

# Noli IP Newsletter

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## Right Out of Hollywood: Ladies in the Legal Movies

By Mariana Paula Noli, Esq.

Most of you already know that the city of Hollywood is not as glamorous as most people imagine it. There are way too many homeless individuals living on the streets, suffering from addictions and severe mental

that the practice of law is nothing like it is depicted in the movies. Nevertheless, I love being a female lawyer.

I have to admit to you that during my first few



problems. Hollywood is not just the rich, beautiful and famous. Just as with the city of Hollywood, we all know

years as a young practitioner, I spent many nights watching fiction as well as

## Conference Ready: Our New Business Cards

Thank you to our dear Erica for the new look and design for our business cards. Don't we look fantastic? 😊



They arrived just in time for our group participation at the different conferences both locally and internationally. Ms. Luciana Noli will be attending the XXXII AAAP Annual Meeting on August 23-24, 2018 and Ms. Fischer the TMAP Conference in Orlando, Florida on September 12-14.



Thank you for representing our team at Noli IP Solutions, PC, ladies.

*Good Luck Lucy and Diane!*

nonfiction legal movies. Believe it or not, I learned a thing or two about being a female in the legal world from those movie nights. Inspired by one of my favorite articles published on the ABA Journal (the American Bar Association magazine), recently revised in its August 2018 edition, I decided to compile and share with you some of my favorite legal movies where a female played a leading role.

### **1. Erin Brockovich (2000)**

When I first learned about this movie, I was being introduced to Mr. Tom Girardi, founder of Girardi & Keese ([www.girardikeese.com](http://www.girardikeese.com)), who at that time was the acting president of the Italian American Lawyers Association (IALA) in Los Angeles where I was a member and actively involved on the Board of Directors. As I was shaking his hand, one of my esteemed colleagues whispered in my ear "Tom is the attorney who comes at the end of the Erin Brockovich movie." And after that, my curiosity got the best of me. I had to watch it.

You may or may not have watched this movie, so I will not spoil it for you including details of the film. Based on a true story, Ms. Erin Brockovich, a single mother of three children, fought the energy corporation Pacific Gas & Electric Company

(PG&E) in a major class action lawsuit. While working for attorney Ed Masry, she was assigned the files for a real-estate case where the PG&E was offering to purchase the home of the Hinkley, residing nearby the PG&E plants in California.

Besides learning that as a female, you can be strong, tough, stubborn and at the same time sexy, I would say my favorite lesson and line from this movie takes place when Ed is meeting the potential plaintiffs in the class action "Ed, have a fuc\$@#ing cup of coffee" is not just one rude sentence coming out of Erin's mouth. It is actually a reminder to us lawyers to remain "human" and that our clients are people, not mere numbers.

### **2. Legally Blonde (2001) and Legally Blonde 2 (2003)**

Some of you know that I like to pretend I am Reese Witherspoon in these movies, taking a lot of pride in those occasions when I am wearing pink and looking very girly. If one lesson I learned from working as an attorney for almost fifteen years now (yikes, I am getting old!), is that you can never underestimate "PASSION." This movie confirms that lesson.

While working at an IP boutique back in 2003, the law

office I worked for when I first moved to the U.S., I remember a senior patent attorney who would always refer to the character of Elle Woods in that "Legally Blonde" movie when talking to me and would smile. I never asked him but I suspect my sensitive ways or naivety back in those days reminded him of Elle somehow. Both of these movies tell the story of girlish and passionate Elle Woods. In the first movie released in 2001, we are introduced for the first time to the story of sorority president Elle Woods fashion merchandising major, who after suddenly being dumped by her boyfriend; she decides to take the LSAT (Law School Admission Test) following him to Harvard Law School.

