

**BYLAWS
OF THE
INTELLECTUAL PROPERTY SECTION
OF
THE WASHINGTON STATE BAR ASSOCIATION**

Including amendments approved by the membership, March 24, 1998, and March 21, 2003;
the latter approved by the WSBA Board of Governors, May 14, 2004.

ARTICLE 1. IDENTIFICATION

1.1 Creation

The Intellectual Property (IP) Section of the Washington State Bar (the “Section”), was established pursuant to Article IX , Section I of the Bylaws of the Washington State Bar Association (the “Bar”).

1.2 Purpose

The purpose of the Section shall be to seek the participation of all interested members of the Bar, and of state and local bar associations, in order to benefit such members, their clients and the general public:

- a. By providing the opportunity and forum for the interchange of ideas in the areas of law relating to intellectual property rights, including patents, trademarks, copyrights, trade secrets and unfair competition;
- b. By promoting cooperation between Sections within the Washington State Bar Association and between the Washington State Bar Association and other groups with common interests in the proper development and administration of the law relating to intellectual property rights;
- c. By review of pending legislation and development of proposed statutory enactments to improve and to facilitate the administration of justice within the Section’s area of interest;
- d. By undertaking such other service as may be of benefit to the members, the profession and the public;

- e. By promoting the development of industry and the useful arts by encouraging the establishment, maintenance, and utilization of intellectual property rights; and
- f. By assisting in familiarizing other members of the Bar with intellectual property law.

1.3 Limitations

These Bylaws have been adopted subject to the applicable Washington Statutes and the Bylaws of the Bar.

1.4 Principal Office

The principal office of the Section shall be maintained in the offices of the Bar.

1.5 Fiscal Year

The fiscal year of the Section shall coincide with that of the Bar.

ARTICLE 2. MEMBERSHIP

2.1 Enrollment

Any active member in good standing of the Bar of the State of Washington may be enrolled as member of the Section upon request and payment of annual Section dues in the amount and for the purpose approved by the Board of Governors of the Washington State Bar Association.

2.2 The Membership

Members enrolled as provided in Section 2.1 shall constitute the membership of the Section.

2.3 Dues

Dues in the amount approved by the Board of Governors of the Bar shall be paid annually in advance. Any person who shall have failed to pay the annual dues shall cease to be a member of the Section.

ARTICLE 3. MEETINGS OF THE MEMBERSHIP

3.1 Annual Meeting

The annual meeting of the Section shall be held at a time and location established by the Executive Council.

3.2 Quorum

The members of the Section present at any meeting shall constitute a quorum for the transaction of business.

3.3 Controlling Vote

Action of the Section shall be by majority vote of the members present.

3.4 Agenda

Among the business to be transacted at the annual meeting by the membership shall be election of officers and Executive Council.

3.5 Special Meetings

Special meetings of the membership of the Section may be called by any officer at such time and place as the officers may determine.

ARTICLE 4. THE EXECUTIVE COUNCIL

4.1 Powers and Duties

The Executive Council shall be vested with the powers and duties necessary for the administration of the affairs of the Section and perform duties assigned to it by the Board of Governors.

4.2 Composition

The Executive Council shall be composed of the following persons:

- a. The Officers;
- b. The last retiring Chairperson or an elected member in the absence of a last retiring Chairperson; and

- c. Five members elected to the Executive Council.

4.3 Controlling Vote

Action of the Executive Council shall be by majority vote of the Executive Council.

4.4 Meetings

The annual meeting of the Executive Council shall be held in conjunction with the annual meeting of the Section. Special meetings shall be held at the time and place as may be designated by the Chairperson or a majority of the Executive Council. A meeting is not essential to action by the Executive Council provided response is elicited from all members of the Executive Council. The Executive Council shall be expected to conduct a minimum of four meetings annually.

ARTICLE 5. OFFICERS

5.1 Officers

The officers of the Section shall be the Chair-person, the Chairperson-elect and the Secretary-Treasurer.

5.2 Chairperson

The Chairperson shall preside at all meetings of the Section and of the Executive Council; formulate and present at each annual meeting of the Bar a report of the work of the Section for the then past year; and perform such other duties as usually pertain to the office or as may be delegated by the Executive Council.

