

ABA SECTION OF ANTITRUST LAW

ANTITRUST &
INTELLECTUAL
PROPERTY:
THE COURTS,
THE ENFORCERS
& THE BUSINESS
WORLD

MAY 20-21, 2004

San Francisco, CA

CONFERENCE CHAIRS:

CHRISTOPHER B. HOCKETT

M. HOWARD MORSE

VICE CHAIRS:

MICHAEL S. McFALLS

LESLIE C. OVERTON

ABA
SECTION OF

ANTITRUST
LAW

WELCOME

Dear Colleague:

Intellectual property is an increasingly important force in the world economy. As its importance has grown, it has also posed unique and difficult challenges for the application of traditional antitrust rules. Indeed, no more dynamic area of the law exists than that which is now emerging at the critical intersection of intellectual property and antitrust.

Recent developments demonstrate just how much is going on. The recent decisions against the FTC in the standard-setting cases of Rambus and Unocal, the EU's investigation of Microsoft, the continuing antitrust challenges mounted against settlements in patent infringement cases, and the results of the year-long DOJ/FTC hearings on intellectual property and antitrust are but a few examples.

There's no better way to stay current on these rapidly evolving issues than by accepting our invitation to join us in San Francisco on May 20-21, 2004 at the Antitrust and Intellectual Property Conference: The Courts, The Enforcers, and The Business World, co-sponsored by the ABA Sections of Antitrust Law and Intellectual Property Law.

Here are the details:

Who: The faculty for this conference includes many of the best and brightest minds from the worlds of government enforcement, corporate law departments, private law firms, and academia. Among them:

- R. Hewitt Pate, Assistant Attorney General for Antitrust, U.S. Department of Justice (keynote speaker)
- William Kovacic, General Counsel, Federal Trade Commission
- Hon. Margaret M. McKeown, Ninth Circuit U.S. Court of Appeals
- Carl Shapiro, Transamerica Professor of Business Strategy, Haskins School of Business, University of California at Berkeley

Conference attendees will include both specialists who practice in the area who want to keep up to date with the latest developments and generalists who counsel high-tech clients that want to understand the basics, whether in-house or outside counsel.

What: The conference comprehensively covers the key topics of interest at the IP/Antitrust interface, including licensing and counseling, standard-setting and patent pools, international developments, issues in antitrust and IP litigation, and historical and policy perspectives on the relationship between IP and antitrust. The conference concludes on Friday with a mock appellate argument on an antitrust challenge to a patent litigation settlement.

Where: San Francisco is a great place to be any time of year, but May is truly a prime time to visit. The conference is located at the Renaissance Stanford Court Hotel in the heart of downtown San Francisco atop historic Nob Hill. Stanford Court is a world-class luxury property with top-notch service and striking turn-of-the-century detail. From the hotel, conference attendees can easily take in San Francisco's spectacular views and many famous attractions, including Fisherman's Wharf, Sausalito, Alcatraz, the Golden Gate Bridge, Union Square, Chinatown, SFMOMA, and the Napa Valley wine country.

We hope to see you in San Francisco this May.

Kevin E. Grady
Chair, Section of Antitrust Law

Christopher B. Hockett
M. Howard Morse
Conference Chairs

Michael S. McFalls
Leslie C. Overton
Conference Vice-Chairs

CONFERENCE AGENDA

THURSDAY, MAY 20, 2004

8:00 - 8:30

REGISTRATION AND CONTINENTAL BREAKFAST

8:30 - 8:45

WELCOME AND INTRODUCTION

Kevin E. Grady

Alston & Bird LLP, Atlanta, GA

8:45 - 9:00

CO-CHAIRS OPENING REMARKS

Christopher B. Hockett

Bingham McCutchen LLP, San Francisco, CA

M. Howard Morse

Drinker Biddle & Reath LLP, Washington, DC

9:00-10:00

**ANTITRUST AND INTELLECTUAL PROPERTY: A PERSPECTIVE ON
WHERE WE HAVE COME FROM**

William E. Kovacic

General Counsel, Federal Trade Commission, Washington, DC

10:15-12:00

**BALANCING COMPETITION WITH INTELLECTUAL PROPERTY RIGHTS:
PROPOSALS FROM THE DOJ AND FTC ON WHERE WE SHOULD BE GOING**

Moderator:

Michael S. McFalls, Jones Day, Washington, DC

Speakers:

Susan S. DeSanti, Deputy General Counsel for Policy Studies, Federal Trade Commission
Washington, DC

E. Anthony Figg, Rothwell, Figg, Ernst & Manbeck, PC, Washington, DC

Frances E. Marshall, Special Counsel for Intellectual Property, Antitrust Division, Department of Justice
Washington, DC

Carl Shapiro, University of California at Berkeley, Berkeley, CA

Robert P. Taylor, Howrey Simon Arnold & White, LLP, Menlo Park, CA

12:15-1:45

LUNCHEON REMARKS: ANTITRUST AND INTELLECTUAL PROPERTY

R. Hewitt Pate, Assistant Attorney General, Antitrust Division, US Department of Justice
Washington, DC

CONFERENCE AGENDA

THURSDAY, MAY 20, 2004

2:00-3:30

LICENSING OF INTELLECTUAL PROPERTY: ANTITRUST LAW AND COUNSELING REALITIES

Moderator:

Leslie C. Overton, Counsel to the Assistant Attorney General, Antitrust Division,
US Department of Justice, Washington, DC

Speakers:

Mary L. Azcuenaga, Heller Ehrman White & McAuliffe LLP, Washington, DC

Eugene A. Burrus, Microsoft Corporation, Redmond, WA

Willard K. Tom, Morgan Lewis & Bockius LLP, Washington, DC

3:45-5:15

STANDARD-SETTING AND PATENT POOLS: LEGISLATIVE, ADMINISTRATIVE AND JUDICIAL DEVELOPMENTS

Moderator:

M. Howard Morse, Drinker Biddle & Reath LLP, Washington, DC

Speakers:

D. Bruce Hoffman, Deputy Director, Bureau of Competition, Federal Trade Commission,
Washington, DC

Gil Ohana, Cisco Systems, Inc., San Jose, CA

Daniel M. Wall, Latham & Watkins, San Francisco, CA

FRIDAY, MAY 21, 2004

8:00-8:15

REMARKS FROM CO-CHAIRS

8:15-9:30

INTERNATIONAL ANTITRUST AND INTELLECTUAL PROPERTY ISSUES: CONVERGENCE OR DIVERGENCE

Moderator:

William Blumenthal, King & Spalding LLP, Washington, DC

Speakers:

Makan Delrahim, Deputy Assistant Attorney General, Antitrust Division, US Department of Justice,
Washington, DC

H. Stephen Harris, Jr., Alston & Bird LLP, Atlanta, GA

James A. Murray, Intel Corporation, Santa Clara, CA

CONFERENCE AGENDA

FRIDAY, MAY 21, 2004

9:30-10:45

IP AND ANTITRUST LITIGATION: APPLYING INTELLECTUAL PROPERTY EXPERTISE TO ANTITRUST CLAIMS

Moderator:

Christopher B. Hockett, Bingham McCutchen LLP, San Francisco, CA

Speakers:

Joseph Kattan, Gibson Dunn & Crutcher LLP, Washington, DC

William E. Kovacic, General Counsel, Federal Trade Commission, Washington, DC

Penelope M. Lister, Bracewell & Patterson, Washington, DC

11:00-12:30

**ANTITRUST ANALYSIS OF PATENT LITIGATION SETTLEMENTS:
CERT GRANTED IN THE MATTER OF CARDIZEM CD ANTITRUST LITIGATION**

Litigants:

Molly S. Boast, Debevoise & Plimpton, New York, NY

Phillip A. Proger, Jones Day, Washington, DC

Judges:

Joseph Angland, Dewey Ballantine LLP, New York, NY

Kevin E. Grady, Alston & Bird LLP, Atlanta, GA

Janet L. McDavid, Hogan & Hartson LLP, Washington, DC

Hon. Margaret McKeown, United States Court of Appeals for the Ninth Circuit, San Diego, CA

REGISTRATION INFORMATION

ADVANCE REGISTRATIONS

Your registration fee includes CLE, course materials, all sessions, breaks and the Thursday luncheon.

Please complete the attached registration form and return to the ABA with payment no later than **Wednesday, May 5, 2004**. Registrations must include payment to be processed. You are encouraged to register early, as attendance is limited. Registration fees will automatically be adjusted if the incorrect amount is submitted. Advance Registrations received with payment by **Wednesday, May 5, 2004** will appear in the participant roster located on www.abanet.org/antitrust/programs/mtgip.html Please bring your confirmation to the registration desk and pick up your badge and course materials.

GROUP DISCOUNTS

Multiple attendees from a single firm or corporation will receive a 33% discount beginning with the second attendee. To receive the discounted fee, registrations must be received as a group, with a single payment for all registrations no later than **Wednesday, May 5, 2004**. Group discounts only apply if they are sent in by **Wednesday, May 5, 2004**. The discount for multiple attendees does not apply to government or academic registrants.

CONFIRMATIONS

ABA members registering online will receive an electronic confirmation within one hour.

Non-ABA members or those registering via mail, will receive a detailed confirmation within 10 days after their registration is received and processed (provided complete information and appropriate payment was submitted) Please be advised that incomplete or incorrect information will delay the processing of registration forms.

If you have not received your confirmation after 10 days of submitting the form, please contact Esther Brewer-Martinson at 312.988.5609. Please allow the estimated time given for confirmations prior to calling the Section to see if registration has been received.

ON-SITE REGISTRATION

On-site registration is available pending space availability. Course materials cannot be guaranteed for those registering after the cut-off date. If necessary, a copy of the course materials will be mailed after the conference to those who registered after the cut-off.

REGISTRATION INFORMATION

CANCELLATION

Cancellations and refund requests must be submitted **IN WRITING** to the American Bar Association, Section of Antitrust Law on or before **May 5, 2004**. Refund requests will **ONLY BE ACCEPTED IN WRITING**. In the event of cancellation, a refund of the registration fee, less a \$50.00 administrative fee, will be granted only for written requests received by **May 5, 2004**. There will be no refunds granted after **May 5, 2004**. Cancellations should be faxed to the attention of the Esther Brewer-Martinson at 312.988.5637. Please allow 8 to 10 weeks after the conference for the processing of any refunds. The ABA reserves the right to cancel any conference or portion thereof and assumes no responsibility for personal expenses.

SUBSTITUTIONS

Written requests for substitutions will be permitted prior to the conference and on-site at no additional cost.

Please submit the request on firm letterhead to transfer the registration. Once the registration is substituted, it will not revert back to the original registrant. The substitute will be the individual eligible for CLE credit.

The substitute and original registrant must work out the payment amongst themselves.

JOIN THE ABA SECTION OF ANTITRUST LAW

The Antitrust and Intellectual Property Conference is one of the many educational conferences and networking opportunities that the Section of Antitrust Law offers our members throughout the year. As a Section of Antitrust Law member, you will have access to many benefits such as:

- First rate CLE conferences and publications.
- Free subscription to the Antitrust Magazine
- Networking opportunities via listservs, committees and conferences.

Save \$\$ If you are a member of the ABA and would like to join the Section of Antitrust Law, you may register for this and other Section conferences at the Section member rate. Details for joining are on the registration form.

