

# 2025 AIPLA Spring MEETING

May 13 to 15, 2025 **Hilton Minneapolis** Minneapolis, MN

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# AIPLA Spring Meeting

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#### **Dear AIPLA Members and Friends,**

Welcome to the 2025 AIPLA Spring Meeting, taking place May 13-15, in the dynamic city of Minneapolis, Minnesota!

Minneapolis, known for its innovation and leadership in healthcare and technology, sets the stage for this year's gathering of IP professionals. This Spring Meeting is designed to explore the intersection of intellectual property, emerging technologies, and legal innovation, offering something for everyone in the IP community.

We're proud to offer an expanded lineup of Skills Workshops, providing practical, hands-on training for practitioners at all levels. This year's workshops include:

#### The 2025 Spring Meeting Offers:

- Unsurpassed
  Networking
- Engaging and Inspiring Speakers
- Group Registration
  Discounts
- Patent Drafting Basics Bootcamp: Tailored for early-career practitioners, offering step-by-step guidance on drafting high-quality patents.
- IPR Expert Depositions Tips and Practice: Learn strategies for taking and defending expert depositions in inter partes reviews with live feedback from seasoned IP litigators.
- **Amplifying Examiner Interviews:** Master techniques to conduct effective patent examiner interviews that drive results, including tips on timing, persuasion, and responding to challenges.

These workshops deliver actionable tools and strategies, ensuring you leave with enhanced skills ready to apply to your practice.

Our program spans a wide array of IP topics, from foundational principles to cutting-edge developments:

- **Patenting AI and AI-Assisted Inventions:** Tackle the challenges of patenting AI-related innovations, including issues of enablement and human contribution in AI-generated work.
- Monetary Remedies in IP Disputes: Explore strategic approaches to securing and defending monetary remedies across trademarks, copyrights, and unfair competition cases.
- **Trademark Practice at the TTAB:** Gain practical guidance on navigating trademark disputes, from ex parte appeals to inter partes proceedings.
- **Copyright Fair Use and AI Applications:** Examine the limits of fair use in the context of AI training data, building on key cases and recent industry trends.
- Litigation Skills and Strategy: Sessions like Managing the Cost of IP Litigation and Effective Use of Experts provide insights into controlling expenses and leveraging expert testimony for better outcomes.
- **Fundamentals and Beyond:** From IP basics to advanced patent topics like obviousness-type double patenting, we've tailored sessions for practitioners across all areas of expertise.

In addition to the rich programming, don't miss our signature events—the Diversity Reception, New Member/ First-Time Attendee Reception, and the Opening Night Reception—which offer unparalleled opportunities for networking and camaraderie.

We're excited to welcome you to the 2025 AIPLA Spring Meeting, where innovation, technology, and intellectual property come together to shape the future. Minneapolis is ready for your ideas, energy, and passion for IP!

**Kim Van Voorhis** President **Matthew Wagner** Officer-in-Charge, 2025 Spring Meeting AIPLA First Vice President



Computer Packages Inc. (CPI) has been serving the IP community for over 50 years. CPI's webhosted and mobile responsive IP management systems have been fully developed by expert inhouse programmers. We are the only annuity service provider that offers ongoing patent data checks by country-specialized analysts in over 100 countries. Successful payments, dedicated local support, and transparent invoices make us the most trusted annuity payment service in the industry.

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#### **General Information**

#### **Registration and Exhibit Hours**

**Monday:** 4:00 - 7:00 pm

Tuesday: 8:00 am - 6:00 pm

Wednesday: 8:00 am - 6:00 pm

Thursday: 8:00 am - 12:00 pm\*

\* CLE table will stay open until 1 pm and the Exhibits will close at 10:30 am.

#### **Helpful Hints**

- Lunch receptions are open to everyone to meet and network.
- All meeting registrants will have advanced access to meeting materials online and in the app.
- Access to handouts and meeting papers are available at the on-site Technology Center or via the Meeting App.

#### **CLE Information**

The 2025 Spring Meeting offers up to 705 in-person CLE minutes including up to 120 minutes of Ethics. Credit amounts will vary by jurisdiction, based upon each jurisdiction's approval, regulations, and credit calculation.

Ethics CLE credit sessions are listed below:

#### Tuesday, May 13

#### 4:00 - 5:00 PM

Emerging Ethical Issues Confronting IP Lawyers: Navigating An Evolving Landscape 60 Minutes Ethics

#### Thursday, May 15

11:00 AM - 12:00 Noon AI in IP Practice: Ethical Considerations and Requirements

#### 60 Minutes Ethics

AIPLA is an approved provider by most states requiring CLE. AIPLA is applying for credit for this meeting to most US jurisdictions. Credit hours will vary by jurisdiction, based upon individual regulations and credit calculation. Complete CLE information will be available on site at the AIPLA CLE Information Booth. The CLE Information Booth will remain open until 1:00 pm on Thursday.

#### **Skills Workshops**

AIPLA will be offering in-depth skills workshops at the Spring Meeting. **Please be sure your experience aligns with the workshop's requirements and targeted audience.** The workshops offer a chance to learn and engage with instructors in a smaller setting. The workshops will be limited to 20 people unless noted otherwise, run at the same time as tracks, and attendees will be required to review any materials the instructor has listed as prerequisites. **CLE will not be offered, and separate registration is required. Additional details will be provided following general Spring Meeting registration.** 

#### General Meeting Sponsors:

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# The Spring Meeting is on Social Media!

