

Developing Your Brand Through Social Networking and Avoiding Legal Ethical Implications



Geof Oberhaus

April 22, 2010

What is Social Networking

- Why developing an on-line presence is important in a Web 2.0 world
- Social Networking for Legal Professionals
- Tips for establishing & promoting your Brand using LinkedIn
- LinkedIn features that allow you to share expertise, connect & network
- How you can use Facebook for business
- Using Twitter – Tips & examples to build your Brand
- Avoiding Legal Ethical Implications



facebook



twitter



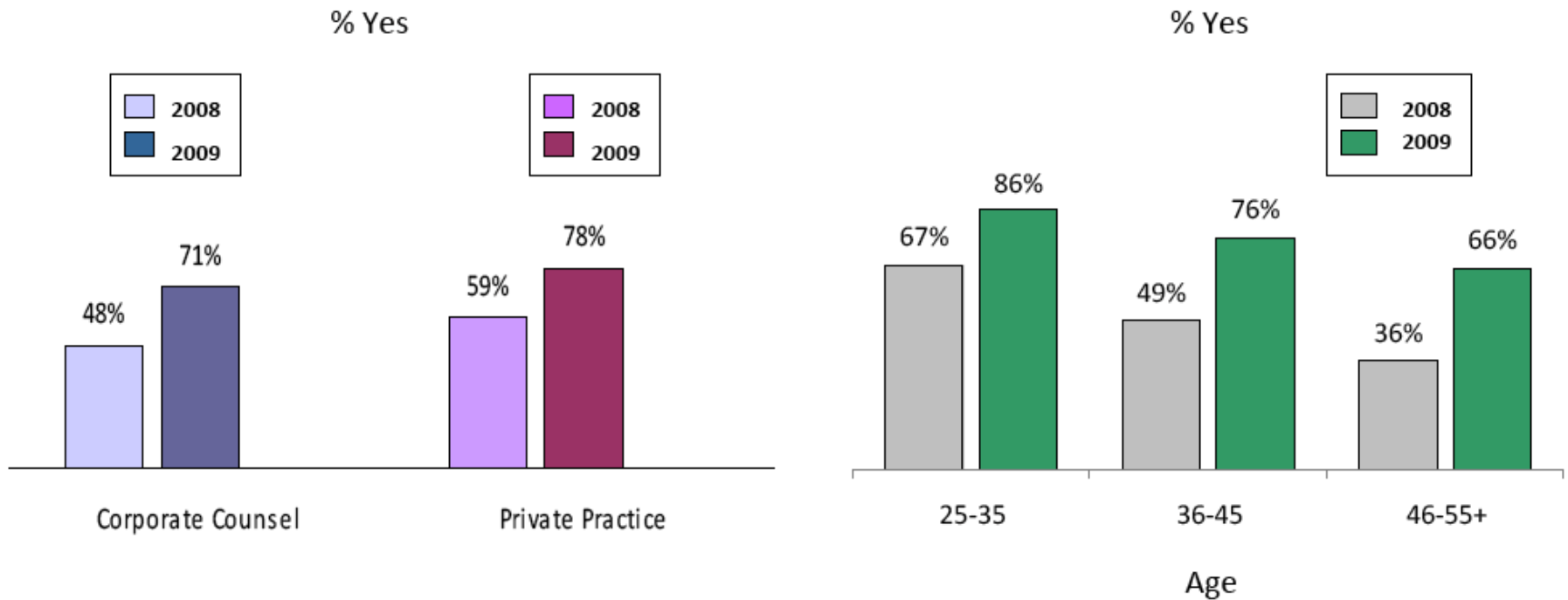
Why Develop An Online Presence?

- Web 2.0 is your Personal/Professional “Brand” Enabler
- Information found on-line is used by others to assess your credibility, knowledge and experience
- Online Branding Opportunities
 - ✓ LinkedIn
 - ✓ Facebook
 - ✓ Twitter
 - ✓ Martindale Connected

“Promoting yourself online is the best, easiest, fastest way to build your Personal Brand”.

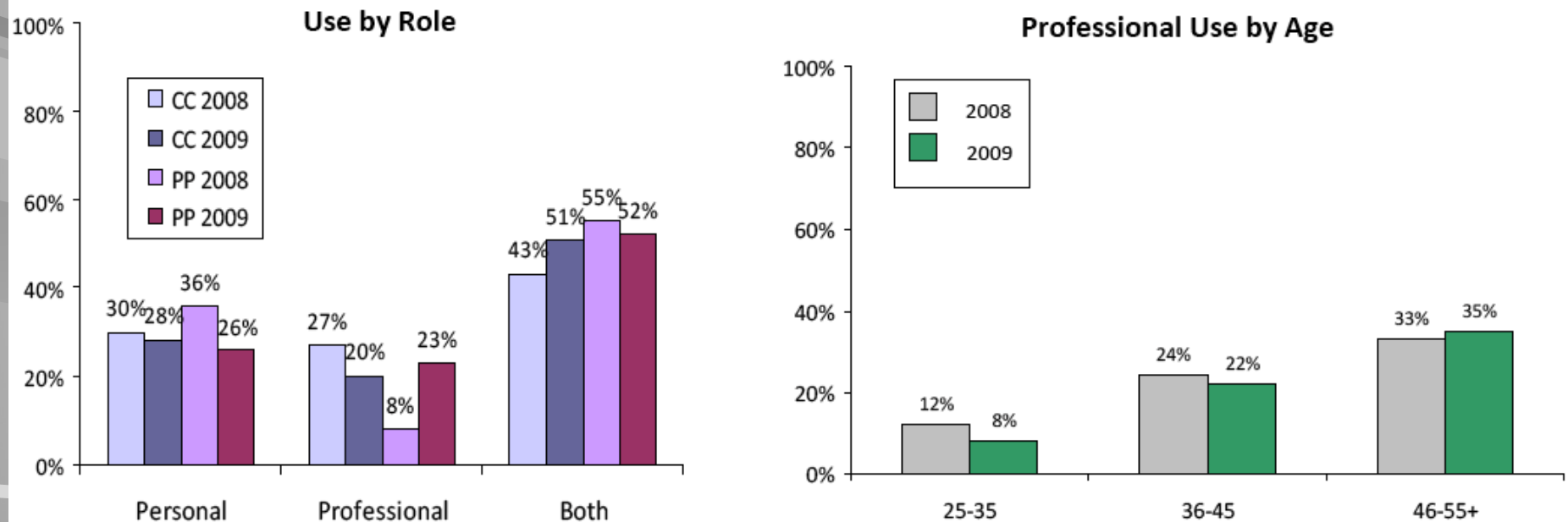
Why use Social Networking?

Are You a Member of an Online Social Network?



Why use Social Networking?

