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- Black Lowe & Graham
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- Klarquist Sparkman, LLP
- Microsoft Corporation
- Perkins Coie LLP
- Seed IP Law Group PLLC
- Stoel Rives LLP
- University of Washington School of Law
- White & Case LLP

## Who Should Attend:

*Attorneys, including in-house counsel and private practitioners, patent and trademark licensing executives, technology and patent analysts and brokers*

*A One-Day In-Depth Workshop on Using*

# Cost-Effective Patent Strategies

While maintaining quality and a competitive position

July 15, 2009

Seattle, Washington

Renaissance Seattle Hotel

**Credits:** WA CLE 7 (call about others)

**Quick when/where:** 8:30 a.m., 515 Madison St.

## Cost-Effective Patent Strategies Workshop

July 15, 2009 | Seattle, Washington  
Renaissance Seattle Hotel

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09PATPWA WS



**8:00 Registration and Continental Breakfast**

**8:30 Introduction and Overview**  
**Karl R. Hermanns, Esq., Program Co-Chair**  
 Seed IP Law Group PLLC ~ Seattle, WA  
**John D. Vandenberg, Esq., Program Co-Chair**  
 Klarquist Sparkman, LLP ~ Portland, OR

**8:45 Value of Patents Under Recent Law: Planning Procurement in Light of a Changing Landscape**  
 Some recent cases, like *Bilski* and *Kubin*, have made patents harder to obtain and have invalidated some existing patents, while other recent cases have made some types of patents more valuable: Piecing together the cases and their impacts  
 Impact on computer software and e-commerce industries  
**Maurice J. Pirio, Esq.**  
 Perkins Coie LLP ~ Seattle, WA  
 Impact on biotech industry  
**Samuel E. Webb, Esq.**  
 Stoel Rives LLP ~ Seattle, WA

**10:00 If Not Filing Patents: Using Trade Secret Protection as a Cost-Saving Measure**  
 A decision maker's guide to assessing the risk of disclosure; impact on potential licensing revenue; employee retention and departure issues  
**Ramsey M. Al-Salam, Esq.**  
 Perkins Coie LLP ~ Seattle, WA

**10:45 Break**

**11:00 Managing Costs of Patent Procurement and Enforcement Defense**  
 Microsoft's experience in managing legal costs for procurement and litigation  
**Tony Backes, Esq., Business Manager, Litigation**  
 Microsoft Corporation ~ Redmond, WA  
**Bart Eppenuer, Esq.**  
 Chief Patent Counsel and Associate General Counsel  
 Microsoft Corporation ~ Redmond, WA

**12:00 Lunch (on your own)**

**1:15 Building a More Profitable Portfolio: Tips for More Effective and Efficient Patent Procurement**  
 Reducing costs by initially filing a PCT application; delaying prosecution in and outside the U.S.; the shift to quality rather than quantity in patent portfolios  
**Karl R. Hermanns, Esq., Program Co-Chair**  
 Information Disclosure Statements: Economizing in the face of the patent office's new IDS rules and recent cases; shift of burden from the examiner to the applicant; balance between complying with inequitable conduct duty of disclosure versus costs  
**Sean O'Connor, Esq., Co-Director,**  
 Graduate Program in Intellectual Property Law and Policy  
 University of Washington School of Law ~ Seattle, WA

**2:15 Managing Legal Costs in Patent Transactions**  
 Current thinking on ways to make patent transactions more efficient and transparent  
**Ronald S. Laurie, Esq., Founder, Managing Director**  
 Inflection Point Strategy, LLC ~ Palo Alto, CA

**3:00 Enforcing Patents Efficiently: Getting the Money Without Going to Court**  
 Most cases settle before trial, so why not before filing the suit? How do you make that happen?  
**David A. Lowe, Esq.**  
 Black Lowe & Graham ~ Seattle, WA

**3:45 Break**

**4:00 Defending Patent Infringement Suits Efficiently: Winning Early**  
 Evaluating the warning letter and your options: Invalidity, inequitable conduct, estoppel, and other defenses; approaches for obtaining clearance opinions; drafting response  
**Heidi Keefe, Esq.**  
 White & Case LLP ~ Palo Alto, CA

**4:45 Dealing With Trolls: Best Approaches Under Recent Case Law**  
 Obtaining venue changes; managing inherently one-sided discovery; maximizing prospects for avoiding injunctions; addressing just compensation issues in the context of a plaintiff with no damages from loss of sales  
**Kristin L. Cleveland, Esq.**  
 Klarquist Sparkman, LLP ~ Portland, OR

**5:30 Evaluations and Adjourn**



About the Workshop

LAW SEMINARS INTERNATIONAL

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The past year's changes in the economy and in case law present new challenges for patent procurement, enforcement, litigation defenses and licensing. How should we react to Kubin and Bilski raising the bar for patentability? When can trade secret protections fill this gap? What are Microsoft and others doing to cut costs on patent procurement and litigation defense? What strategies should outside counsel consider for maintaining quality and competitiveness while meeting smaller budgets?

