

Hon. William C. Conner Inn of Court

Reception and Dinner



January 19, 2010

The Union League Club of New York



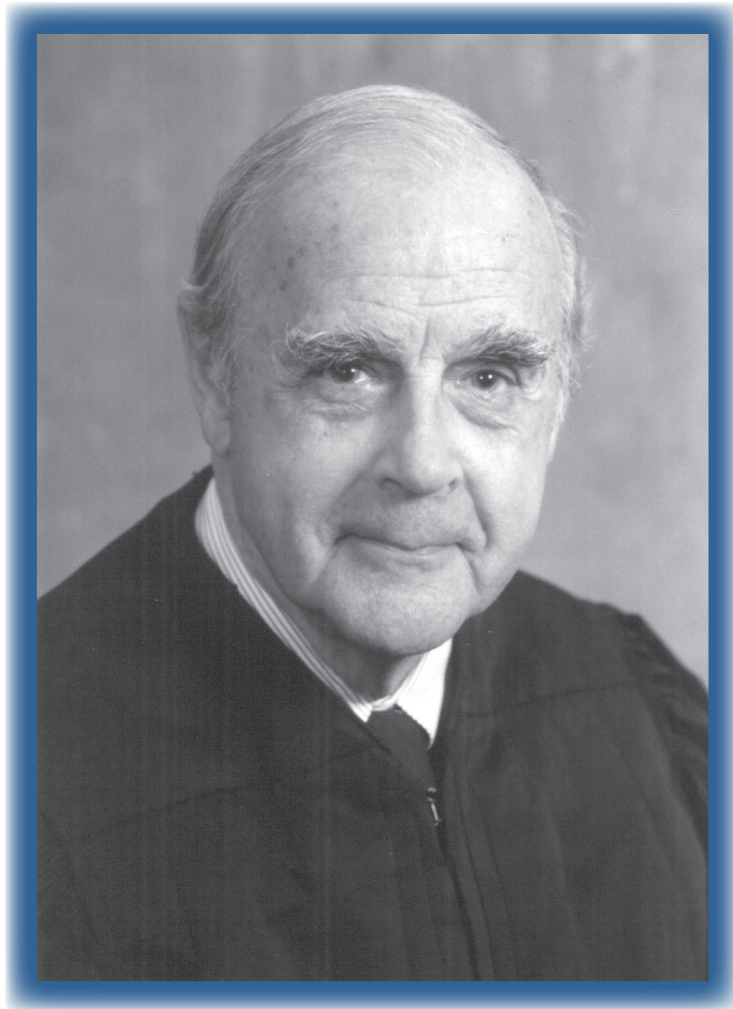
In Memoriam

On behalf of the Officers and Executive Committee of the Hon. William C. Conner Inn of Court, it is with great sadness that we report the passing of the Hon. William C. Conner on July 9, 2009. He was 89.

Judge Conner served his country with distinction as a United States District Court Judge of the Southern District of New York for over 35 years. He was a valued member of our IP community as a patent attorney (1946-73), as a past president of the New York Intellectual Property Law Association (1972-73), then known as the New York Patent Law Association, and most recently as emeritus and active judicial participant in our Conner Inn of Court. He will be deeply missed.

Tributes to Judge Conner have been collected and posted on the Conner Inn website at www.connerinn.org.

Judge William C. Conner



Mission of the Hon. William C. Conner Inn of Court

The mission of the Hon. William C. Conner Inn of Court is to promote excellence in professionalism, ethics, civility, and legal skills for judges, lawyers, academicians, and students of law and to advance the education of the members of the Inn, the members of the bench and bar, and the public in the fields of intellectual property law.



Program

... *Cocktail Reception* · 6:00 pm ...

... *Dinner* · 7:00 pm ...

... *Welcome* ...

Anthony Giaccio

... *Presentations* ...

