

**INTELLECTUAL PROPERTY LAW COMMITTEE  
BUSINESS LAW SECTION  
THE FLORIDA BAR**

MEETING MINUTES– 2015 Annual Meeting  
June 25, 2015, Boca Raton Resort and Club, Boca Raton Florida  
**Venetian I or by Telephone, 1-888-376-5050, PIN 1352846759**

Dineen Pashoukos Wasylik, Chair, Tampa	dineen@ip-appeals.com	813-778-5161
Woody Pollack, Legislative Vice Chair, Tampa	woodrow.pollack@gray- robinson.com	813-273-5000
Kimra Major-Morris, CLE Vice Chair, Apopka	attorneykimra@gmail.com	407-230-0540

**Attendees:** Vijay Brijbasi, Courtney Caliendo, Doug Cherry, Michael Chesel, Ava Doppelt, Ury Fischer, Jim Gale, Jon Gibbs (t), Brian Gilchrest, Kenneth Hartmann, Robert Kain, Larry Kunin, Sam Lewis, Kimra Major-Morris, Jim Matulis (t), Dog McDonald (t), Mary Merchant, Steph Nagin, Steve Peretz, Bob Pershes, Woody Pollack (t); Noah Rashland, Joel Rothman, Joshua Saltz, Terry Sanks (t), Jerry Schneider, Jeanne Seewald, Darren Spielman, Mark Stein, Stefan Stein, James Stepan (t), Bob Thornburg, Nicole Valdivieso, Dineen Pashoukos Wasylik, Daniel Whitehouse.

(t)=attended by Telephone.

**I. WELCOME AND INTRODUCTION BY THE CHAIR**

Chair Dineen Wasylik welcomed the group. Attendees each introduced themselves. Dineen announced that Woody Pollack would take over as chair of the committee after today's meeting.

The Leadership of the Section visited the committee and requested that the committee provide content for the new website. They also advised everyone to make plans and make reservations for the Labor Day Retreat because there are only 20 rooms left.

**II. OLD BUSINESS**

**A. Adoption of Meeting Minutes.** IP Symposium, March 3, 2015

Ava Doppelt moved that the committee adopt the minutes that had been previously distributed by email. Ury Fischer seconded the motion. The minutes were approved by voice acclamation.

**III. NEW BUSINESS**

**A. IP Certification Update,** Ury Fischer, Coral Gables

Incoming Chair of the certification committee Ury Fischer reported that 136 attorneys currently have board certification. For the current cycle, 6 people applied for certification and all 6 were permitted to take the exam. The results will be made public

in August. Those who received certification in 2010 are up for recertification and need to reapply by August. Anyone interested in taking the exam should contact Rachel Moulton at the bar for more information. Also, the Certification Committee has now posted sample examination questions.

**B. Legislative Update, Robert Kain & Kimra Major-Morris**

The Committee discussed the various bills that passed this legislative session. A written summary graciously provided by Robert Kain is attached. There was a lively discussion about the Patent Troll Prevention Act, passed as Florida Statute 501.991. The Committee decided that a subcommittee would consider whether to pursue a fix in the next legislative session.

**C. CADRA Passage and Recognition, Dineen Wasyluk, Tampa**

The Committee entertained a brief report on the final passage of the Computer Abuse and Data Recovery Act, Fla. Stat. § 668.801 (CADRA). The Committee, jointly with the Computer Law Committee, recognized Robert Kain for his efforts in chairing the joint task force to craft and shepherd this legislation, and presented him with a plaque as a token of the committee's appreciation. The Committee also voted to request that the Executive Council recognize Robert for his efforts.

**D. Patent Pro Bono Project, Courtney Caliendo, Boca Raton**

Courtney Caliendo gave a brief presentation on the parameters of the Patent Pro Bono Project, which is a joint effort of the USPTO and the Florida Institute. So far the program has had 20 applicants accepted to the program, 24 rejected, and has matched 5 applicants with volunteer attorneys/patent agents. Only 15 firms or attorneys signed up so far to provide services, so looking to find more attorneys willing to be involved.

Florida institute is state-run, grant-funded entity that assists in funding start ups with licensed technologies through universities. If you qualify for the institute, don't qualify for pro bono. The pro bono is only for is only for micro entities.

Ms. Caliendo fielded questions regarding whether the services provided by the project meet the Florida Bar's definition of "pro bono" and discussed the logistics of signing up for and

**D. Proceedings Supplementary Task Force, Barbara Riesberg, Miami**

The chair of the Proceedings Supplementary Task Force, Barbara Riesberg gave a brief presentation on the status of the Task Force's work and its possible effect on intellectual property cases. Senator Simmons is sponsoring Amendments to § 56.29, Fla. Stat. There is a concern that the amendments could unintentionally prevent someone from attaching intangible assets. Under the case law, can't execute on it, but can get an equitable lien. Any asset as not exempt from execution. Because this issue has been

identified, the Task Force is addressing the issue in its drafting and will seek the committee's input..

**IV. 7th ANNUAL INTELLECTUAL PROPERTY SYMPOSIUM**

The Committee announced that the next symposium will be in Orlando. Terry Sanks will chair. Contact him directly if you wish to participate in the planning.

**V. CONTINUING LEGAL EDUCATION**

Mark Stein presented a CLE entitled Trademark Issues Related to Big Data. The Course Number for the presentation is **1503972N**.

**VI. ADJOURNMENT**

Next meeting will be at the Business Law Section Retreat, September 3-7, 2015 (tentatively scheduled for Saturday, September 5, 2015)