



THE BOSTON PATENT LAW ASSOCIATION NEWSLETTER

*Serving the
New England
Intellectual
Property Bar
Since 1924*

November 2000

Volume 31, Issue 4

ANNUAL MEETING TO BE HELD AT SEAPORT HOTEL COMMISSIONER FOR PATENTS TO BE GUEST SPEAKER

The 76th Annual Meeting of the Boston Patent Law Association will be held at a luncheon at the Seaport Hotel on December 13, 2000. The focus of the Annual Meeting will be the annual organizational business, including reports on the Association's finances and membership, planned activities for the coming year, and the election of new Officers and Governors. A Nominating Committee has been appointed to nominate Officers and Governors for next year and the report of the Nominating Committee will be mailed to the membership prior to the Annual Meeting. The Minutes of the last Annual Meeting are reproduced in this newsletter as a service to our members.

The Association is pleased to announce that the featured speaker for the Annual Meeting will be the Commissioner for Patents, Nicholas



Nicholas P. Godici, Commissioner for Patents
U.S. Patent and Trademark Office

P. Godici. Mr. Godici was elevated to his present position by legislation that became effective on March 29, 2000. Mr. Godici's current responsibility includes managing all aspects of the patent business organization, including administering and formulating policy relating to patent processing, examination, search, and procedural functions.

Commissioner Godici is expected to speak on the status of the implementation of the provisions of the Inventors Fairness Act of 1999, which includes provisions relating to goals for the reduction of patent application pendency, patent application publication, which goes into effect on November 29, 2000, and inter partes reexamination. In addition, Mr. Godici will also discuss the planned relocation of the Patent and Trademark Office.

PTO EXAMINES BIOTECHNOLOGY ISSUES

The U.S. Patent and Trademark Office is soon expected to issue its final guidelines for utility and written description requirements for genes, expressed sequence tags (ESTs) and single nucleotide polymorphisms (SNPs). The U.S. House Judiciary Committee has also been conducting oversight hearings on gene patents and genomic inventions. The focus of the hearings is to determine whether the PTO's forthcoming guidelines would adequately interpret current law and advance legislative policy.

At the hearings, many witnesses testified that intellectual property protection for gene-based inventions is the key to incentives that drive the development of breakthrough scientific discoveries. These witnesses were generally satisfied that the PTO is doing an adequate job as it wrestles with the complexities of biotechnology inventions. Some dissenting witnesses countered that the PTO should not continue to issue patents for genes since this would impair the public's access to genetic testing.

The Judiciary Committee noted the significance of the human genome project, and expressed confidence that the PTO would be able to resolve issues concerning gene patents without the need for additional legislation.

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FAREWELL MESSAGE FROM PRESIDENT THIBODEAU



David Thibodeau
Hamilton, Brook, Smith & Reynolds, P.C.

I want to thank all of you for the opportunity to serve as President this year. Your support and encouragement have made this job an unexpectedly enjoyable experience. The untiring efforts of the Board of Governors and especially our Committee Chairs really have been the key to the many successful events and seminars at the BPLA in 2000.

I owe a special thank you to Mark Solomon, our Activities Chair. Mark volunteered uncountable hours of his valuable time to the Association this year. He was instrumental in planning several events. Our biggest challenge, the Judges Dinner, was mostly a result of Mark's careful planning and follow through. I dare say that this and the other events

where Mark was involved went off without a single glitch. Denise Rose, Nadine Kush, and Mariah Moorhead also contributed considerable time in planning and managing our events as well.

Your Association continues to grow rapidly, and we are fortunate to have over 750 individual members today. Those of you who haven't joined us lately might be surprised to see that we typically have 75 people or more attending any given monthly seminar.

Most notable for popularity this year was the American Inventors' Protection Act seminar in the spring. We can thank President-Elect Tom Engellenner for arranging this event, at which we were fortunate to have several knowledgeable speakers from the Patent Office. In a first for the Association, this seminar was held in two locations, both in Boston and on 128. We had more than 300 of you attend!

