DEAN’S MESSAGE

HOUSTON, THE NATION’S FOURTH LARGEST CITY, STANDS TODAY AS A LEADING INTERNATIONAL CENTER for creativity in computer technology, biomedical technology, petrochemical technology, and space technology.

At the legal epicenter of Houston’s contributions to the technologies of tomorrow is the Institute for Intellectual Property & Information Law (“IPIL”) at the University of Houston Law Center.

IPIL is recognized throughout the world for the strength of its faculty, scholarship, curriculum, and students. Its contributions to the study of law have earned both respect and an enduring reputation for excellence.

Leading-Legal-Learning—in patent, copyright, trademark, trade secret, and information law.

That’s what we do at the UH Law Center. Come join us.

Raymond T. Nimmer
DEAN AND LEONARD H. CHILDS PROFESSOR OF LAW
In the crucible of today’s business world, some fledgling ideas just sit and simmer, while others take wing and produce healthy stock. To lay bare the issues governed by intellectual property and information law, consider the finger-licking case of Kwik-Chik, Inc.

Started with little more than a gas-fired kettle teetering on the tailgate of the founder’s pick-up, Kwik-Chik is now the world’s largest broker of birds, leaving millions of customers from Bangor to Baja singing about the wings they fling. And if any foxes dare stray near Kwik-Chik’s henhouse headquarters, the company does more than squawk. A flock of intellectual property and information law specialists henpecks any trespassing birdbrains and encourages them to find other ways to feather their nests.

For the “rest of the story” of Copyright, Patent, Trademark, Trade Secrets and Information Law, see pages 16 - 20.
APPROXIMATELY 25 COURSES RELATING TO IPIL ARE OFFERED REGULARLY at the UH Law Center. All of these courses answer the degree requirements for the Doctor of Jurisprudence (J.D. degree) and most apply to the Master of Laws (LL.M.) degree.

J.D. PROGRAM
The UH Law Center offers both full-time and part-time programs leading to the J.D. degree. J.D. candidates must complete 90 semester hours and can customize their curricula with intellectual property and information law courses that reflect their individual interests and concerns. Students interested in applying to the J.D. program should contact the Office of Admissions for an application at 713.743.2280 or lawadmissions@uh.edu. Applications also can be downloaded at www.law.uh.edu.

LL.M. PROGRAM
The LL.M. Program provides an academic environment for practicing lawyers who wish to expand their knowledge of intellectual property and information law. Only a limited number of candidates are accepted for full-time or part-time studies, and admissions are highly competitive. Applicants from the United States must hold the J.D. degree or equivalent from a law school accredited by the American Bar Association and must possess promising research or practice credentials. Lawyers who hold law degrees from foreign countries must meet academic and English language standards for admission.

LL.M. candidates must complete 24 semester hours of approved courses with a cumulative grade-point average of at least 2.5, and a thesis. Class scheduling and availability vary from year to year, with typically no IPIL offerings in the summer. Full-time students with subject matter flexibility occasionally complete the program in as little as a full academic year (fall, spring, and summer semesters). Both full-time and part-time degree candidates are allowed a maximum of three years for in-classroom work and completion of the thesis. Thesis supervision occurs during the fall and spring semesters only. For details about the LL.M. program, contact the LL.M. Coordinator at 713.743.2080 or llm@uh.edu.

VISITING AT THE UH LAW CENTER
Second- and third-year law students in good standing at an ABA-accredited law school are eligible to spend a semester at the UH Law Center and to enroll in its intellectual property and information law curriculum as well as other upper-division courses. Participants are accorded “visiting” status and receive their law degrees from their home schools. Students interested in visiting at the UH Law Center should contact the Office of Admissions at 713.743.2280 or lawadmissions@uh.edu.
PAUL M. JANICKE
HIPLA Professor of Law
B.E.E., Manhattan College;
J.D., New York University;
LL.M., George Washington University


Subjects:

Recent Scholarship includes:

For more information, visit Professor Janicke’s Web page at www.law.uh.edu/faculty.

CRAIG JOYCE
Andrews Kurth Professor of Law
B.A., Dartmouth College;
M.A., Oxford University;
J.D., Stanford University

Professor Joyce is the lead author of the widely used casebook, Copyright Law, which is adopted for classroom instruction in dozens of law schools across the country (7th ed. 2006). His articles on copyright doctrine and history have appeared in numerous journals, including the Michigan and UCLA law reviews, and are cited regularly by the federal appellate courts. He edited The Majesty of the Law for Supreme Court Justice Sandra Day O’Connor. Professor Joyce practiced law at Fennemore, Craig, von Ammon & Udall in Phoenix before entering academia in 1981, and has taught at the UH Law Center since 1986. Besides his duties as a director of the Institute since 1991, he served as Associate Dean for Graduate Studies and Special Programs from 1996 to 1999.

