



Brandon W. Clark
Intellectual Property Attorney,
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Peace of Mind

For Trademark Rebranding

Whether you are a start-up or a Fortune 500 company, rebranding a business or product can seem like an overwhelming and daunting task. However, it doesn't have to be. While there is always going to be risk involved when undertaking a rebranding or choosing a name, there are some small steps that you can take to mitigate that risk and avoid issues moving forward.

One recent rebranding that has gained national attention (for the wrong reasons) is the Cleveland Indians baseball team's adoption of the Cleveland Guardians, potentially creating a trademark issue with Cleveland's roller derby team of the same name. Another recent example is musical group Lady Antebellum's adoption of Lady A, which has resulted in a lawsuit by blues singer Anita White, who had been performing under the Lady A name for more than 20 years. While these situations are still playing out, much of the uncertainty and issues associated with a rebranding can be eliminated by taking some small steps prior to undertaking the rebrand.

As an initial point, there are marketing concerns for a rebranding and there are legal concerns for a rebranding, but this article will focus solely on the legal concerns. Whenever feasible, we recommend you work with an advertising or marketing firm to develop and implement a new brand. However, marketing firms approach a rebrand from a very different perspective. Often, they want the name to communicate the relevant goods or services. And although this may be helpful from a customer acquisition standpoint, the downside to this approach is that those types of names often do not function very well as trademarks, at least initially, and it may take significant time, effort, and resources to develop those names into a strong brand that is capable of obtaining trademark protection.

This may seem obvious, but perhaps the most critical part of any rebranding is brainstorming potential ideas. We often discover that this important step has been overlooked and whether you're working with a marketing firm, or simply brainstorming with your friends and family, there are a lot of **resources** out there to help you get more creative and become better at brainstorming.

name databases, and other online resources including website and domain name searches. The search provides you with valuable insight into the competitive landscape and in the event the USPTO issues any refusals of registration it can be a great asset and source of defense in the event the trademark owner receives a cease-and-desist letter. While this option is going to provide you with the most comprehensive results, it is also the most expensive. Additionally, there are knock-out or screening searches. As the name implies, these searches are used to conduct quick searches to identify any immediate red flags or obstacles. The benefit here is that these searches are cost-effective and will give you general idea of obstacles, if any. We often recommend this as the starting point with your top 3-5 choices, and then depending on the results, proceeding to a more comprehensive search.

Please keep in mind that no search is foolproof. Even the most comprehensive searches conducted by the leading trademark attorneys are conducted by humans who specialize in doing this type of work on a regular basis, but they are human nonetheless. However, it is the best indicator we have to assess risk and provide you with peace of mind.

Additionally, you may believe that trademark searching is an unnecessary expense, or you may simply not have the budget to undertake a search. Even though comprehensive searches are usually considered one of the least expensive measures a business can take, and are far less expensive than defending a trademark lawsuit, or being forced to rebrand again, there are simple, free, solutions you can conduct on your own. You should always perform a Google or other online search of the name(s) as well as a domain name search. While domain name searches aren't determinative, they are a great indicator of whether or not other people or entities are using the mark in some way.

Keep in mind that trademarks are evaluated on their sight, sound, and meaning, so even if you change the spelling of a term or alter the cadence, if the sight, sound, or meaning is the same, it will likely raise issues from a trademark perspective. Further, the test for trademark infringement is whether or not there is a likelihood of confusion so as you review your results, it's important to analyze those results from the perspective of whether or not potential consumers may be confused by two or more marks.

Rebranding a company or product can seem like a stressful or overwhelming task, but through using the resources available to you and working through the above processes, you should gain valuable insight, peace of mind, and a successful rebranding.

Eighth Circuit Adopts



Michael C. Gilchrist
Registered Patent Attorney

“Initial Interest Confusion” Doctrine of Trademark Infringement

To prevail in a trademark infringement case, a trademark owner must show that a likelihood of confusion results from the use of an allegedly infringing trademark. In general, this means that when consumers see the second trademark they are confused, or at least are likely to be confused, that the second trademark is somehow related to the first trademark.

Sometimes the use of a trademark will initially confuse consumers, but by the time the consumers make a purchase the consumers are no longer confused. There has been some controversy in the courts as to whether this type of temporary, or so-called “initial interest” confusion, should be considered sufficient to support a finding of trademark infringement.

