EIGHTEENTH ANNUAL INSTITUTE ON INTELLECTUAL PROPERTY LAW
The Moody Gardens Hotel, Galveston, Texas
September 26-28, 2002

Presented by:
HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION
UNIVERSITY OF HOUSTON LAW CENTER
INSTITUTE FOR INTELLECTUAL PROPERTY & INFORMATION LAW

PROGRAM HIGHLIGHTS

KEYNOTE LUNCH SPEAKER: HONORABLE WILLIAM C. CONNER,
A TRIBUTE TO THE 20TH ANNIVERSARY OF THE FEDERAL CIRCUIT

MIKE KIRK, EXECUTIVE DIRECTOR OF THE AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION

MORGAN CHU, CO-MANAGING PARTNER OF IRELL & MANELLA, ON THE INTERSECTION OF ANTITRUST AND INTELLECTUAL PROPERTY LAW
THURSDAY, SEPTEMBER 26, 2002

1:00 Registration

Afternoon Program

Moderator: Gordon Arnold

1:45 Opening Remarks
Sarah Harris

2:00 International Arbitration of IP Disputes
Allen Green

2:30 IP Issues in Bankruptcy Proceedings
Tom Grace

3:00 Legislative Updates & PTO Funding
Mike Kirk

3:30 Break

3:45 Inequitable Conduct (Ethics)
Gene Spears

4:15 Unlocking the Value of IP
Lisa Jorgenson, Roger May, Richard Phillips and Andrea Ryan
Moderator: Charlotte Copperthite

5:30 Adjourn

5:45 Welcome Reception
Sponsored by: Shook, Hardy & Bacon L.L.P.

Dinner (On Your Own)

FRIDAY, SEPTEMBER 27, 2002

Morning Program

7:15 Continental Breakfast
Moderator: Yukiko lwata

8:00 Opening Remarks
Sarah Harris

8:15 Images of Lawyers in Film (Ethics)
Nancy Rapoport

9:15 "Baseball Bats"
Morgan Chu

9:45 Internet Issues
Charles Rogers

10:15 Break

10:30 Top 10 Best & Worst Patent Cases
Frank Porcelli

11:00 Claim Construction (Collateral Estoppel)
David Clonts

11:30 Copyright Update
Marshall Leafer

12:00 Luncheon and Keynote Speech
Hon. William C. Conner

1:30 IP Malpractice -- Conflicts of Interest (Ethics)
Anthony Greene

2:15 Trade Secret Update
Scott Partridge

2:45 Design Patents -- The Inside Skinny
Perry Saidman

3:15 Post-Grant Prosecution Considerations
Sharon Israel

3:45 Break

4:00 Prosecution History Estoppel -- It’s Not All About Festo
Charles Walker and Marcella Watkins

4:30 Patent Law Update
Lisa Dolak

5:15 Adjourn

5:30 Welcome Reception
Sponsored by: Intecap, Inc.

6:45 Reception at the Moody Gardens Hotel

7:30-9:30 Dinner at the Moody Gardens Hotel

SATURDAY, SEPTEMBER 28, 2002

Morning Program

7:15 Continental Breakfast
Moderator: Linda Stokley

8:00 Opening Remarks
Sarah Harris

8:15 Patent Opinions (Ethics)
Bill LaFauce

9:00 Patent Litigation Statistics
Paul Janicke

9:30 Employment Law Every IP Attorney Should Know
Connie Cornell

10:00 Break

10:15 Patent Damages Issues
Paul Krieger

10:45 How Mergers & Acquisitions Can Impact Intellectual Property Rights
Anthony Chavez

11:15 Trademark Update
Kate Spelman

12:00 Adjourn
BACKGROUND OF PARTICIPANTS

GORDON ARNOLD
has practiced intellectual property law since 1988, founding Arnold & Associates in 1996. Mr. Arnold is currently a Counsel Member of the American Bar Association Section of Intellectual Property Law and has served for years as an officer and on the board of the Houston Intellectual Property Law Association.

ANTHONY CHAVEZ
is Counsel with ExxonMobil Chemical Company, in the company's intellectual property licensing group. Mr. Chavez has written and lectured on legal topics relating primarily to: antitrust analysis of joint ventures; antitrust/intellectual property interface; trade secrets and misappropriation; corporate compliance programs; and white color crime. He earned his J.D. in 1981 from Stanford University.

