

2022 ANNUAL MEETING

SEPTEMBER 18-20, 2022 JW MARRIOTT L.A. LIVE LOS ANGELES, CA





FEATURING A FIRESIDE CHAT WITH

Kathi Vidal
Director, US Patent
and Trademark Office

This must-attend event brings together IP professionals from corporations, law firms, government, academia, and service providers from around the world to discuss strategies, trends, and best practices. The annual meeting offers a mix of educational programs, committee meetings, networking opportunities, and exhibits.

www.ipo.org/AM2022



Program at a Glance

PO Fun Run/Walk Breakfast & IP Expo Chief IP Conneal Processing	Time (PT)	Sunday, Sept. 18		Monday, Sept. 19	Tuesday, Sept. 20		
Breakfast & IP Expo	6:30 a.m.			IDO E . D . AMAII			
Breakfast & IP Expo Concurrent Sessions PTABPatent Litigation PTABPATENT LITIGATENT LITIGATENT	7:00 a.m.			IPO Fun Run/Walk	Dunal fact 0 ID France		
8:30 a.m. IPO Awards and Fireside Chat with Director Kathi Vidal, USPTO Deverying in Innovation Landscape Deverying Landscape Deve	7:30 a.m.			5	вгеактаѕт & IP Ехро		
8:30 a.m. IPO Awards and Fireside Chat with Director Kashi Vidal, USPTO Break & IP Expo General Session KPIs for Effective Corporate IP Management and Operations Break & IP Expo Concurrent Sessions - Data Logislation -	8:00 a.m.			Breakfast & IP Expo	– PTAB/Patent Litigation – Diversity in Innovation Landscape – Cannabis Brands		
Break & IP Expo	8:30 a.m.						
9-90 a.m. 10:00 a.m. 10:15 a.m. 10:30 a.m. 10:30 a.m. 11:30 a.m. 1	9:00 a.m.			with Director Kathi Vidal, USPTO			
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10:05 a.m. 10:	9:30 a.m.			KPIs for Effective Corporate IP	Data LegislationBrand Censored		
Break & IP Expo Break & IP Expo Board Members and Alternates Only	10:00 a.m.						
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Concurrent Sessions	10:30 a.m.	IPO Board of D	irectors Meeting	втеак & IP Ехро	Break & IP Expo		
11:30 a.m. 12:00 p.m. 12:30 p.m. 10:00 p.m.	11:00 a.m.						
12:30 p.m. 1:00 p.m. Networking Social Event Hosted by the Women in IP Law and Diversity & Inclusion Committees 2:00 p.m. 2:30 p.m. Committee Business Meetings 2:45 p.m. 3:00 p.m. Committee Business Meetings Concurrent Sessions - Related Inventions - Al-Related Inventions - Employee Non-Compete Agreements - TMI on the TMA Break & IP Expo Concurrent Sessions - Written Description - Copyright Best Practices - Design Patent Battleground in the U.S. Break & IP Expo Concurrent Sessions - Written Description - Copyright Best Practices - Design Patent Battleground in the U.S. Break & IP Expo Concurrent Sessions - Written Description - Copyright Best Practices - Design Patent Battleground in the U.S. Break & IP Expo Ethics Session Ethics Session Ethics Session Figure Reception at the Petersen Automotive Museum (buses depart at 6:30 p.m.) Dinner Reception at the Petersen Automotive Museum (buses depart at 6:30 p.m.)	11:30 a.m.			 The Impact of Patent Office Changes to AIA 			
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	9:00 p.m.						
10:00 p.m.	9:30 p.m.						
	10:00 p.m.						

2022 ANNUAL MEETING







Sunday, September 18

<u>TIME</u>	<u>FUNCTION</u>		
10:00AM 12:30PM	IPO Board of Directors Meeting IPO Board Members and Alternates Only		
1:00PM 2:00PM	Networking Social Event hosted by the Women in IP Law and Diversity & Inclusion Committees Co-sponsored by Finnegan, Henderson, Farabow, Garrett & Dunner, LLP; PCK IP; and Questel		
2:00PM 3:00PM	Committee Business Meetings Asian Practice (note: this committee meeting is scheduled from 2-4pm) Canadian Practice Corporate IP Management & Operations Diversity & Inclusion International Patent Law & Trade Guest Speaker: Matt Bryan, Director, PCT Legal and User Relations Division, WIPO Latin American Practice Patent Litigation & Remedies Pharmaceutical & Biotechnologies Issues Trade Secrets US Patent Law Women in IP Law		
3:15PM 4:15PM	Committee Business Meetings Anti-Counterfeiting & Anti-Piracy Al & New Emerging Technologies Copyright & Related Rights Industrial Designs Guest Speaker: Gregoire Bisson, the Director of the Hague Registry, WIPO International Trademark Law & Practice Guest Speaker: Denis Croze, Director, Madrid Information and Promotion Division, WIPO IP Licensing & Related Issues Leadership Development Software Related Inventions U.S. Patent Office Practice U.S. Post Grant Patent Office Practice U.S. Trademark Law U.S. Trademark Office Practice		
4:30PM 5:45PM	Welcome and Presentation: Leadership Lessons from TED		
5:45PM 6:00PM	IPO 50 th Anniversary Celebration		
6:00PM 8:00PM	Welcome Reception Sponsored by Ropes & Gray LLP		
7:00PM	IPO Board of Directors and Special Guests Dinner		



By invitation only

8:30PM





Monday, September 19

TIME FUNCTION

6:30AM IPO Fun Run/Walk

7:30AM Sponsored by Banner & Witcoff, Ltd.

Note: Grab and go breakfast will be provided

7:30AM Breakfast & IP Expo

8:30AM Breakfast sponsored by Leydig, Voit & Mayer, Ltd.

