



OCPLA NEWSLETTER

Orange County Patent Law Association

www.ocpla.org

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September 2008

SEPTEMBER 2008 LUNCH

The next OCPLA Lunch Meeting will be held on September 24, 2008 at 12:00 Noon at the Wyndham Garden Hotel. Wayne Paugh, Acting U.S. Coordinator for International IP Enforcement, Office of the Secretary, U.S. Department of Commerce will be speaking. The topic will be "U.S. Government IP Enforcement Strategy."

Please note that registration and payment for the September 2008 Lunch Meeting and all other Lunch Meetings must be made online ONLY at www.ocpla.org. Payment must be made at the time of registration using a credit card or a PayPal account. **Checks and other forms of payment are no longer accepted.**

OCTOBER AND NOVEMBER 2008 LUNCH

Please note the October 15, 2008 and November 19, 2008 special dates for Lunch Meetings.

OCPLA 2008 HOLIDAY PARTY- SAVE THE DATE

The OCPLA 2008 Holiday Party will be held on December 4, 2008 at Sage on the Coast. Details regarding the Holiday Party will be coming soon.

2008 OCPLA MEMBERSHIP RENEWAL

Attached at the end of this newsletter is a renewal form for the remainder of the 2008 calendar year. The association needs your support. Please renew by printing and filling

out the form and returning it at your earliest convenience.

SEPTEMBER BOARD MEETING

The September Board Meeting is scheduled for 1:15 p.m. on September 19, 2008 at Vista IP Law Group LLC, 2040 Main Street, 9th Floor, Irvine, California. Members who wish to present items for the Board's consideration are encouraged to contact our president, Neal Cohen at nmc@viplawgroup.com and have their items placed on the agenda.

SEPTEMBER SPECIAL MEETING

A special meeting to discuss the possible LAIPLA/OCPLA merger will take place at 11:00 a.m. on September 24, 2008 at the Wyndham Garden Hotel (prior to the Lunch Meeting). Please note that no votes or actions will be taken during this meeting.

2009 BOARD OF DIRECTORS

OCPLA's annual meeting will be held this year on October 15, 2008 at the Wyndham Garden Hotel, beginning at 11:45 a.m., before the regular monthly lunch seminar. At this annual meeting, we will elect the 2009 Board of Directors. As is tradition, each current Board member will be nominated to advance to the next available position. Other members will be nominated for the first year director position. Proxy forms will be e-mailed to all members at least two weeks before the annual meeting. If any member would like to nominate a candidate for the First Year Director position, please email our President, Neal Cohen, at nmc@viplawgroup.com.

NEW MEMBERS

We are pleased to welcome the following new members to the OCPLA:

John K. Fitzgerald (Fulwider Patton LLP)
 Gary Juskowiak
 Adam Diament

INTERNET SIGHTINGS BY JIM HAWES

What follows are some of the more notable recent internet notices, newsletters and blogs dealing with IP prosecution issues. It is a distillation by this publication's editor of the submitted IS column.

If you would like to receive the full column directly by email, write onejehawes@aol.com or subscribe at www.internetsightings.com.

Hal Wegner's newsletter – a lot of great stuff – Contact: hwegner@foley.com.

- In his 8/4/08 email Hal lists and discusses his current Top Ten cases on appeal. See also his emails on 8/5 (two emails), 8/8, 8/11, 8/22, and 8/25.
- The 8/7/08 newsletter reports that Sydney Johnson is the new Acting Solicitor of the PTO.
- The 8/11/08 newsletter discusses the recent PTO notice of new continuation rules if it prevails in the Tafas appeal.
- The 8/14/08 email discusses the new PTO rule regarding patent agents and its curtailing of their permitted activities.
- The 8/15/08 offering raises again the MuniAuction decision holding that a method claim is only infringed if all steps are performed by a single infringer, and attaches a paper discussing how method claims should now be drafted.
- The 8/18/08 message conveys Hal's expectation that John Doll will be appointed Acting Director of the PTO when the present Director leaves next month.
- The 8/19/08 email discusses the Cooper Techs CAFC decision holding that reexam applies to all patents having any filing date after the effective date of the statute.
- Another 8/19/08 email discusses the Cygnus CAFC decision holding that experimental use can't apply after a reduction to practice.
- The 8/21/08 email discusses the Leggett CAFC decision and its holding of invalidity based on inherent anticipation of the invention in the prior art.
- The 8/25/08 newsletter discusses Scroggie (BPAI) and the Board's ruling that it, not examiners or tech. directors, controls the legal and evidence issues before it.
- Another 8/25/08 email concerns the Star Sci. CAFC holding re inequitable conduct that a threshold level of intent to deceive and materiality both must be shown by clear and convincing evidence before relative equities can be considered.

