

22nd ANNUAL

Intellectual Property Law Advanced Course

Hyatt Regency Hill Country Resort & Spa



Separate segments on:

- Copyright
 - Licensing
 - Antitrust
 - Trade Secrets
 - Patent Prosecution
 - Trademarks
 - Litigation
-
- Breakfast and buffet lunch each day
 - Bring your laptop! Free wireless signal and convenient access to power in the meeting room

and Patent Prosecution Workshop 2009

LIVE San Antonio
Hyatt Regency Hill Country Resort & Spa
Intellectual Property Law Course March 5–6
Patent Prosecution Workshop March 4

VIDEO Dallas
Doubletree Hotel Dallas-Campbell Centre
Intellectual Property Law Course April 30–May 1
Patent Prosecution Workshop April 29



Course materials available on a USB drive



TexasBarCLE presents the 22nd Annual Intellectual Property Law Advanced Course

Cosponsored by the Intellectual Property Law Section of the State Bar of Texas
TexasBarCLE Advanced Courses are sponsored by LexisNexis, a division of Reed Elsevier Inc.

LIVE San Antonio

March 5–6, 2009
Hyatt Regency Hill Country
Resort & Spa
(210) 647-1234

VIDEO Dallas

April 30–May 1, 2009
Doubletree Hotel Dallas-
Campbell Centre
(214) 691-8700



MCLE CREDIT

13.5 HOURS (3.25 ETHICS)
MCLE COURSE NO: 901171407
Applies to the College of the State
Bar of Texas and to the Texas Board
of Legal Specialization in Civil Trial
Law.

Thursday

7.5 hours including 1.5 hour ethics

8:00 **Registration and Continental
Breakfast**

8:15 **Welcoming Remarks and
Announcements**
Course Director

Shannon Warren Bates, *Plano*
Conley Rose

Morning Moderator

Eugenia S. 'Genie' Hansen, *Dallas*
Hemingway & Hansen

COPYRIGHT

8:30 **Superman, The Grapes of Wrath,
Harry Potter (and Barbie and the
Bratz): The 2008 Copyright Year in
Review** .75 hr

Thomas McDowell Morrow,
Houston
Yetter, Warden & Coleman

9:15 **E-Liability in an E-World** .5 hr ethics
Irene Kosturakis, *Houston*
Chief Intellectual Property Counsel
BMC Software, Inc.

LICENSING

9:45 **Nearly a Dozen Licensing Tips**
.5 hr
Douglas Baldwin, *Wellborn*
Attorney at Law

10:15 **Break**

10:30 **Patent Aggregation Models**
.5 hr
Barton E. 'Bart' Showalter, *Dallas*
Baker Botts

11:00 **Do's and Don'ts in Using and
Licensing Open Source Software
and Litigation after *Jacobsen v.*
*Katzer*** .5 hr
Van Edward Lindberg, *Richardson*
Haynes & Boone

ANTITRUST

11:30 **The Antitrust Doctrine and It's
Edges: A Primer on Antitrust Cases
and *Judkins*** .5 hr
Michael Hawes, *Houston*
Baker Botts

12:00 **Break - Lunch Served**

ETHICS PRESENTATION

12:15 **Ethical Challenges of the Future**
.75 hr ethics
William J. Chriss, M.A., J.D., *Austin*
Executive Director and Dean
of Curriculum and Instruction
Texas Center for Legal Ethics and
Professionalism

1:00 **Break**

Afternoon Moderator

Hope Shimabuku, *Dallas*
Munsch Hardt Kopf & Harr

TRADE SECRETS

1:15 **Protection and Enforcement of
Trade Secrets** .5 hr
William M. Parrish, *Austin*
Winstead

1:45 **Trade Secrets and Patents: The Yin
and Yang of IP Law** .5 hr
Kirby Blair Drake, *Dallas*
Fulbright & Jaworski

Darin Michael Klemchuk, *Dallas*
Cash Klemchuk Powers Taylor

PATENT PROSECUTION

2:15 **Patent Law Update** 1 hr
Gale R. 'Pete' Peterson, *San Antonio*
Cox Smith Matthews



- 3:15 **Break**
- 3:30 **Status of Congressional Patent Reform Bills** .5 hr
William P. Ramey, *Houston*
Winstead
- 4:00 **Business Method Patents in View of the Federal Circuit's Decision in *In re Bilski*** .5 hr
Michael Robert Barre, *Austin*
Richards, Rodriguez, & Skeith
- 4:30 **Use of Patent Agents and Outsourcing: The Metes and Bounds of Client Representation** .5 hr (.25 hr ethics)
Natalia Wade Shehadeh, *Houston*
Shell Oil Company
- 5:00 **Adjourn**

Friday

6 hours including 1.75 hours ethics

8:30 **Continental Breakfast**

8:50 **Announcements**

Morning Moderator

A. Dawson Lightfoot, *Plano*
Conley Rose

TRADEMARKS

9:00 **Impact of Electronic Trademark Practice: Ethics and Strategy** .5 hr (.25 hr ethics)
Purvi J. Patel, *Dallas*
Haynes and Boone

9:30 **Latest Trends in ICANN Proceedings** .75 hr (.25 hr ethics)
Pamela Betty Huff, *San Antonio*
Cox Smith Matthews

10:15 **Break**

10:30 **Trademarks and the Internet** .5 hr
George Harold Fibbe, *Houston*
Yetter, Warden & Coleman

LITIGATION

11:00 **Trying an Intellectual Property Case Economically - and Without Violating Ethical Rules** 1 hr (.5 hr ethics)
Moderator
Miguel Villareal, *San Antonio*
Gunn & Lee

In House Counsel
Henry Garrana, *Round Rock*
Vice President, Intellectual Property
Dell Inc.

