

# PLL PERSPECTIVES

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## WELCOME TO THE WONDERFUL WORLD OF IP

by Linda Jean Schneider, Drinker, Biddle & Reath, LLP, Philadelphia, PA\*

Two innocent-looking letters of the alphabet, “IP,” form the abbreviation for two ‘not-so-little’ words: “Intellectual Property.” However innocuous-sounding the phrase, the resulting impact of a merger with or acquisition of an IP Group can open up a ‘brand new world’ for the Library/Research Department of a firm. OR find you drowning in a concoction (TMEP, PTC, PCT, TLT, UCC, U.S.PQ, GATT, TRIPS, U.S.PTO, INPADOC) resembling alphabet soup!

As demonstrated by the proliferation of new publications, services, new columns in existing publications and separate directories of Intellectual Property lawyers, IP is certainly the fastest growing segment of law practices. The implications of IP Law frequently have no boundaries and often do have global impact. Therefore, there are treaties and international agreements in each of the three primary areas, with differing deadlines for compliance, governing bodies and procedures. And, although they are frequently mentioned in the same breath under the umbrella of Intellectual Property, it is quite necessary to identify and differentiate the three primary areas: Patents, Trademarks and Copyright. (a.k.a. “PTC”).

There are also vastly different ways of handling these practices which can change existing procedures such as stamping in the mail, handling client billing and organizing docketing systems. IP attorneys invariably have backgrounds that include an advanced degree and expertise in at least one other scientific or technical field, so their preferences for research sources and ways to handle litigation and processing are correspondingly varied. All these factors combine to create a challenging environment for those responsible for guiding the practice group in its research endeavors.

Merely identifying the various resources for IP -- print and online -- can be a staggering task for Information

Professionals (“IPs!”) and may virtually alter the nature of the research and retrieval responsibilities of the staff. There is even a publication with the title *Managing IP*. (Oh, if only we could!) We hope the following rather cursory analysis will assist you with starting this momentous adventure.

### COPYRIGHT -- CONTROLLING CONTENT:

Copyright is an area of IP law with which “Information Professionals” have some familiarity, as librarians often deal with the issues of making print and digital copies of collection resources. Those issues have implications far beyond library walls. The concepts of “fair use” and “infringement” continue to challenge information professionals on a daily basis as they do battle with the conflict between technological capabilities and intellectual property rights. Even within the same law firm, there can easily be disagreements about the degree to which copying or re-distributing material electronically will be a violation of “fair use.”

The basis for American copyright law is in the Constitution itself. However, subsequent legislation and court decisions have wrestled with maintaining the constitutional perspective in the midst of modern media mayhem. Practitioners in this specialty find it challenging to keep up with the latest caselaw and proposed legislation while simultaneously keeping grounded in what constitutes “public domain,” “creativity” and “originality.”

Resources include loose-leaf reporters and materials, as well as websites such as Stanford’s on Fair Use and the U.S. Copyright Office at the Library of Congress (<http://www.copyright.gov>) and some of the DIALOG files. BNA, Mealey’s, and Andrews all offer e-mail alerts and comprehensive newsletters; and LEXIS and WESTLAW offer the usual sources for caselaw analysis. Columns on copyright, such as the “Copyright Corner” in

*Continued on page 4*

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## FEATURES

- WELCOME TO THE WONDERFUL WORLD OF IP  
*by Linda Jean Schneider, Drinker, Biddle & Reath, LLP, Philadelphia, PA* 1
- FROM THE CHAIR  
*by Sue H. Johnson, Carrington, Coleman, Sloman & Blumenthal, LLP, Dallas, TX* 3
- A DAY IN THE LIFE OF AN IP LIBRARIAN  
*by Hope Porter, Merchant & Gould, Minneapolis, MN* 6
- IP BLOGS: POCKET PARTS FOR A DIGITAL AGE  
*by Robert J. Ambrogi, Rockport, MA* 12
- THE IP LIBRARIANS' WEB FAVORITES  
*by Jennifer C. Groh and Clifford Hoffman, Morgan & Finnegan LLP, New York, NY* 14

## PLL PERSPECTIVES DEADLINES

**Fall:** August 15 **Winter:** October 15  
**Spring:** January 15 **Summer:** April 15

## FROM THE CHAIR

by Sue H. Johnson, Carrington, Coleman, Sloman & Blumenthal, LLP  
Dallas, TX

Happy New Year, everyone, and may this year bring us job satisfaction, happiness, and above all, peace. 2005 is the year to **Strategize!** In keeping with AALL's theme for the meeting in July in San Antonio, PLL-SIS committees and groups are thinking of ways to **strategically** position their libraries to respond to pressures from without and within, and how to **strategically** assist their firms in their practices.

