

Opening Remarks: Mr. Ronald Myrick, President, AIPPI

Thank you very much Francis. It is a pleasure to be here and to see so many of you with us today.

I have to begin by doing some thank you's. First I have to thank the current DG, Kamil Idris. When we met with him one year ago, he appreciated the significance of the issues that we shall be discussing and gave his blessing to our beginning the preparation of this meeting today, on which Francis then took over leadership in his excellent and inimitable style. I should also like to thank Philippe Baechtold. Without his fine efforts in bringing this meeting together we should have no meeting at all. So thank you Philippe and Francis.

Also, you've already heard that Michael Dowling played a seminal role; he sits to my right. He was the engine that drove the AIPPI side of this meeting and did it extremely well.

I want to mention a few thoughts about the discussion that we'll have and the subject that we are studying today and tomorrow.

Hopefully, you'll have many opportunities to ask questions because this is the beginning of an effort to ventilate the issue of "privilege". We have to put that term "privilege" in quotation marks because it's a concept that grows out of the common law tradition; the usage of the word is a vocabulary issue on which we have to settle a common understanding. So you are going to hear about that term "privilege" as its

used in the common law tradition and we shall find common ground with regard to the corollary in the civil law tradition.

At this meeting we are going to be studying, and ventilating privilege issues, for the purpose of promoting the rule of law. We promote the rule of law when clients are able to disclose in candor and in frankness key facts to their advisors and get back advice from those advisors that is accurate and complete, and not advice that had to be shaded for fear that it may be disclosed in subsequent proceedings which may be years hence. Thus, part of our effort here is to ventilate all the issues around having a true, frank discussion between client and advisor, as advice needs to be given throughout the life of a product or of a patent, or a system, or whatever that may be developed or may need to be reviewed in regard to the current environment of adverse patents or the ability to get patents and so forth. The scope of our discussion is even broader. It encompasses intellectual property (IP), not just patents. We may focus primarily on patents perhaps, but there are privilege issues in regard to advice on trademarks and other IP issues that we have to be concerned with as well. So we shall discuss the common law and the civil law traditions from the client side and the IP professional side as we study the entire set of issues around "privilege" in the field of IP

Our speakers have prepared well. Many have come from long distances for which we are most grateful. Indeed, they have prepared a wonderful set of presentations, all with the idea of laying the foundation for the discussions that we'll have here today and tomorrow. So, please, if you have questions, raise them as part of our studying effort.

With all of that, I'd like to say thank you to all of you for coming. I thank you all in advance for your participation in this meeting and I look forward to the discussion we shall have here.