



SCHOOL OF LAW

CASE WESTERN RESERVE  
UNIVERSITY

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# Case IP Law News

From the Spangenberg Center for Law, Technology & the Arts

## School of Law's Intellectual Property Venture Clinic helps launch a student health care startup

Case Western Reserve University senior Khalid "Cal" Al-Dhubaib qualifies for 2015 Global Student Entrepreneur of the Year

**L**egal issues can be daunting to the entrepreneur of a startup, and especially so if you're planning to operate in a heavily regulated industry like health care.

That's what Case Western Reserve University senior Khalid "Cal" Al-Dhubaib discovered as he prepared to launch Triple Analytics in May 2014. And that's where the law school's Intellectual Property Venture Clinic (IPVC) was able to provide him with invaluable legal resources.

"From contracts to compliance, I would not have had the resources to operate effectively," Al-Dhubaib said. "By working with the IPVC, I was able to significantly reduce these barriers."

IPVC helped him close on his first outside investment this summer.

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A recognized **leader** in the growing intellectual property law industry



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## RECENT ALUMNI PROFILES

### CLASS OF 2012 GRAD JOINS IP DEPARTMENT AT LAW FIRM



Mark Guinto, '12, recently joined McDonald Hopkins, LLC as an associate in the firm's Intellectual Property Department and has gained strong relationships with leaders in business and science.

He handles trademark issues and all aspects of patent law with a depth of knowledge in patent prosecution in technical fields, such as computer and cellular communications, electronics, electromechanics, bioelectronics, microprocessors, consumer products, software systems and consumer products.

Guinto has experience working with a number of Fortune 50 and 500 companies, entrepreneurs and solo inventors. He has cultivated strong relationships with in-house counsel and inventors to develop patenting strategies, as well as preparing patentability issue reports, clearance opinions and analyzing infringement issues. He also has experience in analyzing issues of copyright infringement, drafting cease and desist letters for copyright infringement cases and trademark prosecution.

### LAW SCHOOL PROVIDES FOUNDATION FOR RECENT GRAD'S SUCCESS IN IP LAW



After graduating from Case Western Reserve University School of Law, Jolie Lechner, '12, has been working at Finnegan, Henderson, Farabow, Garrett & Dunner, LLP at the firm's headquarters in Washington, D.C., and she credits her

success to the strong foundation she gained during law school.

Lechner, who holds a doctoral degree in organic chemistry from the University of Pittsburgh, in addition to her law degree, currently assists with district court litigation, patent prosecution and client counseling in the pharmaceutical and chemical fields, as well as consumer products.

"I had a wonderful experience at Case Western Reserve," Lechner says, fondly recalling the intellectual property courses taught by Professor Craig A. Nard and others. The IP skills courses taught by practicing attorneys in areas such as patent litigation, patent prosecution and business strategy were also very beneficial for her, she said.



### LAW SCHOOL CREATES NEW IP VENTURE CLINIC SUITE

This fall, the law school will unveil the newly-constructed Burton D. Morgan IP Venture Clinic suite, which features the state-of-the-art Tarolli, Sundheim, Covell & Tummino conference room and office space for IP law students and clients.



# School of Law's Intellectual Property Venture Clinic helps launch a student health care startup

*Continued from page 1*

Created in 2013, the IPVC provides law school students with real-world experience in both business and intellectual property (IP) law. Under the supervision of faculty members, IPVC students support startups and entrepreneurs in Northeast Ohio with critical legal services and business acumen necessary to launch an early-stage venture.

In addition, a recent generous grant from the Burton D. Morgan Foundation ensures that the IPVC will be able to train more law students interested in representing entrepreneurs while expanding its reach in Northeast Ohio.

As the managing attorney of the IPVC, Ted Theofrastous believes all of this will result in increased investment and new businesses in the region, similar to what has occurred with Al-Dhubaib's Triple Analytics.

"This is truly an element of our local economy we missed for years. For instance, with students, we are seeing driven, high-energy entrepreneurs who are willing to get by on a shoestring while they try to accomplish something important," Theofrastous said. "Not all of these entrepreneurs will build successful businesses, but some will – and we want to help them get off the ground."

A computational neuroscience major, Al-Dhubaib first became interested in healthcare four years ago during a hospital internship.

"I worked on projects related to population health and was able to apply my engineering background to come up with innovative solutions. Fast-forward three years, my research led me to establish Triple Analytics in May of 2014 when I really started focusing on the interplay between technology and health care users," he said.

