

Case Innovation & Entrepreneurship

The Spangenberg Center for Law, Technology & the Arts



Fusion program partners with university's **think[box]** to provide students a firsthand **innovation experience**



SCHOOL OF LAW
CASE WESTERN RESERVE
UNIVERSITY

Training Students to Represent the World's Creators
Ranked as a top IP Law Program by *Prelaw Magazine* in 2019



About our Innovation Program

Our law school provides students a comprehensive classroom and practical education experience in business, transactional and intellectual property law.

Our Spangenberg Center for Law, Technology & the Arts, supported by a \$3 million gift from the Spangenberg Family Foundation, focuses on intellectual property, innovation and technology transfer. In a field where science, economics, philosophy and the law intersect, the center explores legal issues concerning biotechnology, computerization and the creative arts. The center includes the Intellectual Property Venture Clinic, the Great Lakes Sports and Entertainment Law Academy and

the Masters in Patent Practice Program. We also feature a Community Development Clinic for third-year law students to work with businesses and nonprofits on a range of operational and transactional matters.

In our Business and Corporate Law programs, we prepare future leaders to understand business issues facing business entities, engage in research on the role and impact of government in the regulation of business and to foster public debate regarding the role of government in the regulation of businesses.

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Fusion program partners with university's **think[box]**

to provide students a firsthand **innovation experience**

Since its launch in 2009, the Fusion program has served as a training ground for graduate students in law, science and management to develop the skills needed to meet the underlying challenges of successful technology entrepreneurship and innovation.

Mixing students into interdisciplinary teams, the program is structured to lead them through a collaborative analysis of new technological innovation, with each team simulating the advancement of a raw invention to the point of presenting a juried investment pitch, demonstrating the product's financial potential, intellectual property strength and an early-stage technological development plan.

For the first time in the program, the students' moved beyond simulating a new product and, instead, leveraged the resources of a flagship institution at the university to bring their ideas to life.

The Larry Sears and Sally Zlotnick Sears think[box]

Housed in the seven-floor Richey Mixon Building on CWRU's campus, think[box] is built to be accessible to even the most modest ideas, but is also capable of serving as a start-to-finish launchpad for entrepreneurs looking to develop a product from a prototype to a commercial reality. The on-campus facility is also the largest of its kind in the country that is open to the community and free to use.

Each floor of think[box] represents a different stage of innovation, starting with community and collaboration –



CWRU think[box] houses state-of-the-art fabrication equipment, including dozens of 3D printers for inventors to build prototypes.

where ideas are developed – to the entrepreneurship and incubator levels – where innovators can take advantage of a range of services from the many think[box] partners, such as the School of Law's IP Venture Clinic, CWRU LaunchNET and the Technology Transfer Office. It is a self-service model that allows entrepreneurs and prototype inventors to consult with free legal representation for a range of corporate legal and intellectual property issues. Help is also available for developing business plans and investment pitches, commercialization and fundraising strategies and access to free or low-cost space to house their startup company.

Think[box] houses a cornucopia of state-of-the-art prototyping and fabrication equipment including 3-D printers, electronics development and wood and metal fabrication machines – all with the relevant tools needed by a creator, including the open-source documents and free classes needed to operate them.

"We've structured think[box] so a person can come and take their idea as far as they want. Any inventor can come in at the first level, develop an idea and build a prototype," said Tiffany McNamara,

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(left to right) Tiffany McNamara, Senior Director of Strategic Partnerships; law student Rebecca Lindhorst; and Ted Theofrastous, Managing Director and co-founder of Fusion.

“For all of our student teams, using a facility like this was invaluable. By the end of the class, each team created a real, working prototype of their product.”

– Ted Theofrastous, Managing Director and co-founder of the Fusion program



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Senior Director of Strategic Partnerships and Business Development at think[box]. “From there, if they wish, they can get consultation on market viability, intellectual property, investability and more.”

Serving thousands of students and entrepreneurs each year, think[box] was a natural partner for the Fusion program, which has worked with different technologies each year, including the internet of things (IoT), advanced medical imaging, clinical diagnostics, neuromodulation and water technologies, including a purification project that was developed in partnership with NASA.

“Every year, we’re looking to push students further into the innovation process,” said Ted Theofrastous, Managing Director and co-founder of the Fusion program. “In the past, we’ve worked with students to develop strategies for existing inventions based on a common scientific domain, usually coming out of CWRU laboratories. This year, we

wanted to leverage the tremendous assets the university has in place to push students to actually design and prototype something new, using a common technology platform.”

Hands-on Product Development

Moving from the classrooms at the Weatherhead School of Business to the sixth floor of Think[box], Fusion students learned firsthand what goes into taking an idea from concept and actually building it into a product.

The class sessions at think[box] started with technical training for students to learn the capabilities and programming functions of an Arduino microcontroller, an open-source electronic IoT prototyping platform capable of bringing smart functionality to independent electronic devices. From there, students learned about the available resources in think[box] and software design from Nick Barendt, Executive Director of the School of Engineering’s Institute for Smart, Secure and Connected Systems (ISSACS).

“To think that we were able to effectively introduce law and management students to hands-on electronics design and coding in the context of teaching them the art of commercialization was really remarkable,” said Fusion co-founder, instructor and CWRU chief innovation officer, Joe Jankowski. “It enabled them to move beyond just analyzing potential solutions from a multidisciplinary lens, to being personally connected to the development of their technologies.”