Vice President Bill Gosz continues to find new ways to make use of the Internet. His early experiments with polling via the web indicate that this may become an efficient way to solicit member opinions. Our goal is to permit the Association to more effectively represent your collective views on important changes in the law and patent office rules.

Our Treasurer, Peter Lando, has kept an ever watchful eye over our financial plans, ensuring that our expense commitments remained well below budget. In fact, the Association is now in the best financial condition it has ever been.

I am also quite pleased that our Committee Chairs could again be counted upon to take time from their busy schedules. The Patent Law Committee, Leslie Meyer-Leon and Matt Lowrie,

had two excellent sessions in the winter and the fall. The Patent Practice Committee, Grant Houston and Dave Conlin, hosted a talk at Suffolk Law School this spring on the fundamentals of patent practice, at which we had many local law students in attendance. The Biotechnology Committee, Doreen Hogle and Pat McDaniels, also had several events, hosting various speakers from the Patent Office. Walt Dawson, Co-Chair of the Corporate Practice committee, arranged for a talk on the use of patents as collateral in corporate transactions. And as I write this, Buzz Gagnebin of the Copyright Committee is planning an invited guest lecture on the high profile Napster litigation. Each of these events was timely, informative, well attended, and most appreciated by the members.

I look forward to seeing most of you at the Annual Meeting on December 13. We will be fortunate to have Nick Godici, Commissioner of Patents, speak to us on recent happenings and the challenges he faces in leading the Patent Office.

I see that the Nominating Committee has selected a fine slate of officer and board member candidates for 2001. I'm sure you will provide them with the same encouragement you have shown me this year.

Again, thank you for affording me the privilege to serve as your President.

The Boston Patent Law Association
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Board of Governors:

President:	David Thibodeau, Hamilton, Brook, Smith & Reynolds, P.C. (781) 861-6240 david.thibodeau@hbsr.com
President-Elect:	Tom Engellenner, Nutter, McClennen & Fish, L.L.P. (617) 439-2948 tje@nutter.com
Vice-President:	William Gosz, Wolf, Greenfield & Sacks, P.C. (617) 720-3500 wgosz@wgslaw.com
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Past-President:	Walter Dawson, Pearson & Pearson (978) 452-1971 wfd@pearson-pearson.com
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Board Member:	Lee Bromberg, Bromberg & Sunstein, L.L.P. (617) 443-9292 lbromberg@bromsun.com

WELCOME TO NEW YEAR 2000 BPLA MEMBERS

Ali Alavi-Nassab
Eric Amundsen
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Niki D. Cox
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Caroline M. Fleming
Kerry A. Flynn
Kia Freeman
Anthony A. Froio
Debra A. Gaw
George W. Hartnell II
Daniel C. Hohler
Thomas E. Horan
Robert E. Hunt
Brenda Jarrell
Gerald P. Joyce III
Warren Kaplan
Christina Victoria Karnakis
Katherine M. Kerr

Chi Suk Kim
Elizabeth E. Kim
Shannon Knight
C. Steven Kurlowecz
Kathryn Lampron
Joyce D. Lange
Mark G. Lappin
Ayla A. Lari
Linda Leontie
Mark D. Lorusso
Barry J. Marenberg
Carolyn Marks
Lisa J. Michaud
Debra J. Milasincic
Debra Milas
John A. Mizhir, Jr.
Reza Mollaaghababa
Rama B. Nath
Margarita Navarro
Elizabeth Nugent
Scott A. Ouellette
Susan M. Perkins
Michael Joseph Pomianek
Michael T. Renaud
David J. Rikkers
Edward J. Russavage
Kerri P. Schray
Gary M. Sclar
Craig R. Smith
Mark Soloman
Cynthia Soumoff
Robert L. Spadafora, Jr.
Mark Steinberg
Harriet M. Strimpel
Ramon K. Tabtiang
Joseph Teja, Jr.
Kerry L. Timbers
Maria A. Trevisan
Jim Weixel

BOSTON COLLEGE LAW SCHOOL IP INN OF COURT BEGINS ITS THIRD YEAR

The Boston College Law School Intellectual Property Inn of Court inaugurated its third year at a meeting held at Boston College Law School on October 11, 2000. The local Boston College Inn of Court is part of the American Inns of Court organization. This organization is designed to improve the skills, professionalism and ethics of the bench and bar. Most Inns concentrate on issues surrounding civil and criminal litigation practice, and include attorneys from various legal specialties.