Subjects:
Copyright, Torts, American Legal History

Recent Scholarship includes:

For more information, visit Professor Joyce’s Web page at www.law.uh.edu/faculty.
Raymond T. Nimmer
Dean and Leonard H. Childs
Professor of Law
B.A., J.D., Valparaiso University

Dean Nimmer is one of the leading authorities on computer law in the world. He has served as the official reporter for the National Conference of Commissioners on Uniform State Laws and as the principal architect of the Uniform Computer Information Transactions Act. His treatise, The Law of Computer Technology, was named the best new law book of 1985 by the Association of American Publishers. Continually revised and updated, the book is the leading text in the field. Dean Nimmer joined the University of Houston law faculty in 1975 and was acting dean of the UH Law Center from 1993 to 1995.

Subjects:
Computer Law, Information Law, Digital Transactions, Network Law, Commercial Law, Commercial Paper, Creditors’ Rights, Law and Science, Bankruptcy, Contracts

Recent Scholarship includes:

For more information, visit Dean Nimmer’s Web page at www.law.uh.edu/faculty.

Greg R. Vetter
Associate Professor of Law
B.S.E.E., University of Missouri-Rolla;
M.S., University of Missouri-Kansas City;
M.B.A., Rockhurst University;
J.D., Northwestern University

Professor Vetter came to the UH Law Center with experience in software design project management, product management, and product marketing, including a variety of intellectual property and contractual responsibilities. He practiced at Kilpatrick Stockton’s Raleigh, North Carolina, office in the firm’s technology law group, and obtained registration to practice before the United States Patent and Trademark Office as a patent attorney. He then clerked for the Honorable Arthur J. Gajarsa on the United States Court of Appeals for the Federal Circuit in Washington, D.C., before joining the UH Law Center faculty in 2002. Professor Vetter’s research interests include intellectual property, patents, the role of intellectual property in commercial law, and information technology law.

Subjects:

Recent Scholarship includes:

For more information, visit Professor Vetter’s Web page at www.law.uh.edu/faculty.
DARREN BUSH, ASSOCIATE PROFESSOR OF LAW, UH LAW CENTER
B.A., California State University, San Bernardino; Ph.D., University of Utah; J.D., University of Utah

Professor Bush worked as an attorney at the U.S. Department of Justice’s Antitrust Division, where his matters included issues regarding state deregulation of electric utilities and the investigation of mergers and anticompetitive conduct in wholesale and retail energy markets. He teaches Antitrust, Regulated Industries, Law & Economics, and Administrative Law.

ANTHONY R. CHASE, ASSOCIATE PROFESSOR OF LAW, UH LAW CENTER
B.A., M.B.A., J.D., Harvard University

Professor Chase joined the UH Law Center faculty in 1990. He serves as Deputy Chairman on the Regional Board of the Federal Reserve Bank of Dallas, Houston Branch, and on the Executive Committee of the United Way and the Board of Directors of the Greater Houston Partnership. He teaches Communications Law, Regulation of Broadcasting Entrepreneurship, and Contracts.

GAVIN CLARKSON, ASSOCIATE PROFESSOR OF LAW, UH LAW CENTER
B.A., M.B.A., Rice University; J.D., Harvard Law School; Ph.D., Harvard Business School

Dr. Clarkson joins the Law Center faculty from the School of Information at the University of Michigan, where he held simultaneous appointments at the Law School and in the Native American Studies program. At Harvard, he was the KPMG Fellow at the Business School, the John M. Olin Research Fellow in Law, Economics, and Business, and the Reginald F. Lewis Fellow for Law Teaching. He teaches Law and Management of Intellectual Property Organizations and Traditional Knowledge.

BARBARA EVANS, ASSOCIATE PROFESSOR OF LAW, CO-DIRECTOR, HEALTH LAW & POLICY INSTITUTE, AND DIRECTOR, CENTER ON BIOTECHNOLOGY & LAW, UH LAW CENTER
B.S.E.E., University of Texas at Austin (with Honors); M.S., Ph.D., Stanford University; J.D., Yale Law School; L.L.M., University of Houston Law Center

Dr. Evans’s research interests include genomic and translational medicine, tissue banking and data privacy, and biotechnology regulatory issues. A member of the ABA Special Committee on Bioethics, at the UH Law Center she teaches Genetics and the Law.

