely watched Grokster case, *Metro-Golywyn-Mayer Studios, Inc. v. Grokster, Ltd.*, 2005 U.S. Lexis 5212 (June 27, 2005). This unanimous decision will have important consequences for peer to peer network providers, and for any type of intermediary whose product or service is capable of being used to distribute copyrighted materials. The line between a device which is capable of substantial non-infringing uses and one which is "good for nothing else" but infringement is

not always clear, but the Supreme Court found credible evidence of the intent to induce infringement, and reversed the grant of summary judgment in favor of the software makers.

Before the district court, discovery revealed that for both the Grokster peer to peer software at issue, as well as the Morpheus software made by StreamCast, a high percentage of the files actually downloaded by peer to peer users of the defendants' software were copyrighted material (estimated at 90 percent). Although the district court found that the end users of the Grokster and Morpheus software were directly liable for copyright infringement, the court granted summary judgment in favor of the peer to peer network providers, finding that the distribution of their software was not a sufficient basis for infringement. In such ruling, the court found that the use of the software did not provide the defendants with actual knowledge of specific acts of infringement.

On appeal before the U.S. Court of Appeals, the Ninth Circuit affirmed. The court analyzed the Sony Betamax case, *Sony Corp. of America v. Universal City Studios, Inc.*, 464 U.S. 417 (1984), which held that distribution of a commercial product capable of substantial noninfringing uses could not give rise to contributory liability for infringement unless the distributor had actual knowledge of specific instances of infringement and failed to act on that knowledge. In the Ninth Circuit's view, because of the nature of the decentralized architecture of the software product, which operated by allowing files to be shared among peer to peer users, without any files or index lists being stored on a Grokster or StreamCast server, Grokster and StreamCast were not liable because they had no actual knowledge of any infringement by end users. The court also found that the providers did not materially contribute to their users' infringement because it was the users who searched for, retrieved, and stored the infringing files, with no involvement by the defendant providers other than the provision of their software. In denying liability for vicarious infringement, the Ninth Circuit also found that the defendants did not monitor or control the use of the software, they had no agreed-upon right or current ability to supervise its use, and they had no independent duty to police infringement.

The Supreme Court's view of the case was very different. Finding evidence on the quantity of infringing downloads that occurred every day using StreamCast and Grokster's software to be large, the Court felt constrained to overturn the finding of no possible liability, where it might otherwise be impossible to enforce the claim of copyright holders against millions of direct infringers. Instead, an effective remedy would be to allow potential liability of a software provider based upon contributory or vicarious infringement.

The Court found evidence in the record of the defendants' efforts to encourage copyright infringement for their commercial gain. In the case of Grokster, it distributed an electronic newsletter containing links to articles promoting its software's ability to access popular copyrighted music. As for StreamCast, it advertised to users of Napster-compatible programs, urging the adoption of its OpenNap program, which was designed to reach out to users of the Napster service and provide them with a substitute program to accomplish the same purpose. Both companies made strong efforts to supply software to former Napster users, and the Court found that a principal, if not exclusive, intent on the part of each defendant was to bring about copyright infringement.

Moreover, neither company attempted to develop filtering tools or other mechanisms to diminish the infringing activity using their software. While the Ninth Circuit viewed this evidence as irrelevant, the Supreme Court stated that this evidence underscored the defendants' intentional facilitation of their users' infringement. And the Court highlighted that these defendants made money not solely through the sales of their software, but by selling advertising space on the screens of users' computers running their software. Thus, the Court found that high volume use of the software for infringing purposes was very attributable to the actions of the defendants, who profited from the high volume use.

After finding adequate intent to bring about the infringement and distribution of a device suitable for infringing use, the court found "evidence of infringement on a gigantic scale, and there is no serious issue of the adequacy of MGM's showing on this point in order to survive the companies' summary judgment

requests. Although an exact calculation of infringing use, as a basis for a claim of damages, is subject to dispute, there is no question that the summary judgment evidence is at least adequate to entitle MGM to go forward with claims for damages and equitable relief.”

In its concluding remarks, the Court stated:

MGM’s evidence in this case most obviously addresses a different basis of liability for distributing a product open to alternative uses. Here, evidence of the distributors’ words and deeds going beyond distribution as such shows a purpose to cause and profit from third-party acts of copyright infringement. If liability for inducing infringement is ultimately found, it will not be on the basis of presuming or imputing fault, but from inferring a patently illegal objective from statements and actions showing what that objective was.

