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In this issue:

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1. Your Web Site Terms and Conditions May Be Unenforceable

Most websites have Terms and Conditions which govern a user's or visitor's rights in regard to the content of the website and/or the dealings between the parties. Website Terms and Conditions may vary from a single page up to a twenty-page document and usually contain many important legal issues, such as limitations of liability, warranties, jurisdiction clauses, mandatory arbitration clauses, copyright and trademark resolution issues, and a host of other critical issues. However, the fact that they are posted does not mean that they will be enforceable.

2. U.S. Patent and Trademark Office Expands First Action Interview Pilot Program

In April 2008 the U.S. Patent and Trademark Office (USPTO) introduced the First Action Interview Pilot Program ("Pilot Program"), and on October 1, 2009, the USPTO enacted an enhanced version of the Pilot Program. The enhanced version, among other things, increases the number of applications eligible for the program.

3. The Grass Is Greener at the PTO: USPTO Launches a New Pilot Program for "Green" Technology

Effective on December 8, 2009, the United States Patent and Trademark Office launched a new pilot program to accelerate prosecution of patent applications involving "Green" technology. To qualify, the invention claimed in a patent application must materially enhance the quality of the environment, or materially contribute to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources, or (3) greenhouse gas emission reduction (Pilot Program for Green Technologies Including Greenhouse Gas Reduction, 74 Fed. Reg. 64666).

4. ICANN Announces Internationalized Domain Names

On November 16, 2009, the Internet Corporation for Assigned Names and Numbers (ICANN) announced the launch of the Internationalized Domain Name (IDN) country code Top Level Domain (ccTLD) Fast Track Process. The introduction of IDNs is a major step forward in providing worldwide access to the Internet for non-English speakers. However, IDNs will impact the Internet strategy and presence for all multi-national businesses.

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