



# New MATTER

Newsletter of the Minnesota Intellectual Property Law Association

DECEMBER | 2010



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## UPCOMING EVENTS

### FRIDAY - JANUARY 7, 2011

IP Law Revision Committee Meeting

### FRIDAY - FEBRUARY 3, 2011

WIPLA Committee Meeting

### SUNDAY - MARCH 6, 2011

4th Annual MIPLA Cup Competition

### MONDAY - MAY 23, 2011

MIPLA Stampede and Young Inventor Dinner

### Questions:

Contact Debbie Norton  
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## Message from THE PRESIDENT

### Dear Colleagues,

I want to thank Dina Khaled for her excellent service to MIPLA as President in 2009-2010. Dina was instrumental in the transition of MIPLA's daily administrative tasks from MSBA to IntrinXec Management and for getting everything running smoothly again. Dina also contacted many firms to arrange for meeting space for MIPLA committee meetings due to the transition. She worked with me on the important task of finding enthusiastic committee chairs for MIPLA committees.

Membership in MIPLA provides several benefits, and I encourage you to take advantage of these benefits. Committees have been set up relating to different IP topic areas.

MIPLA also provides great networking opportunities. Network with colleagues at the committee meetings or the CLEs held by the committees. There are numerous dinners, socials, golf tournaments, lunches and other events where you can meet your colleagues. In fact, in 2011, you can meet other MIPLA members at a social event or program almost every month!

Professional development is another benefit of being a MIPLA member. Remember that membership in all MIPLA committees is free. Take advantage of the free or low cost CLEs that the committees hold. The Stampede is an excellent way to get CLE credits at a reasonable cost.

I challenged our committee chairs to be very active this year. Now I am asking you to get involved. Please participate in the committees of your choosing, or volunteer to set up a new committee. The New Matter newsletter and the MIPLA website ([www.mipla.net](http://www.mipla.net)) will keep you up-to-date about committee meetings, events and topics of interest. The Directory of MIPLA members is also a handy resource.

Please contact Debbie Norton ([dnorton@mipla.net](mailto:dnorton@mipla.net)) if you would like to sign up for any MIPLA committees, or if you have not received any communications from committees for which you signed up. Please contact me, or President-elect Robin Sannes, if you would like to take on a leadership role in any committee or in MIPLA.

I hope to see you at MIPLA events this year! I wish everyone a happy holiday season and a prosperous 2011.

Sincerely,

**Hallie Finucane**  
MIPLA President, 2010-2011

## Holiday Social A NEW TRADITION

On Wednesday, December 8, 2010, MIPLA hosted its first Holiday Social. The social was held downtown Minneapolis at The News Room on Nicollet Avenue. The News Room has a wonderful, private space – complete with a full bar and a charming upstairs lounge – which we had all to ourselves. It was the perfect spot to connect with friends, meet new MIPLA colleagues, and share some holiday cheer. The appetizers were plentiful & delicious, and included amazing brie cheese curds with blueberry sauce as well as a seasonal pumpkin cheesecake. As a special treat, MIPLA treated everyone to a round of drinks to celebrate the season. The turnout was good and the event had a wonderful, holiday vibe. A special

aspect of the Holiday Social was that MIPLA chose to feature the Minneapolis Crisis Nursery. MIPLA collected in-kind donations and cash contributions for the Greater Minneapolis Crisis Nursery at the event, and raised hundreds of dollars for this special, local charity. The Crisis Nursery works with parents in crisis to prevent child abuse and neglect, by providing services such as emergency child care. You can learn more about that organization at [www.crisisnursery.org](http://www.crisisnursery.org). Although this was MIPLA's first Holiday Social, it was so well received that we plan to make it a new, annual MIPLA tradition.

**Happy Holidays to all!**

The Hennepin County Bar Association has formally announced the beginning of their search for a new Executive Director to replace Larry Buxbaum, who is retiring on June 30, 2011.

Details on the search, including a full posting, a detailed job description and may be found on their web site at [www.hcba.org](http://www.hcba.org). Application deadline is January 31, 2011.

