2019 ABA-IPL Annual Meeting and 34th Intellectual Property Law Conference

April 10-12, 2019
Arlington, VA

For Your Practice
The Latest in IP Law
What You Need to Know
From the Experts in the Profession

IPL SPRING

ABA Section of Intellectual Property Law
125 Years
## 2019 ABA-IPL Annual Meeting and 34th Intellectual Property Law Conference

### April 10-12, 2019
Crystal Gateway Marriott Hotel
Arlington, VA

### Schedule Overview

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Register by March 27 for early discount!

ambar.org/iplspring2019

In cooperation with the ABA Forum on the Entertainment and Sports Industries, ABA Section of Science and Technology Law, and International Federation of Intellectual Property Attorneys (FICPI).
New this year! Additional CLE Credit Opportunities covered in both 60- and 90-minute programs

Wednesday, April 10

11:00a-7:00p  Registration • Sponsors
5:00p-7:00p  Welcome Reception

Thursday, April 11

7:00a-5:00p  Registration • Sponsors
7:15a-8:15a  Conference Connections Breakfast
First-Time Attendees • New Members • Young Lawyers

8:30a-10:00a  CONCURRENT PROGRAMS

Patent
Subject Matter Eligibility
Litigation and Prosecution Perspectives
Moderator Andrew F. Halaby, Snell & Wilmer LLP, Phoenix, AZ
Speakers To Be Announced

Trademark
What’s New at the Trademark Office?
Coffee with USPTO Trademark Leadership
Moderator Christina D. Frangiosa, Eckert Seamans Cherin & Mellott LLC, Philadelphia, PA
Speakers Hon. Gerard F. Rogers, Chief Administrative Trademark Judge, Trademark Trial and Appeal Board, USPTO, Alexandria, VA
Mary Boney Denison, Commissioner for Trademarks, USPTO, Alexandria, VA

Copyright
Content Licensing Tips
Navigating Licensing Models and Fair Use
Moderator Janet Fries, Drinker Biddle & Reath LLP, Washington, DC
Speakers Lauryn H. Guttenplan, Smithsonian Institution, Washington, DC
Lisa Williams-Fauntroy, Discovery Communications LLC, Silver Springs, MD
Nancy E. Wolff, Cowan DeBaets Abrahams & Sheppard LLP, New York, NY

Welcome Reception & Early Registration
Pick up your conference materials and get a start on networking. Kick off the event and learn some keys for success.

Conference Connections Breakfast
Network with first time attendees, new members, and young lawyers. Join Section leaders as they give you tips for maximizing your conference experience.
**Fireside Chat with USPTO Director, Andrei Iancu**
Get an in-depth look into his plans to enhance the US Patent system through an informal one-on-one conversation.

**CONCURRENT PROGRAMS**

**Patent**

**A Fireside Chat with the USPTO Director**
Get to Know the Director and His Plans for the US Patent System

**Speakers** Marylee Jenkins, Past ABA-IPL Section Chair, Arent Fox LLP, New York, NY
Andrei Iancu, Under Secretary of Commerce for Intellectual Property and Director of the USPTO, Alexandria, VA

**Beyond the High: A Global View on Brand Considerations for Cannabis**
Perspectives of Three Different Jurisdictions on Branding in the Evolving Cannabis Sector

**Moderator** David Postolski, Gearhart Law LLC, Summit, NJ
**Speakers** Manon Grand-Maitre, Canopy Growth Corporation, Toronto, ON, Canada
Emily M. Leongini, Arent Fox LLP, Washington, DC
Gilberto Martinez Maldonado, IBERBRAND®, Mexico City, Mexico
Natalie Rizkalla-Kamel, Gowling WLG (Canada) LLP, Toronto, ON, Canada

**Trademark & Copyright**

**Copyright Issues Facing In-House Counsel**
In-House Counsel Discuss Issues that Keep Them Up at Night

**Moderator** Terrica Carrington, Copyright Alliance, Washington, DC
**Speakers** Heather Cameron, Getty Images, Seattle, WA
Samuel Mosenkis, American Society of Composers, Authors & Publishers (ASCAP), New York, NY
Matthew Sarboraria, Oracle, Redwood City, CA
Bradley Silver, WarnerMedia, New York, NY

