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INTELLECTUAL PROPERTY: THE BASICS

by Michael J. Hudelson, Esq.

LEXIS-NEXIS Intellectual Property Consultant

The area of Intellectual Property law has grown significantly in the past decade and continues to be touted as one of the fastest-growing and hottest areas of the law. The reasons for this are many and are being driven primarily by advances in technology. These advances have spawned inventions worth significant amounts of money, for such things as new drugs or computer innovations.

At its heart intellectual property law serves as a framework for encouraging innovation and ensuring that the benefits of inventing go to the individuals responsible for it. As the value of intellectual property increases, the importance of properly protecting it increases as well, leading to the growth in this area of practice in both law firms and corporate law departments.

The phrase "intellectual property law" is actually an umbrella that encompasses four distinct yet related areas of law: patent, trademark, copyright and trade secrets.

PATENT

Patent law involves protecting the rights of inventors in their inventions. The major components of this area are prosecution, litigation and licensing. Prosecution involves shepherding an invention through the application process, with the aim of receiving an issued patent for a given invention. Litigation comes into play when a patent holder seeks to protect his rights from unauthorized use(s) of an invention (referred to as patent infringement). Licensing involves deriving money from authorizing third parties to legally use a patented invention.

There is a fundamental tension in patent law between governments' antipathy toward monopolies and encouraging innovation for the benefit of society. Without legal mechanisms to profit from inventions there would be no incentive for individuals or corporations to invest the time and money in research & development necessary to further technological innovation as a whole. The balance that has been struck allows a patent holder a head start, as it were, in producing, marketing and licensing a patented technology under monopoly conditions in return for the technology being freely available to the public at the end of this period. In general patent rights extend 20 years from the date of filing the patent

application. In certain instances a patent term may be extended (for example, a new drug whose introduction is delayed by a lengthy FDA approval process), or the patent holder may disclaim the patent rights to the general public if they are not using the technology. This relieves the patent holder from paying the maintenance fees that are periodically due to keep the patent in force.

TRADEMARK

Trademark law involves protecting words and symbols that are used to identify specific products and services. Trademarks can be either registered (think of products with a circled R) or common law (products with a TM). Trademark rights derive from use of the mark, and, unlike patents, can last indefinitely, provided they are continuously used, are not used in an immoral fashion, and do not become generic or descriptive (trademarks must identify specific products or services, not simply general groups). Aspirin and Kleenex are examples of former trademarks that over time became generic (for example, aspirin becoming identified with pain relief as opposed to the Bayer company), and lost their trademark protection.

As with patent law, the major components of trademark practice are prosecution, litigation and licensing. There is also a similar tension between government-granted monopolies and the efficiencies of reduced confusion in the marketplace resulting from brand identification. The balance struck in the trademark area is allowing monopoly right within a certain class of goods only as long as the mark is being properly used and is not dormant. Evidence of a lack of use can result in a mark being declared abandoned. Trademarks can be granted for the exact same word, phrase or symbol provided they identify products or services that are in areas of commerce that are deemed sufficiently distinct as to not be confusing in the marketplace (for example, LEXIS the online research service vs. Lexus the automobile).

COPYRIGHT

Copyright law involves protecting original works of artistic expression, such as songs, books, screenplays, etc. Works become

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FROM THE CHAIR

by Ann Jeter, Jackson Walker, LLP Dallas, TX

With or without our permission, time is marching inexorably on. It's hard to believe, but nearly all of the planning for Minneapolis is already done. Pat Keller has organized a memorable luncheon, which will be fully sponsored this year by BNA. After an excellent meal, we'll be treated to a presentation by Tim Green of Ernst & Young on re-defining your library. Accounting firm libraries have already undergone a sometimes torturous transformation. We can adapt many of their experiences to the law firm setting, and make needed changes before it turns into a life or death requirement.

One of the important goals for 2000-2001 was to foster better relations with the American Association of Legal Administrators, and I am pleased to say we're making good progress in this direction. At the 2001 annual ALA meeting in May, Joan Axelroth will present a session on the impact of technology on library space planning; PLL will be credited in the printed program as a sponsor. PLL will staff an AALL booth in the exhibit hall, and Pat Keller is working with Baltimore area librarians to make the booth a worthwhile destination for administrators with prizes, giveaway brochures such as PLL's "How to Hire a Law Librarian," and sales of the AALL Resource

Guides. PLL has also been asked to participate in the first brainstorming session of ALA's 2002 program committee. Tom Duggan's ALA Program Committee is about to begin work on specific program proposals for ALA 2002.

