



Intellectual  
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Association

PATENTS | TRADEMARKS | COPYRIGHTS | TRADE SECRETS

# 46TH ANNUAL MEETING

23-25 SEPTEMBER 2018 | HYATT REGENCY HOTEL | CHICAGO, IL



Europäisches  
Patentamt  
European  
Patent Office  
Office européen  
des brevets

**EPO AUTOMOTIVE & MOBILITY SEMINAR**  
26-27 SEPTEMBER 2018 | CHICAGO, IL

ADVOCATING EFFECTIVE IP RIGHTS | #IPOAM18  
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2018

## KEYNOTE SPEAKERS



**MONDAY**

**Hon.  
Andrei  
Iancu**

Under Secretary of  
Commerce for Intellectual  
Property and Director of the  
United States Patent and  
Trademark Office



**TUESDAY**

**Hon.  
Kathleen  
O'Malley**

Circuit Judge, U.S. Court of  
Appeals for the Federal Circuit

## SPECIAL EVENT AT NAVY PIER



FOLLOW US!







## DEAR IPO MEMBERS AND COLLEAGUES:

It is my pleasure to invite you to the 2018 IPO Annual Meeting at the Hyatt Regency Hotel in Chicago, IL. The program committee, chaired by Stephen Bauer of Medtronic, Inc., has created an excellent event.

The Chicago IPO Annual Meeting offers a mix of educational programs, committee meetings, networking opportunities, and exhibits. Renew acquaintances and make new friends by attending the Monday Dinner Reception at Navy Pier. Join us for a night of carnival games, strolling performances, and State fair themed food in one of the jewels of Navy Pier, the historic Aon Grand Ballroom. Located at the end of the pier, the ballroom offers panoramic views of Lake Michigan and Chicago's skyline.

We are pleased to have Andrei Iancu, Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, as Monday's keynote speaker. Tuesday's keynote speaker will be Kathleen O'Malley, Circuit Judge, U.S. Court of Appeals for the Federal Circuit. Parallel sessions on patent and trademark/copyright topics are offered throughout the meeting, including an ethics presentation for both patent and trademark attorneys. Program details begin on page 4.

Chicago is a delightful place for you and your family to visit in the fall with many museums, historic sites, and attractions.

I hope you will join us for what promises to be an outstanding program!

Cordially,

A handwritten signature in dark ink, appearing to read 'Henry Hadad'.

Henry Hadad  
IPO President

## ABOUT THE VENUE

The **Hyatt Regency Chicago** is located in the heart of downtown Chicago. The hotel is ideally situated near the Magnificent Mile and top Chicago attractions such as Navy Pier's Ferris Wheel, "The Bean" at Millennium Park, and Buckingham Fountain.

Mixed along the skyline full of architectural treasures are the historic Theater District and Museum Campus as well as art galleries, music clubs, cocktail lounges, a star-studded culinary scene, and one incredible mile of shopping along Michigan Avenue.

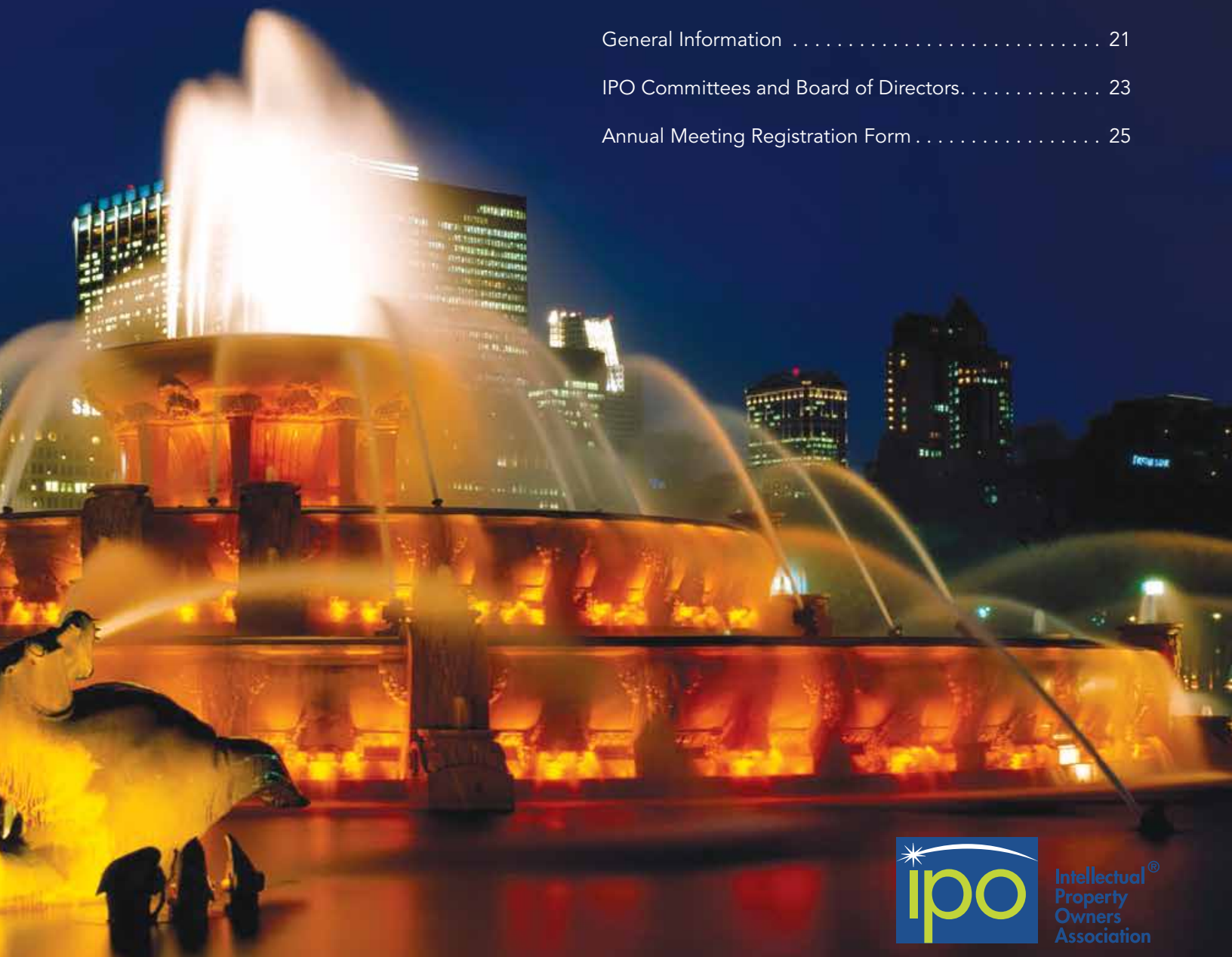


# IMPORTANT DATES IN 2018

31 JULY	Early Registration Discount Ends
31 AUGUST	Hotel Reservations Deadline
31 AUGUST	Registration Cancellation Deadline
23-25 SEPTEMBER	46 <sup>TH</sup> IPO Annual Meeting

