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Property  
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Association

PATENTS  
TRADEMARKS  
COPYRIGHTS  
TRADE SECRETS  
INDUSTRIAL DESIGNS



**COMMITTEE  
BUSINESS MEETINGS**  
SEPT. 23

# 2021 ANNUAL MEETING

## LIVE ⊕ VIRTUAL

The IPO Annual Meeting offers a mix of educational programs led by leaders in the IP Industry, CLE Credit, and networking functions.

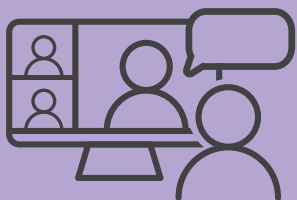


**FEATURING  
KEYNOTE SPEAKER**  
ON SEPT. 20

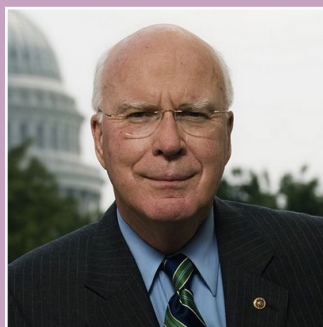
**Hon. Alan Albright**  
Western District of Texas  
(Waco Division)



**LIVE**  
AUSTIN, TX  
SEPT. 19–21



**VIRTUAL**  
SEPT. 28–30



**FEATURING  
KEYNOTE SPEAKER**  
ON SEPT. 28

**US Senator Patrick Leahy**  
(D-VT)

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# ANNUAL MEETING PROGRAM COMMITTEE

We look forward to providing an exceptional experience for our members that accommodates the broad array of health and safety comfort levels as well as travel policies and budgets. Registrants will be given the option to participate live or virtually. Can't decide? You won't have to! Both options offer access to the same educational content as well as unique networking opportunities.

The IPO Annual Meeting offers a mix of educational programs featuring leaders in the IP industry, committee meetings, networking opportunities, sponsors, and more. This must-attend event brings together IP professionals from around the world to discuss strategies, trends, and best practices. More than 25 education sessions will be offered on patents, trademarks, copyrights, industrial designs, and operations.

In the session descriptions that begin on [page 7](#), IPO indicates which sessions will be **LIVE + Virtual** as well as **Virtual** only. All sessions will be recorded and available on-demand for attendees to view anytime, anywhere.

## LIVE

(Sept. 19–21, JW Marriott in Austin, TX)

- 3 days of live content (Sept. 19–21 in Austin, TX) + access to the virtual content (Sept. 28–30)
- Keynote Speaker: Hon. Alan Albright, Western District of Texas (Waco Division), will speak on Sept. 20.
- 10 live education sessions + all virtual content
- Networking events
- Access to sponsors
- Ability to connect face-to-face

## +VIRTUAL

(Sept. 28–30)

- 3 days of virtual content
- Keynote Speaker: US Senator Patrick Leahy (D-VT) will speak on Sept. 28.
- 25 Education Sessions + access to the live session recordings
- Networking Events
- Access to sponsors
- Ability to connect attendee-to-attendee

In addition to excellent educational sessions, IPO's annual meeting is also known for its networking opportunities. We have designed the program with this in mind. Attendees will have the ability to reconnect with friends and build new connections through one of our many networking opportunities:

- Themed Breaks and Gatherings
- Networking Receptions
- Virtual Fitness

# STANDING IP COMMITTEES

## Business and Professional Division

Corporate IP Management & Operations  
Diversity & Inclusion  
Next Generation Leaders  
Women in IP Law

## IP Law & Practice Division

Anti-Counterfeiting & Anti-Piracy  
Artificial Intelligence & Other Emerging Technologies  
Asian Practice  
Canadian Practice  
Copyright & Related Rights  
Damages & Injunctions  
European Practice  
Industrial Designs  
International Patent Law & Trade  
International Trademark Law & Practice  
IP Licensing & Related Issues  
Latin American Practice  
Patent Litigation  
Patent Search  
Pharmaceutical & Biotechnology Issues  
Software Related Inventions  
Standard Setting  
Trade Secrets  
US International Trade Commission  
US Patent Law  
US Patent Office Practice  
US Post-Grant Patent Office Practice  
US Trademark Law  
US Trademark Office Practice

### The Cornerstone of the Association

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 or to join a committee, visit [ipo.org/committees](https://ipo.org/committees).

## Committee Business Meetings

Many of IPO's Standing IP Committees will hold Business Meetings on Thursday, September 23, preceding the Virtual Annual Meeting. Refer to [ipo.org/AM2021](https://ipo.org/AM2021) for a list of committees hosting meetings. All registered attendees are welcome to attend these meetings.

## Thursday, September 23

### 8:00am–9:00am CT

- Anti-counterfeiting
- Asian Practice
- International Trademark Law & Practice

### 10:00am–11:00am CT

- Artificial Intelligence & Other Emerging Technologies
- Corporate IP Management & Operations
- Pharmaceutical & Biotechnology Issues
- US Post-Grant Patent Office Practice
- US Trademark Office Practice
- Women in IP Law

### 12:00pm–1:00pm CT

- Diversity & Inclusion
- International Patent Law & Trade
- Next Generation Leaders
- Patent Litigation
- Standards Setting
- Trade Secrets
- US Patent Law

### 2:00pm–3:00pm CT

- Canadian Practice
- Copyright & Related Rights
- Damages & Injunctions
- Industrial Designs
- IP Licensing & Related Issues
- US Patent Office Practice
- US Trademark Law

