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The 16th Annual Seattle Conference on New Developments in

Technology Law

New regulations, litigation trends and emerging markets

Featuring Views from the Bench:

The Hon. Marilyn Hall Patel & The Hon. Robert S. Lasnik

December 13 & 14, 2007

Seattle, Washington

Washington State Convention and Trade Center

Credits: WA CLE 13.25 inc 1 ethics (call about others)

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Seattle Technology Law Conference
 December 13 & 14, 2007 | Seattle, Washington
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8:00 Registration and Continental Breakfast

8:30 Introduction and Overview

Kate Spelman, Esq., Program Co-Chair
Cobalt LLP ~ Berkeley, CA

Brian J. Deagle, Esq., Program Co-Chair
Microsoft Corporation ~ Redmond, WA

8:45 New Technology Markets

The trend towards advertising-funded revenue models: Who is doing what and with what success? What are the key legal issues to resolve before adopting an ad-funded model?

Gregory J. Ritts, Esq., General Counsel
aQuantive, Inc. ~ Seattle, WA

Promoting the stickiness of your site with online sweepstakes and promotions: What are the rules? What are the business risks? How do you distinguish between gambling and legitimate contests?

Robert C. Cumbow, Esq.
Graham & Dunn PC ~ Seattle, WA

Social networking as a hot new marketing strategy

Hemanshu Nigam, Esq., Chief Security Officer
Fox Interactive Media ~ Beverly Hills, CA

10:30 Break

10:45 Policing Bad Behavior in New Internet Markets

Phishing, spoofing, pharming, spyware, malware and identity theft have become prevalent. What are the new trends? How is the law following or anticipating criminal behaviors online?

David A. Bateman, Esq.
Kirkpatrick & Lockhart Preston Gates Ellis LLP ~ Seattle, WA

Information privacy and security: Update on best practices and things to avoid; ownership and use of customer lists in connection with co-branding and other joint ventures; tips for keeping tabs on what the marketing and IT departments are doing

Holly K. Towle, Esq.
Kirkpatrick & Lockhart Preston Gates Ellis LLP ~ Seattle, WA

Protection for children: COPPA coverage; recent developments; enforcement by FTC and state attorney generals; FTC sliding scale guidelines and regulations; checklist for when you need to comply

William C. MacLeod, Esq.
Kelley Drye Collier Shannon ~ Washington, DC

12:15 Lunch (on your own)

1:30 Federal Regulatory Update: What are the Primary Internet Issues on the FTC's Regulatory Agenda?

Consumer protection issues; how to get the agency's attention and make effective use of its regulatory authority on competitive issues

Lesley A. Fair, Esq., Senior Attorney, Advertising Practices
Federal Trade Commission ~ Washington, DC

2:15 Open Source Software and Its Impact on the Commercial Market

Practical tips for resolving key current technical implementation issues for licensees using open source code in the development of commercial products

Anne Murphy Kelley, Esq., Associate General Counsel
Microsoft Corporation ~ Redmond, WA

How Version 3 of the GPL is reshaping the industry here and abroad

Douglas E. Phillips, Esq., Vice President and General Counsel
Promontory Interfinancial Network, LLC ~ Arlington, VA

3:30 Break

3:45 The New Cellular Platform

Developments in mobile platforms and applications

Jennifer Miyoko Follette, Esq., Associate General Counsel
Microsoft Corporation ~ Redmond, WA

4:15 Looking to the Future: The Far-Reaching Implications of the Changes in Computer Technology and the Related Law

IP in 2008: What's the New Reality?

Suzanne Harrison, Founder, Chief Executive Officer
Gathering2.0 ~ San Francisco, CA

5:00 Reception for Attendees and Faculty
Sponsored by Perkins Coie LLP



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About the Conference

LAW SEMINARS INTERNATIONAL

We dedicate all of our efforts to producing high-quality professional education programs.

Our seminars provide an opportunity for lawyers to learn about their clients' businesses and for the clients to learn about the legal issues impacting their business.

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In the last decade, we have seen an overwhelming influx of technology. Just look at how the number of ways to 'talk' (voice and text) has multiplied - cell, SMS, VoIP, email, instant messaging - and all of them when and wherever you want. We know there really is no 'down' time unless we let our fingers find the 'off' switches.

This seminar has a long tradition of gathering every December to think about the emerging and dynamic issues that are in-your-face and on our screens. For this 16th annual conference, we will focus on the barriers dissolving and the barriers emerging; budding business models both legal and illicit; and former ancillary eddies becoming new independent platforms. Amidst these topics, there will be some steady topics: Discussions of current intellectual property including patent reform, patent litigation updates and, of course, ethics.

For the practitioner who needs a forum to learn the trends and share information with peers, this seminar is the place to be.

~ Program Co-Chairs: Brian J. Deagle, Esq. and Kate Spelman, Esq.



