

# Chemistry and the Law NEWSLETTER



[www.chemistryandthelaw.org](http://www.chemistryandthelaw.org)

## CHAIR'S MESSAGE – JUSTIN MCSHANE



As the sun sets on my period of time as Chairman of the Chemistry and the Law Division, I find myself reflecting on what we have achieved together. We have grown in members. We have grown in active participants in the Executive Committee. We have grown in our programming as well.

We communicate more. We have very lively discussions. We have structure.

What I am most proud of is that all of this work we have achieved together.

And we did do this together, didn't we?

It is said that no man is an island and that is certainly true. And also no chairman is an island either. The hard work of many people on the Executive Committee of CHAL made all that we did possible. I would like to single out some truly great people in our division whose contributions this year have been just amazing. I wish to thank Krista Bianco, Sarah Hasford, Justin Hasford, and Jonathan Kennedy. I would also like to make a special thank you to our two great councilors in Jim Carver and Alan Ehrlich.

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# SCHEDULE OF EVENTS

Sunday, August 21, 2016

**2:00 PM-3:30 PM:** *Strengthening Your Patent Rights in Light of Recent Federal Circuit Court Decisions* • Organizers: R. Bone and X. Pillai; Presiding: R. Bone and X. Pillai • Room 201B – Pennsylvania Convention Center

**5:00-7:00 PM:** *CHAL Exec. Committee Meeting* • Gibbons P.C., One Logan Square, 130 N. 18th Street, Suite 1210 Philadelphia, PA 19103

Tuesday, August 23, 2016

**9:30 AM-11:30 AM:** *Strategic Patent Planning for Small & Mid-Size Chemical & Pharmaceutical Companies* • Organizers: K. Bianco; Presiding: K. Bianco • Room 201B – Pennsylvania Convention Center

**1:30 PM-3:00 PM:** *Patent Litigation Primer* • Organizers: K. Bianco; Presiding: K. Bianco • Room 201B – Pennsylvania Convention Center

Monday, August 22, 2016

**10:00 AM-12:00 PM:** *Beyond the Bench: Careers in Intellectual Property* • Organizers: K. Bianco; Presiding: K. Bianco • Room 201B – Pennsylvania Convention Center

**12:00 PM-1:30 PM:** *CHAL Luncheon* • Room 202A – Pennsylvania Convention Center

**1:30 PM-3:30 PM:** *IP Considerations & Pitfalls in Collaborative Research & Licensing Agreements* • Organizers: MaryAnne Armstrong; Presiding: MaryAnne Armstrong • Room 201B – Pennsylvania Convention Center

**6:00 PM-8:00 PM:** *CHAL Reception* • Room 201B – Pennsylvania Convention Center

**8:00 PM-10:00 PM:** *Sci-Mix* • Halls D/E – Pennsylvania Convention Center

Wednesday, August 24, 2016

**9:30 AM-11:30 AM:** *Developments in Pharmaceutical Patent Law* • Organizers: D. Cauble, B. Trinque; Presiding: D. Cauble, B. Trinque • Room 201B – Pennsylvania Convention Center

**1:30 PM-3:30 PM:** *The Many Faces of CHAL: Where Chemistry Meets the Law* • Organizers: K. Bianco, J. Kennedy; Presiding: K. Bianco • Room 201B – Pennsylvania Convention Center



# OFFICER REPORTS

## CHAIR'S MESSAGE (CONT'D)

I am happy to announce that our Section Treasurer Brian Meadows was named a Fellow with the ACS. His tireless work as the treasurer of the Division has taken CHAL from a period of financial insecurity to a very large bank account with a sound financial future. That is no small feat. I am also happy to announce that Judge Pauline Newman will be awarded The Peters Award for non-traditional careers in chemistry. Also the Middlekauf Award will be awarded to Sally Peters.

From continuing the tradition of our Happy Hour at the Annual meetings, to applying for and receiving the Innovative Grant to allow for what will be a series of four webinars, to establishing a communication committee that allows regular contact with our members, to an entire new on-line distribution of our newsletter, and also totally modernizing and redesigning our website, it has been a busy year for us all.

But there is always room for growth and improvement. This is where we need you. We need you to join us for our monthly ExCom meetings. We need you to program at our national meetings. We need you to hit reply on our emails to participate in the Division. We need you. So why not get more involved in your Division?