## Board Members 7/1/10 - 6/30/11

### **PRESIDENT**

**Hallie Finucane**

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### **AIPLA REP.**

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### **ELECTED DIRECTOR (2009-2011)**

**Brian Whipps**

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### **ELECTED DIRECTOR(2010-2012)**

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### **IMMEDIATE PAST PRESIDENT**

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## Committee Updates

### WIPLA

WIPLA held their first CLE meeting of the year in October over breakfast at Merchant & Gould. "Best practices in Licensing in View of Recent Case Law" was presented by Kathy Kowalchyk. Since this was the first WIPLA meeting after an extended sabbatical, the gathering was also an opportunity to collect ideas for future WIPLA activities. While the meeting was well-attended, we are shamelessly recruiting new members.

Please contact Debbie Norton, [dnorton@mipla.net](mailto:dnorton@mipla.net), to ensure that you are included in the WIPLA email list.

The next WIPLA meeting is tentatively planned for February 3rd over lunch at Merchant & Gould to discuss inequitable conduct in view of the anticipated Therasense decision. Also, the AIPLA Women in IP Networking dinner will be held in May and hosted in Minneapolis by Merchant & Gould this year. Another WIPLA meeting will likely be held in connection with the May AIPLA dinner.

#### Next Committee Meeting:

February 3, 2011 - Lunchtime at Merchant & Gould.

### CHEM / BIOTECH LAW COMMITTEE

The Chem/Biotech committee co-chairs Loren Albin, Charles Marabella, and Paul Parins have hosted several noon-hour CLEs this Fall including: Invention Disclosure Forms and an update on Therasense by Dave Burleson of Zollinger & Burleson Ltd.; and Biosimilars: Current Framework and Future Directions by Kathy Kowalchyk and Brian Dorn. Please visit the MIPLA website to view the presentations that have been made available. The co-chairs plan to pick up activity again after the holidays so stay tuned.

If you have any ideas or suggestions, please feel free to contact any of them as follows:

Paul Parins, [pparins@kaganbinder.com](mailto:pparins@kaganbinder.com)

Charles Marabella, [cmarabella@surmodics.com](mailto:cmarabella@surmodics.com)

Loren Albin, [lalbin@mrgiplaw.com](mailto:lalbin@mrgiplaw.com)

### PATENT LITIGATION COMMITTEE

Is up and running and looking for new members to join and previous member to reacquaint themselves with the committee. The Committee is meeting every other month to hear a presentation on one of the many timely issues that are continuing to be developed by the Courts.

Our first meeting included an interesting discussion by Michael Florey, a Principal at Fish & Richardson P.C.,

regarding the changes and development of the law as it relates to damages in patent cases. The discussion identified refinements in the underlying damages theories as well as the practical effects these changes are having on reports created by damages experts and whether or not a report may be stricken by the Court. Several people attended the meeting and some who were out of town or not able to attend in person dialed into the presentation and were able to follow along with a copy of the slides that were emailed to them.

Check your calendars now and mark the date for our December meeting on Friday, December 17, 2010 at 12:00 p.m. in the offices of Fish & Richardson P.C. at 3200 RBC Plaza, 60 South Sixth Street, Minneapolis. Our December meeting will include a presentation and discussion relating to the issue of inducement in patent litigation that will be provided by Tony Beasley of Robins, Kaplan, Miller & Ciresi. It promises to be a great discussion that you will not want to miss.

We have decided on a brown bag lunch type of format for our meetings so please bring along your lunch. I look forward to hopefully seeing you at our December meeting and if you have any suggestions please let me know. If there are particular topics you are interested in or if you are interested in presenting at an upcoming meeting please contact me at [pape@fr.com](mailto:pape@fr.com).

### PROGRAMS COMMITTEE UPDATE

#### Group Meetings:

Last meeting was held December 3rd, 2010 at Faegre & Benson.

Next meeting is scheduled for June 2011 (Location TBD).

List of Upcoming Events (Final Dates to Be Determined):

- ◆ Winter Social
- ◆ Bowling
- ◆ Authors and Inventors Dinner
- ◆ Young Inv's Dinner/Annual Meeting
- ◆ Golf
- ◆ Fall Social
- ◆ Holiday Social
- ◆ Meet the Firm Event(s)

Please contact Victor Jonas ([vjonas@faegre.com](mailto:vjonas@faegre.com)) if you have any questions about the events or would like to get involved in the Programs Committee.

## Minnesota Inventors HALL OF FAME

By: Jim Young of Westman, Champlin & Kelly, P.A. - [jyoung@wck.com](mailto:jyoung@wck.com)

**In** 2010, two Minnesotans were inducted into the Minnesota Inventors Hall of Fame, Dr. Norman Borlaug and Dr. Robert Vince, and both of these inductees were nominated by MIPLA members. Summaries regarding the careers and contributions of Dr. Norman Borlaug and Dr. Robert Vince are presented at the end of this article.