For example, Lee Nemchek, chair of the Records Management Group, is presenting a program on outsourcing at AALL 2005, focusing on libraries and records management departments. This is a "hot" topic which has spread from corporations like SBC to the legal profession. However, it is up to us, as leaders in our firms, to hear the speakers, analyze the information and **Strategize** what is the most efficient course for our constituents. Another PLL team, Janeen Heath and Terri Lawrence, is presenting a program on **Strategic** Partnering. Janice Leichter and Michelle Mitchell, co-chairs of the One Person Library Group, have started a discussion on "How to Keep Your Library Alive," embracing such topics as continuing education, keeping current and marketability. Even if you are

not in a one-person situation, this could prove stimulating, and could certainly help anyone think of developing new directions in their library, so check it out! Do you see a pattern here? Are YOU **strategizing** on behalf of your firm?

If you tuned in to the Publishing Initiatives Caucus Forum last fall, you saw what librarians across the country are doing to get published in newspapers and journals read by attorneys. Another **strategy** to showcase our value to our firms! Terri Lawrence, formerly on the PLL board, has offered to work with volunteers from various publishers to assist each of us in polishing our styles to make an article publishable. Hope's "Day in the Life of", in this issue, could be revised to provide valuable **strategies** for IP attorneys without the benefit of a librarian and appear in various bar publications. It is up to each of us to think **strategically** about promoting our talents. Remember, we're not "Alices in Wonderland"—we know where we want to go, and that is forward, furthering not only our careers but also the image of law librarians in the minds of the world. No Nancy Pearl bobble-heads we!

Wonderful World of IP, *continued from page 1*

the SLA monthly publication, *Information Outlook*, and articles and guidelines from library associations provide assistance in understanding the complexities of this topic. The primary resource is the ubiquitous *Nimmer on Copyright*, multiple copies of which will undoubtedly be required for those involved in the practice!

#### TRADEMARK -- MONITORING THE MARKETPLACE AND 'MADRID:'

American Trademark Law is embodied in the Lanham Act, which established a national registration system. In a true illustration of "Timing is everything," conflicts regarding trademarks are resolved according to the priority of appropriation. Consequently, a separate procedure for time-stamping mail received relating to Trademarks needs to be established. Key resources include the Trademark regulations in Title 37 of the *CFR*, the *Trademark Manual of Examining Procedure* (TMEP), and the treatise, *McCarthy on Trademarks and Unfair Competition*.

As a necessary part of due diligence in this area of the law, searching trademarks may involve a staff of specialists who monitor every possible variation of specific "marks," using a variety of tools. These tools range from manually reading each issue of *The Official Gazette* and *Allen's Trademark Digest* to subscribing to online retrieval sources, such as Corsearch from CCH (formerly "Trademark Access"), Trademark.com, and Saegis' Trademarkscan (also available via Dialog). Perhaps due to the varied backgrounds of trademark lawyers, each of them has a favorite way to track the marks. Primary services for this task include Corsearch's QUATRA, the MarkMonitor product from LexisNexis, Trademark Explorer from Questel, and TrademarkBots.com. When in doubt, start with the U.S.PTO. (<http://www.uspto.gov/index.html>).

For international trademark registration, the Madrid Protocol became effective in November of 2003, and it established a way to simultaneously register trademarks in several countries with one application. In addition to streamlining procedures, the Protocol was intended to reduce costs for registration in more than one country. Obviously, this was "Big News" for trademark practitioners, with the potential for a broad change in the practice. However, caution was advised if broader coverage was sought in a particular country, and also as to whether costs might be lower using the European Commission's trademark system.

#### DECISIONS, DECISIONS, DECISIONS – PATENT RESEARCH AND RETRIEVAL:

Last, but certainly 'most,' [sic] is the area of patent law, where there are new worlds to conquer. Patent

attorneys typically have a background which includes at least one other advanced degree (sometimes more than one!). These degrees range from all types of engineering to other scientific expertise. The variety of research topics, the richness of the sources to mine for information and the ability to relate to how patented materials affect our daily lives make it both interesting and frustrating.

For example, the patent application process consists of complex procedures and tasks, while there are endless sources of background and supporting information which need to be verified in patent litigation. Occasionally, entire separate collections of materials/publications are required to support patent litigation. This is especially true in the area of art works, but also for other inventions and creations. The concepts to grasp in this field include "prior art," "non-obviousness of patentability," "utility," "novelty," "literality," and "infringement," "history of the art," "flash of creative genius" -- to start.

