



2021
AIPLA



VIRTUAL Spring
MEETING

Event Preview

May 10-14, 2021

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Keeping the AIPLA Community *Connected*

The 2021 Virtual Spring Meeting brings together nationally recognized IP experts and leaders in a series of master classes on patent prosecution, patent litigation, copyright and trademark practice, trade secret and antitrust. These online sessions are designed to help practitioners sharpen their skills and develop strategies to improve their practice.

Whatever your role in IP and whatever your experience level, this program will give you real-world examples and tactics to improve your practice. The virtual **#aiplaSM21** allows the global IP community to safely share ideas and knowledge that will shape the future. Your registration includes not only the live virtual sessions, but unlimited access to the on-demand recordings as well. You'll be able to participate in all the motivating moments of the meeting regardless of where you are. Make plans to join us for this unique program that will raise the bar on your skills and practice.

All times noted are
Eastern Daylight Time

Connect on  **#aiplaSM21**

Program current as of March 19, 2021

Daily Schedule - Monday, May 10

9:00 to 10:00 AM**Filing Requirements with Inventors in Multiple Countries and an Update on Special Programs from the USPTO**

Moderator: Li Feng, Finnegan Henderson Farabow Garrett & Dunner, LLP, New York, NY

Speakers:

Valencia Martin-Wallace, Deputy Commissioner for Patent Operations, USPTO, Alexandria, VA
Steve Bauer, Medtronic (retired), JAMS, Eliot, ME
Mandy J. Song, Bayes PLLC, McLean, VA

Hosted by: *IP Practice in China and Patent-Relations with the USPTO Committees*

60 minutes CLE**10:30 to 11:30 AM****OFFICIAL TRADE SHOW and Networking Lounge****12:00 Noon to 1:00 PM****Opening Plenary**

The Honorable Henry C. "Hank" Johnson, Jr.
Chairman, Subcommittee on Courts,
Intellectual Property and the Internet,
Committee on the Judiciary, United
States House of Representatives (D-GA)
Washington, DC

1:30 to 3:00 PM**CONCURRENT SESSIONS****SESSION ONE:
Patent Prosecution****Concurrent**

Moderator: Sameer Vadera, Kilpatrick Townsend & Stockton, Washington, DC

Claiming a Right of Priority - Traps for the Unwary

Melissa J. Pytel, Medler Ferro Woodhouse & Mills, PLLC, McLean, VA

Ex Parte Appeal Practice Tips and Updates

Adam Stephenson, Adam R. Stephenson, LTD., Scottsdale, AZ

Overcoming Obviousness - Best uses for MPEP 2143.01(v) and the holding under In Re Gordon rendering prior art unsatisfactory for its intended purpose; Best uses for MPEP 2143.01(VI) and the holding under In Re Ratti for changing the principle of operation of a reference?

Laura N. Arneson, Muetting Raasch Group, Minneapolis, MN

90 minutes CLE**1:30 to 3:00 PM****CONCURRENT SESSIONS****SESSION TWO:****Copyright & Trademark****Concurrent**

Moderator: Jeffrey Samuels, Sausalito, CA

Copyright Fan Fiction Cosplay You Will Never Get Permission: Factors in How Not to Get Sued

Dale Nelson, Donaldson + Califf, LLP, Culver City, CA

Recent Supreme Court TM Decisions; The Constitutionality of the Lanham Act's Prohibitions on Registration Other Than Those Targeting Offensive Marks, the Restrictions on the Use of Offensive Marks, Including the Act's Cause of Action for Likely Dilution by Tarnishment and Actions by Local Governments

Lisa Ramsey, University of San Diego, San Diego, CA

The USPTO's Use of Failure-to-Function and Ornamentation Refusals as Potential Workarounds to *Brunetti* and *Tam*; and the Advantages and Disadvantages of Appealing the TTAB's Affirmances of Ex Parte Refusals to Register to the US District Court for the Northern District of Virginia, Rather than to the Federal Circuit

Sean Garrison, Bacal & Garrison Law Group, Scottsdale, AZ

90 minutes CLE**3:30 to 5:00 PM****The Intersection Between Patent Prosecution and Patent Litigation**

Moderator: Brian Trotter, Bishop Rock, Austin, TX

Patent Litigator Perspective: What I Wish Patent Prosecutors Would Understand, or What I Wish I had Known Now That I'm Litigating This Patent!

