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7:15 – 8:45 AM

DELAWARE AB, LOBBY LEVEL

WOMEN IN IP LAW BREAKFAST MEETING

Sponsored by: Howrey, LLP

VIEWS FROM THE BENCH - CAREER ACHIEVEMENTS AND PERSPECTIVES OF THE HONORABLE JUDGE SHARON PROST:

Career perspectives as Labor relations specialist for the US Civil Service Commission, an attorney in the Federal Labor Relations Authority and for the IRS, Solicitor of the National Labor Relations Board, Chief Labor Counsel (Minority) for the Senate Committee on Labor and Human Resources, Chief Counsel on Committee on the Judiciary, and appointed judge of the US Court of Appeals for the Federal Circuit since 2001.

7:45 – 8:45 AM

HARDING, MEZZANINE LEVEL

AMICUS (COMMITTEE MEMBERS ONLY)

7:45 – 8:45 AM

WILSON A, MEZZANINE LEVEL

INVENTOR ISSUES

This committee will continue development of inventor awareness programs for various localities and regions, and ways to reach the independent inventor community in order to protect the independent inventor from unscrupulous invention promotion firms. We will also review some litigated issues of concern to inventors, and discuss ways to help inventors to work within the patent system and avoid unauthorized practitioners.

7:45 – 8:45 AM

WILSON B, MEZZANINE LEVEL

US BAR JAPAN LIAISON COUNCIL (COUNCIL MEMBERS ONLY)

7:45 – 9:30 AM

EXHIBIT HALL A, EXHIBITION LEVEL

CONTINENTAL BREAKFAST

9:30 AM – 12:30 PM

MEET NEAR ENTRANCE TO HARRY'S PUB AT 9:15 AM

SPOUSE/GUEST TOUR (TICKETS REQUIRED)

“A Tour of the International Spy Musuem”

ADVANCED RESERVATIONS REQUIRED/SPACE IS LIMITED. SEE PAGE 45 FOR MORE DETAILS.

CONCURRENT TRACK 1 (8:45 – 11:45 AM)

COTILLION BALLROOM, MEZZANINE LEVEL

BLOOD, SWEAT, TOIL, AND TEARS: LICENSING AND THE ART OF THE DEAL

Moderator: **William R. Cohrs**
Exxon Mobil Corporation
Irving, TX

8:45 – 9:15 AM

History Is Written By Successful Negotiators

John Dondrea
Sidley Austin, LLP
Dallas, TX

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Edward D. Manzo
Cook Alex McFarron Manzo Cummings & Mehler, Ltd.
Chicago, IL

9:15 – 9:45 AM

Bringing Order to the Intrinsic Chaos of Licensing Negotiation

Robert S. Weisbein
Darby & Darby, PC
New York, NY

James Bollinger
Morgan Lewis
New York, NY

9:45 – 10:15 AM

Truth, the Whole Truth, and Nothing But the Truth: The Ethical Boundaries of License-Speak

Genie [Eugenia S.] Hansen
Hemmingway & Hansen, LLP
Dallas, TX

10:15 – 11:00 AM

Competitive Licensing – Demonstration and Critique

Competing Firms:

Presentation by John Dondrea and Edward D. Manzo
Presentation by Robert S. Weisbein and James Bollinger

11:00 – 11:45 AM

Review and Commentary

Lisa K. Jorgenson
STMicroelectronics, Inc.
Carrollton, TX

Wayne P. Sobon
Accenture, Legal & Commercial Group
Palo Alto, CA

Michael Noonan
Freescale Semiconductor, Inc.
Austin, TX

CONCURRENT TRACK 2 (8:45 – 11:45 AM)

MARRIOTT BALLROOM SALON 1, LOBBY LEVEL

UPDATE ON THE EXTRATERRITORIAL ENFORCEMENT OF PATENTS, TRADEMARKS AND COPYRIGHTS

8:45 – 8:50 AM

Introduction

Moderator: **Neil A. Smith**
Sheppard Mullin Richter & Hampton, LLP
San Francisco, CA

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8:50 – 9:15 AM

Form Over Substance: The Importance of Claim Language in Patent Enforcement, Method vs. System Claims

