2018 Pro Bono Spotlight

Jaime Vining, Friedland Vining

Jaime Vining, a Partner at Friedland Vining, P.A., Miami, Florida, USA, is the 2017 recipient of INTA's Pro Bono Services Award, presented at the Leadership Meeting in Washington, D.C.

Ms. Vining's practice focuses primarily on brand protection and enforcement, including trademark, copyright, entertainment, and internet law. She counsels clients on the acquisition of new trademarks, conducts clearance investigations and renders availability and infringement opinions, and provides legal advice regarding trademarks and related unfair competition issues. A member of INTA since 2008, she has served on several INTA committees. She also has served on committees through the Florida Bar, and is presently Chair of the Intellectual Property Committee of the Dade County Bar Association.

Ms. Vining is also an adjunct professor of trademark law at the University of Miami, a position she has held for eight years; she pioneered the trademark law program there as a third-year

associate. A strong advocate of pro bono legal work, she often “preaches” to her students about the importance of giving back to the community through free legal services in the field of intellectual property (IP) and entertainment.

“With respect to IP,” she explains, “I think it is important to foster entrepreneurship and invention through pro bono legal services. According to a September 2017 report released by the U.S. Small Business Administration, low-income areas have far fewer businesses than other areas in the U.S. However, entrepreneurship offers an alternative route to economic success and an increasingly promising pathway out of poverty, which benefits my community and our communities as a greater whole.”

Ms. Vining’s interest in IP and her commitment to the community began many years prior to her legal career. As a young woman, she was a recording artist signed to a major music label. She then took her passion for music to the business and production side of the field. She served as an Executive Producer at Swept Away Media, a Florida-based non-profit organization, coordinating music and television licensing efforts with major record labels. Her focus at the organization was to provide opportunities in the media field for young journalists in underserved communities. After four years with the organization, she enrolled in law school to further her IP and copyright aspirations. Law school empowered her to further her goals and deepened her interest in trademark and copyright law.

In addition to her busy practice at Friedland Vining, Ms. Vining devotes many hours to providing local pro bono services. “Pro bono work is extremely important to me,” she declares. “I think our communities as a whole are substantially improved when we provide representation and voices to our underserved segments of society, particularly non-profit organizations.”

Since 2009, she has worked with Dade Legal Aid, a non-profit law firm serving over 5,000 clients annually, and participates in Dade Legal Aid’s Volunteer Lawyers for the Arts, a referral service that provides pro-bono legal assistance to income-eligible artists, creative entrepreneurs, and arts organizations in Miami-Dade county.

Ms. Vining also implemented and organized Dade Legal Aid’s “Patently Impossible Project.” While Chair of the Intellectual Property Committee of the Dade County Bar Association in 2010, the president of the Dade County Bar Association tasked each committee chair to provide volunteer attorneys or raise funding for Dade Legal Aid. “At the time,” she explains, “there was not an abundance of Dade Legal Aid clients seeking assistance with IP-related matters.” Still determined to contribute, she launched the Patently Impossible Project, a highly successful annual fundraiser that raises money by challenging attorneys to race to assemble a patented invention. This program, which launched in 2010, has raised more than $150,000 to provide legal representation in underserved communities.

“Dade Legal Aid is committed to providing access to justice for all and the funds raised by the Patently Impossible Project enable the organization to do just that,” Ms. Vining says. “I am inspired daily by the creative people I work with and the work they do.”

Susan Neuberger Weller, Mintz Levin

“I have always been a champion of the underdog, which explains my interest in pro bono work,” shares Susan Neuberger Weller of Mintz Levin Cohn Ferris Glovsky and Popeo PC, who has managed her firm’s trademark practice group from Washington D.C., USA, for over 15 years. “Every business, profit or non-profit, needs a trademark and needs to protect that trademark for its own benefit and for the benefit of the public to avoid confusion.”

Her practice has involved all aspects of intellectual property (IP) and related corporate business transactions, with a particular emphasis on domestic and international trademark and copyright searching, prosecution, enforcement, counseling, and litigation. She works with IP firms worldwide in protecting and enforcing her clients’ IP rights. “I never had a trademark ‘mentor,’” Ms. Weller recalls as she reflects on her early beginnings in trademark law. “I am totally self-educated.” She enrolled in law school at George Washington University after graduating from the University of Miami cum laude with a Bachelor of Arts in English, Economics and Psychology. “I was ready to graduate in three years with a double major, but decided I would probably like law and be good at it so I stayed a fourth year to pick up a third major to help with law school admissions.”

Ms. Weller’s interest in volunteer work extends beyond IP cases. One of her first pro bono cases involved a Colorado custody battle for the child of a slain mother. “There were four parties vying for custody. It was a months and months long, bitter battle and trial, but the end result was I won custody for the father. It was a good feeling.”

Since then, she has volunteered for various organizations, including Big Brothers/Big Sisters and the Girl Scouts, and she continues to offer her IP services to the Montgomery County Humane Society, National Network to End Domestic Violence, Greater Boston Food Bank, the Schwartz Center for Compassionate Healthcare, and even the John Kerry presidential campaign. “I love all the projects,” Ms. Weller explains. “I must say that the Schwartz Center is a very rewarding representation. It was started by a former Mintz partner while he was dying in an effort to make healthcare more compassionate for the dying. It now has an international presence and is helping caregivers all over the world. I have helped them every step of the way.”

Ms. Weller’s commitment to pro bono work for clients has been publicly acknowledged and is highlightedin Mintz Levin’s annual Pro Bono Report. She recognizes the importance of pro bono

work, particularly as it relates to IP, because the protection and enforcement of IP that is valuable to the owner should not be impossible only because of the lack of sufficient financial resources. “Non-profits, for example, which engage in charitable fundraising need to avoid confusion to ensure their fundraising efforts benefit their organization and to ensure that the public is not confused about to whom they are donating. New companies need to start out on the right foot to avoid being accused of infringement and avoiding becoming victims of weak or unsupported claims of trademark infringement asserted by much larger companies with significant resources. These companies may not have the resources necessary to defend against such claims,” she says.

