

20th Annual Advanced Patent Law Institute
November 5-6, 2015 • Four Seasons Hotel • Austin, TX
November 5-6, 2015 • Live Webcast

Thursday Morning, Nov. 5, 2015

Presiding Officer:

William L. LaFuze, McKool Smith - Houston, TX

7:30 am In Austin Only	Registration Opens Includes continental breakfast.
8:20 am	Welcoming Remarks
8:30 am 0.75 hr	Recent Developments in Claims Construction Claim construction remains pivotal for patent preparation/prosecution, trials, appeals, and AIA post grant review proceedings. Review <i>Teva v. Sandoz</i> , <i>Williamson v. Citrix Online</i> and consider new trends that they and their descendants have generated as they are being applied. Kenneth R. Adamo, Kirkland & Ellis LLP - Chicago, IL
9:15 am 0.75 hr	Definiteness and Induced Infringement A discussion of the historical development and current state of the law of definiteness and induced infringement; plus a look at current issues and trends as seen from the trenches of the district courts after <i>Nautilus</i> , <i>Akamai</i> and <i>Commil</i> , and how they might impact your practice. Kevin Kudlac, Greenberg Traurig, LLP - Austin, TX Rene A. Trevino, Greenberg Traurig, LLP - Houston, TX
10:00 am	Break
10:15 am 1.00 hr	Patentable Subject Matter for Software and Business Methods A review of Federal Circuit decisions, as well as the District Courts' responses to those decisions, and thoughts on strategies gleaned from those cases; plus commentary on the claims and specifications of selected court decisions and thoughts on drafting new applications and responding to office actions. Max Ciccarelli, Thompson & Knight LLP - Dallas, TX David P. Swenson, Farney Daniels PC - Minneapolis, MN Keith Lutsch, Blank Rome LLP - Houston, TX
11:15 am 0.50 hr	Current Issues in Life Sciences An update on key legal issues impacting the life sciences industry. Ana C. Ward, Award Ventures, LLC - Austin, TX
11:45 am In Austin Only	Pick Up Lunch (in Austin) Included in registration.

Thursday Afternoon, Nov. 5, 2015

Presiding Officer:

Robert L. King, Silicon Labs - Austin, TX

LUNCHEON PRESENTATION

	Thank You to Our Exclusive Sponsor Baker Botts L.L.P.
12:05 pm 0.50 hr	USPTO Today Russell Slifer, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director, U.S. Patent and Trademark Office - Alexandria, VA
12:35 pm	Break
12:50 pm 0.75 hr	Efficient Patent Prosecution to Increase Effective Term Length An analysis of how the choice of filing location, filing order, and priority claims can affect the total patent term and patent prosecution length, and how the options for improving efficiency including the use of interviewing in the U.S. (under the First Action Interview Pilot Program and the After Final Consideration Program) can increase the effective term length in the U.S. and abroad. Michael W. Piper, Conley Rose, PC - Plano, TX Andrew Metrailler, Conley Rose, PC - Plano, TX
1:35 pm 0.75 hr	Optimizing Synergy Between In-House and Outside Counsel In-house counsel play a vital role in matching the needs and expectations of their client with the support provided by outside counsel. Hear strategies on optimizing synergy in patent litigation by closing the working relationship gap between these different legal roles. Moderator: Hilda C. Galvan, Jones Day - Dallas, TX Panelists: Robert L. King, Silicon Labs - Austin, TX Marta Y. Beckwith, Aruba Networks, Inc. - Sunnyvale, CA
2:20 pm 0.75 hr	Licensing and Joint Defense Agreements Joint defense agreements and patent licenses/settlement agreements arise in almost all complex patent cases. Examine the key issues litigators need to consider when drafting, negotiating and advising clients about these critical contracts. Edward A. Cavazos, Pillsbury Winthrop Shaw Pittman LLP - Austin, TX
3:05 pm	Break
3:15 pm 0.75 hr	Damages A discussion of the current damages landscape, including royalty stacking, FRAND terms, as well as the impact of recent decisions providing guidance on acceptable patent damages methodology. David J. Healey, Fish & Richardson P.C. - Houston, TX

4:00 pm 1.00 hr 0.50 hr ethics	Judicial Panel Distinguished judges from the District Court discuss their experiences hearing and trying patent cases. Moderator: Hon. David J. Folsom, Jackson Walker L.L.P. - Texarkana, TX Panelists: Hon. Paul Singh Grewal, U.S. District Court, Northern District of California - San Jose, CA Hon. John D. Love, U.S. District Court, Eastern District of Texas - Tyler, TX Hon. Robert L. Pitman, U.S. District Court, Western District of Texas - San Antonio and Austin, TX Hon. Robert W. Schroeder III, U.S. District Court, Eastern District of Texas - Texarkana, TX
5:00 pm	Adjourn

Friday Morning, Nov. 6, 2015

Presiding Officer:

Michael P. Adams, Jackson Walker L.L.P. - Austin, TX

7:30 am In Austin Only	Conference Room Opens Includes continental breakfast.
8:30 am 0.75 hr ethics	Ethics before the USPTO An examination of the less obvious ways that inefficient or incompetent prosecution can harm clients, and a look at recent conflicts of interest cases in patent and trademark practice. David Hricik, Mercer University School of Law and Taylor English Duma LLP - Macon and Atlanta, GA
9:15 am 0.75 hr	Changes to the Federal Rules of Civil Procedure Amendments to the Federal Rules of Civil Procedure aim to expedite proceedings, promote greater judicial involvement in case management, address proportionality in discovery, and alter the sanctions analysis. Explore these changes and hear tips for navigating them. Hon. Lee H. Rosenthal, U.S. District Court, Southern District of Texas - Houston, TX Hon. Xavier Rodriguez, U.S. District Court, Western District of Texas - San Antonio, TX
10:00 am	Break

Tactical Considerations at the PTAB

10:15 am 0.50 hr	PTAB Update An update on AIA trial practice and rules at the PTAB. Hon. Miriam L. Quinn, U.S. Patent and Trademark Office, Patent Trial and Appeal Board - Dallas, TX
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10:45 am 0.50 hr	<p>PTAB Procedural Developments</p> <p>An analysis of the procedural aspects of PTAB practice, directed to recent developments and their impact on overall case strategy—including stay of District Court litigation, redundancy rulings and how to avoid them, and new rules and proposed legislation.</p> <p>Moderator: David L. McCombs, Haynes and Boone, LLP - Dallas, TX</p> <p>Panelists: Kyle E. Friesen, Mayer Brown LLP - Houston, TX Daniel S. Block, Sterne, Kessler, Goldstein & Fox P.L.L.C. - Washington, DC Theodore M. Foster, Haynes and Boone, LLP - Richardson, TX</p>
11:15 am 1.00 hr	<p>PTAB Trial Strategy</p> <p>A discussion of PTAB trials and experience from real cases on what works most effectively, mistakes to avoid, and the interplay with District court litigation—including real party in interest and privy considerations, the present and future of amendment practice, litigation coordination and how to deal with conflicting decisions, and corrected filings and tactics.</p> <p>Moderator: David L. McCombs, Haynes and Boone, LLP - Dallas, TX</p> <p>Panelists: Sharon A. Israel, Mayer Brown LLP - Houston, TX Robert Greene Sterne, Sterne, Kessler, Goldstein & Fox P.L.L.C. - Washington, DC Christopher J. Lewis, FLIR Systems, Inc. - Wilsonville, OR</p>
12:15 pm In Austin Only	<p>Pick Up Lunch (in Austin)</p> <p>Included in registration.</p>

Friday Afternoon, Nov. 6, 2015

Presiding Officer:

James D. Woods, BDO USA, LLP - Houston, TX

LUNCHEON PRESENTATION

	<p>Thank You to Our Exclusive Sponsor</p> <p>McKool Smith</p>
12:35 pm 0.75 hr	<p>Supreme Court Update</p> <p>The Supreme Court continues to intervene regularly in patent matters. Review the recent decisions and patterns in both the Court's and individual Justices' approaches.</p> <p>John M. Golden, The University of Texas School of Law - Austin, TX</p>
1:20 pm	<p>Break</p>

1:35 pm 0.75 hr	<p>Federal Circuit Year in Review</p> <p>An overview of the year in patent decisions.</p> <p>Mark A. Lemley, Stanford Law School and Durie Tangri LLP - Stanford and San Francisco, CA</p>
2:20 pm 0.50 hr	<p>U.S. Patent Reform: Where Are We Now?</p> <p>The activity in Congress involving patent reform is constantly evolving. Hear more on Congress' current positions, as well as State legislation directed to bad faith patent assertions.</p> <p>Hon. Teresa Stanek Rea, Crowell & Moring, LLP - Washington, DC</p>
2:50 pm 0.50 hr ethics	<p>Attorney Beware! Client's Inequitable Conduct Can Lead to Attorney Liability</p> <p>A review of inequitable conduct cases since <i>Therasense</i>, a look at the recent trend of attorney sanctions for representing clients that commit inequitable conduct, plus tips and considerations for avoiding attorney liability.</p> <p>Darryl J. Adams, Baker Botts - Austin, TX Tecuan Flores, Baker Botts - Austin, TX</p>
3:20 pm 0.75 hr ethics	<p>Ethics in Negotiation: The True Cost of Representation</p> <p>When a client discloses a terrible truth or reveals an unspeakable purpose, what obligations do the Texas Rules of Disciplinary Conduct place on an attorney? What happens when it's time for an attorney to move on? Explore the unexpected answers given by the Rules using both recent and historical real world cases.</p> <p>Michael J. Golden, Boulette Golden & Marin L.L.P. - Austin, TX</p>
4:05 pm	<p>Adjourn</p>