Consider for example, the situation where a customer driving on the Interstate sees large golden arches on a sign near an exit and takes the exit in search of a McDonald’s Big Mac. However, once off the Interstate the customer finds only a local fast-food hamburger restaurant named SMITH’S. The customer will realize that SMITH’S is not McDonald’s but having his or her heart set on a hamburger may be likely to go ahead and get one from SMITH’S rather than return to the Interstate empty-handed. The customer was initially confused, thinking there was McDonald’s based on the familiar golden arches; however, was not confused at the time he or she bought the SMITH’S burger. Many jurisdictions explicitly recognize this temporary confusion as being trademark infringement.

Until recently, the Eighth Circuit (which includes Iowa, Missouri, Arkansas, Minnesota, Nebraska, and North and South Dakota) had not explicitly recognized this theory of trademark infringement. In an earlier case the Court had found that the initial interest confusion doctrine did not apply to situations where the customers are sophisticated professional purchasers who only make purchases after a collaborative process. *See Sensient Techs. Corp. v. SensoryEffects Flavor Co.*, 613 F.3d 754 (8th Cir. 2010).

In May, the Eighth Circuit decided the case of *Select Comfort Corp. v. Baxter*, 996 F.3d 925 (8th Cir. 2021). In *Select Comfort*, the Plaintiff alleged that Defendant sold beds online through a website that included terms similar to the Plaintiff’s SLEEP NUMBER and SELECT COMFORT trademarks. Additionally, the Plaintiff alleged that Defendant had drawn customers to its website by paid search terms that included the SLEEP NUMBER and SELECT COMFORT trademarks. One of Plaintiff’s allegations was that customers were initially confused when they went to the Defendant’s website believing it to be an official site selling Plaintiff’s trademarked products.

At trial, the district court instructed the jury that the time to consider likelihood of confusion was at the time of purchase. In other words, the district court refused to consider initial confusion as sufficient to support a claim of trademark infringement. On appeal the Eighth Circuit ruled that the jury should have been instructed to consider likelihood of confusion at any time, not just at the time of purchase. The Eighth Circuit explicitly stated that it would recognize the initial confusion doctrine. However, the Court did acknowledge that the *Sensient* case still

applies to preclude application of the doctrine “where the relevant average consumers are sophisticated at the level of careful professional purchasers.”

The *Select Comfort* case expands the universe of activities that might be considered trademark infringement. It is especially relevant to situations where the alleged infringer has purchased search terms that include trademarks owned by third parties. The practice of using third party trademarks as search terms is still permitted; however, care needs to be taken to assure that such use does not result in initial confusion when the customers click on the user’s webpage.

Patents



Jonathan L. Kennedy

Partner practicing in Intellectual Property Law and Litigation

In Film and Television

When people think of patents, they don’t typically think – oh wow, sexy! But patents have been pivotal to more than one film and TV series. So let’s look at a couple examples and see what they get right and what they get wrong.

Take for example, the hit TV series *Breaking Bad*. Walter White, the protagonist of the show, is revealed to have been a partner in a biotech company called Gray Matter that is worth billions of dollars. His former partner, Schwartz (see the play *White and Schwartz* (black) combined are gray), is very wealthy due to Gray Matter’s success. Through the series there are questions as to why Walt left Gray Matter and why if Schwartz is so wealthy, Walt is not. Eventually it is revealed that he felt looked down upon and inferior, i.e., Schwartz didn’t recognize Walt’s genius the way Walt felt he deserved, so he cashed out for \$5000 while they only had a few patents pending. Of course, the company is revealed to later have hundreds of patents and be worth billions of dollars. This is one of the animosities that Walt carries with him. **Right/Wrong:** It is true that most biotech companies have a large part of their value based on IP, including patent holdings. It’s also true that growing a portfolio related to your technology can increase your valuation when done strategically.

