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ZON PORNURL BURNETING

SEPTEMBER 22-24, 2024 HYATT REGENCY | CHICAGO, IL







Kathi Vidal Director, US Patent and Trademark Office



Daniela Combe Vice President, Emerging Technology Advocacy, IBM, Corp.

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/AM2024



PROGRAM AT A GLANCE

Time (CT)	Sunday, Sept. 22		Monday, Sept. 23		Tuesday, Sept. 24		
6:00 a.m.							
6:30 a.m.			Fun Run/Walk				
7:00 a.m.							
7:30 a.m.				Breakfast/IP Expo			
8:00 a.m.			Breaktast/IP Expo			Chief IP Counsel	
8:30 a.m.			Opening Session Presentation by		Breakfast/IP Expo	Breakfast	
9:00 a.m.			Daniela Combe, IBM, Corp.				
9:15 a.m.			Concurrent Sessions – LLMs as a Prior Art – Al as a Designer		Concurrent S – Brand Protectio		
9:30 a.m.					 – AI Blind Spots in Your Li 	censing Agreements	
10:00 a.m.	IPO Board Meeting				– Patent Continua	tion Practice	
10:15 a.m.	(Breakfast		С	offee Break/IP Expo	Coffee Break/IP Expo		
10:30 a.m.	served at			•			
11:00 a.m. 11:30 a.m.	8:30 am)			- Patent Law Update - FTC Green Guides - Design Law Update	Concurrent Sessions – Enforcement of Design Rights – The Future of Clean Energy	IPOEF Board	
					 Trade Secret Protection 	Meeting	
12:00 p.m.							
12:30 p.m.		- Making Room			Lunch/IP Expo		
12:45 p.m.		for Diversity		Workshops			
1:00 p.m.		Program/Lunch	Lunch/IP Expo	 USPTO Examiner Interviews 2024 Corporate IP Management Benchmarking Survey 	Concurrent S		
1:30 p.m.				– USPTO's Federal Trademark Search System	– Social Media Be – Patenting and Register Al-Generated	ring Copyrights with	
1:45 p.m.							
2:00 p.m.							
2:15 p.m.			C	oncurrent Sessions	Coffee Break	/IP Expo	
2:30 p.m.		e Business	– Al, Bra	anding, and the Blame Game	Concurrent Sessions – Licensing Terms and Rates – Right to Repair – Patent Term Adjustment		
2:45 p.m.	Me	etings		Al for Patent Searching & Analytics ade Secrets w/ Business Clients			
3:00 p.m.							
3:15 p.m.							
3:30 p.m.			С	offee Break/IP Expo			
3:45 p.m.		e Business			Coffee Break/IP Expo		
4:00 p.m.	Me	etings					
4:15 p.m.				Distribution Sports Implications of IP			
4:30 p.m.			– Complex A	I Innovations in Pharma/MedTech Prosecution Before the USPTO	Ethics Session		
4:45 p.m.		e Session	- ratent				
5:00 p.m.	-	Awards n with USPTO					
5:30 p.m.		Kathi Vidal					
6:00 p.m.							
6:30 p.m.	Welcome				CIPA Reception		
7:00 p.m.	Reception		Dinner Reception at the Field Museum				
7:30 p.m.		Board/Speaker Dinner					
8:00 p.m.		Dinner	Buses begi	n departing at 6:15 and will leave			
8:30 p.m.		every 15 minutes until 7:15					
9:00 p.m.							



SEPTEMBER 22-24, 2024 CHICAGO, IL



IPO ANNUAL MEETING

PROGRAM OF EVENTS

Sunday, September 22

TIME	FUNCTION
9:00AM 12:00PM	IPO Board of Directors Meeting IPO Board Members and Alternates Only Breakfast begins at 8:30am
11:30AM 2:00PM	Making Room for Diversity: Program and Lunch Sponsored in part by Holland & Hart LLP and RNA Law Organizing Committees: Diversity, Equity & Inclusion and Women in IP Law in collaboration with ADAPT (Advancing Diversity Across Patent Teams)
	This program will begin with statistics regarding a shrinking IP profession which has led to some firms having trouble hiring. The data will also show that diversity efforts, while improved, have become stagnant, particularly when it comes to career progression. With an increasing pushback on DEI efforts in the wake of the recent Supreme Court decision on affirmative action and in light of the continuing discussions on the role of AI in our profession, the need for a renewed commitment to diversity, equity, and inclusion within the IP profession has never been more critical. This program will include a networking lunch and interactive table discussions where attendees will come together to explore and commit to actionable strategies for enhancing both the profession and DEI efforts. Space is limited. Advance registration is required.
	 11:30AM - Networking Lunch 12:00PM - Introduction: Serena Farquharson-Torres, Bristol Myers Squibb Company and Rachael Rodman, UB Greensfelder LLP 12:10PM - A Data Analyst's Perspective of the IP Profession (by ADAPT): Co-founders Steve Gong and Gail Su, Google and Judy Yee, Avanci, and ADAPT partner Elaine Spector, Harrity & Harrity 12:30PM - Commitment to Diversity: IPO President Krish Gupta, Dell Technologies 12:35PM - How to Prioritize and Promote DEI in the Workplace: Jeremiah Chan, Meta 12:45PM - Collaborative Table Workshops
2:15PM 3:15PM	 Committee Business Meetings (Open to all registrants) Al, Data & New Emerging Technologies
3-20DM	 Asian Practice (note: this committee meeting is scheduled from 2:15pm-4:15pm) Guest Speaker: TBA, Japan Patent Attorney Association Canadian Practice Corporate IP Management & Operations Diversity, Equity & Inclusion International Trademark Law & Practice Guest Speaker: Debbie Roenning, World Intellectual Property Organization Latin American Practice Software Related Inventios US Patent Law & Litigation US Trademark Office Practice
3:30PM 4:30PM	 Committee Business Meetings (Open to all registrants) Copyright & Related Rights European Practice Green IP Industrial Designs <i>Guest Speaker: Grégoire Bisson, World</i> International Patent Law & Trade <i>Guest Speaker: Matt Bryan, World</i> Intellectual Property Organization IP Licensing & Related Issues
	1





Sunday, September 22 (continued)

TIME

4:30PM 6:00PM **Opening Sesson: IPO Awards & Dialogue with Kathi Vidal**, Under Secretary of Commerce for Intellectual Property and Director of the US Patent and Trademark Office



FUNCTION

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.

