

may 10

thursday

7:00 – 9:00 AM

FLAGSHIP ROOM, MEZZANINE LEVEL (SEAPORT)

**CORPORATE PRACTICE/FELLOWS/MENTORING/WOMEN IN IP LAW/YOUNG LAWYERS
(JOINT BREAKFAST MEETING)**

*Sponsored by: **Howrey, LLP***

BUSINESS PLAN BOOT CAMP

During our joint breakfast meeting, our guest, Stewart Hirsch, will educate attendees from junior associate to partner and in-house corporate counsel on the benefits of and how to prepare a business plan. Business plans can be useful tools in career strategy. Stewart Hirsch is the principal of Strategic Relationships, a business development training and coaching firm. He has served as both inside general counsel, and a firm attorney. He now advises both corporate counsel and firm attorneys on how to advance their careers. Four pre-selected attorneys will work with Mr. Hirsch to prepare their own business plans and will share their knowledge and plans with the audience. From this, the Fellows will guide attendees to prepare or augment their own business plans. With tips from this hands-on meeting, we hope that all the attendees can advance their careers. Because of the meeting's format, while everyone is welcome, please help us by sending your RSVP to Daphne Lainson at dclainson@smart-biggar.ca by April 27, 2007. When responding, please let us know whether you are a corporate IP attorney for table seating purposes.

8:00 – 9:00 AM

BACK BAY II, MEZZANINE LEVEL (WTC)

INVENTOR ISSUES

The Committee will meet to discuss its ongoing initiatives for providing independent inventors with information on how to protect and commercialize their inventions.

8:00 – 9:00 AM

CITYVIEW II, PLAZA LEVEL (WTC)

PROFESSIONAL PROGRAMS

The committee will continue its planning for the 2007 Annual Meeting. All coordinators and other interested parties are encouraged to attend.

8:00 – 9:00 AM

BACK BAY I, MEZZANINE LEVEL (WTC)

PROFESSIONALISM AND ETHICS (COMMITTEE MEMBERS ONLY)

8:00 – 9:30 AM

ATRIUM LOBBY (WTC)

CONTINENTAL BREAKFAST

9:00 AM – 1:00 PM

MEET AT THE SEAPORT PLAZA TURNAROUND

SPOUSE/GUEST TOUR (TICKETS REQUIRED)

PLAZA LEVEL BY 8:45 AM

Homes of Beacon Hill

ADVANCED RESERVATIONS REQUIRED/SPACE IS LIMITED. SEE PAGE 39 FOR MORE DETAILS.

9:00 AM – 12:00 NOON

MEET AT THE SEAPORT PLAZA TURNAROUND

SPOUSE/GUEST TOUR (TICKETS REQUIRED)

PLAZA LEVEL BY 8:45 AM

Culinary Tour of the North End

ADVANCED RESERVATIONS REQUIRED/SPACE IS LIMITED. SEE PAGE 40 FOR MORE DETAILS.

may 10

thursday

CONCURRENT TRACK 1 (9:00 AM – 12:00 NOON)

AMPHITHEATER, MEZZANINE LEVEL (WTC)

PATENT LAW REFORM/USPTO RULE CHANGES

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

9:00 – 9:30 AM

An Overview on Patent Reforms—Impact on Patent Enforcement

Honorable Ronald M. Whyte
US District Court for the Northern District of California
San Jose, CA

9:30 – 9:50 AM

First-to-File, Prior Art, Post-Grant Opposition

Robert A. Armitage (invited)
Eli Lilly and Co.
Indianapolis, IN

9:50 – 10:10 AM

Inequitable Conduct, Presumption of Validity, Willfulness

Marc Adler
Rohm and Haas Company
Philadelphia, PA

10:10 – 10:30 AM

Venue, Injunctions, Damage Apportionment, Repeal of 271(f)