Another example is found in the series *Mosquito Coast* (on Apple +). Allie Fox is a quirky inventor – really sharp guy, kind of like Walter White. You do not know much about him or his past as the show starts, but he is hoping to hit it big with his next patent and tells his son, “We’ll see in a couple days when the patent office responds to my application.” Margot Fox, Allie’s wife, checks the mail and finds a thin manila envelope from the United States Patent and Trademark Office. With anticipation, Allie opens the envelope to reveal a paper, which appears to deny Mr. Fox’s patent application. Both Mr. and Mrs. Fox are upset, apparently hoping on a positive response from the Patent Office and hit it big with his invention. **Right/Wrong:** As any of our patent clients will tell you, do not simply submit an invention to the USPTO and get an answer within a few days. Further, they don’t mail you a single page that either congratulates you on your patentable invention or that denies your invention’s patentability; instead after waiting 2-3 years, you typically receive an office action with prior art citations. Lastly, the patent office’s

rejection of the claims is not a singular denial of patentability, but starts a negotiating process where patentable subject matter is identified. Unfortunately, Mosquito Coast shortcuts the patent story quite a bit to achieve a particular story arc.

In both of the prior examples, the patent part of the story created a trajectory for the character – albeit bad in both instances. So let’s consider an example where a patent was met with success. In the film, Joy, Jennifer Lawrence plays the hardworking and innovative mother in a true story of the woman, Joy who invented the Miracle Mop. The film follows her story assessing her personally and how the events of her life, including her success, impacted her. Needless to say her Miracle Mop product was very successful capturing the As Seen on TV craze. At the height of sales, the real Joy’s Miracle Mop sold more than \$10 million in revenue per year. Regardless of how Joy’s life is, the film does a good job of demonstrating the how patents can be used in product development. Joy hires a patent attorney to perform a prior art search, which identifies a US patent application owned by a company in Hong Kong. She ultimately enters an agreement with them to manufacture the mop. In real life, Joy obtained many patents for her products, including the Miracle Mop. **Right/Wrong:** This film gets it right in showing that patent searching can be an important tool. In this instance it provided a relationship for a manufacturer skilled enough to manufacture her mop. In other instances, a patent search can protect you from potentially infringing existing patents. Here too, Joy did have a patent and while her success was in large part due to her ingenuity and determination, the patents surely helped contribute to her market share and success.

Lastly, while not scripted in, the show Shark Tank often touches on IP and in particular patent questions. Probably as often as every show the Sharks and/or entrepreneurs raise the question or the affirmation that their product is protected by a patent application. The Sharks have been known to ask pretty specific questions regarding the applications such as whether there are utility patents, design patents, or both, or whether the patent is a provisional, non-provisional or been examined yet. One thing is clear from this, the sharks understand the value of a patent, even if it is an early stage patent such as a provisional.

Protecting Your Brand From Cybersquatters:



Nicholas J. Krob
Intellectual Property Attorney

Recent UDRP Decisions Emphasize Importance of Domain Name Diligence

In growing your business and building your brand, there is little of more importance these days than having a strong online presence. Perhaps most fundamental in this regard is having a company website. Accordingly, securing a strong domain name should be one of the first things on business owners’ minds.

Generally speaking, domain names are available on a first-come, first-served basis. Unlike trademark applications where proof of use of the mark, or an intent to use, is required to obtain a registration, a party is not required to prove trademark use or any sort of ownership to secure a domain registration. This allows for “cybersquatters,” who register and use domain names incorporating others’ trademarks with the bad faith intent of reselling them to the trademark owners for significant profit.

Because the cybersquatter’s bad faith use of the trademark can confuse consumers and significantly harm the trademark owner’s acquired goodwill, trademark owners are frequently quick to purchase the domain names at inflated prices. However, while generally the cheapest option, this is not the only available remedy for trademark owners.

In 2000, the Uniform Domain Name Dispute Resolution Policy (“UDRP”) was adopted and became effective for all “.com,” “.org,” and “.net” registrars. Under the UDRP, a trademark owner can file a complaint with an ICANN-accredited provider such as the World Intellectual Property Organization (“WIPO”) establishing that (1) the offending domain name is identical or confusingly similar to the trademark in question, (2) the offending user does not have any rights or legitimate interests in the domain name, and (3) the domain name has been registered and is being used in bad faith.

While a UDRP proceeding is typically cheaper than litigation, it, like paying a cybersquatter, is nevertheless a significant, and avoidable, expense.

To avoid the hassle and headaches caused by cybersquatters, diligence is key.

