

The Legal Pad

2011-2012, Issue 5

January—February 2012

ALA 2011 Intellectual Property Retreat

by Donna Hantwerker

I love to travel although I don't get to do it often enough. Unfortunately, I am one of those people who has not yet learned the art of "carry on" packing. For a four day trip, I must have at least six pairs of shoes, a minimum of seven changes of clothes. Of course the biggest issue with "carry on" packing is all of the required liquid beauty products. When I learned that I had approval to attend the 2011 ALA Intellectual Property Retreat in October, I was no longer concerned about the travel inconvenience. I was excited to have the opportunity to share information and ideas with other IP Administrators. The fact that it was being held in one of my favorite cities, historic and breathtaking Washington D. C., was an added bonus.

I had mentioned to *[newsletter editor]* Judy Anderson that I was going to attend the event and she told me she thought I might be the first Tulsa Chapter ALA member to do so; thus, I was commissioned to write about my experience. So, here goes.

I was also fortunate enough to attend ALA's 2010 Region 4 Conference in Dallas and came away with information on many different topics in the areas of Communication, Human Resources, Financial and Office Operations Management. However, this IP conference was a very different experience.

The IP Retreat is unlike the regional or national conferences because you don't



choose from two to three sessions every hour and a half or so. There were six sessions held over two days and all of the sessions were in the Legal Industry/Business Management area of education.

There were seventy-eight members in attendance, with the demographics being twenty-five from the D.C. area, six from Canada, one all the way from Nigeria, and the rest of us from various states across the Country. We consisted of a few administrators from "boutique" IP law firms (such as mine) and members who worked in full-service law firms with IP Departments.

There were eleven exhibitors and they liked to show attendees a good time. One vendor treated us to a "D.C. at Night" trolley

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Your connection
to knowledge, resources and networking

Calendar of Events

January 11 **11:30-1:00** **ALA Tulsa Chapter Board Meeting**
January 18 *1:00-2:00* *ALA Webinar—Selling Blue Elephants: Client Marketing, Retention & Loyalty*
January 19 **11:30-1:00** **ALA Tulsa Chapter Meeting**
Is Your Office Ready for [MS] Office 2010?

February 8 **11:30-1:00** **ALA Tulsa Chapter Board Meeting**
February 16 **11:30-1:00** **ALA Tulsa Chapter Meeting**
Round Table—New Ideas for Employee Motivation
February 22 *1:00-2:00* *ALA Webinar—Employee Handbooks for Law Firms—Careful, Careful!*

March 14 **11:30-1:00** **ALA Tulsa Chapter Board Meeting**
March 15 **11:30-1:00** **ALA Tulsa Chapter Meeting**
How to Protect Your Firm Against Workers Comp Claims
ANNUAL MEETING/ELECTION OF OFFICERS
March 21 *1:00-2:00* *ALA Webinar—The Art of Active Listening*

April 11 **11:30-1:00** **ALA Tulsa Chapter Board Meeting**
April 18 *1:00* *ALA Webinar—The Role of Administrators in Legal Project Management*
April 19 **11:30-1:00** **ALA Tulsa Chapter Meeting**
Preventing and Defending Unemployment Claims
April 22-26 **ALA ANNUAL CONFERENCE & EXPOSITION, HONOLULU, HI**

May 9 **11:30-1:00** **ALA Tulsa Chapter Board Meeting**
May 16 *1:00* *ALA Webinar—Safe Stress!*
May 17 **11:30-1:00** **ALA Tulsa Chapter Meeting**
Financial Management, Dick Nigon, Past President ALA

