

**INTELLECTUAL PROPERTY LAW SECTION NEWSLETTER (BRIGHT IDEAS) INDEX (2000-present)**

<b>Title</b>	<b>Author</b>	<b>Vol.</b>	<b>No.</b>	<b>Issue</b>	<b>Yr.</b>	<b>Pg.</b>
Didn't I Read That Somewhere? The Practical Impact of <i>Tasini v. The New York Times</i>	Kaufman, Mark S.	9	1	SPR/SUM	2000	3
Second Circuit First Appellate Court to Apply Anticybersquatting Consumer Protection Act	Miller, Lawrence R.	9	1	SPR/SUM	2000	10
The Use of ADR in Intellectual Property Disputes	Townley, Rosemary A.	9	1	SPR/SUM	2000	13
European Directive on Processing of Personal Data and Free Movement of Such Data: Impact on U.S. Businesses	Baumgardner, Astrid R.	9	1	SPR/SUM	2000	21
In <i>Samara Brothers</i> , Supreme Court Brings Second Circuit Full Circle on the protectibility of Product Design as Trade Dress	Mitchell, Glenn	9	2	FALL	2000	2
A Brief Look at the Uniform Electronic Transactions Act, the Electronic Signatures in Global and National Commerce Act, and the European Union Directive on Electronic Signatures	Creidy, Joyce	9	2	FALL	2000	7
The Pirates Are Always With Us: What Can and Cannot Be Done About the Unauthorized Use of MP3 on Internet	Johnstone, David R.	9	3	WINTER	2000	3
Trade Secrets and the Internet: How to Avoid Disaster	Cundiff, Victoria A.	9	3	WINTER	2000	15
How Courts Should Do Their Business Regarding Business Methods After <i>State Street Bank v. Signature Financial Group, Inc.</i>	Kasdan, Michael J.	9	3	WINTER	2000	29
Domain Names and Trademarks: Recent Developments in the European Union	Majka, Tim; Lemanski-Valente, Karla	10	1	SPR/SUM	2001	3
Domain Name Disputes in Japan	Fukai, Toshiyuki	10	1	SPR/SUM	2001	7
Superhighway Widens, But Hazards Remain: More Internet Addresses Will Not Address Trademark and Unfair Competition Concerns	Brozik, Matthew David	10	1	SPR/SUM	2001	12
WIPO Protection of Audiovisual Performances: Legality vs. Reality	Furey, Donna	10	1	SPR/SUM	2001	16
A New Bright-Line Rule for Litigants Under the Federal Trademark Dilution Act in the Second Circuit: Does It Make Sense?	McGuire, George R.	10	2	FALL	2001	3

<i>TraFFix</i> : Devices: Managing the Collision of Patent Law and Trade Dress Protection	Clark, Caroline R.	10	2	FALL	2001	7
A Practical Guide to in-House Counsel for Protection of Trade Secrets and Confidential Information	Khan, Seema A.	10	2	FALL	2001	11
Developments in U.S. Copyright Law Arising from Internet Music Cases	Elkin, Michael S.; Carlstedt, Sharon P.	10	3	WINTER	2001	3
The Intersection of Publicity Rights and the First Amendment: A Survey of Recent Cases	Kraidin, Adam E.	10	3	WINTER	2001	6
Trademark Protection in the European Union: A Comparison of the European Community Trademark and the International Trademark Systems	Dimidjian, Karina; Casalonga, Caroline	10	3	WINTER	2001	14
Using Customs to Protect Intellectual Property Rights in Lithuania	Jason, Marius J.	10	3	WINTER	2001	19
The Uniform Computer Information Transactions Act: A Fatal Blow for Libraries	O'Brien, Maryellen	10	3	WINTER	2001	20
Style Piracy Revisited	Nurbhai, Safia	10	3	WINTER	2001	32
Mixed Messages: Parody and Criticism as Defenses to Trademark Infringement in Domain Names	Brozik, Matthew David	11	1	SPR/SUM	2002	3
Thoughts on Parody from the Author of Barry Trotter and the Unauthorized Parody: An Interview with Michael Gerber		11	1	SPR/SUM	2002	8
Protect Your Marks in .us, America's New Internet Address	Milam, Margaret L.	11	1	SPR/SUM	2002	12
Systems of Internal Control and Auditability of Digital Transmissions	Teplitzsky, Philip H.	11	1	SPR/SUM	2002	17
<i>Holmes v. Vornado</i> : A Restatement of the "Arising Under" Jurisdiction of Federal Courts	Dabney, James W.	11	2	FALL	2002	3
Festo Redux: A Practitioner's Guide	Lutzker, Joel E.	11	2	FALL	2002	8
In Copyright Law, the New Medium Matters	Johnson, Peter	11	2	FALL	2002	13
Who Owns the Law?	Basson, Kent	11	2	FALL	2002	18
Parallel Imports in the EU: Limits on Repackaging	Dossmann, Gerard	11	2	FALL	2002	33

