

**Louisiana State Bar Association
Intellectual Property Law Section**

WHEREAS, the Intellectual Property Law Section has not updated its bylaws since it was originally formed;

WHEREAS, the annual dues for section membership is set at \$25;

WHEREAS, the section has greatly expanded the scope of its beneficial activities for its members, the section intends to further enhance its programs and activities for its members and requires additional resources to reach these goals;

WHEREAS, the section membership met on March 21, 2019, and unanimously voted to approve the attached amendments to the section bylaws, which, among other things, increased section dues from \$25 to \$35 and permits officer elections to be conducted online instead of paper ballots;

WHEREAS, under Article IX, Section 4 of the By-Laws of the Louisiana State Bar Association, amendments to section bylaws become effective when approved by the House of Delegates;

NOW, THEREFORE, BE IT RESOLVED, that the bylaws of the Intellectual Property Section, as amended, are approved and shall be effective July 1, 2019.

Respectfully submitted,



Intellectual Property Law Section
Micah J. Fincher, Chair

APPROVED BY HOUSE OF DELEGATES
JUNE 6, 2019
MIRAMAR BEACH, FL

APPROVED BY BOARD OF GOVERNORS
JUNE 7, 2019
MIRAMAR BEACH, FL

LOUISIANA STATE BAR ASSOCIATION
BY-LAWS OF THE INTELLECTUAL PROPERTY SECTION

ARTICLE I

NAME AND PURPOSE

Section 1. This Section shall be known as the Intellectual Property Section. It is formed as a section of the Louisiana State Bar Association (“LSBA”) and shall operate in accordance with the LSBA’s Articles of Incorporation (“LSBA AOI”) and the By-Laws of the LSBA (“LSBA By-Laws”)

Section 2. The purpose of this Section shall be to encourage and foster discussions in the field of intellectual property, including existing statutes and jurisprudence; to contribute to and provide opportunities for the continuing education of the attorney who practices in the intellectual property field; to promote interest in and the importance of intellectual property to the public; and to cooperate and establish liaison with the Louisiana State Bar Association, American Bar Association, local bar associations and the legal academic community to achieve these purposes whenever possible in a manner not otherwise inconsistent with these By-Laws.

ARTICLE II

MEMBERSHIP AND DUES

Section 1. Any member in good standing of the Louisiana State Bar Association or any attorney registered to practice before the United States Patent and Trademark Office and whose practice includes patents, trademarks, copyrights, trade secrets and/or unfair competition or unfair trade practices shall, upon request to the Secretary of the Association, be enrolled as a member of the Section. Members so enrolled and whose dues are paid shall constitute the membership of this Section.

Section 2. Dues for membership in this Section shall be \$35.00 per year, payable upon enrollment and thereafter annually on the same fiscal-year basis as Louisiana State Bar Association dues. Members of the judiciary shall not be obligated to pay dues.

Section 3. Any member whose annual dues shall be more than six months delinquent shall immediately cease to be a member of this Section. Only Section members in good standing, with dues paid, may vote, hold any Section office, or receive Section publications.

ARTICLE III

OFFICERS AND ELECTIONS

Section 1. The general officers of this Section shall be President, Vice-President, Secretary, and Treasurer.

Section 2. Members in good standing may be nominated for any officer position of the Section. At least 90 days before the LSBA Annual Meeting, the Vice President shall communicate to the members: the date, time, and location of the Section’s Annual Meeting;

announce any officer nominations received to date, if any; and the deadline for members to submit to the Secretary any other officer nominations. After such nomination deadline, the Secretary shall communicate to the members: all officer nominations received; the deadline for members to vote on such nominations, which shall be at least 14 days following such communication; and instructions for members to cast their vote, which shall include electronic means via the Internet.

Section 3. Each officer shall hold office for a term of one year or until such time as a successor shall have been elected. Officers shall take office at the adjournment of the first Annual Meeting of the LSBA following their election and shall serve until the adjournment of the second Annual Meeting of the LSBA following their election. The information on the election of officers shall be forwarded to the offices of the LSBA no later than fifteen (15) days subsequent to the LSBA Annual Meeting.

Section 4. Subject to approval by the President, the President-elect may propose a budget and programing for the coming fiscal year to be included in the Section's annual report to the LSBA.

ARTICLE IV

DUTIES OF THE OFFICERS

Section 1. President. The President, or the Vice-President in the absence of the President, shall preside at all meetings of the Section. On consultation with the Executive Committee, the President shall establish such other committees as are deemed necessary and appoint the chairmen and members thereof who are to hold office during the President's term. The President shall plan and supervise the program of the Section and the performance of all activities of the Section. The President shall formulate and present a report of the work of the Section for the year at each annual meeting of the Louisiana State Bar Association and shall perform such other acts as usually accompany the office. Together with the Treasurer, the President may sign checks disbursing funds for expenses duly authorized by the Executive Committee.