# LIVE PROGRAM AT-A-GLANCE

Central Time	Sunday, Sept. 19		Monday, Sept. 20		Tuesday, Sept. 21	
7:00am			Continental Breakfast in the IPOasis Sponsored by Leydig, Voit & Mayer Ltd.		Continental Breakfast in the IPOasis	
7:30am						
8:00am					Opening Remarks and International Update	
8:30am			Opening Remarks		Global Rate-Setting for Standards-Essential Patents	
9:00am			Keynote			
9:15am			By Hon. Alan Albright, Western District of Texas (Waco Division)			
9:30am			Discretionary Denials of IPR Petitions by the PTAB		Coffee Break in the IPOasis	
10:00am					Implementing Advanced Analytics to Transform IP Department Operations	
10:15am						
10:30am			Coffee Break in the IPOasis Sponsored by Leydig, Voit & Mayer Ltd			
11:00am			Artificial Intelligence in Healthcare	IPO Board Meeting (working lunch)	Duty of Disclosure and Inequitable Conduct	
11:30am						
12:00pm			Registration Desk Open  Welcome Lounge Stop by to pick up your registration materials, welcome gift, and grab food and drinks.		Lunch in the IPOasis Sponsored by Leydig, Voit & Mayer Ltd	Lunch in the IPOasis
12:30pm						
1:00pm	Case Law Update and Noteworthy Trends in IP Law				Diversity and Innovation in the IP Sphere	
1:30pm						
2:00pm					Coffee Break in the IPOasis	
2:30pm	Coffee Break in the IPOasis Sponsored by Leydig, Voit & Mayer Ltd				Artificial Intelligence Agreements	
3:00pm	Management Tools to Help Improve Operational Efficiency					
3:30pm					Coffee Break in the IPOasis	
4:00pm	Coffee Break in the IPOasis Sponsored by Leydig, Voit & Mayer Ltd				Mental Health Challenges in the Legal Profession	
4:30pm						
5:00pm						
5:30pm						
6:0pm	IPO Board of Directors and Special Guests Dinner By invitation only	Welcome Reception Hosted by Maschoff Brenann 6pm–10pm	Reception Hosted by Dinsmore & Shohl LLP 6pm–8pm			
6:30pm						
7:00pm						
7:30pm						

# VIRTUAL PROGRAM AT-A-GLANCE

Eastern Time	Tuesday, Sept. 28	Wednesday, Sept. 29	Thursday, Sept. 30
8:00am		International Networking: Coffee, tea, and cocktails	
8:30am			
9:00am			
9:30am			
10:00am			
10:30am	Welcome Remarks and Keynote Address by: Senator Patrick Leahy (D-VT)		
11:00am	Concurrent Sessions: Patents: Compulsory Licensing Copyrights: Recent Developments at the Copyright Office	Concurrent Sessions: Patents: Denials of IPR Petitions by the PTAB Trademarks/Copyrights: Anti-Counterfeiting General: D&I in the IP Sphere — Best Practices	Concurrent Sessions: Patents: Patent Term Adjustments General: Storytelling for Leaders Patents: Sufficiency of Disclosure
11:30am			
12:00pm	Networking Coffee Break International Update by Thomas Valente (IPO)	Networking Coffee Break Hosted by IPO's Diversity & Inclusion Resource Groups	Networking Coffee Break Tour the Gibson Showroom in Austin, TX
12:30pm	Concurrent Session: General: Case Law Update   90 mins Management Tools   60 mins	Concurrent Sessions: Patents: AI Agreements Trademarks: TM Modernization Act Industrial Designs: Anti-Counterfeiting	Concurrent Sessions: Patent Ethics: Duty of Disclosure and Inequitable Conduct General: Mental Health in the Legal Profession Industrial Designs: Design and Copyright Protections
1:00pm			
1:30pm		Networking Coffee Break IPO Mentoring Meet-up	Networking Coffee Break
2:00pm	Networking Coffee Break: US Legislative Update by Samantha Aguayo (IPO)	Concurrent Sessions: Patents: Trade Secrets Trademarks: Branding, Social Justice, and DEI Industrial Designs: Design Laws Across Asia	Concurrent Sessions: General: Advanced Analytics in IP Operations Trademarks: Brand Enforcement for Unauthorized Sales of Authentic Products Industrial Designs: Global Changes in Design Law
2:30pm	Concurrent Sessions: Patents: AI in Healthcare Patents: Global Rate Setting for SEPs General: D&I in the IP Sphere — Legislative and USPTO Perspective		
3:00pm			
3:30pm			
4:00pm			
4:30pm			
5:00pm	Reception/Networking Event Sponsored by: Schwegman Lundberg & Woessner P.A.		
5:30pm			
6:00pm			
6:30pm			

# KEYNOTE SPEAKERS

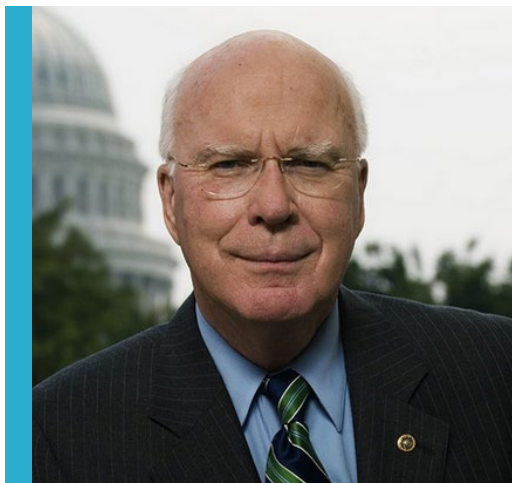


## Keynote Address by Hon. Alan Albright

Western District of Texas (LIVE + VIRTUAL)

- **LIVE:** Monday, September 20, 9:00–9:30am CT
- **VIRTUAL:** Thursday, September 30, 3:00–3:30pm ET

The Honorable Alan Albright is a federal district judge for the Western District of Texas, Waco Division. Judge Albright was nominated by President Trump in 2018. Prior to taking the bench, Judge Albright was a partner in the Austin office of Bracewell, LLP. He practiced IP litigation and handled trials in both federal court and the ITC. Before practicing law in Austin, he earned a BA in Political Science from Trinity University in San Antonio and a JD from The University of Texas at Austin School of Law, where he was a member of the Texas Law Review. Following law school, Judge Albright clerked for the Honorable James R. Nowlin in Austin, Texas. Judge Albright later served as a United States Magistrate Judge from 1992–99.



## Keynote Address by Senator Patrick Leahy

(D-VT) (VIRTUAL)

- **VIRTUAL:** Tuesday, September 28, 10:30am–11:00am ET

US Senator Patrick Leahy (D-VT) was elected to the Senate in 1974. Senator Leahy ranks first in seniority in the Senate and is currently the president pro tempore. He is Chair of the Senate Judiciary Committee's Subcommittee on Intellectual Property, Chair of the Senate Appropriations Committee, and the senior-most member of the Senate Judiciary Committee and of the Senate Agricultural Committee. Leahy has crusaded for the protection of privacy rights, copyright protections and freedom of speech on the Internet. He was a co-founder and remains a co-chair of the Congressional Internet Caucus. He is a graduate of Saint Michael's College in Colchester (1961) and received his JD from Georgetown University Law Center (1964).