The Boston College Inn of Court specializes in intellectual property law, and members of the Inn include local attorneys, law students, law professors, and judges who either practice in the intellectual property field, or who have an active interest in intellectual property. The members of the Inn form teams, and discuss problems which contain elements of substantive and procedural law in the intellectual property field.

The Inn generally meets once a month, usually on Wednesday at 6:30 p.m. The meetings are informal, and are preceded by a dinner. The co-presidents of the Inn are Eileen Herlihy of Goodwin, Proctor and Hoar, and Magistrate Judge Marianne B. Bowler of the U.S. Federal District Court in Boston. Individuals wishing to join the Inn should contact Eileen Herlihy at 617-570-1000 or William G. Gosz at 617-720-3500.

CORPORATE SPONSORSHIPS AVAILABLE WITH IPLSA

Suffolk University Law School's Intellectual Property Law Students Association (IPLSA) is currently accepting Corporate Sponsors. The sponsorship fee is \$150. In exchange for the \$150 sponsorship fee, companies and organizations receive an advertisement featuring their logo, slogan and contact information on each issue of the bi-monthly newsletter "IPLSA

Headlines." This newsletter is distributed in print and via email over the listserv system that consists of over 200 members, including law students, faculty and alumni. The newsletter is also posted on the website. Interested parties should email Chaz Landry at chazlawyer@hotmail.com or call him at 617-305-1694.

IP LITIGATION HIGHLIGHTS IN FIRST CIRCUIT

The following cases are taken from public records and other publicly available documents concerning intellectual property disputes in the First Circuit which may be of interest to BPLA members.

Biogen, Inc. v. Berlex Laboratories, Inc.

Berlex Laboratories, Inc. sued Biogen, Inc. for infringement of three Berlex U.S. Patents relating to the use of recombinant DNA technology for producing human beta interferon. Interferon is used to treat multiple sclerosis, and both Biogen and Berlex have commercial interferon products on the market. Biogen markets a product under the name "Avonex," and Berlex sells a product under the name "Betaseron." Avonex accounted for approximately \$190 million in Biogen sales in the second quarter of this year.

Biogen filed a motion for summary judgment for non-infringement. In considering the Biogen motion, District Judge Mark L. Wolf observed that issues of claim construction in patent cases are usually dispositive, and that issues of claim construction are decided in a Markman hearing.

At the Markman hearing, Biogen argued that the method it uses for producing human beta interferon requires the use of multiple DNA constructs, while the Berlex patents require the use of a single DNA construct. Judge Wolf agreed with Biogen's proposed claim

construction, and granted Biogen's request for summary judgment of non-infringement.

Harpak, Inc. v. Convenience Food Systems, Inc.

The plaintiff, Harpak, brought a patent infringement suit against the defendant alleging infringement of U.S. Patent No. 4,974,392. The Harpak patent relates to an automated food-tray packaging machine. The plaintiff alleged that the defendant's machine for lidding and sealing literally infringed the patents in suit and also infringed under the doctrine of equivalents. The defendant moved for summary judgment on the basis of non-infringement. The point of contention was the meaning of certain claim terminology pertaining to the part of the alleged infringing device which moved sealed containers from the sealing area to an outbound conveyor belt.

Chief Judge William G. Young, District of Massachusetts, held that the Harpak patent claims are directed to an actuation shaft supported in a manner that enables it to rotate and slide, while the accused device utilizes twin shafts which are not permitted to rotate and slide. Moreover, Judge Young also held that while the patent claims did not specify the function of the shaft, the court is permitted to consider functional elements which are inherent in the claimed structure. Judge Young found that the dual-functioning actuation shaft of the claim was not met in the accused device, and therefore there was no infringement under

the doctrine of equivalents as a matter of law.

Bose Corporation v. JBL, Inc.