Tania Liberman & Rafael Pessoa, Koury Lopes Advogados

With the desire to help people and work on social justice, Tania Liberman, of São Paulo, Brazil, entered the law to make a difference. After spending time working in New York and a number of years in “big law”, she helped found the law firm of KLA-Koury Lopes Advogados in São Paulo in 2002. While she began her career in corporate and M&A law, at KLA, she began to focus on intellectual property (IP) and media law. Prior to joining KLA, she had experience doing pro bono work for various non-profit organizations in Brazil. When KLA began, she helped to start its pro bono program and she is currently the head of the Pro Bono Group. “Pro bono and volunteer work are very important to me,” Ms. Liberman says.

Rafael Pessoa entered the law for a different reason— in his words, to “figure out how the world works.” He wanted to understand the structural view of how laws are made. He became an associate at KLA in 2016after a legal internship at the firm during his last years of law school. At KLA, he focuses on IP, technology and innovation, and is the pro bono coordinator at the firm. He was drawn to IP because he always liked music (he had a stint in a band with his friends as a teenager) and wants to help protect all kinds of artists and their work.

Recently, Ms. Liberman and Mr. Pessoa, together with their IP colleagues at KLA— through the Thomson Reuters Foundation clearing house—had the chance to assist F123, a Brazil-based social enterprise, with part of their legal needs in Brazil. According to F123’s website, F123 “designs innovative projects to expand access to technology and to provide professional low cost software and training for people who are blind or who have low vision.”

“Our IP team was immediately touched by the purposes presented by F123 in their project description - a process of "humanization" of computer reading software for the visually impaired. We felt that by working on this project, we could contribute with our expertise to benefit not only

F123 and its mission, but also every individual that could come across this accessibility software in the future," she explains.

According to Ms. Liberman and Mr. Pessoa, F123's project has the potential of impacting the lives of the visually impaired. The digital era makes every person more dependent on technology, and software engineering has the mission of easing the proximity between machines and human beings. F123 wants to take part in this process by allowing blind people to forget those "robotic" voice synthesizers with the introduction of a "humanized" synthesizer that is being carefully developed by professional software engineers and voice actors. Mr. Pessoa notes that "we believe that this change in the way that blind people use computers has the potential of dramatically improving their lives."

KLA's IP team, coordinated by Mr. Pessoa, assisted F123 with the drafting of the services agreement/copyright assignment with the actor/singer who dubs the voice synthesizer. "Itwas a great project and we are excited that the actor has now been chosen to dub the voice synthesizer," he says.

Ms. Liberman and Mr. Pessoa recently learned that the F123 project was nominated as a finalist for the Innovation Award at the eighth annual TrustLaw Awards. "We are thrilled that the project has been recognized for the work it is doing and we are proud to have played a part in the project," she says. The TrustLaw Awards are taking place on September 26th, 2018 in New York, New York.

Thomas J. Treutler, Tilleke & Gibbins

Thomas J. Treutler is the Managing Director of Tilleke & Gibbins offices in Hanoi and Ho Chi Minh City, Vietnam. Being an attorney licensed by the State Bar of California, he is registered to practice as a foreign lawyer in Vietnam and has been providing legal services in Vietnam for 24 years.

Mr. Treutler has been one of the leading intellectual property (IP) lawyers in Vietnam for many years with extensive experiences in advising international and Vietnamese clients in all aspects of IP, especially in trademark matters for protection in Vietnam and overseas.

For many years, Mr. Treutler and Tilleke & Gibbins members have been very enthusiastic carrying out pro bono services and charity activities in Vietnam.

"We feel all lawyers should be involved in pro bono work to help persons who do not have the resources to afford legal help. This also extends to IP,"Mr. Teutler says. "We had the honor to help a few very innovative social enterprises, which are doing a lot of good, to help secure IP rights that they deserve. This not only helps their organizations, but is also a strong boost to the morale and spirit of the social enterprises when they see their innovations are recognized."

The firm is providing pro bono IP services (as well as corporate services) to HappyTap, a social enterprise encouraging hygiene in remote areas by providing a unique type of portable sinks for free use in underprivileged areas. The firm is handling the trademark portfolio in Vietnam for this company as a courtesy and covering all costs. The firm has also provided pro bono patent

registration services to Maru, a project aimed at helping poor people in the Mekong Delta live with floods. Maru's invention patent for a floating house was granted in December 2017, and a utility solution patent was granted in May 2018.

Mr. Teutler and his colleagues have also been very active in IP advocacy in Vietnam, taking leadership roles in domestic organizations like the Vietnam Intellectual Property Association as well as in international organizations likeINTA. He has served as INTA's head of the East Asia & Pacific Famous & Well-known Marks Subcommittee of the Well-known-Trademark Committee for two consecutive terms (2015-2016 and 2016-2017). He has also led the Association task force working closely with the Ministry of Science & Technology (MOST) in the in the MOST-INTA Well-Known Marks Project in Vietnam. The project studied Vietnam and international laws of well-known trademarks, analyzed the difficulties and made recommendations for changes of regulations and practices in protecting well-known trademarks in Vietnam.

He and his colleagues has also actively involved in INTA's Unreal Campaign, an educational outreach program that teaches high school and university students the importance of IP protection and avoiding counterfeits.

Mr. Teutler and his colleagues teach IP courses for students regularly at universities and institutions in Vietnam, regularly sponsor moot court competitions organized by Vietnamese universities, and provide support to teams who are able to qualify for international competitions. They have also actively participated in job fairs and career days for local universities, offering career counseling and mentoring to students.

Mr. Teutler and his colleagues have been consistently making effort in charity activities. They've organized charity trips every year to rural and mountainous areas to share donated clothes and toys, and donate essential equipment or repairs and financial donation. To name a few among many charity activities: They repaired a school dormitory and provided warm coats to underprivileged students in Huoi Pung sub-primary school in Nghe An province, central Vietnam; sponsored an ENT endoscope machine to Ha Tien Pagoda Medical Clinic in Vinh Phuc for treatment for poor patients; and donated VND 50 million to fix the school wall of Van Chai elementary school in Ha Giang (northern Vietnam) where students have to study in a very poor conditions.