The sequel movie shows attorney Elle Woods as a licensed attorney who wants her Chihuahua dog, Bruiser, to be reunited with his mother to attend Elle and Emmett's wedding. In the story, she hires a detective to find Bruiser's mother, only to discover that the owner of her dog's mother is a cosmetics company that uses Bruiser's mother for "testing". When she finds out that her law firm represents the C'est Magnifique Corporation, Elle decides to leave Boston and goes to Washington, D.C., to work on Bruiser's Bill. For a long time, I thought mistakenly that to be a good

lawyer, you had to dress in black, gray and blue; be very serious and if you were beautiful, hide it. I was wrong. As Saint-Exupery wrote in his book "The Little Prince" the essential is invisible to the human eyes, which is a lesson we all know well.

Never underestimate someone who is passionate about their work, even when others may not have much faith in them and what they can accomplish. With passion and determination anything is possible. Good news, the sequel Legally Blonde 3 is coming out to the big screen on Valentine's Day 2020.

### **3. Pelican Brief (1993)**

My two favorite legal fiction writers are Scott Turrow, who was a partner at Sonnenschein, Nath & Rosenthal where I completed my first legal internship and got the pleasure to meet in person and John Grisham. Both of them wrote many novels which were turned into movies. While they have very different writing styles, both typically tell a story through the eyes of a male lawyer. "The Pelican Brief" is different. The main character of this legal political thriller based on a novel by John Grisham, is Tulane University Law School student Miss Darby Shaw. Darby writes a legal brief

detailing her theory on why two Supreme Court justices were killed and under whose orders. She shows her brief to her law professor, mentor and lover Thomas Callahan, who decides to give a copy to his friend Gavin Verheek, a lawyer at the FBI.

Unfortunately, Callahan is killed by a car bomb and Darby's life is threatened many times throughout the movie. The court case on appeal is expected to make its way to the Supreme Court. Like all the other movies based on legal novels, I highly recommend watching "The Pelican Brief" as well as reading the novel.

Lesson from this movie: when fighting to seek justice, be ready to find many injustices, plan for the unexpected and choose your team and allies wisely. The truth always comes out in the end.

### **4. Conviction (2010)**

When I talk about this movie, I get goosebumps. Conviction is a MUSTSEE. Based on the true story of Betty Anne Waters, this film tells the story of a single mother who works tirelessly to free her brother Kenny, wrongfully convicted of murder. The evidence presented at his trial is entirely circumstantial, but he is convicted of first degree murder and sentenced to life in prison without parole. The

three main witnesses against him are ironically Taylor, his ex-wife, Brenda, and an ex-girlfriend, Roseanna.

When Betty Ann discovers that her brother tried to commit suicide in prison, she decides to go back to school and become a lawyer so she can exonerate him. Her skeptical and unsupportive husband ends up leaving her.

Struggling in school, demoralized and exhausted, she finally learns about the new field of DNA testing in a study group, which could be the key to overturning Kenny's conviction. She contacts an attorney from the Innocence Project to help them. The backlog of cases meant waiting more than a year unless she can pass the Bar exam finding the blood evidence from Kenny's trial herself to have it tested. Even after she is told the evidence was destroyed at first, she refuses to give up.

There are many reasons why you should watch this movie, it is truly inspiring to see and learn about the life story of a woman (real life woman) who had to overcome so many hurdles to seek Justice. This is movie you don't want to miss which shows that you should not make up excuses in life and you should keep fighting until the end.

### **5. The Juror (1996)**

From my law school days at the Universidad de Buenos

Aires, Facultad de Derecho where I volunteered as a student teacher in a criminal law class, I have always been fascinated with jury trials. In Argentina, it was very hard to implement these trials. This movie tells the story of Annie Laird, a sculptor who lives in New York with her son Oliver and is selected to be a juror in the trial of mob boss accused of ordering the murder of Salvatore Riggio. A mobster is sent to intimidate Annie and forces her to persuade the jury to acquit mob boss Boffano, or she and Oliver will die. Annie convinces the jury to acquit Boffano. After the trial, the prosecutor figured out Annie was threatened.

Jury Trials may not be always fair. While a jury offers a check against state power and there are many benefits (easier audiences than judges, more interested in assessing fault), they are still susceptible of corruption and coercion.

