Fifteenth Annual Institute on Intellectual Property Law

The Moody Gardens Hotel, Galveston, Texas
October 7 - 9, 1999

Co-Sponsored by:

Houston Intellectual Property Law Association

University of Houston Law Center
Institute for Intellectual Property & Information Law

Generously Underwritten By:

Deloitte & Touche LLP

PROGRAM HIGHLIGHTS

Commissioner Dickinson on Patent Practice in the New Millennium

Three Federal Judges on Perceptions of IP Litigation

Full Three Hours of Ethics CLE Credit

Internet and Y2K Topics

In-house Counsel on Retaining and Managing Outside IP Counsel

Countering Entertainment Piracy Worldwide

The man who gets the most satisfactory results is not always the man with the most brilliant single mind, but rather the man who can best co-ordinate the brains and talents of his associates.

W. Alton Jones
### 15th Annual Institute on Intellectual Property Law

*The Moody Gardens Hotel, Galveston, Texas · Oct. 7 - 9, 1999*

**Program**

**THURSDAY OCTOBER 7, 1999**

**Afternoon Program**

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
<th>Speaker(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>12:30</td>
<td>Registration</td>
<td></td>
</tr>
<tr>
<td>1:00</td>
<td>Opening Remarks</td>
<td>Sharon Israel, Program Chair</td>
</tr>
<tr>
<td>1:15</td>
<td>Investigating and Reporting Possible Time Bars to PTO (Ethics)</td>
<td>Marcella D. Watkins</td>
</tr>
<tr>
<td>1:45</td>
<td>Evidentiary Issues and Solutions at Trial</td>
<td>V. Bryan Medlock, Jr.</td>
</tr>
<tr>
<td>2:15</td>
<td>Licensing Today</td>
<td>Doug Baldwin</td>
</tr>
<tr>
<td>3:00</td>
<td>Contingency Patent Litigation</td>
<td>Ray Niro</td>
</tr>
<tr>
<td>3:30</td>
<td>Break</td>
<td></td>
</tr>
<tr>
<td>3:45</td>
<td>Trademark Update</td>
<td>David Hilliard</td>
</tr>
<tr>
<td>4:30</td>
<td>Copyright Update</td>
<td>Robert Clarida</td>
</tr>
<tr>
<td>5:15</td>
<td>Adjournment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dinner (On Your Own)</td>
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</tbody>
</table>

**FRIDAY, OCTOBER 8, 1999**

**Morning Program**

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
<th>Speaker(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:30</td>
<td>Continental Breakfast</td>
<td></td>
</tr>
<tr>
<td>7:40</td>
<td>Opening Remarks</td>
<td>Sharon Israel, Program Chair</td>
</tr>
<tr>
<td>8:00</td>
<td>Powerpoint Presentation in Patent Jury Trials</td>
<td>John Lynch</td>
</tr>
<tr>
<td>8:45</td>
<td>Current Developments On Internet Issues</td>
<td>Holly Towle</td>
</tr>
<tr>
<td>9:45</td>
<td>Break</td>
<td></td>
</tr>
<tr>
<td>10:00</td>
<td>Patent Law Update</td>
<td>Prof. Paul Janicke</td>
</tr>
<tr>
<td>10:45</td>
<td>Ethics in IP Practice (Ethics)</td>
<td>Prof. Walter Steele</td>
</tr>
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</table>

**SATURDAY, OCTOBER 9, 1999**

**Morning Program**

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
<th>Speaker(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:20</td>
<td>Announcements</td>
<td>Sharon Israel, Program Chair</td>
</tr>
<tr>
<td>8:30</td>
<td>Management of IP Litigation: In-house Counsel Perspective</td>
<td>Tom Stekman</td>
</tr>
<tr>
<td>9:00</td>
<td>Piracy of Entertainment Products</td>
<td>Nils Victor Montan</td>
</tr>
<tr>
<td>9:45</td>
<td>Break</td>
<td></td>
</tr>
<tr>
<td>10:00</td>
<td>Y2K</td>
<td>Tom Arnold</td>
</tr>
<tr>
<td>10:30</td>
<td>Building an International Patent Portfolio</td>
<td>Roger Maxwell</td>
</tr>
</tbody>
</table>
**BACKGROUND OF PARTICIPANTS**

**TOM ARNOLD**
is the founding partner of *Arnold, White & Durkee* and has practiced law in Houston for over fifty years. A past president of AIPLA and HBA, he is widely known as an expert in ADR techniques for resolution of IP disputes.