Speaking of definitions, dictionaries of all types -- from those for technical specialties to the OED itself -- need to be consulted in the course of the development of a patent claim. And the definitions required for this analysis are not necessarily the latest versions, as available on various websites, but are the definitions printed at a specific time, in a specific area of technical expertise. Those definitions are used to clarify the terms used in the claim. Recently, the Federal Circuit has had difficulty with identifying the appropriate dictionaries to cite in these types of cases, and opinions have been rendered on both sides of the 'definition battle.'

For tracking patent filing in print, *The Official Gazette: Patents*, and *The U.S. Patent Quarterly* are essential and are used by paralegals and attorneys alike. Online versions of those publications exist but do not always fill the bill. To provide access to the variety of sophisticated patent sources, a firm may well double the number of online resources used for searching and/or retrieval. As noted, the varied backgrounds of patent lawyers quite often yield a corresponding preference for a specific type of online access, which seems to answer a particular technical or analytical need for the practice. And, the attorneys do expect those sources to be immediately accessible and responsive. Unfortunately, as services change, merge, and implement technical adjustments, this is not always the case. The library staff is frequently caught in the midst of this difficulty with accessing the services and can spend an inordinate amount of time trying to get the vendor's IT Department to communicate with IS in the firm.

The most well-known retrieval resources include Delphion, DIALOG, Derwent (Went Where?), MicroPatent, QPAT from Questel/Orbit, and Optipat. Both

*Continued on page 5*

Wonderful World of IP, *continued from page 4*

LEXIS and WESTLAW have patent databases, but again, everyone seems to have a 'personal favorite.' When compiling comparison charts, librarians struggle to find a "winner." As with most online sources, those with which one is most familiar seem to yield the best results. No surprise there! There also is a great distinction between in-depth services with search capabilities, patent drawings, legal status, and patent family history, and those which offer simple retrieval passwords and capabilities. Training for searching versus that for retrieval is something the library staff frequently coordinates.

To add to the confusion, there have been changes in ownership of specific services, as well as mergers. Currently, Thomson (Delphion, Derwent, and DIALOG) has made an offer for Information Holdings, Inc., the parent of MicroPatent, but the change in ownership is contingent on some DOJ investigation. Simply keeping track of the coverage, the cost and manner of billing, the number of users, the availability of customer training and support, and bill-back features for each service is a mammoth task. As with most resources in the rapidly-changing online landscape, one needs to constantly re-evaluate the value and capabilities of these various services.

Most of these services include ways to retrieve international patents, but one should always confirm the information at Esp@cenet (<http://ep.espacenet.com>), the European Patent Office at <http://www.european-patent-office.org/index.en.php>, and the Industrial Property Digital Library (Japan), at [http://www.ipdl.jpo.go.jp/homepg\\_e.ipdl](http://www.ipdl.jpo.go.jp/homepg_e.ipdl).

#### DOCUMENT DELIVERY AND RETRIEVAL:

Finally, as mentioned previously, both patent and trademark litigation require a great deal of supporting documentation and verification from the technical publications and resources. For document delivery, in addition to the usual retrieval services, access to more specialized collections may be required. Some of the best include: the British Library's "Inside Web" service (<http://www.bl.uk/services/current/inside.html>), the University of Minnesota's Biomedical Information Service (<http://www.biomed.lib.umn.edu/bis/bismain.html>) and the Linda Hall Library of Science, Engineering and Technology ([http://www.lindahall.org/services/document\\_delivery/index.shtml](http://www.lindahall.org/services/document_delivery/index.shtml)). Jean Shipman, Librarian for the Health Sciences Library at Virginia Commonwealth University, has compiled a list of document delivery suppliers, with links, at <http://www.library.vcu.edu/tml/docsupp>.

For megasites of IP material, consider going to Findlaw's Directory of IP Resources ([www.findlaw.com/01topics/23intellectprop/index.html](http://www.findlaw.com/01topics/23intellectprop/index.html)), Franklin Pierce Center's IP Mall (<http://www.ipmall.fplc.edu>) and the Intellectual Property Law Server (<http://www.intelproplaw.com>).

So there you have it: a cursory examination of intellectual property resources, sites, and potential challenges. It's the IP World, and you're Welcome to it!

\*Linda-Jean Schneider, with assistance from Dianne T. Moore and Janet A. Moore, Drinker Biddle & Reath LLP.

## A DAY IN THE LIFE OF AN IP LIBRARIAN

by Hope Porter, Merchant & Gould, Minneapolis, MN

This is a "day in the life" article. Working in an IP library requires the skills of a "generalist." Whether it's finding corporate tree information, creating patent portfolios, establishing the usage of a product in the marketplace or locating an inventor - every day is different. The starting-bell rings, and we're off on the challenge of the day.

