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Patent Disputes for Our Time: New Realities, New Approaches

MARCH 23, 2016
The State Bar of California
180 Howard Street
San Francisco, CA 94105

 #CAIPSection

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PROGRAM

Patent litigation and management of patent disputes have undergone seismic changes in recent years. Patent trolls, PTAB administrative proceedings, *Alice*, patentability issues, changing business finances, new Federal rules – they all play a part. Nowhere does patent protection play a more vital part, and nowhere are the players more sophisticated, than here in California. Come hear the latest from those who know.

REGISTRATION & CONTINENTAL BREAKFAST

8:30 A.M. – 9:00 A.M.

WELCOME AND OPENING REMARKS

9:00 A.M. – 9:10 A.M.

WHAT HATH ALICE WROUGHT? ITS IMPACT ON PATENT LITIGATION

9:10 A.M. – 10:10 A.M.

Much has been discussed about the *Alice* decision and its impact on patentability of software and other technologies. But its impact on patent litigation is significant as well. Motions to dismiss complaints – a near impossibility before *Alice* – are now entertained by some district courts. How does *Alice* change the dynamic in the courts and PTAB?

Speakers:

Matthew Powers, *Tensegrity Law Group, Redwood City*
Robert Fram, *Covington & Burling, San Francisco*

THE DEATH OF FORM 18, THE BIRTH OF NEW FEDERAL LITIGATION RULES – A NEW WORLD IN PLEADING AND PROCEDURE

10:10 A.M. – 11:10 A.M.

The December 2015 amendments to the Federal Civil Rules address early case management and discovery to expedite and streamline litigation. Perhaps no area is affected more profoundly than patent litigation. Our panelists will discuss both the rules, strategy and impact facing us in 2016.

Moderator:

Robert Payne, *Payne IP Law, San Jose*

Speakers:

Joseph Re, *Knobbe Martens Intellectual Property Law, Irvine*
David Bohrer, *Valorem Law Group, San Jose*
Patrick Coyne, *Finnegan Henderson, Farabow, Garrett & Dunner, Washington, DC*

BREAK

11:10 A.M. – 11:20 A.M.

SCHEDULE

NPE'S AND THE SMALL(ER) COMPANY

11:20 A.M. – 12:20 P.M.

Patent enforcement and licensing efforts by non-practicing entities has brought profound change to patent litigation. For small and smaller companies, the challenges multiply and have a different complexion.

Speakers:

Jason Angell, *Feitas, Angell & Weinberg, LLP, Redwood Shores*
Mieke Malmberg, *Glaser Weil, Los Angeles*

LUNCHEON PROGRAM

12:30 P.M. – 2:00 P.M.

The Silicon Valley USPTO is Open for Business!

Silicon Valley United States Patent and Trademark Office (USPTO) Director John Cabeca will discuss how the USPTO's new west coast regional office supports the intellectual property community. John will also highlight progress before the Patent Trial and Appeal Board in addition to the USPTO's efforts to enhance patent quality and certainty through its Enhanced Patent Quality Initiative.

Speaker:

John Cabeca, *Director USPTO Silicon Valley, San Jose*

NEW DEVELOPMENTS, NEW IPR STRATEGIES BEFORE THE PTAB

2:00 P.M. – 3:00 P.M.

The America Invents Act created an entirely new forum and set of procedures for managing patent disputes. Amendments to the PTAB rules are under consideration. The PTAB Board is less open to institution of proceedings. Filings and appeals may approach "unsustainable" levels. Keep up to date in this rapidly evolving area.

Speakers:

Collette Reiner Mayer, *Morrison Foerster, LLP, Palo Alto*
Brian Love, *Santa Clara University School of Law, Santa Clara*

BEST DISPUTE MANAGEMENT PRACTICES FOR IN-HOUSE COUNSEL

3:00 P.M. – 4:00 P.M.

Bring all the above together, how are the challenges facing in-house counsel changing in managing patent disputes? Even to the extent in-house practice remains untouched, does their knowledge of these developments affect retention of outside counsel?

Speakers:

Brian Way, *Dolby Laboratories, San Francisco*
Brian Schar, *Morrison Foerster, Palo Alto*
David Tognotti, *3D Robotics, Berkeley*

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4:00 P.M. – 5:00 P.M.

Join the speakers and your fellow attendees for a reception.

REGISTRATION INFORMATION

Deadlines: Pre-register by March 16, 2016.

Online Registration: www.ipsection.calbar.ca.gov

Registration by Fax: (415) 538-2368

Fax to Program Registration at (415) 538-2368. Credit Card information is MANDATORY (Visa/Mastercard Only).

Registration by Mail: Your registration must be received no later than Wednesday, March 16, 2016. Please send your completed registration form and check made payable to The State Bar of California:

Program Registrations
The State Bar of California
180 Howard Street
San Francisco, CA 94105-1639

Cancellations/Refunds: Cancellations and request for refunds must be received in writing no later than Wednesday, March 16, 2016, and are subject to a \$50 cancellation fee. Substitute registrations are allowed, but must register in their own name.

MCLE Credit: The Intellectual Property Law Section of The State Bar of California is a State Bar approved **MCLE provider**. This activity has been approved for 5 hours.

Onsite Registration: On-site registration opens at 8:30 am and is subject to space availability.

Questions: For registration information call (415) 538-2580. Telephone registrations are not accepted. For program content and/or Section information call (415) 538-2375.

Special Assistance: For special assistance, please call (415) 538-2375.

CYLA Members: (All CA Members that have been in practice 5 years or less OR are 36 years or younger) Now offering 25% off registration. Please call (415) 538-2375 for more information.

PROGRAM PLANNING COMMITTEE

Robert W. Payne, Chair
Payne IP Law, San Jose

Matthew Spark
*Law Office of Matthew J. Spark
Woodland Hills*

Thomas Hassing
Immersion Corporation, San Jose

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March 23, 2016 • San Francisco, CA

REGISTRATION FORM

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Program package includes 5 hours of MCLE, program materials, continental breakfast, lunch, and a networking reception.

Check here if you do not want your information released.

PRE-REGISTRATION FEES (check the appropriate circle)

- \$395 Members of The State Bar of California Intellectual Property Law Section
- \$490 Non-Members of The State Bar of California Intellectual Property Law Section (2016 Section Membership Included)
- \$270 Paralegals/Law School Faculty/ Government or Non-Profits
- \$100 Non-Attorney Law Students

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