**DOUG BALDWIN**
is former Assistant General Counsel for Patents & Licensing at Shell Oil Company. He teaches licensing at the University of Houston Law Center.

**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.

**ROBERT CLARIDA**
is with *Cowan, Liebowitz & Latman* in New York City. Prior to law school he obtained advanced degrees in music, during which time he was a Fulbright Fellow in Sweden. He is a well-known and prolific author in the fields of both copyright and trademark law.

**DAVID CLONTZ**
is a partner with *Akin, Gump, Strauss, Hauer and Feld* in Houston, where he is a member of the IP and technology sections. He focuses on high technology software, electronics, and computer issues, and he is active in all aspects of IP litigation, including patent portfolio counseling, and infringement/validation opinion work.

**Q. TODD DICKINSON**
is Acting Commissioner of Patent & Trademarks and Acting Assistant Secretary of Commerce. Prior to becoming Acting Commissioner, he was briefly Deputy Commissioner and before that served in a number of IP posts, including private practitioner in Philadelphia and Chief IP Counsel for Sun Oil Company for five years.

**WILLIAM FREIVOGEL**
is Senior Vice President and Loss Prevention Counsel for Attorneys' Liability Assurance Society (ALAS). ALAS provides professional malpractice for many large law firms in the United States. ALAS has extensive experience relating to IP attorney malpractice claims and their effective prevention.

**DAVID HILLIARD**
is managing partner of the Chicago and Washington, D.C. firm of *Pattishall, McAuliffe, Newbury, Hilliard & Geraldson*. He is a well-known trial lawyer in the field of trademark law and co-author of a leading law school casebook on that subject. He teaches trademark law at Northwestern University School of Law.

**JUDGE KENNETH HOYT**
has been a Federal District Judge in Houston since his appointment in 1988 by President Reagan. Prior to that he served for five years as a Texas state judge, first as district judge and later as judge of the Texas First Court of Appeals.

**SHARON ISRAEL**
is a senior attorney in the Intellectual Property section of *Jenkens & Gilchrist's* Houston office, where she focuses on intellectual property litigation, opinion work, and client counseling. She is an adjunct professor at the University of Houston Law Center, an active member and current treasurer of HIPLA, and a former law clerk to Judge Alan Lourie.

**PAUL JANICKE**
is Associate Professor of Law and Co-Director of the Institute for Intellectual Property and Information Law at the University of Houston Law Center. He was until 1992 a member of *Arnold, White & Durkee*, with a practice predominantly in patent litigation.

**EDWARD KAZENSKE**
is Assistant Commissioner of Patents & Trademarks. Prior to assuming that post in 1996, he was PTO Chief of Staff.

**MARGARET KIRICK**
is an in-house IP counsel for Pennzoil-Quaker State Company in Houston. She is responsible for corporate IP matters, including overseeing outside patent counsel, maintaining the company's trademark portfolio, and in-house client counseling regarding IP matters.

**CRAIG LUNDELL**
is a shareholder in the Houston office of *Arnold, White & Durkee*, where he specializes in patent litigation and prosecution, including trade secret, contract, antitrust, and licensing issues. Former clients of his include Monsanto Company, Samsung Electronics, Emerson Electric, 3M, Halliburton, Medtronic, and Micron Technology.

**JOHN LYNCH**
is managing partner of *Arnold, White & Durkee* and is resident in the Menlo Park, California office. He has tried thirty other patent cases.

**ROGER L. MAXWELL**
is a shareholder in the Intellectual Property Practice Group in the Dallas office of *Jenkens & Gilchrist*. Mr. Maxwell specializes in patent portfolio management and licensing.