Section 2. Vice President. The Vice-President shall assist the President, performing such tasks as shall be assigned by the President or otherwise set forth in these By-Laws. In the absence of the President, or upon the death, resignation or disability of the President, the Vice-President shall perform the duties of the President for the remainder of the term of office; provided that, in the case of disability, the Vice-President shall act only during the pendency of the disability.

Section 3. Treasurer. Treasurer shall assist with developing all budgets for the Section, monitor spending by the Section, and maintain the Section website. Together with the President, the Treasurer may sign checks disbursing funds for expenses duly authorized by the Executive Committee.

Section 4. Secretary. The Secretary shall be the custodian of all books, papers, documents, and other property of the Section and shall keep a true record of the proceedings of all meetings of the Section and the Executive Committee. With the President, the Secretary shall

prepare a summary or digest of the proceedings of the Section at its annual meeting for publication in the Annual Report of the Louisiana State Bar Association. The Secretary, in conjunction with the President as authorized by the Executive Committee, shall attend generally to the business of the Section.

Section 5. Executive Committee. By majority vote, the Executive Committee may authorize the Section to enter into contracts and authorize the expenditure of available Section funds.

ARTICLE V
THE EXECUTIVE COMMITTEE

Section 1. The Executive Committee of the Section shall be composed of the President, Vice President, Treasurer, and Secretary.

Section 2. The Executive Committee shall have general duties and control as necessary for the administration of the affairs of the Section, subject to the provisions of the LSBA AOI, LSBA By-Laws, and the By-Laws of this Section.

Section 3. The Executive Committee of the Section is authorized to take action in the name of the Section during intervals between meetings of the Section. All binding action of the Executive Committee shall be by majority vote of the Executive Committee. In the event of a tie, the President, or the Vice-President in the absence of the President, shall cast the tie breaking vote.

Section 5. The Executive Committee shall vote in person when present at a meeting of the Executive Committee. When an officer contemplates his or her absence, they may communicate their vote on any proposition to the Secretary, and have it counted with the same effect as if cast personally at such meeting.

Section 6. The President of the Section may submit or cause to be submitted in writing to each of the other officers any proposition upon which the Executive Committee may be authorized to act, and the members of the Executive Committee may vote on such propositions as submitted, by communicating their vote thereon, in writing over their respective signatures, to the Secretary, who shall record upon the minutes each proposition so submitted, when, how and at whose request same was submitted, and the vote of each member of the Executive Committee thereon, and keep on file such written and signed votes. If the votes of a majority of the members of the Executive Committee so recorded shall be in favor of such a proposition, or if such majority shall be against such proposition, such majority vote shall constitute the binding action of the Executive Committee. The Executive Committee of the Section may take action in the name of the Section whenever proposals are brought before the Executive Committee for an expression of views and recommendations to the LSBA.

ARTICLE VI

[RESERVED]

ARTICLE VII
MEETINGS

Section 1. The Executive Committee will select the date for the Section Annual Meeting and communicate it to the Section members at least one month in advance.

Section 2. Special meetings of the Section may be called by the President upon approval of the Executive Committee, at such time and place as the Executive Committee and President may determine.

Section 3. The members of the Section present at any meetings shall constitute a quorum for the transaction of business, and the Section shall be bound by a majority vote of the members present at such meeting.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

Section 1. The fiscal year of the Section shall be the same as that of the LSBA.

Section 2. All bills incurred by the Section shall, before being paid, be approved by the President or Vice-President and the Treasurer, or otherwise as the Executive Committee may direct.

Section 3. No salary or compensation shall be paid to any Section member, officer, or committee.

Section 4. These By-Laws shall become effective immediately upon approval thereof in accordance with the LSBA AOI and LSBA By-Laws.

ARTICLE IX
AMENDMENTS

Section 1. These By-Laws may be amended at the Section Annual Meeting provided that no amendment so adopted shall become effective until approved in accordance with the LSBA AOI and LSBA By-Laws.

Section 2. The Executive Committee may propose amendments by majority vote. Amendments also may be proposed by submission in writing to the Executive Committee in the form of a petition signed by at least ten members of the Section in time for it to be considered by the Executive Committee at least one week before the Annual Meeting. The Executive Committee shall consider the proposed amendment and shall prepare recommendations thereon. The recommendations, together with a complete and accurate text of said proposed amendment, shall be disseminated to the members of the Section by the Secretary prior to the Annual Meeting at which they will be voted upon.

LOUISIANA STATE BAR ASSOCIATION
INTELLECTUAL PROPERTY SECTION

2019-2020 Executive Committee

Micah Fincher, President-Elect

Gregory Stein, Vice President-Elect

William Buckley, Treasurer-Elect

Stephen Kepper, Secretary-Elect