For many members of MIPLA, there would be no work to do if it were not for the inventive community, and specifically the inventors of the great state of Minnesota. The Minnesota Inventors Hall of Fame was established (in part by MIPLA members) for the purpose of honoring inventors generally and for bringing the attention of the public to the economic and social importance of the contribution of Minnesota inventors to society.

I am currently serving as president of the board of the Minnesota Inventors Hall of Fame, and we are seeking nominations for candidates for election to the Minnesota Inventors Hall of Fame. Please read on, and perhaps take a few moments to consider making a nomination. Call me with any questions about the process.

The Minnesota Inventors Hall of Fame is a Minnesota non-profit corporation. Its volunteer board of directors includes inventors, patent lawyers and members of the scientific community or the public.

The Minnesota Inventors Hall of Fame inductees are honored in an exhibit at the Redwood Area Community Center in Redwood Falls, MN. Each inductee is identified with a photograph and a bronze plaque summarizing his or her accomplishments. In addition, up to ten inductees are highlighted in the exhibit each year with more information about their accomplishments, photographs, patents, artifacts, and examples of their work.

The criteria for induction into the Minnesota Inventors Hall of Fame includes:

- ◆ A candidate is one who is an innovator, a creator, a solver of problems.
- ◆ A candidate is one who has made a significant contribution to the betterment of life – especially here in Minnesota.

- ◆ The impact of the candidate's contribution in the general economic sphere in terms of capital injected, business generated or jobs created.
- ◆ The impact in the social sphere in terms of improved quality of life through greater convenience, saving of time, better health, safety, superior products, etc.
- ◆ Most likely, the candidate's inventions will have had a significant impact in both economic and social areas.
- ◆ A candidate's contributions may be measured in terms of patents, but the number of patents, if any, is secondary to considerations of economic and social impact.
- ◆ A candidate regards himself/herself as a Minnesotan and is so recognized by others.
- ◆ A candidate has strong Minnesota ties through any one or more of birth, education, long residence, employment, family relationships, or the like, but contributions for which he/she is honored need not be made in Minnesota.

More information about the Minnesota Inventors Hall of Fame can be found at its website: [www.minnesotainventors.org](http://www.minnesotainventors.org).

The names of all the inductees are listed there, along with stories about many of them. In addition, you can fill out an electronic nomination form for the very special inventor of your choice. We try to make it easy for you to initiate the nomination process.

For those who insist on making it more difficult, a nomination form follows this article. Please print it out, complete it and send it in. Don't miss out on this opportunity to assist us in bestowing a great honor on those individuals who truly are "hall-of-fame" material.

\* \* \*

### MINNESOTA INVENTORS HALL OF FAME INDUCTEES

Dr. Norman Borlaug, a plant scientist educated at the University of Minnesota and Nobel laureate, and Dr. Robert Vince, a professor of medicinal chemistry and director of the Center for Drug Design at the University of Minnesota, were inducted into the Minnesota Inventors Hall of Fame Friday, June 11, 2010. The induction ceremony was held during the 53rd annual Minnesota Inventors Congress in Redwood Falls, Minnesota. Photographs and plaques commemorating the achievements of Dr. Borlaug and

## Minnesota Inventors continued

Dr. Vince will be displayed in a permanent exhibit at the Redwood Area Community Center, joining 61 other distinguished inventors inducted into the Minnesota Inventors Hall of Fame since its founding in 1976.

### Dr. Norman Borlaug

Dr. Borlaug is the University of Minnesota's most distinguished alumnus, where he earned a degree in forestry, followed by graduate degree and a Ph.D. in plant pathology. His life was one of unparalleled scientific, educational and diplomatic achievements in combating global hunger. In 1985, the University of Minnesota named the largest wing of the new science building on the St. Paul campus "Borlaug Hall" in his honor.

Through careful and unconventional breeding methods, he developed unique strains of wheat that resist a variety of plant pests and diseases and can be grown in a wide range of climates. However, when fertilized, these new wheat varieties grew tall and often fell over in high winds and rain. So, beginning in 1953, Dr. Borlaug began working with a wheat strain containing an unusual gene. It had the effect of shrinking the wheat plant, creating a stubby, compact variety. Yet crucially, the seed heads did not shrink, meaning a small plant could still produce a large amount of wheat. The results were nothing short of astonishing. These new "semi-dwarf" plants would produce enormous heads of grain, yet their stiff, short bodies could support the weight without falling over. Yields were tripled or quadrupled on the same amount of land. By 1959, Mexico had become self-sufficient in grain production. By the early 1960s, many farmers in Mexico had embraced the full package of innovations from Dr. Borlaug's breeding program, and wheat output in the country soared sixfold from the levels of the early 1940s.