For Rebecca Lindhorst, a 3L law student studying intellectual property with a background in biochemistry and molecular genetics, the process of prototyping a product and taking it through commercialization was eye-opening.

“I’ve been focused on patent law but never had experience in product creation,” said Lindhorst. “Seeing how pieces come together was an incredible learning experience that is going to help me better understand the

perspective of the inventors and how I can interact with them and how to pull out the info from them that could give them some type of protectable IP.”

The students were separated into five interdisciplinary teams and challenged to create an IoT product using a basic, over-the-counter Arduino microprocessor that brings smart functionality to stand-alone components. Each team was provided with a complete Arduino kit, containing dozens of useful elements, as well as a small budget to obtain other necessary elements to create a functional prototype.

“The class was such an amazing experience, working not just with the faculty, but also my team members,” said Lindhorst. “Each of us brought our own expertise to the table. We relied on each other and most importantly, learned from each other.”

Working with students in the MBA, engineering and Masters of Patent Practice programs, Lindhorst’s team invented the “Lavender Retriever,” a dual-chambered scent and pheromone diffuser for dogs that relieves anxiety by releasing a combination of lavender essential oil and dog-appeasing pheromones when the sensor detects barking.

“Once we came up with the idea, our first step was to make sure our product was a novel concept that was patentable,” said Lindhorst. “We followed that with extensive market research and found that pet calming products and diffusers were both good markets with healthy annual growth.”

In the United States alone, there are more than 60 million dog owners. The team’s research showed that 21 percent had tried pet calming products ranging from \$14 to \$21 and that the potential commercial market for the product was conservatively \$176 million dollars.

“We felt like our product had a few advantages over similar competition – other devices only diffuse one product, and they weren’t sensor activated, so they were much more expensive to keep stocked with high-cost pheromones,” said Lindhorst. “Also, our product roadmap featured the integration of smartphone control, data collection and



From laser cutters to a Poly-Jet 3D printer to an eight-head embroidery machine, the Think[box] has what inventors need to bring form to their ideas.

potential AI enhancements down the road would provide us a competitive edge in a growing market.”

The team completed its analysis of Lavender Retriever by assessing the path to market. They determined they would need to raise \$350,000 to get through the first phase of commercialization, starting with filing provisional patent applications, completing prototyping, securing manufacturing contracts, developing a website and designing a marketing campaign.

Finally, utilizing the staff expertise and capabilities of think[box], the team created a working prototype which they demonstrated as part of their end-of-year presentation.

“For all of our student teams, using a facility like this was invaluable,” said Theofrastous. “By the end of the class, each team created a real, working prototype of their product. This process of design and construction makes the opportunity analysis of both the core technology, as well as its new, innovative elements, much more tangible and real. Going forward, these students will have a strong understanding of not just their own areas of training, but can better see their connection to the broader ecosystem of innovation and entrepreneurship. It’s a little overwhelming at first, but these are very smart students and they did not disappoint.”

“The class was such an amazing experience, working not just with the faculty, but also my team members. Each of us brought our own expertise to the table. We relied on each other and most importantly, learned from each other.”

– Rebecca Lindhorst, Third-year law student



Devon Fegen-Herdman (left) and Nicole McGee (right) are the co-founders of Upcycle Parts Shop, a nonprofit organization in the heart of the St. Clair neighborhood in Cleveland, OH.

Community Development Clinic Aids

CREATIVE

Community Hub's Pursuit of Nonprofit Status

Nicole McGee has made a career out of finding beauty in the small items most people discard. With help from the CWRU Community Development Clinic, she is on the cusp of standing up her own non-profit business while playing a key role in revitalizing a Cleveland neighborhood.

In 2014, McGee and her business partner Devon Fegen-Herdman created Upcycle Parts Shop, a hybrid thrift and craft supply store that takes materials that would otherwise go to a landfill and helps the community reimagine them as the foundational pieces of art.

"Upcycle Parts Shop was created with sustainability and the environment in mind," said Fegen-Herdman. "Creative reuse centers like our store are all about waste diversion, creating and cultivating a secondhand market for discarded items. Since we opened our doors, we've repurposed 25 tons of material that would have become trash."

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Bottom row of photos by Elizabeth Sturm Photography and Yelp Cleveland.



(Left to Right) Wenxing Chi, Professor Matthew Rossman, Noah Kaim and Richard Urban.

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For both McGee and Fegen-Herdman, their corner craft supply store serves an additional and equally important purpose.

"The reason we started Upcycle was to engage authentically with our community," said McGee. "Our backgrounds are in community organizing and social work, so this shop is an expression of what is important to us and the St. Clair neighborhood."

For the last five years, Upcycle Parts Shop has operated as a social enterprise under the wing of the St. Clair-Superior Development Corporation (SCSDC), a nonprofit organization dedicated to the revitalization of the neighborhood by creating social and economic opportunities in the area.

While Upcycle Parts Shop looks like a regular store, the central idea was to create a space where neighbors can gather together, tap into their creativity and build a sense of community.

"In the last few years, we've worked to create different community activities with our shop serving as a hub," said Fegen-Herdman. "From *Crafting with Cops*, *Pull Up a Chair St. Clair*, free crafting classes and cookouts, we are always looking to come up with ideas that can help us engage with the community and bring the neighborhood together."