**12:00p-1:30p**

**Mark T. Banner Award Luncheon**

**1:45p-3:15p**

**CONCURRENT PROGRAMS**

**Patent**

**In-House Patent Counsel: Tips to Survive and Thrive through Challenges**
Navigating Through Common In-House IP Issues

**Moderator** MaCharri Vorndran-Jones, Eli Lilly and Company, Indianapolis, IN
**Speakers** Kim R. Jessum, Heraeus, Inc., Yardley, PA
Susan E. McGahan, AT&T, Bedminster, NJ
Donna M. Meuth, Eisai Inc., Andover, MA

**Trademark & Copyright**

**Design Rights in Times of Globalization**
What IP Practitioners Need to Know about the Protection and Enforcement of Design Rights in the US, EU, Latin America, and China

**Speakers** Matthias Berger, Fieldfisher, Hamburg, Germany
Crystal J. Chen, Tsai Lee & Chen, Taipei, Taiwan
Tracy-Gene G. Durkin, Sterne Kessler Goldstein & Fox PLLC, Washington, DC
Cristina Guerra, Guerra IP, Porto Alegre, Brazil

**Specialty**

**True Grit and Growth Mindset**
The Secrets of Success for Lawyers

**Moderator** Kim Boyle, Attorney at Law, Addison, TX
**Speakers** Hon. Jeri K. Somers, Civilian Board of Contract Appeals, Washington, DC
Shannon N. Proctor, Keller and Heckman LLP, Washington, DC

**Mark T. Banner Award Luncheon**
Honoring Robert A. Armitage, 2019 Mark T. Banner Awardee
Keynote address by Laura A. Peter, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the USPTO (Invited)

**Current Issues for IP In-House Counsel: Patents, Trademarks, Copyrights**
Learn what outside counsel does—right and wrong—that gets attention. Discussions with in-house practitioners bring to light the issues that impact them the most.
Thursday, April 11

**Opportunities for Publishing with the ABA-IPL Section**

This wine reception, hosted by our editorial boards, honors our authors and contributors. We’ll show how you can become an author for our 60+ books portfolio and the award-winning Landslide® magazine.

**3:30p-4:30p CONCURRENT PROGRAMS**

**Patent**

**Patent Cases Round-Up**
Review of Recent Supreme Court and Federal Circuit Decisions and their Impact

**Moderator** Patrick C. Holvey, Washington, DC (Invited)
**Speakers** Serena Farquharson Torres, Bristol-Myers Squibb, Bridgewater, NJ (Invited)
Stephanie L. Schonewald, Choate, Hall & Stewart LLP, Boston, MA
Philip Warrick, USPTO, Alexandria, VA (Invited)

**Trademark & Copyright**

**WHOIS in the Post-GDPR**
A Practical Look at Obtaining Identifiable Information About Domain Name Registrants

**Moderator** James L. Bikoff, Smith Gambrell & Russell LLP, Washington, DC
**Speakers** Susan Kawaguchi, CNA Consulting, San Francisco, CA
Dennis S. Prah, Principium Strategies, New York, NY

**Copyright**

**Secondary Liability and the DMCA**

**Moderator** Jacqueline Charlesworth, Convington & Burling LLP, New York, NY
**Speakers** Michael J. Allan, Steptoe & Johnson LLP, Washington, DC
Joshua L. Simmons, Kirkland & Ellis, New York, NY

**4:45p-5:45p CONCURRENT PROGRAMS**

**Specialty**

**Artificial Intelligence and IP**
Rights in and from AI Around the Globe

**Co-sponsored by the ABA Section of Science and Technology Law and the ABA Section of International Law**
**Moderator** Susan Anthony, Office of Policy and International Affairs, USPTO, Alexandria, VA (Invited)
**Speakers** Stephen Y. Chow, Hsuanyeh Law Group PC, Boston, MA
David K.A. Mordekai, RiskEcon® Lab for Decision Makers @ Courant Institute of Mathematical Sciences New York University, New York, NY
Mark F. Shultz, Southern Illinois University School of Law, Carbondale, IL

**Trademark**

**Update on Canadian Trademark Law Reform**
Review and Discussion of the Amendments to the Trademarks Act

**Speakers** Mark Evans, Smart & Biggar/Fetherstonhaugh, Toronto, ON, Canada
Jennifer E. McKay, Perley-Robertson Hill & McDougall LLP, Ottawa, ON, Canada
John McKeown, Goldman Sloan Nash & Haber LLP, Toronto, ON, Canada