Federal Circuit Affirms the Board's Authority to Terminate Interferences Under 35 U.S.C. § 135	Lee, Steven J.; Corsello, Kenneth R.	11	2	FALL	2002	37
The Legal Landscape Under Consideration in the <i>Victoria's Secret</i> Case	McGuire, George R.	11	3	WINTER	2002	3
Confusion Over Dilution: Evidentiary Barriers to Dilution Relief	Curtin, Thomas H.	11	3	WINTER	2002	7
The Copyright Law's "Publish or Perish" Requirement		11	3	WINTER	2002	12
Keep Off My Privacy: How Sweet the Sound?	Einhorn, Michael A.	11	3	WINTER	2002	15
In Providing Legal Services, Producing Client Value Is Key	Gardner, Peter J.	11	3	WINTER	2002	20
No Taxation Without Representation: Royalty Visits Canada	Eatrides, Vicky	11	3	WINTER	2002	26
Widening the Debate Over the Digital Millennium Copyright Act: Can Representative Boucher Save Fair Use from the DMCA—and Does It Really Need Saving?	Bankston, Kevin S.	12	1	SPR/SUM	2003	3
Interfaces Between Intellectual Property and Traditional Knowledge and Folklore: A U.S. Perspective	Radding, Rory J.	12	1	SPR/SUM	2003	11
It Ain't "Necessarily" So—Winning an Inevitable Disclosure Injunction Requires Proof, Not Mere Conjecture	Cundiff, Victoria A.	12	1	SPR/SUM	2003	18
TrademarkSuck.com: Free Speech, Confusion and the Right to Cybergripe	Salzberg, Deborah	12	1	SPR/SUM	2003	22
Supreme Court Affirms Legality of Copyright Term Extension Act of 1998 (Case Note)	Paldino, Kara R.	12	1	SPR/SUM	2003	35
Supreme Court Holds that FTDA Requires Proof of Actual Dilution (Case Note)	McGuire, George R.	12	1	SPR/SUM	2003	38
Second Circuit Narrows <i>In Rem</i> Jurisdiction Under the Anticybersquatting Consumer Protection Act (Case Note)	Hiller, Marc D.	12	1	SPR/SUM	2003	41
Verizon Ordered to Comply with DMCA Subpoena	Samson, Martin H.	12	1	SPR/SUM	2003	45
From Concepts to Commercialization: Practical Insights on the Intersection Between Intellectual Property and Corporate Law	Honen, Richard E.; Farber, Benjamin M.	12	2	FALL	2003	3
Protection of Authors' Moral Rights: U.S. Law and the Berne Convention	Somaschini, Angelo	12	2	FALL	2003	8

The Madrid Protocol: Pros and Cons for U.S. Companies	Latham, David A.; von Bomhard, Verena	12	2	FALL	2003	21
Where Most Trademark Battles Are Fought: Suggestive v. Descriptive Marks	Radding, Rory J.	12	2	FALL	2003	26
Rosa Parks	Lieberstein, Marc A.; Cermele, Mark	12	2	FALL	2003	32
Another Assault on Personal Privacy: The ISP's Dilemma	Ricciardi, Martin J.	12	2	FALL	2003	41
The <i>Grokster</i> Decision: It's a Bird! It's a Plane! It's Supernodes?!?	Flemma, Jay	12	2	FALL	2003	46
Royalty Rights in Bankruptcy: <i>In re CellNet Data Systems</i>	Humphreys, Noel D.; Pasuit, Thomas J.	12	2	FALL	2003	51
Supreme Court Holds That Lanham Act Cannot Prevent Unauthorized Copying of Public Domain Work	Creidy, Joyce L.	12	2	FALL	2003	55
U.S. Intellectual Property Law and the Biotech Challenge: Searching for an Elusive Balance	Gardner, Peter J.	12	3	WINTER	2003	3
<i>Festo</i> : The Latest Chapter	Reines, Edward R.	12	3	WINTER	2003	8
Re-Stating IP Law: Congress Proposes Withholding Intellectual Property Protection from Sovereignties That Do Not Waive Immunity	Brozik, Matthew David	12	3	WINTER	2003	11
Second Circuit Refines "Total Concept and Feel" Test for Copyright Infringement	Bernstein, Robert J.; Clarida, Robert W.	12	3	WINTER	2003	17
Trade Dress Protection and the Future of Dilution After the Supreme Court's Decision in the Victoria's Secret Case	McGuire, George R.	12	3	WINTER	2003	20
U.S. Joins Madrid Protocol: New International Filing Opportunities for U.S. Trademark Owners	Vogel, Jason M.	12	3	WINTER	2003	29
Disparaging Trademarks in Context: <i>Pro-Football, Inc. v. Suzan Shown Harjo</i>	Matkowsky, Jonathan	12	3	WINTER	2003	32
EU Expansion: Implications and Expectations for Community Trademarks	Fairley, Eleanor	12	3	WINTER	2003	35

The Road to Trade Dress Protection for Product Configuration: Not a Dead End Despite <i>TrafFix</i> and the Functionality Roadblocks	Farley, Susan E.; Fuierer, Alana M.	13	1	SPR/SUM	2004	3
Trade Secret Law Practice: Keeping Secrets and Avoiding Liability	Shapiro, Jonathan S.; Good, Natalie P.	13	1	SPR/SUM	2004	8
So Similar and Yet So Different: The Right to Domain Names in Germany and the United States	Drimmer, Deborah	13	1	SPR/SUM	2004	12
IP Litigation and Enforcement in Indonesia	Menon, Deborah	13	1	SPR/SUM	2004	17
Why Should Radio Stations Pay? The Controversy Over Royalty Liabilities for Radio Stations That Simultaneously Stream Their Broadcasts Over the Internet	Barbaruolo, Christopher L.	13	1	SPR/SUM	2004	20
Market Definition in Intellectual Property Law: Should Intellectual Property Courts Use an Antitrust Approach to Market Definition?	Kingsbury, Anna	13	1	SPR/SUM	2004	32
Protecting Online Databases from Robotic Attack: <i>Register.com, Inc. v. Verio, Inc.</i>	Falker, Paul M.	13	1	SPR/SUM	2004	46
Recent Legal and Legislative Developments in the Area of Online Contextual Marketing	Benjamin, Amy J.; Matkowsky, Jonathan	13	2	FALL	2004	3
Bearing the Costs of Non-Party Discovery in Intellectual Property Disputes	Neufeld, Robert T.	13	2	FALL	2004	9
The Federal Trademark Dilution Act: Time for a Change?	Resnick, Debra I.; Palumbo, Anthony J.	13	2	FALL	2004	14
When the Message Is the Mark: Protecting the Epigram-as-Product	Brozik, Matthew David	13	2	FALL	2004	19
Publicity Rights for Horses Reined in by Supreme Court of Japan	Tessensohn, John A.	13	2	FALL	2004	22
New Design Rights Law in Germany	Harrison, Dr. Robert	13	2	FALL	2004	25
An Art Lawyer's Musings on Intellectual Property Debate in the Digital Age: Defining the Delicate Balance	Hoffman, Barbara T.	13	2	FALL	2004	27
The Enforceability of Open-Source Licenses	Graff, George L.	13	3	WINTER	2004	3
Peer-to-Peer File Sharing: The Ninth Circuit Weighs In Again	Kaufman, Mark S.	13	3	WINTER	2004	8