Today, with help from the CWRU Law Community Development Clinic, McGee and Fegen-Herdman are ready to move out from under the wing of the SDSDC and become their own nonprofit organization.

"It was a great experience for me. They were such wonderful clients and passionate about what they want to achieve. Working under Matt's guidance, I learned a lot about client engagement and the importance of developing good communication in an attorney-client relationship."

**– Wenxing Chi,
Third-year law student**



Photos on this page by Elizabeth Sturm Photography and Yelp Cleveland.

"We were so fortunate to be incubated under SCSDC," said McGee. "They allowed us to focus on our core business model and community impact without having to plan for so many of the aspects of a startup. We were both so new to this at the time that it wouldn't have been possible to do this by ourselves, but now that we're established and have a great team, we felt it was time to take the next step forward and go out on our own."

Under the supervision of Professor Matthew Rossman, Wenxing Chi, Noah Kaim and Richard Urban spent their third year of law school helping to spin off Upcycle Parts Shop into its own nonprofit by performing a wide range of legal work that included filing articles of incorporation, applying for federal tax exempt status, reviewing the organization's lease and preparing a separation agreement to transfer Upcycle's operations to a different entity.

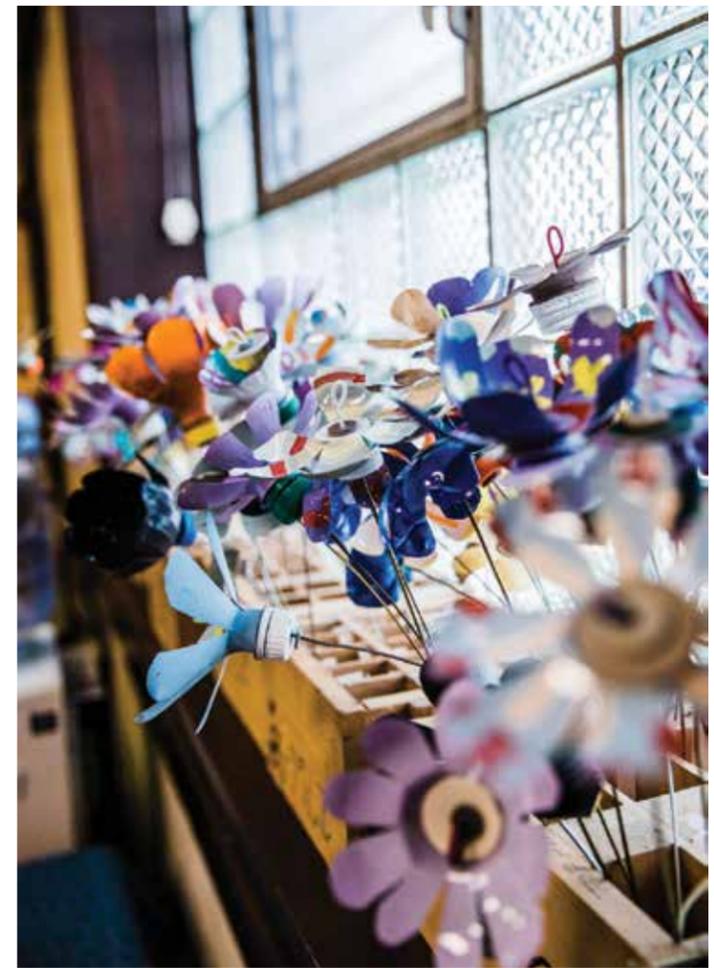
"It was a great experience for me," said Chi. "They were such wonderful clients and passionate about what they want to achieve. Working under Matt's guidance, I learned a lot about client engagement and the importance of developing good communication in an attorney-client relationship."

In addition to the legal work of moving Upcycle into its own 501(c)(3), the clinic team was tasked to run the inaugural board meeting.

"The board hadn't selected the directors yet, so we were put in charge of the first meeting," said Kaim. "Obviously, this isn't something that any of us had experience in, but Matt helped us every step of the way, running three or four practice rounds where he asked us a lot of tough questions. By the time the real meeting happened, we were all comfortable with what we were doing and it went really well."

While the work to spin off Upcycle Parts Shop is still ongoing, the long road to achieving nonprofit status is nearly complete.

"The work the students have done to help us in the last year has been amazing," said McGee. "They've handled so many tasks that would have required our full-time focus or extensive legal costs. The clinic does so much for this area. It is great to have partnerships like this that are dedicated to building a better community."



About the Clinic

Third-year legal interns in the Community Development Clinic work with a range of organizations, businesses and nonprofits including cooperatives, arts organizations, social service organizations, community development organizations and more on a range of operational and transactional matters. Students represent business and nonprofit entities in formation of their businesses and in obtaining tax-exemption for nonprofit corporations. They act as general counsel, help clients plan for future projects and activities and operate in compliance with the law in areas including employment, land use, licensing and tax law. In this capacity, students also assist clients on a wide range of issues including governance, risk assessment and avoidance and simple intellectual property matters. Students also have the opportunity to represent established community development corporation and sustainable business venture clients in operational and strategic matters, such as real estate deals, subsidiary formation, tax structuring and other corporate transactions.

LOCAL INVENTOR PATENTS

ion-propelled aircraft

with help from CWRU's IP Venture Clinic

Many experts agree the future of flight will rely on zero-emission and/or renewable energy technology. That is, aircraft will be propelled by ions—electrically charged molecules—that create thrust in their wake.