They supported the widow and special-needs daughter of a former lawyer who passed away at a young age in 2010. They collect donations from staff, which are matched by the firm, and have set up a savings account to help with responsible financial management.

2017 Pro Bono Spotlight

INTA's Pro Bono Committee, which started as an idea in 2010, is today proud to be rolling out its Pro Bono Trademark Clearinghouse Pilot Program, which will be a great benefit to the trademark community globally. The program will allow INTA to act as an intermediary to match low-income clients and/or nonprofit or charitable organizations in need of trademark assistance

with the formidable abilities of INTA's attorney members, acting on a pro bono basis.

Early efforts were initiated by a Pro Bono Task Force chaired by Bret Parker (New York City Bar Association, New York, New York, USA) with a goal of developing INTA as a primary resource for pro bono advocacy and activity in the trademark community. In 2012, as an official INTA committee first chaired by Brian O'Donnell (Kilpatrick Townsend & Stockton LLP, Denver, Colorado, USA) then by Jim McCarthy (McDonnell Boehnen Hulbert & Berghoff, LLP, Chicago, Illinois, USA) the groundwork necessary to truly promote pro bono activities globally was laid and the framework for the eventual Clearinghouse Program was built.

Now in only its third term, the Pro Bono Committee, chaired by Rick Biagi (Neal and McDevitt, LLC, Northfield, Illinois USA), has developed a plan – which has been approved – to launch the Clearinghouse as a pilot program in the United States and Germany to test the plan. Megan K. Bannigan (Debevoise & Plimpton, LLP, New York, New York, USA), who currently leads the Clearinghouse Implementation Subcommittee, explains, "The Committee has worked tirelessly over its last two terms to research and devise its strategy to implement the Clearinghouse pilot program. It believes the plan we ultimately decided upon will not only be an asset to the trademark community as a whole and lead to greater brand protection, but will provide a pathway to share the many benefits of performing pro bono legal services with INTA's members. The pilot will show us the strengths and weaknesses of the framework and best position INTA to launch the program globally in coming terms."

The Committee is currently actively seeking potential clients to participate in the program. The application for the program can be accessed **here**.

In addition to the exciting Clearinghouse Program, over the years the Pro Bono Committee has focused on creating pro bono programs to educate INTA members and raise awareness of pro bono opportunities, connecting members with pro bono opportunities, and encouraging and highlighting the pro bono efforts of members. This has been done through conducting educational programs, awarding Volunteer Service Awards, publishing Spotlight Articles on firms and individuals involved in pro bono work, developing a toolkit giving any law firm or corporation the tools needed to set up and run its own pro bono program, and collecting and creating other resources to educate INTA members about pro bono opportunities and provide valuable resources for getting involved in pro bono trademark work. Please visit the **INTA Pro Bono** page for more information.

The Pro Bono Committee is committed to making INTA the primary resource for pro bono trademark work through the above programs as well as the recently introduced Clearinghouse Program. Karina Dimidjian-Lecomte (Casalonga Avocats, Paris, France), who heads the Communications Subcommittee, sees the launch of the Clearinghouse as the natural evolution of the Committee's efforts since its inception, to promote the importance of pro bono in the trademark field. Further, for Ms. Dimidjian-Lecomte, INTA, as the leading global association for trademark owners and professionals, with members in more than 190 countries, is ideally positioned to provide this new service on a global basis.

Indeed, the Committee's resources are not only aimed at those within the United States, but

also provides useful information for professionals in more than 70 countries. Further, the Clearinghouse Pilot Program will also be launched in Germany with other countries to follow. Kate O'Rourke (Charles Russell Speechlys, LLP, London, UK), Group Leader for the International Pro Bono team, believes the Clearinghouse Program is the optimal way forward to ensure that IP pro bono services are available internationally in the future, while the ongoing work of the committee in compiling and making available details of existing national pro bono resources is an essential adjunct to assisting the trademark community globally today.

If you know any individual or entity that may benefit from pro bono trademark services, please contact direct them to Pro Bono Clearinghouse webpage on INTA.org, or click **here**. You may also contact Stacey Sutton (INTA Pro Bono Committee Liaison) at **ssutton@inta.org** or to find out more about the INTA Pro Bono Committee or for access to useful pro bono resources please click **here**.

2016 Pro Bono Spotlight

Kathleen Lemieux, Borden Ladner Gervais, LLP

Kathleen Lemieux is a lawyer and partner at Borden Ladner Gervais, LLP in Ottawa, Canada.. She practices in the area of trademark prosecution, copyright, intellectual property (IP) litigation and transactions involving IP rights.

In the IP world it is sometimes difficult to get involved in pro bono work because of the lack of opportunities. However, Ms. Lemieux knew at the first meeting with the founder of the Natasha's Wood Foundation, Fay Maddison, that the foundation was deserving of pro bono assistance. Ms. Lemieux is the mother of two young daughters and involved in both her community and children's school.

Based in Canada but international in perspective, Natasha's Wood Foundation aims to harness the power of story-telling, the arts, education and sport to generate awareness of and

unconditional support for the mental wellness of military families, with particular emphasis on the children who have been adversely affected by service to community and country.

Mental health is an issue that touches us all as we all know loved ones, family members and/or friends who are affected. Natasha's Wood Foundation's goal is to be a catalyst for transforming mental wellness by initiating several unique but strategic projects. One of these projects involves the creation of picture books authored by Ms. Maddison and illustrated by children. Through storytelling, Natasha's Wood Foundation intends to improve children's literacy and ignite their creativities through drawing in safe spaces and through their eyes. The first book, "Twiglet's First Birthday", was published in 2015. A second book is currently under way: "A Pollen-Fairy Named Squirt". Children from Canada and across the world can submit their artwork. A selection of artwork created by children will be published in each book.

Ms. Lemieux has worked, on a pro bono basis, with the support of Borden Ladner Gervais on all Canadian trademark matters for this organization. While she admits that she was driven by personal passion and interest, the support that she has received from Borden Ladner Gervais has been a leading factor in pursuing pro bono work.