Don W. Martens
Knobbe Martens Olsen & Bear, LLP
Irvine, CA

10:30 – 10:50 AM

Continuations Limit, Best Mode, Non-Obviousness, Harmonization

Q. Todd Dickinson (invited)
General Electric Company
Fairfield, CT

10:50 – 11:10 AM

Pre-Grant Prior Art by 3rd Parties, Special Treatment For Research, Prior User Rights, 18 Month Publication

David M. Simon (invited)
Intel Corporation
Santa Clara, CA

11:10 AM – 12:00 NOON

Closing Panel Discussion

Key
base
days
jur
unit

may 10

thursday

CONCURRENT TRACK 2 (9:00 AM – 12:00 NOON)

CITYVIEW I, PLAZA LEVEL (WTC)

TRADEMARK DILUTION AND THE TDRA OF 2006: A NEW ERA

Part 1 – A Historical Perspective on How the TDRA Came to Be and the Effect It Has Had and/or Will Have on the Courts

Moderator: **Susan Barbieri Montgomery**
Foley Hoag, LLP
Boston, MA

9:00 – 9:20 AM

Historical and Outside Counsel Perspectives

Jonathan Hudis
Oblon Spivak McClelland Maier & Neustadt, PC
Alexandria, VA

9:20 – 9:40 AM

The Academic Perspective

Joseph P. Liu
Boston College Law School
Newton, MA

9:40 – 10:00 AM

New Challenges in Dilution: The Unsavory Practice of Domain Tasting and Parking

Sarah B. Deutsch
Verizon
Arlington, VA

10:00 – 10:20 AM

In-House Counsel Perspective

TBD

10:20 – 10:30 AM

Panel Discussion

Part 2 – Conducting Dilution Surveys Under the TDRA

Moderator: **Janet A. Marvel**
Pattishall McAuliffe Newbury Hilliard and Geraldson, LLP
Chicago, IL

10:30 – 10:50 AM

Psychological Foundations of Dilution: Implications for Designing Dilution Surveys

Jacob Jacoby
New York University, Stern School of Business
New York, NY

may 10

thursday

10:50 – 11:10 AM

A Practitioner’s Perspective on Surveys Under the TDRA

William G. Barber
PirkeyBarber, LLC
Austin, TX

11:10 – 11:30 AM

Practical Tips for Avoiding Pitfalls in Designing Surveys Under the TDRA

Hal L. Poret
Guideline, Inc.
New York, NY

11:30 – 11:50 AM

The TDRA – New Opportunities and Challenges for Surveys

Richard Z. Lehv
Fross Zelnick Lehrman & Zissu, PC
New York, NY

11:50 AM – 12:00 NOON

Questions and Answers

CONCURRENT TRACK 3 (9:00 AM – 12:00 NOON)

HARBORVIEW II, PLAZA LEVEL (WTC)

LITIGATION STRATEGIES AND TACTICS

Moderator: **Lisa M. Tittlemore**
Bromberg & Sunstein, LLP
Boston, MA

9:00 – 9:35 AM

Patent Trolling for the Friendly Forum

Roderick R. McKelvie
Covington & Burling
Washington, DC

9:35 – 10:05 AM

Patent Reexamination as a Tactical Maneuver

Robert H. Fischer
Fitzpatrick Cella Harper & Scinto
New York, NY

10:05 – 10:35 AM

Weakening a Patent Action Using the “Little Stuff”

Donald R. Ware
Foley Hoag, LLP
Boston, MA

Y
B
D
S
R
U
H
T

may 10

thursday

Logistics in Multi-Party Litigation:

10:35 – 11:10 AM

Plaintiff's View

Charles Hieken
Fish & Richardson, PC
Boston, MA

11:10 – 11:45 AM

Defendant's View

Brian M. Buroker
Hunton & Williams
Washington, DC

11:45 AM – 12:00 NOON

Questions and Answers

12:00 NOON – 12:30 PM

WATERFRONT FOYER, HARBOR LEVEL (WTC)