Sincerely,

/s/ Justin J. McShane, Esquire, F-AIC. F-AAFS

## COUNCILORS' REPORT- ALAN EHRLICH & JIM CARVER

### 252<sup>nd</sup> MEETING – PHILADELPHIA

The Council has three petitions for amendments to the Bylaws on its agenda. One was up for consideration in San Diego and is now up for Action - to extend the Unemployed Members' Dues Waiver from two years to three years in one-year increments. Two petitions have been filed and are on the Council Agenda for consideration only. One is a Petition for Removal of Officers and Councilors for neglect of duties or misconduct. The other is a Petition on the Rights of Affiliates that is intended to clarify the language of current Bylaws. These petitions will be up for action at the Council Meeting in San Francisco in April, 2017.

A Special Discussion Item will again be on the agenda – Gathering [Council] Input on Proposed Recommendations of the ACS Presidential Task Force on the U.S. Employment of Chemists. This complements the San Diego Special Discussion Item and will discuss major outcomes from the Task Force's recommendations. A final report will be assembled after the meeting.

Congratulations are in order for a member of CHAL who is receiving an award at the National Meeting in Philadelphia. Treasurer and Past-President Brian Meadows has been named an ACS Fellow. The Fellows induction ceremony and reception are Monday afternoon, August 22, 2016 with reception to follow.

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# CHAL AWARDS

## The Howard and Sally Peters Award for Non-Traditional Careers in Chemistry

The Chemistry and the Law (CHAL) Division of ACS has established an award regarding non-traditional careers in chemistry in honor of chemists Howard and Sally Peters—long-term members of the Santa Clara Valley Local Section. This is the first award established by CHAL in more than twenty years, and it was presented for the first time to both Howard and Sally to recognize their significant lifetime contributions to non-traditional careers in chemistry. 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. The award presentation occurred at a dinner following the CHAL Executive Committee meeting held on Sunday, August 19, 2012 during the 244th American Chemical Society National Meeting in Philadelphia, PA. It was first announced at the CHAL reception held Monday, August 20, 2012 at the Chemical Heritage Foundation.

Additional information about nominations for the Howard & Sally Peters Award can be found on the CHAL website (<http://www.chemistryandthelaw.org/category/announcements/>). The next deadline is **May 31, 2017**.

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References, including internet sites, cited as bibliography or for general interest, are intended for readers' convenience only, and are not endorsed as to opinions or for detailed accuracy or timeliness, which are the responsibilities of the authors and publishers of those references. Internet site citations were thought to be timely within a few weeks before this newsletter would be fixed for publication; however, some may have become stale.

Mention of publications, products, or services is intended for readers' convenience only and not as commercial endorsement. Discussion of legal issues is for information and educational purposes and is not legal advice; legal advice should be sought from licensed lawyers formally consulted for that purpose.

Readers' comments are welcome and future articles from them are invited -- especially to broaden the range of topics and viewpoints -- address all inquiries to: Sarah Hasford, Editor at [sarah.hasford@gmail.com](mailto:sarah.hasford@gmail.com).

