

USC GOULD SCHOOL OF LAW

2017 INTELLECTUAL PROPERTY INSTITUTE

10 FEDERAL JUDGES

- Hon. Raymond Chen (Fed. Cir.) • Hon. M. Margaret McKeown (9th Cir.)
- Hon. Roy Dalton (M.D. Fla.) • Hon. Nora Barry Fischer (W.D. Pa.) • Hon. Marilyn Huff (S.D. Cal.)
- Hon. John Kronstadt (C.D. Cal.) • Hon. Beverly Reid O'Connell (C.D. Cal.)
- Hon. Robert Schroeder III (E.D. Tex.) • Hon. George Wu (C.D. Cal.) • Hon. Peter Chen (PTAB)

Email questions for the judges to cle@law.usc.edu

LUNCHEON KEYNOTE

Tom Rothman (Chairman, Sony Pictures Motion Picture Group)

7 PROMINENT ACADEMICIANS

Professors Balganesch, Determann, Farley, Hugenholtz, Lemley, Menell and Nimmer

Remedies
Roundtable
and Workshop
on March 20!
Institute on
March 21!

coast through IP challenges

prominent speakers

Join 650 IP professionals for an unrivaled gathering of national speakers and sophisticated discussion of emerging issues and best practices in copyright, patent, trademark, trade secret and related fields. Join Judges **Chen** (Fed. Cir.), **Dalton** (M.D. Fla.), **Fischer** (W.D. Pa.), **Huff** (S.D. Cal.), **Kronstadt** (C.D. Cal.), **McKeown** (9th Cir.), **Reid O'Connell** (C.D. Cal.), **Schroeder** (E.D. Tex.) and **Wu** (C.D. Cal.), administrative Judge Peter **Chen** (PTAB), Sony Pictures Entertainment Motion Picture Group Chairman Tom **Rothman**, plus 7 leading academicians, in house counsel, high ranking national and international officials, and top practitioners for two days of learning and networking at the beach.

don't miss out

The past six Institutes sold out early, so register online now at <http://law.usc.edu/cle/ip/>

special IP remedies roundtable and workshop on Monday afternoon

Attend the IP Remedies Roundtable and Workshop on Monday, March 20, with Judges **Reid O'Connell** (C.D. Cal.) and **Wu** (C.D. Cal.), leading experts and litigators. *Seating is limited and an additional fee will be charged.*

sponsors

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MONDAY
MARCH 20, 2017

IP Remedies Roundtable and Workshop

12:00 PM

IP Roundtable Registration Opens

1:30 PM to 5:45 PM

IP Remedies Roundtable and Workshop

IP lawsuits are becoming increasingly complex, with numerous types of IP rights being asserted in the same action and relating to the same activity. This interactive workshop will explore how financial remedies and injunctive relief should be evaluated and presented in cases involving multiple types of IP rights. How does the law for damages in the form of lost profits, reasonable royalties, diminution in value and defendants' profits, and the law for injunctive relief, compare for different IP rights? How should financial remedies and the availability of injunctive relief be determined when multiple types of IP rights cover the same activity? What methodologies should be used when the damages and remedies law is more developed for some IP rights, or conflicts with other IP rights? Attendees will engage in roundtable discussions in the context of a hypothetical fact pattern and hear from legal, damages and judicial experts in the field.

*A separate Roundtable registration and fee is required.
Seating is limited, so register early!*

EXPERTS

James E. Malackowski

Chairman and Chief Executive Officer
Ocean Tomo, LLC
Chicago, IL

Christian Tregillis

Partner, Forensic and Financial
Consulting Services Group
Hemming Morse, LLP

Michael J. Wagner

Managing Director
LitiNomics, Inc.
Mountain View, CA

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East Palo Alto and Los Angeles, CA

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O'Melveny & Myers LLP
San Francisco, CA

Andrea Weiss Jeffries

Wilmer Cutler Pickering Hale and
Dorr LLP

JUDGES

Judge Beverly Reid O'Connell

U.S. District Court (C.D. Cal.)

