Patent Exhaustion and Implied License
U.S. Patent Law in Outer Space
PTAB Update
Nuts and Bolts of Patent Prosecution Pilot Program
101 and the Life Sciences

Moody Gardens Hotel
GALVESTON, TEXAS

15 Hours Participatory CLE, Including 3 Hours Ethics

Featuring

KEYNOTE SPEAKER
Hon. Scott Baalick
U.S. Patent and Trademark Office
Sarah Harris
U.S. Patent and Trademark Office
Hon. David Godbey
Northern District of Texas
Hon. Royal Furgeson (Ret.)
UNT Dallas College of Law
Hon. Paul Michel (Ret.)
U.S. Court of Appeals for the Federal Circuit
### HIPLA Officers

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elizabeth King</td>
<td>President</td>
</tr>
<tr>
<td>Keana Taylor</td>
<td>President-Elect</td>
</tr>
<tr>
<td>Carlyn Burton</td>
<td>Vice-President</td>
</tr>
<tr>
<td>Andrea Tran</td>
<td>Treasurer</td>
</tr>
<tr>
<td>Albert Liou</td>
<td>Secretary</td>
</tr>
<tr>
<td>Theodore Ro</td>
<td>Immediate Past President</td>
</tr>
</tbody>
</table>

### University of Houston Law Center

- **David Fagundes**, Professor of Law
- **Paul Janicke**, Professor of Law
- **Craig Joyce**, Andrews Kurth Kenyon Professor of Law
- **Sapna Kumar**, Associate Professor of Law
- **Raymond T. Nimmer**, Dean Emeritus and Leonard Childs Professor of Law
- **Greg R. Vetter**, HIPLA Professor of Law

### Program Administration

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jason Sander</td>
<td>Chair</td>
</tr>
<tr>
<td>Professor Greg R. Vetter</td>
<td>Vice-Chair</td>
</tr>
<tr>
<td>Sindee Bielamowicz</td>
<td>Program Coordinator</td>
</tr>
</tbody>
</table>

### Program Selection Committee Members

- Gordon Arnold
- Joe Beauchamp
- Meg Boulware
- Tanya Chaney
- Mark Chretien
- Ed Fein
- Mike Fletcher
- Shawn Foster
- Jack Goldstein
- Mike Hawes
- Sharon Israel
- Paul Janicke
- George Jordan
- Bill LaFuze
- Scott Partridge
- Theodore Ro

### Conference Faculty

- **Ifí Ahmed**
  - Ahmad, Zavitsanos, Anapakos, Alavi & Mensing P.C.
  - Houston, Texas
- **Gordon Arnold**
  - Arnold & Saunders, LLP
  - Houston, Texas
- **Joe Beauchamp**
  - Jones Day
  - Houston, Texas
- **Alexandra Bistline**
  - Pirkey Barber PLLC
  - Austin, Texas
- **Hon. Scott Boalick**
  - U.S. Patent and Trademark Office
  - Alexandria, Virginia
- **Carlyn Burton**
  - Osha Liang LLP
  - Houston, Texas
- **Mark Chretien**
  - Greenberg Traurig LLP
  - Houston, Texas
- **Barry Engel**
  - The University of Texas MD Anderson Cancer Center
  - Houston, Texas
- **Lee Eubanks**
  - Eubanks PLLC
  - Houston, Texas
- **Shawn Foster**
  - Exxon Mobil Corporation
  - Houston, Texas
  - Hon. Royal Furgeson (Ret.)
  - UNT Dallas College of Law
  - Dallas, Texas
  - Professor William Gallagher
  - Golden Gate University School of Law
  - San Francisco, California
  - Hon. David Godbey
  - U.S. District Court
  - Northern District of Texas
  - Dallas, Texas
- **Natalie Alfaro Gonzales**
  - Baker Botts L.L.P.
  - Houston, Texas
- **Rob Green**
  - Winston & Strawn LLP
  - Houston, Texas
- **Sarah Harris**
  - U.S. Patent and Trademark Office
  - Alexandria, Virginia
- **Mike Hawes**
  - Baker Botts L.L.P.
  - Houston, Texas
- **Danielle Joy “DJ” Healey**
  - Fish & Richardson
  - Houston, Texas
- **John Hutchins**
  - Andrews Kurth Kenyon LLP
  - Washington, D.C.
  - Rayford Irvin
  - U.S. Equal Employment Opportunity Commission
  - Houston, Texas
  - Sharon Israel
  - Shook, Hardy & Bacon L.L.P.
  - Houston, Texas
  - Professor Paul Janicke
  - University of Houston Law Center
  - Houston, Texas
  - Robert Kantner
  - Jones Day
  - Dallas, Texas
  - Elizabeth King
  - EW King PLLC
  - Houston, Texas
  - Steve Koch
  - Attorney at Law
  - Houston, Texas
  - Hon. Paul Michel (Ret.)
  - U.S. Court of Appeals for the Federal Circuit
  - Washington, D.C.
  - Paul Morico
  - Baker Botts L.L.P.
  - Houston, Texas
- **Pete Peterson**
  - Law Offices of Gale R. Peterson
  - San Antonio, Texas
- **Tammy Rhodes**
  - Baker Botts L.L.P.
  - Houston, Texas
- **Theodore Ro**
  - NASA Johnson Space Center
  - Houston, Texas
- **Professor Betsy Rosenblatt**
  - Whittier Law School
  - Costa Mesa, California
- **Jonathan Spivey**
  - Bracewell LLP
  - Houston, Texas
- **Tamsen Valoir**
  - Boulware & Valoir
  - Houston, Texas
- **Craig Watson**
  - HGF Limited
  - Aberdeen, United Kingdom
- **Dave Westergard**
  - Micron Technology, Inc.
  - Boise, Idaho
## Thursday, October 5