Patently-O – a blog written by Dennis Crouch – www.patentlyo.com.

- The 8/2/08 blog includes a 7 item checklist to avoid inequitable conduct.
- The 8/9/08 email reports the parts of the rules package now under appeal (the Tafas case) will have reset effective dates if or when the appeal is concluded.
- See the 8/11/08 catchall for a cite to “IP norms in standup comedy.” And here you thought IP was not funny.
- The 8/13/08 blog reports that the Duffy bill re BPAI judges has now been signed into law. Will it work? See the 8/14/08 IP360 newsletter for a discussion.

- The 8/23/08 offering discusses the Omeprazole CAFC decision holding that reduction to practice requires knowledge that the invention works for its intended purpose.

IP law 360 – a newsletter covering all IP, but focusing mainly on litigation – web address: www.iplaw360.com.

- The 8/1/08 newsletter reported that WIPO announced worldwide patent filings up about 5% in 2006, with the biggest increases being in China, Korea and the US.
- The 8/11/08 emailing reports a PTO ruling that the University of Southern California, not the University of South Carolina, owns the USC trademark.
- The 8/12/08 message reports a survey finding that you (IP lawyers) are happier than other lawyers. Congratulations.
- The 8/27/08 email includes the opinion that specialized patent courts “fail to gain traction.” It also includes a guest column discussing steps to reduce the risk of a false patent marking claim.
- The 8/28/08 newsletter reports that the ABA is considering a proposal to ease the conflict of interest rules, especially as they apply to attorneys joining another firm.

AIPLA Direct – a newsletter issued from time to time: http://www.aipla.org/Content/ContentGroups/About_AIPLA1/AIPLA_Reports/AIPLA_Reports_TOC.html.

- The 8/1/08 newsletter also reports that in the Research Corp. Technologies CAFC decision post application filing research is not material to consideration of inequitable conduct.
- The 8/5/08 email states that registration for the 2008 Annual Meeting in DC on 10/23-25 is now open. The 8/15/08 email gives the full program.

- The 8/13/08 notice reports that former PTO Commissioner Todd Dickinson has been named the Association's new Executive Director.
- The 8/20/08 newsletter reports that the PTO is increasing fees by 5% effective in October 2008.

PTO notices –

www.uspto.gov/main/newsandnotices.

- The PTO published its final revised rules re discipline, professionalism and patent agents on August 15, 2008. The patent agent rules do not permit agents to give opinions about patent infringement, nor about validity unless as a part of a reexamination.
- The PTO, on 8/29/08, published a notice that it is seeking volunteer practitioners to help it test a pilot mandatory continuing education program.
- **PTO FEES GO UP BY 5% OCTOBER 2.**

WIPO notices – www.wipo.int.

- An 8/26/08 notice announces that the 2008 Forum on Trademarks and Industrial Designs will be held in Brussels on 9/24/08.

Other Stuff –

- The 8/3/08 Pat-O reports that Bill Patry has decided to stop his Copyright Law blog, in part because the state of copyright law has become too depressing for him.
- WestLegalWorks now offers the IP due diligence and audit bootcamp on demand.

For more information about any of the patent topics mentioned consult Patent Application Practice published by West and updated twice a year.

**RECENT IP CASES
BY IRFAN LATEEF
KNOBBE, MARTENS, OLSON & BEAR**

In *Jacobsen v. Katzer*, Case No. 06-CV-1905, the Federal Circuit vacated the district court's denial of a motion for a preliminary injunction in a copyright infringement action.

