



## U.S. Patent and Trademark Office Selects USF Clinic for Pilot Program

The USF School of Law is one of two dozen law schools nationwide, and the only in the Bay Area, selected to participate in the U.S. Patent and Trademark Office (USPTO) Law School Clinic Certification Trademark Pilot Program.

The program certifies law students to practice trademark law before the USPTO under the guidance of a faculty member.

Students enrolled in the USF School of Law Internet and Intellectual Property Justice Clinic now consult with clients who are often small business owners, draft and file trademark applications before the USPTO, and then communicate with trademark examining

attorneys to handle any challenges, said Professor and Clinic Director Robert Talbot, who submitted the application for the USPTO program.

“This new program provides an invaluable opportunity for USF law students to gain hands-on, practical experience in trademark law while providing much-needed legal assistance to the community free of charge,” Talbot said. “Being chosen to participate in this program is confirma-

tion of the strength of USF’s program in IP law.”

The USPTO selected the USF School of Law in 2012 to participate in the pilot program based on its strong clinical program and intellectual property curriculum, a commitment to

“By expanding education about trademarks and the trademark process, we help ensure that American businesses and entrepreneurs have the resources they need to grow, create jobs, and compete globally.”

Under Secretary of Commerce for Intellectual Property and Director of the USPTO David J. Kappos

networking in the community, comprehensive pro bono services, and excellent case management systems. USF is the only Bay Area law school now certified to practice before the USPTO.

In this first year of the program, the clinic worked on 25 different trademark cases,

making 11 filings with the USPTO. In one case of note, under the supervision of staff attorney Jessica Fajfar, law students assisted five local high school students in branding the name of the mobile application they developed through a contest they entered. Winners of the contest were awarded funds to launch the mobile application in the Apple App Store.

## Employment Law Clinic Represents Mariners

Merchant mariners who have their licenses revoked or suspended by the U.S. Coast Guard typically have had little access to representation to contest the decision—until now, thanks to a unique program in which USF School of Law Employment Law Clinic students are representing mariners in license revocation cases before the Coast Guard.

The clinic’s program, which began this spring and has handled two cases so far, came about after Rear Adm. Frederick J. Kenney ’91, judge advocate general for the Coast Guard, suggested it. The National Maritime Center, the Coast Guard’s issuing authority, issues more than 240,000 credentials to merchant mariners who sail throughout U.S. waters. Last year, about 600 licenses were revoked nationwide; only 40 mariners requested trials, said Professor Robert Talbot, who oversees the clinic.

Yet many mariners, Talbot learned from Kenney, might have good cases for their licenses not to

“There is great joy in telling a mariner he can retain his license to work at sea—you’ve saved a man’s livelihood. The thanks each mariner has expressed is palpable.” Alicia Kauk ’13

be taken, but without an advocate, they have little chance of success in a formal hearing to contest the decision.

“In a lot of ways, it was made for a law school program,” said Talbot. “There’s discovery, opposing attorneys, motions, conferences with judges. Students get to investigate the case, prepare witnesses, put them on the stand, and cross-examine. And it’s all fairly quick.”

The clinic makes a difference not only for the individual mariners it helps, but also plays an important role in keeping this system fair and balanced, said Talbot. “Until the clinic stepped in, there was little opportunity for free representation for mariners. The Coast Guard investigators would bring charges against mariners, most of whom couldn’t afford to fight them. We are like public defenders of employment rights protecting the right to work for those who work on the seas.”

## FACULTY PERSPECTIVE

BY PROFESSOR  
CONNIE DE LA VEGA



There has been a dramatic decrease in the use of the death penalty in the United States over the past 10 years. Death sentences have decreased by 75 percent and executions by more than 50 percent. Only nine states executed prisoners last year, and 13 states with the death penalty have not carried out a death penalty sentence in five years. Six states have recently abolished the death penalty.

The main alternative when abolishing the death penalty has been a life sentence without parole (LWOP), but some activists note that this is not necessarily a more humane approach than the death penalty. One in 11 U.S. prisoners is now serving a life sentence. This includes non-violent and youthful offenders, due to the already widespread use of LWOP and other excessive sentences stemming from consecutive sentences, mandatory minimums, and recidivist statutes. Criminal sentencing resulting from these practices is contrary to U.S. obligations under several treaties it is party to.

Additionally, LWOP will not address other major violations resulting from our criminal justice system, including innocence cases, the right to counsel for LWOP cases, racial bias, deterrence, and the rights of children. Each of these issues is complex, and each requires specific action to be righted.

Replacing the death penalty with LWOP is not going to end the human rights violations related to the death penalty and sentencing in general in the United States. As Lily Hughes, the national director of the Campaign to End the Death Penalty, recently noted, “Life without parole shouldn’t be promoted by activists as a short-term strategy for abolition, only to try to return to the issue later and attack life without parole. [This won’t work] once life without parole has been cast by campaigners as a just sentence.”