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
<th>Speaker</th>
</tr>
</thead>
<tbody>
<tr>
<td>11:30 a.m. – 12:15 p.m.</td>
<td>Registration</td>
<td></td>
</tr>
<tr>
<td>12:15 p.m. – 12:30 p.m.</td>
<td>OPENING REMARKS</td>
<td>Jason Sander</td>
</tr>
<tr>
<td>12:30 p.m. – 1:00 p.m.</td>
<td>INTERPLAY OF IPR v. FEDERAL DISTRICT COURT</td>
<td>Joe Beauchamp</td>
</tr>
<tr>
<td>1:00 p.m. – 1:30 p.m.</td>
<td>PATENT LAW 271 (f)</td>
<td>Gordon Arnold</td>
</tr>
<tr>
<td>1:30 p.m. – 2:15 p.m.</td>
<td>TRADEMARK LAW UPDATE</td>
<td>Alexandra Bistline</td>
</tr>
<tr>
<td>2:15 p.m. – 2:30 p.m.</td>
<td>BREAK</td>
<td>Jones Day</td>
</tr>
<tr>
<td>2:30 p.m. – 3:00 p.m.</td>
<td>PRIVILEGE ISSUES IN PATENT LAW (ETHICS - .5 HOURS)</td>
<td>John Hutchins</td>
</tr>
<tr>
<td>3:00 p.m. – 3:30 p.m.</td>
<td>PATENT EXHAUSTION AND IMPLIED LICENSE</td>
<td>Jonathan Spivey</td>
</tr>
<tr>
<td>3:30 p.m. – 4:00 p.m.</td>
<td>U.S. PATENT LAW IN OUTER SPACE</td>
<td>Theodore Ro</td>
</tr>
<tr>
<td>4:00 p.m. – 4:30 p.m.</td>
<td>SCANDALOUS IP</td>
<td>Elizabeth King</td>
</tr>
<tr>
<td>4:30 p.m. – 5:00 p.m.</td>
<td>PATENT OPINIONS AND WILLFULNESS (ETHICS - .5 HOURS)</td>
<td>Natalie Alfaro Gonzales</td>
</tr>
<tr>
<td>5:00 p.m. – 5:30 p.m.</td>
<td>TRADE SECRET STATE OR FEDERAL ACTIONS</td>
<td>Robert Kantner</td>
</tr>
</tbody>
</table>

## Friday Morning, October 6

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
<th>Speaker</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:00 a.m. – 9:00 a.m.</td>
<td>CONTINENTAL BREAKFAST</td>
<td></td>
</tr>
<tr>
<td>7:30 a.m. – 9:00 a.m.</td>
<td>DIVERSITY BREAKFAST</td>
<td>Rayford Irvin, Houston Director, U.S. Equal Employment Opportunity Commission</td>
</tr>
<tr>
<td>9:15 a.m. – 9:45 a.m.</td>
<td>FIVE HELPFUL THINGS THAT YOU ACTUALLY CAN ETHICALLY DO (ETHICS - .5 HOURS)</td>
<td>Professor Paul Janicke</td>
</tr>
<tr>
<td>9:45 a.m. – 10:30 a.m.</td>
<td>PATENT LAW UPDATE – PART 1 (ETHICS - .25 HOURS)</td>
<td>Pete Peterson</td>
</tr>
<tr>
<td>10:30 a.m. – 10:45 a.m.</td>
<td>BREAK</td>
<td></td>
</tr>
</tbody>
</table>