On a mission to transform chronic care management with intelligent data solutions. Al-Dhubaib further explains: "Our software platform takes into account many demographic and clinical factors, informing



care providers which treatments had the best outcomes for patients like the ones they are treating. Then it helps providers consistently choose the best treatments for these patients."

Recently, Triple Analytics relocated from Al-Dhubaib's spare bedroom to Cleveland's Health Tech Corridor within Offices at the Agora, a perfect central location accessible to healthcare, transit and resources for his company's six-member interdisciplinary team.

"I met my team through a variety of resources, including the Career Center at CWRU, referrals from research labs at CWRU and nonprofit entrepreneurial hubs like Jumpstart. The Career Center was particularly supportive and helped us become the first student-run startup to recruit at their career fairs," he said.

Since 2013, Al-Dhubaib has won numerous research and business awards. This past April, he qualified to compete for the 2015 Global Student Entrepreneur of the Year in Washington, DC.



Photo by Kevin Kopanski

## President Obama recognizes Case Western Reserve student entrepreneur and client of the law school's IP Venture Clinic

During a one-hour panel livestreamed on [whitehouse.gov](http://whitehouse.gov), Felipe Gomez del Campo V and four other young entrepreneurs discussed their startups and the impact U.S. government-led initiatives have had on them. Then, the "sharks" of ABC's *Shark Tank* and other successful startup founders conducted a five-minute question session with each entrepreneur. Gomez del Campo's work began as a high school science fair project; since, he's turned his idea into a company with two patents – filed with the assistance of Case Western Reserve University School of Law's IP Venture Clinic. Gomez del Campo founded FGC Plasma Solutions in 2013 to bring to market a device that shoots a precise amount of plasma into jet engine fuel. That plasma injection blows the fuel apart into its component molecules, allowing the engine to burn it more efficiently.





## Judge Alex Kozinski delivers inaugural Spangenberg Lecture

Evolving technology has stimulated two divergent trends: We conduct so many of our economic and social interactions behind the pane of a computer screen that our lives feel more anonymous than ever before; yet reliance on technology also means that our daily routines are increasingly monitored, chronicled and analyzed by an endless array of prying eyes, not least of which those of the federal government. This was the message delivered by Judge Alex Kozinski in February 2015 for the inaugural Spangenberg Distinguished Lecture. Kozinski was appointed to the U.S. Court of Appeals for the Ninth Circuit in 1985 and served as Chief Judge from 2007 to 2014.

## Case Western Reserve signs agreement with University of Strasbourg for IP Law program

IP Law Professor and Director of the Spangenberg Center Craig A. Nard (right) signed an international cooperation agreement in April 2015 with Christophe Geiger (left), Director General of the Centre D'Étude Internationales de la Propriété Intellectuelle at the University of Strasbourg. Under the new collaboration, the two IP law centers will exchange faculty and researchers, hold common training activities and joint research programs and collaborate on conferences and events.



## Popular sports law MOOC now available on-demand

Representing the Professional Athlete, offered by Professor Peter Carfagna, will be offered in an on-demand format in the future. With more than 11,000 students to date from over 140 countries, Representing the Professional Athlete will continue to be updated with relevant breaking news in sports, further expansion on other sports and international subjects in the course and more featured guest speakers.

Professor Carfagna is the founder of Magis, LLC, a sports marketing, consulting and investment firm based in Cleveland, OH, and the former Chief Legal Office and General Counsel for the International Management Group (IMG). Professor Carfagna has published three textbooks: *Sports and the Law: Examining the Legal Evolution of America's Three "Major League" Sports* (2D Ed. 2011), *Representing the Professional Athlete* (2D Ed. 2014) and *Negotiating and Drafting Sports Venue Agreements* (1D Ed. 2010). His

Representing the Professional Athlete attracts more than 11,000 students from 140 countries

courses are offered at Harvard Law School, Cleveland-Marshall College of Law, CWRU School of Law, University of Miami School of Law and Ave Maria School of Law.

Additionally, Carfagna is on the Board of Directors for the Sports Legacy Institute and the LPGA, and prepared the Expert Witness Report on behalf of Rory McIlroy in his legal suit against his former agency, Horizon Sports Management.

For more info, visit: [coursera.org/course/sportsagents](http://coursera.org/course/sportsagents)

**coursera**

Where and why does innovation thrive?