MORGAN CHU
is co-managing partner of the law firm of Irell & Manella LLP. He was plaintiff's lead trial counsel in Stac Electronics v. Microsoft and City of Hope v. Genetech. Mr. Chu was also co-counsel for the plaintiff in Texas Instruments v. Samsung.

DAVID CLONTS
is a partner in the intellectual property and technology practice groups of Akin, Gump, Strauss Hauer & Feld, L.L.P. in Houston. Mr. Clonts is active in all aspects of intellectual property litigation, as well as in patent portfolio counseling and infringement/validity opinion work. Mr. Clonts received his B.S.E.E. from the Georgia Institute of Technology in 1987 and his J.D. from the University of Texas in 1991.

WILLIAM C. CONNER
is a United States District Judge for the Southern District of New York. A graduate of the University of Texas, Judge Conner was a member of the firm Curtis, Morris & Safford specializing in patent and trademark litigation.

CHARLOTTE COPPERTHITE
is the Chief Intellectual Property Counsel for Conoco. Previous clients include Honeywell, Shell Oil Company, Pfizer, and Amerada Hess. She has a MSChE, Executive MBA (finance) and Six Sigma Green Belt.

CONNIE CORNELL
is a shareholder in the Austin office of Jenkens & Gilchrist. Ms. Cornell specializes in labor/employment issues and is a graduate of the University of Texas School of Law.

LISA DOLAK
is Associate Professor of Law at Syracuse University College of Law, and Of Counsel to Nixon Peabody LLP.

TOM GRACE
is a partner with the law firm Locke Liddell & Sapp. Mr. Grace's practice includes bankruptcy and creditor rights on behalf of parties in all facets of commercial collection and bankruptcy matters, with emphasis on representation of secured and unsecured creditors and indenture trustees in bankruptcy proceedings.

ALLEN GREEN
is a partner of the law firm McKenna Long & Aldridge, LLP. Mr. Green, a graduate of the University of Virginia, has engaged in extensive litigation and counseling on behalf of clients on a wide range of international matters.

ANTHONY GREENE
is a Director at Herbert L. Jamison & Co., L.L.C. Over his 13 years at Jamison he has developed Risk Management & Insurance programs to address the exposures of Directors and Offices of Corporations & Non-Profit Organizations, Professional Associations, over 1500 Accounting Firms and over 2500 Law Firms (including over 500 IP firms). A graduate of St. John's University, Mr. Green serves as President and Trustee of the American Intellectual Property Law Foundation Inc.

SARAH HARRIS
is an attorney with Hewlett-Packard Company counseling the telecommunications division on intellectual property issues.

SHARON ISRAEL
is a former law clerk to Judge Lorie of the Federal Circuit, is a shareholder in the Houston office of Jenkens & Gilchrist. She is also an adjunct professor of law at the University of Houston Law Center.

YUKIKO IWATA
is Senior Counsel for Shell Oil Company in Houston, Texas. Ms. Iwata graduated magna cum laude from the University of Houston Law Center and is Co-Chair of ACCA Houston Chapter IP Committee.

PAUL JANICKE
is Professor of Law and Co-Director of the Institute for Intellectual Property & 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.

LISA JORGENSEN
has been with STMicroelectronic, Inc. since 1990 where she served as a patent attorney for several years prior to her role as Group Vice President in the Intellectual Property and Licensing division. Ms. Jorgenson received her MS in Industrial Management from Purdue University and her JD with Distinction from The John Marshall Law School.

MIKE KIRK
served as Deputy Assistant Secretary of Commerce and Deputy Commissioner of Patents and Trademarks prior to his position as Executive Director of the American Intellectual Property Law Association. Mr. Kirk has an undergraduate degree from the Citadel, a JD degree from Georgetown University Law School, and a Masters in Public Administration from Indiana University.

PAUL KRIEGER
is a partner with the firm of Fulbright & Jaworski, Houston, Texas, and head of the firm's Intellectual Property Practice Group. He has also taught the trade secret and trademark law courses as an adjunct professor at the University of Houston Law Center for the past 16 years. His practice is concentrated primarily on intellectual property litigation. He has lectured widely on all aspects of intellectual property law throughout the United States, Europe, South Korea and The People's Republic of China.

