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INTELLECTUAL PROPERTY RESEARCH TOOLS AND STRATEGIES

KEEPING UP TO DATE WITH IP NEWS SERVICES AND BLOGS: DROWNING IN A SEA OF SAMENESS?

JON R. CAVICCHI*

I. INTRODUCTION

It seems like so many IP related Websites you visit invite you to join their free email list to keep you up to date. Sources span a wide spectrum including governmental organizations, non-governmental organizations, educational institutions, consulting services, law firms, commercial publishers and more. These sources span the spectrum from free, to low fee to premium pricing. With all of this information overload and choices, how do you differentiate and choose news sources?

The goals of this article are twofold. Goal one is to present a survey of types and categories of IP news tools available to IP researchers. Since these tools change with time, goal two is to present strategies and approaches to consider when assembling your portfolio of news sources. I use the term researcher

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to include anyone looking for news, including lawyers, paraprofessionals, academics, students, corporate searchers and more. Some of this material may be “yesterday’s news” for some and “breaking news” for others. My hope is that you will find value added in some tools and strategies.

Before I present the survey of tools, I want to propose some initial general strategies that might be helpful to apply as the detail of the tools unfold.

II. GENERAL STRATEGIES TO CHOOSING IP NEWS

A. *Strategy: Define IP*

Intellectual property embraces many associated legal specialties as well as interdisciplinary studies. The first strategy is to define which areas you wish to monitor. Some associated specialties with IP synergy might include, art law, bankruptcy, biodiversity, commercial torts, crimes, cultural rights, damages, debtor/creditor, economics, employment (trade secrets), entertainment law, environment (sustainable development), health, human rights, indigenous rights, insurance, remedies, sports, taxation, telecommunications, traditional knowledge, world trade and more.

This article would turn into a book if I were to attempt to cover all of the niche sources for these associated legal specialties. That said, this article focuses on tools that deal with patents, trademarks, copyrights and intellectual property as a whole.

B. *Strategy: Define News, Define Your Needs*

Decide what you and the source mean by the term “news.” Sources can be updated hourly, daily, weekly, monthly or otherwise. How up to date is the source? What is your need? Does the source meet your need? What is news content? Merriam-Webster Online Dictionary defines news as: 1 a: a report of recent events; b: previously unknown information 2 a: material reported in a newspaper or news periodical or on a newscast; b: matter that is newsworthy. So, by definition, news can be simply reporting a recent IP legal event, analysis or just plain new information of any type. The various sources often use the term “news” but then make you spend time figuring out the nature of what they offer.

C. *Strategy: Think outside the Box*

Since, as stated above, IP is an extremely broad and pervasive area, IP news is often part of technology, industry and science related sites. There are

many corporate and think tank sites, which are intimately involved with IP and offer IP news from the specialty perspective. So, be ready to Google your way through many non-legal Websites.

D. *Strategy: Think inside the box*

For straight IP topics, think broadly about all of the possible interest groups that might produce news. Many researchers know the giant IP professional societies. What about state and local IP bar sections? What about academics and student IP law associations? What about industry interest groups like publishers, media producers, librarians, educators and more? Most have IP news as part of their newsletter and Websites.

E. *Strategy: Think global – from abundance to scarcity?*

It is a small world and IP research and practice are global. If you need non-U.S. and international IP news, most legal news services on the Web won't meet your needs. Consider the tools and strategies in this survey and then get on the Web and start searching. There is no shortage of U.S. news sources. Other than a few expensive commercial journals and online services, it might take time to find free options. Like the U.S. sources, some national offices, international and regional NGOs, and law firms offer English versions of news pages.

F. *Strategy: Mix and Match Sources*

For many researchers, the elegant solution will be to mix and match tools and strategies. Seldom will there be a “one stop shop” news source. This applies to both content and the Web technologies, which have evolved and changed over the last two decades. There are dedicated IP tools and there are general tools, which help lead you to IP tools. As you will see, dedicated IP sources offer news, but general legal and non-legal searching sites often lead you to more comprehensive news choices. This will make more sense as you read ahead.

G. *Strategy: Try Sources Out*

There are dozens of IP news choices. Many are free. You may not be able to evaluate whether a source is comprehensive and timely enough to meet your needs until you try it out. This may be as simple as monitoring the Website, email or other news delivery options discussed herein.

H. Strategy: Always Examine The Source of Your News

For the most part, you need to be able to depend on the news you consume. In some cases, if you make a mistake, people suffer. Who produces the news? What are the sources they report? What is the currency? In some cases the old saying, “you get what you pay for” applies. In some cases there is a value added to editorial teams of fee based publishers. You pay for accuracy and expertise. Do you really want to rely on some under informed Website or blog which are run as hobbies? Maybe, maybe not.

I. Strategy: Leverage News Sources

You can use news services from free to premium to alert you. Use that alert information to decide whether to get the full text of a primary source of law either from the free Web or a premium service. Use the same alert information to find commentary or analysis from the free Web or a premium service.

J. Strategy: Don't be “penny wise and pound foolish”

Time is limited. Often time is money. For certain needs, fee based services may be a “one stop shop” for your news and research needs. Subscription options for services such as Westlaw and Lexis have greatly expanded over the last decade. If you have flat rate access to premium services, you might not elect to spend your precious time finding and evaluating free sources just because they are free.

If you have no time to deal with these strategies, consider enlisting associates, librarians, paralegals, students and other assistants to explore the options. The caveat of course is that in the evaluation stage, the evaluator may need substantive knowledge to judge quality.

K. Strategy: Do you want to Push or Pull?

As you will see below, after you register or subscribe to some news sources all you have to do is sit back and wait for the service to push the news to you via email or other technologies discussed below. If you choose to use some Web based sources, you need to pull in your news on a regular basis.

Related is the question whether you want to just consume news or contribute. Some tools just deliver the news, while other sources allow you to interact with others about the news. Both models have their pros and cons. These options are discussed further below.

L. *Strategy: Ask a Human Being*

Extroverts know the power of networking. Networking can be a powerful source of news sources. Face to face is not necessary to pick and choose news, but talking with colleagues discovers many times the best tools. Ask the question – any good leads on news sources? What sources do you use to keep up to date? Ask a librarians whose job it is to find such sources.

**M. *Strategy: Beware the “menuization and folderization” of
 Online Sources***

In the attempt to categorize sources to make your research easier, menus and folders abound – sometimes not providing you with what you want. Lexis and Westlaw as well as free sources appeal to the Web surfing generation and have built many roads to the same tool – which is sometimes good and sometimes not. For example, Lexis and Westlaw have dozens of news sources sliced and diced into different categories depending on the route you take. On Westlaw, for example, what is classified as IP news is not the same if travel via the Intellectual Property Tab as if you follow the Directory into the topical area IP where you see different menu choices for current daily news, news and legal news. Westlaw has patent and trademark tabs but no copyright tab. The tabs don't match the IP topical area per se. There is some lack of consistency in this controlled approach to news. The vendors present this simply as different choices to organize the same data. Lexis and Westlaw have dozens of “news” sources – from newspapers to CLE. The problems that this creates are discussed below.

N. *Strategy: Keep an eye on Google*

Google is on the bleeding edge of trying to anticipate your news needs and is constantly looking for new needs to be filled. Recently Google has developed services to allow you to comprehensively search news sources such as Usenet Newsgroups, blogs and news feeds. All these sources have IP news.

O. *Onward ...*

Once you have clarified your goals, you can begin to pick your tools. Remember that research is an iterative process. What you think your goal for a tool is might change as you experience the spectrum of tools.

III. THE TOOLS

A. *Traditional*

1. BNA

I have memories spanning decades of the late Professor Robert Shaw, patent professor and Faculty advisor for IDEA, sitting on the couches in the Pierce Law Library reading the print advance sheets from the IP case reporter, *United States Patents Quarterly* (hereinafter “USPQ”) by Bureau of National Affairs (hereinafter “BNA”).

Before IP primary and secondary sources proliferated on Lexis, West-law and then the Web, many IP lawyers used specialty publications targeted for their practice. BNA offered two services to deliver news on a then timely basis. One primary BNA tool to keep up to date with new IP cases was the Highlights section of USPQ. You could then read the full text of any cases of note. These advance sheets are still issued. This article was written October, 2005. The most recent advance sheet in the Pierce Law IP Library was September, 2005 reporting cases from June and August of 2005. During this same time period, new IP cases were being reported near real time via numerous electronic sources.

To fill that time gap BNA also published the weekly print version of the *BNA Patent, Trademark & Copyright Journal* that reports and analyzes legislative, judicial, and administrative activities that affect the law of intellectual property. This includes analyses of patent, trademark and copyright-related items. It provides summaries of conferences and current developments as well as digests of court decisions and the full text of selected regulatory and legislative materials and important court rulings.

