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**IP LEGAL NEWS AND UPDATES**

## An ITC complaint does not start the one-year statutory bar for filing an *inter partes* review

**Authors:** [Fabian M. Koenigbauer](#) and [Andrew F. Pratt](#)

Unlike district court litigation, International Trade Commission proceedings do not start the one-year statutory bar for filing an *inter partes* review, according to a recent decision from the Patent Trial and Appeal Board. The decision also confirmed that, where a defendant in a district court action waives service of the complaint, the one-year statutory bar starts when the waiver of service is filed.

[Click here to learn more.](#)

**Honors and Awards**

## USPTO revises rules for AIA trials

**Authors:** [Fabian M. Koenigbauer](#) and [Steven J. Schwarz](#)

On May 19, 2015, the USPTO released a final rule package that amends the rules of practice for AIA trials before the Patent Trial and Appeal Board. This is the first of two rules packages that the USPTO is releasing in response to public feedback regarding the current rules for AIA trials. The first package contains final rules reflecting "ministerial changes to the rules," whereas the second proposed package "will issue later to address more involved changes to the rules...." The May 19 rules package codifies the quick fixes to AIA trials pertaining to page limits and motions to amend. These changes were first adopted on March 27, 2015 after USPTO Director Michelle K. Lee announced them on the Director's forum blog.

[Click here for an overview of the rule changes.](#)

## Website Owners: No Safe Harbor from Copyright Liability for Infringing Content Posted by Third Parties on Your Site If You Are Not Following DMCA Formalities

**Author:** [Linda J. Zirkelbach](#)

Did you know that, under the U.S. copyright law, if a third party uploads or posts copyrighted material to your website, and the third party did not have authorization to do so from the copyright owner or exclusive licensee of that material, your organization can be held strictly liable for copyright infringement as the operator of the website where it was posted or uploaded?

This is alarming but true – there is strict liability in copyright law. This means that, even if your organization did not put the infringing content on your website, or did not even know it was there, you can be held strictly liable for infringing content uploaded to your website by another.

[Click here to learn what to do to qualify for the 512\(c\) safe harbor.](#)

# Summer 2015 Federal Copyright and Trade Secret Legislation Update

**Authors:** [Armand J. \(A.J.\) Zottola](#) and [Christopher J. Kim](#)

Since the [Summer/Fall 2014 Update](#), Congress is no longer in its 113th session, and most of the bills previously referenced are no longer active. However, the 114th session has begun its term with several proposed amendments to copyright law. Generally, the numerous copyright bills attempt to amend the first sale doctrine, revise DMCA rulemaking procedures, and modify royalties owed to authors of certain sound recordings and visual arts.

[Click here to read the Summer 2015 update.](#)

## 3-D Printing of Medical Devices Has Many Dimensions

**Authors:** [Heili Kim](#), [Claudia A. Lewis](#), [Justin E. Pierce](#), [Kristen R. Klesh](#) and [Tamatane J. Aga](#)

3-D printing, also referred to as "additive manufacturing" or "rapid prototyping," is the process of making three-dimensional objects from digital designs. Two of the most common types of printers are "disposition printers," which deposit layers of materials until the 3-D object is built, and "binding printers," which build the object by binding, usually with adhesive or laser fusing, the underlying layers, to create a whole object at the end of the process.

[Click here to read the full article.](#)

## Busted: Having to Pay the Photography Piper

**Author:** [Joshua J. Kaufman](#)

New technologies are making it easier for photographers and their representatives to find infringing works online, and as a result, users are seeing more and more demands for licensing fees or damages for copyright infringement for photos that have been posted without permission.

[Click here to learn the importance of pre-payment of licensing fees.](#)

## Shedding Light on "The Dark Web"

**Author:** [Justin E. Pierce](#)

Media coverage in recent years of illicit websites, such as the Silk Road and other online havens for cybercriminals, has shed some light on "the Dark Web." Despite this attention, many corporate executives and managers responsible for corporate security or for protecting their company's brand and content have little to no knowledge of what the Dark Web is. To address this disconnect, we provide the following brief overview.