But Northeast Ohio inventor Ethan Krauss says the technology is already here. In fact, he's invented an aircraft that flies silently, with no moving parts, and no emissions.

"People think this is something that we will do in the future," he said. "I've done it now."

Krauss recently obtained a U.S. patent for his ion-propelled aircraft with help from volunteer attorneys as part of the Ohio Patent Pro Bono Program and Case Western Reserve University School of Law's IP Venture Clinic (IPVC)—where startup companies, entrepreneurs and "garage inventors" throughout Ohio can get free legal service to obtain a patent for their intellectual property (IP).

"I've been working on this for 18 years," said Krauss, 55, of Oberlin. "When I was a kid, I'd order plans for hang-gliders and hovercraft from *Popular Science* magazine; I would build them. I started to design my own vehicles from there. I built solar-powered vehicles when I was in my 20s."

At the very least, Krauss thinks his aircraft could find a market in the toy sector. At best, the technology could revolutionize the future of flight.

"It looks like a magic trick, an amazing demonstration of physics in action," Krauss said. "It feels like science fiction come true." Here's how it works: Krauss discharges

electrical current between two electrodes—one larger than the other—creating wind in the air between. With enough voltage, the resulting wind produces thrust without the help of motors or fuel.

This phenomenon, technically called electrohydrodynamic thrust—or colloquially "ionic wind"—has been around for decades. Krauss came across a 1964 patent for an "ion-propelled aircraft."

He's not the first to try it. For years, hobbyists and basement enthusiasts have built lightweight crafts that can fly, but the attached power sources were too heavy to stay onboard.

So, literally, the idea couldn't get off the ground. Until now. Krauss's patent specifically covers "ion-powered vehicles carrying their own power supply."

Krauss, who by day teaches guitar classes at the Strongsville Academy of Music, studied electrical engineering in college years ago. It's been a hobby-turned-passion since.

Now, with a working prototype, he's enthusiastically looking to take the idea to the next level, but didn't have the resources or the know-how to legally protect his idea.

Enter the law school's IP Venture Clinic and the Ohio Patent Pro Bono Program.

Krauss has been working with volunteer patent attorneys Rich Wesorick and Brian Bolinger from Tarolli, Sundheim, Covell & Tummino in Cleveland to prepare and file a patent application for his invention. Starting

last year, the IPVC began working with Krauss to form a new business (Electron Air LLC) and start the process of approaching potential investors.

The legal help has been a big boost, he said.

Under the umbrella of the IPVC, inventors can file and secure a patent, while maintaining attorney/client privilege to keep their ideas legally protected. The program recruits inventors and patent lawyers statewide, matching them based on the invention and an attorney's expertise.

"This is how these programs work together," said Ted Theofrastous, Managing Attorney of the IPVC and Chairman of the Ohio Patent Pro Bono Program. "Inventors do not have the resources or know-how necessary to prepare and file a patent application and see the complex process through. Now that Mr. Krauss has a solid invention, we helped him stand up a new venture around his technology that can, hopefully, take advantage of our regional venture ecosystem."

Krauss's hexagonally shaped prototype, thin and lightweight, is tethered to a table (not a power supply) in his workshop. He's got to be careful: the 4-foot frame may be a bit too fragile to be turned loose outside.

The craft harkens back to a time when the Wright brothers used thin wood, canvas and spare parts for their early airplanes.

"You've got to start somewhere," Krauss said. "We've got this device fully operational, now it can really take off."





Former Model Earns Summer *Fashion Law* Internship in Italy



Clare Shin, a former model with undergraduate and master's degrees in literature, is studying to become an intellectual property lawyer with a focus on the fashion and entertainment industries.

After finishing her 1L year at Case Western Reserve University School of Law, Shin spent the summer in Florence, Italy, the perfect setting for her dream internship at *Spheriens*, a law firm with offices in Florence, Rome, Milan and New York that specializes in intellectual property with a particular focus in luxury goods.

"This internship was a great opportunity for me, blending my previous work as a model and my upcoming career in law," said Shin. "Italy is the home to so many of the biggest names in fashion, so it was exciting to be at the epicenter of the industry."

At the start of the internship, Shin learned about the Italian trademark process and how fashion clients look for intellectual property

protection in Italy and in the European Union. From there, the majority of her work focused on opposition filings, where the client was filing a criminal or civil lawsuit against the infringer.

"Learning about the different classes of trademarks as well as the Italian court system, *Spheriens* taught me how to search up existing trademarks, conduct research and find evidence for my cases," said Shin. "It was exciting to work with major fashion brands and aid in the research and enforcement of their intellectual property."

Her internship opportunity came about from networking while writing a fashion law article for the IÉSEG School of Management in Paris, which signed a partnership agreement with CWRU Law last year to engage in staff exchanges, training, publication and research between the two schools.

In "The Future of Fashion Law in America: Copyright as the Key to Creativity," Shin examined the impact and consequences of the 2017 U.S. Supreme Court case, *Star*

Athletica, L.L.C. v. Varsity Brands, Inc. In her conclusion, she wrote, "Trademark and patent alone are not enough to provide brands and designers protection from copies. However, the current copyright system and process are incompatible with today's fashion industry. *Star Athletica* gives copyright a chance to participate in the fashion industry by allowing designs that can be separated from the original, useful article to be copyrighted if it can be considered as an artwork in and of itself."