<i>Nissan Motor Co. v. Nissan Computer Corp.</i> : Ninth Circuit Construes the Federal Trademark Dilution Act	Block, Marc Jonas	13	3	WINTER	2004	14
Copyright and Nanotechnology: Revisiting "Thin" Protection	Clarida, Robert W.	14	1	SPR/SUM	2005	4
Supreme Court Clarifies Fair-use Defense as Trademark Infringement	Braun, Lynda M.	14	1	SPR/SUM	2005	9
Practicing the Japanese Art of the Patent Lawsuit	Tessensohn, John A.	14	1	SPR/SUM	2005	12
Health Crises vs. Pharmaceutical Patents: The Effects of Allowing Patent Override Under the August 2003 Addition to the Doha Declaration	Gross, Michelle R.	14	1	SPR/SUM	2005	16
Software Sales Contracts and the Question of Transfer of Copyrights in Germany and the United States	Stolz, Claudia	14	1	SPR/SUM	2005	30
China: The Impact of New Judicial Interpretations in Intellectual Property-Related Criminal Cases	Zhang, August; Moroney, Raymond	14	1	SPR/SUM	2005	31
Grokster's Unfinished Business	von Lohmann, Fred	14	2	FALL	2005	4
<i>MGM v. Grokster</i> : "To Leave Further Consideration of the <i>Sony</i> Rule for a Day When That May Be Required"	Wells, Bert	14	2	FALL	2005	7
Court of Appeals Rejects Trademark Attack on Targeted Internet Advertising	Barenholtz, Celia Goldwag	14	2	FALL	2005	12
Can the Software Patent Genie Be Put Back in Its Bottle?	LaBarre, John	14	2	FALL	2005	15
Google and the Book Publishers: Testing the Limits of Fair Use in the Digital Environment	Givler, Peter	14	2	FALL	2005	23
Experience with <i>Markman</i> Proceedings in Patent Litigation	Abate, Mark J.	14	3	WINTER	2005	5
Proving: Patent Damages: What Is the Best Model for Your Client?	Irvine, Shelley, Saitz, Juli	14	3	WINTER	2005	11
New York's Information Security Breach and Notification Act: A First Step in Protecting Individuals from Identity Theft	Hiller, Marc David	14	3	WINTER	2005	16
Revenge of the Nerds in Japan: Examining the Employee-Inventor Revolt in Japan	McMurray, Thad	14	3	WINTER	2005	35
Trademark Law and Fair Use: The Tug of War Between Fair Use and Confusion in the Marketplace	Feingold, Stephen W.; Negron, Liza	14	3	WINTER	2005	47

Nine Digits Is Not Creative Enough for Copyright Protection	Humphreys, Noel D.	15	1	SPR/SUM	2006	3
Case Note: <i>Perfect 10 v. Google, Inc.</i>	Blair-Stein, Shirley	15	1	SPR/SUM	2006	10
An Olympic Perspective: Intellectual Property in International Sports Marketing	Francis, Sheila; Asbell, Matthew	15	1	SPR/SUM	2006	19
Why Is Prejudgment Interest in IP Cases Based on Risk-Free Treasury Bonds?	Diamond, Charles, Ph.D.; Kwak, Michael; Fruite, Robert	15	2	FALL	2006	3
<i>eBay Inc. v. MercExchange, L.L.C.</i> : New Standard for Permanent Injunctions in Patent Cases	Zoppo, Michael T.; Sandhu, Charan	15	2	FALL	2006	7
California Court of Appeals Blocks Discovery Directed Toward Alleged Trade-Secret Leakers	Bloom, Jonathan	15	2	FALL	2006	11
New York District Court Denies Injunction Request Despite Finding Initial Interest Confusion	Seyler, Julie B.	15	2	FALL	2006	17
Second Circuit Finds Reproductions of Concert Posters in Illustrated Biography to Be Fair Use	Bloom, Jonathan	15	2	FALL	2006	20
Avoid Getting Caught in the Web: Keyword Advertising and Trademarks	Garrity, Paul W.; Marcotte, Matthew D.	15	3	WINTER	2006	3
Ringtones: Copyright Office Decision Is Music to Record Companies' Ears	Salvo, Joseph; Austin, Campbell	15	3	WINTER	2006	8
Video on Demand and the Problem of Defining Licensing Rights	Azava, Natallia	15	3	WINTER	2006	12
The Implications of Recent New York Transfer Pricing Decisions for IP Lawyers	Curd, Rebel; Fickling, Susan; Minnear, Molly	16	1	SPR/SUM	2007	3
eBay's Secondary Trademark Liability Problem and Its VeRO Program	Pilutik, Scott	16	1	SPR/SUM	2007	7
Canadian Supreme Court Rules on Republication of Articles in Context of Electronic Media	Thurman, James M.	16	1	SPR/SUM	2007	24
Ninth Circuit Rejects Aesthetic Functionality Defense	McGuire, George R.; Price, Frederick	16	1	SPR/SUM	2007	33

