NINETEENTH ANNUAL INSTITUTE ON INTELLECTUAL PROPERTY LAW
The Moody Gardens Hotel, Galveston, Texas
October 16-18, 2003

Presented by:

HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION

UNIVERSITY OF HOUSTON LAW CENTER
INSTITUTE FOR INTELLECTUAL PROPERTY & INFORMATION LAW

PROGRAM HIGHLIGHTS

KEYNOTE LUNCH SPEAKER: HONORABLE RICHARD LINN,
THE INTRINSIC RECORD: IS IT READY FOR PRIME TIME?

DEPUTY COMMISSIONER LYNN BERESFORD,
UNITED STATES PATENT AND TRADEMARK OFFICE,
HOW THE MADRID PROTOCOL WILL CHANGE YOUR LIFE

HONORABLE T. JOHN WARD, UNITED STATES DISTRICT COURT EASTERN
DISTRICT OF TEXAS, A JUDGE'S MANAGEMENT OF A PATENT CASE
THURSDAY, OCTOBER 16, 2003

12:30 Registration

Afternoon Program
Moderator: Irene Kosturakis
1:15 Opening Remarks: Al Kimball
1:30 Patent Law 2003: CAFC: A Year in Review: Gale (Pete) Peterson
2:15 IP Portfolio Management in the Age of Mergers: Stephen Fox
3:00 A Judge's Management of a Patent Case (Ethics): Judge T. John Ward
3:30 Break
3:45 Trade Secret Update: Lester Hewitt
4:15 That Pesky Written Description Requirement: Sharon Israel
4:45 Alternative Dispute Resolution Strategies in Patent Cases: J. Clark Martin
5:15 Last 30 Years in Patent Law: Where We Have Come From and Where We Are Going: Ron Bliss
5:45 Adjourn
6:00 Welcome Reception
Sponsored by: Huron Consulting Group
Dinner (On Your Own)

FRIDAY, OCTOBER 17, 2003

Morning Program
7:30 Continental Breakfast
Moderator: Kim Muller
8:15 Opening Remarks: Al Kimball
8:30 Enron, Titanic, and the Perfect Storm (Ethics): Nancy Rapoport
9:15 Litigation Risk Evaluation: Joel Petrow
9:45 Trade Dress Law in the United States: Jerre Swann
10:15 Break
10:30 Screening Prospective Clients — Ethics and Privilege Issues (Ethics): Al Kimball
11:00 Inter Partes Reexamination — The USPTO Alternative to Patent Litigation: Lance Johnson
11:30 How the Madrid Protocol Will Change Your Life: Lynne Beresford
12:00 Luncheon and Keynote: Hon. Richard Linn
The Intrinsic Record: Is It Ready for Prime Time?
Underwritten by: Standard & Poor's Corporate Value Consulting

Afternoon Program
Moderator: Marcella Watkins
1:30 Valuation of IP Assets, Especially Under New Accounting Rules: Brian Benoit
2:00 Pitfalls in Claim Construction: Bob McAughan
2:30 Break
2:45 Claiming What the Client Makes: A Financial View of Claiming: Craig Lundell
3:15 Destruction of Patent Files and the Sarbanes-Oxley Act (Ethics): Mike Sutton and Paul Janicke
3:45 European Patent Office Patent Opposition Practice: Andy Gribbert
4:15 Required Investigations Before Filing Suit: Bill LaFace
4:45 Adjourn
6:45 Reception at the Moody Gardens Hotel

SATURDAY, OCTOBER 18, 2003

Morning Program
7:30 Continental Breakfast
Moderator: Gordon Arnold
8:15 Opening Remarks: Al Kimball
8:30 New Perspectives on Inequitable Conduct: Gene Spears
9:00 Copyright Update: The Last 500 Years: Craig Joyce
9:30 Insured-Insurer Communications and the Attorney-Client Privilege (Ethics): Scott Partridge
10:00 Break
10:15 Exactly What Are You Licensing When You Sign That Standard Agreement: Keith Lutsch
10:45 Internet Topics Update: Tim Headley
11:15 Trademark Update: Kate Spelman
11:45 Adjourn
**BACKGROUND OF PARTICIPANTS**

**BRIAN BENoit**

is a Managing Director in the Houston office of Standard & Poor's Corporate Value Consulting and serves as one of 12 City Leaders in the U.S. His experience includes business valuation and intangible asset valuation in connection with financial reporting, fairness opinions, business restructuring, financing, charitable contributions, holding companies, commercial disputes, joint venture and licensing strategies, intellectual property transactions and royalty audits.

