

# SciTech e-Merging News

Volume 3, Issue 2

## ***SciTech's Impact on ABA Policy***

The ABA House of Delegates met recently at the Midyear Meeting in Atlanta, and the Section of Science & Technology Law weighed in on several important policy issues. The House of Delegates is a 560-member organization with representatives from state, local and specialty bar associations as well as from the substantive sections of the ABA. The Section of Science & Technology Law is represented in the House by Bonnie Fought and Ellen Flannery. The ABA's House of Delegates considers recommendations twice a year when it meets for the Annual and Midyear Meetings. Recommendations that are adopted become official policy of the association, allowing it to lobby before Congress and the executive branch on the issues.

The Section played an active role in connection with the following resolutions that were adopted by the House of Delegates on February 14, 2011:

**Patentability of isolated DNA** – Resolution 111 sponsored by the Section of Intellectual Property Law addressed whether isolated DNA compounds are patent eligible. This resolution supported evaluating inventions relating to DNA technology by the same standards that apply in evaluating patent eligibility of other inventions. Our Section sought revisions to this resolution to clarify that DNA should not be disqualified *per se* from patent eligibility under Section 101 (although such inventions might ultimately not be patentable), and with this revision the Section co-sponsored the resolution.

**Cyberbullying** - In response to recent incidents where young people have been bullied, teased and taunted, the Commission on Youth at Risk urged federal, state and local officials to prevent and remediate the existence and dangers of bullying, including cyberbullying. Our Section reviewed the proposed resolution and sought certain revisions to improve and clarify the proposal. Through negotiations with the sponsors, the changes we suggested were incorporated into the revised resolution that was adopted. The Commission has asked to work collaboratively with our Section on follow-up activities in this area of law.

**Law Library of Congress** - The Section co-sponsored this resolution supporting the efforts of Law Library of Congress to preserve and develop the materials of the Law Library and to utilize the best technologies and methods available to make the Law Library's vast and growing collections accessible.

In addition, the Section sought and obtained the withdrawal of proposed resolution 10D relating to inclusion of individuals in the National Criminal Instant Background Check System (NICS) based on the results of voluntary drug tests and other questionable data. The sponsor of the proposal, the Bar Association of the District of Columbia (BADC),

withdrew with the understanding that the various entities requesting more time to review and comment and would work with them toward a resolution that could be brought to the House of Delegates at its next meeting in Toronto. The entities that supported withdrawal include the Standing Committee on Gun Violence, the Criminal Justice Section, and TIPS, in addition to our Section.

This is just a brief overview of a few of the many resolutions adopted at the Midyear meeting. You can review a summary list of all the actions taken by the House of Delegates here

[http://www.americanbar.org/content/dam/aba/migrated/2011\\_build/house\\_of\\_delegates/daily\\_journal\\_2011.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/migrated/2011_build/house_of_delegates/daily_journal_2011.authcheckdam.pdf).

## **SciTech e-Merging News**

Volume 3, Issue 2