

7:15 am–9:30 am

**Continental Breakfast**Frank Lloyd Wright  
Ballroom Foyer

## committee meetings

7:15 am–8:15 am

**Alternative Dispute Resolution**

The committee will hold an important business meeting at the Mid-Winter Institute. Our task will be to discuss creating a certification process and guidelines for certification of neutrals who are to be listed in the AIPLA ADR Registry.

Conference Center,  
Cameron

7:15 am–8:15 am

**Professional Programs**McArthur Ballroom,  
Salon 5

7:15 am–8:15 am

**Special Committee on Public Education**

The committee is meeting to continue developing and refining its mission of communicating a message about the long term benefits of patents and intellectual property to the public and its representatives through multiple channels. We have already taken initial steps in implementing initiatives in developing an overall theme and message, in supporting and encouraging patent education by our members and others in primary and secondary schools, and in beginning to develop stories and data to use in educating, supporting, and responding to the press and media about intellectual property. We are open to anyone who wants to lend a hand in any way to one of these initiatives or other areas as we move forward. We hope you will join in helping us and look forward to seeing you or hearing from you at our committee meeting or wherever you can find us.

Conference Center,  
Kaibab

8:00 am–5:00 pm

**Spouse/Guest Tour: Sedona Red Rock Vortex Tour, Lunch & Tlaquepaque Shopping** *(tickets required)*

*advanced reservations required/space is limited. See pages 32-33 for more details.*

Meet outside of  
Conference Center  
by 7:45 am

8:15 am–8:30 am

**Association Business Meeting**

James Pooley, President, AIPLA  
*Morrison & Foerster, LLP*  
*Palo Alto, CA*

Frank Lloyd Wright  
Ballroom Salons E&F**Welcome & Introduction to the Mid-Winter Institute**

Teresa Stanek Rea, President-Elect, AIPLA  
Officer-in-Charge, Mid-Winter Institute  
*Buchanan Ingersoll & Rooney, PC*  
*Alexandria, VA*

## plenary session (8:30 am–11:30 am)

**Best Practices for E-Discovery & Intellectual Property Cases**

E-Discovery has risen from the once obscure to a dominant place in the discovery phase of every IP litigation and ongoing compliance matters. Indeed, wholly legitimate cases have been lost solely because of a party's inability to comply with the stringent requirements that have been put in place. Counsel needs to understand how to manage electronic records before they become a problem and to deal with requests as they arise in litigation. This program provides views from some of the top performers in the industry.

Frank Lloyd Wright  
Ballroom Salons E&F

8:30 am

**Introduction**

Moderator: Robert O. Lindefeld  
*Jones Day*  
*Pittsburgh, PA*

8:40 am

**Overview: Sitting Atop a Mountain of Unknown Information**

Aaron B. Bernstein      Lloyd Sadler (invited)  
*Symbol Technologies, Inc.*    *LSI Logic, Inc.*  
*Holtsville, NY*              *Allentown, PA*

9:00 am

**Perspectives on Electronic Discovery**

Speaker: Nicolas Economou  
*H5 Technologies*  
*San Francisco, CA*

9:20 am

**Ethical Considerations in Electronic Discovery Matters**

Speaker: Jonathan M. Redgrave  
*Redgrave Daley Ragan & Wagner, LLP*  
*Washington, DC*

9:40 am

**Compliance in Non-Litigation Settings**

Speaker: Honorable D.R. Terrill, Jr.  
*Sonnenschein Nath & Rosenthal, LLP*  
*Washington, DC*

10:00 am

**E-Discovery Problems and Solutions for IP Litigators**

Speaker: Mark L. Whitaker  
*Howrey, LLP*  
*Washington, DC*

10:20 am

**The First Anniversary of the New E-Discovery Rules: Is Everyone Happy?**

Speaker: Christopher J. Renk  
*Banner & Witcoff, Ltd.*  
*Chicago, IL*

10:50 am

**Panel Discussion & Judicial Roundtable: Intellectual Property Litigation: Special Considerations from a Courts Perspective**

Honorable Joy Flowers Conti <i>United States District Court for the Western District of Pennsylvania Pittsburgh, PA</i>	Honorable Elizabeth D. Laporte <i>United States District Court for the Northern District of California San Francisco, CA</i>	Honorable Shira A. Scheindlin <i>United States District Court for the Southern District of New York New York, NY</i>
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11:30 am–12:00 noon

**Luncheon Reception** (*all registrants invited*)McArthur Ballroom  
Foyer*Sponsored by: SUGHRUE MION, PLLC***luncheon** (*tickets required*)

12:00 noon–1:30 pm

**"Best Practices in Managing Litigation"**McArthur Ballroom  
Salons 1–4

Luncheon Speaker:  
 Mark J. Larson  
*Vice President & Chief Litigation Counsel*  
*Honeywell Aerospace*  
*Phoenix, AZ*

**plenary session (1:30 pm–3:00 pm)****Key Factors in Long-Term Lawyer-Client Relationships**Frank Lloyd Wright  
Ballroom Salons E&F

A panel discussion addressing effective communication and feedback in the lawyer-client relationship, techniques to consistently meet or exceed client expectations over time, and best practices for handling successive matters. The panel will also discuss how to avoid relationship-ending mistakes.

