Houston Intellectual Property Law Association
and
UNIVERSITY of HOUSTON LAW CENTER
Institute for Intellectual Property & Information Law

present the

28TH ANNUAL
INSTITUTE ON INTELLECTUAL PROPERTY LAW
OCTOBER 4 - 6, 2012

HIGHLIGHTS
USPTO Investigations into Attorney Misconduct
Post-Bilski
AIA Regulations
Thera Sense

MOODY GARDENS
GALVESTON, TEXAS

14.25 Hours Participatory CLE, Including 2.5 Hours Ethics

FEATURING
Chief Judge James Smith
Board of Patent Appeals and Interferences
Janet Gongola
United States Patent & Trademark Office
Prof. David Taylor
Southern Methodist University
Dedman School of Law

MOODY GARDENS INTERIOR COURTYARD
# Houston Intellectual Property Law Association and University of Houston Law Center’s 28th Annual Institute on Intellectual Property Law

**October 4 - 6, 2012**

## Thursday, October 4

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>12:00 p.m.</td>
<td>REGISTRATION</td>
</tr>
<tr>
<td></td>
<td><strong>Moderator:</strong> Matthew Moscicki</td>
</tr>
<tr>
<td>1:15 p.m.</td>
<td>OPENING REMARKS</td>
</tr>
<tr>
<td></td>
<td><strong>Shawn Foster</strong></td>
</tr>
<tr>
<td>1:30 p.m.</td>
<td>RESISTING ANTICIPATION REJECTIONS AND OTHER REJECTIONS</td>
</tr>
<tr>
<td></td>
<td><strong>Robb Edmonds</strong></td>
</tr>
<tr>
<td>2:00 p.m.</td>
<td>USPTO INVESTIGATIONS INTO ATTORNEY MISCONDUCT [ETHICS]</td>
</tr>
<tr>
<td></td>
<td><strong>Peter Brewer</strong></td>
</tr>
<tr>
<td>2:30 p.m.</td>
<td>CLOUD COMPUTING AND ENCRYPTION [ETHICS - .25 hours]</td>
</tr>
<tr>
<td></td>
<td><strong>Ron Chichester</strong></td>
</tr>
<tr>
<td></td>
<td><strong>David Leathers</strong></td>
</tr>
<tr>
<td>3:15 p.m.</td>
<td>BREAK Sponsored by: Exxon Mobil Corporation</td>
</tr>
<tr>
<td>3:30 p.m.</td>
<td>DAMAGES</td>
</tr>
<tr>
<td></td>
<td><strong>Chris Ponder</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Alan Ratliff</strong></td>
</tr>
<tr>
<td>4:00 p.m.</td>
<td>POST-BILSKI</td>
</tr>
<tr>
<td></td>
<td><strong>Mike Fletcher</strong></td>
</tr>
<tr>
<td>4:30 p.m.</td>
<td>FUNCTIONALITY AND TRADEMARK</td>
</tr>
<tr>
<td></td>
<td><strong>Elizabeth King</strong></td>
</tr>
</tbody>
</table>

## Friday, October 5

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:30 a.m.</td>
<td>CONTINENTAL BREAKFAST Sponsored by: Winston &amp; Strawn LLP</td>
</tr>
<tr>
<td></td>
<td><strong>Jason Sander</strong></td>
</tr>
<tr>
<td>8:30 a.m.</td>
<td>PREPARING A PATENT CASE FOR TRIAL</td>
</tr>
<tr>
<td></td>
<td><strong>John Barr</strong></td>
</tr>
<tr>
<td>9:00 a.m.</td>
<td>PATENT LAW UPDATE – PART 1</td>
</tr>
<tr>
<td></td>
<td><strong>Pete Peterson</strong></td>
</tr>
<tr>
<td>9:45 a.m.</td>
<td>BREAK Sponsored by: Conley Rose, P.C.</td>
</tr>
<tr>
<td>10:00 a.m.</td>
<td>PATENT LAW UPDATE – PART 2</td>
</tr>
<tr>
<td></td>
<td><strong>Pete Peterson</strong></td>
</tr>
<tr>
<td>10:45 a.m.</td>
<td>NPE LITIGATION STRATEGY</td>
</tr>
<tr>
<td></td>
<td><strong>Prof. David Taylor</strong></td>
</tr>
<tr>
<td></td>
<td><strong>John Edmonds</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Sharon Israel</strong></td>
</tr>
<tr>
<td>11:30 a.m.</td>
<td>Noon LUNCH AND KEYNOTE SPEAKER</td>
</tr>
<tr>
<td></td>
<td><strong>Ethics - .25 hours</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Chief Judge James Smith</strong></td>
</tr>
</tbody>
</table>

