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A Comprehensive Two-Day Conference on New Developments in

Technology Law

Top national experts will address new regulations, current intellectual property updates, litigation trends

July 10 & 11, 2008

Boise, Idaho

Red Lion Hotel Boise Downtowner

Credits: ID CLE pending (call about others)

Quick when/where: 8:30 a.m., 1800 Fairview Avenue

Technology Law Conference

July 10 & 11, 2008 | Boise, Idaho
Red Lion Hotel Boise Downtowner

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8:00 Registration and Overview

8:30 Introduction to Day 1: Intellectual Property Developments of Particular Relevance to Technology Law
Kate Spelman, Esq., Program Co-Chair
 Cobalt LLP ~ Berkeley, CA
Holly K. Towle, Esq., Program Co-Chair
 Kirkpatrick & Lockhart Preston Gates Ellis LLP ~ Seattle, WA

8:45 A Big Year for Patent Law Developments
 Implications of patent reform and the new PTO rules: Who are the winners and losers under current proposals?
H. Dickson Burton, Esq.
 TraskBritt PC ~ Salt Lake City, UT

Case law update: Recent decisions on patent rights and enforcement; liability for inducement of infringement; litigation arising from misuse of the standard-setting process and 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 Successful Trade Secrets Programs
 Trade Secrets as an alternative to patents; key elements of a successful trade secret protection program; the inevitable disclosure doctrine and counter strategies; best practices for maximizing trade secret protections
Jack Russo, Esq.
 Russo & Hale LLP ~ Palo Alto, CA

Corporate liability for trade secret theft by employees: Direct violation of the Trade Secrets Act; Respondeat Superior Doctrine; tortious interference with contract; applicability and use of the Computer Fraud and Abuse Act and the Economic Espionage Act
David A. Linehan, Esq.
 Kirkpatrick & Lockhart Preston Gates Ellis LLP ~ Seattle, WA

11:30 Federal Regulatory Update: What are the Primary Internet Issues on the FTC's Regulatory Agenda?
 Consumer protection issues; FTC sliding scale guidelines and regulations; checklist for when you need to comply; how to get the agency's attention and make effective use of its regulatory authority on competitive issues
Lesley A. Fair, Esq., Senior Attorney
 Bureau of Consumer Protection
 Federal Trade Commission ~ Washington, DC

12:15 Lunch (on your own)

1:30 Copyrights on the Internet
 Establishing copyright ownership as the fundamental basis for an effective copyright protection program: Proactive strategies, including international considerations; work made for hire; update on current issues under the Digital Millennium Copyright Act
Regina V. Culbert, Esq.
 Merchant & Gould PC ~ Seattle, WA

Fair use and other copyright misuse defenses: Hypotheticals illustrating what is fair and not fair; derivative and transformative works; update on book digitizing as the cutting edge or over the line on fair use
Kate Spelman, Esq., Program Co-Chair

2:45 Break

3:00 Practical Tips for Use of Trademarks
 Best practices in trademark prosecution: Domestic prosecution; developments at the Trademark Trial and Appeal Board (TTAB)
Lynne E. Graybeal, Esq.
 Perkins Coie LLP ~ Seattle, WA

How should search engines, web linking, and new logo placement opportunities affect your trademark licensing program? What are the minimum requirements and for best practices policing trademark misappropriation on the Internet?
Signe Brunstad, Esq., Assistant Director
 University of Washington School of Law ~ Seattle, WA

4:00 Common Mistakes Made on Internet Websites
 A panel discussion: Speakers from Day 1 and Day 2 join the Co-chairs to talk about legal issues raised by typical websites. Feel free to join the discussion and bring your own examples to share or ask about.
Kate Spelman, Esq., Program Co-Chair, Moderator
Holly K. Towle, Esq., Program Co-Chair, Moderator

5:00 Continue the Exchange of Ideas: Reception for Attendees and Faculty Sponsored by Kirkpatrick & Lockhart Preston Gates Ellis LLP and Law Seminars International

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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 and ways of doing business which are changing the way both old and new economy business is done. 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 will focus on the barriers dissolving and the barriers emerging; budding business models; and former ancillary eddies becoming new independent platforms. Amidst these topics, there will be some steady streams: Discussions of current intellectual property updates, aspects of modern commercial law 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: Kate Spelman, Esq. and Holly K. Towle, Esq.