James Wallace
Wiley Rein & Fielding, LLP
Washington, DC

9:15 – 10:05 AM

Tag Team...What Does History Teach, and the Future Hold, for Extraterritorial Enforcement of US Patents

Alan Fisch
Kaye Scholer, LLP
Washington, DC

T. Andrew Culbert
Microsoft Corporation
Redmond, WA

10:05 – 10:30 AM

US International Trade Commission: Extraterritorial Rights of US Patents Against Imports

Alice A. Kipel
Steptoe & Johnson, LLP
Washington, DC

10:30 – 10:55 AM

Contrasting the Extraterritorial Enforcement of Trademark and Patent Rights

Timothy Holbrook
Chicago-Kent College of Law
Chicago, IL

10:55 – 11:20 AM

Copyright Laws Across the Border: Extraterritorial Enforcement

Doris Estelle Long
The John Marshall Law School
Chicago, IL

11:20 – 11:45 AM

Questions & Answers

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CONCURRENT TRACK 3 (8:45 – 11:45 AM)

MARYLAND, LOBBY LEVEL

MOVIES, MUSIC AND DEAD CELEBRITIES

8:45 – 8:55 AM

Introduction

Moderator: **Kate Spelman**
Cobalt, LLP
Berkeley, CA

8:55 – 9:35 AM

Celebrities – The Past and the Future

Mark Roesler
CMG Worldwide
Indianapolis, IN

9:35 – 10:15 AM

Implications of Library Asset Sales

Juliette Youngblood
Irell & Manella, LLP
Los Angeles, CA

10:15 – 10:55 AM

Virtual Superstars and the Right of Publicity in Motion Pictures

Mark Lee
Manatt
Los Angeles, CA

10:55 – 11:35 AM

Surviving the Minefield of Dead Celebrities

Jonathan Jennings
Pattishall McAuliffe Newbury Hilliard & Geraldson, LLP
Chicago, IL

11:35 – 11:45 AM

Questions & Answers

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11:45 AM – 12:15 PM

EXHIBIT HALL A, EXHIBITION LEVEL

LUNCHEON RECEPTION (ALL REGISTRANTS INVITED)

Sponsored by:

Patterson Belknap Webb & Tyler, LLP

12:15 – 1:45 PM

MARRIOTT BALLROOM SALONS 2 & 3, LOBBY LEVEL

LUNCHEON (TICKETS REQUIRED)

THE FEDERAL CIRCUIT IN THE 21ST CENTURY

Honorable Arthur J. Gajarsa
United States Court of Appeals for the Federal Circuit
Washington, DC



1:45 – 2:00 PM

MARRIOTT BALLROOM SALONS 2 & 3, LOBBY LEVEL

ANNUAL ASSOCIATION BUSINESS MEETING

CONCURRENT TRACK 1 (2:00 – 3:30 PM)

COTILLION BALLROOM, MEZZANINE LEVEL

§ 112 LEGAL DEVELOPMENTS AND PRACTICE POINTERS

Moderator: **Margo Bagley**
University of Virginia School of Law
Charlottesville, VA

2:00 – 2:30 PM

Developments in the Law of Step Plus Function Claims

Paul Kitch
Jenkins & Gilchrist
Chicago, IL

2:30 – 3:00 PM

***LizardTech v. Earth Resource Mapping* and its Implications for the Written Description Requirement**

Esther Keplinger
Wilson Sonsini Goodrich & Rosati
Reston, VA

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3:00 – 3:30 PM

"Testing, Testing...": Perils and Pratfalls in Test Parameter Claim Drafting

John E. Schneider
Fulbright & Jaworski, LLP
Houston, TX

CONCURRENT TRACK 2 (2:00 – 3:30 PM)

MARRIOTT BALLROOM SALON 1, LOBBY LEVEL

FOREIGN COUNSEL - DEVELOPING US CLIENTS: HOW SHOULD FOREIGN COUNSEL DEVELOP US CLIENTS AND ADVICE FROM US CORPORATE COUNSEL ON HOW FOREIGN COUNSEL SHOULD DEVELOP US CLIENTS