A Look Ahead

June 20, 2012 *ALA Webinar—Technology Management: The Good, the Bad and the Ugly*
July 18, 2012 *ALA Webinar—Change Leadership: A Boot Camp to Drive Organizational Change*
August 8-11, 2012 *Law Firm Financial Management Conference, Palmer House Hilton, Chicago*
http://www.alanet.org/meetingevents/finance/index.aspx
August 15, 2012 *ALA Webinar—Records Management: The Bermuda Triangle*
September 19, 2012 *ALA Webinar—Of Foxes, Hedgehogs and Law Firm Profitability*
October 4-6, 2012 *Region 4 Conference, Denver, CO*
October 17, 2012 *ALA Webinar—Marketing on a Shoestring Budget*
November 14, 2012 *ALA Webinar—Dealing with Substance Abuse in the Workplace*

April 15-18, 2013 *ALA Annual Conference Gaylord National Resort, National Harbor, MD*
May 19-22, 2014 *ALA Annual Conference Metro Toronto Convention Centre, Toronto, Canada*

IP, Cont'd from page 1

tour the night before sessions began. Others had dinners and one gave a reception at *Art and Soul Restaurant* owned by Bravo's Top Chef Master Season 1 contestant Art Smith. The main event hosted by Business Partners, Tavelex and Jamison, was held on the eleventh floor of the Hyatt Regency Capitol Hill with beautiful views of the City at night.



City Lights via Trolley

This conference was specific to IP law. For those who don't know much about that field of practice, let me give you a quick background on the Patent and Trademark process.

The process for a patent is extensive and can go on for years. The term of a patent is 20 years from the filing date and is subject to payment of annual maintenance fees. The trademark process can take between six to eighteen months, is for a period of 10 years and can be renewed indefinitely for periods of 10 years.

IP law has billable hours but many of our fees are government, flat or maintenance fees, and that is just for the U.S. Patents and Trademarks. International patents and trademarks are a "horse of a different color." Since this is a newsletter article and not a book, I will refrain from getting into those specifics at this time.

October's conference gave me the opportunity to learn new ways to do things that impact my firm every day. For example, we learned about the changes that will occur at the United States Patent and Trademark Office (USPTO) since President Obama signed the Americans Inventors Act into law September 16, 2011. The greatest impact to the USPTO is that it gives them authority to change its fee schedules. As you can imagine, everyone in the room was interested in that session.

We learned about the ins and outs of doing business in China. Being an IP law firm, a majority of our business is international. This session discussed the Chinese culture, Chinese government, and business etiquette when conducting business there.

One speaker talked to us about firm risks and best practices for engagement, non-engagement and disengagement letters and gave us tips on developing a strong culture to avoid risks. Another speaker discussed legal trends in IP. I learned how paralegals can build strength in my firm and what corporate legal administrators really want from an IP law firm.

I have to say the most enjoyable, information-packed segments were the two "idea exchange" sessions which gave us the opportunity to discuss current issues that we, as IP Administrators, face. Since there were so few of us, we were able to have a room-wide conversation about various topics; and I came away with so much information it was almost overwhelming.

The IP retreat may be smaller in comparison to a regional conference, but it was still an ALA event. As those of you who have attended a conference already know, you really cannot go wrong attending anything developed by ALA's amazing planners. Everyone involved in putting this retreat together was super friendly and accommodating. I even managed to get a condo connection in New Orleans from an ALA member.



Iwo Jima Memorial

See "IP," page 5

“Bracket Your Success”

Sincere thanks to our **ALA Tulsa Business Partners** who generously sponsored our 2011 Expo in March, and who continue to participate with us in other ways. As it is appropriate for your firm or organization, would you please consider doing business with these companies.



Hats off to these business partners!

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IP, Cont'd from page 3

I enjoyed this conference and being back in D. C. even though it happened to be the weekend that the east coast was hit with their early season snow. I am hoping to attend the 2012 retreat in Chicago next September because the information I received this year is invaluable. (But right now I'm trying to figure out a way to attend the Annual Conference in Hawaii and Region 4 in Denver.)

Since Annual Conference is just around the corner, I will sign off now so that I can do some internet searching on how to pack a carry on before April gets here.