## Friday Afternoon, October 6

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
<th>Speaker</th>
</tr>
</thead>
<tbody>
<tr>
<td>3:00 p.m. – 3:30 p.m.</td>
<td>THE MARKING SECTION OF THE PATENT STATUTE</td>
<td>Mark Chretien</td>
</tr>
<tr>
<td>3:30 p.m. – 3:45 p.m.</td>
<td>BREAK</td>
<td></td>
</tr>
<tr>
<td>3:45 p.m. – 4:45 p.m.</td>
<td>PANEL: JOINT DEVELOPMENT AGREEMENTS, NDAs, &amp; LICENSING</td>
<td>Barry Engel, Shawn Foster, Paul Morico, Dave Westergard, Steve Koch, Moderator</td>
</tr>
<tr>
<td>4:45 p.m. – 5:15 p.m.</td>
<td>THE DESTRUCTION OF PATENT VALUES AND OTHER UNINTENDED CONSEQUENCES OF COMBATTING MYTHICAL “TROLLS” THROUGH LEGISLATION</td>
<td>Hon. Paul Michel (Ret.)</td>
</tr>
<tr>
<td>6:00 p.m. – 7:00 p.m.</td>
<td>WINE AND CHEESE</td>
<td></td>
</tr>
</tbody>
</table>

## Saturday, October 7

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
<th>Speaker</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:30 a.m. – 8:30 a.m.</td>
<td>CONTINENTAL BREAKFAST</td>
<td></td>
</tr>
<tr>
<td>8:45 a.m. – 9:15 a.m.</td>
<td>OED OFFICE ETHICS (ETHICS - .5 HOURS)</td>
<td>Sarah Harris</td>
</tr>
<tr>
<td>9:15 a.m. – 9:45 a.m.</td>
<td>COPYRIGHT LAW UPDATE</td>
<td>Professor Betsy Rosenblatt</td>
</tr>
<tr>
<td>9:45 a.m. – 10:15 a.m.</td>
<td>PATENT LAW AND ETHICS (ETHICS - .5 HOURS)</td>
<td>Professor William Gallagher</td>
</tr>
<tr>
<td>10:15 a.m. – 10:30 a.m.</td>
<td>BREAK</td>
<td></td>
</tr>
<tr>
<td>11:00 a.m. – 11:30 a.m.</td>
<td>NUTS AND BOLTS OF PATENT PROSECUTION PILOT PROGRAM</td>
<td>Carlyn Burton</td>
</tr>
<tr>
<td>11:30 a.m. – 12:00 p.m.</td>
<td>101 AND THE LIFE SCIENCES</td>
<td>Tamsen Valoir</td>
</tr>
</tbody>
</table>
SPECIAL EVENTS

THURSDAY, OCTOBER 5, 2017
6:00 p.m. – Reception: sponsored by StoneTurn Group to be held at Moody Gardens Hotel

FRIDAY, OCTOBER 6, 2017
7:30 a.m. – 9:00 a.m. – Breakfast: Rayford Irvin, Houston Director, U.S. Equal Employment Opportunity Commission

6:00 p.m. – Wine, Cheese, and Chocolate: A Tour of Fine Wines and Pairings that Delight, led by renowned sommelier Sean Beck, the wine director of three-time James Beard Award nominee Hugo’s, as well as Backstreet Cafe, Caracol, and Trevisio

For more information and details of events, please visit: www.hipla.org

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 has 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 13, 2017. 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

<table>
<thead>
<tr>
<th>Room Type</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single</td>
<td>$149/night</td>
</tr>
<tr>
<td>Double</td>
<td>$149/night</td>
</tr>
<tr>
<td>Triple</td>
<td>$149/night</td>
</tr>
<tr>
<td>Quad</td>
<td>$149/night</td>
</tr>
<tr>
<td>Junior Suite</td>
<td>$350/night</td>
</tr>
</tbody>
</table>

Any cancellations must be received at least 48 hours prior to arrival date.
All requests are subject to availability.
Reservations will be considered tentative unless guaranteed by the first night’s deposit or major credit card.

SPONSORS
**Program Materials**

Speakers' papers will be provided in an electronic format via the web and smart phone software application Whova. Program Materials underwritten by McGlinchey Stafford PLLC.

You may purchase the materials without attending the conference for the fee specified on the registration form.

**Refunds**

Refunds will be made only if they are requested in writing and postmarked no later than September 13, 2017.

**Minimum Continuing Legal Education**

This program has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas for 15 hours, including 3 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 33rd ANNUAL INSTITUTE ON INTELLECTUAL PROPERTY LAW, which provides 15 hours participatory CLE credit, including 3 hours of ethics. Speakers' papers will be automatically provided in an electronic format with registration. To order a binder containing printed copies of 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:

REGISTRATIONS RECEIVED BY SEPT. 15:

- Government or in-house HIPLA members - $495
- Other HIPLA members - $595
- Non-HIPLA members - $695

REGISTRATIONS RECEIVED AFTER SEPT. 15:

- Government or in-house HIPLA members - $595
- Other HIPLA members - $695
- Non-HIPLA members - $795
- Student limited registration - $55

Printed Course Materials:

- Printed course materials in binder with conference registration - $150
- Course materials without conference registration - $305

Meal Costs are:

- Friday Diversity Breakfast - Free to Registered Attendees - $0 x _____ = $_______
- Friday Lunch - $60 x _____ = $_______
- Friday Wine Tasting - $60 x _____ = $_______

TOTAL Amount Due $ ________________