LUNCHEON RECEPTION (ALL REGISTRANTS INVITED)

Sponsored by:

Morgan & Finnegan, LLP

12:30 – 2:00 PM

WATERFRONT BALLROOM, HARBOR LEVEL (WTC)

LUNCHEON (TICKETS REQUIRED)

**IMPORTANCE OF INTELLECTUAL PROPERTY AND BRANDING
IN PROFESSIONAL SPORTS AND EMERGING CHALLENGES**



Lucinda K. Treat
Executive Vice President & General Counsel
Madison Square Garden
New York, NY

CONCURRENT TRACK 1 (2:00 – 3:30 PM)

AMPHITHEATER, MEZZANINE LEVEL (WTC)

PROTECTING CUTTING-EDGE AND EMERGING TECHNOLOGIES

Moderator: **Richard A. Baker, Jr.**
3Com Corporation
Marlborough, MA

2:00 – 2:15 PM

Technological Revolutions in Progress – Nanotechnology

Rutledge Ellis-Behnke
Massachusetts Institute of Technology
Boston, MA

may 10

thursday

2:15 – 2:30 PM

Cutting-Edge Prosecution – Enablement

Barbara Gyure (invited)
Lahive & Cockfield, LLP
Boston, MA

2:30 – 2:45 PM

Cutting-Edge Prosecution – Written Description

Brian Fairchild
K&L Gates
Boston, MA

LICENSING CUTTING-EDGE TECHNOLOGIES:

2:45 – 3:00 PM

Life Sciences

M. Andrea Ryan
Johnson & Johnson
Acton, MA

3:00 – 3:15 PM

Information Technologies

Ronald L. Grudziecki (invited)
Drinker Biddle & Reath
Washington, DC

3:15 – 3:30 PM

LITIGATING CUTTING-EDGE TECHNOLOGIES

Richard W. Erwine
Quinn Emanuel Urquhart Oliver & Hedges, LLP
New York, NY

CONCURRENT TRACK 2 (2:00 – 3:30 PM)

CITYVIEW I, PLAZA LEVEL (WTC)

KEYWORD-TRIGGERED ADVERTISING/SPONSORED LINKS—IS IT TRADEMARK INFRINGEMENT?

Moderator: **Matthew S. Nelles**
Ruden McClosky
Ft. Lauderdale, FL

2:00 – 2:20 PM

Is it Trademark Use? What Have the Courts Said?

Sheldon H. Klein (invited)
Arent Fox, PLLC
Washington, DC

key
s
d
a
p
s
r
u
n
h
t

may 10

thursday

2:20 – 2:50 PM

The Lanham Act Does Not Require “Trademark Use” by an Infringer to Support a Cause of Action

Mark D. Janis
University of Iowa College of Law
Iowa City, IA

2:50 – 3:20 PM

Yes it Does, and Not Every Use is “Trademark Use”

Stacey L. Dogan (invited)
Northeastern University School of Law
Boston, MA

3:20 – 3:30 PM

Questions and Answers

CONCURRENT TRACK 3 (2:00 – 3:30 PM)

HARBORVIEW II, PLAZA LEVEL (WTC)

NEW AND IMPROVED PCT PRACTICE

Moderator: **Karen S. Canady**
Canady + Lortz, LLP
Los Angeles, CA

2:00 – 2:25 PM

PCT Changes About to Go into Effect

Samson Helfgott
KattenMuchinRosenman, LLP
New York, NY

2:25 – 2:50 PM

Update on the Working Group on PCT Reform

Matthew Bryan
World Intellectual Property Organization
Geneva, Switzerland

2:50 – 3:15 PM

Adapting Claims on National/Regional Phase Entry

Neil Phillips
AstraZeneca
Global Intellectual Property
Cheshire, United Kingdom

3:15 – 3:30 PM

Questions and Answers

may 10

thursday

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

Committee Educational Sessions are open to all attendees and are included in the Spring Meeting's overall CLE offering.

