ORALL NEWSLETTER

OHIO REGIONAL ASSOCIATION OF LAW LIBRARIES

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President's Column – Sarah Starnes

When thinking about how to start my last column as President of ORALL, I kept coming back to a few key words: reflection, opportunity, growth, and gratefulness. They're all words that we hear and think about a lot, but as cliché as it is, they're all incredibly representative of the past year. I've reflected a lot on my time as President, including things I did and things I didn't. I reflected on who we are as an organization and how lucky I am to know and work with all of you. I got the opportunity to lead our organization as it returns to normal post-pandemic. I had the pleasure of helping plan a virtual meeting, our first meeting back in person in Lexington, Kentucky, and our next meeting in my town of Akron, Ohio. I've grown as a person over this past year, learning how to be a leader, adjusting to my new role as a faculty member at my institution, and thinking about how we can continue to grow as an organization in the future.

Last, out of all the key words listed above, I am the most grateful. Thank you to everyone for the past year. We have accomplished so much and I couldn't have done it without every single one of you and especially our Executive Board. A special thanks to

Past-President Ashley Ahlbrand, who answered all of my questions quickly and promptly, guiding me to be the best President of ORALL that I could be. An additional special thanks to Susan Azyndar, who has been my partner-incrime this past year, doing amazing work with our budget, membership, and helping plan two annual meetings. Thank you to Stephanie Ziegler, our incoming President, who has done an amazing job offering up great ideas and planning our amazing annual meeting. Although we were all sad to see Jackie McCloud step down as Secretary, she did amazing work and I am so grateful to her and the work she did.

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<u>Newsletter</u>

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Profile

ORALL is a 3-state chapter of the American Association of Law Libraries [Ohio, Indiana, Kentucky]. It was formed in 1949 "to further the development and usefulness of law libraries and to stimulate a spirit of mutual helpfulness among law libraries of this region." An annual conference is held each fall. ORALL publishes or sponsors the following publications: *Core Legal Collection* [bibliographies for Ohio, Indiana, Kentucky, Michigan], ORALL Membership Directory, ORALL Newsletter, Ohio Legal Resources Annotated Bibliography & Guide 3rd.

President's Column continued

I am also incredibly grateful to Susan deMaine, and our entire slate of candidates, who were willing to step in mid-term to take over secretary duties. Last, thank you to Sara Sampson and Mary Lynn Creighton, who did amazing work providing great advice and input on a multitude of issues this year. I am also thankful for Jeanmarie Byrge, who did great work this past year with the County SIG, including planning their Consortium meeting in Salt Fork. Last, but certainly not least, I am so thankful to Paul Venard, the venerable editor of our Newsletter, for keeping me on track and graciously providing an extension for this last column.

I am incredibly grateful for our entire ORALL community who welcomed me with open arms this past year and trusted me to lead our amazing organization. An absolutely unbiased opinion, but we are one of the best, if not the best, regional associations out there and I am incredibly fortunate to work with all of you.

To finish up, I look forward to seeing you all in Akron, Ohio on November 1-3, 2023 for ORALL's Annual Meeting! I've had the pleasure of planning two annual meetings, although one ended up shifting online in 2021. I'm excited to state with confidence that we will be in person this year and I get the opportunity to show you the rubber capital of the world, Akron, Ohio. The conference will be held at the <u>Hilton Akron/Fairlawn</u> with the opening event generously sponsored by The University of Akron School of Law at <u>R</u>. Shea Brewing Canal Place. A unique space, it was once home to BF Goodrich. It has massive ceilings and an open brew space that the bar overlooks. While in Akron, I also suggest you take advantage of a couple of our beautiful landmarks, such as the <u>Cuyahoga Valley National Park</u> or <u>Stan Hywet</u>, the palatial home of Goodyear founder F.A. Seiberling. I encourage you to reach out to anyone here in Akron for additional sightseeing ideas.

* * *

Patent Research – It May be Online, but we Still Need Librarians! by Sarah Dobransky, Cleveland Public Library

Around the nation, Patent and Trademark Resource Centers (PTRCs) are no longer the gatekeepers to accessing free, open patent data. Last year, the United States Patent and Trademark Office (USPTO) finally, *finally* moved away from the legacy PubEast and PubWest patent searching terminals (even PatFT and AppFT are no more). Now, anyone, at any time can create an account (cloud saved), search to their heart's content, save it (!), and even run automated queries without having to find a PTRC location and login using a 3-password

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system that changes every 60 days and involves using a 60-second password generator fob issued directly from USPTO.