Our library staff at M&G consists of two full-time librarians and one half-time librarian. We all have had extensive experience with searching patents, trademarks and business and scientific literature databases. We've all had extensive DIALOG training and experience and as such that is generally our frame of reference. In a way, the very files that we search and the records we have to "read" have taught us the "basics" of what we know about patents and how they are prosecuted.

I am a 16-year veteran at the firm, and my staff has multiple years of experience not just at our firm but in other settings - including a software development company and a technical searching firm. In addition, one of our librarians has extensive experience researching the genealogy of her family and has published a book. It's amazing how those skills translate well into this environment where searching for people's names is critical!

Today, one of my trusty staff gets a request to locate all of the U.S. patents owned by (or as we say - "assigned to") a particular company and then identify all of those that have EXPIRED. "Expired" can mean they failed to pay their maintenance fees (due every four, eight and twelve years after the patent is granted), or "expired" from a natural "death" (the patent ran its course). Nowadays a patent "lives" for 20 years, but before 2001 it had an 18 year life span. So, the searcher consults the DIALOG Bluesheets and finds out that File 654 (U.S. patents full-text file from the early 1970's) has a field "dt" for document type. One of the "types" is "expired". So, she easily combines the sets for the number of patents to company X AND the set for all those patents "EXPIRED." In this case, that means EXPIRED because they failed to pay maintenance fees.

Other inquiries today include the old "standby" - "Is there a U.S. patent equivalent to this French patent?" Why would you want to know this? Well, for one thing, if you found out that the same patent was also sought after in the U.S. or Great Britain, the text would be in the English language. Much easier to read if you aren't up on your French and much cheaper than arranging for a translation.

I routinely check BOTH the DERWENT AND the INPADOC files on DIALOG for this "equivalents" kind of search. Invariably I find differences though both tout this "family" information. In today's exercise, for instance, I find an AU (Australian), EP (European), and U.S. equivalent for the French patent. On INPADOC, I find additionally, that an equivalent was filed in Spain and Canada. INPADOC tends to cover more countries and is a bit more up to the minute in its coverage. However, DERWENT also covers some countries that INPADOC doesn't. Sometimes Mexican and Korean patent publications show up in DERWENT, but not in INPADOC.

The whole business of finding patent "families" is more complex than just plugging in patent numbers. An understanding of the content of these two files AND of how they are compiled is critical in reporting findings to the patron. To summarize, DERWENT is highly edited (they create titles and abstracts from foreign documents) by humans. Even so, during a specific time period in history they weren't associating every application that they could have. So, now we routinely use a little map command. That command - "map anpryy temp" tells DIALOG to take the priority application out of the record and run it all across DERWENT to see if there are any other matches. That way, you should see any other "family" members of the patent - children, grandparents, sisters and brothers.

INPADOC connects the dots (associates families) using complex computerized algorithms. But, occasionally a number gets transposed as it is being streamed into an initial DIALOG database (such as the WO file) and then gets propagated incorrectly among other patent files on DIALOG. One has to keep a sharp eye out for strange entries WITHIN an INPADOC record - namely a published application for an electronic toothbrush, for example, in the same record with patents for cancer-fighting drugs. A call to DIALOG usually confirms your suspicions and helps them to correct errors.

One of the patent searches that we routinely perform is a kind of "legal status" check. Obviously, if a patent has expired or been in some kind of litigation, it could impact the way the attorney proceeds with the project. Our search query includes checking for any reissue or reexam applications, any certificates of correction, litigation, family (U.S. and foreign) and whether or not the U.S.PTO still deems the patent "alive." We Shepardize the patent and check at the PTO's website for the maintenance fee information. While we're there, we check the "Assignment Database" that the PTO posts - providing an abstracted

*continued on page 9*

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A Day in the Life, *continued from page 6*

record of any assignments or reassignments. We use a number of files on DIALOG for this job - including a very unique file called LitAlert. LitAlert is a compilation of Federal District court filings streaming into the office of the Assistant patent commissioner. Each Federal District court must report any patent or trademark suit to the PTO within 30 days of the filing. DERWENT actually creates this database. The beauty of this file is that you can use the PATENT number to search. You can also look for cases using a trademark registration number. Very handy!

The Electronic Business page at the U.S.PTO contains PAIR (Patent Application Information Retrieval) access. For U.S. patents that have published or issued, you can view a table of contents for the file, check the maintenance fee schedule of payments (and see which ones have been paid so far), view actual images/documents (for newer patents) and check out the "Continuity Data." Does the patent you are interested in have a "parent?" Is it a DIV or a CIP or a Continuation? Were other patents (children) filed based on this one? Have they issued or are they still lying there - waiting to publish or issue?

