

DETROIT PATENT OFFICE OPENS ITS DOORS

As many of us know, the USPTO's first satellite office, the Elijah J. McCoy United States Patent and Trademark Office, is now open for business in Detroit. You may be asking, "why Detroit?" And this is perfectly reasonable. After all, the city and its surrounding area include the bailed-out GM and Chrysler, and received awful press during the recession including a story about an unemployed man who hunted raccoons for lunch. Questionable grocery shopping aside, the USPTO chose Detroit because it recognized local talent that would help improve patent quality and reduce a growing backlog — two of the USPTO's most important goals. Greater Detroit and Michigan also host top research institutions, innovative companies, and a vibrant patent community.

A number of these institutions and companies stand to benefit from their proximity to the McCoy Office. Michigan is home to universities as well as corporations that dedicate significant resources for developing technology. The University of Michigan, Michigan State University, and Wayne State University have pooled their efforts to form Michigan's University Research Corridor (URC). The URC schools are among the national leaders in granting high-tech/high-demand degrees when compared to other geographically-linked research universities. For example, the URC leads



300 River Place—Home to the Elijah J. McCoy USPTO Satellite Office in Detroit



The Detroit Westin Book Cadillac Hotel

the nation in total enrollments with 136,061 students as of fall 2010, and granted more high-tech and high-demand degrees (18,277) than any other university cluster, with Pennsylvania the lone exception.¹ In addition, each university of the URC operates an active technology transfer office working to bring newly-developed technology to the market.

At least partly because of these institutions, greater Detroit employs the largest percentage of its workforce in a technology industry sector (13.7%) relative to other areas of the Midwest.² While well known for its automotive industry, Michigan is a leader in a variety of other industries such as health care, national defense, and retail products. The companies leading their respective industries include familiar names — General Motors, Ford, Chrysler, Dow Chemical, Whirlpool, General Dynamics, Stryker, William Beaumont Hospitals, Compuware, Garden Fresh Salsa, and Five Hour Energy, to list a few. These companies are examples of a Michigan-based technology or product creator. Similarly, other companies have arrived from elsewhere to take advantage of the talented workers in Michigan and establish offices here. Both Google and Twitter have a presence in Southeast Michigan, with Google offices located in Ann Arbor and Birmingham while Twitter has recently occupied office space in downtown Detroit.

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BUSINESS *Casual*

THE OFFICIAL NEWSLETTER OF THE NEW LAWYERS COMMITTEE

MCCOY PATENT OFFICE TIDBITS

- The saying “the real McCoy” comes from railroad engineers who, wanting to avoid inferior copies of McCoy’s oil drip cup, would ask for the real thing by name;
- Initially employs 25 examiners assigned to different mechanical or electrical art units based in Alexandria, with plans to hire 75 more examiners within a year;
- Provides one Supervisory Patent Examiner (SPE) on-site for every 25 non-SPE examiners;
- Initially has 7 Administrative Patent Judges for the Patent Trial and Appeal Board (formerly BPAI), with plans to hire more;
- Includes public workstations with the Examiner Automated Search Tool (EAST), the same tool used by examiners in Alexandria;
- Houses state-of-the-art video conferencing rooms for conducting live interviews with examiners in Alexandria;
- Initially applicants will be paired with McCoy examiners at random without regard to applicant’s geography, with plans to allow applicants to select a location preference (e.g., check-a-box on ADS: Detroit, Dallas, Denver, or Silicon Valley); and
- Holds classes to teach small businesses about IP basics.



The Detroit River and the Riverwalk near the Elijah J. McCoy USPTO Satellite Office

(continued from page 5) Furthermore, the people of greater Detroit have made substantial contributions to the advancement of intellectual property law. For starters, with over 1,000 practitioners, Michigan stands near the top among states for number of registered patent attorneys and agents.³ And just last year Michigan ranked 6th in the country for number of patents granted.⁴ Many of these patents came from a handful of established law firms that specialize solely in IP law, including the authors’ firm Reising Ethington, which has roots dating back to 1865, and the firm Harness Dickey, founded in 1921. Moreover, it was a Michigan attorney that drafted the patent forming the basis of the well-known U.S. Supreme Court patent case *KSR Intern. Co. v. Teleflex Inc.* Detroit’s patent community also played prominent roles in the infamous patent disputes between Robert Kearns, the inventor of the intermittent windshield wiper, and Ford and other automotive companies, recently the subject of the Hollywood movie *Flash of Genius*. And a rich history of famous inventive thinkers like Henry Ford, David Buick, and even the patent office’s namesake Elijah J. McCoy did their tinkering in and around Detroit.