8:30AM IPO Awards and Fireside Chat with USPTO Director Kathi Vidal

Kathi Vidal serves as the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (USPTO). As the chief executive of the USPTO, she leads one of the largest intellectual property offices in the world. She is the principal IP advisor to the President and the Administration, through the Secretary of Commerce, and is focused on incentivizing and protecting U.S. innovation, entrepreneurship, and creativity. She leads an agency whose mission is

to help American workers and businesses compete and collaborate, especially in ground-breaking technologies and

across all demographics.

9:15AM General Session: KPIs for Effective Corporate IP Management and Operations in a Shifting World 10:15AM

10:15AM Break & IP Expo

11:00AM Breaks sponsored by Leydig, Voit & Mayer, Ltd.

IP Hub Presentation by Anaqua: 10:20AM - 10:35AM

6 Steps for Stronger IP Portfolios

IP Professionals make hundreds of decisions per month and too often feel like they're flying blind, without enough decision support on the value of patents. Budgets are tight, and there is zero tolerance for allowing truly valuable patent assets to fall into the public domain, but less money to protect and maintain. This presentation will discuss 6 best practices for assessing and strengthening your IP portfolios successfully in an ever-evolving environment.

11:00AM Concurrent Sessions

12:00PM

9:15AM

- Trademarks/Industrial Designs/Copyrights: IP in the Metaverse
- Patents: The Impact of USPTO Changes to AIA Proceedings: Comparing Key PTAB Statistics on Outcomes by Technology Sector

12:00PM Lunch & IP Expo

1:00PM Lunch sponsored by Schwegman Lundberg & Woessner, P.A.

1:00PM 2:00PM

Concurrent Sessions

- Patents/Trademarks: Patent and Trademark Case Law Update
- Industrial Designs: Clash of the Titans: IP vs Right to Repair
- Operations: Increasing Diversity in Innovation Pledge: Achievements and Lessons Learned from the First Year







Monday, September 19 (continued)

TIME FUNCTION

2:00PM Break & IP Expo

2:45PM Breaks sponsored by Leydig, Voit & Mayer, Ltd.

IP Hub Presentation by JETRO/JPO: 2:05PM - 2:20PM

JPO, a Gateway to International Applications

Japan Patent Office is aiming to become a global hub of patent applications by offering the fastest examination and the largest Patent Prosecution Highway network. The IP attaché shares tips on how to take advantage of JPO initiatives.

IP Hub Presentation by Swiss Federal Institute of IP: 2:25PM - 2:40PM

IP Search - European Search Know-How Contributes to Your IPR Projects

A sound understanding of the IPR process is the key to success. Learn how Swiss patent examiners use their expertise to invalidate the patent in question.

2:45PM 3:45PM

Concurrent Sessions

- AI: Protecting AI-Related Inventions: Best Practices and Impacts on Life Sciences and Software Related Technologies
- Trade Secrets: Hold on to Your Trade Secrets: The Winds of Change Are Howling Around Employee Non-Compete Agreements
- Trademarks: TMI on the TMA: Everything You Need to Know About Trademark Modernization Act Implementation in Action

3:45PM Break & IP Expo

4:30PM Breaks sponsored by Leydig, Voit & Mayer, Ltd.

IP Hub Presentation by Questel: 3:50PM - 4:05PM

Get Ready for the Unitary Patent and Unified Patent Court

With the new system on the horizon, Questel shares the five key steps you can take now to prepare for Unified Patent Court opt-outs.

IP Hub Presentation by LexisNexis: 4:10PM - 4:25PM

Uncover Sustainable Technological Development Through the Lens of Patents

We will take a closer look at the way LexisNexis has mapped patents to the United Nations' Sustainable Development Goals and how these objective measurements can provide forward-looking indicators of where companies are focusing their attention.

4:30PM 5:30PM

Concurrent Sessions

- Patents: A New Age: The USPTO Move to DOCX and Patent Center
- Industrial Designs/Trademarks: Design Rights and Trade Dress: Maximizing Your IP Strategy
- Al/Copyright: Artificial Intelligence as Author and Inventor

7:00PM 9:30PM

Special Event: Dinner Reception at Petersen Automotive Museum

Busses transportation provided between the JW Marriott hotel and the Petersen Automotive Museum. Buses will begin departing the hotel at 6:30pm. The last bus will return to the hotel by 10:00pm.







Tuesday, September 20

TIME	<u>FUNCTION</u>		
7:00AM 8:00AM	Breakfast & IP Expo		
7:00AM 8:00AM	Chief IP Counsel Breakfast By invitation only		
8:00AM 9:00AM	 Patents: PTAB Intersection with Patent Litigation: Year in Review Professional: Update on the Rapidly Changing Diversity in Innovation Landscape Trademarks: High Maintenance: The Complexities of Brand Protection and Enforcement in the Cannabis Space 		
9:00AM 9:30AM	Break & IP Expo		
9:30AM 10:30AM	 Patents/Trade Secrets: Why IP Owners Should Pay Attention to Data Legislation Trademarks: Brand Censored: Mitigating Challenges Facing Trademark Owners AI: Strategic Open Source and IP Considerations for AI Innovations 		
10:00AM 12:00PM	IPO Education Foundation Board of Directors Meeting Board members only		
10:30AM 11:00AM	Break & IP Expo		
11:00AM 12:00PM	 Patents: Utilizing Open Source Software In FRAND-Based Standards Development Industrial Designs: Form vs Function: Protecting IP in GUIs and Software Design 		
12:00PM 1:00PM	Lunch & IP Expo		
1:00PM 2:00PM	 Patents/Trade Secrets: Protecting and Enforcing Trade Secret Rights in China AI: AI at the Patent Offices Trademarks/Ethics: USPTO Scrutiny of Improper Behavior and Misconduct in Trademark Filings 		
2:00PM 2:30PM	Break & IP Expo		







