

A membership organization bringing together companies that own patents, trademarks, copyrights, and trade secrets

## CORPORATE MEMBERSHIP

### Promote your company's interests

through IPO's influential government affairs program in the U.S. and abroad

### Develop relationships

with peers in 100 companies and serve in leadership positions in the association

### Receive information

and educational services designed for corporate IP professionals,  
for all employees in member companies

### Educate the public

on industry viewpoints

"If you don't have the ability  
to protect that which you create,  
society falls apart."

**Craig R. Barrett,**  
President and CEO, Intel Corp., July 2001  
IPO Member since 1992



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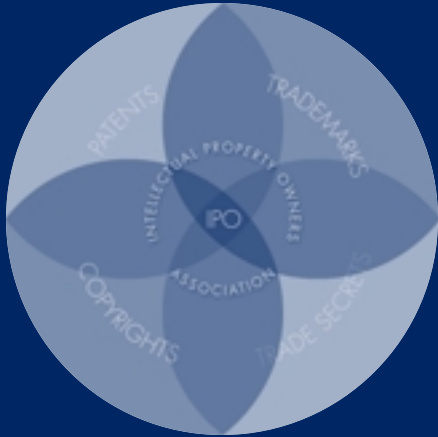
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Membership Committee Contacts

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# WHAT IS IPO?



## What Is IPO?

**Intellectual Property Owners Association (IPO)**, established in 1972, is a specially trade association for companies that own patents, trademarks, copyrights, or trade secrets. The association has 100 corporate members. IPO is the only association in the U.S. that serves all intellectual property owners in all industries and all fields of technology.

The association advocates effective and affordable national and international systems of IP ownership rights and provides a wide array of services to members. It concentrates on: supporting member interests relating to legislative and international issues; analyzing current IP issues; providing information and educational services of interest to the corporate community; and disseminating information to the general public on the importance of effective and affordable intellectual property rights.

IPO is predominantly an association of companies. More than four-fifths of the directors must represent corporate members, and normally committee chairs must be corporate employees. In addition to corporate members, other members include more than 100 law firms—most of the larger law firms in the U.S. with significant IP practices—and 250 small businesses, individual inventors, and individual attorneys. Anyone who owns or is interested in intellectual property rights can join.

**“The association is operated by chief intellectual property counsel of major U.S. companies.”**

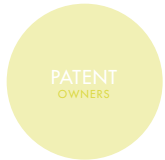
The association is operated by chief intellectual property counsel of major U.S. companies. The governing body is the 50 member Board of Directors, which is elected by the membership and sets IPO policy. Management direction is given by an executive committee of the board, and by the president, vice presidents, and treasurer. The association employs an experienced full-time staff in Washington, D.C.

To further its mission, “Actively Advocating an Effective and Affordable National and International System of IP Ownership Rights,” IPO has restructured its operations as called for in a 3-year strategic plan developed in 1999 to enhance its operations. IPO: 1) promotes the interests of corporate members through the IPO **Government Affairs** Program; 2) provides opportunities for **Networking** and building relationships with peers while participating in the association; 3) serves as a **Unique Information Resource** for companies; and 4) increases **Public Awareness** of industry viewpoints.

### Recent IPO Presidents

- Ronald E. Myrick, *General Electric Co.*, 2000–2001
- Norman L. Balmer, *Union Carbide Corp.*, 1998–1999
- Erwin F. Berrier, Jr., *General Electric Co.*, 1997
- Gary L. Griswold, *3M Co.*, 1995–1996
- Roger S. Smith, *IBM Corp.*, 1993–1994
- Richard C. Witte, *Procter & Gamble Co.*, 1992

**“IPO is the only association in the U.S. that serves all intellectual property owners in all industries and all fields of technology.”**



## GOVERNMENT AFFAIRS

### Government Affairs

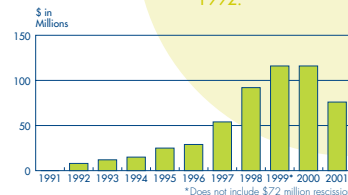
#### *Promoting the Interests of Your Company*

IPO advocates effective protection for patents, trademarks, copyrights, and trade secrets, and also urges laws that provide reasonable certainty to corporate decision makers and avoid undue litigation. IPO positions are communicated to Congress, the U.S. Copyright Office, the U.S. Patent and Trademark Office, the U.S. Trade Representative, and other agencies. The IPO Board of Directors meets several times a year to review and adopt policies on current IP issues to advance the interests of its members. IPO members frequently participate in meetings with government officials on IP issues. IPO is a leader in coordinating activities with government relations offices of IPO member companies and with other associations that represent specific industries in IP matters.

