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Our Fourth Annual Conference on

Best Practices in Patent Monetization

New case law, rules, legislation and markets

January 29 & 30, 2009

San Francisco, California

The Stanford Court, A Renaissance Hotel

(Please note this is a new venue)

Credits: CA MCLE 12 (call about others)

Quick when/where: 8:30 a.m., 905 California Street-Nob Hill

Patent Monetization Conference

January 29 & 30, 2009 | San Francisco, California
The Stanford Court, A Renaissance Hotel

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09PATSCA WS



8:00 Registration and Continental Breakfast

8:30 Introduction and Overview

Marc S. Kaufman, Esq., Program Co-Chair
Nixon Peabody LLP ~ Washington, DC

Steve Knauer, Esq., Program Co-Chair,
Chief Patent Counsel
IPotential, LLC ~ San Mateo, CA

8:45 How Do You Get Useful Patents?

Building a quality patent portfolio aligned to your business strategy to protect inventions, provide freedom to operate, affect competition and support licensing programs

Steve Knauer, Esq., Program Co-Chair,
Chief Patent Counsel, Moderator

Marc S. Kaufman, Esq., Program Co-Chair

James E. Parsons, Esq.
Vice President and Associate General Counsel
Foundry Networks, Inc. ~ Santa Clara, CA

Craig P. Opperman, Esq.
Reed Smith LLP ~ Palo Alto, CA

Duane R. Valz, Esq.
VP and Associate General Counsel, Global Patents
Yahoo! Inc. ~ Santa Clara, CA

10:15 Break

10:30 Creating and Implementing Decision Rules for Patent Portfolio Mining and Management (Hold, Sell, License or Abandon?)

Identifying which patents serve your core business objectives

Keith A. Rutherford, Esq.
Wong, Cabello, Lutsch, Rutherford & Brucculeri, L.L.P
Houston, TX

Marketplace factors affecting the decision to license or sell patents; finding the right match between the market factors and characteristics of each form of monetization

Kent Richardson, Managing Director
Constellation Capital LLC ~ Los Altos, CA

12:00 Lunch (on your own)

1:15 Challenges and Uncertainties in Patent Law: Keeping on Top of Evolving Standards for Patentable Subject Matter and Obviousness

Relationship between value and the likelihood of surviving a validity challenge; areas of significant changes in legal standards in recent years

Gary S. Morris, Esq.
Townsend and Townsend and Crew LLP ~ Washington, DC

Practical tips for dealing with the uncertainty arising from different standards and subsequent challenges in court and the USPTO

Fabio Marino, Esq.
Orrick, Herrington & Sutcliffe LLP ~ Menlo Park, CA

2:45 Break

3:00 Strategies in the How and Why of Buying Patents

Practical examples of how a technology company buys patents opportunistically or from dedicated patent purchasing programs

David Lubitz, Esq., Senior Patent Attorney
Microsoft Corporation ~ Redmond, WA

3:45 Designing a Purchasing Model to Meet Specific Needs

Open market purchase opportunities through brokers, auctions, direct sales, and bankruptcy proceedings; proactive targeted searches and direct purchases from owners

Michael Pierantozzi, Principal
Andiamo Associates ~ Mountain View, CA

Mark Nell, Managing Director
IP Resource Services LLP ~ London, UK

5:00 Continue the Exchange of Ideas: Reception for Faculty and Attendees Sponsored by IPotential, LLC and Nixon Peabody LLP



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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The ability for patent owners, from large, multinational companies to individual inventors, to monetize their patents has significantly improved over the last five years. Companies are increasingly buying patents to supplement, expand, and strengthen their existing portfolios as well as respond to specific IP threats. Like land speculators, patent investors are investing billions of dollars to amass assets that they intend to monetize for a substantial return. This massive influx in available capital is providing patent owners with increasing opportunity to make money from their inventions, as well as allowing companies and patent investors to obtain quality patents much more efficiently than before.

This conference will look at how the patent monetization process really works for buyers and sellers. The faculty includes the country's leading patent buyers and market makers who will share their insights on the various venues for patent sales, with a focus on how to optimize those transactions to the benefit of both buyers and sellers.

Patents are knowledge assets, so to successfully transact patent transactions, sellers must understand how value is determined and how buyers make decisions. Experienced professionals on the faculty will discuss and provide real world examples on how quality patents are developed, identified and sold within this context. Entering this new marketplace as an opportunistic buyer of patents presents unique issues of confidentiality and exposure as well as real or perceived IP threats. Attendees will have a chance to learn tips and strategies for managing the buying process and conducting due diligence, and ways to manage risks and participate successfully in the market-making process through early access to those who are influencing a brave new world of intellectual property exchange.

