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- Hewlett Packard Company
- Open Invention Network
- Optaros, Inc.
- Red Hat, Inc.
- TopCoder, Inc.

### Who Should Attend:

*Attorneys and business executives involved with software development projects*

*A Comprehensive One-Day Workshop on*

# Open Source Software

Practical guidelines for locating open source code and determining the best policies to manage it

October 29, 2008

Boston, Massachusetts

Omni Parker House Hotel

**Credits:** CT CLE 7 | ME CLE 7 | NH CLE 7 | VT CLE 7 | RI CLE 8.4 (call about others)

**Quick when/where:** 8:30 a.m., 60 School Street

**Open Source Software Workshop**  
October 29, 2008 | Boston, Massachusetts  
Omni Parker House Hotel

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08OPSMA WS



- 8:00**    **Registration and Continental Breakfast**
- 8:30**    **Introduction and Overview: The Open Source Year in Review**  
A discussion of the goals for the day and review of recent events  
**Karen F. Copenhaver, Esq., *Program Co-Chair***  
Choate, Hall & Stewart LLP ~ Boston, MA  
**Ira V. Heffan, Esq., *General Counsel, Program Co-Chair***  
TopCoder, Inc. ~ Glastonbury, CT
- 9:00**    **Open Source Strategies**  
Why open source companies are different: Their advantages to other models; overview of open source business models; how licenses can support those models  
**Larry Augustin, Ph.D., *Managing Director***  
Augustin Ventures ~ Los Altos, CA
- 10:15**   **Break**
- 10:30**   **New Patent Strategies for Protecting the Commons**  
How the Open Invention Network operates as a collaborative enterprise to enable innovation in the Linux ecosystem by acquiring and licensing patents and influencing behaviors and policy  
**Karen F. Copenhaver, Esq., *Program Co-Chair***
- 11:00**   **Recent Developments in Patent Litigation**  
Lessons learned from recent patent litigation and settlements affecting open source projects  
**Robert Tiller, Esq.,**  
*Vice President and Assistant General Counsel*  
Red Hat, Inc. ~ Raleigh, NC
- 11:30**   **GPL 3 Interpretation**  
Questions raised since the release of version 3 of the GNU GPL and how those questions have been answered thus far  
**Richard Fontana, Esq.,**  
*Open Source Licensing and Patent Counsel*  
Red Hat, Inc. ~ Westford, MA
- 12:15**   **Lunch (on your own)**

- 1:30**    **Open Source in M & A**  
What acquirors address regarding a target company's open source prior to an acquisition, and what happens with open source after closing the acquisition?  
**Jason A. Duva, Esq., *Director of Intellectual Property***  
Avid Technology, Inc. ~ Tewksbury, MA
- 2:30**    **Corporate Open Source Policies**  
Considerations when developing open source policies  
**Karen F. Copenhaver, Esq., *Program Co-Chair***
- 2:45**    **Managing Compliance and Collaboration**  
Processes for managing open source to ensure license compliance and maximize commercial value  
**Kat McCabe, Esq., *General Counsel***  
Optaros, Inc. ~ San Mateo, CA
- The development of a collaborative platform for best practices and compliance programs  
**Phil Robb, *Section Manager***  
Hewlett Packard Company ~ Fort Collins, CO
- 3:30**    **Break**
- 3:45**    **Integration of Open Source and Commercial Software**  
Managing the use of open source in commercial products from a practical standpoint  
**David McAllister, *Director of Standards and Open Source***  
Adobe Systems Incorporated ~ San Jose, CA
- 4:15**    **Why Would a Commercial Enterprise Give Away Software?**  
Collaboration facilitated by open source licenses provides an efficient way to develop non-differentiate technologies; understanding when giveaway exuberance can be rational (and not)  
**Scott K. Peterson, Esq., *Senior Counsel, Intellectual Property***  
Hewlett Packard Company ~ Andover, MA
- 4:45**    **A Look to the Future: Predictions and How They Should Influence Your Current Decision Making**  
What is expected to be finalized this year? What may be happening over the next year, the next decade?  
**Karen F. Copenhaver, Esq., *Program Co-Chair***  
**Ira V. Heffan, Esq., *Program Co-Chair***  
**Members of the Faculty**
- 5:15**    **Evaluations and Adjourn**



## About the Workshop

### LAW SEMINARS INTERNATIONAL

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*One of the most fascinating aspects of intellectual property law today is the intersection between property rights and open development models. In the software industry, companies have shifted from denial to recognition to adoption of open source software with breathtaking speed.*

*Lawyers practicing in this area should understand how business leaders and lawyers at the forefront of this adoption cycle have brought us to where we are today, what they are currently grappling with, and the challenges and opportunities they see ahead. Striking a proper balance between the maintenance of traditional intellectual property interests, including patents, and participation in a community of shared interests, requires a thorough understanding of why open source has become such a compelling force and how it contributes to the financial success of start-ups and the industry's most traditional players.*

*In addition to in-depth coverage of these topics, this seminar will provide an opportunity to share experiences and learn from others who have successfully implemented policies and procedures addressing the development, use, and distribution of open source software, as we all, collectively, formulate and converge on best practices.*

*~ Program Co-Chairs: Karen F. Copenhaver, Esq. and Ira V. Heffan, Esq.*



**Karen F. Copenhaver**, *Program Co-Chair*, partner at Choate, Hall & Stewart LLP, focuses on technology transfer and licensing of intellectual property, particularly in the areas of software licensing and open source business models. She is listed in *Chambers USA*, *Legal 500* and as a Super Lawyer.

