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OCTOBER 25–26, 2018 | DEARBORN

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Hot Sessions

What's New at the USPTO
Preparing to Go to Trial at the TTAB
The Surprising Scope of EU
Design Rights

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IP's Top Minds Come to You

From coast to coast—and even from across the pond—we bring the top minds in IP right to you. It's an unparalleled opportunity to get elevated content in patent, trademark, and copyright. The networking opportunities you've come to expect will be there, with more than 200 top-notch practitioners attending. Get updates and strategies from the very best. Walk away with solutions to complex IP law issues.



David Brophy
FRKelly, *Dublin, Ireland*

David comes to us from 3,000+ miles away to keep you in the know on a global scale. His 25 years of experience in European law includes serving on the European Patent Office's Examination Committee and contributing to the well-known IPKat blog. He is widely sought as a speaker due to his entertaining and insightful approach.

David is head of his large firm's design practice. In an advanced session, he breaks down EU design rights so you can avoid curveballs and understand what's current—and what's to come.



Erik M. Pelton
Erik M. Pelton & Associates
PLLC, *Falls Church, VA*

Erik has registered more than 2,500 trademarks since 1999. He began his career as a trademark examiner for the USPTO before founding what is now a nationally known firm. He owns several trademarks himself, including two blogs and an iPhone app designed for trademark and patent practitioners.

Erik represents a wide range of clients, from software companies to restaurants, in all aspects of TTAB proceedings. Along with Judge Rogers, he gives you an inside view of TTAB procedures.



Katherine C. Spelman
Microsoft, *Seattle, WA*

Kate has more than 30 years of national and international experience in copyright, trademark, trade secret, and patent matters—with a special focus on media, licensing, and mass digitization issues. She now shares her expertise as senior copyright counsel at Microsoft.

Kate is known for being on the cutting edge. From start-ups to Fortune 500 companies, her expertise is in demand nationwide. She delivers critical updates on copyright law, plus examines what the future holds for your practice.

“ Remarkable program. Trademark updates on IP law were particularly informative and presented in an intelligent and memorable way.

Steven Susser, Carlson Gaskey & Olds PC, *Birmingham*

“Top speakers and hot topics—doesn’t get any better for CLE.”

Kenneth R. Adamo, Kirkland & Ellis LLP, Chicago, IL



Hon. Victoria A. Roberts
United States District Court—
Eastern District of Michigan,
Detroit

Judge Roberts has been on the federal bench for 20 years. She is a frequent author and lecturer at home and abroad,

having recently shared her insight on IP issues with judges in Peru. A past president of the State Bar of Michigan, she holds the Bar’s two highest honors: the Roberts P. Hudson and Champion of Justice awards.

The Defend Trade Secrets Act is only going to result in more and more cases. Hear how Judge Roberts sees this law developing in Michigan and the impact it could have on your practice.



Hon. Gerard F. Rogers
U.S. Patent and Trademark
Office, Alexandria, VA

Judge Rogers has been chief administrative trademark judge of the TTAB since 2010 and a TTAB judge for nearly two decades. He reports directly to the USPTO director and is responsible for present and future operations. Judge Rogers has been with the USPTO since 1987. He has shared his straightforward view from the bench at several ICLE institutes.

The person who’s overseen the most TTAB trials in recent history tells you how to prepare. Gain new confidence, especially if you haven’t been there in a while and just need a refresher.

FEATURED SESSION

10:30am/Thursday

Preparing to Go to Trial at the TTAB

A top lawyer and chief judge join forces to give you an inside view of TTAB procedures. Don’t miss the chance to absorb their specialized knowledge. Walk away with top tips for what—and what not—to do. Get your cases resolved more quickly. Plus, explore recent opinions.

See page 6.

Schedule

CLE: 9.25 **Level:** Intermediate/Advanced

THURSDAY, OCTOBER 25, 2018

8:30am Continental Breakfast, Exhibitor Showcase, and Registration

9:00am Welcome and Section Activity Update

9:15am What's New at the USPTO

10:15am Networking Break

Patent Track

10:30am Patent Advanced Session: The Surprising Scope of EU Design Rights

Trademark Track

Trademark Interactive Session: Preparing to Go to Trial at the TTAB

12:00pm Lunch and IP Section's Award Presentation

1:30pm Update on Trademark Law

2:30pm Ethical and Practical Firm Management Considerations: A Primer for IP Lawyers and Firms

3:30pm Lions, Tigers, Pistons, and Red Wings: Hot Topics in Professional Sports and Intellectual Property

4:30pm Reception for Institute Registrants and Guests

FRIDAY, OCTOBER 26, 2018

8:00am Continental Breakfast for Registrants and Business Meeting of the Intellectual Property Law Section

8:30am Update on Patent Law

9:45am Update on Copyright Law

11:00am Networking Break

11:15am A View from the Bench: Defend Trade Secrets Act Litigation

12:30pm Women in IP Networking Tea (Pre-Registration Required—Limit 45)

2:00pm Henry Ford Museum Tour (Optional—Purchase Discounted Tickets at the Museum)

ESSENTIAL UPDATES THAT AFFECT YOUR PRACTICE

What's New at the USPTO

Lawyers frequently reference the USPTO website. Here's a chance to go further. Get the current thinking on existing issues from someone who's been at the USPTO for 17 years. Kery A. Fries, senior legal advisor for the Office of Patent Legal Administration, shares various cases and resolutions, stats you need, and more.

