

HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION
and

UNIVERSITY of HOUSTON | LAW CENTER

INSTITUTE FOR INTELLECTUAL PROPERTY & INFORMATION LAW

present the

26TH ANNUAL INSTITUTE ON INTELLECTUAL PROPERTY LAW

SEPTEMBER 30 - OCTOBER 2, 2010



HIGHLIGHTS

- Post-Lucent Damages Issues and Case Update
- TM Prosecution Tips in the Era of Bose and Winkelman
- Managing the PTO for Effective Examination of Patent Applications
- The McKesson Case and Inequitable Conduct Update

MOODY GARDENS HOTEL

GALVESTON, TEXAS

14 Hours Participatory CLE, including 3.25 Hours Ethics

FEATURING

- The Honorable Arthur J. Gajarsa
United States Court of Appeals for the Federal Circuit
- Panel of Federal Judges
- Howard King
King, Holmes, Paterno & Berliner, LLP
- Harold (Hal) Wegner
Foley & Lardner LLP

HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION AND UNIVERSITY OF HOUSTON LAW CENTER'S
26TH ANNUAL INSTITUTE ON INTELLECTUAL PROPERTY LAW
SEPTEMBER 30 - OCTOBER 2, 2010

THURSDAY, SEPTEMBER 30

12:00 p.m. – 1:00 p.m.
REGISTRATION

Moderator:
Iona Kaiser

1:00 p.m. – 1:15 p.m.
OPENING REMARKS

Georgianna Braden

1:15 p.m. – 1:45 p.m.
**POST-LUCENT DAMAGES ISSUES AND
CASE UPDATE**
Eric Bensen

1:45 p.m. – 2:15 p.m.
**BPAI APPEALS RULES AND PRACTICE
TIPS (PTO APPEALS RULES, BRIEFS, ETC.)**
Howard Speight

2:15 p.m. – 3:00 p.m.
PATENT LAW UPDATE - PART 1
Pete Peterson

3:00 p.m. – 3:15 p.m.
BREAK
Sponsored by:
UHY Advisors

3:15 p.m. – 3:45 p.m.
**HOW TO KEEP EMPLOYEES FROM
STEALING YOUR TRADE SECRETS**
Joe Beauchamp

3:45 p.m. – 4:30 p.m.
PATENT LAW UPDATE - PART 2 (ETHICS)
Pete Peterson

4:30 p.m. – 5:00 p.m.
**INDUCEMENT AND CONTRIBUTORY
INFRINGEMENT - THE SHIFTING STATE
OF MIND**
Steve Malin

5:00 p.m. – 5:30 p.m.
**TM PROSECUTION TIPS IN THE ERA OF
BOSE AND WINKELMANN**
Elizabeth King

5:30 p.m.
ADJOURN

6:00 p.m. – 7:30 p.m.
RECEPTION
Sponsored by:
The StoneTurn Group
Moody Gardens Hotel

FRIDAY MORNING, OCTOBER 1

7:30 a.m. – 8:30 a.m.
CONTINENTAL BREAKFAST
Sponsored by:
FTI Consulting

Moderator:
Luke Culpepper

8:30 a.m. – 8:45 a.m.
OPENING REMARKS
Georgianna Braden

8:45 a.m. – 9:15 a.m.
MARKING AND MISMARKING IN IP
Bob McAUGHAN

9:15 a.m. – 10:15 a.m.
JUDICIAL PANEL
Hon. Kenneth Hoyt
Hon. John Froeschner

10:15 a.m. – 10:30 a.m.
BREAK
Sponsored by: Duff & Phelps

10:30 a.m. – 11:00 a.m.
**TRADEMARK AND COPYRIGHT
INFRINGEMENT**
Howard King

11:00 a.m. – 11:30 a.m.
**MANAGING THE PTO FOR
EFFECTIVE EXAMINATION OF PATENT
APPLICATIONS**
Hal Wegner

11:30 a.m. – Noon
COPYRIGHT CASE LAW UPDATE
Jeff Dodd

Noon
**LUNCHEON AND
KEYNOTE SPEAKER**
Hon. Arthur J. Gajarsa, U.S. Court
of Appeals for the Federal Circuit

FRIDAY AFTERNOON, OCTOBER 1

Moderator:
Ted Field

1:30 p.m. – 2:15 p.m.
**IN-HOUSE PANEL: DOCUMENT
PRESERVATION AND ELECTRONIC
DISCOVERY (ETHICS)**
Mary Lou Flynn-Dupart
Eric Shirk

2:15 p.m. – 2:45 p.m.
**REEXAMINATION - HISTORICALLY, AND
NOW, AS A LITIGATION TOOL**
Tracy Druce

2:45 p.m. – 3:15 p.m.
**THE McKESSON CASE AND
INEQUITABLE CONDUCT UPDATE (ETHICS)**
Mike Locklar