8:00 Registration and Continental Breakfast

8:30 A Big Year for Patent Law Developments: Key Changes followed by a Discussion of the Implications for Technology and Internet Companies

The effect of Seagate and other recent decisions on patent rights and enforcement

Ramsey M. Al-Salam, Esq., Moderator
Perkins Coie LLP ~ Seattle, WA

Liability for inducement of infringement under the Patent Act

Lynda J. Oswald, Esq., Professor of Business Law
University of Michigan Ross School of Business
Ann Arbor, MI

Misuse of the standard-setting process

Eric A. Prager, Esq.
Darby & Darby ~ Seattle, WA

Litigation arising from patent use licenses that do not cover downstream manufacturers or consumers

Frank A. Angileri, Esq.
Brooks Kushman P.C. ~ Southfield, MI

10:00 Break

10:15 Patent Reform and the Implications for Technology Companies: Who are the Winners and Losers Under Current Proposals?

Brian G. Bodine, Esq.
Merchant & Gould P.C. ~ Seattle, WA

10:50 Social Networking Site Litigation: Coming to a Site Near You

Disgruntled players and potential liability for changing your game or from bad behavior by hackers, farmers, and grievors

Rauer L. Meyer, Esq.
Thelen Reid Brown Raysman & Steiner LLP ~ Los Angeles, CA



11:30 Special Addresses: Views from the Bench

The Hon. Marilyn Hall Patel
U.S. District Court, Northern District of California

The Hon. Robert S. Lasnik
U.S. District Court, Western District of Washington

12:30 Lunch (on your own)

1:45 The Inevitability of Litigation: Effect of New Technologies on the Discovery Process; Best Practices for In-house Counsel

Special issues relating to home-based employees

Warren J. Rheume, Esq., Moderator
Heller Ehrman LLP ~ Seattle, WA

Voice and data communications technology: Internet telephony; computer maintained voice mail; instant messaging; PDAs tied to corporate information infrastructure

Michael W. Finnie
Associate Director and Senior Computer Forensic Specialist
Nivant Consulting, Inc ~ Seattle, WA

Blogs, RSS feeds and other new information distribution tools

Susan E. Foster, Esq.
Perkins Coie LLP ~ Seattle, WA

2:45 Break

3:00 Substantive Trends in Computer Technology Litigation followed by a Discussion of Best Business Strategies

Computer Fraud and Abuse Act cases; patents; trade secret cases

Brent Caslin, Esq., Moderator
Kirkland & Ellis LLP ~ Los Angeles, CA

Benjamin Hattenbach, Esq.
Irell & Manella LLP ~ Los Angeles, CA

Lawrence D. Graham, Esq.
Black Lowe & Graham ~ Seattle, WA

4:00 Ethical Issues for Technology Lawyers and Issues Arising from Lawyer Use of Technology

Bruce E. H. Johnson, Esq.
Davis Wright Tremaine LLP ~ Seattle, WA

5:00 Evaluations and Adjourn



Registration & Other Conference Information

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Tuition: Regular tuition for this program is \$995 with a group rate of \$895 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$795. For students and people in their job for less than a year, our rate is \$497.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

Substitution & Cancellation: You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Friday, December 7, 2007.

After that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

Seminar Location: The conference will be held at the Washington State Convention and Trade Center at 800 Convention Place in Seattle, WA 98101 (206) 694-5000. Sleeping rooms are available at the adjacent Sheraton Seattle Hotel (1400 Sixth Avenue, Seattle, WA 98104) for \$189-209/nt. Register on-line at www.sheraton.com or via phone at (888) 625-4988 and reference SET code 352710.

Continuing Education Credits: This program qualifies for 13.25 WA CLE credits, including 1 ethics. Upon request, we will apply for CLE credits in other states and other types of credits.

If You Cannot Attend: Our complete Homestudy Course, consisting of a VHS or DVD recording and the written course materials, is available for \$1005. The written course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or the date we receive payment (whichever is later).

Faculty: Seattle Technology Law Conference

Brian J. Deagle, *Program Co-Chair*, is Senior Attorney at Microsoft Corporation's Legal and Corporate Affairs Department. He provides technical and commercial legal support for product development groups in the Windows Live and MSN Divisions.

Kate Spelman, *Program Co-Chair*, member of Cobalt LLP, is experienced in copyright, media, licensing and trademark issues. She advises clients on the development, production, sale and defense of non-patent IP and is listed in *The Best Lawyers in America*.

The Hon. Marilyn Hall Patel, *Special Address* Federal Judge presiding in the U.S. District Court, Northern District of California, formerly served as its Chief District Judge.

The Hon. Robert S. Lasnik, *Special Address* Chief Judge of the U.S. District Court, Western District of Washington, was appointed to the U.S. District Court by President Clinton in 1998.

Ramsey M. Al-Salam, *Moderator*, partner at Perkins Coie LLP, focuses on intellectual property litigation and dispute resolution, with emphasis on patent, trademark and trade secret litigation. He was listed in *Chambers USA* and *The Best Lawyers in America*.