You may be reading this thinking, what do you mean? Why would it be that complicated? It's all open government information. Also, why wouldn't you be able to save a search? That's ridiculous. In this era of technological wonder, you can use your smartphone to monitor your blood sugar and automatically get the insulin you need¹, you can have an entire conversation in a foreign language even if you don't speak it², and Alexa can make pancake mix show up at your front door after listening to a late-night comedy host³. But you couldn't *really* save your search results using PubEast or PubWest. Well, you could, but it was clunky and involved "printing" to a pdf and/or saving documents to a flash drive or emailing it to yourself. And the file was usually a list of patent numbers, or specific pages that you want to view later. If you came back the next day, you'd have to do it all over again. Now that we have Patent Public Search, those days are over.

So, if it's all in the cloud, why would we need a PTRC?

Have you ever had the um, joy, of using PubEast? If you have, my apologies. If you haven't, it's like a bad Facebook relationship – it's complicated. And I use the word "relationship" because a robust patent search should include Cooperative Patent Classification (CPC) numbers. In October 2010, The USPTO and the European Patent Office (EPO) came together to merge the European Classification System (ECLA) and the United States Patent Classification (USPC) into one new classification that was compliant with the World Intellectual Property Organization's (WIPO) International Patent Classification system (IPC) standards⁴.

Understanding the basics of CPC can be tricky. It's similar to the Library of Congress Classification in that the letters are sometimes arbitrary (T for technology makes sense, but H for business?) but the numbers are surprisingly useful. In CPC "C" is for chemistry. But "A" is listed as "human necessities", which is where you'll find everything from devices for making snow effects (A63J5/028) to miner's hats (A42B1/244) to all things coffee (A23F5/00) and chocolate (A23G1/00), which are absolutely human necessities.

¹Ly TT, Layne JE, Huyett LM, Nazzaro D, O'Connor JB. "Novel Bluetooth-Enabled Tubeless Insulin Pump: Innovating Pump Therapy for Patients in the Digital Age". *Journal of Diabetes Science and Technology*. 2019;13(1):20-26.

²Google. "Translate with Google Pixel Buds"

https://support.google.com/googlepixelbuds/answer/7573100?hl=en ³ https://www.facebook.com/JimmyKimmelLive/videos/jimmy-kimmel-is-sorry-for-setting-off-youralexa/186578663261670/

⁴ Cooperative Patent Classification "About CPC" <u>https://www.cooperativepatentclassification.org/about</u>

Add this to the variety of other fields to search⁵, and you have yourself either a "bang your head against the desk" or an "ah ha!" moment. The free form searching lets you add in those field abbreviations, but they're not easy to find. Oh, and you can use Boolean, but you have to remember to switch your operator drop down option, not just put it in your search query. You can always go back and build on an existing search, but you need to know what L number it was. Also, you need to know what an L number is. And you have to make sure you click "enhanced search" at the top of the page to show your L numbers. Whew! And that's just the beginning.

And you're supposed to teach this?

Why, yes, we are! The USPTO charges \$50 per year to be part of the PTRC program, but that includes the requirement that at least one person from your location attend the annual "seminar" for training. AALL this is not. Pre-covid, we had a mind-melting week-long training session that covered everything from updates on PTRC business to advanced patent and trademark searching. It was 4 **full** days of lectures and exercises with working lunches and dinners (the fifth day was generally spent coming out of the IP haze). Now the seminar is virtual, but still full of IP training. We're all prepared to help, as soon as we can get our brains back in working order.

Moving along; for a pro se or pro bono patron, we can show how to search and how to look at patents in general (remember, searching for their invention is considered unauthorized practice of law). First, we have to explain what "prior art means" and where to look. In a few cases, we explain that inventions need to be something that an engineer in that field would be able to replicate or at least understand⁶ (here's lookin' at you spaceship dude!). But in all honesty, we do everything we can to help all our patrons. You never know if the person standing before you is the next Hedy Lamarr⁷. Just make sure they don't disclose their patent idea.