In 1963, Borlaug was sent to Pakistan and India, which were then descending into famine.

The new Mexican wheat performed well in both countries. Within a few years wheat production tripled and both countries reached the goal of self-sufficiency. The Indian wheat crop of 1968 was so bountiful that the government had to turn schools into temporary granaries. In 1968, the administrator for the US Agency for International Development (USAID) wrote in his annual report that the phenomenal improvement in food production in the

subcontinent looked like "a Green Revolution" – which was how it came to be known.

The "Mexican Program" model was then used to form the International Rice Research Institute in the Philippines. His methods were applied to rice, the staple crop for nearly half the world's population, with yields increasing several-fold over traditional varieties.

Dr. Borlaug freely shared his knowledge with the rest of the world by training young scientists in many under developed, poverty-stricken countries, showing them the best methods to raise cereal grains. He worked to get his crops to the people who needed them, which helped avert the mass famines widely predicted in the 1960s. Largely because of his work, countries that had been food deficient, like Mexico and India, became self-sufficient in producing cereal grains. His work is estimated to have saved a billion people from dying of hunger.

Gary H. Toenniessen, director of agricultural programs for the Rockefeller Foundation, said by his calculation, about half the world's population goes to bed every night after consuming grain descended from one of the high-yield varieties developed by Dr. Borlaug and his colleagues of the Green Revolution.

It was principally Borlaug's work in India and Pakistan that won him the Nobel Peace Prize in 1970. He was awarded the Nobel Prize in recognition of his contributions to world peace through increasing the food supply. The Nobel Peace Prize Committee believed his work helped millions escape famine and misery and averted wars and social upheaval. Dr. Borlaug is the only agricultural scientist to win the Nobel Prize.

Philip Pardey, a professor in the Department of Applied Economics at the University of Minnesota's International Science and Technology Practice and Policy Center, did an economic study on the impact of Borlaug's work, not on the underdeveloped countries, but on the developed world. He reported: "Turns out that in the early 1990s in California, which is a pretty big wheat state, either every variety came directly from that program or both parents came from that program. The value of this research to the United States alone is upwards of \$13.6 billion from improved crop yields."

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## Minnesota Inventors continued

Helping farmers produce more food from less land has saved millions of acres of forests and wildlife habitats. The historically unprecedented increase in crop yields that his research helped bring about has protected millions of acres of fragile land from being plowed because, with high-yield crops, more food can be grown on fewer acres. The international research centers where Borlaug did much of his work continue that research. They also conserve, in gene banks worldwide, more than 670,000 samples of crop seeds that today's breeders are using to feed future generations.

Dr. Borlaug remained a vigorous man into his 90s, serving for many years on the faculty of Texas A&M University and continuing his vital agricultural work. By producing more food from less land, Borlaug argued, high-yield farming would help preserve Africa's wild habitats from further depletion by slash-and-burn subsistence agriculture. In recent years, he marshaled efforts to tackle a new variety of rust that is threatening the world's wheat.

Borlaug was a member of the Gopher varsity wrestling team and was inducted in the national Wrestling Hall of Fame in 1992.

*He died September 12, 2009, at age 95.*

\* \* \*

### DR. ROBERT VINCE

Professor of medicinal chemistry at the University of Minnesota, Robert Vince is a leader in the fields of medicinal chemistry and drug research. He holds 23 patents on antitumor and antiviral agents and has co-authored 121 scientific publications. His work has had a transformative impact on the treatment of AIDS/HIV and other critical diseases. His most notable achievement is the development of "carbovir," carbocyclic drugs used in Ziagen, (pronounced zy-uh-jen), the leading anti-HIV drug in the world.

While it is highly unusual for any drug candidate from an academic laboratory to survive the extremely competitive pharmaceutical drug development process, Dr. Vince has had two drugs successfully developed for commercial use.

