FOURTEENTH ANNUAL INSTITUTE ON INTELLECTUAL PROPERTY LAW

San Luis Hotel, Galveston, Texas
October 1 - 3, 1998

Co-Sponsored by:

HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION

UNIVERSITY OF HOUSTON LAW CENTER INTELLECTUAL PROPERTY PROGRAM

Generously Underwritten By:

Deloitte & Touche LLP
Litigation Services Group

PROGRAM HIGHLIGHTS

Luncheon with Justice Greg Abbott, Texas Supreme Court
Panel on Model Case Management Order for Patent Litigation
Panel on Replay of Actual Markman Hearing
Panel on PCT/EPO Practice
Panel on State Secrets and Federal Cases, A Trade Secret Update

2.5 Hours of Ethics

Life always rides in strength to victory, not through internationalism...but only through the direct responsibility of the individual.

Frank Lloyd Wright
# 14th Annual Institute on Intellectual Property Law

**San Luis Hotel, Galveston, Texas • October 1 - 3, 1998**

## Program

### Thursday, October 1, 1998

**Afternoon Program**

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
<th>Presenter(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>12:00</td>
<td>Registration</td>
<td></td>
</tr>
<tr>
<td>1:00</td>
<td>Opening Remarks</td>
<td>Tim Headley, Chairman</td>
</tr>
<tr>
<td>1:15</td>
<td>Intellectual Property Portfolio Management</td>
<td>Don Fancher, Bruce Burton</td>
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<tr>
<td>2:00</td>
<td>Rice - PTO Office</td>
<td>John Mings</td>
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<tr>
<td>3:00</td>
<td>Break</td>
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<tr>
<td>3:15</td>
<td>Creating Double Patenting by Delaying Prosecution</td>
<td>Keith Tackett</td>
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<tr>
<td>3:45</td>
<td>Licensing &amp; Electronic Commerce Under UCC Article 2B</td>
<td>Irene Kosturakis</td>
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<td>4:15</td>
<td>Export Issues</td>
<td>D. Arion Groves</td>
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<tr>
<td>4:45</td>
<td>Panel: Model Case Management Order for Patent Litigation</td>
<td>Ken Adamo, John Lowe</td>
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<tr>
<td>6:00</td>
<td>Cocktail Reception - San Luis Hotel</td>
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<tr>
<td>7:00</td>
<td>Dinner (On Your Own)</td>
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### Friday, October 2, 1998

**Morning Program**

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>7:30</td>
<td>Continental Breakfast</td>
<td>Paul Janicke</td>
</tr>
<tr>
<td>8:00</td>
<td>To Re or Not to Re, That is the Examination Question</td>
<td>Frank Vaden</td>
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<tr>
<td>8:30</td>
<td>European Trade Mark Harmonisation: An Impossible Dream?</td>
<td>John Olsen</td>
</tr>
<tr>
<td>9:00</td>
<td>Protection of IP Rights Against Bankruptcy</td>
<td>Paula Morris</td>
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<tr>
<td>9:30</td>
<td>Break</td>
<td></td>
</tr>
<tr>
<td>10:15</td>
<td>Update - Trademark and Copyright Law</td>
<td>Matthew Reeves</td>
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### Saturday, October 3, 1998

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<tr>
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<td>Continental Breakfast</td>
<td>Byron Spruell</td>
</tr>
<tr>
<td>8:20</td>
<td>Opening Remarks</td>
<td>Tim Headley</td>
</tr>
<tr>
<td>8:30</td>
<td>Legal Issues Related to the Internet</td>
<td>Anita Kadala</td>
</tr>
<tr>
<td>9:30</td>
<td>Defensive Driving for the IP Practitioner, Fasten Your Seatbelt!</td>
<td>Walter W. Steele, David Hricik, Rodney Caldwell</td>
</tr>
<tr>
<td>10:30</td>
<td>Break</td>
<td></td>
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<td>Matthew Reeves</td>
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**Lakefront Hotel, Galveston, Texas • October 1 - 3, 1998**

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BACKGROUND OF PARTICIPANTS

GREG ABBOTT
Justice Greg Abbott was appointed to the Texas Supreme Court by Governor Bush and was later elected to that position in November 1996. He received his law degree from Vanderbilt University and is a Texas Constitutional Law Professor at the University of Texas.

