## Tuesday, October 1

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<th>Time</th>
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<tr>
<td>3:00 p – 7:00 p</td>
<td>Registration</td>
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<td>5:00 p – 7:00 p</td>
<td><strong>Welcome Reception</strong>&lt;br&gt;Be the first to register before the CLE programs begin the next day and join fellow IP practitioners for a welcome reception.&lt;br&gt;Sponsored by: <strong>BAKER BOTTs</strong></td>
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## Wednesday, October 2

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<th>Time</th>
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<td>7:00 a – 9:00 a</td>
<td>Continental Breakfast</td>
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| 8:00 a – 9:30 a | **CLE Plenary Program: USPTO and the US Copyright Office**<br>**Digital & Emerging Technology Implications: What’s Next and What’s New?**<br>
*Hear the latest from the USPTO and the US Copyright Office on artificial intelligence, pilot programs, and more.*

- **Kira Alvarez**, Legislative Consultant, ABA Section of Intellectual Property Law, Washington, DC (*moderator*)
- **Kimberley Isbell**, Senior Counsel for Policy and International Affairs, US Copyright Office, Washington, DC
- **Susan Allen**, Attorney-Adviser, Copyright Office of Policy and International Affairs, USPTO, Alexandria, VA

| 9:45 a – 10:45 a | **Halo and its Effects on Willful Infringement and Enhanced Damages**<br>
*Trends, effects, litigation perspectives, practical considerations*

- **Stephen MacKenzie**, Koch Companies Public Sector LLC, Wichita, KS
- **Jon R. Trembath**, Michael Best & Friedrich LLP, Denver, CO

| 9:45 a – 10:45 a | **Highlights of Trademark Law Decisions in 2019**<br>*Updates, new developments, and recent changes*

2019 has been an interesting year in trademark law. The Supreme Court has resolved long-languishing questions on the registration of “scandalous” marks and the treatment of trademark assets in bankruptcy. The Trademark Trial and Appeal Board has weighed in on a range of issues, from the registrability of domain names as trademarks to the procedures surrounding the cross-examination of trial witnesses. Join us for a lively discussion of judicial milestones over the past year as we hear from academics and practitioners on these recent developments in trademark law.

- **David Franklyn**, Golden Gate University, San Francisco, CA
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<th>Time</th>
<th>Session</th>
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| 11:00a – 12:00p | **Fake News: It’s More Than Just a Political Issue**  
**Balancing the First Amendment with consumer and public safety** | In our current political and media climate, very few words spark controversy like the phrase “fake news.” Loaded with meaning, politicians, media pundits, and everyday Americans are witnessing the tension between factual news reporting and freedom of expression. But what happens when the debate over what constitutes “fake news” goes beyond just journalism standards and the First Amendment? And what happens when the prevalence of “fake news” leads to other – perhaps unintended – consequences that impact consumer health and public safety? This panel will feature a riveting discussion between lawmakers and industry professionals as we seek to tone down the hyperbole, and strike the necessary balance between consumer trust and the free flow of information necessary for a democratic society.  
*Dr. Richard Pan*, California State Senator, Sacramento, CA  
*Roger MacDonald*, Internet Archive, San Francisco, CA |
| Copyright Law Developments  
**Focusing on digital transformation and the modern enterprise** | A panel of copyright experts will explore recent copyright decisions and administrative developments, focusing on digital, cloud computing and machine learning issues. In addition, proprietary and open source software issues, interfacing with systems programatically, data use rights, and related topics will also be addressed.  
*Ned Locke*, Microsoft Corporation, Redmond, WA  
*Katherine C. Spelman*, Microsoft Corporation, Redmond, WA  
*Mark H. Wittow*, K&L Gates LLP, Seattle WA |
| 12:00p – 1:30p | **Keynote Luncheon:**  
**Fireside Chat with the USPTO Texas Regional Office Director**  
*Interactive discussion covering a diverse set of topics, including guidelines, policies, priorities and initiatives* | *Hope C. Shimabuku*, Director of the Texas Regional Office, USPTO, Dallas, TX  
*George W. Jordan, III*, Senior Counsel, Norton Rose Fulbright US LLP, Houston, TX *(moderator)*  
Sponsored by: |
| 1:45p – 3:30p | **NEW! IP Talks**  
*These powerful 18-minute “Ted-style” talks by eight renowned and influential speakers follow the style and format of the popular quick, well-produced presentations on hot topics.* |  
**I.**  
*Bilski: Ten Years Later and What Has Happened*  
*J. Michael Jakes*, Partner, Finnegan, Washington, DC  
**II.**  
*Title Source v. HouseCanary: Trade Secret Lessons Learned*  
*Max L. Tribble*, Partner, Susman Godfrey LLP, Houston, TX  
**III.**  
*Robust Patent Rights & Innovation: Are They Linked?*  
*Maureen Ohlhausen*, Practice Group Chair - Antitrust & Competition Law, Partner, Baker Botts LLP, Washington, DC  
**IV.**  
*Trial by Jury on Obviousness?*  
*Joseph Re*, Partner, Knobbe Martens, Irvine, CA |
1:45p – 3:15p  **Right of Publicity and Social Media**