Every year we have new summer clerks and fall associates who come to the firm prepared to accomplish all their patent searching on the internet. ([www.uspto.gov](http://www.uspto.gov)). Since the U.S.PTO has loaded the full text of patents back to the mid 70's or so, you can now accomplish a "preliminary" key-word search there. Using the U.S. patent classification codes, you can also group together "like" patents and find relevant patents. (The classification system is posted at the U.S.PTO's website along with all kinds of "helps" for searching). An assignee or inventor search can be done rather handily as well. One very nice feature now is that you can link to the actual image of the patent; and if time permits, print the patent one page at a time. In addition, if you want to see what patents have cited your target patent SINCE it issued (as opposed to the patents that are BEING cited on the patent), it's an easy click to view those, too.

But, I have to admit, I'm rather attached to the "expand" feature on the DIALOG system which allows you to view some entries that come (either alphabetically or numerically) before and after your entry. This is essential with some foreign patent numbers, Japanese in particular. You'll know right away that something is amiss if all the numbers above and below yours are longer or shorter.

If you are looking for all patents assigned to the University of Iowa, for example, you'd be wading into muddy waters. But, using the expand feature (e pa= ) on DIALOG will allow you to view VARIANT entries for

this entity. You will quickly discover that only 1 of their patents is listed by "University of Iowa" in the Claims database - nor are they listed as "Regents of the University of Iowa." Then, I started thinking "outside the box." I tried typing in "Iowa University." There were no patents to that entity, but further down the expanded list, I saw that "IOWA, UNIVERSITY OF RESEARCH FOUNDATION" had 403 patents! Then, I noticed that there are patents to "Iowa State University Research Foundation" - 917 of them! If I had just tried University of Iowa on the PTO's website, I probably would not have found the ones to the Research Foundation!

Later in the day, someone asks us to help identify a Japanese patent. These are the trickiest of all patent numbers, to my mind. You'll need to brush up on your history of Japan for this one. For instance, you need to know that the former emperor died in 1988 and that that affected the entire patent numbering system. If you're lucky enough to have the date for the patent and it is BEFORE 1988, then you need to think about the difference between the "Year of the Emperor" (the Japanese dating system) and the "Western Year" (a 25-year differential). If the number you're given doesn't "work," you may have to try adding or subtracting that number to find the correct patent. If you don't have any luck in either DERWENT or INPADOC, the JAPIO database (consisting of the applications filed at the Japanese patent office) is a good place to try. Some Japanese patents were never loaded onto DERWENT.

We also have high praise for the Dialog1.com website. You select "Intellectual Property," then "patents," then "Japanese patents" from a list. You can get a list of potentially correct "hits" to whatever Japanese number you enter. DIALOG will automatically enter your number (or the variant 25 +/- of that number) as an Application number or a Published number. Very handy!

If you're still with me, you will notice by now, that in no way do we rely on just one source for patent research. We have access to and use LEXIS, De lphion and STN (molecular structure searching capability) as well as DIALOG. Delphion, for instance, might provide the address of the inventor you're researching which is handy when the inventor's name is David Smith and you need to narrow your search. Delphion also contains some drawings for Japanese patents. LEXIS is especially useful, since it streams in data directly from the Notices in the Patent *Official Gazette* regarding post-issuance activity - like applications for reexamination or reissue, or certificate of correction as well as noting any cases - filed and published. One can still "Lexsee" to a patent for about \$5.00 - a great bargain!

*continued on page 11*

Full Page Ad

A Day in the Life, *continued from page 9*

I'm pretty sure I've only scratched the surface here. There are other vendors and products out there to help you with your patent searching. For instance, one of the important "Pointers" that we picked up this spring at a Patent Information Users Group (see [www.piug.org](http://www.piug.org)) meeting in Baltimore was about the roll-out of the proprietary patent database from the U.S. PTO. The system is named WEST - Web Examiner Search Tool. This system was made available in July 2004. Check your local depository library for access to this database. It might change the practice of actually traveling to the U.S. Patent office to do a search on their database!!

Out on the Internet, you'll find that many countries have begun providing patent search capability on their official patent office websites. Obviously, there may be language barriers but numbers are universal and may work. [Esp@cenet](mailto:Esp@cenet) is one of our favorite places to visit for foreign patent information. It is also a source for patent family information - though it won't provide the essential "status" information that INPADOC does. This site is "owned and operated" by the European Patent Office. In many cases you can view the "original document" (pdf) of a patent you find there. You may need special software to print or download these and you'll have to open one page at a time.

