

2023 ANNUAL MEETING

THE TRANSFORMATION OF THE IP SERVICE MARKET

SEPTEMBER 13-15, 2023
HYATT REGENCY BOSTON
BOSTON, MA

2023 Annual Meeting

Sept. 13-15, 2023 | Hyatt Regency Boston | Boston, MA, USA

This year's theme is The Transformation of the IP Service Market.

Join kindred spirits from IP specialized firms and other players from the IP ecosystem as we take a hard look at the forces of change acting on the IP service market. Topics will include:

- The impact of new technology on IP Boutiques' operations
- What clients want: let in-house corporate attorneys tell you how to best obtain and keep their business
- Law firm-to-Law firm collaboration: Global trends in reciprocity (provided by IP Pilot)
- The impact of alternative service providers on the business of IP Boutiques
- International patent and filing trends emerging from WIPO's latest Facts and Figures

In addition, join us on Friday, September 15th, from 2:00 PM – 5:00 PM, for the North End Boston Food Tour. Attendees will have an opportunity to network, visit mom-and-pop shops that have been a staple of the area, and explore the North End of Boston's Little Italy culture and history. Tickets are USD \$120.00 per person. If you are interested, please contact us at admin@aipf.com.

**Tickets are first come, first serve as there are limited spots available*

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A fine line between Protox & Botox: overturned Trade Mark Decision

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By **Robert Donaldson**, Michael Buck IP (Australia)

“Self Care IP Holdings Pty Ltd & Anor v Allergan Australia Pty Ltd & Anor [2023], HCA 8”

“In overturning the decision of the Full Federal Court, the High Court of Australia has asserted that the reputation of a trade mark has no bearing when considering the possibility of deceptive infringement under s 120(1) of the *Trade Marks Act 1995 (the Act)*.”

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Food Tech Trademarks: A Global Perspective

By **Malissa Magiera and Sheena X. Wang**, Rothwell, Figg, Ernst & Manbeck PC (United States)

“As today’s society continues to increase its consumption of alternative (“alt”) animal products, the number of food tech entities entering this market continues to grow. As these entrants continue to expand their respective patent portfolios, so do they focus on registering trademarks for both their company names and for their alt-animal products in multiple countries.”

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Patent term extensions in Australia and beyond: Part 4

By **Vanessa Yeung**, Michael Buck IP (Australia)

“Can an extension of term be sought for patents containing a combination of pharmaceutical products?”

“In Australia, the case of *Merck Sharp & Dohme Corp v Sandoz Pty Ltd* [2021] FCA 947, has been significant in discussing this question in some detail. The case itself was discussed in an earlier article, written by our Senior Associate, David Tso. To briefly summarize, the claims of the pharmaceutical patent issued to Merck were directed to a compound sitagliptin, and a composition containing a combination of sitagliptin and metformin. A patent term extension was granted to Merck on the combination of sitagliptin and metformin, since it received regulatory approval 5 years after grant of the patent, whereas sitagliptin on its own would have received regulatory approval less than 5 years after grant of the patent. However, when challenged by Sandoz, it was found that an error had occurred in calculating the extension of term, since the patent term extension was not based on sitagliptin alone. In other words, the patent term extension was not based on the pharmaceutical substance with the first regulatory approval date. The Federal Court ruled that if Merck was allowed to retain the current patent term of extension, they could obtain “a monopoly over sitagliptin for more than 20 years in circumstance where it never suffered an unacceptable delay in its capacity to exploit sitagliptin” (at para [87]). Thus, the Register of Patents was subsequently rectified, and the extension of term reduced to zero.”

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MEMBER NEWS

Hovey Williams LLP

“Cheryl Burbach and Crissa Cook Listed in *Best Lawyers Women in the Law Business Edition Spring 2023*”

“Congratulations to our Partners, Cheryl Burbach and Crissa Cook, who appeared in *Best Lawyers Women in the Law 2023 Business Edition*.”

[Click here to read more.](#)



Bookoff McAndrews

“Vault Law Names BoMc One of its 2024 ‘Best Midsize Law Firms to Work For’”

“BoMc secures a spot in the top 5 on Vault Law’s 2024 national associate rankings of Best Midsize Law Firms to Work For scoring a 9.177 on Vault’s comprehensive grading scale.”

[Click here to read more.](#)



Hovey Williams LLP

2nd Annual Intellectual Property Bootcamp

“On September 29, 2023, Hovey Williams is hosting our 2nd Annual intellectual property bootcamp in Overland Park, Kansas for diverse undergraduate, graduate, doctoral, and law students, hoping to spark their interest in intellectual property as a potential career path (e.g., patent agent or attorney) or provide foundational tools to protect their own innovations. This year, we are excited to have



Molly Kocialski, USPTO's Rocky Mountain Regional Director, as a special guest speaker.

Applicants selected for this program will be exposed to the realm of patents and trademarks, particularly through introductory seminar sessions and hands-on learning opportunities facilitated by Hovey attorneys. There will also be a career panel discussion."

For further details, please click the below link or contact mfoley@hoveywilliams.com.

[Click here to read more.](#)

FEATURED BLOGS



[For the love of food - trade mark considerations in the food tech industry](#)

FB Rice Blog

July 12, 2023

Sarah Dixon



[New EPO Unitary Patent Dashboard Shows 5,000+ Requests Since Launch](#)

IPWatchdog.com Blog

July 24, 2023

Eileen McDermott



[Comparative Advertising and Trademarks: Energizer Brands, LLC v. Gillette Company](#)

ROBIC Blog

July 26, 2023

Caroline Jonnaert and Stéphanie Karam

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To be eligible for AIPF membership, the applicant law firm must specialize in intellectual property law according to one of the following criteria:

-At least 50% of the firm's attorneys are registered to practice before the USPTO or before their home country's Patent and Trademark Office

OR

-The firm devotes a majority of its practice to intellectual property law

*AIPF annual membership runs from January 1 to December 31 and is prorated from January 1. Membership is by firm, not by individual.

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