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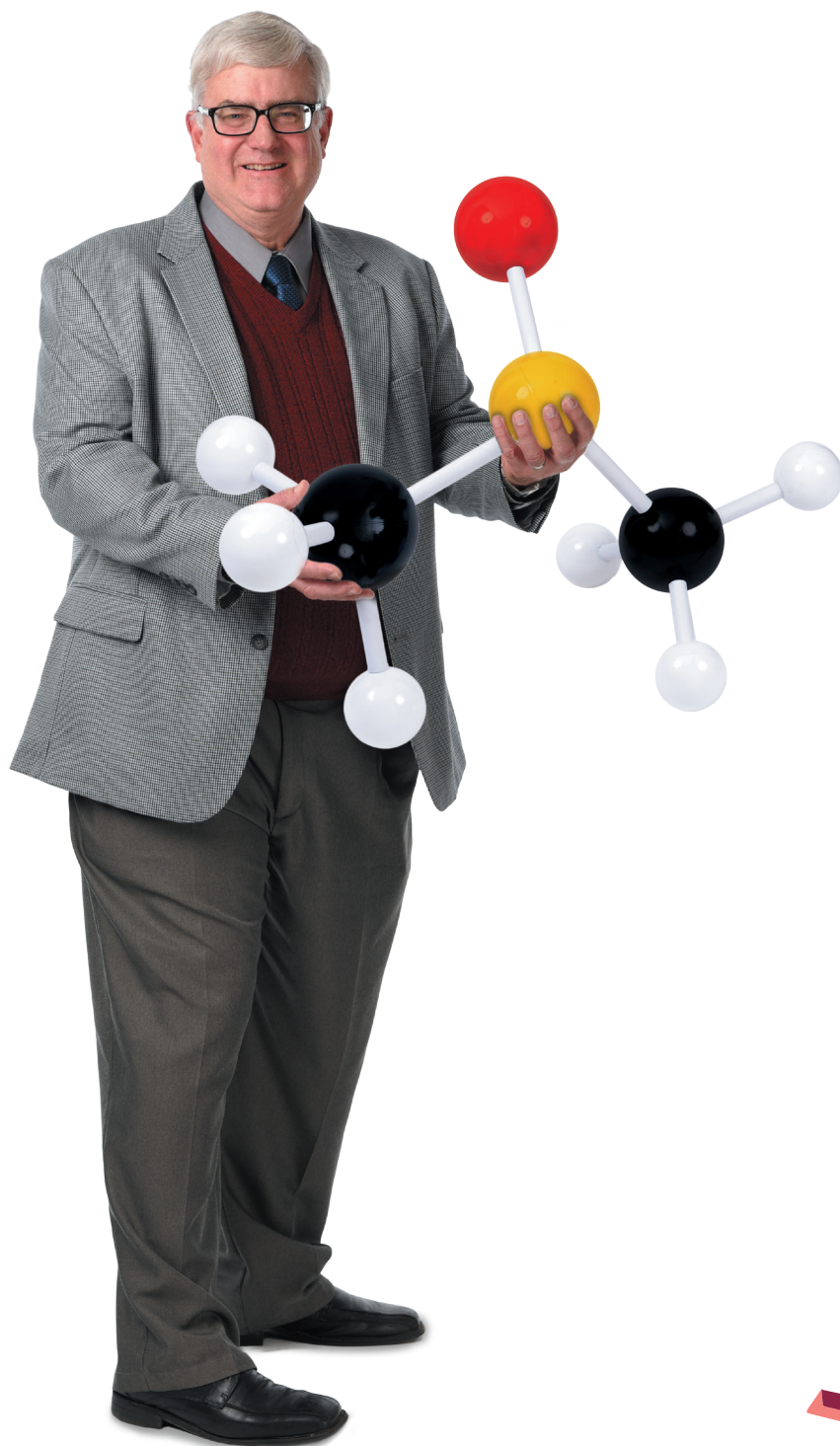
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# OFFICER REPORTS

## COUNCILORS' REPORT CONT'D

The Council will elect members to its three elected committees, the Committee on Committees (CONC), the Committee on Nominations & Elections (N&E) and the Council Policy Committee (CPC). Your councilor, Alan Ehrlich, has served on CPC for the past several years, and as its vice-chair for the past three years. He must rotate off of that committee and has been nominated to serve on N&E. Your other councilor, James Carver, continues to serve as chair of the Council Committee on Constitution and Bylaws (C&B).

### 251<sup>st</sup> MEETING – SAN DIEGO COUNCIL

In San Diego the Council chose Peter Dorhout and Thomas Gilbert as candidates for President-Elect for 2017. There were no petition candidates. Dorhout and Gilbert will stand for election in the Fall National Election.

Council members from District II (Mid-west) and District IV (South) selected candidates for District Directors on the Board of Directors for 2017-2019. George Bodner and Christina Bodurow were chosen from District II and Rigoberto Hernandez and Larry Krannich were chosen for District IV. There were no petition candidates. Bodner and Bodurow will stand for election in District II and Hernandez and Krannich will stand for election in District IV in the Fall National Election.

The Committee on Nominations and Elections chose four candidates for Director-at-large for 2017-2019 – Joseph Heppert, Kristin Omberg, Dorothy Phillips and Kathleen Schulz. There were no petition candidates. Councilors will choose two of the four in the Fall National Election. A Town Hall Meeting with the four candidates will be held on Sunday, August 21 from 4:30-5:30 in Liberty Salon A/B of the Philadelphia Marriott. The meeting is open to all registrants, although Councilors are the only eligible voters in the Fall.

The Council voted to set the member dues for 2016 at the fully escalated rate of \$166. This rate is established pursuant to an inflation-adjustment formula in the ACS Constitution and Bylaws.

The Council approved amended Academic Professional Guidelines, which have subsequently been ratified by the Board of Directors. The guidelines will apply to those members of the academic community whose job function impacts directly or indirectly on scientists practicing the profession of chemistry.

The Committee on Nominations and Elections has established a Vote 20/20 Task Force, charged with examining all aspects of nominations and elections for ACS national offices, and designing an enhanced process to be in place by the year 2020. The committee welcomed ideas from all members as to how nominations and elections should be handled.