**Ira V. Heffan**, *Program Co-Chair*, is General Counsel at TopCoder, Inc., a company that develops custom enterprise software with the participation of a world-wide community of developers. He works with technology companies, particularly in the areas of intellectual property and community-based development.

**Larry Augustin, Ph.D.**, Managing Director at Augustin Ventures, is on the Boards of Directors of Compiere, Fonality, Hyperic, Medsphere, Pentaho, SurgarCRM, and XenSource. *Worth Magazine* named him to their list of the Top 50 CEOs in 2000.

**Keith Bergelt**, CEO at Open Invention Network, is responsible for enabling, influencing and defending the integrity of the Linux ecosystem. He focuses specifically on the acquisition and transfer of patent rights designed to permit members of the Linux ecosystem to operate free of threat.

**Robert Tiller** is Vice President and Assistant General Counsel, IP at Red Hat, Inc., the world's leading provider of open source technology to enterprise customers. He manages patent, trademark and copyright matters relating to open source software. Previously he was a partner with the law firm of Helms, Mulliss & Wicker, PLLC, specializing in commercial and IP litigation.

**Jason A. Duva** is the Director of Intellectual Property for Avid Technology, a worldwide leader in tools for film, video, audio, 3D animation, gaming and broadcast professionals as well as for home audio and video enthusiasts. Previously, he represented a wide variety of technology, gaming, and entertainment clients in private practice.

**Richard Fontana**, Open Source Licensing and Patent Counsel at Red Hat, Inc., manages matters relating to patents and open source licensing. He is also a Red Hat Liaison with the open source community on licensing issues.

**David Mc Allister**, Director of Standards and Open Source at Adobe Systems Incorporated, focuses on the company's long-term strategic direction as it relates to standards and open source technologies. He is Adobe's representative to Ecma International, a standards body for information and communications technology.

**Kat McCabe** is General Counsel at Optaros, Inc. Most recently she was Vice President and General Counsel at Black Duck Software. She is experienced in determination and implementation of intellectual property, partnership, product and operational strategies. Previously General Counsel to Kodak Imaging Network, Inc., she managed all legal matters in support of the company's Internet-based and mobile photography businesses.

**Scott K. Peterson** is Senior Counsel, Intellectual Property at Hewlett Packard Company.

**Phil Robb**, Section Manager at Hewlett Packard Company, leads their Open Source Programs Office, including the FOSSology project, and is responsible for HP's Open Source Review Board. He is also General Manager of FOSSBazaar.org., a website and community dedicated to improving the governance and adoption of free and open source software.



## Registration & Other Workshop Information

### To Register:

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Web site: www.lawseminars.com

Mail the registration form on the front page.

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 \$895 with a group rate of \$795 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$695. For students and people in their job for less than a year, our rate is \$447.50. 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

Wednesday, October 22, 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 Omni Parker House Hotel at 60 School Street in Boston, MA 02108. Call the hotel directly at (617) 227-8600 for reservations. Rooms are on a first come, first served basis.

### Continuing Education Credits:

This program qualifies for 7 CT, NH & VT CLE and 8.4 RI 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 VHS or DVD recording and the written course materials, is available for \$905. 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:

- Open source business models
- The integration of open source into product and process development
- Best practices for managing open source
- Patent strategies for protecting the commons
- Ensuring license compliance
- GPL 3 in practice
- Open source and M&A
- Collaboration tools for managing open source
- Open source and commercial software in products
- Predictions for the future and how they should influence decision making

## Watch for our telebriefings on major legal developments.

Members of our distinguished faculties will present analyses of major decisions and other developments as soon as they happen in a one-hour telephone conference.

If you wish to receive announcements for telebriefings that affect you, please make sure we have your email address—send it to me, H. Kate Johnson, President:

[kate@lawseminars.com](mailto:kate@lawseminars.com)

## Law Seminars International News:

### Upcoming Seminars:

Current Issues in Complex IP Licensing	September 11 & 12, 2008	Philadelphia, PA
Spectrum Management	September 18 & 19, 2008	Arlington, VA
Standard Setting and Patent Pools	October 2 & 3, 2008	Arlington, VA
Behavioral, Peer-to-Peer and New Media Marketing	October 6 & 7, 2008	New York, NY
Current Issues in IP Licensing	November 20 & 21, 2008	Austin, TX
Technology Law	December 11 & 12, 2008	Seattle, WA
IP Licensing in 2009	January 8 & 9, 2009	Miami, FL

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