His first interest in medicinal chemistry stems from a summer job behind a pharmacy counter. "I was interested in science and medicine from a young age," he explains. "And medicinal chemistry incorporates a lot of basic sciences: You have to know drugs, biochemistry, and pharmacology. It's rare to have all these disciplines in one person."

After completing his doctorate in medicinal chemistry at the State University of New York in Buffalo, NY, in 1966, Vince was attracted by the relatively new field of antiviral medicine. Scientists had only recently begun to explain the behavior of viruses, and the first antiviral compounds emerged from other research: While working with anticancer agents, scientists discovered that nucleotides--the basic components of DNA--could be chemically altered to disrupt the reproduction of a virus. With Dr. Howard J. Schaeffer, he developed the first acyclonucleoside family of drugs that would lead to the development of Acyclovir, the standard treatment for herpes.

Like most members of the research community, Vince began hearing about AIDS in the mid-1980s. HIV inserts itself into human cells, then, with an enzyme called reverse transcriptase, uses the cell's own reproductive machinery to replicate itself as many as 1 billion times every 24 hours. But this organism behaved differently from previously known viruses, depressing the body's immune system and mutating so quickly that attempts to understand its reproductive mechanism - much less confound it - could hardly keep pace.

Following the identification of a human retrovirus (HIV) as the cause of Acquired Immunodeficiency Syndrome (AIDS), an intense effort was made to identify drugs for the treatment of this debilitating, lethal disease.

After a decade of research into the behavior of viruses, Vince knew that altered nucleosides could act as chemical decoys, stopping reverse transcriptase from commencing the replication process, and thus effectively neutralizing the virus without destroying healthy cells. In 1986, with a research grant from the National Institutes of Health, he set out to synthesize the first compound ever designed specifically to combat HIV.

At the University of Minnesota, Vince and Mei Hua, a visiting researcher from China, synthesized a series of new compounds they called "carbovir." Sent for testing at Alabama's Southern Research Institute, they proved effective in inhibiting the replication of HIV, while showing a low toxicity - meaning that they tended not to affect healthy cells. "I remember a guy from the NIH called me at home on a Saturday morning," Vince recalls. "He was really excited. He told me they wanted me to patent these right

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## Minnesota Inventors continued

away, and they said they'd pay for preclinical testing to attract a pharmaceutical company."

The University of Minnesota patented the compounds, crediting Vince and Mei Hua with the discovery. Drug companies were eager to develop antiviral therapies. Even so, it took a decade for Vince's compounds to become a marketable drug. The University licensed the patent for carbovir to the London-based pharmaceutical giant GlaxoSmithKline in exchange for five percent of sales. The drug, abacavir sulfate, later marketed as Ziagen, is the leading anti-HIV drug marketed worldwide for the treatment of acquired immune deficiency syndrome (AIDS).

This drug has resulted in hundreds of millions of dollars in sales and an estimated \$400 million in royalties for the University of Minnesota. As mandated by federal law, two-thirds of the royalties must be reinvested in research - in this case, an endowment for graduate students and a new drug-development center. The University established a Center for Drug Design, with Vince as its director. Vince is putting his share of the Ziagen money to work on potential new AIDS drugs and other potential antiviral and anticancer agents at the center.

## In Memoriam MEMORIALS

By: Jim Young of Westman, Champlin & Kelly, P.A. - [jyoung@wck.com](mailto:jyoung@wck.com)

Each year, the Hennepin County District Court, in association with the Hennepin County Bar Association, conducts a memorial session to honor and remember those attorneys that have recently passed away. Over the past couple of years, several MIPLA members have been among that number.

We are a busy people, but as members of a professional organization such as MIPLA, it is important to pause and reflect on those that have come before us and helped make MIPLA the strong and viable organization that it is today. We honor these former members for their service to MIPLA (or as it used to be known, the "Minnesota Patent Law Association"), for their service to the legal community in general, for their service to each of their broader communities, and for their devotion to their families.

As you can see by reading of these short memorials, each person made a significant difference in the lives of many, far beyond the daily impact of providing legal services to their clients. We are grateful for having known them, and for having been their colleagues.

Jim Young

Westman, Champlin & Kelly, P.A.

### IN MEMORIAM

ROBERT THOMAS EDELL

*March 30, 1932 – March 23, 2009*

Bob was a close friend, mentor and law partner to many of us, as well as a dedicated and loving husband, father and grandfather. Bob truly loved the practice of law, having decided to pursue a legal career as a young boy. His clients and peers often referred to Bob as the best patent litigator in the country.