The Access-to-Medicines Debate: Arguments Against a Globally Harmonized Patent System	Wu, Jennifer	16	1	SPR/SUM	2007	39
Fame v. Infamy: An Analysis of Self-Dilution Under the Trademark Dilution Revision Act of 2006	Tuttle, Jason J.	16	2	FALL	2007	3
Getting the Most Out of Appellate Intellectual Property Mediation at the Federal Circuit	Dean, Wendy Levenson	16	2	FALL	2007	9
Claiming Software-Based Inventions in the Wake of Microsoft v. AT&T	Gingher, Robert; Uffelman, Jonathan	16	2	FALL	2007	14
The Evolution of the Fraud Doctrine in the Trademark Office: <i>Medinol</i> and Its Prgeny	McLeod, Linda K.; Lemper, Timothy A.	16	3	WINTER	2007	3
Taking the Profit Out of Trademark Counterfeiting	Crusco, Peter A.	16	3	WINTER	2007	12
IP Rights and Licenses Within Virtual Worlds: Second Life	Taney, Francis X.	16	3	WINTER	2007	15
<i>Seagate</i> Changes the Equation: Federal Circuit Creates New Test for Proving Willful Infringement and Preserves the Attorney-Client Privilege	Ferguson, Brian	17	1	SPR/SUM	2008	3
The Death of Celebrity Art: Why the Right of Publicity Should Not Survive Death	Serbagi, Christopher; Marcus, David	17	1	SPR/SUM	2008	11
Second Circuit Holds In-State Goodwill Required for New York Unfair Competition Claim	Bakshani, Bharati; Asbell, Matthew	17	1	SPR/SUM	2008	24
“Best Practice” ADR Strategy in IP Litigation: The Separate but Complementary Roles of Settlement Counsel and Trial Counsel	Miller Charles E.; Morgan, Peter W.	17	2	FALL	2008	3
Marks for Law Firms—Trademarks, That Is	DuBoff, Leonard D.; King, Christy O.	17	2	FALL	2008	6
Why a Reasonable Right of Publicity Should Survive Death: A Rebuttal	Lieberstein, Marc A.	17	2	FALL	2008	9
Application of the DMCA Section 512(c) Safe Harbor to Video-Sharing Web Sites	Leung, Jeff	17	2	FALL	2008	13
Software, CDs, and eBay: The First-Sale Doctrine on the Internet	Fiore, Mark J. Fiore	17	2	FALL	2008	27
Federal Circuit Redefines Boundaries of Declaratory Judgment Jurisdiction	Wu, Jennifer H.; Perito, Andrew L.	17	3	WINTER	2008	3



Copyrights, Contracts, and Confusion: "Open Source" Software Licenses and <i>Jacobsen v. Katzer</i>	Ross, Susan L.	17	3	WINTER	2008	9
License to a View: Second Circuit Finds No Direct Infringement of Reproduction or Public Performance Rights by Digital video Recording Service	Thurman, James M.	17	3	WINTER	2008	15
International Trademark Protection	Baratta, Olivia Maria; James, Christine P. ; Pawlenty-Altman, Allisen; Vogel; Jason M.	18	1	SPR/SUM	2009	2
Dissonant Paradigms and Unintended Consequences: Can (and Should) the Law Save Us from Technology?	Labriola, Donald J.	18	1	SPR/SUM	2009	7
When Are Ideas Protectible?	Block, Marc Jonas	18	1	SPR/SUM	2009	23
Enforceability of Web site Terms of Use	Eckstein, Amyt	18	2	FALL	2009	2
Parallel Imports: How Courts Distinguish "Genuine" From "Non-Genuine" Goods Under the Lanham Act	Rosaya, Lisa W.; Ballard, Marcella; Lakes, Joi Michelle	18	2	FALL	2009	6
Is the Tide Turning in Keyword Advertising Litigation: The Significance of <i>Rescuecom v. Google</i>	Carmichael, Tamara; Elimelekh, Shelly	18	2	FALL	2009	11
E-mail Traps and Troubles	DuBoff, Leonard D. ; King, Christy O.	18	2	FALL	2009	16
Factoring in the Public Interest: The Impact of <i>eBay</i> on Injunctive Relief in Copyright Cases	Lackman, Eleanor M.	18	3	WINTER	2009	2
<i>Arista Records v. Launch Media, Inc.</i> : Second Circuit Grapples with Interactivity	Elkin, Michael S.; Lane, Thomas Patrick	18	3	WINTER	2009	9
Community Trademarks: Penny-Wise, Pound-Wise	Latham, David; O'Neill. Hugh	18	3	WINTER	2009	15
Transfer Motions in Patent Cases	Oropallo, Michael A.; Nichols, John M.	18	3	WINTER	2009	18
<i>Ariad Pharmaceuticals v. Eli Lilly</i> : Change to the Written Description Requirement or Simply the Status Quo?	Muenkel, Jonathan A.; Clark, Landon R.	19	1	SPR/SUM	2010	2