# GENERAL SESSIONS

## Case Law Update and Noteworthy Trends in IP Law (LIVE + Virtual)

■ **LIVE:** Monday, September 20, 1:00–2:30pm CT

■ **Virtual:** Tuesday, September 28, 12:30–2:00pm ET

2021 has been an active year for IP cases. The US Supreme Court, the US Court of Appeals for the Federal Circuit, and district courts have authored a number of opinions re-shaping and, in some cases, clarifying patent and trademark law. Speakers will provide key takeaways from these decisions and comment on cases to watch.

### Sponsored by:

CCPIT Patent and Trademark Law Office

### Speakers:

**Paul Berghoff**, McDonnell Boehnen Hulbert & Berghoff, LLP

**Gregory Castanias**, Jones Day

**Wendy Larson**, Pirkey Barber PLLC

## Management Tools to Help Improve Operational Efficiency (LIVE + Virtual)

■ **LIVE:** Monday, September 20, 3:00–4:00pm CT

■ **VIRTUAL:** Tuesday, September 28, 12:30–1:30pm ET

Improving operational efficiency isn't an easy task. But work done more efficiently decreases unnecessary company expenses, boosts revenue and most importantly, saves wasted time making the work more interesting. While many question the applicability of management tools like Six Sigma, Lean and Agile to legal work and can get turned off by the lingo, this session will demystify these tools and provide practical examples how they can provide important organization learnings that lead to practical improvements.

### Speakers:

**Buck de Wolf**, General Electric Co.

**Deborah VandenHoff**, Shell Oil Company



# GENERAL SESSIONS

## Implementing Advanced Analytics to Transform IP Department Operations (LIVE + Virtual)

■ **LIVE:** Tuesday, September 21, 10:00–11:00am CT

■ **VIRTUAL:** Thursday, September 30, 2:00–3:00pm ET

Advanced analytics are transforming the ways that all organizations are managed including within IP law firms and corporate legal departments. However, efforts to leverage these new tools often fail for a variety of reasons. Challenges include internal resistance and the lack of a clear strategy for engaging existing analytics infrastructure which would aid in adoption within the organization (data scientists/people, processes, procedures). A “gold rush” currently exists across most organizations in efforts to harness data, leverage business intelligence tools, and speed translation of these insights into even deeper analytics, including machine learning, AI, and other advanced models. IP organizations who excel in this arena must have the ability to effectively engage analytics infrastructure and new technology while also ensuring internal readiness across their team for adoption of these exciting new tools.

### Organizing Committee:

Corporate IP Management & Operations Committee

### Speakers

**Arvie Anderson**, Eli Lilly and Co.

**Rocky Berndsen**, Harrity & Harrity, LLP

**Elizabeth Lester**, Equifax Inc.

**Joel Meyer**, Digimarc Corporation

**Shayne Phillips**, Anaqua

**Jayne Piana**, Fletcher Yoder

## Storytelling for Leaders (LIVE + Virtual)

■ **LIVE:** Monday, September 20, 4:30pm–5:30pm CT

■ **VIRTUAL:** Thursday, September 30, 11:00am–12:00pm ET

This session will offer tips on how to market yourself, personal branding, and how to convey the story you are trying to tell and advocate for an outcome.

### Organizing Committee:

Next Generation Leaders Committee

### Moderator:

**Rory Pheiffer**, Barnes & Thornburg LLP

### Speakers:

**Karen Cochran**, Shell Oil Company

**David Kappos**, Cravath, Swaine & Moore LLP

**Jessica Landacre**, Intellectual Property Owners Association

# GENERAL SESSIONS

## Diversity and Innovation in the IP Sphere (LIVE + Virtual)

■ **LIVE:** Tuesday, September 21, 1:00–2:00pm CT

■ **VIRTUAL:** Wednesday, September 29, 11:00am–12:00pm ET

The Senate's Subcommittee on Intellectual Property has had a very busy term, issuing requests for information and letters requesting United States Patent and Trademark Office (USPTO) action on (1) diversity in innovation metrics and processes at the USPTO and (2) increasing diversity within the patent bar. Panelists will discuss best practices and share examples from within their organizations.

### Organizing Committee:

US Patent Office Practice and Women in IP Law Committees

### Speakers:

**Johanna Corbin**, AbbVie

**John Cheek**, Tenneco Inc.

**Linda Thayer**, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

## Mental Health Challenges in the Legal Profession (LIVE + Virtual)

■ **LIVE:** Tuesday, September 21, 4:00–5:00pm CT

■ **VIRTUAL:** Thursday, September 30, 12:30–1:30pm ET

The legal profession is a high-pressure industry with long hours and tight deadlines. It is no wonder that lawyer well-being is an ever-present issue. That makes it vital that lawyers, companies, and law firms recognize the issue, provide education and training, and offer access to resources. This session will provide an overview of mental health issues that lawyers may be facing and how to identify signs that you or someone you know may be struggling. The panel will also provide resources and recommendations for ways to combat the many mental health challenges lawyers face today.

### Moderator:

**Daniel Staudt**, Siemens Corp.

### Speakers:

**Scott Field**, Butler Snow LLP

**Jered Matthyse**, Pirkey Barber

## Gender Impact of USPTO Registration Requirements: Updates from the Legislative Branch + USPTO (Virtual Only)

■ **VIRTUAL:** Tuesday, September 28, 2:30–3:30pm ET

The Senate's Subcommittee on Intellectual Property has had a very busy term, issuing requests for information and letters requesting the US Patent and Trademark Office (USPTO) take action on (1) diversity in innovation metrics and processes at the USPTO and (2) increasing diversity within the patent bar. This session will summarize the key IP-related diversity topics that Congress and USPTO have advanced in the previous two years.