Bose Corporation of Framingham was awarded \$5.6M in compensatory damages and a permanent injunction in a patent infringement action against rival JBL, Inc. Bose claimed that JBL had infringed Bose U.S. Patent No. 5,714,721, which covers a port inside a loudspeaker enclosure used to radiate acoustic energy from inside the speaker to the listener. JBL maintained that its products did not infringe the Bose patent, and that the Bose patent was invalid.

District Judge Patti B. Saris held that the Linear A and exponential port tubes of the JBL speakers do not literally infringe the claims of the Bose patent. However, Judge Saris also found that the JBL speakers performed the same function in the same way to give the same result as claimed in the Bose patent, and therefore infringed the patent under the doctrine of equivalents. Judge Saris also held that there was no invalidating prior use or offer for sale, and that the Bose patent was not invalid for obviousness over the prior art.

COLD FUSION INVENTION LEAVES LOCAL INVENTOR OUT IN THE COLD AT THE PTO

Dr. Mitchell R. Swartz of Wesley Hills, Mass. took his case to the CAFC in a pro se appeal after he was denied a patent for his application relating to cold fusion. The Examiner had rejected the application on the basis of a lack of utility and a lack of enablement. In particular, the Examiner provided reasonable doubt as to the utility of the Swartz invention by citing several references showing that results in the area of cold fusion were not reproducible, and that the application did not contain any disclosure of an operative embodiment. The Board of Appeals sustained the Examiner's

position, and Swartz appealed to the CAFC.

The Court noted that there is an initial presumption that the applicant's assertion of utility is correct, and the PTO has the burden of challenging applicant's assertion. In reviewing the law on the subject of utility and enablement, the Court stated that the utility requirement mandates that the invention must be operable to achieve useful results, and that the utility and enablement requirements are linked.

In this case, the Court noted that once the PTO provides substantial evidence showing a lack of operability, the burden shifts to the applicant

to produce evidence which would overcome such a reasonable doubt. The Court stated that the PTO had provided substantial evidence that would create a reasonable doubt in the minds of those skilled in the art regarding the operability of cold fusion. Since the Court found no evidence of operability, the rejection of the application was affirmed.

MINUTES OF THE BPLA ANNUAL MEETING DECEMBER 1, 1999

The Annual Meeting was called to order by outgoing President Walter F. Dawson on December 1, 1999, at 12:30 p.m. at the Seaport Hotel in Boston. A moment of silence was observed for deceased members of the association.

Presentation of the 1999 Writing Competition Awards was made by Doreen Hogle. A check for \$300 was presented to the first place winner, J. Scott Southworth, and a check for \$200 was presented to the second place winner, Scott P. Zimmerman.

In appreciation for, and in recognition of, the work of the Committee co-chairs in 1999, the co-chairs were presented with a President's Award. President Dawson expressed appreciation to the Board of Governors for their support this past year.

A Motion was made by the Secretary to dispense with the reading of the Minutes of the last Annual Meeting, and to adopt the Minutes. The Motion were passed without objection.

The Secretary reminded the members that the By-laws had been amended to provide the Board of Governors with additional authority to conduct the affairs of the organization. The

Secretary also noted that 76 new members had joined the organization in 1999.

The Treasurer reported a balance of \$22,203.40 in the checking account, and \$31,001.50 in the savings account. The Treasurer also reported 1999 income of \$87,948.68, and 1999 expenses of \$77,885.87, generating a net income of \$10,062.81 for the year. The Treasurer's Report was adopted without objection.

The Treasurer noted that the dues had increased to \$55 for active members and \$40 for others, effective for the 2000 fiscal year. The late fee was also increased to \$25.00.

The Nominating Committee, chaired by Timothy French, recommended the appointment of the following Officers and members of the Board of Governors for 2000:

President	David J. Thibodeau, Jr.
President-elect	Thomas J. Engellener
Vice-President	William G. Gosz
Treasurer	Peter C. Lando
Secretary	Peter F. Corless

Board of Governors: Walter F. Dawson, Doreen M. Hogle, Ingrid A. Beattie and Lee C. Bromberg

A Motion to accept the Nominating Committee's nominations was passed without objection.