Follow AIPLA on LinkedIn, Facebook, X, and Instagram (@aipladc) and post during the Meeting using the hashtag #aiplaSM25! All sessions for the Spring Meeting have been approved as Insurance Discount Eligible as part of AIPLA's Professional Liability Insurance Program.

Program as of May 9, 2025 Subject to change.

\*Committee meetings are open to all attendees unless otherwise note \*Program subject to change



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#### ■ 12:00 Noon - 2:00 PM

**AIPLA Board of Directors Meeting** 

#### **3:00 - 5:00 PM**

AIPLA Board/Committee Leadership Meeting

#### 4:00 - 7:00 PM

#### **Pre-Registration**

If you registered in advance, please stop by and pick up your badge and meeting materials.

DAY 1

#### 6:30 - 8:00 PM

#### AIPLA Board/Committee Leadership Networking Event

Tuesday, May 13, 2025 All times listed are Central Time

#### ■ 6:45 AM

5K Fun Run Meet in the hotel lobby to join the run.

#### 🔳 6:45 – 8:45 AM 🛷

#### Corporate Practice Committee Breakfast Meeting (In-house practitioners only)

#### Prosecuting Patents for Litigation: Build Gold Mines, Avoid Land Mines

Has there ever been a patent case where the litigators didn't wish that the patent attorneys had done something differently? No! This presentation, led by experienced litigators, will explore real-life cases where prosecution decisions significantly impacted later litigation. Through case studies, we will explore how to create patents that will hold up under pressure, and avoid common pitfalls. The session will provide practical takeaways for in-house counsel to improve collaboration with prosecution and litigation teams, and enhance patent portfolio strength. We plan to seek out your ideas as well, so we can all leave better prepared to serve our companies and clients.

#### Sponsored by: Robins Kaplan, LLP

#### **Presented by:**

Cyrus Morton, Robins Kaplan LLP, Minneapolis, MN Jessica Gutierrez, Robins Kaplan LLP, Minneapolis, MN

#### ■ 7:45 - 8:45 AM

#### **Committee Meetings**

View the full committee schedule on the Spring Meeting website or in the Meeting App.

#### 9:00 - 10:00 AM

#### **OPENING PLENARY**



Join AIPLA President Kim Van Voorhis as we kick off the 2025 Spring Meeting and get a preview of the week ahead.



Keynote Speaker: Will Covey, Acting Deputy Under Secretary of Commerce for IP and Acting Deputy Director of the USPTO





# DAY 1

#### 10:15 AM – 12:00 NOON Concurrent Tracks and Skills Workshop

#### **CONCURRENT TRACK 1**

#### Beyond Patents: Protecting Things AI Helped to Make (Part 1)

This panel will address the challenges of protecting innovations in which Al assisted in the development process. The presentation will include the strategies of considering utility patents, design patents, copyrights, as well as trademark and trade dress protection that may help applicants create portfolios that will support long-term protection of an applicant's intellectual property.

#### Speakers:

Alexander Kim, Greenberg Traurig LLP, Minneapolis, MN Jason Krause, Nelson Mullins, Minneapolis, MN Jonathan Sry, 3M, Minneapolis, MN

#### 11:00 - 11:15 COFFEE BREAK

#### Update on AI, 101 and 112 (Part 2) Moderator: To Come

Speaker:

Frank Gerratana, Calyx Law LLC, Boston, MA

Professor Carl Moy, Mitchell Hamline School of Law, Edina, MN

#### **CONCURRENT TRACK 2**

#### Crafting Monetary Remedies in Trademark, Copyright and Unfair Competition Cases (Part 1)

**Moderator:** Erik Combs, Pirkey Barber, PLLC, Austin, TX

Speakers:

Krista Holt, Econ One, Washington, DC Charlie Eblen, Shook Hardy Bacon, Kansas City, MO Nick Hailey, Oppenheim + Zebrak, LLP, Washington, DC

#### 11:00 - 11:15 COFFEE BREAK

Navigating Remedies in Patent Litigation: Injunctions, Extraterritorial Damages, Apportionment, and Attorney Fee Awards (Part 2)

**Moderator:** Ashe Puri, Nixon Peabody, Los Angeles, CA

#### Speakers:

Thomas Cotter, University of Minnesota Law School, Minneapolis, MN

Sue Stuckwisch, Alvarez & Marsal, San Francisco, CA

#### **NON-CLE SKILLS WORKSHOP**

#### Invention Analysis & Claim Drafting: A Workshop for New Practitioners

Designed for those with 0-5 years of patent preparation and prosecution experience, this interactive session teaches new patent practitioners the art of invention analysis and claim drafting. The workshop uses an interactive format to guide you in identifying inventive concepts and drafting broad claims that enhance your client's portfolio. The workshop also includes a brief segment on leveraging AI-powered patent proofreading tools to minimize errors and improve claim quality.

**Instructor:** Ann McCrackin, UNH Franklin Pierce School of Law, Cavendish, VT

#### 11:00 - 11:15 COFFEE BREAK

The Skills Workshop continues following the coffee break.