The S.515 Manager's Amendment: Negative Consequences for Patent Owners in Ex Parte Reexaminations and Calamitous Repercussions for the Inventive Community	Miller, Charles E.; Archibald, Daniel P.	19	1	SPR/SUM	2010	8
Second Circuit Addresses Dilution Standard	Mayer, Stacey	19	1	SPR/SUM	2010	15
Financial Services Firms Win "Hot News" Misappropriation Case	Bloom, Jonathan	19	1	SPR/SUM	2010	18
Committee Activities	Slavitt, Kelly	19	1	SPR/SUM	2010	21
<b>Special Section: Fashion and the Law</b>						
Introduction		19	2	FALL	2010	3
Fashion Law: Key Issues in New Legal Discipline	Jimenez, Guillermo; Kolsun, Barbara; Gottlieb, George; Misthal, Marc	19	2	FALL	2010	4
Should the United States Protect Fashion Design? The Proposed Design Piracy Prohibition Act	Jimenez, Guillermo; Corchado, Lara; Kosinski, Kristin	19	2	FALL	2010	11
Licensing in the Fashion Industry	Jimenez, Guillermo; Kolsun, Barbara; Surendran, Anita	19	2	FALL	2010	15
Anti-Counterfeiting in Fashion	Kolsun, Barbara;; Heather McDonald; Surendran, Anita	19	2	FALL	2010	21
Distinction Without Difference? The Impact of Salinger on Preliminary Injunctions in Trademark Cases in the Second Circuit	Potter, Robert N.; Gerber, Andrew I.	19	2	FALL	2010	27
<i>Tiffany v. eBay</i> : "Notice and Takedown Plus" as the Standard for Contributory Liability for Online Marketplace Sites?	Gruber, Robin ; Chemcham, Chehrazade	19	2	FALL	2010	33
Key Distinctions in the European Approach to Online Jurisdiction and Trademark Disputes	Dickson, Gareth	19	2	FALL	2010	39
Cost-Effective Design and Copyright Protection in the EU	Day, Patsy	19	2	FALL	2010	45

Legalization of Documents in International Trademark Practice: A Primer	Sloane, Peter S.; Lysenko, Sergey	19	2	FALL	2010	48
Avoiding Patent Immortality for Self-Replicating Technologies	Chin, Yee Wah	19	2	FALL	2010	50
Women in Intellectual Property Law		19	2	FALL	2010	52
New York Bar Foundation's Intellectual Property Law Section Fellowship Renamed to Honor Miriam "Mimi" Maccoby Netter		19	2	FALL	2010	54
Recent Damages Trends in Patent Infringement Litigation	Setty, Nagendra; Smith, Jay; Resnick, Debra	19	3	WINTER	2010	3
Open Source Software: To Patent or Not To Patent?	Noonan, Martin F.	19	3	WINTER	2010	17
Federal Court of Canada Holds "Business Methods" Patentable	North, Geoffrey	19	3	WINTER	2010	21
<i>Chloé v. Queen Bee</i> : Second Circuit Expands Reach of New York Long-Arm Statute in Online Counterfeiting Case	Maytal, Itai	19	3	WINTER	2010	25
Advertising and the Environment: The New FTC Green Guides	Lieberstein, Marc A.; Benjamin, Barry M.	19	3	WINTER	2010	35
The Ethical Quandary of Pretext Investigations in Intellectual Property Practice and Beyond	Sheehan, Teige P.	19	3	WINTER	2010	38
The Legal Framework for Trademark Licensing Agreements in Brazil	Velasco, Otavio Padilha	19	3	WINTER	2010	47
Ninth Circuit Emphasizes Flexibility in Assessing Likelihood of Confusion in Keyword Advertising Cases	Rachman, Marc J.; González, Gustavo	20	1	SPR/SUM	2011	3
Reflections on the Use of Trademarks in Social Networking Website Vanity URLs	Shimanoff, Eric Joseph	20	1	SPR/SUM	2011	6
Clearing Content in Documentary Filmmaking: A Research Report	Wu, Stacy	20	1	SPR/SUM	2011	9
Consulting Legislative History to Condemn Pay-for-Delay Settlements	Herman, Michael R.	20	1	SPR/SUM	2011	19
Breakfast with United States Patent Trademark Office Director David Kappos		20	1	SPR/SUM	2011	36

<i>Penguin Group (USA) Inc. v. American Buddha</i> : New York's Long-Arm Statute Grows Longer for Internet Piracy	McNamara, Elizabeth; Robinson, Chris	20	2	FALL	2011	3
When Is "Knowledge" Knowledge? Supreme Court Applies Criminal Standard to Patent Infringement Inducement Statute	Oropallo, Michael A.; Alciati, W. Cook	20	2	FALL	2011	6
Federal Circuit Raises the Bar for Inequitable Conduct	Sheehan, Teige P.	20	2	FALL	2011	9
The Standard of Proof for Trademark Abandonment	Bonilla, Daniel E.	20	2	FALL	2011	13
<i>L'Oréal v. eBay</i> : Towards a New EU Liability Regime for Online Marketplaces	Chemcham, Chehrazade	20	2	FALL	2011	16
Copyright Termination Rights: M&A Considerations	Casselman, Carrie	20	3	WINTER	2011	3
<i>Viacom v. YouTube</i> : Second Circuit Plumbs the Depths of the DMCA Safe Harbor	Dickson, Gareth	20	3	WINTER	2011	10
Agency Decision-Making, Judicial Recourse, and the Black Swan in PTO Post-Patent-Grant Proceedings Under the America Invents Act	Miller, Charles E.; Archibald, Daniel P.	20	3	WINTER	2011	15
Third Circuit Casts Doubt on Usefulness of Online Opinions as Evidence of Consumer Confusion	Colbath, Bruce; Rosensteel, Kimberly	20	3	WINTER	2011	26
New York Court of Appeals Finds Broad Immunity for Website Operator Under CDA Section 230	Feigelson, Jeremy; Kriegman, Katherine	20	3	WINTER	2011	29
A Brave New World: Protecting Information (Including Trade Secrets) in the Cloud and in Social Media	Milligan, Robert B.; Salinas, D. Joshua	21	1	SPR/SUM	2012	3
Of Archaic Pegs and Modern Holes: Supreme Court of Canada Addresses Linking and Protects Freedom of Expression Online	Bourne, Timothy C.	21	1	SPR/SUM	2012	9
The Legal Remainder: Trademark Rights in the Wake of Statutory Copyright Termination	Feiereisel, Kathryn	21	1	SPR/SUM	2012	12
Tattoos and the Law of Copyright	Hatic, Meredith	21	1	SPR/SUM	2012	20
<i>Mayo v. Prometheus</i> : The Overlap Between Patent Eligibility and Patentability	Sheehan, Teige P.	21	2	FALL	2012	3

