This year’s Bench & Bar® Virtual Conference, which was held from June 16-19, 2020, was the most widely-attended in the entire history of the event! Despite the current pandemic, the Federal Circuit Bar Association® (FCBA) staff was able to reorganize the event, and present this unprecedented virtual conference to over 500 registrants.

A special pre-conference inaugural event entitled, Empowering Women in the Law Summit, opened the conference on June 16. The summit was divided into two open dialogues: Dialogue with the Bench, and Dialogue with Thought Leaders from Business, Government, and Private Practice, where distinguished judges and other accomplished thought leaders engaged in discussions on forging multifaceted paths to success, strengthening workplaces through inclusion and communication, and further defining and expanding female leadership roles, to name just a few topics.

The 2020 Bench & Bar® Virtual Conference sessions commenced following the President’s Welcome and Executive Directors’ Remarks. The conference sessions, which were divided over the course of 3 days, included the following topics: Magistrate Practice; Trade Secrets for the Patent Litigator; Litigation Funding and Investor’s Rights; Federal Circuit Perspectives; Enforcement by CBP: Exclusion Orders, Counterfeiting, and Trademark; Practical and Complex Representation Considerations (Ethics); Practice Excellence; 101 Practices and Policy; Reviewed Adjudicators; When Worlds Collide – Intellectual Property and Government Contracts; Predictability, Rule of Law, and Economic Vitality; Blue Water Veterans; The Latest on SEP/FRAND: Managing IP in Standardized; Latest Developments in International Trade and IP, including The ITC and Life Science; The Latest on IPR and PGR, Including Estoppel in the District Courts and the ITC; Administrative Law in the Circuit Community; and Supreme Court Decisions.

During the Business Meeting/Presentation of Awards on Wednesday, June 17, the “Passing of the Gavel” from Past FCBA President Jamie Underwood to new FCBA President Sonal Mehta, was one of the highlights.

The Bench & Bar® Virtual Conference panels culminated in up to 17 CLE credits.
The FCBA is saddened by the passing of The Honorable Gerald J. Mossinghoff, a legendary figure in the intellectual property community and a treasured member of the George Washington University Law adjunct faculty for over two decades, on March 20, 2020, at the age of 84.

In 1981, President Ronald Reagan appointed Mr. Mossinghoff Commissioner of Patents and Trademarks. The following year, Congress updated his title to Assistant Secretary of Commerce and Commissioner of Patents and Trademarks. In this role, he advised President Reagan on the establishment of the Court of Appeals for the Federal Circuit, strengthening patent law in the United States. He also led the agency toward automation and worked with Congress and industry to increase patent and trademark fees.

In 1983, President Reagan promoted Mr. Mossinghoff to the rank of Ambassador. In this capacity, he led the US delegation to the Diplomatic Conference in Geneva, Switzerland, to revise the Paris Convention. At the same conference, the other UN member states elected him to serve as the President of the General Assembly.

Source: GW Law

Read the obituary on Legacy.com
UPCOMING WEBINAR

Judicial Panel: Grappling with the Uncertainties Created by Halo, Alice, and FRAND - July 28, 2020, 3 PM EDT

Please join Kathi Vidal, managing partner of Winston & Strawn’s Silicon Valley office, the Federal Circuit Bar Association, and the Berkeley Center for Law and Technology in cooperation with The Sedona Conference for a panel discussion on the hard topics confronting the patent system today.

Sign up for this event [here](#). For more information, [click here](#).

Federal Circuit Appellate Judge Kathleen M. O’Malley and Federal District Court Judges Alan D. Albright (TXWD) and Cathy Ann Bencivengo (CASD) will join The Sedona Conference Patent Litigation Working Group Chairs Matt Powers and Eric Hutz for an engaging discussion on the current state of play for willfulness, patent eligibility, FRAND, and ways to manage the uncertainty of each.

Topics of discussion may include:

- How should Halo be applied at the pleading stage, at summary judgment and at trial?
- Is 101 the best way to weed out weak patents early, efficiently, and accurately?
- Are U.S. courts ceding global FRAND determinations to courts of other countries?

A webinar is a complimentary interactive seminar offered by Winston & Strawn LLP over the Internet. You’ll watch and listen to the presentation at your own computer.

Winston & Strawn LLP is an accredited CLE provider in California, Illinois, New York, and Texas.

THE FEDERAL CIRCUIT BAR JOURNAL SUBMISSIONS

The Federal Circuit Bar Journal (FCBJ) and the Federal Circuit Bar Association invite authors to submit articles for publication consideration. FCBJ covers issues within the purview of the Federal Circuit Court which includes trademarks, patents, international trade, federal claims, and more. Vol. 30 seeks to publish articles that are both within legal purview of the Federal Circuit and address current societal issues.