Mike Saint-Onge reports that the Toolkit revision is on track for completion by July.

Even though Philadelphia seems like only yesterday, it's time to begin thinking about selecting next year's PLL leadership. Service on the PLL board and committees is the best way to make sure the section stays relevant to you, and the time commitment is not so great as you might think. Read the biographies and statements of this year's candidates in this issue.

Finally, many of our states began a new legislative session in January. The Uniform Computer Information Transactions Act (UCITA) is on the agenda in Texas, as I'm sure it is in other states. Take some time to get acquainted with the issues surrounding UCITA. What actions are the other library associations in your area taking? How might their actions affect our libraries in the private sector?

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DEFINING A NEW ROLE IN INTELLECTUAL PROPERTY

by Lisa M. Santucci, Reed Smith LLP, Pittsburgh, PA

Over the last four years I have worked in the Intellectual Property Department of a major law firm. Initially, as a general litigation paralegal, I assisted attorneys with document discovery, the preparation of deposition summaries and document indexing. Shortly thereafter, I began handling matters unique to intellectual property (“IP”) law. Although slightly different from my previous experience, IP litigation was not entirely different than general litigation. However, it quickly became apparent that IP law possessed more divergent realms than I initially suspected. The world of IP is much more archaic and relies less on common sense approaches and more on an overall understanding of both intangible property and abstract notions of idea and expression.

My responsibilities expanded to coordinating prosecution of foreign trademarks, including the administrative aspects of oppositions and the maintenance of foreign trademark portfolios for specific clients. In this capacity, I often utilized the services of the library and librarians. The use of such persons and services by attorneys and paralegals is vital to successfully litigating and managing the IP portfolio. I have learned from personal experience that the successful dissemination and management of information is crystallized when successfully integrated with the practice of IP law.

In addition, the specialization of the services provided by the IP librarian would prove greatly beneficial. Functions such as increasing the level of accuracy and speed of information retrieval for the completion of projects and research assignments would be one example of many benefits. An IP information specialist would also serve as a much-needed resource for valuable information necessary for efficient document production and smooth operation of IP attorneys. One such benefit would be focused research.

Unable to discern great dissimilarities between the general paralegal and librarian, I pursued and have since completed the University of Pittsburgh’s Library Science Master’s Program. While in the world of academia, my role in IP has grown immensely. Now, in addition to providing initial in-house trademark and domain name searches and analytical report searches to the attorneys, I perform tasks unique to the skilled IP librarian, such as providing company background searches via the use of a variety of business related research databases. I also screen and evaluate new IP related Web-sites and databases for possible use within the IP group, recommending new resources to the other attorneys and paralegals if such application arises.

Overall, the integration of my paralegal skills and library and information science skills has equipped me well for the various aspects of IP as an Information Specialist (“IPIS”). To date, I continue to gain in-depth knowledge of all aspects of intellectual property, including all subsequent responsibilities, such as information retrieval

from sources such as the United States Patent and Trademark Office (“USPTO”), Lexis®-Nexis®, Westlaw®, Dialog and SAEGIS™. The USPTO Web site (www.uspto.gov) is a viable key research tool for performing patent and/or trademark related research for prosecution (provides information at no cost to user). The USPTO Web site’s information includes a plethora of statistical forms, databases, directories, manuals and reports (e.g., Manual of Patent Examining Procedure, Trademark Manual of Examining Procedure, U.S. Patent Classification System).