- 8:00 Registration and Cotinental Breakfast**
- 8:30 Introduction to Day 2: Using Technology in Your Business**

Kate Spelman, Esq., *Program Co-Chair*
Holly K. Towle, Esq., *Program Co-Chair*
- 8:45 Developments in New Media Advertising**

What's being tried, what's working and what's not; emerging legal issues in new forms of advertising, including viral marketing, word of mouth marketing and branded entertainment; hot button regulatory enforcement issues

Brian G. Murphy, Esq.
Frankfurt Kurnit Klein & Selz PC ~ New York, NY

Staying out of trouble: Picking the right promotion for your goals is only the first step; crafting cogent and precise rules can side-step a PR nightmare and save thousands in legal fees

Tsan Abrahamson, Esq.
Cobalt LLP ~ Berkeley, CA

The social networking and virtual reality web site phenomena; the implications for anyone doing business on the Internet or interested in where consumers spend their time

Steve Tapia, Esq., *Senior Attorney, Law and Corporate Affairs*
Microsoft Corporation ~ Redmond, WA
- 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? What can you do if someone is abusing your brand?

Theodore J. Angelis, Esq.
Kirkpatrick & Lockhart Preston Gates Ellis LLP ~ Seattle, WA
- 11:30 Privacy and Information Security**

Ensuring that you comply with industry standards; what you legally have to do if you have a security breach, tips for good public relations after a breach

Todd Alberstone, Esq.
Associate General Counsel and Chief Privacy Officer
RealNetworks, Inc. ~ Seattle, WA
- 12:15 Lunch (on your own)**

- 1:30 Contracting under Modern Commercial Law**

Current issues in contract law as applied to "e" environments in business-to-business and business-to-consumer contexts.

Holly K. Towle, Esq., *Program Co-Chair*
- 2:15 Latest Issues and Directions for Open Source Software**

How Version 3 of the GPL is reshaping the industry here and abroad; GPL 2.0 litigation; open source and standards setting

Raymond T. Nimmer, Esq., *Dean*
University of Houston Law Center ~ Houston, TX
- 3:15 Break**
- 3:30 How to Use Technology Proactively to Mitigate Litigation Costs and Enhance Outcomes and Best Practices for In-house Counsel**

Imaging data, culling data, using search technology, native review versus TIFF productions, using metadata

Allison Goodman, CCE, *President*
eDiscovery Inc. ~ Bellevue, WA

David Rostov, *CEO*
Lighthouse Document Technologies ~ Seattle, WA
- 4:30 Evaluations and Adjourn**

Upcoming Related Seminars:

| | | |
|---|---------------------|-------------|
| Copyright Law Counseling, Management and Litigation | April 14 & 15, 2008 | Seattle, WA |
| Patent Claim Construction | April 25, 2008 | Atlanta, GA |
| Innovative Strategies for Litigating Class Actions | May 8 & 9, 2008 | Seattle, WA |
| eHavioral, Peer-to-Peer and New Media Marketing | June 2 & 3, 2008 | Seattle, WA |

See more at www.lawseminars.com



Registration & Other Conference Information

To Register:

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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 \$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 Thursday, July 3, 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 conference will be held at the Red Lion Hotel Boise Downtowner at 1800 Fairview Avenue in Boise, ID 83702. Call the hotel directly at (208) 344-7691 for reservations at the special negotiated rate of \$109 and mention that you are attending a Law Seminars International conference.

Rooms are on a first come, first served basis.

Continuing Education Credits: Idaho CLE credits are currently pending for this program. 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 \$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: Technology Law Conference

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 was listed in *The Best Lawyers in America*.

Holly K. Towle, Program Co-Chair, partner at Kirkpatrick & Lockhart Preston Gates Ellis LLP, focuses on technology, intellectual property and electronics in commerce. She wrote *The Law of Electronic Commercial Transactions* and is 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*.

