



CASE IP Law

The Spangenberg Center for Law, Technology & the Arts

IP Venture Clinic Working with Student Startup to Bring New Concussion Screening Technology to Market



SCHOOL OF LAW

CASE WESTERN RESERVE
UNIVERSITY

Ranked as a **top IP Law Program**
by *PreLaw Magazine* in 2017



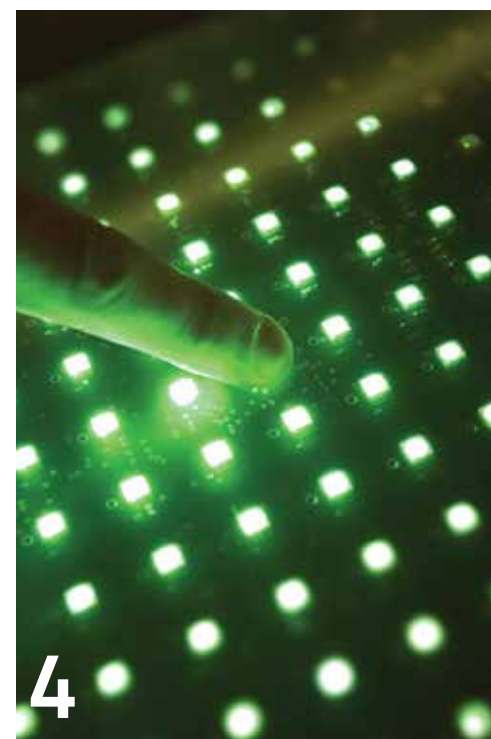
About the Center

The 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 offers a JD degree concentration in Law, Technology & the Arts, as well as a dual degree program with an MA in Art History and Museum studies. The center also offers a Masters in Patent Practice, a one-year program for science, engineering and technology graduates who want to learn patent law without earning a three-year JD degree. The center is nationally recognized, and recently earned an A in both technology and intellectual property law from *PreLaw Magazine* in 2017.

Our Faculty



Martha Woodmansee Peter Carfagna Aaron Perzanowski Craig A. Nard Dale Nance Ted Theofrastous Raymond Ku



4



8



10



12



14

Inside the Issue

4 From Concept to Company: Law School's IP Venture Clinic Helps Launch Nationally Recognized Student Startup

7 Fusion Program Trains Students to Bring Advanced Medical Imaging Technologies to the Marketplace

7 CWRU Alum Appointed Chief Judge of U.S. Court Of Federal Claims

8 IP Venture Clinic Submits First Amicus Brief in Federal Circuit Case

10 2017-2018 Lectures and Conferences

12 Law School's Newest Lab Defends First Amendment Rights in the Midwest

14 Great Lakes Sports & Entertainment Law Academy Now Available Online

16 Patent Pro Bono Program Secures First Patent for Local Inventor

18 The Growing Industry: Professor Craig Nard Leads National Conversation on the Marijuana Industry and the Patents that Are Poised to Make it BIG Business