GENERAL INFORMATION

AMERICAN WITH DISABILITIES ACT & SPECIAL DIETARY NEEDS

Participants with special needs for facilities, visual or audio aids, or dietary requirements are asked to contact Jennifer Walter at walterj@staff.abanet.org so that appropriate arrangements can be made.

CONFERENCE CHANGES

We work very hard to assemble a top-notch, cohesive, educational conference. Unfortunately, and despite our best efforts, the faculty and conference scheduling can result in unanticipated or last minute changes. For an up-to-date listing of conferences and speakers, log on to the Section of Antitrust Law website at www.abanet.org/antitrust.

HOTEL

A block of rooms has been reserved for conference attendees and speakers at the Renaissance Stanford Court in San Francisco. Please contact the hotel directly to book your hotel reservation (reference the ABA, Section of Antitrust Law room block) and for specific information regarding additional charges.

After April 21, 2004 or when the room block is sold out, guest rooms at the ABA rate are not guaranteed and may not be available.

Single - \$199 + tax Double - \$239 + tax

* All hotel rates are subject to applicable tax of 14%.

The Renaissance Stanford Court is located in the heart of downtown San Francisco atop historic Nob Hill, just a few blocks away from the fine shops and restaurants of Union Square. San Francisco is known for its spectacular views and many famous attractions including Fisherman's Wharf, Alcatraz, Golden Gate Bridge, and the Napa Valley wine country.

Renaissance Stanford Court
905 California Street, Nob Hill
San Francisco, CA 94108
Ph: 415.989-3500
Fax: 415.391.0513
www.renaissancehotels.com/sfosc

MCLE CREDIT

Required sponsor documentation has been forwarded to and credit requested from MCLE states with general requirements for all lawyers. Lawyers seeking credit in Pennsylvania must pay a fee of \$1.50 per credit hour directly to PA CLE Board. The ABA pays applicable fees in other states where the sponsor is required to do so. In states where a late fee may become applicable, the ABA pays this fee as well. Please be aware that each state has its own rules and regulations, including its definition of 'CLE' as well as 'Ethics'. Therefore, certain conferences may not receive credit in some states. Please check with your state agency for confirmation of general as well as ethics approval for any conference. You may want to contact the ABA Service Center at 800.285.2221 or the Center for CLE at 312.988.6217 for confirmation of the number of credits approved by any particular state.

MESSAGES

Messages for conference attendees should be phoned directly to the registration desk at 415.732.4068 and will be posted on a bulletin board as they are received. Messages will not be delivered into the meeting rooms. Please remember to check the bulletin board located near the registration desk. It is the individual's responsibility to check the board for messages.

GENERAL INFORMATION

TAPE RECORDING

No audio recording or videotaping of any part of the conference will be permitted.

TRAVEL INFORMATION

AIR

The closest airport to the Stanford Court is the San Francisco International Airport (SFO), 18 miles from Renaissance Stanford Court. Oakland (OAK) and San Jose (SJC) are also within driving distance. Oakland is 22 miles away, and San Jose is 50 miles.

Please make your airline reservations on the newly launched ABA Online Travel site where you automatically receive ABA airfare discounts from a variety of carriers and can view and purchase other low fare options including web fares. ABA Online Travel can be accessed from the navigation bar on the left of the ABA web site home page. It takes only a few moments to establish a username and password allowing you to immediately book your reservations. ABA Online Travel provides you with a quick and easy way for obtaining the most cost effective airline reservations. Visit <http://wcp.getthere.net/abaonlinetravel> or www.abanet.org.

Reservations can also be made with the ABA travel agent, Jennifer Slago, who also can automatically provide ABA airfare discounts. Jennifer can be contacted via email, jennifers@towertravel.com or by direct phone number at 312.988.5862.

ABA Discounted Meeting Airfares are available through your travel agent or directly from the airline. Following are the ABA discount codes under which your reservations need to be purchased in order to receive either the ABA percentage discount or zone fare.

