Commencement Speech
MLS — Gymnasium
Rimbach, Germany
June 28, 2003

Ladies and Gentlemen!

Good morning. And indeed a very good morning it is; in fact, it's a glorious day for the Martin-Luther-Schule and for the graduates and their parents, in particular.

It is a great pleasure for me to return to my Gymnasium after my graduation 53 years ago and it is an extraordinary honor to be asked to address this graduation class of 2003.

I am always very happy — and especially today — to visit the "old country," although — or particularly because — it is in the "old Europe." In fact, I have flown over the "big pond" 250 times by now — as of yesterday — and that proves it.

I'll begin with commendations, compliments and congratulations. Then I'll speak for a few moments about America, the land of immigrants, the land of unlimited opportunities. And lastly, I'll have a few words of advice and guidance for the graduates in the style of an American commencement speech.

Sincerest praise is in order for the parents, the Martin-Luther-Schule and, of course, the graduates.

To the parents, for providing the inspiration and the support and for instilling an appreciation of the value of an education which is the best and most lasting investment that can be made by anyone.

To the Martin-Luther-Schule, for the great job you are doing in the "vineyards" of education and learning in pursuance of your pedagogical mission and scholastic vision and true to your traditions and values.

And especially to you, the graduates, for your academic achievements and for acquiring invaluable knowledge, which — as you know— is power. And I don't mean just earning power, although "what you earn depends on what you learn." Knowledge is power in a much broader sense, especially in this information age that we are privileged and challenged to live in.

It is also very gratifying to me to see the recent international developments here at the Martin-Luther-Schule. It is undeniable that ours has become a small world, a "global village." No one can retreat to and live on an island. More and more activities and professions are international by definition.

When I speak of international developments at the Martin-Luther-Schule, I refer especially to the renewal of the partnership with St. Olaf's College in Minnesota and the new and similar initiative with the gymnasium in Pavitrag in Tamil Nadu, India. I congratulate Erin Birch, the "Gastlehrerin" (guest teacher) from St. Olaf's College and Anita Nieth and Anne Breubeck, the Assistant Teachers in India, for the successful completion of their missions.

Moreover, I was delighted to hear that the next "Gastlehrerin" from St. Olaf's College, Linda Johnke, and the next Assistant Teachers for India, Lisa Mücke and Lorena Cola have already been chosen. The venerable tradition we established in the late forties will thus live on.

I salute the Martin-Luther-Schule under the capable leadership of OSD Schmidt for the entrepreneurial spirit evidenced by these and other initiatives and projects, which make your school truly a "Lebendige Schule." (enterprising school) As the oldest "Ehemaliger," (former student) — yes, I was the oldest in the class — I am very proud of what this school has become and accomplished.

For this reason and because the Martin-Luther-Schule was my gateway to the world and to an exciting career, for which I am eternally grateful, it is the greatest of pleasures for me to be able to make modest contributions to such worthy school programs. Giving back is an important facet of American culture.

Now let me talk briefly about my life — my adventures and experiences — in America, but only insofar as my experience over 52 years in America may contain possible lessons for practicing and prospering in professional careers.

America, incidentally, is a land of Germans. Over 60 million, which is over 20% of the population, are Germans or of German ancestry. By comparison, the Irish, with about 40 million (14%) are the second biggest ethnic group, followed by the English with 32 million (11%). And it's been said that the Germans make the best Americans.

America is a land of immigrants, a melting pot, an inclusive democracy, with a pluralistic society, where an immigrant can feel entirely at home from the very beginning.

And America also is still the land of unlimited opportunities, with meritocracy reigning and flexibility and openness, mobility and pragmatism prevailing.

A couple of examples, among many that I could relate, will illustrate this conclusively.

A few years ago, a young man from Bavaria (Mr. X) applied at Franklin Pierce Law Center for admission to our Master in Intellectual Property (MIP) degree program. Our prerequisites for admission to this program are: a university degree and English fluency (550 Toefl score). However, Mr. X's English was atrocious and he had never studied in a university and, in fact, he had never even made the Abitur. Nonetheless, we admitted him. Why? Because his application came accompanied by a glowing recommendation

from Professor Dr. Häusser, the President of the German Patent Office. It turned out that Mr. X was an inventor with several patents on robotic office cleaning machines to his name, which were used in industry under royalty-bearing licenses from him. Mr. X came several months earlier, took a crash course in English and audited our summer session classes before starting his regular studies. After one year he graduated with a Master of Intellectual Property degree and then went to the Sloan Business School at the famous MIT (Massachusetts Institute of Technology), where after another year he had earned another master degree (M.S. Management). Thereafter he went back to Germany, worked in several companies for a couple of years but decided to go back to America. Today he is an exemplary entrepreneur, who already owns three companies, one of which is in the office cleaning business and uses his patented machines. In 2001 he received the New Hampshire Businessman of the Year Award and was nominated for the National Leadership Award. "Only in America," as we say.

I too was able to seize an extraordinary opportunity that presented itself to me. After a long career of over 30 years in industry, including 26 years as a head of the Patent Department at Ciba-Geigy (now Novartis), I was offered a professorship out of the blue at Franklin Pierce Law Center in Concord, New Hampshire, the "Harvard of IP Schools," and overnight became a full professor of an endowed chair), not just a part-time adjunct professor and this without "Habilitation." By now I've been teaching Intellectual Property and licensing law and practice there for over 14 years and last year, at age 73, I was given yet another employment contract, and one for five years, to my great surprise. After this contract runs out, a ten-year contract will surely follow, I have been heard to joke. "Only in America." "Living the American dream."

