

# conference program

tuesday, may 12 • 2009

# tuesday

## SCHEDULE

3:00 – 5:00 pm

Board of Directors'/Committee Chairs' Business Meeting

4:00 – 7:00 pm

Pre-registration - open to all attendees who registered in advance.

# conference program

wednesday, may 13 • 2009

# wednesday

## SCHEDULE

8:00 – 9:30 am

Continental Breakfast

8:00 am – 5:30 pm

Registration, Cyber Café, Technology Center, Spouse/Guest Hospitality Suite

8:00 am – 3:00 pm

Exhibits

### committee meetings (8:00 - 9:00 am)

See list of committee descriptions on pages 5-7 or at [www.aipla.org/html/spring/2009/committeemeetings](http://www.aipla.org/html/spring/2009/committeemeetings).

8:00 am – 12:00 noon

Board of Directors' Meeting

9:00 am – 1:00 pm

Spouse/Guest Tour: "San Diego Hot Spots & USS Midway" (tickets required)  
Meet in the Main Lobby at 8:45 am for a 9:00 am departure.  
*advanced reservations required/space is limited. see page 19 for more details.*

### morning concurrent track #1 (9:00 am – 12:00 noon)

#### **TAMING DRAGONS & TIGERS: PRACTICAL SOLUTIONS FOR TRADEMARK PROTECTION IN ASIA**

Moderator: Michael I. Davis, *Fross Zelnick Lehrman & Zissu, PC • New York, NY*

9:00 am

#### **Entrenching Your Brand in China: Registering Your Mark, Creating Fame, and Kicking Out Imitators**

Vivien Chan, *Vivien Chan & Co. • Hong Kong, China*

9:40 am

#### **Don't Look Back in Danger: Developments Following the 2007 Amendment to the 'Intent to Use' Requirement and the Potential Impact of a False Submission to the Japanese Patent Office**

Yoshikazu Iwase, *Anderson Mori & Tomotsune • Tokyo, Japan*

10:15 am

#### **Perfect Irony: Review of "Perfect" Trademark Licenses That Still Lead to Ugly Disputes**

Jay K. Lee, *Yoon Yang Kim Shin & Yu • Seoul, Korea*

10:50 am

#### **Latest IP Trends in India: An Indian Summer?**

Rajendra Kumar, *K&S Partners • Haryana, India*

11:25 am

#### **Simplified Chinese Characters vs. Classical Chinese Characters – Why it is Necessary to File Separate Trademark Applications in China and Taiwan**

Julia Y.M. Hung, *Saint Island International Patent & Law Offices • Taiwan, Republic of China*

11:55 am

#### **Panel Discussion on Comparing Strategies & Practices**

morning concurrent track #2 (9:00 am – 12:00 noon)

**WIELDING SWORDS AND SHIELDS ON THE PATENT BATTLEFIELD—NEW TACTICS**

Moderator: Ann M. Mueting, *Meuting Raasch & Gebhardt, PA • Minneapolis, MN*

9:00 am

**Wielding the APA Against USPTO Rules—Things to Think About**

Arti K. Rai, *Duke University, School of Law • Durham, NC*

9:30 am

**Tafas/GSK - A Journey Along the Amicus Trail from Preliminary Injunction to the Federal Circuit**

Jerry R. Selinger, *Patterson & Sheridan, LLP • Dallas, TX*

9:55 am

**The A-B-C's of Patent Term Adjustment**

Patricia Carson, *Kaye Scholer, LLP • New York, NY*

10:20 am

**Joint Patent Infringement—It's Argued, But Does it Really Exist?**

Maya M. Eckstein, *Hunton & Williams, LLP • Richmond, VA*

10:40 am

**Is the Inequitable Conduct Doctrine Becoming Inequitable?**

David Hricik, *Mercer University Walter F. George School of Law • Macon, GA*

11:05 am

**The Impact of Opinions of Counsel on Patent Litigation Strategy in a Post-Seagate World**

Charles S. Barquist, *Morrison & Foerster, LLP • Los Angeles, CA*

11:30 am

**Obviousness Challenges, *Inter Partes* Reexamination vs. District Court: When is the USPTO a Superior Forum?**

Harold C. Wegner, *Foley & Lardner, LLP • Washington, DC*

11:55 am

**Panel Discussion**

morning concurrent track #3 (9:00 am – 12:00 noon)