CASE WESTERN RESERVE UNIVERSITY  
INNOVATION SUMMIT  
OCT. 26-28, 2015  
CLEVELAND, OHIO  
[case.edu/innovationsummit](http://case.edu/innovationsummit)



# What do a

**Federal Appellate Judge,**

a retired **Chairman and CEO** of Warner Bros.,

and the **founder of IPNav** *have in common?* ►



Honorable  
Kathleen M. O'Malley ('82)  
Federal Appellate Judge



Barry Meyer ('67)  
Chairman and CEO of  
Warner Bros. (1999-2013)



Erich Spangenberg ('85)  
Founder of IPNav

► *They are all* part of the network of Case Western Reserve law alumni who help our students find jobs in the field of intellectual property law.

## Spangenberg Center for Law, Technology & the Arts welcomes three fellows

Christophe Geiger, Sripathi Rao Kulkarni and Hedi Nasheri bring a wide range of experiences and skills to the law school to support the IP law program and its research. Kulkarni is a 2014-15 fellow, and Geiger and Nasheri will join us in 2015-16.



**CHRISTOPHE GEIGER** is Associate Professor, Director General and Director of the Research Department of the Centre for International Intellectual Property Studies (CEIPI) at the University of Strasbourg (France).

In addition, he is affiliated senior researcher at the Max Planck Institute for Innovation and Competition in Munich (Germany) and Visiting Professor at the Ss. Cyril and Methodius University in Skopje (Republic of Macedonia). He specializes in national, European, international and comparative intellectual property law, has drafted reports for the European institutions and acts as external expert for the European Parliament and the Office for Harmonization in the Internal Market (OHIM).



**SRIPATHI RAO KULKARNI** is a Scientist & Coordinator (IP & International Relations) in the Division of S&T Management in the CSIR-Central Drug Research Institute in Lucknow, India. He is visiting here on a

Department of Biotechnology – India funded DBT-CREST Award program, a prestigious national level competitive fellowship. Dr. Kulkarni focuses on a research project pertaining to drugs and biologics. In addition, he works closely with the Offices of Innovation Management and Technology Transfer of Case Western Reserve on mutual innovation management and technology transfer interests.



**HEDI NASHERI** is a Professor of Criminology and Justice Studies in the Department of Sociology at Kent State University and a Visiting Professor at the University of Turku Law School in Finland. Nasheri has been

appointed as a Senior Research Fellow at New York University School of Law's Center for Research in Crime and Justice. She was appointed as a Visiting Scholar at Columbia University's National Center on Addiction and Substance Abuse. She has written and lectured extensively in the areas of law and transnational crimes and has given a number of invited keynote lectures nationally and internationally on a wide range of policy and intellectual property related topics.



# CLEVELAND MAKES 2015 LIST OF BEST STARTUP CITIES



Photo by Chris Capell  
www.flickr.com

*Popular Mechanics* names the top 14 U.S. cities for startups in 2015.

Cleveland comes in at No. 10 – ahead of Queens, N.Y. and Austin, Texas.

Citing the biomedical and biotechnical industries, the article explains how Cleveland is a hotbed for producers as well.

“Cleveland’s resurgence has begun, and for once its prospects have nothing to do with LeBron,” the article states.

## One-year patent practice master’s degree program to begin this fall

First-for-Ohio program seen as attractive career option for those with engineering or science academic background

Case Western Reserve University School of Law launched a one-year Master’s in Patent Practice degree program this fall semester.

A first of its kind in Ohio, the program is designed to prepare students with academic backgrounds in science or engineering for careers as patent agents, without requiring a three-year law degree.

A patent agent is a legal specialist who has passed the U.S. Patent and Trademark Office (USPTO) patent bar exam. Unlike patent attorneys, patent agents do not have to pass a state bar exam. They can work for law firms, in a corporate legal department, or practice independently.

“It’s a great alternative. It allows these students to marry their first academic love with a viable, fulfilling career path,” said Craig A. Nard, Galen J. Roush Professor of Law at Case Western Reserve’s law school.

He directs the Spangenberg Center for Law, Technology & the Arts and the FUSION Certificate Program in Design, Innovation & IP Management.

The program will cover a curriculum related to patent and intellectual property law. Courses in the new program include Commercialization & IP Management, Patent Preparation & Drafting and a Claim Drafting Lab, as well as other areas related to patent law.

Nard said only a few other law schools nationally offer a similar program. The Ohio Board of Regents recently approved the degree program.

To apply, candidates must be eligible to sit for the USPTO patent bar, which generally requires a scientific or engineering background. For foreign-trained patent lawyers who work in intellectual property, Case Western Reserve School of Law also offers an LLM program in Intellectual Property Law.

Want to know more? Visit [law.case.edu](http://law.case.edu) for more on this new masters degree and our intellectual property programs.



## UPCOMING EVENTS

### Copyright's First Sale Doctrine in the Digital Economy

Saturday, October 10, 2015

12:00-1:00 p.m.