**Patent Ethics**

**Addressing the Cycle of Poverty**
Ethical and Diversity of Providing Patent Pro Bono Services to the Under-Resourced and Under-Served

**Moderator** Mark R. Privratsky, Ballard Spahr LLP, Minneapolis, MN
Keith L. Dixon, USPTO, Alexandria, VA (Invited)
Morris J. Newman, Executive Director, Patent Pro Bono Advisory Council, Birmingham, AL

**5:45p-6:45p Wine Reception:**

**Opportunities for Publishing with the ABA-IPL Section**

**7:00p-9:00p Conference Reception: Game Night**

Register at ambar.org/iplspring2019
Friday, April 12

7:30a-5:00p Registration • Sponsors

8:30a-10:00a

**CONCURRENT PROGRAMS**

**Specialty**

**Judges’ Panel**
A Conversation with the Bench
**Moderator Philip C. Swain**, Foley Hoag LLP, Boston, MA
Judges: To Be Announced

**Specialty**

**Post-Sale Restrictions**
Anticipating the Protection of Your Licensing Agreements Downstream
**Moderator** To Be Announced
**Speakers** Suzanne Munck, US Federal Trade Commission, Washington, DC (Invited)
Mindy Ellis Schwartz, Comcast Cable, Philadelphia, PA (Invited)
Jeffery D. Peterson, Michael Best & Friedrich LLP, Madison, WI

10:15a-11:45a

**CONCURRENT PROGRAMS**

**Patent**

**Strategies at the Patent Trial and Appeal Board**
One and Done: Latest Efforts to Reform Patent Challenges Before the PTAB
**Moderator Scott W. Cummings**, Dentons US LLP, Washington, DC
**Speakers** Jonathan Bowser, Unified Patents, Washington, DC
James Hietala, Intellectual Ventures, Seattle, WA
James D. Smith, Ecolab, Eagan, MN

**Trademark**

**On the Mark Advising: An Insider’s Perspective**
Trademark Issues Facing In-House Counsel
**Moderator Matthew D. Asbell**, Ladas & Parry LLP, New York, NY
**Speakers** Jessica Cardon, Quality King Distributors, Inc., New York, NY
Jennifer Chung, Accuweather, Inc., New York, NY
Alexandra DeNeve, Velcro Companies, Manchester, NH

**Specialty**

**Brexit. What You Now Need to Know to Protect and Enforce Your IP Rights in the EU and UK**
Up to Date Guidance Following the UK’s Anticipated Exit from the EU
**Moderator Joanna Pitkin**, Ridout & Maybee LLP, Toronto, ON, Canada
**Speakers** Rupert Knights, Dolleymores, Watford, UK
Additional Speakers: To Be Announced

12:00p-1:30p

**Women in IP Law Luncheon: Battle of the Experts**
A live debate on whether the Supreme Court is a help or a hindrance to the Federal Circuit’s overall mission in providing uniform and predictable rules governing the enforcement of patents.
**Moderator Lisa A. Dunner**, Managing Partner, Dunner Law, Washington, DC
**Speakers** Robert A. Armitage, Intellectual Property Law Consultant, Marco Island, FL
Suzanne Michel, Senior Patent Counsel, Google, Inc., Washington, DC