**HOT TOPICS IN LAW PRACTICE MANAGEMENT: CARING FOR YOUR EMPLOYEES WHILE PROTECTING YOUR CLIENTS AND FIRM**

Moderator: Mercedes K. Meyer, *Drinker Biddle & Reath, LLP • Washington, DC*

9:00 am

**Putting Pen to Paper: Drafting Employee Guidelines to Prevent Issues Before They Arise**

Richard Kopenhefer, *McDermott Will & Emery, LLP • Los Angeles, CA*

9:35 am

**Facilitating Resolution of Employee Issues: Why Your Firm or Company Should Have an Ombudsman**

John Nadolenco, *Mayer Brown, LLP • Los Angeles, CA*

**PREVENTING WORKPLACE DISCRIMINATION: WHAT IT IS, WHY IT MATTERS AND HOW TO ADDRESS IT**

10:05 am

**Growing Your Practice: Why Eliminating Discrimination Makes Sound Business Sense**

David B. Chidlaw, *Sheppard Mullin Richter & Hampton, LLP • San Diego, CA*

**DISPELLING MYTHS AND PREVENTING CRISES: ADDRESSING MENTAL ILLNESS OR SUBSTANCE ABUSE IN THE WORKPLACE**

10:40 am

**Protecting Your Firm: How Substance Abuse Puts Your Firm (and Insurance Premiums) at Risk**  
Anthony K. Greene, *Herbert L. Jamison & Co., LLC* • New York, NY

11:15 am

**Full Disclosure vs. Privacy: If, When, and How Colleagues and Clients Should Be Advised Once Mental Illness or Substance Abuse Has Been Identified**  
Matthew Bernstein, *Mintz Levin Cohn Ferris Glovsky & Popeo, PC* • San Diego, CA

11:45 am

**Audience Challenge: Hypotheticals**

wednesday lunch reception & luncheon (12:00 noon – 2:00 pm)

12:00 noon – 12:30 pm

Luncheon Reception - *Open to all registrants.*

12:30 – 2:00 pm

**Luncheon Speaker:**  
*Tickets required.*



**Intellectual Property: A View from the Bench**  
Honorable Marilyn Huff, *United States District Judge-Southern District of California* • San Diego, CA

afternoon concurrent track #1 (2:00 – 3:30 pm)

**DEPOSITIONS IN PATENT LITIGATION - DEALING WITH THE USUAL SUSPECTS - TIPS, TRICKS AND BEST PRACTICES**

Moderator: Stephen Charles Stout, *Vinson & Elkins, LLP* • Austin, TX (*invited*)

2:00 pm

**Inventor Depositions: Gold Mine or Land Mine?**  
Dianne B. Elderkin, *Woodcock Washburn, LLP* • Philadelphia, PA

2:25 pm

**Rule 30(B)(6) Depositions: The Corporation Speaks**  
Dominic Zanfardino, *Brinks Hofer Gilson & Lione* • Chicago, IL

2:45 pm

**Third Party Depositions: Friends or Foes?**  
Kim Jessum, *Stradley Ronon Stevens & Young, LLP* • Philadelphia, PA

3:05 pm

**Expert Depositions: Sage Advice or Waged Device?**  
Gregory S. Cordrey, *Howrey, LLP* • Irvine, CA

3:25 pm

**Panel Discussion**

afternoon concurrent track #2 (2:00 – 3:30 pm)

**TRADEMARK-RELATED FRAUD ON THE USPTO - PITFALLS FOR THE UNWARY DURING PROSECUTION, TTAB PROCEEDINGS AND COURT ACTIONS**

Moderator: Jane Shay Wald, *Irell & Manella, LLP • Los Angeles, CA*

2:00 pm

**The TTAB's New Rules of Practice - Are You Prepared?**

Uli Widmaier, *Pattishall McAuliffe Newbury Hilliard & Geraldson, LLP • Chicago, IL*

2:25 pm

**The Wise and Careful Practitioner: Ethics and Trademark Practice Before the USPTO**

Beth M. Goldman, *Orrick Herrington & Sutcliffe, LLP • San Francisco, CA*

2:45 pm

**TTAB's New Rules: How Are They Working?**

Christopher C. Larkin, *Seyfarth Shaw, LLP • Los Angeles, CA*

3:05 pm

**Raising the Ante: Moving from TTAB Inter Partes Proceedings into District Court Litigation**

Lynda Zadra-Symes, *Knobbe Martens Olson & Bear, LLP • Irvine, CA*

3:25 pm

**Panel Discussion**

afternoon concurrent track #3 (2:00 – 3:30 pm)