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# LANCE

**TUESDAY, 25 SEPT.**



SPECIAL EVENT AT NAVY PIER

StoneTurn





## 2018 IPO ANNUAL MEETING PROGRAM COMMITTEE

### CHAIR

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*Medtronic, Inc., Minneapolis, MN*

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*Capital One, Vienna, VA*

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Chicago, IL*

Sanjiv Sarwate  
*Dell Technologies, Hopkinton, MA*



# PRELIMINARY PROGRAM

## SUNDAY, 23 SEPTEMBER

10:30AM – 7:30PM **EARLY REGISTRATION**

11:00AM – 12:30PM **NETWORKING BRUNCH AND FIRESIDE CHAT**

EXPLORING THE OBSTACLES, RISKS, AND REWARDS ON THE PATH TO ADVANCEMENT IN A FULFILLING AND PRODUCTIVE CAREER

**ORGANIZED BY:** IPO's Women in IP Committee

**SPONSORED BY:** BakerHostetler; Brooks Kushman P.C.; Finnegan, Henderson, Farabow, Garrett & Dunner, LLP; Fitzpatrick, Cella, Harper & Scinto; Intellectual Ventures Management, LLC; Perry + Currier Inc. | Currier + Kao LLP

**MODERATOR:** Serena Farquharson-Torres, Bristol-Myers Squibb Company, Princeton, NJ

**SPEAKERS:** Kelsey Milman, Caterpillar Inc., Peoria, IL  
Micky Minhas, Microsoft Corp., Redmond, WA

12:00PM – 4:00PM **IPO BOARD OF DIRECTORS MEETING**

BOARD MEMBERS AND ALTERNATES ONLY

3:00PM – 5:30PM **COMMITTEE BUSINESS MEETINGS**

BUSINESS MEETINGS WILL BE HELD FROM 3:00PM – 4:00PM OR 4:30PM – 5:30PM

Anti-Counterfeiting	International Patent Law & Trade	Trade Secrets
Asian Practice	International Trademark Law & Practice	U.S. International Trade Commission
Canadian Practice	IP Licensing	U.S. Patent Law
Copyright Law & Anti-Piracy	Latin American Practice	U.S. Patent Office Practice
Corporate IP Management	Litigation	U.S. Post-Grant Patent Office Practice
Damages & Injunctions	Pharmaceutical & Biotechnology Issues	U.S. Trademark Law
Emerging Technologies	Software Related Inventions	Women in IP
European Practice	Standards Setting	
Industrial Designs		

5:30PM – 6:00PM **CONNECTIONS AND COCKTAILS: IPO ORIENTATION**

NEW, LONG-TIME, AND PROSPECTIVE MEMBERS ARE WELCOME TO ATTEND THIS BRIEF ORIENTATION TO LEARN ABOUT MEMBER BENEFITS

6:00PM – 8:00PM **WELCOME RECEPTION**

**SPONSORED BY:**  McDonnell Boehnen  
Hulbert & Berghoff LLP  
Intellectual Property Law

7:30PM – 9:30PM **IPO BOARD OF DIRECTORS AND SPECIAL GUESTS DINNER**

BY INVITATION ONLY

## MONDAY, 24 SEPTEMBER

6:00AM – 7:15AM **FUN RUN/WALK (SEE PAGE 17)**

**SPONSORED BY:** Banner & Witcoff, Ltd.

7:00AM – 8:00AM **REGISTRATION AND CONTINENTAL BREAKFAST AND IP EXPO**

**BREAKFAST SPONSORED BY:** Leydig, Voit & Mayer, Ltd.

8:00AM – 9:00AM **WELCOME REMARKS AND KEYNOTE ADDRESS**

**KEYNOTE ADDRESS BY:** **Hon. Andrei Iancu**, Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, Alexandria, VA



Director Iancu provides leadership and oversight to one of the largest intellectual property offices in the world, with more than 12,000 employees and an annual budget of over \$3 billion. He also serves as the principal advisor to the Secretary of Commerce on domestic and international intellectual property policy matters.

Prior to joining the USPTO, Mr. Iancu was the Managing Partner at Irell & Manella LLP, where his practice focused on intellectual property litigation. Mr. Iancu appeared in a variety of high-profile matters in front of the USPTO, U.S. district courts, the U.S. Court of Appeals for the Federal Circuit, and the U.S. International Trade Commission. He has represented clients across the technical and scientific spectra, including those associated with medical devices, genetic testing, therapeutics, the internet, telephony, TV broadcasting, video game systems, and computer peripherals.

Mr. Iancu holds a J.D. from the UCLA School of Law. He also has a M.S. in mechanical engineering and a B.S. in aerospace engineering, both from UCLA.

9:15AM – 10:15AM **CONCURRENT SESSIONS**

### ● PATENT

#### A Year in Review: Patent Case Law Update

Courts maintain a high level of activity in patent law, which influences our practice in both procurement and enforcement. Panelists will review significant cases decided in the last year across U.S. federal courts and developments in Europe.

#### **SPEAKERS:**

**Matthew Georgiou**, Carpmaels & Ransford LLP, London, England  
**George Pappas**, Covington & Burling LLP, Washington, DC  
**Errol Taylor**, Milbank, Tweed, Hadley & McCloy, LLP, New York, NY  
**Amy Wigmore**, Wilmer Cutler Pickering Hale and Dorr, LLP, Washington, DC

### ◆ TRADEMARK/COPYRIGHT

#### A Year in Review: Trademark Case Law and Practice Update

This session will focus on key trademark cases decided during the past year across U.S. federal courts and the USPTO Trademark Trial and Appeal Board, including cases addressing genericness, secondary meaning, trade dress, extraterritoriality, and preclusion. Panelists will discuss recent trends and the implications of these decisions.

#### **SPEAKERS:**

**Alexandra Bistline**, Pirkey Barber PLLC, Austin, TX  
**Theodore Davis**, Kilpatrick Townsend & Stockton LLP, Atlanta, GA

10:15AM – 11:00AM **COFFEE BREAK AND IP EXPO**

**COFFEE BREAK SPONSORED BY:** Leydig, Voit & Mayer, Ltd.

# PRELIMINARY PROGRAM

## MONDAY, 24 SEPTEMBER (CONTINUED)

11:00AM – 12:00PM CONCURRENT SESSIONS

### ● PATENT

#### AIA Estoppel: A New Flavor of Collateral Estoppel and/or *Res Judicata*?

This session will focus on the impact of AIA estoppel at the USPTO Patent Trial and Appeal Board and in U.S. district courts. Panelists will offer varying perspectives on the impact of the SAS and *Maxlinear* decisions on the scope of estoppel and what the different strategic and practical issues are.