Nicholas Groombridge, Paul Weiss Rifkind Wharton & Garrison, LLP, New York, NY

Patent Prosecutor Perspective: What I Wish Patent Litigators Would Understand, or What I Wish I had Known When I Prosecuted this Patent!

Linda Shudy Lecomte, Wuersch & Gerring, New York, NY

90 minutes CLE**www.aipla.org****AIPLA**

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MONDAY MAY 10 Cont.**5:30 to 7:00 PM****IP Lessons From the Pandemic**

Litigating IP Cases in a Post Covid-19 World: From Depositions to Trial, How to Persuasively Shape and Win Your Case Remotely and Live

Moderator: Kim Van Voorhis, Nike Inc., Beaverton, OR

Speakers:

Honorable Maryellen Noreika, US District Court, District of Delaware, Wilmington, DE

Bijal Vakil, White & Case, Palo Alto, CA

Daralyn Durie, Durie Tangri, San Francisco, CA

Leading Your Team and Firm in the shift from in-person to virtual: The ABCs of marketing, managing to mentoring#

Moderator: Myra McCormack, Johnson & Johnson, New Brunswick, NJ

Speakers:

Veda Cruz, Gearbox Software, Frisco, TX

Jenae Gureff, Cantor Colburn LLP, Alexandria, VA

Chanel Lattimer-Tingan, Royer Cooper Cohen

Braunfeld LLC, Philadelphia, PA

90 minutes CLE

7:30 to 8:30 PM**Opening Night Virtual Happy Hour****TUESDAY MAY 11****9:30 to 10:30 AM****OFFICIAL TRADE SHOW and Networking Lounge****10:30 AM to Noon****Corporate Practice Committee Breakfast****IP Portfolio Development Strategies**

This session will present strategies for developing IP portfolios. Drawing from their broad experiences, Wenderoth attorneys will discuss ways that companies can overcome current challenges to develop strong IP portfolios by using patents, trademarks, trade dress, and design patents.

Introduction: Amy Schmid

Using Design Patents, Trademarks, and Trade Dress to Expand Your IP Portfolio

Rebeccah Gan and Peter Jay

Overcoming the Challenges of Developing a Global Patent Portfolio in 2021

Sasha Varghese and Robert Joynes

Sponsored by: Wenderoth

12:30 to 1:30 PM**Luncheon Keynote**

Speaker: TBD

2:00 to 3:30 PM**The Interplay Between District Court and PTAB Litigation**

Moderator: Sharon Israel, Shook Hardy & Bacon, LLP, Houston, TX

Speakers:

Honorable Alan Albright, US District Court for the Western District of Texas, Waco, TX (invited)

Honorable Scott Boalick, Chief Administrative Patent Judge, Patent Trial and Appeal Board, USPTO, Alexandria, VA (invited)

