

BCBA ANNUAL MEETING THURSDAY, JUNE 4

The BCBA Annual Meeting will be held virtually this year for the first time in our 113 year history. While we are so disappointed that we will be unable to see you all in person, it is important to keep all of our members updated during an unprecedented time.

This year, we will feature a State of the Bar Association address given by our outgoing President, Jennifer Lorenz, and President Elect Jeff Rose. Chief Judge Bakke will present on the State of the 20th JD. We will also hold a virtual passing of the gavel and approval of the slate of nominees for board positions.

Nominees are listed on pages 2 and 3 of this newsletter.

Please join us on Thursday, June 4 at 4 pm. We are entering an era unparalleled in our history, and want to keep you all as up to date as possible.

[Click here to register](#)

**BCBA Board
Nominees
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2020 SLATE OF BCBA BOARD NOMINEES



2020-2023: Secretary/Treasurer, moving to Board President in 2022-2023

Brett Landis is the current Managing Attorney of Boulder County Legal Services, a Colorado Legal Services office. She received her JD from the University of Oregon, School of Law in 2007, where she began practicing law later that year. Brett moved to Colorado in March 2015 where she practiced family law with the law firm Warren, Carlson & Moore in Niwot, CO. Brett began work as the Managing Attorney of BCLS on September 1, 2016. She joined the Boulder County Bar Association Board in 2018. She is licensed to practice law in both Oregon and Colorado.



2020-2023: 3 year Board of Directors position

Jodi is the founding partner attorney at Martin Law Office LLC, a Boulder law firm serving clients in Boulder County and across Colorado. Jodi has over 22 years of legal experience, including extensive trial litigation and appellate experience. She is admitted to practice in Colorado and Oklahoma, as well as the federal district courts in Colorado and Oklahoma, the Tenth Circuit Court of Appeals, and the U.S. Supreme Court. In 2012, Jodi moved to Colorado and started Martin Law Office LLC, a client-centered law firm focusing on meeting the legal needs of a diverse client base in the areas of Estate Planning, Probate and Estate Administration, Probate and Estate Litigation, Family Law, and LGBTQ legal matters.



2020-2023: 3 year Board of Directors position

Lizbeth Parker is the Community Protection Division Specialist in the Boulder County District Attorney's office. She routinely handles consumer complaints and reports of fraud and financial exploitation of older adults in our community and provides education and outreach on a number of subjects in an effort to help prevent all of our community members from becoming victims of crime.

WELCOME NEW BCBA MEMBERS

Michael M Lane
Schaffer Lucas
Delphine L Janey
Francesca Ramos
Philip V Dizerega

Judy B Snyder
Barbara A Snow
Adam Barraza
Maria Barco
Ashleigh Evans

2020 SLATE OF BCBA BOARD NOMINEES



2020-2022: 2 year Board of Directors position

Carolyn Steffl is a shareholder at the Boulder law firm Moses, Wittemyer, Harrison and Woodruff, P.C. She focuses on local government, water and land use law, helping Coloradans to work together to improve their community, such as by building new water or wastewater treatment plants and other public infrastructure. As general counsel to water and sanitation districts and metropolitan districts throughout Colorado, Carolyn also advises clients in connection with water law and regulations, public financing (including TABOR), capital construction, elections, open records and meetings and more. She also advises municipalities and counties that approve new special districts and individuals contracting with districts.



2020-2021: 1 year Board of Directors position

Carrie R. Frank has been practicing for 30 years, primarily in the area of products liability and personal injury. She is currently a shareholder with Klein | Frank, P.C. in Boulder where her practice focuses on cases involving defective products and other personal injury matters. Carrie is a past chair of the American Association for Justice Products Liability section and is a Past- President of the Colorado Trial Lawyers Association, has served on the executive committee, and has been a CTLA board member since 2000, and was the convention co-chair for ten years. Carrie also teaches and speaks throughout the country at both national and state programs.