Jacobsen alleged that Katzer modified and distributed copyrighted computer code without complying with certain restrictive terms of a nonexclusive license by which the code was made freely available to the public. The district court, finding that a violation of the restrictive terms amounts to breach of the license but not copyright infringement, denied Jacobsen's motion for a preliminary injunction.

The Federal Circuit found that it had appellate jurisdiction because the complaint included a claim seeking declaratory judgment of noninfringement and invalidity of a patent.

The Federal Circuit interpreted language in the license authorizing a user to make modifications and distribute the computer code "provided that" the user follows restrictive terms of the license. Applying Ninth Circuit law and California contract law, the Court found the restrictive terms to be conditions that protect economic rights at issue in the granting of a public license. The Court found that modifying and distributing licensed copyrighted material without complying with conditions constitutes copyright infringement.

In *Research Corp. Technologies Inc. v. Microsoft Corp.*, Case No. 01-CV-00658, the Federal Circuit reversed the district court's finding of inequitable conduct; vacated the (1) attorneys' fee award, (2) summary judgment grants of noninfringement and invalidity, and (3) motions in limine order; and remanded with instructions to reassign the case to a different judge for a proper determination of validity and infringement on the merits.

With regard to inequitable conduct, the Federal Circuit concluded the trial judge "completely ignored the materiality prong" by basing

inequitable conduct upon the inventor's failure to disclose her post-filing experiments to the USPTO. For intent, the Federal Circuit concluded that the trial court clearly erred when it, *inter alia*, relied upon an email exchange between the inventor and another researcher to show intent to deceive. In the email, the inventor was not entirely truthful regarding the status of his research because he was attempting to keep the research confidential until his patent application was filed. The Federal Circuit rejected the trial court's interpretation that the statements established intent. Rather, the Federal Circuit noted that "an email from one scientist to another scientist in a competitive field that does not disclose the actual status of research is...hardly dispositive proof that the inventor was not in possession of the invention at the time of filing."

With respect to infringement and invalidity, the Federal Circuit vacated upon concluding that the trial judge provided no reasons for its summary judgment ruling and adopted the special master's recommendation without explanation.

With regard to the request to transfer, the Federal Circuit applied Ninth Circuit regional law and concluded that the trial judge would not be able to approach the case with an open mind and, therefore, reassignment was appropriate.

In *Proveris Scientific Corp. v. Innovasystems Inc.*, Case No. 05-CV-12424, the Federal Circuit affirmed the district court's final judgment of infringement.

The patent at issue relates to a system and apparatus for characterizing aerosol sprays used in drug delivery devices.

The Federal Circuit concluded that the safe harbor provision of the Hatch-Waxman Act, codified at 35 U.S.C. § 271(e)(1), does not extend to a product "which is used in the development of FDA regulatory submissions, but is not itself subject to the FDA premarket approval process." The Court explained that the device at issue did not need safe harbor

protection because it was not subject to a required regulatory approval process; the Court also noted that the patented product was not eligible for a patent term extension under 35 U.S.C. § 156. The Court reasoned that the two statutory provisions are complementary, referencing the Supreme Court's decision in *Eli Lilly* to support its conclusion. The Federal Circuit thus affirmed the district court's ruling that the accused infringer's marketing and sale of the device at issue was not exempted from infringement by the safe harbor provision of § 271(e)(1).

In *Prasco v. Medicis Pharmaceutical Corp.* Case No. 06-CV-313, the Federal Circuit affirmed the district court's dismissal for lack of declaratory judgment jurisdiction.

The patents-in-suit relate to benzoyl peroxide cleansing products. Prasco filed suit seeking a judgment that its OSCION™ product does not infringe Medicis' patents. The district court found that there was no case or controversy under Article III and dismissed the suit.

