

# MARQUETTE INTELLECTUAL PROPERTY & INNOVATION LAW REVIEW

## By-Laws

The *Marquette Intellectual Property & Innovation Law Review* (the “Review”) is a collective work produced by the students and faculty of Marquette University Law School. Academic credit is awarded by the faculty for student work on the Review, and these By-Laws establish the rules for earning such credit. Governance of the Review is subject to faculty control.

### I. Statement of Purpose

The purpose of the Review shall be to provide exciting and high-quality scholarship about intellectual property, innovation, technology, knowledge management, and entrepreneurship to academics and practitioners on a timely basis. Such scholarship shall address past, current, and future issues in intellectual property, innovation, and entrepreneurship law and attempt to bridge the conceptual gap between practitioners and scholars by providing scholarship which is timely, interesting, and pertinent to the practice of intellectual property, innovation, and entrepreneurship law.

### II. Organization

The Review is a student-edited publication governed by the faculty. The Review shall have an Editorial Board [hereinafter the “Board”], as described below. The Review shall also have Members, who shall be subject to supervision by the Board. The Board and the Members shall in turn be supervised by one or more Faculty Advisors.

#### A. The Board

The Board shall consist of the positions of Editor-in-Chief, one or more Managing Editors, one or more Lead Articles Editors, one or more Comment Editors, a Business Editor, and any other Board positions that the outgoing Board, in consultation with the faculty, determines shall be appropriate. Subject to the authority of the faculty and the Faculty Advisors, the Board shall:

- have principal responsibility for the publication of the Review and for management of the daily operations of the Review.
- formulate operational policies and procedures at regular Board meetings by majority vote. In the event of a tie vote, the Editor-in-Chief shall cast the deciding vote. A majority of the Board shall constitute a quorum.
- recommend Member comments for publication.
- select eligible Members to fill the positions on the succeeding Board.

Recommendations for the Board shall be determined by a poll of the members of the outgoing Board, in which each Board member shall have one vote. The recommendations will be submitted to the Faculty Advisors for final selection. Any second-year Member in good standing

who has taken Intellectual Property Law and who has submitted a comment deemed satisfactory by the current Board shall be eligible to run for a position on the Board. A comment need not be deemed publishable for a Member to be eligible for election to the Board. No one individual shall hold more than one position on the Board. In the event that there are an insufficient number of candidates to fill all available Board positions, the outgoing Board may, with the permission of the Faculty Advisors, seek other interested and capable second-year students to apply.

Board members shall receive two (2) credits per semester. At the faculty's discretion, the Law School may provide scholarships one or more Board members each year.

1. Editor-in-Chief

The Editor-in-Chief shall be the chief executive officer of the organization and shall set and enforce publication deadlines, manage the day-to-day affairs of the Review, solicit professional articles for consideration for publication, have final responsibility for the scholarly content and editorial preciseness of the Review, publicize the Review and maintain its reputation, be primary contact authority for the printer, oversee the entire Review publishing process, and have authority to delegate any necessary tasks to other Members of the Review.

2. Managing Editor

The primary responsibility of the Managing Editor shall be to ensure the technical accuracy of the Review by traditional cite-checking, blue-booking, and setting the Review in camera-ready condition for the printer. In order to accomplish this task, the Managing Editor shall also assign Members duties, set the editing schedule, and enforce deadlines. The Managing Editor shall edit the articles chosen for publication to ensure that they are written, rewritten, revised, and edited to conform with the highest standards for English language scholarly writing. The Managing Editor shall also be the primary contact person for authors during the editing process.

3. Lead Articles Editor

The primary responsibility of the Lead Articles Editor shall be to review submissions and select articles for publication in the Review. The Lead Articles Editor shall be responsible for handling all aspects of the acceptance process, including extending offers, obtaining signed agreements from authors, and tracking all pending submissions and offers.

4. Comment Editor

The Comment Editor shall be primarily responsible for assisting students in drafting and editing Comments for submission to the Review. The Comment Editor shall set the schedule for the Comment submission process. The Comment Editor shall also have the primary responsibility for supervising any other student-written submissions for the Review, such as case comments or competitions sponsored by other organizations. As with any Member or Board member, the Comment Editor may be assigned any other duties the Editor-in-Chief or Faculty Advisors deem appropriate.

## 5. Business Editor

The Business Editor shall be primarily responsible for keeping the business records of the Review, maintaining advertising accounts and promoting relationships with advertisers, overseeing distribution of the Review, and maintaining accurate records of all subscriptions of the Review. The Business Editor shall also assist the Faculty Advisors and the Editor-in-Chief in planning Review events, such as the annual Review banquet. The Business Editor shall also be responsible for depositing all funds received by the Board into the Review's account, and for supervising any disbursements made to the Board by the faculty or by any other source.

### B. Members

Members shall be selected through an annual writing competition held by the Review, the timing of which the Board shall determine in consultation with the Faculty Advisors and the editors-in-chief of the Marquette Law Review, the Marquette Sports Law Journal, and the Marquette Benefits & Social Welfare Law Review. Students are eligible to compete in the Review writing contest if, after completing 30 credits and legal writing, they are in good standing. The number of Members, chosen from the writing competition, shall be that number the Board deems necessary to staff the Review for the upcoming year. The writing submissions shall be judged by the Board in accordance with a predetermined procedure. At the discretion of the Board, transfer students who joined the law school too late to take part in the annual competition may be considered for membership under an equivalent process administered at a later date.

In the event students writing onto the Review demonstrate equivalent academic and/or writing skills, the student's demonstrated commitment to the study of intellectual property law (such as enrollment in more than one intellectual property class, being seriously engaged in the activities of the Intellectual Property Law Society, participation in intellectual property writing competitions, etc.) shall also be considered.

### C. Faculty Governance

The Review shall be supervised by a Marquette University faculty member or members appointed by the Dean [herein collectively referred to as "Faculty Advisors"]. The Faculty Advisors shall provide direct governance and oversight of the Review on behalf of the faculty. The powers of the Faculty Advisors include, but are not limited to:

- all powers delegated in these By-Laws to Members or Board members;
- publication decisions, including the selection for publication of specific articles;
- discipline, including discharge and denial of credit, of Members or Board members for nonperformance, malfeasance, or failure to comply with the requirements of these By-Laws or any rules adopted pursuant to the authority thereof; and
- formulation or amendment of Review policies and procedures.

## III. Publication

The Review shall be published twice each academic year on or about May 15 and December 15.

IV. Amendment of By-Laws

Amendment of these By-Laws may be made by a quorum of the faculty.

V. Effective Date

These By-Laws, as amended, shall be effective \_\_\_\_\_, 2021, for all purposes.