### Organizing Committee:

US Patent Office Practice and Women in IP Law Committees

### Moderator:

**Erika Arner**, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

### Speakers:

**Jeff Hantson**, Office of Senator Mazie Hirono

**Jennifer Harchick**, U.S. Patent and Trademark Office

**Rob McManus**, U.S. Patent and Trademark Office Detailee, Office of Senator Chris Coons (invited)

# PATENT SESSIONS

## Discretionary Denials of IPR Petitions by the PTAB: Recent Developments, Trends, and Effective Strategies (LIVE + Virtual)

■ **LIVE:** Monday, September 20, 9:30–10:30am CT

■ **VIRTUAL:** Wednesday, September 29, 11:00am–12:00pm ET

This session will explore what have proven thus far to be effective strategies by patent owners and petitioners, including the choice of forum for the district court action by patent owners, and successful strategies that have been used by petitioners to avoid discretionary denials. Many stakeholders have criticized discretionary denials under the NHK/Fintiv criteria as too dependent on the district court in which the parallel case was filed. A substantial majority of IPR petitions in which the PTAB has denied institution based on those criteria have been related to cases pending in the Eastern District or Western District of Texas, where judges have set aggressive case management schedules with early trial dates. In comparison, very few PTAB discretionary denials relate to cases filed in the District of Delaware or the District of New Jersey. This panel will explore the substantive arguments made by the parties in the *Apple v. Iancu* case, as well as any decision and/or the issues on appeal of any such decision. The panel will also debate whether the NHK/Fintiv criteria are fair and equitable and whether they meet the goals of the AIA to have efficient and predictable determinations of whether patents are invalid. The panel will also discuss alternative criteria that might be considered by the USPTO.

### Organizing Committee:

Patent Litigation and US Post-Grant Patent Office Practice Committees

### Speakers:

**Ronald Cahill**, Barnes & Thornburg LLP

**Erin Dunston**, Panitch Schwarze Belisario & Nadel LLP

**Henry Hadad**, Bristol-Myers Squibb Company

**David Holman**, Sterne, Kessler, Goldstein & Fox, PLLC

**James Smith**, Ecolab Inc.

## Global Rate-Setting for Standards-Essential Patents (LIVE + Virtual)

■ **LIVE:** Tuesday, September 21, 8:30am–9:30am CT

■ **VIRTUAL:** Tuesday, September 28, 2:30–3:30pm ET

This session will address global rate-setting for standards-essential patents (SEPs) and the use of anti-suit injunctions. Speakers will discuss the role of national courts in setting global FRAND rates for SEP portfolios and in adjudicating damages for patent infringement where the asserted patents are part of a portfolio whose FRAND value is under consideration by another national court. They will also address the related use of anti-suit and anti-interference injunctions to preclude parties from invoking the jurisdiction of other courts to address overlapping subject matter.

### Organizing Committee:

Damages & Injunctions, International Patent Law & Trade, and Standards Setting Committees

### Moderator:

**Prof. Tilman Müller-Stoy**, Bardehle Pagenberg Partnerschaft MbB

### Speakers:

**Steve Akerley**, InterDigital Holdings, Inc.

**Brett Bachtell**, Qualcomm Incorporated

**Ying Luo**, Shanghai Lung Tin Law Firm

**Tim Syrett**, WilmerHale

# PATENT SESSIONS

## Artificial Intelligence in Healthcare: IP Risks and Rewards (LIVE + Virtual)

**LIVE:** Monday, September 20, 11:00am–12:00pm CT

**VIRTUAL:** Tuesday, September 28, 2:30–3:30pm ET

Software has become increasingly intertwined with medical devices serving to monitor, control, evaluate, extrapolate, etc. In some instances, software now forms a medical device itself (Software as a Medical Device or SaMD) to not only guide a clinician in diagnosis and/or treatment but to form its own diagnosis and/or issue its own treatment. Last year, the FDA officially codified a regulatory framework for software to be certified as a medical device. Several artificial intelligence/machine learning (AI/ML)-based technologies have since been approved by the FDA as regulated medical devices. Many more applications are under review. This session will explore strategies for protection of AI/ML-based SaMD according to US patent practice, as well as potential conflicts between FDA and USPTO requirements. Attendees will also learn about data protection and other legal risks that arise out of deploying predictive AI models in SaMD products, as well as techniques for safeguarding against AI privacy attacks and sensitive information leakage in AI deployments.

### Organizing Committees:

AI & Other Emerging Technologies and Software Related Inventions Committees

### Speakers:

**Andrej Barbic**, Bristol-Myers Squibb Company  
**Christopher George**, Hanley, Flight & Zimmerman, LLC  
**Christina Huang**, Faegre Drinker Biddle & Reath LLP  
**Christopher Karlen**, Medtronic

## Data Issues and Best Practices Related to Artificial Intelligence Agreements (LIVE + Virtual)

**LIVE:** Tuesday, September 21, 2:30–3:30pm CT

**VIRTUAL:** Wednesday, September 29, 12:30–1:30pm ET

The digital transformation, which has been accelerated due to the global pandemic, is largely fueled by increasingly rich data being generated by software and advanced sensors. Artificial intelligence, including machine learning and analytics, are crucial in making large data sets valuable and actionable. However, success of these techniques results in high-quality, descriptive data that often requires thoughtful curation to avoid falling into a “garbage in, garbage out” solution. Companies are increasingly recognizing the value of their data and, as such, careful considerations need to be taken when entering into partnering agreements. For example, ownership of training data, validation data, model improvements and the like need to be specifically defined and negotiated and this panel will discuss best practices regarding same.

### Organizing Committees:

AI & Other Emerging Technologies and IP Licensing & Related Issues Committees

### Speakers:

**Andrea Lynn Evensen**, Siemens Corp.  
**Kukkonen**, Jones Day  
**Hugh Pasika**, Thermo Fisher Scientific Inc.  
**Nicole Spencer**, IBM Corp.

# PATENT SESSIONS

## Compulsory Licensing and Related Issues: A Global Perspective (Virtual Only)

**VIRTUAL:** Tuesday, September 28, 11:00am–12:00pm ET

The session will explore proposed and existing compulsory licensing measures as well as compulsory licensing applications around the world with focus on North America, Europe, Latin America and Asia. Speakers will also address inter alia, IPO's compulsory licensing board resolution, compulsory licensing as a global issue in the context of the proposed TRIPS waiver. Discussions will include whether compulsory licensing thwarts or promotes innovation. Speakers will cover to what extent is compulsory licensing being used within certain countries to counteract a purported imbalance of essential patents within an industry, as a routine matter of public or industrial policy, and as a tool to facilitate access to innovative products and/or as a price negotiation tool.