"Working jointly with the faculty at IÉSEG and Case Western on my article connected me with a great opportunity to engage with and analyze the central legal issues facing this industry," said Shin. "Throughout the process of planning and writing the article, our faculty were very helpful in guiding my thought process. To have this become a springboard to get this internship has been a truly fulfilling experience."

Shin's article is set to be published by the *Giuffrè* later this year in the book, [Trademarks and Fashion: A First Survey in Different Parts of the World.](#)

SPANGENBERG FELLOWSHIP FUNDS STUDENT TRIP TO

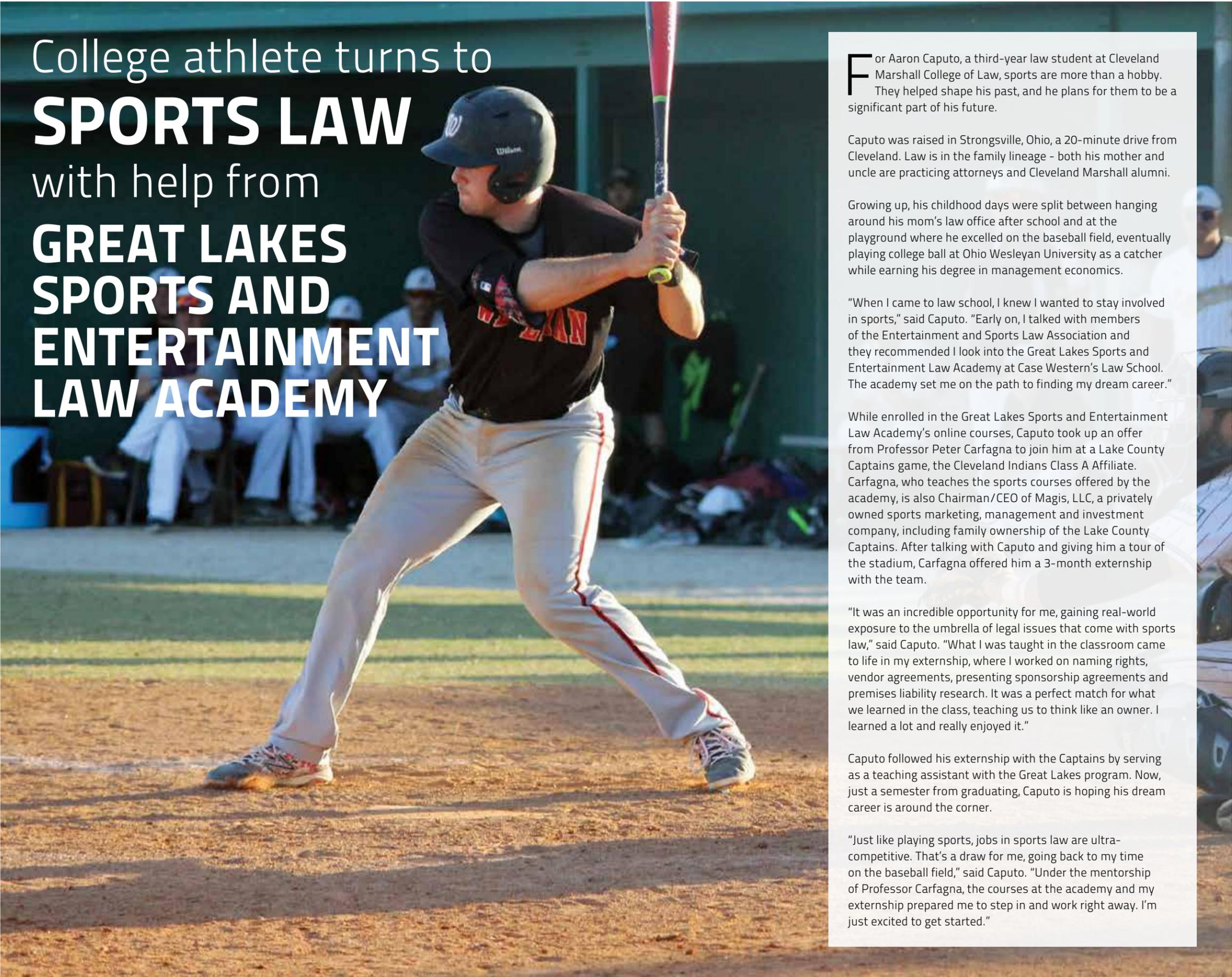
SOUTH BY SOUTHWEST



The Spangenberg Center for Law, Technology & the Arts presented a fellowship for the second year in a row to several members of The Sports & Entertainment Law Society at Case Western Reserve University School of Law. The fellowship allowed recipients to attend South by Southwest ("SXSW") from March 8-17, 2019. SXSW is a conference and festival in Austin, Texas that converges the music, film and interactive industries. The conference includes a series of panels, continuing legal education seminars, and networking events about music, film, sports, fashion, entrepreneurship, health, intellectual property and privacy, just to name a few.

Fellowship recipients attended panels, one-on-one mentor sessions and networking events where they learned about substantive legal issues, met talent and industry professionals from YouTube, Frankfurt Kurnit Klein & Selz, Victoria Secret, Greenberg Traurig LLP, Great Southbay Music Publishing, Arsenal F.C., Warner Music Group, Lions Gate, Fox Rothschild LLP, NBC Universal, Aesthetic Ventures and many more. The fellowship allowed students unlimited networking and learning opportunities in their industries of interest.