#### ■ 12:00 - 12:30 PM

Networking Luncheon Reception (Open to all attendees) Sponsored in part by: Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

#### 🛾 12:30 - 2:00 PM 🛷

#### **Keynote Luncheon**

Join us for an exclusive panel on Paisley Park, where you'll have the unique opportunity to hear directly from the legal team that supported Prince and his estate through numerous intellectual property interactions. Gain insights into the challenges and triumphs of managing the iconic artist's legacy, and learn about the intricate legal processes involved in protecting and preserving Prince's creative works. Don't miss this chance to delve into the fascinating world of Paisley Park and the legal expertise behind it.



Moderated by 2025 Spring Meeting Officer in Charge Matthew Wagner

Panelists:



Joseph J. Cassioppi, Fredrikson & Byron, PA, Minneapolis, MN

Grant Fairbairn, Fredrikson & Byron, PA, Minneapolis, MN

Karen Sandler Steinert, Fredrikson & Byron, PA, Minneapolis, MN

#### 2:15 - 4:00 PM Concurrent Tracks and Skills Workshop

#### **CONCURRENT TRACK 1**

How to Show that A Human Helped the AI Enough to Be an Author/ Inventor

Moderator:

To Come

#### Speakers:

Eran Kahana, Maslon, Edelman, Borman & Brand, Minneapolis, MN

Daniel Tysver, Forsgren Fisher McCalmont DeMarea Tysver, Minneapolis, MN

#### 3:00-3:15 COFFEE BREAK

#### Well It's Not Obvious To Me!: Dealing with Obviousness-Type Double Patenting Rejections in 2025

2024 saw a great bit of upheaval in the law surrounding obviousnesstype double patenting rejections, between court decisions (*In re Cellect, Allergan USA, Inc. v. MSN Laboratories Private Ltd.*), and the USPTO's proposed new obviousnesstype double patenting rules package, which was also abandoned. This session will focus on where the law currently stands and how practitioners should be dealing with obviousness-type double patenting rejections in 2025.

#### Moderator:

Jamie P. Leeds, Eli Lilly and Company, Indianapolis, IN

#### Speakers:

Sommer Zimmerman, Ballard Spahr, Atlanta, GA

Jenny Lee, Haug Partners, New York, NY

#### **CONCURRENT TRACK 2**

#### The Amazon Brand Registry and Its Effect on Trademark Law

This program will focus Amazon's impact on the IP community. From Patent Disputes to Amazon Brand Registry, the speakers will cover how Amazon has created an ecosystem that covers registration and disputes.

#### **Speakers:**

Tyler Seling, Moore & Van Allen PLLC, Charlotte, NC

Will Melehani, Orrick, Herrington & Sutcliffe LLP, San Francisco, CA

#### 3:00-3:15 COFFEE BREAK

#### False Advertising Claims Under Lanham Act Section 43(a) and State Law

#### Moderator:

Laurie Young, Schwegman Lundberg & Woessner, P.A., Minneapolis, MN

#### Speakers:

Elisabeth Muirhead, Merchant and Gould, Minneapolis, MN

Kate Homolka, General Mills, Minneapolis, MN

Mike Kauffman, 3M, Minneapolis, MN

Jason Pleggenkuhle, Minneapolis Attorney General's Office, Minneapolis, MN

#### NON-CLE SKILLS WORKSHOP

#### Litigation Skills Workshop: IPR Expert Depositions - Tips and Practice

This session has limited enrollment. To register for this session, you should have at least 1-2 years of experience doing PTAB work. The session will require you to do preparation in advance of the session, including reviewing a fact pattern and developing a deposition outline.

Deposing the expert in IPRs must serve as trial testimony, examination to support exclusion, and getting a better understanding of the submitted declaration. This Skills Workshop will review tips for taking and defending the expert deposition, and allow participants to practice that skill, getting some valuable feedback from seasoned IPR litigators.

#### Instructors:

Andrew Mason, Klarquist Sparkman, LLP, Portland, OR

Neal Seth, Wiley Rein, LLP, Washington, DC

#### 3:00-3:15 COFFEE BREAK

The Skills Workshop continues following the coffee break.



#### 4:00 - 5:00 PM - AFTERNOON PLENARY

#### **ETHICS**

#### Emerging Ethical Issues Confronting IP Lawyers: Navigating An Evolving Landscape

Review professional responsibilities on various issues including Conflicts of Interest, USPTO Duty of Candor, Limits on Zealous Advocacy, and Multi-jurisdictional Practice with Remote Work.

**Moderator:** Christopher Karlen, Medtronics, Inc., Minneapolis, MN

#### Speakers:

Christopher Larus, Thompson Hine, LLP, Minneapolis, MN

Sanjay Murthy, McAndrews, Held & Malloy, Ltd, Chicago, IL

#### 5:00 - 6:00 PM

#### **Committee Meetings**

View the full committee schedule on the Spring Meeting website or in the Meeting App.

#### **NON-CLE SKILLS WORKSHOP**

#### In- Depth OTDP/Terminal Disclaimers Strategies for Surviving ODP Post-*In re Cellect*

Join a dream team of experienced patent practitioners for an in-depth look at a how you can perfect your OTDP practice, including when and how to file a terminal disclaimer.

