

**INTELLECTUAL PROPERTY LAW COMMITTEE
BUSINESS LAW SECTION
THE FLORIDA BAR**
DRAFT MEETING MINUTES– 2020 Labor Day Meeting – Via Zoom
Thursday September 3, 2020, 10:00 AM – 12:00 PM

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I. WELCOME AND INTRODUCTION BY THE CHAIR

II. OLD BUSINESS

- A. Adoption of Meeting Minutes.** June 18, 2020 Meeting Minutes adopted by vote.
- B. CLE Course Numbers for Past IP Committee Meetings:**
1. 12/13/19 – “Look! Up in the Air! A Guitar? Building Configuration” – Course Number **3795**
 2. 2/6/2020 - “The Three Big Copyright Cases Before the Supreme Court”– Course Number **3857**
 3. 6/18/2020 - “Insurance Issues Relating to Intellectual Property and Trade Secret Claims” – Course Number **4045**

III. NEW BUSINESS

- A. IP Symposium Update** – Darren Spielman, Fort Lauderdale – The Symposium is currently being rescheduled for April 22-23, 2021. Ideally it will be in-person, but if we have to switch to virtual due to the pandemic we will do so. We anticipate offering the

same topics/speakers, depending on their availability, with the exception of the four Year-In-Review presentations which we anticipate offering by Zoom this Fall.

B. Business Litigation Committee CLEs – Michele Moss, Orlando – The Business Litigation committee is putting together a series of seminars, similar to our old Business Litigation Certification Review Course, for section members featuring case law updates by each substantive committees of the Section. The IP Committee needs someone to represent the committee and present IP updates. The tentative dates for the IP contribution are October 21 and October 27.

C. Section 542.335 Task Force Update – Jim Matulis, Tampa – The task force is continuing to work on proposed revisions to the statute, having met today. Most of the revisions have been made but a few new ones were proposed recently that need more analysis. The task force is on track to submit proposed legislation to the EC this Fall and to hopefully have approval triple approval and be ready for introduction during the March, 2021 session.

D. Board Certification Update – Dineen Wasylik, Land O Lakes – The Spring test was cancelled, so the six applicants will take the test online this Fall. The next deadline for new applications is October 31, 2021. All should strongly consider seeking certification. The bar is addressing the need to allow mediators to maintain their board certification. There are approximately 115 certified attorneys as of now.

E. Board Certification Review Materials Task Force Update – Joe Englander, Miami – the committee is hard at work updating the materials, there have been a lot of legal developments in IP law since the materials were first created in 2007. The committee thanks Joe and the task force members (Janet Moreira, Jessica Shraybman, Jon Gibbs, and Mark Nields) for their hard work on this massive undertaking.

F. Pro Bono Committee Update - Jim Matulis, Tampa – all are encouraged to participate in the Pro Bono Matters Program, which allows participants to answer questions from pro se litigants online without a long-running commitment. The PBC also created a Best Practices Guide that is available on the committee’s webpage. Lastly, the committee was updated on the recent changes in oversight relating to the Foundation, and encouraged to continue to contribute to it.

G. Florida Rules of Civil Procedure revisions – Darren Spielman, Fort Lauderdale – the eDiscovery committee has circulated a white paper addressing proposed, comprehensive revisions to the Rules to address e-Discovery issues. The rules attempt to make the state rules consistent with the Federal Rules, where possible. All are asked to provide feedback. An EDDEC White Paper was circulated to the members in attendance.

H. Computer and Technology Law Committee Legislative Position – Peter Maskow, Fort Lauderdale – Peter shared that, in light of the likelihood of legislation being introduced in the coming session(s) that address privacy and cybersecurity, the CTLC seeks to adopt the following position and to be proactive in addressing any legislation that impacts these topics: “Support legislation relating to data privacy and protection, including

cybersecurity, that strikes the appropriate balance between protecting personal information without placing undue restrictions on business development or unnecessarily stifling technological advancement in this State.” A CTLC White Paper was circulated to the members in attendance.

I. Inclusion, Mentoring and Fellowship Update – Nicole Reid has been appointed as the IP committee’s liaison to IMF. Nicole shared several upcoming social events, including a virtual social today and a pumpkin carving contest in October. The committee has also created a CLE speaker policy aimed at increasing diversity, and speakers/panels will need to comply and obtain approval from IMF. IMF is also spearheading a mentorship program, all are encouraged to participate. Sign up on the committee’s website.

J. Liaisons - The IP committee is looking for volunteers to serve as liaisons to the following Committees: Pro Bono, Sponsorship, Communications, and CLE. Reach out to Jim Matulis

IV. CLE EVENT

Topic: Ava Doppelt, Orlando, Florida – presented a CLE on the recent Supreme Court decision in Booking.com trademark case

V. ADJOURNMENT

Next Meeting, Florida Bar Winter Meeting, January 13-16, 2021 – Rosen Shingle Creek, Orlando FL (hopefully in person).