USPQ Advance Sheets and the *BNA Patent, Trademark & Copyright Journal* were the stock and trade in many IP law firms. If you were lucky, you were on top of the routing list so as not to be a victim of the lawyer who dead-ended the advance sheet on his desk. Many techno-avoidant lawyers still prefer these two staple tools in print format, though they are both available on West-law, Lexis and BNA’s IP Library on the Web.

2. OG

Before the Web, another traditional weekly print source of news was to read the *Official Gazette of the United States Patent Office* (OG). Many newer IP researchers have never had the opportunity to use the OG. The OG is issued twice a week; one issue for patents and one issue for trademarks. The OG is

currently distributed on CD and in part on the Web. There are many Government Printing Office Depository Libraries and Patent, Trademark Depository Libraries that still have the older OG in print. Simply scan the table of contents to see that the OG has been a weekly news reporting tool for notices of happenings at the PTO. The tables of contents show that the OG reports a wide spectrum of areas of activity and administrative concerns of the USPTO. News vehicles of the PTO are discussed below.

3. Loose-Leaf Service Updates

Another traditional update method has been to read the “new developments” or “current developments” leaflets issued monthly with many products. Whether it be publications updated frequently, like the *Copyright Law Reporter* by Commerce Clearing House or quarterly like the Lexis Publishing portfolio (which includes *Chisum on Patents* and *Nimmer on Copyright*) every filing comes with news that is often routed inter office. These days, Lexis Publishing updates many loose leaf services frequently in print and online, discussed below.

4. Print Newsletters

Many IP researchers eagerly awaited new issues of newsletters published by state bars, national and international IP professional associations and commercial publishers such as the *AIPLA Bulletin* and *Quarterly Journal*, *The Trademark Reporter*, the *Journal of the Patent and Trademark Office Society* and the *Journal of the Copyright Office Society*.

Much therein was not really news per se, but presented new IP issues in some detail. These print publications still exist and the number of print journals dedicated to IP and associated areas has exploded, numbering several hundred in the English language alone. Since most of these are published monthly and quarterly, they will not be discussed further in this article. For most researchers, “snail mail” news does not meet the need of a real time news world. For example, the Volume 30, Numbers 1/2, (September, 2005) issue of *IP New Matter*, the newsletter of the IP Section of the California Bar, news section reported 2004 cases. Today, that’s not good enough. That said, electronic news tools supplement many print periodicals.

B. *Westlaw and Lexis*

Both services offer a number of ways to keep up to date. These are premium services so you pay for your news. The number of pricing plans varies so

widely that it is difficult to generalize about cost. These vendors offer value added services such as comprehensiveness, editorials expertise, enhanced search capability and hyperlinks to the full text of primary sources of legal developments.

1. SDI Services

SDI means the selective dissemination of information. Sounds high tech and sophisticated – but it is really easy and powerful. SDI is a generic acronym in online searching for automated alerts based on predefined searches. These services allow you to have the vendors automatically run searches in primary and secondary databases and deliver results to you on a customized schedule via customized delivery options. So, any database that is updated frequently can become a news source. Both Lexis and Westlaw offer alert services. They are easy to set up by clicking on the appropriate link or button, filling in a template and choosing your frequency and delivery options.

WestClip is the clipping service on Westlaw that runs your terms and connectors searches on a regular basis and delivers the results to you automatically. Using WestClip makes it easy for you to stay up-to-date on news and legal developments.

Lexis Alert, formerly called the ECLIPSE™ feature, is the Lexis SDI tool. In addition to searching primary and secondary sources, The *Shepard's Alert*™ feature lets you run regularly scheduled *Shepard's*® reports to obtain updates about changes to citations.

2. General and Legal News

SDI searches might work well with general and legal news sources. General sources include newspapers. Legal news spans the spectrum including general legal newspapers, newsletters and journals of differing types. Both services offer electronic versions of selected print periodicals.

3. General News

Both Westlaw and Lexis provide value added databases that collect non-legal news on IP issues. This relieves you from having to search certain individual and group files.

Westlaw's Intellectual Property News (IPNEWS) on Westlaw has coverage which coverage varies by publication. News about IP is collected from newspapers, magazines, journals, newsletters, transcripts, and wire services.

Despite the hype, if you look at the scope note the IPNEWS sources are quite modest.

Since IPNEWS has limited sources, you might need to try to make the general news group file deliver all new IP stories to you. One such Westlaw database is All News (ALLNEWS). Coverage varies by publication and contains newspapers, magazines, journals, newsletters, government press releases, and transcripts of television and radio shows and congressional testimony. One good strategy to collect all IP news is to use a very simple, but considered advanced search, which is to search the INDEX field. If you look at news articles on Westlaw the bottom of the document has a section where the database producer provides a searchable keyword section of index terms. So, one index search such as IN ("INTELLECTUAL PROPERTY") you can retrieve every IP story in the database. Of course, you would use a date restrictor and best used with a WestClip.

Lexis also offers topical slices of general news in their Patent, Trademark and Copyright Libraries. The path looks like: Legal>Area of Law - By Topic>Patent Law>General News & Information.

4. Legal News

Neither Westlaw nor Lexis provides topical searching of general legal news sources. Instead, they collect dedicated IP legal news sources in their IP topical areas.

Lexis for example allows you to access IP legal news from their Legal Library such as the path: Legal>Legal News>Legal News By Practice Area>Copyright Law. But, as discussed earlier, inconsistencies abound. Copyright is the only IP Practice Area provided via that Library. To get to the other IP topics you need to go via the topical library path such as: Legal>Area of Law - By Topic>Patent Law>Legal News.

In the Westlaw IP topical area, you have a bewildering array of possible news sources in the following folders: Daily Reports & Current Developments, Law Reviews, Bar Journals and Legal Periodicals, Other Legal Materials, News & Information, Forms, Treatises, CLEs and Other Practice Material, BNA Intellectual Property Materials.

Both services present the following challenges. First, you need to expand folders and menus to see what content is in the category. At that point you see titles for which you may or may not know the extent of news and the frequency of publication. Next, the pool of dedicated IP periodicals in these areas is limited to their holdings that might be considered inadequate. This is not to minimize the impressive IP holdings accessible in general texts and periodicals as well as IP texts. The focus here is IP news and how these services provide

access. Both services offer the BNA *Patent, Trademark and Copyright Journal* discussed earlier.

C. *Topical IP News Alert Services*

1. WTH

WESTLAW Topical Highlights-Copyright (WTH-COPY) for copyright law, WESTLAW Topical Highlights-Patents (WTH-PAT) for patent law, and WESTLAW Topical Highlights-Trademarks (WTH-TR) are very useful for trademark law. These databases contain short abstracts prepared by the editorial staff of West, which summarizes recent developments in the law. According to the WESTLAW scope note a document is a brief summary of a court decision or other legal activity of interest. Neither I nor the Reference Attorneys at West were able to find anything but cases. That said, new cases are included on a daily basis when available. Links are provided to full text of cases. These cases are drawn from many West sources, including the highly respected IP case reporter USPQ. This is a true value added service.

Lexis no longer offers a competing service. For many years each topical library had a file called HOTTOP, which offered the same features as WTH, as well as the value added of summarizing recent IP legislation. HOTTOP is no more. What this means is that you have to set up an alert on Lexis in case databases to deliver new cases. The cost to that is that you have to scan the case to decide whether to read the full text.

2. BNA

There is another true IP news option on Lexis and Westlaw. The BNA *Patent, Trademark & Copyright Law Daily* (BNA-PTD on Westlaw and on Lexis in the various IP libraries via the following path /Area of Law - By Topic/Treatises & Analytical Materials/BNA) provides daily reports on legislative, judicial, administrative, and private-sector activities that affect intellectual property law. You can look at the news of the day or search as coverage begins with September 1989. This database is prepared daily by the editorial staff of BNA.

3. Mealey's and Andrews

Mealey's Litigation Report: Intellectual Property and News Brief on Lexis covers all areas of intellectual property litigation including copyright, patent, trademark, trade dress, trade secret and unfair competition disputes, both

in courts and before administrative bodies. Coverage also includes issues related to the Internet and disputes over insurance coverage for intellectual property suits. Lexis also offers this tool as a stand alone Web product. They value add with e-mail delivery and direct links to court documents, including opinions, appellate briefs and complaints and cited cases.

Andrews Litigation Reporter: Intellectual Property on Westlaw (ANIPLR and ANIPLR-DOC) is a newsletters that track the progress of major IP court cases. Each issue provides news coverage of the most recent developments in the case together with access to actual copies of the parties' filings, pleadings and briefs, plus court opinions. This database covers developments in state and federal intellectual property lawsuits, as well as legislation affecting intellectual property rights and important decisions by the U.S. Justice Department and the Patent and Trademark Office. Coverage includes copyright infringement, Lanham Act, trademark infringement, patent infringement, unfair competition, and trade secrets.