##### MODERATOR:

Herbert Hart, McAndrews, Held & Malloy, Ltd., Chicago, IL

##### SPEAKERS:

Emily Johnson, Amgen, Inc., Thousand Oaks, CA  
Barbara McCurdy, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, Washington, DC  
Hon. James Peterson, U.S. District Court for the Western District of Wisconsin, Madison, WI

### ● PATENT

#### The Intersection of IP and Open Source

What is the general attraction of open source? Why should companies consider joining? This session will focus on best practices, from an IP portfolio management perspective, on when to contribute to the open source community. Panelists will discuss what to look for and common misunderstandings.

##### SPEAKERS:

Tom Li, Adobe Systems Inc., San Jose, CA  
Mark Radcliffe, DLA Piper LLP (US), Palo Alto, CA  
To be announced, Microsoft Corp., Redmond, WA

### ◆ TRADEMARK

#### AI and the Trademark Lawyer: The Promise and Realities of Artificial Intelligence

The ability of artificial intelligence to transform the legal practice is being proclaimed at every turn, but what can it really do for you in your everyday practice and what are the risks with its use? This panel will provide a practical overview of current uses of AI in the trademark legal practice, including trademark searching, online enforcement, discovery, and trademark litigation strategies and analysis. Panelists will also provide a glimpse into the future potential and limits of AI.

##### SPEAKERS:

Ben Allgrove, Baker McKenzie, London, England  
Madhu Raman, Amazon Web Services, Boston, MA

12:00PM – 1:00PM NETWORKING LUNCHEON

SPONSORED BY: RPX CONSULTING





1:00PM – 2:00PM CONCURRENT SESSIONS

## ● PATENT

### Navigating the E-Discovery Minefield; International Litigation and Availability of Discovery Under 28 U.S.C. §1782

This two-topic panel will discuss practical U.S. e-discovery tips concerning everyday patent application preparation and prosecution, as well as licensing and enforcement activities. Panelists will also discuss IPO's proposal to amend 28 U.S.C. § 1782 to require that information produced in U.S. courts for use in foreign tribunals be subject to adequate protections for confidential information, including trade secrets, in the foreign proceedings.

#### MODERATOR:

Leslie Spencer, Ropes & Gray LLP, New York, NY

#### SPEAKERS:

Carlo Cotrone, Baker Hughes, a GE Company, Houston, TX

Stanley Fendley, Coming Inc., Washington, DC

Hon. James Holderman, JAMS, Chicago, IL

Michelle Shen, Medtronic, Inc., Minneapolis, MN

## ● PATENT

### Business Methods (computer implemented inventions) Workshop

It is a widespread misconception based on the wording of Article 52 EPC that innovation in the field of business methods cannot be protected by patents in Europe. Whilst the grant rates are low, with the right approach it is possible to get a patent in this area provided that technical innovation is involved. Starting from the established examination practice for applications having a mix of technical and non-technical features, the speaker will illustrate how examiners analyze patent applications relating to business methods and what exactly they look at when deciding on the allowability of a claim.

#### SPEAKER:

Régis Quélavoine, European Patent Office, Munich, Germany

## ◆ TRADEMARK

### A Trip Around the Globe: Challenges in Protecting Famous Trademarks Internationally

With an increase in trademark hijackers, bad faith filings, and infringement activity through online and social media platforms, brand owners and their counsel need to be on top of their game to protect famous marks around the globe. Panelists will review strategies and best practices in various jurisdictions, including how to establish a mark is famous and well-known with surveys and other evidence, and what can be expected from famous mark registries. Panelists will also explore alternative strategies for protection, such as copyright and industrial designs, and practical ways to deal with the increased need for enforcement.

#### MODERATOR:

Sean Merrill, General Electric Co., Fairfield, CT

#### SPEAKERS:

Ashish Marbaniang, K & S Partners, Gurgaon, India

Andreas Renck, Hogan Lovells, Alicante, Spain

Joe Simone, Simone IP Services, Hong Kong, China

# PRELIMINARY PROGRAM

## MONDAY, 24 SEPTEMBER (CONTINUED)

2:00PM – 4:00PM IPO EDUCATION FOUNDATION BOARD OF DIRECTORS MEETING

BOARD MEMBERS ONLY

2:15PM – 3:00PM CONCURRENT SESSIONS

### ● PATENT

#### The Supreme AIA Update: A Triple-Header

Recent U.S. Supreme Court and Federal Circuit decisions demonstrate the evolution of key issues arising from the AIA and its post-grant review procedures. *Oil States* started but did not resolve constitutional challenges to post-grant review procedures; *SAS* ended partial institution of IPRs, requiring that all claims challenged in a petition must be addressed in a final written decision (when the USPTO institutes which PTAB “guidance” sua sponte extended to all grounds for all such challenges); *Helsinn* is yet to finally resolve the section 102 public/private on sale/offer for sale conundrum. Panelists will review where things stand, the state of play regarding strategy and tactics tried to date, and debate what might happen next.

#### MODERATOR:

Kenneth Adamo, Kirkland & Ellis, LLP,  
Chicago, IL

#### SPEAKERS:

Robert Armitage, IP Strategy & Policy,  
Marco Island, FL

Hon. David Ruschke, U.S. Patent and Trademark  
Office, Alexandria, VA

Russell Slifer, Schwegman, Lundberg & Woessner,  
P.A., Boise, ID

Bruce Stoner, Greenblum & Bernstein, P.L.C.,  
Reston, VA

### ● PATENT

#### The Practice of IP Law in the Age of Machine Learning, Knowledge Management, and Blockchain

How will new technology like machine learning, knowledge management, and blockchain change the practice of law? Machine Learning will have an effect on document generation, discovery, and portfolio valuations. Knowledge management allows the capture and reuse of attorneys’ collective wisdom by processing and identifying prior work and allowing the dissemination of accumulated expertise to solve legal and business problems. Finally, blockchain technology can be used for a variety of applications including evidence of creatorship, registering and clearing IP rights, providing evidence of first use in trade, digital rights management, and much more. Panelists will explain how attorneys can better leverage each technology to practice law more effectively and efficiently.

#### SPEAKERS:

Bennett Borden, Drinker Biddle & Reath, LLP,  
Washington, DC

Laura Caponi, Bristol-Myers Squibb Company,  
New York, NY

Stephen MacKenzie, Koch Industries Inc.,  
Wichita, KS

### ◆ TRADEMARK

#### Where Have All the Trademarks Gone? The Problem of Trademark Congestion

Trademark registries are more crowded than ever and trademark practitioners are faced with burgeoning clearance reports. This panel will look at the problem of trademark congestion and provide a review of the current state of trademark registries and filing trends that show the problem is unlikely to change. Panelists will explore possible ways to mitigate these issues, such as more stringent use requirements, use audits, and expedited non-use proceedings, as well as how to clear a mark in this challenging environment.

