



THE TIPSHEET

State Bar of Texas Intellectual Property Law Section

Vol. 16 No. 2

MESSAGE FROM THE CHAIR



by Michael G. Locklar

We have some exciting events planned the rest of the year! We have some great content lined up in our Advanced Intellectual Property course held on February 16 – 18. Because of the pandemic upsurge, we chose prudence and this course will be via Zoom. However, that will not change the wealth of knowledge and depth of experience this year's presenters will bring to the program. Also, we would love to have your virtual attendance in this year's Women in IP portion of the event where we will have a chat with Former Deputy Director of the USPTO and Deputy Under Secretary of Commerce, Laura A. Peter, and USPTO Regional Director Hope Shimabuku.

This spring, our own Chair Elect Joe Cleveland will be leading a pro bono tour to Odessa and Alpine. If you have not had an opportunity to participate in one of the events and have interest, please catch up with Joe. This is a great opportunity to share your IP knowledge with communities that may not have ready access to IP professionals and are hungry for information on patents, copyrights, trademarks and other IP subjects.

We are also excited about our CLE at this year's Annual Meeting. We will update you on the subject matter of this year's event as the event nears.

If you have not yet gotten involved in the section, there are still great opportunities to join one of the committees. Our committees are meeting virtually and in-person and developing valuable

relationships. If connecting people is where you think you may best serve the IP community, I would encourage you to join one of our Connect committees (Women in IP, Diversity, Membership, New Lawyers, or Website) by reaching out to me or the chair of that committee. If service is of interest to you, I encourage you to join one of our Service committees (Pro Bono, Public Relations, or IP Legends) by contacting the chair or reaching out to me.

We also sponsor the work of the Texas IP Law Journal and we encourage you to attend their Symposium this year on March 4th if you can make it to Austin.

If you are not a member of the Section, I encourage you to join. If you are, I hope you will consider becoming more involved. I'm happy to answer any questions you may have.

Best Regards,

A handwritten signature in black ink, appearing to read "M. Locklar", with a stylized flourish at the end.

Michael G. Locklar, Chair
Intellectual Property Law Section
State Bar of Texas

**THE IP SECTION GOES “ON THE ROAD AGAIN” WITH ITS WEST TEXAS PRO
BONO TOUR IN SPRING 2022**

By: Joe Cleveland



The Intellectual Property Law Section of the State Bar of Texas (IP Section) is planning its Pro Bono Tour to the “Big Sky” country of West Texas scheduled for Spring 2022.

The Pro Bono Tour will have two stops. The first workshop will be held on Thursday, March 31, 2022 at The University of Texas Permian Basin in Odessa, Texas. The second workshop will be held on Friday, April 1, 2022 at Sul Ross University in Alpine, Texas. The location of these two universities will allow the IP Section, the United States Patent and Trademark Office (USPTO), and Texas Accountants and Lawyers for the Arts (TALA) to serve the greater West Texas region, including Alpine, Marfa, Fort Stockton, Marathon, Terlingua, Fort Davis, Pecos, El Paso, San Angelo, Midland, and Odessa.

So, dust off your hat and boots and join us for the Pro Bono Tour.

Over the past four years, volunteer attorneys from the IP Section, in collaboration with the USPTO, and under the leadership of Regional Director Hope Shimabuku, have conducted the Pro Bono Tour. The Pro Bono Tour is a state-wide program to provide educational workshops on how to protect the intellectual capital of small business owners, entrepreneurs, and inventors located in underserved communities throughout Texas. This year we plan to add TALA as an additional co-sponsor. TALA’s participation will allow for the expansion of the tour’s digital out-reach and event coordination as well as provide additional volunteer attorneys specializing in copyright law.

The IP Section and the USPTO have held seven Pro Bono Tour workshops—from the Texas Gulf Coast to the Rio Grande Valley and from far West Texas to East Texas—at local colleges and universities. Over the years, the IP Section has offered this free program to 400+ stakeholders in Corpus Christi, McAllen, Fort Worth, El Paso, Waco, Nacogdoches, and Lubbock. The workshops have been extremely well-received.

These full-day workshops are broken into three sessions. The first session is an educational session designed to provide an overview and introduction to intellectual property law, including patents, trademarks, copyrights, and trade secrets, and is typically led by intellectual property lawyers who specialize in that specific area of the law. USPTO personnel also introduce stakeholders to the patent and trademark application process, including a step-by-step demonstration of how to file a patent or trademark application and how to search freely-available internet resources so that the stakeholders can have a better idea about whether their invention is patentable or if their brand is available for trademark use.

The second session is a break-out session with three concurrent tracks—software, mechanical/electrical inventions, copyrights, and consumer products. The purpose of this break-out session is to enable participants to work with attorneys and USPTO personnel specializing in their technical or business area, and also allow stakeholders with similar backgrounds to ask questions and share common experiences.

The final session consists of 20-minute one-on-one consultations between lawyers and the participants. During these confidential sessions, the volunteer attorney provides free individualized legal assistance to the inventor, entrepreneur or artists on a particular problem or issue.