Tuesday, September 20 (continued)

<u>TIME</u>	FUNCTION		
2:30PM 3:30PM	Concurrent Sessions		
	 Patents: The Evolution of the Written Description and Enablement Requirements Copyright: Copyright Best Practices and Trends Around the World Industrial Designs: Design Patent Battlegrounds in the US 		
3:30PM 4:00PM	Break & IP Expo		
4:00PM 5:00PM	Ethics Issues in IP: Transactions, Prosecution, and Litigation		

The **Chartered Institute of Patent Attorneys (CIPA**) is hosting a reception from 5:30-7:30pm on September 20 followed by a half day program on September 21 at the JW Marriott Hotel. The events are free of charge. Refer to the insert for additional information.







The Impact of USPTO Changes to AIA Proceedings: Comparing Key PTAB Statistics on Outcomes by Technology Sector

Monday, September 19, 11:00am-12:00pm PT

Over the past several years, some patent owners have argued that Patent Trial and Appeal Board (PTAB) AIA proceedings are unfair, and the USPTO has responded to concerns about balance by issuing guidance, precedential decisions, and rules. Today AIA fillings remain strong, and the PTAB remains the most popular forum for challenging patent claims. While the USPTO publishes overall statistics demonstrating drops in institution rates, very little technology-specific data exists, particularly how specific technology areas fare compared to the overall statistics or other technologies. This session will explore the changes to AIA proceedings and how they have impacted outcomes. The session also will dive into how changes to procedures, guidance, and rule shave impacted individual technology sectors and outcomes in different industries – including variations from technology to technology. Related topics that will addressed will be the change in USPTO leadership and the effect of discretionary denials on PTAB practice and related litigation.

Organizing Committee: US Post-Grant Patent Office Practice

Moderator: Gillian Thackray, Thermo Fisher Scientific Inc.

Speakers:

Arpita Bhattacharyya, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP Erin Dunston, Panitch Schwarze Beilsario & Nadel LLP Christopher Comiskey, Collins Aerospace Jessica Marks, Unified Patents, LLC

Patent and Trademark Case Law Update

Monday, September 19, 1:00pm-2:00pm PT

The US Supreme Court, the US Court of Appeals for the Federal Circuit, and district courts have authored several opinions in 2022 reshaping, and in some cases clarifying, patent and trademark law. Speakers will provide key takeaways from these decisions and comment on cases to watch.

Organizing Committee: Amicus Brief

Speakers:

Paul Berghoff, McDonnell Boehnen Hulbert Berghoff LLP Gregory Castanias, Jones Day Wendy Larson, Pirkey Barber PLLC





Hold on to Your Trade Secrets: The Winds of Change Are Howling Around Employee Non-Compete Agreements

Monday, September 19, 2:45pm-3:45pm PT

There is a growing tension between employee mobility, specifically the enforceability of non-compete and non-disclosure agreements post-employment, and strong trade secret protection, both of which intended to promote innovation and stimulate the US economy. This session will explore this tension and whether the focus on employee mobility is eroding trade secret protection in light of recent developments such as (1) President Biden's July 2021 Executive Order directing the Federal Trade Commission to consider issuing rules "to curtail the unfair use of non-compete clauses and other clauses or agreements that may unfairly limit worker mobility," (2) the Uniform Law Commission's newly proposed Uniform Restrictive Employment Agreements Act for possible adoption by states, and (3) various state laws and proposed legislation promoting employee mobility. Panelists will also explore steps trade secret owners can take in anticipation of recent and potential legislation favoring employee mobility.

Organizing Committee: Trade Secrets

Speakers:

Russell Beck, Beck Reed Riden LLP Nicholas Clifford, Tucker Ellis LLP Robert Isackson, Leason Ellis LLP Dawn Mertineit, Seyfarth Shaw

A New Age: The USPTO Move to DOCX and Patent Center

Monday, September 19, 4:30pm-5:30pm PT

Patent Center, which currently is being rolled out by the USPTO, will soon become the platform for all patent-related submissions. Panelists will discuss what Patent Center is, the platforms being replaced, and the various features of Patent Center. Panelists will discuss the new DOCX patent filing requirements, the related pros and cons, and offer best practice tips associated with DOCX filings.

Organizing Committee: US Patent Office Practice

Moderator: Ron Ventola, Panitch Schwarze Belisarios & Nadel LLP

Speakers:

David Easwaran, Womble Bond Dickinson LLP Kevin Hawkes, Adam R. Stephenson, LTD. Rick Seidel, US Patent and Trademark Office Mary VanAtten, Bristol Myers Squibb Company





PTAB Intersection with Patent Litigation: Year in Review

Tuesday, September 20, 8:00am-9:00am PT

This session will provide an overview of recent trends at the intersection of post-grant proceedings and federal patent litigation. Decisions in the Federal Circuit and the PTAB in the past year require parties challenging the validity of a patent to reconsider their strategies. Panelists will discuss issues such as where to bring prior art challenges and treatment of co-pending proceedings.