IPO's top legislative priority is to obtain adequate funding for the USPTO. More than \$600 million has been withheld from the office since 1992.

#### PTO Fee Withholding

Since 2000, IPO's top priority has been to end the government's practice of withholding patent and trademark fee collections from the U.S. Patent and Trademark Office or diverting collections to unrelated government programs. More than \$600 million has been withheld, depriving IPO member companies and other fee payers of an equivalent amount of service.



#### Patent Law Harmonization

In 2001, the Board adopted a comprehensive statement in support of world patent law harmonization. The IPO statement requires significant changes in patent laws in Europe, Japan, and the U.S. It would provide globally harmonized systems with lower cost and more certain global patent protection. Working with other interested parties in the U.S., IPO intends to use its position statement as a platform for discussion with private sector counterparts abroad. IPO delegates are attending a series of meetings of the World Intellectual Property Organization in Geneva to promote IPO's harmonization positions.

#### Other Issues

IPO is an accredited non-government observer to the World Trade Organization and a participant in the ongoing public debate over the WTO agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).

IPO's amicus brief filing program is designed to influence government IP policy for the benefit of members. IPO files two to three amicus briefs a year in carefully selected cases of interest to a broad cross-section of IPO membership, presenting a corporate viewpoint that may be different from views presented by the parties in the case.

IPO operates a political action committee called **Intellectual Property Owners Political Action Fund**. The Fund receives voluntary contributions from IPO members and supports candidates for political office who have a record favorable to intellectual property rights. Contributions to the IPO Political Action Fund of more than \$200 are reported to the Federal Election Commission as required by law.

POLITICAL ACTION COMMITTEE

PTO FEES WITHHELD 1991-2001

# NETWORKING



## Networking

*Building Relationships with Your Peers and Participating in the Association's Work*

### Annual Meeting

IPO holds its annual meeting in a major U.S. city each fall. Recent and future sites include San Francisco, Dallas, New York, Los Angeles, and Chicago. The meetings bring together experts from the United States and abroad to discuss trends and recent developments with emphasis on topics of interest to corporate IP attorneys. Corporate counsel and managers have opportunities at the meetings to become acquainted with their peers in 100 companies, creating ties with lasting business and professional value.

### Other Meetings

IPO also provides other educational programs. "Managing Corporate IP Today" was presented for the first time in 2001. This highly successful program was conducted by a group of IPO members who are experienced managers.

Topics from "Managing Corporate IP Today"

- Invention Capture and Management
- Competitive Intelligence
- International Filing
- Trends Affecting IP Management
- Best Practices for Managing IP in a Large Company

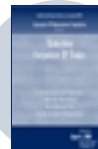
**IPO has a network of 3,000 "members," counting all corporate and law firm member employees on IPO mailing lists.**

For more than 10 years, IPO has conducted the well-known annual **PTO Day** conference in cooperation with the U.S. Patent and Trademark Office. About 400 people attend this conference, which consists of general sessions on patents and trademarks, a speech by a top PTO official, and breakout sessions on current issues.

### Committees and Members

Members may participate in IPO's extensive committee structure. Forty IPO committees are organized in six divisions: Antitrust and Competition Law; Copyright and Software; Dispute Resolution and Litigation; Patent Law; Trademark Law; and Trade Secrets. Committees are populated with corporate and law firm affiliate members. To maintain a corporate focus, committee chairs must be corporate employees. Vice chairs are law firm affiliates. As many employees from each company as wish to do so may join committees. Most committee work is conducted through e-mail and conference telephone calls. Committee chairs and vice chairs are asked to report orally to the IPO Board of Directors on their work at a spring meeting in Washington, D.C.

