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AN ESSAY BY BILLY BROWN OLIVE

HIS LIFE AND HIS PRACTICE AS A PATENT ATTORNEY

*Presented with Gratitude on October 19, 2006 on the
Occasion of Being Honored with Those Licensed
by The North Carolina State Bar in 1956*

An important portion of this essay was embedded in my mind during the night of December 14, 1944 when I was hit by a piece of German artillery shrapnel while crossing a wet and muddy field near Ensdorf, Germany. Thus I write this essay with gratitude for being able to express myself as to what I and others have done with my life. The piece of shrapnel helped me write this essay. I was born in a rather simple house near downtown in Fuquay Springs, North Carolina on November 5, 1921. Our family consisted of three boys and three girls all of whom attended Duke University and five of whom graduated from Duke University. My father was born in Wake County in 1891 into a family of six children, served in World War I, attended Wake Forest College in Wake Forest, and practiced law in both Fuquay Springs and Durham. My mother was born in Wake County in 1893 into a family of four children, attended Meredith College in Raleigh, did some teaching but primarily devoted her life to the needs of my father, his law office, and six children.

We moved from Fuquay Springs to Durham about 1924 and I graduated from Hope Valley High School as valedictorian in its first twelfth grade class of about twenty five students. I took Latin for four years, was active in debating, and learned to type in my junior year of high school. All schools were segregated and which I opposed by sometimes purposely sitting in the sections of streetcars and buses assigned to the blacks and purposely provoking an argument with the conductor or operator. One of my closest friends was a young black person of about my age and with whom I spent many happy hours working on bicycle brakes, wheel alignment and otherwise learning much about bicycles from my young friend. We often shared corn bread either at his house or at our house depending on where we were working on a bicycle. Some evidence of "pre-law" education might be found in a "strike" which I organized in protest of our Glee Club Director's decision to additionally penalize one of my fellow glee club members for misbehavior after he had been offered and had accepted a penalty of five demerits. I drew up a document labeled as the "Declaration of Musical Freedom" and which all but one of the club members signed. Our Glee Club Director was also our Civics teacher. I have always felt that

our teacher in her role as our Civics teacher secretly admired this act of her students seeking justice in a peaceful way.

The ten-year period extending from roughly the year 1925 to the year 1935 was a period of great financial depression and is a period of which I remember as being a period of learning how to do without and of learning how to respect and protect the rights of the poor. I witnessed my own father often working for the poor even while trying during this period to earn enough to feed his own family from the practice of law. I was encouraged by my parents to work and earn not only for one's self and one's own needs but also for public needs. I remember signing up to sell twelve boxes of "White Clover" salve for a fifth grade school project but without much success. Working for public needs has always been a part of my life and which early on urged me toward the practice of law. Looking more specifically at the field of patent law I also see value gained from experience in perhaps twenty different occupations to which I was exposed as a teenager. I would encourage any young reader of this essay to learn at an early age, about as many occupations and skills as possible, both for personal goals as well as for goals related to public need.

After completing my Army service, I immediately returned to Duke University and earned numerous academic and leadership honors as well as my degree in Electrical Engineering. After graduating from Duke in 1948 I accepted employment with Westinghouse Electric International Company then located at 40 Wall Street in New York. My responsibility related to writing, negotiating, and implementing technical assistance agreements worldwide and which brought me into contact with company executives from many countries including England, France, Belgium, France, Italy, Chile, Japan, Australia, Brazil and Sweden. During my several years of employment with Westinghouse International, I attended evening classes of the Law School of Saint John's University, which was then located in Brooklyn, New York. I earned my law degree from St. John's University and became licensed in 1953 to practice law in New York. I next worked for several years for Fieldcrest Mills in Leaksville, North Carolina and supervised its patent, trademark and copyright activities and which was followed by a period of acting as its consultant in matters of intellectual property.

My own intellectual property law practice was started in 1957 at which time I also began an enjoyable fifteen year period of teaching both proprietary and engineering law subjects at the Duke School of Engineering and School of Product Design at North Carolina State University. Aside from practicing and teaching intellectual property law subjects, I have also spent considerable time writing letters to the editor and have successfully engaged in numerous activities related to protecting the environment. Working for the community should be part of every lawyer's life.

I have had my greatest joy reading complimentary comments of a judge on my work as a lawyer. More of such compliments from judges need to be made. Compliments by lawyers of work performed by other lawyers also need to be part of the scene.