#### Instructors:

Tom Irving, Marbury Law Group, Reston, VA Julie Burke, IP Quality Pro LLC, Laguna Beach, CA Jenny Lee, Haug Partners, New York, NY

#### 🛾 6:45 - 8:45 AM 🗳

#### Women in IP Law Committee Breakfast Meeting

# Beautiful Brains and the Creative Spark: Neurodiversity, Mental Health and Celebrating Differences in the IP Profession

Elizabeth Lester is Assistant General Counsel, IP at Equifax, where she is responsible for managing the domestic and international IP portfolio and ensuring that the IP strategy is aligned with business strategies. Prior to Equifax, Elizabeth worked for nearly a decade in private practice focusing on patent preparation and prosecution, portfolio management, and IP issues in business transactions.

**Presented by:** Elizabeth Lester, Assistant General Counsel, Intellectual Property, Equifax, Atlanta, GA **Sponsored in part by:** Foley Hoag, LLP; Knobbe Martens; Merchant & Gould, P.C.

#### ■ 7:45 - 8:45 AM

#### **Committee Meetings**

View the full committee schedule on the Spring Meeting website and in the Meeting App.

#### ■ 9:00 - 10:00 AM

#### MORNING PLENARY

#### Cultural Appropriation v. Cultural Appreciation: The Role of Intellectual Property Law in Protecting Traditional Knowledge and Expressions

This session will delve into legal and ethical issues surrounding the use of traditional cultural expressions in modern media and fashion and how we as practitioners can advise our clients on the law and the practical implications and potential pitfalls of utilizing cultural imagery or signifiers as part of an IP portfolio. The speakers will introduce the audience to current IP laws directed to protecting indigenous cultures, whether they are accomplishing that goal, and how they might be reformed.

#### Moderator:

Carrie Lambert, Robins Kaplan, Minneapolis, MN

#### Speakers:

12

Adrienne Benjamin, Minnetonka, Minneapolis, MN Kaniah Konkoly-Thege, Quantinuum, Minneapolis, MN



#### 10:15 AM - 12:00 NOON - Concurrent Tracks and Skills Workshop

#### **CONCURRENT TRACK 1**

#### When is an Idea Abstract? A 101 Case Law Update

This session will cover, in light of recent case law, the necessary elements to establish sufficiency under *Alice* steps 1 and 2. This panel will primarily focus on the eligibility of claims that are not directed to Al-based inventions, instead examining the broader trend of subject matter eligibility.

#### Moderator:

Jennifer Rogers, Shumaker & Sieffert, Minneapolis, MN

#### Speakers:

Josh Goldberg, Nath, Goldberg & Meyer, Brooklyn, NY Michael Borella, McDonnell Boehnen Hulbert & Berghoff LLP, Naperville, IL

#### 11:00 - 11:15 AM COFFEE BREAK

#### To Mark or Not to Mark: Risks, Benefits and How to Do it Correctly

This session will discuss the pros and cons of patent marking and guide you in making an informed business decision on whether to implement a patent marking program. The US patent statute gives a patent owner significant potential benefits for properly marking products with patent numbers: Constructive Notice, up to 6 years of "past damages," negotiation leverage, and marketing prestige — to name a few. You also will learn how to reduce false marking risks. Practice tips will be discussed on "virtual" patent marking and prosecution strategies with marking in mind.

#### Moderator:

To Come

#### Speakers:

Jim Gastle, TERRIFIO, Lakefield, Ontario, Canada

Grant Peters, Barnes & Thornburg LLP, Chicago, IL

Paul Kitch, Greer Burns & Crain LTD, Chicago, IL

#### CONCURRENT TRACK 2

#### Using Experts in IP Litigation

#### Moderator:

Laura Davis

#### Speakers:

Jack Roberts, Charles River Associates, Chicago, IL

Ifti Zaim, Irwin IP LLC, Chicago, IL

#### 11:00 - 11:15 AM COFFEE BREAK

#### Winning at the TTAB: Expert Tips for Appeals, Evidence, and Oral Arguments

Join our moderator, two seasoned TTAB practitioners, and a former TTAB judge for a lively discussion packed with real-world strategies. This session breaks down the essentials of navigating ex parte appeals, mastering evidence in inter partes disputes, and making the most of oral hearings.

#### Moderator:

Marianne Adams, Major League Baseball, New York, NY

#### Speakers:

Ted Davis, Kilpatrick Townsend LLP, Atlanta, GA

Miriam Richter, Miriam Richter, Attorney at Law, P. L., Wilton Manors, FL

Lorelei Ritchie, University of Louisville, Louis D. Brandeis School of Law, Louisville, KY

#### **NON-CLE SKILLS WORKSHOP**

#### The Rise of Quantum Computing at the USPTO – Patent Drafting Tips, Perils, Pitfalls

This workshop focuses on the emerging world of quantum computing and how it intersects with traditional patent law and practice at the USPTO. The session begins with an introduction and a briefing on current quantum computing technology trends and applicable legal frameworks. From there, participants will examine key patent prosecution challenges, such as the pitfalls of obviousness determinations for quantum inventions in comparison to classical computing, and explore effective strategies for drafting quantum-focused patent claims. Attendees will then engage in a hands-on case study and scenario analysis to apply these concepts in real time. The program concludes with a Q&A session, group discussion, and key takeaways, providing practitioners with practical insights on navigating the rapidly evolving patent landscape for quantum technologies.