Moderator: Jay Z. Zhang  
*Myriad Genetics, Inc.*  
*Salt Lake City, UT*

Panel Members:

David V. Carlson  
*Seed IP Law Group, PLLC*  
*Seattle, WA*

Sherry M. Knowles  
*GlaxoSmithKline*  
*King of Prussia, PA*

Lisa K. Jorgenson  
*STMicroelectronics, Inc.*  
*Carrollton, TX*

Scott K. Reed  
*Fitzpatrick Cella Harper & Scinto*  
*New York, NY*

**concurrent track #1 (3:00 pm–4:00 pm)****Using Electronic Patent Application Filing to Land Your Next Client**Frank Lloyd Wright  
Ballroom Salons E&F

This panel, composed of US in-house counsel, US coordinating outside counsel, and foreign prosecution counsel, will discuss maximizing prosecution efficiencies and best practices for automating communications and prosecution deadline awareness. Potential topics include challenges in hiring foreign counsel, the importance of understanding cultural differences, price and outcome expectations, and allocation of tasks between US and foreign counsel.

Moderator: Brad Whitlock  
*Poly-America*  
*Grand Prairie, TX*

Panel Members:

Lewis Lee  
*Lee & Hayes, PLLC*  
*Spokane, WA*

Jeffrey L. Ranck  
*Microsoft Corporation*  
*Redmond, WA*

## concurrent track #2 (3:00 pm–4:00 pm)

### A Survey of Licensing Strategies One Year After *MedImmune*

Frank Lloyd Wright  
Ballroom Salons A-D

A panel discussion of changes in negotiating and licensing techniques one year after *MedImmune*, covering both in place licenses and those in the negotiation process. Licensor & licensee tactics will be discussed, as well as the suggested division of responsibility between in-house counsel and outside counsel in negotiating and reviewing licenses. Also discussed will be the litigation viability of common *MedImmune* clauses.

Moderator: Elizabeth R. Holohan  
*Intellectual Ventures*  
Bellevue, WA

Panel Members:

Lynn E. Hvalsoe  
*Perkins Coie*  
Seattle, WA

J. Michael Keyes  
*K&L Gates*  
Spokane, WA

Steven R. Rodgers  
*Intel Corporation*  
Chandler, AZ

## committee educational session

4:00 pm–5:00 pm

### Licensing and Management of IP Assets Committee Educational Session (60 MINUTES OF CLE REQUESTED)

Frank Lloyd Wright  
Ballroom Salons A–D

**Moderator** Aaron A. Weiss, Committee Chair  
*STMicroelectronics*  
Carrollton, TX

#### Drafting Licensing Letters to Avoid Declaratory Judgment Actions

- Effective licensing letters before *MedImmune v. Genentech*
- The Supreme Court's dicta in footnote 11 of *MedImmune*
- Federal Circuit cases involving licensing letters since *MedImmune*
- What can be done to avoid a declaratory judgment action post *MedImmune*
- Licensing and declaratory judgment litigation post-*MedImmune*

Victor de Gyarfas  
*Foley & Lardner LLP*  
Los Angeles, CA

## committee meetings

4:00 pm–5:00 pm

AIPLEF (Committee Members Only)

Conference Center,  
Kaibab

4:00 pm–6:00 pm

**Anti-Counterfeiting and Anti-Piracy/Trademark Internet-Cyberspace/  
Trademark/Law/Trademark Legislation/Trademark Litigation/Trademark  
Treaties and International Law/Trademark-Relations with the USPTO – Inter  
Partes/Trademark-Relations with the USPTO – Prosecution (Joint Meeting)**  
Each committee will report on recent developments in their respective areas.

Frank Lloyd Wright  
Ballroom Salon G

4:00 pm–6:00 pm

**Antitrust Law/Electronic and Computer Law/IP Practice in Europe/IP  
Practice in Japan/IP Practice in the Far East (Joint Meeting)**

Frank Lloyd Wright  
Ballroom Salons E&F

#### *“Global IP Issues in Standard-Setting Activities”*

Standards raise global IP issues, with companies facing different obligations on disclosure and licensing in the US, Asia, and Europe. Practitioners in each of these global regions will discuss and compare these obligations, and the competition concerns they raise.

4:00 pm–5:00 pm

#### **Interference**

The committee meeting will comprise an update on the status of things going on at the USPTO Board of Patent Appeals & Interferences (BPAI) and a panel discussion of recent rather unusual decisions being rendered by the BPAI.