As mentioned above, domain names are available on a first-come, first-served basis. Accordingly, it is worthwhile to pursue a domain name registration as early as possible when creating a new brand—even if you have yet to file a trademark registration. In fact, as recent WIPO decisions illustrate, registering a domain name *before* or immediately upon filing a trademark registration is becoming increasingly important.

Like many scammers, cybersquatters tend to be incredibly expeditious. Unfortunately, the trademark registration process can be anything but. Cybersquatters have recently started using this to their benefit, promptly securing domain names upon the (publicly available) filing of other entities’ trademark applications.

One such cybersquatter is an organization that goes by the name “Domain Administrator” or “Domain is for sale at www.dan.com.” On multiple occasions already this year, the Panama-based Domain Administrator has registered domain names using others’ trademarks that had been applied for just days earlier. For instance, the complainant in Case No. D2021-1142 filed a trademark application for BLACK & MILD 808 on December 23, 2020 and Domain Administrator registered the domain name blackandmild808.com on December 27, 2020. Similarly, Domain Administrator registered lowerlongerleqvio.com four days after pharmaceutical company Novartis applied for the trademark LOWER.LONGER.LEQVIO and registered superdrydetroitstandard.com three days after UK company DKH Retail Limited applied for the trademark SUPERDRY DETROIT STANDARD.

With this in mind, it is important that business owners don’t neglect their online presence in the formative stages of their company or when creating a new brand. Proactive domain name registrations will likely prove to be a cost-effective approach as your business expands.

Utility Model Patents:



Julie L. Spieker
Intellectual Property Attorney

An Option Abroad

In the US, there are three types of patents available to an inventor: a utility patent, a design patent, and a plant patent. A utility patent is what most people think of when they hear “patent.” Such a patent may be granted to a person that invents or discovers a novel and nonobvious process, machine, article of manufacture, composition of matter, or a novel and nonobvious improvement thereof. Design patents may be granted to a person who invents a new, original, and ornamental design for an article of manufacture. Plant patents may be granted to anyone who invents

or discovers and asexually reproduces any distinct and new plant variety. Gaining patent protection means that the patent owner has certain rights, including the right to prevent others from exploiting the claimed invention without the owner’s consent, at least in the country where the patent was granted.

What many remain unaware of is that there is another type of patent available in many countries called a Utility Model patent. Utility Model patents are similar to utility patents in that they protect new inventions and grant an exclusive right to the patent owner, but with a shorter term and relaxed requirements for inventiveness.

Utility Model Patents vs Utility Patents, Generally

The term for a utility model patent is usually 6-10 years from the filing date. The fees are cheaper than that of a utility patent and the registration process is simpler and faster. Novelty is required, but often non-obviousness is either not required or the requirement is less stringent. This type of patent is sometimes referred to as a “short-term patent” or a “utility innovation” or an “innovation patent.” An inventor may use a Utility Model for small improvements to, or adaptations of, existing technologies, or for products with a short commercial life. Innovations that are incremental in nature may not meet the patentability requirement of non-obviousness for a standard utility patent, but may still be eligible for the Utility Model patent. Therefore, this type of patent is often considered favorable for local or “minor” inventions by small entities.

Where Utility Model Patents are Available

Countries that offer Utility Model patent protection include:

Albania, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Belarus, Belize, Botswana, Brazil, Bulgaria, Chile, China, Costa Rica, Croatia, Czech Republic, Denmark, Dominica, Dominican Republic, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Indonesia, Ireland, Italy, Japan, Kazakhstan, Kenya, Kyrgyzstan, Lao People’s Democratic Republic, Malaysia, Mexico, Mongolia, Mozambique, Oman, Namibia, Nicaragua, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Swaziland, Tanzania, Thailand, Tonga, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Arab Emirates, Uruguay, Uzbekistan, Viet Nam, ARIPO, OAPI and Andean Community.

Notably, a Utility Model patent is not available in the US, Canada, or the UK.

Utility Model Patent Process and Procedures, Generally

To attain a Utility Model patent, the application should be filed with the regional authority. The application is similar to that of a utility patent with claims, a description, drawings, and an abstract. Many countries conduct a formalities compliance check and then register the utility model patent without substantive examination. Maintenance fees are then required to maintain the registration. Due to no examination, examination fees are nonexistent, cutting down the application cost.

