

HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION

AND

UNIVERSITY of **HOUSTON** | LAW CENTER

Institute for Intellectual Property & Information Law

35th Annual

Fall Institute on Intellectual Property Law

SEPTEMBER 26 – 28, 2019

MOODY GARDENS HOTEL
GALVESTON, TEXAS



Highlights

Section 101 Update:
Litigation and Prosecution

Federal Circuit Patent Law:
A Year in Review

General Counsel Perspective

Data Protection and Cybersecurity

Moody Gardens Hotel

GALVESTON, TEXAS

14.25 Hours Participatory CLE,
Including 2.5 Hours Ethics

Featuring

KEYNOTE SPEAKER

Hon. Jimmie V. Reyna
U.S. Court of Appeals for the Federal Circuit

DIVERSITY BREAKFAST SPEAKER

Hon. James E. Graves, Jr.
U.S. Court of Appeals for the Fifth Circuit
Diversity Breakfast Speaker

JUDICIAL PANEL

Hon. Keith Giblin
Eastern District of Texas

Hon. Lee Yeakel
U.S. District Court
Western District of Texas

HIPLA OFFICERS

Carlyn Burton
Osha Liang LLP
President

Jason Sander
LyondellBasell
President-Elect

Tammy Pennington Rhodes
Baker Botts L.L.P.
Vice President

Ifti Ahmed
Administrative Patent Judge,
Patent Trial and Appeal Board
Treasurer

Lee Eubanks
Eubanks PLLC
Secretary

Keana Taylor
Upshaw PLLC
Immediate Past President

UNIVERSITY OF HOUSTON LAW CENTER

Dave Fagundes, Baker Botts L.L.P. Professor of Law

Paul Janicke, Professor of Law

Craig Joyce, Hunton Andrews Kurth Professor of Law

Sapna Kumar, Law Foundation Professor of Law

Andrew Michaels, Assistant Professor of Law

Greg R. Vetter, HIPLA Professor of Law

PROGRAM ADMINISTRATION

Albert Liou
Jones Day
Chair

Professor Greg R. Vetter
University of Houston Law Center
Vice-Chair

Sindee Bielamowicz
University of Houston Law Center
Program Coordinator

PROGRAM SELECTION COMMITTEE MEMBERS

Ifti Ahmed
Jeff Andrews
Joe Beauchamp
Norma Bennett
Meg Boulware
Carlyn Burton
Rodney Caldwell
Tanya Chaney

Robb Edmonds
Lee Eubanks
Ed Fein
Jack Goldstein
Natalie Gonzales
Danielle Joy "DJ" Healey
Sharon Israel

George Jordan
Irene Kosturakis
Bill LaFuze
Dwayne Mason
Bob McAughan
Andrew Michaels
Leisa Peschel

Matt Prater
Tammy Pennington Rhodes
Ted Ro
Jason Sander
Jennifer Sickler
Keana Taylor
Charles Walker
Marcella Watkins

CONFERENCE FACULTY

Richard Beem
BEEM PATENT LAW FIRM
Chicago, Illinois

Fiona Bell
SHOOK, HARDY & BACON L.L.P.
Houston, Texas

Professor John Blevins
LOYOLA UNIVERSITY NEW ORLEANS
COLLEGE OF LAW
New Orleans, Louisiana

Tim Busse
SHUMAKER & SIEFFERT, P.A.
St. Paul, Minnesota

James Carlson
OSHA LIANG LLP
Houston, Texas

Tanya Chaney
SHOOK, HARDY & BACON L.L.P.
Houston, Texas

Hector Chavez III
SMYSER KAPLAN & VESELKA, L.L.P.
Houston, Texas

Ted Davis
KILPATRICK TOWNSEND
& STOCKTON LLP
Atlanta, Georgia

Brigitte Echols
SCHLUMBERGER
Houston, Texas

Tom Fulkerson
FULKERSON LOTZ LLP
Houston, Texas

Hon. Keith Giblin
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
Beaumont, Texas

Joshua Goldberg
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP
Washington, D.C.

Natalie Gonzales
BAKER BOTTS L.L.P.
Houston, Texas

Hon. James E. Graves, Jr.
U.S. COURT OF APPEALS
FOR THE FIFTH CIRCUIT
Jackson, Mississippi

Professor Leslie Griffin
UNIVERSITY OF NEVADA
BOYD SCHOOL OF LAW
Las Vegas, Nevada

Viddy Harris
PATTERSON + SHERIDAN LLP
Houston, Texas

Danielle Joy "DJ" Healey
FISH & RICHARDSON
Houston, Texas

Lavonne Burke Hopkins
JOHNSON & JOHNSON, INC.
New Brunswick, New Jersey

Marilyn (Lynn) Huston
CABELLO HALL ZINDA, PLLC
Houston, Texas

Iona Kaiser
VORYS, SATER, SEYMOUR
AND PEASE LLP
Houston, Texas

Irene Kosturakis
BMC SOFTWARE, INC.
Houston, Texas

Tenley Krueger
HALLIBURTON
Houston, Texas

Melinda Lackey
CELL MEDICA
Houston, Texas

Dwayne Mason
GREENBERG TRAUIG, LLP
Houston, Texas

Christopher McKeon
ARNOLD & SAUNDERS, LLP
Houston, Texas

Karthika Perumal
Womble Bond Dickinson (US) LLP
Houston, Texas

Leisa Peschel
JACKSON WALKER
Houston, Texas

Pete Peterson
LAW OFFICES OF GALE R. PETERSON PLLC
San Antonio, Texas

Matt Prater
SABIC
Houston, Texas

Hon. Jimmie V. Reyna
U.S. COURT OF APPEALS
FOR THE FEDERAL CIRCUIT
Washington, D.C.

