

As Time Goes By – The NCIPLA in its Heyday

by Dale Carlson

My last column briefly touched upon the role that the National Council of IP Law Associations (“NCIPLA” and its predecessor “NCPLA,” also referred to as “the Council”) played in shaping IP reform legislation, notably the Patent Act of 1952.

Formed in 1934, just twelve years after our Association was born, the NCIPLA was envisioned from the start as a forum for information, discussion and debate about IP legislative initiatives of the day. Evidence that the NYIPLA was a proud member can be discerned from the notation at the bottom of the first page of each of our Association’s Greenbooks in prior decades: “MEMBER NATIONAL COUNCIL OF PATENT LAW ASSOCIATIONS.”

Up until 1967, the delegates to the Council came from the ranks of “principal executive officers” of the member associations.¹ By virtue of this rather amorphous designation, several officers from a single IP law association presumably could simultaneously be counted as delegates, e.g., the association’s president, vice-president, treasurer etc. Also, depending upon the length of the term of office within their association, the delegate’s tenure might have been as short as one year.²

During 1967, our Association Past President John T. Kelton [1967-68] headed an NCIPLA committee charged with providing a vehicle for having each member association designate one Councilman who need not be a principal executive officer of the member association. Thus, each member association would have a single designee who might serve a term of several years, providing an enhanced sense of continuity and permanence to their role on the Council.

At an NCIPLA meeting in Boston on May 12, 1967, the Kelton committee presented its report



regarding changes to the by-laws. “After considerable animated debate,”³ the

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NCIPLA adopted new by-laws which stood the test of time. Decades later, in the 1990s, I had the honor of serving as the NCIPLA delegate from the Connecticut IP Law Association.

Through the years, the NCIPLA served as a vehicle for the local and regional IP law associations to have their voices heard in the halls of Congress. For example, back in 1971 the Senate Subcommittee on Patents, Trademarks and Copyrights held hearings on certain amendments (“the Scott Amendments”) to a Patent Law Revision Bill pending in Congress.

Past NCIPLA Council Chair Howard I. Forman succinctly summed up the NCIPLA’s role at the hearings as follows: “Also testifying . . . was the NCPLA Chairman, Bill Pravel. He spoke, with the prior express authorization of 19 of the NCPLA member associations, regarding positions taken individually by each of them relative to the Scott Amendments.”⁴

Mr. Forman went on to note: “Obviously, in a crowded schedule of witnesses at the three days of the Hearings, many if not most of those 19 associations would not have been heard if they had sought to be represented individually. But through the vehicle of the NCPLA organization, each was able to be ‘heard’ and its testimony recorded so that interested members of the Congress will be able to observe the views of the Scott Amendments held by their constituents represented by those 19 associations.”⁵

With the past as prologue for the future, perhaps the NCIPLA will be reborn or reconstituted to ensure that the local and regional IP law associations have a voice in Congress, as they did before. Perhaps you will help make this possibility become a reality for the betterment of our Association and our profession.

With kind regards,
 Dale Carlson

(Endnotes)

¹ See Forman, Howard I., “An Up-Dated History of National Council of Patent Law Associations,” 53 J. Pat. Off. Soc’y 439, 441 (July 1971).

² *Id.* at 445.

³ *Id.* at 447.

⁴ *Id.* at 462.

⁵ *Id.*