**PENNY FOR YOUR THOUGHTS AND A DOLLAR FOR YOUR INTELLECTUAL PROPERTY RIGHTS — BUSINESS AGREEMENT CONSIDERATIONS AND THE MONEY MATTERS**

Moderator: Scott Gilfillan, *Intel Corporation • Hillsboro, OR (invited)*

2:00 pm

**Patent Indemnification: Allocating Risks Where the Dangers of Patent Infringement Are Unknown**

Alan J. Kasper, *Sughrue Mion, PLLC • Washington, DC*

2:35 pm

**Impact of the *Quanta v. LG* Case on IP Licensing Strategies**

Kenneth M. Seddon, *Numonyx • Chandler, AZ*

2:55 pm

**Trademark Licensing in M&A Deals - Some Strategic Considerations for Sellers and Buyers**

Daniel Ilan, *Cleary Gottlieb Steen & Hamilton, LLP • New York, NY*

3:25 pm

**Panel Discussion on Comparing Strategies and Practices**

committee meetings (3:30 – 5:30 pm)

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committee educational sessions (3:30 – 5:30 pm)

**JOINT COMMITTEE EDUCATIONAL SESSION  
ANTITRUST LAW, ELECTRONIC & COMPUTER LAW, LICENSING & MANAGEMENT  
OF IP ASSETS AND PATENT LITIGATION COMMITTEES**

3:30 pm

**Licensing Patents for Standards: Royalties, Damages, Injunctions, Antitrust and Other Practical Issues**

Moderator: Kenneth M. Frankel, *Henderson Farabow Garrett & Dunner, LLP • Reston, VA*

**Do You Want to Play "Ex Ante"? Negotiating Royalty or Other License Terms Before the Standard is Set**

- William Blumenthal, *Clifford Chance • Washington, DC*
- Michael A. Lindsay, *Dorsey • Minneapolis, MN*
- Jack D. Slobod, *Philips Intellectual Property & Standards • Briarcliff Manor, NY*
- Richard S. Taffet, *Bingham • New York, NY*

4:00 pm

**RAND/FRAND Royalties – Opportunities and Pitfalls as Courts Begin to Shape the Rules**

- Michael A. Lindsay, *Dorsey* • Minneapolis, MN
- Jack D. Slobod, *Philips Intellectual Property & Standards* • Briarcliff Manor, NY
- Richard S. Taffet, *Bingham* • New York, NY

4:30 pm

**Continuing Impact of the FTC – Standards-Setting in the New Administration**

- William Blumenthal, *Clifford Chance* • Washington, DC

5:00 pm

**Risks and Benefits of Joining Patent Pools Covering Standards**

- Jack D. Slobod, *Philips Intellectual Property & Standards* • Briarcliff Manor, NY

5:20 pm

**Panel Discussion**

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**JOINT COMMITTEE EDUCATIONAL SESSION**  
**IP PRACTICE IN EUROPE COMMITTEE AND CHARTERED INSTITUTE OF PATENT ATTORNEYS (CIPA)**  
**FROM THE UNITED KINGDOM**

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3:30 pm

**Welcome & Introduction to Speakers**

**Practical European Patent Issues**

Moderator: Doug McCall, *W.P. Thompson & Co.* • Liverpool, United Kingdom

3:55 pm

**Is there a Doctrine of Equivalents in Europe?**

- Michael Williams, *F.J. Cleveland* • London, United Kingdom

4:15 pm

**A Practical Guide to the European Patent System**

- Jonathan Jackson, *D. Young & Co.* • Southampton, United Kingdom

4:35 pm

**A Guide to Pharmaceutical Patents and Supplementary Certificates of Protection in Europe**

- Gordon Wright, *Elkington & Fife* • Sevenoaks, United Kingdom

4:55 pm

**Safely Navigating European Novelty: More Draconian than US Applicants Imagine**

- Timothy Platt, *Albihns AB* • Stockholm, Sweden

5:15 pm

**Panel Discussion**

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wednesday evening events (5:30 – 10:00 pm)

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5:30 – 6:30 pm

New Member/First-Time Attendee Reception  
Sponsored by: SCHWEGMAN LUNDBERG & WOESSNER, PA

6:30 – 8:00 pm

Opening Night Reception “Sunset in the Sand”  
*Tickets required.*

8:00 – 10:00 pm

Dessert Reception - *Open to all registrants.*  
Sponsored by: KNOBBE MARTENS OLSON & BEAR, LLP