*Dead or alive, online or off, it matters!*

The IP Right of Publicity is a person’s right to prevent others from monetizing the use of their name, image, likeness, demeanor, voice, signature, and depending on the jurisdiction any other personal identifiable trait or characteristic. In most jurisdictions, everyone has some protection from the unauthorized use of their image. But when it comes to celebrities, that protection is often heightened. Now with social media as the communication venue of choice, it has become easy for someone’s image to be monetized without their permission. Join this stellar panel of ROP experts as they (1) examine how different states treat this right, either as a property right or as private personal right, and (2) explore recent caselaw as it grapples with the right of publicity and the changing venues.

**Dale Cendali**, Kirkland & Ellis LLP, New York, NY  
**Scott J. Sholder**, Cowan DeBaets Abrahams & Sheppard LLP, New York, NY

3:45p – 5:15p  **CLE Plenary Program: In-House Counsel**

**Game-Changing Habits of Outside Counsel and In-House Counsel**

*Hear distinguished top-level in-house counsel discuss strategies and tips for navigating relationships between in-house counsel and outside counsel.*

**Brian J. Gaffney**, Vice President, Chief IP Counsel, AT&T, Dallas TX  
**Diane Gabl Kratz**, Senior IP Counsel, Seagate Technology, LLC, Cupertino, CA  
**Al Riddle**, Associate General Counsel, IP, Baker Hughes, a GE Company, Houston, TX  
**Craig Summers**, Partner, Knobbe Martens, Irvine, CA (*moderator*)

5:15p – 7:00p  **Networking Reception**

Sponsored by:  
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**Thursday, October 3**

7:00p – 5:00p  **Registration**

7:00a – 9:00a  **Continental Breakfast**

8:00a – 9:35a  **NEW! IP Talks**

*These powerful 18-minute “Ted-style” talks by eight renowned and influential speakers follow the style and format of the popular quick, well-produced presentations on hot topics.*

I.  **Patent Law for Better or Worse: Supreme Court and Federal Circuit**  
   Gale R. "Pete" Peterson, Law Offices of Gale R. Peterson, San Antonio, TX

II.  **Trademarks 2019: Everything You Need to Know, But Are Afraid to Ask**  
    Meredith M. Wilkes, Partner, Jones Day, Cleveland, OH

III.  **Diversity for the Competitive Edge**  
      Rosa Maria Villagomez, Legal Industry Consultant, Mountaintop Consulting, Houston, TX