Bob served in the U.S. Navy for four years after graduating from Red Wing High School in 1950. He then attended engineering school at the University of Minnesota and after graduation attended William Mitchell College of Law. He graduated cum laude in 1964. Bob joined the intellectual property law firm of Merchant & Gould in 1963, and became a partner in the firm in 1970. In 1973, the firm name was changed to Merchant, Gould, Smith, Edell, Welter & Schmidt.

Bob was a very generous man. He was always willing to help others and supported many charities. He was a man of sharp wit and a hearty laugh. He was a devoted hunter and fisherman. We enjoyed many very memorable fishing and hunting trips over the course of some 30 years.

In addition to Bob's many talents, he penned many clever, humorous and sometimes serious poems. Almost

continued 

## Memorials continued

at the drop of a hat, Bob could write a meaningful, very enjoyable poem about any topic or event.

Bob is survived by his wife of 51 years, JoAnne; five children, Deborah (Jerome) Thill, John Edell, James Edell, Jeanne (Paul) Veeneman and Kathleen (Bryan) Starry; 14 grandchildren, Alisha Thill, Nicholas Thill, Matthew Thill, David Thill, Justin (Stephanie) Edell, Jack Edell, Tina Edell, Michael Edell, Dan Edell, Claire Veeneman, Grace Veeneman, John Veeneman, Brad Starry, Tyler Starry, Jessika Starry and Madisen Starry; one brother, Thomas (Linda) Edell; and one sister-in-law Jacqueline Edell.

Bob died on March 23, 2009, in the presence of his family. Bob will be remembered as a compassionate man of high integrity. He will be dearly missed by all of us who had the pleasure of knowing him.

– By: Randy King

\* \* \*

### IN MEMORIAM

CLYDE C. BLINN

*January 14, 1922 – May 12, 2009*

Clyde Clayton Blinn was born on January 14, 1922, in Sioux City, Iowa. He was left in a basket on the front porch of an orphanage and, as an infant, he was adopted by Ray and Bertha Blinn. He grew up in Sioux City, where he graduated from Central High School in 1940. He then attended Iowa State University in Ames, Iowa, where he pursued a degree in electrical engineering.

His education at Iowa State was interrupted by service in the U.S. Army, where he became an officer in the Army Signal Corps in 1944. He served in the Philippines and in Japan and was discharged from the Army in March 1946.

Clyde returned to Iowa State, where he completed his electrical engineering degree in 1947 and also met and married his wife of 61 years, Marguerite “Marge” Roepke.

After graduation from Iowa State, Clyde began a 43-year career at Honeywell, Inc. in Minneapolis. His career at Honeywell was also interrupted in 1950, when he was called back to active military duty and spent an additional 17 months in the service during the Korean War. When Clyde returned to Honeywell, he became a patent agent. Thereafter, he graduated from William Mitchell College of Law and embarked on a career as a patent attorney that lasted until his retirement in 1990.

As a patent attorney, Clyde was noted for his expertise regarding many types of electrical and electronic devices, including thermostats and other controls. He also acquired a great expertise in coordinating the handling of applications in foreign jurisdictions. Clyde was further well-known for his thoroughness and very strong work ethic. Clyde was also known for mentoring many younger attorneys who worked at Honeywell and he became influential in guiding many of their early careers.

While Clyde was a dedicated attorney and the law was important to him, his interests and pursuits involved much more. He was a long time active member of Bethlehem Lutheran Church in South Minneapolis, serving on the board and a number of committees. He loved the outdoors, was an avid sailor and had sailboats on Lake Harriet for many years. Clyde was also one who loved music and, particularly, the violin, which he played for years in the Linden Hills Chamber Orchestra. He loved to travel and made many trips abroad to a variety of places.

But, most of all, Clyde was known as a gentle and kind person who cherished his family and friends. He is survived by his devoted wife, Marge; daughter, Ann (Lindsay) McCabe; son, John (Nuchara) Blinn; and cherished grandchildren, Shire, Kyle, Tara and Sara.

It was indeed a privilege to have known and worked with Clyde and he will certainly be missed by all who knew him.

– By: Chuck Mersereau

\* \* \*

### IN MEMORIAM

TIMOTHY R. CONRAD

*May 12, 1953 – July 25, 2008*

Timothy R. Conrad was born on May 12, 1953. He passed away at the age of 55 at his home surrounded by family after surviving six years with colon cancer. Tim handled his cancer like all of life’s challenges – with kindness, wisdom and good humor. He will be remembered fondly and often by his family, including wife, Sarah; children, Erin and Stephen; and extensive relatives and friends.