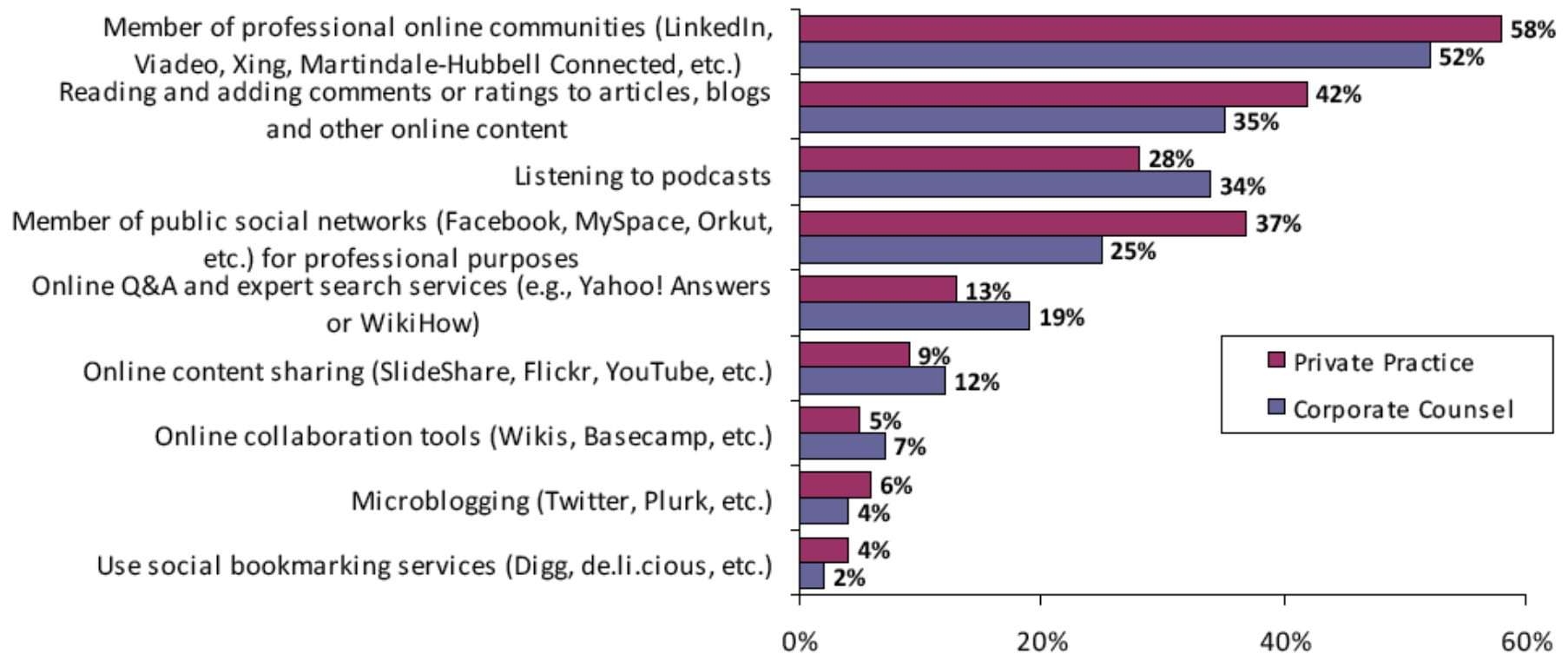
Use of Online Social Networks



Who is using Social Networking?

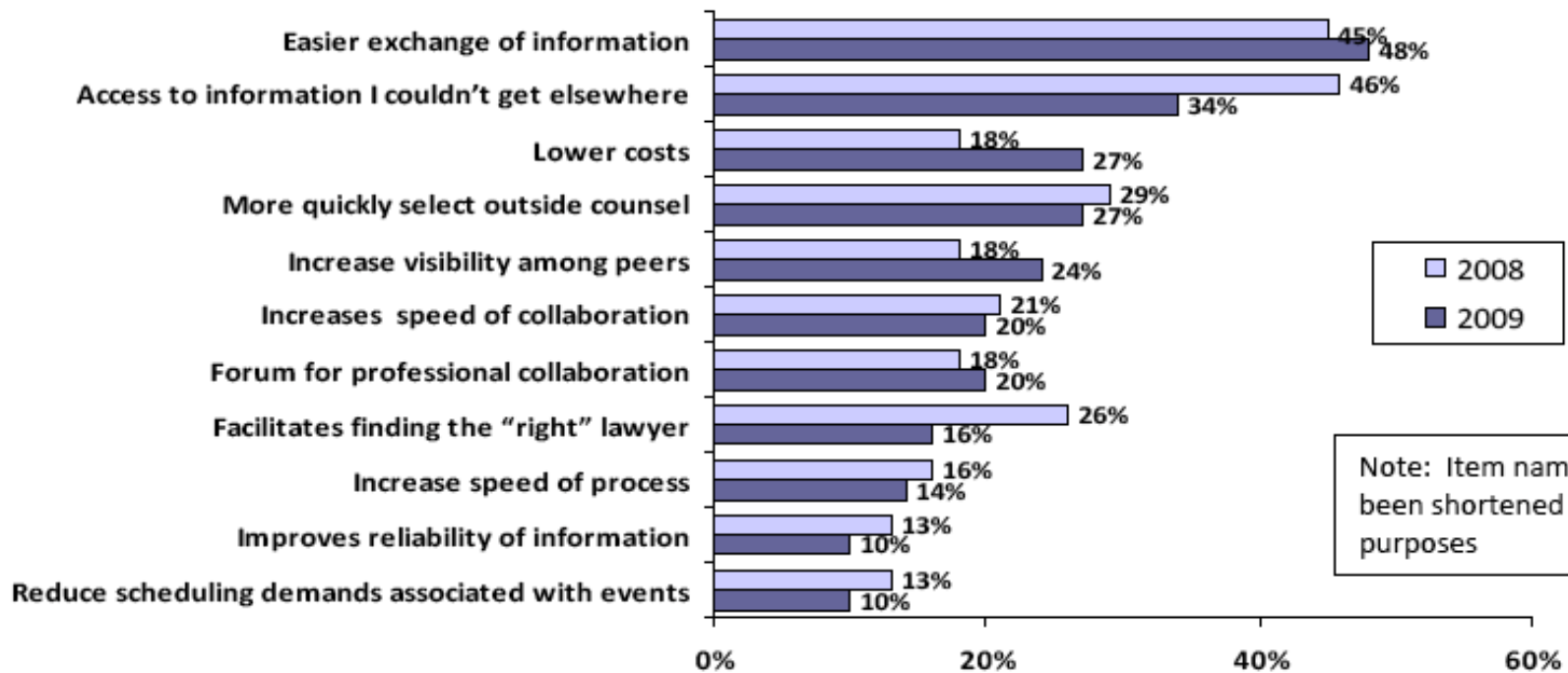
Why use Social Networking?

Social Media Activities Engagement



Why use Social Networking?

Corporate Counsel



How to use Social Networking?

The background of the slide is an abstract pattern of numerous curved, overlapping lines in various shades of grey. The lines originate from the right side and curve towards the left, creating a sense of depth and movement. The overall effect is a modern, geometric aesthetic.