KEN ADAMO
Ken Adamo is a partner with Jones, Day, Reavis & Pogue, Cleveland, Ohio, and Dallas, Texas. His practice comprises a broad spectrum of U.S. and foreign intellectual property law activities including patent, trademark, copyright and trade secret causes.

LOUIS BRUCCULERI
Louis Brucculeri is a Licensing Counsel for Compaq focusing on intellectual property litigation and licensing. Lou has served as Director, Secretary and Committee Chair for HIPLA and as Treasurer for the State Bar IPL Section.

BRUCE W. BURTON
Bruce W. Burton heads the Intellectual Property Consulting practice at Deloitte & Touche L.L.P. and specializes in intellectual property consulting and analysis of intellectual property infringement matters.

RODNEY CALDWELL
Rodney Caldwell is a shareholder with Arnold, White & Durkee in Houston, where he has practiced in the fields of patent and trademark law, including prosecution, litigation and licensing.

MICHAEL LEE COHEN
Michael Lee Cohen received his JD from Harvard University in 1991. He is with the firm of Cohen, Darnell & Cohen and specializes in civil and employment litigation.

J. DONALD FANCHER
J. Donald Fancher is the Director of Gulf Coast Dispute Consulting Services in Deloitte & Touche L.L.P.'s Houston office. He specializes in intellectual property issues.

D. ARLON GROVES
D. Arlon Groves received his J.D. from the University of Houston. He is managing Partner of Groves & Glover, L.L.P. and was the Special Master, U.S.D.Ct. Southern District of Texas 1990-1993.

TIM HEADLEY
Tim Headley is a partner in the Houston Office of Haynes and Boone, L.L.P. He practices in all areas of intellectual property law, but focuses on technologies involving computer software.

DAVID HRICIK
David Hricik is with the Austin office of Baker & Botts. He has written and lectured extensively on legal, ethical and intellectual property issues.

PAUL JANICKE
Paul Janicke is Associate Professor of Law and Director of the IP Program at the University of Houston Law Center. He was until 1992 a member of Arnold, White & Durkee, with a practice predominantly in patent litigation.

ANITA KADALA
Anita Kadala received a B.S. Computer Engineering from Southern Methodist University and J.D. from the University of Houston. She is an associate at Arnold, White & Durkee practicing primarily in patent, trademark, copyright, and trade secret litigation.

IRENE KOSTURAKIS
Irene Kosturakis is Compaq Computer Corporation’s Manager of Worldwide Patent Development and is responsible for the protection of the Company’s intellectual property rights through patents and for the development of an assertable patent portfolio.

JOHN C. LOWE

PAUL MARICO
Paul Morico is an associate at Arnold, White & Durkee. He also teaches a course in international intellectual property law at the University of Houston and South Texas College of Law.

PAULA MORRIS
Paula Morris is a member of Madan & Morris, PLLC, and co-author of a paper and Licensing Law Handbook chapter regarding bankruptcy and IP rights.
BACKGROUND OF PARTICIPANTS (cont'd)

JOHN R. OLSEN

John R. Olsen is head of the International Trade Marks and Designs Group at SJ Berwin & Co. He specializes in trade mark law and has headed up substantial trade mark departments at companies in both Europe and the USA.

MELINDA PATTERSON

Melinda Patterson has been practicing with Arnold, White & Durkee for approximately ten years. Her practice is primarily in the area of patents, both litigation and prosecution, with an emphasis on the technical area of biotechnology.

LESLIE V. PAYNE

Leslie V. Payne joined the Houston office of Conley, Rose & Tayon after graduating from Vanderbilt Law School in 1992. She specializes in intellectual property litigation.

MATTHEW REEVES

Matthew Reeves is with the law firm of Liddell, Sapp, Zivley, Hill & LaBoon in Houston, Texas. He practices in all areas of intellectual property law and is licensed to practice before the United States Patent and Trademark Office.

JIM REPASS

Jim Repass is a partner in Fulbright & Jaworski's Houston office. He focuses his practice on intellectual property litigation, with an emphasis on patents, copyright, trade secrets and trademarks.