Judge George H. Wu

U.S. District Court (C.D. Cal.)

MODERATOR

Karen Vogel Weil

Knobbe Martens Olson & Bear LLP

3:30 PM to 3:45 PM – Networking Break

Hosted by Wilmer Cutler Pickering Hale and Dorr LLP

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continuing education credits

LAWYERS. Minimum Continuing Legal Education (MCLE): USC Gould School of Law certifies that this activity qualifies for minimum continuing legal education credit in the amount of 4.0 hours for March 20 and 8.25 hours for March 21 (of which 0.75 hours may apply to elimination of bias credit). The USC Gould School of Law is a State of California approved MCLE provider. This event may meet the requirements for continuing legal education credits in other states. Please check with the State Bar Association or Supreme Court in the state in which you are seeking continuing legal education credits to see if this program is eligible.

B indicates the hours of MCLE elimination of bias credit available for a particular session.

ACCOUNTANTS. Continuing Professional Education (CPE): This program meets the guidelines set by the California State Board of Accountancy in the amount of 4.5 hours for March 20 and 7 hours for March 21.

TUESDAY
MARCH 21, 2017

2017 Intellectual Property Institute Program

7:00 AM
**Institute Registration and
Continental Breakfast**

7:30 AM – Women in IP Breakfast
Hosted by Alston & Bird LLP

ALSTON & BIRD^{LLP}

Different Ways to Think About Differences:

Understanding and Interrupting Implicit
Bias in the 21st Century

Although there has been much dialogue on implicit bias, unpacking this concept to understand our "mental shortcuts" will better enable us to understand how we work with and value others. Learn about specific implicit biases that affect the ways in which we learn, work and lead, and how we can break our biases to achieve our highest potential as individuals and as organizations. This interactive discussion will show us our own assumptions, behaviors and impact and how we can interrupt them, especially when we are interacting with people who we (consciously or unconsciously) see as different from us.

B 0.75 hours of MCLE elimination of bias credit available.

8:40 AM
Welcome and Opening Remarks

Arin N. Reeves, J.D., Ph.D.
President
Nextions LLC
Chicago, IL

SPECIAL COMMENTARY
Judge Nora Barry Fischer
U.S. District Court (W.D. Pa.)
Pittsburgh, PA

INTRODUCER
Erica Van Loon
Glaser Weil LLP

Edward G. Poplawski
Institute Chair
Wilson Sonsini Goodrich & Rosati

Leeanna Izuel
Institute Executive Director
USC Gould School of Law

8:45 AM
Pushing the Limits of Intellectual Property Law

From computer software elements to diagnostic tests to fashion designs to literary characters or story ideas to music sampling or the "sound" of a musical composition, recent high profile disputes have increasingly tested the boundaries and overlaps of IP law and challenged both courts and practitioners. Join this panel of prominent experts as they discuss the proper reach of copyright, utility patent, design patent, trademark and trade secret protection in the evolving landscape of intellectual property. Learn how these thought leaders would address continuing efforts to make IP law boldly go where it has not gone before and whether they believe it has been there all along.

Questions for the panelists? Email your questions to cle@law.usc.edu and we will share your questions anonymously with the panelists before the Institute.

Shyamkrishna Balganes
Professor of Law
University of Pennsylvania Law School
Philadelphia, PA

Dale Cendali
Kirkland & Ellis LLP
New York, NY

Judge M. Margaret McKeown
U.S. Court of Appeals (9th Cir.)
San Diego, CA

MODERATOR
Peter S. Menell
Koret Professor of Law
Director, Berkeley Center for
Law & Technology
UC Berkeley School of Law
Berkeley, CA

10:05 AM – Networking Break

European Copyright Developments for American Copyright Lawyers

Copyright law's international dimensions may never have been more important than they are now. Copyrighted works are more actively marketed and distributed around the globe than ever before. The internet has greatly complicated the ways the laws of multiple jurisdictions affect content owners and distributors. This panel of international experts will explain how European courts and decision makers are addressing copyright issues that directly affect how American businesses license, distribute and protect copyrighted content. Learn how American copyright lawyers and their clients can best navigate these treacherous international waters.