Submissions should be sent to: FCBJ Editor-in-Chief at fcbj.eic@law.gwu.edu
A Discussion with the Federal Circuit Clerk’s Office (June 23, 2020). The Rules Committee hosted a webcast on June 23, 2020 entitled, “A Discussion with the Federal Circuit Clerk’s Office” with panelists Peter Marksteiner, Circuit Executive and Clerk of Court, United States Court of Appeals for the Federal Circuit (CAFC), and Jarrett Perlow, Chief Deputy Clerk, CAFC. The panel was moderated by Rules Committee Chair Andrew Trask, Counsel, Williams & Connolly LLP. The panelists discussed numerous amendments to the Federal Circuit’s Rules that take effect on July 1, 2020, and answered audience questions regarding the amendments.

WEBCAST RECAP

WEBCAST OUTREACH OPPORTUNITIES

Make a difference! The Association’s members and their committees offer an extraordinary array of webcast programming each year. Check out the FCBA Committees here. Members are invited to suggest and to participate in quality programming. If you are interested in a particular topic, please contact your committee leaders. All programming is subject to a review and pre-approval process within the Association itself. For more upcoming FCBA event information, visit our website at http://www.fedcirbar.org/Programs-Sponsorship/Calendar-of-Events

TO LISTEN TO AUDIO RECORDINGS OF OUR PREVIOUS WEBCASTS, CLICK HERE.
COVID-19 Updates: The Federal Circuit Bar Association® is actively monitoring new developments regarding the Coronavirus (COVID-19). You are urged to consult, regularly, information from the Center for Disease Control (CDC) and other reliable sources. A link to the CDC can be found here.

A Call for Ideas: We are issuing an important Call for Ideas on how the Association and its members may help, and help others, to address COVID-19 challenges. Please send your suggestions to CircuitCommunityCovid19@fedcirbar.org. Include your name, organization, and contact information. Key among the Association’s strengths are its networking fabrics. Although not all ideas may be feasible, the networking fabrics themselves are an extraordinary force.

COVID-19 Heroes: In extraordinary times, the exemplary character and strength of human nature blooms. Listed here are the governmental, community, non-profit, and private organizations identified by FCBA members as having made a significant difference in the communities of those members. The community expresses its sincere thanks to each of you.

The Circuit Community is unique. Its members are leaders. They include the most informed and leading edge thinkers in pharma, life science, biotech, high tech, innovation, patent, contract, trade, and other areas. They include both industry and the legal profession. More than ever, now is a time to draw on that excellence and those insights. Send us your ideas, suggestions, and COVID-19 Hero nominations – now.

Best wishes to you, your family, and colleagues from all in the Association family.
SUBSCRIPTION INFORMATION SERVICE

The Subscription Information Service is available to those in the community who have yet to become FCBA members. Subscribers can take advantage of the Association’s extraordinary library by gaining access to leadership insight in such areas as intellectual property, trade, innovation, and government contracts. A one year non-exclusive license for each subscriber is available, for instance, to current and past publications and program materials from the Bench & Bar® and Major Regional Programs.

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VOLUNTEER YOUR SERVICES TO A PRO SE MSPB APPELLANT IN NEED.
SUPPORT THE GOVERNMENT EMPLOYEES PRO BONO PROGRAM!

This is an URGENT request by the Federal Circuit Bar Association® (FCBA) to its membership for national pro bono assistance to pro se appellants before the U.S. Merit Systems Protection Board. This January marked three years since the 3-member Board lost its quorum. Since last March, it has been operating without any Board members. The principal reviewing court for the Board is the United States Court of Appeals for the Federal Circuit.

The U.S. Merit Systems Protection Board (MSPB) is statutorily charged with protecting Federal merit systems against partisan political and other prohibited personnel practices by adjudicating employee appeals over which it has jurisdiction. Agencies and appellants dissatisfied with the initial decision of an MSPB Administrative Judge can file a Petition for Review with the 3-Member Board. In the absence of Board members confirmed by the Senate, however, MSPB is unable to issue any Board level decisions on Petitions for Review. As of the end of this calendar year, MSPB reported a backlog of over 2,500 Petitions for Review, and that number is growing. Once a Board quorum is restored, this growing backlog could result in a large volume of MSPB appeals to the Federal Circuit.

This situation is a matter of deep concern for the FCBA, which seeks to improve the administration of justice in all areas of the Court’s jurisdiction.

Appellants who are dissatisfied with the initial decision of an MSPB Administrative Judge have the alternative of filing a petition directly with the United States Court of Appeals for the Federal Circuit. FCBA’s Government Employees Pro Bono project is designed to pair eligible pro se appellants with FCBA member attorneys for pro bono representation before both Administrative Judges and the Federal Circuit. MSPB administrative hearings are generally held at the local regional or field office, or by videoconferencing. MSPB experience is not required, and training is available.

Law Firms and individual attorneys interested in providing MSPB pro bono assistance should immediately contact FCBA Pro Bono Coordinator Brooke Coleman, at coleman@fedcirbar.org, and fill out the Volunteer Attorney Submission form on the FCBA website.
Thank you for your continued service to the Federal Circuit Bar Association’s pro bono programs. Our pro bono programs are an excellent way to diversify your practice, build inroads to prospective clients, and achieve personal fulfillment through helping others. We are always looking to grow attorney participation in our programs, and encourage current participants to bring others on board. The Inventor Assistance Program through the World Intellectual Property Organization (WIPO) is another avenue of pro bono service we are asking our attorneys to explore. WIPO’s program is similar to the FCBA/USPTO program and includes inventors from other countries.

