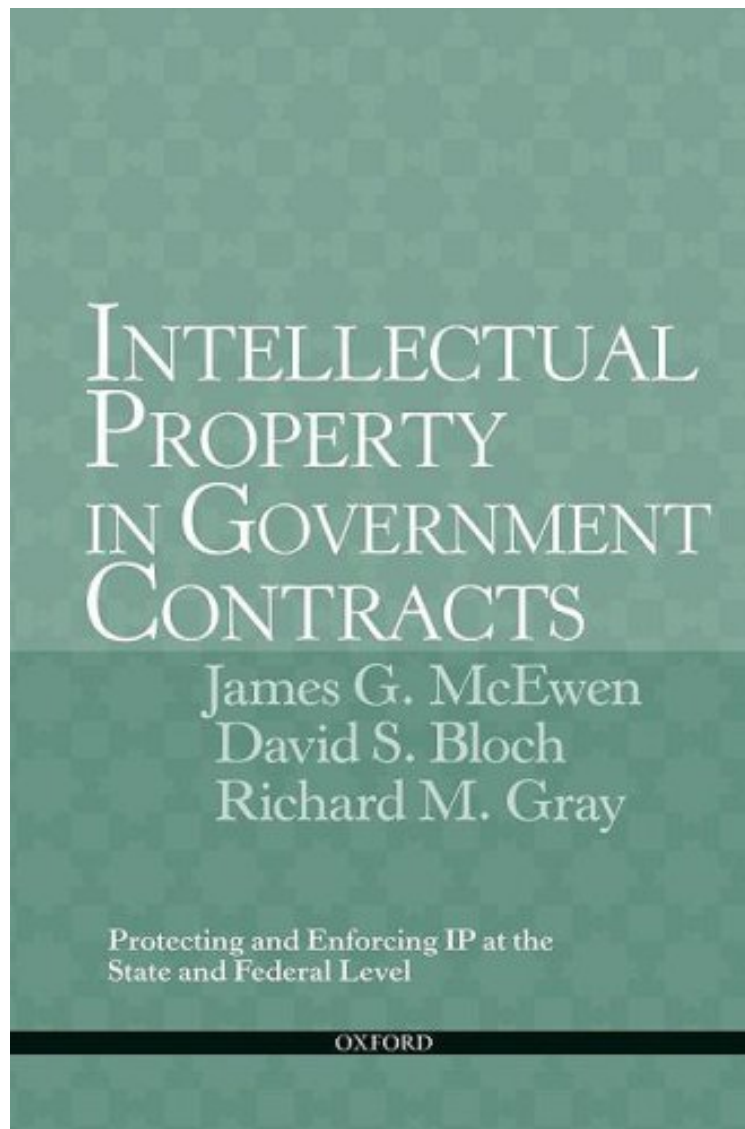


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## Intellectual Property in Government Contracts: Protecting and Enforcing IP at the State and Federal Level

*James G McEwen, David S Bloch, Richard M Gray*  
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PROTECTING IP RIGHTS STATESIDE WITH RESPECT TO GOVERNMENT CONTRACTS  
An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers  
Fundamentally, it's innovation which keeps markets and economies moving. Britain and America, especially America are the prime examples of that! As the four expert authors of this insightful book, now in a second edition, point out: 'cutting edge technology is a driving force behind America's sustained economic growth;' despite cyclical or systemic fluctuations in that nation's economic health, we would venture to add. Enter the almost symbiotic relationship between the public and private sectors in the United States discussed in detail in this book on intellectual property rights. From 2006, for example, the US Government was and no doubt still is 'the world's largest consumer of goods and services; the aggregate spending of the 50 States not far behind.' If one could simplify this ongoing private-public sector relationship, it would be to point out that the US Government has a continuing need for the research, the technologies and the products and services initiated and produced by the private sector. The authors cite the DoD (Department of Defense), the Department of Energy (DoE) and NASA as examples of research-intensive government agencies which in their words, 'have started to rely on the private sector to provide the latest and greatest available technologies.' All this of course impacts on procurement process in general and on government contracts in particular. The book, therefore, as the publishers have put it, has embarked on 'a comprehensive appraisal of the intellectual property implications of state and federal procurement programs in the United States' Now in a new second edition from OUP, the book provides a wealth of updated examination and analysis of the rules and strategies for handling government use of private sector IP rights - and sometimes their misuse. New developments that have emerged over the last three years (since the first edition was published) are included. Yes, the book is American, but the issues and problems it raises in the arena of protecting and enforcing clients' intellectual property rights are applicable globally, particularly to mixed economies like that of the UK. More or less half the book concentrates on issues relating to federal procurement practices and the like. The latter half, in a lengthy and final chapter, deals individually with each on the 50 states in turn, from Alabama and Alaska to Virginia, Washington and the District of Columbia, covering such areas as intellectual property laws, procurement laws, technology transfer and sovereign immunity waivers. With some 20 pages of cases and a detailed index at the back, this copiously footnoted work of scholarship should be required reading for American IP lawyers, not to mention UK practitioners. And it is for all advisers requiring not only solid information and informed commentary, but a transatlantic perspective on those intellectual property issues which straddle the public and private sectors. The publication date is cited as at 2012.0 of 0 people found the following review helpful. Excellent Reference!  
By M. Storie  
This is an excellent reference book for dealing with government contracts on technology. It is written in an easily readable style, well organized by both U.S. federal and state jurisdictions and topics, and nicely footnoted allowing for Shepardization. I wish I could find the 2015 updates on .

This book provides a unique comprehensive survey of U.S. federal intellectual property procurement laws as well as a detailed analysis of state procurement rules. Encompassing the concerns of the private and government sectors, this book is a groundbreaking, valuable resource for both sectors. It gives an extensive overview of U.S. federal and state procurement systems, and strategies for handling government misuse of private-sector I.P. rights. The book is intended for an expanding audience of academics, government lawyers, in-house and outside private attorneys specializing in procurement law, and practitioners of international and intellectual property litigation.

This book is a valuable resource for anyone dealing with U.S federal and state procurement systems providing strategies for handling government misuse of private-sector IP rights  
Stephen Albainy-Jenei, Patent Baristas;  
pharmacomp.com  
About the Author  
James McEwen, a partner of Stein McEwen L.L.P., has prepared and prosecuted patent applications in computer hardware and software, control systems, mechanical and optical devices, semiconductor manufacturing, batteries, and display device technologies. In addition, Mr. McEwen has prepared and been involved in patent validity and infringement opinions, reissue and reexamination proceedings, intellectual property licensing and settlement negotiations, intellectual property licensing with elements of the Federal government, trademark prosecution, domain name disputes, trade secret protection, and provided litigation support in patent infringement claims. David S. Bloch is a partner with the law firm of Winston Strawn, L.L.P., at their San Francisco office. David focuses his practice on complex intellectual property disputes, as well as the intersections of antitrust, government contracts, and intellectual property law. He is a graduate of Reed College and The George Washington University (M.P.H., J.D. with honors), and served as a Fellow in International Trade Law at the University Institute of European Studies in Turin, Italy, in 1997. Richard M. Gray is Associate General Counsel (Acquisition Logistics), Department of Defense Office of General Counsel. Mr. Gray was formerly the Director of the Intellectual Property Office, and Associate General Counsel, in the Acquisition Law Division of the Department of the Air Force, Office of the General Counsel. Mr. Gray also participates in regulatory and statutory drafting, and coordinating Air Force reporting to Congress and the Government Accountability Office. Additionally, Mr. Gray practices in the areas of cyberspace and computer law, information management, information assurance, e-

authentication, and information technology acquisitions.