#### Instructors:

Brad Pedersen, EnQuanta, Minneapolis, MN

Gang Chen, Crowell & Moring LLP, Chicago, IL

Jennifer Maisel, Rothwell Figg, Washington, DC

#### 11:00 - 11:15 AM COFFEE BREAK

The Skills Workshop continues following the coffee break.

#### Wednesday, May 14, 2025 All times listed are Central Time

■ 12:00 - 12:30 PM

Networking Luncheon Reception (Open to all attendees) Sponsored in part by: Fluidity IQ; Taft Law

#### **2:15** 4:00 PM Concurrent Tracks and Skills Workshop

#### **CONCURRENT TRACK 1**

#### I Have Never Experienced a Cost-Efficient IP Litigation

Intellectual property litigation is often more expensive and more complicated than clients anticipate. Hear from experienced litigation counsel what practical steps and legal strategies that they have employed to manage the cost of litigation and meet client expectations. Hear from in-house counsel what legal strategies and practical steps they believe have most facilitated, if not met, the goal of cost-efficient litigation.

#### Moderator:

Mark Lavender, Olympus Corporation of the Americas, Brooklyn Park, MN

#### Speakers:

Joshua Weeks, Alston & Bird LLP, Atlanta, GA

Gunnar Leinberg, Troutman Pepper, Penfield, NY

#### 3:00 - 3:15 COFFEE BREAK

Litigation Funding: Pros and Cons of Financing Litigation; and Unique Considerations When Defending Against a Plaintiff Who is Financed

#### Moderator:

Daniel Taylor, Smith, Katzenstein & Jenkins LLP, Wilmington, DE

#### Speakers:

Michelle Eber, West U Capital, Bellaire, TX Kristen Osenga, University of Richmond School of Law, Richmond, VA Dan Weinger, Fortress, Wellesley, MA

#### **4:00 - 5:00 PM**

#### **CLE Design Topics**

#### Design Law Treaty: Harmonizing Global Design Protections

**Moderator:** Rachel Kahler, General Mills, Minneapolis, MN

#### Speakers:

Divyendu Verma, DUXLEGIS IP LLC, Clarksburg, MD

Ishita Kapoor, Chadha & Chadha, Delhi, India

Chris Carani, McAndrews, Held & Malloy, LTD., Chicago, IL

#### **CONCURRENT TRACK 2**

#### **Circuit Splits in Copyright**

Moderator: Professor Jorge Contreras, University of Minnesota, Minneapolis, MN

#### Speakers:

Professor Tyler Ochoa, Santa Clara University School of Law, Santa Clara, CA

DAY 2

Professor Kevin Collins, Washington University School of Law, St. Louis, MO

#### 3:00 - 3:15 COFFEE BREAK

#### The Elephant in the Room: Fair Use and AI

Google Books: What are the limits of Fair Use in the use of works for AI training.

**Moderator:** Greg Mauer, Klarquist Sparkman, Portland, OR

#### Speakers: Warrington Parker, Crowell &

Moring LLP, San Francisco, CA Seema Mehta, Osha Bergman

Watanabe & Burton, LLP, Houston, TX Scott Sholder, Cowan DeBaets Abrahams & Sheppard, LLP, New York, NY

#### 🛾 12:30 - 2:00 PM 🛷

#### Luncheon Keynote Speaker:

**Kevin Rhodes**, Executive Vice President, Chief Legal Affairs Officer and Secretary, 3M, Minneapolis, MN

#### NON-CLE SKILLS WORKSHOP

#### Amplifying the Interview Outcome with Your Examiner

We cannot emphasize enough how important an interview can be to patent applications. However, despite the fact almost everybody knows the importance of an interview, not everyone knows how to conduct an interview efficiently to amplify the outcome. There are at least three aspects we can talk about in this matter. First, from the perspective of procedures, when and how to have an interview, how an Examiner's signatory authority affects the outcome, etc. Second, from the perspective of people interaction: how to be affirmative and persuasive while maintaining courteous and respectful to the Examiner. Third, from the perspective of serving Applicants/Clients, how do you make sure of progress even if the Examiner rejects your original proposal of claim amendment?

#### Instructors:

William Cooper, Cooper Legal Group, LLC, Hinckley, OH

Ann McCrackin, UNH Franklin Pierce School of Law, Cavendish, VT

#### 3:00 - 3:15 COFFEE BREAK

The Skills Workshop continues following the coffee break.

#### NON-CLE SKILLS WORKSHOP

#### Ex Parte Appeals

#### Instructor:

David Boundy, Potomac Law Group, PLLC, Newton, MA

Effective and efficient patent prosecution must include appeals to the Board as an important tool in the toolbox. The written legal rules for preparing an adequate appeal brief are clear enough, but the practical rules for winning an appeal are not. This workshop will explain the longitudinal cause-and-effect relationships that extend through the life of a patent application so you can use earlier phases to set up success at later phases.

#### 500 - 6:00 PM

#### Committee Educational Sessions and Business Meetings

View the full committee schedule on the Spring Meeting website or in the Meeting App.

