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December 13, 2000

N. Stephan Kinsella, Esq.



AIPLA Quarterly Journal  
Editorial Board

Dear Stephan:

Thank you for your interest in serving on the Editorial Board. AIPLA received resumes from over 60 candidates for the five vacancies. Unfortunately, we cannot offer you a position on the Editorial Board at this time.

The individuals selected this year and approved by the AIPLA Board of Directors in their meeting on December 7, 2000 are:

Steven M. Bauer, Testa, Hurwitz & Thibault, LLP  
Margreth Barrett, Hastings College of the Law  
Curtis G. Rose, Hewlett-Packard Company  
John J. Gresens, Merchant & Gould  
Joseph N. Welch II, Pattishall, McAuliffe, Newbury, Hilliard & Geraldson

We appreciate your offer to serve on the Editorial Board, and hope that you will favorably consider this opportunity again next year when vacancies are announced.

Sincerely,

A handwritten signature in cursive script that reads "Charlie Van Horn".

Charles E. Van Horn  
Member, AIPLA Board of Directors  
Member, Editorial Board Selection  
Committee with Michael D. Kaminski  
and Jeffrey M. Samuels

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December 9, 1999

N. Stephan Kinsella, Esq.  
Duane, Morris & Heckscher LLP  
One Greenway Plaza, Suite 500  
Houston, TX 77046-0103

Re: AIPLA Quarterly Journal  
Editorial Board

Dear Stephan:

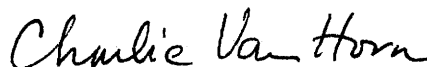
Thank you for your interest in serving on the Editorial Board. The Selection Committee was both fortunate and challenged to have over 91 candidates for the four vacancies. Unfortunately, we cannot offer you a position on the Editorial Board at this time.

The individuals selected this year and approved by the AIPLA Board of Directors in their meeting on December 8, 1999 are:

Gerald Bjorge, Keil & Weinkauf, Washington, D.C.  
Donald Corneglio, Eli Lilly, Indianapolis, IN  
Dianne Elderkin, Woodcock Washburn Kurtz et al., Philadelphia, PA  
Robert Payne, LaRiviere, Grubman & Payne, Monterey, CA

We appreciate your offer to serve on the Editorial Board, and hope that you will favorably consider this opportunity again next year when vacancies are announced.

With best regards,



Charles E. Van Horn  
Member, AIPLA Board of Directors  
Member, Editorial Board Selection Committee  
with Martin E. Goldstein and Joan E. Schaffner

**N. STEPHAN KINSELLA**



October 5, 2000

*AIPLA Quarterly Journal*  
Editorial Board Selection Committee  
2001 Jefferson Davis Highway  
Suite 203  
Arlington, VA 22202

**Re: *AIPLA Quarterly Journal* Editorial Board**

Dear Sirs:

I am interested in serving on the Editorial Board of the *AIPLA Quarterly Journal*. Effective this month, I am General Counsel and Vice President-Intellectual Property at Applied Optoelectronics, Inc. (www.ao-inc.com). Before joining AOI, I was a partner in the IP department of Duane Morris LLP (www.duanemorris.com), and founded the firm's Houston office in 1997. I have extensive practical, teaching, speaking, writing, and editing experience, including:

- wide variety of experience in patent and trademark prosecution, licensing, and counseling, and Internet-related law;
- teaching computer law at South Texas College of Law (1998 & 1999);
- LL.M. (international business law), University of London—King's College London; J.D., Louisiana State University Law Center; M.S.E.E. and B.S.E.E., Louisiana State University;
- lectured and served as a panelist and moderator at a variety of conferences;
- published extensively in law reviews, journals, and newspapers on topics such as intellectual property law, international law, constitutional law, and other topics, including two books and chapters in other books; have written on practical aspects of IP law as well as political, theoretical, and economic aspects of IP law;
- extensive editing experience, including co-editor of legal treatise *Digest of Commercial Laws of the World* and *Pennsylvania Bar Association IP Law Newsletter*; Book Review Editor, *Journal of Libertarian Studies*.