PETER LINZER, PROFESSOR OF LAW, UH LAW CENTER
A.B., Cornell University; J.D., Columbia University

Professor Linzer, a noted scholar on contract law, was the Editorial Reviser of the Restatement (Second) of Contracts. In addition to advanced contracting drafting (including domestic and international IPIL-related documents), he teaches Constitutional Law, with research interests in free speech rights and Internet neutrality.

GERALDINE SZOTT MOOHR, ALUMNAE PROFESSOR OF LAW, UH LAW CENTER
B.S., University of Illinois; M.S., Bucknell University; J.D., The American University

Professor Moohr is one of the nation’s leading scholars in federal criminal law, particularly fraud and white collar crime. She recently completed a trilogy of articles concerning the misappropriation of business information, federal law governing theft of trade secrets, and criminal copyright infringement, and published a path-breaking new casebook, The Criminal Law of Intellectual Property and Information. She teaches Property Crime in the Information Age.

MICHAEL A. OLIVAS, WILLIAM B. BATES DISTINGUISHED CHAIR IN LAW AND DIRECTOR, INSTITUTE OF HIGHER EDUCATION LAW & GOVERNANCE, UH LAW CENTER
B.A., Pontifical College Josephinum; M.A., Ph.D., Ohio State University; J.D., Georgetown University

Professor Olivas is the nation’s leading expert on higher education law, and served two terms as general counsel of the American Association of University Professors. A prolific scholar, his writings are cited in the popular press and debated in academic institutions across the United States. He teaches Education Law and Legislation.

LAWRENCE F. PINSKY, PHYSICS DEPARTMENT CHAIR, COLLEGE OF NATURAL SCIENCES, UNIVERSITY OF HOUSTON
B.S., Carnegie Mellon University; M.A. and Ph.D., University of Rochester; J.D. and LL.M., University of Houston

Dr. Pinsky’s research and teaching specialties include: experimental particle physics, heavy ion physics, nucleon structure functions, space radiation simulation, medium energy physics, and charged particle detector development. He is actively involved in projects at CERN, BNL, NASA, and Fermilab. At the UH Law Center, he teaches Patent Law and Intellectual Property Survey.
ADJUNCT FACULTY

REBECCA BOLIN, HOWREY LLP
B.A., Rice University; J.D., Yale Law School

Rebecca Bolin specializes in intellectual property litigation. Before joining Howrey, Ms. Bolin clerked for Judge Lee H. Rosenthal in the Southern District of Texas for the 2006-2007 term. At Yale, Ms. Bolin was president of the Law & Technology Society and received a grant from Microsoft for her work with the Information Society Project.

RONALD L. CHICHESTER, RONALD CHICHESTER, P.C.
B.S., M.S., University of Michigan; J.D., University of Houston Law Center

A 15-year patent attorney, Mr. Chichester services his own clients and consults for other law firms on technology related matters.

RUSSELL CHORUSH, HEIM PAYNE + CHORUSH LLP
B.S. (Chemistry), University of Texas at Austin; M.S. and Ph.D. (Chemistry), Cornell University; J.D., University of Houston Law Center

Dr. Chorush specializes in patent infringement and antitrust cases in the high technology arena. Since graduating valedictorian of his law school class and receiving the top score on the Texas bar examination, he has represented various clients in litigation in fields ranging from electronics to pharmaceuticals.

RICARDO COLMENTER, WEATHERFORD INTERNATIONAL, INC.
J.D., UCAB Caracas Venezuela; LL.M. (Intellectual Property & Information Law), University of Houston Law Center; LL.M. (Intellectual Property and Human Rights), Raoul Wallenberg Institute, Lund University

Mr. Colmenter’s practice centers on transactional law, which involves structuring hardware and software acquisition, licensing and negotiating international services and technology consulting agreements and oilfield services contracts. He represented Venezuela in the Andean Community Meetings and the Free Trade Area of the Americas, and took the lead role in negotiating the legal requirements regarding the establishment and enforcement of industrial property for members of the Andean Community (Venezuela, Bolivia, Ecuador, Peru and Colombia).

FRANK DEVLIN
B.A., Providence College; J.D., Fordham University School of Law

Francis J. Devlin, formerly senior counsel with Exxon Mobil Corporation, practices in the areas of antitrust, franchise, advertising and promotions, government investigations, environmental law, corporate law, legislation, alternative fuels, and general commercial law.

JEFF C. DODD, ANDREWS KURTH LLP
B.A., University of Houston; J.D., University of Houston Law Center

Mr. Dodd’s practice centers on transactional information law, which involves developing e-commerce strategies, structuring hardware and software acquisition licensing, negotiating distribution agreements, and registering and enforcing intellectual property rights.

