

ECLC Summit 2019 Program

8:00 AM – 5:00 PM	REGISTRATION AND CLE INFORMATION
8:00 – 8:45	BREAKFAST
9:00 - 9:15	<p>Welcome <i>Brad Pedersen, Patterson Thuet IP</i></p>
9:00 - 9:45	<p>Priorities of the United States Patent and Trademark Office and Other Ongoing Efforts. Speaker: <i>Andrew (Drew) Hirshfeld, Commissioner for Patents, USPTO</i></p>
9:45-10:45	<p>The Post-AIA Evolution of 35 U.S.C. § 102 The Leahy-Smith America Invents Act might not have overhauled § 102, but it did leave some outstanding questions of interpretation. This panel will cover a number of updates relevant to the post-AIA evolution of § 102, including the interpretation of “on sale bar,” the concept of “disclosure,” the omission of the word “known,” and other topics. The panel will also cover how the updates to § 102 factor into the competing considerations between trade secrets and patents. The panel will also cover other updates helpful to practitioners, such as what constitutes a publication in the context of IPR proceedings before the PTAB.</p> <p style="text-align: center;">Moderator: Katherine S. Boyle, Pauly, DeVries, Smith, & Deffner Panelists: <i>Sharon K. Sandeen, Mitchell Hamline School of Law</i> <i>Andrew Strickland, Lee & Hayes</i> <i>Michel Bohn, Patent Law Works</i></p>
10:45-10:55	BREAK
10:55 – 11:55	<p>Ethical and Risk Management Considerations in IP Practice This panel of experts provide risk management tips for IP practitioners using hypothetical claims against IP firms and attorneys based on actual claims experienced.</p> <p style="text-align: center;">Speakers: <i>David Kramer, Gemini Risk Partners</i> <i>Theodore Nittis, Gemini Risk Partners</i></p>
11:55-12:55	<p>LUNCH Addressing the Cycle of Poverty: Patent Pro Bono Services Promoting opportunities for entrepreneurship is one solution to break the cycle of poverty. Ownership of intellectual property may help those in financial need by allowing income from commercialization of their ideas. The playing field can be a difficult one, however, due to the legal fees for preparing and filing a patent application typically being out of their reach, leaving pro se inventors without access to justice. The situation changed, however, with the development of the Inventors Assistance Program ("IAP"), which matches volunteer patent prosecution attorneys with disadvantaged inventors. Supported by the USPTO, the IAP today has over 1,800 registered patent attorneys and provides services across the United States from twenty regional offices.</p> <p>Speaker: <i>Mark Privratsky</i> of Ballard Spahr LLP, one of the founders of the IAP, will speak about its history, successes, future plans, and most importantly, how lawyers may volunteer to provide these pro bono services.</p>
12:55 – 1:55	Practical Guide to Machine Learning/Artificial Intelligence claiming and strategies for US and EP Prosecution

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	<p>The panelists will discuss disclosure and claiming strategies for machine learning model implemented inventions. The presentation will also cover the differences between EP and US practice regarding to claim formats, clarity and other prosecution-related requirements, as well as EP cross-border enforcement issues associated with artificial intelligence and machine learning inventions.</p> <p>Speakers: Disclosure and claiming strategy for ML model implemented inventions; required disclosure to fulfill 112 issues; different format for claims and coverage; US prosecution issues <i>Michael Portnov, Fish Richardson</i></p> <p>Patenting AI/ML from a European Patent Office perspective: patentability criteria in light of the latest EPO guidelines; drafting considerations with an eye towards the EPO <i>Richard Kennedy, Venner Shipley</i></p> <p>EP cross border enforcement issues for Machine Learning and Computer Implemented Inventions <i>Maximilian Engelhard, Schwabe Sandmair Marx</i></p>
<p>1:55–2:40</p>	<p>Patent Litigation Update: Venue, Appeals, Estoppel Issues, and Managing Co-Pending District Court/IPR Proceedings</p> <p>Speakers: <i>David Swenson, Larkin Hoffman</i> <i>Rachel Hughey, Merchant & Gould</i></p>
<p>2:40-2:50</p>	<p>BREAK</p>
<p>2:50-3:50</p>	<p>Applications and Licensing for Emerging Technologies and Technical Standards: Avoiding Pitfalls</p> <p>Emerging technologies such as 5G and IoT are expected to revolutionize our world. Patent filings in these areas are on the rise. Commercialization will involve traditional telecommunications and information technologies companies accustomed to negotiating patent portfolio licenses as well as new market entrants with less experience managing an active patent landscape. Our panel of experts will discuss tips for drafting patents designed for licensing in these new markets, strategies for licensing patent portfolios including standards essential patents common in these new markets and avoiding antitrust pitfalls when licensing such portfolios.</p> <p>Moderator: <i>David Long, Essential Patent, LLC</i></p> <p>Panelists: <i>David Huffaker, Intellectual Ventures Management, LLC</i> <i>Steven Shumaker, Shumaker & Sieffert</i> <i>Dina Kallay, Ericsson AB</i></p>
<p>3:50-4:00</p>	<p>BREAK</p>
<p>4:00-5:00</p>	<p>The Next Generation of IP Operations</p> <p>This presentation will bring together leaders in IP operations for patents in the electronics and computer fields to discuss trends impacting both in-house and outside counsel. The panel will address what is coming in alternative fee arrangements, outside counsel scoring metrics, and unique partnerships. Attendees learning about</p>

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	<p>these rapid changes can strategically plan for how those changes will impact their practices.</p> <p><u>Speakers:</u> Michael Drapkin, Partner, Holland & Hart Sylvia Chen, Patent Counsel, Head of Patent Operations, Google Aaron Kraft, Patent Counsel, Micron</p>
5:00-6:15	RECEPTION AT HOTEL <i>(Open to All Registrants)</i>