**GORDON ARNOLD**

has practiced intellectual property law since 1988, founding Arnold & Associates in 1996. Mr. Arnold is currently a Council 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.

**LYNNE BERESFORD**

now Deputy Commissioner for Trademark Examination Policy, she joined the United States Patent and Trademark Office as a trademark examining attorney in 1979. Since that time she occupied a wide variety of jobs. Ms. Beresford was the President of the Trademark Office Society (now NTEU 245), the union that represents examining attorneys, in 1984 and the chief negotiator for the union in 1985.

**RON BLISS**

a partner since 1984, heads Fulbright & Jaworski L.L.P.'s Intellectual Property and Technology Department. His legal practice includes litigating, licensing, and providing strategic counseling to clients for patents, trademark, trade secret, unfair competition, and copyright matters.

**STEPHEN FOX**

is the vice president and deputy general counsel for intellectual property at Hewlett-Packard Company. He has overall responsibility for the intellectual property section of HP's legal department comprising about 100 professionals in Europe, Asia and the United States. He received his law degree from George Washington University Law School.

**ANDY GRUBERT**

prior to joining Baker Botts, managed the patent department for the automotive technology division of Siemens AG in Germany. Mr. Grubert's experience includes licensing and litigation activities, managing patent and trademark portfolios, prosecuting patents and trademarks, and training patent engineers.

**TIM HEADLEY**

is a partner in the Houston office of Gardere Wynne & Sewell, where he specializes in intellectual property procurement and litigation, focusing on patent, trademark, copyright, and trade secret litigation.

**LESTER HEWITT**

is a partner with Akin Gump and heads the Intellectual Property Section of the Houston office. He is also Co-Chair of the IP Section Firm-wide. Litigation is his primary area of practice.

**SHARON ISRAEL**

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

**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.

**LANCE JOHNSON**

a partner of Roylance Abrams Berdo & Goodman in Washington DC, has experience in prosecution and litigation matters involving patents, trademarks, and trade secrets. Mr. Johnson has significant experience in the preparation and prosecution of patent applications in chemical, mechanical and software technologies.

**CRAIG JOYCE**

IPIL Co-Director of the University of Houston Law Center, recently published Copyright Law (6th ed. 2003), Copyright in 1791: An Essay (see conference materials), The Majesty of the Law: Reflections of a Supreme Court Justice (edited for Sandra Day O'Connor).

**AL KIMBALL**

is a partner in the Houston office of Bracwells & Patterson, L.L.P. He is both author and speaker at patent law seminars at state and national level. He received his undergraduate and law degree from the University of Texas, as well as an LLM from George Washington University.

**IRENE KOSTURAKIS**

is Senior Counsel, Intellectual Property for Hewlett-Packard Company. She has been handling intellectual property issues for over 13 years. Currently, Ms. Kosturakis is supporting the company's Industry Standard Server Business Unit on licensing, intellectual property transactions, industry standards setting efforts, and other IP issues. She also supports HP on all issues relating to copyright law.

**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 and specializes in computer and computer-related law.

**RICHARD LINN**

a Circuit Judge for the United States Court of Appeals for the Federal Circuit, he is a graduate of Georgetown University Law Center. Judge Linn is a Professorial Lecturer in Law for George Washington University Law School.

**CRAIG LUNDELL**

is a partner in the Houston office of Howrey Simon Arnold & White, L.L.P. His expertise is in patent litigation and prosecution, but he is also experienced in cases involving trade secrets, trademarks, copyrights, contracts, antitrust and licensing issues.

**KEITH LUTSCH**

prior to founding Wong Cabello, was Senior IP Counsel - Worldwide Licensing for Compaq Computer Corporation where he handled litigation management.
BACKGROUND OF PARTICIPANTS (cont’d)

J. CLARK MARTIN

a partner in the Houston office of Vinson & Elkins, is Co-Section Head of the Intellectual Property/Technical Litigation section. Mr. Martin practices in all areas of intellectual property law and has represented firm clients in litigation involving such matters as trade secret disputes; contract disputes involving technology; and patent, trademark, and copyright infringement.