Conner Inn Excellence Award

to Chief Judge Loretta A. Preska

by Judge Barbara S. Jones

United States District Court, Southern District of New York

Conner Inn Excellence Award

to Chief Judge Raymond J. Dearie

by Judge Roslynn R. Mauskopf

United States District Court, Eastern District of New York

Conner Inn Excellence Award

to Chief Judge Paul R. Michel

by Judge Richard Linn

United States Court of Appeals, Federal Circuit

...

Dinner Committee Chairperson

Jeffrey M. Butler

Commemorative Journal Chairpersons

Dale L. Carlson

Jeffrey M. Butler



Message from Conner Inn Executive Committee Chair

Iwould like to welcome everyone this evening. We are again privileged to have with us so many honored guests and distinguished members of the bar. There is one honored guest who is not with us this evening in person, but I am sure is with us in spirit – Hon. William C. Conner. I am confident that he would be very pleased to see that all of you here tonight are continuing to support the Conner Inn of Court.

We have three Conner Inn Excellence Awards to present this evening. The first will be presented by Judge Barbara Jones to Chief Judge Loretta Preska of the Southern District of New York. The second will be presented by Judge Roslynn Mauskopf to Chief Judge Raymond Dearie of the Eastern District of New York. The third will be presented by Judge Richard Linn to Chief Judge Paul Michel.

Chief Judge Dennis Jacobs of the Second Circuit Court of Appeals in his speech at the 87th Annual Dinner in Honor of the Federal Judiciary hosted by the New York Intellectual Property Law Association, said that he is often asked how he became a Chief Judge. After explaining the details of the selection determination on numerous, past occasions only to watch lawyers' and non-lawyers' eyes glaze over, he joked that now he tells people it is based on merit. Knowing this evening's award recipients, it is hard to believe that the selection process involved anything other than a determination based on merit. All have followed in the footsteps of their predecessors (and followed the example of Chief Judge Jacobs and his predecessors) as excellent leaders of their respective Courts.

The Conner Inn of Court leadership would like to thank the NYIPLA for generously co-sponsoring this evening's reception and dinner. As chair of the Conner Inn Executive Committee, I would like to thank the other members of the Executive Committee of the Conner Inn (Melvin Garner, John Lane, and Thomas Meloro) for their support and selfless dedication of time and energy; Jeffrey Butler for his efforts in coordinating the details for this event; Dale Carlson and Jeffrey Butler for putting together this commemorative journal; the leadership of the Linn Inn Alliance and of the now nine other intellectual property focused Inns of Court around the country for their encouragement and support; and each of you for attending this evening, supporting the Conner Inn of Court, paying tribute to Judge Conner, and advancing the values of civility, ethics, and professionalism that Judge Conner exemplified.

By Anthony Giaccio,

Executive Committee Chair



The Conner Inn Leadership

Officers and Executive Committee

Officers

President	Hon. Barbara S. Jones <i>Southern District of New York</i>
Counselor	Hon. Colleen McMahon <i>Southern District of New York</i>
Secretary/Treasurer	Anthony Giaccio

Executive Committee

Chair	Anthony Giaccio
Members	Melvin Garner John Lane Thomas Meloro

Judicial Members of the Inn

Hon. Richard M. Berman, *Southern District of New York*
Hon. Barbara S. Jones, *Southern District of New York*
Hon. Roslynn R. Mauskopf, *Eastern District of New York*
Hon. Colleen McMahon, *Southern District of New York*
Hon. Stephen C. Robinson, *Southern District of New York*
Hon. Mark Fox, Magistrate Judge (Ret.), *Southern District of New York*

Visiting Judicial Members of the Inn

Hon. Paul R. Michel, Chief Judge, *Court of Appeals for the Federal Circuit*
Hon. Timothy B. Dyk, *Court of Appeals for the Federal Circuit*
Hon. Richard Linn, *Court of Appeals for the Federal Circuit*
Hon. Pauline Newman, *Court of Appeals for the Federal Circuit*



Hon. William C. Conner Inn of Court Completes Inaugural Year

The Hon. William C. Conner Inn of Court has completed its inaugural year as the first American Inn of Court in New York that is focused on Intellectual Property Law. The mission of the Hon. William C. Conner Inn of Court is to promote excellence in professionalism, ethics, civility, and legal skills for judges, lawyers, academicians, and students of law and to advance the education of the members of the Inn, the members of the bench and bar, and the public in the fields of Intellectual Property Law.

