



**October 3-4, 2018
Newport Beach, CA**

**A CLE Seminar on Current
Intellectual Property Law Issues**

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ABA Section of
Intellectual Property Law
AMERICAN BAR ASSOCIATION

October 3-4, 2018

**Renaissance Newport Beach Hotel
Newport Beach, CA**

The ABA Section of Intellectual Property Law is pleased to host its second annual CLE seminar focusing on new developments, emerging issues, and best practices in IP law.

World IP experts will present on

- Data privacy and GDPR
- IP in China
- District Court patent litigation
- Inter Partes Review (IPR)
- Trademark searches and use
- Blockchain and trade secrets
- Ethics and attorney competence

Three plenary panels featuring

- In-house counsel from Fortune 500 companies
- Federal Circuit and District Court judges discussing current bench and bar issues
- Artificial intelligence technology and IP



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Wednesday, October 3

11:00a - 5:00p Registration

1:30p - 2:30p CLE PROGRAMS

I. District Court Trends and Developments

The latest in venue, exceptionality, and 101-based motions to dismiss

Moderator: **R. Parrish Freeman**, *Registered Patent Attorney, Maschoff Brennan, Park City, UT*

Speakers: **Charles S. Barquist**, *Senior Counsel, Morrison & Foerster LLP, Los Angeles, CA*

Gary Frischling, *Partner, Irell & Manella LLP, Los Angeles, CA*

Karen Vogel Weil, *Partner, Knobbe Martens, Los Angeles, CA*

II. Data Privacy and Security after the GDPR:

What You Need to Know

Discussion of the legislative background of the General Data Privacy Regulation (GDPR) and its application both globally and in the US

Speakers: **Heather Antoine**, *Founder, Antoine Law Group, APC, Beverly Hills, CA*

Joshua de Larios-Heiman, *Managing Director and Senior Counsel, Data Law, San Francisco, CA*

2:45p - 3:45p CLE PROGRAMS

I. Successful IPRs: Best Practice Suggestions from Prominent Filers

Improving your IPR success rates and updates on new case law

Speakers: **Bruce Rubinger**, *Managing Director, Global Prior Art, Inc., Boston, MA*

Trenton A. Ward, *Partner, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, Atlanta, GA*

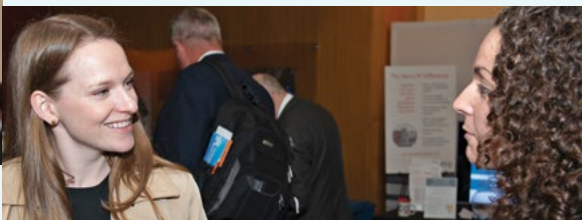
II. It's a Thin Line Between Love and Hate

Fan fiction, fan films, fan art, and fair use

Moderator: **Francine D. Ward**, *Attorney, Law Office of Francine D. Ward, Mill Valley, CA*

Speakers: **Marc H. Greenberg**, *Professor of Law, Founding Director, Golden Gate University School of Law, San Francisco, CA*

Scott Whiteleather, *Vice President, Intellectual Property, 21st Century Fox, Los Angeles, CA*



4:00p - 5:30p CLE PLENARY PROGRAM

IP In-House Counsel Plenary Session

Current Issues That Keep IP In-House Counsel Awake at Night

A group discussion with top level in-house attorneys from Fortune 500 companies on

- Effects of recent IP developments from Congress, courts and government agencies
- What outside counsel does (right and wrong) that gets "attention"
- The changing landscape of IP litigation

Moderator: Scott M. Alter, Partner, Michael Best & Friedrich LLP, Denver, CO

Speakers: David Harshman, Vice President of Legal and Administration, General Counsel & Secretary, Toshiba America, Irvine, CA

Matthew Sarboraria, Vice President, Associate General Counsel, Oracle Corporation, Redwood Shores, CA

Aimee S. Weisner, Corporate Vice President, General Counsel, Edwards Lifesciences, Irvine, CA

Wendy A. Whiteford, Vice President Law, Amgen, Inc., Thousand Oaks, CA

5:30p - 7:30p Networking Reception

Thursday, October 4

7:30a - 5:00p Registration

8:30a - 9:30a CLE PROGRAMS

I. Use of Blockchain Model to Develop and Protect Trade Secrets

The promises and limitations of blockchain technology when intersecting with trade secrets

Moderator: Ellen S. Robbins, Partner, Sidley Austin, Los Angeles, CA

Speakers: Stephen Y. Chow, Attorney, Hsuanyeh Law Group, PC, Boston, MA

Adam Scott Gershenson, Partner, Cooley, LLP, Boston, MA

Daniel Joshua Salinas, Attorney, Seyfarth Shaw LLP, Los Angeles, CA

II. Doxers, Trolls, Phishing, and Other Internet Menaces

Review of online security threats and dangers

Speaker: Marina A. Lewis, Partner, Lewis Kent, LLP, San Francisco, CA



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9:45a - 10:45a CLE PROGRAMS

I. Leveraging China to Commercialize Your Invention

Licensing and enforcement in a Chinese commercialization strategy

Moderator: **Barry Eagar**, *Eagar & Associates, Gold Coast, Queensland, Australia*

Speakers: **Graham Brown**, *Senior Advisor, Liuming International China Business Lawyers, Beijing, China*

Guoqiang Yang, *Senior Partner, Beijing Sunhope Intellectual Property Ltd., Beijing, China*

Erick Robinson, *Director of Patent Litigation, Beijing East IP, Ltd., Beijing, China*

II. Dos and Don'ts in Trademark Clearance and Selection

How clients and their lawyers work together (sometimes against each other) in choosing brands