3:15 p.m. – 3:30 p.m.
BREAK
Sponsored by:
OverMont Consulting

3:30 p.m. – 4:00 p.m.
TRADEMARK UPDATE
Kate Spelman

4:00 p.m. – 4:30 p.m.
TBA

4:30 p.m. – 5:00 p.m.
PRESERVING ISSUES FOR APPEAL
Claudia Frost

5:00 p.m. – 5:30 p.m.
INTERNET MALADIES UPDATE
Ron Chichester

5:30 p.m.
ADJOURN

6:45 p.m.
RECEPTION & DINNER
Reception & Dinner sponsored by:
Gardere Wynne Sewell &
McDermott Will & Emery

SATURDAY, OCTOBER 2

7:30 a.m. – 8:15 a.m.
CONTINENTAL BREAKFAST
Sponsored by: 3B Studios

Moderator:
Bryan Adams

8:15 a.m. – 8:30 a.m.
OPENING REMARKS
Georgianna Braden

8:30 a.m. – 9:00 a.m.
NIGHT COURT (ETHICS)
9:00 a.m. – 10:00 a.m.
**IMAGES OF LAWYERS IN POPULAR
CULTURE (ETHICS)**
Nancy Rapoport

10:00 a.m. – 10:15 a.m.
BREAK
Sponsored by:
D' Ambrosio and Menon, LLP

10:15 a.m. – 10:45 a.m.
**EMPLOYMENT LAW AND
IP RELATED ISSUES**
Mark Oberti

10:45 a.m. – 11:15 a.m.
**PATENT PROSECUTION
PITFALLS AND TIPS**
Valerie Friedrich

11:15 a.m. – 11:45 a.m.
INTERNET LAW UPDATE
Ed Cavazos

ADJOURN

HIPLA OFFICERS

Al Riddle
BAKER HUGHES INCORPORATED
President

Michael Locklar
JACKSON WALKER L.L.P.
Vice-President

Howard Speight
ATTORNEY AT LAW
Secretary

Stephen Koch
EXXONMOBIL UPSTREAM RESEARCH COMPANY
Immediate Past President

Anthony Matheny
GREENBERG TRAURIG LLP
President-Elect

Joseph Beauchamp
JONES DAY
Treasurer

UNIVERSITY OF HOUSTON LAW CENTER

Paul Janicke, *HIPLA Professor of Law*
Craig Joyce, *Andrews Kurth Professor of Law*
Sapna Kumar, *Assistant Professor of Law*
Raymond T. Nimmer, *Dean and Leonard Childs Professor of Law*
Greg R. Vetter, *Associate Professor of Law*

PROGRAM ADMINISTRATION

Georgianna Braden
Chairman

Professor Paul Janicke
Vice-Chairman

Sindee Bielamowicz
Program Coordinator

PROGRAM SELECTION COMMITTEE MEMBERS

Norma Bennett
Georgianna Braden
Walter Brookhart
Steve Edwards
Randy Furlong

David Healey
Sharon Israel
Paul Janicke
Al Kimball
Elizabeth King

Stephen Koch
Shirley Kopecky
Irene Kosturakis
Michael Locklar
Craig Lundell

Anthony Matheny
Floyd Nation
Chris Northcutt
Jim Repass
Al Riddle

Howard Speight
Karen Tripp

CONFERENCE FACULTY

Bryan Adams
KING & SPALDING
Houston, TX

Joe Beauchamp
JONES DAY
Houston, TX

Eric Bensen
ATTORNEY AT LAW
Garden City, NY

Georgianna Braden
HOWREY LLP
Houston, TX

Ed Cavazos
BRACEWELL & GIULIANI LLP
Austin, TX

Ron Chichester
RONALD CHICHESTER, P.C.
Houston, TX

Luke Culpepper
HOWREY LLP
Houston, TX

Jeff Dodd
ANDREWS KURTH LLP
Houston, TX

Tracy Druce
NOVAK DRUCE + QUIGG LLP
Houston, TX

Ted Field
SOUTH TEXAS COLLEGE OF LAW
Houston, TX

Mary Lou Flynn-Dupart
JACKSON WALKER L.L.P.
Houston, TX

Valerie Friedrich
BAKER & MCKENZIE
Houston, TX

Hon. John Froeschner
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
Galveston, TX

Claudia Frost
PILLSBURY WINTHROP SHAW PITTMAN LLP
Houston, TX

Hon. Arthur J. Gajarsa
U.S. COURT OF APPEALS
FOR THE FEDERAL CIRCUIT
Washington, D.C.