ANOTHER IP INN OF COURT

The Conner Inn is named for the late Hon. William C. Conner, Senior District Judge of the United States District Court for the Southern District of New York.¹ Judge Conner was a preeminent jurist and towering figure in the intellectual property community. In learning of the formation of the Conner Inn, Chief Judge Paul Michel of the United States Court of Appeals for the Federal Circuit remarked that Judge Conner is the “personification of the ideals behind every American Inn of Court.”

The founding President of the Conner Inn is Hon. Barbara S. Jones of the United States District Court for the Southern District of New York. Anthony Giaccio serves as Secretary-Treasurer. “Nothing gave me greater pleasure this past year than working with Anthony and his colleagues in the New York intellectual property bar to launch the new William C. Conner Inn of Court,” said Judge Jones. “We worked hard, we learned and we had fun; having Bill Conner attend every meeting to teach us and to cheer us on was the icing on the cake.”

Hon. Colleen McMahon serves as the Inn’s Counselor. “There is nothing I wouldn’t do to honor my friend and colleague Bill Conner, but it is no hard-



Conner Inn of Court Program, February 2009



ship to work with all these superb IP lawyers on fun projects and to enjoy their company afterwards,” said Judge McMahon.

The Conner Inn is very pleased to have the active participation of judges from the U.S. District Court of the Southern District of New York and U.S. Court of Appeals for the Federal Circuit. Judge Richard Berman, Judge Stephen Robinson and retired Magistrate Judge Mark Fox, all of the Southern District of New York, also participate as judicial members of the Conner Inn.² Chief Judge Michel and Judges Timothy Dyk, Richard Linn, and Pauline Newman of the Federal Circuit have agreed to participate as visiting judicial members of the Conner Inn. The Executive Committee is chaired by Anthony Giaccio, and also includes Melvin Garner, John Lane and Thomas Meloro.

INSPIRED BY THE LINN INN ALLIANCE

Over 100 leading members of the bench and bar constituted the inaugural members of the Conner Inn, with a balance of judges, senior lawyers, junior lawyers, and students from Fordham University School of Law and New York University School of Law. Inspired by Judge Richard Linn of the Federal Circuit at a meeting of the Linn Inn Alliance at the Dolly Madison House in Washington, D.C. in May 2008, the Conner Inn held its initial meeting November 2008. “The only thing that pleases me more than the establishment of an intellectual property focused Inn of Court in New York City is the fact that the members of that Inn wisely have seen fit to honor my distinguished colleague, Judge William Conner, by naming the Inn after him,” said Judge Linn.

WRIGHT BROTHERS V. HERRING-CURTISS CASE REVISITED

The Conner Inn decided that its first substantive programs would be based on litigation of the famous Wright Brothers patent on a “Flying Machine.” The patent had been the subject of extensive litigation early in the 20th century against Herring-Curtiss Co., and the Inn decided to test that patent under modern patent laws and procedures. At the November meeting, Judge Jones presided over a mock Scheduling Conference, which set the stage for the next business meetings. From February to April 2009, the Conner Inn conducted a Markman hearing to determine the legal scope of a particular claim term “aeroplane” in the Wright Brothers patent, followed by a



Conner Inn of Court Program, February 2009



summary judgment hearing of cross motions for infringement and non-infringement of the patent and culminating with an oral argument of an appeal of the original decision from 1913. In each case, members of the local IP bar presented evidence based on the record from the actual litigation between the Wright Brothers and Herring-Curtiss, but under modern law and procedures. The program thus provided an excellent opportunity to contrast current-day patent law and litigation procedures with those in place a century ago, and to evaluate whether the Wright Brothers' patent would be adjudicated valid and infringed today (as it was then).