Once we've gone over prior art, then we introduce search strategies. I like to play the "pieces-parts" game, where I have the patron look at an object (usually the monitor in front of us) and think about what all is involved in its creation. Is this patent for the display? Is it for the circuitry? Is it for a special plastic injection molding process for the frame? From there, I use my example computer monitor to search for appropriate CPC numbers and key words. The USPTO has a "Seven Steps Strategy" which they've renamed the Multi-Step U.S. Patent Search Strategy (they took out step 7, but too many people call it the seven steps

⁷ Bedi, Joyce. "A Movie Star, Some Player Pianos, and Torpedoes" Blog post, Lemelson Center for the Study of Invention and Innovation. 2015 <u>https://invention.si.edu/movie-star-some-player-pianos-and-torpedoes</u>

⁵ USPTO Searchable Index <u>https://ppubs.uspto.gov/pubwebapp/static/pages/searchable-indexes.html</u>

⁶ USPTO "Patent Essentials" <u>https://www.uspto.gov/patents/basics/essentials</u>

to get rid of the name.) ⁸ After going over the steps, I still almost always send folks home with a list of resources and an email with links to video tutorials⁹ and upcoming webinars¹⁰. I also help them find a patent attorney or agent by showing them how to find someone using the USPTO Register of Active Patent Practitioners¹¹.

Teaching law students, however, is a bit more involved. We haven't even covered the new Patent Center (formerly Public PAIR) with application information. Or where to find the Manual of Patent Examining Procedure so you know which parts of the CFR apply to what topics and the many, many reasons an application could be rejected. Then we introduce international patent searching going back to Espacenet. The job never seems to end. Not to mention every librarian's Sisyphean fight to get them off of Google and into the right source. Of course, there is a time and place for Google Patents, but it's often more confusing than not.

You keep mentioning PTRC, yet you've only covered patents. What about the rest?

That's because trademarks are EASY! You don't have to worry about annoying disclosure of information because the business is already up and running. And you can use examples that folks recognize, like Starbucks or Amazon. I generally try to find a local business to show that you don't have to be a mega-corporation to get a trademark. Using TESS¹² (Trademark Electronic Search System), I do a simple search to find an existing trademark and point out all the things that go into a mark (finding one with a logo is best because it pulls everything you need together). I show the description of the mark, explain what "goods and services" are, and open the TSDR (Trademark Status & Document Retrieval) tab. There you can find all sorts of fun stuff like the attorney on file, the drawing of the mark, the "specimen" or proof that it's being used in business, and other documents that may be of interest. Once we've gotten the basic trademark search down, I open the list of Goods and Services¹³ and the Design Search Code¹⁴ to show how each are applied to the mark. And then go on to tell them they should always contact an attorney for assistance, showing them how to use Martindale

¹¹USPTO "Finding a Patent Practitioner" <u>https://www.uspto.gov/learning-and-resources/patent-and-trademark-practitioners/finding-patent-practitioner</u>

¹²USPTO "Trademark Electronic Search System"

https://tmsearch.uspto.gov/bin/gate.exe?f=tess&state=4804:13egt1.1.1

⁸USPTO "Multi-Step U.S. Patent Search Strategy: Summary of the Multi-Step U.S. Patent Search Strategy" <u>https://www.uspto.gov/learning-and-resources/support-centers/patent-and-trademark-resource-centers-</u> ptrc/resources/seven

⁹Playlist "Patent Basics" USPTOvideo. YouTube <u>https://www.youtube.com/playlist?list=PL9BtHzl4w-</u> <u>dl2ia9lgtZ3o8KJYh_JPVQF</u>

¹⁰USPTO "Path to a Patent" <u>https://www.uspto.gov/about-us/events/path-patent</u>

¹³USPTO "Trademarks Next Generation Acceptable Identification of Goods and Services Manual (ID Manual-NG)" <u>https://idm-tmng.uspto.gov/id-master-list-public.html</u>

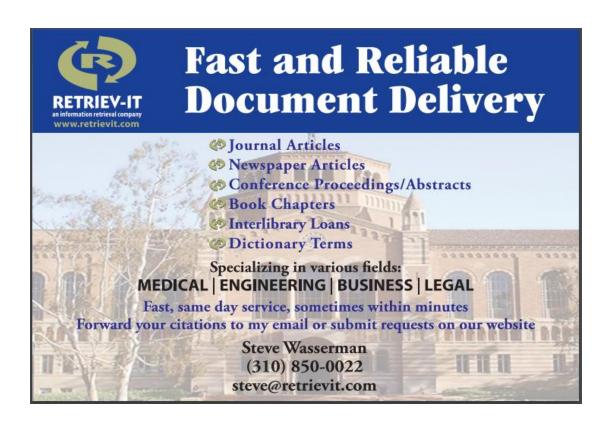
¹⁴USPTO "USPTO Design Search Code Manual" <u>https://tess2.uspto.gov/tmdb/dscm/index.htm</u>

or Avvo to find someone in their area. They also get an email with upcoming events¹⁵ and video tutorials¹⁶.