IV.  **The USPTO and a Trademark Update**  
     Jason Lott, Attorney Advisor Educational Outreach, USPTO, Alexandria, VA
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| 8:00a – 9:30a | **Building a Strong Patent Portfolio: Views from In-House Counsel**<br>Explore strategic considerations, invention harvesting and management, role of outside counsel, and cost-effective strategies.  
Scott M. Alter, Michael Best & Friedrich LLP, Denver, CO *(moderator)*  
Anuj Dharia, Arm, Ltd., Austin TX  
Timothy McBride, Mastercard Corporation, Purchase, NY  
Anthony Peterman, Dell Technologies, Austin, TX |
| 9:45a – 11:15a | **CLE Plenary Program: Judges Panel**  
**Learning Tomorrow’s Playbook Today: Perspectives from the Bench**  
Join prominent federal judges as they examine the important considerations impacting proceedings in both district courts and the PTAB.  
Hon. Shashi H. Kewalramani, US Magistrate Judge, US District Court Central District of CA, Riverside, CA  
Paul R. Morico, Partner, Baker Botts LLP, Houston, TX *(moderator)*  
Hon. Avelyn M. Ross, Administrative Patent Judge, Patent Trial and Appeal Board, Texas Regional Office, USPTO, Dallas TX |
| 11:30a – 12:30p | **Litigation Strategies for Post-Grant Proceedings**  
Tips for adjusting strategies to account for PTAB rule changes, precedential opinions and recent judicial decisions  
Under Director Iancu, the PTAB has announced many rule changes, pilot programs, and precedential decisions. The panel of IPR practitioners and in-house counsel will discuss the latest USPTO developments and judicial decisions that impact post-grant proceedings, and share their tips on how petitioners and patent owners can improve their post-grant strategies.  
James R. Hietala, Jr., Intellectual Ventures, Bellevue, WA  
Kat Li, McKool Smith, Austin, TX  
Robert B. Lytle, Microsoft Corporation, Redmond, WA  
David L. McCombs, Haynes and Boone, Dallas, TX |
| 12:30p – 2:00p | **Inadvertent Disclosure and Waiver of Privilege (ethics)**  
Legal and ethical dilemmas for the IP practitioner  
Practitioners involved in IP litigation and *inter partes* proceedings at the USPTO face legal and ethical challenges when they unintentionally produce, or receive an inadvertently produced, privileged document or communication. The panel will discuss the practitioner’s rights and duties from both the perspectives of producing and receiving counsel. The current legal standards and providing best practices for complying with the ethical and legal minefield associated with the accidental production of privileged materials will also be addressed.  
William P. Atkins, Pillsbury Winthrop Shaw Pittman LLP, McLean VA  
Barbara A. Fiacco, Foley Hoag LLP, Boston, MA  
Michael E. McCabe, Jr., McCabe Law, LLC, Potomac, MD  
Teresa Stanek Rea, Crowell & Moring LLP, Washington, DC *(moderator)* |
| 12:30p – 2:00p | **Keynote Luncheon:**  
NASA: To Infinity and Beyond - We’ve Done That  
How NASA’s Innovative Public – Private Partnership Agreement Stimulate and Advance Commercial Space Ventures  
Kurt G. Hammerle, IP Attorney, National Aeronautics and Space Administration (NASA), Lyndon B. Johnson Space Center (JSC), Office of Chief Counsel, Houston, TX |
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| 2:15p – 3:15p | *What Litigators Wish Transactional Lawyers Would Do Differently*  
  *Practical tips to create strong and enforceable IP rights*  
  Jennifer Parker Ainsworth, Wilson Robertson & Cornelius PC, Tyler, TX  
  Amir H. Alavi, Ahmad Zavitsanos Anaipakos Alavi & Mensing PC, Houston, TX  
  Michael Heim, Heim Payne Chrorush LLP, Houston, TX |                                                                                              |
| 3:15p – 3:30p | *Trademark Selection and Clearance*  
  *How do clients and their lawyers work together (and sometimes against each other) in choosing brands?*  
  Selecting the right brand can be crucial to a product’s success. But sometimes the same brand that appeals to a company’s marketing people may appall their lawyers. This panel, comprising representatives from a nonprofit global provider of vision care, a leading marketer of vehicle service contracts, and a storied advertising agency, will explore what considerations lead a company to select a brand; what precautions do they take to avoid infringing prior marks; when do they seek legal input; what kinds of conflicts arise between marketing and legal input providers; and how (if at all) are such conflicts reconciled. | Chris Ferko, Goodby Silverstein & Partners, San Francisco, CA  
  Kate Moynihan, Seva Foundation, Berkeley, CA  
  Lawrence J. Siskind, Coblentz Patch Duffy & Bass LLP, San Francisco, CA *(moderator)*  
  Jacqueline Swank, AUL Corp, Napa, CA |
| 3:30p – 5:00p | *CLE Plenary Program: Damages*  
  *Proving Your IP Damages Case at Trial*  
  A prominent IP litigator, damages expert, and graphics expert will address practical tips in preparing and presenting an IP damages case. | Jason Barnes, Partner, The Focal Point LLC, Dallas, TX  
  Danielle (DJ) Healey, Senior Principal, Fish and Richardson, Houston, TX  
  Ambreen Salters, Partner, StoneTurn, Houston, TX |