VALERIE K. FRIEDRICH, BAKER & MCKENZIE LLP
B.S., University of Texas at Austin; Ph.D., University of California, Los Angeles; J.D., University of Houston Law Center

Dr. Friedrich practices in all areas of intellectual property law, with a focus on client counseling, including formal opinions on issues of patent infringement and validity, multinational patent portfolio management and technology licensing.

DAVID HRICIK, ASSOCIATE PROFESSOR, MERCER UNIVERSITY SCHOOL OF LAW
A nationally known expert on intellectual property in relation to professional responsibility, Professor Hricik occasionally teaches Professional Responsibility for the Law Center’s summer session.

SHARON A. ISRAEL, MAYER BROWN LLP
S.B. (Electrical Engineering), Massachusetts Institute of Technology; J.D., M.B.A., Emory University

Ms. Israel specializes in intellectual property law, with an emphasis in litigation, opinion work and client counseling, and experience in licensing and patent and trademark prosecution.

PAUL KRIEGER, MORGAN, LEWIS & BOCKUS LLP
B.S., University of Pittsburgh; LL.B., University of Maryland; LL.M., George Washington University

Mr. Krieger is a leading practitioner and author in the fields of trademark law, unfair competition law, and trade secret law. He has served as a adjunct professor at UHLC for more than two decades.

TERRIL G. LEWIS, WONG, CABELLO, LUTSCH, RUTHERFORD
B.S.E.E., University of Notre Dame; M.E.E., Rice University; J.D., University of Houston Law Center; LL.M., George Washington University

Mr. Lewis’s practice is devoted primarily to patent litigation, patent prosecution, and intellectual property counseling.

SHARON N. LORENZO
M.A., Columbia University; M.B.A, University of St. Thomas; M.Phil, City University of New York; B.A., Mount Holyoke; J.D., University of Houston Law Center

Ms. Lorenzo specializes in art law. Her longstanding involvement in the arts community includes over 25 years as a trustee after helping found the Houston chapter of Texas Accountants and Lawyers for the Arts.

JOHN NORRIS, HOWREY LLP
B.Ch.E., University of Arkansas; J.D., George Washington University

Mr. Norris’s practice is in the area of patent, trademark, trade secret, and unfair competition matters, concentrating on patent litigation involving a wide range of technologies, especially those related to chemical and petrochemical technologies. His practice includes counseling clients on intellectual property enforcement matters, defensive and litigation strategy, licensing, and settlement negotiations.

JEREMY WELCH, SCHLUMBERGER TECHNOLOGY CORP.
B.A., Rice University; J.D., University of Houston Law Center

Mr. Welch has represented clients in a variety of technologies, including: recordable optical discs, inkjet printing, pharmaceuticals, oil and gas (gas-to-liquids, downhole tools, drilling equipment, drilling mud filtration, formation mapping), fuel cells, hot melt and pressure sensitive adhesives, medical devices, microporous polymer films, conventional polymer films, lithium ion batteries, database management software, and synthetic lubricants.
**ADVANCED CONTRACT DRAFTING** deals with drafting various agreements (including IPIL-related agreements), ranging from sales through licenses and other forms of contract.  
*3 credits.*

**ADVANCED TOPICS IN COPYRIGHT LAW SEMINAR** provides students the opportunity for in-depth exploration of topics of interest to them, including technological, international, and historical problems in the field of copyright law.  
*3 credits.*

**ART LAW** examines the relevant case law and legal proceedings involving national and international disputes over the title and possession of works of art and cultural heritage.  
*2 credits.*

**COMPUTER LAW** is the study of law as it pertains to computers and information technology. The course examines the impact of commercial law concepts on technology and the law of contracts as applied to computer software and hardware.  
*3 credits.*

**COPYRIGHT LAW** deals with the protection of the works of human intellect (literature, music, art, computer programs, etc.) under the Copyright Act of 1976, as amended, and related provisions of U.S. Code Title 17. The course includes subject matter, ownership, duration, formalities, exclusive rights, infringement actions and defenses, remedies, federal preemption of state law, and international aspects of copyright.  
*3 credits.*

**DIGITAL TRANSACTIONS** covers issues in software and online licensing, including the nature of remedies, warranties, and other obligations that arise from such transactions.  
*2 credits.*

**ENTERTAINMENT LAW** blends concepts and skills derived from intellectual property, contracts, and torts, with emphasis on recent Internet-based developments (e.g., MP3 and Napster) in the relevant entertainment industries.  
*2 credits.*

**ENTREPRENEURSHIP** examines entrepreneurship and specifically considers the challenges and strategies typically encountered in becoming a successful entrepreneur. Whether the topic is opening a law practice or starting a new business or commercializing a new technology, the course will explore issues such as raising capital, competitive strategies and responses, and related topics.  
*3 credits.*