BILL LAFUZE
is a partner at Vinson & Elkins and resident in its Houston office. He is co-head of the Intellectual Property/Technical Litigation Section of the firm. He practices in substantially all areas of intellectual property law, and specializes in computer and computer-related law.

MARSHALL LEAFFER
is a Distinguished Scholar in Intellectual Property Law and University Fellow at Indiana University School of Law. Professor Leaffer received his J.D. at the University of Texas and his LLM in Trade Regulation at New York University Law School. In addition to his law review articles, he is the author of Copyright Law: Cases and Materials 5th ed., 2000; Understanding Copy-

ROGER MAY

is a partner with Howrey Simon Arnold & White in Chicago. His practice focuses on Intellectual Property and Intellectual Asset Management. Prior to joining Howrey, Mr. May served as Assistant General Counsel and Chief IP Counsel of Ford Motor Company and as President and CEO of Ford Global Technologies, Inc., a wholly-owned Intellectual Asset Management subsidiary of Ford.

SCOTT PARTRIDGE

chairs the Intellectual Property and Technology Department of Baker Botts’ Houston office. He has extensive intellectual property law experience, concentrating on litigation involving patents, copyrights, trademarks and trade secrets for technologies in the electrical and mechanical fields. He received his law degree from Georgetown University in 1974, where he was Editor of the Georgetown Law Journal.

RICHARD PHILLIPS

is Chief Patent Counsel for ExxonMobil Chemical Company. He is a board member of the Intellectual Property Owners Association. Mr. Phillips received his J.D. from the University of Illinois.

FRANK PORCELLI

is an attorney with the firm Fish & Richardson in Boston and Delaware. A graduate of Harvard Law School, Mr. Porcelli’s practice emphasizes patent, trademark, trade secret and copyright litigation.

NANCY RAPPORT

is Dean and Professor of Law at the University of Houston Law Center. Last year she was elected to membership in the American Law Institute, and in 2002, she received a Distinguished Alumna Award from Rice University. Dean Rapport received her J.D. from Stanford Law School. Her specialties are bankruptcy ethics and law and popular culture.

CHARLES ROGERS

is a shareholder in the firm Winstead Sechrest & Minick where he assists firm clients in a broad range of complex intellectual property litigation matters, licensing agreements and patent prosecution. His extensive intellectual property litigation experience covers all areas of discovery, motion practice injunctions, and trials in state and federal courts, including briefing and oral argument of appeals in the U.S. Court of Appeals for the Federal Circuit and the U.S. Court of Appeals for the Fifth Circuit.

ANDREA RYAN

is the Immediate Past-President of the American Intellectual Property Law Association. Ms. Ryan is Assistant General Counsel for Patents and Vice President, Wyeth Research in Cambridge, Massachusetts. Prior to joining Wyeth, Ms. Ryan was Vice President and Associate General Counsel, Intellectual Property, for the Warner-Lambert Company in Morris Plains, New Jersey. Ms. Ryan is a cum laude graduate in chemistry from Emmanuel College, Boston, Massachusetts and Hofstra University School of Law.

PERRY SAIDMAN

is a graduate of George Washington University. Mr. Saidman is in private practice in the Washington, DC area where his firm specializes in legal issues involving designs and product configurations. He has served as an expert witness and consultant in dozens of design patent and trade dress infringement lawsuits.

GENE SPEARS

is an attorney at the Houston office of Baker Botts. His practice focuses on the litigation of patent disputes.

KATE SPELMAN

of Steinhart & Falconer LLP in San Francisco has been practicing non-patent intellectual property law since 1980. She is a member of the Governing Committee of the American Bar Association Forum on Franchising, as well as a member of the Editorial Boards of The Journal of Internet Law, The Journal of Brand Management and The Cyberspace Lawyer.

LINDA STOKLEY

is Senior Patent and Licensing Counsel to ChevronTexaco Technology Venture Company. Linda graduated from South Texas College of Law magna cum laude and served as an assistant editor on the South Texas Law Review.

MIKE SUTTON

a graduate of George Washington Law School, is a partner and head of the Intellectual Property & Technical Litigation practice group of the firm Locke Liddell & Sapp concentrating in all aspects of intellectual property law, with an emphasis on litigation and trial work.

CHARLES WALKER

is a senior associate in the Houston office of Fulbright & Jaworski, LLP in the Intellectual Property and Technology section.