## Friday Afternoon, October 5

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>3:00 p.m.</td>
<td>BREAK Sponsored by: Duff &amp; Phelps</td>
</tr>
<tr>
<td>3:15 p.m.</td>
<td>THERA SENSE</td>
</tr>
<tr>
<td></td>
<td><strong>Gene Spears</strong></td>
</tr>
<tr>
<td>3:45 p.m.</td>
<td>RECENT DEVELOPMENTS IN EUROPEAN PRACTICE</td>
</tr>
<tr>
<td></td>
<td><strong>Phillip Jeffrey</strong></td>
</tr>
<tr>
<td>4:15 p.m.</td>
<td>LESSONS LEARNED FROM PATENT LITIGATION IN THE EASTERN DISTRICT OF TEXAS AND BEYOND</td>
</tr>
<tr>
<td></td>
<td><strong>Mary-Olga Lovett</strong></td>
</tr>
<tr>
<td>5:15 p.m.</td>
<td>PUBLIC USE</td>
</tr>
<tr>
<td></td>
<td><strong>Mark Chretien</strong></td>
</tr>
</tbody>
</table>

## Saturday, October 6

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:30 a.m.</td>
<td>CONTINENTAL BREAKFAST Sponsored by: McDermott, Will &amp; Emery</td>
</tr>
<tr>
<td></td>
<td><strong>Daniel Krueger</strong></td>
</tr>
<tr>
<td>8:15 a.m.</td>
<td>OPENING REMARKS</td>
</tr>
<tr>
<td></td>
<td><strong>Shawn Foster</strong></td>
</tr>
<tr>
<td>8:30 a.m.</td>
<td>NIGHT COURT (ETHICS)</td>
</tr>
<tr>
<td></td>
<td><strong>Scott Brown</strong></td>
</tr>
<tr>
<td>9:30 a.m.</td>
<td>IP ISSUES ASSOCIATED WITH CROWD SOURCING</td>
</tr>
<tr>
<td></td>
<td><strong>Theodore Ro</strong></td>
</tr>
<tr>
<td>10:00 a.m.</td>
<td>PATENT MALPRACTICE UPDATE (ETHICS)</td>
</tr>
<tr>
<td></td>
<td><strong>Prof. Paul Janicke</strong></td>
</tr>
<tr>
<td>11:15 a.m.</td>
<td>ADJOURN</td>
</tr>
</tbody>
</table>
HIPLA Officers

Michael Locklar
Adolph Locklar
President
Joseph Beauchamp
Jones Day
Vice-President
Norma Bennett
McFall, Brittber & Smith, P.C.
Secretary
Anthony Matheny
Greenberg Traurig LLP
Immediate Past President
Georgianna Witt Braden
Winston & Strawn LLP
President-Elect
Theodore Ro
NASA Johnson Space Center
Treasurer

University of Houston Law Center

Paul Janicke, HIPLA Professor of Law
Craig Joyce, Andrews Kurth Professor of Law
Sapna Kumar, Assistant Professor of Law

Jacqueline D. Lipton, Baker Botts Professor of Law
Raymond T. Nimmer, Dean and Leonard Childs Professor of Law
Greg R. Vetter, Associate Professor of Law

Program Administration

Shawn Foster
Chairman
Professor Paul Janicke
Vice-Chairman
Sindee Bielamowicz
Program Coordinator

Program Selection Committee Members

Joseph Beauchamp
Jennifer Carnahan
Mark Chretien
Robb Edmonds
Ed Fein
Randy Furlong
Tim Headley
David Healey
Sharon Israel
Elizabeth King
Stephen Koch
Irene Kosturakis
Paul Morico
Chris Northcutt
Constance Rhebergen
Al Riddle
Theodore Ro
Gene Spears
Steven Spears
Howard Speight
Karen Tripp
Charles Walker
Marcella Watkins