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Results 1 - 10 of about 188,000 for **Geoffrey Oberhaus**. (0.58 seconds)

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Friends: Doug Wood, Jeffrey Louis Stec, Michael Rathburn, Susan B. Zaunbrecher, Chad Moll
Geoffrey Oberhaus is on Facebook. Join Facebook to connect with **Geoffrey Oberhaus** and others you may know. Facebook gives people the power to share and ...

www.facebook.com/geof.oberhaus - [Cached](#)

[Dinsmore & Shohl LLP | News & Events | Geoffrey Oberhaus Elected ...](#) ☆

May 15, 2008 ... **Geoffrey Oberhaus**, a partner at Dinsmore & Shohl LLP's Cincinnati office, was recently elected an officer of the Cincy Intellectual Property ...

www.dinslaw.com/oberhaus_cincyip/ - [Cached](#)

[Geoffrey L. Oberhaus Lawyer Profile on Martindale.com](#) ☆

Geoffrey L. Oberhaus Profile by Martindale-Hubbell. Find **Geoffrey L. Oberhaus's** contact information, experience and credentials, peer review ratings etc.

www.martindale.com/Geoffrey-L-Oberhaus/1426395-lawyer.htm - [Cached](#)

[Geoffrey Oberhaus Cincinnati OH](#) ☆

Geoffrey Oberhaus Cincinnati OH Dinsmore & Shohl, LLP;

www.patents.com/Geoffrey-Oberhaus/Cincinnati/OH/01-042955/attorneys/

[Geof's Waste of Bandwidth Blog: March 2007 Archives](#) ☆

Dear **Geoffrey Oberhaus**, (Customer ID: XXXXXXXXXXXX). Thank you for contacting us. We are please to inform you that the error 404 issue has been resolved. ...

www.geofoberhaus.com/mt/2007_03.html - [Cached](#)

[\[PDF\] Hoops 2008-2009](#) ☆

File Format: PDF/Adobe Acrobat - [Quick View](#)

Prepared by **Geoffrey L. Oberhaus** 3/20/09. Page 1. Big Fella's. Updated Final Standings. 2008-2009 NCAA. Includes all games played through. 3/15/09 ...

www.geofoberhaus.com/Weekly_Standings.pdf

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www.zoominfo.com/people/Oberhaus_Geoffrey_24430119.aspx

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[Geoffrey Oberhaus: ZoomInfo Business People Information](#) ☆

View **Geoffrey Oberhaus's** professional background on ZoomInfo, the largest index of people in business in the world. Find who you're looking for at ZoomInfo.

www.zoominfo.com/people/Oberhaus_Geoffrey_24430119.aspx

[Radaris: Eric Oberhaus. People Search & Background Check](#) ☆

Geoffrey Oberhaus . 1994-1998. Eric Green. 1988-1991. Larry Saltzman. 1975-1978. Dominic Gagliardi. 1998-2001. Alissa Robinson. 1988-1991

radaris.com/p/Eric/Oberhaus/

[Geoffrey Oberhaus | Defiance, OH | Classmates.com](#) ☆

Geoffrey Oberhaus 1988 graduate of Defiance High School in Defiance, OH is on Classmates.com. See pictures, plan your class reunion and get caught up with ...

www.classmates.com/directory/public/memberprofile/list.htm?... - [Cached](#)



[Geoffrey Oberhaus \(Geof Oberhaus\)](#) - Dinsmore & Shohl LLP - Mason, OH ...

www.google.com/profiles

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Geoffrey Oberhaus

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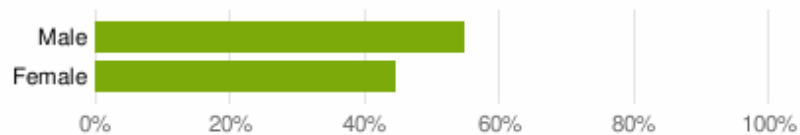


LinkedIn: Who's Out There?

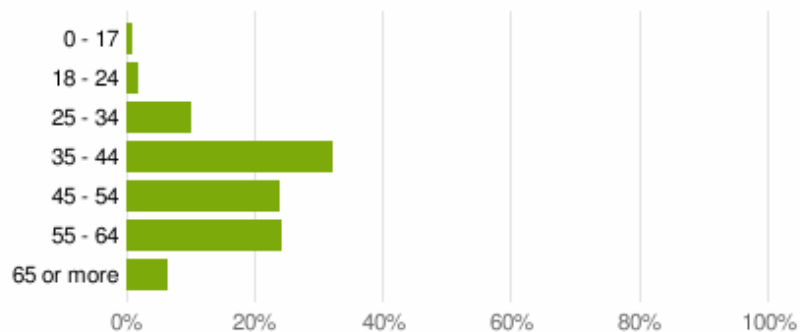
*LinkedIn is the world's largest professional network with over **43 million members** and growing at a rate of one new member per second.*

LinkedIn Demographic Data

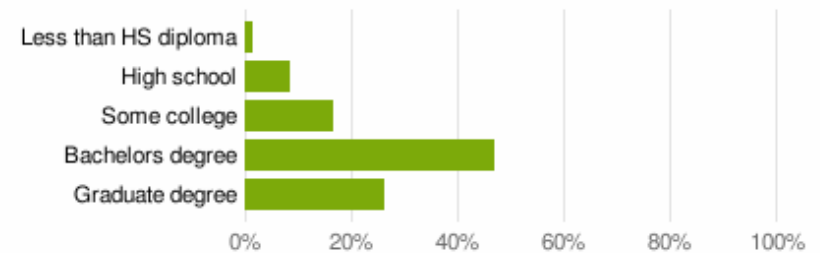
Gender



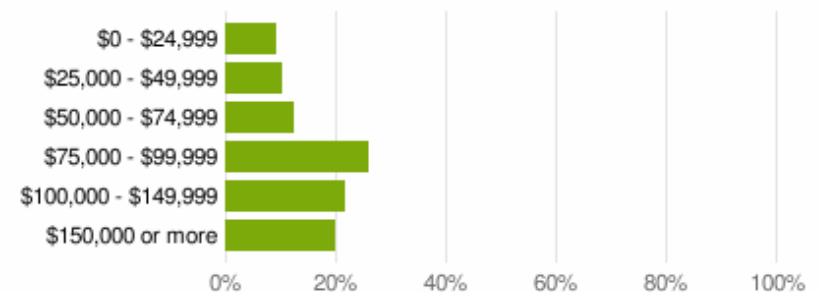
Age



Education



Household income



LinkedIn Branding Tips

- Fully complete your profile
- **USE KEYWORDS!**

[Dilemma: To Block or Not? - You can safely enable Enterprise 2.0 apps. Download whitepaper now!](#) - From Bill Carmody

[Edit My Profile](#) **View My Profile**

Geof Oberhaus (you)

Experienced Intellectual Property Attorney focusing in licensing and export compliance, "Gadget Guru" of the firm

Cincinnati Area | Law Practice



Geof Oberhaus Drafting a CLE presentation on social networking and legal ethical implications for the Defense Trial Counsel of WV Annual Meeting in May 2 days ago

- Current**
 - **Chief Information Officer at CincyIP**
 - **Attorney at Law at Dinsmore & Shohl LLP**
- Past**
 - Environmental Engineer at Occidental Chemical Corp.
 - Co-op Engineer at Schering-Plough
- Education**
 - Rutgers University School of Law - Camden
 - University of Detroit Mercy
 - Defiance High School

[see all...](#)
- Recommendations** 2 people have recommended Geof
- Connections** 328 connections
- Websites**
 - [Dinsmore & Shohl LLP](#)
 - [My Blog](#)
 - [CincyIP](#)
- Public Profile** <http://www.linkedin.com/in/geofoberhaus>

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Dewpoint can help EA customers maximize Microsoft technology

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We have the clients. Get better cases in less time.