5.3 Chairperson-elect

Upon the death, resignation, or during the disability, or upon refusal to act of the Chairperson, the Chairperson-elect shall perform the duties of the Chairperson for the remainder of the Chairperson's term except in case of the Chair-person's disability and then only during so much of the term as the disability continues.

5.4 Secretary-Treasurer

The Secretary-Treasurer shall be the custodian of all books, papers, documents, and other property of the Section, and shall keep a true record of all accounts and of the proceedings of all meetings of the Section and of the Executive Council whether assembled or acting under submission. In conjunction with the Chairperson and as authorized by the Executive Council, the Secretary-Treasurer shall attend generally to the business of the Section.

ARTICLE 6. ELECTIONS

6.1 Elective Officers

- a. Officers. At the initial meeting of the Section, the membership shall elect a Chairperson, a Chairperson-elect and a Secretary-Treasurer, each to serve a one-year term. Each year thereafter, a Secretary-Treasurer shall be elected to serve a one-year term.

- b. Executive Council. At the initial meeting of the Section, two members shall be elected to the Executive Council. One of the members of the Executive Council shall serve for a period of one year, and one for a period of two years. The length of terms for those initially elected shall be determined by lot at the first meeting of the Executive Council. Thereafter, members of the Section shall be elected to the Executive Council whenever a term of office of a member of the Executive Council has expired, and he/she shall serve for a period of two years.

6.2 Chairperson

The Chairperson-elect shall automatically succeed to the office of the Chairperson. In the event the office of Chairperson-elect shall be vacant, then a Chairperson shall be elected in the same manner as set forth in Section 6.1 hereinabove.

6.3 Chairperson-elect

The Secretary-Treasurer shall automatically succeed to the office of the Chairperson-elect. In the event the office of the Secretary-Treasurer shall be vacant, then a Chairperson-elect shall be elected in the same manner as set forth in Section 6.1 hereinabove.

6.4 Nominations

The Chairperson shall annually appoint a Nominating Committee of not less than three members of the Section not members of the Executive Council, which committee shall make nominations for the office of Secretary-Treasurer and members of the Executive Council to succeed those whose terms will expire at the close of the meeting, and to fill vacancies then existing for unexpired terms. Nominations for the Secretary-Treasurer by the Nominating Committee shall be, if possible, from the members of the Executive Council who have served at least a one-year term. Other nominations for the same offices may be made from the floor.

6.5 Voting

All elections shall be by hand unless otherwise ordered by resolution duly adopted by the Section at the annual meeting at which the election is held.

6.6 Term of Office

The term of office shall begin on the first day of September following the annual meeting and shall end on the last day of August of the following year.

In the year of enactment of the modification to the term of office, the Officers and members of the Executive Council having terms that would have expired at the end of an annual meeting shall remain in office until the end of the last day of August of the year of enactment.

6.7 Interim Appointments

In the event of a vacancy during the interim between annual meetings, the Executive Council shall appoint a successor to serve until the next annual meeting and until a successor is duly qualified.

ARTICLE 7. SUBSTANTIVE RESPONSIBILITIES

7.1 Committees

The Chairperson shall appoint committees to perform such duties and exercise such powers as the Executive Council may direct. Such committees may include, without limitation, a Continuing Legal Education Committee, a Legislative Committee, a Newsletter Committee, an Arts and Entertainment Committee, a Technology Law Committee, an Internet Law Committee, an IP Section Web site Management Committee, a Trademark Law Committee, and a Membership and Member Services Committee.

7.2 Budget Committee

The duties of the Budget Committee are to prepare a budget in consonance with the objectives of the Section for the expenditure of the Section funds.

ARTICLE 8. AMENDMENTS

These Bylaws may be amended at any annual meeting of the Section upon thirty days' written notice to the membership specifying the proposed amendment, by a majority vote of the member of the Section present and voting, provided that no amendment so adopted shall become effective until approved by the Board of Governors of the Washington State Bar Association. Section members who have provided their email address to the WSBA may be notified of proposed amendments by email.

Approved by the WSBA Board of Governors on May 14, 2004.