MARCELLA WATKINS

is a shareholder with the law firm of Conley, Rose & Tayon, P.C. She specializes in chemical and mechanical patent prosecution.

HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION

Kimbley Muller of Shell Oil Co., President; Craig Lundell of Howrey Simon Arnold & White, President-Elect; Paul Morico of Baker Botts, Secretary; Stephen Koch of ExxonMobil Corporation, Treasurer and Sharon Israel of Jenkins & Gilchrist, Immediate Past President.

UNIVERSITY OF HOUSTON LAW CENTER

Prof. Paul Janicke, Prof. Craig Joyce, Prof. Raymond T. Nimmer and Prof. Greg Vetter, Co-Directors of the University of Houston Law Center’s Institute for Intellectual Property and Information Law.

PROGRAM ADMINISTRATION

Sarah Harris, Chairman; Professor Paul Janicke, Vice-Chairman; Sindee Bielamowicz, Nancye Gorman and Sandra Larsen, Program Coordinators.

PROGRAM SELECTION COMMITTEE MEMBERS

Mike Amerson, Meg Boulware, Lou Brucceleri, David Clonts, Charlotte Copperthite, Hal Delhomme, Edward Fein, Mike Fletcher, Jack Goldstein, Sarah Harris, Tim Headley, Mike Heim, Lester Hewitt, Sharon Israel, Yukiko Iwata, Paul Janicke, Al Kimball, Margaret Kirick, Steve Koch, Bill LaFuze, Craig Lundell, Paul Morico, Kimbley Muller, Scott Partridge, Richard Phillips, Jim Repass, Al Riddle, Peter Strand, Mike Sutton, Ben Tobor, Laura Turley, Charles Walker and Marcella Watkins.

EVENT SPONSORS/UNDERWRITERS

Shook, Hardy & Bacon, L.L.P., KPMG, and Intecap, Inc.
REGISTRATION INFORMATION

REGISTER IN ADVANCE

Fees:
$375.00 ......................... HIPLA members up to August 27
$425.00 ......................... Non-HIPLA members up to August 27
$450.00 ......................... HIPLA members after August 27
$500.00 ......................... Non-HIPLA members after August 27

Refunds will be granted only if they are requested in writing and postmarked no later than August 31, 2002. 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 UH Intellectual Property Program at 713-743-2180.

I. REGISTRATION FEES (CHECK ONE)

I. REGISTRATION FEES (CHECK ONE) AMOUNT

☐ $375 HIPLA members up to Aug. 27 (book included) ________
☐ $425 Non-HIPLA members up to Aug. 27 (book included) ________
☐ $450 HIPLA members after Aug. 27 (book included) ________
☐ $500 Non-HIPLA members after Aug. 27 (book included) ________
☐ $35 Limited Student Enrollment ________
☐ $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) = ________

REGISTRATION FORM

MAIL TO:
IPIL, UNIVERSITY OF HOUSTON LAW CENTER • HOUSTON, TX 77204-6060
Please make check payable to HIPLA or use
☐ VISA ☐ MasterCard ☐ American Express
Card #: ___________________________ Exp. Date: ________
Or register online at www.hipla.org

NAME
AFFILIATION
ADDRESS
CITY/STATE/ZIP
PHONE NUMBER FAX NUMBER
SPOUSE/GUEST NAME (if Attending)
SIGNATURE OF CARDHOLDER

HOTEL REGISTRATION FORM

18TH ANNUAL HIPLA/UH INSTITUTE ON INTELLECTUAL PROPERTY LAW

Mail Hotel Registration to:
The Moody Gardens Hotel
7 Hope Boulevard, Galveston Island, Texas 77554
888-388-8484

Single: ☐ $140/night Double: ☐ $140/night Triple: ☐ $140/night Quad: ☐ $140/night Jacuzzi Suite: ☐ $295/night

☐ VISA ☐ American Express ☐ MasterCard
Cardholder's Name: ___________________________ Exp. Date: ________
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.
ATTIRE

Casual attire is encouraged for all aspects of the Program.

MINIMUM CONTINUING LEGAL EDUCATION

This program has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas for 14.25 hours, including 3.00 hours of ethics credit.

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 Stewart Road. From Stewart Road stay in right lane to go onto Jones Road. Turn right onto Hope Boulevard, and the hotel will be on your right. Telephone numbers: 888-388-8484 or 409-741-8484.

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