IV. INTERNET DELIVERED IP NEWS OPTIONS

A. *History*

The Internet has been used as a news delivery option well before the advent of the graphical World Wide Web. As the Internet matured so has the technological options it provides to keep up to date. You can almost date your Internet searching history by whether some of these terms and tools are Greek to you.

These options, old and new, require you to decide whether you wish to participate or not and whether you wish to receive postings via email or by logging into a service. These older technologies have morphed into Web Groups and Blogs that allow you customize how you get your news. Most of these options allow you to read archived postings and email exchanges over a Web interface. Since these options ultimately have similar functionality, they are individually discussed as they way you find IP tools might require you to understand tools such as Usenet Newsgroups and listservs. Groups and Blogs allow you to post on the Group site or email to the Groups where it will also be posted. They allow you to elect to receive email of items posted either directly to the group or via email. Most have the "daily digest" option that will send you all the posts of the day by email.

B. Law Lists on the Internet

Lyonette Louis-Jacques, Foreign and International Law Librarian and Lecturer in Law at the University of Chicago Law School, D'Angelo Law Library worked for a decade compiling and discussing law lists.

1. What is a “Law List?”

According to Lyonette Louis-Jacques,

A “law list” is an electronic mailing list for substantive discussions of law-related issues . . . It can be an electronic newsletter or journal on a law-related topic. A list can be called a listserv, mailing list, electronic discussion group, forum, e-mail list, e-conferences, and sometimes, ‘bulletin board’ [though that confuses it with bulletin board systems or BBSs] . . . Lists are similar to, but not the same as Usenet newsgroups [though some lists have a Usenet gateway] . . .¹

This broad definition, adopted by most who compile lists of law lists, can cause some confusion as it homogenizes different approaches and technologies. Discussion groups get categorized the same as email based news delivery. So, this definition includes news tools which only push to you, which make you pull news and which do both. The push/pull approach is the basis for the Groups and Blogs, discussed below.

2. E-Mail Discussion Groups, Usenet Newsgroups, and Bulletin Boards

To help keep these tools in context – these are virtual communities of interest that use technology to share news and commentary. To that extent they are not what might be considered well controlled and edited tools such as governmental, NGO and law firm news services. Nonetheless, these virtual places often offer the first sign of some IP news item. As the ability to use the Web to get near real time news grows, the value of these tools as breaking news vehicles is in question. Some still remain valuable sources. As with all tools, you might want to know who offers the source, who participates and how large the list is.

¹ Lyonette Louis-Jacques, *What is a Law List?*, <http://www.law.warwick.ac.uk/ljtj/3-2f.html> (accessed Feb. 18, 2005).

The HelpWeb : A Guide To Getting Started on the Internet at <http://www.imagescape.com/helpweb/news/compare.html> helps us compare email discussion groups and newsgroups:

Often referred to as "broadcast vs. narrowcast", both Usenet Newsgroups and mailing lists [originally known as listservs] take advantage of one to many communication. Whether you are on a mailing list that simply sends information or one in which you can participate in lively discussions, the principal holds true. A single message is delivered to many people. The same holds true for newsgroups.

USENET is a cooperative network of computers that have agreed to distribute 'netnews'. You might think of USENET as broadcasting, and listserv's as narrowcasting. So the structuring is different. You can access any news group readily as long as you have some type of news reader. To access the information on and participate in a mailing list, you need to subscribe.

Neither USENET or Mailing Lists are better or worse, but there are some things to consider as you begin to explore. Some people do not like to get gobs of e-mail and on a very busy mailing list, you will. On the other hand, you may be just starting to explore the internet, and e-mail may be one of the areas where you already display a whole bunch of self-confidence. In that case, you may feel more comfortable trying your hand at mailing lists. If you are the type of person that likes to learn a little bit of everything at the same time, there is information available on both. No matter how you begin, you will want to start out making a good first impression.

Note as an update that Google recently acquired Usenet Discussion Service and Deja.com's entire Usenet archive (dating back to 1995), software, domain names including deja.com and dejanews.com. This will be discussed further below.

What's the difference between a listserv and a Usenet newsgroup? Both are ways to learn IP news in a very *informal* way. Both of are ways for people from around the world to exchange information, ideas, etc. Newsgroups require you first find the newsgroup and then log into it (unless you're accessing it through a Web page). After that, from time to time you can check your subscribed newsgroups to see what messages have been posted. Listserv communication, on the other hand, goes right into your email box where you can easily reply or print out a particular message. For purposes of this discussion I will discuss simple email news delivery services in a separate category.

But the big question now is – where's the IP stuff? At this point it is important to balance providing you lists of IP news sources with ways to find IP news sources. Because, as discussed earlier, the tools change so it is important to learn strategies on how to find the IP tools.

3. So, How Do I Find these Law Lists and Newsgroups

One strategy to find and may be try out some of these IP law lists and newsgroups is to use general and topical portals and lists. These will be discussed for each type of tool. One good example of this approach is to use Findlaw.

Findlaw has a category FindLaw > Practice Areas > Intellectual Property Law > Mailing Lists & Usenet Groups at http://www.findlaw.com/01topics/23intellectprop/mail_usenet.html. This also leads you to the following lists:

- * FindLaw Message Boards - Patents, Copyrights & Trademarks [Intellectual Property]
- * Copyright Mailing Lists and Usenet Groups
- * Patent Mailing Lists and Usenet Groups
- * Trademark Mailing Lists and Usenet Groups

Again, what is considered to be a mailing list is blurred on Web lists, so you would be well advised to use some of the tools discussed below to supplement your FindLaw choices.

4. Searching Usenet for IP Postings

Google Groups at <http://groups.google.com/> is a free service that really has two distinct but related functions, discussed below. The second function, important to this discussion, is that Google is now the Web's most comprehensive archive of Usenet postings (more than a billion messages). This allows you to survey the power of Google to search for IP news without needing to join these groups and visit multiple sites on a regular basis. Another value added feature is that you can use Google Alerts to get regular updates via email. The only potential down side is that there is so much information you may need to spend time discerning what is really news and who posted the information.

One of the oldest and still active IP newsgroups is *misc.int-property* newsgroup with postings cover all forms of IP, especially copyright and trademark issues in software and the Internet.

5. BBS

Bulletin Board Systems, once clunky command driven systems via a telnet connection, now sport graphical intensive Web user interfaces. BBSs continue to be used. They have lost popularity to blogs, discussed below. Searching shows virtually no IP related BBSs. One example is the discussion

forum at Legal Service India at <http://www.legalserviceindia.com/forum/> that has IP discussion forums. At one time the Federal Government used this technology heavily, including at the Patent Office. It appears that the last remains of BBS technology is at GPO Access Federal BBS at <http://fedbbs.access.gpo.gov/> which serves files from Federal agencies, but alas no sign of IP information.

6. IP Listservs & Email Discussion Groups

Listservs are one variety of email discussion groups. Listservs are run by listserv software. Be aware that LISTSERV is a registered trademark licensed to L-Soft international, Inc., but that this is not understood by some compilers of lists. A search of the Web using the phrase “intellectual property listservs” shows that there is confusion as to email based news sources. Many Web lists mix listservs, email discussion groups, email based delivered news as well as Web based news services which notify subscribers of new news to view on Websites. Added to this confusion is the next category discussed, Groups, which offer both Web and email discussion.

Given the confusion on the Web as to what is and is not a discussion list, one strategy is to turn to directory sites for assistance. CataList, the catalog of LISTSERV lists at <http://www.lsoft.com/lists/listref.html>, allows you to browse any of the public LISTSERV lists on the Internet, searching for mailing any of the almost half million lists of interest, and get information about LISTSERV host sites.

For example, here are several IP search results:

FCPLC@LISTSERV.UH.EDU (Federal Circuit Patent Law Case Summaries)

PAL@LIST.NEWSHOTLINE.COM (Patent Enforcement and Royalties)

PALTEST@LIST.NEWSHOTLINE.COM (Patent Enforcement and Royalties)

PATENT@NSC.OSAKA-KYOIKU.AC.JP (Patent Members)

PATENT-JUSTICE@LIST.TEHILA.GOV.IL;PATENTS-POST@LISTSERV.TEMPLE.EDU (Patents Post)

PLI-PATENTLAW@LISTSERV.PLI.EDU (PLI Patent Law List).