On a daily basis there are a number of research tools that I use. Casestream (www.casestream.com) is an account/fee based database that offers the user access to court dockets. One is able to perform subject-specific searches for cases relating to patents, trademarks or copyright infringement. It is also possible to establish alerts using Casestream for new cases involving a specific client or client’s competitors. Another information resource that I use is SAEGIS, an account/fee based database provided by Thomson & Thomson. Using this database I can search for potentially conflicting trademarks with access to U.S. pending, registered, cancelled and abandoned marks, U.S. state pending and registered marks, as well as limited foreign country pending and registered marks (e.g., Denmark, Italy, European Union, Switzerland and the U.K.). Additionally, through SAEGIS, I access to their “IP” library, which contains legal news, directories and educational materials relating to trademarks, foreign trademark law and domain name and copyright materials. MicroPatent® is also an account/fee based Web site that offers the PatentWeb™ database and the Trademark.com database for searching. With the use of this Web site I can also instantly download/print from their worldwide collection (approximately 33 million) of U.S. patents (dating back to 1790) and foreign patents. The downloading cost is usually \$4.95 per patent (subject to a few exceptions). Additionally, there are new Web sites popping up daily. As my new role develops, I hope to spend more time evaluating these new information sources for authority, thus ensuring the validity of the information passed to the researcher. Having access to databases that provide accurate information surrounding the area of intellectual property, as well as understanding this information for its value, is essential to the art of librarianship and my developing role as an IP librarian.

We are in the beginning of the 21st century, and the need for specialized librarians has become much greater due to the amount, quantity and quality of information available to the researcher. Our current era will likely be remembered as the Information Age. Although information, and thus the need for specialized librarians, is apparent in the legal arena, no where else is the need more apparent than in the domain of intellectual property. Patents,

copyrights and trademarks rely heavily on processing volumes of information that is best handled by specialized librarians such as the IPIS. Intellectual property touches everyone from the teenager who wants to trademark the name of his or her band to the scientist or doctor performing research in a certain field of technology or medicine. Patents, trademarks and copyright all pose fundamental “information” problems. To this end, the use of a specialized IP librarian or an IPIS enables the library to stay on top of the constant happenings and changes in these areas.

The area of intellectual property is extremely complicated, especially for lay people. However, an IP librarian or an IPIS can add clarity through which the librarian can effectively convey information. My goal for this article was not only to make the reader aware of how I integrated my paralegal and library science skills to address a need for specialized librarians within an intellectual property collection but also to point out that the availability of such a specialist increases the efficiency and services offered by the library and librarian. The amount of technology and information

being made available provides a strong need for information specialists who are capable in the area of patents, trademarks and copyright. Who is better suited to handle the processing of the information in these specialized areas than a librarian specialized in intellectual property? These librarians would be accomplished in the searching techniques used to obtain this information, as well as keenly familiar with the information they are obtaining for the patron.

The processing of this information with the knowledge of the nuances and intricacies of the intellectual property environment is what adds value to my services. As reams of information become more accessible, it is necessary to effectively manage and maintain an intellectual property collection. I am striving to fill the role of an IPIS and become a liaison between the IP group and the traditional legal library. With the support of the librarians at work and my IP group, I hope to define a new role in information science – that of an Intellectual Property Information Specialist.

INTELLECTUAL PROPERTY: THE BASICS *continued from page 1*

copyrighted when they are reduced to a fixed medium (for example, a song in one’s head is not copyrighted, but it is when reduced to writing). Identical works can be copyrighted, providing originality can be shown. Like trademarks, copyrights may be registered or common law. Whether trademark or copyright, the advantage of registration is additional legal protections and establishment of a date certain for first use or creation, respectively. Copyrights are registered with the U.S. Copyright Office, a division of the Library of Congress. Copyright protection encourages increased artistic creativity by establishing a legal framework that allows artists to profit from their creations. As with the other areas of intellectual property, the tension between government-granted monopoly rights and encouragement of creativity has been balanced in the area of copyright law by generally limiting right to the life of the author plus 75 years. Registration, litigation and licensing are the main areas of copyright practice.

TRADE SECRETS

Trade secret law is in many ways the reverse of patent law. Whereas in the patent world the inventor trades a limited window of exclusive rights in exchange for public disclosure, trade secrets are granted no exclusive rights but can potentially be maintained forever. If a trade secret is disclosed or the subject of the secret is

reverse engineered, there is no recourse against the subsequent user of the secret as there would be in the patent area, provided the patent was in the 20-year protection period. Examples of trade secrets are things such as the formula for Coca-Cola or the recipe for Kentucky Fried Chicken. Limiting access and utilizing confidentiality agreements as a condition of disclosure generally protect trade secrets. The legal recourse for an unauthorized disclosure of the secret is an action for breach of contract based on the confidentiality agreement. Trade secrets are common law in nature, they are not registered with any government entity.

