

Intellectual Property + Technology Group Out + About

February 2022

Members of Robinson+Cole's [Intellectual Property + Technology Group](#) have spoken and published on various industry-related topics, been recognized in the community, and participated in high-profile industry group programs throughout the country. Even when we're away from the office, we continue to follow developments and trends in all areas of intellectual property and technology law, and we share our insights on those changes in our *Intelligence* newsletter. If you haven't checked out our articles yet, we encourage you to [subscribe](#) to receive the newsletter and visit the Publications section of our [website](#). As always, we welcome your feedback and input on topics you'd like to see us cover. We hope to see you while we're "out and about."

HONORS + AWARDS

U.S. News – Best Lawyers "Best Law Firms"

Robinson+Cole received 40 First-Tier Metropolitan Rankings and four National Rankings in the latest *U.S. News - Best Lawyers "Best Law Firms."* Two Tier 2 rankings, which included the Boston, MA Information Technology Law group and the Stamford, CT Litigation-Intellectual Property Group, also were received. Law firms listed in the *U.S. News – Best Lawyers* "Best Law Firms" publication are recognized for professional excellence with consistently impressive ratings from clients and peers.

Super Lawyers® 2021

Forty-two Robinson+Cole lawyers were named to Super Lawyers® lists in 2021, with an additional 29 attorneys at the firm recognized as "Rising Stars." The attorneys who were recognized include Intellectual Property & Technology Group Co-Chair, [John Cordani](#), and Intellectual Property & Technology lawyers, [Nathaniel Arden](#) and [Benjamin Jensen](#).



The Best Lawyers in America© 2021

Sixty-one Robinson+Cole lawyers were selected by their peers for inclusion in *The Best Lawyers in America* 2021. The list includes Intellectual Property + Technology Group Co-Chair Jacqueline Pennino Scheib, who was recognized as "Lawyer of the Year" in Trademark Law in Hartford, CT. Also included were Intellectual & Property Lawyers Brian Moran, who was named in the area of Litigation-Intellectual Property; and Kathleen Porter, who was named in the area of Information Technology Law.



Massachusetts Lawyers Weekly

Kathleen Porter was recognized as a "Massachusetts Go To Lawyer" in the area of Intellectual Property by *Massachusetts Lawyers Weekly* and profiled in a special section published in the September 27, 2021 edition. The "Massachusetts Go To Lawyers" showcases leaders in the Massachusetts legal community by practice area. A "Go To Lawyer" is: an expert in his or her field; a senior attorney well-versed in case law, statutes and regulations; experienced, with a record of success in cases and/or transactions; a lawyer to whom other lawyers make referrals because of his or her expertise and accomplishments; and a lawyer who can think creatively and identify all options for a client.



IP Stars

Jackie Scheib was named an IP Star in the 2021 edition of "IP STARS," published by Managing IP magazine, one of the industry's leading publications and specialist guides to Intellectual Property law firms and practitioners worldwide. Honorees are recognized as "the top practitioners in private practice who have performed exceptionally well for their clients and firms in the past year." Jackie was once again highlighted as both a Trade Mark Star and a Copyright Star in Connecticut. In addition to these accolades, Robinson+Cole was one of only six firms ranked as a "Recommended" law firm in Connecticut.



Fordham University

Maria Scungio was appointed Adjunct Law Professor at the Fordham University School of Law to teach Trademark Law & Unfair Competition for the Spring 2022 semester.

PUBLICATIONS

Jackie Scheib Co-Authors Chapter in American Bar Association's "Director's Technology Handbook: Tips and Strategies for Advising Corporate Directors"

Designed as a quick reference tool, this guide covers a variety of subjects ranging from regulatory compliance and compliance risk to international privacy laws. Jackie co-authored a chapter pertaining to "Open Source Software Licenses," which highlights the risks to an organization of using software provided under several different types of open source licenses, and identifies key questions corporate directors should ask of the organization's management. Jackie serves on the Cyberspace Law Committee of the ABA Business Law Section.

John Cordani and Kayla O'Leary Co-Author the Article on Trends in the Fair Use Doctrine

The article, titled "Transformation or Derivation: Modern Trends in the Fair Use Doctrine from Software to Photography," was published on IPWatchdog.com. In the piece, John and Kayla discuss how the Fair Use Doctrine has evolved as technology and the way in which people use copyrighted works has advanced. Through an analysis of recent decisions from the U.S. Supreme Court and U.S. Court of Appeals for the Second Circuit, which have resulted in some conflicting guidance, the authors concluded that "[G]iven the emerging trends in the law, it is important for defense counsel to identify and pursue potential fair-use defenses early in a copyright litigation, even outside the traditional areas of commentary, criticism, teaching, news reporting, scholarship, and research."

Jackie Scheib and Kayla O'Leary Author Connecticut Chapter in INTA Member Publication

Jackie and Kayla revised the Connecticut chapter in the latest edition of the International Trademark Association's (INTA) member publication, "U.S. State Trademark and Unfair Competition Law," a comprehensive resource for facts, commentary, and analysis on U.S. state trademark and unfair competition law covering each of the 50 states and Puerto Rico. The publication is updated annually by practitioners in each state. INTA is a global association of brand owners and professionals dedicated to supporting trademarks and related intellectual property to foster consumer trust, economic growth, and innovation. Its membership comprises nearly 6,500 organizations from 185 countries, representing more than 34,350 professionals, including brand owners from major corporations, small- and medium-sized enterprises, law firms, nonprofits, government agency members and the educational community.