Over the last three years, this program, led by Fort Worth practitioner Joe Cleveland, has been very fortunate to have assembled a great team of 10-12 volunteer attorneys with a wide variety of different backgrounds, experiences and practice areas allowing the IP Section and the USPTO to serve the needs of these underserved and underrepresented communities across Texas. Joe Cleveland commented that “Without exception, every lawyer who has participated in the program has greatly enjoyed the opportunity to give back to our community in such a unique and significant way.”

Please contact Joe Cleveland if you are interested in participating in the West Texas Pro Bono Tour.

OTHER UPCOMING EVENTS AND ANNOUNCEMENTS

Judges Needed for National Patent Drafting Competition on March 5, 2022: Contact Hope Simabuku at hope.shimabuku@uspto.gov to sign up to be a volunteer judge. Patent drafting experience required.

**Texas Intellectual Property Law Journal
21st Annual Spring Symposium
*Estoppel in Administrative vs. Judicial Proceedings in IP Litigation***

March 4, 2022
University of Texas School of Law

Speakers will include a panel of judges, including The Honorable Alan Albright, as well as presentations by practitioners and academics, including Professor Saurabh Vishnubhakat.

The event will include CLE credit, a breakfast hour, catered lunch, and several opportunities for Q&A.

If you are interested in receiving more information and an invitation to purchase tickets, please contact symposium@tiplj.org so that you are notified once tickets go on sale or enter your information at <http://www.tiplj.org/ip-symposium/21st-annual-symposium/>

Inventor of the Year: Nominations are now being accepted for the IP Section's Inventor of the Year Award. The Inventor of the Year award honors a recipient whose invention(s) has significantly impacted the Texas economy. Nominees must have at least one United States patent, either expired or existing. The nomination form can be found here (Add hyperlink to website – will be updated by Nick). All nominations are due by April 1, 2022, and the 2022 Texas Inventor of the Year will be recognized at the Annual Meeting of the State Bar of Texas in Houston on June 9-10, 2022.

USPTO Events: For a listing of upcoming USPTO events, please visit: <https://www.uspto.gov/about-us/events>

2021-2022 IP SECTION OFFICERS & COUNCIL

The officers and council members for the Section were elected at the Annual Meeting last summer. They are as follows:

	Name	Firm	City
Chair	Michael Locklar	Locklar PLLC	Houston
Chair-Elect	Joseph Cleveland	Brackett & Ellis, P.C.	Fort Worth
Immediate Past Chair	Leisa Talbert Peschel	Jackson Walker LLP	Houston
Vice Chair	Devika Kornbacher	Vinson & Elkins LLP	Houston
Secretary	Craig Stone	Phillips 66	Houston
Treasurer	Thomas Kelton	Haynes & Boone, LLP	Richardson
Newsletter Officer	Erin Choi	Weil, Gotshal & Manges LLP	Dallas
Website Officer	Nick Guinn	Gunn Lee & Cave	San Antonio
Council			
<i>Term ends 2022</i>	David Cho	AT&T Services	Dallas
	Michele Connors	Cirrus Logic	Austin
	Kat Li	Kirkland & Ellis	Austin
<i>Term ends 2023</i>	Yocel Alonso	Alonso PLLC	Sugar Land
	Marylaura Ilagen	Mary Kay Inc.	Addison
	George W. Jordan, III	Norton Rose Fulbright US LLP	Houston
<i>Term ends 2024</i>	Michael Smith	Scheef & Stone, LLP	Marshall
	Austin Teng	Holland & Knight, LLP	Dallas
	Saurabh Vishnubhakat	Texas A&M School of Law	Fort Worth

IP SECTION COMMITTEES

Much of the Section's work is performed by committees, which help carry out its mission of educating, connecting and serving the Section's members. This year's committees and chairs are as follows:

Activities	Committees	Committee Chairs/Officers
<i>Educate:</i>	Copyright	Yocel Alonso
	Patent	Nick Guinn
	Trademark	Craig Stone
	Trade Secret	Austin Teng
	Newsletter	Erin Choi
	Advanced IP CLE	Devika Kornbacher
	Annual Meeting	Joe Cleveland
<i>Connect:</i>	Women in IP	Michele Connors
	Diversity	George Jordan
	Membership	Saurabh Vishnubhakat
	New Lawyers	David Cho
	Website	Nick Guinn
<i>Serve:</i>	Pro Bono/TALA	Michele Connors
	Public Relations	Marylaura Ilagen
	Tex IP Law	Kat Li
	IP Legends	Derrick Pizarro

CALL FOR SUBMISSIONS

The TIPSHEET welcomes the submission of articles for potential publication in upcoming issues, as well as any information regarding IP-related meetings and CLE events. If you are interested in submitting an article to be considered for publication or adding an event to the calendar, please email erin.choi@weil.com.

Article Submission Guidelines

STYLE: Journalistic, such as a magazine article, in contrast to scholarly, such as a law review article. We want articles that are current, interesting, enjoyable to read, and based on your opinion or analysis.

LENGTH: We accept a wide range of articles, with most falling into the 500-2500 word range.

FOOTNOTES AND ENDNOTES: Please use internal citations.

PERSONAL INFO: Please provide a one-paragraph bio and a photograph, or approval to use a photo from your company or firm website.

If you have any questions, please email erin.choi@weil.com.