The primary IPO contact for membership purposes in a company generally is the chief IP counsel, but every employee of the company who is interested may register as an IPO affiliate member, receive the IPO member rate for educational conferences, and receive mailings and e-mails without charge. IPO has a network of 3,000 "members," counting all corporate and law firm member employees on IPO mailing lists.



## UNIQUE RESOURCE



### A Unique Resource

*Information for Your Company Not Available Elsewhere*

IPO provides information to members on latest developments affecting their IP interests. Much of this information is available from no other source in a timely manner.

#### Web Site

The centerpiece of IPO's information program is its highly acclaimed web site, [www.ipo.org](http://www.ipo.org), which offers more than 900 separate pages of information. The web site serves as a vehicle for communication among members, and as a research tool. It features the *IPO Daily News*<sup>™</sup>, which is also delivered by email as a free service for all members who wish to subscribe.



#### *IPO Daily News*<sup>™</sup>

A quick read, the *Daily News* is three to five concise paragraphs a day. It includes summaries of patent and trademark opinions of the U.S. Court of Appeals for the Federal Circuit, generally within 2 days after opinions are issued. Wire service stories of other selected IP cases are summarized as well. The *IPO Daily News*<sup>™</sup> also is an excellent source for the latest information on legislative and international events. The *Daily News* covers current events from the U.S. Patent and Trademark Office, the U.S. Copyright Office, and other government activities, as well as key events at the World Intellectual Property Organization and the World Trade Organization.

#### IP Documents and Data

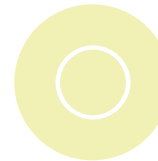
IPO also assembles and publishes on its web site miscellaneous data about patents, trademarks, and copyrights, including IPO's closely watched annual list of top 300 organizations receiving patents. Papers from IPO conferences are published in booklet or CD-ROM format, as well as on the web site.

#### Committee Communications

The committee area on the web site includes public and non-public sections with extensive information on individual committee activities. Each committee has a bulletin board and a feature allowing a committee member to send e-mail to the entire committee with a "single click."

IPO's web site is a news source and research tool

- *IPO Daily News*<sup>™</sup>
- IPO Directors
- IP Issues and Policies
- IP in the Courts
- Committees
- Meetings and Events
- Low Firm Members
- Top Patent Owners
- IP Information



## PUBLIC AWARENESS



### Public Awareness

#### *Educating the Public About Intellectual Property Rights*

Public education concerning intellectual property rights is becoming increasingly important. IPO is being challenged in connection with controversies over access to AIDS treatments and other medicines, issues of "open source" licensing, piracy through web-based song swapping services, and the interest of developing countries in protecting "traditional knowledge." Moreover, government officials are calling for a reexamination of the IP-antitrust interface.

**IP is being challenged...over access to AIDS treatments and other medicines, issues of "open source" licensing, piracy through web-based song swapping services, and the interest of developing countries in protecting "traditional knowledge."**

#### Inventor Awards

IPO administers the **National Inventor of the Year Award**, which has been given each year since 1973 to an outstanding American inventor of a recently patented invention. By giving the award, IPO intends to increase public awareness of the importance of technology and patents to U.S. industry and the national economy. The award is given at a ceremony on Capitol Hill, attended by members of Congress and other government and private sector leaders. IPO solicits nominations for the award from its members and other parties throughout the technology community. Award winners have included such well-known inventors such as Dr. Amar G. Bose, founder of Bose Corporation, and James L. Ferguson, inventor of liquid crystal displays and a member of the National Inventors Hall of Fame. Winners have been covered in *The New York Times*, *The Washington Post*, and other national media.

#### Other Programs

IPO also conducts other educational programs designed to educate governments and the public on the principles of patents, trademarks, copyrights, and trade secrets. IPO leaflets and the IPO web site convey basic information to the public about intellectual property rights in plain English. The association has sponsored several conferences for independent inventors and small businesses designed to promote understanding of national and international IP systems.

## IPOEF

IPO recently established a non-profit educational subsidiary, the **Intellectual Property Owners Education Foundation**. This organization has applied for a tax-exemption under IRS Code section 501(c)(3), which will make contributions deductible on personal income tax returns. The IPO Education Foundation is expected to take over administration of the IPO National Inventor of the Year Award and conduct other educational programs designed to increase understanding of the benefits of intellectual property rights.