Welcome Reception

6:00PM 8:00PM

7:00PM 8:30PM IPO Board of Directors and Special Guests Dinner By invitation only; Location: Hyatt Regency Hotel Sponsored by McDonnell Boehnen Hulbert & Berghoff LLP





9:15AM

10:15AM

PROGRAM OF EVENTS

Monday, September 23

TIME FUNCTION 6:15AM IPO Fun Run/Walk 7:30AM Sponsored by Banner & Witcoff, Ltd.
Note: Grab and go breakfast will be provided; Location: Hyatt Regency Hotel 7:30AM Breakfast & IP Expo
Breakfast sponsored by Leydig, Voit & Mayer, Ltd.

8:30AM Welcome & Featured Presentation by Daniela Combe, *IBM Corp.* 9:10AM



Daniela Combe is Vice President, Emerging Technology Advocacy at IBM Corp. In this role, she helps develop and advocate for IBM's policy positions in emerging technologies, such as Artificial Intelligence and Quantum computing. Immediately prior this role she served as VP & Assistant General Counsel, IP Law, where she led a global team of lawyers & IP professionals with the primary mission of assisting in the development, protection, and optimization of IBM's IP, including patents, copyrights, trademarks, & trade secrets.

Concurrent Sessions

Large Language Models (LLMs) as a Prior Art for Patents and Patent Applications

Organizing Committees: AI, Data, & New Emerging Technologies and Software Related Inventions AI is transforming various industries, including the patent industry. LLMs have gained significant attention in recent years across a variety of industries due to their remarkable ability to process and generate human-like text. Some applications include language translation, content generation, creative writing, etc. Their utility is now expanding into the patent field. LLMs have been used in the patent process to identify prior art and conduct patent searches. However, the application of LLMs in the patent process raises an intriguing question of whether the LLM may generate prior art. Additionally, will a publicly available LLM qualify as prior art against later inventions and under what circumstances? This session will provide an overview of the current state of LLMs and IP. Speakers will highlight some of the key legal questions that need to be addressed when considering whether LLMs can be used as prior art, as well as discuss best practices and future considerations.

Speakers:

Deepika Bhayana, Dell Technologies Thomas Burton, Siemens Corp. K. Nicole Clouse, Generate: Biomedicines Sumon Dasgupta, Jordan IP Law Shankar Krithivasan, Qualcomm Incorporated

Design Law Hot Topics: Al as a Designer Organizing Committee: Industrial Designs

Al can be a powerful tool for a designer in streamlining and enhancing the design process, including brainstorming, fostering collaboration, research, and prototyping. But when does use of these tools cross the line to Al becoming the designer? This session will address the global status of Al as an inventor and what impact Al has or will have on design rights worldwide.

Moderator: Dunstan Barnes, McAndrews, Held & Malloy, Ltd.

<u>Speakers:</u> Elizabeth Ferrill, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP Sabine Kossak, Olbricht Patantanwalte Rotimi Solola, SO DSGN LLC

10:15AM Break & IP Expo

Break sponsored by Leydig, Voit & Mayer, Ltd.

10:30AM 10:45AM

11:00AM

IP Hub Presentation: Revolutionize Patent Prosecution: Real-time Assistance and Suggestions

Patent attorneys are entering a new era where they are assisted by AI tools reducing prosecution time by assisting with draft, case law, office actions, and prior art search. This new class of tools allows attorneys to rapidly find prompts and serves as an easily navigable knowledge base. Learn about Questel's brand-new preparation & prosecution copilots designed for patent professionals, integrating Q&A chatbot, and workflow automation.

Speaker: Eric Moran, Product Experts Director, Questel







Monday, September 23 (continued)

TIME

11:00AM

12:00PM

Concurrent Sessions

FUNCTION

US Patent Case Law Update

Organizing Committees: U.S. Patent Law & Litigation and Amicus Brief

The US Supreme Court, the US Court of Appeals for the Federal Circuit, district courts and the US Patent Office render important decisions on patent law. This session will provide an update on the latest developments, including the Federal Circuit's In re Cellect decision wherein the Court held that patents subject to statutory patent term adjustment (PTA) could be invalidated based upon obviousness-type double patenting by earlier-expiring patent family members with no or less PTA and the Court's LKQ Corp. decision, wherein the Court held that the obviousness standard for design patents should align with that for utility patents. Speakers will provide key takeaways, compare and contrast these decisions to important cases from other jurisdictions, and comment on cases to watch.

Moderator: Paul Berghoff, McDonnell Boehnen Hulbert & Berghoff LLP

<u>Speakers</u>: Corey Salsberg, Novartis Laura Sheridan, Google Eley Thompson, Foley & Lardner LLP

Worldwide Design Law Update

Organizing Committees: Industrial Designs; Asian Practice; and European Practice

It has been a busy year for design practitioners worldwide. The USPTO has been busy with proposed rulemaking and other jurisdictions have been providing and implementing updates to their own regulations and practice processes. This session will provide an update on what's new in the US, including the design patent bar and GUI/icons guidelines, what's new in Europe, including recent design law changes and what's new in Asia, including how implementation of the new patent laws in China, particularly examination of partial designs, is progressing.