#### MODERATOR:

Julia Archer, Enns & Archer, Winston-Salem, NC

#### SPEAKERS:

Prof. Barton Beebe, New York University Law  
School, New York, NY

Christina Hieber, U.S. Patent and Trademark  
Office, Alexandria, VA

3:00PM – 3:45PM COFFEE BREAK AND IP EXPO

COFFEE BREAK SPONSORED BY: Leydig, Voit & Mayer, Ltd.



3:45PM – 4:30PM **CONCURRENT COMMITTEE BREAKOUT SESSIONS**

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## Protecting Your Trade Secrets in Today's Global Village

### Organizing Committee: Trade Secrets; International Patent Law and Trade

Trade secrets have become increasingly important to enabling business success at a time when manufacturing, research, and sales — and the related trade secrets — are dispersed throughout the world. Panelists will discuss how businesses can achieve effective protection of their confidential information in light of recent trade secret developments in Asia; implementation of the EU Trade Secret Directive; and global concerns as seen from the U.S., including options for bringing cases in U.S. courts to reach trade secret theft outside the U.S.

#### MODERATOR:

Kenneth Corsello, IBM Corp., Armonk, NY

#### SPEAKERS:

Anouk Boon, Shell International B.V., Houston, TX  
Victoria Cundiff, Paul Hastings LLP, New York, NY  
Dean Harts, 3M Innovative Properties Co., St. Paul, MN

## Domain Names 2018: Privacy, Prophecies, and Practice Tips

### Organizing Committee: U.S. Trademark Law

This session will address the basis of the GDPR, and in particular its effects on ICANN's Whois requirements. Panelists will discuss how the Whois "blackout" has played out since May 2018 and how brand owners have adjusted their policing and enforcement strategies. The discussion will also include a review of ICANN's ongoing review of Rights Protection Mechanisms such as the URS and UDRP and its effect on brand owners. Panelists will also provide insights into the current state of the "new" gTLDs, including predictions concerning the promised forthcoming "round 2."

#### MODERATOR:

Wendy Larson, Pirkey Barber PLLC, Austin, TX

#### SPEAKERS:

Jake Feldman, Johnson & Johnson, New Brunswick, NJ  
Sanjiv Sarwate, Dell Technologies, Hopkinton, MA

## How Corporations Hedge Against Emerging Technology

### Organizing Committee: Emerging Technologies

Learn how corporations are dealing with the rapid pace of development of emerging technologies. Panelists will discuss general strategies for managing risk and structuring IP departments related to emerging technologies.

#### MODERATOR:

Daniel Staley, Caterpillar Inc., Peoria, IL

#### SPEAKERS:

John Cheek, Tenneco Inc., Grass Lake, MN  
Micky Minhas, Microsoft Corp., Redmond, WA  
Paula Tostado, Kateeva, Inc., Newark, CA

## Protecting Software in the Pharmaceutical and Health Care Industries

### Organizing Committee: Pharmaceutical & Biotechnology Issues; Software Related Inventions; Emerging Technologies

This session will address different ways software is protected under U.S. law, including relevant case law and the benefits and disadvantages of different IP frameworks. It will highlight the particular eccentricities of protecting of new pharmaceutical and health care technologies such as body chemistry monitoring systems, robot and artificial intelligence technologies in labs, and so-called software as a medical device.

#### MODERATOR:

Joshua Simmons, Kirkland & Ellis, LLP, New York, NY

#### SPEAKERS:

Grantland Drutchas, McDonnell Boehnen Hulbert & Berghoff LLP, Chicago, IL  
Mona Gupta, Roche Diabetes Care, Inc., Indianapolis, IN

# PRELIMINARY PROGRAM

## MONDAY, 24 SEPTEMBER (CONTINUED)

4:45PM – 5:30PM CONCURRENT COMMITTEE BREAKOUT SESSIONS

### Global Dossier

#### Organizing Committee: Patent Search

When looking for key information, you may have used USPTO PAIR (which will be replaced by eMod this summer or early fall). Global Dossier provides that information and more. It is a single source of information concerning prosecution history and examination status, examiner search information, cited documents, indication of patent status, patent family information (extended INPADOC family = any priority in common), and translations of examination documents for IP5 countries. The session will consist of a live Global Dossier demonstration, using both the USPTO Global Dossier portal and Espacenet, including a demonstration of EPO Common Citation Document and USPTO Citation List.

#### SPEAKERS:

Ford Khorsandian, Technology & Patent Research International, Inc., San Diego, CA

Joe Polimeni, IBM Corp., Parkland, FL

Stephen Sampson, Caterpillar, Inc., Peoria, IL

### Strategies for Addressing Gender Disparity in Patenting

#### Organizing Committee: Women in IP Law; Corporate IP Management

Women are significantly underrepresented in the innovation process. Recent studies show that “although women have more than quintupled their representation among patent holders since 1977, only 18.8 percent of all patents had at least one women inventor in 2010.” Panelists will discuss the issue of gender diversity in patenting.

#### MODERATOR:

Neil Kardos, Harrity & Harrity, LLP, Fairfax, VA

#### SPEAKERS:

Julio Ruffo, World Intellectual Property Organization, Geneva, Switzerland

Laura Sheridan, Google Inc., New York, NY

Audrey Sherman, 3M Innovative Properties Co., St. Paul, MN

### Managing Risks of Willful Infringement: Practical Considerations and Guidelines

#### Organizing Committee: Litigation; Damages and Injunctions

Under the new legal landscape since *Halo* and *Stryker* in 2016, companies failing to adequately manage risks created by the new subjective test for willful infringement can be open to multi-million dollar enhanced awards. The issues have quickly become complicated. Panelists will discuss considerations for addressing and resolving decisions that need to be made in managing risks.

#### MODERATOR:

Sandra Nowak, 3M Innovative Properties Co., St. Paul, MN

#### SPEAKERS:

Tom Brown, Dell Technologies, Hopkinton, MA

Eley Thompson, Foley & Lardner LLP, Chicago, IL

Additional speaker to be announced

### Best Practices: Working With Customs to Fight Counterfeiting in the U.S. and China

#### Organizing Committee: Anti-Counterfeiting

U.S. and Chinese customs authorities provide a variety of often underutilized tools to help companies combat counterfeiting in these important jurisdictions. This panel of subject-matter experts will discuss best practices for working with customs to fight counterfeiting and trademark infringement, tools and resources that each agency provides, and cultivating business client support for engaging with customs on anti-counterfeiting efforts.