Brent Caslin, *Moderator*, partner at Kirkland & Ellis LLP and an Adjunct Professor of Law at Pepperdine University School of Law, focuses on complex commercial and intellectual property disputes.

Warren J. Rheame, *Moderator*, shareholder in Heller Ehrman LLP's Intellectual Property Litigation Practice Group, focuses on copyright, trademark and trade secret issues including non-competition agreements.

Frank Angileri, shareholder at Brooks Kushman P.C., litigates intellectual property matters and is active in appellate work.

David A. Bateman, partner at Kirkpatrick & Lockhart Preston Gates Ellis LLP, focuses on cyber law, technology law and intellectual property litigation.

Brian G. Bodine, partner in the Seattle office of Merchant & Gould P.C., focuses on patent, trademark and trade secret litigation and is an adjunct Professor of Pat-

ent and Trade Secret Law at Seattle University.

Robert C. Cumbow, shareholder with Graham & Dunn PC, heads the firm's Intellectual Property Practice Group and focuses on advertising, privacy and Internet issues.

Lesley A. Fair, Senior Attorney with the Federal Trade Commission's Bureau of Consumer Protection, represents the Commission in investigations of deceptive advertising and focuses on consumer protection issues related to online commerce.

Michael W. Finnie, Associate Director and Senior Computer Forensic Specialist with Navigant Consulting, Inc., has experience in the identification, collection, preservation, analysis and production of digital evidence.

Jennifer Miyoko Follette, Associate General Counsel at Microsoft Corporation, heads the legal team for the Mobile Communications Business Division and focuses on mobile software, embedded software and online services.

Susan E. Foster, partner at Perkins Coie LLP, chair of the firm's Antitrust, Unfair Competition and Consumer Protection Group, focuses on antitrust litigation and trade regulation, intellectual property litigation and complex business and financial litigation.

Lawrence D. Graham, member at Black Lowe & Graham, focuses on intellectual property litigation and protection and is an adjunct professor at Seattle University School of Law.

Suzanne Harrison, Founder and CEO of Gathering2.0, helps companies leverage their intangible assets. She is co-author of *Einstein in the Boardroom* and *Edison in the Boardroom*.

Benjamin Hattenbach, partner at Irell & Manella LLP, specializes in intellectual property law, emphasizing patent litigation and related counseling, and advises on trade secret, trademark and copyright matters.

Bruce E.H. Johnson, partner at Davis Wright Tremaine LLP, focuses on constitutional and commercial litigation, defamation defense and professional liability. He provides advice for newspapers, broadcasters, book publishers and

film producers and is Chair of the firm's Ethics Committee.

Anne Murphy Kelley, Associate General Counsel for IP Licensing at Microsoft Corporation, focuses on patent and technology licensing and is a board member of the Software Patent Institute.

William C. MacLeod, partner at Kelley Drye Collier Shannon and former Bureau Director at the U.S. Federal Trade Commission (FTC), focuses on competition law, trade regulation, advertising, privacy and security.

Rauer L. Meyer, partner at Thelen Reid Brown Raysman & Steiner LLP, focuses on technology development, commercialization and protection, the manufacture and sale of technology products and services, and Internet transactions.

Hemanshu Nigam, Chief Security Officer for News Corp.'s Fox Interactive Media (FIM), oversees safety, education, privacy and law enforcement programs for MySpace and other Fox Interactive Media properties.

Lynda J. Oswald, Professor of Business Law at the University of Michigan Ross School of Business, focuses on intellectual property law issues. She wrote *The Law of Marketing*.

Douglas E. Phillips, Vice President and General Counsel of Promontory Interfinancial Network, LLC, provides technology-based solutions for financial institutions.

Eric A. Prager, principal at Darby & Darby, focuses on counseling, licensing and litigation of intellectual property rights with emphasis on digital content issues.

Gregory J. Ritts is Vice President of Legal and Privacy at aQuantive, Inc., the world's largest on-line advertising agency.

Holly K. Towle, partner at Kirkpatrick & Lockhart Preston Gates Ellis LLP, focuses on technology, intellectual property, and electronics in commerce. She is the author of *The Law of Electronic Transactions* and was included in *Guide to the World's Leading Technology, Media & Telecommunications Lawyers, An International Who's Who Of E-Commerce Lawyers* and *The Best Lawyers in America*.

December 13 & 14, 2007

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Who Should Attend:

Attorneys, business executives and consultants involved in the creation, licensing and sale of software and digital technology

You Will Learn About:

- New technology markets and business models
- Policing Internet markets
- FTC's regulatory agenda for Internet issues
- Open source software and its commercial impact
- The new cellular platform
- Patent law developments
- Social networking
- Trends in computer technology litigation
- Best practices for in-house counsel
- Views from the bench
- Ethical issues for technology lawyers

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