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You can safely enable Enterprise 2.0 apps. Download whitepaper now!

Geof's Activity [edit](#)

Geof Oberhaus is now connected to **Matt Whitlow** and **Elizabeth A. Simmons**
9 hours ago

Geof Oberhaus joined the group **Patents - Intellectual Property**
14 hours ago · [Find a group for you](#)

Geof Oberhaus is now connected to **Dan Novak**
2 days ago

Geof Oberhaus has read **John Adams [JOHN ADAMS]** [\[Hardcover\]](#)
2 days ago · [Comment](#)

Summary

Geof facilitates and protects innovation from the origination of the idea, registration/protection of the innovation, licensing of the innovation, and enforcement of the innovation. This can include patentability opinions, freedom to operate studies, licensing agreements, development agreements, patent applications, trade secret protections, copyright and trademark registrations, distribution agreements, channel-partnering agreements and the like. In addition, Geof provides advice and counseling on exporting the innovation and related technology outside of the United States to maintain compliance with various export regulations such as EAR and ITAR.

Experience

Chief Information Officer

CincyIP

Legal Services industry

January 2008 – Present (2 years 3 months)

Attorney at Law

Dinsmore & Shohl LLP

Partnership; 501-1000 employees; Law Practice industry

September 1998 – Present (11 years 7 months)

Geof has 1 recommendation (1 client) including:

1st Jacqueline Daspit

Environmental Engineer

Occidental Chemical Corp.

Public Company; 5001-10,000 employees; oxy; Plastics industry

September 1992 – May 1998 (5 years 9 months)

Geof has 1 recommendation (1 co-worker) including:

1st Ted Blandy, general manager, colorite

Co-op Engineer

Schering-Plough

Public Company; 10,001 or more employees; SGP; Consumer Goods industry

May 1990 – December 1991 (1 year 8 months)

I was a co-op engineer for Dr. Scholl's R&D in Memphis, TN. Most of my work was in the controlled release of active ingredients for foot care products.

Education

Rutgers University School of Law - Camden

Juris Doctor [Law](#)

1994 – 1998

Activities and Societies: [Rutgers Law Journal](#)

University of Detroit Mercy

B. of Chem Eng. [Chemical Engineering](#)

1988 – 1992

Activities and Societies: [Theta Tau](#), [Engineering and Science Student Council](#)

Defiance High School

1984 – 1988

... ..

Geof's Connections (328)

Mychal Schulz

Partner at Dinsmore & Shohl

Pete Singer

Attorney at Dinsmore & Shohl LLP

Bill Jividen

Partner & Patent Attorney at Dinsmore & Shohl LLP

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 [University of Detroit Mercy Alumni Association](#)

 [United Way Emerging Leaders' Society](#)

 [Cincinnati Business Courier](#)


 [Authentic Leadership Cincinnati](#)

 [HYPE Cincinnati](#)

 [Licensing Executives Society International](#)

 [United Way](#)

 [LinkedCincinnati](#)

 [Licensing Executives Society \(U.S.A. and Canada\), Inc. \(LES US/C\)](#)

 [Cincinnati USA Regional Chamber](#)

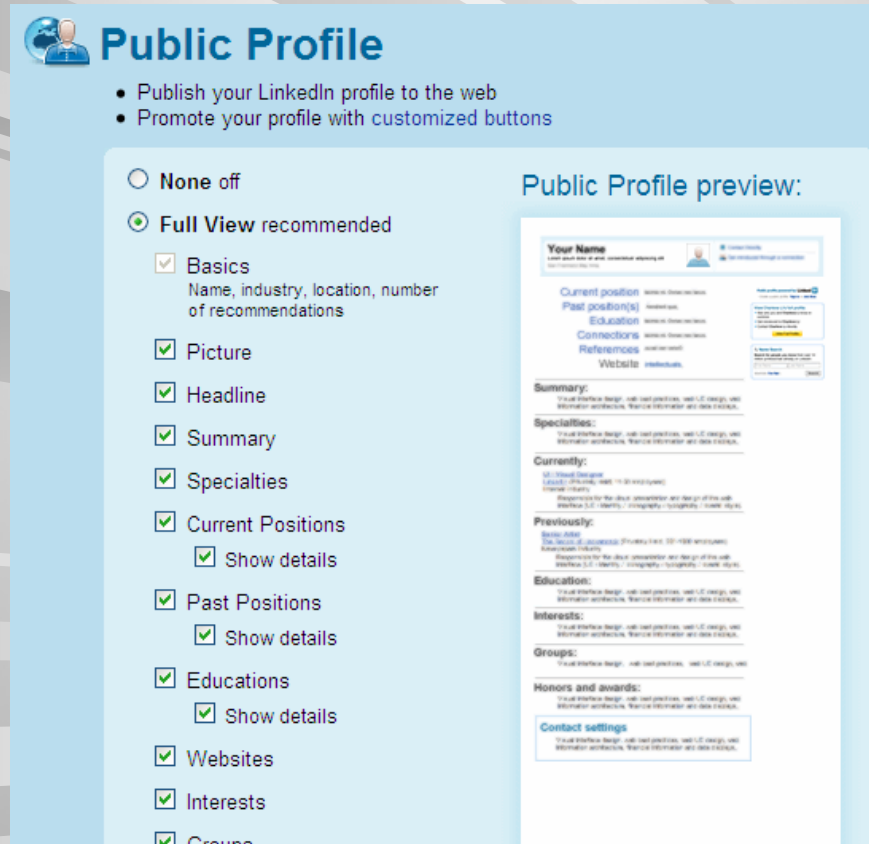
 [Patents - Intellectual Property](#)

 [CincyIP](#)

LinkedIn Branding Tips

Ensure Your Profile is set on “Public”

- Public Profiles are indexed by search engines such as Yahoo & Google



Public Profile

- Publish your LinkedIn profile to the web
- Promote your profile with customized buttons

None off

Full View recommended

- Basics
Name, industry, location, number of recommendations
- Picture
- Headline
- Summary
- Specialties
- Current Positions
 - Show details
- Past Positions
 - Show details
- Educations
 - Show details
- Websites
- Interests
- Groups

Public Profile preview:

Your Name
with profile picture and background image and location information

Current position [View details](#)
Past position(s) [View details](#)
Education [View details](#)
Connections [View details](#)
References [View details](#)
Websites [View details](#)

Summary:
I'm a creative design, web and graphics, web UI design, and information architecture. I'm a designer and developer.

Specialties:
I'm a creative design, web and graphics, web UI design, and information architecture. I'm a designer and developer.

Currently:
UI/UX Design
Location: Chicago, IL 60601 (United States)
Industry: Information Technology
Responsibilities for the above position are part of the web, mobile UI, design, typography, usability, user experience.

Previously:
Senior Analyst
The School of Leadership Studies (1998-2000)
Responsibilities for the above position are part of the web, mobile UI, design, typography, usability, user experience.

Education:
I'm a creative design, web and graphics, web UI design, and information architecture. I'm a designer and developer.

Interests:
I'm a creative design, web and graphics, web UI design, and information architecture. I'm a designer and developer.

Groups:
I'm a creative design, web and graphics, web UI design, and information architecture. I'm a designer and developer.