Views of the City

Happenings

WELCOME (back) to new member **Sherri Dawson**, Office Manager at McAfee & Taft, the State's largest law firm. Sherri is a 20-year career professional who previously served as office administrator for Tulsa's Eldridge Cooper Steichen & Leach, PLLC, a 27-person boutique litigation firm which was acquired by McAfee & Taft in October. Dawson held leadership positions as an ALA Tulsa member in the past; we welcome her back!!

Congratulations to ALA Tulsa's **Greg Madden**, selected by ALA to serve as Region 4 Director. Greg's official term will begin in April 2012 and he will serve a three year term. This position gives him a seat on the Board of Directors of ALA and the responsibility for directing a Regional Management Team of four from around the states in our Region, which team already includes ALA Tulsa's **Andrea Everage**.

Congratulations to ALA Tulsa's **Lori Salyards** who has been chosen to serve on the 2013 ALA Annual Conference planning committee. Lori comes well equipped to fulfill this responsibility on a very active and vital, working committee within the Association.

ALA Tulsa Business Partner, **David Wails with IKON**, was recently awarded a significant honor in his sales region. Titled *Backstage Pass*, he competed against his peers within IKON and was judged on his presentation for how IKON can assist with Security and Green Initiatives, with the President of IKON USA serving as one of the judges. Congratulations, David!

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Association Update — Diversity: When we say we are *Your Connection* — we mean **everyone**. It's easy to "talk the talk" when it comes to diversity. To show you that ALA is "walking the walk," we would like to update you on the ALA Diversity Initiative and share some of the projects and initiatives we've adopted this year that make diversity an integral part of who we are. See more information at: <http://www.alanet.org/diversity/diversityprogressreport.aspx>.



Happiness

by Dr. Alan Zimmerman

"Happiness doesn't depend on the actual number of blessings we manage to scratch from life, only our attitude towards them." Alexander Solzhenitsyn

I asked a 1000 person audience, "How many of you think it is possible to have a good day, every day, all day long?" Only a few people raised their hands. They seemed to lack some vitally important, most empowering insights a person can ever have:

1. YOU have the power to determine if you're going to have a good day.

After all, YOU are the only one who determines how you are going to feel today or any other day.

Little 5-year old Mary taught that to Dr. James C. Brown once and for all. As Dr. Brown told his story in Canfield and Hansen's book, "Chicken Soup for the Soul," Mary had recently lost her father, mother and home. Now she was being hospitalized with a brain tumor and had just suffered a stroke that left half of her body paralyzed.

As Dr. Brown was about to perform an emergency MRI on Mary, he and the technologists explained that she would have to lie perfectly still and not talk. But two minutes into the process, they noticed on the video monitor that her mouth was moving. They heard a muted voice over the intercom. They stopped the exam and gently reminded Mary not to talk. She was smiling and promised not to talk.

They reset the MRI machine and started over. Once again they saw her facial movements and heard her faint voice. Becoming impatient, they saw their busy schedule backing up for the rest of the day.

They went back into the room and slid Mary out of the machine. She looked up at them with her crooked smile, not the least bit upset. One technologist, however, in a somewhat gruff voice, said,

"Mary, you were talking again, and that causes blurry pictures."

Mary's smile remained as she replied, "I wasn't talking. I was singing. You said no talking." Dr. Brown and his team looked at each other, feeling a bit silly.

Someone asked, "What were you singing?"

"Jesus Loves Me," came Mary's tiny voice. "I always sing 'Jesus Love Me' when I'm happy."

Everyone in the room was speechless. Happy? With all she had gone through, how could this little girl be happy? A few of the team members had to leave the room for a moment to regain their composure and wipe away their tears.



As Dr. Brown later said, "Whenever I'm feeling overwhelmed or unhappy with some part of my life, I remember Mary, and I am both humbled and inspired." Her example made him realize that no matter what is happening in his life he has the power to determine whether or not it's going to be a good day.