The following list is excerpted in part from the *Law Lists*, a complete list of law mailing lists compiled by Lyonette Louis-Jacques, discussed earlier. She announced that her "Law Lists" guide to e-mail discussion groups was retired on August 15, 2005. Links to her list no longer work, but the version, circa 2004, can be found at http://www.ipmall.info/hosted_resources/IDEAipnews/:

* CCCC-IP@rhet.agri.umn.edu (Intellectual Property Caucus Discussion List)

- * CNI-COPYRIGHT@cni.org (Coalition for Networked Information's Copyright & Intellectual Property Forum)
- * COPYRIGHTPROF@ssiinc.com (Copyright Law Professors List; closed, moderated discussion list, begun in June 1998, focusing on copyright law questions; subscription is limited to law professors; intellectual property).
- * CYBERIA-L@listserv.aol.com (The Law and Policy of Computer Communications; formerly CYBERLAW, then briefly CYBERLAW-L; then CYBERIA-L)
- * INFO-LAW@BRL.MIL (Computers in Law)
- * IPLAWLIB-L@law.wuacc.edu (Intellectual Property Law Librarians list)
- * IPProfs (unmoderated list for intellectual property professors in the United States and abroad - and for those interested in intellectual property education, including those teaching survey courses or administrators broadly concerned about educating IP lawyers; discussions can cover curricular design, how to teach particular subjects in the classroom, events of educational significance, etc.)
- * IPR-SCIENCE@mailbase.ac.uk (Intellectual Property in Science, including sociological/ethical/legal analyses)
- * LAW-IPR@mailbase.ac.uk (list for discussion of UK and European issues in Intellectual Property law, with special reference to the impact of information technology and the Internet)
- * LEGAL BYTES (quarterly newsletter from the Texas law firm of George, Donaldson & Ford; intellectual property, copyright, computer communications and related topics)
- * [lists.inta.org](http://www.lists.inta.org) at <http://www.lists.inta.org/> offers six lists: neutrals, professors, publicrelations, tmproperuse, tmtopics and webupdate
- * Patent-L - patent Law, <http://www.washlaw.edu/listservs/>
- * PatentPractice-L -patent legal practice, <http://www.washlaw.edu/listservs/>
- * Techno-L at <http://www.techno-l.org/> is the largest and oldest e-mail discussion forum geared exclusively towards the technology transfer industry. Techno-L is a discussion forum for patent attorneys, technology transfer, and licensing professionals in universities, government, non-profit research institutions, and private industry.
- * Trademarks-L – trademark law, <http://www.washlaw.edu/listservs/>
- * WebRights-L@[list.pitt.edu](mailto:webrights-l@list.pitt.edu) (list for discussion of the implications of joint print and World Wide Web (WWW) publications; the impact of web publication on the publishing industry - issues of copyright, intellectual property, etc.)

The American Bar Association Section of Intellectual Property Law is an example of wide use of email discussion groups. They offer the following e-mail discussion groups for their members:

* IPL-International@mail.abanet.org - geared toward Section members interested in discussion of International IP issues.

* IPL-Students@mail.abanet.org - geared toward law students interested in discussing topics of Intellectual Property Law.

* IPL-Professors@mail.abanet.org - geared toward law professors interested in topics of Intellectual Property Law.

* IPL-Women@mail.abanet.org - geared toward Section members interested in issues related to women in IP law.

They offer email delivered news announcement subscription groups:

* Section -This is a distribution list to which all Section members for whom we have e-mail address are subscribed.

* Legislative Activity - The list is for periodic distribution, by the Section Legislative Consultant, Hayden W. Gregory, of updates concerning IP legislation in Congress. Committee Lists.

All Section committees have a listserv. These lists are limited to committee members.

C. Subscription Email News Delivered Tools

1. Findlaw

Findlaw > Legal Professionals > News & Analysis
<http://newsletters.findlaw.com/> delivers email based weekly case law summaries with FindLaw's Intellectual Property Law News, FindLaw's Patent News as well as daily summaries from FindLaw's Federal Circuit Case Law Summaries.

FindLaw > Practice Areas > Intellectual Property Law > Publications - Journals, Newsletters & Articles at <http://www.findlaw.com/01topics/23intellectprop/publications.html> leads you to some IP email based newsletters, but like the discussion of IP law lists above, notice that Findlaw lumps together email newsletter with other publications, putting the burden on you to figure out that are email delivered news.

2. Pierce Law IP Faculty Shared News Folder – Sample Connection

The Pierce Law IP Library provides a shared IP news folder for the Faculty and the student IP News Blog team. The following emails delivered news services are provided to illustrate several points. One point is to show the blend of sources including commercial publishers, governmental, NGOs, academics and lawyers. Another point is to show the variety of approaches of these

newsletters. Various amounts of data are provided; headlines, full stories, abstracts, links to full text on Websites. The newsletters report on primary and secondary sources. Some are oriented to U.S. law while others cover global issues. Some are law oriented while others report general IP news, both legal and non-legal. This list is just a tiny sample of the newsletters available via the Web:

* *AGIP Bulletin*: (General IP/World) a free monthly, electronic publication addressed to Abu-Ghazaleh Intellectual Property law firm clients and friends.

* *AIPLA Bulletin*: (Patents/Copyrights/Trademarks/US) is a periodic notification of AIPLA activities and current developments in IP law discussing cases and opinions of note occurring primarily in the CAFC as well as a synopsis of pending intellectual property legislation.

* *BNA's World Intellectual Property Report*: (General IP/World) is a subscription service linked to BNA World IP Reporter, a monthly periodical. The emails are designed to be teasers to get readers to log into the BNA website.

* *BNA's Internet Law News*: (Internet Law/US) is compiled by Professor Michael Geist, a daily publication tracking the latest global legal, regulatory, legislative, and enforcement developments in internet law.

* *Copylib Letter*: (Copyright) is entirely devoted to copyright issues, this sporadic email newsletter is short and sweet, usually covering one substantial copyright case at a time.

* *David Finger's New IP Decisions*: (Copyright/Trademark/Patent) delivers separate emails covering copyright, trademark and patent issues. Mr. Finger offers a small synopsis of the court's decision on a key case, along with a link to the full opinion from Findlaw.

* *European Trade Mark Reports*: (Trademarks/EU/Case) is tied into subscriptions to *EU Trademark Reports*, providing a sneak preview of upcoming cases centered on EU trademark issues. Alas, it comes out infrequently.

* *INTA Bulletin*: (Trademark/Global) this biweekly newsletter, sent to more than 5,500 INTA members, provides up-to-date news on Association issues, trends in trademark law practice and procedure, and legislative activity and business developments that affect trademarks in more than 180 countries.

* *International Law Office*: (Intellectual Property/World): reports cover IP topics sporadically. Usually emails include one or more articles, and sometimes also include notices, business deals and other errata.

* *Inventors Digest*: offers discussions of patent and inventor related legislation. This monthly also occasionally discusses the USPTO and articles dealing with inventorship.

* *IP and Patents News Daily*: (General IP/World) is a daily feed of IP & Patents news. The email only provides links to other news sources running IP headlines. There are many such services floating around on the Web.

- * *IP Frontline: Eye on IP*: (IP General) is put out by the Patent Café. It has many different types of content and the events section is excellent.
- * *IP Law Bulletin*: (IP/General/Events) email list provides IP events and links to more content on their website. Much of the content is fresh, and this is an excellent source to find much of what others are talking about.
- * *IP Newswire*: This monthly discusses cases and other legal ideas on IP-related issues.
- * *IPO Daily News*: (General IP) is discussed below.
- * *IPR HelpDesk*: (IP/General) is mailed weekly and has a few promising articles about intellectual property around the world, but the articles are sporadic.
- * *JurisNotes*: is one of the best resources for summarized IP cases and administrative law decisions. This subscription service by Margie Schweitzer does an excellent job providing relevant case notes, analysis and links to the official decision.
- * *LES e-News*: mostly discusses upcoming LES events is weak in terms of content. Most of the events are chronicled elsewhere.
- * *Lessig Cyberspace Law Abstracts*: (Computer Law/IP/Speech) this free service discusses recent published papers on cyberspace law, security, speech and intellectual property, the email newsletter provides links to the SSRN database.
- * *LMG (Law Media Group) MIP Week*: (Managing Intellectual Property): is a subscription service. The emails provide brief synopses of content that will be further covered on the website and in the magazine. The news focuses on patents, trademarks and copyrights, but isn't centered on US law.
- * *LSN - Intelli Property*: is a weekly abstract digest by SSRN of IP legal scholarship often linked to the full text. This is for LSN subscribers.
- * *National IP Rights Center Newsletter*: (General IP/Cyberlaw) goes into some detail over cases and current issues.
- * *P.K. Kim & Associates IP Newsletter*: (Patents/Korea) is one of the few information sources on IP and Korea. The emails are sporadic.
- * *PATNEWS*: (Patents/Trademarks/Copyrights/Other) by Greg Aharonian is timely, funny and interesting. He picks some really unique IP bits that don't float around everywhere else, and provides a little commentary and back-story for each piece. This is a mostly weekly publication.
- * *PCT Legal*: covered below under WIPO.
- * *PLC IP & IT Weekly Newsletter*: (Patents/Trademarks/Copyright) is a weekly providing brief synopses on legal issues surrounding IP, providing information on Patent Office decisions and cases from around the world.
- * *Smart CLIP*: is a subscription service reporting new IP scholarship. Articles are available either on Lexis or Westlaw, and links are provided.

