By Sharon Callahan

Twenty years ago, The Kenneth J. Germeshausen Center was created through the generosity of Kenneth J. and Pauline Germeshausen. Today, under the direction of Karl F. Jorda, the David Rines Professor of Intellectual Property Law and Industrial Innovation, it serves as the umbrella organization for Pierce Law's intellectual property specializations.

The Center is a driving force in the study of international and national intellectual property law and the transfer of technology. It acts as a resource to business as well as scientific, legal and governmental interests in patent, trademark, trade secret, licensing, copyright, computer law, and related fields.

The Center bears the name of its benefactor, Kenneth J. Germeshausen, one of New England's pioneering inventors and professor of electrical engineering at the Massachusetts Institute of Technology. Germeshausen was also co-founder of the international high technology firm of Edgerton, Germeshausen & Grier.

The Kenneth J. Germeshausen Center for the Law of Industrial Innovation and Entrepreneurship Turns 20

In 1985, Homer O. Blair became the Center's first director and the school's first David Rines Professor of Intellectual Property Law and Industrial Innovation. At the time, Blair was vice president of patents and licensing for Itek Corporation, Lexington, MA, a position he held for nearly two decades. Prior to joining Itek, Blair had worked as a patent attorney for several of the nation's major corporations, including: Celanese Corporation, NY; Kaiser Aluminum and Chemical

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Corporation, Oakland, CA; Boeing Airplane Company, Seattle, WA; and Westinghouse Electric Corporation, Pittsburgh, PA.

Born in Tacoma, WA in 1925, Blair, a disabled infantry veteran from the Battle of the Bulge in World War II, attended the University of Washington where he earned a BS in chemistry in 1948, BS in physics in 1951, and JD in 1953. After graduation, he joined the Westinghouse Patent Department where he started to learn the intellectual property business.

"Working in different companies, with their different technologies, locations and corporate structures enabled me to learn many aspects of intellectual property," explains Blair. "I participated in a number of professional, U.S. government and United Nations intellectual property activities. After Itek was acquired by another company, at the invitation of Robert Rines, I came to Pierce Law to teach what I had learned in thirty years of intellectual property practice."

Blair's intellectual property training and scientific background proved to be a perfect match for Pierce Law. He was already familiar with and had participated in international intellectual property exchange programs. In 1971, he served on a five-member U.S. delegation to the U.S.S.R. charged with the task of exchanging information on patent management and patent licensing, a project sponsored by the United States Patent and Trademark Office and the Licensing Executives Society. He was the only member from private industry to serve on the U.S. delegation to the United Nation's meetings in Geneva, Switzerland in 1977, and the only U.S. participant at the United Nation's World Intellectual Property Organization (WIPO) meeting in 1981 on "Trademarks and Developing Countries." During that same year, Blair also participated in a WIPO meeting on "The Establishment of a Guide on the Organization of Intellectual Property Activities in Enterprises of Developing Countries."

"In these and other United Nations programs, I learned about the lack of knowledge in developing nations of intellectual property and how to use intellectual property in developing technology products and international trade," explains Blair.

Blair developed and taught Pierce Law's first courses in licensing and technology transfer. In addition to his teaching responsibilities, Blair initiated a series of policy-making seminars and conferences for the discussion of intellectual property and policy studies. In keeping with the Center's initial mission to improve through training and research, the climate for commercialization of technology in the public interest, the seminars addressed such topics as licensing of technology, trademark protection, creative technology arrangements and the role of technologically trained corporate lawyers in managing risk. In 1987, Blair organized the first Patent Systems Major Problems Conference attended by corporate and private attorneys and judges from throughout the U.S.