Judge Jones presided over a lively Markman hearing, which included expert testimony and argument by counsel and which was "covered by the press" in American Heritage's Invention & Technology magazine Spring 2009 edition. In the next program, Magistrate Judge Fox presided over a summary judgment hearing regarding infringement of the patent. In the final installment, an appellate argument was presented on the infringement issues before a panel consisting of Circuit Judge Linn and District Judges Conner and McMahon sitting by designation.

In true Inn of Court fashion, the judges and attorneys spent time informally discussing the issues and presentations over a light meal at the conclusion of the substantive sessions. In something of a surprise, it was far from clear to those in attendance that the Wright Brothers would prevail if their patent were litigated under today's laws and procedures. Many members of the bar were involved in preparing and presenting these arguments. Special mention must be made of the efforts of Anthony Giaccio, John Lane and Melvin Garner in organizing and participating in the programs.

ANTI-COUNTERFEITING PROGRAM

For its final program of the year, the Conner Inn focused on enforcement of trademark rights against counterfeit goods, including seizure proceedings which can be conducted to stamp out trademark infringement. Judge Berman presided over the evening, which included an application for an ex parte seizure order, as well as a presentation from Shari Hyman, Director of the New York City Mayor's Office of Special Enforcement. The Inn members now are well-armed to continue to combat counterfeit goods.



Conner Inn of Court Program, April 2009



INAUGURAL DINNER AND PRESENTATION OF CHARTER

Apart from the substantive programs, the Conner Inn also enjoyed an Inaugural Dinner on January 15, 2009. The dinner was held at the Union League Club of New York to celebrate formation of the Conner Inn and to honor Judge Conner. Over two hundred members of the bar attended, along with twenty-five members of the bench. The Inn was privileged by the attendance of three Chief Judges: Chief Judge Dennis Jacobs of the Court of Appeals for Second Circuit, Chief Judge Kimba Wood of the Southern District of New York and Chief Judge Paul Michel of the Court of Appeals for the Federal Circuit, along with Circuit Judges Richard Linn, Pauline Newman, and Timothy Dyk of the Federal Circuit and many of Judge Conner's colleagues from the Southern District of New York. Judges Jones and McMahon gave a rousing tribute to Judge Conner and his wife, Jan,



in a highlight of the evening commemorating Judge Conner's 35th Anniversary on the bench of the Southern District of New York. In presenting the Conner Inn its Charter, Judge Linn noted with pleasure that the Inn is located in the "historic center of so much of the development of our intellectual property laws," and is fittingly named after Judge Conner, who has "served this country so well." Anthony Giaccio and Thomas Meloro organized the evening, and were

greatly assisted by Dale Carlson.

At the time of its formation, the Conner Inn joined six other Inns of Court around the country which are focused on intellectual property law. The Intellectual Property Inns have been organized and supported by an ad hoc "Linn Inn Alliance" formed by Judge Linn of the Federal Circuit. The Linn Inn alliance organization promotes the formation of IP Inns of Court and encourages members of each IP Inn to attend each other's meetings. Judge Linn and the Linn Inn Alliance were instrumental in assisting the Conner Inn in its efforts to organize. Although many people deserve much credit for the formation of the Conner Inn, the Conner Inn would not exist today except for Judge Linn's leadership and dedication to spreading the American Inn of Court experience across the country.

*By Thomas J. Meloro
Executive Committee Member*

¹ Judge William C. Conner passed away on July 9, 2009.

² Hon. Roslynn Mauskopf of the Eastern District of New York recently became a judicial member of the Conner Inn.