Tim studied engineering and law at the University of Wisconsin-Madison. He received his Juris Doctor from the University of Wisconsin Law School in 1978.

Tim began his legal career with Wickhem, Consigny, Andrews, Hemming, & Grant in Janesville, Wisconsin, followed by a



## Memorials continued

position of patent attorney at Allis-Chalmers in West Allis, Wisconsin. Tim later moved to the Twin Cities and worked at Merchant & Gould as partner, managing director, and chief operating officer. He was probably the best diamond in the rough that Merchant & Gould ever found. Tim also worked in private practice with Venturi Group, a medical device company. There, he invented and developed products that bettered people's lives. During this time, he traveled extensively, something he truly enjoyed.

Tim cared deeply for others. He cared about all staff equally. This was true at the law firm and also at the businesses he helped create.

Tim loved the underdog. He liked the small and disadvantaged in a fight. He did patent work for individuals, as well as larger companies. He backed women and minority lawyers for partnership, and advocated for many rather liberal ideas.

Tim was very funny. At firm meetings, he always made a comment or quip that received the biggest laugh of the day. He felt humor could improve almost any situation, and the more unlikely the joke, the better.

Tim was extremely intelligent. He knew a great deal about patent law, which should surprise no one. More surprising was how much he knew about medicine, human (and pig) anatomy and the treatments for numerous diseases of the human body. He owned a well-used copy of Gray's Anatomy, which he recently gave to his daughter Erin, who will attend medical school a year from now.

Tim loved human nature and the odd and unexplainable things people sometimes do. He also knew accounting, finance and business. He took the examination to become a certified public accountant. He invented things and received several U.S. patents in his own name, in the medical products field.

Tim was quirky. He was a rather extreme "foodie." He read magazines such as Gourmet and Bon Appétit. His desserts were usually off the chart for fussiness and pretension, most memorably his chocolate mousse.

Tim was a loving man. His deep love for Sarah and his children, and their love for him, was obvious over these last years.

Tim was extremely generous. He loved more sincerely and more deeply than any other patent lawyer I have

ever known. He was a competent and whole person. Tim's generosity, intelligence, sensitivity, respect for others and personal warmth will be missed by those who shared his friendship and love. All of us miss him terribly.

– By: Jack Clifford

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### IN MEMORIAM

STEPHEN J. DAVIDSON

*August 20, 1948 – December 2, 2008*

Steve Davidson was a nationally and internationally recognized expert in the field of computer and information technology law. By the time of his sudden and unexpected death at age 60, Steve had authored more than 40 articles in the field and had lectured at more than 100 seminars throughout the United States and abroad, including presentations in England, France, the Netherlands, Mexico, Brazil, Columbia and India. He was on the board of editors of publications such as The Computer & Internet Lawyer and The Cyberspace Lawyer, and served on the board of advisors of BNA's Computer Technology Law Report.

A University of Minnesota graduate with a Bachelor of Science degree in physics, Steve received his Juris Doctor with honors from George Washington University in Washington, D.C., in 1973. He then joined Leonard, Street and Deinard in Minneapolis, where he practiced until 2008, when he embarked upon his own solo practice in his field of expertise.

His interest in computer law was kindled in 1979, when he worked intensively on one of the early cases involving computer software. Steve's involvement grew as the field grew. Steve's clients included some of the best known names in computer technology. Along the way, he served for nearly a decade on the board of the Computer Law Association (now The International Technology Law Association), and as president of that organization in 1996-97.

Steve was a tireless mentor, teacher and supporter of young information technology attorneys. Many of his protégés now hold key positions in technology companies. He was also an adjunct professor of information technology law at the University of Minnesota Law School in Minneapolis, and served on the dean's

continued 

## Memorials continued

advisory board at the George Washington University Law School in Washington, D.C.

Steve loved to fly. In addition to worldwide jet travel on the seminar circuit, Steve was himself a licensed pilot for small planes. He was at his most enthusiastic in talking about being at the controls on a recent flight.