CONSTANCE GAIL RHEBERGEN

Constance Gail Rhebergen is an associate at the firm of Vaden, Eickenroth & Thompson, L.L.P., and received her Juris Doctor Degree from the University of Houston Law Center. Ms. Rhebergen's practice encompasses prosecution and litigation.

AL RIDDELL

Al Riddle currently serves as Division Patent Counsel for Baker Hughes, Inc. He is a graduate of the University of Texas at Austin (BSEE) and South Texas College of Law (JD).

E. RANDALL SMITH

Randy Smith is with the Houston office of Conley, Rose & Tayon and is a former Director of HIPLA. His practice is devoted to intellectual property litigation and prosecution.

BYRON O. SPRUELL

Byron O. Spruell is a senior manager and intellectual property specialist in the Dispute Consulting Services group of Deloitte & Touche L.L.P.'s Houston office.

WALTER W. STEELE, JR.

Walter Steele, Jr. is an Emeritus Professor at Southern Methodist University School of Law where he taught professional responsibility for over twenty years. He is a member of the Texas Board of Legal Examiners.

KEITH TACKETT

Keith Tackett is an associate in the firm Patterson & Streets, L.L.P., with thirteen years of patent prosecution experience including lead attorney in the interference proceeding that resulted in the double patenting decision.

D.C. TOEDT, III

D.C. Toedt, III is a shareholder in Arnold, White & Durkee, PC, in the Houston office. Mr. Toedt practices in patent law relating to software- and telecommunications-based technologies.

KAREN TRIPP

Karen Tripp is a partner with Winstead, Sechrest & Minick in Houston, Texas. Her broad intellectual property practice frequently includes rendering patent validity and infringement opinions.

FRANK C. TURNER

Frank C. Turner is an associate attorney with the firm of Vaden, Eickenroth & Thompson L.L.P. Mr. Turner's practice encompasses all areas of Intellectual Property with an emphasis on prosecution.

FRANK S. VADEN, III

Frank S. Vaden, III was HIPLA President the year that the Annual Fall Institute was established. He also served as Chair of the IP Section of the State Bar of Texas.

JOHN VICK

John Vick is legal counsel for the Dowell division of Schlumberger Technology Corporation. His practice includes primarily patent law and licensing.

University of Houston Law Center: Paul Janicke, Director of the Intellectual Property Program: Craig Joyce, Associate Dean for Graduate Studies & Special Programs; Raymond T. Nimmer, Leonard Childs Professor of Law.

PROGRAM ADMINISTRATION

Tim Headley, Chairman; Professor Paul Janicke, Vice-Chairman; Michelle Baxter, Andre' Washington, Program Coordinators, and Jennifer Sickler, McCarroll & Oaks, Hartline, LLP.

Committee Members:

REGISTRATION INFORMATION

REGISTER IN ADVANCE

Fees:
$315.00 ..................................... HIPLA members up to August 15
$365.00 ..................................... Non-HIPLA members up to August 15
$390.00 ..................................... HIPLA members after August 15
$440.00 ..................................... Non-HIPLA member after August 15

Refunds will be granted only if they are requested in writing and postmarked no later than September 4, 1998. If you do not attend the program and do not request a refund, you will be mailed the written materials.

QUESTIONS?
If you have any questions about the conference, please call the Intellectual Property Program, at 713-743-2180.

WRITTEN MATERIALS
Extensive articles on the presentations will be bound as a Program Book, included in the registration fee, and handed out during registration.

HOTEL ACCOMMODATIONS
You must communicate directly with the San Luis Hotel in order to reserve a room. A registration form is included in this brochure, which should be completed and mailed to the San Luis Hotel. The deadline for reserving blocked rooms is September 8, 1998. After this date, reservations are made on a space available basis only. Telephone: 800-392-5937.

