

Newsletter

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From IP Law Clinic Student to Federal Clerkship: Dual JD Student, Stephanie Fong, Discusses Her Time with the International IP Law Clinic



When 3rd year Windsor Law Dual JD student, Stephanie Fong first heard about the opening of the joint International Intellectual Property Law Clinic she knew immediately she wanted to enroll. “As a Dual Canadian/American JD student who had taken patent law, I saw this as an excellent opportunity to apply my knowledge while contributing pro bono work to the community.” Her expectation was to gain practical experience in patent law and conducting patentability searches and client interviews.

The Clinic offered this and much more as Stephanie was also given the opportunity for a two-day intensive boot camp where she received a rudimentary education on patents. During that time, she learned many things that she considered “fascinating” such as how to draft a claim, which she was surprised to find was very reminiscent of the computer programming she had experimented with in high school.

Although claim drafting is very technical, I learned that it is also an art of its own that requires a creative mind. I was glad we received countless opportunities to practice claim drafting.

She also learned how to overcome some of the challenges faced in patent practice. For example, she found that conducting her first patentability search took over ten hours

and she did not know when to stop searching. However, she eventually tracked down a patent examiner’s report with many relevant prior art references and found that the examiner’s cited references matched all the references identified in her search. It was then that she became confident she had exhausted her search.

Stephanie thoroughly enjoyed the opportunity to work in a professional environment and have the knowledge and guidance of experienced and helpful professors.

Having the opportunity to work in a professional environment under the instruction of seasoned professors created a fantastic foundation for a strong experiential learning experience. It was rewarding to be entrusted with working on files independently, while also having Professors Aoun and Glassmeyer available for feedback and constructive criticism. Their knowledge and guidance were invaluable for bolstering my confidence in dealing with casework.

Fong says that after her experience she would absolutely recommend the Clinic to students interested in IP law.

Not only does the Clinic provide theoretical knowledge and practical experience, it will also help a student decide whether he or she would like to pursue a career in IP. Students from both sides of the border are eligible to apply. I had Canadian JD, American JD, and Dual JD students as classmates in my clinic term. Another benefit of the Clinic was having the ability to work on files remotely. This really helped while conducting the lengthy patentability searches.

Stephanie’s next endeavor is a clerkship at the Federal Court of Canada after her graduation this June. She has no doubt

that the practical and theoretical training she received through the Clinic will prove very useful during her clerkship in dealing with patent disputes.

We wish Stephanie the best of luck and are very happy to have had her as part of the International Intellectual Property Law Clinic.

Any students interested in participating in the Clinic can email Clinic Director Wissam Aoun (aounwj@udmercy.edu)

Clinic Aids Mechanical Engineering Faculty in Patent for Improving Motorcycle Steering

When Dr. Bruce Minaker, Associate Professor and Acting Head in Mechanical, Automotive, & Materials Engineering at the University of Windsor, began initially exploring routes to patent his invention, he recalled a previous student he had taught in the Mechanical Engineering program who was now the Director of the International Intellectual Property Law Clinic. Minaker reached out to Clinic Director Wissam Aoun, who responded with interest.

Minaker's invention is a new style of front suspension for motorcycles. His idea sprouted from his time as a motorcycle rider and enthusiast, particularly in his youth, and after working with the engineering students for many years as the Project Advisor for the senior design course at the University of Windsor.

Minaker explains:

For many years, the telescopic fork has been the standard for motorcycle front suspensions, despite the fact that it has some well-known weaknesses. These include fork bending deflection under braking forces, the associated sliding friction that results when that bending occurs, and the reinforcement needed in the frame to counter the large bending loads near the steering head bearing.

His invention aims to eliminate these weaknesses by replacing the telescopic fork with a novel multilink. This unique linkage arrangement offers many advantages over a traditional fork suspension, both in the dynamic behaviour, and potential weight savings in the frame. An initial prototype was produced last year by the University of Windsor Engineering students in their senior design class, and a second round is scheduled to take place this year.



Minaker describes his overall experience with the Clinic as fantastic.

It was a pleasure working with them. The opportunity to see student involvement, both from the law students at the Clinic, and from the engineering students in the project class in Windsor has been a positive experience.

He also felt that he benefitted from not only the completion of the patent application, but also through the advice he received along the way. "It was much more complicated than I had anticipated, and in retrospect, I certainly would have been lost had I tried to complete it on my own."

"This really has been an awesome experience and a unique collaboration", says Aoun. "Clinic and faculty collaborations of this sort are very new for IP clinics generally, and this really is a first for Canada." Aoun believes that these sorts of collaborations may lead to new forms of technology transfer processes, one that values IP protection but also situates it within the overall University mission of dissemination of knowledge. "Working with Professor Minaker and his students has been such an incredible experience, as he has placed so much value on having all of our students involved throughout the process, so that students not only learn about IP protection, but also the values of technical writing, collaboration and different perspectives on technology."

Minaker's application is currently pending and will hopefully continue to progress successfully through the next stages of prosecution.