Register ambar.org/iplspring2019
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<td><strong>Ethics</strong></td>
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<td>The Rocks and Hard Places for IP Practitioners</td>
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<td>Current Ethics Issues that Need to Be Navigated to Remain Safe</td>
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<td><strong>Moderator</strong> Michael E. McCabe, Jr., McCabe Law LLC, Potomac, MD</td>
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<td><strong>Speakers</strong> Arthur D. Burger, Jackson &amp; Campbell, PC</td>
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<td>Bernard J. Knight, Jr., BK Consulting LLC, Washington, DC</td>
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<td>Teresa Stanek Rea, Crowell &amp; Moring LLP, Washington, DC</td>
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<td><strong>Specialty</strong></td>
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<td>Graffiti, Tattoos, and More: Fixation of Work on Property or People: Are They Your Source?</td>
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<td>An Alternate Look at Copyright Fixation, Rights of Publicity, and Related Issues</td>
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<td><strong>Speakers</strong> Adrienne R. Fields, Artists Rights Society, New York, NY</td>
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<td>R. Gregory Israelsen, Banner &amp; Witcoff, Ltd., Washington, DC</td>
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<td>Yolanda King, Northern Illinois University College of Law, Dekalb, IL</td>
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<td><strong>Copyright</strong></td>
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<td>Copyright Law and Policy Developments</td>
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<td><strong>Moderator</strong> Eric J. Schwartz, Mitchell, Silberberg and Knupp LLP, Washington, DC</td>
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<td>US Copyright Office Representatives: To Be Announced</td>
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<td>3:00p-4:00p</td>
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<td><strong>Specialty</strong></td>
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<td>Strategies for Building an IP Portfolio in China</td>
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<td>Best Practices for Building and Maintaining an IP Portfolio in China</td>
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<td><strong>Moderator</strong> Bobak Jalaie, Office of Technology Commercialization, Purdue Research Foundation, West Lafayette, IN</td>
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<td><strong>Speakers</strong> Amy Hsiao, Adsero IP LLC, Atlanta, GA</td>
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<td>Donna P. Suchy, Collins Aerospace, Cedar Rapids, IA</td>
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<td>Pervin R. Taleyarkhan, Whirlpool Corporation, Benton Harbor, MI</td>
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<td>Stephen Yang, Co-Talent Intellectual Property Firm, Beijing, China</td>
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<td><strong>Specialty</strong></td>
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<td>Blockchain &amp; IP</td>
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<td>Promises and Limitations</td>
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<td><strong>Speakers</strong> Kenneth K. Dort, Drinker Biddle &amp; Reath LLP, Chicago, IL</td>
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<td>Samantha Kappagoda, Numerati® Partners LLC, RiskEcon® Lab for Decision Makers</td>
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<td>@ Courant Institute of Mathematical Sciences New York University, New York, NY</td>
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<td>Robert J. Kasunic, Associate Register of Copyrights and Director of Registration Policy and Practice, US Copyright Office, Washington, DC (Invited)</td>
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<td><strong>Ethics</strong></td>
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<td>Ethics: &quot;Houston We Have a Problem!&quot;</td>
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<td>Lawyer Competence is an Ethical Issue</td>
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<td><strong>Moderator</strong> Francine D. Ward, Law Office of Francine D. Ward, Mill Valley, CA</td>
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<td><strong>Speakers</strong> Hon. Sallie L. Krauss, New York State Bar Association Lawyer Assistance Program, New York, NY</td>
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<td>Will Covey, Deputy General Counsel for Enrollment and Discipline, USPTO, Alexandria, VA (Invited)</td>
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<td>Dahlia George, Office of Enrollment and Discipline, USPTO, Alexandria, VA (Invited)</td>
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Membership

Join ABA-IPL so you can take advantage of immediate savings for registration.

You’ll benefit from expert legal analysis of current trends in your specialty area throughout the year.

www.ambar.org/iplmembership: to learn more and to join ABA-IPL

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4:15p-5:15p

**CONCURRENT PROGRAMS**

**Specialty**

The Antitrust-IP Interface in the Trump Administration

Antitrust Enforcement Officials Discuss DOJ and FTC Trends

Moderator Dina Kallay, Ericsson, Washington, DC

Speakers Andrew Finch, Principal Deputy Assistant Attorney General for the Antitrust Division, US Department of Justice, Washington, DC (invited)

Maureen K. Ohlhausen, Baker Botts LLP, Washington, DC

Trademark & Copyright

Anti-Counterfeiting in Social Media

Speakers Stephen Coates, Amazon, Seattle, WA

Marina A. Lewis, Lewis Kent LLP, San Francisco, CA

Brian J. Winterfeldt, Winterfeldt IP Group, Washington, DC

Ethics

Zealously Representing Your Clients before Various Types of Third Parties

Agreement Issues for Negotiating Agreements and Development Projects Among Corporations, Start-ups, and Universities

Moderator Douglas G. Gallagher, SmithAmundsen LLC, Indianapolis, IN

Speakers Alfonso Garcia Chan, Shore Chan DePumpo LLP, Dallas, TX

Vincent S. Egolf, BISSELL® Homecare Inc., Grand Rapids, MI

Kirk W. Goodwin, Whirlpool Corporation, Benton Harbor, MI

Margaret (Meg) Kammerud, Shape Security Inc., Mountain View, CA

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Friday, April 12 continued
Thank you to our 2019 Sponsors

Sponsorship opportunities are now available. Engage and interact with attendees through exhibiting and networking, exposure, and marketing options. For more information, contact Carey Farley, Associate Director of Programming at carey.farley@americanbar.org or (312) 988-5595.
The all-inclusive 2019 ABA-IPL Annual Meeting registration fee includes all CLE programs, beverage breaks, and some receptions.

