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- Sidley Austin LLP
- The Focal Point LLC
- United States District Court

Who Should Attend:

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

Our Fourth Annual Workshop on

Patent Claim Construction

New developments and practical tips for successful patent litigation

Featuring The Hon. Virginia M. Kendall

February 13, 2009

Chicago, Illinois
The Gleacher Center

Credits: IL CLE 6.75 including 1 ethics (call about others)
Quick when/where: 8:30 a.m., 450 North Cityfront Plaza Drive

Patent Claim Construction Workshop

February 13, 2009 | Chicago, Illinois
The Gleacher Center

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09CLAIMIL WS



- 8:00 Registration and Continental Breakfast**
- 8:30 Introduction and Overview**
Meredith Martin Addy, Esq., *Program Co-Chair*
 Brinks Hofer Gilson & Lione ~ Chicago, IL
Edward D. Manzo, Esq., *Program Co-Chair*
 Cook Alex Ltd. ~ Chicago, IL
- 8:45 The Claim Construction Game™**
 Review of recent Federal Circuit case law on substantive and procedural issues in patent claim interpretation
Edward D. Manzo, Esq., *Program Co-Chair*
- 9:30 Claim Construction Issues on Appeal to the Federal Circuit**
 The many strategies that increase your odds on appeal to greater than 50/50 and can mean the difference between affirmation or reversal
Meredith Martin Addy, Esq., *Program Co-Chair*
- 10:15 Break**
- 10:30 Litigation Strategies from Plaintiff and Defendant Perspectives**
 Patentee concerns and strategies for claim construction: The evaluation of venue; the timing, structure and composition of the proceeding
Paul K. Vickrey, Esq.
 Niro, Scavone, Haller & Niro, Ltd. ~ Chicago, IL
 Defendant strategies for summary judgment motions or trial; successful claim constructions through briefing, hearings and summary judgment; use of experts, tutorials and special masters
Richard A. Cederoth, Esq.
 Sidley Austin LLP ~ Chicago, IL
- 11:30 Adapting to the Changes in the Law: Tips for Successful Claim and Specification Drafting to Avoid Undesired or Unpredictable Results**
 Managing patent drafting both internally and with outside counsel; making sure the people who are drafting your patent use plain language and get the results you want; special considerations for means plus function approach to claim drafting
Craig A. Summerfield, Esq.
 Brinks Hofer Gilson & Lione ~ Chicago, IL

- 12:15 Lunch (on your own)**
- 1:30 View From the Bench**
 Insight on the patent claim construction process; what is persuasive and what is not; what demonstrative evidence is effective; whether, and at what point in time, a claim construction tutorial is helpful
The Hon. Virginia M. Kendall,
Northern District of Illinois Judge
 United States District Court ~ Chicago, IL
- 2:30 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
- 3:15 Break**
- 3:30 Using Demonstrative Evidence 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
- 4:15 Ethics**
 Rules and practical tips of particular importance in patent claims; potential conflicts of interest
William J. Campbell, Jr., Esq.
 DLA Piper ~ Chicago, IL
- 5:15 Evaluations and Adjourn**



About the Workshop

LAW SEMINARS INTERNATIONAL

Advanced Workshops

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Claim construction is the single most important phase of a patent case, and is often dispositive of infringement and validity issues. "Patent Claim Construction" is an intensive one-day seminar covering today's key issues in claim construction, including current case law overview and update, recent developments from the Federal Circuit, litigation strategies, effective appellate advocacy and other pertinent issues.

A highlight of the program will be a federal judge discussing her view on the process.

This seminar is designed for litigators, in-house counsel and court clerks involved in patent cases, whether at the pre-filing, litigation or appellate stages. The presenters are experienced patent professionals who have been involved in all aspects of patent cases. Their knowledge and insight will provide practitioners and non-practitioners alike with the essential tools and information necessary to work with proper claim construction.

~ Program Co-Chairs: Meredith Martin Addy, Esq. and Edward D. Manzo, Esq.



Meredith Martin Addy, *Program Co-Chair*, partner and chair of the Appellate Group at Brinks Hofer Gilson & Lione, focuses on litigation. She is President of the Richard Linn American Inn of Court and is former chair of the AIPLA Amicus Committee. She is listed in *Chambers USA* and in *The Best Lawyers in America*, and named one of the “Top 10 Illinois Super Lawyers.”

Edward D. Manzo, *Program Co-Chair*, founding partner of Cook Alex Ltd., focuses on patent law. He is Editor-in-Chief of Claim Construction in the Federal Circuit (Thomson West) and Patent Claim Interpretation-Global Edition (Thomson West). He is Vice President of IPLAC, listed in *Who’s Who in the World* and named an “Illinois Super Lawyer”.

William J. Campbell, Jr., partner at DLA Piper, focuses on all aspects of commercial litigation, including the pretrial, trial and appellate stages of lawsuits. He is named an “Illinois Super Lawyer.”

Richard A. Cederoth, partner at Sidley Austin LLP, focuses on litigated patent matters, primarily in the software, computer and semiconductor fields, and related counseling. He is listed in *Chambers USA*.

The Hon. Virginia M. Kendall, United States District Court Judge in the Northern District of Illinois, is an Adjunct Professor at Northwestern University Law School. Previously, she was Deputy Chief in the Criminal Division at the United States Attorney’s Office in Chicago.

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 was named a “Rising Star” by *Massachusetts Super Lawyers* and is co-author of Instruments and the Imagination.

Craig A. Summerfield, shareholder at Brinks Hofer Gilson & Lione, focuses on patent prosecution and counseling, including drafting applications, interviewing examiners, providing advice on the scope of protection, using patents to prevent competitive market challenges, and licensing.

Paul K. Vickrey, partner at Niro, Scavone, Haller & Niro, Ltd., focuses on patent infringement and misappropriation of trade secrets, winning jury trials in federal and state courts. He is on the editorial board of the *Business Torts Reporter*, and served on the Seventh Circuit Pattern Jury Instruction Subcommittee for patent cases. He serves on the committee responsible for drafting proposed Local Patent Rules for the Northern District of Illinois.



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 \$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 Friday, February 6, 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: The workshop will be held at The Gleacher Center at 450 North Cityfront Plaza Drive in Chicago, IL 60611; (312) 464-8787. Check The Gleacher Center website, Area Attractions, for a list of area hotels at <http://www.gleachercenter.com>.

Continuing Education Credits:

This program qualifies for 6.75 IL CLE credits including 1 ethics. Upon request, we will apply for CLE credits in other states and other types of credits.

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You Will Learn About:

- Federal Circuit Court review
- Evidentiary hearings: Successful summary judgment motions
- Patentee and defendant concerns and strategies in litigation
- Tips for successful claim and specification drafting
- What is persuasive, what is not in a view from the bench
- The development of claim construction theory and practice
- Using demonstrative evidence to help win claim construction disputes
- Ethics rules and practical tips

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

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Upcoming Seminars:

Technology Law 2008	December 11 & 12, 2008	Seattle, WA
Real Estate Joint Ventures	February 19 & 20, 2009	Chicago, IL
Departing Employees and Intellectual Property	February 25, 2009	Palo Alto/Menlo Park, CA
Patent Claim Construction	March 12, 2009	San Francisco, CA
IP Licensing 2009	March 23 & 24, 2009	Fort Lauderdale, FL
Advanced Real Estate Purchases & Sales	March 23 & 24, 2009	Chicago, IL
Copyright Counseling, Management & Litigation	April 2 & 3, 2009	Seattle, WA

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