**FRANCHISE & DISTRIBUTION** covers a broad range of legal issues and topics involved in franchising and product distribution, including franchise regulation, disclosure, and registration, types of franchises, antitrust, unfair competition, trademarks, pricing, advertising, premises liability, and contract law. Coverage includes federal and state laws and regulations. In addition, foreign and international franchises will be discussed.  
*3 credits.*

**GAMING AND THE LAW** examines intellectual property, criminal, contract, property and other laws related to video games and online gambling. The course examines conflicts with real-world regulation and the impact (and lack of impact) that law has on the emerging state of play and on economic and social interaction in virtual spaces.  
*2 credits.*

**GENETICS AND THE LAW** examines ethical, legal, and policy issues surrounding new genetic technologies flowing from the Human Genome Project; ethical issues in genetic research; genetic privacy and concerns about genetic discrimination; cloning, stem-cell research, and reproductive uses of genetic information; forensic use of genetic information; behavioral genetics; medical applications such as gene therapy and genetically targeted drug therapies; problems with commercialization and regulation of genetic products and services; issues in genomic medicine; and gene patenting.  
*2 credits.*

**INTELLECTUAL PROPERTY ADVANCED TOPICS SEMINAR** is a treatment of specialized subjects in intellectual property law, including currently unresolved issues in domain name disputes, dilution of trademarks, patent scope determinations, and licensing of copyrights in diverse media.  
*3 credits.*

**INTELLECTUAL PROPERTY LAW SURVEY** covers domestic intellectual property laws—patent, copyright, trademark, and trade secret—through statutes and cases. The course is intended to afford the student who intends to practice in other areas an acquaintance with issues and principles, and to provide the would-be IPIL specialist an introduction to the overall subject.  
*2-3 credits.*
TYPICALLY OFFERED

**INTELLECTUAL PROPERTY STRATEGY AND MANAGEMENT** examines the legal and managerial issues facing an intellectual property or information-based organization from its startup phase through either an initial public offering (IPO) or an acquisition by another firm. 2-3 CREDITS.

**INTERNATIONAL ENFORCEMENT OF INTELLECTUAL PROPERTY** examines, analyzes and studies the remarkable debate regarding how to enforce trademarks, patents, and copyrights beyond national boundaries. Special emphasis is placed on the differences and similarities between the diverse national intellectual property enforcement systems. 2 CREDITS.

**INTERNATIONAL INTELLECTUAL PROPERTY** covers: international public law; private international intellectual property law, that is, the acquisition and enforcement of IP rights internationally; and comparative aspects of IP law among major trading countries or regions of the world. 3 CREDITS.

**INTERNET LAW** is a survey of legal issues arising from the rapid growth of Internet and other online communications. Coverage includes intellectual property, First Amendment, criminal, and privacy issues. A working knowledge of cyberspace is helpful, but not required. 3 CREDITS.

**INTERSESSION COURSES**, taught frequently during the winter break, consider a variety of currently topical subjects such as database protection and privacy, as well as issues posed by pending and recently decided major cases before the federal and state courts. 1-2 CREDITS.

**LICENSING AND TECHNOLOGY TRANSFER** examines the nature of “technology,” the means for establishing legal rights in technology, and the ways of employing and transferring such rights. 3 CREDITS.

**LLM THESIS COURSE** affords Master of Laws candidates the opportunity to produce thesis scholarship, under the supervision of IPIL faculty, in any area of intellectual property law or information law. 3 CREDITS.

**PATENT LAW** examines the substantive law of patenting as a means for protecting industrial ideas. The course focuses on conditions for a patent, loss of a right to a patent, patent specification, infringement, patent litigation, and licensing of patents. 3 CREDITS.

**PATENT PROSECUTION** studies substantive law and procedures governing the patent application process, and emphasizes practical application of the rules to real-life situations. Students produce writing projects related to the preparation and prosecution of a hypothetical patent application in lieu of a final exam. 2 CREDITS.

**PATENT REMEDIES AND DEFENSES** studies issues commonly arising in modern patent litigation. The course examines necessary parties, remedies, and affirmative defenses. 2 CREDITS.

**PROPERTY CRIME IN THE INFORMATION AGE** focuses on how criminal law deals with takings of new forms of property, such as business information, trade secrets, and copyrighted material. The material reviews criminal theft and introduces criminal misappropriation and infringement. 3 CREDITS.

**SPORTS LAW** covers topics such as representation of the professional athlete in contract negotiations and endorsements, related intellectual property matters, the player-club contractual relationship, anti-trust and collective bargaining issues in amateur and professional sports, and sports tort liability. 2 CREDITS.