Based on the foregoing credentials, I believe I am well-suited to serve in an editorial capacity for a scholarly intellectual property journal such as the *AIPLA Quarterly Journal*. Further elaboration on the above information is found on the attached CV.

Thank you for your consideration. Please contact me if you have any questions or need any further information.

Very truly yours,



N. Stephan Kinsella

Encl.

## N. STEPHAN KINSELLA



### CV for *AIPLA Quarterly Journal* Editorial Board

October 5, 2000

N. Stephan Kinsella is General Counsel and Vice President-Intellectual Property at Applied Optoelectronics, Inc. ([www.ao-inc.com](http://www.ao-inc.com)) (effective October 2000). His duties include patent and trademark prosecution, licensing, and IP portfolio management, as well as supervision of all other legal affairs of the company.

Before joining AOI, Mr. Kinsella was a partner in the IP department of Duane Morris LLP ([www.duanemorris.com](http://www.duanemorris.com)). He founded the firm's Houston office in 1997. He previously practiced patent and IP law at Schnader Harrison Segal & Lewis LLP in Philadelphia (1994–1997), and Jackson Walker L.L.P. in Houston (1992–1994). His practice has focused on patent and trademark prosecution, licensing, and counseling, and related aspects of IP and Internet-related law.

In addition to practical experience in a wide variety of intellectual property areas, Mr. Kinsella has a extensive academic, speaking, teaching, editing, and writing experience, and is ideally suited to serve in an editorial capacity for a scholarly intellectual property journal.

#### **Academic** and related credentials include:

- Adjunct professor (computer law) at South Texas College of Law, 1998 & 1999
- LL.M. (international business law), University of London—King's College London; J.D., Louisiana State University Law Center; M.S.E.E. and B.S.E.E., Louisiana State University
- Admitted to practice: United States Patent and Trademark Office; as well as Texas, Louisiana, and Pennsylvania
- Chair, Computer Law Subcommittee, Federalist Society Intellectual Property Practice Group, 1998-present
- Adjunct Scholar with the Ludwig von Mises Institute ([www.mises.org](http://www.mises.org))
- Lectured and served as a panelist and moderator at a variety of conferences, and published extensively in law reviews and other journals, on topics such as constitutional law, intellectual property, international law, and other legal and political topics
- Served as judge for the Jessup International Moot Court Competition held at South Texas College of Law, and evaluated draft foreign investment laws of developing

countries such as Lithuania, Russian, and Romania for the American Bar Association's Central and East European Law Initiative (CEELI)

The author of numerous articles concerning patent law, international law, and other topics, Mr. Kinsella's extensive **editing experience** includes:

- Co-editor (1998-present)/Editor-in-Chief (1997-1998)/Founding editor (1997), *Pennsylvania Bar Association IP Law Newsletter*
- Co-editor (with Paul E. Comeaux), *Digest of Commercial Laws of the World* (Dobbs Ferry, New York: Oceana Publications, Inc., 1999-present); <<http://www.oceanalaw.com>>
- Book Review Editor, *Journal of Libertarian Studies*, Summer 2000-present; <<http://www.libertarianstudies.org>>; <<http://www.mises.org/jlsdisplay.asp>>
- Moderator, "Libstudies" email list and eGroup (*Journal of Libertarian Studies*); <<http://www.egroups.com/group/libstudies/>>
- Editor, "Libertarian Literature Review" section, *Journal of Libertarian Studies*, 1996-1998; <<http://www.libertarianstudies.org>>

Published **books** and chapters in books:

- Legal treatise *Protecting Foreign Investment Under International Law: Legal Aspects of Political Risk* (Dobbs Ferry, New York: Oceana Publications, Inc., 1997); <<http://www.oceanalaw.com>> (co-author)
- Chapter I.1, "Political Risk," and "Documents and International Agreements" appendices in *Transnational Contracts*, Vol. 1, edited and compiled by Charles Stewart (Dobbs Ferry, New York: Oceana Publications, Inc., 1997)
- *Digest of Commercial Laws of the World* (see above)
- "A Theory of Contracts: Binding Promises, Title Transfer, and Inalienability" (in Dutch), in *De Markt voor Vrijheid: 25 jaar Libertarisme in de Benelux [The Market for Liberty: 25 years of Libertarianism in the Benelux]*, eds Stefan van Glabbeek and Aschwin de Wolf, Libertarisch Centrum Nederland [Libertarian Centre Netherlands] (forthcoming, late 2000)

**IP-related articles** include:

- "The Impact of Patent Licensing on Patent Litigation," *Intellectual Property Today* (May 2000, forthcoming) (co-author, with Richard T. Redano)
- "Intellectual Property as Assets in the Oil & Gas Industry: What Are Patents, Copyrights, Trademarks, and Trade Secrets, and How Do You Protect Them?", 11th

Annual Oil & Gas Law Institute (Houston, Texas: South Texas College of Law, August 6–7, 1998)

- “Intellectual Property: A Libertarian Critique,” Law and Economics panel, Austrian Scholars Conference, Auburn, Alabama (March 25, 2000) *Journal of Libertarian Studies* (forthcoming)
- “In Defense of Napster and Against the Second Homesteading Rule,” LewRockwell.com, September 4, 2000 <<http://www.lewrockwell.com/orig/kinsella2.html>>
- “Under Pfaff, Ready ... Patent ... File: Redefining On-Sale Bar, Creation of ‘Ready For Patenting’ Test,” *The Legal Intelligencer [Philadelphia]*, Thurs., Jan. 7, 1999
- “A New Traffic Cop at Intersection of Patents and Financial Inventions,” *The Legal Intelligencer [Philadelphia]*, Thurs., Sept. 3, 1998
- “Editorial: Is Intellectual Property Legitimate?,” *PBA Intellectual Property Law Newsletter*, p. 3 (Vol. 1, No. 2, Winter 1998)
- “How to Operate Within the Law: Patents on Medical Procedures,” *The Legal Intelligencer [Philadelphia]*, Thurs., Feb. 5, 1998
- “Wither Copyright Law? A Roadmap to Recent Changes in Copyright Law,” *The Legal Intelligencer [Philadelphia]*, Thurs., Sept. 4, 1997
- “Preserving Your Domain” (in Special Section: Law and the Internet), *Pennsylvania Lawyer*, p. 25 (Sept.-Oct. 1997)
- “Patent Law Basics and Recent Developments,” *The Bent of Tau Beta Pi* p. 14 (Vol. 86, No. 2, Spring 1995)
- “Protection of Industrial Property: Russian Patent & Intellectual Property Law,” *Russian Oil & Gas Guide* p. 20 (Vol. 3, No. 3, July 1994)

Other, **non-IP-related** articles include:

- “Business Law: An International Framework for the Protection of Investment,” *Philadelphia Lawyer*, p. 20 (Fall 1997)
- “Reducing Political Risk in Developing Countries: Bilateral Investment Treaties, Stabilization Clauses, and MIGA & OPIC Investment Insurance,” *15 New York Law School Journal of International and Comparative Law* 1 (1994) (co-author)
- “The Second Paradox of Blackmail,” *Business Ethics Quarterly* 10, 3 (July 2000): 593-622 (co-authored with Walter Block and Hans-Hermann Hoppe)
- “A Civil Law to Common Law Dictionary,” *54 Louisiana Law Review* 1265 (1994)

- “Smashing the Broken Mirror: The Battle of the Forms, UCC 2-207, and Louisiana’s Improvements,” *53 Louisiana Law Review* 1555 (1993)
- “Taking the Ninth Amendment Seriously: A Review of Calvin R. Massey’s *Silent Rights: The Ninth Amendment and the Constitution’s Unenumerated Rights* [1995],” *24 Hastings Const. L. Q.* 757 (1997)
- “A Libertarian Theory of Punishment and Rights,” *30 Loy. L.A. L. Rev.* 607-45 (1997)
- “Legislation and the Discovery of Law in a Free Society,” *11 Journal of Libertarian Studies* 132 (Summer 1995)