Organizing Committees: Patent Litigation & Remedies and US Post-Grant Patent Office Practice

Speakers:

Julianne Hartzell, Marshall, Gerstein & Borun
Judy He, Crowell Moring, LLP
Kirby Lee, Ecolab
Jeff Totten, Finnegan, Henderson, Farabow, Garrett & Dunner LLP
Todd Walters, Buchanan Ingersoll & Rooney

Why IP Owners Should Pay Attention to Data Legislation

Tuesday, September 20, 9:30am-10:30am PT

Data governance is one of the most widely discussed topics today. As the world embraces advanced digital technologies such as machine learning and artificial intelligence governments are examining current legal frameworks, the need for property protection systems, and harmonized rules on fair access to and use of data. Data laws vary around the world. In the US, although there is no general federal law covering data privacy, five states have enacted comprehensive consumer data privacy laws. In India, the Personal Data Protection Bill is likely to be replaced with a new National Data Governance Framework policy. While the EU has no separate IP right for data, the European Commission recently adopted the Data Governance Act and proposed the Data Act. Panelists will discuss the legal frameworks governing data and how they impact IP rights globally.

Organizing Committees: European Practice and Trade Secrets

Speakers:

Benjamin Herbert, Kirkland & Ellis LLP Nick Aries, Bird & Bird Ken Corsello, IBM Corp.

Utilizing Open Source Software in FRAND-Based Standards Development

Tuesday, September 20, 11:00am-12:00pm PT

A frequent point of conversation has been the use of the open source development model by standards development organizations in the context of standards development and associated software projects. This is motivated, in part, by the desire to leverage the benefits of open source development and its record of successes. This session will address key traits of the two development models and high-level license-related considerations when merging open source and FRAND-based standards development models.

Organizing Committee: IP Licensing & Related Issues

Moderator: Jennifer Carnahan, Dow Chemical Co.

Speakers:

Sean Evans, Dell Technologies Michele Herman, JusTech Law Jeff Kettle, Qualcomm Incorporated







Protecting and Enforcing Trade Secret Rights in China

Tuesday, September 20, 1:00pm-2:00pm PT

This session will provide an overview of current Chinese trade secret law. Panelists will also discuss recent court decisions involving trade secrets and offer tips on the protection of trade secrets and enforcement of trade secret rights in China.

Organizing Committees: Asian Practice and Trade Secrets

Moderator: Robert Siminski, Harness IP

Speakers: William McCabe, Perkins Coie, LLP Jerry Xia, GEN Law Firm

Qinghong Xu, Lung Tin Intellectual Property Agent Ltd.

The Evolution of the Written Description and Enablement Requirements

Tuesday, September 20, 2:30pm-3:30pm PT

As technologies develop, has the scope of technology patents changed? In the past, technology patent claims were granted broad scope. More recently, the Federal Circuit has used the written description and enablement requirements to narrow the scope of technology patents across multiple fields. Panelists will discuss the evolution of the Federal Circuit's application of the written description and enablement requirements and look to the future of how written description and enablement may be used to limit claim scope in ways unforeseen to the patent drafter.

Organizing Committees: US Patent Law

Moderator: Laura Donnelly, Johnson & Johnson

Speakers:

Prof. Dennis Crouch, University of Missouri School of Law Henry Hadad, Bristol-Myers Squibb Company Eldora Ellison, Sterne Kessler Goldstein & Fox

Ethics Issues in IP: Transactions, Prosecution, and Litigation

Tuesday, September 20, 4:00pm-5:00pm PT

This program covers the common ethics issues that IP attorneys confront on a regular basis. Topics include:

- New rules and key opinions
- Confidentiality and privilege in IP cases, including issues arising from protective order violations
- Duty of loyalty and conflict issues
- Duties related to candor to the USPTO and courts
- Duties regarding third parties
- USPTO OED rule changes and disciplinary decisions

Speakers:

Michelle Galloway, Cooley, LLP Eric Prager, Venable LLP





Protecting Al-Related Inventions: Best Practices and Impacts on Life Sciences and Software Related Technologies

Monday, September 19, 2:45pm-3:45pm PT

Artificial Intelligence (AI) has quickly emerged at the forefront of a fourth industrial revolution that is fundamentally changing the way we live, work, and interact with the environment around us. As AI grows in sophistication and power, questions have emerged about how innovations derived by AI programs should be treated and protected. Panelists will discuss the risks and opportunities afforded by AI-derived innovations, whether AI should be listable as in inventor on patents, and the patenting process as it relates to AI. Panelists will also explore best practices for preparing, prosecuting, asserting, and licensing AI-related inventions in the US, Europe, and China with emphasis on life sciences and software related technologies.

Organizing Committees: Al & New Emerging Technologies, Asian Practice, Pharmaceutical & Biotechnology, and Software Related Inventions

Speakers: Sumon Dasgupta, Jordan IP Law, LLC David Kincaid, Cantor Colburn LLP Eric Lin, Genentech Laura Sheridan, Google LLC

Artificial Intelligence as Author and Inventor

Monday, September 19, 4:30pm-5:30pm PT

Artificial intelligence (AI) is constantly being applied to new fields and commercial endeavors. Yet IP law concerning the protection of AI-created works and inventions is still developing. This session will provide an update on how the courts and IP offices (both patent and copyright) around the world have considered whether AI-generated inventions are patentable and AI-generated works are copyrightable, and if so, who owns them. It also will give participants a better understanding of how existing rules governing inventorship and authorship may be applied to future fact patterns, particularly inventions and works that are created with modest human involvement.

Organizing Committees: AI & New Emerging Technologies and Copyright & Related Rights

Speakers:

Andrew Foglia, US Copyright Office Charles Kim, US Patent and Trademark Office Paul Mussell, Wells Fargo & Company Ryan Phelan, Marshall, Gerstein & Borun LLP



Strategic Open Source and IP Considerations for Al Innovations

Tuesday, September 20, 9:30am-10:30am PT

The field of Artificial Intelligence and Machine Learning (Al/ML) is saturated with open source projects. Most Al/ML innovation is likely to interact with open source in one or more ways. This session will provide an overview of open source through an Al/ML lens, including some of the popular licenses and major Al/ML projects, as well as different release models. Panelists will address options, open questions, and business considerations that drive the strategy for protecting your Al/ML innovation. They will also focus on the difficulties of balancing open source, trade secrets, and patents.