These five (5) movies are only some of my own personal favorites, many included in the article "The 25 Greatest Legal Movies." I can honestly say that all the movies that made the list are fantastic and lessons can be drawn from each single one of them. Ten (10) years after the publication of the original article by the ABA Journal, I was pleasantly surprised to read the updated list including some of the old favorites and some new ones.

The new list was updated to include all of the following which were not originally included: Spotlight (2015), Marshall (2017), Loving (2016), The Post (2017), The Lincoln Lawyer (2011), RBG (2018), all of which I yet have to watch, as well as some I consider classics, Primal Fear (1996), Legally Blonde (2001), To Kill a Mockingbird (1962), My Cousin Vinny (1992), Anatomy of a Murder (1959), The Verdict (1982), Erin Brockovich (2000), Young Mr. Lincoln (1939), A Civil Action (1998), A Few Good Men (1992), Michael Clayton (2007), etc. Thank you, ABA for sharing these stories that examine how the legal system intersects with our lives.

## Argentina: Winds of Change, New Rules for Patents, Trademarks and Designs (2018 Law)

In an effort to harmonize its patent regime with the rest of the world, on January 10, 2018, Decree 27/2018 (hereinafter the "Decree") went into effect amending certain articles of the current Argentine Law of Trademarks and Designations (Law No. 22,362), the Law of Patents and Utility Models (Law No. 24,481), and Decree-Law No. 6673/1963.

A review of the recitals of the "Decree" expressed the need to implement an administrative procedure, prior to the judicial

involvement, for opposing trademarks in order to increase efficiency.



In regards to Utility Models and Designs, the proposed amendments allow users to make multiple applications for registration per file, adopt new technologies in the

manner of submitting drawings, and request the postponement of publications. Below is a summary of the most relevant changes:

### **TRADEMARKS:**

✓ The term by which third-party oppositions have to be settled is reduced to only three (3) months. If there is no settlement within this term, the trademark office of Argentina (Instituto Nacional de Propiedad Industrial, or INPI) will decide on the opposition and such decision may be appealed before the

Federal Civil and Commercial Court of Appeals;

✓ The INPI is now responsible for issuing decisions in trademark cancellation proceedings (both nullity as well as non-use cancellation actions), decisions may be appealed before the Federal Civil and Commercial Court of Appeals;

✓ The Decree makes significant changes regarding the use requirements for renewal and cancellations, authorizing the INPI to partially cancel a registration in relation to the products or services for which the trademark has not been used, and it establishes that Trademark owners will need to file a sworn statement of

use on the fifth year (and before the expiration of the sixth) informing about the products/services in relation to which the trademark has been used.

#### **PATENTS:**

✓ There is no longer a need to file the priority document and its translation, as well as Power of Attorney, unless these documents are requested by the INPI and/or the Examiner during the examination stage;

✓ The deadline for payment for the substantive examination fee has been reduced from three years to eighteen months.

#### **INDUSTRIAL DESIGNS:**

✓ The registration procedure has been simplified. It is now possible

to file multiple applications in only one filing as well as the filing of divisional applications.

✓ The term for renewal of the registration is now six months prior to its expiration, but renewals may be filed six months after the expiration date, subject to the payment of an official fee.

✓ The INPI now accepts photographs or digital reproductions to be filed with the application as long as these documents sufficiently identify the object seeking protection.

For more information about the changes in the law, please email Ms. Luciana Noli at [luciana@noli-ipsolutions.com](mailto:luciana@noli-ipsolutions.com).

## *Dinner with the Italian -American Lawyers!*

Last Month, our esteemed Mr. Chacon-Hoffmann and Ms. Mariana Noli attended the IALA monthly dinner representing NOLI IP and showing our support to this group. Ms. Noli is currently serving as a 2<sup>nd</sup> Vice President of IALA, an organization she has been a member of for over 12 years, right after becoming licensed to practice law in the state of California back in 2006. Tonight, Mr. Lagobi and Ms. Noli will be there again celebrating with the Italian American lawyers in Los Angeles and promoting more Italian American nominations to the bench in the city of Los Angeles. *Ci vediamo a Casa!*