#### SPEAKERS:

Theresa Conduah, Toyota Motor North America, Inc., Plano, TX  
Nick Redfearn, Rouse, Jakarta, Indonesia

Jon Ruttencutter, Department of Homeland Security, Homeland Security Investigations, National IPR Coordination Center, Pittsburgh, PA

7:00PM – 10:00PM IPO DINNER RECEPTION AT NAVY PIER

SPONSORED BY: **StoneTurn**



# SPECIAL EVENT

## DINNER RECEPTION AT NAVY PIER

Step right up to the midway! Join us for a night of carnival games, strolling performances, and State fair themed food.

The term “midway” originated from the World’s Columbian Exposition held in Chicago in 1893. It refers to the location where carnival games, entertainment, and food booths are clustered.

The private event will take place in the **Aon Grand Ballroom**, located at the end of **Navy Pier**. Originally completed in 1916 as part of Daniel Burnham’s plan for Chicago, Navy Pier is an iconic city landmark inspiring discovery and wonder.

The pier opened to the public in July 1916 and was known as the “Municipal Pier.” Its original purpose was to serve as a dock for freights, passenger traffic, recreation, and expositions. In 1927, the pier was renamed Navy Pier to honor the naval veterans who served in World War I.

Navy Pier is just over 0.6 mile long (1,010 m), located on the Chicago shoreline of Lake Michigan. Navy Pier encompasses more than 50 acres of parks, gardens, shops, restaurants, family attractions, and exhibition facilities. A few of Navy Pier’s attractions include Crystal Gardens, a one-acre botanical garden; Chicago Children’s Museum; the anchor from the *USS Chicago* naval vessel; and the iconic Ferris Wheel.

When was the last time you had churros, cotton candy, and fried pickles? Savor the traditional food of State fairs while playing carnival games like Skee-Ball, Flip-a-Chick, high striker, and ring toss. Guests can also enjoy panoramic views of Lake Michigan and Chicago’s skyline while drinking a cocktail.

**MONDAY, 24 SEPTEMBER**  
**7:00PM – 10:00PM**  
**600 E. GRAND AVENUE, CHICAGO, IL**

### ATTIRE

Suggested attire is casual.

### LOCATION & TRANSPORTATION

Buses will be shuttling attendees between the hotel and Navy Pier throughout the entire evening. The first bus will depart at 6:45PM from the Hyatt Regency and the last bus will return at 10:00PM from Navy Pier. Buses will depart approximately every 15 minutes. Doors will not open before 7:00PM.

SPONSORED BY **StoneTurn**



# PRELIMINARY PROGRAM

## TUESDAY, 25 SEPTEMBER

7:00AM – 8:00AM REGISTRATION AND CONTINENTAL BREAKFAST AND IP EXPO

BREAKFAST SPONSORED BY: Akin Gump Strauss Hauer & Feld LLP

7:00AM – 8:00AM CHIEF IP COUNSEL BREAKFAST

BY INVITATION ONLY

8:00AM – 9:00AM WELCOME REMARKS AND KEYNOTE ADDRESS

ADDRESS BY: **Hon. Kathleen O'Malley**, Circuit Judge, U.S. Court of Appeals for the Federal Circuit



Kathleen O'Malley was appointed to the U.S. Court of Appeals for the Federal Circuit by President Barack Obama in 2010. Prior to her elevation to the Federal Circuit, Judge O'Malley was appointed to the U.S. District Court for the Northern District of Ohio by President William J. Clinton in 1994. During her sixteen years on the district court bench, Judge O'Malley presided over in excess of 100 patent and trademark cases and sat by designation on the U.S. Circuit Court for the Federal Circuit. As an educator, Judge O'Malley has regularly taught a course on Patent Litigation at Case Western Reserve University Law School; she is a member of the faculty of the Berkeley Center for Law & Technology's program designed to educate Federal Judges regarding the handling of intellectual property cases. Judge O'Malley began her legal career as a law clerk to the Honorable Nathaniel R. Jones, Sixth Circuit Court of Appeals in 1982-1983. She received her J.D. degree from Case Western Reserve University School of Law, Order of the Coif, in 1982, where she served on Law Review and was a member of the National Mock Trial Team.

9:15AM – 10:15AM CONCURRENT SESSIONS

### ● PATENT/ETHICS

#### Attorney-Client Privilege: Considerations for General Communications and Communications During Patent Preparation and Prosecution

This session will focus on attorney-client privilege issues concerning e-mail communications generally and communications during patent application drafting and prosecution. Topics include determining whether communications with and between international patent attorneys and patent agents, inventors, business colleagues located in the U.S. and outside the U.S. are privileged; privilege during submission; and review of invention disclosures and privilege during drafting and prosecution of U.S. and foreign patent applications.

#### SPEAKERS:

Richard Lloyd, HP Inc., Grenoble, France

Soma Saha, U.S. Patent and Trademark Office, Alexandria, VA

Teresa Stanek Rea, Crowell & Moring, LLP, Washington, DC

### ◆ TRADEMARK/COPYRIGHT

#### Copyright Year in Review

This session will focus on key copyright cases decided during the past year in the U.S. federal courts, including cases addressing infringement (*Williams v. Gaye* - Ninth Circuit decision) and fair use (*Oracle America, Inc. v. Google, Inc.* - Federal Circuit decision). Panelists will also discuss demand letters for licenses on music, photography, and fonts.

#### SPEAKERS:

Prof. William McGrath, The John Marshall Law School, Center for Intellectual Property Law, Chicago, IL

Thomas Kjellberg, Cowan, Liebowitz & Latman, P.C., New York, NY

10:15AM – 11:00AM COFFEE BREAK AND IP EXPO

COFFEE BREAK SPONSORED BY: Akin Gump Strauss Hauer & Feld LLP



11:00AM – 12:00PM CONCURRENT SESSIONS

## ● PATENT

### Time to Call 911 (Emergency!) on 101: Is Patent Eligibility Doctrine Undermining U.S. Leadership in Innovation?

This session will focus on recent developments over the past year in the U.S. federal courts and USPTO regarding subject matter eligibility. Panelists will discuss recent decisions and whether the desire for a legislative fix is stronger or weaker than a year ago. Patent prosecution trends and tips relating to section 101 will also be discussed.