* *Today's Trademark News*: (Trademarks/Cyberlaw) is a daily publication full of information on trademark, domain name and other internet abuses. Each message contains a small synopsis of an article topic, with a link to peruse the full story (usually off of a separate wire service).

* *Treaties*: is another WIPO update discussed below.

* *US Copyright Office NewsNET*: is discussed below.

* *West Topical Highlights* (Patents/Copyrights/Trademarks): These daily individually created SDIs are discussed above.

* *World Trademark Law Report*: (Trademarks) newsletter provides links to the full article available for free on the website. The Report site is one of the only comprehensive source of foreign trademark law, but is subscription based.

3. Governmental

There are many agencies of the U.S. Government that deal with IP topics. How do you identify IP related newsletters? The Website *FirstGov* is self described as *the "Front Door" to e-Government making government more accessible to all Americans, a one-stop, easy-to-use web portal to all government online services.* The Government newsletter subscription service at <http://apps.gsa.gov/FirstGovCommonSubscriptionService.php> lists no IP related newsletters, although the USPTO and Copyright Office do offer them. Nonetheless, FirstGov is a site worth visiting periodically for listings of new IP newsletters.

The U.S. Patent office offers email news. The service is called News@USPTO. You can receive e-mail update on news, announcements and events from the United States Patent and Trademark Office. To subscribe send an e-mail to news@uspto.gov with "subscribe" as the subject. Generally, the PTO sends it out at least once every two weeks but sometimes more frequently depending upon events. If you did not know about this service, you would not be going to the PTO Web. The sole place it is listed is on the Tutorial page and the link to this newsletter is dead.

The Copyright Office does offer NewsNet, which is a free electronic newsletter that alerts subscribers to hearings, deadlines for comments, new and proposed regulations, new publications, and other copyright-related subjects. You just need to complete a form at <http://www.copyright.gov/newsnet/> to subscribe.

4. WIPO & WTO

WIPO maintains an automated system that allows users to subscribe to e-mail notification of news and updates on WIPO's activities, services, events, publications and discussion groups. They maintain over a dozen specific lists maintained for various areas of interest, with information on available language versions as well as the approximate frequency of notifications. Click on the appropriate language version in the subscribe column to subscribe to the corresponding list at <http://www.wipo.int/tools/en/mailling-lists/>.

The World Trade Organizations administers the TRIPS Agreement. WTO offers email based news at http://www.wto.org/english/news_e/news_e.htm. During the registration process you simply elect to receive news on TRIPS only.

5. Law Firm Newsletters & Alert Services

Boutique IP law firms as well as general law firms which have an active IP practice group are excellent sources of content of all types. This section only discusses email based news services. There is nothing new about IP law firm newsletters. Many firms produce newsletters both about the firm and about the law to promote the firm with clients and other interested consumers. As discussed below, many firms now post newsletters formerly only distributed in print sent via mail on the Web. The Pierce Law IP Library subscribes to and collects numerous such newsletters.

The question presented in this section is to what extent do firms distribute these newsletters (usually issues are published monthly) and other news via email? We surveyed the top one hundred patent and trademark law firms as reported by *Intellectual Property Today* at <http://www.iptoday.com/Reports.htm>. Of the top one hundred patent law firms we could identify about a quarter with email based news services. Note that some firms distribute email news only to their clients. To view the data on both patent and trademark firms, you can visit the references page to this article at http://www.ipmall.info/hosted_resources/IDEAipnews/.

Baker Botts	Jones Day	Oloff & Berridge
Birch Stewart Kolasch & Birch	Katten Muchin Zavis Rosenman	Pillsbury Winthrop
Crowell & Moring	Ladas & Parry	Quarles & Brady
Dorsey & Whitney	Marshall Gerstein & Borun	Reed Smith
Duane Morris	Meyertons Hood Kivlin Kowert & Goetzel	Schwegman Lundberg Woessner & Kluth
Edwards & Angell	Michael Best & Friedrich	Squire Sanders & Dempsey
Fish & Richardson	Morgan Lewis & Bockius	Townsend & Townsend & Crew
Foley & Lardner	Morrison & Foerster	McKee Voorhees & Sease

Some of these firms distribute multiple news publications, such as Fish & Richardson offering, 2005 Patent Reform Alert, Trademark Thoughts and CAFC Summary Service.

There are doubtless many firms with email news that we have not identified. It is somewhat remarkable that IP law firms produce a great deal of content (discussed below) and they do not push it via email and other push technologies like RSS feeds (also discussed below). Posting news and other content on a Web site requires that the consumers they want to reach have to visit their site either by knowing the site or via a search engine or link. Time is of the essence. Email can deliver news – one type of news is that there is new great content on the firm site.

I cannot locate a comprehensive list of IP law firm newsletters. One site of note is The International Law Office at <http://www.internationallawoffice.com/>. Although not a news source per se, the site provides topical legal newsletters and articles written in collaboration with over five hundred global experts and covering more than eighty jurisdictions. It delivers individually requested information via email.

6. Web Page Based IP News Sites

Let me stress that there are dozens of excellent IP sites that offer some type of news service. This section discusses a few sites that offer more comprehensive news services. Remember, we have now moved from the push model where you sit and have the news delivered to your in box to the pull model

where you need to visit the site to read the news. That said, I hope you have noticed in the last section that some of these sites use a hybrid model where they deliver news factoids which link to paid news sites.

Web based IP news gets a bit complicated as there are several models. One model is that a human selects and posts the news on a Web page. This could be on a traditional Web page or a blog, discussed below. A newer model is for the Web page to pull in IP related feeds from general Web news sources. This also is discussed below.

7. Google Alerts

Google is discussed in almost every section of this article. Before we look at dedicated IP news sites, it is worth mentioning that Google allows you to set up SDIs as discussed in the Westlaw and Lexis section. Google Alerts at <http://www.google.com/alerts> are email updates of the latest relevant Google results (web, news, etc.) based on your choice of query or topic. One strategy is to identify IP sites that you want to monitor and then create an alert restricted to that site. This is accomplished by using the Google site search approach. The word "site" followed by a colon enables you to restrict your search to a specific site. To do this, use the **site:sampledomain.com** syntax in the Google search box. For example, to find news information on the USPTO site, enter: news site:www.uspto.gov. You may have to tinker with the search to limit the alert the way it best works for you. Nonetheless, both Alert and Site Search are general tools that lead you to IP news on any site.

8. Portals: Findlaw and Lexis One

As discussed in the last section, Findlaw can lead you to email based news as well as deliver email news that they produce. They also offer several Web based news options. Findlaw > Legal Professionals > News & Analysis <http://news.lp.findlaw.com/legalnews/scitech/ip/index.html>. On this page you can also use the Search Findlaw News and use IP keywords to get to more news not listed on the IP news page that is not comprehensive. Findlaw now provides user defined access, depending on who the searcher is. So, in addition to IP via the paths above, IP news for corporate counsel is delivered via FindLaw > Corporate Counsel Center > Practice Areas > Intellectual Property at <http://corporate.findlaw.com/industry/intellectual/>. Findlaw, as many of you may know, is a Thomson company, which owns Westlaw. Not to be outdone is the competition Lexis One which has IP Headline Legal News at <http://www.lexisone.com/news/ip.html>. Same as Findlaw, the Headlines are not comprehensive like some of the services below.

9. United States Government Sites

a. USPTO

The USPTO would have you think that all the news that's fit to print is on their News and Notices page at <http://www.uspto.gov/main/newsandnotices.htm>, which indeed is comprehensive. There is a link to the News page at the top of most pages on their Web. This page includes the OG, Federal Register, Notices, Announcements and Press Releases.

Although not news pages per se, you can get the most recently issued administrative decisions, reports and more on other pages. Of interest to some may be the PTO FTP pages. FTP (file transfer protocol) is a simple way to download files that is usually faster than the HTTP (hypertext transfer protocol) that is used to send and receive web pages with a browser. You can FTP weekly bibliographic raw data from patent grants and patent application publications. You can also FTP Patent Red and Green Book files in XLM format, discussed below.