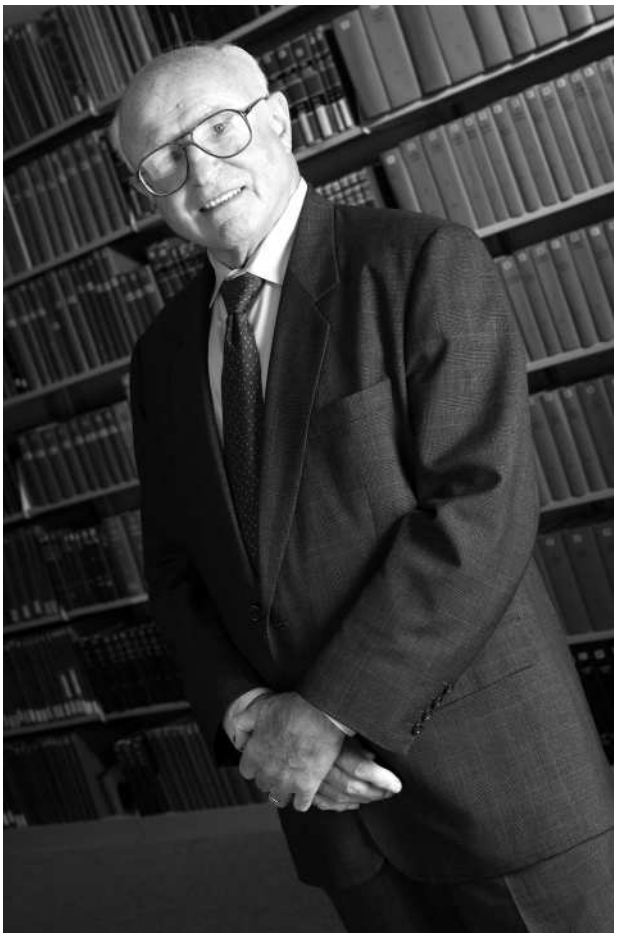
During Blair's years at Pierce Law, intellectual property issues gained greater national and international prominence and Blair had the foresight to design the school's first Master of Intellectual Property (MIP) degree program, drawing students from around the world.

"The first students came from a number of developing countries," says Blair. "I wrote to individuals from developing nations whom I had met at the United Nations advising them of the MIP degree program and inviting them to send students to Pierce Law to learn about intellectual property and how it could be used to help their countries. I believed Concord, NH was a better place to learn about the United States than New York or Washington, DC. Professor William Hennessey was invaluable in this effort by attracting students from the People's Republic of China due to his ability to speak and write the Chinese language."

In just four years, Blair's accomplishments were countless. Upon his retirement in 1989, Pierce Law awarded Blair an honorary degree for his "major contributions to America's economic well-being as president of the United States Trademark Association (now the International Trademark Association) and the Licensing Executives Society (US/Canada), as advisor to committees of Congress and the Departments of State and Commerce and as a member of international delegations representing our country." The graduating class of 1989 cited Blair for his "efforts to help Franklin Pierce Law Center achieve distinction as one of the country's leading intellectual property law schools."

Blair approached his retirement as he did his life's work, with thorough research. He wrote to 68 towns with populations between 25,000 and 125,000 in the southwestern United States posing the question, "Why should we retire to your city and what retirement facilities do you have?" After visiting 22 communities, Homer and his wife Jean of 32 years (now 48), chose San Angelo, located in semi-arid West Texas.

In 1996, the Blairs made a generous contribution of 28 patent models to Pierce Law. The models, dating from 1842 to 1883, are models of inventions used in industry, and range from one of Elias Howe's improvements to his sewing machine to the first manufactured red dye.



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David Rines Professor of Intellectual Property Law and Industrial Innovation

Director, Germeshausen Center for the Law of Innovation and Entrepreneurship

Karl F. Jorda, was selected as the Center's director and the school's second David Rines Professor upon Blair's retirement in 1989.

"With over 30 years of corporate practice in intellectual property and licensing behind me, and after heading up CIBA-GEIGY's intellectual property operation for 26 years, the question of whether or not to take early retirement had crossed my mind," says Jorda. "The obvious alternatives were retiring, leaving to join a law firm as 'of counsel,' or staying on at CIBA-GEIGY for several more years."

"But the very best alternative of them all, namely, to become an 'academic' and teach what I had practiced, did not occur to me at all, until Homer Blair asked me to consider replacing him as the David Rines Professor," explains Jorda. "What an interesting and challenging position this turned out to be!"