Moderator: Pina Campagna, Carter, DeLuca, & Farrell, LLP

<u>Speakers</u>: Ashwani Balayan, ALG India Law Offices LLP Daniel Gajewski, Sterne, Kessler, Goldstein & Fox, PLLC Frank Gao, Ladas & Parry LLP Tom Turner, Abel & Imray

Greenwashing and Navigating the FTC's Green Guides

Organizing Committees: U.S. Trademark Law & Litigation and Green IP

This year the FTC is releasing an update to its Green Guides. The Green Guides provide marketers with guidance on environmental marketing claims, including how consumers are likely to interpret particular claims and how marketers can substantiate these claims to avoid deceiving consumers. In advance of updating the Green Guides, the FTC received nearly 60,000 responses to questions it posed about frequently used environmental claims, ranging from "low carbon" to "net zero" to claims concerning the recyclability, sustainability and compostability of products. As consumers have focused their purchasing on environmentally friendly products, brands have expanded their marketing and advertising to include a variety of claims touting their products as safe for the environment. The FTC and courts have also become more focused on ensuring that marketers' "green" claims are truthful and accurate. This session will discuss the FTC's Green Guides, recent FTC actions to enforce those guides, and trends in consumer class actions and other litigation around green claims.

Moderator: Kimberly Maynard, Frankfurt Kurnit Klein & Selz

<u>Speakers</u>: Eric Ball, Fenwick & West Mary Engle, BBB National Programs Kirby Lee, Ecolab

12:00PM 2:00PM

Lunch & IP Expo

Lunch will be provided in the IP Expo Hall during this two-hour time frame. There are several activities during this time frame for attendees to choose from (listed below). Note: space is limited. Attendees may also use this extended time to network with colleagues or catch up on work.



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Monday, September 23 (continued)

TIME	FUNCTION
12:00PM 2:00PM	Lunch & IP Expo Lunch will be provided in the IP Expo Hall during this two-hour time frame. There are several activities during this time frame for attendees to choose from (listed below). Note: space is limited. Attendees may also use this extended time to network with colleagues or catch up on work.
12:45PM 1:45PM	Concurrent Workshop: Getting the Most Out of a USPTO Examiner Interview: Interview Best Practices and Tips Organizing Committee: Patent Agents and US Patent Office Practice
	There are numerous strategic advantages to conducting examiner interviews during prosecution in front of the USPTO, but getting practical experience with interview practice can be daunting. This session will provide tips and best practices for when, how, and what are the best interview strategies. Speakers include practitioners with robust interview practice as well as current and former examiners who can discuss what makes for a good interview and how to be helpful in advancing prosecution.
	Moderator: Joseph Kallie, Howard & Howard Attorneys
	<u>Speakers:</u> Courtenay Brinckerhoff, Foley & Lardner LLP Derrick Ferris, U.S. Patent and Trademark Office Erica Navar, McAndrews, Held & Malloy, Ltd. Noah Tilton, Marshall, Gerstein & Borun LLP
12:45PM 1:45PM	Concurrent Workshop: Insights from the 2024 IPO Corporate IP Management Benchmarking Survey Organizing Committee: Corporate IP Management & Operations
	Results from the 2024 Corporate IP Management Benchmarking Survey will be presented and discussed during this workshop. Topics include managing IP budgets; how legal teams collaborate with external counsel to achieve IP goals; inventor recognition programs, use of IP vendors; patent preparation and prosecution best practices; and emerging trends and challenges.
	<u>Speakers</u> : Steve Akerley, InterDigital Arvie Anderson, Eli Lilly and Co. Andrea Evensen, Danaher Diagnostics Platform/Leica Biosystems Peter Mattei, Tenneco Thomas Marlow, Black Hills Laura Zager, Thermo Fisher Scientific
12:45PM 1:45PM	Concurrent Workshop: Using the USPTO's Federal Trademark Search System Organizing Committee: U.S. Trademark Office Practice
	Effectively searching the USPTO's trademark database is an important tool in US trademark practice. The USPTO's free searching tool is not only frequently used by seasoned trademark practitioners, but also by first-time trademark filers and any other parties interested in US federal trademark records. However, recent updates to the USPTO's searching tool have resulted in questions among practitioners about how to effectively use the new system and the ongoing improvements and changes being made by the USPTO. This session will provide tips and tricks for more efficient searching, how to translate your Trademark Electronic Search System (TESS) searching knowledge to the new syntax, and a live demonstration of how to navigate the search interface.
	<u>Speakers</u> : Christina Calloway, US Patent and Trademark Office Katie Eissenstat, Haynes and Boone, LLP
1:00PM 1:15PM	IP Hub Presentation: Promoting the Innovation by the Japan's Patent System As an international innovation hub, JPO offers fast and reliable patent examination with competitive fees. Discover Japan's significance for global innovators and learn about the advantages of filing patent applications through the JPO.
	Speaker: Atsushi Hiruta, Chief Director IP Division & IP Attaché of Japan Patent Office, JETRO





Monday, September 23 (continued)

TIME FUNCTION

1:30PM 1:45PM

IP Hub Presentation: Recent Trends in AI-related Patent Applications and Examinations in Japan

Japan is seeing a rise in the number of patent applications related to AI. AI applies to a diverse range of technical fields, and in recent years, the percentage of patent grants for these applications has exceeded 80%. Examination practices regarding AI-related inventions are somewhat different from other jurisdictions, such as the US and Europe. Learn about recent trends in AI-related patent applications and examinations in Japan, including issues of patent eligibility, support requirements, and inventive step judgments.