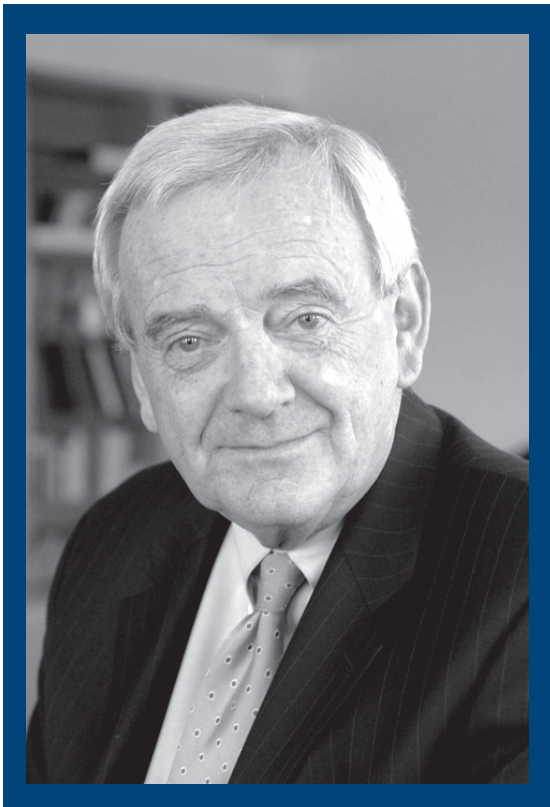
Loretta A. Preska

Judge Preska was appointed United States District Judge for the Southern District of New York on August 12, 1992, and entered duty on September 18, 1992. From June 1, 2009, to the present, she serves as Chief Judge of that Court. Judge Preska received a B.A. from the College of St. Rose in Albany, New York in 1970; a J.D. from Fordham University School of Law in 1973; and an LL.M. in Trade Regulation from New York University Law School in 1978.

Following graduation from Fordham, Judge Preska was an associate at Cahill Gordon & Reindel LLP, beginning in January 1983, and a partner at Hertzog, Calamari & Gleason until her induction as a United States District Judge in September 1992. Judge Preska was nominated to the Second Circuit Court of Appeals in September 2008. She received the Louis J. Lefkowitz Public Service Alumni Award from Fordham University School of Law in 1992 and served several terms as a Vice President on the Board of Directors of the Fordham Law Alumni Association. The Fordham Law Alumni Association awarded her its Medal of Achievement in 1998. She received a Doctorate of Humane Letters, *honoris causa*, from the College of St. Rose, Albany, New York, in 1998; the Edward J. Weinfeld Award from the New York County Lawyers Association Federal Courts Committee for Excellence in the Administration of Justice in 2001; the Charles Carroll Award from the Catholic Lawyers Guild in 2004; and in 2009, the Stanley H. Fuld Award for outstanding contributions to the development of commercial law and jurisprudence in New York State from the Commercial and Federal Litigation Section of the New York State Bar Association. She has lectured at Securities Industry Association Legal & Compliance Division, the International Bar Association, and numerous other venues and was a contributing author to *Federal Civil Practice* published by the New York State Bar Association in 1989.

Judge Preska is a member of the Federal Bar Council, the New York County Lawyers Association, and the New York State Bar Association. She has served as a member of the Committee on Federal-State Jurisdiction of the Judicial Conference of the United States, as chair of the Benchbook Advisory Committee, and currently serves on the New York Federal-State Judicial Council and on the Board of Directors of the Federal Judicial Center. Judge Preska has also served on the Advisory Board of the New York Chapter of the Federalist Society and, since 2001, on the New York Regional Panel for the Selection of White House Fellows. Judge Preska is also a Trustee of Fordham University.





Raymond J. Dearie

United States District Judge Raymond J. Dearie was born in Rockville Centre, New York, and graduated from Fairfield University in 1966. He graduated from St. John's University School of Law in 1969, where he was editor-in-chief of the St. John's Law Review.

From 1969 to 1971, Judge Dearie practiced law at Shearman & Sterling in New York City. In 1971, he became an Assistant U.S. Attorney in the Eastern District of New York. During the next six years, he held several positions at the U.S. Attorney's Office, including Chief of the Appeals Division, Chief of the Criminal Division, and Executive Assistant to the U.S. Attorney. In 1977, Judge Dearie joined the law firm Surrey & Morse, in New York City. In 1980, he returned to the U.S. Attorney's Office in the Eastern District of New York as Chief Assistant to the U.S. Attorney. In 1982, he was named United States Attorney for the Eastern District of New

York. Judge Dearie was appointed a United States District Judge for the Eastern District of New York on March 21, 1986. He became Chief Judge of the Eastern District in March of 2007.

