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ATTORNEYS AT LAW

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As part of Oblon Spivak's ongoing efforts to address the needs of our clients and provide high quality and timely service, we are pleased to inform you about the formation of two new practice groups, namely the Reexamination/Reissue Practice Group and the International Trade Commission (ITC) Practice Group. Recent developments in U.S. law have focused increased attention on the emerging value of strategic use of reissue and reexamination proceedings and ITC actions to advance our clients' interests.

Recently we have adapted our practice to such important cases as *In re Bilski*, *KSR v. Teleflex* and *MercExchange v. eBay*. The formation of these new practice groups permits us to further leverage our expertise in the areas of reissue, reexamination and ITC practice to best accommodate the effects of these decisions in connection with our clients' businesses.

1. Reexamination/Reissue Practice Group

The new Reexamination/Reissue Practice Group of Oblon Spivak is led by Stephen G. Kunin, who as many of you know is the former Deputy Commissioner for Patent Examination Policy at the United States Patent and Trademark Office. He brings a wealth of experience in these areas. Vincent K. Shier, Ph. D., Scott A. McKeown and W. Todd Baker will serve as his team leaders.

The Reexamination/Reissue Practice Group is formed in response to the growing utilization of reexamination and reissue proceedings. The popularity of reexamination is due in part to the USPTO's efforts to improve the effectiveness of this proceeding by creating a special unit of highly trained examiners to handle these matters; the Central Reexamination Unit (CRU). Additionally, *KSR* has emboldened accused infringers to challenge patents in parallel with lawsuits, or in a hope of delaying or avoiding litigation costs altogether. Likewise, Reissue applications, although different in many respects to reexaminations, permit patent holders to correct a patent, including issued claims. For example, reissue applications may aid in correcting certain method claims called into question by the *Bilski* decision.

The Reexamination/Reissue group includes seasoned attorneys with technical backgrounds necessary for understanding complex technologies and arguing before technical decision makers--senior level Patent Examiners of the CRU. The Practice Group also leverages an unparalleled expertise in patent prosecution before the USPTO in favorably concluding Reexaminations and Reissues for our clients' benefit.



2. International Trade Commission Group

The new ITC Practice Group is led by partners Thomas Fisher and Barry Herman. Tom has a degree in electrical engineering and Barry has a degree in chemical engineering, and both are patent attorneys who have concentrated their practice over the last decade in patent litigation in both the ITC and federal district courts across the country.

The ITC Practice Group is formed in response to the increased popularity of the ITC as a forum for intellectual property owners to obtain injunctive relief since the Supreme Court's decision in *eBay*, which made it more difficult to obtain injunctive relief in district courts. There has been a significant increase in filings in the ITC over the past two years. Practice in the ITC is unique due to its speed and the requirement that the patent owner establish a domestic industry in the United States. The firm's extensive experience in ITC actions, its expertise in patent law, and its close proximity to the ITC make it ideally suited to represent both patent owners and accused infringers in the ITC.

The ITC Practice Group includes experienced litigators who not only understand the unique demands involved in ITC litigation, but also have technical knowledge in the electrical, mechanical, and chemical arts, allowing Oblon Spivak to provide efficient and effective representation of our clients in this fast-paced forum. In conjunction with the formation of the ITC Practice Group, Oblon Spivak has launched an ITC Law Blog (www.itclawblog.com) to provide news and information related to happenings at the ITC.

If you would like more information about our new practice groups and how they can benefit your organization, please do not hesitate to contact me.

I offer my best wishes to you for a happy and prosperous new year.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard D. Kelly".

Richard D. Kelly
Managing Shareholder