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April 2013

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**Honors and Awards****IP LEGAL NEWS AND UPDATES****Federal Circuit: Speak Now or Forever Hold Your Appeal**

Martin L. Saad

On April 19, a divided panel of the Federal Circuit reversed a lower court's judgment of invalidity because the defendant had not cross-appealed invalidity in a prior appeal involving the defendant's winning judgment of non-infringement. See *Lazare Kaplan Int'l, Inc. v. Photoscribe Techs., Inc.*, Appeal No. 2012-1247 (Fed. Cir. 2012).

**The Federal Circuit Draws the Line on Permissible Changes to Design Patent Claims – Or Does It?**

Steven J. Schwarz

The Federal Circuit recently issued an opinion affecting the range of permissible claim changes in design patents in a case turning on whether specific aspects of the drawings in the design application at issue were supported by an earlier-filed application. *In re Owens*, Appeal No. 2012-1261 (Fed. Cir. Mar. 26, 2013).

**DMCA Safe Harbor Upheld for YouTube Once Again in *Viacom v. YouTube***

Meaghan Hemmings Kent and Martin L. Saad

On April 18, the U.S. District Court for the Southern District of New York again held that YouTube is subject to the safe harbor provisions of the Digital Millennium Copyright Act as an internet service provider despite alleged general knowledge of extensive copyright infringement.

**Supreme Debate: Are Human Genes Patentable?**

Therese M. Finan

On April 15, tackling an issue of significant importance to the biotechnology and health care industries, the U.S. Supreme Court heard oral arguments over whether human genes are patentable and more specifically, whether isolated DNA is patentable.

**Smartphones Spotlight Design Patents**

Jeff Knowles and Steve Schwarz published "Smartphones Spotlight Design Patents" in the April 2013 edition of *electronicRetailer*.

[Click here](#) to view the full text of this article.

**ANNOUNCEMENTS AND REMINDERS****Venable improves its AmLaw 100 ranking in 2013**

Venable continues to be ranked on *The AmLaw 100* list coming in at #76, improving three spots from last year's rankings. The 2013 list was published by *American Lawyer* on April 25, 2013. Rankings are based on the 2012 gross revenues of U.S.-based law firms.

The firm also ranked #63 in revenue per lawyer, #81 in profits per partner, and #59 in value per lawyer.

**Trademark Clearance Searching: Client Expectations and Legal Duties of Care**

May 6, 2013  
1:15 PM - 3:15 p.m. CDT

Rebecca Liebowitz will present "Trademark Clearance Searching: Client Expectations and Legal Duties of Care" at the International Trademark Association (INTA) 2013 Annual Meeting in Dallas, Texas – the premier trademark event for networking, continuing legal education, and committee and client meetings.

For information and registration, please [click here](#).

**As Nonprofits Expand Their Global Reach, a Special Focus on Tax, Trademarks and the Foreign Corrupt Practices Act**

May 14, 2013  
12:00 - 2:00 p.m. ET

Jeffrey S. Tenenbaum, Lindsay B. Meyer, Andrew D. Price, and Charles K. Kolstad will provide an in-depth focus on three areas in particular: tax planning and compliance, trademarks (the law of branding), and compliance with the U.S. Foreign Corrupt Practices Act and its foreign counterparts for nonprofits.

**The Role of Intellectual Property in Food Security" for Public Interest Intellectual Property Advisors**

June 6, 2013

Michael A. Gollin will present "The Role of Intellectual Property in Food Security" on June 6, 2013, as a part of a seminar series for Public Interest Intellectual Property Advisors (PIIPA). This discussion will link agricultural biodiversity and food security, and will cover plant breeders' rights vs. the free exchange of germplasm.

For information and registration, please [click here](#).

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