REGISTRATION FORM
INSTITUTE ON INTELLECTUAL PROPERTY LAW • OCTOBER 1 - 3, 1998
MAIL TO:
INTELLECTUAL PROPERTY PROGRAM, UNIVERSITY OF HOUSTON LAW CENTER • HOUSTON, TX 77204-6371

Please make check payable to HIPLA or use
☐ VISA ☐ American Express ☐ MasterCard Card #: __________________ Exp. Date: ___________

I. REGISTRATION FEES (CHECK ONE)

☐ $315 HIPLA members up to Aug. 15 (book included) _______
☐ $365 Non-HIPLA members up to Aug. 15 (book included) _______
☐ $390 HIPLA members after Aug. 15 (book included) _______
☐ $440 Non-HIPLA members after Aug. 15 (book included) _______
☐ $ 35 Limited Student Enrollment (lunch not included) _______
☐ $ 75 Program Book only (will not attend) _______

II. OTHER EXPENSES (CHECK ALL THAT APPLY)

☐ Friday Lunch $30 ea. x _______ (# of reservations) = ___________
☐ Friday Night Dinner $55 ea. x _______ (# of reservations) = ___________

HOTEL REGISTRATION FORM
14TH ANNUAL HIPLA INSTITUTE ON INTELLECTUAL PROPERTY LAW

Mail Hotel Registration to: All Registrations Must Be Received By September 8, 1998
The San Luis Resort and Conference Center
5222 Seawall Boulevard, Galveston, Texas 77551
800-392-5937

☐ Single or Double: $129 night ☐ Suite: $279
☐ VISA ☐ American Express ☐ MasterCard ☐ Other Card Number: ___________
Cardholder's Name: ___________________________ Signature: ___________________________
Arrival Date: ___________________________ Departure Date: ___________________________
Name: ___________________________ Roommate: ___________________________
Company/Organization: ___________________________ Phone: ___________________________
Address: ___________________________ City/State/Zip: ___________________________

ANY CANCELLATIONS MUST BE RECEIVED AT LEAST 72 HOURS PRIOR TO ARRIVAL DATE TO AVOID CHARGES.
All requests subject to availability. Reservations are considered tentative unless guaranteed by first night's deposit or major credit card.
**14TH ANNUAL INSTITUTE ON INTELLECTUAL PROPERTY LAW**
*San Luis Hotel, Galveston, Texas • October 1 - 3, 1998*

**Summary of the Program**

*Casual attire is encouraged for all aspects of the program.*

**THURSDAY SESSIONS**

- Thursday afternoon sessions will include: Intellectual Property Portfolio Management; Rice - PTO Office; Creating Double Patenting by Delaying Prosecution; Licensing & Electronic Commerce Under UCC Article 2B, Export Issues
- Thursday afternoon panel: Model Case Management Order for Patent Litigation

**FRIDAY & SATURDAY SESSIONS**

- Ten lectures on topics of current IP interest, Patent Damages and First Amendment Rights in Cyberspace.
- Panel on Replay of Actual Markman Hearing
- Friday afternoon panel: Ethics Vignettes
- Panel on PCT/EPO Practice
- Lunch with Judge Greg Abbott

**MINIMUM CONTINUING LEGAL EDUCATION**

Approval for State Bar of Texas CLE credit for 10.75 hours for the Friday-Saturday sessions, and 4 hours for the Thursday sessions, is pending. 2.5 hour of ethics is included in the program.

**RECREATIONAL AND SOCIAL ACTIVITIES**

- **THURSDAY COCKTAIL RECEPTION:** Cocktails and soft drinks will be served at the San Luis around the pool deck and hill overlooking the Gulf of Mexico.
- **FRIDAY LUNCHEON:** The San Luis Hotel will be the setting for a luncheon with Justice Greg Abbott, Texas Supreme Court.
- **FRIDAY COCKTAIL RECEPTION AND DINNER:** The setting for dinner Friday night will be at Moody Gardens, one of the most popular Galveston attractions. Cocktails will be served at the Moody Gardens waterfall garden and rainforest. Dinner will follow in the Garden Lobby adjacent to the Rainforest overlooking a waterlife pond. Moody Gardens features a 10 story, 40,000 square-foot Rainforest Pyramid, housing thousands of exotic plants, birds, butterflies and fish, offering an incredible tropical environment complete with waterfalls, cliffs, caverns, wetlands and forests.

**LOCATION**

The San Luis Resort and Conference Center is located on Galveston Island. Take I-45 south from Houston to Galveston. Cross Causeway Bridge, exit 61st street and turn right. Head south on 61st Street to Seawall Boulevard. Turn left onto Seawall Boulevard. Head east eight blocks to the San Luis Resort and Conference Center.

University of Houston Law Center
Intellectual Property Program
Houston, Texas 77204-6371