By Professor Thomas G. Field, Jr.

Pierce Law Institutes Intellectual Property Amicus Clinic



Mary Anne Copeland



J. Scott Anderson

Background

In 1997, with the able assistance of Gary Bridge '99, I wrote an amicus brief supporting the Patent and Trademark Office (PTO) before the Federal Circuit in the landmark *Zurko* case. Since then, including the Supreme Court sequel, I have filed or joined other professors in submitting amicus briefs in several U.S. Courts of Appeal and the U.S. Supreme Court. Most recently, Richard Castellano '06 and Taylor Evans '07 helped prepare an amicus brief for the *eBay* case.

Such activities have also encompassed legislative and administrative proceedings. For example, Alicia Novi '07 and Kate Winstanley '07 recently helped prepare a PTO rulemaking petition. It asked that the process for determining qualifications needed to sit for the so-called "patent bar" be opened for public comment.

Long intrigued by the possibility of involving more students, I proposed creation of an IP Amicus Clinic. Encouraged by colleagues and members of our Advisory Committee on IP, we commenced to flesh out the idea.

Few constraints

Although it seemed similar to that long associated with the New Hampshire Appellate Defender clinic, the proposed IP Amicus Clinic had little in common. Most notably, the proposed clinic would not represent clients, much less ones already convicted of serious crimes.

Moreover, the Amicus Clinic can undertake projects—and issues within them—solely as a function of the interests and competence of participants. It can also consider a broader range of issues and influence many kinds of decision makers.

To make the most of such opportunities, we decided to seek two highly-qualified senior assistants to help supervise student participants and identify matters warranting our participation. In return, those assistants would be appointed as Graduate Fellows and have their LLM tuition waived.

The following brief descriptions of our 2006–07 Fellows demonstrate that we have been favored with outstanding success. J. Scott Anderson, the more senior of the two, holds a BS in mechanical engineering from the Tennessee Technological University and was an engineer before attending law school. Since graduating cum laude from the Georgia State University College of Law in 1994, his practice has spanned administrative, trial and appellate work. Currently a senior associate in the Intellectual Property Group of Alston & Bird in Atlanta, GA Anderson aspires to teach after completing our program.

Mary Anne Copeland, the other distinguished Graduate Fellow, came strongly recommended by Lars Smith LLM '98 who now teaches at Louis D. Brandeis School of Law at the University of Louisville. Copeland, one of his students, has just completed work for her JD at Brandeis School of Law and also holds a BA in biology from the University of Louisville. Among her many distinctions, she counts chairing the Brandeis Honor Council and being president of the Brandeis Student Bar Association during her senior year.

Looking to the future

First, we hope that readers will nominate equally outstanding Graduate Fellows for 2007–08 and beyond.

Second, we welcome suggestions with good potential for providing Pierce Law students with hands-on training in analytical, persuasive writing—as well as to immerse them in the foundations of a strong intellectual property system.

Third, we also welcome suggestions for potential sponsors to support the Graduate Fellows beyond tuition waivers now offered.