Generally, an inventor cannot get both a Utility Model and a standard utility patent for the same invention, although Germany is a notable exception to this rule. Often, if both types of applications are filed, either the earlier application prevails, or the applicant is allowed to choose to proceed with one over the other. Sometimes, a patent application is allowed to be converted into a utility model, and vice versa, during the pendency of the application.

In other countries, dual filing is allowed. The invention is then protected first with the Utility Model patent while the application is under substantive examination for the utility patent. Thereafter, when the utility patent is granted, the Utility Model patent is abandoned.

The validity of registered Utility Model patents generally can be challenged by third parties, either in court or before an administrative board. In the case where Utility Model patents are registered without examination, substantive examination is required upon the third-party challenge. A substantive examination is also required prior to any infringement action.

The requirements and processes for granting, challenging, and enforcing a utility Model patent vary for each country. The procedure for two countries (China and Japan) wherein Utility Models are routinely employed is described below.

China

Utility Model patents, with a patent term of 10 years, are available in China for physical products, but not processes, methods, software, or chemical compounds. The examination process is more than just a formality review, but not a full substantive examination. Novelty for the invention is required, but the non-obviousness threshold is lower than for a standard utility patent.

China allows for dual filing. An applicant may file Utility Model and standard patent applications on the same day. The Utility Model patent will theoretically grant quickly and allow the applicant to achieve an extended enforcement term. Furthermore, the applicant may request a patent evaluation report with respect to the Utility Model patent wherein the Chinese patent office will conduct a search and determine whether the Utility Model patent meets the patent law. Any patentee is required to obtain such a report for enforcement of the Utility Model patent.

Japan

Like in China, Japan offers Utility Model patents for a term of 10 years, and limits the subject matter eligible for protection. Utility Model patents are available for subject matter related to the shape or structure of physical products but not the materials themselves (chemical compounds, alloys, etc.). Also ineligible are methods and pharmaceuticals.

The examination in Japan is merely a formalities check and then registration. There is no substantive examination. The applicant can request a report called a "Technical Opinion" in which novelty and obviousness of the invention is assessed. The novelty requirements are the same as for a standard patent, but the non-obviousness requirement is less stringent.



Dual filing is not allowed. If both types of applications are filed on the same date, the applicant must choose to proceed with only one. If both types of applications are filed on different dates, the earlier filed application prevails. A Utility Model application can be converted within three years of the filing date to a standard utility patent application, but the Utility Model is then deemed withdrawn. Likewise, a patent application can be converted into a Utility Model application, with certain timing restrictions.

To enforce a Utility Model patent, the Technical Opinion is required. If the Japanese patent office then concludes that the Utility Model registration should be cancelled, the registrant must compensate the alleged infringer for any damages incurred because of the enforcement action. Furthermore, if an accused infringer alleges invalidity of the Utility Model registration, the burden is on the registrant to prove validity of the Utility Model.

Pros and Cons

The Utility Model patent is fast and easy compared to the standard utility patent. The Utility Model is cheaper to register and maintain, and the requirements for issuance are less stringent. Such a patent is useful if the inventor is aware of an infringer and requires quick action. Moreover, an inventor can use a Utility Model to protect technology that does not reach the level of inventiveness required by the standard patent.

However, the patent term is shorter, and, in some countries, this type of patent is only available for certain technology fields or products. Furthermore, the Utility Model has less legal certainty. These patents can be challenged and revoked, and due to the relaxed examination standards, do not have the same level of presumed validity as with a standard patent. Moreover, third parties may be skeptical about the value of the Utility Model with regard to licensing or funding agreements as examination is often conducted when infringement proceedings are to commence.

We've been and will be

July 20-22, 2021

[Heidi S. Nebel](#), Managing Partner and Chair, MVS **Biotechnology and Chemical Practice Group**, [Jill N. Link, Pharm.D.](#), Patent Attorney and Chair, MVS **Licensing Practice Group**, [Jonathan L. Kennedy](#), Partner practicing in **Intellectual Property Law and Litigation** and [Gregory Lars Gunnerson](#), Intellectual Property Attorney in the MVS **Mechanical-Electrical Practice Group** will be attended the 2021 AUTM Central Region Virtual Conference.