## BOARD OF DIRECTORS

On the recommendation of the Committee on Grants and Awards, the Board voted to approve an endowment to support the E. Bright Wilson Award in Spectroscopy. The Board also voted to approve language to be included in the guiding documents for the National Awards and Fellows Program to allow for the rescission of national awards and the ACS Fellows designations where reasonable grounds exist.

The Board held a well-attended open session which featured Amy Harmon, a reporter for the New York Times, who covers the social implications of science and technology. Ms. Harmon's topic was "Telling Science Stories: Dispatch from the Conflict Zone."



**CHEMISTRY  
AND THE LAW**  
A DIVISION OF THE AMERICAN CHEMICAL SOCIETY

# CHAL FEATURED ARTICLE

## FIND COMPOUNDS IN PATENTS QUICKLY WITH PATENTPAK™

By Elaine Cheeseman (June 20, 2016)

Finding the relevant information in a patent that is hundreds and sometimes thousands of pages long is tedious and time-consuming. For chemical substances, an innovative solution is now available that eliminates the need to search page by page to find the information you need. With PatentPak™ from CAS, a single click takes you directly to the page on which the substance is discussed.

By leveraging the indexing applied by CAS scientists, PatentPak pinpoints the location of substances in patents and patent applications from 31 patent authorities. PatentPak is available in classic STN® and in SciFinder®.

PatentPak provides three resources to enable you to locate and analyze patents more quickly: PDF, PDF+, and PatentPak Interactive. The PDF is the original document from the different patent offices. The PDF+ is a PDF enhanced with a table at the end of the document that gives the mark numbers, page numbers of the compounds, the CAS Registry Numbers®, chemical names, and the structures. The table can easily be printed and saved for future reference. PatentPak Interactive provides access to a version of the PDF that has been annotated by CAS scientists via a substance viewer which displays the chemical structures of substances and their corresponding location in the document. Note that structures are available even when a chemical structure was not included in the original document. You can then conveniently share your findings with colleagues or other stakeholders – even if they do not use STN.

Figure 1 shows an example of a CAPlus<sup>SM</sup> record with all three types of links.

**Figure 1:** A CAPlus record with the three PatentPak options in the bibliography, HITPPAK, and HITSTR format

```
L4 ANSWER 1 OF 1 HCAPLUS COPYRIGHT 2016 ACS on STN
PatentPak PDF | PatentPak PDF+ | PatentPak Interactive
AN 2011:1304229 HCAPLUS Full-text<<LOGINID::20160208>>
DN 155:536144
TI Preparation of benzimidazole derivatives as radioprotector compounds
...
PA Peter MacCallum Cancer Institute, Australia
...
PPPI
```

PATENT NO.	KIND	DATE	LANGUAGE	PatentPak
WO 2011123890	A1	20111013	English	<a href="#">PDF</a>   <a href="#">PDF+</a>   <a href="#">Interactive</a>
CN 102933557	A	20130213	Chinese	<a href="#">PDF</a>
JP 2013523782	T	20130617	Japanese	<a href="#">PDF</a>
KR 2013079390	A	20130710	Korean	<a href="#">PDF</a>
US 20130109678	A1	20130502	English	<a href="#">PDF</a>
US 8999993	B2	20150407	English	<a href="#">PDF</a>

# CHAL FEATURED ARTICLE

**Figure 1 (cont'd):** A CPlus record with the three PatentPak options in the bibliography, HITPPAK, and HITSTR format

PI	PATENT NO.	KIND	DATE	APPLICATION NO.	DATE
	WO 2011123890	A1	20111013	WO 2011-AU392	20110406
...					
	CA 2795370	A1	20111013	CA 2011-2795370	20110406
	AU 2011238421	A1	20121025	AU 2011-238421	20110406
IL	222176	A	20121129	IL 2011-222176	20110406
	CN 102933557	A	20130213	CN 2011-80027758	20110406
	EP 2556058	A1	20130213	EP 2011-764947	20110406
...					
PPAK	1339044-80-2P, <a href="#">Pg 206</a>				
	1339044-67-5P, <a href="#">Pg 44</a>				
	1339044-77-7P, <a href="#">Pg 206</a>				
IT	<b><u>1339044-80-2P</u></b>				

The links in the PPAK field in the CPlus record, as shown in Figure 1, takes you to the place in the Interactive PDF where the specific compound of interest was indexed by the CAS scientist, as shown in Figure 2.

**Figure 2:** The link to CAS RN 1339044-80-2 leads directly to the location in the Interactive PDF where this compound was indexed.