2. YOUR attitude is always YOUR choice.

You see, your job, your boss, your company, your spouse, your kids, or your friend didn't give you a bad attitude, and they can't give you a good altitude. It's a choice you made.

Of course my audience of 1000 business people were initially skeptical. "There's no way I can have a good attitude in the midst of all this chaos. I can't help the way I feel."

But as Judith Knowlton later said, "I discovered I always have choices, and sometimes it's only a choice of attitudes." And no one made the point more profoundly than Dr. Viktor Frankl, a survivor of the Nazi death camps in World War II. In his book, "Man's Search For Meaning," he writes, "We who lived in concentration camps can remember the men who walked throughout the huts comforting others, giving away their last piece of bread. They may have been few in number, but they offer sufficient proof that everything can be taken away from a man but one thing: the last of the human freedoms -- to choose one's attitude in any given set of circumstances, to choose one's own way."

YOUR attitude is YOUR choice. And the good news is that no matter how good or bad your life or work happen to be, YOU get to choose YOUR attitude about all of that.

See "Happy," page 7

Happy, Cont'd from page 6

3. YOU always have two different ways of looking at the same situation, positively or negatively. It's your choice.

It was the 1980's, and some major forest fires were ripping through the Black Hills of South Dakota. A builder, Jerry Smith, was eating his breakfast at a local restaurant, he noticed a teenage boy and girl come in with their parents, all looking as if it were the end of the world. The mother began to tell anyone who would listen how a forest ranger roused her family from their campsite in the middle of the night. He told them, "You're in a fire danger zone. Get in your car and leave immediately. There's no time to gather your belongings. Just get in your car and head east toward the highway." As the mother lamented, "We had planned and saved for this camping trip for years. It is just terrible. Our vacation is ruined."

A short time later another family came into the restaurant: a mom, dad, two boys, and a girl. All of them were smiling, laughing, and in good spirits. They sat near Smith, and the mother began sharing her story. "We were amazed at the way the ranger took control of a difficult and dangerous situation. We scrambled to get dressed and in our hurry, I was barefoot; my daughter was wearing my husband's boots, and the boys were in their socks. What an exciting adventure! This is a great vacation and one we will remember forever."

Interesting, isn't it? The same situation but two families seeing it totally differently.

Suggestion: *Select three difficult situations in your life this week. And then spend a couple of minutes figuring out how you can look at those situations positively.* Make every day your payoff day!

Reprinted with permission from Dr. Alan Zimmerman's Tuesday Tip of November 29, 2011. Dr. Zimmerman is a full-time professional speaker who specializes in attitude, motivation, and leadership programs that pay off. For more information on his programs ... or to receive your own free subscription to the 'Tuesday Tip' ... go to <http://www.drzimmerman.com/> or call 800-621-7881.

Annual Compensation & Benefits Survey is Available

ALA Tulsa has completed the compilation of its annual *Compensation & Benefits Survey for 2011*. That resource is available for purchase for \$100 by any firm that did not participate. For participants, other pricing is in place. Please contact Barbara Williams at bwilliams@cwlaw.com or (918) 586-8522.



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Leadership [a reminder]

Dr. Alan Zimmerman (excerpt)

Leadership has nothing to do with title or position, it has everything to do with behavior. If you behave in certain ways, you can and will be a good leader.