#### Discussion topics:

- \* Basic writing tips for briefs--How do you draft the brief to meet the legal requirements, to work with the incentives of all the players to lead them to a favorable conclusion?
- \* A few of the Board's patterns of repeated mistakes--burden of proof, standard of review, when subregualtory guidance is binding and when it isn't, etc.--and how you can prophylactically head them off
- \* A primer on the Administrative Procedure Act as it applies to appeals

Participants will be given a pre-print of an article to be published soon.



#### Lun Kev Chi

# DAY 3

#### 9:00 AM - 1200 NOON

#### **TRACK 1: CLOSING PLENARY**

#### Integrating AI in Your Practice to Innovate, to Assist and to Survive In the Changing Legal Landscape

Session 1: AI Update and In-house thinking-the latest and greatest in AI; how companies should coordinate with their outside counsel on use of AI (if permitted), how should this use affect cost, the risks and rewards.

Moderator: Michael Atlass, Qualcomm, San Diego, CA

#### Speakers:

John McBroom, IBM, Rochester, MN Ian Clouse, Holland & Hart, LLP, Denver, CO

Session 2 - This panel will discuss the proper balance for apportioning liabily between the various players involved in potentially infringing Artificial Intelligence applications.

#### Speakers:

Liz Harding, Greenberg Traurig, Boulder, CO Ben Siders, Lewis Rice, Saint Louis, MO

#### 10:45 - 11:00 AM NETWORKING BREAK

#### 11:00 AM - NOON Ethics CLE

#### AI in IP Practice: Ethical Considerations and Requirements

This session will discuss recent ABA Opinions and best practices for utilizing AI as an IP practitioner. We'll discuss areas of concern, including considerations outside counsel should be raising with clients and questions in-house counsel should be asking of their outside counsel.

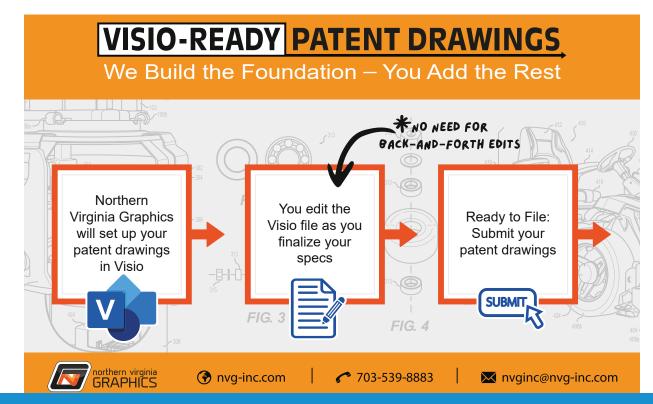
Moderator: Michael McCabe, McCabe Ali LLP, Potomac, MD

#### Speakers:

lan Schick, Paximal, Ojai, CA Paula Heyman, Maschoff Brennan, Austin, TX Lisa Marks, Google, LLC, Washington, DC

#### ■ 12:30 - 4:00 PM

#### AIPLA Board of Directors' Meeting



\*Committee meetings are open to all attendees unless otherwise noted.

#### TRACK 2: BOOT CAMP

IP 101: Basics of Patent, Trademark, Trade Secrets, Copyright, and Design 9:00 -10:20 AM: Sub-Session 1: Patent and Trade Secrets Basics

**10:35 AM - NOON:** Sub-Session 2: Trademark and Copyright Basics

#### Speakers:

Carl Moy, Mitchell Hamline School of Law, Edina, MN

Margaret Polson, Polson Intellectual Property Law PC, Westminster, CO

Bruce Boyden, Marquette University Law School, Milwaukee, WI

### **TUESDAY, MAY 13**

#### 6:00 - 7:00 PM

#### New Member/First-Time Attendee Reception

We welcome all new AIPLA members and first-time conference attendees and their sponsors and mentors to join us for a networking event.

Sponsored in part by: Schwegman Lundberg & Woessner, P.A.

#### ■ 7:30 -9:00 PM 4



Sponsored in part by: Shook, Hardy & Bacon, LLP

Join us for an exciting evening where we celebrate the vibrant neighborhoods of Minneapolis! Explore the unique charm of Lake Street, Frogtown, North Loop, and Boom Island Park. Enjoy the festivities with fun vendors from these areas, showcasing the best of local culture, food, and entertainment. Don't miss out on this unforgettable experience!

#### WEDNESDAY, MAY 13

#### **7:00 - 8:00 PM**

**Diversity in IP Law Reception Sponsored in part by:** Baker Botts; Klarquist Sparkman, LLP; Lathrop GPM; and Morrison & Foerster



Dinner Celebration

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# **Hotel & Transportation**



Book your room today! https://book.passkey.com/go/AIPLA2025

AIPLA RATE: \$229 per night (single/double) plus applicable taxes.

#### Room block rate expires Monday, April 21, 2025.

The Hilton Minneapolis is in the heart of downtown Minneapolis, directly connected by covered skyways to the Minneapolis Convention Center and the Minnesota Orchestra. Enterprise car rental, Nicollet Mall, and restaurants are within a few blocks. Target Field is a five-minute drive. Enjoy our indoor pool and sauna, Starbucks coffee, UPS store, and all-day dining on site.

#### Visit: https://www.hilton.com/en/hotels/mspmhhh-hilton-minneapolis/

AIPLA does NOT engage any third party vendors to assist with room reservations. All room reservations should be made directly using the Reservation link above, or by contacting the Hilton Minneapolis directly.