Copyright isn't covered in the PTRC world (technically). Thanks to the structure of the government, USPTO and the Copyright Office are in two separate branches - executive and legislative, respectively. That's not to say we don't cover copyright; we just do it outside the PTRC.

So, yeah.... It's complicated alright!

When it comes to Patent and Trademark Resource Centers, "we're not dead yet¹⁷". In fact, there are quite a few of us around the ORALL area¹⁸. I can't speak for all my PTRC colleagues, but feel free to reach out to the Cleveland Public Library for any patent search questions you may have. Even if you're inventing a spaceship. *Especially* if you're inventing a spaceship.



¹⁵ USPTO "Trademark Basics Bootcamp" <u>https://www.uspto.gov/about-us/events/trademark-basics-boot-</u> <u>camp</u>

¹⁶ USPTO "Trademark Videos" <u>https://www.uspto.gov/trademarks/trademark-videos</u>

¹⁷ Must be read in a British accent.

¹⁸ USPTO "PTRC Locations by State" <u>https://www.uspto.gov/learning-and-resources/support-</u> centers/patent-and-trademark-resource-centers-ptrc/ptrc-locations

AALL 2023 - Reflections of a First-Time Attendee by Alexis Branham, Baker Hostetler

I recently attended the American Association of Law Libraries 2023 Annual Meeting, Map Our Future, in Boston with the financial support of ORALL. I am so grateful for your sponsorship that allowed me to not only attend the event but made it possible for me to participate as a panelist.

During the opening session on Sunday, July 15th it was announced that the 2023 Annual Meeting had record attendance with at least seventeen hundred registrants.

As a first-time attendee it was a sight to behold. Never had I attended this type of professional conference, and it was only the second time in my life I had set foot in Boston. To say I was excited to be part of this conference is an understatement. I changed professions during the pandemic moving from legal practice to law librarianship and have been primarily working remotely for my law firm employer since 2021 and hoped to make new professional connections by attending this conference.

I have organized and attended online coffee chats through AALL, served on the PLLIP board, and have been meeting with my AALL mentor for nearly three years and had yet to be introduced to many colleagues in person outside of my job so this was certainly a novel experience.

One of the first things that struck me at the Annual Meeting was just how many of us were "new" to the profession and had started our first law librarian position within the last five years. I was also struck by how excited we all were- to be law librarians, to be at the conference and to be meeting other librarians that had enjoyed long careers in the profession. I was impressed by not only the sheer number of attendees, but also the diversity- diversity of personal experience, professional experience, and the perspectives they brought to librarianship. Librarianship appears to be alive, thriving, and more than willing to grow to meet the future needs of our organizations and patrons.

In addition to the Annual Meeting, I had the privilege of attending the PLLIP (Private Law Librarians & Information Professionals SIS) conference on the Saturday prior to the full AALL conference. This one-day event put me in the same room with a few hundred new and experienced professionals that were working in a similar environment. I was able to learn their perspectives on a variety of daily challenges and had the chance to engage in discussions on new and emerging topics. This smaller meeting whetted my appetite for the AALL portion of the conference and helped pinpoint the presentations that would be the most valuable for me.

I also participated, as a panelist, in a presentation titled "Get Out the Map: Finding Our Way Toward a Stronger Professional Pipeline" on how libraries and librarians can increase accessibility of the profession. We included the perspectives of individuals from private institutions as well as university settings and included managerial level folks and I was asked to provide the perspective of someone new to the field who faced some challenges when attempting to transition into law librarianship. It was an incredible experience to meet with these panelists and brainstorm on how we can do better, and some of the moves being made to bolster interest in the profession. I thought that we had a great discussion with the attendees and that they all seemed very engaged. Part of our presentation included reviewing job postings (they were an amalgamation of real job postings) that we had spliced together that highlighted some of the barriers that we are creating for ourselves during the hiring process and what might be preventing prospective employees from applying for these roles - such as requiring a certain number of years of "library experience" for introductory roles. We discussed how to better highlight skills we are looking for, how our phrasing and shift to more technical job titles might be hindering our ability to hire.