July 22, 2021

[Jill N. Link, Pharm.D.](#), Patent Attorney and Chair, MVS **Licensing Practice Group** and [Cassie J. Edgar](#), Patent Attorney and Chair, MVS **Regulatory Law Practice Group** presented at the 2021 AUTM Central Region Virtual Conference on the topic of "Protecting Regulated Products with Coordinated IP Strategies."

July 28-29, 2021

[Cassie J. Edgar](#), Patent Attorney and Chair, MVS **Regulatory Law Practice Group** attended an invitation only conference hosted by the National Science Foundation. The topic of the conference was "Feeding the Planet Sustainably".

August 12, 2021

[Cassie J. Edgar](#), Patent Attorney and Chair, MVS **Regulatory Law Practice Group** attended and spoke at the Transgenic Animal Research Conference. Cassie's topic was "Global Intellectual Property and Regulatory Issues".

August 16-18, 2021

[Heidi S. Nebel](#), Managing Partner and Chair, MVS **Biotechnology and Chemical Practice Group** attended the AUTM Board of Directors Meeting held in Milwaukee, Wisconsin.

August 22-26, 2021

Jonathan L. Kennedy, Partner practicing in **Intellectual Property Law and Litigation** attended and spoke at the American Chemical Society Conference. Jonathan's topic was "Post issuance proceedings: Certificates of Correction, Supplemental Examination, and Reissue Patents".

August 30, 2021

Luke T. Mohrhauser, Patent Attorney and Co-Chair, **Mechanical-Electrical Practice Group** participated in the ABI Executive Open.

September 1, 2021

Heidi S. Nebel, Managing Partner and Chair, MVS **Biotechnology and Chemical Practice Group**, **Cassie J. Edgar**, Patent Attorney and Chair, MVS **Regulatory Law Practice Group**, **Luke T. Mohrhauser**, Patent Attorney and Chair, **Mechanical-Electrical Practice Group**, and **Michael C. Gilchrist**, Patent Attorney participated in the IowaBio Technology Association Annual Golf Outing.

September 20, 2021

Charles P. Romano, Senior Patent Agent participated on a panel for a webinar titled "Agro Patents - Current Issues and Upcoming Challenges" hosted by **Di Blasi, Parente & Associados**. This webinar discussed the main updates and the challenges for patents in Agribusiness.

September 22, 2021

Heidi S. Nebel, Managing Partner and Chair, MVS **Biotechnology and Chemical Practice Group**, **Kirk M. Hartung**, Patent Attorney in the MVS **Mechanical-Electrical Practice Group**, **Cassie J. Edgar**, Patent Attorney and Chair, MVS **Regulatory Law Practice Group**, **Bruce W. McKee**, Named Partner and Intellectual Property Attorney and Named Partner and **Joann C. Tucker**, CFO and Firm Administrator attended the Iowa Association of Legal Administrators Managing Partner Luncheon featuring Chuck Long whose topic was "A Trip Down The Long Road".

September 28-29, 2021

Luke T. Mohrhauser, Patent Attorney and Chair, MVS **Mechanical-Electrical Practice Group**, **Kirk M. Hartung**, Patent Attorney in the MVS **Mechanical-Electrical Practice Group**, **Gregory Lars Gunnerson**, Intellectual Property Attorney in the MVS **Mechanical-Electrical Practice Group** and **Richard Marsolais**, Business Development Director attended the ABI Legends in Manufacturing Dinner and the Advanced Manufacturing Conference in Altoona, Iowa.

September 29, 2021

Cassie J. Edgar, Patent Attorney and Chair, MVS **Regulatory Law Practice Group**, participated in the **TechStars Iowa** Demo Day, Introducing The Trend Team.

September 30 - October 1, 2021

Jill N. Link, Pharm.D., Patent Attorney and Chair, MVS **Licensing Practice Group** to attend the **Virtual Future Food Tech Conference**.

October 1, 2021

Several MVS Attorneys to attend the 2021 Iowa Intellectual Property Law Association Virtual Annual Conference.