Turning to the issue of whether declaratory judgment jurisdiction exists, the Federal Circuit looked at the totality of circumstances to determine whether there was a justiciable controversy. First, the Federal Circuit found Medicis' marking of its products with the patents-in-suit insufficient to establish jurisdiction because it occurred before Medicis had knowledge of Prasco's OSCION™ product. Next, the Federal Circuit found Medicis' past history of enforcing patent rights insufficient because the prior litigious conduct was over unrelated products and patents. Finally, the Court found Medicis' unwillingness to sign a covenant not to sue Prasco insufficient because Medicis was under no obligation to spend the time and money to make a definitive determination not to bring suit, at a time of Prasco's choosing.

In *Voda v. Cordis Corp.* Case No. 03-CV-1512, the Federal Circuit affirmed the district court's judgments regarding claim construction, validity, and the denial of a permanent injunction; affirmed-in-part and reversed-in-part the district court's judgment of infringement;

and vacated and remanded the district court's finding of willfulness. The patents-in-suit relate to cardiac catheters.

Regarding claim construction, defendant Cordis argued that a catheter body that engages "along a line" should require that the body have "a straight portion." The Federal Circuit disagreed, using the intrinsic evidence to uphold the district court's construction.

Regarding validity, the Federal Circuit upheld the district court's finding that the patents were not invalid, as a reasonable jury could find that the prior art presented lacked at least one element. The Federal Circuit further found that Cordis failed to show any reason to reverse on obviousness.

Regarding infringement, an amendment to some claims invoked a presumption of prosecution history estoppel. Finding that patentee Voda failed to make any argument to overcome this presumption, the Federal Circuit reversed that finding of infringement. Further, the Federal Circuit dismissed Voda's cross-appeals for literal infringement as improperly raised alternative bases to support the judgment. For the remaining findings of infringement on appeal, the Federal Circuit affirmed because there was substantial supporting evidence.

The district court's ruling on willfulness issued prior to *Seagate*. The Federal Circuit ruled that application of the correct "objective recklessness" standard under *Seagate* may have changed the result on willfulness, and accordingly vacated and remanded on this issue.

Finally, the Federal Circuit affirmed the denial of a permanent injunction, finding that Voda's proof of irreparable injury to its exclusive licensee did not necessarily show irreparable injury to Voda.

In *DSW Inc. v. Shoe Pavilion Inc.* Case No. 2:06-CV-06854, the Federal Circuit vacated and remanded the district court's grant of summary judgment of non-infringement and no liability in favor of defendant Shoe Pavilion.

DSW's patents relate to a system and method for storing and displaying a large stock of footwear for customer self-service. With regard to infringement, the Federal Circuit held that the district court erroneously imported a "track and roller" limitation from claims 1-3 into claims 4-6. The Federal Circuit reiterated that absent contravening evidence from the specification or prosecution history, the plain and unambiguous claim language controls claim construction. Here, the Federal Circuit found that the claim language was unambiguous and that there was no support from the prosecution history or specification for limiting claims 4-6 to rolling track mechanisms.

In *Cooper Technologies Co. v. Director U.S. Patent and Trademark Office* Case No. 1:07-CV-853, affirmed the district court's grant of summary judgment in favor of the PTO's denial of a petition to terminate *inter partes* reexamination proceedings.

Section 4608 of the American Inventors Protection Act provides that *inter partes* reexamination is available for "any patent that issues from an original application filed in the United States" on or after the date of enactment of the statute. The PTO interpreted the term "original application" to encompass first filed applications, continuations, divisionals, continuations-in-part, continued prosecution applications, and the national phase of international applications.

The Federal Circuit disagreed with the district court's conclusion that the term "original application" has an established meaning in patent law. The Court also concluded that the PTO's rules governing *inter partes* reexamination were interpretive rather than substantive and thus within the scope of its rulemaking authority. It further held that, because 35 U.S.C. § 2 assigns the PTO the responsibility of administering statutory provisions related to the conduct of PTO proceedings, the PTO's interpretation of Section 4608 was entitled to *Chevron* deference.