~ Program Co-Chairs: Marc S. Kaufman, Esq. and Steve Knauer, Esq.



8:00 Registration and Continental Breakfast

8:30 Introduction to Day Two

Marc S. Kaufman, Esq., Program Co-Chair
Steve Knauer, Esq., Program Co-Chair

8:45 Patent Sales Case Studies

Corporate patent sale case study

Davina Inslee, Esq., IP Counsel
Vulcan Inc. ~ Seattle, WA

Individual venture fund case study

Maurice Haff, Esq., Registered Patent Agent
White + Quinn, P.C. ~ Waterford, VA

10:00 Break

10:15 Making Patent Transactions More Efficient

Current initiatives on making transactions more efficient and transparent, driven by experience in buying and selling patents in the past few years

Joe Chernesky, President and Chief Operating Officer
IPotential, LLC ~ San Mateo, CA

Don Merino, Ph.D., General Manager, IP
Intellectual Ventures, LLC ~ Bellevue, WA

Abha Divine, Managing Director
Techquity Capital Management ~ Austin, TX

Pam Hays, Principal Licensing Manager
Intel Corporation ~ Santa Clara, CA

12:00 Lunch (on your own)

1:15 Licensing vs. Litigation: When You Have a Patent Portfolio Worthy of Licensing, How Do You Determine the Appropriate Strategy to Meet Your Business Goals?

Growth in patent assertions and corresponding number of patent litigations filed; impact of the Sandisk decision; whether to file suit first, then negotiate settlement, or begin with a licensing approach

Strategy: Understanding your options

Marc S. Kaufman, Esq., Program Co-Chair, Moderator
Ron Epstein, Esq., Co-Founder and CEO
IPotential, LLC ~ San Mateo, CA

Execution: Achieving planned results

John O'Hara Horsley, Esq.
Executive Vice President and General Counsel
Transmeta Corporation ~ Santa Clara, CA

James M. Baker, Ph.D., Vice President
Strategic & Corporate Development
ContentGuard, Inc. ~ El Segundo, CA

Paul M. Saraceni, Esq., Chief IP Officer
RPX Corporation ~ San Francisco, CA

3:15 Evaluations and Adjourn

Upcoming Seminars:

Table with 3 columns: Seminar Title, Date, Location. Rows include Technology Law, IP Licensing 2009, Departing Employees and Intellectual Property, and Gamer Technology Law.

See more at www.lawseminars.com



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Tuition: Regular tuition for this program is \$1245 with a group rate of \$1095 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$945. For students and people in their job for less than a year, our rate is \$622.50. 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, January 22, 2009. 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: Due to construction at the original hotel, the venue for this program has been changed. The conference will be held at The Stanford Court, A Renaissance Hotel, 905 California Street-Nob Hill in San Francisco, CA 94108. Call the hotel directly at (415) 989-3500 for reservations at the special negotiated rate of \$204 and mention that you are attending a Law Seminars International conference. Rooms are on a first come, first served basis.

Continuing Education Credits:

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If You Cannot Attend: Our complete Homestudy Course, consisting of a DVD recording and the written course materials, is available for \$1255. 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: Patent Monetization Conference

Marc S. Kaufman, *Program Co-Chair*, partner at Nixon Peabody LLP, specializes in managing IP assets in a variety of technical fields, including computer architecture, digital rights management, database technology, search engine technology and data mining. He has developed structured procedures for creating and executing intellectual property strategies that are aligned with overall business strategies.

Steve Knauer, *Program Co-Chair*, Chief Patent Counsel at IPotential, LLC, focuses on strategic analysis of intellectual property, including evaluating, developing and managing patent portfolios. Previously he was IP Counsel at Gemplus, where he managed IP matters originating in North and South America.

James M. Baker, Ph.D., Vice President of Strategic & Corporate Development at ContentGuard, Inc., is responsible for corporate development, new segment and asset growth, and market relations.

Joe Chernesky is Co-Founder, President and Chief Operating Officer of IPotential, LLC, a Silicon Valley-based intellectual property strategic consultancy and brokerage firm. Previously, he served as Vice President of the Boeing Management Company and Senior Manager at Intel Corporation.

Abha Divine, Managing Director of Techquity Capital Management, focuses on the acquisition, development and commercialization of IP. Previously she launched and served as President and CEO of AT&T Knowledge Ventures.