**V. BRYAN MEDLOCK, JR.**
is the head of the IP section of *Sidley & Austin* and is resident in its Dallas office, where he has practiced patent law and specialized in litigation for over thirty-six years. He was chairman of the American Bar Association Litigation Sections patent litigation committee for three years and has been chairman of the Southwestern Legal Foundations Institute on Patent Law for eighteen years.
BACKGROUND OF PARTICIPANTS (cont’d)

JUDGE MARY MILLOY

is a U.S. magistrate judge in the Southern District of Texas, a post in which she has served since 1992, and in which she is overjoyed to have been able to try a large number of patent cases. Judge Milloy was in trial and appellate work as an Assistant District Attorney for Harris County and as an Assistant United States Attorney. She is now active in the A.A. White Inn of Court in Houston.

NILS VICTOR MONTAN

is Vice President and Senior IP Counsel at Warner Brothers. In that position, he is responsible for the protection of the intellectual property generated by the studio and heads the worldwide anti-piracy program dealing with issues of film, disc, and tape piracies.

PAUL R. MORICO

is a partner with the Frohwitter firm in Houston, where he specializes in patent litigation and prosecution. Earlier he worked as an associate with Kenyon & Kenyon in New York city and then with Arnold, White & Durkee in Houston. He is a former Adjunct Professor at the University of Houston and at the South Texas College of Law.

RAY NIRO

is a senior partner in the Chicago IP firm Niro, Scavone, Haller & Niro. He has represented clients in hundreds of patent and trade secrets cases and is well-known throughout the country as an IP litigator and commentator. In 1997, the National Law Journal named him as one of the Top Ten Trial Lawyers in the U.S.

GALE R. ("PETE") PETERSON

is a senior partner in the San Antonio firm of Cox & Smith. He is a former law clerk to Chief Judge Markey at the CCPA and a frequent writer and lecturer on patent law subjects. He is currently Financial Officer of the ABA IPL Section.

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.

JUDGE LEE ROSENTHAL

was appointed a U.S. District Judge by President Bush in 1992 and in that capacity has presided over many patent cases. Prior to going on the bench, she was a law clerk to Chief John R. Brown of the Fifth Circuit and later a litigation partner in Baker & Botts.

TOM SIEKMAN

a patent lawyer, is now General Counsel of Compaq Computer Corporation. Earlier he was a long-time Chief IP Counsel and then General Counsel of DEC before it merged with Compaq.

WALTER W. STEELE, JR.

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

JEFFREY W. TAYON

a former president of HIPLA, is a shareholder in the Houston office of Conley, Rose & Tayon. He is also a former PTO Examiner and former Law Clerk and Technical Advisor to CAFC Judge Jack Miller.

HOLLY TOWLE

is a partner in the Seattle law firm of Preston, Gates & Ellis. She has spoken throughout the world on Internet and E-Commerce issues, and her practice is centered in those areas. She is listed in the International Who's Who of Internet and E-Commerce Lawyers.

MARCELLA D. WATKINS

specializes in patent prosecution, corporate counseling, and intellectual property transactions in the Houston office of Conley Rose & Tayon, P.C.

Houston Intellectual Property Law Association: Jim Repass, President; Tim Headley, President-Elect; Gene Spears, Secretary; Sharon Israel, Treasurer; Michael Heim, Immediate Past President.

University of Houston Law Center: Prof. Paul Janicke, Prof. Craig Joyce, and Prof. Raymond T. Nimmer, Co-Directors of the University of Houston Law Center Institute for Intellectual Property and Information Law.

PROGRAM ADMINISTRATION

Sharon Israel, Chairman; Professor Paul Janicke, Vice-Chairman; Leah Oren-Palmer and Kristi Barr, Program Coordinators.

