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- Cook Alex
- Davis Wright Tremaine LLP
- Klarquist Sparkman, LLP
- Lowrie, Lando & Anastasi, LLP
- Microsoft Corporation
- Seed Intellectual Property Law Group PLLC
- The Focal Point LLC

Who Should Attend:

Attorneys, including in-house counsel and private practitioners, business executives and expert witnesses involved in patent prosecution and litigation

An Important One-Day Workshop on

Patent Claim Construction

New developments and practical tips for the patent claim drafter and in-house, defense and plaintiff counsel

July 16, 2008

Seattle, Washington

Washington State Convention and Trade Center

Credits: WA CLE 6.5 (call about others)
Quick when/where: 8:30 a.m., 800 Convention Place

Patent Claim Construction Workshop

July 16, 2008 | Seattle, Washington
 Washington State Convention and Trade Center

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08CLAIMWA WS



8:00 Registration and Continental Breakfast

8:30 Introduction and Overview

David V. Carlson, Esq., Program Co-Chair
Seed Intellectual Property Law Group PLLC
Seattle, WA

John D. Vandenberg, Esq., Program Co-Chair
Klarquist Sparkman, LLP ~ Portland, OR

8:45 The Development of Claim Construction Theory and Practice

Origins of patent claiming requirements; patent claims' role to establish boundaries of exclusive rights and provide public notice of those rights; "intrinsic" and "extrinsic" evidence of the meaning of patent claims; legal theories of claim interpretation

Robert J. Silverman, Esq., Ph.D.
Lowrie, Lando & Anastasi, LLP ~ Cambridge, MA

9:30 Current Case Law and Recent Federal Circuit Developments in Claim Construction

Review of 2007-2008 case law of the Federal Circuit on selected claim construction topics, such as whether preambles limit claim scope; substantive and procedural issues

Edward D. Manzo, Esq.
Cook Alex ~ Chicago, IL

11:00 Break

11:15 Ways for Prosecutors to Create Patents Worthy of Litigation and Tips to Make it Easier for Litigators to Defend

In-house counsel perspective: Managing the prosecution process for the most effective claim drafting on a portfolio-wide basis

Bart Eppenauer, Esq.,
Chief Patent Counsel and Associate General Counsel
Microsoft Corporation ~ Redmond, WA

12:15 Lunch (on your own)

1:30 Ways for Prosecutors to Create Patents Worthy of Litigation and Tips to Make it Easier for Litigators to Defend (con't)

Outside counsel perspective: Drafting an application to comply with today's standards for a litigation or license ready patent; responding to office actions that avoid file wrapper estoppel and increase the chance that allowed claims will be infringed

David V. Carlson, Esq., Program Co-Chair

2:15 Litigation Strategies from Plaintiff and Defendant Perspectives

Advantages and disadvantages of evidentiary hearings; laying the groundwork for successful summary judgment motions; what to do after the claim construction ruling

F. Ross Boundy, Esq.
Davis Wright Tremaine LLP ~ Seattle, WA

Getting claim constructions that strengthen all of your best defenses, not just non-infringement, i.e. lack of full-scope enablement, "omitted element" written description, inequitable conduct, anticipation, "date of invention", limiting damages

John D. Vandenberg, Esq., Program Co-Chair

3:45 Break

4:00 Using Graphics to Help Win Claim Construction Disputes

The increasingly important role of graphics in claim construction disputes; elements of a successful graphic; how graphics can enhance your argument and increase your chances of winning; examples from major disputes from around the country

G. Christopher Ritter, Esq.,
Member and Case Manager
The Focal Point LLC ~ Oakland, CA

5:00 Evaluations and Adjourn



About the Workshop

LAW SEMINARS INTERNATIONAL

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In the 172-year history of construing patent claims, new strategies and elements are continually emerging.

This patent claim construction workshop is an intensive one-day seminar tackling claim construction from a variety of fresh perspectives. We consider the issues from the view of the patent claims drafter, the in-house patent portfolio manager, the defense counsel, the plaintiff's counsel, and even the linguist.

Our distinguished faculty will provide the latest court rulings seeking to develop a deeper understanding of this critical area of intellectual property law.

~ Program Co-Chairs: David V. Carlson, Esq. and John D. Vandenberg, Esq.



David V. Carlson, *Program Co-Chair* and partner at Seed Intellectual Property Law Group PLLC, specializes in electrical and electronic patent matters, including licensing and litigation. He previously worked as a patent attorney with Texas Instruments, specializing in obtaining U.S. and Japanese patent protection on semiconductor devices, computer design and electronic systems.

John D. Vandenberg, *Program Co-Chair* and partner at Klarquist Sparkman, LLP, focuses on patent litigation. He defends and prosecutes patent infringement actions, including jury trials, bench trials and appellate practice for a wide range of clients, including Klarquist's representation of Microsoft since 1991.

F. Ross Boundy, senior IP litigation partner at Davis Wright Tremaine LLP, has tried several patent infringement jury trials and argued numerous appeals before the CAFC. He was named one of the forty best IP lawyers in Washington state by *Washington Law & Politics*.

Bart Eppenauer is Chief Patent Counsel and Associate General Counsel in Microsoft Corporation's Legal and Corporate Affairs Department. He leads the Patent Group responsible for the development and management of their worldwide patent portfolio.

Edward D. Manzo, founding partner of Cook Alex, is an intellectual property attorney handling litigation and other matters. Also he is the originator, lead author and editor-in-chief of *Claim Construction in the Federal Circuit* and is listed in *Who's Who in the World* and *Illinois Super Lawyers*.

G. Christopher Ritter, Member and Case Manager at The Focal Point LLC, specializes in helping clients develop persuasive case theories toward the creation of graphics and other tools that influence decision makers. He wrote *Creating Winning Trial Strategies and Graphics* and is co-author of *Packaging and Presenting Your Case to Win*.

Robert J. Silverman, Ph.D., of counsel at Lowrie, Lando & Anastasi, LLP, specializes in patent and trade secret litigation at the trial and appellate levels and is experienced in patent prosecution. He counsels clients on a wide variety of intellectual property matters. He was named a "Rising Star" by *Massachusetts Super Lawyers* and is co-author of *Instruments and the Imagination*.



Registration & Other Workshop Information

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Walk-ins are welcome, subject to space availability.

Registration is complete when we receive payment or agree to later payment.

Tuition: Regular tuition for this program is \$695 with a group rate of \$620 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$545. For students and people in their job for less than a year, our rate is \$347.50. 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

Thursday, July 10, 2008. 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 workshop will be held at the Washington State Convention and Trade Center at 800 Convention Place in Seattle, WA 98101. 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 1-888-627-7056 and refer-

ence SET code 352710. Rooms are on a first come, first served basis.

Continuing Education Credits: This program qualifies for 6.5 WA CLE credits. 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 DVD recording and the written course materials, is available for \$705. 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).



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You Will Learn About:

- Current case law and recent federal circuit developments
- The development of claim construction theory and practice
- Litigation strategies from plaintiff and defendant perspectives
- Managing the prosecution process for the most effective claim drafting on a portfolio-wide basis
- Drafting an application that complies with today's standards for a litigation or license ready patent
- Effective use of graphics

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kate@lawseminars.com

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