<i>Kappos v. Hyatt</i> and the Endangered Right of De Novo Judicial Review of Agency Decisions in the Wake of the America Invents Act	Miller, Charles E.	21	2	FALL	2012	9
<i>So What'cha Want?</i> The Need for Clarity in Copyright Infringement Cases Based on Digital Sampling	Potter, Robert; Gerber, Andrew; Harris, Olivia	21	2	FALL	2012	17
<b><i>Celebrating 20 Years of the Intellectual Property Law Section</i></b>		21	3	WINTER	2012	
Message from the Editor	Bloom, Jonathan	21	3	WINTER	2012	3
Remarks of Section Chair Kelly Slavitt at the Section's 20th Anniversary Gala Celebration, September 14, 2012, Gotham Hall, New York City		21	3	WINTER	2012	4
Scenes from the Intellectual Property Law Section 20th Anniversary Gala Celebration		21	3	WINTER	2012	7
Copyright Law	Fakler, Paul; Roman, Eric	21	3	WINTER	2012	11
Internet and Technology Law	Prahl, Dennis S.; Wu, Stacy L.; Asbell, Matthew D.; Gigante, John D.; Mantle, Ray; Ravin, Richard L.	21	3	WINTER	2012	14
Patent Law	Oropallo, Michael A.; Shkurko, Eugene I.; Wasco, Michael J.	21	3	WINTER	2012	18
Trademark Law	Jacobs, Elana T.; Bright, Megan; Bongiorno, Marina; Rosaya, Lisa; Samuels, Bill; Rachman, Marc J.	21	3	WINTER	2012	21
Trade Secret Law Practice: Keeping Secrets and Avoiding Liability	Miro, Douglas A.; Quigley, Stephen J.	21	3	WINTER	2012	26
<i>Rosetta Stone v. Google</i> : Fourth Circuit Misses Opportunity to Clarify Distinction Between Direct and Contributory Trademark Infringement	Bloom, Jonathan	21	3	WINTER	2012	30
Transitioning to the America Invents Act	White, Christopher	22	1	SPR/SUM	2013	3

Clarifying Intellectual Property Rights in Secured Transactions	Angrand, Fitzgerald	22	1	SP/SUM	2013	13
Does the First Sale Doctrine Protect the Resale of Digital Music Files?	Hili, Heather C.	22	1	SPR/SUM	2013	22
<i>Scorpio S.A. v. Willis</i> and Termination Rights	Hallum, Ana-Karine	22	1	SPR/SUM	2013	30
The Supreme Court Holds Genes Are Patent-Ineligible Products of Nature	Sheehan, Teige P.	22	2	FALL	2013	3
Battle for the Bridge to the ITC: Licensing Investments as a Means to Establish a Domestic Industry for NPEs	Herrington, Ryan N.	22	2	FALL	2013	9
Fast-Tracking Green Patent Applications	Dechezleprêtre, Antoine; Lane, Eric	22	2	FALL	2013	14
Bloggers, Journalists, Reporting, and Privilege	Coleman, Ronald D.	22	2	FALL	2013	17
The Role of Volition in Evaluating Direct Copyright Infringement Claims Against Technology Providers	Lackman, Eleanor M. ; Sholder, Scott J.	22	3	WINTER	2013	3
Has the Transformative Use Test Replaced the Second Circuit's Rogers Test in Balancing the Right of Publicity Against First Amendment Rights?	Rachman, Marc J. ; Cromartie, Dominick R.	22	3	WINTER	2013	11
Criminal Liability for Source Code Theft	Miro, Douglas A. ; Quigley, Stephen J.	22	3	WINTER	2013	16
Information or Deception? Recent Regulatory Efforts to Help Consumers Identify Advertising in the Digital World	Singer, Brooke Erdos ; Muller, Celia R.	22	3	WINTER	2013	19
ICANN and its New gTLD Program: Risks and Challenges	Kudlacik, Mark	22	3	WINTER	2013	23
Using Intellectual Property Laws to Protect Indigenous Cultural Property	Greer, Olivia J.	22	3	WINTER	2013	27
Miriam Maccoby Netter Fellowship Report	Chen, Charles	22	3	WINTER	2013	34
<i>Inter Partes</i> Review in the Patent Trial and Appeal Board: A Top Ten List	Schechter, Peter C.	23	1	SP/SUM	2014	3
The Role of Market Exclusivity in Repurposing Drugs in the United States	Reiche, Sharon	23	1	SP/SUM	2014	8
3D Printing: A Copyright Law Overview	Weinberg, Michael	23	1	SP/SUM	2014	12
The Problem of Scandalous, Immoral, and Disparaging Trademarks	Rodrigues, David	23	1	SP/SUM	2014	19