**TRADE SECRETS** surveys the practical aspects of trade secrets as they relate to prosecution by contract and operation of law, relationships of the parties, public law constraints, adversarial considerations, and licensing. 2 CREDITS.

**TRADEMARK AND UNFAIR COMPETITION** examines the evolution and practice of trademark and related unfair competition law, with emphasis on litigation strategy. 3 CREDITS.

**TRADITIONAL KNOWLEDGE** covers topics in the protection of intangibles as they relate to knowledge generated by indigenous people around the world. The course will also cover the issues involved with knowledge derived from genetically isolated populations. 2 CREDITS.
**IPIL Recent Events**

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**THE KATZ-KILEY LECTURE**
Clarisa Long on “Field Trip” to NASA

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**GALVESTON CONFERENCE**
Ed Fein (NASA), Melissa Schwall (Howrey LLP), Dennis Holmgren (LL.M. Candidate), and Irene Kosturakis (BMC Software) at Moody Gardens

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**IPIL WELCOMES AIPLA TO HOUSTON**
IPIL's Paul M. Janicke Delivers Keynote Address

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**IPIL'S FEDERAL CIRCUIT CLERKS**
Lilian Ren, Hon. Pauline Newman, Hon. Arthur J. Gajarsa, Aaron Feldman

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**JOINING THE FACULTY**
IPIL Welcomes Gavin Clarkson (and Son) to the Law Center
SANTA FE CONFERENCE
Eldorado Hotel and Spa, Conference Site (Exterior View)

USPTO CHINA ROAD SHOW
Long-time IPIL Adjunct Professor Paul E. Krieger

INVENTING A NEW SUBJECT
IPIL’s Geraldine Moor and Her Path-breaking Casebook

THE BAKER-BOTTS LECTURE
Robert P. Merges Receives Gift from IPIL’s Craig Joyce

PATENTS ON TAX STRATEGIES SYMPOSIUM
E. Daniel Leightman (Taxation), Dean Raymond T. Nimmer (Moderator), Charles F. Wieland, III (Patents)
CONFERENCE PRESENTERS

REBECCA EISENBERG
University of Michigan School of Law
Noncompliance, Nonenforcement, Nonproblem?: Rethinking the Anticommons in Biomedical Research
45 Hous. L. Rev. _____ (2008)

PAUL J. HEALD
University of Georgia School of Law
Optimal Remedies for Patent Infringement: A Transactional Model
45 Hous. L. Rev. _____ (2008)

MICHAEL MEURER
Boston University School of Law
Inventors, Entrepreneurs, and Intellectual Property Law
45 Hous. L. Rev. _____ (2008)

JANICE M. MUELLER
University of Pittsburgh School of Law
Enabling Patent Law’s Inherent Anticipation Doctrine
45 Hous. L. Rev. _____ (2008)

ARTI K. RAI
Duke Law School
45 Hous. L. Rev. _____ (2008)

Moderated with Prologue by GREG R. VETTER
Co-Director, Institute for Intellectual Property & Information Law
University of Houston Law Center
45 Hous. L. Rev. _____ (2008)

FELLOWS

JOSEPH SCOTT MILLER
Lewis and Clark School of Law

ELIZABETH I. WINSTON
The Catholic University of America Columbus School of Law

JOHN M. GOLDEN
University of Texas School of Law
<table>
<thead>
<tr>
<th>Conference Title</th>
<th>Volume and Page Numbers</th>
<th>Authors</th>
</tr>
</thead>
</table>

For citations to specific articles, please contact Houston Law Review at [www.houstonlawreview.org](http://www.houstonlawreview.org).
PRIORITY LECTURERS

2007  |  Professor Clarisa Long, Max Mendel Shaye Professor of Intellectual Property Law, Columbia University School of Law, New York
2006  |  Professor John F. Duffy, George Washington University National Law Center, Washington, D.C.
2005  |  Dan L. Burk, University of Minnesota Law School, Minneapolis
2004  |  David J. Franklyn, University of San Francisco School of Law
2003  |  William F. Lee, Wilmer Cutler Pickering Hale & Dorr LLP, Boston
2001  |  Professor Ysolde Gendreau, Université de Montréal, Quebec
2000  |  Jerre B. Swann, Partner, Kilpatrick Stockton LLP, Atlanta
1999  |  Professor Joseph Straus, Max Planck Institute for Foreign and International Patent, Copyright and Competition Law, Munich
1998  |  Professor John R. Thomas, Georgetown University Law Center, Washington, D.C.
1995  |  Professor Donald S. Chisum, Author, Chisum on Patents
1994  |  John Pegram, Fish & Richardson, P.C., New York