Speaker: Osamu Yamanoto, Japan Patent Attorneys Association (JPAA) International Activities Center

2:15PM Concurrent Sessions 3:15PM

Risky Business: Al, Branding, and the Blame Game

Organizing Committee: International Trademark Law

Al tools are revolutionizing trademark offices and third-party services by enhancing registrability searches and branding/marketing strategies. Trademark offices are increasingly relying on Al while third-party branding providers leverage Al to craft branding campaigns. This session will look at how Al may impact searching and registrability of trademarks. Speakers will also discuss best practices when contractually engaging third-party branding service providers who use Al-generated output.

Moderator: Victoria Longshaw, Houlihan Intellectual Property

Speakers:

Peter Becker, Christensen O'Connor Johnson Kindness PLLC Carolyn Knecht, HP Inc. Stefan-Gabriel Chitic, World Intellectual Property Organization

Are We There Yet? Impacts of AI for Patent Searching & Analytics Organizing Committee: Patent Search

Patent searching and analytics are unique blends of skill and artistry that take years to master, yet even these intricate crafts are not impervious to the influence of AI. Discover how AI is revolutionizing patent searching and analytics during this thought-provoking session as speakers provide practical advice on effective ways of leveraging AI for enhanced decision-making and strategic planning. Speakers will delve into the profound impacts, strengths, weaknesses, and broader implications of AI on patent information, searching, and analyses, and explore the intersection of human expertise and cutting-edge technology.

Moderator: Martha Yates, Bayer Intellectual Property GmbH

<u>Speakers</u>: Carey Jordan, Vorys, Sater, Seymour and Pease LLP Vipul Mendiratta, Caterpillar Jonathan Skovholt, Ensemble IP LLC Sharon Shofner-Meyer, DorothyAI

Talking Trade Secretes with Business Clients

Organizing Committee: Trade Secrets

This session will cover the important provisions of trade secret law under the 2016 Defend Trade Secrets Act and corresponding state law. Speakers will discuss how trade secret protection is distinct from other forms of IP and how it can serve an important role in a company's IP portfolio. They will also discuss best practices for educating business clients on trade secret law and the practical steps required for a robust program of trade secret protection. Additionally, speakers will address the practical effect of the FTC's noncompete ban and any court decisions affecting its enforcement.

<u>Speakers</u>: Monica Baig-Silva, Thermo Fisher Scientific Inc. Gregory Bombard, Greenberg Traurig Kenneth Corsello, IBM Corp. Leland Gardner, Google Jeb Shookman, ABB, Inc.





3:35PM

PROGRAM OF EVENTS

Monday, September 23 (continued)

TIME **FUNCTION**

3:15PM Break & IP Expo 4:00PM

Break sponsored by Leydig, Voit & Mayer, Ltd.

3:20PM IP Hub Presentation: Modernizing IP Budget Allocation: Priorities, Challenges, and Best Practices

The presentation delves into modernizing IP budget allocation, beginning with contrasts of traditional IP budget models with a revised breakdown that includes new priorities and modern approaches like litigation insurance and defensive aggregation. Experts discuss challenges and future outlooks, followed by insights into best practices such as the use of AI, outsourcing, and hybrid models, providing attendees with actionable insights into optimizing IP budget allocation and management.

Speakers: Anant Kataria and Vaibhav Henry, Sagacious Advanced Research Center Inc.

4:00PM **Concurrent Sessions** 5:00PM

Off the Court: Sports Implications of IP

Organizing Committees: U.S. Trademark Law & Litigation and Copyright & Related Rights This session will dive into the implications on IP in today's evolving sports landscape, including discussions on Name, Image and Likeness (NIL), Right of Publicity, and Licensing. To stay in the game, it is critical to maintain possession of the information necessary to protect and enforce IP rights. Suit up and hear from stakeholders as we touch down on the most interesting and critical issues at the center court of IP and sports.

Moderator: Anne Naffziger, Leydig Voit & Mayer

Speakers: Prof. Nellie Drew, University of Buffalo Paul Mussell, Wells Fargo & Company Julie Sommer, Sommer Legal

IP Protection for Complex Al Innovations in Pharma & MedTech

Organizing Committees: Pharma & Biotech Issues; Software Related Inventions; and AI, Data, & New Emerging Technologies This session will cover issues in protecting complex Pharma and MedTech innovations that use AI-related technologies. Speakers will explore US Court of Appeals for the Federal Circuit and USPTO's Patent Trial and Appeal Board (PTAB) cases concerning the treatment of Pharma/MedTech AI inventions, particularly with respect to subject matter eligibility. Speakers will also discuss the challenges with protecting such complex technologies relating to discovery of drug compounds, analyzing clinical data results, diagnosing disease states and implementing AI in medical devices and healthcare workflows.

Moderator: Michael Fuller, Knobbe Martens

Speakers: Carl Kukkonen, Jones Day Hugh Pasika, Thermo Fisher Scientific Ryan Phelan, Marshall, Gerstein & Borun LLP

Recent Developments in Patent Prosecution Before the USPTO

Organizing Committee: U.S. Patent Office Practice

Patent prosecution before the USPTO continues to develop and evolve. This session will focus on latest developments, including: March 2024 revision of Signature Requirements Related to Acceptance of Electronic Signatures for Patent Correspondence; February 2024 publication of Updated Guidance for Making a Proper Determination of Obviousness; March 2024 publication of Resources for Examining Means-Plus-Function and Step-Plus-Function Claim Limitations: March 2024 Proposed Rule: Practice and Procedures in Trial Proceedings under the America Invents Act before the Patent Trial and Appeal Board; and significant cases on obviousness from the courts and/or the PTAB.