College athlete turns to
SPORTS LAW
with help from
**GREAT LAKES
SPORTS AND
ENTERTAINMENT
LAW ACADEMY**

For Aaron Caputo, a third-year law student at Cleveland Marshall College of Law, sports are more than a hobby. They helped shape his past, and he plans for them to be a significant part of his future.

Caputo was raised in Strongsville, Ohio, a 20-minute drive from Cleveland. Law is in the family lineage - both his mother and uncle are practicing attorneys and Cleveland Marshall alumni.

Growing up, his childhood days were split between hanging around his mom's law office after school and at the playground where he excelled on the baseball field, eventually playing college ball at Ohio Wesleyan University as a catcher while earning his degree in management economics.

"When I came to law school, I knew I wanted to stay involved in sports," said Caputo. "Early on, I talked with members of the Entertainment and Sports Law Association and they recommended I look into the Great Lakes Sports and Entertainment Law Academy at Case Western's Law School. The academy set me on the path to finding my dream career."

While enrolled in the Great Lakes Sports and Entertainment Law Academy's online courses, Caputo took up an offer from Professor Peter Carfagna to join him at a Lake County Captains game, the Cleveland Indians Class A Affiliate. Carfagna, who teaches the sports courses offered by the academy, is also Chairman/CEO of Magis, LLC, a privately owned sports marketing, management and investment company, including family ownership of the Lake County Captains. After talking with Caputo and giving him a tour of the stadium, Carfagna offered him a 3-month externship with the team.

"It was an incredible opportunity for me, gaining real-world exposure to the umbrella of legal issues that come with sports law," said Caputo. "What I was taught in the classroom came to life in my externship, where I worked on naming rights, vendor agreements, presenting sponsorship agreements and premises liability research. It was a perfect match for what we learned in the class, teaching us to think like an owner. I learned a lot and really enjoyed it."

Caputo followed his externship with the Captains by serving as a teaching assistant with the Great Lakes program. Now, just a semester from graduating, Caputo is hoping his dream career is around the corner.

"Just like playing sports, jobs in sports law are ultra-competitive. That's a draw for me, going back to my time on the baseball field," said Caputo. "Under the mentorship of Professor Carfagna, the courses at the academy and my externship prepared me to step in and work right away. I'm just excited to get started."



Andrew Geronimo
named director of the
Intellectual Property
Venture Clinic

In August 2018, Andrew Geronimo was named director of the Intellectual Property Venture Clinic.

Geronimo joined CWRU Law in 2017 as the Stanton Foundation First Amendment Fellow and taught in the First Amendment Lab & the First Amendment Clinic, where his advocacy focused on free speech, free press and government transparency issues.

Prior to joining the law school, Geronimo practiced at the Cleveland Metropolitan Bar Association, Baker & Hostetler LLP, Mansour Gavin LPA and Singerman, Mills, Desberg & Kauntz Co., LPA, representing clients in administrative proceedings, trials and appeals at the state and federal levels. He has experience litigating constitutional, civil rights, business, contract, real estate, employment, tort and statutory claims. Geronimo remains a committed volunteer member of the Cleveland Metropolitan Bar Association's Certified Grievance Committee, which investigates and prosecutes allegations of ethical misconduct by Ohio lawyers.

Geronimo is a 2010 graduate of Case Western Reserve University School of Law and was a founding member and Editor-in-Chief of the *Journal of Law, Technology & the Internet*. Geronimo is admitted to practice in all Ohio courts, the United States District Courts for the Northern and Southern Districts of Ohio and the United States Court of Appeals for the Sixth Circuit.

Spring 2019 Featured Lectures



Professor Frank Pasquale delivers the annual Center for Cyberspace Law and Policy Distinguished Lecture.

THE CENTER FOR CYBERSPACE LAW AND POLICY DISTINGUISHED LECTURE

On Monday, April 8, the Center for Cyberspace Law and Policy hosted its annual Distinguished Lecture, titled, "Artificial Intelligence, Due Process, and Human Responsibility."

Featuring Frank Pasquale, Professor of Law, University of Maryland Carey School of Law, the lecture examined human liability and responsibility for decisions made by artificial intelligence in both government and corporations. Inspired both by the Digital Millennium Copyright Act's regime of responsibility for intellectual property infringement, and Judge Henry Friendly's factors for ensuring due process, Pasquale argued that AI should, in most cases, only be an adjunct to—rather than a replacement of—human decision making.

THE SPANGENBERG CENTER FOR LAW, TECHNOLOGY AND THE ARTS CONFERENCE

On Friday, April 12, the Spangenberg Center for Law, Technology and the Arts hosted its annual conference, titled, "Surveying the Patent Eligibility Landscape: Insights into the Current State of 35 U.S.C. 101."

In 2012, the Supreme Court issued its opinion in *Mayo Collaborative Services v. Prometheus Laboratories, Inc.*, a decision many in the patent community hoped would clarify how to analyze patent eligibility. Instead, the Mayo decision set the groundwork for the Court's development of the Alice/Mayo two-step patent eligibility test, which resulted in a dramatic increase in the number of patents being rejected and invalidated under § 101. Despite recent cases and USPTO guidance, uncertainty still surrounds what inventions are patent eligible and if a patent will survive an eligibility challenge.