Hon. Kenneth Hoyt
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
Houston, TX

Iona Kaiser
McDERMOTT WILL & EMERY
Houston, TX

Elizabeth King
KING LAW OFFICE, PLLC
Houston, TX

Howard King
KING, HOLMES, PATERNO & BERLINER, LLP
Los Angeles, CA

Mike Locklar
JACKSON WALKER L.L.P.
Houston, TX

Steve Malin
SIDLEY AUSTIN LLP
Dallas, TX

Bob McAughan
LOCKE LORD BISSELL & LIDDELL LLP
Houston, TX

Night Court
Houston, TX

Mark Oberti
OBERTI SULLIVAN LLP
Houston, TX

Pete Peterson
COX | SMITH INCORPORATED
San Antonio, TX

Nancy Rapoport
UNIVERSITY OF NEVADA, LAS VEGAS
SCHOOL OF LAW
Las Vegas, NV

Eric Shirk
UHY ADVISORS
Houston, TX

Howard Speight
ATTORNEY AT LAW
Houston, TX

Kate Spelman
COBALT LLP
Berkeley, CA

Harold (Hal) Wegner
FOLEY & LARDNER LLP
Washington, D.C.

SPONSORS

3B Studio, Inc.
D'Ambrosio and Menon, LLP

Duff & Phelps
FTI Consulting
Gardere Wynne Sewell, LLP

Howrey LLP
McDermott Will & Emery
OverMont Consulting

The StoneTurn Group
UHY Advisors

LOCATION

The **Moody Gardens Hotel** is located in Galveston, Texas, on Hope Boulevard.

From Houston, take I-45 South and exit at 61st Street. Turn right on 61st Street and again on Stewart Road. From Stewart Road, stay in right lane to go onto Jones Road. Turn right onto Hope Boulevard. The hotel will be on your right.

Telephone numbers: **888.388.8484** or **409.741.8484**.

HOTEL INFORMATION

A block of rooms has been reserved at special conference rates. Make your reservation directly with the Moody Gardens Hotel by phone **888.388.8484**.

The deadline for making your reservation to guarantee a room at the special rate is September 8, 2010. After this date, reservations are made on a space-available basis only.

Moody Gardens Hotel

7 Hope Boulevard
Galveston Island, Texas 77554

888.388.8484

Single:	\$146/night
Double:	\$146/night
Triple:	\$146/night
Quad:	\$146/night
Jacuzzi Suite:	\$310/night

Any cancellations must be received at least 48 hours prior to arrival date.

All requests subject to availability.

Reservations will be considered tentative unless guaranteed by first night's deposit or major credit card.

WRITTEN MATERIALS

Speakers' papers will be provided in an electronic format. This will be included in the registration fee and will be distributed during registration. You may purchase the materials in paper or electronic format without attending the conference for the fee specified on the registration form. *Program materials underwritten by Howrey LLP.*

REFUNDS

Refunds will be made only if they are requested in writing and postmarked no later than **September 8, 2010**. If you do not attend the program and do not request a refund, you will be mailed the materials in electronic format.

MINIMUM CONTINUING LEGAL EDUCATION

This program has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas for 14 hours, including 3.25 hours of ethics credit.

QUESTIONS?

If you have any questions about the program, please call the UH Law Center's Institute for Intellectual Property & Information Law at **713.743.2180**.

0073040286

University of Houston Law Center
Institute for Intellectual Property & Information Law
100 Law Center
Houston, Texas 77204-6060

Please register for the 26th ANNUAL INSTITUTE ON INTELLECTUAL PROPERTY LAW, which provides 14 hours participatory CLE credit including 3.25 hours of ethics. Speakers' papers will be provided in an electronic format. To order in addition a binder containing the submitted papers, please check the appropriate box below. Handouts, including PowerPoint® presentations, will be provided on paper at the conference and cannot be purchased separately.

The registration costs are:

- HIPLA members through September 8 - **\$475**
- Non-members through September 8 - **\$550**
- HIPLA members after September 8 - **\$550**
- Non-members after September 8 - **\$625**
- Limited student enrollment - **\$35**
- Printed course materials (papers) in binder with conference registration - **\$50**
- Course materials (papers) in electronic format without conference registration - **\$135**
- Printed course materials (papers) in binder without conference registration - **\$185**
- Friday lunch - **\$45** x = \$
- Friday dinner - Adults **\$55** x = \$
- Children **\$15** x = \$

Total \$

Name

Firm

Address City State ZIP

Phone Fax

Email Bar Card No.

Registering online?

Contact us at www.hipla.org

Registering by mail? Please return this form to:

University of Houston Law Center
Institute for Intellectual Property & Information Law
100 Law Center
Houston, Texas 77204-6060

Payment options:

Or please indicate:

- Enclose check payable to **HIPLA**
- Mastercard Visa American Express

Account number

Name on card Expiration date

Signature