Conference Center,  
Cameron

4:00 pm–6:00 pm	<p><b>International Education/Patent Cooperation Treaty Issues (Joint Meeting)</b> The committees will have a joint meeting discussing the appropriate education needed to address PCT issues, especially those relating to rules in the United States. While the state of the rules package in the US remains in limbo, nevertheless, it is anticipated that some rule changes will go into effect. PCT provides an excellent opportunity to address any of these new rules should they go into effect and we will have speakers addressing the current status of the rules package and the use of PCT in connection with those rules. In addition, we will discuss the effect of the new IDS rules and how to utilize PCT in connection with those IDS rules. Other topics that will be discussed will be an update of the various available international searching authorities that US applicants can use, not only the US and Europe but also the Korean Patent Office. Results of actual use of the Korean Patent Office will be reviewed and discussed. Officials have been invited to discuss an update from WIPO on current statistics, as well as an update from the USPTO on current statistics and issues.</p>	McArthur Ballroom, Salon 6
4:00 pm–5:00 pm	<p><b>Law Students</b> Prior to the Annual Meeting, the Law Students Committee hosted recruiting receptions at both George Washington University, School of Law and Suffolk School of Law. Both were successful events. Many students showed interested in joining the organization and taking advantage of the benefits the American Intellectual Property Law Association has to offer.</p> <p>The Law Students Committee is working with the Mentoring Committee and the Young Lawyers Committee to further the mentoring program. Members are encouraged to participate in this program. Any interested members may contact either Neema Desai or Ferlillia Roberson for further information.</p> <p>The Law Students Committee is planning on hosting similar recruiting receptions in California and in Texas prior to the Mid-Winter and Spring Meeting. These recruiting receptions have been proven to draw a number of students to the meetings. For further information, please contact either Neema Desai or Ferlillia Roberson.</p>	Conference Center, Prescott
4:00 pm–5:00 pm	<p><b>Online Programs</b> The Online Programs Committee will be reporting the results of completed online programs as well as developing and finalizing online programs for 2008 through its vendor KRM, as well as exploring other platforms for delivering online content. The Online Programs Committee appreciate the recent volunteers for coordinating programs and is seeking additional Programs Coordinators to help with developing and overseeing the growing amount of content being provided online. Also, research and review of current and potential vendors for delivery of content at different levels and pricing will be continued.</p>	McArthur Ballroom, Salon 5
5:00 pm–6:00 pm	<p><b>Biotechnology</b></p> <p><b><i>Biosimilars - Where Are We Now? Where Are We Going?</i></b> <b>Speakers:</b> Sheldon T. Bradshaw – <i>Hunton &amp; Williams, LLP</i> Donald R. Ware – <i>Foley Hoag, LLP</i></p> <p>The meeting will discuss the current state of bills pending before Congress directed toward biosimilars, and the direction of any legislation as provided by Don Ware, who has been meeting with Congressional staff on these issues. He will speak on the various proposals to enact a new patent regime for challenging relevant patents. Sheldon Bradshaw, a former Chief Counsel at the US Food and Drug Administration, will discuss the marketplace for biologics today and the FDA's work on biologics, including issues the FDA has seen with regard to developing a regulatory pathway for approving biosimilars.</p>	Frank Lloyd Wright Ballroom Salons A–D

5:00 pm–6:00 pm	<b>Fellows (Committee Members Only)</b>	Conference Center, Kaibab
5:00 pm–6:00 pm	<p><b>Industrial Designs</b></p> <p>Join the committee as it conducts a business meeting to review the activities of the past year and focus on goals for the upcoming year. The status of the <i>Egyptian Goddess</i> and <i>Arminak</i> cases and legislative activities will be provided. Three sub-committees will be created to provide more opportunities for member input. The first committee will focus on US case law, recommend when members believe that amicus action is necessary, and communicate those actions to the AIPLA's Amicus committee. The second committee will focus on legislative activities, recommend when members believe AIPLA action is necessary, and communicate those actions to the AIPLA's Board of Directors. The third committee will focus on the US use of and issues with the European Community Design and will communicate with the Office for Harmonization of the Internal Market. We look forward to seeing you there!</p>	Conference Center, Cameron
5:00 pm–6:00 pm	<p><b>Law Practice Management</b></p> <p>The committee will have a working meeting at the 2008 AIPLA Mid-Winter Meeting. We will discuss potential CLE programs for this year's meetings. One topic being considered is Partnership; What Concerns Are There For Becoming a Partner. This may be done in conjunction with the Young Lawyers Committee. Another topic being considered is Interoffice Dating and Sexual Harassment. This topic may be done in conjunction with the Women in IP Committee and the Young Lawyers Committee.</p> <p>The committee will also evaluate the idea and status of providing a membership benefit related to professional liability insurance coverage. This membership benefit may be of particular interest to AIPLA members that have small private practices. The committee will continue to evaluate and determine how present insurance programs are working for the AIPLA preferred insurance providers and determine how the AIPLA handled RFP with the present AIPLA preferred insurance providers. The committee will make a recommendation to the board regarding offering coverage as a member benefit.</p>	McArthur Ballroom, Salon 5
5:00 pm–6:00 pm	<p><b>Patent Agents/Patent-Relations with the USPTO (Joint Meeting)</b></p> <p>USPTO officials have been invited to provide an update on patent examination practice and procedures.</p>	Conference Center, Sedona

### thursday evening events

7:00 pm–9:30 pm	<p><b>Dinner – "The Old West"</b></p> <p><i>Tickets Required</i></p> <p><i>Boots &amp; hats encouraged!!</i></p>	Grand Ballroom
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