#### Parking

Day and event parking available. No trailers permitted.

Self Parking	\$30
Valet	\$49

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# **Special Registration Options and Discounts**

#### AIPLA Members... Invite a Colleague to Join and Register! Recruit More... Save More!

#### Take a look at the benefits of recruiting a new member:

- Reduction of your 2025 Spring Meeting registration fee in increments of \$50 for each Regular (in practice more than five years), or International Affiliate member you recruit and \$25 for each Junior member you recruit. There is no limit to the discount you can earn.
- An invitation to attend the New Member/First-Time Attendee Reception, Tuesday, May 13, 6:00 - 7:00 PM.

#### To recruit new members, tell them about the special benefits of joining now:

- They can register for the Spring Meeting at the member rate instead of the non-member rate—a savings of hundreds!
- Each new member who registers for the Spring Meeting will receive a special invitation emailed to them to attend the New Member/First-Time Attendee Reception.
- Access the Special Membership Application from the Spring Meeting homepage

#### After the newly recruited member has completed the membership application form(s):

- Sign on the Recruiter line.
- Important: Include the Membership Application form(s) with your 2025 Spring Meeting Registration Form to ensure proper credit.
- Email both to membership@aipla.org, or mail both to AIPLA Headquarters, 1400 Crystal Drive, Suite 600, Arlington, VA 22202
- If you are a first-time AIPLA meeting attendee, be sure to indicate it on the registration form.

#### Corporate In-House Counsel — Attending Your First AIPLA Meeting? Please, be Our Guest...

AIPLA has a special offer to encourage in-house corporate counsel to attend an AIPLA major meeting to see first-hand the outstanding CLE programs we provide.

For individuals who have never attended an AIPLA stated meeting, such as an Annual, Mid-Winter or Spring Meeting, who are also corporate in-house counsel, AIPLA will waive the registration fee. Tickets to the events are not included in this registration. You will need to pay for those events separately. This waiver of fees is available for one stated meeting only.

To take advantage of this one-time offer, simply complete the registration form and email it to us at membership@aipla.org. Once AIPLA has verified that this is your first major meeting and that you meet the in-house corporate counsel criteria, you will receive a registration confirmation. Our hope is that you enjoy your experience at your first AIPLA meeting and that you will join us again for future programs and become more actively involved with the work of the Association, especially through involvement with the Committees.

If you qualify for this special offer, please select the box listed as "first-time corporate in-house counsel" on the registration form.

#### **Group Discounts**

AIPLA is pleased to announce the introduction of a new, special registration option for law firms and corporations. In an effort to create opportunities for multiple IP practitioners from a single organization to attend the meeting, AIPLA is offering one complimentary registration for the 2025 Spring Meeting for every three [3], fully-paid registrations.

#### **Register 3-Get 1 FREE**

Your complimentary registration may be used for a colleague, client, or other as you determine is most valuable.

A paper registration must be downloaded from the website and submitted for the complimentary registration by email to <u>membership@aipla.</u> org. Please note in the email the names of the three paid registrants for confirmation.

Only fully paid registrations can be applied toward the multi-registration offer. The following exclusions apply:

- This offer is not valid for meeting exhibitors.
- Guest registrations do not apply toward the total number of paid registrations.
- First-time corporate attendees and Corporate Subscription registrations do not apply toward the total number of paid registrations.

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#### 1. Registration:

Register by April 29, 2025 to be included on the participation list. On-site registrations will be accepted; however, please be prepared to pay by check, cash or credit card. We DO NOT invoice for any fees. Attendees must register for the meeting if they wish to register for or attend social events. Badges are required at all meetings and social events.

#### 2. Submitting Your Registration:

**ONLINE:** You should receive an email confirmation shortly after you complete the process. Please keep this confirmation for your records. www.aipla.org

#### **EMAIL:** Completed registration forms,

including payment information, can be sent to membership@aipla.org.

**MAIL:** Mail registrations to:

#### AIPLA

1400 Crystal Drive, Suite 600 Arlington, VA 22202

#### International Registrations:

If you submit a registration via fax with credit card payment, do not send a "confirmation copy" via mail as it may be processed twice, and you may be billed twice. If you are paying by check, please mail your registration. You may fax 703-415-0786 a copy of your check and registration to account for possible foreign mail delay. **Payment for meeting registration must be in US currency.** 

#### **3. Spouses or Accompanying Guests Must Register.**

Guests over 18 pay a guest fee of \$150. There are many opportunities for your spouse or guest to join you throughout the meeting, as well as network with and get to know the other spouses and guests attending the meeting. The Guest fees include a guest badge and access to all unticketed events, including: the continental breakfasts, luncheon receptions and morning and afternoon breaks. *This fee is intended for spouses and guests attending the Spring Meeting who are not eligible for AIPLA membership or who would not otherwise attend the meeting for CLE purposes. This guest fee is not available in lieu of paying the registration fee for vendors requesting more than the allotted number of exhibitor badges.* 

#### 4. Purchasing Event Tickets On-Site:

Events may sell out. Tickets on-site are sold on an "as available" basis. Tickets will be collected at all

food functions and the spouse/guest tours.

If you do not arrive at the event within the first 30 minutes of the start time of the event, you are not guaranteed a seat.