#### MODERATOR:

Prof. Adam Mossoff, George Mason University School of Law, Arlington, VA

#### SPEAKERS:

Courtenay Brinckerhoff, Foley & Lardner LLP, Washington, DC

Heath Hoglund, Dolby Laboratories, San Francisco, CA

Gary Ropski, Brinks Gilson & Lione, Chicago, IL

Corey Salsberg, Novartis, Washington, DC

## ◆ TRADEMARK/COPYRIGHT (11:00AM – 11:30AM)

### Overview of Recent Privacy and Brand Personalization Issues That Impact All Brand Owners

New privacy laws and highly publicized privacy scandals are leading to changes in the way all brand owners gather and use personal data—making the management of a company's reputation a particular challenge in cases of perceived or actual privacy law violations. With this background in mind, the speaker will provide an update on topics that are at the forefront of this effort to manage data and a company's reputation, including brand personalization, the new EU and California privacy laws and state-based biometric data privacy laws.

#### SPEAKER:

Jonathan S. Jennings, Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP, Chicago, IL

## ◆ TRADEMARK/COPYRIGHT (11:30AM – 12:00PM)

### Brands in Crisis: Managing Brand Reputation in the Age of Viral Media

What happens when your brand is suddenly in the media for the wrong reasons? In the age of viral media, where demand letters, customer complaints, fake news, employee mistakes, and damaging videos can be spread to millions of consumers online instantly, trademark owners find it increasingly important to get out ahead of a crisis and protect the brand's reputation while still enforcing valuable trademark rights. Panelists will discuss crisis management strategies employed by successful brands, as well as ways trademark owners can head off crises and potentially turn them in a positive direction for the brand.

#### MODERATOR:

Alicia Groos, Norton Rose Fulbright, Austin, TX

#### SPEAKER:

Kate Eguchi, Whole Foods Market, Austin, TX

12:00PM – 1:00PM NETWORKING LUNCHEON

# PRELIMINARY PROGRAM

## TUESDAY, 25 SEPTEMBER (CONTINUED)

1:00PM – 2:00PM CONCURRENT SESSIONS

### ● PATENT

#### Finding Common Ground: Best Practices for Efficiently Prosecuting Patent Applications at the USPTO

Getting consistently high quality patents in a cost effective way is all about working productively and efficiently with the USPTO. But how is what you do and say during prosecution interpreted at the USPTO, and vice versa? Panelists will explore the various perspectives stakeholders bring to the table and best practices that facilitate positive communications, productive interactions, and consistent outcomes.

##### SPEAKERS:

Julie Burke, Knobbe, Martens, Olson & Bear, LLP, Washington, DC  
Tariq Hafiz, U.S. Patent and Trademark Office, Alexandria, VA  
Kaveh Rashidi-Yazd, Siemens Corp., Alpharetta, GA

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#### What Every IP Lawyer Should Know About Social Media

This session will focus on issues frequently encountered in marketing and customer engagement on social media. Topics covered will include managing risks associated with engaging influencers, use of third party IP, marketing around tentpole events, ambush marketing, and right of publicity issues in the age of the selfie. Panelists will share strategies for navigating social media risks.

##### MODERATOR:

Tom Adams, Procter & Gamble Co., Cincinnati, OH

##### SPEAKERS:

Ryan Garcia, Dell Technologies, Round Rock, TX  
Brian Murphy, Frankfurt Kurnit Klein & Selz, New York, NY  
Alexis Payne, Partridge Partners, Chicago, IL

2:15PM – 3:15PM CONCURRENT SESSIONS

### ● PATENT

#### Portfolio Management: Strategy and Value Behind IP Audits

Where do IP audits fit into portfolio management strategy? What kind of audits are worth doing, and when? Panelists will discuss best practices, including tips on priorities, timing, and use of outside counsel for maximizing value without breaking the budget.

##### MODERATOR:

Jessica Sinnott, DuPont, Wilmington, DE

##### SPEAKERS:

Karen Cochran, Shell International B.V., The Hague, Netherlands  
Daniel Enebo, Cargill, Incorporated, Wayzata, MN  
Joseph Shirtz, Johnson & Johnson, New Brunswick, NJ

### ◆ TRADEMARK/COPYRIGHT

#### Protecting Marks in the Modern World: Challenges and Practical Tips

Traditional ideas of “proper” trademark use no longer apply. This session will focus on how to protect marks in a rapidly changing world. Panelists will provide tips and tricks for guarding against genericide; how to protect marks that are not static; and how to protect marks that are gone, but not forgotten.

##### SPEAKERS:

Joshua Burke, General Mills, Inc., Minneapolis, MN  
Angela Dunning, Cooley LLP, Palo Alto, CA  
Simon Frankel, Covington & Burling LLP, San Francisco, CA

3:15PM – 4:00PM COFFEE BREAK AND IP EXPO

COFFEE BREAK SPONSORED BY: Akin Gump Strauss Hauer & Feld LLP



4:00PM – 5:00PM

## ETHICS SESSION: CONFLICTS OF INTEREST

This session will focus on conflicts of interest, including business versus legal conflicts, subject matter conflicts, employment conflicts, best practices for waivers, and hiring attorneys from competitors. Panelists will also address conflicts of interest within a company (re-organization and M&A transactions).

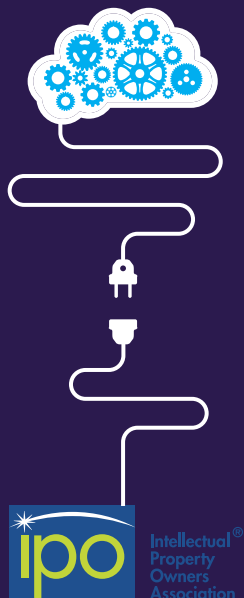
### SPEAKERS:

William Freivogel, Independent Consultant, Chicago, IL

Melanie Gover, 3M Innovative Properties Co., St. Paul, MN

Scott Jolliffe, Gowling WLG, Toronto, Canada

Michael McCabe, Jr., McCabe Law LLC, Potomac, MD



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## CHICAGO ATTRACTIONS

Explore the depths of the ocean at the Shedd Aquarium; catch a fly ball at Wrigley Field; take in a show at the Chicago Theatre; and ride the Ferris Wheel at Navy Pier. Chicago boasts some of the best cuisine, attractions, and entertainment, including several of the top 100 restaurants in the country, and one of the best orchestras in the world in the Chicago Symphony Orchestra. From shopaholics and sports enthusiasts to thrill seekers and foodies, Chicago has something for everyone.

**MUSEUMS:** From the bottom of the sea to the tops of the stars, Chicago has it all on display. Start your adventures on the famous **Museum Campus** along Lake Michigan. Three world-renowned museums call it home: **The Adler Planetarium & Astronomy Museum**, **The Field Museum**, and **The Shedd Aquarium**, are filled with opportunities to stretch your mind. For art lovers, the **Art Institute of Chicago** offers masterpieces from ancient to ultra-modern, and our cultural institutions cover everything from famous historical events to current cultural issues.

**NAVY PIER:** This 50-acre playground of entertainment, museums, activities, restaurants, and shops is the perfect place for some family fun time. Ride on the 150-foot **Ferris Wheel**, which offers great city and Lake Michigan views.

