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January 2015 Board Meeting

○ Call to Order

The meeting on January 27, 2015, was called to order by Shawn Foster. The following people were in attendance:

Shawn Foster
Joe Beauchamp
Howard Speight
Ted Ro
Keana Taylor
Carlyn Burton
Luke Culpepper
Jason Sander
Andrea Tran
Todd Bynum
Steve Boyd
Albert Liou
Jennifer Sickler

Approval of Minutes from December 2014 Board Meeting

The December 2014 Meeting minutes are to be finalized and approved after the meeting.

Treasurer Report

For the nine months ending December 31, 2014, HIPLA had income of 204,546.00 and expenses of 115,340.19, for a total net income of 89,205.81. We have not cut the Fall Institute check to UH.

Committee Reports

Scholarship – Iona Kaiser

The Scholarship Committee proposed to award 5 scholarships (Ashegbeyeri, Dioquino, Frontz, Busse and Xu) at $1500 each and retain $1500 for a potential fellowship nominee, for a total of $9000. The budget and each of the 5 recommended scholarship recipients were approved by a vote of the board on January 20, 2015. Shawn Foster abstained from vote on Xu and Busse owing to prior clerkships with ExxonMobil

Judge's Dinner – Howard Speight

There are 10 judges confirmed for the event. So far, 11 tables and 19 individual tickets have been purchased. There are 16 tables left and 26 spaces left for individuals. Howard will ask the confirmed table sponsers next week about their interest in having a judge sit at their table. Judges will be assigned based on order of reservation and conflicts.

IOTY - Jennifer Sickler

The committee proposed to send out inventor of the year forms in early March, with a request to turn in nominations by end of April. A decision is proposed to be made in early May for lunch in June. The proposed schedule looked fine to the board.

Science Fair – Steve Boyd

The science fair will be held on February 28 at 1:30. The location is being changed and will not be held downtown- but at UH (Main Campus). An email request for volunteers will be going out shortly.

Old Business

The HIPLA Amicus Committee proposed to write an amicus brief supporting neither party in the SCOTUS *Commil v. Cisco* case, No. 13-896. The Court granted cert on the issue of: "Whether the Federal Circuit erred in holding that a defendant's belief that a patent is invalid is a defense to induced infringement under 35 U.S.C. § 271(b)." The amicus committee voted that SCOTUS should overrule *Commil* and that the committee generated the list of issues to be briefed. This list of issues also represents a draft outline of the brief that will support neither party:

1. The CAFC's ruling creates an unprecedented area of patent law that the statute does not support.

a. The CAFC incorrectly decided *DSU Medical v. JMS* (specific intent required for induced infringement) upon which it bases its ruling in *Commil* and should be overruled.

b. No specific intent requirement exists in the statute for induced infringement.

c. Infringement and invalidity statutorily are separate issues that the CAFC improperly groups together in *Commil*.

2. Whether a party reasonably believed that a patent is invalid is relevant to the issue of willfulness—not to the issue of non-infringement.

	3. The CAFC's ruling creates an ambiguity in the law that can be used to avoid claims of induced infringement. Upon vote of the Board, the Amicus Committee was informed on December 19 that the Board does not support the filing. EPO Houston Visit – arrangements are ongoing; steering team to meet after Jan 1 to finalize plans. Howard is coordinating on behalf of HIPLA. There is a call scheduled for tomorrow for more information; however, the EPO is very excited. **New Business** Keana is looking for recommendations for keynote speaker after receiving 3 declines, including Judges Rader, Chen, and the Segway inventor. There was some discussion regarding Poe and Cornyn; however, there was a comment that politicians are difficult because of scheduling and they are often hesitant to go down to Galveston **Future Board Meeting** February 24, March 17, and April 21 **Adjourn** Keana moved to adjourn the meeting. Ted seconded. The meeting was adjourned.