1. *A leader does the right thing.* A good leader focuses all of his/her energy on doing the right thing instead of spending all of the time on the superficialities of looking good and sounding good.
2. *A leader is more concerned with "we" than "me."* Unfortunately, too many so-called leaders are on an ego trip, seeking all the glory and hogging all the limelight. You see it at universities when graduate students do all the research for a professor, and s/he publishes their work under her/his name as though s/he did it all by her/himself. Shame! As leadership author John C. Maxwell wrote, "If I want to do something good, I can do it on my own. If I want to do something great, I'm going to have to develop a team."
3. *A leader demonstrates an unshakeable positive attitude.* In other words, they exude energy. They display enthusiasm. They project cheerfulness, and it's contagious. Norman Vincent Peale said, "Be determined to like your work. Then it will become a pleasure, not drudgery. Change yourself, and your work will seem different." If you yearn to be a leader, or if you desire to become a better leader, you've got to have faith in your country, your company, your department, your team, your church, your family, your fu-

ture or whatever else you are leading. No one follows a negative leader for very long. A leader must demonstrate an unshakeable positive attitude when things are going well and not so well.

4. *A leader accepts responsibility.* For the good and the bad. To be a leader who accepts responsibility, you've got to have a certain degree of maturity and humility. You've got to be able to say, "I was wrong. I'm sorry. But we're going to do better next time." And when you're proven right, you avoid saying, "I told you so."

This excerpt is taken, with permission, from the Personal Commentary of Dr. Alan Zimmerman. See Dr. Zimmerman's full attribution on page 7.

Leadership development is a by product of ALA membership and participation in its activities and committees or project planning teams.

The ALA Tulsa Nominating Committee has been working since mid December seeking interested members to fill a slate of nominations for the 2012-2013 Chapter year. Please consider saying yes if you are contacted. OR, better yet, call one of the committee members (Judy Anderson, 918 494-3770, Greg Madden, 918 582-1173, or Donna Hantwerker, 918 587-2000) and volunteer to take an active role in the coming year.

Chapter election of officers will occur at the March 15th annual chapter meeting of members. Your vote and your voice count!



Kevin Mathews, left, and Judy Anderson, right, congratulate new Region 4 Director, Greg Madden



Chapter members gather to wrap purchased gifts for our 2011 adopted Christmas families

New Year, from page 10

Not to be outdone, the Romans are said to have used the start of a new year to count their stock from the previous year and to set goals to accomplish more in the coming year. Although the early Catholic Church condemned such practice and festivities as paganism; and, as Christianity spread, the early Church began its own religious observances at the same time as those of the pagans.

In approximately 600 BC., the Greeks are credited with starting the tradition of using a baby to signify the beginning of a New Year. The Greek tradition of celebrating their God of Wine, Dionysus, involved parading a baby in a basket to represent the annual rebirth of Dionysus as the spirit of fertility. Evidently the Egyptians also used a baby to symbolize rebirth at the New Year. And even though the Church still felt the practice of celebrating the New Year was paganism, when members began using the baby as part of their celebration, the Church adopted the custom as representing the birth of the baby Jesus.

So how did the celebration of New Year's move from the beginning of spring (March) to January 1?? Well, supposedly various Roman emperors kept tampering with the calendar, so much so that it became out of synch with the sun. In approximately 153 BC., the Roman senate decided to set the calendar right by declaring January 1 as the beginning of a new year. *(I've long read that the Roman emperors were powerful people but changing the calendar???)* Thus began the practice of signifying January 1 as the beginning of the New Year.

Early Chinese celebrated the New Year by making resolutions something similar to what became an American tradition of Spring Cleaning – House Cleaning!! The Chinese would clean their entire house, top to bottom, as a way to begin a new year. *(Wow! Did they start at midnight; did it take them all New Year's Day; think the entire family cleaned?? How long did their house stay clean?? Probably doesn't really matter now, does it?)*

The Germans' practice of using an image of a baby dates back to the 14th century. They are given credit for bringing that custom to America. A baby holding a New Year's banner was symbolic of their New Year and when Germans began immigrating to America, they brought this custom with them. And so it continues today.