Erick Palmer, Mayer Brown, Chicago, IL

Hosted by the PTAB Trial and Patent Litigation Committees

90 minutes CLE

4:30 to 6:00 PM**IP in the Supreme Court: A Review of the Big Decisions**

Speaker: Amy Landers, Drexel University, Philadelphia, PA

90 minutes CLE

7:00 to 8:00 PM**Virtual Happy Hour**

WELCOME NEW AIPLA MEMBERS and First-time Meeting Attendees

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9:30 to 10:30 AM

**OFFICIAL TRADE SHOW and
Networking Lounge**

7:00 to 8:00 PM

Mentoring Speed Networking

*Hosted by the Mentoring Committee and the
AIPLA Fellows*

10:30 AM to Noon

Women in IP Law Committee Breakfast

Sponsored by: Knobbe Martens

12:30 to 2:00 PM

**Design Rights – Beyond Getting a
Design Patent**

Moderator: Steven Shaw, Google,
Mountain View, CA

Protecting Designs Without Design Patents

James Aquilina, Quarles & Brady, LLP,
Washington, DC

Design Patent Litigation in the District Courts

Tracy-Gene Durkin, Sterne Kessler Goldstein
& Fox, Washington, DC

**Copyright Harmonization in the EU – Cofemel/
Decision, What's New and What to do**

Jana Bogatz, D Young & Co., Munich, Germany

90 minutes CLE

5:00 to 6:30 PM

Cannabis and the Law

Moderator: Annette Kwok, The Cronos Group,
Toronto, Ontario, Canada

5:00 - 5:30 PM

Patents

Travis W. Bliss, Panitch Schwarze Belisario & Nadel,
LLP, Wilmington, DE

5:30 - 6:00 PM

Trademarks

Shabnam Malek, Brand & Branch LLP, Oakland, CA

6:00 - 6:30 PM

**Ethics of Representing Cannabis Companies:
Representing Clients in an Industry that is
Federally Illegal, with Discussion of Different
Jurisdictional Rules/Letters and Areas of
Caution; Bankruptcy; and Client Inability to
have a Banking Account; Delivery Issues**

Henry C. Dinger, Goodwin, Boston, MA

*Hosted by Emerging Technologies and Food and
Drug Committees*

90 Minutes CLE (includes 30 Minutes Ethics)

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9:30 to 10:30 AM

**OFFICIAL TRADE SHOW and
Networking Lounge**

10:30 AM to Noon

**Who Decides? The Role of Judges and Juries
in IP Cases and Related Motion Practice**

Moderator: Steven Spears, Baker Hughes,
Houston, TX

**Special Considerations for Patent Cases:
Obviousness, Functionality, and the Ordinary
Observer Test**

Rachel Clark Hughey, Merchant & Gould,
Minneapolis, MN

**Sorting Through Equitable and Legal Remedies
When Enforcing Your Agreements**

Lauren Hoffer, Dell Technologies, Round Rock, TX

**The Role of Juries in Injunctions, Disgorgement
and Damages in IP Cases**

Laura Ganoza, Foley & Lardner, LLP, Miami, FL

90 Minutes CLE

12:30 to 2:00 PM

**Modern Patent Pools in the Age of IoTs,
5G and NextGen Video Codecs:**

**The Impact of *FTC v. Qualcomm*, *Unwired Planet*
and Related Global Law Addressing SEPs**

Moderator: James Harlan, InterDigital, Inc.,
Washington, DC

Speakers:

Fabian Gonell, Qualcomm, Inc., San Diego, CA
Dennis Duncan, Essentiality Check,
Boynton Beach, FL

**Hosted by Standards and Open Source and
Antitrust Committees**

90 Minutes CLE

3:00 to 4:30 PM

CONCURRENT SESSIONS

**SESSION ONE:
Corporate/Litigation**

Concurrent

Moderator: Michael D. Berger, Conoco Phillips
Company, Houston, TX

**Remote Notary Services; Electronic Signature
Options in the US Compared to Other Jurisdictions;
Wet Signatures; Notaries, Apostilles, Services for
Certified Translators**

Michael Nye, Harness Dickey & Pierce, PLC, Troy, MI

IP Protection in a Work-From-Home World

Laurie Young, Katun Corporation, Bloomington, MN

**IP and Distressed Companies: A Deep Dive on the
Impact of Bankruptcy on IP; From Retailers to Data**

Stuart Riback, Wilk Auslander, LLP, New York, NY

**Data Data Everywhere: Balancing and Managing the
Exchange Between Various Jurisdictions (EU, US,
and China)**

Lavonne Burke Hopkins, Dell Technologies, Houston, TX

90 minutes CLE

**SESSION TWO:
Chemical and Biological Patent
Law ETHICS Update**

Concurrent

Moderator: TBD

Duty to Disclose Non-Traditional Forms of Prior Art

MaryAnne Armstrong, Birch Stewart Kolasch & Birch,
LLP, Falls Church, VA

Duty to Disclose Test Results

Tom Brody, Baker & Hostetler LLP, Washington, DC

Topic TBD

Shilpi Banerjee, Sloan Kettering

**Hosted by Biotechnology and Chemical
Practice Committees**

90 Minutes ETHICS CLE

5:00 to 6:00 PM

Titans of the IP Bar

Speakers:



Honorable Paul R. Michel, former Chief
Judge, US Court of Appeals for the
Federal Circuit (retired)



Philip G. Hampton, Polsinelli, PC,
Washington, DC



Judith Safer, IP Counsel, BMI (retired),
New York, NY

7:00 to 8:00 PM

Diversity Networking Event

Virtual Happy Hour

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8:30 to 9:30 AM

YOGA/Relaxation Session

9:30 to 10:30 AM

**OFFICIAL TRADE SHOW and
Networking Lounge**

10:30 AM to Noon

Copyright & Trademark

Moderator: Allison Ricketts, Fross Zenick, New York, NY

Reposting Images Found on Social Media; Right of Publicity versus Copyright Infringement and the Test for Preemption

J. Gregory Whitehair, IP Resolution Co., Lakewood, CO

Update on Copyright and Music Sampling: When is it Infringement?