David J. Thibodeau was installed as the new President. President Thibodeau gave a report on his goals for the coming year. These goals included a continuing emphasis on patents, and expanded committee activity.

President Thibodeau introduced Mark Soloman as the new Activities Committee Chair for the coming year. Ingrid A. Beattie and Lee C. Bromberg were introduced as new members of the Board of Governors.

Newly-elected President Thibodeau then introduced the luncheon speaker, the Honorable Paul R. Michel of the Court of Appeals for the Federal Circuit. Judge Michel discussed recent CAFC decisions involving the non-obviousness test for patentability and infringement under the doctrine of equivalents.

The Annual Meeting was adjourned at 2:30 p.m.

U.S. CONSIDERS RATIFICATION OF MADRID PROTOCOL

Ratification of the Madrid Protocol was before the U.S. Senate in the last session of Congress. The Madrid Protocol, which was adopted by 15 member States on April 15, 1997, introduces new features in the Madrid Agreement which were not available under the original Agreement. The Madrid Agreement permits a trademark to be registered in contracting states by filing a single trademark application. The United States, and a number of other major countries, such as the United Kingdom, are not members of the Madrid Agreement, and the Madrid Protocol represents an attempt to make the provisions of the Madrid Agreement more palatable to non-member countries.

Under the Madrid Agreement, an applicant can obtain trademark protection in all member countries by submitting a single trademark application. The application is filed in the International Register in Geneva, and member countries have 12 months to reject the application. If there is no objection, the mark is registered. The total fee charged for registration is greater than an individual filing

in any single country, but less than the total in all countries. The registration is subject to attack in the country of origin for a period of five years from the date of registration. If the mark is successfully challenged in the country of origin during this period, the registration terminates in all designated countries. If the registration survives the five year period, it can only be challenged in the individual countries.

Although the United States is not presently a member of the Madrid Protocol, the U.S. has amended its trademarks laws to incorporate certain features of the Protocol. For instance, the United States now permits filing without proof of actual use of the mark in an intent to use application. In addition, the U.S. accepts a foreign registration without additional proof of actual use. However, additional changes would be required in our domestic trademark laws if the U.S. should ratify the Madrid Protocol.

The Madrid Protocol provides that a trademark application rather than a granted registration can be used as a basis for obtaining an international registration. The application would be subject to rejection in the country of

origin for a period of five years from the application date. If the application is rejected in the country of origin, the applicant would have the right to reapply in each country and retain the original priority date. The applicant would file one application, pay one fee, and would not be required to submit foreign powers of attorney. Renewals, assignment records, and changes of name and address would be handled in the International Bureau. The U.S. would retain Section 8 and Section 15 Affidavit practice after ratification of the Protocol.

The Boston Patent Law Association is currently conducting a member survey regarding whether the U.S. should ratify the Madrid Protocol. The survey can be found at our web site www.bpla.org. Members are urged to participate in the survey, since the survey results may be used to formulate a position of the BPLA on U.S. ratification of the Madrid Protocol.

BPLA COMMITTEES

To switch committees (or to join another committee), members are encouraged to contact the committee chairpersons listed below to have their names added to committee rosters. Most committee chairpersons can be contacted through the BPLA web site: www.bpla.org (For committees that have co-chairs, please contact the person marked by the asterisk.)

Activities and Public Relations

Committee e-mail - activities@bpla.org

*Mark Solomon - (781) 861-6240

Lisa Michaud - (617) 439-2948

AIPLA Moot Court

Committee e-mail - mootcourt@bpla.org

*Christopher Centurelli - (617) 542-5070

Merton Thompson - (617) 542-5070

Antitrust Law

Committee e-mail - antitrust@bpla.org

*Paul R. Gupta - (617) 338-2482

Martin O'Donnell - (617) 951-2500

Biotechnology

Committee e-mail - biotechnology@bpla.org

*Doreen M. Hogle - (781) 861-6240

Careers in IP Law

Committee e-mail - careers@bpla.org

The BPLA is currently seeking volunteers to chair or co-chair this committee.