20 Federal Circuit Judge Delivers Annual Spangenberg Distinguished Lecture

21 Alum Joins First Amendment and the Arts Project as Fellow

22 Masters In Patent Practice Trains Students Without a JD to Become Patent Agents with 1-Year Program

23 Faculty Updates

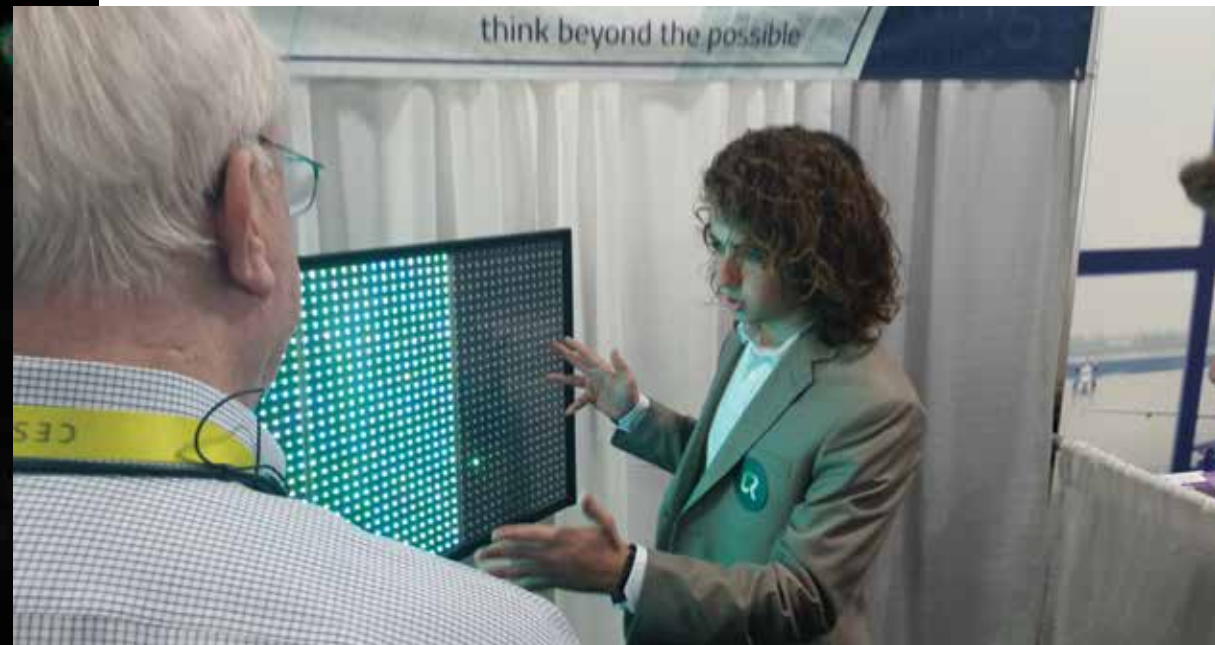


from concept to company

Law School's IP Venture Clinic helps launch nationally recognized student startup

In a field of more than 200 entries from college startups from around the country, a company co-founded by a Case Western Reserve University student stood out. Reflexion Interactive Technologies placed third in the national Student Startup Madness Competition's final round at South by Southwest Interactive in March 2017.

Success during the competition was an important next step in taking Reflexion from concept to commercialization, a long and challenging path that is being paved with the help of a unique third-year law clinic focused on removing economic and legal barriers for Ohio inventors.



CWRU Senior Matt Campagna, CEO and cofounder of Reflexion Interactive Technologies.

Reflexion Interactive Technologies was founded by three college students in August, 2015, with an idea that emerged from the personal experience of co-founder and CMO Matthew Roda.

While playing ice hockey in high school, Roda was injured while sliding head first into the boards. Without any technology available to help understand the complex symptoms of a concussion, Roda was asked three simple questions- where are you, what year is it, and who is the president? Roda passed the test and finished the game, but couldn't remember any of it. He had suffered a concussion so severe, he was unable to attend school of the next two months.

From youth sports teams to professional sports leagues, awareness of the short and long term implications of concussions has come a long way as new research and technology has been dedicated to studying their effects. But the ability to quickly and accurately diagnose concussions has, for many, shown little progress. Players and coaches around the world are often relying on the same overly simplistic test questions that have been asked of athletes from decades ago.

Frankly, we wouldn't have been able to do a lot of what we have without the clinic because it wouldn't have been in the budget.

Roda, a junior at Penn State, along with Cornell University senior Patrick Walsh (CIO) and CWRU junior Matt Campagna (CEO), are pushing a new innovation to the market that combines today's technology with the modern medical understanding of concussion's

immediate effects on an athlete's neurological function, spatial awareness, depth perception and peripheral vision.

The Reflexion Edge is a portable, collapsible, LED touchscreen that resembles an ultra-wide Light Brite. The equipment is designed to give athletes a weekly 30 second test where they quickly touch the individual lights as they turn on in order to establish a baseline of their motor skills. Following any collision where a possible concussion is suspected, teams can quickly compare an athlete's performance against their regular test results and better determine if they should be allowed to return to the field.



“You can’t buy ideas or force creativity. There is an organic factor to it.”

With the concept and technology in place, Reflexion took the next step forward in Fall 2016, when they were taken on as a client of the Intellectual Property Venture Clinic (IPVC), part of Case Western Reserve University School of Law’s Spangenberg Center for Law, Technology & the Arts.

The IPVC launched in 2013 with the help of a \$679,400 grant from the Burton D. Morgan Foundation as part of a large scale effort to foster innovation and spur economic development in northeast Ohio. The grant allows the law school to not only provide one-of-a-kind training for law students in the business world, but also offer free legal and business expertise to student inventors and local startup companies as they enter the market. Reflexion is just one of more than 40 IPVC clients being handled by the clinic’s 11 law students, with several more startups in waiting for consideration.

“On one side, you have a great new idea, but it doesn’t have the resources to take the next step,” said Professor Ted Theofrastous, manager of the IPVC. “On the other, you have investors looking for opportunities in a market where significant barriers are preventing many startups from ever reaching the stage of being a commercial property. We’re working to bridge that gap, give our students strong experience in the broad spectrum of corporate law, and help these startups bring great new economic opportunities to the region.”

