

MINUTES OF MAY 14, 2019
MEETING OF THE BOARD OF DIRECTORS OF
THE NEW YORK INTELLECTUAL PROPERTY LAW ASSOCIATION

Peter Thurlow presided over his final meeting as President of the Association. President Thurlow first called the Annual Meeting of Members to Order.

The President asked Heather Schneider, Secretary for the day to announce the Quorum of Proxy Votes. Ms. Schneider announced to the meeting of members that there were 108 votes as of 10:10 AM, May 13, 2019 and a Quorum had been reached.

The President entertained a motion to waive the reading of the minutes from the previous Annual Meeting. The motion was passed by the members and the reading of the minutes from the 2018 Annual Meeting of the Members passed.

The President then recognized the following members whose service as Committee Chairs was ending: Dorothy Auth (Legislative Action); Abigail Langsam (Women in IP Law); Gene Lee (Patent Litigation); and Marc Pensabene (Patent Litigation).

The President then recognized the following Board Members whose terms had expired: Mark Bloomberg and William McCabe.

The President then recognized John Sweeney as a new Lifetime Member of the Association.

Robert Rando, in place of David Leichtman issued the report to the Auditor and Treasurer. His report indicated that, despite declining revenue in certain key programs and the Judges Dinner being down, the financial situation of the Association is still sound.

Next, the President invited the committees to give their annual reports to the Board:

- Amicus Brief – David Goldberg presented the report. participated in the preparation and filing of four briefs in the Supreme Court, two in the Court of Appeals for the Federal Circuit, and one in the Court of Appeals for the Fourth Circuit.
- Hon. William C. Conner Writing Competition – Richard Brown described the process and the winner of the award, which was a paper regarding the price of the patent dance and biosimilars.
- Hon. Giles S. Rich Diversity Scholarship Award – Thomas Meloro and Patrice Jean briefly described how this committee has a separate not for profit foundation that will provide scholarships to diverse law school candidates.
- Copyright Law & Practice – Lauren Emerson presented the report to the Board. She stated that the Copyright Committee worked with the Legislative Action Committee to contribute to discussions on the pending CASE Act. The Committee also worked with the Amicus Brief Committee on authoring two amicus briefs. In addition, the Committee prepared comments on behalf of the Association in response to the Copyright Office's Notice of Inquiry concerning efforts to modernize copyright registration.
- Corporate Committee – Steven Purdy presented the report and the Corporate Committee participated in NYIPLA's roundtable on gender diversity in innovation, attended by Director Iancu and Professor Colleen Chien. Other committee meetings included outside experts such as Chris Israel of ACG joined a meeting to share an update on activity in DC, and Steve Gardner and Caroline Wray of Kilpatrick Townsend shared a presentation tailored to in-house counsel on recent patent case law.

- Privacy, Big Data and Cybersecurity – There was no report.
- Inventor of the Year – Ksenia Takhistova discussed the work of the Inventor of the Year Award.
- Legislative Action – Jeffrey Butler and Anthony Lo Cicero delivered the report. This year, the committee’s principal focus has been on considering issues relating to subject matter eligibility. Other areas of focus are the numerous pending and proposed bills relating to pharmaceutical pricing, bills aimed at altering the patent-challenge paradigm that was established years ago by the Hatch-Waxman Act, and efforts likely to result from the Administration’s push for agency reports on the subject of online counterfeiting and piracy.
- Media – There was no report.
- Patent Law and Practice - Jonathan Berschadsky delivered the report, which focused on the committee’s continued effort to monitor and participate in the USPTO’s Patent Quality Initiative. The committee also worked with the Programs Committee to conduct a panel on Section 101 for the One-Day Patent CLE Seminar.
- Patent Litigation – Gene Lee and Marc Pensabene delivered the report for the committee. This committee was active in the preparation of CLE programming, including the Biosimilar Seminar with the Women’s Committee, helping with the One-Day Patent CLE Seminar and presenting a panel of PTAB judges. The committee also continues to take steps to expand participation by more junior lawyers, including working with the Young Lawyers Committee.
- Programs – Jenny Lee and Jonathan Auerbach delivered the report. The Programs committee meet nearly every week to work with RRR Associations to coordinate all of the CLE programs and the calendar for the association. The Programs Committee also took the lead in preparing the One-Day Patent CLE Seminar which was well attended and well-received.
- Publications – Jessica Sblendorio delivered the report. The committee report focused on the creation of the online publication and the weekly blasts of important upcoming information.
- Trademark Law and Practice – Scott Greenberg delivered the report. The committee continues to present a Half-Day Trademark CLE program that continues to be well received and attended as well as additional trademark-focused CLE programming.
- Trade Secrets – Laura Chubb presented the report. This committee is working to put together a podcast series of 5-7 episodes.
- Women in IP Law – Abigail Langsam delivered the report. This committee had several solo and joint networking and CLE events. The committee was instrumental in organizing the Implicit Bias panel for the One-Day Patent CLE Seminar.
- Young Lawyers – Eric Greenwald delivered the report. The committee held various roundtables and skill development programs. They collaborated with the Patent Litigation Committee to host an interactive improvisational acting event. The committee and continues to provide resources and networking for the NYIPLA’s more junior attorney members and student members.
- U.S. Bar Japan Patent Office Counsel – John Pegram once again delivered his report on the NYIPLA’s work with the JPO and plans for continued outreach.
- U.S. Bar-EPO Liaison – Thomas Spath once again delivered his report on the NYIPLA’s work with the EPO and plans for continued outreach.

The President then asked for a report from Walter Hanley and the Nominating Committee and for Heather Schneider, Secretary for the day to cast a single vote in favor of the nominations and any amendments to the bylaws. A Quorum having been previously reported, the single vote was cast, and the slate of nominees elected.

The President then asked the former NYIPLA Presidents present in the room to escort the incoming President, Kathleen McCarthy, to the Podium. President McCarthy then gave a brief set of remarks and President McCarthy then presented Immediate Past-President Thurlow with a plaque thanking her for her service to the Association. The Annual Meeting of the Members was then adjourned.