3:30 – 4:30 PM

HARBOVIEW II, PLAZA LEVEL (WTC)

ANTI-COUNTERFEITING AND ANTI-PIRACY/COPYRIGHT LAW (JOINT SESSION)

(60 MINUTES OF CLE REQUESTED)

EVERYONE'S A STAR: COPYRIGHT AND OTHER ISSUES IN USER CREATED AND DERIVATED WORKS

End users of websites aren't just passive – they are now creators of music, audiovisual, text, and other content. They collaborate with others (and they sometimes appropriate content without permission) – and they frequently derivate pre-existing content from within and without their website communities. What are the copyright issues? Some of the key points include law on derivative works, joint authorship, sharing revenue among the creators, and how to write effective and clear end-user/creator licenses and how to handle the agreements when many of the best content creators are under 18?

Mark A Fischer (invited)

Fish & Richardson, PC
Boston, MA

3:30 – 5:30 PM

CITYVIEW I, PLAZA LEVEL (WTC)

ANTITRUST LAW/ELECTRONIC & COMPUTER LAW (JOINT SESSION)

(120 MINUTES OF CLE REQUESTED)

Moderator: **Stephen Stack (invited)**

Dechert, LLP
Philadelphia, PA

3:30 – 3:45 PM

Standards, Intellectual Property and Antitrust – What are the Battlegrounds?

Michele Herman (invited)

Woodcock, Washburn, LLP
Seattle, WA

3:45 – 4:15 PM

Hold-Up Problems – Real and Perceived

Kent Baker

Qualcomm Incorporated
San Diego, CA

Marc Sandy Block

IBM Corporation
Armonk, NY

4:15 – 4:30 PM

How Business Models Affect Patent Policy Preferences

Amy Marasco (invited)

Microsoft Corporation
Redmond, WA

Key
a
d
s
r
u
n
u
t

may 10

thursday

4:30 – 5:00 PM

**The Looming Impact of Antitrust Rules on IP Disclosure Policies:
Lessons – Real And Imagined – From The Antitrust Authorities**

Brian McGuire (invited)
Dickstein Shapiro, LLP
New York, NY

The Patent Owner's Dilemma – To Join or Not To Join

Michael Wallace (invited)
Siemens Corporation
Iselin, NJ

5:00 – 5:30 PM

The Potential Impact of Antitrust Enforcement

Michael Lawrence
Intel Corporation
Santa Clara, CA

Gerald Masoudi
Antitrust Division
United States Department of Justice
Washington, DC

3:30 – 5:30 PM

AMPHITHEATER, MEZZANINE LEVEL (WTC)

IP PRACTICE IN EUROPE (100 MINUTES OF CLE REQUESTED)

3:30 – 3:40 PM

Welcome and Introduction

Representatives of AIPLA and European Bar Associations

3:40 – 4:05 PM

**Cross-Border Injunctions in Europe; *Roche v. Primus* and
GAT v. LuK (European Court of Justice)**

Bert Oosting (invited)
Lovells
Amsterdam, Netherlands

4:05 – 4:30 PM

Strategies for Writing Patent Applications in Europe

- a. European Unity of Invention Standard – What does it mean and how to draft a patent application in view of the unity of invention for Biotechnology, Information Systems and Devices.
- b. Problem/solution approach to the introduction.

Gwilym Roberts (invited)
Kilburn & Strode
London, United Kingdom

4:30 – 4:55 PM

The *MedImmune* US Supreme Court Decision and European Implications

Uwe Manasse (invited)
Boehmert & Boehmert
Bremen, Germany

may 10

thursday

4:55 – 5:20 PM

**Enforcement of Patents Covering An Industry Standard (MEG):
Recent Case Decided – Dusseldorf, Germany**

Martin Kohler (invited)
Reimann Osterrieth Kohler Haft
Dusseldorf, Germany

5:20 – 5:30 PM

Questions & Answers

COMMITTEE MEETINGS (3:30 – 5:30 PM)

Unless otherwise noted, Committee Meetings are open to all attendees.

