MARCH 16, 2023 Grand Hyatt | Washington, DC #IPOSpringSummit



IPOwners Spring SummitTM

Understanding the Needs of In-house IP Counsel in Today's Business Environment

Wednesday, March 15, 2023

<u>TIME</u> <u>EVENT</u> <u>LOCATION</u>

5:00pm Welcome Reception

6:30pm

Thursday, March 16, 2023

<u>TIME</u> <u>EVENT</u> <u>LOCATION</u>

7:30am Breakfast & Registration Independence Foyer

8:30am Welcome Remarks and Keynote Address Independence F-H



Senator Chris Coons (D-DE) was elected to the United States Senate in 2010. He is the Chair of the IP Subcommittee. He sits on the Appropriations, Judiciary, Foreign Relations, Small Business and Entrepreneurship, and Ethics Committees. Before entering government, he was an attorney for W.L. Gore & Associates, an advanced materials manufacturer in Delaware, where he learned first-hand the importance of IP.

9:00am How to Get Ahead in Today's IP Field: Hiring, Managing, and Developing IP Professionals

Independence F-H

Grand Fover

In an evolving IP environment, what does it mean to stay relevant...or competitive or better yet to get ahead? Today's IP work environment is one of reinvention. For example, IP professionals now question whether we need physical offices or if remote can be just as effective (or effective in different ways). They are also questioning what it means to have an IP career where management across diverse culture and geographies are commonplace. What are the best practices for IP leaders to cultivate a healthy culture in a world that is constantly connected? At the same time, the ways in which IP professional gain experience and grow in their careers is also changing. Speakers will focus topics such as managing across diverse cultures and geographies; cultivating a healthy culture in a hybrid environment; career paths and effective leadership skills for IP professionals; hiring and retention, and more.

Speakers:

Brian Dorini, InterDigital Serena Farquharson-Torres, Bristol-Myers Squibb Company Carrie Webb Olson, Day Pitney LLP Jessica Sinnott, DuPont <u>TIME</u> <u>EVENT</u> <u>LOCATION</u>

10:00am Coffee Break Independence Foyer

10:25am Data Considerations: Planning for Now and for the Future Independence F-H

Corporations struggle with increasingly large amounts of data, increasingly complex usage scenarios, novel licensing challenges, and an unpredictable regulatory environment. Effective data strategies must balance numerous and sometimes contradictory factors including ownership, protection, commercialization, and regulatory compliance. Speakers will examine data strategy from the IP perspective using practical examples based on the "pillars" of data management. The panel will also discuss what considerations may be appropriate to undertake now in light of the proposed EU Data Act and other similar potential regulation.

Moderator: Kaveh Rashidi-Yazd, Eaton Corporation

Speakers:

Lynn Parker Dupree, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP Caroline Pinkston, Hewlett Packard Enterprise

11:25am Coffee Break Independence Foyer

11:45am Concurrent Sessions:

State of Antisuit Injunctions

Independence F-H

Anti-suit injunctions (ASIs) emerged as a controversial tool to prevent (or at least slow down) parallel litigation amongst different foreign courts mainly in the FRAND zone of SEP matters. This panel discussion will address rationales and strategies in favor of, and opposed to, the use of ASIs in courts around the globe. The panel also will address arguments for and against the use of anti-ASIs as a strategy for those seeking to curtail the use of ASIs. The anthology of countries and cases covered will illustrate, for better or worse, how impactful this litigation tool has been and continues to be in affecting the outcome of an SEP enforcement action.

Moderator: Brad Chin, Bracewell LLP Speakers:
Steve Akerley, InterDigital
Ying Luo, Shanghai Lung Tin Law Firm
Mark Selwyn, Wilmer Hale

Online Marketplace Liability:

Farragut Square

Current Legal Framework and Recent Developments in the EU and US

When are online intermediaries liable for infringing goods offered on their platforms? In December 2022, the Court of Justice of the European Union issued a decision in the case of *Louboutin v Amazon* that may lead to increased liability for online marketplaces. The decision comes not long after the European Commission published its Digital Services Act package of measures, with significant implications for online platforms. Meanwhile, in the US, the passage of the INFORM Consumers Act requires online marketplaces to collect, verify, and disclose certain information from high-volume, third-party sellers. Speakers will discuss the current legal landscape for online marketplace liability in the EU and US, in light of recent legislation and case law developments on both sides of the Atlantic.