### Organizing Committees:

Asian Practice, European Practice, International Patent Law and Trade, and Latin American Practice Committees

### Moderator:

**Sharon Reiche**, Pfizer Inc.

### Speakers:

**Ashwani Balayan**, ALG India Law Offices LLP

**Beverley Moore**, Borden Ladner Gervais, LLP

**Ricardo Nunes**, Daniel Law

**Bettina Wanner**, Bayer Intellectual Property GmbH

## Where to Sue When Your Trade Secret Is Misappropriated Outside the US (Virtual Only)

**VIRTUAL:** Wednesday, September 29, 2:00–3:00pm ET

Our economy is undeniably globalized. In many situations, US companies must expose their trade secrets to partners or others outside the US who could misuse the trade secrets. In some cases, actors outside the US reach directly or indirectly into the US and misappropriate trade secrets. If your trade secret is misappropriated, one of your most important decisions is choosing where to sue. This panel will discuss considerations relevant to choosing where to bring a suit if some or all of the conduct occurred outside the US. Speakers will contrast and compare these options: (1) a court outside the US, with particular focus on China; (2) the US International Trade Commission (ITC); (3) a US District Court or US state court; and (4) some combination of the above. The panel will also discuss the advantages and drawbacks of bringing a trade secret case in the ITC, which has been increasing the number of trade secrets investigations that it conducts.

### Organizing Committees:

Asian Practice, Trade Secrets, and US International Trade Commission Committees

### Moderator:

**Kenneth Corsello**, IBM Corp.

### Speakers:

**Randall Kay**, Jones Day

**Ying Luo**, Shanghai Lung Tin Law Firm

**Daniel Valencia**, Covington & Burling LLP

# PATENT SESSIONS

## To 20 And Beyond! Patent Term Adjustments, Patent Term Extensions and SPCs: A US, European, Canadian, Brazilian and Japanese Perspective (Virtual Only)

■ **VIRTUAL:** Thursday, September 30, 11:00am–12:00pm ET

The response to the COVID-19 pandemic has once again drawn the IP world's attention to legal provisions which extend patent term beyond the normal 20 years from filing, to compensate the patentee both for regulatory delays and for prosecution delays before the Patent Offices. For innovative pharmaceutical products, every additional day of patent term provides critical protection against early generic entry, but these provisions are under attack in many countries as pharmaceutical IP comes under scrutiny like never before. Topics include patent term extensions and SPCs for pharmaceutical and plant protection products, compensating for regulatory delays; and patent term adjustments and minimum term from grant, compensating for Patent Office prosecution delays.

### Organizing Committees:

Pharmaceutical & Biotechnology Issues Committee

### Moderator:

**Kathryn Wade**, Kilpatrick Townsend & Stockton LLP

### Speakers:

**Garreth Duncan**, D Young & Co LLP

**Mami Hino**, Abe, Ikubo & Katayama

**Beverley Moore**, Borden Ladner Gervais, LLP

**Roberto Rodrigues**, Licks Attorneys

## Sufficient or Not? Sufficiency of Disclosure for Patent Applications Involving AI-Related Inventions (Virtual Only)

■ **VIRTUAL:** Thursday, September 30, 11:00am–12:00pm ET

Artificial Intelligence has now found application in virtually every field of technology. Distinct from patent applications focusing on the core technology of AI itself, many patent applications now describe and claim AI-enabled systems that focus on using off-the-shelf AI tools applied to new datasets for new purposes. This raises questions about how to adequately meet the enablement and written description requirements. The operation and functionality of an AI system depend largely on the data with which it was trained. A deep neural network, for example, may have billions of parameters and as such cannot be precisely described in written form. Even the inventor/applicant may not be able to reproduce a trained AI system model exactly. Is it sufficient to describe the type of AI system used, and the type of data used to train the system? Does it matter if the training data was public or proprietary? What information does a skilled person need, or not need, to make and use an AI-related invention without undue experimentation? These and other related questions will be addressed in this session.

### Organizing Committee:

AI & Other Emerging Technologies Committee

### Moderator

**Jonathan Osha**, Osha Bergman Watanabe & Burton LLP

### Speakers:

**Brandon Bludau**, Capital One

**Alex Bridge**, Hewlett Packard Enterprise

**Ryan Phelan**, Marshall, Gerstein & Borun LLP

**Laura Zager**, Thermo Fisher Scientific

# PATENT SESSIONS

## Duty of Disclosure & Inequitable Conduct (LIVE + Virtual)

■ **LIVE:** Tuesday, September 21, 11:00am–12:00pm CT

■ **VIRTUAL:** Thursday, September 30, 12:30–1:30pm ET

Post-Therasense, patent law is left with a number of conflicting and, in some cases, impractical standards for Duty of Candor (including Duty of Disclosure) that can be confusing for both the patent owner and practitioner to navigate. With regard to the duty of disclosure, there is some question as to whether it brings enough benefit to the Examiner's search to warrant the high operational costs of compliance, especially taking into account the experiences of other jurisdictions that lack this requirement. This session will detail some possible rule-making and legislative approaches to addressing these issues.

### Organizing Committee:

US Patent Law Committee

### Speakers:

**Gordon Arnold**, Arnold & Saunders

**Courtenay Brinckerhoff**, Foley & Lardner

**Ron Derrington**, Bracewell

**Judy He**, Haynes and Boone, LLP

# TRADEMARK/COPYRIGHT SESSIONS

## Recent Developments at the U.S. Copyright Office: Establishing a Copyright Small Claims Tribunal (Virtual Only)

■ **VIRTUAL:** Tuesday, September 28, 11:00am–12:00pm ET

With the inclusion of the Copyright Alternative in Small-Claims Enforcement (CASE) Act as part of the Omnibus COVID-19 Relief Bill, Congress has authorized the creation of a small claims tribunal within the US Copyright Office that will adjudicate small claims infringement cases. Cases will be decided by a three-judge panel of experts in a forum where damages are capped at \$15,000 per claim and \$30,000 total. Providing an avenue for copyright infringement disputes to be heard outside of expensive federal copyright litigation creates an affordable process for independent and small creators to cost effectively enforce their rights. The Copyright Office is responsible for setting up the new tribunal and is in the process of developing the CCB (Copyright Claims Board) and has indicated that they expect the CCB to start hearing claims by Dec. 27, 2021.