Potential clients interested in working with the Clinic can complete an online application from our website, www.internationalipclinic.com/clinic-application

CLINIC COLLABORATIONS

Fighting Patent Trolls: Unified Patents Teams Up with the International IP Law Clinic



The International IP Law Clinic has teamed up with Unified Patents in an exciting new collaboration. Spearheaded by Clinic Director, Professor Wissam Aoun, this innovative initiative aims to provide students with meaningful clinical experience and an opportunity to actively contribute to public service.

Unified Patents is a membership organization that seeks to reduce non-practicing entity (NPE) patent litigation. Unified Patents works to challenge NPEs by taking action against patents that never should have been issued in the first place and which may be used to in meritless lawsuits.

The collaboration between Unified Patents and the Clinic will take place through the hands-on work that students undertake at the Clinic. According to Jonathan Stroud, Chief Intellectual Property Counsel of Unified Patents, the organization is “working with the clinic to teach, guide, and explain practically how lawyers plan for, prepare, and file post-grant review procedures like reexaminations, inter partes reviews, and protests. Most of that training and explanation is being handled by lawyers the school has partnered with from Brooks Kushman.” As a result of this collaborative effort, Unified Patent hopes that students will gain real-world experience in addressing important validity issues, and also an understanding of the sometimes-skewed economic realities of U.S. patent litigation.

Unified Patent’s overall goal for this collaboration is to pilot similar clinical programs across the United States. Unified hopes that these programs will allow students to focus on cases where NPEs are likely to sue or threaten to sue small companies that cannot afford to challenge the validity of the patents that form the basis of the threat. This will result in both hands-on learning for IP students, who could represent clients that could not afford the costs of defense, as well as a contribution to the public good by eliminating invalid patents.

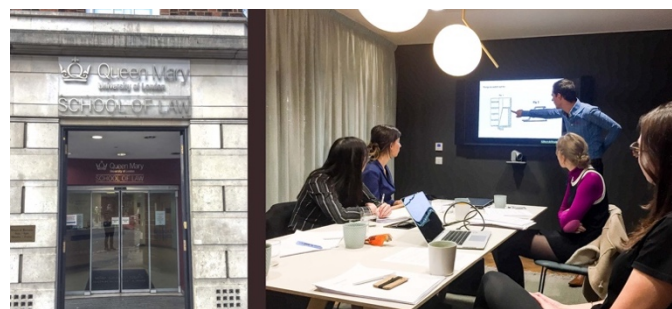
Madiha Khan
Windsor Law Student, Dual JD 2019
LTEC Lab Student Writer

TransAtlantic Patent Project Offers the Clinic the Opportunity to Team Up with Queen Mary’s qLegal Clinic

The International Intellectual Property Law Clinic has launched the *TransAtlantic Patent Project*, a clinical collaboration with



qLegal at Queen Mary University in the UK. The project groups clinical students from each program together to work on joint clinical projects, with the ultimate goal of acquiring patent protection in both North America and Europe. Although still in the early stages, the ultimate goal of the project is to offer students the opportunity to work jointly on respective clinic client matters and to acquire protection for our clinic clients in both jurisdictions.



Students at Queen Mary University discuss patent protection

In November, students and faculty from both programs came together for a joint clinical training session, hosted at the London offices of our European sponsor, Kilburn Strobe. Students learned the fundamentals of searching, claim drafting and prosecution from both European and North American perspectives. Furthermore, students from both programs have been paired together to work collaboratively on several clinical projects.

EVENT NEWS

INTERNATIONAL PATENT DRAFTING COMPETITION



Windsor Law
University of Windsor

2018 International Patent Drafting Competition

On February 24th, the Clinic held its 3rd Annual International Patent Drafting Competition, hosted once again by the Elijah J. McCoy Midwest Regional United States Patent and Trademark Office. This year's event sponsors included: Lexis Nexis | Reed Tech, Lexis Nexis IP, Burris Law, Legal Advantage, MBM Intellectual Property Law, and Darrow Mustafa PC.

The competition has been building momentum every year and this year had a record 15 teams, attracting student teams from law schools across North America. It provides students with the opportunity to draft and present a patent application based on a hypothetical invention in front of a panel of judges, which are comprised of patent examiners, intellectual property practitioners and several other high-profile guest judges.



2018 International Patent Drafting Competition competitors and judges

This year's [patent problem](#) involved a golf course groundskeeper who invented a new product called the Golf Gadget™, a device that is used to display promotional material and designed for in-ground installation. Each team presented their arguments, their answers were then given a score by the panel of judges.

This year's winner was Georgia State University, College of Law (Brad Czerwonky, Brandon Reed, Mitchell Foley). Second, place went to York University, Osgoode Hall Law School (Denver Bandstra, Andrea Uetrecht and Shira Sasson) and in third, the University of Missouri-Kansas City, School of Law (Benjamin Bolin, Andrew Gnefkow and Greg Tourigny).

Congratulations to all of this year's competing teams on doing an incredible job with their patent applications and presentations and we hope to see everyone again next year.

Clinic Director, Wissam Aoun (left) with the 2018 Winning Team from Georgia



State University, College of Law: Brandon Reed, Mitchell Foley and Brad Czerwonky with IP

For updates or further information on the competition please check out our website competition page www.internationalipclinic.com/annual-drafting-competition/

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