October 4, 2021

Jill N. Link, Pharm.D., Patent Attorney and Chair, MVS **Licensing Practice Group**, **Brandon W. Clark**, Copyright and Trademark Attorney and Chair of the **Copyright, Entertainment & Media Law Practice Group**, **Michael C. Gilchrist**, Patent Attorney and **Nicholas J. Krob**, Intellectual Property Attorney are organizing and attending the LES Iowa Chapter Virtual Event on Capitalizing on Name, Image and Likeness (NIL), The New Norm for Sports Ecosystem.

October 6, 2021

Jill N. Link, Pharm.D., Patent Attorney and Chair, MVS **Licensing Practice Group**, to attend the **AgTech NEXT 2021, CLIMATE CHANGE: Seeing Things Differently Conference**. The topic for this day of the conference is "The Game Changing Confluence of AgTech and Geospatial".

October 8, 2021

Jill N. Link, Pharm.D., Patent Attorney and Chair, MVS **Licensing Practice Group**, to attend the Drake Law School Board of Counselors meeting.

October 14, 2021

Jonathan L. Kennedy, Partner practicing in **Intellectual Property Law and Litigation** to attend the Rapid City Innovation Expo.

October 15, 2021

Jonathan L. Kennedy, Partner practicing in **Intellectual Property Law and Litigation** to attend the South Dakota School of Mines and Technology Entrepreneurs In Residence meeting.

October 19-20, 2021

Cassie J. Edgar, Patent Attorney and Chair, MVS **Regulatory Law Practice Group**, to attend the Animal Ag Tech Innovation Virtual Summit.

October 21, 2021

Nicholas J. Krob, Intellectual Property Attorney in the MVS **Trademark, Licensing, and Litigation Practice Groups** and **Sarah M.D. Luth**, Intellectual Property Attorney in the MVS **Biotechnology and Chemical Practice Group** will be presenting to the Polk County Law Clerks on the topic of Data Privacy.

October 21-23, 2021

Kirk M. Hartung, Patent Attorney in the MVS **Mechanical-Electrical Practice Group** and **Richard Marsolais**, Business Development Director will be attending the Legus Fall Meeting.

October 22, 2021

Luke T. Mohrhauser, Patent Attorney and Chair, MVS **Mechanical-Electrical Practice Group** to attend the Ag Innovators Unconference at the CPMI Event Center in Ames, Iowa.

October 27-28, 2021

Cassie J. Edgar, Patent Attorney and Chair, MVS **Regulatory Law Practice Group**, to attend and present at the **International Conference on Survivability in Swine**. Cassie's topic is "Advancing Technology – Regulatory, Advocating, Future".

October 28, 2021

Jonathan L. Kennedy, Partner practicing in **Intellectual Property Law and Litigation** to present at the Iowa Biotechnology Association Business Essentials Webinar on Today's Employer COVID-19 Concerns. Jonathan's topic will be "COVID-19 Programs Offered by USPTO: Deadline Extensions and Examination Acceleration".

October 27-29, 2021

Jill N. Link, Pharm.D., Patent Attorney and Chair, MVS **Licensing Practice Group** to attend the **ChIPs Virtual Global Summit** with a slate of topics and speakers that will delve into some of the most controversial and current topics impacting attendees in tech, law and policy.

November 12, 2021

MVS attorneys will be attending the Science Center of Iowa Annual Fundraising Event.

November 18, 2021

Jill N. Link, Pharm.D., Patent Attorney and Chair, MVS **Licensing Practice Group** to attend the **AgTech NEXT 2021, CLIMATE CHANGE: Seeing Things Differently Conference**. The topic for this day of the conference is "The Consequences of Coming Up Short on Climate".

December 6-9, 2021

Heidi S. Nebel, Managing Partner and Chair, MVS **Biotechnology and Chemical Practice Group**, to attend a Plant Variety Protection (PVP) Advisory Board Meeting being held in Chicago, Illinois.

December 6-9, 2021

Heidi S. Nebel, Managing Partner and Chair, MVS **Biotechnology and Chemical Practice Group**, and **Jill N. Link, Pharm.D.**, Patent Attorney and Chair, MVS **Licensing Practice Group** to attend the **ASTA CSS & Seed Expo 2021, Light At The End Of The Tunnel** conference being held in Chicago, Illinois.



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