Honors and awards:
I'm a creative design, web and graphics, web UI design, and information architecture. I'm a designer and developer.

Contact settings
I'm a creative design, web and graphics, web UI design, and information architecture. I'm a designer and developer.


Recommendations For Geof

Attorney at Law

Dinsmore & Shohl LLP 

"Geof handles complicated patent matters with ease. He communicates well with the technical community on patent drafting matters. Geof works especially well with chemistry professionals and computer/software professionals." *August 5, 2008*

Top qualities: Personable, Expert, High Integrity


 Jacqueline Daspit

hired Geof as a Attorney in 1999, and hired Geof more than once

Environmental Engineer

Occidental Chemical Corp.

"Geof was extremely industrious during his tenure at the Resin manufacturing plant in Burlington, NJ. In Geof's position as environmental Engineer he was responsible for a chemical plant with large volume raw materials (TW's of monomer) that required close attention. He was able to maintain his "day job" as Environment Engineer while completing his law degree. Geof brings a "real world" view to his present job." *May 8, 2009*

 Dallam (Ted) Blandy, *general manager, colorite*

managed Geof indirectly at Occidental Chemical Corp.

Groups you share with Geof:



ALFA International (Members only)



Licensing Executives Society International



HYPE Cincinnati



University of Detroit Mercy Alumni Association



LinkedCincinnati



American Intellectual Property Law Association



Hamilton County Republican Party



Intellectual Property Professionals



Northeast Cincinnati Chamber



Licensing Executives Society (U.S.A. and Canada), Inc. (LES US/C)



IP Lawyers



Rutgers School of Law-Camden




Santa-Jesus Ambigram Group

LinkedIn Branding Tips

Differentiate yourself with a descriptive Headline

- Visible every place your name shows up on LinkedIn


David M. Collins 

Attorney at Law

Austin, Texas Area | Law Practice



vs.

Geof Oberhaus 

Experienced Intellectual Property Attorney focusing in licensing and export compliance, "Gadget Guru" of the firm

Cincinnati Area | Law Practice



Add links to your website, blog, etc. (professional)

Websites

- [Dinsmore & Shohl LLP](#)
- [My Blog](#)
- [CincyIP](#)

LinkedIn Branding Tips

 **Your Public Profile URL** What's this?

[Hide]

Your current URL is: <http://www.linkedin.com/in/geofoberhaus>

Update this address:

Note: If you change your custom URL, your previous custom URL will no longer be valid.

www.linkedin.com/in/

Set Address

Note: Your custom URL must contain 5 – 30 alphanumeric characters.
Please do not use spaces, symbols, or special characters.

Dinsmore & Shohl LLP
ATTORNEYS

Geoffrey L. Oberhaus, Esq.

Partner

255 E. 5th St., Suite 1900; Cincinnati, OH 45202

Phone: (513) 977-8623; Fax: (513) 977-8141

LinkedIn: <http://www.linkedin.com/in/geofoberhaus>

geof.oberhaus@dinslaw.com; www.dinslaw.com

Assistant:

Laureen Fessenden (513) 977-8324; laureen.fessenden@dinslaw.com

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Would like to find Insurers and Trial Attorneys who would like to make referrals and receive referrals and be connected with trial attorneys, general counsel, insurance coverage attorneys and insurers throughout the World.


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Corporate defendants face increasing exposure to products liability claims. This group is dedicated to those interested in the defense of such claims, including outside trial lawyers, in-house counsel, risk managers, and insurance professionals.


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Defense Counsel, General Counsel, Insurers, and Claims Representatives looking for attorneys in the Greater New Orleans area to assist in trials and insurance coverage matters. Discussions about current trends, coverage issues and trial tactics.


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An association of West Virginia civil defense attorneys.


Owner: [Peggy Schultz](#) | 88 members | [Share](#)



Illinois Association of Defense Trial Counsel [Join this group »](#)

The Illinois Association Defense Trial Counsel (IDC) is the premier association of attorneys in Illinois who devote a substantial portion their practice to the representation of business, corporate, insurance, professional and other individual defendants in civil litigation.

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Discussion forums

- Start or participate in Discussions
- Interact with group members to build relationships



ALFA International (Members only)

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Discussions: Recent Activity (6)



Featured Discussion

ALFA Subgroup for clients and friends.

Posted 3 days ago by [John Osgathorpe](#), Shareholder, Taylor Day Currie Boyd & Johnson

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ALFA Referral - Western Express, Inc. trucking -- Is anyone aware of an ALFA member that represents this company? They have asked us to handle a matter for them. Thanks.

Posted 1 month ago by [John Osgathorpe](#), Shareholder, Taylor Day Currie Boyd & Johnson

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ONE TO ONE -09 / New ALFA Initiative to bring member firms together ONE TO ONE on Business Development

Posted 2 months ago by [Matthew Share](#), Director at ALFA International

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Sports Law

Posted 3 months ago by [Andrew Sharpe](#), Technology, media and telecommunications lawyer. Partner at Charles Russell LLP

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Special thanks to Andrew Sharpe with Charles Russell in London for setting up the ALFA International LinkedIn Group, as well as Dick Hetke, Sarah Lamar, and Matt Share for supporting the Group.

Posted 7 months ago by [John Osgathorpe](#), Shareholder, Taylor Day Currie Boyd &

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ALFA Subgroup for clients and friends.

By John Osgathorpe 3 days ago

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News

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Lawyer Ranks

From: LawyerCasting

Submit a news article

Lawyer Ranks on LinkedIn Skyrocketing

From: LawyerCasting | July 18, 2009

Steve Matthews, who recently presented at the ABA Techshow on social media marketing, published stats on his blog this morning showing that lawyer participation on LinkedIn is skyrocketing - from 118,000 in April 2008 to 563,000 in March 2009 (see the "... [More](#) »



Submitted 1 minute ago

by [Geof Oberhaus](#), Experienced Intellectual Property Attorney focusing in licensing and export compliance, "Gadget Guru" of the firm

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LinkedIn Answers

Ask & Answer Questions

- Exchange ideas
- Help others
- Establish expertise
- Find resources
- Network with those who answer your questions or respond to your replies

Answers

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sorted by: [Degrees away from you](#) | [Relevance](#) | [Date](#)

Q. **Patent pending - is it a good solution for a web startup?**
Is applying for a provisional **patent** and obtaining a **patent** pending statement a ... That's what I thought initially: to fill for a provisional **patent** ... Provisional **patent** application is like a reservation...you reserve your right for one year. It's ... I looked at USPTO site...it cost 1-200\$ to fill a provisional **patent** application...more (1000-1500) if you get an **patent** ...
21 answers | Asked by [Mircea Goia](#) ([mirceagoia2000@yahoo.com](#)) ([2nd](#)) | 12 months ago in Intellectual Property

Q. **How to value a patent**
... How to value a **Patent**? ... The purpose of **Patent** valuation is to include this in company's balance sheet as intangible assets. ... of commercial use of the **patent** come ... upon an assessment of **patent** strength and ...
26 answers | Asked by [Pasi Rahikka](#) ([2nd](#)) | April 23, 2008 in IPO, Intellectual Property