**MILLENNIUM PARK:** With 25 acres of awe-inspiring landscape, breathtaking architecture, and an iconic collection of public art, **Millennium Park** is Chicago's premier green space. Don't miss "**The Bean**," an eye-catching favorite year round. Take a picture in front of Cloud Gate, the official name for this massive, stainless steel structure that's become Chicago's signature landmark. In its mirror-like surface you'll see not only your own reflection, but the magnificent downtown skyline.

**AND MUCH MORE:** For the Official Visitors Guide and information on what to do while in Chicago, visit the Convention and Visitors Bureau on the web at [www.choosechicago.com/things-to-do](http://www.choosechicago.com/things-to-do).

## SOCIAL EVENT GUEST PASS

IPO IS OFFERING A SPECIAL SOCIAL EVENTS PASS FOR SPOUSES AND GUESTS OF ATTENDEES AT THE IPO ANNUAL MEETING.

The package fee of \$175 includes admission to the Sunday Welcome Reception, the Monday Evening Special Event at Navy Pier, and the continental breakfasts on Monday and Tuesday.

Register for the guest social events package online at [www.ipo.org/AM2018](http://www.ipo.org/AM2018) or use the registration form located on page 25.

Guest pass does not include access to educational sessions.



# NETWORKING OPPORTUNITIES



## NETWORKING BRUNCH AND FIRESIDE CHAT

SUNDAY, 23 SEPTEMBER

11:00AM – 12:30PM

OPEN TO ALL IPO ANNUAL MEETING ATTENDEES.  
ADVANCE REGISTRATION IS REQUIRED.  
SPACE IS LIMITED.

Exploring the Obstacles, Risks, and Rewards on the Path to  
Advancement in a Fulfilling and Productive Career

**ORGANIZED BY:** IPO's Women in IP Committee

**MODERATOR:** Serena Farquharson-Torres, Bristol-Myers  
Squibb Company, Princeton, NJ

**SPEAKERS:** Kelsey Milman, Caterpillar Inc., Peoria, IL  
Micky Minhas, Microsoft Corp., Redmond, WA

**BRUNCH SPONSORED BY:** BakerHostetler; Brooks Kushman  
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## IPO'S 6<sup>TH</sup> ANNUAL FUN RUN/WALK

MONDAY, 24 SEPTEMBER

6:00AM – 7:15AM

ADVANCE REGISTRATION IS REQUIRED.  
SPACE IS LIMITED.

Open to all IPO Annual Meeting attendees. All skill levels are welcome — this is not a race, although all participants will win the admiration of other conference attendees who slept in!

Runners and walkers will have a choice of running through Millennium Park or along the Lake Michigan trail. When filling out your IPO Annual Meeting registration, indicate whether you'd like to participate in either the 5K run or the 3K walk.

Runners/walkers will meet at 6:00AM at the Hyatt Regency Hotel where they will be greeted by their guides. A healthy grab-and-go breakfast will be available for all registered participants. Guides will ensure everyone returns to the hotel by 7:15AM.

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### MONDAY BREAKFAST & AM/PM BREAKS



### NETWORKING BRUNCH & FIRESIDE CHAT



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CENTRAL RESERVATION LINE: +1 888-421-1442

**GROUP RATE:** IPO has reserved a block of rooms at the Hyatt Regency Chicago, where the conference is taking place. In order to receive the IPO group rate, **reservations must be made directly with the hotel by Friday, 31 August 2018**, or until the room block is sold out, whichever comes first. Reference the "2018 IPO Annual Meeting" when making your reservation to obtain the group rate of \$274/night plus taxes.

**PLEASE NOTE:** IPO is NOT using a housing agent — you **MUST** reserve directly with the hotel. If you are contacted by anyone claiming to represent the IPO room block, do not give out your information.

**TRANSPORTATION:** **Chicago O'Hare Int'l.**

**Airport (ORD)** is about 30-45 minutes from the Hyatt Regency Hotel. **Chicago Midway Int'l.**

**Airport (MDW)** is about 30 minutes from the Hyatt Regency Hotel. For more travel tips visit [www.ipo.org/AM2018](http://www.ipo.org/AM2018).

## WEATHER & ATTIRE

Chicago boasts a comfortable climate in September. Temperatures average 70°F during the day and 50°F at night. Please check the weather conditions before you depart to help you pack for the meeting.

The preferred dress for conference functions is **Business Attire**. As meeting room temperatures and personal comfort zones vary widely, it is recommended that you bring a sweater or jacket to the sessions.

Suggested attire for Monday's Special Event at Navy Pier is casual.

## ANNUAL MEETING MOBILE APP

**SPONSORED BY:** Brinks Gilson & Lione; Tsai, Lee & Chen; and Marshall Gerstein & Borun LLP

The 2018 IPO Annual Meeting Mobile App will offer access to the attendee list, the meeting schedule and speaker materials, a full listing of exhibitor and sponsor information, floor plans, and local information about Chicago, IL. The IPO Annual Meeting Mobile App is available only to registered attendees.



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## REGISTRATION FEES

IN U.S. DOLLARS PER PERSON

IPO Member	\$995
Non-Member	\$1,695
Government Employees & Academics	\$500
Students	Contact IPO for student rates

**REGISTRATION FEE INCLUDES:** Welcome Reception on Sunday, Special Event at Navy Pier on Monday, breakfast and coffee breaks on Monday and Tuesday, and access to conference materials via the Annual Meeting mobile app.

**EARLY REGISTRATION DISCOUNT:** Meeting registrations received or postmarked by **31 July 2018**, with accompanying payment, will receive a **discount of \$100 USD** off the conference fee. All registrations received or postmarked after 31 July are subject to the standard fee.

**MONDAY & TUESDAY NETWORKING LUNCHEONS:** In order to attend the optional luncheons on Monday or Tuesday, **separate tickets must be purchased for \$50 USD** per person, per day. Advance registration is required. Space is limited.

**NETWORKING BRUNCH ON SUNDAY:** Attendees may sign up to attend the brunch organized by IPO's Women in IP Committee – **FREE!** Advance registration is required. Space is limited.

**IPO FUN RUN/WALK ON MONDAY:** Attendees may register for a 5K run or 3K walk – **FREE!** Advance registration is required. Space is limited.

**ANNUAL MEETING SOCIAL EVENTS GUEST PASS:** Guests of registrants may purchase a Guest Pass for **\$175 USD** per person. Fee includes access to the Sunday Welcome Reception, continental breakfast on Monday and Tuesday, and the Monday Special Event at Navy Pier. Guest pass does not include access to educational sessions.

## FOUR EASY WAYS TO REGISTER

Advance registration is required. Registrations will be accepted online or via fax, e-mail, or mail.