David
Driscoll



Kimberly
Hult

HutchinsonBlackandCookLLC

Attorneys at Law

921 Walnut, Suite 200
Boulder, Colorado



Christopher
Ford



Glen
Gordon



PERSONAL INJURY & WRONGFUL DEATH

Our team has a long-history of successfully representing those who have been severely impacted by someone else’s negligence.

- An average of more than 25 years’ experience
- Impressive history of verdicts and settlements
- Highly experienced litigators
- Recognized by *Super Lawyers* and *Best Lawyers*

CALL OUR OFFICE AT 303-442-6514 TO TELL US MORE ABOUT YOUR SITUATION

CALENDAR OF EVENTS

BCBA Virtual Annual Meeting

Thursday, June 4 | 4:00 - 5:00 PM

Free for BCBA Members

[Please click here to register](#)

Virtual Courtroom and WebEx Tips

Thursday, June 11 | 12:00 – 1:15 PM

Presented by Judge Sierra, Judge Martin, Magistrate Collins and Erika Skufca

\$25 BCBA Members | \$15 New/Young Lawyers | \$5 No CLE

[Please click here to register](#)

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CAN ARTIFICIAL INTELLIGENCE BE AN INVENTOR OF A UNITED STATES PATENT?

PHILIP DIZEREGA

With recent advances in artificial intelligence (AI), one might wonder if AI can be an inventor of a United States patent application. According to a recent Decision on Petition by the United States Patent and Trademark Office (USPTO), the answer is no.

The Decision addressed a United States patent application entitled “Devices and Methods for Attracting Enhanced Invention” that was filed on July 29, 2019. The patent application listed a single inventor with a given name “DABUS” and a family name “Invention generated by artificial intelligence.” Stephen L. Thaler, Ph.D., was listed as the Applicant and the Assignee of the patent application. An assignment document, executed by Dr. Thaler as legal representative of DABUS and on his own behalf as Assignee, assigned the entire right, title, and interest of “DABUS, the Creativity machine that has produced the . . . invention,” to Dr. Thaler.

Dr. Thaler is the founder and chief executive officer of Imagination Engines, Incorporated (IEI), of St. Charles, Missouri. According to IEI’s website, “DABUS” is short for “Device for the Autonomous Bootstrapping of Unified Sentience,” which is a system that “is originating new ideas without any clear objectives.” The website adds that results from DABUS “have become the subject of patent applications filed around the world, prompting legal authorities to consider whether machines can own their own intellectual property.”

The USPTO responded to the inventorship designation by issuing a formality notice referred to as a “Notice to File Missing Parts of Nonprovisional Application” on August 8, 2019 (Notice). The Notice asserted that the patent application failed to identify each inventor by his or her legal name, as required under the patent statutes. The Applicant responded to the Notice by filing a petition on August 29, 2019 (first Petition), requesting supervisory review of the Notice and that the Notice be vacated for being unwarranted and/or void.

The USPTO dismissed the first Petition in a decision issued on December 17, 2019 (first Decision), and the patent Applicant filed a petition on January 20, 2020

(second Petition), requesting reconsideration of the first Decision, which refused to vacate the Notice.

The USPTO responded to the second Petition with another decision (second Decision) again denying the Applicant’s request to vacate the Notice. The second Decision noted the Applicant’s position that it was DABUS, and not a person, which recognized the novelty and salience of the invention, and that it was therefore proper to name DABUS as the inventor. According to the second Decision, the Applicant also contended that inventorship should not be limited to natural persons.

The USPTO, however, did not find the Applicant’s position persuasive. In particular, the Decision found that an inventor must be a natural person in view of several patent statutes. The Decision also stated that “interpreting ‘inventor’ broadly to encompass machines would contradict the plain reading of the patent statutes that refer to persons and individuals.” Additionally, the Decision referenced case law and the Manual of Patent Examining Procedure (MPEP) as supporting its interpretation of the term “inventor.” The Decision concluded that the Notice was proper because Applicant failed to name a natural person as an inventor. The Decision, however, was limited in scope in that it did not take a position on whether AI alone could create a patentable invention. Instead, the Decision stated that the “USPTO has not made any determination concerning who or what actually created the invention claimed in the . . . [patent] application.”