Based on de la Vega’s recent presentation at the Fifth World Congress Against the Death Penalty held in Madrid, Spain, available at [www.usfca.edu/law/clgj/criminalsentencing](http://www.usfca.edu/law/clgj/criminalsentencing).

# Message from the Dean

Dear Friends,

One of the key attractions for me in becoming dean of the USF School of Law was the successful and relevant clinical program. As we train the lawyers who will practice well into the 21st century, our clinics expose students to the real-life situations when people turn to lawyers for problem solving, strategizing, and advocating. The programs highlighted in this report provide vital community legal services and prepare our students for successful and rewarding careers.

Your support of the law clinic experience enables students to take a leadership role in cases and allows us to increase the number of clients we serve. As you review this report and our achievements, I ask that you join your colleagues with a donation so that our clinic students can continue their training and advocacy. Be it meeting clients, making opening statements, cross examining witnesses, or networking with judges and attorneys, our students consistently say that their clinic experiences are among the most valuable of their law school careers.

We greatly appreciate your support and I look forward to seeing you in the coming days. Together, we can change the world from here.



Dean John Trasviña



# M. Kamran Meyer Selected as First Hamill Fellow

The first USF School of Law Hamill Fellow, M. Kamran Meyer, will begin the two-year position this fall. The Hamill Fellowship, funded by a generous donation from USF trustee Steve Hamill '78, provides an opportunity for a clinical law practitioner to assist in the supervision and management of a law clinic at USF.

Meyer's primary responsibilities will be with the Criminal and Juvenile Justice Law Clinic, where he will directly supervise students' case work and teach in the classroom in coordination with faculty. After graduating from the USF School of Law in 2008, Meyer became a criminal defense attorney, working for the Law Offices of Charles Bourdon, where he worked on motions, trials, sentencing, and discovery in state and federal courts. In 2011, Meyer opened his own criminal defense firm, the Law Office of M. Kamran Meyer. During the 2012–2013 academic year, he supervised the Criminal and Juvenile Justice Law Clinic alongside Prof. Sharon Meadows and during her sabbatical.



"Kamran Meyer has stellar criminal defense experience and has already proven to be an effective teacher. We are especially proud, because he is a USF alum who is a product of our Criminal and Juvenile Justice Law Clinic."

Professor Bill Ong Hing

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USF Law Clinics, 2130 Fulton Street, San Francisco, CA 94117

## CLINIC HIGHLIGHTS

**Child Advocacy Law Clinic** The Child Advocacy Law Clinic handled many complex cases this year that had not come to the attention of the court earlier due to difficult economic circumstances. The students worked in teams, filing and arguing motions, and as a result, the clients had significant support teams they relied upon. In one case a father regained custody of his four children, and the family received housing and educational support, including necessary special services for an autistic son. In another case representing a 2-year-old boy, the client was able to have minimal disruption in his life as his foster parents adopted him and arrangements were made for ongoing safe contact with his birth mother and extended family.

**Criminal and Juvenile Justice Law Clinic** The clinic's caseload and trial work increased this year, litigating 67 cases during the academic year. The clinic's motion work remains creative: challenging business tax law for discriminatory enforcement, continuing to litigate a gang injunction in the Bayview, and writing motions for diversion in cases where it does not apply "by statute." Professor M. Kamran Meyer assisted with the clinic and implemented a new model organizing trials around teams of "senior" law students with experience who provide guidance to newer students. Meyer will be the inaugural Hamill Fellow working with the clinic for the next two years.

**Employment Law Clinic** The clinic represented 30 wages and hours hearings on behalf of the immigrant community this year. In its MSPB cases, the clinic had more than 50 requests for help from federal employees, and students took five depositions while representing federal employees

where agencies took an adverse employment action against the employees. In a new program representing mariners in license revocation cases before the U.S. Coast Guard, students handled two suspension and revocation trials on behalf of mariners. The clinic continued making presentations at local high schools in a partnership with the U.S. Equal Employment Opportunity Commission (EEOC) called Youth At Work, and represented clients in EEOC employment discrimination mediations.

**Frank C. Newman International Human Rights Law Clinic** Ten students represented Human Rights Advocates (HRA) at the meetings of two United Nations human rights bodies. Four Edith Coliver Interns attended the U.N. Commission on the Status of Women in New York, where they were assisted by former interns Patience Tusingwire and Jeremiah Johnson. One student contributed to the Committee on the Elimination of Discrimination against Women's upcoming report, and others influenced the Agreed Conclusions of the meeting. Six Frank C. Newman Interns attended the Human Rights Council (HRC) in Geneva, Switzerland, assisted by former intern Lani Virostko. Four students made oral statements before the full HRC, and many were involved in resolution drafting sessions and side events and meetings with government delegates, special mandate holders, and members of other non-governmental organizations. They also met with HRA's international advisory board member Cruz Melchor Eya Nchama.