This year's conference brought together leading practitioners in patent prosecution and litigation to discuss the recent developments in patent eligibility as well as what the developments mean in regards to drafting and prosecuting patents and how to survive eligibility challenges.



Susan Gerber (left), counsel at Jones Day, and Meredith Addy (middle), partner at AddyHart P.C., participate in a panel discussion during the Spangenberg Center's annual conference.

FEATURED Alumni



Jonathan J. Fagan '16

Since graduating from law school, I have served as an associate at Finnegan's Washington, DC, office. My practice at Finnegan involves all aspects of patent litigation, as well as patent licensing and counseling work. I have served clients in several matters before the International Trade Commission (ITC). My work at the ITC has included taking depositions, participating at trial, drafting motions, inspecting products and coordinating discovery. In addition to my work at the ITC, I have represented clients in patent litigation matters in federal district courts and before the Court of Appeals for the Federal Circuit. Both my coursework and my practical experience during law school prepared me well for a career in intellectual property law. My coursework in writing and my service on CWRU's Law Review prepared me to work purposefully and precisely on court filings. Additionally, my work as a law clerk at Bridgestone gave me unique and valuable insight into the in-house side of the legal practice.



Sarah Siedlak '17

After law school I joined Wilson Sonsini Goodrich & Rosati as a patent litigation associate in their San Diego, CA office. My work has primarily consisted of representing pharmaceutical companies in Hatch-Waxman litigation and medical device companies. Recently, my team successfully defended against a motion for a temporary restraining order/preliminary injunction, which allowed our client to launch a generic version of the pharmaceutical drug at issue. Working in the innovative CWRU Intellectual Property Venture Clinic during law school prepared me well by providing opportunities to interact directly with clients and negotiate IP deals, while learning the fundamentals of patent law. Most important to me, however, was the IP and litigation faculty at CWRU, who went above and beyond to ensure that I was equipped with the knowledge and skills necessary for success.



Lidia Mowad '18

After graduating from law school, I joined the Office of the Ohio Attorney General where I currently serve in the Executive Agencies section. I joined the office in an effort to jump-start my litigation career and quickly take on intense responsibility. I was happily rewarded with a case load of complex civil litigation in state and federal court dealing with a variety of legal issues. In addition to my personal case load, I was afforded an opportunity to jointly work with the office's IP Counsel to manage and enforce all intellectual property maintained by the State of Ohio through its universities, departments, agencies, boards and commissions. I also serve on the Ohio State Bar Association's Intellectual Property Section Council. My law school experience in the Law, Technology & the Arts concentration taught me to think broadly and creatively in approaching all legal issues, especially First Amendment challenges. So too did my internship with NBCUniversal equip me with creative tools and inspire me to continue pounding the pavement in intellectual property until I achieve a diverse career in intellectual property law.



Ryan Bocskay '05

After graduating from law school and working at a small law firm in Michigan, I read the book "The Mailroom" and decided to move to Los Angeles to work in the entertainment industry. I started in the mailroom at the William Morris Agency (which is now WME Entertainment), and spent two years learning the complexities of the television business. I then joined NBC Entertainment as a Business Affairs consultant and later rising up the ranks to Vice President. I handled business affairs for a variety of television series from *The Office* to *Master of None* to the entire NBC Late Night line-up (*Saturday Night Live*, *Tonight Show*, and *Late Night with Seth Meyers*). I am currently the Business Affairs Lead for Daily Essentials at Quibi, a content/technology start-up based in Hollywood. Additionally, I am an adjunct professor of Entertainment Law at the Great Lakes Sports & Entertainment Law Academy. My law school experience studying Intellectual Property as well as Sports & Entertainment law were instrumental in launching my career in entertainment.

Spangenberg Center Faculty

CRAIG NARD

Galen J. Roush Professor of Law; Director, Spangenberg Center for Law, Technology & the Arts and the FUSION Certificate Program in Design, Innovation & IP Management



Craig A. Nard is the Galen J. Roush Professor of Law and the director of the Spangenberg Center for Law, Technology & the Arts. He is also a senior lecturer at the World Intellectual Property Organization Academy at the University of Torino, Italy, and principal advisor to the Center for Studies and Research in Intellectual Property in Calcutta, India. He is also the author of the patent law casebooks, *The Law of Patents* and *The Law of Intellectual Property*.

THEODORE THEOFRASTOUS

Distinguished Practitioner in Residence



Ted Theofrastous has extensive experience in complex technology commercialization, both as a business architect/manager and as a legal professional. Through his legal practice and ThetaSquared, a strategic technology commercialization firm, Theofrastous counsels institutions, large corporations and startups on a range of issues related to IP management, venture formation and investment transactions. He has served as a member of the CWRU faculty for 19 years.

DALE NANCE

John Homer Kapp Professor of Law



An internationally recognized evidence scholar, Nance also teaches and writes about jurisprudence and legal theory, conflict of laws and the law of archeological artifacts. He is the author of numerous articles in leading law reviews, an important monograph entitled *The Burdens of Proof: Discriminatory Power, Weight of Evidence, and Tenacity of Belief* (2016), a textbook entitled, *Law and Justice: Cases and Readings on the American Legal System* (2nd ed. 1999) and co-author of the hornbook series text, *Evidence Law, A Student's Guide to the Law of Evidence as Applied to American Trials* (2017).

