

Austin Intellectual Property Law Association

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NEWS UPDATE:

*The Supreme Court has granted cert in
Bilski v. Doll*

Questions Presented:

Whether the Federal Circuit erred by holding that a “process” must be tied to a particular machine or apparatus, or transform a particular article into a different state or thing (“machine-or-transformation” test), to be eligible for patenting under 35 U.S.C. § 101, despite this Court’s precedent declining to limit the broad statutory grant of patent eligibility for “any” new and useful process beyond excluding patents for “laws of nature, physical phenomena, and abstract ideas.”

Whether the Federal Circuit’s “machine-or-transformation” test for patent eligibility, which effectively forecloses meaningful patent protection to many business methods, contradicts the clear Congressional intent that patents protect “method[s] of doing or conducting business.” 35 U.S.C. § 273.

UPCOMING EVENTS:

August 18, 2009

**Legislative and Case Update on Copyright Law
by Professor David Swenson,
Baylor Law School**

September, 2009

Tentatively: Patent Law Extraterritoriality

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JUNE Meeting and Luncheon CLE

*Intellectual Property Litigation in
the Austin Division of Texas*

**Honorable Lee Yeakel
U.S. District Judge
Western District of Texas
Austin Division**

**Tuesday, June 16, 2009
Westwood Country Club**

Sign-in begins at 11:30 a.m.
Luncheon and CLE at noon

1 hour (participatory) Texas MCLE Credit

**Pre-Register (by web only) by Friday,
June 12**

- **Member** (2009 Dues Paid) **\$35**
- **Others** (Non-Members and those without Paid 2009 Dues) **\$45**
- **After June 12 until 10 am of day of event (Web only) -- add \$5 per person**
- **Pay at door (Not by Web): add \$10 per person (subject to availability)**

For payment on day of event, make check payable to “Austin IPLA”

**--SAVE THE DATE --
FUTURE 2009 EVENTS**

Friday, November 13 - Judges Dinner
Stephen F. Austin Hotel
Keynote Speaker: Judge Pauline Newman, United States Court of Appeals for the Federal Circuit