“The work we are doing with Reflexion is a perfect example of the service our clinic provides,” said Theofrastous. “We’re creating a strategy to protect the broad spectrum of their potential intellectual property including patents, trademarks, trade secrets and copyright, while also providing pro bono counsel on corporate, tax, contract and all other law that goes into developing a

business from scratch.”

What makes the IPVC unique is the blend of business, intellectual property law, venture capitalization, and corporate counseling experience and training the clinic provides for law students, where the work they are exposed to is uncommon not just for students, but for early-career legal professionals.

“We take them to the deep end of the pool and teach them to swim fast,” said Theofrastous. “We have every student working to form companies, get the kind of face time with clients that usually comes much later in a career and perform the work they learned in class out in the real world. When they graduate, they will have the people skills, confidence and tangible experience to showcase themselves to employers.”

For Reflexion’s Matt Campagna, the work done in the clinic was an indispensable asset to the company.

“The clinic really became part of the team, and I find myself going to them more and more for general advice because they became so knowledgeable about the company. Frankly, we wouldn’t have been able to do a lot of what we have without them because it wouldn’t have been in the budget.”

“We would have needed to raise more money or give up more control of the company. Having the clinic there to help

structure things the way they need to be and do things right the first time has given us a lot of protection for ourselves, our employees, and our intellectual property,” said Campagna. “We would have been stretched to find other ways to do it because it cost so much.”

To date, Reflexion has raised more than \$150,000 from angel investors, grants, and the Ben Franklin Technology Partners. In May 2017, they took first place in The Investment, a Shark Tank inspired competition for Penn State University student inventors for an additional \$15,000. The company also completed phase one of its clinical study in the same month.

The IPVC’s work with Reflexion will continue through series A financing, the company’s first significant round of venture capital financing, when they will have enough resources to afford their own legal services. When that happens, the clinic’s mission will be accomplished.

“You can’t buy ideas or force creativity. There is an organic factor to it, so we’re working to foster an innovative and lucrative marketplace here where the best minds and best ideas can thrive,” said Theofrastous. “I’m very proud of the work our students have done across all of our clients, and we look forward to being a part of launching the next generation of Ohio businesses.”

FUSION Program

trains students to bring advanced medical imaging technologies to the marketplace



For the 2016–2017 academic year, students in the Fusion program worked to commercialize three Case Western Reserve University technologies in the advanced imaging industry. The Fusion program provides an interdisciplinary approach to learning by combining law, business, science and engineering students into teams that work together to

study and implement commercialization strategies.

The inventions analyzed by the student teams include an MRI fingerprinting technology used to diagnose different forms of cancer; nanoscale bubbles that can be injected to make tissue more responsive to CT scans; and a reactive agent that provides faster and clearer high resolution CT scans.

Founded in 2009, the Fusion program

selects a new scientific focus each year and partners with researchers from Case Western Reserve or outside institutions such as NASA. Recent research has included Genomics and Genetic Diagnostics, Neuromodulation and Nerve Stimulation Technologies, Advanced Energy Technologies & Systems, Neuro Device Platform Technology, Innovation, and Advanced Applications in Networked Neuro Devices.

CWRU alum appointed Chief Judge of U.S. Court of Federal Claims



On March 13, 2017, President Trump selected Susan G. Braden as the chief judge of the U.S. Court of Federal Claims. Judge Braden ’73, served on Federal Claims bench since 2003, when she was appointed by President Bush and unanimously confirmed by the U.S. Senate.

Prior to joining the U.S. Court of Federal Claims, Braden received several awards for her trailblazing work in intellectual property

and has been recognized by the American Bar Association, the New York Intellectual Property Lawyers Association and the American Inns of Court.

Braden also served as a judicial adviser on the American Law Institute’s reinstatement of the law on copyright project, as a member of the American Intellectual Property Law Association’s Judges Special Committee, as chair of the Intellectual Property Committee

of the Advisory Council of the U.S. Court of Federal Claims, and as chair of the American Bar Association’s Intellectual Property Law Task Force. She also served for three years as a member of the Standing Committee on Ethics and Professional Responsibility–Judges Advisory Committee to the American Bar Association, and helped the American Law Institute draft its restatement of law for restitution and unjust enrichment.

IP VENTURE CLINIC

Submits first amicus brief in federal circuit case

“Law clinics typically offer service to individuals and entities with limited resources. The IPVC takes that model and applies it to startup companies.”