3:30 – 4:30 PM

BACK BAY II, MEZZANINE LEVEL (WTC)

ALTERNATIVE DISPUTE RESOLUTION

The ADR Committee will hold an important business meeting. We will be discussing requirements for continued inclusion on the ADR Registry and the establishment of an Arbitrator Registry.

4:30 – 5:30 PM

HARBORVIEW II, PLAZA LEVEL (WTC)

CHEMICAL PRACTICE

The Committee meeting will focus on "cleantech" and alternative energy. Venture capital and other investors have recently significantly increased investments in "cleantech" companies, while universities ramped up technology transfer in this area. The meeting will feature a panel of speakers who will describe the technical and legal issues associated with the cleantech and alternative energy fields, including biofuels, solar cells, fuel cells, wind power, batteries, water purification, etc. The speakers will focus on the current technical challenges, technology transfer issues, patent strategies, venture capital investment and regulatory issues. The panel presentations will be followed by a general discussion and a question and answer period. We hope to see you there.

4:30 – 5:30 PM

NORTH END I, HARBOR LEVEL (WTC)

DIVERSITY IN IP LAW

The Committee plans to continue work on the following issues: 1) Establishing better means to communicate awareness of the Committee's purposes; 2) Identifying needs and obstacles to diverse attorneys joining/participating in AIPLA activities; 3) Liaising with professional programs and other AIPLA committees to foster greater minority participation in AIPLA program development; and 4) Creating ways to enhance the numbers of diverse lawyers in AIPLA leadership positions. The Committee's work this year embraces the AIPLA Strategic Plan goals relating to education, advocacy, growth, and services. To facilitate these endeavors, the Diversity in IP Law Committee has fostered dynamic program creation to enhance networking and participation by minority lawyers. We believe that it is an essential mission of the Committee to broaden the membership base of AIPLA with a talented and diverse base of IP lawyers. In turn, our goal is to infuse minority lawyers with sufficient tools and knowledge to further enrich our practices and, ultimately, our clients.

3:30 – 5:30 PM

BEACON HILL II, HARBOR LEVEL (WTC)

ELECTRONIC BUSINESS, AUTOMATION AND HARMONIZATION OF STANDARDS/INTERNATIONAL & FOREIGN LAW/IP PRACTICE IN LATIN AMERICA/PATENT COOPERATION TREATY ISSUES (JOINT MEETING)

While the United States is not a member of the Convention on Biological Diversity, active international debate around how to ensure proper access and benefit sharing impacts multinational companies in a broad spectrum of industries, including inter alia, biotechnology, pharmaceuticals, petrochemical, agrichemical and agriculture. The debate on access and benefit sharing has already resulted in voluntary or mandatory indication of source provisions in patent laws of various countries. This program will focus on proposed and existing provisions on indication of source for invention involving genetic resources, including the status of such proposed provisions and the practical implementation of existing provisions.

may 10

thursday

3:30 – 4:30 PM

NORTH END I, HARBOR LEVEL (WTC)

INDUSTRIAL DESIGNS

All are invited to join our committee meeting as we continue the ongoing discussion of design patent infringement jurisprudence, including analysis of both formative and recent decisions. Updates as to the current status of the Fashion Bill (H.R. 109-5055) and US ratification of the Geneva Act of the Hague Agreement will also be provided.

3:30 – 4:30 PM

BEACON HILL I, HARBOR LEVEL (WTC)

INTERFERENCE

The Committee meeting will include a report from a representative from the USPTO Board of Patent Appeals and Interferences on current developments at the Board. It is also proposed to have a panel discussion of the recent Board decision dealing with objections at depositions as well as possible proposed changes to the Interference Board Standing Order.

