



# THE TIPSHEET

State Bar of Texas Intellectual Property Law Section

Vol. 15 No. 2

## Update from the Chair



*by Leisa Talbert Peschel*

Welcome to our new members and newly licensed attorneys! In this edition of the Tipsheet, we highlight the establishment of the Texas Intellectual Property Law Foundation and the Section's work on the 75<sup>th</sup> Anniversary Celebration of the Lanham Act. The IP Section is committed to raising the profile of the impact Texas has had on intellectual property law, and throughout 2021, we will celebrate the Father of Trademark Law, Fritz Lanham, a Texas Congressman, and his role in securing passage of the Lanham Act.

Despite its temporary shift to an all-virtual posture, the IP Section of the State Bar of Texas has continued supporting our mission to educate, connect, and serve our members and the IP community in Texas through the work of our committees. We encourage you to consider joining one. More information may be found at: <https://texasbariplaw.org/committees/>.

We also encourage each of you to send us your ideas for new ways in which we can serve you, our members, and the IP community in Texas. Please feel free to contact me at [lpeschel@jw.com](mailto:lpeschel@jw.com) or another member of the council with your ideas.

*Leisa Talbert  
Peschel*

## **Texas Intellectual Property Law Foundation Created to Promote IP Law in Texas** **By Craig Stone**



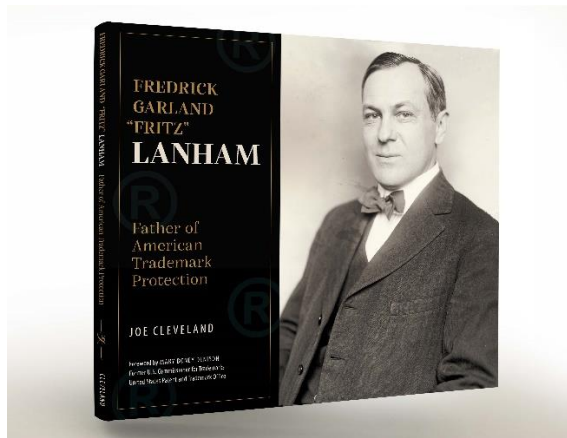
On November 23, 2020, the founding members of the Texas Intellectual Property Law Foundation (“Foundation”) conducted their first official meeting by teleconference.

The Foundation is a newly created non-profit whose aim is to promote the progress of intellectual property law in Texas by undertaking initiatives and activities such as submitting amicus briefs, advocating for legislative changes in IP law, and awarding diversity scholarships.

The formation of the Foundation was spearheaded by its newly-elected officers, Herb Hammond (President), Joe Cleveland (Treasurer) and Craig Stone (Secretary). Other founding members include Shannon Bates, Scott Breedlove, Leon Carter, Kirby Drake, Hilda Galvan, Timothy Hudson, Sharon Israel, Devika Kornbacher, William LaFuze, Mike Lockler, Kat Li, Leisa Talbert Peschel, Lou Pirkey, Derrick Pizarro, Molly Richard, Jerry Selinger and Bruce Sostek.

The Foundation is also undertaking an initiative related to the upcoming 75th Anniversary of the Lanham Act. The anniversary will be officially celebrated at the State Bar of Texas Annual Meeting (June 17-18, 2021) in Fort Worth, where the legislation’s namesake, Fritz Lanham served as a Congressman in the 12th District from 1931 – 1946. The list of honored guests will be comprised of various dignitaries and officials from the state as well as David Gooder, the USPTO’s Commissioner of Trademarks, who will be delivering the keynote address at a dinner to be announced.

The IP Section and Foundation are also collaborating with the USPTO to contribute funding and create museum-quality displays featuring Lanham. These displays will debut at the Bar’s Annual Meeting and will then embark on a traveling roadshow, being shown at the PTO’s Regional Offices. The Lanham displays will ultimately travel to Washington D.C. where the materials will be permanently exhibited in the National Inventors Hall of Fame.



Additionally, a book, authored by Joe Cleveland, celebrating Lanham’s life and accomplishments, has been licensed to the Foundation on a royalty-free basis. Proceeds from book sales will be used to fundraise for scholarships that will be awarded to students and individuals showing a keen interest in an intellectual property career. Diversity is expected to be a key factor when awarding the scholarships. If you would like to make a contribution or nominate someone to become a member of the Foundation, please contact Joe Cleveland at [JCleveland@below.com](mailto:JCleveland@below.com) for more information.