Another quick example of flexibility and openness in America. It is an example of how a student of mine found a job in a way that was anything but a customary path for seeking employment. He went cold to a law firm he wanted to work for and asked to see a partner. Rather than turned away, he was introduced to a partner, to whom he broached this proposition. Let me work for you for six weeks without pay to show you what I can do and if you are satisfied with my performance, let me then have a position in your firm. He was put to the test, landed a paying job and made partner in record time.

Now on to the third and last part. Here let me talk to you graduates about self-reliance and individual responsibility — a topic near and dear to my heart and one which I addressed in a commencement speech I made at the University of Great Falls, my alma mater, in Great Falls, Montana in 1998. Based on my career background and personal experience, let me pass on something I have learned and practiced over the years as it might conceivable be of interest and use to you. Incidentally, don't scorn learning vicariously from the experience of others in line with the school of thought that says you have to make and learn from your own mistakes, as our oldest daughter also used to say. "Learning from your mistakes is smart, learning from the mistakes of others is wise," according to an insightful saying.

As regards self-reliance, the supreme virtue in my book, "Selbst ist der Mann" has been my guiding maxim, if not an article of faith, all my professional life. I interpret "Selbst

ist der Mann" to mean: stand on your own feet, be a self-starter, take the initiative; in short, be the master of your own fate.

And to take this a step further: make your own job, be your own boss. In work situations and especially in professional positions, you can do it. Opportunities abound, challenges beckon — all waiting to be embraced. In other words, you can consider your workplace as the site where you "do your own thing."

It may sound disloyal — but it isn't. It may be a rationalization — but it works and it works wonders. People work much harder when they work for themselves. This philosophy — based on advice from a wise man at Ciba-Geigy, which I consider the best advice I ever got — can be very motivational. It worked well for me and I saw others applying it with great success. Of course, it helps if you have bosses, as I did in my careers in industry and academia, whose management style is to leave their employees alone to do what they do best.

When you work for yourself, you are not a clock watcher and you don't look left or right to check whether your colleagues are pulling their weight. Nor are you reluctant to volunteer and do more than you are asked to do. After all, only people who do more get ahead. Let your vocation be your avocation. "If you love your job, you won't have to work a day in your life." What a great thought! How true! Who is it from? None other than Confucius. Or, in the words of Noel Coward, "Work is more fun than fun."

With this kind of philosophy and modus opperandi which I described, it is easy to integrate working for a living with rendering service to the community, the country, the world, which it is important to do. They go together and support one another. In my career, I was very fortunate to have found many opportunities to "spread the gospel" of intellectual property rights (patents, copyrights, trade secrets and trademarks) in a missionary way all over the developing world from Madagascar to Mongolia — countries at the end of the world — and many countries in between. Helping to improve the human condition is quite challenging but also very gratifying and rewarding.

At this point I should like to add that self-confidence and ambition alone are not enough for a rewarding career. What's also needed is a goodly dose of trust in God as well as a pinch of good luck. To be at the right place at the right time. But keep in mind that good luck comes to those who deserve it.

I've had the best of luck all along. But I attribute this, since I was not born on a Sunday, to the fact that my "better half" was. As you know Sunday children are the luckiest. So you have to marry one, if you yourself are not a Sunday child.

It also helps if your "better half" kicks you out the door at the crack of dawn with orders to go out to "do battle," "slay the dragon" and "bring home the bacon" — and lots of it. Seriously, I would not be addressing you here today had it not been for the encouragement and support — the TLC (tender love and care) — of my bride of 47 years.

In praise of intellectual property and patents, I submit that in this field careers have a great future and jobs can be dream jobs, as you work at the intersection of technology, business and the law. And this is quite contrary to opinions of an American Senator and two American economics professors. Senator Hart of Michigan stated in a Congressional Hearing in the '60's that on a boredom scale of 1 to 100 patents would rate 99. He couldn't have been more wrong. And back then after I entered the patent field quite fortuitously, abolition of the patent system was under consideration and two famous economics professors, Melman and Macklup concluded, after doing a study for the American Congress, that if we didn't have a patent system it would be irresponsible to establish one. Needless to say, I was terribly disappointed to have started a dull career that had apparently no future. But what a great future it had!

Nowadays, we are living in a "Golden Age" for patents and intellectual property rights. Bill Gates speaks of a new "Gold Rush." More than ever companies are built around patented technology. The rate of American innovation is soaring. U.S. entrepreneurs power an era of unprecedented prosperity. "Innovate or perish" is the motto. Innovation in this day and age is the driving force and the lifeblood of economy and intellectual property and patents are a powerful engine behind innovation. And patents, far from being an arcane and esoteric subject as before, are in the popular news almost daily. Thus, with our expansive rather than restrictive patent system, we now have a thoroughly pro-patent climate in America, where patents are very valuable indispensable corporate assets. "Everything under the sun made by man" is patentable according to our Supreme Court. There are hardly any exclusions from patentability left. And that's the way it should be since the act of patenting inventions is a neutral act.

Before I conclude, let me give you a great quote from Goethe to take along on your journey you are about to start: "As soon as you trust yourself, you will know how to live."

And in conclusion, I wish you every success, the best of luck and God's blessings.

Keep up the good work! God speed!

And thank you very much again for this extraordinary honor.

Karl F. Jorda