4:30 – 5:30 PM

HARBORVIEW I, PLAZA LEVEL (WTC)

LAW PRACTICE MANAGEMENT

COME ONE, COME ALL! The Committee invites you to join us in getting a first glance at the results of the 2007 Report on the Economic Survey. Congratulations, many of you (our members) responded to this year's economic survey, and the preliminary results are in. We look forward to having you join us in hearing for the first time from our consultants, ARI, what the results were and what they might be telling us. We will also look for your input on what information you would like to see in the final report.

3:30 – 4:30 PM

HARBORVIEW I, PLAZA LEVEL (WTC)

LAW STUDENTS

The committee will meet to discuss some initiatives to increasing student membership including: an examination of the annual dues; incentives for students to attend AIPLA meetings; whether student chapters will be beneficial; continue providing student members mentors within AIPLA; and potentially sponsor a Mentorship Luncheon or Network Reception at the 2007 Annual Meeting. The committee will also discuss it's outreach programs, including: continued use of the committee's microsite discussion forum to discuss potential job opportunities and promote AIPLA annual, mid-winter, and spring meetings. The Committee would like to continue to work with the Young Lawyer's Committee to cosponsor events in various cities to increase membership. This will be a mechanism through which additional student will be informed of the Annual Meeting and benefits one can receive through membership.

4:30 – 5:30 PM

BEACON HILL I, HARBOR LEVEL (WTC)

PATENT AGENTS/PATENT-RELATIONS WITH THE USPTO (JOINT MEETING)

PTO officials have been invited to provide an update on recent and proposed changes in patent practice and procedure.

3:30 – 4:30 PM

CITYVIEW II, PLAZA LEVEL (WTC)

PATENT LAW

Over the past few years, the issue of patent reform has garnered significant attention from members of the IP bar, from industry and, increasingly, from Congress. At the Spring Meeting in Boston, Michael Kirk, the Executive Director of the AIPLA, will provide Patent Law Committee members with an update on the current state of affairs in the patent reform arena. Time permitting, member(s) of the PLC's recently formed Rapid Response Subcommittee on Patent Reform Issues may be on hand to explain the issues that the subcommittee is currently analyzing/confronting. For those who may not be familiar with the issue, the Patent Law Committee recently formed a Rapid Response Subcommittee on Patent Reform issues in response to inquiries made by various members of the committee. The subcommittee will be focused on new issues that surface from bills that we're anticipating from Senator Leahy and Congressman Berman in the next few weeks, rather than revisiting established AIPLA positions. Bob Armitage, the General Counsel of Eli Lilly, and Andy Culbert, Associate General Counsel of Patent Litigation for Microsoft, are co-chairs of the Rapid Response Subcommittee, they are joined by Gary Griswold of 3M, Don Martens of Knobbe Martens, Chip Lutton of Apple, and David Simon of Intel.

may 10

thursday

THURSDAY EVENING EVENTS – SEAPORT HOTEL

7:00 – 8:00 PM
RECEPTION (ALL REGISTRANTS INVITED)

PLAZA LOBBY, PLAZA LEVEL (SEAPORT)

Sponsored in part by:

Hogan & Hartson, LLP

8:00 – 10:00 PM
DINNER & ENTERTAINMENT (BUSINESS ATTIRE) (TICKETS REQUIRED)

PLAZA BALLROOM, PLAZA LEVEL (SEAPORT)

Dinner Theme & Entertainment Sponsored by:

Wolf Greenfield & Sacks, PC

10:00 PM – 12:00 MIDNIGHT
DESSERT RECEPTION (ALL REGISTRANTS INVITED)

SEAPORT BALLROOM, MEZZANINE LEVEL (SEAPORT)

Sponsored by:

Foley Hoag, LLP



y
a
b
c
d
e
f
g
h
i
j