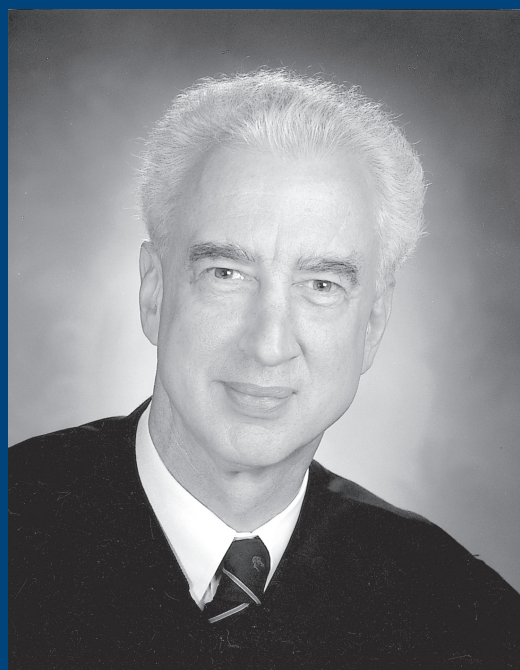
Judge Dearie was a member of the Association of the Bar of the City of New York and the New York State Bar Association and is currently a member of the Federal Bar Council. He has served as President of the Saint John's Law Review Alumni Association and has taught law at St. John's University School of Law and Brooklyn Law School. He has also lectured at the Federal Judicial Center, Federal Bar Council, the Association of the Bar of the City of New York, and other bar groups, and participated in the Inns of Court program.

In 2008, Judge Dearie received the honorary degree of Doctor of Laws from his alma mater, the St. John's University School of Law, and delivered the Commencement address to the graduating class.

Judge Dearie has five children.



Paul R. Michel



Paul R. Michel was appointed as a Circuit Judge to the United States Court of Appeals for the Federal Circuit by President Ronald Reagan in 1988. On December 25, 2004, after 16 years on the court, he assumed the duties of Chief Judge. Chief Judge Michel has written over 800 opinions in patent, trademark, takings, contract, tax, international trade, veterans' rights, and government personnel cases. He is the recipient of the Eli Whitney Prize, the Katz-Kiley Prize, and the Jefferson Medal for "outstanding contribution . . . to the progress of science and useful arts." In 2003, he was named by *Managing Intellectual Property* magazine as one of the 50 most influential people in the world in intellectual property.

Prior to his appointment to the court, Chief Judge Michel served in the executive and legislative branches of the government for 22 years. Following graduation from

Williams College in 1963 and the University of Virginia Law School in 1966, he served as Assistant District Attorney and Deputy District Attorney for Investigations in Philadelphia under Arlen Specter; as Assistant Special Watergate Prosecutor under Leon Jaworski, responsible for the Howard Hughes-Bebe Rebozo investigation; and under Dick Thornburgh as Deputy Chief of the Justice Department's Public Integrity Section directing the "Koreagate" investigation. In 1978 he was appointed by Benjamin Civiletti as Associate Deputy Attorney General, helping to supervise U.S. Attorneys, the FBI, and the Marshals Service. From April 1981 until his appointment to the court in March of 1988, he served on Senator Arlen Specter's staff, including as Chief of Staff.

Since 2005, he has been a member of the Judicial Conference of the United States, the governing body of the Judicial Branch and its Executive Committee.

He has taught at The George Washington University School of Law and other law schools, made many presentations to various city, state, national and international bar associations and participated in the training of judges of other nations. With two co-authors, he helped produce a casebook for law students, entitled, Modern Patent Litigation and Strategy. He has published numerous articles on appellate advocacy.