Where the *Chevron* framework for analyzing an agency's statutory interpretation applies, a

court must first determine whether Congress has "directly spoken to the precise question at issue"; if not, the court must then determine whether the agency interpretation is reasonable. The Federal Circuit concluded that the statutory language and structure, canons of construction, and legislative history did not compel a particular meaning of "original application" and thus held that Congress did not speak directly to the precise question at issue. The Court then proceeded to hold that the PTO's interpretation of the statute was reasonable. The Court hence affirmed summary judgment in favor of the PTO.

In *In Re Cygnus Telecommunications Tech., LLC*, Case No. M:02-CV-01423, the Federal Circuit affirmed district court's grant of summary judgment that the patents in suit are invalid under the on-sale bar of section 102(b); and affirmed district court's dismissal of plaintiff's trade secret misappropriation claims.

The Federal Circuit initially noted that plaintiff Cygnus was not collaterally estopped from appealing invalidity simply because it failed to appeal all judgments against all defendants. In affirming the finding of invalidity under the on-sale bar, the Court explained that reduction to practice is distinct from whether the invention can work on a commercial scale. The Court also noted that the on-sale bar is triggered whenever someone pays to use the invention, even if they are considered "beta testers." Lastly, the experimental use exception does not apply after the invention has been reduced to practice.

In *Leggett & Platt Inc. v. Vutek, Inc.* Case No. 4:05-CV-788, the Federal Circuit affirmed the district court's summary judgment of invalidity.

The patent-in-suit relates to ink jet printing on a deformable substrate. A deformable substrate is a material that tends to deform when exposed to radiant energy such as heat. The method and apparatus of the patent-in-suit avoid radiant energy drying of ink by using UV curable ink and a "cold UV" source.

The district court granted the Defendant's motion for summary judgment of invalidity,

finding the asserted claims anticipated, obvious, and alternatively indefinite. The Plaintiff challenged the district court's judgment.

Regarding anticipation, the Plaintiff argued that the Defendant's reference failed to disclose a cold UV source being effective to substantially cure the ink and therefore did not anticipate. The Federal Circuit agreed that the reference did not expressly teach the claimed aspect. The Federal Circuit, however, found that the reference inherently taught a cold UV source that was able to cure the ink to a great extent.

In *Star Scientific Inc. v. R.J. Reynolds Tobacco Co.*, Case No. 8:01-cv-1504, the Federal Circuit reversed and remanded the district court's finding of unenforceability due to inequitable conduct and the district court's grant of summary judgment of invalidity due to indefiniteness.

As to the intent prong of inequitable conduct, the Federal Circuit emphasized that no inference of an intent to deceive can be drawn if there is no evidence, direct or indirect, that can support the inference. Here, the Court found that RJR's theory of intent lacked any evidence at all. As to the materiality prong, the Federal Circuit found that the withheld references were clearly cumulative in light of other references disclosed to the PTO, and thus not material.

Regarding indefiniteness, the Federal Circuit found that the term "anaerobic condition" was not indefinite. The Court explained that claim definiteness does not require a potential infringer to be able to determine if a process infringes prior to practicing the process.

In *800 Adept, Inc. v. Murex Securities, Ltd.*, Case No. 6:02-CV-1354, the Federal Circuit reversed the district court's judgment of infringement on Adept's patents as based on an incorrect claim construction, reversed the court's judgment of tortious interference, affirmed judgment of invalidity on some Targus patent claims, and remanded for a new trial on other Targus patent claims.

The patents at issue involve technology for routing "1-800" telephone calls to an appropriate service location, e.g., the service provider closest to the customer who placed the call. Adept sued Targus and Murex for infringement of two patents and tortious interference for asserting Targus's patents against Adept's customers. Targus filed counterclaims on its patents. After a 24-day jury trial, the jury's verdict essentially found for plaintiff Adept on all issues.

Targus argued that the district court erred in construing the "assigning" limitation to "not exclude calculations made during the telephone call" for determining the correct service location. The Court agreed finding that the patents require assignment of a service location before any call is placed.

Targus argued that the jury's invalidity findings on its patents were "tainted" by the erroneous characterization Adept's expert. The Court agreed and remanded for a new trial on validity.

