

Chemistry and the Law

NEWSLETTER

CHAIR'S MESSAGE

RICHARD BONE

I am happy to take a second turn as Chair of Chemistry and the Law. I'd like to take this opportunity to offer some observations on the current state of the Division.

But first, I want to note a few other changes in the Division's leadership. I thank outgoing Chair, Katherine Rubino, for her steady leadership over the last two years. Katherine remains active in the executive committee as immediate past chair. I also congratulate Matthew Hlinka for his election to the position of Chair-elect (2024-25), and thank him for his energetic management of the programming schedule in recent years. We have decided to move forward with establishing a permanent executive committee position for Program Chair. Please welcome Gabriel Ferrante, who has volunteered for this role, pending a vote to update the Division bylaws.

As always, CHAL seeks to be a resource to all ACS members to help you stay on top of legal developments that impact chemists and the business of chemistry. Overall, the last several years have seen a number of newcomers contribute their time to CHAL, and – in the face of declining division membership and participation across ACS – this is much welcomed. We look forward to building on this new interest and energizing the division's membership with a greater variety of programming and more opportunities for

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CHAIR'S MESSAGE

participation – in particular in areas outside of intellectual property law.

In the Fall of 2023, we conducted a member survey, which went out at the time of the annual election ballot. Thanks to everyone who responded to the questions and provided comments. A digest of the results will follow in due course.

While this year's program includes the traditional technical sessions at the two National Meetings, CHAL will continue its webinar offerings through ACS webinars this year with 2 further topics at the intersection of chemistry and the law, on July 7, and September 11, 2024, both at 2-3pm EDT. Do look out for announcements from ACS National for further information, as well as our own e-mail list. If there are other topics that you wish to see presented or want to speak on yourself, either at the National Meetings or in our webinar series, please let us know.

In the short term, the division's focus in the first quarter of 2024 has been to prepare for the Spring National Meeting, opening in New Orleans on March 16th. Look out for the CHAL technical division programming on Sunday and Monday, conveniently on-site at the Ernest N. Morial Convention Center (see ACS programming guide for specific room assignments). In a change from past practice, CHAL will be hosting its traditional open reception as a breakfast meeting on Sunday. We have also scheduled lunch events on Sunday (career showcase) and Monday (guest speaker: incoming ACS general counsel, Tokë Vandervoort).

As also with longstanding tradition, we will hold our March Excomm meeting on Sunday

late afternoon, after the programming schedule ends. As always, our Executive Committee meeting is open to all ACS members, and you are more than welcome to join us, either in person or by google-meet. Even if you cannot attend this time in New Orleans, please consider joining one of our monthly teleconferences and get more involved with CHAL.

We are already beginning plans for the 2024 Fall National Meeting in Denver, where the theme is "elevating chemistry." It is not too late to submit an abstract for programming with CHAL. Our abstract submission deadline is April 1st. Abstracts can be submitted at <https://callforabstracts.acs.org/acsfall2024> or sent to the division's program chair, Gabriel Ferrante (GFerrante@goodwinlaw.com). We now have a commitment to have at least one programming session dedicated to subjects outside of intellectual property law at each national meeting.

Those of you who have attended our monthly telecons so far this year will know that I have invested some time into revitalizing the Division's digital resources. You can now reach CHAL directly via the e-mail address: chemistryandthelaw@gmail.com This e-mail address is also being used to disseminate reminders and other division-centric information. Based on the gmail platform, it also allows us to centralize calendaring and hosting of the Division's monthly telecom, as well as maintain an up to date contact list. Additionally, the Division's website www.chemistryandthelaw.org has been brought current, at least in part. We look forward to working with one or two committed volunteers to finish the updates in the coming months and to put a process in place for

COUNCILORS' REPORT

reliably making frequent updates.

Finally, let me conclude by reminding everyone of CHAL's core purpose. CHAL's mission to date has focused on educating ACS members – from all backgrounds and stages in their careers – about issues that arise at the intersection of chemistry and the law. Mostly, this has been based on technical programming at the Society's two national meetings each year, webinars broadcast by ACS National, and occasional programming at Regional meetings. CHAL has also frequently maintained close contact with ACS governance, with at least one CHAL member or executive officer serving on the Committee on Patents and Related Matters (CPRM), at any given time.

CHAL's activities – as with much of those of the ACS at large – are due to volunteer time and effort: the Division's programming and other activities totally depend on the time and energy of the Division's organizing team and those of you who show up and present to the Society on topics at the front and center of chemistry and the law. We have had – for 40 years – a consistent and reliable cohort of volunteers to organize and deliver high quality technical programming. Despite larger-scale changes in the way the Society conducts outreach and organizes its flagship national meetings, I am optimistic that the Division's activities will continue unabated. Please watch this space for further updates.