Chemical Practice

Committee e-mail - chemical@bpla.org

*Peter F. Corless - (617) 523-3400

Maggie Kanter - (617) 252-7500

Community Service

Committee e-mail - community@bpla.org

David J. Pousner - (617) 248-5000

Computer Law

Committee e-mail - computer@bpla.org

*Edward W. Porter - (617) 494-1722

Lee Carl Bromberg - (617) 443-9292

Copyright Law

Committee e-mail - copyright@bpla.org

*Charles ("Buzz") Gagnebin - (617) 542-2290

Thomas M. Saunders - (617) 227-0700

The Copyright Law Committee held a lunch program in conjunction with the Boston Bar Association Intellectual Property Section on Monday, November 13, 2000. "Napster" was the title of a program presented by Gary Roth, Esq., Assistant Vice President in legal matters pertaining to BMI's activities in the area of performing arts. Mr. Roth presented the facts and issues of the NAPSTER revolution. BMI is currently licensed to collect and distribute fees for the performance of more than 4.5 million works of the performing arts.

Corporate Practice

Committee e-mail - corporate@bpla.org

*Walter F. Dawson - (978) 452-1971

Faith F. Driscoll - (781) 326-6645

International Practice

Committee e-mail - international@bpla.org

*Timothy A. French - (617) 542-5070

Thomas A. Turano - (617) 248-7378

Law Students

Committee e-mail - students@bpla.org

Leigh Martinson - (617) 491-5758

All student members should contact Leigh Martinson at students@bpla.org to provide some input as to what they would like to see from this committee.

Licensing

Committee e-mail - licensing@bpla.org

*William Gosz - (617) 720-3500

Karl F. Jorda - (603) 228-1541, Ext. 1109

Litigation

Committee e-mail - litigation@bpla.org

*Susan Glowsky - (781) 861-6240

Steven M. Bauer - (617) 248-7594

Patent Law

Committee e-mail - patents@bpla.org

*Leslie Meyer-Leon - (617) 348-4432

Matthew B. Lourie - (617) 720-3500

Patent Office Practice

Committee e-mail - patentpractice@bpla.com

*Grant Houston - (781) 861-6240

David Conlin - (617) 523-3400

Trade Secrets

Committee e-mail - tradesecrets@bpla.org

*Stephen Y. Chow - (617) 854-4000

Richard M. Gelb - (617) 345-0010

Trademarks & Unfair Competition

Committee e-mail - trademarks@bpla.org

*Michael A. Albert - (617) 730-3500

Donna M. Weinstein - (617) 542-5070

Young Lawyers

Committee email - younglawyers@bpla.org

Lesley Hamlin - (978) 657-1168

The Young Lawyers Committee is interested in hearing from students and attorneys with less than five (5) years experience to join Lesley Hamlin as co-chair of this committee. Aaron has changed the focus of his law practice to corporate law. We wish him luck in his new position and thank him for his assistance.

The Committee has received several calls from recruiters looking for referrals to law students, patent agents and 1-3 year associates who may be interested in hearing about new opportunities. Please contact us if you want the names of those particular recruiters.

The Committee has received several ideas for events for next year. Please send your thoughts and comments and suggestions for next year's events, particularly focusing on how you would help Young Lawyers in their practice.

MASS BIOTECH COMPANIES TANGLE OVER PERFUSION CHROMATOGRAPHY RIGHTS

Perceptive Biosystems, Inc. of Framingham, Mass., sued several companies, including Sepracor, Inc. of Marlboro, Mass., for infringement of three patents relating to the separation of biological materials using high-speed perfusion chromatography. Perfusion chromatography utilizes a matrix of porous particles to separate biological materials in a solution which passes through the matrix at a velocity that produces a higher rate of convection than diffusion.

The patents in suit claim the perfusion method and materials used in the perfusion process. The patents were challenged by the defendants on the basis that they did not name the correct inventors, and that the patents were unenforceable on the basis of inequitable conduct.

The CAFC noted that the defense of inequitable conduct includes affirmative misrepresentations of material facts, including

the failure to disclose material information, coupled with the intent to deceive. According to the CAFC, inequitable conduct requires the existence of both materiality and intent on the part of the applicant.