Lothar Determann

Adjunct Professor
UC Hastings College of Law
Baker & McKenzie LLP
Palo Alto, CA

Bernt Hugenholtz

Professor of Intellectual Property Law
Institute for Information Law (IViR)
University of Amsterdam
Amsterdam, The Netherlands

Stan McCoy

President and Managing Director
Motion Picture Association EMEA
Brussels, Belgium

MODERATOR

Maria Strong

Deputy Director of Policy and
International Affairs
U.S. Copyright Office
Washington, D.C.

Managing the High Profile IP Case

Patent litigation continues to be among the most expensive cases in the Federal court system. In view of recent Supreme Court precedent and rules changes on joinder, venue and damages, the complexity of patent litigation has only grown. The adoption of the Federal Defend Trade Secrets Act threatens to federalize much of the trade secret practice formerly resolved in state courts. Join distinguished Federal judges who have recently handled complex high profile patent or trade secret matters for a lively discussion of how to effectively manage the issues arising in these cases.

Judge Roy B. (Skip) Dalton, Jr.

U.S. District Court (M.D. Fla.)
Orlando, FL

Judge Nora Barry Fischer

U.S. District Court (W.D. Pa.)
Pittsburgh, PA

Judge Marilyn L. Huff

U.S. District Court (S.D. Cal.)
San Diego, CA

Judge Robert W. (Trey) Schroeder III

U.S. District Court (E.D. Tex.)
Texarkana, TX

MODERATOR

Ellen S. Robbins

Sidley Austin LLP

Creative Enforcement and Civil Strategies against Counterfeiters and Diverters

Counterfeiters and diverters have evolved their methods of selling to stay ahead of enforcement efforts. Learn their latest strategies to avoid enforcement and the creative tools and civil strategies that in-house and outside counsel can use in the United States and overseas to combat these infringers. Review developments in intermediary and ISP liability for brand infringement and notice and takedown procedures on social media and online platforms with these expert panelists.

Randall J. Clement

Clement & Ho, A Professional
Law Corporation

Christine L. Lofgren

Managing Counsel
Toyota Motor Sales, U.S.A., Inc.

Jennifer Lee Taylor

Morrison & Foerster LLP
San Francisco, CA

Zachary Toczynski

Director, Global Brand Enforcement
Levi Strauss & Co.
San Francisco, CA

MODERATOR

Cynthia Lock Tregillis

Vice President, Global Brand
Protection & Trademarks
Western Digital Corporation



TOM ROTHMAN
CHAIRMAN
SONY PICTURES
MOTION PICTURE GROUP

luncheon keynote

TOM ROTHMAN is the Chairman of Sony Pictures Entertainment Motion Picture Group. In that role, Mr. Rothman oversees all of the motion picture activities worldwide for Columbia Pictures, TriStar Pictures, Screen Gems and Sony Pictures Classics.

Previously, Mr. Rothman founded Fox Searchlight Pictures and served as Chairman of 20th Century Fox for over a decade. His track record over 30 years in the film business includes the two highest grossing films in cinematic history, *Titanic* and *Avatar*; over \$50 billion in worldwide box office; more than 150 Academy Award® nominations; and five Best Picture Oscars.

Mr. Rothman graduated from Brown University, Phi Beta Kappa, *magna cum laude*, with honors in English and American literature, where he was an All New England selection in lacrosse. He has a J.D. from Columbia Law School.

11:30 AM

Luncheon Keynote Presentation: Interview with Tom Rothman

Sony Pictures Motion Picture Group Chairman Tom Rothman joins us for a 30 minute fireside chat to provide his perspectives on business and legal issues affecting the entertainment industry and his thoughts on the convergence of new technologies and entertainment content and whether copyright law is doing its job.