Accordingly, the USPTO currently takes the position that AI cannot be an inventor of a U.S. patent, irrespective of how an invention is created. It will be interesting to see if U.S. law regarding inventorship evolves as AI technology advances.

Philip diZerega is the founder of PdZ Patent Law, PLLC, which will open for business on September 1, 2020. His practice focuses on patent preparation and prosecution in the electrical and mechanical arts. He can be reached by email at p@pdzlaw.com.

PRESIDENT'S PAGE

JENNIFER LORENZ

"In these challenging times, it is more imperative than ever that we come together as a community---to both protect and support each other in our continuing endeavor to improve our collective condition." Scott Evans, President, The Sam Cary Bar Association.

Over the past several months people have been stressed and on edge with concerns about COVID-19 and quarantine. But on May 25th the death of George Floyd incited the Nation. Minneapolis police officers arrested Mr. Floyd, a 46-year-old black man, after a store called the police accusing Mr. Floyd of paying with a counterfeit \$20 bill. Seventeen minutes after the first squad car arrived at the scene, Mr. Floyd was pinned by police officers and showed no signs of life. On May 26th, the day after Mr. Floyd's death, all four of the officers involved in the incident were fired. Derek Chauvin, the officer seen most clearly in witness videos pinning Mr. Floyd to the ground, was charged with murder and manslaughter. ([click here for citation](#))

Following Mr. Floyd's death, unrest spread from Washington, D.C. to California and protestors clashed with police in front of the Colorado Supreme Court. "More than half of the nation's governors have called in the National Guard to help quell the unrest, and at least 45 million Americans were under a curfew Sunday night." ([click here for citation](#))

"We remind all that, as stated by Dr. Martin Luther King, Jr.: 'A riot is the language of the unheard. And what is it America has failed to hear? ... It has failed to hear that the promises of freedom and justice have not been met. And it has failed to hear that large segments of white society are more concerned about tranquility and the status quo than about justice and humanity.' We share the hope and urge, as Dr. King did, that despite the cries of many in our community remaining unheard, these protests and demonstrations are conducted non-violently. We share the hope and urge that the unheard cries of many in our community are met with



nonviolent protests and demonstrations. In these challenging times, it is more imperative than ever that we come together as a community---to both protect and support each other in our continuing endeavor to improve our collective condition." Scott Evans, President, The Sam Cary Bar Association.

I have been involved in the BCBA's leadership for almost a decade. In my experience, the BCBA fosters professionalism, builds relationships and provides lawyers with a sense of community. This is my last President's page and I want to thank all of my fellow BCBA board members, Laura and Kyle, and to the BCBA members for their support over the past years. These are challenging times and I look forward to the BCBA's continued commitment to keeping its membership engaged and informed. As attorneys let's continue to stand together and promote health, safety, professionalism and justice for all of our members and all members of our community.

PROFESSIONALISM ON CALL

June 1	Mike Rafik	303.444.9292
June 8	Gwyn Whalen	303.443.8010
June 15	Lee Strickler	303.443.6690
June 22	Mark Langston	303.440.9684
June 29	Meghan Pound	303.443.8010

The Professionalism Committee assists lawyers, clients, and other members of the community with questions or complaints about behavior by lawyers that fails to meet generally accepted standards of professionalism and courtesy, or that is contrary to the BCBA Principles of Professionalism.

The Professionalism Committee does not address allegations of criminal or ethical violations by lawyers, as regulated by the Colorado Rules of Professional Conduct, and any such violations should be addressed to the Office of Attorney Regulation Counsel.

BOULDER COUNTY FREE LEGAL CLINIC

The Boulder County Free Legal Clinics have been replaced with our Virtual Legal Clinic until further notice.