Chief Judge Michel is the recipient of the NYIPLA Outstanding Public Service Award 2007 and has an American Inn of Court named after him in Los Angeles, CA -- The Paul R. Michel IP American Inn of Court.



Honored Guests

SPECIAL GUESTS OF HONOR

Hon. Loretta A. Preska
Hon. Raymond J. Dearie
Hon. Paul R. Michel

UNITED STATES COURTS OF APPEALS

Federal Circuit

Hon. Paul R. Michel, Chief Judge
Hon. Richard Linn, Circuit Judge

Second Circuit

Hon. Dennis Jacobs, Chief Judge
Hon. Chester J. Straub, Senior Circuit Judge
Hon. John M. Walker, Jr., Senior Circuit Judge
Hon. Gerard E. Lynch, Circuit Judge

UNITED STATES DISTRICT COURTS

Southern District of New York

Hon. Loretta A. Preska, Chief Judge
Hon. Miriam Goldman Cedarbaum, Senior District Judge
Hon. John F. Keenan, Senior District Judge
Hon. Richard Owen, Senior District Judge
Hon. Louis L. Stanton, Senior District Judge
Hon. Kimba M. Wood, Senior District Judge
Hon. Denise L. Cote, District Judge
Hon. Barbara S. Jones, District Judge
Hon. John G. Koeltl, District Judge
Hon. Colleen McMahon, District Judge
Hon. William H. Pauley, District Judge
Hon. Stephen C. Robinson, District Judge
Hon. Shira Scheindlin, District Judge
Hon. Cathy Seibel, District Judge
Hon. Sidney H. Stein, District Judge
Hon. Laura Taylor Swain, District Judge



Eastern District of New York

Hon. Raymond J. Dearie, Chief Judge
Hon. Frederic Block, Senior District Judge
Hon. Nina Gershon, Senior District Judge
Hon. Edward R. Korman, Senior District Judge
Hon. Thomas C. Platt, Jr., Senior District Judge
Hon. Arthur D. Spatt, Senior District Judge
Hon. David G. Trager, Senior District Judge
Hon. John Gleeson, District Judge
Hon. Dora L. Irizarry, District Judge
Hon. Roslynn R. Mauskopf, District Judge
Hon. Allyne R. Ross, District Judge
Hon. Eric N. Vitaliano, District Judge

UNITED STATES COURT EXECUTIVES

Court of Appeals, Second Circuit

Karen Greve Milton, Circuit Executive

Southern District of New York

Clifford Kirsch, District Court Executive
Edward Friedland, Deputy District Executive

LINN INN ALLIANCE INNS OF COURT

Giles Rich American Inn of Court, Washington, DC
Elizabeth Dougherty, Giles Rich Inn Liaison to the Linn Inn Alliance

NYC AMERICAN INNS OF COURT

Dennis McInerney NYCLA American Inn of Court
Michael Miller, President

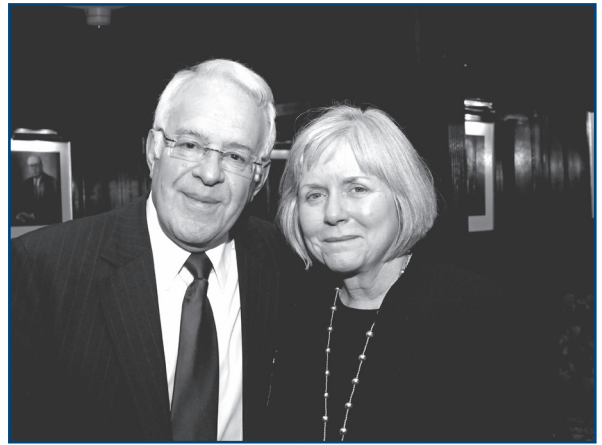
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Dean Joan G. Wexler, Brooklyn School of Law
Prof. Katherine J. Strandburg, New York University School of Law