**Internet and Intellectual Property Justice Clinic** The clinic launched a pilot project with the U.S. Patent and Trademark Office (USPTO)

where USF is the only law school in Northern California whose students have the opportunity to be certified and argue trademark matters in USPTO cases. This year, the clinic worked on 25 different trademark cases, making 11 filings with the USPTO, providing students with the opportunity to represent clients and help them determine what trademarks would be available and select a brand for their products. The clinic also presented to budding musicians and artists at local high schools about copyright law and licensing law, in conjunction with the Marin Bar Association.

**Investor Justice Clinic** The clinic evaluated and researched 52 cases this year, with the goal of representing small investors against stock brokers and brokerages. Two of the cases went to arbitration and both prevailed—an exceptional success rate for this type of case. In one case, an unsophisticated 76-year-old investor was convinced by a broker to invest her savings in a deferred variable annuity, exposing her to risk and penalties. The arbitrator awarded this investor the full amount of her losses. Clinic students also began a blog in which they comment on recent developments in securities arbitration law.

**Mediation Clinic** Clinic students worked three days a week as court mediators in the San Francisco Small Claims Court, mediating a variety of matters including landlord tenant cases, car accidents, contractor disputes, creditor-debtor cases, and professional fees. They were successful in about 50 percent of their cases. Students continued to work with San Francisco District Attorney Neighborhood Court program, using the restorative justice model to address minor criminal matters.

## STUDENT VIEWS



ELIZABETH PEARCE '13

### A Remarkable Opportunity to Shape Law

Working in the USF Criminal and Juvenile Justice Law Clinic confirmed why I came to law school—to fight for people who are forgotten and oppressed by society. Everything you do in the clinic is for your client. It is the best of both worlds: you learn constantly how to be a better lawyer, while also giving back to a community in need.

Fourteen months after first meeting my 19-year-old client, I am still fighting for him. But in reality, I am now fighting for the hundreds of others like him facing gang-injunction charges. With the weight of my client's case on my conscience, I realize I have been put in the remarkable position of shaping the complicated and politically charged world surrounding gang-injunction law in San Francisco.

For me, it is a privilege to argue why these injunctions violate my client's constitutional rights. But these arguments are hollow if I forget how my client lives everyday without these basic liberties until I can demonstrate to the court why these gang injunctions redefine unfair.



“Participation at the Human Rights Council helped me put a face to the human right mechanisms entrusted to advance international human rights law. Having the skill sets of a lawyer served incredibly beneficial in framing the issues, researching the facts, and providing substantive forward-looking recommendations.”

Alen Mirza '13  
Frank C. Newman International Human Rights Clinic



“I really wanted a hands-on approach to law, and working with high school students and interviewing clients was something I would not have experienced within the traditional confines of a classroom. It's one of many reasons that the clinic program is invaluable.”

Samantha Tran '14  
Internet and Intellectual Property Justice Clinic



“The Criminal and Juvenile Justice Clinic bridges the gap between the theoretical and the practical, and it is easily one of the best experiences I have had at USF. Making court appearances, negotiating with district attorneys, and working with clients have been a welcomed break from the traditional law school curriculum.”

Kyle Neddenriep '14  
Criminal and Juvenile Justice Law Clinic



“Running between client meetings and court hearings, the experience I have gained during my time in the Child Advocacy Law Clinic is immeasurable. But the clinic is more than networking with judges and attorneys, one-on-one instructions, or trial practice. Dependency is unique in that it provides the opportunity to truly get to know the child and reflect on yourself. During the clinic I have witnessed achievements, disappointments, but most of all perseverance.”

Shani Colson '14  
Child Advocacy Law Clinic



“I had the opportunity to advocate on behalf of a federal employee, and thanks to our legal training, skills, and efforts, we were able to help a man who without it would have suffered an injustice and probably still be jobless today. Our representation resulted in obtaining a favorable settlement for our client, who was overwhelmed with appreciation for our efforts. It was by far my most personally rewarding time in law school and the most beneficial in terms of skills and career experience.”