BOB MCAUGHAN

is a partner in the Houston office of Howrey Simon Arnold & White L.L.P. His practice covers all aspects of intellectual property law including patent and trade dress litigation and general client counseling on intellectual property matters.

KIM MULLER

is Senior Counsel of Shell Oil Company. Immediate past President of HIPLA, Mr. Muller earned law degrees from John Marshall Law School and George Washington University.

SCOTT PARTRIDGE

chairs the Intellectual Property and Technology Department of Baker Bott's Houston office. He has extensive intellectual property 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.

GALE (PETE) PETERSON

is in the San Antonio office of Cox & Smith. Mr. Peterson's area of practice includes domestic and international patent, trademark and copyright law, entertainment law and computer law.

JOEL PETROW

prior to his position as Associate General Counsel for Intellectual Property with Smith & Nephew, was a patent attorney with the Johnson & Johnson Law Department. Mr. Petrow earned his law degree from Duquesne University.

NANCY RAPOPORT

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 Rapoport received her J.D. from Stanford Law School. Her specialties are bankruptcy ethics and law and popular culture.

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.

MIKE SUTTON

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

JERRE SWANN

is a partner in the Atlanta office of Kilpatrick Stockton. Mr. Swann is part of the firm's Intellectual Property Practice Group and is a graduate of Harvard Law School.

T. JOHN WARD

is a Judge for the United States District Court for the Eastern District of Texas. Before going on the bench, Judge Ward was lead trial counsel in a wide variety of areas, including medical and hospital malpractice, patents, professional liability, toxic tort, products liability, premises liability, lender liability, general commercial litigation, and class action litigation.

MARCELLA WATKINS

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

HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION

Craig Lundell of Howrey Simon Arnold & White, President; Sarah Harris of Haynes and Boone, LLP, President-Elect; Charles Walker, Jr. of Fulbright & Jaworski, Secretary; Doug Rommelmann of Akin Gump Strauss Hauer & Feld, Treasurer and Kimbley Muller of Shell Oil Co., 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

AlKimball, Chairman; Professor Paul Janicke, Vice-Chairman; Sandee Bielamowicz, Annette Devereux and Sandra Larsen, Program Coordinators.

PROGRAM SELECTION COMMITTEE MEMBERS


EVENT SPONSORS/UNDERWRITERS

**REGISTRATION INFORMATION**

**REGISTER IN ADVANCE**

Fees:
- $375.00 ............... HIPLA members up to September 17
- $425.00 ............... Non-HIPLA members up to September 17
- $450.00 ............... HIPLA members after September 17
- $500.00 ............... Non-HIPLA members after September 17

Refunds will be granted only if they are requested in writing and postmarked no later than September 22, 2003. 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.

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**WRITTEN MATERIALS**

Extensive articles on the presentations will be bound into a Program Book. The Program Book is included in the registration fee and handed out during registration. You may purchase the Program Book without attending the conference for the fee specified below.

**HOTEL ACCOMMODATIONS**

A block of rooms has been reserved at special conference rates. Make your reservation directly with The Moody Gardens Hotel either by phone (888-388-8484) or by sending in the registration form provided below directly to the hotel. The deadline for making your reservation to guarantee a room at the special rate is September 14, 2003. After this date, reservations are made on a space available basis only.

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**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

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| NAME |
| AFFILIATION |
| ADDRESS |
| CITY/STATE/ZIP |
| PHONE NUMBER | FAX NUMBER |
| SPouse/GUEST NAME (If Attending) |
| SIGNATURE OF CARDHOLDER |

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<th>I. REGISTRATION FEES (CHECK ONE)</th>
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<td>□ $375 HIPLA members up to Sept. 17 (book included)</td>
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<td>□ $35 Limited Student Enrollment</td>
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<td>□ $135 Program Book only (will not attend)</td>
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**19TH ANNUAL HIPLA/UH INSTITUTE ON INTELLECTUAL PROPERTY LAW**

Mail Hotel Registration to: All Registrations Must Be Received By September 14, 2003

The Moody Gardens Hotel  To Be Assured of Discounted Rate
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  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.
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 14.00 hours, including 2.75 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.