Lastly, visitors to the Detroit area are often surprised by its natural beauty and the area near the McCoy Office is no exception. The McCoy Office, located steps from the Detroit River, can be walked or biked to via a Riverwalk that provides a paved park extending from Belle Isle past General Motors’ World Headquarters to Joe Louis Arena, home of the Detroit Red Wings. Belle Isle is a nearly 1,000 acre island park visible from the McCoy Office. Frederick Law Olmstead — a noted landscape designer who also planned New York City’s Central Park — designed Belle Isle, which features botanical gardens, a conservatory, and an aquarium in addition to a golf course. Apart from its natural beauty, Detroit offers world-class food and lodging that is set among noteworthy architecture. As an example, the recently-restored (continued on page 7)

The Renaissance Center – General Motors’ World Headquarters



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(continued from page 6) Westin Book Cadillac is an Italian Renaissance-style hotel that could call itself the tallest hotel in the world after completion in 1924. It offers 453 rooms with river or city views as well as its award-winning Roast steakhouse.

The authors are pleased to welcome the McCoy Office to Detroit and are confident that it will succeed and serve as a model for its sister satellite offices set to open soon in Dallas, Denver, and Silicon Valley — news to replace raccoon hunting.

Colin Cicotte & Corey Beaubien, Reising Ethington

¹ *Benchmarking Michigan's* URC; Supplement to the Fifth Annual Economic Impact Report of Michigan's University Research Corridor; accessed July 10, 2012 at http://urcmich.org/reports_studies/pdf/URC_-_Benchmarking_2011.pdf; pages ii-iii.

² Automation Alley's Technology Industry Report 2011 Edition; accessed July 10, 2012 at http://issuu.com/automation_alley/docs/tech_report_book_highfinal?mode=window.

³ USPTO's Office of Enrollment and Discipline accessed July 14, 2012 at <https://oedci.uspto.gov/OEDCI/>.

⁴ USPTO's Patent Technology Monitoring Team accessed July 14, 2012 at http://www.uspto.gov/web/offices/ac/ido/oeip/taf/st_co_11.htm.

NLC CLE

In partnership with the Online Programs Committee, the New Lawyers Committee has launched its new NLC CLE Subcommittee, which provides new lawyers with opportunities to build presentation skills, increase local outreach, and allows for greater involvement in AIPLA. Our vision is to integrate education with the local new lawyers networking events around the country, giving attorneys the opportunity to present at their local gatherings while connected via videoconference with young attorney gatherings in other cities.

The NLC CLE Subcommittee is currently led by Rick Matthews, Chair, Roy Issac and Joe Dicioccio, Topic and Speaker Selection Subcommittee leaders, Beth Wolfson, Program Coordinating Subcommittee leader, and Yelena Morozova, Timeline Coordinating Subcommittee leader. Through the tireless efforts of our NLC CLE Subcommittee leaders, the first pilot



program was held on May 30th live in Washington DC, with satellite participation in Boston, New York, Dallas and Chicago. The CLE program "Examiner Interviews 101 — Strategies for How to Make the Best of Your USPTO Interview and Get the Patent Issued" was very well received, with over 140 attending the pilot launch.

Our Subcommittee leaders are currently planning our next CLE, "iPad for IP Lawyers." Stay tuned for details! If you would like to get involved in program development or participate as a speaker or mentor, please contact current Subcommittee Chair Rick Matthews at rmatthews@myersbigel.com or incoming Subcommittee Chair Chad Pannell at cpannell@kilpatricktownsend.com.

*Ehab Samuel, Dickstein Shapiro
Rick Matthews, Myers Bigel*

Finally, a CLE Series for New Lawyers by New Lawyers...

iPad for IP Lawyers

Chad Pannell, Kilpatrick Townsend & Stockton LLP & André De La Cruz, Dickstein Shapiro LLP

According to the ABA's 2012 Legal Technology Survey Report, the number of attorneys using tablets for law-related tasks has doubled, from 15% in 2011 to 33% in 2012. 91% of those attorneys who use tablet devices use the iPad. The iPad has transformed the way many IP attorneys conduct their day-to-day practice, from the courtroom to the boardroom. However, with more than 200,000 Apps available for the iPad, even an experienced iPad user may become overwhelmed. During this program, attorneys Chad Pannell and Andre De La Cruz will discuss how IP attorneys, including litigators and prosecutors, can increase their productivity and efficiency using iPad Apps and tools, and address potential security concerns raised by iPad use.

SAVE THE DATE – November 15, 2012, 12:00 P.M. EST – Watch your Mailbox for Registration Information

*Event Locations: Atlanta, GA * Boston, MA * New York, NY * Orange County, CA * Washington, DC*