Borden Ladner Gervais is proud of its strong tradition of pro bono representation in Canada. "Our pro bono initiatives make a profound difference for people and organizations that otherwise would be unable to access the legal system."

Koury Lopes Advogados (KLA)

KLA – Koury Lopes Advogados (KLA), of São Paulo, Brazil, recently had the privilege of assisting Instituto Museu da Pessoa (the "Museum of the Person") in drafting and reviewing the legal documents necessary to enable its operation and the fulfillment of its core objectives in Brazil.

Founded in São Paulo in 1991, Museu da Pessoa is largely known in Brazil for being a virtual and collaborative museum that aims to document, preserve and transform human lives through the gathering of information and life stories of normal individuals. Currently, Museu da Pessoa has over 17,000 recorded individual statements in audio, video, and text formats and more than 60,000 photos and digitalized documents. It is a true database of people's life stories.

The mission of Museu da Pessoa is primarily focused on recognizing the true value of cultural diversity and the personal story of every single individual as one of the most important assets of humanity. The museum's main goal is to be an open and collaborative institution in the country to provide a better comprehension and connection between individuals of all generations and becoming a rich source of knowledge.

KLA was contacted to render pro bono services to Museu da Pessoa through Thomson Reuters Foundation. Associates of KLA's Intellectual Property practice Vanessa Pirró and Rafael Pessoa assisted the museum in the draft and review of all personal releases and copyright license agreements used by the museum in its operations, both to allow the recording of statements granted by the individuals and to authorize the museum to use such recorded materials to fulfill its purposes.

The partnership between Museu da Pessoa and KLA was a great success. The Brazilian museum is now assured that its activities are properly protected by the necessary legal documents and KLA associates were able to have access, understand and assist a relevant Brazilian institution in the preservation of individual stories and memories.

2015 Pro Bono Spotlight

Jennifer M. Mikulina, McDermott Will & Emery

Jennifer M. Mikulina is the head of the global trademark practice at McDermott Will & Emery in Chicago, Illinois, USA and has been with the firm since 2001.

McDermott Will & Emery is a premier international law firm with a diversified business practice. Over the years, McDermott's trademark group has been consistently recognized as an industry leader, including rankings in *Chambers USA, World Trademark Review, Legal 500* and *Intellectual Property Today*. In November 2013, INTA honored the firm as the sole recipient of its Volunteer Service Award in the "Pro Bono Services Provided by Organizations" category.

Driven by McDermott's goals to give back to the community and participate in its comprehensive pro bono and community service program, Ms. Mikulina holds a vice-chair position of thefFirm's Gender Diversity Committee and has served as chair of the Pro Bono & Community Service Committee for McDermott's Chicago office. She is also an active participant on INTA's Pro Bono Committee.

When Ms. Mikulina started college she knew that she wanted to go to law school, but had no idea what type of law she wanted to practice. Only when she was writing her senior honors thesis on the issues related to the protection of international intellectual property (IP) rights did she think that this was an interesting area and then chose to pursue a career in IP

Her personal and professional interests coupled with giving back to the community have afforded her interesting and challenging pro bono activities. "Every day is different and brings new and interesting projects." When asked, "How is your day going?" Ms. Mikulina doesn't say "I'm busy." She's on life's treadmill and an every-ready crusader who finds the time to pay it forward. She regularly provides pro bono IP services to a number of organizations, including::

Rainforest Alliance: The Rainforest Alliance fosters the principles of sustainability by connecting sustainably managed businesses with conscientious consumers through its

Rainforest Alliance Certified seal and Rainforest Alliance Verified mark. Ms. Mikulina is part of a team of attorneys handling its registration and other prosecution matters, and advises the Rainforest Alliance on complex international certification mark licensing issues and provides counseling related to the enforcement of its trademark and certification mark rights around the world. The Rainforest Alliance works with forward-thinking farmers, foresters, and tourism entrepreneurs to conserve natural resources and ensure the long-term economic health of forest communities. In order for a farm or forestry enterprise to achieve Rainforest Alliance certification, or for a tourism business to be verified, it must meet rigorous standards designed to protect ecosystems, safeguard the well-being of local communities and improve productivity. Through the green frog seal, the Rainforest Alliance links these entities to the growing global community of conscientious consumers and helps both businesses and consumers do their part to ensure a brighter future for us all. Click here for more information regarding **Rainforest Alliance**.

Healthy Schools Campaign: The Health Schools Campaign, a non-profit organization based in Chicago, seeks to create healthier school environments for students. In the past year, Ms. Mikulina has helped to protect its valuable FIT TO LEARN and COOKING UP CHANGE trademarks and enforce its trademark rights against unauthorized third party use of these marks, and provided copyright and trademark counseling.

FIT TO LEARN is a professional development program to help teachers integrate nutrition and fitness into everyday subjects, while meeting state standards. The objective is to make healthy habit a routine part of how kids learn to increate academic achievement, better behavior and reduced absenteeism.

COOKING UP CHANGE is a dynamic culinary competition that puts student voices front-and-center in the national dialogue about school meals. Teams of high school culinary students compete to create delicious, nutritious school for lunch for about $1.00 per meal.

Click here to learn more about the **Healthy Schools Campaign**.

CFIDS Association of America: The **Solve ME/CFS Initiative (SMCI)** – formerly the CFIDS Association of America – has been the leading organization focused on Myalgic Encephalomyelitis (ME) and Chronic Fatigue Syndrome (CFS) since being founded in 1987. Ms. Mikulina has advised the organization on its rebranding campaign and new logo mark, and how to use and protect their trademarks. Click here for more information about the **CFIDS Association of America**.

Community: In addition to Ms. Mikulina's many professional responsibilities, she is committed to community organizations in the Chicago area. She is a member of the Board of Directors for: **Lawyers for the Creative Arts**, where she is an officer (Secretary) on the Board's Executive Committee; **WITS** (Working in the Schools), where she serves as both a board member and a volunteer tutor; and **Girl Scouts of Greater Chicago and Northwest Indiana**. She is also a Brownie Girl Scout troop leader (for her daughter's troop). Outside her professional life, this Chicago-area resident enjoys spending her free time with her husband and their daughter (age 7) and son (age 3), and cheering on the Wisconsin Badgers.