Speakers:

Peter Colosi, Gilead Sciences, Inc. Jose SanMartin, Hoyng Rokh Monegier Monica Riva Talley, Sterne, Kessler, Goldstein & Fox, PLLC <u>TIME</u> <u>EVENT</u> <u>LOCATION</u>

12:45pm Networking Lunch

Independence East

Sponsored by Akin Gump Strauss Hauer & Feld LLP

1:45pm Concurrent Sessions:

IP Implications of Spin Offs

Independence F-H

Several companies have recently executed transactions where they have spun out subsidiaries. These types of transactions are different from a traditional sale and are inherently complex with significant implications for intellectual property assets. Panelists include chief IP counsel who have recently been through a spin or are in the process of supporting a spin.

Speakers:

Buck de Wolf, General Electric Co. Robert DeBerardine, Johnson & Johnson Yen Florczak, 3M Innovative Properties Co.

Effective Use of Patent Agents for In-House and Outside Counsel Farragut Square

The role of patent agents has evolved over the past decade. This session will address the benefits of having a patent agent program including how patent agents can support legal/business work outside of preparation and prosecution. Speakers will discuss unique benefits to staffing with patent agents, including contributing to your organization's diversity.

Intro: Connie Pielech, Shell USA, Inc.

Moderator: Valerie Moore, Vorys, Sater, Seymour and Pease LLP

Speakers:

Karen Cochran, Shell USA, Inc.

Carey Jordan, Vorys, Sater, Seymour and Pease LLP

Kelly McGlashen, Robert Bosch, LLC Angela Parsons, Fish & Richardson, PC

2:45pm Coffee Break

Independence Foyer

3:10pm Concurrent Sessions:

Taxes and IP Issues Farragut Square

Intercompany transactions involving the exchange of intellectual property are coming under heavy scrutiny from government tax authorities. Transfer pricing transactions involving the exchange of intellectual property are viewed as a commercial transaction that will create a tax liability to the enterprise. This session will discuss transfer pricing best practices, including organization structures, valuations and the agreements that need to be put in place to help IP professionals support their organizations' transfer pricing teams.

Moderator: Elizabeth Lester, Equifax Speakers:
Robb Chase, Eversheds Sutherland (US) LLP James Ferguson, Mayer Brown LLP Erik Perez, Shell USA, Inc.

<u>TIME</u> <u>EVENT</u> <u>LOCATION</u>

3:10pm Concurrent Sessions:

Inequitable Conduct: Refresher and Update

Independence F-H

This presentation will provide information of use to experienced patent attorneys and new practitioners. The panelists will provide an overview of the ethical obligation of practice as well as the substantive law of inequitable conduct and related disciplinary matters, including several recent cases find inequitable conduct despite the barriers created in 2011 by *Therasence*. Speakers will also provide practical procedures and practices to avoid creating a record that leads to inequitable conduct and for more compact prosecution.

Speakers:

Dahlia George, U.S. Patent and Trademark Office Danny Huntington, Rothwell, Figg, Ernst & Manbeck Warren Woessner, Schwegman Lundberg & Woessner, P.A.

4:10pm Coffee Break

Independence Foyer

4:30pm Concurrent Sessions:

Connecting Your IP Department with Your Government Relations Team

Farragut Square

IP policymaking—via legislation, regulations, and other administrative agency actions—is important to most inhouse IP counsels. Most large companies have government relations specialists situated in Washington, DC to advocate their positions to Congress and the USPTO, but there is no one-size-fits-all model for how the IP legal department coordinates with government relations professionals. Some companies have very close connections with their DC teams, others have a dedicated IP policy attorney within the IP department, and in some companies the Chief IP Counsel is a one person band. During this session, speakers whose companies use different models will help us benchmark and discuss best practices for being an active partner or leader in strategizing and implementing a plan to communicate your company's IP policy objectives.

Moderator: Samantha Aguayo, Intellectual Property Owners Association

Speakers:

John Cheek, Tenneco

Troy Prince, Raytheon Technologies

Corey Salsberg, Novartis

IP Litigation Concerns Resulting from Remote Work

Independence F-H

This panel will discuss IP issues arising from the growth of remote work, including potential effects of corporate policies and remote work on patent venue and jurisdiction, trade secret and confidentiality concerns, and contractual obligations and applicable state laws.

Speakers:

Arpita Bhattacharyya, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP Brian Horne, Knobbe Martens Kirby Lee, EcoLab Inc.
Jeremy Younkin, Foley Hoag LLP

5:30pm 7:00pm

Closing Reception

Grand Foyer