RESEARCH

Research factors into the practice of intellectual property law in several ways. In patent law there is a requirement that patents be “novel,” i.e., new. This means prior art research must be done to ascertain whether the invention in question has been patented or disclosed before. This involves researching patents, journal articles, trade publications, etc. Trademark registrations must be searched to see if a particular mark in the same or similar class of goods has been taken. Copyright registrations must be searched to check for possible infringement issues. In all areas of intellectual property law statutes and case law must be researched, along with authoritative analytical treatises, to ascertain what the law is and how it has been interpreted.

NEWS FROM THE CHAIR OF THE RECORDS MANAGEMENT GROUP

by Lee R. Nemchek, Morrison & Foerster LLP, Los Angeles, CA

On October 23, 2000, I co-presented a program on law firm records retention at the annual meeting of the Association of Records Managers and Administrators in Las Vegas. In spite of some technical delays getting the PowerPoint slides loaded, the program was very well attended and well received; and I was happy to see several of my multitasking AALL colleagues in the audience. This program was similar in content to the program that PLL sponsored last May for the annual meeting of the Association of Legal Administrators. I'm happy to report, though, that ARMA's attendees comprised a much more interested and enthusiastic group than the one I encountered at ALA.

Those of you interested in the area of records retention in the legal environment who were not able to attend either of these programs will have an opportunity to acquire program materials in the form of an article that is scheduled for publication in the winter 2001 issue of *Law Library Journal*. I've combined an annotated bibliography of books, periodicals, articles and state/local ethics opinions with sample retention policies and program implementation tools (letter and memo exemplars) to create a comprehensive article on the subject that I hope will fill a gap in the existing reference material in this area.

Since the last quarterly edition of *PLL Perspectives*, I've received seven new entries to add to the Private Law Librarians Multitasking Directory, and these are provided below. Please copy this information and keep it with your Directory for future reference.

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IFI CLAIMS® PATENT SERVICES

January 2001

IFI CLAIMS Patent Services has been providing quality products to the patent community for over 45 years. In that time it has earned a fine reputation for its attention to U.S. patent assignee name standardization, class code updates, thorough and consistent indexing of U.S. chemical patent records and breadth of coverage.

Following is a list of databases IFI produces which can be accessed on database hosts: Dialog, Questel-Orbit and STN.

■ CLAIMS /U.S. Patents Database

Contains the records of more than 3 million patents granted in the U.S. since 1950, including 94,000 records issued between 1971-74, which are missing from other U.S. patent database services.

Files: Dialog: 340; Questel-Orbit: IFIPAT; STN: IFIPAT

■ CLAIMS Current Patent Legal Status

Contains post-issuance information about U.S. patents that have been affected by patent office actions after grant: reassignment, reexamination, request for reexamination, adverse decision in interference action, request for reissue, disclaimer, dedication, expiration, reinstatement, certificate of correction, or extension.

Files: Dialog: 123; Questel-Orbit: CRXX; STN: IFIRXA

■ CLAIMS® U.S. Chemical Indexing Files –Including:

- *Uniterm* – Contains all information that is in the CLAIMS/US Patent file plus special in-depth subject indexing for chemical and chemically related patents.

Files: Dialog: 341; Questel-Orbit: IFIUDB; STN: IFIUDB

- *Comprehensive* – Available only to IFI subscribers, contains all of the above plus additional access features for chemical and chemically related patents. Provides for much more comprehensive retrieval of chemical patents.

Files: Dialog: 942; Questel-Orbit: IFICDB; STN: IFICDB

■ CLAIMS Citations File

Contains citation information for all U.S. patents cited from 1947 to date. The only source of patent citations prior to 1971.

Files: Exclusive to Dialog. Files 220, 221, 222

IFI also offers a host of cutting edge patent research tools ...