## 2020-2021 SECTION OFFICERS & COUNCIL

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

|                                 | <b>Name</b>              | <b>Firm</b>                       | <b>City</b> |
|---------------------------------|--------------------------|-----------------------------------|-------------|
| <b>Chair</b>                    | Leisa Talbert<br>Peschel | Jackson Walker                    | Houston     |
| <b>Chair-Elect</b>              | Michael Locklar          | Adolph Locklar                    | Houston     |
| <b>Immediate Past<br/>Chair</b> | Derrick Pizarro          | Pizarro Allen PC                  | San Antonio |
| <b>Vice Chair</b>               | Joe Cleveland            | Brackett & Ellis, PC              | Fort Worth  |
| <b>Secretary</b>                | Devika Kornbacher        | Vinson & Elkins LLP               | Houston     |
| <b>Treasurer</b>                | Thomas Kelton            | Haynes & Boone                    | Richardson  |
| <b>Newsletter Officer</b>       | Michael Smith            | Siebman, Forrest, Burg &<br>Smith | Marshall    |
| <b>Website Officer</b>          | Austin Teng              | Thompson & Knight                 | Dallas      |
|                                 |                          |                                   |             |
| <b>Council</b>                  |                          |                                   |             |
| Term ends 2021                  | Craig Stone              | Phillips 66                       | Houston     |
|                                 | Nick Guinn               | Gunn Lee & Cave                   | San Antonio |
|                                 | Elise Selinger           | Patterson + Sheridan              | Dallas      |
| Term ends 2022                  | David Cho                | AT&T Services                     | Dallas      |
|                                 | Michele Connors          | Cirrus Logic                      | Austin      |
|                                 | Kat Li                   | McKool Smith                      | Austin      |
| Term ends 2023                  | Yocel Alonso             | Alonso PLLC                       | Sugar Land  |
|                                 | Marylauren Ilagen        | Mary Kay Inc.                     | Addison     |
|                                 | George W. Jordan,<br>III | Norton Rose Fulbright US<br>LLP   | Houston     |

## 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:

| <b>Activities</b> | <b>Committees</b>  | <b>Committee Chairs/Officers</b> |
|-------------------|--------------------|----------------------------------|
| <i>Educate:</i>   | Copyright          | Justen S. Barks                  |
|                   | Patent             | Roshan Mansinghani               |
|                   | Trademark          | Mery Pimentel                    |
|                   | Trade Secret       | Heath Coffman                    |
|                   | Newsletter         | Michael Smith                    |
|                   | Advanced IP CLE    | Mike Locklar                     |
|                   | Advanced Pat. Lit. | Kirby Drake                      |
| <i>Connect:</i>   | Women in IP        | Danielle "DJ" Healey             |
|                   | Diversity          | Chris Joe                        |
|                   | New Members        | Jen Kuhn                         |
|                   | New Lawyers        | Kristi Hubbard                   |
| <i>Serve:</i>     | Pro Bono           | Joe Cleveland                    |
|                   | Public Relations   | Erin Choi                        |
|                   | Tex IP Law         | J Mike Locklar                   |
|                   | TALA               | Kirby Drake                      |
|                   | IP Legends         | Herb Hammond                     |

## OTHER HAPPENINGS

### Lester Lee Hewitt (March 11, 1942 – October 24, 2020)



It is with the saddest of hearts that we announce the passing of Les Hewitt, a pillar of the Houston IP Community, past president of HIPLA, and founding Master of the Bench Member of the Atlas IP Inn of Court.

Les' Houston IP roots ran deep. He received both his B.S. in Mechanical Engineering and his J.D. from the University of Houston. He worked as a patent examiner at the USPTO prior to entering private practice. He was a name partner at Pravel, Hewitt, Kimball & Krieger (formerly Pravel, Gambrell, Hewitt, Kimball & Krieger), which merged into Akin Gump in 1999. He left Akin Gump to start his own IP law practice in 2013.

But Les' most important professional roots were those planted in the hearts and minds of those he worked with, worked against, and mentored throughout his long and successful career. He always exhibited the most pleasant of attitudes, was always joyful and willing to help, and consistently exhibited the highest standards of professionalism in the practice of law. We would all do well to learn from his example.

The details for Les' services can be found here:

<https://www.dignitymemorial.com/obituaries/houston-tx/lester-hewitt-9865286>

## **Greetings from the USPTO Patent Pro Bono Team!**

The USPTO is seeking additional volunteers for the Patent Pro Bono Program. Section members who are patent practitioners are uniquely positioned to help under-resourced inventors and small businesses file and prosecute patent applications. Patent practitioners can volunteer through their local patent pro bono program.

Please see <http://talarts.org/inventors/>, [www.uspto.gov/probonopatents](http://www.uspto.gov/probonopatents), or [www.uspto.gov](http://www.uspto.gov) for more information on how to volunteer. The local program screens applicants using criteria that include: (1) household income; (2) knowledge of the patent system; and (3) possession of an actual invention (not merely an idea) to ensure that each inventor or small business is a good candidate for assistance.

Last year, over 80 patent practitioners volunteered 50 or more hours on patent pro bono programs, and over 20 law firms were recognized for their practitioners' participation. The USPTO continues to offer achievement certificates to practitioners, law firms, and corporations that provide the requisite hours of patent pro bono service in 2019. Certificates are signed by Commissioner for Patents, Drew Hirshfeld, and Deputy General Counsel and Director for the Office of Enrollment and Discipline, Will Covey. Additionally, certificate recipients are listed on the USPTO website if they so choose.

Section members are encouraged to take advantage of these opportunities to help financially under-resourced inventors and small businesses engage in our innovation economy.

## 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 [michaelsmith@siebman.com](mailto:michaelsmith@siebman.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 [michaelsmith@siebman.com](mailto:michaelsmith@siebman.com).

## NOTE FROM NEWSLETTER OFFICER



By Michael C. Smith

I hope you have enjoyed this issue of the IP Section's quarterly newsletter. If you're interested in contributing an article, news or otherwise working with me on the newsletter, please email at [michaelsmith@siebman.com](mailto:michaelsmith@siebman.com). I'd enjoy working with you!

A handwritten signature in black ink that reads "Michael C. Smith". The signature is written in a cursive, flowing style.