The Intellectual Property Venture Clinic (IPVC) filed its first amicus brief with the U.S. Court of Appeals for the Federal Circuit on October 5, 2017, a milestone achievement for the third-year clinic. The brief, prepared in partnership with The Ohio Venture Association, was filed in support of Aqua Products Inc.’s attempt to amend patent claims on its automatic swimming pool cleaner jet drive propulsion system, which was denied by the Patent Trial and Appeal Board (PTAB) and subsequently upheld by the court on appeal. A

recent decision by The Federal Circuit to grant a petition for rehearing before the full court presented the clinic an opportunity to expand its growing role in the intellectual property space.

“Law clinics typically offer service to individuals and entities with limited resources,” said Professor Craig Nard, director of the Spangenberg Center for Law, Technology and the Arts. “The IPVC takes that model and applies it to startup companies, which typically have no affordable avenues for legal services. By working directly with inventors and startups, the clinic constructs commercialization strategies, drafts business

formation documents and secures intellectual property rights for its clients.”

Now the clinic is moving a step further and venturing into a wider advocacy role, using the amicus brief as a vehicle to articulate viewpoints and positions relevant to the intellectual property system.

The amicus brief, prepared by Adjunct Professor Tim O’Hearn, a former partner at Jones Day and judge on the PTAB, and April Hu, a 3L law student studying in the clinic, supported Aqua Products Inc.’s position that the

Patent Act of 1952 explicitly protects patent owners and that any challenge to a patent should leave the burden of proof on the challenging party, not the patent holder. The brief concludes that “assigning the burden to patentees to establish patentability of amendments is an error and should be overturned.”

2017-2018

Lectures & Conferences

September 19, 2017

Sports Law: Keeping an Athlete's Career from Going Up in Smoke

*Stephen Zashin, Co-Managing
Partner Zashin & Rich Co., LPA*

12:00 – 1:00 p.m., Moot Courtroom
(A59)

Webcast Live, 1 hour of CLE credit

October 13, 2017

Ghosts in The Machinima: Interactive, Augmented, and Virtual Worlds

*Spangenberg Center for Law,
Technology & the Arts Conference*

City Club of Cleveland

Webcast Live, 1 hour of CLE credit



©SM
TM®

WIPIP

works-in-progress intellectual property colloquium

February 16-17, 2018

**Case Western Reserve University
School of Law** has been selected to host the
2018 **Works-In-Progress Intellectual
Property Colloquium**.

Now in its 15th year, the WIPIP is one of the largest
intellectual property scholarship conferences in the
U.S.

More than **100 scholars** from the United States
and around the world will present their **cutting-
edge projects** in development, take questions
and comments from the audience and receive
early stage feedback on their ongoing research.
The conference will feature multiple concurrent
sessions grouped across the **broad spectrum
of intellectual property law**.

Information about submissions and registration will
be available online at [law.case.edu/lectures-
events](http://law.case.edu/lectures-events).



1st Amendment & the Arts Project

Law School's newest lab defends First Amendment rights in the Midwest

“We’re defending the core principals of the First Amendment - whatever industry or individuals that we believe are being demonstrably harmed.”

As rapidly as the cultural sphere is changing, little is fundamentally new. Whether reflected in scientific innovation or artistic expression, modern culture is only the most recent link in an ever-lengthening chain that stretches through human history. Legal protections for ideas and expression are, however, relatively novel, pitting the rights of writers, inventors and other creators against the rights of those who push to expand, modify or improve the work that came before them. Today, technology has blurred that line, bringing new legal cases and precedent to an area of law at the very core of American values: expression and innovation.

In Fall 2016, the law school established its newest lab, devoted to defending First Amendment interests in the region while exposing law students to clients and cases involving the public's right to information, cultural expression and intellectual property rights.

The First Amendment and the Arts Project was conceived by Professor Craig Nard, Director of the Spangenberg Center, and Patrick Kabat, a First Amendment lawyer whose clients have ranged from The New York Times to Gawker. Under Kabat's leadership, and with the assistance of CWRU alum and litigation fellow Andrew Geronimo, whose fellowship was supported by a generous grant from the Stanton Foundation, the lab is working with area news organizations, media companies, civic and cultural institutions and free speech

advocates on First Amendment issues.

“We’re defending the core principals of the First Amendment- whatever industry or individuals that we believe are being demonstrably harmed,” said Kabat. “Cleveland is home to a robust community of creative people in technological, performing arts and cultural institutions. They work in a space that suffers persistent threats and claims by well-heeled interests seeking to censor or assert ownership over their work and many don’t have the means to defend themselves. We’re looking for issues to make sure that the rights of writers, artists, and other vital contributors to our culture are being enforced as well.”

In partnership with the City Club of Cleveland, the lab has also convened an advisory board to identify current issues in the community ranging from governmental transparency to creative expression in the arts. The board will help steer The First Amendment and the Arts Project to community needs and cases that have significant impact on the area, where the lab's students will take part in important legal work on behalf of the community.