Moderator: **Lawrence J. Siskind**, *Of Counsel, Coblentz Patch Duffy & Bass LLP, San Francisco, CA*

Speakers: **Andrew J. Broccolo**, *General Counsel, Topco Associates LLC, Wilmette, IL*

Chris Ferko, *Worldwide Group Account Director, Goodby Silverstein & Partners, San Francisco, CA*

Davina L. Childs-Inslee, *Chief Counsel, The Global Good Fund, Seattle, WA*

11:00a - 12:00p CLE PROGRAMS

I. Ethics: "Houston, We Have a Problem"

Lawyer competence is an ethical issue

Speaker: **Tracy L. Kepler**, *Director, Center for Professional Responsibility, American Bar Association, Chicago IL*

II. The Heart and Soul of Trademark Use

Review of legal standards for showing use in commerce as the basis for establishing trademark rights

Speakers: **Brian D. Brown**, *Senior Associate, Dunner Law, Washington, DC*

Kathryn G. Kent, *Partner, Lewis Kent, LLP, Burlington, VA*

12:00p - 1:30p IP West Luncheon

An informative presentation featuring a unique look into current IP issues

1:45p - 3:15p CLE PLENARY PROGRAM

Judicial Plenary Session

A Conversation with the Bench

Hear the latest from Federal Circuit and District Court judges as they discuss current bench and bar issues

Moderator: **Jon W. Gurka**, *Partner, Knobbe Martens, Irvine, CA*

Speakers: **Hon. Raymond T. Chen**, *US Federal Circuit Judge, US Court of Appeals for the Federal Circuit, Washington, DC*

Hon. Marilyn L. Huff, *US District Judge, US District Court for the Southern District of California, San Diego, CA*

Hon. George H. Wu, *US District Judge, US District Court for the Central District of California, Santa Ana, CA*

3:30p - 4:30p CLE PROGRAMS

I. Software Patents and Subject Matter Eligibility

Is the pendulum swinging back and should new strategies be considered?

Speakers: **Orion Armon**, Partner, Cooley, LLP, Broomfield, CO

Louis C. Cullman, Partner, K&L Gates, LLP, Orange County, CA

Andy I. Shieh, Counsel, IP, Uber Technologies, Inc., San Francisco, CA

II. Diversifying Firm Management: The Case of the Rooney Rule

Understanding implicit bias: blind spots, bias, and the brain

Speaker: **Valerie A. Jackson**, Senior Advisor to the Management Committee and Firmwide Director of Diversity and Inclusion, K&L Gates, LLP, Orange County, CA

4:45p - 5:45p CLE PLENARY PROGRAM

Artificial Intelligence Plenary Session

Who Owns the Future of Artificial Intelligence?

Discussion of emerging and developing intellectual property issues related to artificial intelligence

Moderator: **Chris Ponder**, Special Counsel, Baker Botts, LLP, Palo Alto, CA

Speakers: **Andrea L. Bauer**, Counsel of IP Law, IBM Corporation, Los Angeles, CA

Samantha Y. Hsu, Counsel, IP, Uber Technologies, Inc., Los Angeles, CA

Lisa T. Oratz, Senior Counsel, Perkins Coie, LLP, Seattle, WA



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For more information, contact Carey Farley, Associate Director of Programming, at (312) 988-5595 or carey.farley@americanbar.org.

Registration & Meeting Information

The all-inclusive IP West registration fee includes, all CLE programs and materials, beverage breaks, and receptions

Register

Online: ambar.org/ipwest2018

Call: (800) 285-2221 (Please mention meeting code PT1810)

Fax or Mail: please visit ambar.org/ipwest2018 for a printable registration form

ABA-IPL Section Member	\$595
ABA Members (Not IPL Section Members) (registration includes a one-year ABA-IPL Section membership)	\$700
Non-ABA Member	\$800
Corporate Counsel	\$300
Government, Public Interest, Academic	\$300
Law Student	\$200
IP West Luncheon	\$50
Networking Reception	Free

** To be included in the Attendee Roster, your registration must be received by September 14, 2018.

Location & Lodging

Renaissance Newport Beach Hotel
4500 MacArthur Avenue
Newport Beach, CA 92660

The ABA group rate is \$189 single/double occupancy. All rooms are subject to a 13.54% California State Sales Tax. Make your reservation online at ambar.org/ipwest2018 or call the Renaissance Newport Beach at (949) 476-2001 or (844) 781-7379. Mention the ABA-IPL IP West 2018 event to receive the special group rate. **Note: The cutoff date for the room block is Monday, September 10, 2018.** After this date, reservations can be made on a space available basis only. The ABA will not be able to secure a room for you.

CLE Credit

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, CT, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, ME, MN, MS, MO, MP, MT, NH, NJ, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 10.0 CLE credit hours (including 1.0 ethics hours) in 60-minute states, and 12 credit hours (including 1.2 ethics hours) in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit ambar.org/ipwest2018 or contact Michael Kesler at michael.kesler@americanbar.org or (312) 988-6278.

Additional Meeting Information

For more information on **Transportation, Travel Discounts, On-site Registration, and Special Assistance Tuition**, please visit ambar.org/ipwest2018. Please call Michael Kesler, ABA-IPL Program Associate, at (312) 988-6278 or michael.kesler@americanbar.org with any questions.



321 North Clark Street
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IP WEST

October 3-4, 2018

Renaissance Newport Beach Hotel

Newport Beach, CA

Visit the ABA-IPL Section website at

ambar.org/ipwest2018 to register online.

Save the Date: April 10 - 12, 2019

34th Annual Intellectual Property Law Conference

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