#### 5. Returned Check and Credit Card Fees:

Registrations received that result in a returned check or contain incomplete credit card information, including omitted signature, omitted expiration date, wrong number sequences, etc., will be charged a \$35 fee for each instance.

#### 6. Cancellation:

Cancel by March 28, 2025 and receive a refund less a \$50 processing fee. Cancel between March 29, 2025 and April 29, 2025 and receive a refund less a \$250 processing fee. No refunds issued after close of business April 29, 2025. Cancellations must be made in writing. Please mail, email, or fax — 703-415-0786 — your cancellation in writing to AIPLA, 1400 Crystal Drive, Suite 600, Arlington, VA 22202. Any refunds will be processed after the meeting.

**CAUTION:** If you duplicate your registration with AIPLA, it is your responsibility to notify AIPLA in writing after the meeting and request a refund. No refunds will be given at the meeting site.

#### 7. Registration Transfer:

Registrants may transfer their registration based on the following:

- Members may transfer their registration to other members.
- Non-members may transfer their registration to other non-members.
- A transfer from a member to a non-member will incur an additional fee equal to the difference in registration rates.

#### 8. Photographs and Video:

There will be photographs and video taken throughout AIPLA's 2025 Spring Meeting that will be used in AIPLA print and electronic publications, including AIPLA's website.

**9. Attendee List:** As part of registering for the meeting, we provide sponsors and exhibitors a list of attendees. If you do not want your name or information listed, it is incumbent on you to change your sharing settings in the Meeting app or contact AIPLA to let us know. We do not rent or sell our attendee list to third parties. It is only provided to our exhibitors and sponsors.



# **AIPLA** 2025 Spring Meeting Registration

Tuesday, May 13 to Thursday, May 15, 2025 • Hilton Minneapolis • Minneapolis, MN USA

3 ways to	
register:	

(1) Register Online: Go to www.aipla.org

Credit Card Payment Only

(2) Fax: 703-415-0786 (Faxed registrations MUST be accompanied by credit card information.)

(3) Mail or eMail: **P** 

AIPLA 1400 Crystal Drive, • Suite 600 • Arlington, Virginia 22202 meetings@aipla.org

First name:	Last name:
Name for Badge:	
Firm/Company:	
Mailing Address:	City/State/Zip Code:
Telephone:	E-mail:

(Spouse/Guest) Name:

I. AIPLA 2025 Spring Meeting Registration Rates			
**See AIPLA's Cancellation Policy for Important Dates and Information	Pre-registration deadline until 3/24/25	Early registration deadline until 4/21/25	Standard/Onsite after 4/21/25
AIPLA Member - Full Meeting	\$1095	\$1245	\$1495
AIPLA Member - Day Rate fee per day. Please indicate preferred day.	\$775 (one day only)	\$875 (one day only)	\$975 (one day only)
Government Employee/AIPLA Academic Member	\$145	\$145	\$195
AIPLA Junior Member	\$685	\$785	\$885
AIPLA Student Member	\$55	\$55	\$55
AIPLA Solo/Corporate Practitioner Member	\$995	\$1095	\$1195
First-Time Corporate In-House Counsel (Corporate in-house practitioners only)	\$0	\$0	\$0
Non-Member* - Full Meeting	\$1695	\$1845	\$1995
Non-Member - Day Rate fee per day. Please indicate preferred day.	\$1250 (one day only)	\$1350 (one day only)	\$1450 (one day only)
Spouse/Guest Fee (For guests over 18)	\$150 x #	\$150 x #	\$150 x #
	1	Registration Subtotal	\$

II. AIPLA 2025 Spring Meeting Social and Networking Events		
Tuesday, May 13, 2025		
Corporate Practice Breakfast (Corporate In-House Practitioners Only)	\$0 × #	
Luncheon	\$78 × #	
New Member/First-Time Attendee Reception	\$0 × #	
Opening Night Reception	\$99 × #	
Wednesday, May 14, 2025		
Women in IP Law Breakfast	\$0 × #	
Luncheon	\$79 × #	
Diversity in IP Law Reception	\$0 × #	
Dinner and Celebration	\$175 x #	
Social and Networking Events Subtotal		\$
	Total	\$

🗌 Yes, I would like to be contacted about participating as a mentor or mentee (circle one) during 2025 Spring Meeting. Email me

\*To get the member rate, please submit a membership application and payment with this registration. To obtain a membership application, please visit our website at www.aipla.org.

Is this the first time attending an AIPLA stated meeting?

**IMPORTANT!** Please indicate food restrictions/special needs requests

#### Method of payment

└ check enclosed (make checks payable to /	AIPLA)
credit card (please circle one - AMEX, MC,	, or VISA)
card number	_exp. date
name on card	
signature	

# **2025 Spring Meeting Sponsors**



REGISTER BY APRIL 21, 2025 AND SAVE \$250

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\*Committee meetings are open to all attendees unless otherwise note \*\*Program subject to change Ticket Required

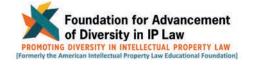
# **Exhibitors**





# **BLACKHILLSAI**























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#### **Upcoming AIPLA Meetings!**



**2025 Annual Meeting** *October 30 to November 1* Westin City Center Washington, DC



**2025 Spring Meeting** *May 13 to 15, 2026* Fairmont San Francisco San Francisco, CA