■ Patent Intelligence and Technology Report

The source for detailed information of U.S. patenting activity of over 1,600 companies who received more than 10 U.S. patents in the prior year. Includes rankings of the most active companies in all U.S. Patent Office classifications. Available in print or electronic versions from IFI.

■ IFI Concordance of IPC to U.S. Classification

Contains the complete classification schemes of the IPC and U.S. classification systems, allowing the user to uncover correlations between the two systems at any level, including the subclass to subgroup levels. The IFI Concordance is updated bimonthly to stay current with class changes at the USPTO. *Plus, the full text of both the IPC Manual and the U.S. Manual of Classifications are available in a browse format.* Available from IFI on CD-ROM and designed for use with your standard Web browser.

■ IFI Assignee Thesaurus

Provides important information on company name changes, common abbreviations and translations, IFI company codes, as well as numerous cross-references and explanatory notes compiled by IFI during 30 years of assignee standardization. Available for firm-wide intranet access from IFI.

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PATENT INTELLIGENCE AND TECHNOLOGY REPORT

prepared by IFI CLAIMS Patent Services, Aspen Law & Business. \$525. annual.

reviewed by Jeffrey J. Berns, Birch, Stewart, Kolasch & Birch, LLP, Falls Church, VA

Aspen Publishing's annual publication, *Patent Intelligence and Technology Report* ("PITR"), provides users with a snapshot overview of who is patenting what in the United States. The *Report* analyzes information collected from the Patent Office's *Official Gazette* crunching the data by patent assignee and patent classification. (Aspen also provides monthly updates of the data in the *Report* on diskette by subscription. Prices vary based on the number of users.)

The year 2000 *Report* covers some 1,600 companies that obtained 10 or more patents in the previous year and includes historical data from the last six years. The editors have standardized assignee names for spelling, language and other variations. (As patent searchers are aware, a company's name may appear a number of different ways on its patents in a given year.) Subsidiaries, however, are still listed separately. Re-issue, design and plant patents are excluded.

The PITR is divided into seven sections:

1. a brief overview
2. an alphabetical listing of companies awarded 10 or more patents in the previous year
3. a list of these companies ranked by number of patents,
4. patent activity profiles for each company
5. a ranked list of these companies by U.S. patent classification
6. a concordance of U.S. to international patent classification showing percentage distributions
7. a similar concordance from international to U.S. patent classification

Most of the *Report* is devoted to the patent activity profiles and the list of assignees by U.S. patent classification

In the patent activity profiles, the listing for each company is broken down by U.S. and international patent classification, showing the company's patent activity over the past six years in table form. These profiles give users a quick reference guide to patent corporate intelligence, clearly tabulating where a company's research is focused and indicating trends.

The next section of the book is organized by U.S. patent classification. Under each main class number is a list of companies that received patents under that class in the previous year, ranked by the number of patents. This section provides an easy-to-use guide for identifying which companies are active in a particular technology. Aside from its use in corporate intelligence, this section can also be valuable to patent prosecution law firms doing their conflicts checks by laying out a list of a potential client's competitors within a particular field.

The concordance sections are useful in patent searching. Under each main U.S. class is a ranked list of the corresponding international patent classification numbers and a percentage showing their distribution based on the year's issued patents. This information can help in better selecting which classes to search in a database that uses the international classification. A chart converting international classification to U.S. classification is also provided.

While all of the information in the *Report* is available elsewhere, it is often not easy to find in such a useful layout. For instance, the USPTO's Technology Assessment and Forecast reports do not provide any level of detail of assignees broken out by patent classification. Trying to compile the data on the fly from commercial databases can be time consuming and expensive.

All in all, the PITR is a handy desk reference for corporate counsel libraries and for law firms concentrating in patents and licensing. The only downside is the price, which at \$525 a year may exceed the book's utility for many libraries. Yet, if you find you need to track patenting trends across industries, run reports on who is patenting in which technology, or need to convert between U.S. and international patent classification on a regular basis, the *Patent Intelligence and Technology Report* could prove a useful addition to your reference collection.