Tsan Abrahamson, member at Cobalt LLP, focuses on strategic counseling in sweepstakes, intellectual property, advertising, trademark clearance, trademark and copyright prosecution, licensing and other business transactions.

Todd Alberstone is Associate General Counsel and Chief Privacy Officer for RealNetworks, Inc. His responsibilities include intellectual property; content, software and hardware licensing; privacy and consumer issues; digital rights management issues; and media law.

Theodore J. Angelis, partner at Kirkpatrick & Lockhart Preston Gates Ellis LLP, is a trial lawyer who focuses on cyber and technology law and intellectual property litigation with emphasis on constitutional law and appellate matters.

Frank A. Angileri, shareholder at Brooks Kushman P.C., litigates intellectual property matters and is active in appellate work. He is named a Super Lawyer.

Signe Brunstad is Assistant Director, Graduate Program in Intellectual Law and Policy at the University of Washington School of Law. Formerly at Perkins Coie LLP, she focused on trademark, copyright, trade secret, e-commerce, public disclosure and First Amendment issues.

H. Dickson Burton, senior litigator, shareholder and director at TraskBritt PC, focuses on litigation and counseling in patent, trade secret and intellectual property. He was named in *The Best Lawyers in America* and in *Mountain States Super Lawyer*.

Regina V. Culbert, of counsel with Merchant & Gould PC, focuses on intellectual property litigation, including patent, copyright, trademark and related claims of unfair practice. She litigates cases involving software, website design, trade dress, domain name disputes, and theft of trade secrets.

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.

Allison Goodman, Founder and President of eDiscovery Inc., focuses on providing electronic discovery and computer forensic services to law firms and corporate counsel nationwide. She is a Certified Computer Examiner through the International Society of Forensic Computer Examiners.

Lynne E. Graybeal, partner at Perkins Coie LLP, focuses on all aspects of trademark law, including U.S. and international trademark searching, selection and prosecution, international filing strategies, trademark usage policies, trademark and domain names disputes, and trademark licensing and merchandizing. She is listed in *The International Who's Who of Trademarks Lawyers*, *Washington's Super Lawyers* and the *Top 50 Washington Female Super Lawyers*.

David A. Linehan, partner and intellectual property litigator at Kirkpatrick & Lockhart Preston Gates Ellis LLP, prosecutes and defends cases involving technology transfers and licenses, software development and publishing agreements, royalty disputes and employee covenants not to compete.

Brian G. Murphy, partner at Frankfurt Kurnit Klein & Selz PC, focuses on advertising, intellectual property, and entertainment law where he counsels advertising agencies. Advertisers and entertainment companies on all aspects of their business with a focus on copyright, trademark, right of publicity/right of privacy, false advertising and unfair competition. He is named a Super Lawyer by *Law and Politics* magazine

Raymond T. Nimmer, is Dean and the Leonard H. Childs Professor of Law at the University of Houston Law Center and also Co-Director of the Houston IP and Information Law Institute. He co-authored *Modern Licensing Law* and was listed in *Who's Who in Law, International Who's Who of Internet Lawyers* and *International Who's Who of Business Lawyers*.

David Rostov, CEO of Lighthouse Document Technologies, has experience in senior leadership positions and managing growth companies. Previously he was CFO at Infospace Inc., Acting CEO and CFO at Apex Learning and CFO at drugstore.com.

Jack Russo, founding partner at Russo & Hale LLP, focuses on representing entrepreneurs and companies in the protection of their ideas, inventions, and businesses and specializes in areas of Internet, e-commerce, software and other intellectual property protection, infringement, and licensing.

Steve Tapia, Senior Attorney in Microsoft Corporation's Law and Corporate Affairs Department, leads its copyright group, focusing on entertainment, media and intellectual property law. Previously he was Senior Director of Business Development for MSN's Entertainment Channel.

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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 patent law developments
- Trade secret protection
- Federal regulatory updates
- Copyrights on the Internet
- Trademark prosecution
- New media advertising
- Trends in new Internet markets
- Privacy and Internet security
- Open source software

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