Speakers at IPO Awards Programs (from top): Dr. Amar G. Bose, U.S. Rep. Howard Coble (NC), U.S. Senator Robert Bennett (UT), and U.S. Senator Orrin Hatch (UT).



## BECOME A MEMBER



### Become a Member

#### Joining IPO

Companies may apply to IPO by submitting an application form or by telephone interview. The membership year runs for 12 months after the date the application is accepted. Corporate members may submit an application with a request to be invoiced for first year dues.

All employees of corporate members are entitled to the benefits of IPO membership, including the right to participate as members or chairs of committees and receive the e-mailed *IPO Daily News*™. Employees of corporate members attend IPO conferences at the member rate.

For information, contact a member of the Membership Committee (see inside back cover), call the IPO Office (202-466-2396), or visit [www.ipo.org](http://www.ipo.org).

#### Corporate Membership Categories

	Dues
• <b>Regular Corporate Member</b>	\$ 4,500 per year
Five positions on the Board are reserved for regular corporate members who are elected at the IPO annual meeting.	
• <b>Sustaining Member</b>	
— Less than \$10 billion annual sales	\$ 12,500 per year
— \$10–50 billion annual sales	\$ 17,500 per year
— More than \$50 billion annual sales	\$ 22,500 per year
Sustaining membership is encouraged. The chief IP counsel from a sustaining member company normally can expect to be nominated for election to the IPO Board of Directors, subject to openings being available.	
• <b>Small Business Members</b>	\$ 425 per year
Companies with fewer than 500 employees	

#### WHY CORPORATIONS JOIN IPO

- To support the IPO campaign for adequate USPTO funding
- To promote more certain, more effective, and lower cost IP laws worldwide
- To network with peers in 100 companies
- To receive free e-mail subscriptions to *IPO Daily News*™ for all employees
- To receive member rates for IPO continuing legal education conferences for corporate IP professionals
- To serve on the policy-making IPO Board of Directors
- To enable employees to serve as IPO committee chairs
- To participate in public education programs about IP rights
- To take advantage of a corporate membership that is less than the cost of one patent application!

#### Why Join?

## MORE ABOUT IPO

### MILESTONES

- 1972** IPO founded by seven companies
- 1973** National Inventor of the Year Award created
- 1981** Greater IPO concentration on congressional affairs
- 1982** U.S. Court of Appeals for the Federal Circuit created
- 1988** Congress passes Process Patent Amendments Act
- 1990** Bicentennial of U.S. Patent and Copyright Laws celebrated
- 1992** IPO organization and bylaws overhauled
- 1994** Congress passes TRIPS implementing legislation
- 1998** IPO annual meeting in San Francisco, outside Washington for first time
- 1999** Congress passes American Inventors Protection Act
- 1999** IPO 3-year strategic plan adopted
- 2000** USPTO funding made highest IPO priority
- 2001** IPO Education Foundation organized

## More About IPO

### IPO History

IPO was organized in 1972 as a non-profit association in the District of Columbia. Its initial organizers were chief intellectual property counsel of seven major corporations. At the time of IPO's founding, government policymakers and federal judges viewed antitrust enforcement as far more important than patent, trademark, and copyright laws. U.S. patent law was in disarray because of conflicting legal interpretations by the regional U.S. Courts of Appeals that then had jurisdiction over patent appeals.

Initially IPO emphasized a public affairs program to educate the media and the public about the importance of exclusive intellectual property rights vis-a-vis antitrust policy. In 1981, IPO shifted its emphasis more toward persuading the U.S. Congress to improve intellectual property laws. IPO was instrumental in developing support for the legislation that established the U.S. Court of Appeals for the Federal Circuit in 1982, which consolidated appellate patent jurisdiction in the Federal Circuit and made a huge improvement in patent law certainty and uniformity.

From 1983 to 1988, IPO led a campaign to change patent law to permit patent owners to claim infringement when products made offshore using patent processes are imported into the United States. That effort led to the Process Patent Amendments Act of 1988. In 1990, the Foundation for a Creative America, a temporary educational foundation affiliated with IPO, raised \$2 million to commemorate the American patent and copyright bicentennial with educational programs. In 1992, the association established its current governing structure with an active IP counsel of a U.S. company elected president every two years.