The lab has already planted a flag for the public's First Amendment right of access to court records and proceedings, challenging a gag and sealing order entered in a civil fraud action in Summit County. That case is just the beginning: the lab has identified several other pressing issues where the public's interests are underrepresented and its

participants will take an active role in protecting the public's rights.

“The students will perform research, draft briefs, work with clients and join us in court, doing all of the work that media lawyers would do,” said Kabat. “We are treating this like a flagship law journal, where it will ultimately be run by students. They’ll learn to take accountability in representing clients and moving cases forward, all while building out the public's rights in an underserved area.”

This fall, the lab is hosting its inaugural conference, titled “Ghosts in The Machinima: Interactive, Augmented, and Virtual Worlds.” The conference, to be held on October 13th in partnership with the City Club of Cleveland and local virtual reality firm EventWorks4D, will examine the omnipresent alterations to reality enabled by new technologies and the legal and cultural consequences of living in an increasingly virtual world. Keynoted by Philip Lelyveld, who led Disney's strategic planning in new media and technology before helming the studio-driven entertainment technology consortium at the University of Southern California's School of Cinematic Arts, the conference will bring together key stakeholders in the video gaming industry, virtual reality evangelists, amateur directors and performance artists to discuss the law's impact on the entertainment and technology of tomorrow.

Great Lakes Sports & Entertainment Law Academy

now available online

Launched in the summer of 2011, The Great Lakes Sports and Entertainment Law Academy is an affiliation between Cleveland-Marshall College of Law and Case Western Reserve University School of Law, giving students from the two schools the chance to gain exposure and real world experience in sports and entertainment law.

Now the three-week summer academy will expand its reach nationally, with the courses being offered online to all law students in good academic standing that are attending ABA recognized law schools following the completion of their first year.

"The Academy has been a great success for the last few years, giving Case and Cleveland-Marshall students intense exposure to sports and entertainment law," said Craig Nard, Director of the Spangenberg Center for Law, Technology & the Arts. "These industries have their roots at the local level, so it makes sense to offer the academy in a way that helps students take what they learn online and use that to tap into their own communities."

Academy students choose between two concentrations- Sports Law and Entertainment Law - with each concentration comprised of two courses and four total credits. The courses focus on doctrine, drafting and negotiation in simulation-based exercises.

Additionally, students have the option to compete for high-profile externships in the sports and entertainment industries following completion of the coursework. GLSELA has partnered with several institutions, including the Rock and Roll Hall of Fame, Lake County Captains, SPIRE Institute (an Olympic Training Site), Cleveland State University Athletic Department, Case Western Reserve University Office of General Counsel & Athletic Department, Dietz Trott Sports & Entertainment, Vuguru Studios and the Greater Cleveland Film Commission.



Chris Harrington
*In-House Counsel, Cleveland Cavaliers
Former Student & GLSELA Executive
Assistant*



The image shows the entrance to the IP Venture Clinic. A large glass door has the words "IP Venture Clinic" printed on it in a bold, serif font. Through the glass, several people are seated at a long wooden table in a modern office setting, working on laptops. The office has a clean, professional look with blue walls and large windows.

IP Venture Clinic

Patent Pro Bono Program

secures first patent for local inventor

Already supporting dozens of clients headed into its third year, the Intellectual Property Venture Clinic's (IPVC) Patent Pro Bono Program recently secured its first patent for a local Ohio inventor.

"We hope this patent is the first of many," said Michael Russell, staff attorney and client coordinator for the law school's Milton A. Kramer Law Clinic IPVC Patent Pro Bono Program. "The entire IPVC program not only benefits entrepreneurs who otherwise couldn't afford the legal services, but our law students, who gain valuable, real-life experience in patent law work."

Like many inventors, Doug DeWalt's challenge was a lack of resources. After a family babysitter was diagnosed with multiple sclerosis at age 18, he began work in his basement on an ultraviolet lamp to help people afflicted with the disease. Despite his promising work, a

patent seemed out of reach.

We wanted to find a way to help local inventors who lack financial means connect with and participate in the regional entrepreneurial economy.

DeWalt did not have the funds to hire legal representation, but found a solution while researching his options online. He applied to be taken on as a client of the Patent Pro Bono Program at Case Western Reserve University School of Law, which links inventors to free legal assistance from lawyers willing to volunteer pro bono hours.

"We wanted to find a way to help local inventors who lack financial means connect with and participate in the regional entrepreneurial economy," IPVC Managing Attorney Ted Theofrastous said. "Our main goal was to get a system in place to efficiently review and cultivate what has turned out to be hundreds of candidates. We screen them to find out whether they have something that is truly patentable and meet the program's income requirements. Then we match them up with volunteer IP attorneys who may want to help them."