In Justice Ginsburg’s concurrence, with whom Chief Justice Rehnquist and Justice Kennedy joined, further commenting on the rationale for the Sony Betamax decision – that the principal use of the VCR was for time-shifting (recording a program for later private, non-commercial viewing), and this use was a fair use under the Copyright Act, and was allowed expressly by some copyright holders. Here, the principal purpose of the defendants’ software was to allow their users to commit copyright infringement. That is, although the Ninth Circuit recognized that “the vast majority of the software use is for copyright infringement,” the court concluded that the defendants’ proffered evidence met the *Sony* test that a product need only be “capable” of substantial noninfringing uses.

Justice Breyer concurred, joined by Justices Stevens and O’Connor. Justice Breyer found the *Sony* case adequately interpreted by the Ninth Circuit. In *Sony*, for all of the taping actually done by Sony’s customers, the evidence of record suggested that only around nine percent of the recordings were authorized. Justice Breyer summarized that the *Sony* Court found the magnitude of authorized programming to be significant, and it also noted the significant potential for future authorized copying. That court found a

substantial market for a noninfringing use of the VCR.

Justice Breyer opined that based upon the *Sony* standard, Grokster passed that test. In both cases, about 10% of the uses at issue were non-infringing at the time, but in *Sony*, the Court found that the capability of the technology was central to the analysis. As more and more uncopyrighted information is stored in swappable form, lawful peer-to-peer sharing will become more increasingly prevalent. Justice Breyer was concerned about the chilling effect of the Court’s holding on innovators of technology, who formerly looked to *Sony* for shelter from liability for infringement so long as the product was capable of substantial non-infringing uses (like the VCR). Justice Breyer also highlighted the Recording Industry Association of America’s recent efforts at filing thousands of lawsuits against people for sharing copyrighted material, arguing that these lawsuits have provided copyright holders with damages, and have had a real and significant deterrent effect. For these reasons, Justice Breyer disagreed with Justice Ginsburg, but agreed with the Court as a whole on its ultimate conclusion.

OCPLA POLICY

Although we are open to comments and suggestions, present policy concerning publication of advertisements in this newsletter is as follows: (1) “Positions Wanted,” “Positions Available,” and other similar ads will be printed free of charge and, unless otherwise requested, will run for two months; (2) Other ads such as word processing, legal support services, and firm announcements will be published for \$15 per issue or \$150 per year (for all 12 issues), payable in advance. We reserve the right to edit each advertisement. Please contact the Newsletter editor to place your ad or with your comments and suggestions.

**History Repeats Itself (sort of).
OCPLA PCT Seminar Oct 24 and 25, 2005**

The last OCPLA PCT seminar was held on October 27 and 28, 2003. Now in an almost repeat of history the OCPLA is pleased to present a Basic PCT course on Monday and Tuesday October 24-25, 2005. The seminar will take place from 9:00 am to 4:00 pm each day at a local venue to be announced. California MCLE credit will be available.

The PCT system has undergone tremendous changes since our last PCT seminar. If your practice involves any PCT filing you owe it to yourself (and your clients) to refresh and update your PCT knowledge.

The seminar will be presented by WIPO personnel whose identity will soon be revealed. Basic fees for this presentation are presently being established, but it is anticipated that the cost will be in the neighborhood of previous PCT seminars. If you are interested in attending the October PCT seminar, please drop an email to Stefan Kirchanski (skirchanski@linerlaw.com) who will send you the application materials as soon as they become available.

BOARD OF DIRECTORS AND COMMITTEE CHAIRS

BOARD OF DIRECTORS TELEPHONE/E-MAIL

President	Margaret A. Kivinski	949-757-1999	mkivinski@therox.com
V.P./President Elect	John R. King	949-760-0404	jking@kmob.com
Secretary	Leonard R. Svensson	714-708-8555	lrs@bskb.com
C.F.O./Treasurer	Greg S. Hollrigel	949-450-1750	gsh@patlawyers.com
Directors	Neal M. Cohen	(949) 724-1849	nmc@cohen-sak.com
	TJ Singh	(949) 955-1920	tjsingh@koslaw.com
	Marlene Klein	949-932-3132	marlene.klein@cda.canon.com
Immediate Past President	Matthew F. Weil	949-851-0633	mweil@mwe.com

