



THE GILES S. RICH AMERICAN INN OF COURT

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September 2012 Giles S. Rich American Inn of Court Meeting

The first meeting of the 2012-2013 Giles S. Rich American Inn of Court was held on September 11, 2012, at the U.S. Court of Appeals for the Federal Circuit. The Honorable Theodore Essex of the International Trade Commission was in attendance in his new capacity as Giles S. Rich American Inn of Court President. We look forward to this year under his leadership.



The Honorable Theodore Essex (center) begins his tenure as Inn President

New Member Orientation was held prior to the main program, and the incoming class was substantial. The new members received instruction on the Giles S. Rich American Inn of Court's guiding principles of professionalism and civility, the history of the American Inns of Court movement, the mentoring tradition of the Inns, and the Linn Inn Alliance.

The evening's program was titled "A 'Small' Patent Claims Court: A Proposal" and was led by Judge Susan G. Braden. The program examined preliminary recommendations of the ABA IP Section Task Force regarding the creation of a court to adjudicate "small" patent claims. Judge Braden, as chair of the Task Force, was very insightful and moderated a lively discussion with four panelists: Roderick McKelvie, Kannon Shanmugan, Chris Katopis, and James Crowne.



Judge Braden (standing) leads the discussion with (from left to right) Roderick McKelvie, Chris Katopis, James Crowne and Kannon Shanmugan providing unique perspectives

The Task Force recommendations from August 2012 included items such as, “The Task Force recommends that the ‘small’ patent claims court have authority to award no more than \$3 million in monetary damages,” “The Task Force recommends that [final decisions] of the ‘small’ patent claims court be subject to appellate review by the United States Court of Appeals for the Federal Circuit,” and “The Task Force recommends that the ‘small’ patent claims court have authority to provide preliminary and permanent injunctive relief.” These and other recommendations were elaborated by Judge Braden and the panelists, with input from a full-house of attendees. Constitutional issues and the availability of injunctive relief seemed to provide the most robust debate. The Task Force intends to present a revised and more detailed report to the Council meeting in the fall.



Thanks to Group 1 and Judge Braden for a great discussion. We look forward to seeing everyone at our next meeting on Wednesday, October 10, 2012, at the U.S. Court of Appeals for the Federal Circuit, a joint meeting with the Pauline Newman IP American Inn of Court.