Also of note is news provided by the Patent Office Professional Association at <http://www.popa.org/newsletters.shtml> that provides news on PTO procedures and personnel issues. Although, not a government site, it provides unique news.

b. Copyright Office

Similar to the USPTO, the Copyright Office has the NewsNet page at <http://www.copyright.gov/newsnet/>. Unlike the USPTO that attempts to centralize many types of news on one page, you must refer to different pages for like new developments, such as, *Federal Register* Notices, Current Legislation and Regulations.

Also like the USPTO, you can look for updates of primary and secondary sources such as, Circulars and Brochures, Forms, Factsheets, Reports and Studies, laws as well as some administrative decisions.

10. Professional Associations & NGOs

a. INTA

INTA has numerous news pages including, Updates, Amicus Briefs, Letters-Testimony, Board Resolutions, Model Guidelines and Committee Activities.

In terms of legal news, INTA provides the mailing list discussed above. The Updates page at <http://www.inta.org/policy/updates.html> is produced by the External Affairs department of INTA, with the assistance of hundreds of member volunteers from committees, INTA's Public Policy Updates provide information about regional trademark legislation and specific trademark-related hot topics.

For members, INTA also provides Web access to the *INTA Bulletin*, a membership newsletter (mentioned above as an email delivered newsletter) and *The Trademark Reporter*®, a scholarly journal discussed above. Also, in association with Lexis, INTA offers INTA's *Trademark Matters* that provides a single point of access to comprehensive trademark news content and case law information. Pre-built news feeds pulled from more than four thousand news sources enables practitioners to conveniently access the most up-to-date trademark information. The fully searchable service includes both U.S. and international trademark legislative information and court rulings. This service is ideal for all trademark professionals who need fast, flexible access to online trademark news and case law.

There is so much content on this site that is updated regularly, that the INTA Web is a mega news site for trademark researchers.

b. AIPLA

The American Intellectual Property Law Association (AIPLA), discussed above in the sections on print and email news services, is a 16,000 member, national bar association constituted primarily of intellectual property lawyers in private and corporate practice, in government service, and in the academic community.

Like INTA, the AIPLA Web has a host of new IP information. The Web version of the email AIPLA Bulletin is on the Web off their home page at <http://www.aipla.org/>. Also of note is the *IP Issues & Advocacy* page that alerts you to legislative issues.

c. IPO

Intellectual Property Owners Association (IPO) at www.ipo.org, established in 1972, is a trade association for owners of patents, trademarks, copy-

rights and trade secrets. IPO is the only association in the U.S. that serves all intellectual property owners in all industries and all fields of technology.

A quick read, the *IPO Daily News*TM presents concise summaries of all patent and trademark opinions of the U.S. Court of Appeals for the Federal Circuit, generally within two days after opinions are issued and wire service stories of other selected IP cases. It is also an excellent source for the latest information on legislative and international events, as well as news on IPO members and association activities. Also for free are the *Past Week's Daily News and Archives*. The email based service is for members only.

d. Copyright Office Society of the USA

The news and information from CSUSA is modest compared to the AIPLA, INTA and IPO. Nonetheless, CSUSA does offer free copies of their quarterly newsletter at http://www.csusa.org/html/publications/newsletter_downloads.htm. It is sent by email to members.

e. WIPO & WTO

WIPO facilitates access to information relating to intellectual property through a host of news and information resources. The tools below provide up-to-date information about WIPO's activities and general developments in the world of intellectual property, various databases of intellectual property information and law that are updated regularly:

News & Information Resources include: Pressroom, WIPO Magazine, Electronic Bookshop, Library, Intellectual Property Digital Library, Collection of Laws for Electronic Access, IPLT Periodical, Conferences, Meetings, and Seminars. Documents, WIPO Industrial Property Statistics, E-mail Updates, Related links and Recent news. The final tool, Recent News at <http://www.wipo.int/news/en/newsfeed.jsp> is a true news page. It is also discussed below under new feeds.

The *WIPO Press Room* web site provides access to timely information on current events at WIPO and background information to help you report on intellectual property issues.

Communiqués are divided into three categories. Press Releases report on events as they happen. Updates give a progress report on the various committees that meet throughout the year and other running stories. Media Alerts provide details of forthcoming events of media interest.

WTO general news is at http://www.wto.org/english/news_e/news_e.htm. They offer a TRIPS news page following the path home > trade topics > trips

> trips news but note it has not been updated in a year. News and new documents must be accessed by using the WTO Web as a whole.

11. Publishers

a. IP Law Bulletin

This is a new but comprehensive fee based newswire for IP professionals at <http://www.iplawbulletin.com/>, which covers developing stories in litigation, law and policy. With more than 1,500 stories published per year, the site offers extensive coverage of IP issues. The site covers stories from across the globe, in every jurisdiction, and in every major industry. Portfolio Media, Inc publishes IP Law Bulletin.

As discussed in the last section, the free daily newsletter, distributed by e-mail, summarizes our breaking news from the past twenty four hours and also lists IP conferences and seminars in the next six to eight weeks.

As a subscriber to IP Law Bulletin, you can read articles you won't see anywhere else. Among the topics covered on a daily basis are key litigation (pharmaceuticals, high-tech, consumer goods, entertainment, etc.), legislative initiatives (U.S. Congress, European Parliament, etc.), regulatory developments (USPTO, FDA, WIPO, European Commission, etc.) and law firm news (mergers, personnel moves, etc.) Each article is linked to other relevant stories and, in many cases, legal texts and court documents pertaining to the case discussed.

For readers with specialized interests, thirty different channels with focused content are offered, allowing you to see all our stories covering your interest area (for instance, stories on trademarks, pharmaceuticals, European developments or cases at the ITC).

b. Lexis IP Practice Area Community

The website, <http://www.lexisnexis.com/practiceareas/ip/>, is a bit skimpy on news headlines but offers the value added of free downloads to their premium IP products. One example is Annotations of Recent Patent Decisions published in *Chisum on Patents* Case Reporter. Also by Lexis is a news page by sister company Mealey's, a news service, at <http://www.mealeys.com/legalnews/IP.html>. But if you want more than the appetizer news item you pay for the entrée full text for thirty five dollars. The strategy here is to use the news services to get case information and get the full text from the free Web if possible.

c. BNA

BNA offers premium fee based news products like *USPQ* and the *Patent, Trademark and Copyright Journal* discussed above via a dedicated Web interface called the *Intellectual Property Library*. For free BNA offers the *Professional Information Center – Intellectual Property* similar to the free Lexis site is at <http://ipcenter.bna.com/>. Like the Lexis site it also is a bit light on news and promotes BNA IP products.

d. IP Law Firms

Law firms provide several types of news. Above we discussed email based newsletters. Firm sites also serve Web page based news. We were able to identify that one third of the top one hundred patent law firms offer dedicated Web based IP news pages.

Beyond traditional news, the survey shows that many firms offer content that may be news like such as articles, papers, CLE materials and more. We were able to identify that two thirds of the top one hundred patent law firms offer dedicated miscellaneous non pure news pages. Details on patent and trademark firms offering such services can be found at http://www.ipmall.info/hosted_resources/IDEAipnews/.

D. Groups

Major services such as Yahoo, Google and MSN offer space and resources so that those with common interests can come together. The groups are to some extent the successors to the listservs and newsgroups and the predecessors to the Blogs. For purposes of this article, Yahoo IP related groups were analyzed in detail. The other services share similar functionality as Yahoo, but do not have the depth of IP related groups.

Yahoo! Groups primarily offer knowledge in the form of email lists and message boards, and archives thereof. Yahoo Groups has hundreds of groups dealing with IP and associated specialties. Yahoo does not index Groups by topic so you must use keywords to find groups that might deliver timely news. The challenge is the search. You have to click a lot to survey the groups. Many groups are new or very niche oriented. Yahoo shows you the number of members which may be an indication of the utility of the group – or maybe not.

1. Survey of IP-related Yahoo! Groups

Yahoo! Groups represent an interesting source of IP information available on the web. The knowledge value that can be mined for any individual group will depend largely on the group itself. Groups with a relation to intellectual property subjects tend to fall into roughly six categories: primary groups, secondary groups, tertiary groups, educational groups, geographic groups, and temporal groups. (Somewhat arbitrarily defined).

Primary groups tend to be the largest in terms of members. They focus on large practice areas (trademarks, patents, copyrights) rather than narrow practice areas (music copyrights, software patents, etc.) Because of the large number of members these groups tend to have the most frequent updates and largest body of stored knowledge generated from old posts. Frequently the message boards and email lists are used to discuss current developments, individual problems encountered by members, and short analysis of legal issues.

Secondary groups are more specialized and narrow in their focus and tend to have correspondingly smaller membership numbers. The overall focus is still on legal issues, but how they pertain to smaller segments and sectors. Patents in manufacturing, university technology transfer, and similar narrow legal focuses can be found. These smaller groups often do not post as frequently as the larger primary groups, and correspondingly have less of a catalog of previous posts available. These groups are a good place to look for information if you have a narrow searching field.