PRESENTATIONS



John Cordani Serves as Intellectual Property Adviser for Hartford, CT Edition of Make48 Invention Competition

John Cordani served as an intellectual property adviser for contestants during the Hartford, Connecticut edition of Make48, the "world's fastest invention competition." The nationwide invention documentary series gives teams exactly 48 hours to come up with an idea, build a physical prototype, a sales sheet, and produce a one-minute marketing video based on a specific challenge. John assisted the competing teams with the intellectual property research for their idea centered on MakerspaceCT, which features 25,000 + sq. ft. of well-equipped working space in Hartford.

John Cordani Co-Presents to Connecticut Bar Association

John co-presented the Connecticut Bar Association (CBA) program "Patent Claim Drafting: Practical Prosecution and Portfolio Strategy Workshop." The workshop emphasized practical work and included a claim drafting exercise as well as an overview of typical enforcement of a patent. The CLE webinar,

presented by the CBA's Intellectual Property Section, also offered insights on how to identify competitive products, how to use the description and figures of a patent application to draft a claim on a competitive product, and patent enforcement. John is the Chair of the CBA Intellectual Property Section's Executive Committee.



Maria Scungio Serves as Delegate, Moderator, and Speaker for 2021 AIPPI World Congress

Maria served as a panelist for a discussion on "Trademark evergreening – limitations to re-filing," covering application re-filing practices and recent Trademark Trial and Appeal Board (TTAB) "fraud" decisions, the EU's monopoly decision, and filing practices in Korea. Panelists explored under what circumstances a repeat filing constitutes bad faith and what strategies brand owners may adopt to continue to protect their trademarks. Maria also moderated an "IP Café" discussion with World Congress members titled "Hit 'Pause', then Pivot: Non-Use and TM Protection in a Pandemic," an interactive session which exchanged views on current laws regarding trademark non-use in the context of COVID-19, the state of national TMO office practice, and challenges to maintaining trademark rights as business activities gradually resume. Maria is the former chair of the International Association for the Protection of Intellectual Property-US (AIPPI) and currently serves on the AIPPI Standing Committee on Trademarks, the Nominating Committee, and the AIPPI-US Steering Committee.

Maria Scungio Presents with AIPLA

Maria presented with the USPTO's (United States Patent and Trademark Office) Senior Petitions Attorney, Carrie Genovese, at the American Intellectual Property Law Association's IP Practice in Japan Committee Joint Program with the Japanese Trademark Association on the new U.S. Trademark Modernization Act. She also served as a delegate for the IP Practice in Europe Committee, presenting on the topics of "Update on Trademark Law – What You Need to Know" and "Update on Trademarks and Trade Dress in the U.S." Maria currently serves on AIPLA's Trademark Law Committee, the IP Practice in Europe Committee, and the IP Practice in Japan Committee, as well as the IP Harmonization Committee.

IP Issues in Business Transactions

Maria presented on "New Developments in the Law of Trademarks and Domain Names" as part of the Practising Law Institute's two-day seminar on Intellectual Property in Business Transactions. The program included a brief update on key developments and explored the strategic role of IP in a company and its business transactions as well as covering issues that may arise across patent, trademark, and copyright law



Kathleen Porter Presents R+C-Hosted Webinar “Complying with Immigrations and Export Control Regulations with International Students and Staff”

The webinar discussed considerations for colleges and universities employing foreign nationals. It presented common non-immigrant categories that permit the foreign national to work temporarily in the U.S., as well as green card options to allow employees to remain in the U.S. permanently. The webinar also examined export control considerations and best practices, including deemed export control issues.



Ben Jensen Presents to the Financial Investigation and Dispute Services Team for Global Accounting Firm, RSM

Ben presented and provided compliance training to the Financial Investigation and Dispute Services team for RSM, a global accounting firm. The presentation, delivered to more than 40 members of RSM's forensic accounting litigation support practitioners, focused on admissibility of financial expert testimony under the federal court Daubert standard. Among the issues addressed during the presentation were the historical development of the Daubert standard, challenges to the admissibility of expert testimony on damages-related issues in litigation, and best practices to help minimize the impact of a Daubert challenge.



Kayla O'Leary Co-Presents Connecticut Bar Association Webinar

Kayla co-presented the Connecticut Bar Association's (CBA) webinar, "Intellectual Property: 2020 SCOTUS Decisions and Other Landmark Cases." The moderated program, designed for intellectual property (IP) practitioners, addressed current standards in IP law, reviewed significant IP cases decided by SCOTUS in 2020, and discussed other major IP decisions. She focused on the U.S. Patent and Trademark Office's report on artificial intelligence and IP policy, published in October 2020. Kayla is a member of the CBA Intellectual Property Section's Executive Committee.

Robinson+Cole's [Intellectual Property + Technology](#) Group:

[Jacqueline Pennino Scheib](#) | [John L. Cordani](#)

[Nathaniel T. Arden](#) | [Trevor L. Bradley](#) | [Benjamin M. Daniels](#)

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[Kayla C. O'Leary](#) | [Kathleen M. Porter](#) | [Maria A. Scungio](#)

ABOUT ROBINSON + COLE

Robinson+Cole is an AmLaw 200 law firm established over 175 years ago, with a deeply-rooted culture of collaboration, civility, and inclusion. The Mansfield Rule Certified-firm has more than 230 lawyers in ten offices throughout the Northeast, Mid-Atlantic, Florida, and California, serving regional, national, and international clients, from start-ups to Fortune 50 companies. For more information, please visit www.rc.com.



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