MARTHA WOODMANSEE

Professor of English and Law



Martha Woodmansee, whose teaching and research focus is at the intersection of culture, economics and intellectual property law, holds a PhD from Stanford University and is a recipient of fellowships from the Guggenheim and Fulbright foundations. She is a founding director of the International Society for the History and Theory of Intellectual Property (ISHTIP). Her books include *Making and Unmaking Intellectual Property: Creative Production in Legal and Cultural Perspective* (U Chicago Press 2011).

AARON PERZANOWSKI

Professor of Law



Aaron Perzanowski teaches copyright, trademark, and property law. His research on the intersection of intellectual and personal property explores the notion of ownership in a digital economy, and his work on IP and social norms considers the ways in which informal governance influences creative production. He is the co-author of *The End of Ownership* (MIT Press 2016) and *Creativity Without Law* (NYU Press 2017). In honor of his scholarly accomplishments, on May 9, 2019, Professor Perzanowski was designated the Oliver C. Schroeder Jr. Distinguished Research Scholar.

RAYMOND KU

Professor of Law; Director, Center for Cyberspace Law & Policy



Raymond Ku is professor of law and director of the Center for Cyberspace Law and Policy at Case Western Reserve University School of Law. He has also served as associate dean for academic affairs and co-director of the Spangenberg Center for Law, Technology & the Arts. An internationally recognized scholar, Professor Ku writes on legal issues impacting individual liberty, creativity, and technology, and is the author of *Cyberspace Law: Cases & Materials* (4th ed.), the original casebook dedicated to the study of cyberspace law. In honor of his scholarly accomplishments, on May 9, 2019, Professor Ku was designated the Laura B. Chisolm Distinguished Research Scholar.

PETER CARFAGNA

Distinguished Practitioner in Residence



Peter A. Carfagna is the distinguished visiting practitioner and co-director of the Great Lakes Sports & Entertainment Law Summer Academy. He is Chairman/CEO of Magis, LLC, a privately owned sports marketing, management and investment company, including family ownership of the Lake County Captains, Cleveland Indians Class A Affiliate. Peter also directs the sports law programs while teaching as a visiting lecturer at Harvard Law School and at the University of Miami School of Law.

ANDREW GERONIMO

Director, IP Venture Clinic



Andrew Geronimo is a supervising attorney at the Milton A. Kramer Law Clinic Center at Case Western Reserve University School of Law, where he manages the IP Venture Clinic. Geronimo joined CWRU Law in 2017 as the Stanton Foundation First Amendment Fellow and taught in the First Amendment Lab & the First Amendment Clinic, where his advocacy focused on free speech, free press, and government transparency issues.

RICKY VOLANTE

Executive Director of the Great Lakes Sports & Entertainment Law Academy



Ricky Volante is an attorney of counsel at Buckley King LPA, where he primarily focuses on legal issues related to sports, film, and music. He co-founded Sixth City Sports & Entertainment, a sports and film consultancy, and serves as Chief Executive Officer for the Historical Basketball League. Ricky focuses on the intersection of sports, film, culture and race. Also, Ricky is the Executive Director of the Great Lakes Sports & Entertainment Law Academy at CWRU Law.

JULIET P. KOSTRITSKY

Everett D. & Eugenia S. McCurdy Professor of Contract Law; Director, Center for Business Law



Professor Kostritsky practiced in the banking/corporate department at Milbank Tweed Hadley and McCloy from 1980-1984 when she joined the Case Western Reserve law faculty in 1984. She holds an endowed chair, the Everett D. and Eugenia S. McCurdy Professor of Contract Law. She teaches Contracts, Sales, Commercial Paper, Advanced Contracts and the Business and Law Colloquium. Professor Kostritsky spearheaded the Business and Law Colloquium and worked closely with alumni to develop the course. In 2019, she was named the director of the Center for Business Law.

MATTHEW ROSSMAN

Professor of Law



Matthew Rossman joined Case Western Reserve's law faculty in 2004. He coordinates and co-teaches the Community Development Clinic, through which third-year law students provide corporate counsel and transactional law services to community-based nonprofit organizations and sustainable business ventures in the Cleveland area. Through the Community Development Clinic, he aspires to teach law students the array of skills necessary to succeed in representing "organizations," no matter the size or setting.

BENJAMIN FALLER

Lecturer in Law



Benjamin D. Faller is a Lecturer in Law at Case Western Reserve University, where he teaches the Community Development Clinic within the Milton A. Kramer Law Clinic Center. He joined the Kramer Law Clinic full-time in 2016 after teaching courses on mediation and community development as an adjunct professor since 2011. He has been involved with the Cleveland-area Vacant and Abandoned Property Action Council ("VAPAC") since 2013, and currently serves both as a member of the VAPAC Executive Committee and a co-chair of the Property Tax Delinquency Working Group. Faller is also a partner with Social Venture Partners Cleveland, a philanthropic venture fund that supports nonprofit organizations in northeast Ohio.

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WHAT MAKES US STAND OUT

\$3 million: Our IP Law Center Endowment

Top 25%: *U.S. News & World Report* ranking of our IP Law program

A+: National Jurist's *PreLaw Magazine* ranking of our IP Law program

A: National Jurist's *PreLaw Magazine* ranking of our Business Law program



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