Ron Epstein, Co-Founder and CEO of IPotential, LLC, assists patent owners in developing and executing strategies to maximize patent values. His expertise is in developing and optimizing IP asset portfolios. Previously he was General Counsel of Brocade Communications Systems, Inc. and Director of Licensing at Intel Corporation.

Maurice Haff is a Registered Patent Agent admitted to practice before the U.S. Patent and Trademark Office and partner at White + Quinn, P.C. His experience is in entrepreneurship, corporate management, research and development, process architecture, systems engineering, and product deploy-

ment, incorporating extensive IP formation, development and management.

Pam Hays, a Principal Licensing Manager for Intel Corporation, manages the Patent Purchase & Analysis Group in the Corporate Licensing Group, responsible for patent licenses and licensing analysis in support of patent license deals.

John O'Hara Horsley is Executive Vice President and General Counsel of Transmeta Corporation, a Nasdaq-listed company that develops and licenses advanced computing technologies and intellectual property. Previously he was at the FTC as Chief Counsel for IP and Technology Matters.

Davina Inslee is IP Counsel at Vulcan Inc., where she is responsible for the development and monetization of IP. Previously she was Patent Counsel for T-Mobile USA, Inc.

David Lubitz, Director of Licensing in Microsoft's Intellectual Property and Licensing Department, handles patent cross license negotiations with companies located in the U.S., Europe and Asia, and also acquisitions of third party patents. Previously he was the Managing Partner of a U.S. law firm's Tokyo office and is also a registered U.S. patent attorney.

Fabio Marino, partner at Orrick, Herrington & Sutcliffe LLP, is chair of the Networking Practice Group. He focuses on IP law with an emphasis on patent litigation. He was named a "Super Lawyer" and "Leading Lawyer", and *Chambers USA* described him as one of the go-to names in the business, admired for his impressive skills as a patent litigator.

Don Merino, General Manager of Intellectual Property, at Intellectual Ventures, LLC, focuses on projects relating to intellectual property and invention. Previously he was at Intel Corporation where he was Director of Strategic Business Development, responsible for managing the licensing program.

Gary S. Morris, Partner-in-Charge of the DC office of Townsend and Townsend and Crew LLP, advises clients on all aspects of intellectual property law. He has particular expertise in the fields of information

technology, including computer and network security, cryptography and telecommunications.

Mark Nell is Managing Director at IP Resource Services LLP. He is based in the UK and primarily works on sourcing patents globally for U.S. clients. Previously he served at BTG where he managed key patent litigation cases.

Craig P. Opperman, partner in Reed Smith LLP's Intellectual Property Group, focuses on U.S., European and Asian high-tech, clean-tech and medical device experience, and draws on his extensive legal and corporate executive experience to provide services centered on IP as a strategic corporate asset.

James E. Parsons, Vice President and Associate General Counsel at Foundry Networks, Inc., a networking company, is responsible for the IP program, including patent prosecution, litigation and purchasing efforts. Previously he was at Bever Hoffman & Harms LLP, where he prepared and prosecuted patent applications.

Michael Pierantozzi, Principal at Andiamo Associates, assists business leaders in developing strategies and implementing programs that maximize the return on their investments in innovation and IP.

Kent Richardson is Managing Director at Constellation Capital LLC.

Keith A. Rutherford, partner at Wong, Cabello, Lutsch, Rutherford & Brucculeri, L.L.P., focuses on patent litigation, IP strategy, pre-litigation conflict resolution, licensing/deal negotiations, analysis of patent portfolios, and prosecution management. He is listed in *The Best Lawyers in America*.

Paul M. Saraceni is Chief IP Officer of RPX Corporation, a defensive patent aggregation company which helps companies reduce their defensive patent assertion, litigation costs and risks.

Duane R. Valz, Vice President and Associate General Counsel, Global Patents at Yahoo! Inc., is responsible for the company's worldwide invention-harvesting, patent filings and strategic portfolio development. He also advises on IP-related litigation, licensing, policy and corporate development matters.

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San Francisco, California

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A Renaissance Hotel

****New location****

905 California Street-Nob Hill
(415) 989-3500

Who Should Attend:

Attorneys and business executives
involved with selling and
acquiring intellectual property

You Will Learn About:

- How you get useful patents
- Creating decision rules for patent portfolio mining and management
- Challenges and uncertainties in patent law
- Strategy differences in the how and why of buying patents
- Building a quality patent portfolio
- Evolving standards for patentable subject matter and obviousness
- Open market purchase opportunities
- Current initiatives on making patent transactions more efficient
- Licensing vs. litigation

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Phone

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