### Organizing Committee:

Copyright & Related Rights Committee

### Speakers:

**Lesley Boveri**, SAP

**Prof. Stacey Lantagne**, The University of Mississippi School of Law

**Jenevieve Maerker**, Foley Hoag LLP

**Brad Newberg**, U.S. Copyright Office

## Building an Effective Anti-Counterfeiting Toolbox (Virtual Only)

■ **VIRTUAL:** Wednesday, September 29, 11:00am–12:00pm ET

This session will identify essential anti-counterfeiting tools available to help brand owners, outside counsel, and others build an effective anti-counterfeiting program. Panelists from Australia, Brazil, China, the UAE, and the US will help identify key anti-counterfeiting tools and strategies in these countries.

### Organizing Committee:

Anti-Counterfeiting and Anti-Piracy Committee

### Sponsored by:

DAC Management LLC

### Speakers:

**Sara Holder**, Rouse & Co. International (Holdings) LLP

**Robert Daniel-Shores**, Daniel Law

**Michael Rose**, National Intellectual Property Rights Coordination Center

**Sanjiv Sarwate**, Dell Technologies

**Joe Simone**, SIPS Limited

**Michael Sweeney**, Incopro



# TRADEMARK/COPYRIGHT SESSIONS

## The Trademark Modernization Act Goes Live (Virtual Only)

■ **VIRTUAL:** Wednesday, September 29, 12:30–1:30pm ET

The Trademark Modernization Act (TMA) was signed into law at the end of 2020, with December 2021 statutory deadlines for the USPTO to implement two new ex parte post-registration proceedings. This session will provide an overview of the TMA and speakers will discuss the USPTO's vision for the new expungement (removal) and reexamination proceedings and potential issues raised by commenters. In addition, speakers will also discuss USPTO's experience with the updated Letter of Protest procedure and plans for flexible response periods for office actions and recommend how trademark owners can prepare for these new TMA-related changes.

### Organizing Committee:

US Trademark Office Practice Committee

### Moderator:

**Jenny Greisman**, IBM Corp.

### Speakers:

**Amy Cotton**, US Patent & Trademark Office

**Kimberly Maynard**, Frankfurt Kurnit Klein & Selz P.C.

**Gretchen Stroud**, Gilead Sciences, Inc.

## The Intersection Between Branding, Social Justice & DEI (Virtual Only)

■ **VIRTUAL:** Wednesday, September 29, 2:00–3:00pm ET

This session will address the intersection of brands/branding and needed focus on equity, diversity, and inclusion. Speakers will look at what companies are doing post George Floyd and the protests across the US and globally with respect to DEI initiatives. For example, what are companies doing from an external branding, mark and advertising perspective to address DEI concerns. Have companies created new ads addressing DEI? Have they created new marks? What are companies and law firms doing internally to address DEI and how are they implementing their programs and messaging on DEI issues? The session will also focus on the role social media plays in the branding and message strategy in DEI. How do companies react quickly in a social media age?

### Organizing Committees:

Diversity & Inclusion and US Trademark Law Committees

### Speakers:

**Monique Bhargava**, Loeb & Loeb LLP

**Jake Feldman**, Johnson & Johnson

**Christopher Ott**, Capital One

**Claudia Stangle**, Leydig, Voit & Mayer, Ltd.

# TRADEMARK/COPYRIGHT SESSIONS

## Challenges and Strategies for Brand Enforcement Under the Lanham Act for Unauthorized Sales of Authentic Products (Virtual Only)

■ **VIRTUAL:** Thursday, September 30, 2:00–3:00pm ET

Companies are facing an onslaught of their products being sold by third parties on e-commerce sites, many of which are outdated, damaged, or missing parts. They are being sold at prices lower than authorized dealers can sell the products, which is causing damage to the brand and to the relationships between manufacturers and their authorized sellers. This session will explore the problem, how companies can address the problem through management of their supply chain and distribution channels, what companies can do to protect their brand through enforcement, and the current state of the law in this area.

### Organizing Committee:

US Trademark Law Committee

### Moderator:

**Anne Naffziger**, Leydig, Voit & Mayer, Ltd.

### Speakers:

**Sandra Wunderlich**, Tucker Ellis

Additional speakers to be announced

# INDUSTRIAL DESIGN SESSIONS

## Anti-Counterfeiting: Enforcing Design Patents at the Border (Virtual Only)

■ **VIRTUAL:** Wednesday, September 29, 12:30–1:30pm ET

In many countries, customs and border officials stop imports (and in some cases exports) of products that infringe industrial design rights. This can thwart knockoffs before they have a chance to confuse consumers, damage a brand, and pose safety concerns. Learn how Europe and other jurisdictions effectively police their borders for knockoffs using design rights, and get perspectives on measures being considered by the US Congress to do the same.

### Organizing Committee:

Industrial Designs Committee

### Speakers:

**Nick Aries**, Bird & Bird LLP

**Tracy Durkin**, Sterne, Kessler, Goldstein & Fox, PLLC

**Robert Potter**, Kilpatrick Townsend

**Ryan Taylor**, Trove Brands

## Update on Design Law Across Asia: What You Need to Know (Virtual Only)

■ **VIRTUAL:** Wednesday, September 29, 2:00–3:00pm ET

In the past few years, many countries in Asia have incrementally (and in some cases dramatically) updated and modernized their laws related to design rights protection. China has recently amended its laws to include protection for partial design, to make changes to its post-grant Patent Evaluation Report system, and extended patent term. Korea has expanded the Locarno classes that may be subject to only partial-substantive examination, adopted the WIPO Digital Access Service for exchange of certified copies of priority applications, and made treble damages available for willful infringement of designs. Finally, Japan has made multiple revisions to its design laws, including expanding protectible subject matter, extending terms of protection, and allowing multiple designs in a single application. Understanding these changes (and more) is crucial to developing an effective design protection strategy in these countries. This session will begin with an update from each country from local practitioners. Panelists will then compare the design law systems considering common hypothetical situations.

### Organizing Committees:

Asian Practice and Industrial Designs Committees

### Speakers:

**Keisaku Ishihara**, Nagoya International Patent Firm

**Young Kim**, Kim & Chang

**Ude Lu**, Purplevine IP Group

# INDUSTRIAL DESIGN SESSIONS

## Design and Copyright: Which Protects What? (Virtual Only)

**VIRTUAL:** Thursday, September 30, 12:30–1:30pm ET

Design rights can protect designs for physical and nonphysical articles. So can copyright. But what are the boundaries and differences in each type of protection? Which should you use when? When should you use both? Speakers will evaluate designs for sample physical and nonphysical articles and talk through their approaches to protecting the designs, including advantages and disadvantages between design and copyright protection in different enforcement scenarios.