Small Firm Counsel
Ted D. Lee, *San Antonio*
Gunn & Lee

Large Firm Counsel
Willem G. Schuurman, *Austin*
Vinson & Elkins

12:00 **Break - Lunch Served**

ETHICS PRESENTATION

12:15 **Professionalism** .75 hr ethics
Hon. Sam Sparks, *Austin*
Judge, Western District of Texas

1:00 **Break**

Afternoon Moderator

Scott W. Breedlove, *Dallas*
Vinson & Elkins

LITIGATION (cont'd)

1:15 **Impact of KSR on Patent Litigation** .75 hr
Donald Scott Hemingway, *Dallas*
Hemingway

2:00 **Debate: Design Patents after *Egyptian Goddess*** .75 hr
Moderator
Steven C. Malin, *Dallas*
Sidley Austin

Frederick L. Medlin, *Dallas*
K & L Gates

Michael D. Pegues, *Dallas*
Bracewell & Guiliani

2:45 **Section 337 Investigations and their Effects on Industry Members and Other Downstream Parties** .5 hr
Reginald Goeke, *Washington D.C.*
Mayer Brown

3:15 **Litigating Indirect Infringement Issues** .5 hr
Georgianna Braden, Ph.D., *Houston*
Howrey

3:45 **Adjourn**

5:00 - 6:30 (live site only)

Join us Thursday evening for a Social generously sponsored by:



TexasBarCLE presents

Patent Prosecution Workshop

Cosponsored by the Intellectual Property Law Section of the State Bar of Texas

LIVE San Antonio

March 4, 2009
Hyatt Regency Hill Country
Resort & Spa
(210) 647-1234

VIDEO Dallas

April 29, 2009
Doubletree Hotel Dallas-
Campbell Centre
(214) 691-8700

(Separate registration required; see
registration form)

MCLE CREDIT

3.5 HOURS

MCLE COURSE NO: 901171408

Applies to the College of the State
Bar of Texas and to the Texas Board
of Legal Specialization in Civil Trial
Law.

Wednesday

3.5 hours

3:15 **Registration**

3:40 **Welcome & Introductions**
Course Director

Carey C. Jordan, *Houston*
Baker Botts

3:45 **Prosecution in Light of KSR:
Practical Tips** .75 hr

Andrew J. Dillon, *Austin*
Dillon & Yudell

Kathleen Kahler Fonda,
Washington, D.C.

Legal Advisor

Office of Patent Legal Administration
U.S. Patent & Trademark

4:30 **The Indelible PTO: What We Can
Expect in 2009 and What You
May Have Missed in 2008** .5 hr

Kathleen Kahler Fonda,
Washington, D.C.

Legal Advisor

Office of Patent Legal Administration
U.S. Patent & Trademark

5:00 **How to Draft a Global Patent
Application** .5 hr

Thomas K. Scherer, *Houston*
Osha Liang

5:30 **Break**

5:45 **Pet Peeves from In-House
Counsel That Farm Out
Prosecution** .75 hr

Moderator

Paul Herman, *Carrollton*
Halliburton Energy Services

Ray Ashburg, *Pearland*
Dow Chemical Company

Brianna L. Hinojosa-Flores,
Richardson
Nortel Networks

Marcella D. Watkins, *Houston*
Shell Oil Co.

6:30 **Does the PTO Really Want All of
This? Reconciling McKesson with
Reason** .5 hr

Kristin Jordan Harkins, *Plano*
Conley Rose

7:00 **Practicing Before the Board of
Appeals Under the New Rules**
.5 hr

Andrew J. Dillon, *Austin*
Dillon & Yudell

7:30 **Adjourn**



Join us in breathtaking Lake Tahoe for CLE you don't want to miss:

The 5th Annual Advanced Patent Litigation Course July 23-24, 2009

Hyatt Regency Lake Tahoe Resort, Spa & Casino

111 Country Club Drive, Incline Village, Nevada 775-832-1234



Register by these Dates and Save:

San Antonio (live): February 19

Dallas (video): April 16

Regular registrants save \$50 and Intellectual Property Section members save \$75! Registering by these dates helps ensure sufficient course materials, seating, and refreshments are available. No confirmation will be sent. Course materials and seating will be reserved for pre-registrants until the start of the first topic.