Q. **Is it worth it for a startup to patent ideas**
... for a small company to **patent** their ideas ... However, from what I gather, the main arguments for getting a **patent** ... hard to fight against **patent** infringement ... someone else filing the **patent** and then ...
17 answers | Asked by [Jean-Stéphane Dupervil](#) | May 27, 2008 in Intellectual Property

Q. **How does the (US) patent process work? Is there a low cost method of researching and applying for a patent?**
... of the **patent** mills that advertise on the ... Hyman -- this could be a very long

Refine Search

Keyword
"patent"

Search for keyword match
 Questions and Answer
 Questions only

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LinkedIn Answers

Show Expertise

- Questioners choose one Answer as a “Best” Answer
- “Best” Answer earns expertise point
- Lists of Experts on topics

David's Q & A

Expertise in

- ★ Using LinkedIn (16 best answers)
- Property Law (15 best answers)
- Criminal Law (11 best answers)
- ...and 73 others

Law and Legal Experts

Open Questions

Closed Questions

Experts

sorted by: Degrees away from you | Expertise

Experts	No. of Best Answers (in this category)
David Marshall ^{2nd} - see all my answers Managing Director of Sirleaf Pte Ltd and legal consultant. dmar9147@yahoo.com ★ Best Answers in: Property Law (15), Criminal Law (11), Employment and Labor Law (11), ...	60
Robert Geurden - see all my answers Partner at Brier & Geurden LLP ★ Best Answers in: Tax Law (15), Corporate Law (9), Property Law (7), ...	33
Jason Beahm ^{2nd} - see all my answers Associate Attorney For Hire ★ Best Answers in: Criminal Law (7), Employment and Labor Law (7), Contracts (4), ...	27
Ellen Stiefler - see all my answers Intellectual Property Attorney and Transmedia Strategist ★ Best Answers in: Intellectual Property (10), Corporate Law (4), Property Law (4), ...	25

Update to show up

UPDATES



Alex Triantafilou VERY proud of GOP endorsed Judge Kubicki and longtime GOP'er Joe Deters for their work on Kirkland case. Great public servants.

via Twitter

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Kendra Ramirez Exciting NEW Social Media Courses for April. Register today <http://www.acceleratedbr.com/courses.asp>

8 hours ago · [Comment](#) · [Reply privately](#)



Sue Glew Here are some Easy Spring Cleaning tips...(of course, the easiest is 2 call us & have us do it 4 you) Check them out.. <http://bit.ly/dscJtk>

via Twitter

11 hours ago · [Comment](#) · [Reply privately](#)

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RECOMMENDATIONS



Tom Breitenbach recommends **Matt Speelman**, "Matt Speelman was an exemplary IT Director, technology expert, and manager at Security National Auto..."

38 minutes ago · [Read more](#)

PROFILE UPDATES



Martin Miller has an updated profile (Honors)

4 hours ago · [Comment](#)



Matt Whitlow has added news profile links: [Company](#)

12 hours ago · [Comment](#)



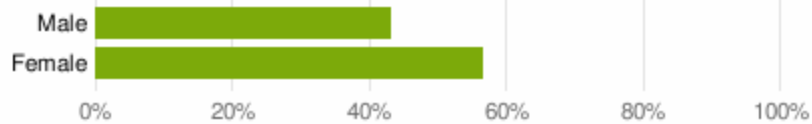
facebook®



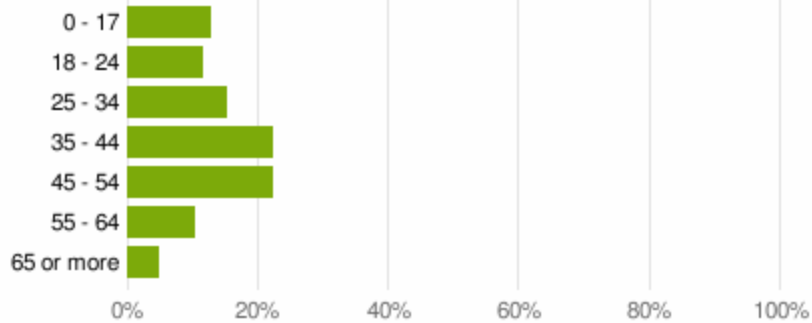
Who's Out There?

Facebook Demographic Data

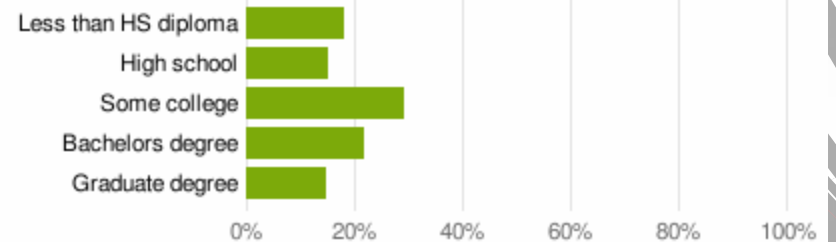
Gender



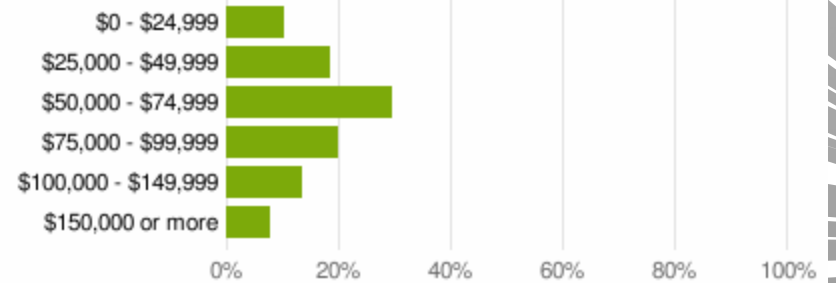
Age



Education



Household income



Facebook – For Business Too

- Build out your Profile with your professional information
- Provide links back to your LinkedIn Profile, website, etc.
- Don't be boring - Facebook is more "social"
- "Status Update" - keep your network informed/stay in front of them
- "Blog" within Facebook to get started & share with your network
- Share links, videos, etc. -- establish expertise/credibility



View Photos of Me (65)

Edit My Profile

Still looking to rule the world or at least become IP counsel for U2 and then tour with them to find potential infringers

Information

Geoffrey Oberhaus Oscar Mayer Wienermobile crashes into Wis. home
<http://bit.ly/xrvUq> via Twitter - 12 hours ago clear

Wall Info Photos Boxes Causes +

What's on your mind?

Attach

Share

Options



Geoffrey Oberhaus

Profile Pictures



2 hours ago · Comment · Like



Geoffrey Oberhaus Oscar Mayer Wienermobile crashes into Wis. home <http://bit.ly/xrvUq>

Yesterday at 8:51pm · via Twitter · Comment · Like

Facebook privacy settings!



