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## Basic Trademark and Patent Practice for Lawyers and Paralegals

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**OCTOBER 3, 2017**  
**The Inn at St. John's, Plymouth**

Presented by  
**The Intellectual Property Law Section of the State Bar of Michigan**

In cooperation with  
**The Institute of Continuing Legal Education**

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The Groundwork You Need for IP Success

Presented by The Intellectual Property Law Section of the State Bar of Michigan in cooperation with The Institute of Continuing Legal Education

The perfect seminar for intellectual property lawyers and paralegals. Learn the nuts and bolts of IP law practice with practical advice from Michigan’s top patent and trademark lawyers. Hear experienced practitioners’ winning strategies and network with your colleagues.

Benefits of Attending:

• Improve your application and prosecution before U.S. and foreign patent offices
• Avoid nonsubstantive office actions when you register a trademark
• Identify key issues at the beginning of trademark litigation
• Understand how the America Invents Act impacts your patent practice
• Set realistic expectations about costs and results during litigation
• Think “big picture” to advise clients on patent and trademark prosecution

Schedule
October 3, 8:00am–4:30pm  Level: Basic  CLE: 5.5

8:00am Continental Breakfast and Registration
9:00am Welcome and Introductions
9:10am Patent Prosecution: Drafting Applications, Patent Prosecution, and the America Invents Act
  • overview of preparing patent applications and impact of the America Invents Act
  • drafting a claim that meets transformation test under Bilski
  • patent prosecution before the United States Patent and Trademark Office (USPTO) and foreign patent offices
  • actions to take after filing to make the patent stronger or more enforceable
  • freedom-to-practice investigations
  • patent licensing issues
10:40am Patent Litigation: Practical Advice on Enforcing and Defending Patents
  • overview of a patent infringement case
  • initial assessments and client-management techniques
  • interface with IPR strategies
  • discovery strategies
  • developing the infringement or defense position on liability
  • claim construction and Markman hearing strategies
  • working with expert witnesses
  • developing a damage position
12:00pm Questions and Answers
12:15pm Networking Lunch (included on-site)
1:15pm Trademark Prosecution: Analyzing, Registering, and Maintaining Trademarks
  • understanding the trademark life cycle—prosecution before the USPTO
  • types of trademarks
  • what to do before you file—clearance, strength of mark
  • what you need before you file—applicant, mark, basis, goods/services
  • tips to avoid office actions—nonsubstantive and substantive
  • dealing effectively with trademark examiners
  • post-registration maintenance
2:50pm Trademark Litigation: Strategies to Advise Your Client Like a Seasoned Pro
  • analyzing key forum issues—strength of trademark, infringement factors
  • potential knockout defenses
  • three things you should know about your judge—experience with trademark cases, track record on summary judgment, which key issues judges and magistrates decide
  • how to assess the strengths and weaknesses of your case
  • understanding your relief options—and which are realistically available
  • setting a realistic budget and understanding the defendant’s insurance policy
4:10pm Questions and Answers