Organizing Committees: Al & New Emerging Technologies

Moderator: Alexander Korenberg, Kilburn & Strode LLP

Speakers:

Brian Adams, Qualcomm Incorporated Leland Gardner, Google LLC Carl Kukkonen, Jones Day Judy Naamat, Locke Lord LLP

Al at the Patent Offices

Tuesday, September 20, 1:00pm-2:00pm PT

Artificial Intelligence has impacted Patent Offices around the world in a variety of ways. On one hand, AI has increased burdens on the Offices due both to the raw numbers of AI-related patent applications and to the breadth of fields to which AI-related technologies are applicable. On the other hand, AI has begun to reduce burdens on the Offices due to the operational efficiencies it can produce. Patent Offices around the world have taken on the challenge of examining a wide variety of AI-related applications while also embracing the technology for their own use in translations, classification, and other areas. This session will address the current state of usage of AI in the various Patent Offices. Panelists will discuss whether AI-enabled examination is in our future and whether AI technology can reduce or eliminate the IDS burden. They will also discuss treatment and examination of AI-related patent applications from one Office to another.

Organizing Committees: AI & New Emerging Technologies

Moderator: Jonathan Osha, Osha Bergman Watanabe & Burton LLP

Speakers:

Tetsuya İshihara, JPO IP Attaché, JETRO New York Mike Jennings, AA Thornton Jerry Ma, US Patent and Trademark Office





IP in the Metaverse (and NFT's too!)

Monday, September 19, 11:00am-12:00pm PT

This session will cover emerging legal issues in design, trademark, trade dress, and copyright law arising from the expanding virtual world. Panelists will consider specific issues with respect to each type of right, such as subject matter eligibility, scope, enforcement strategies and litigation, licensing, and how to leverage IP assets in the metaverse.

Organizing Committees: Industrial Designs, International Trademark, and US Trademark Law

Moderator: Matthew Owen, Caterpillar Inc.

Speakers

Nick Aries, Bird & Bird LLP Eric Ball, Fenwick & West LLP

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

Patent and Trademark Case Law Update

Monday, September 19, 1:00pm-2:00pm PT

The US Supreme Court, the US Court of Appeals for the Federal Circuit, and district courts have authored several opinions in 2022 reshaping, and in some cases clarifying, patent and trademark law. Speakers will provide key takeaways from these decisions and comment on cases to watch.

Organizing Committee: Amicus Brief

Speakers:

Paul Berghoff, McDonnell Boehnen Hulbert Berghoff LLP Gregory Castanias, Jones Day Wendy Larson, Pirkey Barber PLLC

TMI on the TMA: Everything You Need to Know About Trademark Modernization Act Implementation in Action

Monday, September 19, 2:45pm-3:45pm PT

In December 2021, the Trademark Modernization Act (TMA) created ex parte and inter partes nonuse cancellation proceedings to clear the US Federal Register of unused or inappropriately registered trademarks. In December 2022, the USPTO will implement flexible, shorter response periods for most office actions. This session will address best practices for filing expungement and reexamination proceedings, as well as actual data on petitions filed, instituted, and terminated to date. Speakers will analyze when it is appropriate to file an ex parte petition as opposed to a petition to cancel before the Trademark Trial and Appeal Board (TTAB), and strategies for nonuse-based cancellation proceedings before the TTAB. The panel will also discuss how brand owners can begin preparing for flexible office action response periods now to ease the transition in December.

Organizing Committee: US Trademark Office Practice

Speakers

Judge Chris Larkin, Trademark Trial and Appeal Board, US Patent and Trademark Office Katie McKnight, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP Catherine Tarcu, US Patent and Trademark Office George Pelletier, Jr., Cantor Colburn LLP







Design Rights and Trade Dress: Maximizing Your IP Strategy

Monday, September 19, 4:30pm-5:30pm PT

A product can have many different market differentiators. Some are protectable with both design rights and trade dress, while others can be protected using only one of these forms of intellectual property. What are the boundaries and differences in each type of protection, especially in view of recent trade dress cases that came before the US Supreme Court? Which form of protection should you use in a given scenario? And when should you use both? Panelists will evaluate protection strategies for hypothetical articles and advantages and disadvantages of design versus trademark protection in different enforcement scenarios.

Organizing Committee: Industrial Designs

Moderator: Anthony Prenol, CPST Intellectual Property Speakers:
Dunstan Barnes, McAndrews, Held & Malloy, Ltd.
Irene Lee, Russ August & Kabat
Perry Saidman, Perry Saidman LLC

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Organizing Committees: Al & New Emerging Technologies and Copyright & Related Rights

Speakers

Andrew Foglia, US Copyright Office Charles Kim, US Patent and Trademark Office Ryan Phelan, Marshall, Gerstein & Borun LLP Paul Mussell, Wells Fargo & Company

Brand Censored: Mitigating Challenges Facing Trademark Owners

Tuesday, September 20, 9:30am-10:30am PT

Trademark owners are facing many challenges in using and registering marks in the current global marketplace due to sanctions, legal restrictions on specific goods, packaging requirements, and recent supply chain challenges. Panelists will summarize restrictions and sanctions in place on general commerce and specific goods and services, commercial challenges such as supply chain issues in various jurisdictions, and discuss potential strategies for maintaining trademark rights.