### Organizing Committees:

Industrial Designs Committee

### Speakers:

**Ivy Estoesta**, Sterne, Kessler, Goldstein & Fox, PLLC

**George Raynal**, Saidman Design Law Group

**Hillary Schroeder**, JUUL Labs, Inc.

## Changing with the Times: How Design Laws are Changing Globally and What is Causing the Shift (Virtual Only)

**VIRTUAL:** Thursday, September 30, 2:00–3:00pm ET

Laws protecting designs have long been less-aligned globally than those protecting utility inventions. Recently, many countries have been paying attention to their design laws by seeking out public input and implementing changes. China is finally allowing partial designs to be claimed. Japan implemented provisions for improved protection of graphical user interface designs. Australia is considering adopting a general grace period. Several countries are looking at adapting design protection for new technologies, such as virtual reality and augmented reality. In this session, speakers will look at major design law changes and explore trends that underlie these changes and fit them into the overall context of global design protection today. They will also compare design examination practices and outcomes in major jurisdictions and what an applicant can do to optimize their application for success in all regions.

### Organizing Committees:

Industrial Designs Committee

### Moderator:

**Elizabeth Ferrill**, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

### Speakers:

**Jessie Herrera**, Patterson & Sheridan, LLP

**Courtney Stopp**, US Patent & Trademark Office

**Kyle Yarberry**, Christensen O'Connor Johnson Kindness PLLC

# SPONSORS

Monday's IPOasis & Meeting Platform

**Leydig**

IPOasis Islands



Social Event



Meeting Platform



General



WiFi



Virtual Fitness Challenge



Session



Charging Devices



Lanyard



Hotel Keycard



CLE



Pens & Badge Center



Signage

Media Partners



# NETWORKING

Networking events are an important part of what makes the IPO Annual Meeting so special. By participating in the following networking events, you will create new connections and build relationships that last.

## LIVE (Sept. 19–21)

### Welcome Lounge

**Sunday, September 19**  
**12:00pm–6:00pm CT**

After you stop by the registration desk to pick up your badge and welcome gift, stop by the welcome lounge. The welcome lounge will be open during registration hours for attendees to greet one another, relax, and grab food and drinks.

### IPOasis

**Monday–Tuesday, September 20–21**  
**7:30am–4:30pm CT**

**Monday Sponsored By Leydig, Voit & Mayer, Ltd.**

The IPOasis is a networking lounge that will be open throughout the meeting. Continental breakfasts, coffee breaks, and lunches will be served in the IPOasis. In addition, service providers will have “islands” for attendees who’d like to find solutions and products to help with their IP department needs.

### Receptions

**Monday–Tuesday, September 20–21**  
**Evenings**

Sponsors will be hosting networking receptions on Sunday and Monday evenings for all registered annual meeting attendees. These events are not hosted by IPO, but IPO will be providing information to attendees. More information will be e-mailed to attendees!

## Virtual (Sept. 28–30)

### Coffee Breaks

**Tuesday–Thursday, September 28–30**

IPO will be hosting 30-minute networking coffee breaks throughout the Virtual Annual Meeting. All breaks will provide real-time, face-to-face interaction with other attendees. Each break will have a topic or theme — join one or join them all! We look forward to talking with you.

### Reception

**Tuesday, September 28**

**5:00pm–6:30pm ET**

**Sponsored by Schwegman, Lundberg & Woessner, P.A.**

IPO will host a real-time virtual Texas BBQ class followed by networking. A Texas Pitmaster will go through the art of smoking and grilling as guests learn the types of pits, review what tools are needed, see the pitmaster give a trimming and rub demonstration, and learn about the different smoke profiles of wood, and more.

## LIVE + Virtual (Sept. 19–30)

### Fitness Challenge

**Sunday, September 19–Thursday, September 30**

**Sponsored by Banner Witcoff**

Who will have the most steps during IPO’s Annual Meeting? The step challenge will begin on September 19 and run through September 30. All attendees can participate, and compete against each other, whether you attend the LIVE or Virtual meeting. Participants can track their steps throughout the meeting and the top participants will be listed on the leaderboard in the meeting platform. The Fitness App will also allow you to convert any exercise into steps (biking, swimming, etc.). Winners will be announced on October 1.

# REGISTRATION AND HOTEL INFORMATION

## Registration Fees

In US Dollars Per Person

### LIVE

**IPO Member**

**\$750 by Aug. 31/\$850 after Aug. 31**

**Non-Member**

**\$1,500 by Aug. 31/\$1,700 after Aug. 31**

**Government/Academic/Emeritus**

**\$375 by Aug. 31/\$475 after Aug. 31**

### Virtual

**IPO Member**

**\$300 by Aug. 31/\$400 after Aug. 31**

**Non-Member**

**\$600 by Aug. 31/\$800 after Aug. 31**

**Government/Academic/Emeritus**

**\$150 by Aug. 31/\$250 after Aug. 31**

## IPO Member Group Discount

**IPO Member Group Rate**

**\$1,500**

Rate includes unlimited virtual passes for all employees of the member organization, and up to (2) in-person passes. Additional fees will apply for each additional in-person pass beyond two.

To receive the group rate, organizations must submit a group form (forms can be found at [www.ipo.org/AM2021](http://www.ipo.org/AM2021)). Questions can be sent to [meetings@ipo.org](mailto:meetings@ipo.org).

## Hotel Information

**JW Marriott Austin**

**110 E. 2nd Street | Austin, Texas 78701**

[Online Reservation Link](#)

Reservation Phone: +1-844-473-3959

IPO has reserved a block of rooms at the JW Marriott, the location for the LIVE portion of IPO's Annual Meeting (September 19–21). In order to receive the IPO group rate of **\$289/night + taxes** for a single/double room, reservations must be made directly with the hotel by Friday, August 27, 2021, or until the room block is sold out, whichever comes first. Reference the "IPO Annual Meeting" when making your reservation. Rooms must be canceled 72 hours prior to arrival to avoid hotel cancellation fees.

Room rates are available three days before and after IPO's Annual Meeting, pending room availability. Additional persons are \$10 each per night. State & local taxes are 17.614% (as of 5/27/21), and are effective upon check-out.