**Online:** [www.ipo.org/AM2018](http://www.ipo.org/AM2018)

**Fax:** +1 202-507-4501

**E-mail:** [meetings@ipo.org](mailto:meetings@ipo.org)

**Mail:** 1501 M Street NW, Suite 1150  
Washington, DC 20005 USA

**Registrations will not be processed until full payment is received.** Space is limited, so please register early. Any employee of a company, university, or law firm is entitled to register at the IPO member rate if the employer belongs to IPO. A person is not entitled to the member rate, however, merely because she or he is employed in the same organization as an IPO individual member.

**All registrations will be confirmed by e-mail.** If you register online, you will immediately receive an electronic confirmation from [meetings@ipo.org](mailto:meetings@ipo.org). If you register via fax, mail, or e-mail and do not receive a confirmation within 10 business days, please contact [meetings@ipo.org](mailto:meetings@ipo.org).

**IPO recommends bringing a copy of your registration confirmation to the meeting.** Please note that the meeting program is subject to change. For updates and additional details please visit our meeting website at [www.ipo.org/AM2018](http://www.ipo.org/AM2018).

## CLE CREDIT

Continuing Legal Education (CLE) credit is being requested in every state in which attendees are licensed to practice that has a mandatory CLE requirement. The number of credit hours will vary depending on the requirements of the individual state. IPO's Hardship Policy is available upon request. IPO expects that most states will award 10 – 14 CLE hours, including 1 – 2 hours of ethics.

## ATTENDEE LIST

Registration constitutes agreement by registrant for IPO to list registrants name, organization, and location on the attendee list (paper and electronic). Anyone that registers after **Friday, 31 August 2018** will be listed on the Final Attendee List, which will be available on the mobile app after the meeting.

## CONSENT TO USE PHOTOGRAPHIC IMAGES

Registration and attendance at, or participation in, IPO meetings and other activities constitutes an agreement by the registrant for IPO to use and distribute (both now and in the future) the registrant's or attendee's image or voice in photographs, videotapes, electronic reproductions, and audiotapes of such events and activities.

## CANCELLATION POLICY

Cancellations received by **Friday, 31 August 2018**, will be subject to a \$100 processing fee. No refunds will be given for cancellations received on or after **1 September 2018**. These deadlines for cancellation apply to all registrants. Course materials via the mobile app will be available to those unable to attend who cancel on or after 1 September. **Refunds will not be given for no-shows.** If a registrant is unable to attend, another person may substitute upon written request. Please note that fees are not transferable to another IPO meeting. Name badge sharing or splitting is strictly prohibited.

IPO reserves the right to cancel this event without liability, and the total amount of any and all liability of the organizers will be limited to a refund of the registration fee. Any fees associated with cancellation of travel or housing reservations are the exclusive responsibility of conference attendees.

## SCHOLARSHIPS

IPO provides eligible students with the opportunity to interact with corporate and private practice attorneys, academics, and other attendees during the 2018 IPO Annual Meeting. A limited number of scholarships are available for law students to attend this event. To learn more contact [meetings@ipo.org](mailto:meetings@ipo.org).



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Committees play an integral role in policy development at IPO by researching and providing analysis on current IP issues and producing recommendations for the Board of Directors. For more information please visit [www.ipo.org/committees](http://www.ipo.org/committees).

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#### Business Issues Division

Corporate IP Management   
IP Licensing  
Trade Secrets 



#### Copyright Division

Copyright Law & Anti-Piracy  
Open Source




#### International IP Law & Practice Division

Asian Practice  
Canadian Practice  
European Practice  
Genetic Resources & Traditional Knowledge  
International Patent Law & Trade   
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Many of IPO's Standing IP Committees will hold **Business Meetings on Sunday, 23 September** (3:00PM – 4:00PM and 4:30PM – 5:30PM), preceding the Annual Meeting Opening Reception. A list of committees hosting meetings is on page 4 of the program. All registered Annual Meeting attendees are welcome to attend these committee meetings.

IPO thanks the Standing IP Committees indicated by the "●" symbol above that are organizing CLE Sessions on Monday, 24 September (3:45PM – 4:30PM and 4:45PM – 5:30PM). See page 9 of the program for more details.



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List state(s) for CLE credit: \_\_\_\_\_

Bar number(s) for each state: \_\_\_\_\_

**FEES** — Enter applicable rate and fees in the column at right and total below.

1. **ANNUAL MEETING REGISTRANT** — Fee covers the Sunday Welcome Reception, Monday Special Event at Navy Pier, breakfasts on Monday and Tuesday, and meeting materials. Fee does not include Networking Luncheons or Guest Pass.

**APPLICABLE RATE:**

Per person

- ☐ IPO Member . . . . . \$995
- ☐ Non-Member . . . . . \$1,695 \$ \_\_\_\_\_
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2. **OPTIONAL NETWORKING LUNCHEONS**

Per person

- ☐ Monday . . . . . \$50 \$ \_\_\_\_\_
- ☐ Tuesday . . . . . \$50 \$ \_\_\_\_\_

3. **GUEST(S) OF THE ANNUAL MEETING REGISTRANT**

Per person

- ☐ 2018 Annual Meeting Social Events Guest Pass . . . . . \$175 \$ \_\_\_\_\_
- Fee includes the Sunday Welcome Reception, Continental Breakfast on Monday and Tuesday, and Monday Special Event at Navy Pier.*
- Guest Name(s): \_\_\_\_\_

4. ☐ I HAVE READ AND AGREE TO IPO'S CANCELLATION POLICY ON PAGE 21.

**ANNUAL MEETING REGISTRANTS:**

Please check below if you plan to attend the following functions (included in your registration fee; for planning purposes only):

- ☐ Sunday – Networking Brunch
- ☐ Sunday – Welcome Reception
- ☐ Monday – Fun Run/Walk (6:00AM – 7:15AM) (Select one):
- ☐ 5K Run ☐ 3K Walk
- ☐ Monday – IPO Special Event at Navy Pier

**GENERAL SESSION BREAKOUT TRACKS** (Select one):

- ☐ Patent ☐ Trademark

**MONDAY COMMITTEE CLE SESSIONS (3:45PM – 4:30PM)** (Select one):

- ☐ 1A. Trade Secrets ☐ 3A. Emerging Technologies
- ☐ 2A. Domain Names ☐ 4A. Software in Health Care

**MONDAY COMMITTEE CLE SESSIONS (4:45PM – 5:30PM)** (Select one):

- ☐ 1B. Global Dossier ☐ 3B. Willful Infringement
- ☐ 2B. Gender Disparity ☐ 4B. Counterfeiting

**TOTAL AMOUNT DUE:**

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23-25 SEPTEMBER 2018

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