Supreme Court Term Features Several Significant Patent Rulings	Miro, Douglas A.; Quigley, Stephen J.	23	2	FALL	2014	3
The Day the Streaming Died: Aereo Loses in the Supreme Court	Foy, Nyasha S.	23	2	FALL	2014	10
Seventh Circuit Finds Michael Jordan Congratulatory Advertisement Is Commercial Speech	Edelman, Sara; Perell, Kathleen	23	2	FALL	2014	14
Opportunistic Registrations of Domain Names: What Is Going On, and What Tools Are Available for Trademark Owners?	Levine, Gerald M.	23	2	FALL	2014	17
Corporate America: Get Your Ducks in a Row! Ten Easy Steps to Increasing Shareholder Value with Soft IP	Sloane, Peter S.	23	3	WINTER	2014	3
Federal Circuit Addresses the Role of District Courts in Assessing Patent Damages, Expert Witness Testimony, and Reasonable Royalty Evidence	Oropallo, Michael A.; Satra, Bella S.	23	3	WINTER	2014	6
The Continuing Evolution of Patent Eligibility Under 35 U.S.C. § 10	Sheehan, Teige P.	23	3	WINTER	2014	12
Best Practices in Sharing Trade Secrets With Other Organizations and Their Employees	Cundiff, Victoria A.	24	1	SPR/SUM	2015	3
Federal Circuit Provides guidance on Jury Instructions on Apportionment of Patent Damages	Shcenk, Kimberly J.; Plumpe, John G.	24	1	SPR/SUM	2015	11
When Worlds Collide: The Intellectual Property and Public Health Implications of Combating Counterfeit Pharmaceuticals	Deroo, Amy	24	1	SPR/SUM	2015	16
Second Circuit Deconstructs Architectural Works Copyrights	Oropallo, Michael A.	24	1	SPR/SUM	2015	25
Giving TTAB Likelihood of Confusion Rulings Preclusive Effect in Court: Implications of <i>B&amp;B Hardware, Inc. v. Hargis Industries, Inc.</i>	Jones, Jason D.	24	2	FALL	2015	5
The Impact of <i>Teva Pharmaceuticals</i> : Observations from the Trenches		24	2	FALL	2015	9
Octane Fitness Producing More Patent Act and Lanham Act Attorneys' Fee Awards	Garrity, Paul W.; Monahan, Thomas M.	24	2	FALL	2015	12
Fair Use on the Campaign Trail	Bloom, Jonathan; Greer, Olivia	24	2	FALL	2015	15

Navigating the Intellectual Property Landscape: A Primer for New Businesses and Businesses Readying a New Product/Service Launch	Felber, Joel J.; Marcus, Yuval H.	24	3	WINTER	2015	5
Acquired Distinctiveness of Trademarks in the United States	Asbell, Matthew D.	24	3	WINTER	2015	13
Debating Designs: <i>Varsity Brands</i> and Intellectual Property Protection for Fashion Designs	Whitney, Craig B.; Kronman, Rachel	24	3	WINTER	2015	18
<i>JVC v. Nero's</i> Strategic Retreat From the precipice of Patent Exhaustion	Cheng, Gino	24	3	WINTER	2015	22
How to Prove Third-Party Trademark Use	Lehv, Richard	25	1	SPR/SUM	2016	5
Earlier Registered Domain Names, Later Acquired Trademarks	Levine, Gerald M.	25	1	SPR/SUM	2016	9
Recent Developments Relating to Laches in Copyright Law	Fakler, Paul; Tang, Xiyin	25	1	SPR/SUM	2016	13
Laches: Still Alive and Well in Trademark Infringement Cases	Finguerra-DuCharme, Dyan	25	1	SPR/SUM	2016	18
What Will Become of <i>Alice</i> ?	Oropallo, Michael A.; Satra, Bella S.	25	1	SPR/SUM	2016	20
What You Need to Know About the Defend Trade Secrets Act	Cundiff, Victoria A.	25	2	FALL	2016	5
<i>Cuozzo</i> : Long Live IPRs	Dunn, Tammy J.; Schechter, Peter C.	25	2	FALL	2016	12
Arbitrating Patent Disputes in the United States	Baker, Bill	25	2	FALL	2016	19
Putting the Diligence in Intellectual Property Due Diligence: Cautionary Tales of Those Who Didn't	Lieberstein, Marc; Peterson, Gwen	25	2	FALL	2016	26
Second Circuit Weighs in on Nominative Fair Use, Certification Marks	Bloom, Jonathan; Falk, Jessica	25	2	FALL	2016	30
Section Activities	Utrata, Lindsey	25	2	FALL	2016	34
Fair and Unfair Publishing Contracts: [How] Can Authors Protect Their Rights	Levine, Gerald M.; Levin, Sheila J.	25	3	WINTER	2016	5
CJEU Clarified Hyperlinking Copyright Infringement	O'Hare, Elaine; Collins, Tom	25	3	WINTER	2016	10