Moderator: Mary Till, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

Speakers: Aaron Barkoff, Eli Lilly & Co. Charles Kim, US Patent and Trademark Office Kevin Noonan, McDonnell Boehnen Hulbert & Berghoff LLP Jeffrey Woodworth, HP Inc.





Monday, September 23 (continued)

TIME

6:30PM 9:00PM

Special Event: Night at the Field Museum

Sponsored by McAndrews, Held & Malloy, Ltd.



FUNCTION

Annual Meeting attendees are invited to attend a dinner reception at the Field Museum. You will be able to explore cultures present and past, find the latest scientific discoveries, and travel the world. Exhibits feature dinosaurs, ancient objects, cultural insights, and groundbreaking science. Attendees will be able to network with peers, scroll through many exhibits, and grab food and drinks throughout the evening.

Transportation provided between the Hyatt Regency Hotel and the Field Museum.





Tuesday, September 24

TIME	FUNCTION
8:00AM 9:00AM	Chief IP Counsel Breakfast By invitation only
	Guest Speaker: Prof. Dennis Crouch, University of Missouri School of Law
8:00AM 9:15AM	Breakfast & IP Expo
9:15AM 10:15AM	Concurrent Sessions Mission Impossible: Brand Protection Strategies for the Digital Age Organizing Committees: U.S. Trademark Law & Litigation and International Trademark Law The Mission: To navigate the complex landscape of international trademark portfolios in the digital age. This session provide actionable guidelines and checklists for best practices in securing, enforcing, and maintaining trademark protection globally. Topics include optimizing digital trademark use, filing and registration, leveraging current online investigation tools, dealing with trademark infringement on websites, social networks, and e-commerce platforms in key markets, and prioritizing resources on key aspects of international trademark portfolios in the current economic climate.
	Moderator: Matthew Owen, Caterpillar

<u>Speakers</u>: Jon Jekel, Pillsbury Winthrop Shaw Pittman LLP Jennifer Mikulina, McDermott Will & Emory LLP Emily Scott, Boult Wade Tennant LLP

Do You Have AI Blind Spots in Your Licensing Agreements? Revisiting the Past, Considering the Present, and Planning for the Future

Organizing Committees: IP Licensing & Related Issues and AI, Data, & New Emerging Technologies

With the meteoric rise of AI in most industries, companies may discover that their standard licensing agreements may not account for all considerations raised by AI technology. This session will provide an overview of these potential licensing issues and how they may impact existing legacy agreements, actively negotiated agreements, and future strategy. Speakers will discuss how the significance of certain clauses and terms may change in the context of AI technology, as well as novel licensing issues presented by AI technology.

Speakers:

Brian Adams, Qualcomm Incorporated Jennifer Carnahan, Dow Chemical Co. Andrew Gross, Foley & Lardner LLP Jonathan Osha, Osha Bergman Watanabe & Burton LLP

US Patent Continuation Practice: A Look at Recent Efforts to Limit

Organizing Committees: Software Related Inventions, U.S. Patent Law, and U.S. Patent Office Practice This session will explore recent judicial and administrative efforts to limit a patent applicant's ability to file continuations. From the district court judge's decision in *Sonos v. Google* to the USPTO's recent notices of proposed rulemaking to increase various patent fees and impose new constraints on terminal disclaimers, a patent holder's right to mine a patent application for additional claims appears to be impacted. Speakers will discuss the historical basis for continuing applications, debate how these recent actions will impact patent drafting and prosecution, and provide practice tips to consider in view of this potentially changing landscape.

Moderator: Christopher George, Shareholder at Hanley Flight & Zimmerman, LLC

Speakers: Prof. Dennis Crouch, University of Missouri School of Law David Kappos, Cravath Swain & Moore Sherry Knowles, Knowles Intellectual Property Strategies, LLC Alex Moss, Public Interest Patent Law Institute





Tuesday, September 24 (continued)

TIME	FUNCTION
10:15AM 11:00AM	Break & IP Expo
10:20AM 10:35AM	IP Hub Presentation: The Hybrid Approach - PatSeer's Combinational AI for Superior Patent Research EV or Hybrid - Which one is better? A parallel exists in Patent Research with AI-only and Combinational AI. This presentation will showcase how PatSeer is leading the charge in patent research and analysis with a unique combinational AI approach that seamlessly integrates AI and expert search capabilities into a single, powerful platform, enabling companies to save time, reduce efforts needed, and achieve higher quality results. Learn more about PatSeer's new AI search v2 engine, which boasts a 33% improvement in search accuracy from the previous version. Attendees will also gain insights into new and upcoming capabilities in PatSeer that are designed to deliver greater efficiencies across your IP workflows.
	Speaker: Manish Sinha, Chief Technology Officer, PatSeer
10:40AM 10:55AM	IP Hub Presentation: It Starts With YOU – Bring IP Education to Your Community Join IPOEF in shaping the next generation of IP aware students! Students show remarkable creativity and innovation, yet many young innovators lack crucial education on the importance of IP, particularly in underserved communities where this knowledge could transform futures. IPOEF wants to give you, the IP expert, the materials to share your knowledge and empower students! IPO Education Foundation's "IP Education for Next Gen Innovators (Grades 6-12)" toolkit equips experts with the tools they need to deliver essential IP concepts. Join the Educate Committee at the IP Hub to master effective presentation methods plus learn strategies and best practices for finding classrooms or student programs to connect with in your community.
	Speakers: Tamara Head, Dinsmore & Shohl LLP; Nathan Mutter, Holland & Hart LLP; and Ramya Possett, Bluefoot
11:00AM	Concurrent Sessions
12:00PM	Enforcement of Design Rights Across Multiple Venues Organizing Committee: Industrial Designs So you have a registered design? Now, how do you stop the copycats? Speakers will present a hypothetical case study that explores what avenues are available for design right enforcement including: customs/border measures (some major jurisdictions like the EU, Japan, China are available to enforce designs but other major jurisdictions like the US, Canada, Australia do not offer it); ITC (US); and platform takedowns (Shopify, Amazon, etc).
	Moderator: Kerith Kanaber, Dorsey & Whitney, LLP
	<u>Speakers</u> : Frédéric Glaize, Plasseraud IP Brad Hattenbach, Rep Fitness Anthony Prenol, CPST Intellectual Property