Use the Privacy Settings

Privacy Settings



Profile Information

Control who can see your profile and who can post to your Wall



Contact Information

Control who can contact you on Facebook and see your contact information and email



Applications and Websites

Control what information is available to Facebook-enhanced applications and websites



Search

Control who can see your search result on Facebook and in search engines



Block List

Control who can interact with you on Facebook

Privacy Settings ▶ Profile Information

[← Back to Privacy](#)

[Preview My Profile...](#)

About me

About Me refers to the About Me description in your profile

 Only Friends ▼

Personal Info

Interests, Activities, Favorites

 Only Friends ▼

Birthday

Birth date and Year

 Only Friends ▼

Religious and Political Views

 Only Friends ▼

Family and Relationship

Family Members, Relationship Status, Interested In, and Looking For

 Only Friends ▼

Education and Work

Schools, Colleges and Workplaces

 Only Friends ▼

Photos and Videos of Me

Photos and Videos you've been tagged in


 Only Friends ▼

Photo Albums

[Edit Settings](#)

Posts by Me

Default setting for Status Updates, Links, Notes, Photos, and Videos you post


 Only Friends; Except: Profes... ▼

Allow friends to post on my Wall

Friends can post on my Wall

Posts by Friends

Control who can see posts by your friends on your profile

 Only Friends; Except: Profes... ▼

Comments on Posts

Control who can comment on posts you create

 Only Friends ▼

To edit settings for Groups and other applications, visit the [Application Settings](#) Page.



Viewing your profile as:
George H. Vincent
Friend List: Professional Only

View profile as:

[Exit 'View as' mode](#) [Edit Profile Privacy](#)

Geoffrey Oberhaus

- Wall
- Info
- Photos
- Boxes
- Causes



[View Photos of Geoffrey \(65\)](#)

[Send Geoffrey a Message](#)

[Poke Geoffrey](#)

Still looking to rule the world or at least become IP counsel for U2 and then tour with them to find potential infringers



Geoffrey Oberhaus

Profile Pictures



2 hours ago · [Comment](#) · [Like](#)



Michael Rathburn

In this photo: [Geoffrey Oberhaus](#)



DHSMB

August 1987. Moving to "How the West Was Won". Does anyone even KNOW this song?

Wed at 11:24pm

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Lands' End Fans can win prizes all summer – enter every Friday-Sunday

Blogs/Blawgs

- Easy to set-up
 - Blogger, WordPress, Movable Type
- Can become a great resource of information
- Lots of work – Once you start don't stop
- Learn from others –
 - <http://www.abajournal.com/blawgs/>

Home » Blawg Directory

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MAIN BY TOPIC AUTHOR TYPE REGION LAW SCHOOL

Court Beat



Website | RSS | Twitter

The justices of the U.S. Supreme Court, rather than the court itself, is the focus here. *USA Today* reporter Joan Biskupic's posts cover their roles in recent rulings as well as her insights into their personalities, which are gleaned from her two decades of covering the court and research into her biographies of Antonin Scalia and Sandra Day O'Connor.

Filed In
• U.S. Supreme Court

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PATENTLYO

The nation's leading patent law blog



Mar 31, 2010

Guest Post: Update To Recent Patent Damages Article

Guest Post By Michael J. Kasdan and Joseph Casino

In our March 3, 2010 article in the Patently-O Law Journal, *Federal Courts Closely Scrutinizing and Slashing Damages Awards*, we discussed recent shifts in the Federal Circuit's reasonable royalty jurisprudence and concluded that the recent *Cornell*, *Lucent*, and *Lansa* cases "indicate an emerging trend to more carefully scrutinize the evidentiary and economic basis of reasonable royalty-based patent damages awards in the setting of the appropriate royalty base, the application of the entire market value rule, and the calculation of the appropriate royalty rate." We also noted that contemplated legislative reforms in the area of patent damages may likewise "seek to put the burden on district court judges to act as 'gatekeepers' and to closely scrutinize the evidence that is relied upon to prove patent damages."

1. Patent Reform Bill

Shortly after our article was published, the U.S. Senate announced a new "compromise" patent reform bill (full text available [here](#)), which includes a section addressing patent damages. Whereas prior versions of the patent reform bill which had been considered over the past years had contemplated introducing more specific statutory limitations on patent damages, ~~the current Senate compromise bill does~~

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Author

Dennis Crouch,
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Bank of America's Mortgage Writedown: Too Little, Too Late, and Too Confusing

By [Brett Weiss, Maryland Bankruptcy Attorney](#) on March 24, 2010 in ["Bankruptcy Information Featured"](#) | [0 comments](#)

Three years into the mortgage foreclosure crisis, a major lender has finally announced that it will reduce principal on "underwater" mortgages. Sort of.

According to The New York Times, BoA won't actually write down loans to the value of the property (which is more than it would get in a foreclosure). Rather (and here's where it [...])

[Read more of this article](#)

Featured Articles



How to file bankruptcy – #16 of a series – The "presumption of abuse"

By [David Leibowitz, Illinois and Wisconsin Bankruptcy Attorney](#)

Congress really knows how to paint a bulls-



Individual Chapter 13, Court Allows Joint Second Mortgage Lien Strip

By [Kurt O'Keefe, Attorney at Law](#)

A second mortgage lien in the wife's individual Chapter 13 bankruptcy case has been stripped by a Court, even though the



Bankruptcy Discharge v. Debt Canceled: Taxing Matter

By [Mark Buckley, Rhode Island](#)

[Bankruptcy Lawyer](#)

Under the U.S. Bankruptcy Code, if a debt is discharged in a bankruptcy case, it does



twitter



twitter

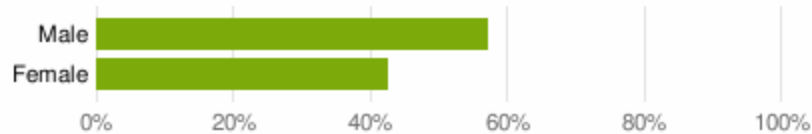
Who's Out There?

Twitter is a social networking and micro-blogging service that allows users to send and read other users' updates (tweets) - which are text-based posts of up to 140 characters in length.

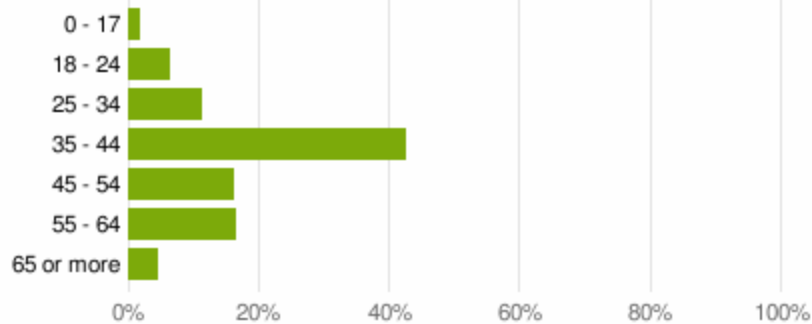
*** Fastest growing social network with 10 – 12 million users currently.*

