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HIPLA Board Meeting Minutes April 21, 2009

In Attendance:

Marcella Watkins
Stephen Koch
Anthony Matheny
Howard Speight
Chris Shield
Georgiana Witt Braden
Joe Beauchamp
Shawn Foster
Elizabeth King
Ted Ro
Vidya Bala
Luke Culpepper
Mike Locklar
Jeremy Welch

1. Stephen Koch called the meeting to order. Marcella moved to approve the Meeting Minutes from the March 26, 2009 meeting. All approved.

2. Treasurer's Report

a. Financial Report

The current account balance for HIPLA is \$127,046.65. After the clearance of several checks, the resulting balance will be 125,367.65. This final balance includes payment to UH for the Fall Institute.

b. Annual Budget

Howard Speight, the new treasure, conferring with the prior treasurer, Mike Locklar, and outlined an annual budget for the organization. There was a lengthy discussion regarding the 2008 deficit and the projected 2009 budget.

i. 2008 Budget

For 2008 the budgeted expense was -\$59,400.00 but the actual income was -\$34,285.74. Reasons for the 2008 deficient include: 1) an unexpected charge by Conklin Hruzek (CPA) for \$25,000.00 for 6 years

worth of work; 2) lower than expected attendance at the Fall Institute due to Hurricane Ike; and 3) implementing 2 cycles of scholarships instead of just one so that we could switch from the spring to the fall for when we awarded the scholarships.

ii. 2009 Budget

For 2009, we have a budgeted income of \$280,000.00 and budgeted expenses of \$289,200.00; resulting in a predicted deficit of -\$9,200.00. Marcella Watkins suggested that the law school scholarships be reduced from 3 per school to 2 per school, which would reduce the deficit by \$9,000.00.

ACTION ITEM: Stephen Koch will draft of list of each HIPLA event and the person responsible, so they are aware of the budget and will manage the cost of each event to stay within the budget.

iii. 2009 Fall Institute

See Below for more details.

iv. 2009 Monthly Lunches

For the 2009 monthly lunches, HIPLA continues to underwrite the costs of the lunches for members, non-members, and students. Vidya Bala suggested some idea for reducing costs associated with the monthly lunches: 1) purchase or borrow the A/V equipment; 2) have students pay for all or some of their lunch; and 3) choose less expensive restaurants for the lunches.

A discussion was held regarding the costs of lunches and the increased participation of students in 2008, which the Board wants to encourage. The consensus was that the Board did not want to change the lunches due to concern that an increase in costs to participants during this economic downturn would diminish attendance at the lunches.

A discussion was held regarding the borrowing of A/V equipment. Marcella suggested borrowing equipment from large law firms. Shawn suggested negotiating a deal with the A/V rental company for a reduced rental fee if HIPLA agrees to only rent there and pays for the entire year in advance.

ACTION ITEM: Vidya Bala was tasked with investigating the issue of the A/V equipment further and reporting back to the Board.

v. 2009 Judges Dinner

See Below for more details.

vi. 2009 Golf Tournament

See Below for more details.

vii. Merchant Fees and Tax Exempt Status

For 2009, HIPLA has budgeted \$10,500.00 in merchant fees, these are the credit card processing fees associated with all HIPLA business other than the Fall Institute. Several board members raised questions regarding why we were paying so much in merchant fees and if we could possibly negotiate to have the fees lowered. It was suggested that we should try to get lower fees because we are non-profit organization. We then discussed whether HIPLA was paying taxes or whether it should have a tax-exempt number. Georgianna stated that we were a non-profit organization that should be able to get a ruling letter of tax exemption from the IRS thereby exempting HIPLA from paying sales tax. However, we are probably not a 501(c) corporation for purposes of members making tax-deductible contributions.

ACTION ITEM: Georgianna will gather the information and documents necessary to apply for a ruling letter of tax exemption from the IRS (specifically, the bylaws, the corporate charter, meeting minutes, and a letter of good standing by the Texas State comptroller's office).

3. Fall Institute

Mike Locklar gave the report regarding the Fall Institute. The speakers and the sponsors are lined up. They are planning a Hawaiian styled luau on the beach by Moody Gardens for Friday night. The budgeted income from the institute is \$165,000.00 while the budgeted expense is \$125,000.00. Ted Ro asked why the expenses were up from 2008 and Mike explained that the increase is due to Moody Gardens raising its rates.

Moody Gardens has expressed an interest in having HIPLA commit to holding the Fall Institute there for 2011 and 2012. There were suggestions that we look into other local venues for these future institutes.

ACTION ITEM: Stephen and Al will bring this subject up to Professor Janicke at lunch next week and get his input on the venue.

4. CAFC Visit Update

Per Stephen Koch, Professor Janicke indicated that the Judges' Dinner was HIPLA event and that possibly the afternoon session with the judges was UH's responsibility. There are no speakers or A/V costs associated with the dinner so it appears that HIPLA should be able to reasonably manage the costs associated with the dinner. Stephen and Al Riddle are

meeting with Professors Janicke and Vetter next week to discuss more details.

5. HIPLA Website Calendar

Georgianna Braden proposed the licensing of the Calendarix program in order to create a calendar for the HIPLA website. The licensing fee for a non-profit organization is \$50.00. The Board approved.

ACTION ITEM: Georgianna will purchase the license, get the program, populate the calendar, and upload it to the HIPLA website.

6. The Audit/Finance Committee

There was a discussion of the purpose of the committee and potentially auditing our accounting firm. The Board decided to hold off auditing our accounting firm this year.

7. The HIPLA 2009 Golf Tournament

Luke Culpepper and Mark Gilbraith are spearheading this event. They are going to talk to Dave Sewell to confirm that he will be a sponsor and that he will pay all expenses over \$9,000.00. The Tournament is set for May 20th at Herman Park. The price is \$49.00 per player.

ACTION ITEM: Stephen and Luke will send an official announcement with rules to Georgianna for circulation to the membership and posting on the website.

8. Science Fair Winners

The science fair winners are Konrad Werzner (Senior division) and Leon Lin (Junior division). Both winners and their families will attend the April lunch. Georgianna has the scholarship checks and plaques and will give them to the winners at the lunch.

9. New committee: Women in Houston IP (WHIP)

Marcella, Carey, Georgianna, and Elizabeth proposed the formation of a new standing committee called "Women in Houston IP." Marcella would be the chair of the committee whose mission would be to "fosters discussion of issues that are particularly relevant to women in IP law." Membership would open to all HIPLA members. Per the discussion, the formation of this new committee would not require a change in the HIPLA bylaws, but had to be approved by the president. Stephen approved the formation of the new committee.

10. 2009 Monthly lunches

The lunches for 2009 have all been planned. The next lunch is May 28, 2009 at Damian's downtown. Robert Bennett will discuss "Ethics and the Texas State Bar Board of Grievances." Shawn and Vidya are getting ready to calendar dates for the 2010 lunches.

ACTION ITEM: Vidya is going to circulate a list of the monthly lunches for 2009, includes the date, CLE topic, and restaurant. Georgianna will post this information on the HIPLA website.

11. Board of Directors' May Meeting

The next meeting will be held on May 26, 2009 at 5:00pm at BakerBotts.

Marcella moved to close the meeting, Ted seconded the motion, and all approved.

