

may 8

tuesday

*Unless otherwise noted, activities are located at the World Trade Center (WTC).

3:00 – 5:00 PM

PLAZA BALLROOM AB (SEAPORT)

BOARD OF DIRECTORS’/COMMITTEE CHAIRS’ BUSINESS MEETING

4:00 – 7:00 PM

ATRIUM LOBBY (WTC)

PRE-REGISTRATION

may 9

wednesday

7:00 – 9:00 AM

FEDERAL COMPLEX, MEZZANINE LEVEL (WTC)

CORPORATE PRACTICE, IN-HOUSE COUNSEL BREAKFAST MEETING

(MEETING FOR IN-HOUSE CORPORATE COUNSEL AND GOVERNMENT PRACTITIONERS ONLY)

The Committee is providing a unique opportunity for corporate practitioners to learn and improve networking skills. There will be a brief presentation on “How to Network and Still Feel Good About Yourself,” then in-house and government practitioners are invited to stay and network with each other. Many AIPLA leaders who are also in-house practitioners will participate in this unique program. RSVP to Lynn Schwenning at lschw60@yahoo.com.

Sponsored by: Merchant & Gould, PC

8:00 – 9:00 AM

CAMBRIDGE I, HARBOR LEVEL (WTC)

AMICUS (COMMITTEE MEMBERS ONLY)

8:00 – 9:00 AM

HARBORVIEW I, PLAZA LEVEL (WTC)

EDUCATION/MEMBERSHIP (JOINT MEETING) SPECIAL PROGRAM FOR SOLO PRACTITIONERS

The Committees will hold a brainstorming session on how AIPLA can support the needs of solo practitioners including through website resources, online CLE programs, and other programs or services. We will be joined by representatives from the Online Programs, Law Practice Management, and Mentoring Committees. All are welcome to attend and contribute ideas.

8:00 – 9:00 AM

CAMBRIDGE II, HARBOR LEVEL (WTC)

US BAR JAPAN LIAISON COUNCIL (COUNCIL MEMBERS ONLY)

8:00 – 9:30 PM

ATRIUM LOBBY (WTC)

CONTINENTAL BREAKFAST

8:00 AM – 12:00 NOON

CITYVIEW II (WTC)

BOARD OF DIRECTORS’ MEETING

8:30 AM – 1:00 PM

MEET AT THE SEAPORT PLAZA TURN AROUND BY 8:15 AM

SPOUSE/GUEST TOUR

Harvard University & JFK Library

ADVANCED RESERVATIONS REQUIRED/SPACE IS LIMITED. SEE PAGE 38 FOR MORE DETAILS.

may 9

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

AMPHITHEATER, MEZZANINE LEVEL (WTC)

PROSECUTION STRATEGIES DURING THE APPEALS PROCESS

Moderator: **Lance G. Johnson**
Roylance Abrams Berdo & Goodman, LLP
Washington, DC

9:00 – 9:30 AM

To Appeal or Not to Appeal – After Final Rejection: Interview, RCE Pre-Appeal Conference or Appeal

Kathryn A. Piffat (invited)
Edwards Angell Palmer & Dodge, LLP
Boston, MA

9:30 – 10:00 AM

Strategies for Preparing the Appeal Brief and Reply Brief

Harry B. Shubin
Millen White Zelano & Branigan, LLP
Arlington, VA

10:00 – 10:30 AM

How Appeals are Handled at the PTO and the BPAI

William F. Smith
Clements Walker
Charlotte, NC

10:30 – 11:00 AM

Appeal Reinstatement; Post Appeal Brief Strategy

Lawrence E. Ashery
RatnerPrestia
Valley Forge, PA

11:00 – 11:30 AM

Oral Hearings: Whether to Request Them and How to Prepare and Conduct Them if You Do

Bruce Stoner
Greenblum & Bernstein, PLC
Reston, VA

11:30 AM – 12:00 NOON

What to Do After the Board Decision

Sarah A. Kagan
Banner & Witcoff, Ltd.
Washington, DC

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

CITYVIEW I, PLAZA LEVEL (WTC)