Often, an attorney will come to us with a search query and want to sit with us while we search. To my mind, this is a perfect set up. You've got the expert at the technology sitting there with the online operator. The first thing we do is help the patron DEFINE the search. Do you want to search U.S. and/or foreign databases? Do you need to search full-text or is claims and abstracts okay? Do you have a time frame in mind? Will we limit the patent search to just those owned by a particular company or group of

companies? Do we need to find all the subsidiaries of that company first? What if we don't find any patents for that company? Who are the principles of that organization? Would they have filed the patent in the name of the president or other principal in the firm? Do you want to use classification codes to search? Do you need to use the index first to identify the codes? Do we need to sit and think of all the synonyms for the terms we're going to search?

And so it goes. Grab a cup of coffee and settle in for an hour or so.

And we know when to "hold 'em" and when to "fold 'em," too. We know our limitations and have lined up outside help for the really complex searching (chemical or medical or electronic).

Our day isn't complete unless we're asked to obtain copies of patents (U.S. or foreign). We use the services of our old friends at Reedfax. Just this week, I sent a long list of patents that I needed. They loaded them on a CD, and I received the disc the very next morning! Their most popular product (at least at our firm) is their patents via email - that come in less than 5 minutes at a very reasonable cost. (Searchable .pdf versions are now available for e-mail delivery!)

Actually, our day is probably a bit more predictable than I let on at the beginning of this article. But, since the patent laws shift and the international scene continues to change and develop, there's still a learning curve. But, where else could you just laugh out loud at some of the absolutely weird products that people are moving to the market place? Example: A centrifugal birthing machine - with neonatal net (imagine it!). Yikes!

## IP BLOGS: POCKET PARTS FOR A DIGITAL AGE\*

By Robert J. Ambrogi, Rockport, MA

For lawyers in many fields, blogs are becoming the new pocket part. With their immediacy and focus, they provide up-to-the-minute news and analysis of judicial, legislative and regulatory developments.

More than in any other area of law, this is the case for intellectual property. Dozens of blogs now track developments in patent, trademark and copyright law. Written by practicing lawyers, full-time academics and even non-lawyers, they discuss events virtually as they happen, often adding their unique perspective and analysis.

Herewith is a survey of selected IP blogs. The listing is alphabetical, not by ranking. (For the sake of space, omitted are those that focus on domain name rights and governance.)

- **A Copyfighter's Musings,**

<http://blogs.law.harvard.edu/cmusings>. Derek Slater, a 21-year-old senior at Harvard College, writes this blog, focused on copyright law as it pertains to the Internet. Don't let his age or lack of a law degree throw you – he earned his stripes working with the Electronic Frontier Foundation, Creative Commons and the Samuelson Clinic, and he is an affiliate at Harvard's Berkman Center, where he works on its Digital Media Project.

- **Anything Under the Sun Made by Man,**

[www.krajec.com/blog](http://www.krajec.com/blog). This blog about patents and business strategies is written by Coloradan Russ Krajec, a registered patent agent, engineer, and inventor with more than 20 U.S. patents of his own. He writes about topics such as claims and drafting, patent strategies and the business of patent law.

- **Berkeley Intellectual Property Weblog,**

[www.biplog.com](http://www.biplog.com). Originally produced by a class at the UC Berkeley Graduate School of Journalism, faculty and students carry on its mission of advancing the debate over intellectual property by aggregating noteworthy, factual information with thought-provoking commentary.

- **BLOG@IP::JUR,** [www.ipjur.com](http://www.ipjur.com). German patent attorney Axel H. Horns writes about developments in IP law, focused on German and European patents and trademarks.

- **Chris Rush Cohen,** [www.chris-cohen.blogspot.com](http://www.chris-cohen.blogspot.com). A third-year student at Benjamin N. Cardozo School of Law, Cohen writes about IP and Internet law, technology news, and New York City.

- **CONSEJO,** <http://consejo.blogspot.com>, Described as an IP law blog, it appears to be abandoned, having no new postings since December 2003.

- **Copyfight,** [www.corante.com/copyfight](http://www.corante.com/copyfight). Focused on "the politics of IP," Copyfight is jointly written by a group of academics, practitioners and writers highly regarded in the fields of IP and Internet law. Their purpose is to explore the nexus of law and "the networked world."

- **Current Copyright Readings,**

<http://copyrightreadings.blogspot.com>. M. Claire Stewart, head of digital media services at the Northwestern University Library, describes this as a bibliography of current articles on the Digital Millennium Copyright Act, the TEACH act and other copyright issues.

- **Dan Fingerman,** [www.danfingerman.com/dtm](http://www.danfingerman.com/dtm). A patent litigator in San Jose, Calif., Fingerman, writes about a hodgepodge of topics, from patents to hockey.