Adept claimed that, because Targus had asserted certain of its patent claims against some of Adept's customers, Targus had tortiously interfered with Adept's business relationships with those customers. State tort claims against a patent holder, including tortious interference claims, based on enforcing a patent in the marketplace, are "preempted" by federal patent laws, unless the claimant can show that the patent holder acted in "bad faith" in the publication or enforcement of its patent. The Court found that there was not a sufficient showing of bad faith and reversed accordingly.

NEWSLETTER VIA EMAIL ONLY

The OCPLA Newsletter is 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 Stacey Halpern at ocpla@kmob.com.

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; and

(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.

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OCPLA NEWSLETTER

Orange County Patent Law Association

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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:

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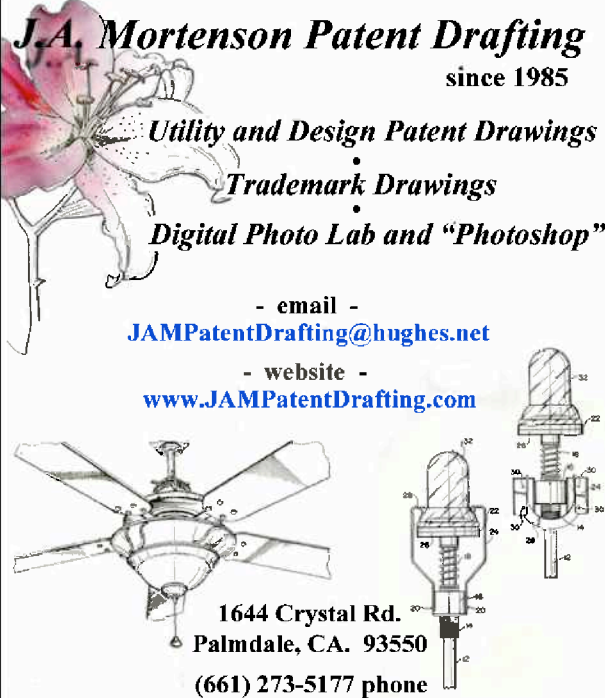
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Exp. 09/08

**BUSINESS DEVELOPMENT
PATENT ATTORNEY**

Intellectual property law firm in Irvine, California seeks attorney for Business Development and Patent Prosecution position. **Position can be business development only or a combination of business development and case work.** This position will be responsible for developing new business in litigation and patent prosecution areas by establishing, maintaining and growing relationships with key decision-makers at medium to large size corporations.

Qualified candidate must have experience in patent prosecution with a technology background (minimum 10 years preferred). Experience as corporate counsel a plus. Ideal candidate must possess excellent communication skills and be professional, charismatic, and self-motivated. Prior business development experience preferred.

Position requires the ability to prospect via phone, email or other medium, face-to-face sales calls, interaction with clients and potential clients at networking events, and the ability to work independently and as a team player. Please send resume to sbowen@shimokaji.com.

Exp. 03/09



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Providing Expert Witness and
Patent Services in Software,
Internet and Electronics
Technologies; Ph.D. in
Computer Science and
Electrical Engineering

Exp. 09/08

Patent Attorney Position

The Intellectual Property Division of Canon U.S.A., Inc. has an opening for an in-house Patent Attorney. This position acts as legal counsel to the IP Division and maintains company patent applications, trade secrets, trademarks, copyrights, licensing and research agreements. Primarily, the Patent Attorney will be responsible for preparing legal opinions, analysis of patents, and reviewing and drafting significant corporate documentation. Other responsibilities include evaluation of validity of competitor patents and potential infringements that require recommendation and study.

Minimum Requirements

This position requires a JD degree plus 3 years of prior patent/IP experience in the area of electrical engineering, chemistry or physics, and you must be registered with the U.S. Patent and Trademark Office. The ideal candidate will demonstrate strong written and verbal communication skills with technical depth and patent expertise.

