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

April 10-12, 2019
Arlington, VA

IPLSPRING

For Your Practice
The Latest in IP Law
What You Need to Know

From the Experts in the Profession

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

### Schedule Overview

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

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<td><strong>Thursday, April 11</strong></td>
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<td>Registration • Sponsors</td>
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<td>Two and Three Track CLE Programming  p 6</td>
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<td>Women in IP Law Luncheon: Battle of the Experts  p 6</td>
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<td></td>
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<td>Three Track CLE Programming  p 7-8</td>
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</table>

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

**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.
10:15a-11:45a  
**Patent**  
**CONCURRENT PROGRAMS**  
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  

12:00p-1:30p  
Mark T. Banner Award Luncheon  

1:45p-3:15p  
**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  

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**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.
Thursday, April 11

**CONCURRENT PROGRAMS**

### 3:30p-4:30p  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)

### 4:45p-5:45p  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. Prahl, Principium Strategies, New York, NY

### 4:45p-5:45p  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

### 5:45p-6:45p  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

### 5:45p-6:45p  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

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

Register ambar.org/iplspring2019
**Friday, April 12**

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<thead>
<tr>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>7:30a-5:00p</td>
<td>Registration • Sponsors</td>
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<tr>
<td>8:30a-10:00a</td>
<td><strong>CONCURRENT PROGRAMS</strong></td>
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<tr>
<td><strong>Specialty</strong></td>
<td>A Conversation with the Bench</td>
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<tr>
<td><strong>Moderator</strong></td>
<td>Phillip C. Swain, Foley Hoag LLP, Boston, MA</td>
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<tr>
<td><strong>Judges</strong></td>
<td>To Be Announced</td>
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<tr>
<td><strong>Speakers</strong></td>
<td>Suzanne Munck, US Federal Trade Commission, Washington, DC</td>
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<tr>
<td><strong>Speakers</strong></td>
<td>Jeffery D. Peterson, Michael Best &amp; Friedrich LLP, Madison, WI</td>
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<tr>
<td><strong>Specialty</strong></td>
<td>Post-Sale Restrictions</td>
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<tr>
<td><strong>Anticipating the Protection of Your Licensing Agreements Downstream</strong></td>
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<tr>
<td><strong>Moderator</strong></td>
<td>To Be Announced</td>
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<tr>
<td>10:15a-11:45a</td>
<td><strong>CONCURRENT PROGRAMS</strong></td>
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<tr>
<td><strong>Patent</strong></td>
<td>Strategies at the Patent Trial and Appeal Board</td>
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<tr>
<td><strong>Moderator</strong></td>
<td>Scott W. Cummings, Dentons US LLP, Washington, DC</td>
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<td><strong>Speakers</strong></td>
<td>Jonathan Bowser, Unified Patents, Washington, DC</td>
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<td><strong>Speakers</strong></td>
<td>James Hietala, Intellectual Ventures, Seattle, WA</td>
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<td><strong>Speakers</strong></td>
<td>James D. Smith, Ecolab, Eagan, MN</td>
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<td>10:15a-11:45a</td>
<td>On the Mark Advising: An Insider’s Perspective</td>
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<td><strong>Trademark</strong></td>
<td>Trademark Issues Facing In-House Counsel</td>
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<tr>
<td><strong>Moderator</strong></td>
<td>Matthew D. Asbell, Ladas &amp; Parry LLP, New York, NY</td>
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<tr>
<td><strong>Speakers</strong></td>
<td>Jessica Cardon, Quality King Distributors, Inc., New York, NY</td>
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<td><strong>Speakers</strong></td>
<td>Jennifer Chung, Accuweather, Inc., New York, NY</td>
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<tr>
<td><strong>Speakers</strong></td>
<td>Alexandra DeNeve, Velcro Companies, Manchester, NH</td>
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<tr>
<td>10:15a-11:45a</td>
<td>Brexit. What You Now Need to Know to Protect and Enforce</td>
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<tr>
<td><strong>Specialty</strong></td>
<td>Your IP Rights in the EU and UK</td>
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<td><strong>Up to Date Guidance Following the UK’s Anticipated Exit from the EU</strong></td>
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<td><strong>Moderator</strong></td>
<td>Joanna Pitkin, Ridout &amp; Maybee LLP, Toronto, ON, Canada</td>
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<tr>
<td><strong>Speakers</strong></td>
<td>Rupert Knights, Dolleymores, Watford, UK</td>
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<td><strong>Speakers</strong></td>
<td>To Be Announced</td>
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<td>12:00p-1:30p</td>
<td><strong>Women in IP Law Luncheon: Battle of the Experts</strong></td>
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<td><strong>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.</strong></td>
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<td><strong>Moderator</strong></td>
<td>Lisa A. Dunner, Managing Partner, Dunner Law, Washington, DC</td>
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<tr>
<td><strong>Speakers</strong></td>
<td>Robert A. Armitage, Intellectual Property Law Consultant, Marco Island, FL</td>
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<tr>
<td><strong>Speakers</strong></td>
<td>Suzanne Michel, Senior Patent Counsel, Google, Inc., Washington, DC</td>
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**Women in IP Law Luncheon: Battle of the Experts**
Two IP intellectuals will face off in a live debate on a current issue.