The Katz-Kiley Lectures are made possible by a generous gift from The Katz Family Foundation.
ANNUAL BAKER BOTTTS LECTURES

PRIOR LECTURERS

2008  ROBERT P. MERGES,
Wilson Sonsini Goodrich & Rosati Professor of Law and Technology;
Director, Berkeley Center for Law & Technology, University of California, Berkeley School of Law

2007  JOEL R. REIDENBERG
Professor of Law and Founding Director of the Center on Law and Information Policy, Fordham University School of Law

2006  THE HONORABLE ARTHUR J. GAJARSA
United States Court of Appeals for the Federal Circuit

2005  F. SCOTT KIEFF
Professor of Law, Washington University in St. Louis-School of Law

2004  JANE C. GINSBURG
Morton L. Janklow Professor of Literary and Artistic Property Law, Columbia University School of Law
KWIK-CHIK rules the airwaves with a bird call that instantly sets toes a-tapping and juices a-flowing. Just punching any of your radio’s pre-set buttons will, within minutes, give Pavlov all the proof he ever needed:

From city slicks to down-home hicks,
They’ve got chicken on the brain.
If they don’t get their KWIK-CHIK fix,
We fear they’ll go insane!

A KWIK-CHIK bird is where it’s at,
You know it’s fast and cheep.
We’ve trumped the taste and trimmed the fat,
So good it’ll make you weep!

What’s to prevent unprincipled poultry pickpockets from copping the capon crow for their own? Under the law of copyright, KWIK-CHIK’s wonderful warble remains the property of KWIK-CHIK’s keepers.

PATSTATS.ORG
Online Patent Litigation Statistics

PATSTATS.ORG tracks case outcomes for 40 commonly arising issues in modern U.S. patent litigation. Offered as a free public service for courts, scholars, and practitioners of patent law, this resource provides research information on decisions rendered each quarter, from January 1, 2000 to the present.

Decisions include the reported cases of the District Courts, the Court of Federal Claims, and the International Trade Commission. Reported and unreported Federal Circuit decisions also are incorporated.

PATSTATS.ORG issues include: Validity Decisions, Enforceability Decisions, Procedural Defenses, Infringement Issues, Damages Calculations, Special Factors.

To view these materials, visit www.patstats.org.
WEB RESOURCES

LICENSING-CONTRACTS.ORG
Licensing Law Materials

This site focuses on the contract law of licensing. Licensing information is not, in law or in fact, equivalent to selling goods or real estate. The hope is that this site will contribute to the growing recognition that a goods-centric view mischaracterizes today’s world.

Licensing is an area of contract law that has unique terms and themes. Contracts that license the use of or access to information, technology, data, and other intangible assets are central to the information economy. The law pertaining to them is the subject of this site. It is a subject that merits treatment.

Available resources include a compilation of selected cases that are interesting and informative, plus a compilation of selected articles. In addition, readers are invited to contribute suggestions regarding new materials for inclusion, and to contribute to a forum of comments on licensing.

To view these materials and participate in the exchange, please visit www.licensing-contracts.org.

IPINFOBLOG.COM
Contemporary Intellectual Property, Licensing & Information Law

This site offers a continuing dialogue on contemporary IP, licensing and information law issues, hosted by Dean Nimmer.

To participate in this blog, please visit www.ipinfoblog.com.

PATENT

Every KWIK-CHIK chicken is 99.44 percent fat-free – thanks to a special air-drying technology developed by the company’s founder. Competitors who believe they have free range to copy the process will find their way blocked by profuse patent protections. Before trying to kidnap the KWIK-CHIK kernel, these petty pulleteers beste keep abreast of patent laws which, brooded over by KWIK-CHIK’s crack Lean Team Legal Machine, protect the inventions that help hatch the company’s competitive advantage.
**TRADEMARK**

Gold-metal taste and speedy deliveries are the hallmarks of Miss **KWIK-CHIK**, the high-flying heroine of champion chickens at franchises from coast to coast. Adorned in track suit and sneakers, Miss **KWIK-CHIK** is revered by fans of all ages, and every **KWIK-CHIKLET** Snappy Snack contains a “chicken scratch” game card that could win a personal appearance with the fleet-footed fast-food superstar. Can anyone filch Miss **KWIK-CHIK**’s feathers and copy her costume for their own use? Trademark protections are the white meat of intellectual property law, and anyone facing the severity of their sanctions would be wise to chicken out—lest they become birdmen of Alcatraz.

**SPONSORED SYMPOSIA**

**SPONSORED SYMPOSIA** provide the opportunity for the Institute to work with academic institutions and intellectual property and information law practitioners to focus on problems and explore solutions for critical legal issues associated with creative expression and new technologies.