Karen L. Majovski '13  
Employment Law Clinic

**For more student experiences, visit [www.usfca.edu/law/news/socialmedia](http://www.usfca.edu/law/news/socialmedia).**

BY THE NUMBERS 2012-2013

69

Active juvenile cases handled by the Child Advocacy Law Clinic and Criminal and Juvenile Justice Law Clinic

45

Federal employee clients assisted with Merit Systems Protection Board appeals cases through the Employment Law Clinic

11

Trademark applications filed by the Internet and Intellectual Property Justice Clinic's new U.S. Patent and Trademark Office Law School Clinic Certification Trademark Pilot Program

4

Frank C. Newman interns who spoke before the U.N. Human Rights Council in Geneva

17,000

Hours of free legal service provided by students in the USF Law Clinics

\$89,980

Collected on behalf of Investor Justice Clinic clients from stock brokers and brokerages

30

Wages and hours hearings the Employment Law Clinic participated in on behalf of immigrant workers

12

Mediation Clinic students who conducted mediations three days a week in San Francisco Small Claims Court

The Koret Law Center  
2130 Fulton Street  
San Francisco, CA 94117-1080

CHANGE SERVICE REQUESTED

## USF LAW CLINICS

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**Child Advocacy Law Clinic**  
Director Patricia Fitzsimmons  
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**Criminal and Juvenile Justice Law Clinic**  
Director Sharon Meadows  
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**Employment Law Clinic**  
Director Robert Talbot

**Frank C. Newman International  
Human Rights Law Clinic**  
Director Connie de la Vega  
[lawblog.usfca.edu/ihrclinic](http://lawblog.usfca.edu/ihrclinic)

**Internet and Intellectual Property  
Justice Clinic**  
Director Robert Talbot  
[www.usfca.edu/law/ipjustice](http://www.usfca.edu/law/ipjustice)

**Investor Justice Clinic**  
Director Robert Talbot  
[www.usfca.edu/law/investorjustice](http://www.usfca.edu/law/investorjustice)

**Mediation Clinic**  
Director Robert Talbot

## ALUMNI NOTES

**Kathryn Mente '01** is a senior labor and employee relations advocate at UC San Francisco. [MC](#)

**Sylvia Duran '02** is deputy county counsel for the County of Tehama. [MC](#)

**Constantine "Gus" Panagotacos JD/MBA '05** is a partner at Dunn and Panagotacos LLP. [IJC](#)

**Anne Costin '08** has opened her own law firm, Costin Law Inc., where she focuses on representing employees in discrimination, harassment, and retaliation civil rights cases. Costin was previously with the Dolan Law Firm, and since 2011 has also served as an adjunct professor for USF's Employment Law Clinic. [ELC](#)

**Jonathan Jaffe '09** filed a class action suit against Facebook over its "Sponsored Stories" ad program, and won a \$20 million negotiated settlement. [IIPJC](#)

**Lesley Vittetoe Tepper '10** is an associate at the plaintiffs' class action firm Girard Gibbs LLP focusing on securities arbitration. [IJC](#)

**Hillary W. Amster '11** is an international law fellow at American Society of International Law. [INTL](#)

**Charles Millioen '11** is a deputy public defender at the San Diego County Office of the Public Defender. [CJILC](#)

**Richard Nace '11** is an associate for CJH & Associates in Oakland, where he focuses on contract and corporate disputes, corporate formation, and estate planning. [IJC](#)

**Liz Aleman '12** received an Equal Justice Works Fellowship after graduation and is now working at the East Bay Children's Law Offices as a dependency attorney leading the AB12 project. [CALC](#)

**Paige Fowler '12** is a mitigation specialist at the Mississippi Office of Post-Conviction Counsel. [CJILC/MC](#)

**Carmen L. Franklin '12** is the rural fair housing center manager at California Rural Legal Assistance, a nonprofit law firm for low-income clients. [CALC](#)

**Ruben Guerra '12** is the workers' rights program coordinator at La Raza Centro Legal. [ELC](#)

**Nazita Lajevardi '12** is in the second year of a five-year political science program at UC San Diego. She is studying race in American politics. [CJILC](#)

**Brent A. Robinson '12** is an attorney with Liberation Law Group, PC in San Francisco. He is currently second chair on a wrongful death case set for trial in December, and he regularly assists his firm's clients with employment law matters. [CALC](#)

**David Rubin '12** is a staff attorney/Public Defender Corps Fellow at the 15th Judicial District Public Defender's Office in Lafayette, La. [CJILC](#)

**Jihan Emma Spearman '12** works for Wells Fargo's Digital Channels Group on financial services, compliance, and digital security strategy. [IIPJC](#)

**Kathryn Fraser '13** was on the three-person team that won the prestigious Robert F. Wagner National Labor and Employment Law Moot Court Competition in 2013, and was named most outstanding oral advocate of the competition. [CJILC](#)



## Students Teach Basics of Copyright Law

Students in USF's Internet and Intellectual Property Justice Clinic taught more than 120 Marin County music and art students the basics of copyright law this year. The presentations equipped young Marin artists with a foundation of knowledge to help them make informed decisions about protecting, promoting, and profiting from their creative enterprises. The visits were part of the Intellectual Property Rights Lecture Series, organized by the Marin Bar Association Pro Bono Committee and the USF School of Law.