Organizing Committee: International Trademark Law

Moderator: Victoria Longshaw, Houlihan² Patent & Trade Mark Attorneys

Speakers:

Gideon Eckhouse, Vital Pharmaceuticals
Victoria Friedman, Dennemeyer & Associates
Anthony Prenol, CPST Intellectual Property







High Maintenance: The Complexities of Brand Protection and Enforcement in the Cannabis Space

Tuesday, September 20, 8:00am-9:00am PT

This session is for general information purposes. The information discussed is no intended to be and should not be taken as legal advice.

Cannabis is big business in the US, but the legal landscape for brand protection, enforcement, and anti-counterfeiting remains rife with complications. The panel will discuss a range of topics related to cannabis trademark protection including strategies for securing trademark rights at the federal and state level; leveraging alternative IP strategies for brands; enforcement strategies and hurdles; CBD, hemp, and the 2018 Farm Bill; and the imperfect patchwork of multi-state solutions.

Organizing Committee: US Trademark Law

Speakers: Josh Jarvis, Foley Hoag LLP William Miller, General Mills, Inc. Claudia Stangle, Leydig, Voit & Mayer, Ltd.

Form vs. Function: Protecting IP in GUIs and Software Design

Tuesday, September 20, 11:00am-12:00pm PT

There's an app for everything. From electronics to mechanics, software applications provide insight and control into all aspects of modern life. As software continues to proliferate, driving improvements in the physical world and opening new virtual worlds for human interaction, protecting it has become more difficult. This session will provide an overview of the various IP protection strategies that can apply to software interfaces (GUIs). Panelists will discuss how strategies interrelate, how they differ, and how the degree of functionality associated with the interface impacts the available type(s) of protection. Focusing on issues related to functionality, the panelists will explore how too little, or too much, functionality affects options for IP protection.

Organizing Committee: Industrial Designs and Software-Related Inventions

Speakers:

Richard Stockton, Banner & Witcoff, Ltd. Ivy Estoesta, Sterne, Kessler, Goldstein & Fox, PLLC Christopher George, Hanley Flight & Zimmerman Sharon Lai, Volvo Cars





USPTO Scrutiny of Improper Behavior and Misconduct in Trademark Filings (Ethics)

Tuesday, September 20, 1:00pm-2:00pm PT

This session will focus on the efforts of the US Patent and Trademark Office to protect the accuracy and integrity of the federal trademark register through administrative sanctions and investigative and disciplinary actions taken against trademark owners and their counsel acting improperly. Topics include the US counsel rule, referrals to the Office of Enrollment and Discipline, sanctions cases involving trademark filers, and recent case law on fraud. Panelists will also discuss steps practitioners can take to ensure the veracity of claims of use and other statements made in trademark filings, the Trademark Office rules on signature and certification and compliance with the Rules of Professional Conduct.

Organizing Committee: US Trademark Office Practice

Speakers:

Will Covey, US Patent and Trademark Office Jennifer Fraser, Dykema Gossett, PLLC Catherine Tarcu, US Patent and Trademark Office Valerie Verret, Exxon Mobil Corporation

Copyright Best Practices and Trends Around the World

Tuesday, September 20, 2:30pm-3:30pm PT

The Berne Convention deals with the copyright protection of works and the rights of their authors. Most countries are members of the Berne Convention, which means they have certain commonalities in the copyright protections they provide, but there are still significant differences in the copyright laws around the world. This session will compare copyright laws around the world, with a focus on how different countries approach copyright enforcement on the Internet. Panelists will discuss how the EU Directive on Copyright in the Digital Single Market is being implemented in EU countries and how Canada, Australia, and other jurisdictions have likewise updated their copyright laws, including changes under consideration in the US.

Organizing Committee: Copyright & Related Rights

Moderator: Elizabeth Lester, Equifax Inc.

Speakers:

Casey Chisick, Cassels Brock & Blackwell Tim Golder, Allens Jenevieve Maerker, Foley Hoag LLP Jose Sanmartin, Hoyng Rokh Mongier



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Moderator: Matthew Owen, Caterpillar Inc.

Speakers:

Nick Aries, Bird & Bird LLP Eric Ball, Fenwick & West LLP

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

Clash of the Titans: IP vs Right to Repair

Monday, September 19, 1:00pm-2:00pm PT

Right to Repair advocates claim that they have a right to repair anything they own and that they have a right to use it, modify it, and repair it whenever, wherever, and however they want. But these "rights" often clash with intellectual property rights. Panelists will explore the tension between a right to repair and the interests of IP owners. They will also review what statutory measures are currently being undertaken at the state and federal levels in support of the right to repair.

Organizing Committee: Industrial Designs

Speakers:
John Cheek, Driv
Bart Fisher, Caterpillar Inc.
Dean Grinvald, University of Las Vegas Law School
Andy O'Brien, Shook, Hardy & Bacon

Design Rights and Trade Dress: Maximizing Your IP Strategy

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Moderator: Anthony Prenol, CPST Intellectual Property

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Form vs Function: Protecting IP in GUIs and Software Design

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Organizing Committees: Industrial Designs and Software-Related Inventions

Speakers:

Ivy Estoesta, Sterne, Kessler, Goldstein & Fox, PLLC Christopher George, Hanley Flight & Zimmerman Sharon Lai, Volvo Cars Richard Stockton, Banner & Witcoff, Ltd.

Design Patent Battlegrounds in the US

Tuesday, September 20, 2:30pm-3:30pm PT

Recent case law has sparked debate related to various design law jurisprudence. Is a design limited by the recited article? Can a would-be infringer avoid liability by simply applying trademarks or other branding to the product? Historically no, but recent Federal Circuit holdings have taken a 180 degree turn, and without thoughtful filing strategies, applicants may be surprised when trying to enforce their design rights. Panelists will review these cases, including *In re Surgisil* and *Columbia Sportswear North America, Inc.*, v. *Seirus Innovative Accessories, Inc.*, and discuss their implications, how applicants can avoid unintentionally limiting rights, and what may be on the horizon.