Harrie Samaras
ADR OFFICE OF HARRIE SAMARAS
West Chester, Pennsylvania

Palak Shah
SHOOK, HARDY & BACON L.L.P.
Houston, Texas

Leslie Streeter
LYONDELLBASELL
Houston, Texas

Patrick Tagtow
BMC SOFTWARE, INC.
Houston, Texas

Travis Wimberly
PIRKEY BARBER PLLC
Austin, Texas

Hon. Lee Yeakel
U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
Austin, Texas

HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION AND UNIVERSITY OF HOUSTON LAW CENTER'S
35TH ANNUAL FALL INSTITUTE ON INTELLECTUAL PROPERTY LAW
SEPTEMBER 26 – 28, 2019

THURSDAY, SEPTEMBER 26

12:00 p.m. – 1:00 p.m.
REGISTRATION

Sponsored by:

Edmonds & Cmaidalka

Moderator:

Palak Shah

12:45 p.m. – 1:00 p.m.
OPENING REMARKS

Albert Liou

1:00 p.m. – 1:30 p.m.
**INDUSTRIAL CHEMICAL IPRS:
CURRENT TRENDS AND FUTURE
OUTLOOK**

Joshua Goldberg

1:30 p.m. – 2:00 p.m.

**DATA PROTECTION
AND CYBERSECURITY
(ETHICS – 0.5 HOURS)**

Lavonne Burke Hopkins

2:00 p.m. – 3:00 p.m.

IN-HOUSE: PANEL

Tenley Krueger

Melinda Lackey

Leslie Streefer

Karthika Perumal, Moderator

3:00 p.m. – 3:15 p.m.
BREAK

Sponsored by:

Techson IP

3:15 p.m. – 4:00 p.m.

**THE FIVE (OR MORE) FORUMS FOR
YOUR TRADEMARK DISPUTE, AND
HOW TO CHOOSE (HINT: DON'T
CHOOSE THE ITC)**

Travis Wimberly

4:00 p.m. – 5:00 p.m.
SECTION 101 – PROSECUTION

Tim Busse

James Carlson

Marilyn (Lynn) Huston

5:00 p.m. – 5:30 p.m.
**EXPLAINING COMPLEXITY: HOW
TO IMPROVE YOUR PRESENTATION
OF TECHNICAL INFORMATION IN
ARBITRATION**

Harrie Samaras

6:00 p.m. – 7:30 p.m.
RECEPTION

Moody Gardens Hotel

Sponsored by:

StoneTurn

FRIDAY MORNING, SEPTEMBER 27

7:30 a.m. – 9:00 a.m.
CONTINENTAL BREAKFAST

DIVERSITY BREAKFAST

7:30 a.m. – 8:00 a.m.

Breakfast served prior to presentation

8:00 a.m. – 9:00 a.m.

Hon. James E. Graves, Jr.

AND JUSTICE FOR ALL

Sponsored by:

Baker Botts L.L.P.

Boulware & Valoir

Greenberg Traurig, LLP

NAPP

Norton Rose Fulbright US LLP

Patent Designs

Moderator:

Christopher McKeon

9:00 a.m. – 9:15 a.m.

OPENING REMARKS

Albert Liou

9:15 a.m. – 9:45 a.m.

**GATEKEEPING IN ETHICAL,
SUCCESSFUL IP LAW PRACTICE
(ETHICS – 0.5 HOURS)**

Richard Beem

9:45 a.m. – 10:30 a.m.

**FEDERAL CIRCUIT PATENT LAW:
A YEAR IN REVIEW PART 1**

(ETHICS – 0.25 HOURS)

Pete Peterson

10:30 a.m. – 10:45 a.m.

BREAK

Sponsored by:

Fish & Richardson

10:45 a.m. – 11:30 a.m.

**FEDERAL CIRCUIT PATENT LAW:
A YEAR IN REVIEW PART 2**

(ETHICS – 0.25 HOURS)

Pete Peterson

11:30 a.m. – 12:00 p.m.

**LEGISLATIVE AND DECISIONAL
UPDATE FOR TRADE SECRET
LITIGATION; SLAPP-LESS IN SEATTLE?**

Tom Fulkerson

12:00 p.m. – 1:15 p.m.

LUNCHEON AND KEYNOTE SPEAKER

Hon. Jimmie V. Reyna

FRIDAY AFTERNOON, SEPTEMBER 27

Moderator:

Brigitte Echols

1:30 p.m. – 2:30 p.m.