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NEW LAW MEANS CHANGES IN PATENT INFORMATION

by Joseph L. Ebersole

Counsel, Coalition for Patent Information Dissemination¹

The American Inventors Protection Act of 1999 is creating some of the most significant changes ever made in the volume and complexity of patent information for searching. First, the Act requires that patent applications will be published 18 months after filing² (except in the rare case where the patent has already issued), unless the inventor certifies that the application will not be filed for protection in any other country, in which case, if the applicant requests, it will not be published. Second, the Act provides that an application can be published at any time – e.g., one month after filing – if requested by the applicant. Third, the Act provides that inventors have the right to obtain royalties (assuming the patent is infringed) beginning on the date of publication of an application.

The first change means that the volume of patent documents available for searching in patent databases will almost double by 2002. The second and third changes create the right, and an inducement, for an applicant to have an application published every time a new claim is added or an existing claim amended. With the additional volume generated by these two changes, it is probable that the total annual volume of U.S. patent information will more than double. And the complexity of patent searching will increase because, instead of having to deal with only one relevant document – the issued patent – searchers from now on will face the need to search for and evaluate multiple documents for a single patent.

The Act makes these changes effective as of November 29, 2000, but because of the complexities of the USPTO publication process, published applications will first be issued on March 15, 2001. This is a Thursday. USPTO has decided that applications will be published on Thursdays each week (patents are published each week on Tuesdays). Thus, after March 15th, patent searchers will be looking more and more for the first information on new technology in the form of a published application. Published applications constitute “prior art,” so searchers must search them as well as issued patents.

The American Inventors Protection Act of 1999 also added a fourth important change. This provision, referred to as Patent Term Adjustment, compensates patentees for certain delays in the application examination process which, if the fault of USPTO, result in additional days added to the normal patent term of 20 years from the date of filing. This means that, starting with patents issued on or after May 29, 2000, the patent searcher, upon finding a relevant patent, will have to check to see if there has been any term adjustment in order to know the term of protection.

The implementation of the Act has an auspicious concomitant development in the form of the Patent Office’s new Electronic Filing

System (EFS). EFS is key to the ability to publish applications early (to start the royalty period running); to republish when a claim is added or amended; or to publish only a redacted copy³. In fact, these forms of publication can occur ONLY if they are submitted via EFS.

Published applications will look almost the same as issued patents, but with a different numbering system. However, there will be no printed copies – either for examiners’ files or for the public – except by request via document delivery orders. Commercial patent information services will make published applications available each Thursday in their search databases and each of them has copy delivery via downloading.

Patent searchers will be faced with the need to add a number of considerations to their search and analysis. For example, the drawings in a granted patent could be different from those in published applications. And, the application published automatically after 18 months will be the application as originally submitted. These won’t include amendments already made during the examination process. This is one reason significant use of EFS for voluntary publication – to include these amendments – is expected. Further, this use is expected to grow as more patent law firms and corporate patent departments gain experience in using the electronic filing system.

Searchers may also find that during 2001 and possibly beyond, there will be an increase in the number of errors in patents. This is because, in addition to the advent of 18-month publication, both these and issued patents are now made available in electronic form in SGML (in a year or two, XML) format. This version, for applications, is identical in format to that produced by the EFS software the Patent Office makes available; but the production process for those (now 99%) that were filed on paper is orders of magnitude more complex than earlier printing procedures with the result that commercial patent information services are busy developing methods to quickly detect and ask USPTO for timely correction of such errors. It will be a rough year or two for perfectionists; and patent searchers will be spending substantially more time in a typical search. And to add to the mix, it is possible for an application to be published after its patent is issued. This can happen if the patent issues less than two weeks before the scheduled 18-month automatic publication of the application. For AALL, the result should be a new rich store of anecdotes with which to regale friends every time two members get together.

3. Independent inventors opposed 18-month publication on the grounds it would result in foreign companies stealing the developments of American inventors. Their thinking sufficed parts of the Act. For example, if an applicant files an application in one or more foreign countries, and the foreign filing has claims or a description which are less extensive than the U.S. application, the applicant has the right to submit a redacted copy – for application publication – that eliminates any part or description of the invention that is not also contained in the corresponding application filed in a foreign country. The content which is eliminated will not show up, then, until the patent issues, and secrecy as to those parts will continue as under the old system.