Tom Rothman
Chairman
Sony Pictures Motion Picture Group

INTERVIEWER
Russell J. Frackman
Mitchell Silberberg & Knupp LLP

1:00 PM

COPYRIGHT TRACK SESSION 2A

What Every Copyright Lawyer Needs to Know about Communications Law

Copyright and communications law have been connected nearly as long as people have transmitted content electronically. In recent years, an explosion of new technologies in areas like television retransmission, telecommunications and Internet services have thrust copyright lawyers into uncharted areas that implicate both fields of law. This panel brings together experts from the worlds of content distribution, communications regulation and policy, and consumer advocacy to discuss the relationship between these two areas of law. Learn what every copyright lawyer needs to know to stay current and to advise clients in this fast-moving technology environment.

Corynne M. McSherry
Legal Director
Electronic Frontier Foundation
San Francisco, CA

Michael K. Powell
President and Chief Executive Officer
NCTA – The Internet & Television Assoc.
Former FCC Chair
Washington, D.C.

John A. Rogovin
Executive Vice President
General Counsel
Warner Bros. Entertainment

MODERATOR
John C. Ulin
Arnold & Porter LLP

PATENT TRACK SESSION 2B

Inter Partes Review and the Increasing Role of the PTAB in Invalidity Litigation

The Patent Trial and Appeal Board conducts trials, including inter partes, post-grant and covered business method patent reviews, and the inter parties review process has developed into the primary forum for attacking patent validity. The Federal Circuit now receives more appeals from the PTAB in patent matters than from the District Courts. This distinguished panel consists of judges of the Federal Circuit and the PTAB and practitioners before the PTAB who will address developments in IPR practice (including proper process and scope of patent amendments in IPRs and traps for the unwary) and review PTAB processes with an eye toward presenting solutions to these issues.

Erika Harmon Arner
Finnegan, Henderson, Farabow,
Garrett & Dunner, LLP
Reston, VA

Judge Peter P. Chen
USPTO Patent Trial and Appeal Board
San Jose, CA

Judge Raymond T. Chen
U.S. Court of Appeals (Fed. Cir.)
Washington, D.C.

Michael T. Rosato
Wilson Sonsini Goodrich & Rosati
Seattle, WA

MODERATOR
Laura M. Burson
Sheppard, Mullin, Richter & Hampton LLP

Protecting and Determining Brand and Trademark Value

Brand and trademark value are intertwined with and influenced by decisions made and events that often happen outside of the trademark department or even the marketing department. These panelists will discuss nuances in assessing and factors that affect brand and trademark value, both from the perspective of a valuation expert and those of in-house and outside counsel.

Cynthia Holmes

Director
UCLA Trademarks & Licensing

Lo-Mae Lai

Corporate Counsel
Amazon Studios

Irene Y. Lee

Russ August & Kabat

John Taylor

Managing Director
Houlihan Lokey

MODERATOR

Jane Shay Wald

Irell & Manella LLP

2:10 PM – Networking Dessert Break

2:30 PM

The IP Year in Review: Patent Law, Trademark Law and Right of Publicity, and Copyright Law

In this popular session, top scholars in patent, trademark and right of publicity, and copyright highlight and explain the most significant developments in IP law of the past year.

Christine Haight Farley

Professor of Law
American University
Washington College of Law
Washington, D.C.

Mark A. Lemley

William H. Neukom Professor of Law
Director, Program in Law,
Science and Technology
Stanford Law School
Durie Tangri LLP
Stanford, CA

David Nimmer

Adjunct Faculty, UCLA School of Law
Irell & Manella LLP

MODERATOR

Constantine Marantidis

Lewis Roca Rothgerber Christie LLP

4:35 PM

Judicial Perspectives on the New World of Intellectual Property

Join prominent Federal judges as they discuss changes in the courtroom now and for the future for trials, experts, damages, discovery, forum selection and other areas.

Know the playbook *now* for the future.

Questions for the judges? Email your questions to cle@law.usc.edu and we will share your questions anonymously with the judges before the Institute.

Judge Raymond T. Chen

U.S. Court of Appeals (Fed. Cir.)
Washington, D.C.