INTA International Trademark Association

Kangxin Partners, P.C., Beijing, China

Kangxin Partners, P.C. in Beijing China is licensed by the State Intellectual Property Office (SIPO), the State Administration for Industry and Commerce (SAIC), and is one of the few intellectual property (IP) firms in China with ISO certification. Kangxin regularly contributes to its community through its college and university scholarship programs, charity programs for child education in underdeveloped areas of China, participation in the Society of Entrepreneurs & Ecology (SEE), and pro bono legal services.

By way of example, in early January 2013, Kangxin began working as legal counsel to the National Ballet of China (NBC) on a pro bono basis. The NBC is a well-respected ballet with a repertoire of Western classics such as Swan Lake, Don Quixote, Giselle, Carmen, and The Little Mermaid. The NBC has performed the world premieres of The Red Detachment of Women, The New Year Sacrifice, Yellow River, Raise the Red Lantern, The Peony Pavilion, and The Chinese New Year, and also has a repertoire of nearly 200 ballets which are now considered to be classic Chinese works of art. The NBC is a bridge between China and the world, promoting its art locally and showcasing Chinese culture internationally.

Kangxin's pro bono services to NBC are provided under the counsel of Attorney Celia Li, a partner at Kangxin. Ms. Li specializes in patent and trademark infringement litigation, and assists clients in developing IP strategies. Through Ms. Li's guidance, Kangxin handles trademark, copyright, and contract matters for the NBC on a regular basis.

When asked why it was important to provide the NBC with pro bono legal services, Ms. Li responded: The National Ballet has been working to create Chinese-style ballets, which helps to propagate Chinese culture and facilitate the culture exchange between China and western countries. Providing legal services for such an organization is a great experience and satisfaction arises from the approval of our work from the National Ballet. Furthermore, such pro bono work helps me have a better understanding on the social responsibility of an attorney, who should not only focus on protecting the legal right of the clients but also take social responsibilities. I hope that pro bono practice can further develop throughout China for the national and local organizations that are doing great things in China and for Chinese people."

Kangxin's pro bono activities have included registering the NBC's trademarks, reviewing printed promotional materials to ensure proper trademark use and notices, developing guidelines for creating and maintaining ownership of new trademarks created by employees, providing advice regarding copyright ownership for newly-created works, and assisting NBC with the proper use of third party content. In addition, Kangxin has drafted numerous settlement agreements for NBC in connection with the use of the NBC's trademarks and content, such as for the recorded performance of "Coming Home" by the famous director, Zhang Yimou, who is known internationally for his films *Hero* and *House of Flying Daggers* and for directing the opening and closing ceremonies at the 2008 Beijing Olympics. Kangxin's Managing Partner, Samson Yu, has also established a foundation for the NBC to help young dancers at the NBC train with international groups/coaches.

We celebrate Kangxin's pro bono work for the National Ballet of China. It is an excellent example of the "Paying It Forward" philosophy, and we expect the benefits to will multiply throughout Kangxin's community.

INTA International Trademark Association

2014 Pro Bono Spotlight

Loreto Bresky, Alessandri Abogados

Loreto Bresky is a partner with the law firm Alessandri Abogados located in Santiago, Chile. She and her firm are highly dedicated to providing pro bono services to needy clients.

Ms. Bresky's interest in intellectual property (IP) law began while she was studying at the University of Chile. In her last year there, she took courses dedicated to the study of IP, and she realized this area provided her with the opportunity to interact with artists, creators, researchers, and business people. Although she started her legal career in the area of corporate law, once Ms. Bresky had the opportunity to work in IP law, she took it.

Alessandri Abogados fully supports pro bono efforts and prides itself on being a member of Fundación Pro Bono. In 2008, the firm became a signatory to the Pro Bono Attorneys for the Americas Declaration, which was designed to articulate the social responsibility of lawyers in their communities. By signing the Declaration, it undertook a commitment to promote justice for those who are destitute, and to provide legal services free of charge to those who lack necessary resources. As part of this commitment, Alessandri Abogados and the signatories to the Declaration agreed to conduct a minimum of 20 hours of pro bono service per lawyer per year.

In 2009, Alessandri Abogados' Pro Bono Committee asked Ms. Bresky if she would serve as the firm's Pro Bono Coordinator. During her five-year term as Pro Bono Coordinator, she worked on a wide variety of pro bono matters for a number of different organizations.

Her favorite matter involved America Solidaria, an NGO that works with the poorest and most underprivileged communities in the Americas. In 2009, Ms. Bresky assisted America Solidaria inregistering its word mark and logo in many countries throughout Latin America, and in navigating international registration of its marks.

During her tenure as Pro Bono Coordinator, Ms. Bresky also stepped outside her IP expertise and worked on a number of pro bono matters involving different areas of law. For example, she and her colleagues provided pro bono legal services to people affected by the 2010 earthquake in Chile, including matters of real estate law and referrals to other sources of information and assistance.

In 2010, Alessandri Abogado was awarded Pro Bono Firm of the Year in Chile, and has since been recognized by Latin Lawyer as "a leading light in pro bono". Earlier this year, after serving a five-year term as Alessandri Abogados; Pro Bono Coordinator, Ms. Bresky transitioned the position to one of her colleagues.

INTA's Pro Bono Committee congratulates Ms. Bresky and Alessandri Abogados on the excellent work they have done to date. They are great examples of the pro bono services being provided internationally by INTA members.

INTA International Trademark Association

Iris V. Quadrio, Marval, O'Farrell & Mairal

Infant malnutrition is a worldwide problem. If during the first two years of life a child does not receive the necessary nutrition, the child's brain development and the child's intellect and capacity to learn can be substantially impaired. The children of the world are the future, and ensuring proper infant nutrition is one essential step in making that future bright and prosperous.