Organizing Committee: Industrial Designs

Speakers

Kerith Kanaber, Dorsey & Whitney LLP Brendan O'Dea, Womble Bond Dickinson LLP Perry Saidman, Perry Saidman LLC





Professional Development, D&I, and IP Management Sessions

Leadership Lessons from TED

Sunday, September 18, 5:00pm-6:00pm PT

What do Teddy Roosevelt, Ted Koppel, Ted Lasso, various TED talks, and other great (and perhaps some less great) "TEDs" have in common? It's not just their name. Relying on the inspirational words and actions of "TEDs," a panel of IP leaders will address how leadership styles are actively evolving, moving from the old coercion style toward a more inclusive collaborative style that displays empathy and vulnerability. Panelists will share their views of the most effective leadership styles and how to best tailor styles for different situations and people. By the end of the session, attendees will have something in common, too—a better understanding of when, how, and why to hone their leadership styles.

Organizing Committee: Leadership Development

Moderator: Tina Dorr, Cantor Colburn LLP

Speakers:

Andrea Evensen, Leica Biosystems Sarah Hooson, Merck & Co. Inc.

Matthew Fitzpatrick, Procter & Gamble Co.

KPIs for Effective Corporate IP Management and Operations in a Shifting World

Monday, September 19, 9:15am-10:15am PT

Leveraging Key Performance Indicators (KPIs) is a beneficial tactic for effectively managing a corporate IP department in a shifting world. Whether to understand the measure of work in progress for the department, managing the patent life cycle, or achieving more accurate budget predictions, appropriate KPIs are the foundation for reaching actionable IP analytics, particularly in a dynamic business environment. IPO's Corporate IP Management and Operations Committee has developed a KPI Reference Guide that breaks KPIs into categories for effective IP management. Panelists will share best practices and insights from the KPI Reference Guide.

Organizing Committee: Corporate IP Management & Operations

Speakers:

Arvie Anderson, Eli Lilly and Co. Dan Enebo, Cargill, Incorporated Peter Mattei, Tenneco Inc. KaRan Reed, BP America, Inc. Laura Zager, Thermo Fisher Scientific Inc.





Professional Development, D&I, and IP Management Sessions

Increasing Diversity in Innovation Pledge: Achievements and Lessons Learned from the First Year

Monday, September 19, 1:00pm-2:00pm PT

This session will provide a report on results from the Diversity Pledge's first year. The pledge is a step that many companies are taking to increase diversity in innovation, with the understanding that more innovation can lead to increased market share, customer acquisition, employee retention, and more. Hear from companies that have taken the pledge. Speakers will discuss their experiences and lessons learned along the way. They will also share what this effort has meant for their companies, legal groups, and underrepresented inventors.

Moderator: Director Kathi Vidal, US Patent and Trademark Office

<u>Speakers</u>: John Lipchitz, The Gillette Company, LLC John Mulgrew, Lenovo Phyllis Turner-Brim, HP Inc.

Update on the Rapidly Changing Diversity in Innovation Landscape

Tuesday, September 20, 8:00am-9:00am PT

This session will provide updates on the legislative and administrative landscape for diversity in innovation in the innovation landscape including the IDEA Act, WIPO's Diversity initiatives, and the USPTO's diversity initiatives. Additionally, panelists will discuss IPO's Diversity in Innovation Toolkit and how it's being used around the world to increase diversity and inclusion in the innovation ecosphere.

Organizing Committee: Women in IP Law

Jyoti Uppuluri, Meta

Moderator: Sandra Nowak, 3M Innovative Properties Co.

Speakers

Samantha Aguayo, Intellectual Property Owners Association Elodie Carpentier, World Intellectual Property Organization Holly Fechner, Invent Together Valencia Martin Wallace, US Patent and Trademark Office



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.

Networking Social Event hosted by the Women in IP Law and Diversity & Inclusion Committees

Sunday, September 18, 1:00pm-2:00pm PT

Join IPO's Women in IP Committee for a networking event and to learn more about the work of the committee. Open to all registered attendees. Advance registration is required. Space is limited.

Sponsored by: Finnegan, Henderson, Farabow, Garrett & Dunner, LLP; PCK IP; and Questel

Welcome Reception

Sunday, September 18, 6:00pm-8:00pm PT

Renew acquaintances and make new friends by attending the Welcome Reception immediately following the opening session. Open to all registered attendees.

Sponsored by: Ropes & Gray LLP

Fun Run/Walk

Monday, September 19, 6:30-7:30am PT

Join colleagues for a guided 5K fun run or 3K around downtown Los Angeles. All skill levels welcome. This is not a race. IPO will provide a grab-and-go breakfast. Advance registration required. Space is limited.

Sponsored by: Banner & Witcoff, Ltd.

IP Expo Hall

Monday-Tuesday, September 19-20

The IP Expo Hall is your go-to destination to discover innovative solutions to your needs. Breakfast, coffee breaks, and lunches will be served in the IP Expo Hall on Monday and Tuesday.

New this Year: The IP Hub, located in the IP Expo Hall, will feature short presentations during breaks for attendees to learn more about products and resources. Presentations will be listed in the program.

Breakfast & Breaks

Monday-Tuesday, September 19-20

Breakfast and coffee breaks will be held in the IP Expo during the meeting. The IP Expo is open to all registered attendees to greet one another, exchange ideas, relax, and grab food and drinks

Monday Breakfast and Breaks Sponsored by: Leydig, Voit & Mayer, Ltd.