Depending on an inventor's legal needs, a referral could also be made to law students in the IPVC, where they would have access to a broader range of IP and venture representation.

"Our program goes one step toward resolving a difficult Catch-22," Theofrastous said. "Entrepreneurs without solid intellectual property are likely to struggle

raising funds. Meanwhile, these community inventors do not have the financial resources necessary to prepare and file a patent application. The pro bono program attempts to address that conundrum."

Today, DeWalt has started his own business, Rayminder, to make and market the lamp, hoping his grant of a patent will lead to clinical trials. He also intends to seek U.S. Food and Drug Administration approval of the device.

The Patent Pro Bono Program also continues to grow, experimenting with new ways to connect inventors with volunteers. Recently, the program held its first "Patent Pro Bono Day," where over a dozen volunteer patent attorneys met with pre-screened inventors to review and advance their case. The open session was sponsored by the Cleveland Intellectual Property Law Association, which has actively supported the program since its inception.



the growing industry



Professor Craig Nard leads national conversation on the **marijuana industry** and the **patents** that are poised to make it **BIG business**

neither marijuana, nor human interest in it, is new. The relationship between man and the plant dates back 5,000 years, but today's emerging acceptance of the plant for recreational, religious and medical use has opened a floodgate of complex scientific and legal questions in the United States.

In recent decades, the drug has shifted from a black market commodity into the infancy of a multi-billion-dollar industry, with eight states approving the drug for recreational use and nearly thirty more allowing it for medicinal purposes. As with any business, the potential for profit relies on the legal protection of ideas.

Professor Craig Nard, one of the nation's most cited experts in patent law and Director of the Spangenberg Center for Law, Technology & the Arts, has weighed in on the issue of patents and the future of legal marijuana in the United States in numerous media outlets and publications including *Business Insider*, *Salon*, *International Business Times* and *PBS NewsHour*.

"Where there is money to be made now or in the future, entrepreneurs will take risks," said Nard. "Many cannabis patent applicants are positioning themselves

today for what they expect to see within the foreseeable post-Trump future: marijuana being legal for recreational and medical use from coast to coast according to federal and state laws alike."

While the business motivations of the marijuana industry are relatively straightforward, with demand driving legal and illegal production of the drug, deciphering how marijuana fits with current law is far more complex.

Despite its current classification as a Schedule 1 drug by the federal government, the race for marijuana related patents is well underway. Dozens of patents have been issued, ranging from patches to administer the drug, specialized vaporizers, plant breeding and strains, beverages, and production.

"Ironically, it's not just prospecting businesses that are seeking these patents. The government has patented a method of administering a therapeutically effective amount of a cannabinoids," said Nard. "Our patent system was designed and confirmed by the courts to be amoral and nonjudgmental, putting the mundane and the controversial on a level playing field. However, that doesn't mean that the current laws and patent enforcement aren't in conflict."

"Say the owner of a patent on a particular strain

of cannabis sues a marijuana grower in Colorado – which legalized pot for recreational use – for patent infringement in a federal court. Patent law is exclusively federal, so the grower cannot successfully argue that patent law doesn't matter. Yet the grower can assert that the patent is unenforceable, not because it fails to satisfy the patent laws, but because the patent covers an illegal substance," said Nard.

"The grower could argue that the patent owner can't stop him from doing something that a state's law permits, and that federal law forbids the patent owners from doing. The patent owner may respond that federal law gives him the right to stop others from using or growing their patented invention. Therefore, a patent on a particular strain of pot may be used to stop someone from growing or selling it, even in a state that has legalized weed."

"In theory, patent owners may sue to stop anyone from growing specific kinds of patented pot plants in any state or territory – whether or not pot is legal there. To date, this hasn't happened and we don't know how this would play out in court. Until marijuana is rescheduled, there is a potential conflict that could result in some very interesting litigation."

Federal Circuit Judge

Delivers Annual Spangenberg
Distinguished Lecture

The Spangenberg Center for Law, Technology & the Arts hosted its annual distinguished lecture on October 18, 2016, featuring the Honorable Kathleen O'Malley '82, a federal judge of the United States Court of Appeals for the Federal Circuit.

Her lecture, *The Uneasy Relationship Between Innovation and Intellectual Property Protection*, explored the history of congressional patent regulations, their effect on the patent system and innovation, and what changes are needed to recognize the diverging incentives and protections needed for different industries that will best promote the "Progress of Science" across all fields.

O'Malley concluded with the idea that no one-size-fits-all statutory scheme can achieve the best results, as it could encourage innovation in one area but hinder it in another in this time of rapidly advancing technology.