In Argentina and other Latin America countries, Fundación CONIN operates over 40 Centers for the Prevention of Malnutrition that fight against infant malnutrition. Dr. Abel Albino founded CONIN in September 1993 in Mendoza, Argentina, modeling his new outreach effort on a similar program operating in Chile. Using the three pillars of education, assistance and research, CONIN's operation of efficient nutritional programs has been replicated in Paraguay, Perú and Gambia.

INTA member Iris V. Quadrio, of Marval, O'Farrell & Mairal in Buenos Aires, Argentina first crossed paths with CONIN when she had the opportunity to hear Dr. Albino speak about CONIN's history and mission. Impressed with Dr Albino's energy and determination, Ms. Quadrio was delighted when, a few months later, in 2003,, Marval, O'Farrell & Mairal, was asked to help with the registration of the house mark FUNDACION CONIN.. Since that time Ms. Quadrio and her firm have provided assistance with the protection of the various trademarks and designs used by CONIN. They are proud to have played a small part in helping CONIN in the fight against infant malnutrition in Latin America.

Fundación CONIN was only one of many pro bono projects with which Iris and her firm have been involved. Other notable projects include registering trademarks and negotiating trademark agreements for Habitat for Humanity, assisting Grameen Bank with trademark prosecution and enforcement matters (Grameen Bank is a Nobel Peace Prize winning "bank for the poor" that was started to provide microcredit to the poorest of the poor in rural Bangladesh and whose work has expanded to other parts of the world), and providing trademark and copyright advice to local charities focusing on disabled children's nutritional programs.

Ms. Quadrio and her firm strongly support pro bono work. For more than a decade, Marval, O´Farrell & Mairal has had an internal committee that organizes, distributes and coordinates pro bono work. Partner Gonzalo J. Fontana has been leading this committee for the past 10 years.

In addition, the firm took part in the drafting of, and subscribed to, the Pro Bono Declaration for the Americas, a model commitment to pro bono work offered by the International Bar Association. Marval, O´Farrell & Mairal lawyers are involved in pro bono work in all areas of the law, and the firm promotes pro bono work by giving associates credit for the time they spend on pro bono projects. By the end of 2012, the firm dedicated approximately 4,200 hours to pro bono work.

The firm's annual end-of-year event that celebrates its achievements routinely includes a special presentation dedicated to pro bono. The 2012 celebration included a video presentation with personal testimonials by the individuals who had directly benefited from the firm's recent pro bono activities. Victoria Acosta from Familias de Esperanza, an association that works for the rights of children who have been separated from their parents, said of Marval, O'Farrell & Mairal: "The lawyers feel for each child like he or she is their own. They feel and fight for their

rights. It is an experience that is very worthwhile."

Ms. Quadrio and Marval, O´Farrell & Mairal are excellent examples of the incredible pro bono work INTA members are doing around the globe.

2013 Pro Bono Spotlight

Chris Bennett, Davis LLP

Chris Bennett is a partner with the law firm of Davis LLP located in Vancouver, British Columbia, Canada. As the head of the firm's Trademarks Law Group and a member of its Intellectual Property, Technology and Outsourcing groups, Mr. Bennett regularly provides pro bono intellectual property services to a number of organizations. These include **Cures for Kids**, **Education Beyond Borders**, **Earth Day Network**, **My Painted House Foundation** and **Soroptomists of the Langleys**. Mr. Bennett provides not only trademark clearance, prosecution and management services but also pro bono dispute resolution assistance to charitable organizations that have been accused of violating others' trademark rights or have had their own trademarks infringed.

Mr. Bennett's pro bono services reach out to many clients. One of his favorite pro bono clients is the Hockey Education Reaching Out Society (HEROS) for whom he has provided pro bono trademark prosecution, sponsorship, and licensing assistance. Some years ago, Mr. Bennett was asked by a partner at Davis LLP to provide HEROS with some basic trademark advice. However, according to Norm Flynn, HEROS' executive director and founder, Mr. Bennett "has gone above and beyond what is expected of him, and he is an understated gentleman."

Working with the National Hockey League, HEROS is committed to empowering children by building their self-esteem and providing life skills training through the game of hockey. The HEROS program focuses on boys and girls of diverse ethnicity from economically challenged neighborhoods; it gets at-risk children off the street and onto the ice in a hockey rink. Besides learning hockey skills and burning off energy, children get to work with positive role models and mentors on a weekly basis.

HEROS volunteers give girls and boys a sense of belonging; such types of positive connections with caring adults have been shown to be the number-one indicator of success in adolescents. The program supports between 460 and 500 children each year. In addition, HEROS offers scholarships, private tutors, job placement services, a drug awareness program and a dress-for-success program. More information about HEROS can be found on their website, www.heroshockey.com.

Mr. Flynn believes Mr. Bennett "fell out of a wonderful blue sky." In conjunction with providing HEROS with pro bono legal services, Mr. Bennett teams up with the lawyers and staff at Davis LLP to organize holiday parties for the children in the HEROS program. Each year the firm makes a monetary donation to ensure that the party happens, and many of the attorneys and staff purchase and wrap gifts and provide hot meals to the HEROS children. Mr. Bennett knows that for many of these boys and girls, the presents they receive at the party will be the only one they get at the holidays.

Recently, Mr. Bennett started a give-back program with HEROS whereby the firm gives each child in the program a gift certificate for use at a local sporting goods store. HEROS asks the children to consider using some of their money to purchase a gift for someone else who is in need. According to Mr. Bennett, the program is successful because almost all of the boys and girls choose to purchase gifts for others. Under the give-back program, each child is also asked, after purchasing a gift for someone else, to write Mr. Flynn a letter about the gift , including who it was purchased for, and how it made the child who bought the gift feel. To Mr. Flynn's surprise, 60 percent of the participants wrote him such a letter.

Davis LLP has a long history of providing pro bono services. In 2010, Lexpert Zenith, an organization that honors lawyers and firms that make outstanding contributions through pro bono efforts, awarded Davis LLP the prestigious Lexpert Zenith Platinum Award for the pro bono work it provided to a group of women ski jumpers who wanted to participate in the 2010 Winter Olympic Games. The Winter Olympics has six different ski-related events, but only men have been allowed to participate in ski jumping. Since 1998, female ski jumpers have petitioned the International Olympic Committee to add women's ski jumping to the Olympic agenda, but each time the committee has denied their request.