Register by March 27, 2019 and pay the discounted registration fee of $745. To be included in the Attendee Roster, your registration must be received by April 5, 2019.

Online: ambar.org/iplspring2019

Call: (800) 285-2221 (Please mention meeting code PT1904)

Fax or Mail: Please visit ambar.org/iplspring2019 for a printable registration form

Registration Fees
Register before March 27 to receive the special discount early registration rate.

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<tr>
<th>Category</th>
<th>Before 3/27</th>
<th>After 3/27</th>
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<tbody>
<tr>
<td>ABA-IPL Section Member</td>
<td>$745</td>
<td>$795</td>
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<tr>
<td>ABA Section of Science &amp; Technology Law Member</td>
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<tr>
<td>ABA Forum of Entertainment &amp; Sports Law Member</td>
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<td>International Federation of Intellectual Property Attorneys (FICPI) Member</td>
<td>$745</td>
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<tr>
<td>ABA, but not IPL or co-sponsoring section member (registration includes a one-year ABA-IPL Section membership)</td>
<td>$850</td>
<td>$900</td>
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<tr>
<td>General Attendees (not ABA member)</td>
<td>$895</td>
<td>$945</td>
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<td>Solo/Small Firm</td>
<td>$345</td>
<td>$395</td>
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<tr>
<td>Government, Public Interest, Academic</td>
<td>$300</td>
<td>$350</td>
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<tr>
<td>Corporate Counsel</td>
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<tr>
<td>Law Student</td>
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<td>$250</td>
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Luncheons
Mark T. Banner Award Luncheon                                          $75
- Reserved Table Purchase (10 tickets)                                $650
Women in IP Law Luncheon: Battle of the Experts                       $65

Networking Events
Conference Reception: Game Night                                       $85
Welcome Reception                                                      Free
Conference Connections: New Members/First-Time Attendees/Young Lawyers Free
Wine Reception: Opportunities for Publishing with the ABA-IPL Section Free
Registration Confirmation

Confirmation of registration will be sent via e-mail in advance of the program for all registrations received prior to March 27. If using the printed registration form, indicate on the registration form if you would prefer to receive confirmation via e-mail or US mail.

Location & Lodging

The 2019 ABA-IPL Annual Meeting will be held at the:
Crystal Gateway Marriott Hotel
1700 Jefferson Davis Highway
Arlington, VA 22202

The ABA group rate is $269.00 single/double occupancy. All rooms are subject to a 13.25% Virginia State Sales Tax and a 10% Occupancy Tax. Make your reservation online at https://book.passkey.com/e/49802668 or call the Crystal Gateway Marriott Hotel directly at (703) 920-3230 or (800) 228-9290. Be sure to mention the 2019 ABA-IPL Annual Meeting to receive the special group rate.

Note: The cutoff date for the room block is Monday, March 18, 2019. But do not wait until the March 18 cutoff date, as the room block and the hotel fill up quickly. 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 12.5 CLE credit hours (including 4.0 ethics hours) in 60-minute states, and 15.0 credit hours (including 4.5 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/iplspring2019 or contact Michael Kesler, Program Associate, michael.kesler@americanbar.org or (312) 988-6278.

Course Materials Available

Course materials are made available for viewing by conference registrants in advance of the conference on the Section website and the conference app.

Special Tuition Assistance

A limited number of registration fee reductions are available for government employees, academics, law students, and public interest lawyers employed with nonprofit organizations. No full tuition waivers are available. The fee-reductions will be determined on a one-time only, case-by-case, first-come first-serve basis. To apply, send a letter outlining the basis for your request of a fee reduction to Michael Kesler, Program Associate, ABA Section of Intellectual Property Law, 321 N. Clark St., Chicago, IL 60654 or michael.kesler@americanbar.org. Deadline for receipt: March 27, 2019. No cases will be considered after the deadline, and all standard registration fee rates will apply after March 27.

Additional Meeting Information

For more information on Transportation, Travel Discounts, On-site Registration, please visit ambar.org/iplspring2019.

Questions?

Please call Michael Kesler, ABA-IPL Program Associate, at (312) 988-6278 or michael.kesler@americanbar.org.

In accordance with the American Bar Association policy, all ABA programs are open to media unless they are to conduct business sessions of a confidential nature.
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