1. Coalition Members include Dialog, Questel-Orbit, Lexis-Nexis, MicroPatent, Derwent, and IFI Claims.

2. Within the Patent Office, these are referred to as “PGP” – Pre-Grant Publications

PLL/SIS CANDIDATE BIOGRAPHIES

VICE CHAIR/CHAIR-ELECT

Name

Janeen M. Heath

Current Position

Manager of Library Services
Munsch Hardt Kopf & Harr PC,
Dallas, TX

Former Positions

1998-2000

Library Manager, Baker & McKenzie,
Dallas, TX

1991-1998

Tax Librarian, Dresser Industries, Inc.,
Dallas, TX

Activities

AALL Publications Committee 1999-2000

Council of Chapter Presidents 1998-1999

DALL President 1998-1999

Chair, Committee on Relations with
Information Vendors (CRIV) 1996-1997

Statement

As PLL Vice Chair/Chair Elect my greatest challenge will be to promote the value of professional librarians, in private law libraries, by forming alliances and partnerships with the professional associations of attorneys, legal assistants and administrators. We, as law librarians, already understand what our experience can mean to the success of an organization. Instead of telling ourselves how valuable we are in our own publications, we need to be proactive in the organizations that use, need, and sometimes even appreciate our expertise. By aligning PLL with the AALL Strategic Directions in Leadership for the 21st Century, I believe we can increase awareness of the essential need for professional law librarians, as well as, encourage their hiring at professional salary levels.

TREASURER

Name

Janet McKinney

Current Position

Computer Services Librarian
Shook, Hardy & Bacon, L.L.P.,
Kansas City, MO

Former Positions

1991-2000

Acquisitions/Serials Librarian; Leon E.
Bloch Law Library,

University of Missouri-Kansas City

1990-1991

Civil/Environmental Librarian;
Black & Veatch

1981-1990

Circulation Librarian, Reference
Librarian; Midwestern Baptist
Theological Seminary

Activities:

AALL

TS-SIS Chair, 1999-2000

CRIV, 1994-1996

Mid-America Association of Law
Libraries: Treasurer: 1997-1999

Kansas City Association of Law
Libraries: President: 2000

Heart of America Chapter, Special
Libraries Association: President, 1995-1996
Treasurer, 1991-1994

Publications

“Preparing for an Audit.” 8 *Against the Grain* (April 1996): 77-78

“Permission to Copy: Who Ya Gonna Call?,” 17 *The CRIV Sheet* (May 1995): 7-9

“The Development and Use of a Genre Statement for Electronic Journals,” report of a workshop presented at the 13th Annual Conference of the North American Serials Interest Group, 1998. Co-published simultaneously in 36 *The Serials Librarian* 3/4 : 429-434 and *Head in the Clouds, Feet on the Ground: Serials Vision and Common Sense*. Ed. by Jeffrey Bullington, Beatrice L. Caraway and Beverly Geer. The Haworth Press, 1999: 429-434.

“Review of Resource Sharing: New Technologies as a Must for Universal Availability of Information.” *Festschrift in Honour of Hans-Peter Geh*. Ed. by Ahmed H. Helal and Joachim W. Weiss. (Publications of Essen University Library, 17). Essen: Universitätsbibliothek Essen, 1994, in 39 *Library Resources & Technical Services*, (April 1995).

“Review of Guide to Technical Services Resources,” ed. by Peggy Johnson. Chicago: American Library Association, 1994, in 13 *Information Technology and Libraries*, (June 1994).

Review of Libraries and the Future: Essays on the Library in the Twenty-First Century, ed. by F.W. Lancaster, Binghamton, NY: Haworth Press, 1994, in 14 *Computers in Libraries*, (May 1994).

Statement

I'll be honest—my main motivation for volunteering to be a candidate is to get to know more members of the Section since I am new to private law librarianship. I can make a contribution to the Section because of my recent leadership experience in the Technical Services SIS, and because of my many years serving as Treasurer of two professional organizations. Being a “newbie” to PLL, I have no grand vision; but I hope to contribute a fresh perspective to the work of the Board and the Section.