Our speakers will bring practical tips for dealing with these heightened challenges and include in-house counsel, outside patent prosecutors, outside patent litigators, and a professor.

~ Program Co-Chairs: Karl R. Hermanns, Esq. and John D. Vandenberg, Esq.



**Karl R. Hermanns**, *Program Co-Chair*, managing partner at Seed IP Law Group PLLC, specializes in chemical-related patent matters including overall portfolio management and strategy. He is listed in *The Best Lawyers in America* and selected as a *Washington Law & Politics* "Super Lawyer".

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

**Ramsey M. Al-Salam**, partner at Perkins Coie LLP, focuses on patent litigation and intellectual property issues. He represents a variety of clients, with specific expertise in software and internet related disputes.

**Tony Backes**, Business Manager for Litigation at Microsoft Corporation, focuses on strategies, systems and processes to achieve better overall outcomes and management of outside counsel costs. Current emphasis is directed toward development of a next generation Preferred Provider Program, alternative fee models, bid based engagements including reverse auctions, and development of early case assessment prototypes.

**Kristin L. Cleveland**, partner at Klarquist Sparkman, LLP, focuses on intellectual property litigation in the computer science industry.

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

**Heidi Keefe**, intellectual property partner at White & Case LLP, is a registered patent attorney focusing on patent litigation and jury trials, principally involving software and internet issues. She was recently named one of the "Top 20 Lawyers Under 40", by the *San Francisco and Los Angeles Daily Journal*.

**Ronald S. Laurie** is the Founder and Managing Director of Inflexion Point Strategy, LLC, an intellectual property investment bank which represents technology companies and institutional investors in the acquisition and sale of patent portfolios having strategic value and in the sourcing and execution of IP-driven M&A transactions.

**David A. Lowe**, a founding member at Black Lowe & Graham, is a patent attorney with experience in all aspects of intellectual property law in the United States and foreign countries. His practice emphasizes intellectual property litigation, patent, trademark and copyright procurement and related client counseling. His patent practice includes preparation and prosecution of computer software, electronic and mechanical applications. He has been named to the Washington State Rising Stars and Super Lawyers lists.

**Sean O'Connor**, Co-Director of the Graduate Program in Intellectual Property Law and Policy, Faculty Director of the Entrepreneurial Law Clinic, and Associate Professor of Law at the University of Washington School of Law, specializes in intellectual property and business law involving biotechnology, cyberspace/information technology, and new media/digital arts. He is of counsel to Seed IP Law Group PLLC.

**Maurice J. Pirio**, partner at Perkins Coie LLP, focuses on patent procurement, patent prosecution, software protection and intellectual property law. He also devotes his time to strategic planning for patent portfolios, rendering invalidity and non-infringement patent opinions, and client counseling to avoid patent infringement.

**Samuel E. Webb**, member at Stoel Rives LLP, counsels life science clients in patent related matters. His practice includes patent procurement and portfolio management, analysis of patent infringement and invalidity, and strategic counseling with respect to the patent related aspects of product lifecycle management for small molecule pharmaceuticals, large molecule therapeutics and drug formulation and delivery technologies.



## Registration & Other Workshop Information

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Walk-ins are welcome, subject to space availability.

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**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 Thursday, July 9, 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 Renaissance Seattle Hotel at 515 Madison St. in Seattle, WA 98104. A special negotiated rate of \$209/night is available for on-line reservations only on a first come, first served basis. Go to <http://www.marriott.com/hotels/travel/seasm-renaissance-seattle-hotel> to reserve. Use Corporate Code L64. If you have additional questions for the

hotel, please contact them directly at 206-583-0300.

**Continuing Education Credits:** This program qualifies for 7 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 \$905. The written course materials, or searchable CD, alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or from the date we receive payment.



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Seattle, Washington

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(206) 583-0300

## You Will Learn About:

- Recent case law impact on patentability
- Using trade secret protection as a cost-saving measure
- Managing costs of procurement and enforcement defense
- Building a more profitable portfolio
- Managing legal costs in transactions
- Getting the money without going to court
- Defending patent suits efficiently: Winning early
- Dealing with trolls: Best approaches under recent case law

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)

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Open Source Software	June 8, 2009	San Francisco, CA
Technology Law	June 29 & 30, 2009	West Harrison, NY
Buying, Selling and Licensing Patents	July 20, 2009	Washington, DC
Data Collection, Aggregation, Monetization and Protection	July 24, 2009	Seattle, WA
Employment Class Actions	July 27 & 28, 2009	San Francisco, CA
Winery and Wine Distribution Law	August 3 & 4, 2009	Quincy, WA
IP Licensing 2009	August 20 & 21, 2009	Seattle, WA

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