



December 2013

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Venable is the proud sponsor of DEW to be held February 18-20, 2014 in Los Angeles, CA. DEW will offer 100+ education panels focused on the best practices and new developments in the digital entertainment industry. For more information click the logo above.

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**Honors and Awards****IP LEGAL NEWS AND UPDATES****"Patent Troll" Reform Bills Moving Through Congress**

**Authors:** Jeffri A. Kaminski, William R. Nordwind and Tyler Hale

Patent litigation has become an enormous industry impacting companies of all sizes, from independent coffee shops to multinational technology firms. In 2012 alone, there were 5,189 patent suits filed, which was a 29% increase from the previous year. Over half of all patent suits are brought by corporations created solely for the purpose of enforcing patent rights, formally called "non-practicing entities" (NPEs) or "patent assertion entities" (PAEs) -- colloquially referred to as "patent trolls." Over 70% of patents now being asserted are acquired patents, that is, the patents are not being asserted by the inventor(s) or original owner, compared to 10 years ago, when only 30% of asserted patents were acquired.

**California Court Continues Ascertainability Trend, Denies Class Certification in Chipotle "Naturally Raised" Litigation**

**Authors:** David D. Conway and Edward P. Boyle

Purveyors of mass-retail food products may have a new reason to rejoice this holiday season. On December 2, the U.S. District Court for the Central District of California, in *Hernandez v. Chipotle Mexican Grill, Inc.*, quietly issued a three-page In Chambers Order denying class certification in a false advertising action challenging Chipotle's claim that its products contain "Naturally Raised" meat. The class certification denial alone is notable given California's famously broad consumer protection laws. Even more significant is the court's reasoning, which seems to stem from the growing trend among federal courts of barring class certification on ascertainability grounds.

**ANNOUNCEMENTS AND REMINDERS****"Balancing Act: Embracing Innovation and IP Protection" at Digital Entertainment World – Los Angeles, CA**

Wednesday, February 19, 2014  
2:45 p.m. PT

**Justin Pierce** will moderate the panel "Balancing Act, Embracing Innovation and IP Protection" at Digital Entertainment World on February 19. This panel will discuss the art of balancing technological innovation and intellectual property (IP) protection and how these sometimes competing interests play out in the real world.

[Click here for more information and registration.](#)

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