In considering all of the evidence presented in the District Court (District of Massachusetts), the CAFC stated that the inventors intentionally misrepresented their relationship for the purpose of concealing the correct inventorship. The CAFC noted that inventorship is a critical requirement for obtaining a patent, and that Examiners are required to reject patent applications on the basis of improper inventorship. In this respect, inventorship is material to patentability, and misrepresentations regarding inventorship rise to the level of inequitable conduct. The CAFC accordingly upheld the District Court's finding of unenforceability of the patents in suit.

WEB SITE IMPROVEMENTS

This is the final in a continuing series of articles on improvements to our web site. The Association maintains a web site at www.bpla.org. The web site is organized into a public section and a private section for members only.

The public section of the site contains a listing of the Officers and Governors of the Association, a calendar of upcoming events and activities, committee information, membership renewal and application forms which can be downloaded and printed, a copy of the organization by-laws, and links to other relevant sites.

The private section of the web site includes a directory of current members, an archive of past editions of the newsletter, and a membership renewal form. The members are reminded that it is the responsibility of the individual member to maintain the information in the directory listing current and accurate. This is particularly important since the web site members directory is the official membership

list of the organization, and is used for all of our mailings and member contacts.

There is a simple procedure for changing the directory listing. This can be accomplished by simply entering the username and password, and then clicking on the name and typing in the updated information. The username/password was previously distributed to the membership, but those members who have misplaced or forgotten it can obtain it by contacting the web site administrator at info@bpla.org. It is also important for members to list their email addresses in the directory since the software used for mailings reads email addresses from the web site when sending out email information.

Members who desire to actively participate in particular committees of the organization should contact that committee through the web site. Each committee has, or is in the process of having, a brief description of its mission statement and its chair contact information posted on the web site.

ELECTRONIC PATENT FILING NOW A REALITY

The U.S. Patent and Trademark Office has announced that it has initiated an electronic patent application filing system, designated "EFS." EFS allows new patent applications to be filed over the internet using software available from the PTO's electronic business center. The software assembles the application, calculates fees, validates the application, compresses, encrypts and transmits the application to the USPTO. The transmissions are digitally encrypted from applicant's PC to the PTO's electronic mailroom. Public key infrastructure technology is used to preserve the security and confidentiality of the application.

The EFS system has a built-in validation function to help applicants adhere to PTO rules and avoid pitfalls. The filing of the application is acknowledged in real time, and a serial number is immediately assigned to the application. Users should contact the PTO's web site for more information on electronic filing.

COMINGS AND GOINGS

BPLA members are on the move, and here are a few members who have now accepted new positions:

Peter Gordon is now with Avid Technologies;

Grant Houston is now with Axsun Technologies in Billerica, MA;

Pat McDaniels is now with Gemini Genomics;

Leslie Meyer-Leon is now with The Patent Law Group in Sudbury, MA;

Patricia Sheehan is now with Cesari and McKenna;

Paul Sorkin is now with Sun Microsystems;

Alan Sherr is now with a Affymetrix.

If you have recently changed jobs, are in the process of doing so, or know someone who has, please email the information to us at info@bpla.org, and we will see that it is published in forthcoming issues of the newsletter.

Advertisements

Subject to the availability of space, the BPLA publishes advertisements by its members (and their firms or employers) for availability of employment positions and services offered. The placement of an ad costs \$100.00 per issue for approximately one hundred words of space in the newsletter.

If you wish to submit an advertisement for publication in the next issue, please send a copy of the proposed ad by e-mail and a check (made payable to Boston Patent Law Association, Taxpayer ID# 04-2667161) for \$100.00 by regular mail to William Gosz: E-mail: wgosz@wgsllaw.com; Mail: William Gosz, Wolf, Greenfield & Sacks, P.C., 600 Atlantic Avenue, Boston, MA 02110.

Positions Available

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The BPLA Newsletter is published four times a year by the Boston Patent Law Association. Articles appearing in the newsletter represent the views of the authors and do not necessarily carry the endorsement of the BPLA.

Editor: William G. Gosz

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