The Future of Clean Energy Driven by IP

Organizing Committee: Green IP

This session will explore recent developments for a clean energy future through the lens of patents and related IP initiatives. The panel shares a collective focus on improving the generation, distribution, storage, and usage of clean energy to power our nation forward. Speakers will discuss federal funding and its impact on companies developing IP and implementing innovations in clean energy. They will also explore the impact that standards, patents, and IP policies may have on advancing clean energy technologies. Recent challenges, such as in the EV industry, will be discussed and possible solutions explored with a focus on patents and IP.

Moderator: Justin Philpott, Banner & Witcoff, Ltd.

Speakers: Brian Lally, U.S. Department of Energy Karl Reichenberger, Johnson Controls Di Zhang, HiTHIUM





Tuesday, September 24 (continued)

TIME

11:00AM

Concurrent Sessions (continued)

FUNCTION

12:00PM

Global Trade Secret Protection with AI & Data Protection Trends

Organizing Committees: AI, Data, & New Emerging Technologies and International Patent Law & Trade This session will provide a comprehensive update around the intersections of IP law, and particularly trade secret protection, with trends in data protection, transparency requirements, and regulatory disclosure obligations. Speakers will cover a range of laws and regulations around cybersecurity, data security, national security, privacy, and more, from (at least) the USA, EU, and China. With a special emphasis on the EU Data Act and EU AI Act, the session will provide a regulatory synopsis and then practical guidance around handling disclosure obligations, such as involving the right to repair, together with protection of data sets.

Moderator: Dean Harts, 3M Innovative Properties Co.

Speakers:

Tina Dorr, Barnes & Thornburg Steve Hanley, Caterpillar, Inc. Christopher Suarez, Steptoe & Johnson LLP Jerry Xia, GEN Law Firm

11:00AM IPO Education Foundation Board of Directors Meeting

1:00PM Board members only; lunch will be provided

12:00PM Lunch & IP Expo 1:00PM

1:00PM Concurrent Sessions 2:00PM

Recent Developments at the PTAB

Organizing Committee: U.S. Post-Grant Patent Office Practice

The AIA has been in effect for over a decade, but PTAB post-grant practice continues to evolve. This session will review trends and major developments within the last year that have had a significant impact on practice before the PTAB. Developments to be reviewed include application of PTAB estoppel, precedential Board decisions, rulemakings relating to the PTAB, and pending PTAB-related legislation.

Moderator: David Roadcap, Amgen

Speakers:

John Pienkos, Amundsen Davis, LLC Roshan Mansinghani, Unified Patents, LLC Eldora Ellison, Sterne, Kessler, Goldstein & Fox, PLLC

Social Media Pitfalls and Best Practices

Organizing Committee: U.S. Trademark Law & Litigation This session will address trademark, copyright, and advertising best practices and pitfalls, with a focus on company participation on social media and attendant opportunities and risks. Topics will include trademark "do's and don'ts," copyright risks and best practices, "ambush" marketing, FTC social media guidelines, social media influencer-specific risks, right of publicity pitfalls, and reputation management.

<u>Speakers</u>: Joshua Jarvis, Foley Hoag Chris Ott, Capital One Michelle Zimmermann, Leydig, Voit & Mayer





Tuesday, September 24 (continued)

<u>TIME</u> 1:00PM

2:00PM

Concurrent Sessions (continued)

FUNCTION

Guidance for Patenting AI-Related Inventions and Registering Copyrighted Works Incorporating AI-Generated Material Organizing Committees: U.S. Patent Law & Litigation; Copyright & Related Rights; AI, Data and New Emerging Technologies, U.S. Patent Office Practice; and Software Related Inventions

Courts in the U.S. and other countries have ruled that works of authorship and inventions generated solely by AI are not copyrightable or patentable – human authorship or inventorship is required for IP rights. It is crucial for design and development teams, which often create both works of authorship and inventions, to understand the differing standards of human contribution required for copyright and patent protection. This session will help companies navigate these issues by first discussing guidance from the Copyright Office on its standard of human contribution and requirements for registering copyrights for works containing AI-generated material. Speakers will also review how the Copyright Office has registered claims excluding AI-generated material, and any court decisions on these topics.

Speakers will also discuss best practices for patent practitioners to protect inventions developed in part through use of AI, including updates on US, UK and EPO court decisions and their patent offices' regulations, rules and guidance on patenting AI-assisted inventions, and will offer related practice tips for patenting AI related inventions as highlighted from the "AI Patenting Handbook" published by the IPO in early 2024. Finally, speakers will discuss the USPTO's planned AI based Examiner Assignment System for Patent Applications and issued guidance.

Moderator: David Easwaran, K&L Gates, LLP

Speakers:

Anna Chauvet, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP Laura Donnelly, FMC Corporation Mike Jennings, AA Thornton

2:00PM Break & IP Expo

2:45PM

Concurrent Sessions

2:45PM 3:45PM

Assessing Licensing Terms and Rates Considering Comparability

Organizing Committee: IP Licensing & Related Issues

This session will delve into how the analysis of license comparability can impact licensing strategy and the determination of reasonable royalties. Speakers will discuss how license terms can affect rate comparability in licensing negotiations, litigation and corporate strategy. Speakers will provide different perspectives including licensing, litigation, and IP valuation/damages.