**ANNUAL INTELLECTUAL ASSETS AND TECHNOLOGY LAW INSTITUTE DALLAS, TEXAS**
This conference secures national experts to explore the newest trends in the most rapidly developing legal area—computer and information law.

**ANNUAL INSTITUTE ON INTELLECTUAL PROPERTY LAW GALVESTON, TEXAS**
This institute secures national experts to review the latest developments and trends in intellectual property and information law.
TRADE SECRETS

There’s no mystery behind the zest and zing of a **KWIK-CHIK** chicken. It’s all there in black and white – but the recipe is locked inside the company’s vault and is protected by fire wire, chicken wire, and a whole lot more. Are the bird blueprints safeguarded against all capon capers? Thanks to the trade secret protections found in intellectual property law, the core value of the company and its products, the guts and gizzards of the enterprise, remain secure. Anyone who attempts to pluck the potent papers is guaranteed to run afoul of the law.

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**STUDENT INTERESTS**

**INTELLECTUAL PROPERTY STUDENT ORGANIZATION (IPSO)** is an association of J.D. students organized to help promote awareness of intellectual property issues at the UH Law Center, to provide networking opportunities to intellectual property practitioners in the community, and to assist the Institute in carrying out its various programs.

**STUDY ABROAD OPPORTUNITIES** are available to Institute students. The North American Consortium for Legal Education (NACLE) at UH offers exchanges with many non-US member institutions: in Canada, Dalhousie University (Halifax, Nova Scotia), McGill University (Montreal, Quebec), University of British Columbia (Vancouver, B.C.), and University of Ottawa (Ottawa, Ontario); and in Mexico, Centro de Investigación y Docencia Económicas (Mexico City), Instituto de Investigaciones Jurídicas (Mexico City), Instituto Tecnológico de Estudios Superiores de Monterrey (Garza Garcia, Nuevo Leon), and Universidad Panamericana (Mexico City). UHLC J.D. and LL.M. students also have traveled to Europe to exchange ideas with counterparts from the Max Planck Institute in Munich and to tour the World Intellectual Property Organization and the World Trade Organization in Geneva.

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UH LAW CENTER INTELLECTUAL PROPERTY AND INFORMATION LAW STUDENTS VISIT EUROPEAN IP&IL AGENCIES
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law
Pull up to any KWIK-CHIK drive-through, and a smiling Cackler will cluck greetings to you by name and ask if you want to place your usual order. Thanks to a database that uses license plates to record customer preferences, KWIK-CHIK adds an important measure of customer service to the dozens of herbs and spices that leave the company a leg, thigh, and wing up on the competition. Who owns the database? The U.S. Supreme Court has held that data generally cannot be copyrighted, but new information law doctrines are hatching which will help protect a company’s database investments. The legal tab for anyone plucked trying to descramble KWIK-CHIK’s golden egg promises to be anything but chicken feed.

UH LAW CENTER’S LEGAL INFORMATION RESOURCES

LAW SCHOOLS ARE BUILT AROUND THEIR LIBRARIES.
The O’Quinn Law Library gives UH Law Center students and faculty one of the region’s leading legal research facilities.

The law library houses the largest law collection in the metropolitan area. As a U.S. Government Depository, the library receives and makes available all federal government publications in selected subject areas. Special collections for IPIL, higher education law, and health law, along with the Frankel Rare Books Library, round out the UH Law Center’s hard-copy collections.

The law library also has emerged as a model for receiving, processing, and delivering materials available only in digital form. The integrated library system provides links to print resources and online data. A wireless network provides easy access to the UH Law Center’s network and online subscriptions.

Information technology has become a fast-growing part of both the practice of law and the UH Law Center. The Legal Information Technology department (LIT) supports wireless access to UH Law Center networks and to the Internet in classrooms, study areas, the Commons, the library, and other locations.

Email, discussion groups, word processing, Internet browsers, and other applications all are supported by the UH Law Center’s LIT staff. Our students consistently rank among the heaviest users of online information of all U.S. law schools. A help desk staffed by LIT personnel attends to all computer-related needs.
IPIL MISSIONS

PROVIDE legal education of the highest quality in the fields of intellectual property and information law to help prepare law students and lawyers for the challenges of practicing law in a nationally and internationally integrated economy.

ADVANCE the development of intellectual property and information law by promoting and disseminating research by UH Law Center faculty and by sponsoring excellence in IP and IL scholarship by others.

SERVE the Southwest and the Nation by providing an internationally recognized center for the exchange of ideas on intellectual property and information law.

CONTRIBUTE to international cooperation among scholars and practitioners in these fields from all nations.
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