- **Deep Links,** [www.eff.org/deeplinks](http://www.eff.org/deeplinks). This group blog from Electronic Frontier Foundation staff members features pointers to news articles and blog posts related to IP, privacy, free speech online, technology and Internet architecture.

- **Rader Blog,**

<http://cyberlaw.stanford.edu/blogs/rader>. Fellow in residence at Stanford Law School's The Center for Internet and Society, Elizabeth Rader writes about IP, privacy and Internet law.

- **Furdlog,** <http://msl1.mit.edu/furdlog>. Senior research engineer at the Massachusetts Institute of Technology's Center for Technology, Policy and Industrial Development, Frank Field writes about the technology, culture and policy of IP.

- **Geof's Waste of Bandwidth Blog,**

[www.geofoberhaus.com/mt](http://www.geofoberhaus.com/mt). Noting that the three requirements for patentability are utility, novelty and nonobviousness, Ohio patent lawyer Geoffrey L. Oberhaus strives to make his blog fit all three. In a thoughtful and self-effacing style, he writes about patent law and practice – and the Ohio State Buckeyes.

- **Greplaw,** <http://grop.law.harvard.edu>. From Harvard's Berkman Center for Internet Law and Technology, Greplaw follows recent developments in IP and Internet law.

- **Guiding Rights Blog,**

<http://guidingrights.blogcollective.com/blog>. An IP lawyer in Chicago, Mark V.B. Partridge publishes this blog as an extension of his 2003 book, *Guiding Rights: Trademarks, Copyright and the Internet*. He posts frequently about IP news and legal developments.

- **INDUCE Act Blawg,**

<http://techlawadvisor.com/induce>. Three writers contribute to this blog, devoted to tracking and commenting on the Inducing Infringements of Copyright Act of 2004.

- **IP Litigation Blog,** [www.iplitigationblog.com](http://www.iplitigationblog.com). On Aug. 31, 2004, Seattle, Wash., lawyer Philip Mann marked two achievements – he launched this blog, and he launched his own firm, the Mann Law Group. It is difficult to take the measure of a blog this new, but worth noting is the blog's striking design, a product of Kevin O'Keefe's lexBlog, [www.lexblog.com](http://www.lexblog.com).

*continued on page 13*

IP Blogs, *continued from page 12*

- **IPTAblog**, [www.iptablog.org](http://www.iptablog.org). Third-year law student Andrew Raff writes with a focus on how computers and the Internet affect the practice and substance of law, particularly within the areas of copyright, trademark and privacy.

- **IP Updates**, <http://ip-updates.blogspot.com>. William F. Heinze, an IP lawyer in Atlanta, where he is of counsel to the firm Thomas, Kayden, Horstemeyer & Risley, provides news and information for IP practitioners. He is a frequent and thoughtful writer who covers a range of IP related matters.

- **The Invent Blog**, [www.inventblog.com](http://www.inventblog.com). Stephen M. Nipper, a patent attorney in Boise, Idaho, provides news and information about patents, trademarks, copyrights and IP law in general. But of most interest are his postings about unique and noteworthy inventions and inventors.

- **IP News Blog**, [www.ipnewsblog.com](http://www.ipnewsblog.com). Students and faculty at the Franklin Pierce Law Center provide frequent reports on developments in U.S. and international IP law.

- **IPKat**, [www.ipkat.com](http://www.ipkat.com). Jeremy Phillips and Ilanah Simon are prominent U.K. academics, editors and authors in the field of IP law. Their blog looks at copyright, patent, trademark, branding and privacy law from a mainly U.K. and European perspective.

- **Navigating the Patent Maze**, [http://lorac.typepad.com/patent\\_blog](http://lorac.typepad.com/patent_blog). Having spent part of her career spearheading development of an online IP database, Carol Nottenburg, now a Seattle patent lawyer, brings to her blog a unique focus on finding and using online patent data.

- **Nerd Law.org**, [www.nerdlaw.org](http://www.nerdlaw.org). Kimberly Isbell, an IP associate with a Washington, D.C., law firm and a former law-student affiliate of Harvard's Berkman Center, blogs about what she describes as "law for nerds at heart."

- **Patently Obvious**, <http://patentlaw.typepad.com>. Dennis Crouch, a patent attorney at the Chicago law firm McDonnell Boehnen Hulbert & Berghoff, covers patent law with substantial depth and scope. His topics range from new lawsuits to interesting inventions, but first goal is to review every appellate opinion directly related to patent law, most regulatory and legislative changes, and some district court opinions.