Moderator: Laura Arneson, Beckman Coulter Inc.

<u>Speakers</u>: Christopher Smith, Brooks Kushman P.C. Christopher Logan, Dow Chemical Co. William Tinker, Caterpillar Inc. David Yurkerwich, Ankura

Right to Repair

Organizing Committees: Industrial Designs; Asian Practice; and European Practice

Right to repair legislation is directed towards allowing consumers to repair their own products instead of relying on the original manufacturer. But current and proposed state and federal laws focus on different aspects of the right to repair and whether there should be any "right" at all. This session will provide an overview of US state and federal laws including the SMART Act and recent petitions filed with the FTC, what is happening with the "must match" laws in Europe, as well as laws/proposals in other jurisdictions.

Moderator: Bart Fisher, Caterpillar

<u>Speakers</u>: Jeremy Kriegel, Marshall, Gerstein & Borun LLP Paolo Lazzarino, ADVANT Essenese Obhan, Obhan & Associates





Tuesday, September 24 (continued)

TIME

2:45PM

3:45PM

Concurrent Sessions (continued)

FUNCTION

Patent Term Adjustment

Organizing Committees: Canadian Practice, International Patent Law & Trade, Latin American Practice, and Asian Practice Patent Term Adjustment (PTA) extends the term of a patent for unreasonable prosecution delays by a patent office. PTA was first introduced into the United States patent prosecution process by the American Inventors Protection Act of 1999. Under the United States-Mexico-Canada Trade Agreement, Canada and Mexico are obligated to introduce PTA into its patent prosecution system by January 1, 2025. Mexico's new IP law that entered in force on November 05, 2020, contemplates PTA but not PTE and applies for all applications filed in Mexico from November 05, 2020, and onwards. China implemented PTA as part of the Fourth Amendment to the Chinese Patent Law, which came into effect on June 1, 2021. A decision from the Brazilian Supreme Court in November 2021, seems to have introduced the possibility of PTA for patent owners which demonstrate an unreasonable, unjustified, and exceptional delay of the Brazilian Patent and Trademark Office in granting the patent application. Speakers will compare PTAs in the different jurisdictions, including determining which patents are eligible for PTA, request PTA, calculate PTA, challenge PTA assessment, and define its relationship with Patent Term Restoration.

<u>Speakers</u>: Santosh Chari, CPST Intellectual Property Ricardo Dutra Nunes, Daniel Law Toby Mak, Tee & Howe Intellectual Property Attorneys Mauricio Sámano, Olivares Brian Walsh, Attovia Therapeutics, Inc.

3:45PM Break & IP Expo

4:30PM

4:30PM IP Ethics: Avoiding Ethical Missteps in IP Practice, including Al Challenges

5:30PM This session will cover the hot button ethics issues that IP attorneys confront on a regular basis. Topics will include new rules and key opinions; confidentiality and privilege in IP cases, including issues arising from protective order violations; duties related to candor to the USPTO and courts; and USPTO OED rule changes and disciplinary decisions. Model Rules 1.1 and 1.6 each refer to understanding the "benefits and risks associated with relevant technology." What are the ethics of using generative AI?

Speaker: Michelle Galloway, Cooley LLP

6:00PM Reception hosted by The Chartered Institute of Patent Attorneys (CIPA)

8:00PM The Chartered Institute of Patent Attorneys is hosting a networking reception at the Hyatt Regency Hotel. IPO Annual Meeting attendees are invited. There is no charge to attend this reception.



CIPA Drinks Reception at IPO Annual Meeting 2024

Join the Chartered Institute of Patent Attorneys for a networking drinks reception at the Plaza Ballroom following the conclusion of the annual meeting



Tuesday 24th September 6:00pm-8:00pm

Plaza Ballroom, Hyatt Regency Chicago 151 E Wacker Dr, Chicago, IL 60601

Book your place here:



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NETWORKING EVENTS

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.

Making Room for Diversity: Program and Networking Lunch

hosted by the Diversity, Equity & Inclusion and Women in IP Law Committees in collaboration with ADAPT (Advancing Diversity Across Patent Teams)

Sunday, September 22, 11:30am-2:00pm CT

This program will begin with statistics regarding a shrinking IP profession which has led to some firms having trouble hiring. The data will also show that diversity efforts, while improved, have become stagnant, particularly when it comes to career progression. With an increasing pushback on DEI efforts in the wake of the recent Supreme Court decision on affirmative action and in light of the continuing discussions on the role of AI in our profession, the need for a renewed commitment to diversity, equity, and inclusion within the IP profession has never been more critical. This program will include a networking lunch and interactive table discussions where attendees will come together to explore and commit to actionable strategies for enhancing both the profession and DEI efforts. Advance registration is required. Space is limited.

Sponsored in part by: Holland & Hart LLP and RNA Law

Welcome Reception

Sunday, September 22, 6:00pm-8:00pm CT

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

Fun Run/Walk

Monday, September 23, 6:15-7:30am CT

Join colleagues for a guided 5K fun run or 3K walk around downtown Chicago. 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

IP Expo Hall

Monday-Tuesday, September 23-24

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.

IP Hub

Monday-Tuesday, September 23-24

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

Breakfast & Breaks

Monday-Tuesday, September 23-24

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 23-24

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.





NETWORKING EVENTS

Special Event: Night at the Field Museum

Monday, September 23, 6:30pm-9:00pm CT

Annual Meeting attendees are invited to attend a dinner reception at the Field Museum. You will be able to explore cultures present and past, find the latest scientific discoveries, and travel the world. Exhibits feature dinosaurs, ancient objects, cultural insights, and groundbreaking science. Attendees will be able to network with peers, scroll through many exhibits, and grab food and drinks throughout the evening.