Steve enjoyed sharing his hobbies of photography and videography. He made personal videos – complete with musical background – for special family occasions such as his sons' Bar Mitzvahs, his daughter's wedding and his wife Carole's 60th birthday. He also relished taking pictures of his three grandchildren and editing the pictures for holiday cards. Steve appreciated technology of all sorts. He made it a point of pride to build a new computer every couple of years so that he would personally be familiar with new advancements in technology and have the hands-on experience of assembling his own workstation. In recent years, he treasured the time he could spend at his home in Florida with family and friends.

Steve is survived by loving wife, Carole Davidson; children, Dawn and Danny Zouber, Steven Davidson and Jesse Davidson; sister, Debbie Davidson; grandchildren, Nate, Levi and Jady Zouber; and many loving nieces and nephews.

– By: Hal Field, Gabe Holloway, and Carole Davidson

\* \* \*

### IN MEMORIAM

WARREN A. STURM

*January 12, 1928 – June 26, 2008*

Warren Sturm practiced intellectual property law for nearly 50 years, and left his imprint on the world while doing so. Born and raised in Wauwatosa, Wisconsin, he entered service in the U.S. Army at the conclusion of World War II. He went on to earn his EE and Juris Doctor from the University of Wisconsin-Madison.

Warren began practicing law with Honeywell in Minneapolis. He then served with local law practices Carlson, Carlson & Sturm; Fredrikson & Byron; and Peterson, Palmatier, Sturm, Sjoquist & Baker. He eventually opened his own individual practice.

With his specialization in electronics, Warren worked with several local companies in the development of two-way

communication technology advances throughout the 1960s and 1970s.

In addition to practicing law, Warren had a passion for all things nautical. He grew up boating and racing inland sail boats. He sailed up through his retirement years and collected lighthouse models.

He had a great appreciation for any mechanical or electrical gadget. These included cars, motorcycles, boats, trains, aircraft, engines, radio-controlled gadgets and electrical components. He also enjoyed woodworking and metalworking. He would fix or try to improve upon anything in or around the house. His three-car garages were filled with every tool imaginable, and trips to the hardware store were not often required, except to search for the next great "deal."

Warren was fearless in taking on whatever came his way personally or professionally. He was always ready to tackle a new project. He was quick-thinking and creative in his approaches, and thrived on taking a slightly different approach than the norm.

He enjoyed finding out where people stood on a range of topics and would tweak anybody within ear shot simply to test their reaction. First impressions could cause you to think he was gruff, but underneath was a man generous to those he loved. Warren also served with Lawyers Concerned for Lawyers and on the board of Emotions Anonymous.

Warren is survived by his wife, Carol A.; four grown children and their mother, Carol W.; three grown stepchildren; his sister, Carol Jensen; and 14 grandchildren. He is missed by his family and friends.

– By: Scott Sturm

## Save the date(s)

**FRIDAY - JANUARY 7, 2011**

### IP Law Revision Committee Meeting

Look for more information the first week in January.

**SUNDAY - MARCH 6, 2011**

### 4th Annual MIPLA Cup Competition

A reception will follow. This competition, sponsored by MIPLA, brings together the four local law schools in oral arguments right before the Giles Rich Intellectual Property Moot Court Regional competition.

Judging is provided by MIPLA members from Twin Cities law firms and companies. If you would like to volunteer to judge at this year's event, please contact Hallie Finucane at [hfinucane@wck.com](mailto:hfinucane@wck.com) or 612-330-0587.

**MONDAY - MAY 23, 2011**

### MIPLA Stampede and Young Inventor Dinner

Location: IDS - Windows on Minnesota

Preliminarily looking at the following topics. Please feel free to volunteer and provide more ideas for topics.

Contact Brad Forrest at [bforrest@slwip.com](mailto:bforrest@slwip.com).

1. Prepping the prosecuting attorney for deposition
2. What can the prosecutor do in drafting the case to make later litigation more efficient
3. Role play for diversity credits
4. Case law year in reviews
5. USPTO Speaker

The Patent Prosecution Committee will meet the first Friday of each month-look for e-mail blast with the time and location.

## JOB POSTING

IPLM Group, P.A., a Minneapolis intellectual property law firm primarily serving large corporate clients, seeks an attorney with at least four years chemical patent drafting and prosecution experience and strong legal, analytical and writing skills. Information concerning the firm may be found at [www.iplmgroup.com](http://www.iplmgroup.com).

Please submit your resume and cover letter in confidence to Mr. David Cleveland, [chemical@iplmgroup.comcastbiz.net](mailto:chemical@iplmgroup.comcastbiz.net).



# 2011

**Have a Safe, Happy and Healthy New Year**