Section Activities: 14th Annual Women in Intellectual Property Law	Utrata, Lindsey	25	3	WINTER	2016	12
Photos from the 2016 Annual Meeting		25	3	WINTER	2016	15-16
Trademark Rights in Guitar Body Shapes	Ma, David	25	3	WINTER	2016	17
Privacy in M&A Transactions: Navigating the Traps	Ilan, Daniel; Ronco, Emmanuel; Gerlach, Natascha; Rosen, Jane	26	1	SPRING	2017	5
The Alliance for Open Media: The Latest Challenge to Patent Pools	Sarna, Brad; Salins, Jordan	26	1	SPRING	2017	14
Using Third Parties' Trademarks: Unpacking Commerciality, Competition and Confusion	ErDOS Singer, Brooke; Sharavsky, Maxine	26	1	SPRING	2017	17
Annual Meeting photos		26	1	SPRING	2017	19
The Designer Formerly Known as ... Intellectual Property Issues Arising from Personal Names as Fashion Brands	Sciarrino, George C.; Asbell, Matthew D.	26	1	SPRING	2017	29
<i>Star Athletica</i> : Finding for Fashion	Whitney, Craig B.; Santori, Rachel	26	2	SUMMER	2017	5
Inviting the Return of the Submarine Patent	Miro, Doug; Rosenthal, Larry	26	2	SUMMER	2017	9
Supreme Court Protecting Registration of Disparaging Trademarks	Bloom, Jonathan	26	2	SUMMER	2017	17
Section Activities and Notices—15th annual Women in IP		26	2	SUMMER	2017	13
Copyright Corrida: Weighing in on the VARA Rights of “Charging Bull” and “Fearless Girl”	Tarsis, Irina	26	2	SUMMER	2017	21
Strategic Considerations Prior to Sending IP Cease and Desist Letters: Minimizing the Risk of Defending Declaratory Judgment Actions	Marcus, Yuval H.; Sabol, Lauren B.	26	3	WINTER	2017	4
Can Sovereign Immunity Act as a Bar to Patent Infringement? The Current State of the Law Is Trending That Way	Oropallo, Michael; Evangelatos, Peter	26	3	WINTER	2017	9
The Rise of a Secondary Market for Domain Names: A Tale of Competing Interests	Levine, Gerald M.	26	3	WINTER	2017	12

All's Fair (Use) in Love and Trademarks	Davis, Cheryl	26	3	WINTER	2017	17
Measuring the Mark: Use of Analytics in Trademark Infringement Cases	Haas, David; Vasdekas, Nick; Salins, Jordan	27	1	SPRING/ SUMMER	2018	5
Brands, CSR, and Compliance: Working Together to Create Value and Improve Society	McCarthy, Jennie; Lieberstein, Marc; Bullock, Alex; Gaudreu, Holly	27	1	SPRING/ SUMMER	2018	8
Determining a Reasonable Licensing Fee for Purposes of Copyright Damage Awards	Sholder, Scott J.; Edelstein, Lindsay R.	27	1	SPRING/ SUMMER	2018	13
Past-Chairs Panel in Honor of Section's 25th Anniversary of Annual Meeting	Chakansky, Michael I.	27	1	SPRING/ SUMMER	2018	15
Annual Meeting Photos		27	1	SPRING/ SUMMER	2018	16- 18
The Uncertain Landscape of Public Performance Rights in Pre-1972 Sound Recordings	Cain, Jeremy	27	1	SPRING/ SUMMER	2018	23
TVEyes and the Future of Technotainment	Sholder, Scott J.	27	2	FALL	2018	4
Gone But Not Forgotten: Court of Appeals Clarifies Liability for Deletion of Copyright Management Information	Kaufman, Mark S.	27	2	FALL	2018	4
Will a Survey Enhance the Chances of Winning Your Trademark Infringement Case?	Berger, James T.	27	2	FALL	2018	4
Section Activities: 16th Annual Women in IP Program		27	2	FALL	2018	4
How to Litigate Against a Copyright Troll	Furgang Adwar, Stephanie	27	2	FALL	2018	4
The Emergence and Consolidation of a Jurisprudence of Domain Names	Levine, Gerald M.	27	2	FALL	2018	4
One State Is Not Like the Others: New York Rejects Avoided Development Costs as a Measure of Trade Secrets Damages	Cundiff, Victoria A.	27	3	WINTER	2018	4
Is the Presumption of Validity Dead for Substitute Claims Issued as a Result of Motions to Amend After PTAB Proceedings?	Macedo, Charles R.; Lisiewski, Christopher; Reilly, Sean	27	3	WINTER	2018	13

Second Circuit Clarifies Significance of Trade Channels in Trademark Infringement Litigation	Vosgerchian, Jessica	27	3	WINTER	2018	17
Under New York's Long-Arm Statute, When Is Infringement "Within the State"?	Koegel, Jeffrey M.	27	3	WINTER	2018	20
Hyperlinking in the EU: Balancing Freedom of Expression with Protection of Copyright and Reputation Without Breaking the Internet	O'Hare, Elaine	28	1	SPRING SUMMER	2019	5
<i>ReDigi</i> and the Application of the First Sale Doctrine to Digital Works	Rachman, Marc J.; Podolnick, Joshua B.	28	1	SPRING SUMMER	2019	9
When Do Copyright Claims Accrue?	Bloom, Jonathan	28	1	SPRING SUMMER	2019	13
<i>Pinterest</i> Illuminates Key Lessons for Litigating Trade Secrets Claims	Fischer, Brian J.; Martinez, Jessica A.	28	1	SPRING SUMMER	2019	23
Message from the President	Greenberg, Hank	29	1	WINTER	2020	4
<i>Iancu v Brunetti</i> : Supreme Court Again Fails to Clarify the Intersection of Trademark Law and the First Amendment	Braun, Lynda M.; McTootle, Arielle B.	29	1	WINTER	2020	5
The Impact of <i>Mission Product v. Tempnology</i> on Brand License and Franchise Agreements	Rosenblatt, Paul; Posner, David; Lieberstein, Marc	29	1	WINTER	2020	9
Ninth Circuit Addresses Vicarious Liability and Willfulness in Copyright Infringement Cases	Fakler, Paul; Wheeler- Frothingham, Margaret	29	1	WINTER	2020	13
Women in Intellectual Property Law Program	Schuler, Anna G.	29	1	WINTER	2020	18
Courts in Second Circuit Breathe Life Into Rule 68 for Copyright Infringement Defendants	Bloom, Jonathan	29	1	WINTER	2020	23
Territoriality in Trademark Law: Recent Developments in India	Chaudhri, Sujata; Dhagga, Akriti; Jain, Amay	29	1	WINTER	2020	28
Noah Webster, America's First Copyright Lobbyist	Davis, David	29	1	WINTER	2020	31