Barrister's Lecture

Location: Moot Courtroom (A59),  
Case Western Reserve University  
School of Law, Cleveland, OH

Speaker: Aaron Perzanowski,  
Associate Professor of Law, Case  
Western Reserve University

1-hour Continuing  
Legal Education Credit  
pending approval

Register at the door

Free and open to the public

### IP Management and Commercialization of Complex Technology The Spangenberg Center for Law, Technology & the Arts Conference

Friday, April 1, 2015

8:30 a.m. – 5:00 p.m.

Location: Ballroom A, Tinkham  
Veale University Center, Case  
Western Reserve University,  
Cleveland, OH

5-hours of  
Continuing Legal Education  
Credit pending approval

\$100.00 for Case law alumni

\$200.00 for all other attorneys

Register online at  
[law.case.edu/lectures](http://law.case.edu/lectures)

## FACULTY UPDATES

### Peter Carfagna, Distinguished Practitioner-in-Residence



Professor Peter Carfagna's MOOC Representing the Professional Athlete attracted more than 11,000 students to date from over 140 countries. Carfagna is on the Board of Directors for the

Sports Legacy Institute and the PGA, and he prepared the Expert Witness Report on behalf of Rory McIlroy in his legal suit against his former agency, Horizon Sports Management.

### Craig A. Nard, Galen J. Roush Professor of Law Director of the Spangenberg Center for Law, Technology & the Arts



In 2015, Professor Nard was a visiting professor at the University of Strasbourg Centre d'Etudes Internationales de la Propriété Intellectuelle ("CEIPI") and the World

Intellectual Property Organization's Master of Laws program in Torino, Italy. He also was invited to deliver a public lecture at the University of Barcelona's Transatlantic Intellectual Property Summer Academy. Professor Nard has recently published *Intellectual Property Law's Institutional Players*, CEIPI IP Journal (University of Strasbourg); and *Intellectual Property's Delicate Relationship with the Marketplace*, Annali Italiani Del Diritto D'Autore Della Cultura E Dello Spettacolo, XXII.

### Aaron Perzanowski, Associate Professor of Law



Professor Perzanowski recently submitted an amicus brief to the Federal Circuit in *Lexmark v. Impression Products*, a case addressing international patent exhaustion. He also published

"Reconciling Personal & Intellectual Property" in the *Notre Dame Law Review* and "Legislating Digital Exhaustion" in the *Berkeley Technology Law Journal*. His books, *The End of Ownership: Personal Property in the Digital Economy* (MIT Press) and *Creativity Without Law: How Communities and Markets Challenge the Assumptions of Intellectual Property* (NYU Press) will be published next year.

### Dalinyebo Shabalala, Visiting Assistant Professor of Law



Professor Shabalala defended and published his PhD in October 2014, *Climate Change, Technology Transfer and Intellectual Property: Options for Action at the UNFCCC*, at

Maastricht University in the Netherlands. He co-authored a book chapter with Anselm Kamperman Sanders "Intellectual Property Treaties and Development" in Daniel Gervais' edited volume *Intellectual Property Trade and Development 2nd edition* (Oxford University Press, 2014). In May 2015, he was Rapporteur for the Global Climate Policy Conference 2015 in New Delhi. He also presented and chaired a panel on "Intellectual Property and Traditional Knowledge" at the University of Pennsylvania Law School Journal of International Law 2014 Symposium *Private Actors, Global Impact: The Private Production of Regulation in Transnational Trade*.

### Ted Theofrastous, Managing Attorney of the IP Venture Clinic and Distinguished Practitioner-in-Residence



In 2014, Professor Theofrastous worked with the U.S. Patent and Trademark Office and the Cleveland Intellectual Property Law Association to fund and launch the Ohio Patent Pro

Bono Program. In May 2015, he worked with a delegation of nationally-known technologists, educators and thought leaders to explore broadband technology potential in Cuba, resulting in the identification of seven near-term initiatives to advance in the coming months.

### Martha Woodmansee, Professor of English and Law



Professor Woodmansee published "The 'Romantic' Author" in *The History of Copyright Law: A Handbook of Contemporary Research*, ed. Isabella Alexander

and Tomas Gómez-Arostegui (London: Edward Elgar: forthcoming 2015).



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Launching **startups**. Meeting  
the "sharks" of ***Shark Tank***.  
Winning awards. **Changing lives.**

These are the clients of  
**Case Western Reserve's  
IP Venture Clinic.**

Read their stories and more inside  
this issue of ***Case IP Law News!***

