

FIRST JOINT MEETING BETWEEN GEORGE MASON AND NEWMAN INNS

The first joint meeting between the George Mason American Inn of Court and the Pauline Newman Intellectual Property Law American Inn of Court was held on February 20, 2013 at the sparkling quarters of the U.S. Patent Office Building in Alexandria. The event was held in the Madison Auditorium. Continuing Legal Education credit was awarded for treasured ethics credits. Attendance was strong from the two Inns.



The event represented a natural progression of close ties that have developed between Inns that are composed of lawyers with disparate practices. The Newman Inn is focused on Intellectual Property while the Mason Inn is focused on general litigation in Virginia Courts. Cross-pollination between these Two Inns commenced at the inception of the Newman Inn when, in September, 2011, President-Elect Gifford Hampshire attended the inaugural meeting of the Newman Inn as one of the invited guests. Later, in April, 2012, members of the two Inns participated in a joint tour of the United States Supreme Court.

The dynamic Ron Sterns, a member of both Inns, spearheaded the unprecedented joint meeting of the Inns. The meeting commenced with a catered reception and open bar in the lobby outside the Madison Auditorium. Members of the two Inns enjoyed meeting and getting to know each other better in this social atmosphere.



**ACTING PATENT AND TRADEMARK
OFFICE DIRECTOR TERESA STANEK REA**

Members were then called away from libation and social intercourse to the joint meeting proper. Newman Inn President Al Tramposch kicked off the meeting by discussing Newman Inn programs for the remainder of the year. He then called to the stage Acting Patent and Trademark Office Director Teresa Stanek Rea. Ms Rea discussed recent events at the Office, including the hiring of additional Administrative Patent Judges and the anticipated increase in filings before the new first-to-file legislation goes into effect on March 16, 2013. President Tramposch then introduced Gifford Hampshire, now President of the Mason Inn, who noted the unprecedented nature of the joint meeting and announced the events planned for the remainder of the year for Mason Inn members.



**NEWMAN INN PRESIDENT
AL TRAMPOSCH**



**MASON INN PRESIDENT
GIFF HAMPSHIRE**

The substance of the joint program was ethics. The Newman Inn program came in the form of an informative and entertaining talk by William J. Griffin, Deputy Director, Office of Enrollment and Discipline. Mr. Griffin spoke on professional responsibility for the intellectual property practitioner, including the role of his office in the disciplinary process. He noted the proposed new Patent and Trademark Office Rules of Professional Conduct have been published which have been modeled on the ABA Model Rules of Professional Conduct. Mr. Griffin provided a thorough and entertaining summary of the proposed rules. He concluded with a summary of the disciplinary process.



**DEPUTY DIRECTOR,
WILLIAM J. GRIFFIN,
OFFICE OF ENROLLMENT
AND DISCIPLINE, USPTO**

The Mason Inn then proceeded with its ethics program. Alexandria attorney and former VSB President Ben Dimuro discussed the arguments presented to the Virginia Supreme Court in his client's disciplinary appeal. The case arose after his client received a telephone call from a represented party but failed to immediately hang up the phone. At issue was whether his client violated Virginia Rule of Professional Conduct 4.2 which governs communications between lawyers and represented parties. Mr. Dimuro aptly outlined for the audience the factual background and legal issues in the case. The case has since been decided in favor of Mr. Dimuro's client, with the Supreme Court of Virginia ruling that his client had no duty to slam down the phone.¹

¹ See *Zaug v. Virginia State Bar*, Record No. 121656, February 28, 2013).



**BEN DIMURO, FORMER
VSB PRESIDENT AND
ALEXANDRIA ATTORNEY**

The remainder of the Mason Inn ethics program came in the form of a Legal Ethics Quiz Show in the Jeopardy tradition with two members of the Newman Inn also participating. Indeed, the host was Newman Inn member Jason V. Morgan who, in Alex Trebek style, invited contestants to select questions worth \$100, \$200 or \$300 for four categories: Prospective Clients, Represented Parties, Fairness and Social Media and Marketing. Acceptable answers were not only “Yes” or “No” but also unequivocal “Maybes.” These answers led to discussions of points such as how and under what circumstances an attorney-client relationship will form through unsolicited, unilateral communications, to what extent puffery is allowed in negotiations, the obligation of a lawyer to correct a client’s misstatement to avoid a fraudulent act, obligations of lawyers to disclose all material facts in *ex parte* proceedings, the extent to which a lawyer’s use of social media can be considered advertising for which disclaimer is required and ethical boundaries of client testimonials.



MASON INN LEGAL ETHICS QUIZ SHOW

“The evening was a smashing success” said Mason Inn President Gifford Hampshire. It “was the first-ever Joint meeting for the Mason Inn and our members benefitted immensely from learning about different areas of practice, such as practice before the Trademark Office,” he said. Hampshire added “we hope that this joint meeting will serve as a prototype for future programs between various American Inns or—dreaming here a bit--even between an American Inn and an English Inn of Court.” [end].