**GUNFIGHT AT THE IP CORRAL – WORLD CLASS TRIAL LAWYERS DEMONSTRATE
HOW TO WIN A “BET THE COMPANY” CASE**

Moderator: **Daniel C. Winston**
Choate Hall & Stewart, LLP
Boston, MA

9:00 – 9:40 AM

Opening Demonstration

Cheryl Jerome Moore
Patton Boggs, LLP
Dallas, TX

William F. Lee
WilmerHale
Boston, MA

9:40 – 10:25 AM

Remarks by the Judiciary

Honorable James M. Rosenbaum
Chief Judge, US District Court for the District of Minnesota
Minneapolis, MN

10:25 – 11:05 AM

Closing Demonstration

Michael V. Ciresi
Robins Kaplan Miller & Ciresi, LLP
Minneapolis, MN

Morgan Chu
Irell & Manella, LLP
Los Angeles, CA

11:05 AM – 12:00 NOON

Remarks by the Judiciary

Honorable James M. Rosenbaum
Chief Judge, US District Court for the District of Minnesota
Minneapolis, MN

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

HARBORVIEW II, PLAZA LEVEL (WTC)

TRADEMARK COUNTERFEITING AND COPYRIGHT PIRACY

Moderator: **Kieran G. Doyle**
Cowan Liebowitz & Latman, PC
New York, NY

9:00 – 9:40 AM

Don't Give Up: Practical Solutions to Counterfeits from China

Nils Montan
International Anticounterfeiting Coalition
Washington, DC

9:40 – 10:25 AM

Making a Federal (Criminal) Case Out of It: Working with Federal Prosecutors

Matthew J. Bassiur (invited)
United States Department of Justice
Washington, DC

Leslie K. Bryant (invited)
Federal Bureau of Investigations
Washington, DC

10:25 – 11:05 AM

THE IN-HOUSE PERSPECTIVE ON EFFECTIVE ANTI-COUNTERFEIT CAMPAIGNS

Moderator: **Jeffrey H. Kaufman**
Oblon Spivak McClelland Maier & Neustadt, PC
Alexandria, VA

Barbara Kolsun
7 for All Mankind
New York, NY

11:05 – 11:45 AM

COPYRIGHT PIRACY

Moderator: **Jeffrey H. Kaufman**
Oblon Spivak McClelland Maier & Neustadt, PC
Alexandria, VA

Brad Huther
US Chamber of Commerce
Washington, DC

11:45 AM – 12:00 NOON

Questions and Answers

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12:00 NOON – 12:30 PM

WATERFRONT FOYER, HARBOR LEVEL (WTC)

LUNCHEON RECEPTION (ALL REGISTRANTS INVITED)

Sponsored by:

Baker & Daniels, LLP

12:30 – 2:00 PM

WATERFRONT BALLROOM, HARBOR LEVEL (WTC)

LUNCHEON (TICKETS REQUIRED)

DOES THE PATENT SYSTEM NEED TO BE FIXED?

Honorable Patti B. Saris

US District Court for the District of Massachusetts
Boston, MA

CONCURRENT TRACK 1 (2:00 – 3:30 PM)

AMPHITHEATER, MEZZANINE LEVEL (WTC)

REPRESENTING UNIVERSITY CLIENTS – IP AND IP COUNSEL FROM AN ACADEMIC TECHNOLOGY TRANSFER PERSPECTIVE. A PANEL DISCUSSION

Moderator: **Anthony L. Strauss**
Schwegman Lundberg Woessner & Kluth, PA
Minneapolis, MN

Panelists:

Lita Nelsen
Massachusetts Institute of Technology
Cambridge, MA

William S. Rosenberg
University of Massachusetts
Boston, MA

Robert S. MacWright
University of Virginia Patent Foundation
Charlottesville, VA

Gonzalo Merino
Columbia University
New York, NY

2:00 – 2:25 PM

Introduction to Panelists Institutions and Their Approach to IP

2:25 – 3:10 PM

Discussion of IP Management and IP Issues for Academic Institutions in the Technology Transfer Arena

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3:10 – 3:30 PM

Questions and Answers

CONCURRENT TRACK 2 (2:00 – 3:30 PM)

CITYVIEW I, PLAZA LEVEL (WTC)

KSR v. TELEFLEX: OBVIOUSNESS: ON POINT, OBFUSCATED, OUTDATED OR OUT OF HAND

Moderator:

Mary Ann Capria

E.I. Du Pont de Nemours and Company
Wilmington, DE

2:00 – 2:20 PM

Obviousness Standard in the United States

Katherine J. Strandburg

DePaul University College of Law
Chicago, IL

2:20 – 2:35 PM

Obviousness Standards Outside of the United States

Stephen G. Kunin

Oblon Spivak McClelland Maier & Neustadt, PC
Alexandria, VA

2:35 – 3:20 PM

Possible Effects of *KSR v. Teleflex*

USPTO's Viewpoint

USPTO Representative (invited)

United States Patent and Trademark Office
Alexandria, VA

Patent Prosecutor's Viewpoint

Janice M. Klunder

Millennium Pharmaceuticals, Inc.
Cambridge, MA

Patent Litigator's Viewpoint

Jeffrey I.D. Lewis

Patterson Belknap Webb & Tyler, LLP
New York, NY

3:20 – 3:30 PM

Questions and Answers

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CONCURRENT TRACK 3 (2:00 – 3:30 PM)

HARBORVIEW II, PLAZA LEVEL (WTC)

**EXPERT WITNESSES: FINDING THEM, AND THE PROPER CARE AND FEEDING OF THEM
ONCE YOU DO**

Moderator: **Ira J. Levy**
Goodwin | Procter, LLP
New York, NY

2:00 – 2:20 PM

Identification and Selection of Experts for a Patent Case

Robert H. Sloss
Farella Braun + Martel, LLP
San Francisco, CA

2:20 – 2:40 PM

**The European Perspective Working With Experts in Europe—Cross Border
Coordination**

Charters J. Macdonald-Brown
Redd Solicitors, LLP
London, United Kingdom

2:40 – 3:00 PM

The Expert Perspective—Off the Record with an Economics Expert

Brian Napper
FTI Consulting
San Francisco, CA

3:00 – 3:20 PM

The Judicial Perspective—Views from the Bench

Honorable F. Dennis Saylor, IV
US District Court, District of Massachusetts
Worcester, MA

3:20 – 3:30 PM

Questions and Answers

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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 – 5:30 PM

HARBORVIEW II, PLAZA LEVEL (WTC)

LICENSING AND MANAGEMENT OF IP ASSETS (110 MINUTES OF CLE REQUESTED)

IMPLICATIONS OF *MEDIMMUNE INC. v. GENENTECH INC.*, 81 USPQ2D 1225 (U.S. 2007)

3:30 – 3:35 PM

Welcome Remarks

Aaron A. Weiss, Chair of Licensing and Management of IP Assets Committee
STMicroelectronics
Carrollton, TX

3:35 – 3:40 PM

Introduction of the Case

Paul Hunter
Foley & Lardener
Madison, WI

3:40 – 4:35 PM

Comments from Panelists on the Following Issues

Lita Nelson
Licensing Office, Massachusetts Institute of Technology
Cambridge, MA

Kristen Jacobsen Osenga (invited)
Richmond School of Law
Richmond, VA

Lawrence S. Pope
Mayer Brown Rowe & Maw, LLP
Chicago, IL

1. The extent that *MedImmune* is consistent with *Lear, Inc. v. Adkins*, 395 US 653, 162 USPQ 1, (1969).
2. The relative enforceability of clauses in existing licenses that result in termination of the license if the validity of the patent is challenged.
3. The extent that *MedImmune* will encourage forum shopping, especially with respect to federal vs. state courts.
4. The implications of *MedImmune* on analogous, non-IP licenses and contracts.
5. The expected analysis for a licensee in deciding whether or not to challenge the validity of the licensed patent.

4:35 – 5:30 PM

Presentation and Analysis of Language for Future Licenses in Response to *MedImmune*

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3:30 – 5:30 PM

CITYVIEW I, PLAZA LEVEL (WTC)

TRADEMARK INTERNET-CYBERSPACE/TRADEMARK LAW/TRADEMARK LEGISLATION/TRADEMARK LITIGATION/TRADEMARK-RELATIONS WITH THE USPTO–INTER PARTES/TRADEMARK-RELATIONS WITH THE USPTO–PROSECUTION/TRADEMARK TREATIES & INTERNATIONAL LAW (JOINT SESSION) (60 MINUTES OF CLE REQUESTED)