Judge Roy B. (Skip) Dalton, Jr.

U.S. District Court (M.D. Fla.)
Orlando, FL

Judge Marilyn L. Huff

U.S. District Court (S.D. Cal.)
San Diego, CA

Judge John A. Kronstadt

U.S. District Court (C.D. Cal.)

MODERATOR

David P. Enzminger

Winston & Strawn LLP

5:45 PM – Networking Reception

Meet the Institute speakers at our cocktail reception, co-hosted by TM Financial Forensics, LLC



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LitiNomics, Inc.

Ashish A. Pradhan*

Cornerstone Research

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America, Inc.

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Judicate West

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Irell & Manella LLP

USC Gould School of Law Media, Entertainment & Technology Law Program

The Media, Entertainment & Technology Law Program at the USC Gould School of Law offers students a unique educational experience that addresses the complex mix of legal and business issues in content and technology markets. Our innovative curriculum prepares students for practice through courses in intellectual property and business law taught by our research faculty, skills and simulation workshops taught by senior transactional and litigation attorneys, practice experience through our Intellectual Property and Technology Law Clinic, and internship opportunities at leading media and technology firms. Students who wish to specialize in entertainment law have the opportunity to earn a Certificate in Entertainment Law, including courses at the USC School of Cinematic Arts. Interested in learning more about our program, students and graduates? We encourage you to browse our website at <http://gould.usc.edu/academics/media-entertainment-and-technology-law-program/> or contact the Director, Professor Jonathan Barnett, at jbarnett@law.usc.edu. USC Gould School of Law students can earn academic credit through the “entertainment practicum,” in which students acquire practical experience in the legal departments of media and entertainment firms. Interested in learning more about this opportunity? Contact Professor Valerie Barreiro at vbarreiro@law.usc.edu.

supporters

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ABA Forum on Entertainment and Sports Industries

American Intellectual Property Law Association

Association of Corporate Counsel –
Sports & Entertainment Law Committee

The Association of Media & Entertainment Counsel

Austin Bar Association

Beverly Hills Bar Association

Century City Bar Association

Computer & Internet Lawyer

Copyright Society of the U.S.A.

Eastern District of Texas Bar Association

The Federal Circuit Bar Association

Howard T. Markey Intellectual Property Inn of Court

Intellectual Property Law Section of the State Bar
of California

Intellectual Property Owners Association

The Judge Paul R. Michel IP American Inn of Court

Licensing Executives Society Silicon Valley Chapter

Los Angeles County Bar Association

Entertainment Law and Intellectual Property Section

The Los Angeles Intellectual Property Law Association

National Association of Record Industry Professionals

San Bernardino County Bar Association

San Francisco Intellectual Property Law Association

frequently asked questions

REGISTRATION

Your Tuesday registration fee includes all Tuesday sessions, including the Women in IP breakfast session and the keynote luncheon, the networking breaks, the cocktail reception, continuing education credit for Tuesday and an electronic download of the Institute Syllabus (an up-to-date volume of analyses and practical materials prepared by our speakers).

Registration for the IP Remedies Roundtable and Workshop on Monday, March 20 requires separate registration and an additional fee, and includes all Monday sessions, the Monday networking break, continuing education credit for Monday and the Syllabus for the IP Remedies Roundtable and Workshop. *Seating is limited.*

Free WiFi will be available for all attendees!

AUDIO RECORDINGS AND SYLLABUS

Attending but want to refer back to sessions after the Institute? Purchase audio recordings at a discount when you purchase an Institute registration. See the registration page of this brochure or visit our website at <http://law.usc.edu/cle/ip> for more information or to purchase.

Unable to attend? Purchase audio recordings and the Institute Syllabus. Visit our website at <http://law.usc.edu/cle/ip> for more information or to purchase.