Twitter Demographic Data

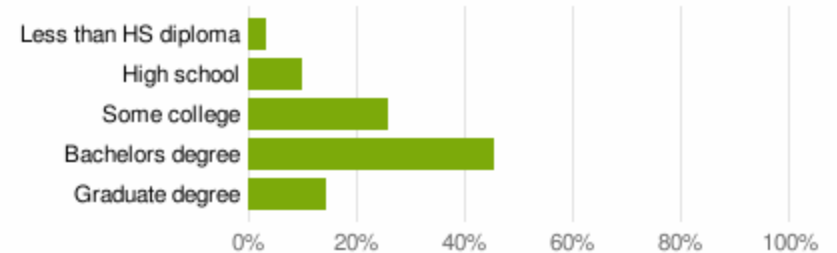
Gender



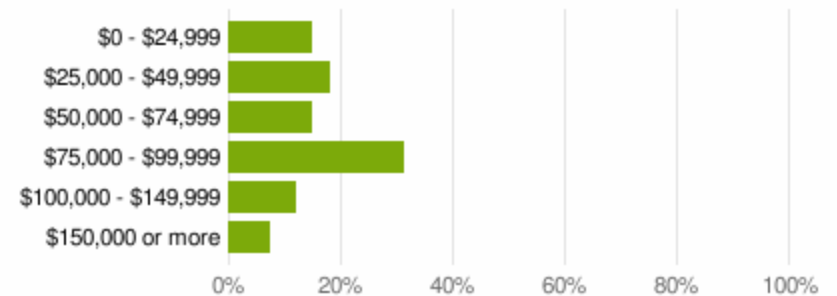
Age



Education



Household income



Source: <http://www.ignitesocialmedia.com/2008-social-network-analysis-report/>

Twitter – Building Your Brand

Twitter is an informal, conversational tool

- Key to Twitter – “Listening” as well as “Talking”
- Balance **promotional, personal** and **conversational tweets**
- Ideally be a “real person” reflecting a real voice and authenticity
- Be interesting, informative and entertaining all at once
- Share links that may be of interest to clients & potential clients
- Subtly promote your own activities
- Regularly promote others (they’ll likely reciprocate)
- Link to your blog posts or items of interest on your corporate website
- Post photos from corporate events



twitter



Ipesq

That's you!

Lists

Time to go get an MBA? RT @WSJ: Median pay for the top 200 U.S. chief executives was \$6.95 million in 2009

<http://on.wsj.com/as38ZB>

about 3 hours ago via TweetDeck

United Way ELS (@ rusty bucket) <http://4sq.com/5z09uO>

about 5 hours ago via foursquare

Nice day to sit outside and enjoy a cup of coffee (@ Starbucks)

<http://4sq.com/4Owu5R>

about 6 hours ago via foursquare

I'm at Tazza Mia Express (250 E Fifth St, in Chiquita Center, Cincinnati). <http://4sq.com/92DnbW>

about 14 hours ago via foursquare

Hey! I'm live on Ustream from my iPhone -

<http://ustre.am/a5zX>

5:46 PM Mar 30th via Ustream

From #Luxist: Luxist Interview: Rocky Patel Discusses His Lates... <http://bit.ly/a8mzWz>

9:27 PM Mar 29th via web

New iPhone May End AT&T U.S. Monopoly

[#WSJ #iPhone](http://on.wsj.com/9Hnets)

9:12 PM Mar 29th via WSJ

Name Geof Oberhaus

Location iPhone:

38.354588, -85.591682

Web <http://www.geofob...>

Bio Happy Law, patent attorney, cigar lover

417

following

371

followers

15

listed

Tweets

584

Favorites

Following



View all...

RSS feed of Ipesq's tweets

Name results for: patents

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patents

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over Easter @baplig is closed Friday
2/4/10, Sunday 4/4/10 & Monday
5/4/10. Information always available at
<http://www.businessandpatents.org>
about 7 hours ago



Patents_Ottawa

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Teitelbaum & MacLean is a firm of patent agents
specializing in optics, photonics, telecomm, and
mechanical, electrical and SW engineering.
7:56 AM Feb 23rd



CrazyPatents

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Patent test 5:26 PM Dec 14th, 2009



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Patents Pending | Palo Alto, CA
Court grants emergency motion to waive bond in
Microsoft v. i4i case, keeping MS Word on the
market pending the appeal. <http://bit.ly/A2PCs>
2:55 AM Aug 22nd, 2009



Patents

Win an iPad to use w/ free @Logos Bible Software
app for iPhone, iPod Touch, and iPad! Details:
<http://bit.ly/L4ipad> 4:48 PM Feb 5th



Legal Ethical Implications

The background of the slide is an abstract composition of numerous curved, overlapping lines in various shades of gray and white. These lines originate from the right side of the frame and curve towards the left, creating a sense of depth and movement. The overall effect is a dynamic, layered pattern that frames the central text.

Hypothetical #1

- Witness who is not a party to litigation or represented by counsel
 - Information during deposition suggests her FaceBook page may contain relevant info
- Can counsel review her FaceBook account to find the info?

Variation of Hypo #1

- Witness's FaceBook page is only viewable by "Friends"
 - Counsel proposes to have a third person "Friend Her" to obtain access to information
 - Witness seems to accept all "Friend Requests"

Variation of Hypo #1

- Very similar to actual Bar Opinion
 - The Philadelphia Bar Association
 - Professional Guidance Committee Opinion 2009-02
- Issues
 - Responsibilities Regarding Nonlawyer Assistants
 - Misconduct
 - Truthfulness in Statements to Others

Hypothetical #2

■ LinkedIn Profile

- Attorney Profile states she is an “Expert” in Labor & Employment Cases

Hypothetical #2

- ABA Model Rule 7.4

- Cannot describe yourself as an “expert” unless “certified as a specialist”

Variation of Hypo #2

- What if a contact gave a “Recommendation” which states she is an “expert”?

Recommendations For Geof

Attorney at Law

Dinsmore & Shohl LLP 

“Geof handles complicated patent matters with ease. He communicates well with the technical community on patent drafting matters. Geof works especially well with chemistry professionals and computer/software professionals.” *August 5, 2008*

Top qualities: Personable, Expert, High Integrity

 **Jacqueline Daspit**

hired Geof as a Attorney in 1999, and hired Geof more than once

Hypothetical #3

- You receive a FaceBook “Friend” request from a local judge
 - You are friends in the real world
 - You have dinner or enjoy other activities with the judge

Hypothetical #3

■ Florida Judicial Ethics Committee

– Opinion 2009-20

– *“The Committee believes that listing lawyers who may appear before the judge as “friends” on a judge’s social networking page reasonably conveys to others the impression that these lawyer “friends” are in a special position to influence the judge.”*

■ What about if listed as a “Contact” on LinkedIn?

Is Social Media Advertising?

- Pay very special attention to your state's rules and opinions.
 - Disclaimer required?
 - “THIS IS AN ADVERTISEMENT”
- Remember that Solicitation Rules apply online
 - ABA Model Rule 7.3(a)
 - May not solicit legal work from prospective clients via in-person communications unless narrow exceptions apply

Other Ethical Issues

- Don't reveal client confidences
 - Status Update
 - “Working on deal for major consumer products company to sell food division”
- Don't solicit work where you are not licensed?
 - Discussion Posting on LinkedIn by out-of-state person

Other Ethical Issues

- Posting “complaints” about a judge online in a blog or even on Twitter
 - Florida lawyer blogged about a judge –
 - *“Evil, Unfair Witch”*
 - Lawyer was reprimanded and fined by Florida Bar
 - Illinois assistant public defender for 19 years
 - Blogged about judge as “Judge Clueless”
 - Thinly veiled client identities & confidential details
 - *“This stupid kid is taking the rap for his drug-dealing dirtbag of an older brother because ‘he’s no snitch.’”*
 - Fired and faces discipline hearings

Thank You

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