JUDICIAL PANEL

Hon. Keith Giblin

Hon. Lee Yeakel

Natalie Gonzales, Moderator

2:30 p.m. – 3:00 p.m.

**THERE'S NO SUCH THING AS FOREIGN
FILING: EFFICIENT TECHNIQUES TO
BUILD AN EFFECTIVE
GLOBE-SPANNING PORTFOLIO**

Matt Prater

3:00 p.m. – 3:30 p.m.

SECTION 101 – LITIGATION

Dwayne Mason

3:30 p.m. – 3:45 p.m.

BREAK

Sponsored by:

Osha Liang LLP

3:45 p.m. – 4:15 p.m.

OBVIOUSNESS

Iona Kaiser

4:15 p.m. – 4:45 p.m.

TRADEMARK LAW UPDATE

Ted Davis

4:45 p.m. – 5:15 p.m.

GENERAL COUNSEL PERSPECTIVE

Patrick Tagtow

6:00 p.m. – 7:00 p.m.

WINE AND CHEESE

Sponsored by:

Duff & Phelps, LLC

Kirkland & Ellis LLP

Legal Advantage, LLC

Locke Lord LLP

Shook, Hardy & Bacon L.L.P.

Thompson & Knight LLP

Winstead PC

SATURDAY, SEPTEMBER 28

7:30 a.m. – 8:30 a.m.
CONTINENTAL BREAKFAST

Sponsored by:

Jones Day

Moderator:

Viddy Harris

8:15 a.m. – 8:30 a.m.

OPENING REMARKS

Albert Liou

8:30 a.m. – 9:00 a.m.

**TECHNOLOGICAL COMPETENCE
FROM A BIOETHICS AND
PROFESSIONAL ETHICS PERSPECTIVE
(ETHICS – 0.5 HOURS)**

Professor Leslie Griffin

9:00 a.m. – 9:30 a.m.

COPYRIGHT LAW UPDATE

Professor John Blevins

9:30 a.m. – 10:00 a.m.

**PATENT AGGREGATORS/ANTI-TRUST
(ETHICS – 0.5 HOURS)**

Danielle Joy "DJ" Healey

Irene Kosturakis

10:00 a.m. – 10:15 a.m.

BREAK

10:15 a.m. – 11:00 a.m.

EXTRATERRITORIALITY (DAMAGES)

Fiona Bell

Tanya Chaney

11:00 a.m. – 11:30 a.m.

VENUE

Hector Chavez III

11:30 a.m. – 12:00 p.m.

**CLAIM CONSTRUCTION IN PARALLEL
PROCEEDINGS/IPR**

Leisa Peschel

SPECIAL EVENTS

THURSDAY, SEPTEMBER 26, 2019

6:00 p.m. – **Reception:** Mingle with fellow Fall Institute attendees over drinks and heavy appetizers at the Moody Gardens Hotel. Reception sponsored by StoneTurn.

FRIDAY, SEPTEMBER 27, 2019

7:30 a.m. – 9:00 a.m. – **Diversity Breakfast:** The Honorable James E. Graves, Jr. of the U.S. Court of Appeals for the Fifth Circuit will be presenting *And Justice for All*.

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 for the James Beard Award-winning Hugo's, as well as Backstreet Cafe, Caracol, Xochi, 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 4, 2019. 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:	\$149/night
Double:	\$149/night
Triple:	\$149/night
Quad:	\$149/night
Junior Suite:	\$350/night

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 Dennemeyer & Co., LLC.

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 no later than **September 6, 2019**.

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**.

0073040286

University of Houston Law Center
Institute for Intellectual Property & Information Law
4604 Calhoun Road
Houston, Texas 77204-6060

Please register for the 35th ANNUAL FALL INSTITUTE ON INTELLECTUAL PROPERTY LAW, which provides 14.25 hours participatory CLE credit, including 2.5 hours of ethics. Speakers' papers will be automatically provided in an electronic format with registration.

Registration costs are:

REGISTRATIONS RECEIVED BY SEPTEMBER 6:

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

REGISTRATIONS RECEIVED AFTER SEPTEMBER 6:

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

COURSE MATERIALS:

- Course materials without conference registration - **\$305**

Meal costs are:

- Friday Diversity Breakfast - Free to Registered Attendees - **\$0** x _____ = \$ _____
- Friday Keynote Luncheon - **\$60** x _____ = \$ _____
- Friday Wine Tasting - **\$60** x _____ = \$ _____

TOTAL Amount Due \$ _____

Name Firm

Address City State ZIP

Phone Fax

Email Bar Card No.

Registering online? Contact us at **www.hipla.org**

Registering by mail? Please return this form, including credit card information below, (no checks please) to:

University of Houston Law Center
Institute for Intellectual Property & Information Law
4604 Calhoun Road
Houston, Texas 77204-6060

Please indicate:

- MasterCard
- Visa
- American Express

Account Number

Name on Card Expiration Date

Signature