In more modern times the beginning of a new year also became a time for setting your 'luck' for the

coming year. To obtain good fortune and luck in the New Year, you are supposed to eat certain foods within the first few hours of the New Year and make your 'resolutions' to do/be better. *(When I moved to Oklahoma in the early 1980's, I wasn't familiar with this tradition. My neighbor informed me that I needed to eat black-eyed peas and pork so I would have good fortune and luck in the coming year. Maybe I should have taken it seriously?? Is it too late for this year??)*

Modern New Year's resolutions tend to be based around self-help (stop smoking and/or drinking; lose weight; actually use your gym membership; eat healthier; get more exercise; stick to a spending budget; curb excess spending, etc.). And yet statistics show that less than half of the New Year's resolutions made are actually kept beyond mid-year. *(Who tracks this stuff anyway?? Maybe that's why they say a New Year's resolution shouldn't be spoken. Perhaps a New Year's Resolution to keep all New Year's resolutions is in order.)*

Whatever your custom or tradition, on January 1st, people all around the world again celebrated the New Year, hoping for happiness, success and good fortune. Many a New Year's resolution has been made with all good intentions of keeping it throughout the year. Whether you made a resolution or are still thinking about it, you might consider a New Year's resolution to find your niche within ALA; to answer the call for assistance when received; and to participate in the opportunities presented you by ALA. The benefits of participation in ALA are many, and the beginning of a New Year is a good time to consider how the various ALA resources can assist you in obtaining success and good fortune for you and your firm.

Hope you enjoyed this bit of trivia. Happy New Year!

Year's end is neither an end nor a beginning but a going on, with all the wisdom that experience can instill in us. -- Hal Borland



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GREEN COUNTRY'S NETWORK OF LAW FIRM MANAGERS

ALA MISSION STATEMENT

The mission of the Association of Legal Administrators is to promote and enhance the competence and professionalism of all members of the legal management team; improve the quality of management in law firms and other legal service organizations; and represent professional legal management and managers to the legal community and to the community at large.

ALA also provides the *Legal Management Resource Center* (LMRC), <http://thesource.alanet.org>, an online resource answering legal management questions.

To learn more about ALA, visit www.alanet.org.

P.S. The President Says....

We have invited various ALA Tulsa Chapter leaders to share through this P.S. article slot. This issue features Barbara Williams, Personnel—Benefits Supervisor, Conner & Winters.

Ring out the Old; Ring in the New!

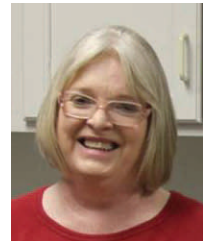
Another year passes ...

May all your troubles last as long as your New Year's resolutions. – Joey Adams

These are just some of the sayings that came to mind as 2012 was drawing near. I began to wonder why there's so much hype about a new year. Where did the tradition of celebrating the New Year or making New Year's resolutions come from anyway?

These thoughts took me to the internet one evening to conduct a little research on the topic of New Year's celebrations and resolutions. Armed with information I didn't have before, I wondered whether anyone else would find it interesting. Knowing that [newsletter editor] Judy Anderson had assigned me the task of writing an article for *The Legal Pad*, I located the e-mail she sent outlining assignments and, as luck would have it, my article assignment was for the New Year

Barbara Williams



edition. What timing!! I now found a way to share the results of my late night surfing – an article for *The Legal Pad*! Here goes

The celebration of the New Year is supposedly the oldest of all holidays. It was first observed by the Babylonians about 4,000 years ago. The Babylonians' farming season coincided with their New Year and they used the entry into the New Year to return any borrowed farming equipment to its owner. – Thus the beginning of New Year's resolutions – return anything that doesn't belong to you. (*Pretty good one!*)

Around 2000 BC., the New Year actually began with the first visible crescent of a new moon after the Vernal Equinox (*what!?!?*) -- the 'first day of spring.' It is said that the Babylonians celebrated for 11 days, with the theme of each day's celebration being something different associated with the rebirth of mother-nature. (*Too bad that custom hasn't continued – can you see our firms closing for 11 days of celebration at the beginning of each New Year??*)

See "New Year," page 9