Lunches

Monday-Tuesday, September 19-20, 12:00pm-1:00pm PT

Lunch will be served a la carte in the IP Expo Hall. Attendees can join colleagues to network and exchange ideas or grab lunch and head to their room for a quick conference call. Lunch is open to all registered attendees.

Monday Lunch Sponsored by: Schwegman Lundberg & Woessner, P.A.

Dinner Reception at Petersen Automotive Museum

Monday, September 19, 7:00pm-9:30pm

Annual Meeting attendees are invited to attend a dinner reception at The Petersen Automotive Museum. Attendees will be able to network with peers, scroll through many exhibits, and grab food and drinks. Some of the exhibits that will be open for attendees to view include Bond in Motion, Cars of Film and Television, Building an Electric Future, and more. Additionally, private tours of The Vault will be available for attendees to view over 250 exclusive cars from around the world. In addition to the exhibits, the rooftop penthouse and terrace will be open for attendees to enjoy panoramic views of the Hollywood Hills.

Transportation between the JW Marriott and The Petersen Automotive Museum will be provided. Buses will begin departing the JW Marriott at 6:30pm PT. The last bus will return to the JW Marriott by 10:00pm PT.







Book your place now for...

Drinks reception - 20th September Time: 5:30pm-7:30pm, Location: Plaza I, JW Marriott Los Angeles L.A. LIVE - BOOK YOUR PLACE HERE

The reception follows IPO's Conference at the same venue and is a great opportunity to network with other attendees and share experiences.

Seminar; UK and European updates to the profession - 21st September

Time: 8:45am - 1pm, Location: Plaza I, JW Marriott Los Angeles

L.A. LIVE - BOOK YOUR PLACE HERE

Chaired by CIPA Vice-President Daniel Chew, this seminar will provide an opportunity to catch up on the latest updates to the IP profession in the UK and Europe, including sessions on...

Unitary Patent & Unified Patent Court, and Brexit Updates: Peter Thorniley and Clare Cornell

This session will start with an update on Brexit and any changes to Patent, Trademark or Design applications. It will then focus on the upcoming UP & UPC, what you can expect from the court and what it means for your clients.

Protecting Biotech inventions: David Hammond

This session explores how you can protect Biotech inventions in the UK, covering best practice and helpful tips and advice.

Al Consultation by the UKIPO: Dick Waddington
The UK IPO has recently concluded its consultation on Artificial
Intelligence, this session will go through the results of the
consultation and what this means for the future of AI and IP.



Registration Form

Name		Tit	le (i.e., Partner, VP)	
Organization				
Address				
City			Zip	Country
Phone				
List each state(s) you're request —	ing GLE credit for			
Fees				
Enter applicable rate and fees 1. Annual Meeting Registra		and total below.		
APPLICABLE RATE:			4	Per person
IPO Member (by July. 31, 202	•		\$1,095	\$
IPO Member (after Aug. 1, 20			\$1,195	\$
Non-Member (by July. 31, 20	22)		\$1,895	\$
Non-Member (after Aug. 1, 20	022)		\$1,995	\$
Gov/Academic/Emeritus			\$750	\$
IPO Member Group Rate			\$750	\$
Guest Pass			\$250/person	\$
Guest(s) Name(s)				
2. I have read and agree TOTAL AMOUNT DUE:	to IPO's Meeting Po	licies.		\$
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Wire (contact meetings@ipo.				
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Cardholder Name (print)				Date
Signature				

Registration fees include: All education sessions; CLE Credit to applicable states; networking luncheons, breakfasts, and breaks on Monday and Tuesday (Sept. 19-20); Sunday Welcome Reception; Monday Evening Reception, and access to the IP Expo Hall. IPO does not provide a refund if an attendee chooses not to participate in any of the functions included with their registration fees."

Return form to 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 or call +1 202-507-4500

2022 ANNUAL MEETING

Los Angeles, CA





Submit a completed form to meetings@ipo.org.



2022 ANNUAL MEETING

September 18-20, 2022 | JW Marriott L.A. Live | Los Angeles, CA

IPO Member Group Discount Form

Any IPO member organization sending 5 or more employees to attend the annual meeting will receive a rate of \$750 per registrant. Complimentary registrations do not count towards the 5 minimum required to receive this discount. *No other discounts apply.* The organization is not allowed to share their group discount with any other individual or organization not employed with the organization listed below.

The contact named below agrees to register a minimum of 5 or more paying registrants for IPO's Annual Meeting at the JW Marriott at LA Live in Los Angeles (September 18-20, 2022).

<u></u>	
Organization contact will collect and provide a list IPO will provide you a group form.	of names to be registered together.
	hen all of the organization's current attendees will be JSD each. The credit card below will only be used if
CONTACT NAME:	
TITLE:	
ORGANIZATION:	
ADDRESS:	
E-MAIL:	
PHONE:	
Method of Payment (Wire/EFT option available):	
Credit Card (Enter: AMEX, Discover, MasterCard, Visa): _	
Credit Card #	
Exp. Date	Security Code:
Cardholder Name (print)	
Signature	Date

Registration Fees:

- **IPO Member**: \$1,095 by July 31/\$1,195.00 August 1 or later
- Non-member: \$1,895 by July 31/\$1,995.00 August 1 or later
- **Government/Academic/Emeritus**: \$750.00 (no other discount applies)
- **IPO Member Group Discount**: Any IPO member organization sending 5 or more employees to attend the annual meeting will receive a rate of \$750 per registrant. Complimentary registrations do not count towards the 5 minimum required to receive this discount. No other discounts apply.

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RETURN FORM TO <u>MEETINGS@IPO.ORG</u>

Allow for 1 business day to receive a confirmation email.

By submitting this form, you agree that you have read IPO's meeting and cancellation policies as noted on our website.