This was an incredible first experience for a newer librarian – and it has certainly renewed my commitment to professional development and keeping up with the field. The AALL annual conference was a great reminder of how the contributions of the individual members of the profession as a whole are what make these events so worthwhile and make this fast changing profession so compelling. I can't see what's next!

* * *

AALL 2023 - Law Library Services for the Incarcerated by Laura Novelo, Lucas County Law Library

This past July, I was able to attend my first ever AALL Annual Conference, in part thanks to a generous grant by ORALL that covered my registration cost. The entire conference was a wonderful learning and networking opportunity, and I am very grateful that I had the opportunity to talk with and learn from so many of my fellow law librarians. I attended eight different informational sessions, and one that really stood out for me and my coworker was *Incarcerated People are Patrons Too! Improving Legal Information Services for Incarcerated People.* This session, moderated by Diane Rodriguez, Assistant Director of the San Francisco Law Library, was a panel discussion featuring Liz Reppe, State Law Librarian from the Minnesota State Law Library, Kurtis Tanaka, Ph.D., Senior Program Manager, Justice Initiatives, with Ithaka S+R, and Jeanie Austin, Ph.D., Jail & Reentry Services Librarian with the San Francisco Public Library.

The panelists spoke at length about the challenges and barriers to information access that incarcerated individuals face. The problems are many and varied,

including lack of internet access, no committed budget for prison libraries, no ADA requirements, limited access to physical library spaces where they do exist, no consistency across the prison system, lack of digital and information literacy, prison lockdowns which suspend any existing library services indefinitely, printing costs, staff cooperation, and lack of legislation guaranteeing prisoners the right to legal information. In fact, as a September 1997 *AALL Spectrum* article included in the session handout detailed, legislation has made it more difficult for prisoners to access information. According to the article, the Supreme Court decision *Lewis v. Casey*, 116 S Ct. 2174 (1996),

[...] essentially reverses more than 20 years of prisoner access to the court's case law. As a direct result of this decision, which appealed a 9th Circuit Arizona case on prisoners' access to the courts, the Arizona Department of Corrections will close state prison law libraries and provide only 16 items as legal resources to support prisoners' access to the courts. (Trammell, 1997, p. 10)

This effectively reversed the decision in *Bounds v. Smith*, 430 U.S. 817 (1977) in which, "the Court held that access to the courts could be provided through prison law libraries" (Trammell, 1997, p. 10). This bleak picture was further reinforced through a video clip of Darnell Epps, formerly incarcerated in a maximum security New York prison and now a student at Yale Law School. Epps spoke movingly about the many barriers to access in the prison jail, and of how he and other inmates who became law clerks worked to provide access to their fellow inmates.

In the face of so many challenges, how can we as law librarians provide meaningful access to legal information for incarcerated patrons? Liz Reppe, State Law Librarian from the Minnesota State Law Library (MSLL), described how they are able to provide prisoners throughout the state with legal information. The Minnesota Department of Corrections and the Minnesota State Law Library have an inter-agency agreement whereby the MSLL provides law library services to the incarcerated through their Law Library Service to Prisoners (LLSP) program. Prisoners are able to send electronic messages requesting legal information to the law librarians, and the librarians will even conduct virtual reference interviews in certain cases. These services are free to the inmates, although some limits, such as monthly page limits, do apply. The LLSP librarians also work with the prisons to ensure core legal reference collections are available in the facilities. This close, formal partnership has helped provide access to justice to these individuals.

Inspired by such work, my colleague and I decided to get in touch with our local jail, the Lucas County Corrections Center, to see if they felt a partnership would be beneficial to the jail and its inmates. Our first contact, a Sergeant who had formerly worked in the jail, was very positive about the potential benefits of a partnership, and he put us in touch with his contacts at the jail, which eventually led to a meeting with the Counselor in charge of the library. We met with the

Counselor, who was very receptive to our ideas, and have since been planning with him how this program will operate. The Hamilton County Law Library graciously shared with us their policies for providing legal information to inmates, and we have used that as a basis to begin developing a program here in Lucas County. We have already donated some of our withdrawn books to the jail library, and our next step is a scheduled visit to the jail library to see what information they already have available so we can better determine how we can help fill the gaps in the information inmates are able to access.