COMMITTEE CHAIRPERSONS

Annual Seminar	John R. King	949-760-0404	jking@kmob.com
	T.J. Singh	(949) 955-1920	tjsingh@koslaw.com
Copyright Practice	Darren S. Rimer	(949) 367-1541	darren@rimermath.com
Federal Courts	Robert L. Grabarek, Jr.	(949) 263-8400	rgrabarek@crowell.com
Int'l IP Practice	Alexander R. Schlee	310-545-9851	alexschlee@vjp.de
Law Off. Mgmt.	Gabia Pakstys	650-326-3466	gpakstys@sbcglobal.net
Legislative			Position Open
MCLE	Marlene Klein	949-932-3132	marlene.klein@cda.canon.com
Meetings/Programs	T.J. Singh	949-955-1920	tjsingh@koslaw.com
Newsletter Editor	Neal M. Cohen	(949) 724-1849	nmc@cohen-sak.com
Patent Practice	Tom Dao	(949) 476-0757	tom.dao@cph.com
Trade Secrets/Unfair	Scott Feldmann	(949) 263-8400	rfeldmann@crowell.com
Competition Law	Perry J. Viscounty	714-755-8288	perry.viscounty@lw.com
Trademark Practice	Susan Natland	949-760-0404	smn@kmob.com
Luncheon Speakers	Margaret Kivinski	949-757-1999	mkivinski@therox.com
OCPLA Website	Marlene Klein	949-932-3132	marlene.klein@cda.canon.com
OCPLA Database	Greg S. Hollrigel	949-450-1750	gsh@patlawyers.com

OCPLA NEWSLETTER

Orange County Patent Law Association

The OCPLA Newsletter is a copyrighted publication that is normally published shortly before each OCPLA General Meeting. Copyright © 2004 The Orange County Patent Law Association. All rights reserved. Printed in the United States of America. Reproduction of this newsletter is authorized if the source, author and copyright notice information are provided on all reproductions.

This document is provided for informational purposes only. The articles contributed by identified authors express only the views of the particular author or authors, and do not necessarily reflect the opinions of the Orange County Patent Law Association or its editorial staff. Any questions or comments concerning the articles should be directed to the author. Any errors should be brought to the attention of the Editor so that appropriate corrections can be published in a subsequent edition of the Newsletter.

The OCPLA reserves the right to determine which, if any, submitted articles will appear in this Newsletter.

We hope that the Newsletter is helpful, informative, entertaining and interesting. Comments, ideas, announcements, proposed articles, suggestions and any other communications concerning the content, form or other aspect of this newsletter may be directed to:

OCPLA Newsletter Editor
Neal M. Cohen
 Cohen Sakaguchi & English LLP
 2040 Main Street, 9th Floor
 Irvine, CA 92614
 Tel: (949) 724-1849
 Fax: (949) 625-8955
 E-mail: nmc@cohen-sak.com

SERVICES, ANNOUNCEMENTS, WANT ADS**MARCELO E. SROKA, CPA**

Wertz & Co., CPAs
5450 Trabuco Road
Irvine, CA 92620-5074
949-756-5000 x218

STEPHEN T. FREEMAN, ESQ.

Straddling, Yocca, Carlson & Rauth
Corporate and Tax Matters
(949) 725-4000

NEWPORT PATENT DRAWINGS, INC.

- High quality drawings
- Reasonable rates
- USPTO/PCT compliance
- Email or hard copy of drawings
- Fast turnaround

(949) 260-0440 (tel.)/ (949) 861-4450 (fax)
www.newportpatentdrawings.com

Ad: xaft0606Y1

OFFICE AVAILABLE

Sublease 12' by 14' fully furnished window office available in patent law suite. Join a patent attorney, patent agent and a patent drafter as 4th party. Phone, fax, DSL, high speed copier/printer, computer work station, postage meter. JW airport area, easy parking, close to 405, 55 and 73 freeways. Call: 714/668-1900

Ad: xaft1205P3

**POSITIONS AVAILABLE
PATENT ATTORNEYS**

Stetina Brunda Garred & Brucker, P.C., a growing intellectual property law office located in Aliso Viejo, CA, has immediate openings for patent attorneys having 1-5 years of experience. Qualified candidates will have significant experience in either patent prosecution and/or intellectual property litigation, with a preferred engineering degree in the mechanical or electrical arts.

Please send employment inquires to:

Stetina Brunda Garred & Brucker, P.C.
Recruiting Attorney
75 Enterprise, Suite 250
Aliso Viejo, CA 92656

or email at recruiting@stetinalaw.com

Please visit us at www.stetinalaw.com

Ad: xaft0805K2

POSITIONS AVAILABLE

Cohen Sakaguchi & English LLP (CS&E) is a small IP law firm located in Irvine, by John Wayne Airport. We offer competitive salaries, benefits, a flexible work schedule, and a family-friendly life-style. We are seeking the following full-time employees:

Patent Associate: Ideal candidate has 1-3 years patent prosecution experience, high academic credentials. Duties include primarily patent prosecution, and would also include trademark prosecution, and litigation support.

Experienced Patent Legal Assistant: Ideal candidate has 5+ years experience as legal assistant for patent attorneys, knowledge of U.S. and foreign prosecution, federal court litigation, and is familiar with all aspects of PTO website, PAIR, docketing procedures, and Microsoft Word. Knowledge of trademark prosecution a plus. Duties include providing primary support for two partners, and part-time support for up to three other attorneys, all with permanent part-time assistance.