In 2010, a team of Davis lawyers took on the International Olympic Committee with the hope of making 2010 the first year the world would see women's ski jumping in the Olympics. The Davis team filed a suit with the British Columbia Supreme Court, claiming that the Vancouver Organizing Committee for the 2010 Olympics and Paralympic Winter Games had violated women ski jumpers' rights to equality under the Canadian Charter of Rights and Freedoms. The firm represented the ski team on a pro bono basis and spent thousands of hours preparing for and arguing the case.

Unfortunately, the court ruled that it did not have the legal authority to force the International Olympic Committee to allow women to participate; thus, the ski jump team did not get to participate in the 2010 Olympics. The firm appealed the case to the highest court in British Columbia, but the appeal was dismissed. However, the court did find that the women ski

jumpers were being discriminated against. This was a huge win for women athletes! Based on the court's decision, for the first time ever, women's boxing was included in the 2012 Summer Olympics, and the International Olympic Committee has announced that it will include a ski-jumping event for women in the 2014 Olympic Games in Sochi, Russia.

If you ever have the good fortune to work with Mr. Bennett, you should bring your running sneakers—not a suit—to your meeting, as he is an avid triathlete and has been known to talk clients into meeting over a run rather than a meal. He is "the kind of person who is always there when you need him, and a solid, reliable guy," said Mr. Flynn.

Author: Alaine Doolan, Robinson & Cole LLP, Hartford, Connecticut, USA, Pro Bono Committee

Jonathan Jennings, Pattishall, McAuliffe, Newbury, Hillard & Geraldson LLP

After first considering a career as a history professor or archaeologist, Jonathan Jennings, of Chicago, Illinois, USA, looked to the law as a means of interacting more with people and the community while also focusing on scholarship. Soon after graduating law school, he entered the area of intellectual property (IP) law at Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP, where he is now a partner.

Mr. Jennings enjoys working on a variety of pro bono dispute resolution and transactional matters, including many relating to trademark, copyright, and domain name laws. He has drafted legislation and spoken out in support of trademark law and has led both individuals and organizations to better protect their intellectual property.

Specifically, Mr. Jennings has helped Family & Children's Aid, a provider of psychiatric and counseling services to abused and neglected children in Connecticut, protect its trademarks, logos, and domain names, and avoid conflicts with other non-profit organizations. In addition, Mr. Jennings helped register the mark HOOP HEROES for an organization that hosts charity fundraising events involving hula hoops. He also supervises trademark maintenance issues for the Journal of Ordinary Thought, a literary publication for poets and authors from underserved

communities, and provides counseling to the Chicago Bar Association on trademark and copyright issues.

Mr. Jennings has also worked with **Lawyers for the Creative Arts (LCA)**, a legal aid organization based in Chicago that provides free legal service to financially eligible clients in all areas of the arts, including copyright and trademark law. His involvement began in the early 1990s, when, in affiliation with LCA, his firm participated in seminars to educate artists and musicians about their rights.

As one of his first projects, Mr. Jennings prepared a license agreement for an art student to protect the student's rights. Most recently, he successfully resolved an LCA matter involving copyright and false attribution claims brought by a San Francisco–based painter, Janet Seifert, against a recording artist in Chicago. The recording artist had used Ms. Seifert's artwork without permission in connection with the distribution of his music online and had claimed it as his own. "LCA and Mr. Jennings assistance was, in the end, the only way to stop the infringement and also handle the recording artist," says Ms. Seifert. "Jonathan informed me of what was actually legally possible to do, including using the Digital Millennium [Copyright] Act to have the image removed from over forty websites. I would describe my experience with LCA/Jonathan as simply excellent from start to finish."

Mr. Jennings has also handled non-IP pro bono cases. For example, he represented Eric Walker, who was, at the time, a prisoner at the Taylorville Correctional Center and filed a petition to proceed in forma pauperis (a request to a court to waive filing fees to allow an indigent person to proceed), attached to which was his pro se complaint. Mr. Walker claims against the correctional facility, drug program, warden, drug program counselor, and correctional counselor arose from alleged sexual assault, retaliation, and unfair discipline. Although the district court recognized that Mr. Walker was indigent, the complaint was dismissed as frivolous. Mr. Jennings argued the case on appeal to the Seventh Circuit Court of Appeals.

The Seventh Circuit reversed the district court's decision and held that the inmate's sexual assault allegations against the correctional counselor were sufficient, for purposes of the in forma pauperis statute. *Walker v. Taylorville Correctional Center*, 129 F.3d 410 (7th Cir. 1997). The opinion, written by Judge Wood, begins with the line: "Sexual harassment does not necessarily occur only when a man harasses a woman, as Eric Walker's allegations illustrate." The Seventh Circuit's decision has been cited by 46 courts and 18 secondary sources. For Mr. Jennings, the case provided a chance to try something different and add to his appellate experience.

Not surprisingly, Mr. Jennings has been recognized by his peers and the organizations to which he has devoted countless hours of volunteering. Mr. Jennings devotes his remaining free time to coaching youth baseball and acting as a "professional car pool driver" for his kids.

Author: Sarah Dale, McDonald's Corporation, Oak Brook, Illinois, USA, Pro Bono Committee

INTA International Trademark Association

2012 Pro Bono Spotlight

Rick Biagi, Neal & McDevitt

By federal law, the U.S. government must provide uniformed military personnel at a military funeral to play Taps, that haunting melody of 24 notes that invariably brings tears to the eyes when played at the funeral of a fallen soldier. When the available military personnel are not buglers however, they rely on a recorded version of Taps at the funeral.

Recently, when there was no government bugler available to play Taps for a young Marine who died in Afghanistan, a live bugler was there to play at the funeral thanks to Bugles Across America, NFP (BAA). BAA is a nonprofit organization with the mission of providing volunteer buglers to play Taps at veterans' funerals at no charge to their families. Tom Day, the 72-year-old founder of BAA and a former Marine, proudly played Taps that day. Mr. Day, noting the importance of a live bugler at a military funeral, said BAA volunteers "play with real breath, from the heart."