Conference Faculty

John Barr
Bracewell & Giuliani LLP
Houston, TX
Peter Brewer
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
Knoxville, TN
Scott Brown
Weatherford International Ltd.
Houston, TX
Ron Chichester
Ronald Chichester, P.C.
Houston, TX
Mark Chretien
Greenberg Traurig, LLP
Houston, TX
Darin Duphorne
Baker Hughes Incorporated
Houston, TX
John Edmonds
Collins, Edmonds, Pogorzelski, Schlather & Tower, PLLC
Houston, TX
Robb Edmonds
Edmonds & Nolle, PC
Houston, TX
Mike Fletcher
Fletcher Yoder, P.C.
Houston, TX
Janet Gongola
United States Patent & Trademark Office
Alexandria, VA
Sharon Israel
Mayer Brown LLP
Houston, TX
Prof. Paul Janicke
University of Houston Law Center
Houston, TX
Phillip Jeffrey
Dehns
Brighton, UK
Prof. Craig Joyce
University of Houston Law Center
Houston, TX
Elizabeth King
Conley Rose, P.C.
Houston, TX
Daniel Krueger
Krueger Iselin, LLP
Cypress, TX
Mike Fletcher
Fletcher Yoder, P.C.
Houston, TX
Janet Gongola
United States Patent & Trademark Office
Alexandria, VA
Sharon Israel
Mayer Brown LLP
Houston, TX
Prof. Paul Janicke
University of Houston Law Center
Houston, TX
Phillip Jeffrey
Dehns
Brighton, UK
Prof. Craig Joyce
University of Houston Law Center
Houston, TX
Elizabeth King
Conley Rose, P.C.
Houston, TX
Daniel Krueger
Krueger Iselin, LLP
Cypress, TX
David Leathers
Sirius Solutions L.L.L.P.
Houston, TX
Mary-Olga Lovett
Greenberg Traurig, LLP
Houston, TX
Tim McInturf
Quasilab Financial, LLC
Houston, TX
Thomas Morrow
Yetter Coleman LLP
Houston, TX
Matthew Moscicki
Conley Rose, P.C.
Houston, TX
Night Court
Houston, TX
Petey Peterson
Cox Smith
San Antonio, TX
Chris Ponder
Baker Botts L.L.P.
Houston, TX
Alan Ratliff
StoneTurn Group
Houston, TX
Theodore Ro
NASA Johnson Space Center
Houston, TX
Tim Rybacki
Litler Mendelson P.C.
Houston, TX
Jennie Salazar
The JL Salazar Law Firm
Houston, TX
Jason Sander
Greenberg Traurig, LLP
Houston, TX
Chief Judge James Smith
Board of Patent Appeals and Interferences
Alexandria, VA
Gene Spears
Baker Botts L.L.P.
Houston, TX
Prof. David Taylor
Southern Methodist University
Dedman School of Law
Dallas, TX
Janelle Waack
Novak Druce + Quigg LLP
Houston, TX

Sponsors
LOCATION

The Moody Gardens Hotel is located in Galveston, Texas, on Hope Boulevard.

From Houston, take I-45 South and exit at 61st Street. Turn right on 61st Street and again on Stewart Road. From Stewart Road, stay in the right lane to go onto Jones Road. Turn right onto Hope Boulevard. The hotel will be on your right.

Telephone numbers: 888.388.8484 or 409.741.8484

HOTEL INFORMATION

A block of rooms have been reserved at special conference rates. Make your reservation directly with the Moody Gardens Hotel by phone at 888.388.8484.

The deadline for making your reservation to guarantee a room at the special rate is September 12, 2012. After this date, reservations are made on a space-available basis only.

Moody Gardens Hotel
7 Hope Boulevard
Galveston Island, Texas 77554

888.388.8484

Single: $146/night
Double: $146/night
Triple: $146/night
Quad: $146/night
Jacuzzi Suite: $310/night

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 the first night's deposit or major credit card.
**Written Materials**

Speakers’ papers will be provided in an electronic format. This will be included in the registration fee and will be distributed during registration. You may purchase the materials in paper or electronic format without attending the conference for the fee specified on the registration form. *Program materials underwritten by Greenberg Traurig, LLP.*

**Refunds**

Refunds will be made only if they are requested in writing and postmarked no later than **September 12, 2012**. If you do not attend the program and do not request a refund, you will be mailed the materials in electronic format.

**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 2.5 hours of ethics credit.

**Questions?**

If you have any questions about the program, please call the UH Law Center’s Institute for Intellectual Property & Information Law at **713.743.2180**.
Please register for the 28th Annual Institute on Intellectual Property Law, which provides 14.25 hours participatory CLE credit, including 2.5 hours of ethics. Speakers’ papers will be provided in an electronic format. To order in addition a binder containing the submitted papers, please check the appropriate box below. Handouts, including PowerPoint® presentations, will be provided on paper at the conference and cannot be purchased separately.

The registration costs are:

- HIPLA members through September 14 - $495
- Government employee (HIPLA members) through September 14 - $395
- Non-members through September 14 - $595
- Government employee (Non-members) through September 14 - $495
- HIPLA members after September 14 - $595
- Government employee (HIPLA members) after September 14 - $495
- Non-members after September 14 - $695
- Government employee (Non-members) after September 14 - $595
- Limited student enrollment - $55
- Printed course materials (papers) in binder with conference registration - $75
- Course materials (papers) in electronic format without conference registration - $155
- Printed course materials (papers) in binder without conference registration - $205
- Friday lunch - $60 x ........... = $ ...........
- Friday dinner - Adults $65 x ........... = $ ...........
- Children $20 x ........... = $ ...........

TOTAL Amount Due $ ____________________

Name ..........................................................................................................................
Address .....................................................................................................................
Phone ......................................................................................................................
Email .......................................................................................................................

Registering online? Contact us at www.hipla.org

Registering by mail? Please return this form to:

University of Houston Law Center
Institute for Intellectual Property & Information Law
100 Law Center
Houston, Texas 77204-6060

Please indicate:

- MasterCard  - Visa  - American Express

Account number ....................................................................................................
Name on card ...........................................................................................................
Expiration date ...........................................................................................
Signature .............................................................................................................