Committee Members:

Lou Bruculeri, David Clonts, Tim Headley, Michael Heim, Sharon Israel, Paul Janicke, Craig Lundell, Jim Repass.
REGISTRATION INFORMATION

REGISTER IN ADVANCE

Fees:
$375.00 .................. HIPLA members up to August 23
$425.00 .................. Non-HIPLA members up to August 23
$450.00 .................. HIPLA members after August 23
$500.00 .................. Non-HIPLA member after August 23

Refunds will be granted only if they are requested in writing and postmarked no later than September 10, 1999. 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 program, 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 Moody Gardens Hotel in order to reserve a room. A registration form is included in this brochure, which should be completed and mailed to The Moody Gardens Hotel. The deadline for making your reservation is September 10, 1999. After this date, reservations are made on a space available basis only. Telephone: 888-388-8484.

REGISTRATION FORM
MAIL TO:
IPIL, UNIVERSITY OF HOUSTON LAW CENTER • HOUSTON, TX 77204-6371

Please make check payable to HIPLA or use
☐ VISA ☐ MasterCard Card #:_____________ Exp. Date: __________

I. REGISTRATION FEES (CHECK ONE) AMOUNT
☐ $375 HIPLA members up to Aug. 23 (book included) __________
☐ $425 Non-HIPLA members up to Aug. 23 (book included) __________
☐ $450 HIPLA members after Aug. 23 (book included) __________
☐ $500 Non-HIPLA members after Aug. 23 (book included) __________
☐ $35 Limited Student Enrollment (lunch not included) __________
☐ $135 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
15TH ANNUAL HIPLA INSTITUTE ON INTELLECTUAL PROPERTY LAW

Mail Hotel Registration to: All Registrations Must Be Received By September 10, 1999
The Moody Gardens Hotel To Be Assured of Availability
7 Hope Boulevard, Galveston Island, Texas 77554
888-388-8484

1 King: ☐ $125 night 2 Queens: ☐ $125 1 Bedroom Suite: ☐ $275
1 Queen Suite: ☐ $275 2 Bedroom Suite: ☐ $375 1 Jacuzzi Suite: ☐ $275
☐ VISA ☐ American Express ☐ MasterCard ☐ Other__ Card Number: __________ Exp. Date: __________
Cardholder's Name: _______________________________________________________________________________
Signature: ______________________________________________________________________________________
Arrival Date: ___________________________________________________________________________________
Departure Date: _________________________________________________________________________________
Name: __________________________________________________________________________________________
Roommate: ____________________________________________________________________________________
Company/Organization: __________________________________________________________________________
Phone: _________________________________________________________________________________________
Address: _______________________________________________________________________________________
City/State.Zip: __________________________________________________________________________________

ANY CANCELLATIONS MUST BE RECEIVED AT LEAST 48 HOURS PRIOR TO ARRIVAL DATE.

All requests subject to availability. Reservations will be considered tentative unless guaranteed by first night's deposit or major credit card.
15TH ANNUAL INSTITUTE ON INTELLECTUAL PROPERTY LAW
The Moody Gardens Hotel, Galveston, Texas • October 7 - 9, 1999

Summary of the Program

Casual attire is encouraged for all aspects of the Program.

THURSDAY SESSIONS
• Thursday afternoon sessions will include: (1) Panel Discussion on Ethical Issues in IP Practice; (2) Trademark and Copyright Update Sessions.

FRIDAY & SATURDAY SESSIONS
• Special Features:
  (1) Commissioner Dickinson as Luncheon Keynote Speaker.
  (2) Internet, Y2K, and Entertainment Piracy Issues.

MINIMUM CONTINUING LEGAL EDUCATION
This program is pending approval for Minimum Continuing Legal Education credit by the State Bar of Texas for 14.0 hours, including 3.0 hours of ethics credit.

RECREATIONAL AND SOCIAL ACTIVITIES
• THURSDAY COCKTAIL RECEPTION: The Moody Gardens Hotel on Thursday evening for registrants and guests.

LOCATION
The Moody Gardens Hotel is located in Galveston, Texas, on Hope Boulevard. From Houston, take I-45 South and exit 61st Street. Turn right on 61st Street and again on Seawall Boulevard. From Seawall Boulevard turn right on 81st Street and continue to Jones Road. Turn right onto Hope Boulevard, and the hotel will be on your right. Telephone number: 888-388-8484; Houston 409-741-8484.

University of Houston Law Center
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Houston, Texas 77204