INTA volunteer Rick Biagi of Chicago, Illinois, USA is a trumpet player who found another important way to help BAA—representing the organization on a pro bono basis in trademark matters.

Mr. Biagi's passion for trumpet began at age 8. By high school, he was studying with members of the Chicago Symphony. He received a bachelor's degree in music from the University of

Illinois, and he had been admitted to the Eastman School of Music in Rochester, New York, when he decided to stay in his hometown of Chicago to work as a musician. After several years of playing the trumpet at night and working a second job during the day, Mr. Biagi decided it was time to look for a new career, although he knew he would always continue to play the trumpet. He chose the practice of law, another profession to which he brings great passion. He attended law school at DePaul University College of Law, graduating in 2001 and joining the firm of Neal & McDevitt, where he is now a partner.

Even though Mr. Biagi turned to the law, he never lost his love for the trumpet. A self-described "music geek," he regularly visited the blog at www.trumpetherald.com, "the trumpeter's home on the web." It was there that he saw a message from Mr. Day. BAA was under attack by an individual using domain names that BAA asserted infringed BAA's marks. The websites in issue offered to provide buglers, for a fee, to play Taps at funerals, and, in blog postings, the operator of the site spoke harshly of BAA and Mr. Day.

Finally, the day had come when Mr. Biagi was able to combine his two passions—trumpet music and trademark law—with his desire to give back to those in need, making him the perfect pro bono counsel for BAA when it needed help with this trademark and domain name dispute. Mr. Biagi's well-crafted demand letter quickly yielded results. In just under two months, the offending domain names were relinquished and the alleged unauthorized use of BAA's marks discontinued. "Rick helped us immensely," says Mr. Day. "Without his help, I wouldn't have known where to turn. He not only took care of the immediate issue, he even taught this old Marine bugler something about trademarks."

Mr. Biagi's pro bono activities also extend beyond the music industry. He has provided counsel to the Rainbow Hospice, The Theraplay Institute, Active Transportation Alliance, AmeriFace and the Thomas More Law Center. "I have met a lot of people with nonprofit organizations doing great work and struggling to make ends meet," says Mr. Biagi. "If I can help in some small way with a trademark or other legal issue so these organizations can focus on achieving their main goals, then I am glad to do it."

After the BAA matter resolved, Mr. Day sent Mr. Biagi a military bugle as a token of his appreciation. That bugle now sits on Mr. Biagi's shelf in his office as a prized memento and a reminder of all the BAA buglers playing Taps for family of veterans.

Author: Matt Molash, Shupe Ventura Lindelow & Olson, PLLC, Dallas, Texas, USA, ***Pro Bono Committee***

Alaine Doolan, Robinson & Cole LLP

A few years ago a law school friend of INTA member Alaine Doolan, Hartford, Connecticut, USA, asked her if she would help his nonprofit client **Ability Beyond Disability** (ABD) located in Bethel, Connecticut on a pro bono basis with some intellectual property (IP) issues. Ms. Doolan knew nothing about ABD but as she recalls, “I did some research and it seemed like a group of people who deserved help.”

ABD has helped thousands of people with physical and mental disabilities to discover, build and celebrate their abilities. After opening its first group home in 1968, ABD quickly became Connecticut’s largest private provider of residential services for people with disabilities. It offers one of the most comprehensive systems of community-based support for people with disabilities in the Northeast, with services spanning Connecticut and northeastern metropolitan New York. Ms. Doolan volunteered her trademark expertise including searches, opinions, and trademark prosecution to help ABD protect its service mark and its logo.

In connection with ABD, Ms. Doolan additionally provided trademark assistance for **Roses for Autism,** which is located at Pinchbeck’s Rose Farm Farm in Guilford, Connecticut. Started in 2009, Roses for Autism became the first business endeavor for Growing Possibilities, a nonprofit social enterprise founded by ABD that is dedicated to growing independence in the business world for individuals with Autism and other disabilities. Roses for Autism provides employment opportunities for people with autism by teaching needed skills to be productive members of the community. Ms. Doolan filed an application and helped protect its existing design mark.

Now employed at the law firm of Robinson & Cole LLP, Ms. Doolan still finds time to tackle new pro bono projects. She is involved with the Women's Business Development Counsel, located in Stamford, Connecticut, where she volunteers time to teach intellectual property to small business owners and entrepreneurs. In addition, she is also currently involved with **The Truancy Intervention Project** through the Connecticut Bar Association. Although not related to IP work, each year Ms. Doolan is matched as a volunteer mentor to a student who has attendance issues from the New Britain, Connecticut school system. Since 2006, The Truancy Intervention Project has engaged 80 attorneys with 111 students. This project has shown that students are apt to go to school and do well when they have a mentor who demonstrates consistent interest in them. Each volunteer serves as an attorney, advocate, and role model for their student. Most of the students in the program come from low-income families.

Based on the feedback from the 6th and 7th grade students. Ms. Doolan had worked with in The Truancy Intervention Project, she reached beyond her volunteer assignment and this year initiated a program to raise money to provide each student in the program with a new backpack and supplies for the 2012 school year. Ms. Doolan found that one of the students' excuses for not going to school was that they did not have school supplies. She wanted to eliminate at least that excuse and was able to meet her goal this year by filling25 backpacks through the generous donations of Robinson & Cole, her colleagues and many caring friends. By next September 2013, she hopes to raise the necessary funds to support not only the backpacks but be able to supply the students with school uniforms. The interesting spin on this project is two-fold. Not only was she able to volunteer time to the program, she was able to incorporate her trademark expertise by developing a trademark logo design called B.E.E. The Best (where B.E.E. stands for Backpacks for Excellence in Education). Robinson & Cole is also dedicated to helping the community and the firm's formal Pro Bono Program allows Ms. Doolan to incorporate her associated volunteer hours into billable hours.

Ms. Doolan is one example of the pro bono work INTA members are doing in various capacities.

Author*: Jean Maxwell, Alere Inc., Waltham, Massachusetts, USA, Pro Bono Committee*