About the Company

Canon U.S.A., Inc. is an industry leader in consumer, business-to-business, and industrial imaging solutions. The company offers a comprehensive line of imaging solutions and products for our customers from individual consumers to large corporate enterprises. Canon is listed as one of Fortune's Most Admired Companies in America and is rated #35 on the BusinessWeek list of 'Top 100 Brands.' Its parent company, Canon Inc. (NYSE: CA) is a top patent holder of technology, ranking second overall in the U.S. in 2005, with global revenues of \$31.8 billion. For more information, visit www.usa.canon.com

If interested, please apply online at:
<http://track.jobviper.com/ViewJob.asp?id=528482-1248-5036>

Patent Agent Position

The Intellectual Property Division of Canon U.S.A., Inc. has an opening for an in-house Patent Agent. The primary responsibilities include reviewing and filing provisional and utility patent applications and responding to Office Actions and other USPTO correspondence. Additional responsibilities include drafting provisional and utility patent applications, performing prior and patentability searches, evaluations of third party patents, and supporting contract and licensing activities.

Minimum Requirements

This position requires a Bachelors degree plus 3 years of prior patent/IP experience in the area of electrical engineering, chemistry or physics, and you must be registered with the U.S. Patent and Trademark Office. The ideal candidate will demonstrate strong written and verbal communication skills with technical depth and patent expertise, a high degree of attention to detail, an ability to organize assignments, work under pressure and meet deadlines.

About the Company

Canon U.S.A., Inc. is an industry leader in consumer, business-to-business, and industrial imaging solutions. The company offers a comprehensive line of imaging solutions and products for our customers from individual consumers to large corporate enterprises. Canon is listed as one of Fortune's Most Admired Companies in America and is rated #35 on the BusinessWeek list of 'Top 100 Brands.' Its parent company, Canon Inc. (NYSE: CA) is a top patent holder of technology, ranking second overall in the U.S. in 2005, with global revenues of \$31.8 billion. For more information, visit www.usa.canon.com

If interested, please apply online at:
<http://track.jobviper.com/ViewJob.asp?id=528492-1248-6036>

Patent Attorney/Patent Agent Position

Klein, O'Neill & Singh, LLP is a cutting edge Intellectual Property law firm with offices in Irvine and San Jose, CA. Our mission is to provide top-quality service for our clients, and our employees share that vision. Klein, O'Neill & Singh offers a collegial and creative work environment, with excellent compensation and benefits.

Our Irvine Office has an opening for a Patent Attorney or Patent Agent with an electronics background to join our growing practice. The ideal candidate will have a Bachelor's degree in Electrical Engineering, Computer Science, or Physics; 1-5 years of patent prosecution experience (including experience in electronics); and excellent written and oral communication skills. As a boutique firm, we can customize a package for the right candidate. Please submit resume, transcripts, writing sample, and references for consideration to: acalumpang@koslaw.com. For more information about our firm, please visit our website: www.koslaw.com.



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2008 OCPLA MEMBERSHIP APPLICATION/RENEWAL FORM

This is an application for (please check one):

Membership Renewal New Membership

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Name: _____
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Professional Information:

	Yes	No	
Are you a member of the California bar?	___	___	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 2008* (please circle one):

Regular Membership (attorneys, agents):	\$50.00
Student Membership	\$25.00
Associate Membership (other)	\$50.00
Membership + Annual Lunch Passport (Regular or Associate)	\$360.00
Membership + Annual Lunch Passport (Student)	\$180.00

* For new members signing up for 2008 after 8/1/2008, membership fee is one half of that listed above

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

2008 OCPLA EVENTS SCHEDULE

Date	Location	Speaker/Event	Topic
September 24, 2008	Wyndham Garden Hotel	Wayne Paugh Acting U.S. Coordinator for International IP Enforcement Office of the Secretary U.S. Department of Commerce	U.S. Government IP Enforcement Strategy
October 15, 2008	Wyndham Garden Hotel	Joe Re Knobbe, Martens, Olson & Bear, LLP	In Defense of the Clear and Convincing Standard for Proving Patent Invalidity
November 19, 2008	Wyndham Garden Hotel	Jacques Nack Ngue Founder, eClarix, LLC	Effective Strategies For Conducting eDiscovery
December 4, 2008	Sage on the Coast	5:30 Cocktails 6:30 Dinner	OCPLA Holiday Party