Tertiary groups are incredibly specialized and often their focus is on the sector itself and the legal issues are secondary. An example might be a group of small book publishers who have legal questions, but not necessarily legal answers. These groups are often composed of enthusiasts for various hobbies looking for legal answers on how to turn a hobby into something more and still protect their intellectual properties. These groups are a good source of novel legal questions, but do not expect many answers here. These are small but dedicated groups whose posting rates vary greatly.

Educational groups are generally groups of law students, often all at one school. School student groups, i.e. Case Western Reserve University SIPLA, run some and teachers who use the group as an online extension of the classroom run others. These generally don't seem to be the best sources of information as it frequently revolves around the geographic local of the school itself. There are a couple generic law student groups open to any law student that could provide interesting perspectives however.

Geographic groups are those whose membership is based on their radius to a particular area. Some groups are created for IP professionals in particular law firms, cities, or even countries. These groups are useful for regional news

and current events, and for discussions of issues relevant to smaller groups of professionals.

The last group is the temporal group. These groups are often created for particular events and conferences. They usually seem to exist to function solely as an email list for upcoming events to keep attendees up to date prior to the event. Some are updated afterward with conference materials, but most are usually abandoned shortly after the event passes. Generally these are the least helpful groups, but if one is created for a conference you are particularly interested in but cannot attend, it might serve as a last option.

Overall Yahoo! Groups offers a novel source of IP knowledge, but because the groups are dependent on voluntary membership to keep the group active, many smaller groups dry up and are abandoned within short periods of time. Only the very largest groups (150+ members) might offer anything by way of current events or news, although it is unlikely they can compete with the popularity and frequency of similar web blog services.

Google Groups at <http://groups.google.com/> is a free service that really has two distinct but related functions. First, Google helps groups of people communicate effectively using email and the Web. Every group has a home page hosted by Google where members can start new discussions or reply to older topics. Every group also has its own email address to help its members stay in touch with each other. Members can read and search all public Google Groups content. In addition, the second function of Google Groups is as the Web's most comprehensive archive of Usenet postings (more than a billion messages).

MSN Groups at <http://groups.msn.com/home> shows promise but as of this date is not populated with many groups dealing with IP. Also of interest Findlaw's Message Boards>Patents, Copyrights & Trademarks> Intellectual Property <http://boards.lp.findlaw.com/cgi-bin/WebX.fcgi?13@@@.ef2728e>.

E. Blogs & RSS Feeds

1. What are blogs?

The Internet contains nearly three million active blogs, according to one recent count, with topics ranging from politics to movies, to food, to the emotional ramblings of high-school teens. If you type `define:Blog` into Google, definitions yield elements that can be compiled as follows:

Web logs began in mid 1990s with the advent of free web publishing tools.

Blog scripting allows someone to automatically post information to a Web site. The information is automatically inserted into a template tailored for

the Web site. Blog is a short form for web log, a journal published on the Web. Updates are posted frequently (often daily). Some blogs include philosophical reflections, opinions on the Internet and social issues, and provide a "log" of the author's favorite web links. Many blogs are open to the public and any user can post their thoughts, comments, and philosophies. Blogs started out as personal logs of computer/internet development types and evolved in part to specific content management software as well as a description for a wide range of personal pages, journals, and diary type setups.

So, the basis for blogs is a Web interface of content of various types using applications that allow for easy, frequent and automatic postings. So blogs provide you with regular timely updates of many types.

How do blogs fit into our portfolio of IP news tools and strategies? Are they alternative or complementary news sources? The blog definitions above fail to convey the fascinating diversity of IP content and approaches of bloggers. Evaluating blogs again brings us back to the beginning of this article where the strategies ask us to look at what we might need from a news source; frequency, quality, scope, comprehensiveness, commentary versus pure news, links to full text of any referenced authority and more.

For some who apply these factors, blogs are dismissed at best as interesting hobby sites to be looked at during leisure time, and at worst as a dangerous waste of time. That said, there are some blogs that deliver quality, thoughtful news and commentary. A growing number deliver primary source content and can be seen of as valuable news and research tools. Most blogs are selective. To that extent, you may miss very important news. A few "disc dump" news. So, you get lots of news but little commentary. Again, you must evaluate whether any blog meets your needs.

Blogs change daily. Blogs are born and blogs die. A great blog may not stay great. Bloggers may devote lots of time and then little time due to the press of life. Some bloggers are experts and others not; from students to professors to lawyers and more. Blog content spans the spectrum from pure news to pure commentary to hybrid models. Blogs often feast off other primary and secondary sources, so all of the content quality strategies discussed earlier especially apply here.

Pierce Law IP New Blog founder Carey Lening looks for quality fresh perspectives on a regular basis. Some of her choices can be found at http://www.ipmall.info/hosted_resources/IDEAipnews/. What qualities will distinguish a blog from the massive congestion in the blogosphere? What are some strategies to choose a quality IP blog? What constitutes the quality it takes to be what the Copyfight terms a "linkable + thinkable" blog? Since IP blogs run the gamut from pure news to pure commentary, consider: focus, consistency, effective expression of new fresh ideas, timeliness, thoroughness, ac-

curacy, valuable linkages, simplicity, ease of use, quality bloggers, sources and personality. All of these factors lead to what could be considered a trustworthy and dependable blog.

We conducted a survey of one hundred forty two IP related blogs. The survey shows the same type of diversity discussed in the section on IP related Groups above. There are many types. The following provides some very rough data on what we found. As discussed, the blog world changes daily, so this is on snapshot in time.

Blogger type	Institution	Subject focus	Types of focus	How often updated
Lawyer 82	Firm or practice 70	General IP 55	News 110	Weekly 68
Professor 10	Individual or group 30	Technology 37	Commentary 95	Daily 42
Student 9	Education 20	Internet 24	Musings / reflections 11	Monthly 10
Journalist 9	Publisher 11	Patents 19	Foreign IP 6	Inactive 15
Librarian 7	Unspecified 4	Copyright 11	Discussions 6	Other 9
Unspecified 8		General with IP 8	Product reviews 2	
Patent Agent 4		Bio / science 7	Blogs 1	
Engineer 4		Infolaw 6	Personal stories 1	
Compiler 3		Trademarks 5		
Open 3		Domain names 4		
Patent examiner 1		Publishing 1		
Judge 1		Video 1		
Technologist 1		Business 1		
		E-commerce 1		
		Digital Rights 1		

As you can see, lawyers currently offer most IP blogs. They promote the firm or practice while serving news and commentary. This shows that most

provide commentary but that some provide pure news. Weekly blogs are most common, followed by daily blogs. You must decide whether you desire the currency of daily news.

My conclusion to the earlier question on whether blog are alternative or complimentary is that they are both. Try to find several dependable blogs that supplement other dependable news and commentary sources, per the mix and match strategy discussed above. Consider combining a wide scope general IP blog, a blog with a thoughtful commentator and a blog very narrow in scope that covers the niche you want to follow. Some choices might include some of these blogs: Copyfight, InternetCases, IPUpdates, PHOISTA, Promote the Progress, RethinkIP and TTABBlog.

2. Approaches to Finding IP Blogs

Consistent with the approach of this article on finding other types of IP news tools, I repeat the strategy to use general searching tools to find IP blogs as well as dedicated IP tools. There are many general sites that list all blogs. I recommend Blawg at <http://www.blawg.org/> a source for law and legal related Weblogs.

A blawg is a web log with emphasis on the law or legal related issues and concerns, often maintained by an individual who studies, practices or otherwise works in the legal field. It collects all IP blogs by following the path: Category: Main/Legal Subjects & Areas/Intellectual Property.

Another useful finding tool is Blogstreet at which provides tools for finding related blogs, helps you to find more blogs similar to a blog you have liked, helps you to see the inter-connectedness between blogs, lists blogs that include a blog in their link collection (blogroll), know those blogs which hold a blog in high regard and know what Google thinks is related to a blog.

As suggested by Blogstreet, another approach is to look at dedicated IP blogs and look which is on their blogroll. Most IP bloggers are anxious to list new IP blogs, as bloggers feel part of a community. IP blogs are a prime source of candidates for your loyalty.

3. Google

Google leads you to IP blogs in several ways. Google Web search leads you to IP related sites that list IP blogs. It leads to you to articles that discuss IP blogs. It leads you directly to IP blogs. It leads you to general blog lists and databases wherein you find IP blogs.

Most exciting is a new Google service called Blog Search at <http://blogsearch.google.com/blogsearch> is Google search technology focused

on blogs. Your results include all blogs, not just those published through dedicated mega-sites such as Blogger. Goggle's blog index is continually updated, so you'll always have a chance to get accurate and up-to-date results. You can search not just for blogs written in English, but in French, Italian, German, Spanish, Korean, Brazilian Portuguese and other languages as well.