Richard Bone

COUNCILORS' REPORT

DR. JAMES CARVER & DR. BRIAN MEADOWS

Spring 2024 ACS Meeting in New Orleans

The Spring ACS Meeting (2024), scheduled for New Orleans, from March 16 - 21, 2024. This meeting again will be a hybrid meeting. Most of the governance function will be available on a hybrid basis.

For 2024, the President is Mary Carroll, the President-Elect is Dorothy Phillips, the Past-President is Judy Giordan.

Nominations for President Elect for 2025 are Rigoberto Hernandez (Professor at John Hopkins University), Thomas A. Holme (Professor at Iowa State University), Ingrid Montes (Professor at the University of Puerto Rico) and Laura Sremaniak (Professor at North Carolina State University). Council will select two candidates from these nominees at the Council meeting on Wednesday, March 20, 2024.

The Nominees for District Director for District I are Matthew Grandbois, Barbara R. Hillery, Katherine L. Lee, and Alyssa C. Thomas. The Nominees for District Director for District V are Lisa M. Balbes, Mark C. Cesa, Joseph A. Heppert, and Silvia S. Jurisson. The Nominees for International District Director are Hassan S. Bazzi, Csaba Janaky, Hooi-Ling Lee, and David Wu. Council will select two candidates from the nominees from each District at Council on Wednesday, March 20, 2024. Councilors residing in Districts I and V and all voting Councilors for the International District will be sent ballots once the candidates are selected.

COUNCILORS' REPORT

The Candidates for Directors-at-Large are Christopher J. Bannochie, Natalie A. LaFranzo, and Sergio C. Nanita. From these Candidates, two Directors-at-Large will be selected by the Councilors at the Council meeting on Wednesday, March 20, 2024.

From the elections at the Fall 2023 ACS meeting, the following individuals were elected:

- **COUNCIL POLICY COMMITTEE:**
James C. Carver, Lydia E. M. Hines, Elizabeth M. Howson and Jeanette M. Van Emon
- **COMMITTEE ON COMMITTEES:**
Jeanne R. Berk, Anna G. Cavinato, Thomas R. Gilbert, W. Matthew Reichert, and Andrea B. Twiss-Brooks
- **COMMITTEE ON NOMINATIONS AND ELECTIONS:**
Amber F. Charlebois, Jetty L. Duffy-Matzner, Kevin J. Edgar, Arlene A. Garrison, Zaida C. Morales Martinez, and Linette M. Watkins
- **2023 PRESIDENT-ELECT:**
Dorothy J. Phillips
- **DIRECTOR, DISTRICT III DIRECTOR:**
Bonnie (Helen A.) Lawlor
- **DIRECTOR, DISTRICT VI:**
Jeanette M. Van Emons
- **DIRECTOR-AT-LARGE:**
Wayne E. Jones, Jr. and Carolyn Ribes

Petitions before Council

- A Petition to Remove Inconsistencies and Add Missing Provisions (Amendments to the Standing Rules)
- A Petition to amend the Duties of the Committee on Budget and Finance (Amendments to the Standing Rules)

- A Petition to Amend the Due and Benefits (Amendments to the Standing Rules)
- A Proposal to change the name of the Division of Biological Chemistry (BIOL) to the Division of Biochemistry and Chemical Biology (BIOL)
- Petition to Charter an International Chemical Sciences Chapter in Egypt and in Guangdong Province, China
- A petition to change the name of the Auburn Section to the East Alabama/West Georgia Section
- A Petition for Consideration: Petition for Global Representation on Council (to be voted on at the Fall '24 ACS meeting)

Budget and Finance

The Society's 2023 financial performance was excellent. The Society ended 2023 with a net contribution from operations of almost \$66 million, about \$2 million above last year's result. Once again, ACS ended the year in compliance with all of the five Board-established financial guidelines.

PROGRAM SCHEDULE

Sunday
March 17

Ernest N. Morial
Convention Center

Please note that, although the times listed here are at EDT, New Orleans is on Central Time and the ACS program online reflects that.

8:30am - 10:30am EDT

CHAL Welcome Breakfast

Location: Room 245

Session Type: Networking Events - In-person

9:05am - 9:35am EDT

Strengthening Your Future Patent Rights in Light of Recent Federal Court Decisions

Presenter: Dr. Xavier Pillai

Location: Room 354

Session Type: Oral - Hybrid

9:35am - 10:05am EDT

Recent Updates in Federal Circuit Case Law

Presenter: Dr. Andrew Berks

Location: Room 354

Session Type: Oral - Hybrid

10:05am - 10:35am EDT

Pharmaceutical Patent Strategies in China in View of Recent Patent Law Updates

Presenters: Miho Kaneko, Olivia Uitto, & Christopher Haley

Location: Room 354

Session Type: Oral - Hybrid

1:00pm - 3:00pm EDT

Evolution of Counterfeit Pharmaceuticals and the Challenges They Pose | Poster Board #116