# Attention AIPLA Members

**AIPLA**  
AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION

**T**he *AIPLA Quarterly Journal* is currently seeking AIPLA members interested in serving on its Editorial Board. The Editorial Board of the *AIPLA Quarterly Journal* currently consists of 16 members. They include the Editor-in-Chief (who serves as Chair of the Editorial Board), two "ex officio" members (the Deputy Executive Director and the Chair of the Publications Committee), and 13 regular members who serve 3-year non-renewable terms. Each year, one-third of the board members are selected. Terms begin in October and coincide with the AIPLA Annual Meeting in Washington, DC.

The Editorial Board meets one time per year at the AIPLA Annual Meeting in Washington, D.C., in October. The following are the primary duties of the Editorial Board:

- a. soliciting manuscripts for submission to the *Journal*;
- b. reviewing manuscripts submitted to the *Journal*;
- c. selecting reviewed manuscripts for publication;
- d. editing manuscripts for substantive content; and
- e. establishing *Journal* policy.

The most time is devoted to reviewing manuscripts submitted by authors for publication in the *Journal*. Two Board members review each manuscript, comment on the manuscript, edit the manuscript (if necessary), and indicate whether the manuscript should be selected for publication. The Board members get approximately 1-2 weeks to complete this task for each manuscript. Over the year, a member can expect to receive approximately 10-15 manuscripts for review.

Participation on the Editorial Board is a rewarding and educational experience. The manuscripts received are often on cutting-edge topics of interest to the intellectual property community. It also provides an opportunity to establish policy for the *Journal* and to work with outstanding professionals with expertise in IP to help shape the future of the *Journal*.

Members of the AIPLA interested in serving on the *Journal* Editorial Board for the three-year term beginning in October, 2000, **should submit four copies of the following materials before a new closing date of October 31, 2000:**

- 1) a cover letter explaining your interest in and qualifications for participating on the Board, including experience with cutting edge issues in IP law and
- 2) a curriculum vitae.

Submissions should be sent to:

AIPLA Quarterly Journal  
Editorial Board Selection Committee  
2001 Jefferson Davis Highway  
Suite 203  
Arlington, VA 22202

Selection of the Members of the Editorial Board will be made from all interested qualified applicants, including those who sent submissions prior to the original closing date in August.

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August 6, 1999

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2001 Jefferson Davis Highway  
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Re: *AIPLA Quarterly Journal Editorial Board*

Dear Sirs:

I am interested in serving on the Editorial Board of the *AIPLA Quarterly Journal*. My qualifications for serving in this capacity are summarized on the attached bio.

Please contact me if you have any questions or need any further information.

Very truly yours,



N. Stephan Kinsella  
for DUANE, MORRIS & HECKSCHER LLP

Encl.

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## N. STEPHAN KINSELLA

N. Stephan Kinsella is of counsel in the Houston office of Duane, Morris & Heckscher LLP. His practice focuses on computer hardware and software, electrical, electronics, mechanical, and oil & gas-related patents, and on international aspects of intellectual property law, as well as Internet-related law. He has practical experience in a wide variety of intellectual property areas, as well as academic, speaking, teaching, and writing experience and is ideally suited to serve in an editorial capacity for a scholarly intellectual property journal.

His **academic** and related credentials include:

- Adjunct professor (computer law) at South Texas College of Law affiliated with Texas A&M University, 1998-present
- LL.M. (international business law), University of London—King's College London; J.D., Louisiana State University Law Center; M.S.E.E. and B.S.E.E., Louisiana State University
- Admitted to practice: United States Patent and Trademark Office; as well as Texas, Louisiana, and Pennsylvania
- Chair, Computer Law Subcommittee, Federalist Society Intellectual Property Practice Group, 1998-present

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