The screenshot displays the PatentPak interface. On the left, a sidebar titled 'Key Substances in Patent' lists three entries: CAS RN 1339047-52-7, CAS RN 1339044-80-2 (highlighted with a red location marker), and CAS RN 1339044-77-7. A 'Highlighted Location Marker' box points from the 1339044-80-2 entry to the corresponding text in the main document. The main document shows patent claims 6, 7, 8, and 9. Claim 9 includes chemical structures for various substituted benzimidazole-piperazine-pyridine derivatives. A 'Marked Patent' label on the right indicates the location of the indexed compound within the patent text.

(Continued on page 9)



**CHAL Drug & Power Luncheon**

Monday, August 22, 2016, 12:00-1:30 PM  
Room 202A – Pennsylvania Convention Center

**Presentation:** “Patenting Trends in Chemistry”  
by Matthew McBride, Science IP® of CAS

(Note: a ticket is required for this event)

**CHAL Reception**

Monday, August 22, 2016, 6-8 pm  
Room 201B – Pennsylvania Convention Center  
Premium Open Bar and Hors D’oeuvres

**Sponsors:** CAS and The McShane Firm

All Attendees welcome -- No ticket required!

**CHAL Programming**

The Division of Chemistry and the Law is currently accepting papers and symposia for the 253rd National Meeting of the American Chemical Society, to be held April 2-6, 2017, in San Francisco, California.

CHAL welcomes submissions on all legal topics impacting the chemical sciences, including, but not limited to, intellectual property, patents, copyrights, trademarks, trade secrets, forensic chemistry, food and drug law, regulatory law, product liability, tort law, environmental law, contract law, employment agreements, professional ethics, expert witnesses, chemical consulting, chemical health and safety, chemical information, administrative law and rule making, biotechnology, pharmaceuticals, licensing and technology transfers, and litigation.

Please submit abstracts for individual presentations or Sci-Mix posters on-line through MAPS at <https://acsmaps.abstractcentral.com/members/client/acs.jsp> under the session entitled “The Many Faces of CHAL: Where Chemistry Meets the Law.” Abstracts must be submitted by October 31, 2016.

For submission of half-day or full-day symposia with multiple speakers, please contact Krista Bianco at [krista.bianco@finnegan.com](mailto:krista.bianco@finnegan.com) or Jonathan Kennedy at [jonathan.kennedy@ipmvs.com](mailto:jonathan.kennedy@ipmvs.com).

## CHAL Proudly Presents the Following Posters at Sci-Mix:

**National Inventors Hall of Fame 2016** (*Howard Peters, peters4pa@sbcglobal.net, Sally Peters, sallybrownpeters@gmail.com*): The National Inventors Hall of Fame (NIHF) is located at the U.S. Patent and Trademark Office ([www.uspto.gov](http://www.uspto.gov)) in Alexandria VA and is on the Internet at <http://www.invent.org>. Each May 10th about 15 inventors (living/deceased) are selected for induction to the NIHF at a special ceremony. All NIHF inductees for 2016 are identified by name, biography, photo and U.S. patent. Free copies of U.S. patents back to about 1836 are available by patent number with figures at <http://www.pat2pdf.org>.

**Chocolate: Food of the gods** (*Howard Peters, peters4pa@sbcglobal.net, Sally Peters, sallybrownpeters@gmail.com*): Chocolate has been a part of New World culture for thousands of years. This poster includes: 1. Some high points of the history of chocolate and its production, 2. Aspects of the processing of the cocoa, 3. Some chemistry, biochemistry, and biology of chocolate, 4. Some health aspects (flavanoids, polyphenols & other anti-oxidants). A trivia quiz on chocolate is featured.

### CHAL FEATURED ARTICLE (CONT'D FROM PAGE 7)

PatentPak saves you time and effort when tracking down specific compounds in patents. Interactive links to key substances take you to the location of chemical information with a single click. Instant and secure access to full text patents from 31 major patent offices affords additional time savings and convenience. Equivalent patents in multiple languages make it easy to find one in a familiar language, thereby reducing translation costs. To learn more about how Patent Pak can help save your most valuable resource – time – please visit [www.cas.org/products/patentpak](http://www.cas.org/products/patentpak).

For more information about STN (providing access to the CAS databases and other scientific and technical databases), SciFinder, Science IP<sup>®</sup>, the official research service of CAS and other CAS solutions, visit [www.cas.org](http://www.cas.org) or contact the CAS Customer Center at 1-800-753-4227 (in North America).

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