**Register** ambar.org/iplspring2019
Friday, April 12

**1:45p-2:45p**

**Ethics**

Concurrent Programs: The Rocks and Hard Places for IP Practitioners
Current Ethics Issues that Need to Be Navigated to Remain Safe

- **Moderator**: Michael E. McCabe, Jr., McCabe Law LLC, Potomac, MD
- **Speakers**:
  - Arthur D. Burger, Jackson & Campbell, PC
  - Bernard J. Knight, Jr., BK Consulting LLC, Washington, DC
  - Teresa Stanek Rea, Crowell & Moring LLP, Washington, DC

**Specialty**

Concurrent Programs: Graffiti, Tattoos, and More: Fixation of Work on Property or People: Are They Your Source?
An Alternate Look at Copyright Fixation, Rights of Publicity, and Related Issues

- **Speakers**:
  - Adrienne R. Fields, Artists Rights Society, New York, NY
  - R. Gregory Israelsen, Banner & Witcoff, Ltd., Washington, DC
  - Yolanda King, Northern Illinois University College of Law, DeKalb, IL

**Copyright**

View from the Copyright Office
Copyright Law and Policy Developments

- **Moderator**: Eric J. Schwartz, Mitchell, Silberberg and Knupp LLP, Washington, DC
- **US Copyright Office Representatives**: To Be Announced

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**3:00p-4:00p**

**Concurrent Programs**

Strategies for Building an IP Portfolio in China
Best Practices for Building and Maintaining an IP Portfolio in China

- **Moderator**: Bobak Jalaie, Office of Technology Commercialization, Purdue Research Foundation, West Lafayette, IN
- **Speakers**:
  - Amy Hsiao, Adsero IP LLC, Atlanta, GA
  - Donna P. Suchy, Collins Aerospace, Cedar Rapids, IA
  - Pervin R. Taleyarkhan, Whirlpool Corporation, Benton Harbor, MI
  - Stephen Yang, Co-Talent Intellectual Property Firm, Beijing, China

**Specialty**

Blockchain & IP
Promises and Limitations

- **Speakers**:
  - Kenneth K. Dort, Drinker Biddle & Reath LLP, Chicago, IL
  - Samantha Kappagoda, Numerati® Partners LLC, RiskEcon® Lab for Decision Makers @ Courant Institute of Mathematical Sciences New York University, New York, NY
  - Robert J. Kasunic, Associate Register of Copyrights and Director of Registration Policy and Practice, US Copyright Office, Washington, DC (Invited)

**Ethics**

Ethics: "Houston We Have a Problem!"
Lawyer Competence is an Ethical Issue

- **Moderator**: Francine D. Ward, Law Office of Francine D. Ward, Mill Valley, CA
- **Speakers**:
  - Hon. Sallie L. Krauss, New York State Bar Association Lawyer Assistance Program, New York, NY
  - Will Covey, Deputy General Counsel for Enrollment and Discipline, USPTO, Alexandria, VA (Invited)
  - Dahlia George, Office of Enrollment and Discipline, USPTO, Alexandria, VA (Invited)
### 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.

Connect with other IP practitioners and learn more about how to get involved in the ABA-IPL Section by attending committee and action group meetings while you are at the annual meeting. IPLSPRING is a great platform to expand your network of IP professionals around the world.

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

### Friday, April 12 continued

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<tr>
<td><strong>Specialty</strong></td>
<td>The Antitrust-IP Interface in the Trump Administration</td>
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<tr>
<td>Antitrust Enforcement Officials Discuss DOJ and FTC Trends</td>
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<tr>
<td><strong>Moderator</strong> Dina Kallay, Ericsson, Washington, DC</td>
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<tr>
<td><strong>Speakers</strong> Andrew Finch, Principal Deputy Assistant Attorney General for the Antitrust Division, US Department of Justice, Washington, DC (invited)</td>
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<tr>
<td>Maureen K. Ohlhausen, Baker Botts LLP, Washington, DC</td>
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<tr>
<th><strong>Trademark &amp; Copyright</strong></th>
<th>Anti-Counterfeiting in Social Media</th>
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<tbody>
<tr>
<td><strong>Speakers</strong> Stephen Coates, Amazon, Seattle, WA</td>
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<tr>
<td>Marina A. Lewis, Lewis Kent LLP, San Francisco, CA</td>
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<td>Brian J. Winterfeldt, Winterfeldt IP Group, Washington, DC</td>
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<tr>
<th><strong>Ethics</strong></th>
<th>Zealously Representing Your Clients before Various Types of Third Parties</th>
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<tbody>
<tr>
<td>Agreement Issues for Negotiating Agreements and Development Projects Among Corporations, Start-ups, and Universities</td>
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<tr>
<td><strong>Moderator</strong> Douglas G. Gallagher, SmithAmundsen LLC, Indianapolis, IN</td>
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<tr>
<td><strong>Speakers</strong> Alfonso Garcia Chan, Shore Chan DePumpo LLP, Dallas, TX</td>
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<td>Vincent S. Egolf, BISSELL® Homecare Inc., Grand Rapids, MI</td>
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<td>Kirk W. Goodwin, Whirlpool Corporation, Benton Harbor, MI</td>
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<td>Margaret (Meg) Kammerud, Shape Security Inc., Mountain View, CA</td>
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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.
Registration Fees
Register before March 27 to receive the special discount early registration rate.

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<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>
<td>$745</td>
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<tr>
<td>ABA Forum of Entertainment &amp; Sports Law Member</td>
<td>$745</td>
<td>$795</td>
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<tr>
<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</td>
<td>$850</td>
<td>$900</td>
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<td>(registration includes a one-year ABA-IPL Section membership)</td>
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<tr>
<td>General Attendees (not ABA member)</td>
<td>$895</td>
<td>$945</td>
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<tr>
<td>Solo/Small Firm</td>
<td>$345</td>
<td>$395</td>
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<td>Government, Public Interest, Academic</td>
<td>$300</td>
<td>$350</td>
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<td>Corporate Counsel</td>
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<td>$350</td>
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<tr>
<td>Law Student</td>
<td>$200</td>
<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

Register ambar.org/iplspring2019
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.

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
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