American Airlines	ABA Code: 16666	800.433.1790
Delta Air Lines	ABA Code: 189419A	800.241.6760
US Airways	ABA Code: 36632473	877.874.7687

LOCAL

ABA members are entitled to special discounts by calling our premier provider, Hertz-Rent-A-Car, at 800.654.3131. Identify yourself as an ABA member to receive the discounted rate.

The BART-to-SFO service, connecting downtown San Francisco and the airport, opened in June 2003. Take the AirTrain from any terminal to the SFO BART station. The fare from the station to downtown San Francisco is \$4.70. For more information: www.bart.gov.

A taxi ride from SFO to downtown costs about \$30. Airport shuttles are efficient and inexpensive. The SFO Airporter (800.532.8405) picks up passengers at baggage claim (lower level) and serves selected downtown hotels for \$12.00. The SuperShuttle (415.558.8500 or 800.258.3826) stops at the upper-level traffic islands and takes you to anywhere within the San Francisco city limits from \$12-17.00. Inexpensive shuttles to the East Bay (among them Bayporter Express) also depart from SFO's upper-level traffic islands; expect to pay around \$30. Please contact the hotel for detailed information. Pricing is subject to change.

MARK YOUR CALENDAR

To learn more about Section conferences, visit www.abanet.org/antitrust

August 8-9, 2004
The Annual Meeting
Four Seasons
Atlanta, GA

Jan 23-27, 2005
International Conference
Ritz-Carlton South Beach
Miami, FL

September 30 - October 3, 2004
The Antitrust Masters Course
Reynolds Plantation
Greensboro, GA

March 30-April 1, 2005
The Spring Meeting
JW Marriott & Willard Hotels
Washington, DC

November 18 - 19, 2004
The Fall Forum
National Press Club
Washington, DC

June 9-10, 2005
IP Conference
UC-Berkeley
Berkeley, CA

PLACE YOUR ORDER FOR COURSE MATERIALS

	Price:	Qty:	Amt:
Antitrust and Intellectual Property: The Courts, The Enforcers, The Business World PC# 5030420	\$75	_____	\$ _____
International Cartel Workshop PC# 5030419	\$75	_____	\$ _____
2004 Spring Course Materials PC# 5030425	\$150	_____	\$ _____
Antitrust Masters Course PC# 5030396	\$75	_____	\$ _____
Fall Forum PC# 5030418	\$75	_____	\$ _____
	Subtotal:		\$ _____
Shipping & Handling:	\$5.95		\$5.95
Tax (IL residents 8.75%, DC 6% and IN 5%)			\$ _____
	TOTAL:		\$ _____

Publication Orders:
American Bar Association
PO. Box 10892
Chicago, IL 60610-0892

Phone: 1.800.285.2221 Fax: 312.988.5568
(If ordering by phone, please reference the PC# when placing your order.)



**AMERICAN BAR ASSOCIATION • SECTION OF ANTITRUST LAW
750 N. LAKE SHORE DRIVE • CHICAGO, ILLINOIS 60611**

ONLINE REGISTRATION

www.abanet.org/antitrust

Online registration is available for your convenience. ABA members will receive an electronic confirmation within one hour. Non-ABA members will receive confirmation within 10-days of receipt.

IMPORTANT DEADLINES

Housing:	Early Bird Registration:	Advance Registration:
April 21, 2004	April 21, 2004	May 5, 2004

IMPORTANT PHONE/FAX NUMBERS ANTITRUST LAW

**Renaissance Stanford Court
905 California Street-Nob Hill
San Francisco, CA 94108**

**Phone: 415.989.3500 Fax: 415.931.0513
www.renaissancehotels.com/sfosc**

Registrants are encouraged to make their hotel reservations with Renaissance Stanford Court. Please go to:
www.abanet.org/antitrust/programs/mtgip.html

MESSAGES

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