Intellectual Property Law Section Members Can Save up to \$75

because the Section cosponsors this course. If you belong to the Section, or you agree to join by the date of the course, you save \$25; register early and save \$75; see the registration form. To join the section, please contact the State Bar's Sections Coordinator, Kathy Casarez, at 800-204-2222, x1420. Please do not send payment for Section membership with your registration fee.

Register Five or More and Save

because groups (five or more) from your firm or agency get a discount. Contact Legal Education Consultant Laura Angle of TexasBarSolutions at 512-250-5575 or langle@TexasBar.com

Qualifying Judges

may attend free of charge, provided (1) the course is directly related to the jurisdiction of their tribunal, (2) they are full-time judges or judges retired under the judicial retirement system, and (3) space is available after admission of all paid registrants. Judges must actually attend to receive course materials. This privilege does not extend to receivers, trustees, court staff, or persons serving part-time in any judicial capacity.

If You Register But Cannot Attend

you can still get participatory MCLE credit and course materials. Consider transferring your registration to a later presentation; to do so, call 800-204-2222, x1574. Also, as a registrant, you are entitled to special benefits (see below). However, if you wish to receive a refund, mail or fax (512-427-4111) a request so that we receive it at least one business day before the program. Registrants who do not attend will be sent the course materials.

Two Free Online Benefits for Course Registrants

will be available 6-8 weeks after the course: (1) streaming video and audio versions of presentations and (2) electronic versions of course materials. (Actual length of a presentation may vary from that which was advertised.) Provide us your email address when registering and we'll alert you when these benefits are available and how to access them. There's no extra charge!

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who need special accommodations should contact us as soon as possible at 800-204-2222, x1797.

Policy of Impartiality

The State Bar of Texas does not endorse political candidates. When a candidate for public office is included in promotion for or participates in a TexasBarCLE event, the State Bar is not taking a position for or against anyone's candidacy.

Parking Information

is provided for the convenience of the attendees not staying at the hotel and is subject to change without notice and not a guarantee of availability. **San Antonio:** Complimentary self-parking and valet parking for a fee. **Dallas:** Complimentary self-parking.

Reserve Your Hotel Room by Feb 11!

A block of rooms at Hyatt Hill Country are available at special rates on a space available basis. Tell the Hyatt that you will be attending the State Bar of Texas *Intellectual Property Law Course*.

**San Antonio LIVE
Hyatt Regency Hill
Country Resort & Spa**

9800 Hyatt Resort Drive
San Antonio, TX 78251
(210) 647-1234

\$202 for a single/double

Hotel reservation deadline: **February 11, 2009***

* The reserved block of rooms may fill up before February 11. Act now!



**Dallas VIDEO
Doubletree Hotel Dallas-
Campbell Centre**

8250 N. Central Expressway
Dallas, TX 75206
(214) 691-8700

No rooms have been blocked for this video replay.



Course Director

Shannon Warren Bates Plano

Planning Committee:

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- Kirby Blair Drake Dallas
- Thomas R. Felger Austin
- Genie Hansen Grand Prairie
- Kristin Jordan Harkins Plano
- Michael Hawes Houston
- Sharon A. Israel Houston
- Wei Wei Jeang Richardson
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Registering

five or more?
Email Laura Angle at
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for group discount
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Intellectual Property Law Advanced Course 5140

1

Check box(es) to select site:

Intellectual Property Law [5140]

- San Antonio LIVE March 5-6 \$645
- Dallas VIDEO April 30-May 1 \$495

Early Registration
Deadline
February 19
April 16

Patent Prosecution Workshop [5141]

- San Antonio LIVE March 4 \$195
- Dallas VIDEO April 29 \$145

(if registering for the Workshop ONLY, go directly to step #4)

2

Choose the format of Advanced Course materials:

- Electronic (PDFs on a USB drive)
- Hardcopy (1 notebook)
- To purchase BOTH add \$80

Check applicable boxes below to calculate your fee

- Add \$50 if registering after the Early Registration Deadline. (If registering by mail, date of postmark will be determinative.)
- Subtract \$25 if a member of the State Bar Intellectual Property Law Section -OR- State Bar College -OR- Legal Administrators or Legal Assistants Division
- No charge for Qualifying Judge (defined on page 5)

My total payment after all calculations above: \$ _____

3

I can't attend. Just send course materials.*

FREE Shipping & Handling

- IP Course Book \$155 each[†]
- IP Course Book and USB drive \$235 each[†]
- Set of course audio CDs \$230 set[†]
- IP Course materials on USB drive \$155 each[†]
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- Patent Prosecution Book \$40 each[†]

4

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**PDFs of course materials will be available for purchase 6-8 weeks after the course in the Online Library at TexasBarCLE.com. Registrants receive access to the PDFs at no additional charge (see "Two Free Online Benefits for Course Registrants" in this brochure.)*

†Plus 7.25% tax (8.25% for Austin address) on total. Book orders and audio CD orders are shipped separately and filled 4-6 weeks after the live program. You will be billed unless you authorized a credit card charge above.

QUESTIONS? 800-204-2222, ext 1574 or 512-427-1574

State Bar of Texas
P. O. Box 12487
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