THANKS TO OUR VOLUNTEERS

The BCBA Virtual Legal Clinic remains ongoing and has served over 30 people to date. Thank you to the attorneys who serve as volunteers:

Dan Droege	Amy Stengel	Beth Kelley
Jennifer Huston	Laura Herndon	Dipak Patel
Sherri Murgallis	Maki Iatridis	Lindsey Killion
Craig Small	K.C. Cunilio	Karen Burns
Scott Hamerslough	Fern O'Brien	Susan Spaulding
Starla Doyal	George Farmer	Chris Lane
Jeff Skovron	TJ Willard	Connie Eyester
Lila Sol	David Harrison	Beth Montague
Georgiana Scott	Ann England	Kurt Hofgard

PRO BONO REFERRALS

Eight cases were referred in the month of March. Thank you to the following attorneys:

Susan Bryant
Lila Sol (x2)
Heather Kurland
Jeff Skovron
Brad Hall (x2)
Judson Hite (x2)
Gary Merenstein
Bruce Wiener

PRO SE VOLUNTEERS

The Pro Se Clinic was cancelled due to COVID-19, so no volunteers were utilized this month.

PRO BONO CORNER

Interested in a Pro Bono case? Please call Kellie at 303-449-2197. CLE credits available for pro bono service.



CLASSIFIED ADS

OFFICE SPACE FOR LEASE IN PROFESSIONAL SHARED SUITE. Perfect for attorneys, CPA's, IT or other interested professionals. Great location on 30th Street next to the 29th Street mall. Two conference rooms, kitchen, waiting area and free parking. \$625 per month. Contact Scott at (720) 415-0322 or by email scotth@scotthlaw.com if you are interested.

BEAUTIFUL OFFICE SPACE FOR LEASE. Two room office with kitchenette, reception area, deck, and amazing views. Conveniently located next to Boulder Creek and CU across from Folsom Field with dedicated parking spots. 799 sq. ft. Monthly rent: \$1950. Contact BTZHChris@gmail.com. 303.449.0428.

JD-PARALEGAL NEEDED. A Prestigious law firm in the Denver Metro area is looking for 'cre'me de la cre'me' Paralegal to join their energetic, productive legal team. Be a part of a law firm that has served for over 50yrs. yet has remained very current with their culture of diversity and inclusion as well as staying relevant and still considered to be among the best, boasting new technology and a fresh and hip environment within their national law firms. We are looking for a Paralegal that has at least 6 yrs. of Paralegal experience and has a good verifiable work history. Click here for more information.

PARALEGAL - REAL ESTATE. Position Overview: Under the direction of Real Estate lawyers, this position will assist attorneys in rendering legal services in the area of commercial real estate and acquisitions, real estate finance, leasing, and real estate development. [Please click here to apply.](#)

TRANSACTIONAL POSITION AVAILABLE. Stinson LLP seeks a highly motivated transactional attorney with 3-5 years of experience for our Denver office. Excellent academic credentials, strong writing, analytical, organizational, research and communication skills required. Cover letter, resume, transcript and writing sample required. Apply on-line at <https://bit.ly/2qMWGzA>. For more information, visit www.stinson.com or contact Eleanor McCall at recruiting@stinson.com.

OFFICE SPACE FOR LEASE. Boulder: 2400 Broadway. Beautiful brand-new downtown office spaces in building owned by on-site immigrant rights attorney. Construction to be complete February 2020. Conference room, kitchen, shower, bike storage, basement storage and parking available. Walk to Pearl, Sanitas, Ideal Market. \$1100-\$1500. Brandt Milstein - brandt@milsteinlawoffice.com

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Christina Habas



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Lidiana Rios



Melissa Sullivan



Bradley Unkeless



Robert Wagner



Daniel Wartell



Zachary Warzel

PERSONAL INJURY. WORKERS' COMPENSATION. BUSINESS LITIGATION. INSURANCE DISPUTES.

Boulder^{COUNTY} BAR ASSOCIATION

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