"Two realizations made it all easier," says Jorda. "One, I could talk about something I had done for over 30 years, and two, teaching—teaching inventors, R&D staffs, management, members of the Patent Department and examiners of the Patent Office, etc.—is an important part of running an intellectual property operation.

Teaching at Pierce Law is great fun; students are dedicated and committed; the faculty and staff are cooperative and supportive," says Jorda.

Prior to joining Pierce Law, Jorda served as corporate patent and trademark lawyer at Miles Laboratories (now Bayer) in Indiana, and the chief intellectual property counsel at CIBA-GEIGY Corporation (now Novartis) in New York. Jorda's formal education includes a BA from the University of Frankfurt, Germany and the University of Great Falls, Montana, and MA and JD degrees from the University of Notre Dame.

At Pierce Law, Jorda teaches Technology Licensing during the fall semester and at the Intellectual Property Summer Institute, and Intellectual Property Management during the spring semester.

As head of the Center, Jorda directs the Center's mission to act as a round table for the exchange of innovative ideas and concepts which draws an international audience of lawyers and administrators. Conferences held under its auspices address such topics as advanced licensing techniques, intellectual property litigation, environmental technology transfer, international patent cooperation, and the valuation of intellectual property. To date, sixteen Advanced Intellectual Property Practice Symposia have been held at Pierce Law.

Under Jorda's vision and guidance, Pierce Law continues to gain worldwide recognition for its intellectual property faculty and programs, ranking among the top ten law schools in the nation for the study of intellectual property law. Jorda has hosted delegations of U.S. patent counsel at Japanese Patent Office meetings, served as consultant to Indonesian and Bulgarian Patent Offices, and participated in World Intellectual Property Organization (WIPO) symposia around the world. In 1993 and 1994, he conducted WIPO's annual two-week academy for officials from developing countries.

In addition to teaching classes at Pierce Law, Jorda served as adjunct professor at the Fletcher School of Law and Diplomacy, Tufts University, Medford, MA, teaching international intellectual property law from 1995 to 2003. In 1997 and 1998, he served as co-director of a joint degree program in intellectual property law with the Gulf Institute for International Law, Dubai, United Arab Emirates, where he taught Patent and Trade Secrets, International Intellectual Property Law and Intellectual Property Licensing/Technology Transfer.

In 1999, Jorda was appointed for three two-year terms as U.S. representative to the Confidentiality Commission (Commission on the Settlement of Disputes Relating to Confidentiality) of the Organization for the Prohibition of Chemical Weapons (OPCW), the implementing body of the Chemical Weapons Convention (CWC), located in The Hague, Holland.

Among his many honors, Jorda received the 1996 Jefferson Medal. Presented annually by the New Jersey Intellectual Property Law Association, the Jefferson Medal is the highest award in the intellectual property field. It is given for exceptional contributions to the American intellectual property law system, and only two other law professors have ever received this recognition.

The Germeshausen Center of the Future

This year, the Center will host its seventh Basic Patent Cooperation Treaty (PCT) Seminar on Friday and Saturday, April 21 and 22, in cooperation with the World Intellectual Property Organization (WIPO) of Geneva, Switzerland. Designed for patent attorneys, patent agents and patent administrators, the seminar provides in-depth knowledge and understanding of the Patent Cooperation Treaty.

On July 17–21, the Center will hold its fifteenth Advanced Licensing Institute.

"Begun in 1992, it was an instant success," explains Jorda. "It features 16 lectures by top talent in the licensing world and provides comprehensive, in-depth coverage of topical licensing subjects."



Kenneth J. Germeshausen

In addition to these programs, the series of Intellectual Property Systems Major Problems Conference, started by Blair in 1987, will continue with the eighth conference to be held in March 2006 and will deal with patent law reform proposals.

"The Germeshausen Center has a record of solid accomplishment over the past 20 years, reflected by the many-faceted activities, and will endeavor to continue to preserve and enhance Pierce Law's national and international standing as a power-house in intellectual property education and training," says Jorda.