We are actively seeking attorneys to assist with our MSPB program, so please make sure you are registered to receive cases by sending an email to Brooke Coleman at coleman@fedcirbar.org. Our circulation of MSPB and CAFC appeals to attorneys for proffering is pretty steady throughout each week. The USPTO pro bono program circulates an “invention summary” a list of patent prosecution matters for proffering about once every two months. We are expecting to circulate another invention summary at the end of September. If you have any questions or concerns about our pro bono programs, please contact Brooke Coleman at (202) 780-0970 or coleman@fedcirbar.org.
Fastcase 7 not only has all of the great primary and secondary content that you enjoy in Fastcase 6, but it also has some materials that are only accessible in Fastcase 7. To switch to Fastcase 7, click on the toggle button in the upper right side of the screen in Fastcase to the left of “Welcome” and your name. See Figure 1.

**Browse:** The easiest way to view content in Fastcase 7 is to use Browse mode. Just click on the blue “browse” button (see Figure 2) and you will see all libraries that have been tagged with “Federal” as the jurisdiction. See Figure 3.
Primary law is located on the left and secondary content is located on the right. Each library will have small icons located next to them, so you can see if they can be searched, browsed, or if they need to be purchased. See Figure 4.

However, don’t forget to take advantage of the two free secondary libraries. Jurispro is a database of expert witness biographical data, including name, contact information, education, and specialties. Lexblog is a database of legal blogs written by leading practitioners and experts. Both databases are available only in Fastcase 7 and are a great resource for expanding your research. See Figure 5.

For more tips on searching Fastcase or for technical support, please contact our Research Attorneys via phone at 1-866-773-2782 Option 2, via email at support@fastcase.com or via Live Chat using the Live Chat box at the bottom of the research platform.

Stay tuned for more exciting updates by visiting fastcase.com/blog.
Happy Searching!
THE MORE THINGS CHANGE: NAVIGATING YOUR CAREER AS THE LEGAL PROFESSION EVOLVES

As the legal profession evolves to adapt to shelter-in-place, social distancing and reduced spends, junior lawyers and associates can create enhanced roles and more meaningful work experiences. Hear from two leaders in the field – Kathi Vidal, Managing Partner (Silicon Valley Office), Winston & Strawn LLP, and Danielle Williams, Partner, Winston & Strawn LLP – on what you can do now to take advantage of new ways of connecting and litigating.

http://fedcirbar.org/Leadership-In-The-Profession

KATHI VIDAL
MANAGING PARTNER (SILICON VALLEY OFFICE), WINSTON & STRAWN LLP

DANIELLE WILLIAMS
PARTNER, WINSTON & STRAWN LLP

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We invite you to consider membership in the Circuit community’s most prestigious regional, national, and international voluntary bar – the Federal Circuit Bar Association® (FCBA). FCBA serves as the premier portal for organizations, and individuals, seeking the highest in professional excellence. Membership opens the door to a plethora of benefits!

For more information on membership benefits and pricing, contact Vernon Love at love@fedcirbar.org.
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MAKE A DIFFERENCE!

Federal Circuit Bar Association Leaders Circle sponsors benefit from and help guide the Association’s premier national outreach. Leaders Circle participants, both firms and corporations, stand among the most skilled in the profession. With their acumen, Leaders Circle sponsors engage core developments significant to the Federal Circuit justice community through over 20 committees (ranging from Amicus to Patent Litigation, International Trade, Government Contract, Patent and Trademark Office).

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• **Publications**
  - Federal Circuit Bar Journal — Quarterly publication providing meaningful, insightful and timely coverage of issues within the court’s purview.
  - Circuit Court Case Digest — Monthly publication providing a summary of all precedential opinions of the Federal Circuit.
  - Reviewed Adjudicators Digest — Monthly review of matters in the administrative tribunals. Tribunals already include PTAB, COFC, CAVC, ITC, MSPB, and CBCA.
  - Pro Bono Digest — Monthly publication covering matters of interest in pro bono activities. This publication is a resource for members who participate in the Association’s pro bono programs.
  - Watch List — Weekly publication notifying members of the news items of interest happening in the Federal Circuit community.
  - Program Session Materials — Materials from past FCBA programs, providing you a thoughtful and detailed evaluation of substantive and practical issues.
  - Horizons Series Webcasts — Educational nuts & bolts advocacy and subject matter areas as well as important, timely decisions
  - Federal Circuit Bar Association Newsletter — Timely information including rules changes, personnel changes, hearing dates, and upcoming meetings and events of the Association.

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• **Session Planning Participation**
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The Federal Circuit Bar Association Charitable and Educational Fund
Expresses its Appreciation to the Following Organizations for their Generous Contributions
Due to COVID-19 concerns, our in-person events are either postponed, rescheduled, or in the process of being transitioned to virtual events. Please visit the FCBA website at www.fedcirbar.org for current information concerning our upcoming webcasts, virtual conferences, and rescheduled events.

Please be sure to join or renew your membership!