Please visit our website at www.cohen-sak.com for more information about our firm.

Send resume by mail only to:

COHEN SAKAGUCHI & ENGLISH LLP
ATTN: OCPLA AD XAFT0601.
2040 Main Street, 9th Floor
Irvine, CA 92614

Ad: xzft0801NS4

Orange County Patent Law Association

July Meeting

Date: Wednesday, July 27, 2005

Time: 12:00 Noon; Lunch will be served promptly at 12:15 p.m.

Location: Wyndham Garden Hotel
3350 Avenue of the Arts
Costa Mesa, California

Topic: Inequitable Conduct: How to Lose Your Patent Rights

Speakers: Frederic Douglas of Klein, O'Neil & Singh, LLP

Cost: \$30 for members, \$15 for students (proof of student status required), and \$35 for non-members

Reservations: Please make reservations by filling out the form below and mailing it with a check to T.J. Singh to reach his office address given below, by the Friday before the meeting. If time is short, please also email T.J. at tjsingh@koslaw.com or call in your reservation to the OCPLA Reservations Line number at (949) 955-1920.

The Orange County Patent Law Association certifies that this activity has been approved for minimum Continuing Legal Education credit by the State Bar Association of California in the amount of 1.0 hour, which **may be applied towards the Ethics requirement**. The Orange County Patent Law Association certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing Minimum Continuing Legal Education. The Orange County Patent Law Association is a State Bar of California MCLE-approved provider.

Reservation Form

Enclosed is a check for \$_____ payable to ORANGE COUNTY PATENT LAW ASSOCIATION for the OCPLA General Membership luncheon on Wednesday, July 27, 2005 for the following person(s):

This form and check should be mailed to:

T.J. Singh
Attention: OCPLA Lunch Reservations
Klein, O'neill & Singh, LLP
2 Park Plaza, Suite 510
Irvine, CA 92614
Tel: (949) 955-1920
Fax: (949) 955-1921
E-mail: tjsingh@koslaw.com



Orange County Patent Law Association

WWW.OCPLA.ORG • P.O. Box 7632 Newport Beach, CA 92658

2005 MEMBERSHIP APPLICATION/RENEWAL FORM

This is an application for (please circle one): **Membership Renewal or New Membership**

Member / Applicant Information:

Name: _____

Firm/Employer: _____

Address: _____

E-mail Address (required to receive newsletter): _____

Telephone No.: _____ Facsimile No.: _____

Professional Information:

Are you a member of the California bar? Yes No Bar No. _____

Are you a member of the bar of another state
or the District of Columbia? _____ _____ Jurisdiction/Bar No. _____

Are you registered to practice before the
U.S.P.T.O.? _____ _____ Reg. No. _____

Are you a student? _____ _____ School: _____

Please circle not more than TWO committees in which you would like to participate:

Annual Seminar	Law Office Management	Membership
Copyright Practice	Legislation	Patent Practice
Federal Courts	MCLE	Trademark Practice
International Practice	Meetings/Programs	Trade Secret/Unfair Competition

Dues Membership Year 2005 (please circle one):

Regular Membership (attorneys, agents): \$35.00 **(New Member After 07/01/05)**
\$17.50

Student Membership \$17.50 \$ 8.75

Associate Membership (other) \$35.00 \$17.50

New Applicants please complete the following:

I believe I qualify for membership in the Orange County Patent Law Association.

Applicant's Signature: _____ Date: _____

Printed Name: _____

Send Application to OCPLA P.O. Box 7632 Newport Beach, CA 92658

Two OCPLA member sponsors are required for new applicants. Two undersigned members hereby recommend the above-signed applicant for membership into the Orange County Patent Law Assn.

Sponsor Signature: _____ Date: _____

Printed Name: _____

Sponsor Signature: _____ Date: _____

Printed Name: _____

2005 OCPLA EVENTS SCHEDULE

Date	Location	Speaker/Event	Topic
July 27, 2005	Wyndham Garden Hotel	Frederic Douglas Klein, O'Neil & Singh, LLP	Inequitable Conduct: How to Lose Your Patent Rights
August, 2005	Wyndham Garden Hotel	Bill Rooklidge Howrey Simon Arnold & White LLP	Patent Reform
September, 2005	Wyndham Garden Hotel	William Diaz McDermott, Will & Emery	What Every IP Lawyer Needs to Know to Keep His Client Out of Antitrust Trouble
October, 2005	Wyndham Garden Hotel	John King Knobbe Martens Olson & Bear LLP	Claims Drafting Workshop



Orange County Patent Law Association
P.O. Box 7632
Newport Beach, CA 92658