Transportation provided between the Hyatt Regency Hotel and the Field Museum. Buses will begin departing the hotel at 6:15pm from the main lobby of the East Tower. The last bus will return to the hotel by 9:30pm.

Sponsored by: McAndrews, Held & Malloy, Ltd.

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SEPTEMBER 22-24, 2024 CHICAGO, IL



REGISTRATION FORM

Name		Title	e (i.e., Partner, VP))
Organization				
City		State	ZIP	Country
Phone				
List each of the states yo	u're requesting CLE credit			

FEES

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

1. Annual Meeting Registrant

MEMBER TYPE	by July 31, 2024	August 1 to Septeml	ber 20, 2024	after September 20, 2024
IPO Member	\$1,100	\$1,300		\$1,500
Non-Member	\$2,200	\$2,200 \$2,600		\$3,000
Goverment/Academic/Emeritu	IS \$650	\$750		\$750
IPO Member Group Discount	\$750	\$750		N/A
Guest Pass	\$250/person	\$250/perso	n	\$250/person
APPLICABLE RATE: IPO Member Non-Member Gov/Academic/Emeritus IPO Member Group Rate* 2. I have read and agree TOTAL AMOUNT DUE: METHOD OF PAYM	\$			
Wire (contact meetings@ipo				
Credit Card (Registrations se	-	clude credit card account	information)	
American Express	MasterCard	Visa	Discover	
Card #		Exp. Date		Security Code
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. 23-24, 2024); Sunday Welcome Reception (Sept. 22, 2024); Monday Evening Reception (Sept. 23, 2024), 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.

*IPO Member Group Discount: Any IPO member organization that pays for five or more employees to attend the annual meeting will receive a rate of \$750 per registrant. No other discounts apply.

Return form to meetings@ipo.org

Payment must be received with a completed registration form. Forms received with payment will be processed within one 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.





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 group discount is not transferable to another individual or organization not employed with the organization listed below.

Select <u>ONE</u> of the registration options below for the group:

Organization contact will collect and provide a list of names to IPO to be registered together. See page 3 for Group Attendee Form. Only enter their mailing address if it is different than the Contact's address below.

Organization's employees will register themselves individually.

Contact will receive a group discount code to distribute to their organization. If the minimum of 5 paying registrants is not met by **September 20, 2024**, then all the organization's current attendees will be charged an additional \$350 per person (a total of \$1,100 per person/IPO member rate) to the credit card listed below.

CONTACT NAME:		
TITLE:		
ORGANIZATION:		
ADDRESS:		
E-MAIL:		
PHONE:		

The contact named above agrees to register a minimum of 5 or more paying registrants for IPO's Annual Meeting at the Hyatt Regency hotel in Chicago, IL USA (September 22-24, 2024).

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 _____

> Intellectual Property Owners Association 1501 M Street, NW, Suite 1150 | Washington, DC 20005 | Email: <u>meetings@ipo.org</u>

Registration Fees:

- IPO Member: \$1,100.00 by July 31; \$1,300 between Aug. 1 and Sept 20, and \$1,500 on-site in Chicago
- Non-member: \$2,200 by July 31; \$2,600 between Aug. 1 and Sept 20, and \$3,000 on-site in Chicago.
- Government/Academic/Emeritus: \$650.00 by July 31 and \$750 after July 31st. 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.*

Registration fees include all education sessions; CLE Credit to applicable states; networking luncheons, breakfasts, and breaks on Monday and Tuesday (Sept. 23-24); Sunday Welcome Reception (Sept. 22); Monday Evening Reception (Sept. 23), and access to the IP Expo Hall (Sept. 22-24). *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

Allow for 2 business day to receive a confirmation email.

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

Group Attendee Registration Form

Each attendee <u>must have a **unique**</u> email so registrants can receive meeting information & access to materials.

1. NAME
TITLE (i.e. Partner, VP)
FULL ADDRESS
E-MAIL
Will you request CLE Credit? If so, list the state(s) and your Bar Number(s)
2. NAME
TITLE (i.e. Partner, VP)
FULL ADDRESS
E-MAIL
Will you request CLE Credit? If so, list the state(s) and your Bar Number(s)
3. NAME
TITLE (i.e. <i>Partner, VP</i>)
FULL ADDRESS
E-MAIL
Will you request CLE Credit? If so, list the state(s) and your Bar Number(s)
4. NAME
TITLE (i.e. Partner, VP)
FULL ADDRESS
E-MAIL
Will you request CLE Credit? If so, list the state(s) and your Bar Number(s)

CONTINUE ON NEXT PAGE

5. NAME
TITLE (i.e. Partner, VP)
FULL ADDRESS
E-MAIL
Will you request CLE Credit? If so, list the state(s) and your Bar Number(s)
6. NAME
TITLE (i.e. Partner, VP)
FULL ADDRESS
E-MAIL
Will you request CLE Credit? If so, list the state(s) and your Bar Number(s)
7. NAME
TITLE (i.e. Partner, VP)
FULL ADDRESS
E-MAIL
Will you request CLE Credit? If so, list the state(s) and your Bar Number(s)
8. NAME
TITLE (i.e. Partner, VP)
FULL ADDRESS
E-MAIL
Will you request CLE Credit? If so, list the state(s) and your Bar Number(s)

CONTINUE ON NEXT PAGE

9. NAME
TITLE (i.e. Partner, VP)
FULL ADDRESS
E-MAIL
Will you request CLE Credit? If so, list the state(s) and your Bar Number(s)
10. NAME
TITLE (i.e. Partner, VP)
FULL ADDRESS
E-MAIL
Will you request CLE Credit? If so, list the state(s) and your Bar Number(s)

By submitting this form, all registrants have agreed to IPO's meeting policies.