Presenters: Nina Salazar & Katelyn Klein

Location: Hall C

Session Type: Poster - In-person

1:00pm - 3:00pm EDT

CHAL/MEDI Careers Lunch & Learn

Location: Room 352

Session Type: Networking Events - In-person

PROGRAM SCHEDULE

Sunday
March 17

Ernest N. Morial
Convention Center

3:00pm - 3:25pm EDT

Cannabinoid Chemistry in the Context of US Federal Regulations

Presenter: Michael McCormick

Location: Room 354

Session Type: Oral - Hybrid

3:25pm - 3:50pm EDT

Researchers and the Research Tool: Exploring the Section 271 Safe Harbor in Early Drug Discovery

Presenters: Gabriel Ferrante & Eric T. Romeo

Location: Room 354

Session Type: Oral - Hybrid

3:50pm - 4:15pm EDT

Medicare Drug Price Negotiation: The Inflation Reduction Act and the New Paradigm in Blockbuster Drug Markets

Presenters: Natasha Daughtrey & Gabriel Ferrante

Location: Room 354

Session Type: Oral - Hybrid

4:15pm - 4:40pm EDT

Clinical Trials as Prior Art Against Patents in Europe

Presenter: Holger Tostmann

Location: Room 354

Session Type: Oral - Hybrid

4:40pm - 4:50pm EDT

Intermission

Location: Room 354

Session Type: Oral - Hybrid

4:50pm - 5:15pm EDT

Perspectives on Litigation Financing in Patent Litigation: Empowering Claimants and Enhancing Risk Management

Presenters: Yoko Bian, Eric T. Romeo &

Natasha Daughtrey

Location: Room 354

Session Type: Oral - Hybrid

5:15pm - 5:40pm EDT

A Day in the Life of a Forensic Drug Chemist

Presenters: Tamar Craine, Katie Jones, Alia

Harris, & Nicole Lattanzio

Location: Room 354

Session Type: Oral - Hybrid

5:40pm - 6:05pm EDT

Distilling Between Enablement and Support: Best Practice for Prosecuting Chemical Patents in Australia and New Zealand

Presenters: David Herman & Dr. Andrew

Mark Gregory

Location: Room 354

Session Type: Oral - Hybrid

6:05pm - 6:30pm EDT

Chemistry on Trial: Strategic Considerations for Scientific Testing and Analysis in Legal Proceedings

Presenters: Eric T. Romeo & Gabriel Ferrante

Location: Room 354

Session Type: Oral - Hybrid

PROGRAM SCHEDULE

Monday
March 18

Ernest N. Morial
Convention Center

1:00pm - 3:00pm EDT

CHAL Luncheon

Location: Cypress Ballroom 2 (New Orleans
Marriott Warehouse Arts District)
Session Type: Networking Events - In-person

3:05pm - 3:35pm EDT

**Bridging Upstream and Downstream Communities
to Humanize Nitrogen Management: An Inclusive,
People-Centered Platform**

Presenters: Christine Prouty & Maya Trotz
Location: Room 203
Session Type: Oral - In-person

3:35pm - 4:05pm EDT

**Bidirectional Engagement: Better Policy,
Better Science**

Presenter: Drew Story
Location: Room 203
Session Type: Oral - In-person

4:05pm - 5:05pm EDT

**AI and Intellectual Property: A Survey of
Live Issues**

Presenter: Dr. Richard G. A. Bone
Location: Room 340
Session Type: Oral - In-person

5:50pm - 6:20pm EDT

Chemical Obviousness in the Age of AI

Presenter: Christopher Haley
Location: Room 340
Session Type: Oral - In-person

DIVISION AWARDS

Nominations are sought for two awards that CHAL makes, periodically:

1. [Roger D. Middlekauf Achievement Award](#)

The Roger D. Middlekauf Achievement Award, was created in 1990 to honor the early CHAL ExComm Member who incorporated CHAL in DC. It recognizes outstanding contributions and service to the Division.

2. [The Howard and Sally Peters Award For Non-Traditional Careers In Chemistry](#)

This award was created in 2012 by the Division to recognize nontraditional careers in chemistry, in honor of chemists Howard and Sally Peters—long-term members of the Silicon Valley Local Section (formerly the Santa Clara Valley Local Section). Howard has laboratory research experience in high explosives at SRI International, Menlo Park and is now retired after a 30-year career as a patent attorney in the Silicon Valley. Sally has laboratory research experience at Geneva College, Beaver Falls, PA and the Department of Chemistry at Stanford University. She is now retired after 28 years as a chemical information specialist with XEROX PARC in Palo Alto, CA.

Please contact Howard Peters at peters4pa@sbcglobal.net, or the Division Chair at chemistryandthelaw@gmail.com to make a nomination or for further information.

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