[Click here for an overview of the Dark Web.](#)

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## ANNOUNCEMENTS

### Venable Welcomes Aubrey Haddach

Aubrey Haddach is an associate in the Patent Prosecution and Counseling group in Venable's Los Angeles office. Prior to Venable, Aubrey operated her own private practice, where she represented start-up technology companies with various aspects of their business including IP prosecution; transactions; litigation and settlement negotiations. While attending law school, she was a patent agent, with some of that experience in a major biopharmaceutical company. Aubrey is a 2004 graduate of University of San Diego School of Law and holds a B.S. in Chemistry from University of California, San Diego.

## Venable Presents Kate Spade and Company at WTR Industry Awards Night

[Justin E. Pierce](#) and [Andrew Price](#), on behalf of Venable, awarded Kate Spade and Company the "Team of the Year" award in the category of Fashion, Cosmetics & Luxury Goods at the World Trademark Review Industry Awards at the 2015 INTA Annual Meeting in San Diego.

Each year, WTR honors leading in-house departments or groups through the WTR Industry Awards. The awards are designed to recognize the vitally important work carried out by in-house trademark counsel and to identify the teams and individuals that are performing their functions to the highest possible standards. The awards are divided into geographical, industry and individual categories, and the winners are selected from nominations received from the global trademark community.

Venable has been a proud sponsor of the awards for several years.

## Michael Gollin Receives ALS Association "Rasmussen Advocate of the Year" Award

[Michael Gollin](#) received the ALS Association Rasmussen advocate of the year award on May 11, 2015. The video of Michael's speech is available [here](#).

## *Managing Intellectual Property* Recognized Venable's Intellectual Property and Trademark Practices, Names Eight Attorneys to IP Stars List

Venable Intellectual Property and Trademark Practices were both recognized by *Managing Intellectual Property* locally in Washington, DC and Maryland and nationwide. Additionally, eight attorneys from the firm's Washington and Baltimore offices were named IP Stars.

Venable was recommended for Trademark Contentious and Trademark Prosecution in Washington, DC while being Highly Recommended for Intellectual Property in Maryland. Nationally, Venable earned high marks for Trademark Prosecution. The full list of attorneys named IP Stars includes:

[Roger A. Colaizzi](#)  
[William D. Coston](#)  
[James E. Gray](#)  
[Mark B. Harrison](#)  
[David J. Heubeck](#)  
[Michael B. MacWilliams](#)  
[Andrew F. Pratt](#)  
[Janet F. Satterthwaite](#)

[Click here to read the full release.](#)

## Venable IP Practice and Attorneys among Most Recommended by *IAM Patent 1000*

Venable's Intellectual Property practice and attorneys were recognized for being among the most recommended in the fourth edition of *IAM Patent 1000 2015 – The World's Leading Patent Professionals*. In the DC Metro Area, Venable was recommended for both Prosecution and Transactions. Additionally, ten attorneys – [Frank C. Cimino, Jr.](#), [William D. Coston](#), [Nora E. Garrote](#), [Frank M. Gasparo](#), [Michael A. Gollin](#), [Toni-Junell Herbert](#), [James E. Nelson](#), [William T. Russell](#), [Michael A. Sartori](#), and [Megan S.](#)

**Woodworth** – from the firm's Washington, DC, New York, and San Francisco offices were also recommended.

[Click here to read the full release.](#)

## Venable Trademark Group Scores Home run at INTA

During the annual INTA conference, members of Venable's Trademark Group hosted a reception at Petco Park, home to the San Diego Padres. The Padres defeated the Colorado Rockies 4-2 and World Trademark Review said, "Venable hits a home run with its choice of reception venue."

[Click here to view a photo from the event.](#)

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