Speaker TBD

Trademark Specimens: Latest Developments and Important Considerations

Sherri Eastley, Pirkey Barber, Austin, TX

90 Minutes CLE

12:30 to 1:30 PM

Luncheon Keynote



Speaker: Honorable Sharon Prost, Chief Judge, US Court of Appeals for the Federal Circuit, Washington, DC

3:00 to 4:00 PM

ETHICS

Civility, Professionalism, and Mental Health in Difficult Times

Speaker:

Scott Rogers, University of Miami School of Law, Coral Gables, FL

60 Minutes ETHICS CLE

4:30 to 6:00 PM

Trade Secrets

Moderator: Neal F. Weinrich, Berman Fink Van Horn, PC, Atlanta, GA

Using Patents, Trademarks, and Copyrights to Preserve and Protect Trade Secrets; Other IP Legal Claims and Formats Can Help Define, Preserve, and Detect Infringement of Trade Secrets

Victoria Cundiff, Paul Hastings, LLP, New York, NY

What You Need to Know to Defend Your Client Accused of Trade Secret Theft

Mark Whitaker, Morrison Foerster, Washington, DC

Balancing Privacy and Protection: Practical Tips for Monitoring Employees and Investigating Potential Trade Secret Misappropriation

Gabriel M. Ramsey, Crowell & Moring, LLP, San Francisco, CA

90 minutes CLE

7:00 to 8:00 PM

Closing Network Event

Virtual Happy Hour

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The Foundation assists individuals from underrepresented racial/ethnic groups exploring careers in intellectual property law by increasing the awareness of the IP law profession among such individuals, providing financial and non-financial assistance supporting their legal education, and accelerating their IP law career development otherwise through comprehensive networking, counseling, and mentoring programs



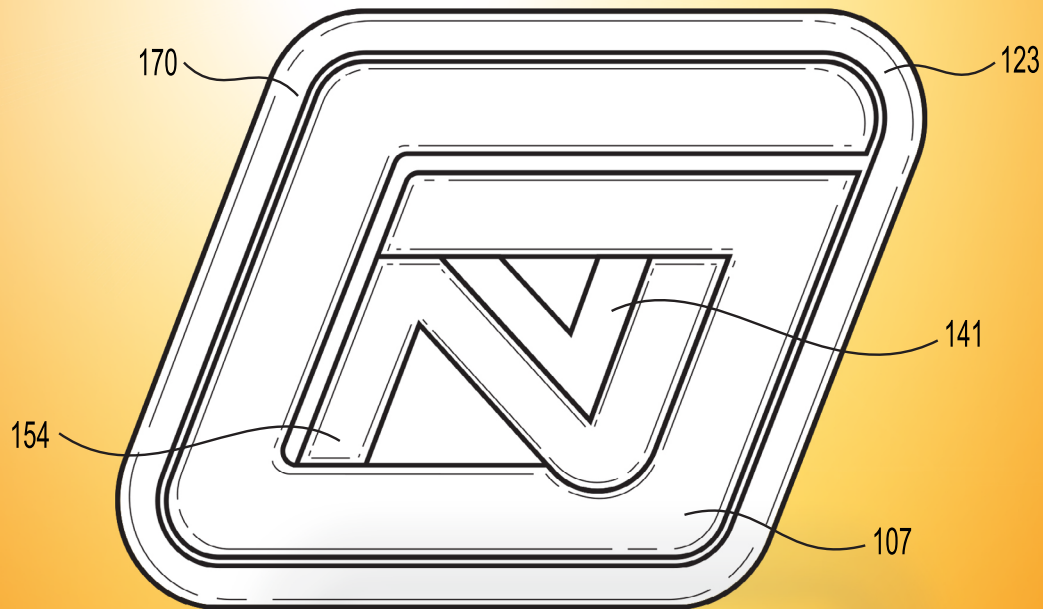
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