Incarcerated individuals are a difficult population to serve, and one that so often falls through the cracks. In the past, the Lucas County Law Library has occasionally received letters from inmates, but due to the lack of any policy regarding services to inmates, these letters went unanswered. I'm so glad I had the opportunity to attend this AALLL session to really begin thinking about how my library can help these individuals, and to put formal programs and policies into place so that requests from incarcerated individuals will not go unanswered in the future.

Trammell, Rebecca S. (1997). Out of bounds: *Lewis v. Casey* redefines rights previously found in *Bounds*

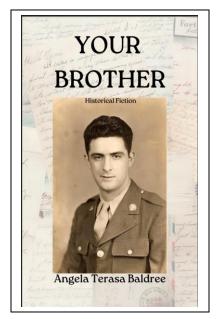
v. Smith – seriously undermining prison law libraries and the ability of inmates to seek justice.

AALL Spectrum, 2(1), 10-11.

* * *

Angela Baldree Invites Readers to a Powerful Tale of Brotherhood During World War II

ORALLian and first-time author, Angela Baldree is thrilled to announce the release of her compelling debut novel, Your Brother. Set against the backdrop of history, this gripping tale revolves around her Italian immigrant family in the coal-mining town of Kingmont, West Virginia and the actual letters penned by five brothers, four of whom valiantly served overseas during the war. Your Brother transports readers back to a time when the world was embroiled in chaos and families were torn apart by this devastating global conflict. Inspired by real-life correspondence, the novel captures the essence of brotherhood, sacrifice, and resilience in the face of adversity. With meticulous research and heartfelt storytelling, Ms. Baldree weaves a tapestry of emotions that will leave readers both moved and inspired.



"I believe that *Your Brother* is a story that must be share with the world," says Ms. Baldree. "I received these letters from family members in 2019. I spent the shutdown transcribing them, placing them in chronological order and preserving them. They have been donated to the West Virginia State Archives."

The novel Your Brother is now available for purchase through the Trillium Publishing Website (<u>www.trilpub.com</u>) and on Amazon. For information on the book and others by Trillium Publishing follow Trillium Publishing on Facebook and Twitter.

Ms. Baldree is the current director of the Franklin County Law Library and is preparing to retire after a 32-year librarian career and begin her "next chapter." Ms. Baldree recently purchased Trillium Publishing and will include her own book in the publishing house's catalog. Originally from northeast Ohio, Ms. Baldree has been an ORALL Member since 2001, serving one term as Secretary/Treasurer, Vice President, and President.

* * *

County SIG Corner by Kristy Wells, ORALL SIG CO-CHAIR

Hello fellow ORALLiens! Fall is in the air, and we are looking forward to planning for the Akron conference in November! ORALL-Sig has decided to hold a program with multiple facets, geared specifically towards County law libraries. These topics will include funding, budgeting, finances, vendor contracts, curating and cataloguing, and future training suggestions. The program will be recorded via Zoom, so that all libraries can participate. This is an exciting opportunity and we hope to generate lots of engaging and useful conversation. Hope to see you there!

* * *

PLL-SIG Bouncing Back by Carolyn Vinyard, Bricker and Eckler LLP

Borrowing the theme of our upcoming November conference and following up on the PLL report given at the 2022 annual business meeting -- the PLL-SIG is Bouncing Back!!!

We held our third 2023 Conversation on August 3, 2023.

Sixteen ORALLiens Zoomed together to chat about their top-of-mind issues: summer clerks, WEXIS contract negotiations, Courthouse News subscriptions,

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Bloomberg Law contracts, docket services, current news awareness platforms, 2023 AALL sessions and generative AI.

Our hour together passed by too quickly as attendees shared their knowledge, insights and concerns.

Many, many thanks to all in attendance!

Our 4th and final 2023 Conversation will be held on Wednesday, November 1, 2023 on the first day of ORALL's 2023 Annual Conference and Meeting in Akron, OH.

Along with our spontaneous conversation if anyone would like to have a brief more formal presentation covering a specific topic please let me know. As the date for our annual conference draws nearer detailed Zoom and in-person information will be posted on the PLL-SIG and General ORALL listservs.

* * *

A Note from Your Newsletter Editor

Our next newsletter will be published in December. Hopefully I will see you all at the Annual Meeting in Canton and be able to remind everybody several times over.

As always, I am very appreciative of everybody who contributed. Overall, we have seemed to have had a nice consistency since we reinstated the listserv. I hope we can keep this going.

If you ever have any questions, concerns or ideas, please e-mail me at <u>pvenard1@udayton.edu</u>.