EXECUTIVE BOARD MEMBER

Name

Martha White

Current Position

Assistant Librarian
Vinson & Elkins, Houston, TX

Former Position

1993-1995

Librarian: Assistant Manager
Cypress Creek Public Library

Activities

Secretary of HALL: Houston Area Law Librarians

Statement

I have not been involved with PLL before so I know I will bring a new perspective and am looking forward to the experience. I am a good communicator and have a good sense of humor (even though I have a J.D.). I think I'm still in shock that I was even nominated. I believe that PLL serves as the "voice" of the private law librarian and needs to continue to find ways to keep its members involved and enthusiastic. I would like to be part of that "voice" that helps the organization continue to grow and learn from its members.

EXECUTIVE BOARD MEMBER

Name

Howard E. Trivers

Current Position

Senior Reference Librarian
Baker & Daniels, Indianapolis, IN

Former Position

Law Librarian,
Davis Wright Tremaine, Washington, D.C.

Activities

Advertising Co-Manager, *PLL Perspectives: The Quarterly of the Private Law Libraries*, 1999

"Advanced Management for Private Law Libraries," Scottsdale, AZ, 4/16/99

Secretary/Treasurer & President,
Indianapolis Law Librarians Association,
1997-2000

Publications

"Battle of the Legal Portals, 19 *Legal Information Alert* #7, July/Aug. 2000, p. 1

"Snooping Online: A Comparison of Public Records Databases," 17 *Legal Information Alert* #3, March 1998, p.1

"U.S. Business Sources for the Law Library," 8 *PLL Perspectives* #2, Winter 1997, p.1

"A Hoosier Boy Returns Home," 18 *Reader Services Law Librarians* # 4, June 1996, p.4

"An Introduction to Indianapolis," 27 *AALL Newsletter* #5, February 1996, p.230

"Marketing the Law Library: A Big Plus in a Tight Economy," *Law Librarians' Society of Washington D.C. Newsletter*, March/April 1994

Seminars

"Internet Basics for the Indiana Attorney"— Presented for the National Business Institute, 12/6/2000

"Internet Research for Legal Staff in Indiana"— Presented for Lorman Education Services, 10/13/2000

"Internet Strategies for the Paralegal in Indiana"— Presented for the Institute for Paralegal Education, Indianapolis, 8/25/98; and for the Michiana Paralegal Association, South Bend, 10/22/98

"Strategic Use of Internet Search Engines in Indiana"— Presented for the Institute for Paralegal Education, Indianapolis, 3/7/2000

Statement

In these changing technological times, leadership is more important than ever. Almost 10 years ago, I received my MSLS from Catholic University of America and became a professional law librarian. Over those years, I have grown as a person and professional, working in different markets (i.e., Washington D.C. and Indianapolis, Indiana), presenting seminars, and writing articles for publication. Even though we are asked to do more with fewer resources in private law firm libraries, I believe our profession is stronger now than before. With the advent of Internet research, attorneys need our skill more than in the past. We need to communicate the positive aspects of PLL to fellow members, law firm management, and the public, instead of dwelling on the negative aspects. As a member of the Executive Committee, I pledge to be a positive influence.

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EDITOR'S NOTE

With this issue of *PLL Perspectives* we bring you something new. For the first time, we are publishing a “theme” issue; and our focus is on Intellectual Property. We begin with a brief overview of the basics and follow that with an article about the American Inventors Protection Act of 1999. Then we have a description of a position as an IPIS, Intellectual Property Information Specialist, a review of *Patent Intelligence and Technology Report* and a description of the IFI Claims, Patent Services.

A number of people have contributed to the production of this issue and we would like to thank them for their efforts. Without their effort this issue would not have been possible. In addition to our authors, to whom we are always grateful, we extend special thanks to Deb Collins, Dianne Wiann, Judy Floyd-Evans, Ronda Fisch and Rachel Jones.

If you like the idea of theme issues and would like to see more of them, please let me or anyone on the Newsletter Advisory Committee know. If you have a particular idea or issue you would like to see featured in an issue, we are particularly eager to hear from you. In addition, please consider contributing an article on your area of expertise or special interest in the event that we follow your theme.

I would like to call your attention to one more feature of this issue. In addition to the Intellectual Property materials you will find biographical profiles of the candidates for PLL offices. Each candidate has included a statement of his or her objective in running for office. I encourage you to read them all carefully.

I hope you enjoy your reading.

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