

**In this issue:**

Please click on any headline for more information or to view the article in its entirety.

New Additions**IP Legal News and Updates****Announcements and Reminders****Editors:**

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**NEW ADDITIONS****[Adam R. Hess, Experienced IP Litigator and Transaction Counsel, Joins Venable](#)**

Venable LLP makes a key addition to its expanding [Intellectual Property](#) practice group with the arrival of IP litigator and counselor Adam R. Hess. Mr. Hess joins the firm as a partner in Washington, DC.

[Venable Welcomes Christopher B. Tokarczyk to the Intellectual Property Division](#)

Christopher B. Tokarczyk, former patent examiner with a particular emphasis in the computer, electrical, communication, and business method areas, recently joined the firm from the USPTO as an associate in the [Patent Prosecution and Counseling Group](#).

IP LEGAL NEWS AND UPDATES**[Sole Ownership of a Color? Louboutin Loses Appeal in French Court in Trademark Dispute with Zara Over Signature Soles on Shoes](#)**

Marcella Ballard, Victoria R. Danta, and Nicholas Buell (Summer Associate)

In May, in a decision affecting trademark protection of color, high-end French footwear designer Christian Louboutin suffered yet another loss in its ongoing legal battle over its iconic red-soled shoes. On May 30, 2012, the Cour de Cassation—the highest French court of appeals—determined there was no risk of consumer confusion between a red peep-toe platform heel with red soles sold by Spanish fashion retailer Zara and Louboutin's own "Yo Yo" design, a nude peep-toe platform heel with his signature red soles.

[Blessing or Curse: *In re Baxter International* Makes Reexamination More Appealing to Patent Challengers](#)

Michael E. Nelson, Ph.D.

Can the United States Patent & Trademark Office (USPTO) invalidate a patent during reexamination that had been upheld during litigation? Yes, according to the Court of Appeals for the Federal Circuit in *In re Baxter International*, where the Federal Circuit addressed the potential conflict predicted since Congress established ex parte reexamination procedures at the USPTO. At least in some circumstances, the USPTO can find a patent invalid, even after a court has upheld its validity.

[Counterfeiting: Why We Should Care and What We Can Do](#)

Gregory J. Sater and Christopher S. Crook

Gregory Sater and Christopher Crook published "Counterfeiting: Why We Should Care and What We Can Do" in *electronicRETAILER*.

Click [here](#) to view this article at *electronicRETAILER*.

ANNOUNCEMENTS AND REMINDERS**[ABA Journal quotes Michael Gollin on patentability of laws of nature](#)**

Venable partner [Michael Gollin](#) was quoted in the ABA Journal on July 1, 2012 on the Supreme Court's ruling in *Mayo Collaborative Services v. Prometheus Laboratories* and the patentability of laws of nature. At issue in the case is Section 101 of the Patent Act which describes the type of invention that is patentable. The Supreme Court has held that laws of nature, natural phenomena and abstract ideas are not patentable.

The AIA's Effect on Patenting Strategies

August 20, 2012

[Clifton E. McCann](#) will present on the effect the America Invents Act has on patenting strategies at the American Chemical Society's 244th National Meeting in Philadelphia, Pennsylvania.

Click [here](#) for registration and more information.

9th Annual Anti-Counterfeiting & Brand Protection Summit

September 20, 2012 - September 21, 2012

[Justin E. Pierce](#), along with other industry professionals, will speak on a panel entitled: "Developing and Implementing a Cost- Effective Brand Protection Strategy" on September 20 at 12:00 p.m.

[Marcella Ballard](#) will present a panel entitled: "Creative Inspiration or Counterfeit: The Importance of IP Protection in the Fashion Industry" on September 21 at 1:45 p.m.

Click [here](#) for additional information.

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