During the mid and late 1990's, key legislative efforts included the landmark American Inventors Protection Act of 1999 and the ongoing issue of whether the government should divert patent and trademark fee collections from the U.S. Patent and Trademark Office to unrelated government agencies. In 1999, IPO adopted a 3-year strategic plan that calls for several new initiatives including expanded committees, more work on trademark and trade secret issues, and greater involvement in international issues.

### Recent IPO Activities

#### American Inventors Protection Act

Until it was signed into law in November 1999, IPO's top legislative priority was the bill that became the American Inventors Protection Act. The AIPA has been called the most important patent reform law since the Act of 1952. The legislation was designed to modernize and improve numerous aspects of patent law.

IPO led a coalition of more than 100 companies and associations that worked for AIPA passage in the mid and late 1990's. IPO worked with government affairs staffs of member companies and also retained outside legislative consultants to supplement the extensive work of the IPO Board and staff. Among other things, the AIPA 1) protects prior users of patented technology; 2) extends patent life to compensate for USPTO delays; 3) requires publication of most U.S. patent applications 18 months after filing; 4) allows third parties limited participation in patent re-examination; and 5) strengthens USPTO management by giving the office more independence and establishing private sector advisory committees.

#### Amicus Briefs

- **Copier Spare Parts and IP-Antitrust** — CSU, L.L.C. v. Xerox Corp. (Fed. Cir. 1999) — IPO argued that patents and copyrights confer a right to exclude copyists from all the economic markets touched by the innovator's patents and copyrights without any inquiry into the innovator's intent. IPO said the simple exercise of the right to exclude, by itself, cannot satisfy the misconduct element of a Sherman Act monopolization claim.



IPO celebrates passage of the American Inventors Protection Act of 1999

*continued*

## More About IPO *(continued)*

- **Patent Application Prosecution Laches** — Symbol Technologies, Inc. v. Lemelson Foundation, L.P. (Fed. Cir. 2000) — IPO argued that the U.S. Supreme Court has recognized the defense of patent prosecution laches, and that the defense enables courts to deny enforcement to patents when the patent applicant has unjustifiably delayed filing patent claims until after the invention has been publicly disclosed and fallen into general public use.
- **Double Patenting Law in the Prozac® Appeals** — Eli Lilly & Co. v. Barr Laboratories, Inc., (Fed. Cir. 2000, 2001) — In the first case, IPO argued that the Court misapprehended the law and failed to consider whether the claim of the second patent was an obvious variation of the claim of the first patent. In the second case, IPO maintained that the Court misapprehended the rule of law that when a basic patent is filed before but issued after an improvement patent, the order of issuance is disregarded and the later issuing basic patent is upheld if the improvement patent is not obvious in light of the basic patent.

## IPO Committees

### Antitrust and Competition Law Division

- Compulsory Licensing
- Essential Facility
- European Union Competition Regulations
- Innovation Market Theory
- Market Power 271(d)(5)
- Patent Misuse
- Standards Setting

### Copyright and Software Division

- Copyright Anti-Circumvention
- Digital Millennium Copyright Act
- DVD-MP3-Encryption Coding
- Copyright E-Commerce
- UCITA (UCC-2B)

### Dispute Resolution Division

- Arbitration and Mediation
- Discovery
- International Enforcement

### Patent Law Division

- American Inventors Protection Act
- Damage Theories
- Patent Law E-Commerce
- Harmonization
- International Prosecution Practice
- International Patent Enforceability
- Patent Interferences
- Patent Litigation
- Patent Office Practice
- Patent Term Restoration
- Prior User Rights
- World Patent

### Trademark Division

- Branding
- Cybersquatting
- Trademark E-Commerce Internet
- Trademark Office Practice

### Trade Secrets Division

- Data Privacy
- Economic Espionage Act
- Employee Mobility/Inevitable Disclosure
- Restrictive Covenants

### Other Committees

- Annual Meeting Program
- Amicus Brief
- Corporate IP Management
- Insurance
- Small Business and Independent Inventor

IPO

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