Blog Search indexes blogs by their site feeds (see next section), which will be checked frequently for new content. This means that Blog Search results for a given blog will update with new content much faster than standard web searches. Also, because of the structured data within site feeds, it is possible to find precise posts and date ranges with much greater accuracy.

4. Blog Delivery Options

Before we leave the subject of blogs, be aware that many blog software applications allow you to subscribe to email update services. You can elect to receive notices of new blog content. As blogs become more attractive news sources, these email notices begin to function like the email delivered news options discussed above.

a. What are feeds, how do I use them and why do I care?

Have you visited an IP Website or Blog and seen those little orange icons with RSS or XML? A July 2005 memo from the Pew Internet and American Life Project found that sixty five percent of the Americans surveyed were not really sure what the phrase "RSS feeds" means. An additional twenty six percent had never heard of it. All IP blogs produce feeds. They are also offered by more and more Web pages. Why do we care? In part because, in addition to Blog producers, news data is being offered by governmental and NGOs via RSS. Below the following introduction to feeds you will find some important IP related feeds beyond those of bloggers.

A feed is a regularly updated summary of web content, along with links to full versions of that content. When you subscribe to a given website's feed by using a feed reader, you'll receive a summary of new content from that website. Generally, you must use a feed reader in order to subscribe to website feeds, although some feeds display using Web browsers. When you click on an RSS feed link, your browser may display a page of plain text. If this is Greek to you, the following site walks you through a multimedia introduction to RSS feeds. <http://www.extremepodcasting.com/screencasts/usingrss101>.

RSS is a popular feed format for syndicating general news and the content of news-like sites, including major news sites like *Wired*, news-oriented

community sites like *Slashdot*, and personal web logs. But it's not just for news. Pretty much any content can be syndicated via RSS. Once information about each item is in RSS format, an RSS-aware program can check the feed for changes and react to the changes in an appropriate way. Also, RSS can be used to syndicate Web content through another Web page without use of a reader. For an IP example see IpNewsflash at <http://www.ipnewsflash.com/>.

RSS-aware programs called news aggregators are popular in the weblogging community. Many web logs make content available in RSS. A news aggregator can help you keep up with all your favorite web logs by checking their RSS feeds and displaying new items from each of them. For a list of feed readers go to http://loosewire.typepad.com/blog/2004/08/a_directory_of_.html.

b. Finding Feeds from General News and IP Sites

Again, a consistent strategy for locating IP feeds is to use of the of the many general feed search engines such as at <http://www.syndic8.com/>. These sites allow you to do keyword searches to identify IP feeds that meet your needs. Another strategy is to look for a portal of law feeds such as at the Virtual Chase at: http://www.virtualchase.com/resources/rss_law.html. As with any portal, examine who produces the site and the date last updated. For example, as of September Virtual Chase did not list the IP feeds below.

A third strategy is to set up feeds from general news sources using IP search terms. Many IP sites have set up these IP general news feeds. Web search engines and new services such as Google, ZDNet News, Yahoo! News Headline, Reuters, TechWeb, News.com and Lycos offer free non-stop general news which includes IP news. For example, Google News allows you to search and browse 4,500 news sources updated continuously.

You can visit each site if you like, but time for most of use is precious. Some sites like IPNewsFlash at <http://www.ipnewsflash.com/> rely heavily on feeds. Other sites such as The IP News Matrix at <http://www.intelproplaw.com/NewsSrch.shtml> in one page delivers hundreds of new IP items daily by simply selecting the search engine and topic.

Like the Matrix, other sites provide one stop shop for third party news stories. Technology Trading Exchange at <http://tynax.com/TTX1/Default.asp>. Tynax combines a technology marketplace with a comprehensive technology news service, which includes IP. These types of filtered IP news sites are growing as the technology to deliver this news is simple to implement.

Another strategy is to develop good searches and let the news service alert you to new news stories. One example is Google Alerts, discussed above, that are email updates of the latest relevant Google results (web, news, etc.) based on your choice of query or topic.

What about U. S. Government feeds? In *The Government Domain: RSS and Uncle Sam* (September, 2005), at <http://www.llrx.com/columns/govdomain9.htm> Peggy Garvin examines the cautious nature with which the federal government is embracing RSS feeds. She highlights RSS feeds currently available from a range of agencies, and also suggests useful tools and sources to locate feeds as they become available. She reports that at the federal level, executive branch agencies have taken a relative lead in implementing RSS. Feeds from the judiciary are few and far between. In Congress, some individual members have feeds for their press releases, but offerings from committees are scarce.

FirstGov, discussed above, has a subject guide to federal government RSS feeds called the U.S. Government RSS Library. Like the FirstGov newsletter portal, the RSS Library is not completely current or comprehensive. It does not reflect the Copyright Office feeds discussed below.

a. IP News Feeds of Note

WIPO

WIPO has extended RSS feeds support, now available for:
 Conferences, Meetings and Seminars
 General News and Announcements
 Press Information
 Vacancy announcements
 Treaties Notifications
 Domain Name Decisions
 Go to: <http://www.wipo.int/news/en/newsfeed.jsp>

EPO

The European Patent Office offer RSS feeds of news at <http://www.european-patent-office.org/index.en.php>

U.S. Copyright Office

As of September, 2005 some of the Copyright Office popular pages are now available via an RSS Feeder Service:

Copyright Office Home Page
 NewsNet
 Federal Register

Current Legislation

Orphan Works

See <http://www.copyright.gov/help/rss.html>

USPTO – not!

On August 22, 2005, the blog Rethink(ip) made United States Patent and Trademark Office News and Notices all news items and notices released by the United States Patent and Trademark Office available by RSS. They launched the following four RSS feeds that mimic the categories used by the Office:

Official Gazette and Federal Register Announcements

(feed: http://feeds.feedburner.com/RethinkIP_USPTO_OG)

General news items

(feed: http://feeds.feedburner.com/RethinkIP_USPTO_GEN)

Patent news items

(feed: http://feeds.feedburner.com/RethinkIP_USPTO_PAT)

Trademark news items

(feed: http://feeds.feedburner.com/RethinkIP_USPTO_TM)

A fifth feed includes ALL items for each of the four categories listed above

(feed: http://feeds.feedburner.com/RethinkIP_USPTO_ALL)

Rethink(ip) project is a great example of a practical application of RSS technology and they hope it will expand the use of RSS throughout the IP community, as well as to “grab the attention of decision-makers at the PTO and encourage them to take a serious look at RSS.” If patents are the news you are seeking, a number of sites offer feeds of new patents by category such as at: <http://www.freepatentsonline.com/rssfeed.html>.

Popular US Patent RSS feeds offered at that site:

Computers: Graphic processing, I/O Systems, CPUs, Dynamic Storage, Static Storage, Printers/Printing.

Software: Finance, Artificial Intelligence, Databases, Development, Documents, Navigation and GPS, Error Correction.

Telecom: Telecommunications, Communications, Coded Radio, Antennas, Multiplex Digital.

Medical: Surgery, Surgery(2), Surgery(3), Drugs, Drugs(2), Prosthesis, Dentistry.

Electronics: Active Solid-state Generators or Motors, Measuring Nonlinear Devices, Systems/Devices.

Electronics: Semiconductor Manufacture, Audio, Signal Processing, Illumination, Connectors, Cryptography.

Industrial: Refrigeration, Measuring and Testing, Supports, Coating Process, Stock material, Pumps.

Energy: Power Plants, Radiant Heat-Exchange, Fuel Cells, Electrical and Wave.

Chemistry: Molecular Biology, Adhesive, Liquid Purification, Fluid diffusion.

Engines: Combustion, Brakes, Clutches, Tires, Gas separation.

Imaging: Television, LCD, TV Signal, Interactive Video, Optical Systems.

Consumer: Exercise Devices, Games(1), Games(2), Food, Music, Apparel, Boots, and Shoes.

RSS is good because it gives back to you the power to choose and select content. This, along with timeliness and cost-effectiveness, are probably the best reasons why you should understand how and why RSS is an important tool for the way you select and receive your information, news and updates. For several years commentators have asked whether RSS is going to replace email. As you have seen above, to date the answer is no.

V. CONCLUSION

My hope is that this tour of IP news sources has thrown you a life raft if you have been drowning in the sea of IP news sameness. I conclude where I began by urging you to examine what your news needs are to evaluate which of the many options will provide you the best blend of sources to keep you up to date and perhaps up to speed on emerging IP issues. As you have read, there are many Web delivery models because of the ever dynamic development of Web applications. This is likely not going to stop. The Web constantly evolves and I predict so will the news delivery models.