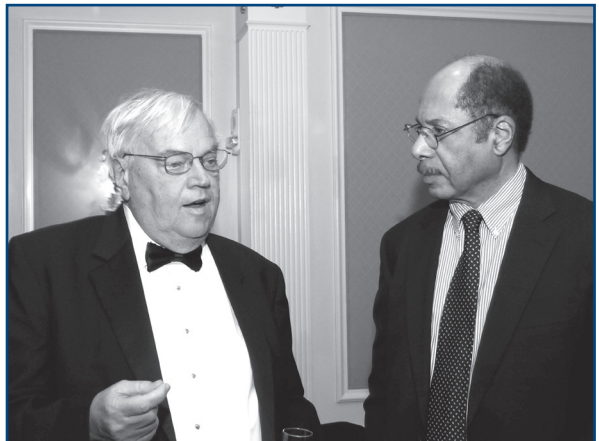


Conner Inn Inaugural Dinner 2009





Linn Inn Alliance Reception 2009



*The NYIPLA is proud
to co-sponsor this dinner celebrating*

The Conner Inn of Court

and Honoring

*Chief Judge Loretta A. Preska
Chief Judge Raymond J. Dearie
Chief Judge Paul R. Michel*

NYIPLA Officers and Board



Congratulations to
The Conner Inn of Court
and
Chief Judge Loretta A. Preska
Chief Judge Raymond J. Dearie
Chief Judge Paul R. Michel



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San Francisco, CA

Benjamin Franklin American Inn of Court
Philadelphia, PA

Richard Linn American Inn of Court
Chicago, IL

Paul R. Michel IP American Inn of Court
Los Angeles, CA

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Seattle, WA

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We are proud to support the
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and join in honoring
the Honorable Loretta A. Preska,
the Honorable Raymond J. Dearie, and
the Honorable Paul R. Michel
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THE HONORABLE PAUL R. MICHEL

on the occasion of the annual dinner

of

THE HONORABLE WILLIAM C. CONNER

AMERICAN INN OF COURT

January 19, 2010

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FR

Fish celebrates
the Honorable
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the Honorable
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the Honorable Paul R. Michel.
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The Honorable Paul R. Michel

Hon. William C. Conner Inn of Court

January 19, 2010

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JANUARY 19, 2010

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The Honorable Paul R. Michel

Conner Inn of Court

January 19, 2010

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**The Honorable
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**The Honorable
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***Conner Inn of Court*
January 19, 2010**

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Chief Judge Raymond Dearie
and
Chief Judge Paul Michel

for their dedication to the
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The Honorable Loretta A. Preska

The Honorable Raymond J. Dearie

The Honorable Paul R. Michel

Conner Inn of Court
January 19, 2010

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Ropes & Gray congratulates

The Honorable Loretta A. Preska

The Honorable Raymond J. Dearie

The Honorable Paul R. Michel

Conner Inn of Court

January 19, 2010

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The Honorable
Raymond Joseph Dearie

The Honorable
Paul R. Michel

Conner Inn of Court
January 19, 2010

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CONNER INN OF COURT

January 19, 2010

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In Arlington, Virginia



On a crisp, clear day at Arlington National Cemetery with taps played by a uniformed bugler and after a 21-gun salute, the Hon. William C. Conner was laid to rest on November 6, 2009, in a full military ceremony. In attendance were his family, friends, and colleagues, including judges from the US District Court for the Southern District of New York, the US Court of Appeals for the Federal Circuit, and the US Supreme Court.

Judge Conner was remembered as a war hero who joined the US Navy in World War II to fight for his country against the forces of evil, as an attorney who tried patent cases across the nation, and as a judge who listened to the litigants and dispensed justice with fairness.

The Conner Inn of Court was very touched when the Conner family asked for the seal of the Conner Inn of Court to be placed along side the seal of the US Navy and the seal of the Southern District of New York on Judge Conner's urn. In gratitude for this honor, the Conner Inn of Court made plaques (pictured) for the Conner family bearing Judge Conner's name and the three medallions that represented so much of his professional life. He will be missed deeply.

Tributes to Judge Conner have been collected and posted on the Conner Inn website at www.connerinn.org.