# MEETING POLICIES

## Attendee List Policy

Registration constitutes agreement by registrant for IPO to list registrant name, organization, and location on the attendee list. The attendee list is available to registrants on the first day of the meeting via the meeting platform.

## Meeting Photo Waiver and Release Policy

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 or attendee's image or voice in photographs and audio/filming of such events and activities. These photos, audio, or film are for IPO use only and may appear on the IPO website, newsletter, conference brochures, social media outlets, or other future IPO promotional material. This also includes photos uploaded by attendees using the IPO meeting platform or use of the public chat and forum platforms. For concerns about your image or likeness being used in this manner, please contact [meetings@ipo.org](mailto:meetings@ipo.org).

## COVID-19 Health and Safety Acknowledgment

The safety and health of our members, officers, attendees, sponsors, vendors, and staff is of the highest priority, and we are actively monitoring the guidelines and recommendations from government agencies as well as the JW Marriott and the State of Texas to ensure the safety of everyone involved. We will provide updates surrounding the IPO 2021 Annual Meeting as they become available.

Prior to purchasing a ticket to travel for and attending the IPO 2021 Annual Meeting, please ensure you have read the latest CDC guidance for prevention as well as any travel advisories or restrictions that may impact your plans.

### [CDC Guidance](#)

### [US Department of State Travel Advisories and Restrictions](#)

Please be advised that travel and attendance at in-person events involve the risk of contracting communicable diseases. By registering for the IPO 2021 Annual Meeting, you agree to comply with all safety protocols announced by IPO and the JW Marriott.

### [Vaccination and Face Coverings](#)

IPO does not require attendees to be vaccinated or provide proof of vaccination in order to attend the IPO 2021 Annual Meeting. IPO strongly recommends that all attendees, regardless of vaccination status, wear face coverings and maintain social distancing while in the meeting space. IPO staff will provide masks for those that forgot to bring one.

Accordingly, you agree that you will not attend the IPO 2021 Annual Meeting if within fourteen days preceding the conference, you have:

- Tested positive or presumptively positive for COVID or other communicable disease or been identified as a potential carrier of COVID or other communicable diseases; or
- Experienced any symptoms commonly associated with COVID or other communicable diseases; or
- Traveled to a country that is subject to a US State Department Level 4 "Do Not Travel" health advisory; or



# MEETING POLICIES

- Been in direct contact with or the immediate vicinity of any person who is either confirmed or suspected of being infected with COVID or other communicable disease or who has traveled to a Prohibited Country within the last fourteen days preceding the encounter.

**Please Note:** The guidelines in this document are based on information currently available regarding the behavior and characteristics of the COVID-19 virus, public health information, and local or state guidelines with respect to large gatherings in any particular community. As more clarity with respect to these variables emerge, it is expected that these guidelines may need to be adjusted accordingly.

Be sure to take note of the IPO 2021 Annual Meeting Know Before You Go email prior to traveling — this will contain the latest updates and information as to what is expected on-site. The email will be sent to registered attendees approximately two weeks prior to the meeting.

## Cancellation Policies

### In-Person Attendees

In-person attendees who cancel by 5:00 pm ET on Tuesday, August 31 will receive a partial refund of \$450.00 and will still have access to the IPO Virtual Annual Meeting. Attendees are responsible for making their own hotel and travel arrangements and cancellations. All presentations and materials will be available until October 30, 2021 on the IPO Annual Meeting Virtual Platform for those no longer able to attend in person. IPO is not responsible for any travel or lodging expenses incurred

due to the cancellation of the conference. If for any reason you must cancel your conference registration, please remember to cancel your housing arrangements separately. IPO is not responsible for hotel no-show fees or any travel or lodging expenses you might incur.

### Virtual-Only Attendees

Once registration has been processed, no refunds will be given for virtual attendee cancellations. All presentations and materials from the LIVE and Virtual meetings will be available on the IPO Annual Meeting Virtual Platform until October 30, 2021.

Refunds will not be given for no-shows. Please note that fees are not transferable to another IPO meeting. Sharing materials or user's access to the IPO Annual Meeting Platform 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.

## Registration and Badge Ethics

Only persons registered for this conference (LIVE or Virtual) are admitted access to the sessions, materials, and virtual platform. Sharing of badges and/or materials is prohibited.

# REGISTRATION FORM

Name \_\_\_\_\_ Title (i.e., Partner, VP) \_\_\_\_\_

Organization \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Country \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

List each state(s) you're requesting CLE credit for: \_\_\_\_\_

List bar number(s) for each state: \_\_\_\_\_

## Fees

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

### 1. Annual Meeting Registrant

#### APPLICABLE RATE:

		<i>Per person</i>
IPO Member (by Aug. 31, 2021)	LIVE \$750   Virtual \$300	\$ _____
IPO Member (after Aug. 31, 2021)	LIVE \$850   Virtual \$400	\$ _____
Non-Member (by Aug. 31, 2021)	LIVE \$1,600   Virtual \$700	\$ _____
Non-Member (after Aug. 31, 2021)	LIVE \$1,700   Virtual \$800	\$ _____
Gov/Academic/Emeritus (by Aug. 31, 2021)	LIVE \$375   Virtual \$150	\$ _____
Gov/Academic/Emeritus (after Aug. 31, 2021)	LIVE \$475   Virtual \$250	\$ _____
IPO Member Group Rate	\$1,500	\$ _____

### 2. I have read and agree to IPO's Meeting Policies.

TOTAL AMOUNT DUE: \$ \_\_\_\_\_

## Method of Payment

Wire (contact [meetings@ipo.org](mailto:meetings@ipo.org) for wire information)

Credit Card (Registrations sent by fax or email MUST include credit card account information)

American Express

MasterCard

Visa

Discover

Card # \_\_\_\_\_ Exp. Date \_\_\_\_\_ Security Code \_\_\_\_\_

Cardholder Name (print) \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_

Return form to [meetings@ipo.org](mailto:meetings@ipo.org)

Payment must be received with a completed registration form. Forms received with payment will be processed within 1 business day. Once payment is processed, a confirmation email will be sent to the email provided above. Refer to the [IPO Annual Meeting website](#) for meeting and cancellation policies. By submitting this form, you agree that you have read IPO's meeting and cancellation policies as noted on our website.

Questions? Visit [ipo.org](http://ipo.org) or call +1 202-507-4500