Moderator: **Raymond Van Dyke**
Nixon Peabody, LLP
Washington, DC

2:00 – 2:15 PM

US Corporate Practice Viewpoint

Chen Wang
E.I. du Pont de Nemours and Company
Wilmington, DE

2:15 – 2:30 PM

Mark A. Guetlich
Microsoft Corporation
Redmond, WA

2:30 – 2:45 PM

German Private Practice Viewpoint

Martin Kohler
Reimann Osterrieth Kohler Haft
Dusseldorf, Germany

2:45 – 3:00 PM

China Private Practice Viewpoint

Vivien Chan
Vivien Chan & Co.
Hong Kong

3:00 – 3:15 PM

UK Private Practice Viewpoint

Tibor Gold
Kilburn & Strode
London, United Kingdom

3:15 – 3:30 PM

Korea Private Practice Viewpoint

Chun Y. Yang
Kim & Chang
Seoul, Korea

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CONCURRENT TRACK 3 (2:00 – 3:30 PM)

MARYLAND, LOBBY LEVEL

PRACTITIONERS' STRATEGIES FOR SECTION 337 PROCEEDINGS AT THE ITC

2:00 – 2:05 PM

Introduction of the Panel

Moderator: **Nancy Lee Carter**
Kimberly-Clark Corporation
Neenah, WI

2:05 – 2:35 PM

Life on the Inside. Introduction to the ITC and an ITC Lawyer's Perspective on What Parties Do Wrong (and Right) at the ITC

Spence Chubb
US International Trade Commission
Washington, DC

2:35 – 3:00 PM

So You Say You Want an Exclusion Order. Top Strategies for Winning (or not Losing) Your Case at the ITC

Raymond A. Kurz
Hogan and Hartson, LLP
Washington, DC

3:00 – 3:25 PM

Invited to the ITC? How to Defend Your Client

John F. Rabena
Sughrue Mion, PLLC
Washington, DC

3:25 – 3:30 PM

Questions & Answers

Panel Discussion

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COMMITTEE EDUCATIONAL SESSION (3:30 – 5:30 PM)

3:30 – 5:30 PM

MARYLAND, LOBBY LEVEL

INTERNATIONAL AND FOREIGN LAW/IP PRACTICE IN EUROPE/IP PRACTICE IN THE FAR EAST/IP PRACTICE IN JAPAN/PATENT LITIGATION (JOINT SESSION) (100 MINUTES OF CLE REQUESTED)

Comparative Evidence Gathering Mechanisms

Fact Pattern

Your client owns patents in your country on a chemical called AIPLA-tonium and the process of making it. Your client suspects that its competitor is making and selling AIPLA-tonium in your country and would like to file a patent infringement lawsuit. Please address the following questions as they relate to the evidence-gathering process used in your country:

1. What factual investigations are required before a lawsuit can be filed in your country?
2. What evidence-gathering mechanisms are available to you before the lawsuit is filed?
3. What evidence-gathering mechanisms are available to you after the lawsuit is filed?
4. What are some ethical considerations that would affect your gathering of evidence?
5. Does gathering evidence on the process patent pose any different issues than evidence gathering on the product patent?
6. Are there any mechanisms for keeping any gathered evidence confidential?
7. Any suggestions in ways of preparing the patent application that would enhance the ability to gather evidence during enforcement?
8. (for U.S. only) How might § 1782 assist in the gathering of evidence for use in litigation outside the U.S.?

Moderator: **Mark Schuman**
Merchant & Gould
Minneapolis, MN

3:30 – 3:55 PM

Evidence Gathering Mechanisms in the United States

Kenneth Adamo
Jones Day
Cleveland, OH

3:55 – 4:10 PM

Evidence Gathering Mechanisms in Germany

Thomas Reimann
Reimann Osterrieth Kohler Haft
Dusseldorf, Germany

4:10 – 4:25 PM

Evidence Gathering Mechanisms in France

Grégoire Triet
Gide Loyrette Nouel
Paris, France

4:25 – 4:40 PM

Break

4:40 – 4:55 PM

Evidence Gathering Mechanisms in the United Kingdom

Katharine Stephens
Bird & Bird
London, United Kingdom