LOCATION AND ACCOMMODATIONS

The 2017 Intellectual Property Institute will be held at:

Fairmont Miramar Hotel & Bungalows

101 Wilshire Boulevard, Santa Monica, CA 90401

Information: (310) 576-7777 Reservations: (866) 540-4470

Website: <http://www.fairmont.com/santa-monica/>

Reservations: <https://aws.passkey.com/event/48960272/owner/26432/home>

The Fairmont Miramar combines historic elegance, a beachfront location and modern appointments, offering a beautiful swimming pool, swaying palm trees, sea breezes, exquisitely manicured grounds and casually elegant guest rooms and suites. This luxury oceanfront hotel will provide an unforgettable experience.

A limited number of rooms are available at the Fairmont Miramar at a special rate of \$365 per night for single or double occupancy. Call the Hotel reservations number by **February 28, 2017** and mention the **USC Gould School of Law** to take advantage of this special rate.

PARKING

Self-parking is available at the City of Santa Monica Parking Structures 2 and 4 (short walks from the Fairmont Miramar). You may also be able to reserve parking at nearby **private lots** using the ParkMe parking app. Additional information is available at <http://www.downtownsm.com/parking> or on our website at <http://law.usc.edu/cle/ip>. **Parking at the Hotel is very limited and may not be available when you arrive, so plan accordingly.**

CHECK-IN AND BADGE PICK-UP

Check-in begins at **12:00 PM on Monday, March 20** and at **7:00 AM on Tuesday, March 21**. Badges will be held at Will Call in the Wedgewood Foyer on the ground level of the Hotel.

DIETARY RESTRICTIONS AND SPECIAL ACCESS NEEDS

Email us at cle@law.usc.edu or call (213) 821-3580 for assistance.

EXHIBITORS

Visit our website at <http://law.usc.edu/cle/ip> for more information or contact Wendy Wiley Willett at (213) 821-3579 with questions. *Exhibitor space is limited at this popular Institute, so sign up early!*

CANCELLATIONS

All registrations and purchases are final and non-refundable.

QUESTIONS?

Call the USC Gould Continuing Legal Education Office at (213) 821-3580 or email cle@law.usc.edu.

registration form

USC GOULD SCHOOL OF LAW **2017 INTELLECTUAL PROPERTY INSTITUTE**
MONDAY, MARCH 20 – TUESDAY, MARCH 21, 2017
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INSTITUTE REGISTRATION TYPES (Tuesday, March 21)

- \$599 Early-Bird Registration (sent on or before **February 9, 2017**)
 \$699 Standard Registration (sent after **February 9, 2017**)
 \$499 Three or More Registrations from the Same Organization (each)
(printed registration forms must be submitted together)
 \$450 In House Counsel
 \$300 Government Employee
 \$329 Recent Law School Graduates (Classes of 2014-16) *(submit proof of graduation)*
 \$225 Full-Time Law Students

Register for the Women in IP Breakfast Session (Tuesday, March 21)

- Yes No *(No additional fee is required for registrants of Tuesday's Institute)*

IP REMEDIES ROUNDTABLE AND WORKSHOP REGISTRATION (Monday, March 20)

- \$150 IP Remedies Roundtable and Workshop Registration

AUDIO RECORDING ADD-ON OPTION

- \$175 Audio Recordings of Select Institute Sessions (delivered post-Institute)
(must be purchased with a registration, see <http://law.usc.edu/cle/ip> for details)

PAYMENT METHODS

- 1 Check:** Mail checks payable to **USC Gould School of Law** with the completed registration form to:

USC Gould Continuing Legal Education
IP17 Registration
1149 South Hill Street, Suite 340, Los Angeles, California 90015

- Enclosed Check # _____ \$ _____

- 2 Credit Card:** Register and pay online at <http://law.usc.edu/cle/ip>
If you attended one of our recent Institutes, an existing online account is linked to your email address. Passwords can be reset or sent to you.



contact information

USC Gould School of Law – Continuing Legal Education
1149 South Hill Street, Suite 340, Los Angeles, California 90015
Telephone: (213) 821-3580 Facsimile: (213) 821-3575
Email: cle@law.usc.edu Website: <http://law.usc.edu/cle>

Office hours are 9:00 a.m. to 5:00 p.m. Pacific Time

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