TTAB UPDATE: RULES, RULINGS AND RUMINATIONS

3:30 – 3:40 PM

Welcome Remarks

3:40 – 4:40 PM

TTBA Update: Rules, Rulings and Ruminations

John L. Welch

Lowrie, Lando & Anastasi, LLP and
The TTABLOG (www.ttablog.com)
Cambridge, MA

4:40 – 5:30 PM

Other Committee Business

COMMITTEE MEETINGS (3:30 – 5:30 PM)

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

3:30 – 4:30 PM

CAMBRIDGE I, HARBOR LEVEL (WTC)

AIPLEF (COMMITTEE MEMBERS ONLY)

3:30 – 5:30 PM

HARBORVIEW I, PLAZA LEVEL (WTC)

BIOTECHNOLOGY/EMERGING TECHNOLOGIES (JOINT MEETING)

A joint meeting between the Emerging Technologies and the Biotechnology committees will be held. The discussion will cover the latest issues in pharmacogenomics, stem cells, nanotechnology and bioinformatics.

4:30 – 5:30 PM

CITYVIEW II, PLAZA LEVEL (WTC)

FELLOWS (COMMITTEE MEMBERS ONLY)

4:30 – 5:30 PM

BEACON HILL II, HARBOR LEVEL (WTC)

IP PRACTICE IN JAPAN

The committee will hold a brief business meeting. The brief business meeting will include a discussion related to the committee's pre-meeting at the 2007 Annual Meeting. Most of the time will be devoted to presentations by members of the Japanese Patent Attorneys Association on patent litigation in Japan.

3:30 – 4:30 PM

BEACON HILL II, HARBOR LEVEL (WTC)

IP PRACTICE IN THE FAR EAST

Skip Fisher, Vice-Chair of the Committee, will give a 30 minute presentation on "Patents and Technology Import/Export in China." In addition, we plan to discuss the following topics during the business session of the meeting: 1) report on the China Road Show; 2) report on the upcoming visit by the China Intellectual Property Society; and 3) discussion of a proposed program for the Annual Meeting.

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3:30 – 4:30 PM

IP LAW ASSOCIATIONS (COMMITTEE MEMBERS ONLY)

CITYVIEW II, PLAZA LEVEL (WTC)

4:30 – 5:30 PM

ONLINE PROGRAMS

The Committee will be reporting the results of completed online programs as well as developing and finalizing online programs for 2007 through its vendor KRM. The Online Programs Committee appreciates 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.

CAMBRIDGE I, HARBOR LEVEL (WTC)

3:30 – 4:30 PM

PATENT LITIGATION

The Committee will hear a presentation of the *MedImmune* case from Henry Dinger of Goodwin Procter's Boston office. The Model Patent Jury Instructions Subcommittee hopes to circulate a draft of their most current revisions prior to the Spring Meeting. We hope to discuss those revisions during the second portion of our meeting.

BEACON HILL I, HARBOR LEVEL (WTC)

4:30 – 5:30 PM

TRADE SECRET LAW

Trade Secret Protective Orders - Developments in Law/Practice: Jerry Cohen of Burns & Levinson, LLP, Boston, MA will lead an interactive discussion on current law and practice issues relating to trade secret protective orders, including such issues as over-designation, disqualification of party employee experts from access to protected materials, inadequate responses by judges and magistrate judges to problems, etc.

BEACON HILL I, HARBOR LEVEL (WTC)

WEDNESDAY EVENING EVENTS – SEAPORT HOTEL

5:30 – 6:30 PM

NEW MEMBER/FIRST-TIME ATTENDEE RECEPTION (SEE PAGE 44 FOR DETAILS)

FLAGSHIP ROOM, MEZZANINE LEVEL (SEAPORT)

7:00 – 9:00 PM

OPENING NIGHT RECEPTION
(CASUAL ATTIRE) (TICKETS REQUIRED)

PLAZA BALLROOM, PLAZA LEVEL (SEAPORT)

“Seasons of New England”

Sponsored in part by:

Boston Patent Law Association

9:00 – 11:00 PM

DESSERT RECEPTION (ALL REGISTRANTS INVITED)

SEAPORT BALLROOM, MEZZANINE LEVEL (SEAPORT)

Sponsored by:

Fish & Richardson, PC