Alum joins First Amendment and the Arts Project as Fellow

In Spring 2017, Andy Geronimo '10 joined the Spangenberg Center for Law, Technology & the Arts as a fellow with the recently started First Amendment and the Arts Project.

Geronimo, who was raised in Shaker Heights, graduated with an English degree from Fort Lewis College in Colorado before returning to Cleveland for law school.

While studying law, he worked for the Cleveland Metropolitan Bar Association and the Office of the Federal Public Defender. Geronimo also helped form the law school's Journal of Law, Technology & the Internet, expanding it from a blog to a peer reviewed print publication.

Since graduating, he has worked as an attorney for a number of law

firms and companies, including the Cleveland Metropolitan Bar Association, BakerHostetler and Singerman, Mills, Desberg & Kauntz Co., LPA, with experience in attorney ethics, insurance defense and municipal defense litigation, and business and real estate litigation.

Geronimo will be the second member of his family to work at the law school. His wife, Caitlin Bell, is an adjunct professor of law teaching White Collar Crime: Prosecution & Defense.



MASTERS IN PATENT PRACTICE



Law School trains students without a JD to become patent agents with 1-year program

The Masters in Patent Practice program is the first of its kind in Ohio and one of only a handful in the nation.

The program is designed to prepare students with undergraduate degrees in engineering, computer science or a physical or biological science to quickly start their careers as patent agents – a career with a national median income of \$124,000 in 2015 and an average salary of \$95,000 here in Cleveland, Ohio.

The degree is an alternative for students who want to utilize their technical training to enter a field with growing demand. According to the USPTO, there are about 11,000 registered patent agents. Because of the greater scientific expertise and the ability to prepare, file and prosecute patent applications, patent agents are needed at many law firms and corporate legal departments.

For Deepa Mishra, the first graduate of the program, it was a great fit.

“It’s a phenomenal program for students like me, and highly complementary to the existing programs at the law school,” said Mishra, who earned a PhD in biomedical engineering before entering into the Masters in Patent Program in 2015.

She completed the program in just one year, taking classes that would prepare her for an exciting career as a patent agent. Her courses were divided into two parts – the writing of patent applications and an in-depth review of the process patent applications go through once submitted. She learned from several instructors, including Judge Timothy J. O’Hearn, formerly with the Patent and Trademark Appeals Board, who gave insights on crafting stronger patent applications to help with the litigation, appeals board and review processes.

Her experiential learning led to her securing her first job as an intellectual property analyst before she graduated. Working with Professor Ted Theofrastous, his law office and Akron Children’s Hospital, Mishra assisted in the setup of a Technology Transfer Office at the hospital. She worked on and off site, helping innovative nurses, doctors and surgeons as they created the tools of tomorrow to impact the treatment and recovery of children in need of medical care.

Using both her PhD in biomedical engineering and the skills she developed in the MPP program, Mishra worked closely with inventors at Akron Children’s Hospital to bring their ideas from conception to reality by advising them on patent documentation, identifying commercialization partners and analyzing the viability of the inventions.

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

Publications

- Legal Fictions and Patent Law’s Disclosure Function, 69 VANDERBILT LAW REVIEW --- (2016)
- Patent Law’s Institutional Players, in RETHINKING INTERNATIONAL INTELLECTUAL PROPERTY LAW (CEIPI-ICTSD 2016)

Aaron Perzanowski
Professor of Law

Publications

- The End of Ownership: Personal Property in the Digital Economy (MIT Press)
- Ownership and Deception in the Digital Marketplace, Slate, http://www.slate.com/articles/technology/future_tense/2016/10/how_consumers_misunderstand_buy_now_buttons.html?wpsrc=sh_all_dt_tw_bot
- Do you own the software that runs your Tesla?, LA Times, <http://www.latimes.com/opinion/op-ed/la-oe-perzanowski-schultz-tesla-software-ownership-20161104-story.html>
- A jack of all trades, Inside Sources, <http://www.insidesources.com/a-jack-of-all-trades/>
- Why are license “agreements” so uniformly terribly?, BoingBoing, <http://boingboing.net/2016/11/01/why-are-license-agreements.html>
- Letter to FCC, In the Matter of Expanding Consumers’ Video Navigation Choices, Commercial Availability of Navigation Devices https://www.publicknowledge.org/assets/uploads/blog/Law_Professor_Letter_on_Copyright_Issues_in_Set-Top_Box_Proceeding.pdf
- Creativity Without Law: Challenging the Assumptions of Intellectual Property (NYU Press, 2017).
- The Interaction of Exhaustion and the General Law, 102 U. Va. L. Rev. Online 8 (2016).
- What We Buy When We “Buy Now,” 165 U. Pa. L. Rev. 315 (2017).
- You Buy It, You Break It, 74 Wash. & Lee L. Rev. 527 (2017).
- Digital Copyright Exhaustion & Personal Property, in Research Handbook on IP Exhaustion and Parallel Imports (Edward Elgar, 2016).