- **PHOSITA**, [www.okpatents.com/phosita](http://www.okpatents.com/phosita). A group blog written by lawyers at Dunlap, Codding & Rogers, Oklahoma City, Okla., its name comes from the patent-law term for a mythical person of ordinary skill in the art to whom an invention, in order to be patentable, must not be

obvious. They seek to write about IP news "that may be of interest to the PHOSITA in each of us."

- **Promote the Progress**, [www.promotetheprogress.com](http://www.promotetheprogress.com). Maintained by J. Matthew Buchanan, a lawyer in Perrysburg, Ohio, the blog focuses on intellectual property and technology law issues.

- **TechLawyer**, <http://lawyerinparadise.typepad.com/techlawyer>. With straw hat, shades and Hawaiian shirt, this IP and technology lawyer from Honolulu provides his thoughts on developments in law, business and politics.

- **The Importance of ...**, [www.corante.com/importance](http://www.corante.com/importance). Former president and co-founder of Yale Law School's Law and Technology Society, and founder of the technology law and policy news site LawMeme, Ernest Miller is a fellow of Yale's Information Society Project, where he writes about IP, Internet law and First Amendment issues.

- **The Intelprop.ca Blog**, [www.intelprop.ca/blog](http://www.intelprop.ca/blog). Ontario lawyer Peter Eliopoulos launched this blog about Canadian IP law in August 2004. He covers news about Canadian intellectual property court decisions, the Canadian Intellectual Property Office, the U.S.PTO and the Patent Co-operation Treaty.

- **Trademark Blog**, <http://trademark.blog.us/blog>. New York City lawyer Martin Schwimmer provides news and commentary about U.S. and international trademark and domain name issues. Former general counsel to NameEngine Inc., a domain name services company, Schwimmer is vice president of the Intellectual Property Constituency of ICANN.

- **Two-Seventy-One Patent Blog**, <http://271patent.blogspot.com>. Peter Zura, a patent attorney in Chicago, maintains this blog, devoted to "changing the world of patents and IP one blog at a time."

*Robert J. Ambrogi, [rambrogi@legaline.com](mailto:rambrogi@legaline.com), a lawyer in Rockport, Mass., is author of the newly revised and expanded second edition of "The Essential Guide to the Best (and Worst) Legal Sites on the Web," now available at [www.lawcatalog.com](http://www.lawcatalog.com). His own blog, LawSites, can be found at [www.legaline.com/lawsites.html](http://www.legaline.com/lawsites.html).*

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## THE IP LIBRARIANS' WEB FAVORITES

by Jennifer C. Groh and Clifford Hoffman  
Morgan & Finnegan LLP, New York, NY

U.S. Library of Congress <a href="http://www.loc.gov">http://www.loc.gov</a>	Offers links to the Library of Congress catalog, the U.S. Copyright Office and Thomas – Legislative history links.
U.S. Patent & Trademark Office <a href="http://www.uspto.gov">http://www.uspto.gov</a>	The official site of the U.S. Patent & Trademark Office. Search for U.S. patents and trademarks, patent and trademark status, and other related information.
U.S. Government Printing Office <a href="http://www.gpoaccess.gov">http://www.gpoaccess.gov</a>	Provides links to the Federal Register, Code of Federal Regulations and many other federal government sources.
World Intellectual Property Organization (WIPO) <a href="http://www.wipo.int">http://www.wipo.int</a>	The official site of the World Intellectual Property Organization. Provides pressroom briefings, links to digital IP collections; including international IP legislation.
Intellectual Property Owner's Association <a href="http://www.ipo.org">http://www.ipo.org</a>	Features "The IPO Daily News," a daily IP litigation news service, links to Federal Circuit Opinion Summaries and texts, and more.
American Intellectual Property Law Association <a href="http://www.aipla.org">www.aipla.org</a>	Provides links to current legislative activities, AIPLA comments and Amicus Briefs.
Franklin Pierce Law School <a href="http://www.ipmall.fplc.edu">http://www.ipmall.fplc.edu</a>	Arranged in topical outline form, Franklin Pierce Law School's IP Mall provides links covering most every topic relating to IP law.
European Patent Organization patent database <a href="http://ep.espacenet.com">http://ep.espacenet.com</a>	Search all the patent applications published by any national office in the EPO. Provides English abstracts for 30 million patents worldwide, including Japan.
Law Library Resource Xchange <a href="http://www.llrx.com">http://www.llrx.com</a>	A Web journal "providing legal and library professionals with the most up-to-date information on a wide range of Internet research and technology-related issues, applications, resources and tools."
The Virtual Chase <a href="http://www.virtualchase.com/resources/ip.shtml">http://www.virtualchase.com/resources/ip.shtml</a>	Provides links to Intellectual Property law research resources on the internet.

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