Presentations

- The End of Ownership
- Harvard University, Berkman Klein Center, November 15, 2016
- Yale Law School, Information Society Project, November 3, 2016
- Electronics Reuse Conference, Houston TX, October 24, 2016
- Chicago-Kent College of Law, October 19,

faculty updates

- 2016
- The Psychology and Sociology of Creativity and IP
- Stanford Law School, September 9–10, 2016
- What We Buy When We “Buy Now”
- University of Pennsylvania Law School, November 28, 2016
- Stanford Law School, Intellectual Property Scholars Conference, August 11, 2016

Martha Woodmansee
Professor of English and Law

Professional

- Founding co-director of the International Society for the History and Theory of Intellectual Property (ISHTIP), contributed in diverse capacities at its 8th annual workshop, July 6–8, 2016 hosted by the CREATE Center of the University of Glasgow School of Law, and at its 9th annual workshop, July 12–14, 2017 hosted by the Centre for Innovation Law and Policy at the University of Toronto School of Law.
- Participated in a panel discussion devoted to the questions “What should histories and theories of intellectual property be doing? What role should interdisciplinarity play?” at the 7th annual workshop, July 22–24, 2015 of the International Society for the History and Theory of Intellectual Property (ISHTIP). The workshop was hosted by the University of Pennsylvania School of Law. Also participating on the panel were Lionel Bently (Law, Cambridge U), Kathy Bowery (Law, U New South Wales), and Adrian Johns (History, U Chicago).

Presentations

- “On October 22, 2015 Martha Woodmansee delivered a key-note address at an international conference devoted to “(Re)-constructing Authorship” held at the arts & sciences research center Akademie Schloss Solitude in Stuttgart, Germany.”
- On January 11, 2016 Martha Woodmansee presented an invited lecture on “The Practices of Collaborative Value: Challenging Single Authorship Modes of Creative Cultural Production” at a joint meeting of literary scholars working at the U Barcelona and the Autonomous U Barcelona.

Publications

- “El Genio y el Copyright,” Los papeles del autor/a: Marcos teóricos sobre la autoría literaria, ed. Aina Pérez Fontdevila and Meri Torras Francés (Madrid: Arco Libros, 2016), pp. 279–306.
- “The ‘Romantic’ Author.” Research Handbook on the History of Copyright Law, ed. Isabella Alexander and H. Tomás Gómez-Arostegui (Cheltenham: Edward Elgar, 2016), pp. 53–7

Dale Nance
John Homer Kapp Professor of Law

Publications

- The Burdens of Proof: Discriminatory Power, Weight of Evidence, and Tenacity of Belief, Cambridge University Press, March 2016

Peter Carfagna
Distinguished Practitioner in Residence

Professional

- Chairman/CEO of Magis, LLC, a privately owned sports marketing, management and investment company.
- Faculty Advisor to the Harvard Law School’s Committee on Sports and Entertainment Law and its *Journal on Sports and Entertainment Law*. He is also Faculty Supervisor of Harvard Law School’s Sports Law Clinical Program,
- Visiting Professor and Director of the Sports Law Honors Track and LLM Program at the University of Miami in the Spring Term.

Publications

- Representing the Professional Athlete (2nd Ed. West 2014);
- Examining The Legal Evolution of America’s 3 ‘Major Leagues’ (3rd Ed. West 2017)
- Negotiating and Drafting Sports Venue Agreements (West 2016).

Theodore Theofrastous
Distinguished Practitioner in Residence

Professional

- Intellectual Property and Commercialization Fellow managing statewide commercialization strategy development and implementation; Ohio Federal Research Network.
- Commercialization Counsel, Akron Children’s Hospital.

Presentation

- “Intellectual Property Management and Opportunity Assessment: From Creation to the Commercialization of Inventions,” Xth Annual Transatlantic Intellectual Property Summer Academy, Alicante, Spain (Sept 5, 2016).
- Moderator and Faculty Lead, 2016 Innovation and Commercialization Strategy Summit, Case Western Reserve University, (Apr 1, 2016).

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

Publications

- Cyberspace Law: Cases and Materials (4th edition Aspen Publishers (co-authored with Jacqueline D. Lipton) is forthcoming.



SCHOOL OF LAW

CASE WESTERN RESERVE
UNIVERSITY

law.case.edu



SCHOOL OF LAW