Trademark, Patent, and Copyright Sessions

IP is ever-changing. Get up-to-the minute information from peers who practice in Iowa, Georgia, and Washington state. Understand what the future holds for you and your clients.

Plenary Sessions

Moderator: Kendra Mattison, Koch Industries, *Auburn Hills*

9:00am/Thursday

Welcome and Section Activity Update

9:15am/Thursday

What's New at the USPTO

Hear about the latest USPTO activities and initiatives straight from the front lines. USPTO administration offers an up-to-the-minute insider's view of recent IP developments and stats in Detroit and Washington, DC. Kery A. Fries, Office of Patent Legal Administration, United States Patent and Trademark Office, *Alexandria, VA*

12:00pm/Thursday

Lunch and IP Section's Award Presentation

1:30pm/Thursday

Update on Trademark Law

Significant developments have occurred in U.S. trademark and unfair competition law over the past 12 months. Review the changes, with a particular emphasis on the significance of the Supreme Court's opinion in *Matal v Tam*; continued splits in the circuits on numerous issues; findings of fraud on the USPTO by courts (but not by the Trademark Trial and Appeal Board); the board's new streamlined cancellation procedure; and possible recodification of the Lanham Act by Congress. Theodore H. Davis, Jr., Kilpatrick Townsend & Stockton LLP, *Atlanta, GA*

2:30pm/Thursday

Ethical and Practical Firm Management Considerations: A Primer for IP Lawyers and Firms

The presenters will walk through actual malpractice claims made against IP lawyers and will address lessons learned from those claims. Learn IP specific risk management tips to avoid malpractice claims or ethical issues.

David Kramer, Oswald Companies, *Birmingham*; Theodore C. Nittis, Oswald Companies, *Bloomfield Hills*

8:30am/Friday

Update on Patent Law

Hear analysis of the latest developments in patent law, from statutory changes to court decisions, and receive thoughtful commentary on their future effects.

Jason Rantanen, University of Iowa College of Law, *Iowa City, IA*

9:45am/Friday

Update on Copyright Law

Stay ahead of the curve with the most up-to-date copyright caselaw review. Get insight on the cases and how they will shape the future of copyright practice.

Katherine C. Spelman, Microsoft, *Seattle, WA*

11:15am/Friday

A View from the Bench: Defend Trade Secrets Act Litigation

The Defend Trade Secrets (DTSA) statute went into effect in May 2016. Until its passage, parties had to rely on state uniform trade secrets acts for misappropriation claims. DTSA is an effort to nationalize misappropriation cases and to provide for damages for actual losses and unjust enrichment. Only several cases have been filed in Michigan federal court using DTSA, but more are expected. Compare the DTSA with the Michigan Uniform Trade Secrets Act (MUTSA), and gain Judge Roberts' important insights to bolster your litigation strategies in cases involving the DTSA. Hon. Victoria A. Roberts, United States District Court—Eastern District of Michigan, *Detroit*

2:00pm/Friday

Henry Ford Museum Tour (Optional)

Join expert guide Tom Varitek to explore the museum's top patent artifacts and learn the fascinating stories connected to them.

Tom Varitek, Public & Corporate Historian, *Dexter*
(Purchase Discounted Tickets at the Museum)



CONNECT WITH THE VERY BEST

4:30pm/Thursday

Reception for Institute Registrants and Guests

Enjoy an elegant evening at the historic Dearborn Inn.

12:30pm/Friday

Women in IP Networking Tea

Trade stories with colleagues in an informal setting.

(Pre-Registration Required—Limit 45)

Tracks

Patent Track

Moderator: Kendra Mattison, Koch Industries, *Auburn Hills*

10:30am/Thursday

Patent Advanced Session: The Surprising Scope of EU Design Rights

Recent years have seen landmark design cases from the highest courts on both sides of the Atlantic. The Community design has come a long way in its first 15 years. Find out how savvy practitioners are using Community design registrations not just for conventional product designs but also for graphical user interface elements, as a way to bolster trademark rights, and as a tool against counterfeiters and grey market goods.

David Brophy, FRKelly, *Dublin, Ireland*

Trademark Track

Moderator: Hope V. Shovein, Brooks Kushman PC, *Southfield*

10:30am/Thursday

Trademark Interactive Session: Preparing to Go to Trial at the TTAB

Explore TTAB procedures, including recent important board opinions, changes to board rules, and the differences between District Court and board proceedings. Learn about TTAB pleadings, motions, discovery, depositions, testimony, hearings, and accelerated case resolutions (ACR) in Opposition and Cancellation proceedings.

Hon. Gerard F. Rogers, U.S. Patent and Trademark Office, *Alexandria, VA*; Erik M. Pelton, Erik M. Pelton & Associates, PLLC, *Falls Church, VA*

FEATURED SESSION

3:30pm/Thursday

Lions, Tigers, Pistons, and Red Wings: Hot Topics in Professional Sports and Intellectual Property

Not many cities have four professional franchises. This is an unprecedented opportunity to gain winning strategies from Detroit's top sports executives, who talk branding, licensing, equipment patents, sponsorships, and more. They've seen it all, from logo disputes to the effects of fantasy sports. You won't find this level of expertise at any other event.

Moderator: Susan M. Kornfield, Bodman PLC, *Ann Arbor*

SPEAKERS



Robert E. Carr

Senior VP of Operations and Legal Affairs
Olympia Entertainment Inc.

General Counsel
Detroit Red Wings



Jay Colvin

Senior VP of Legal Affairs and
General Counsel

Detroit Lions



Richard Inad Haddad

VP and General Counsel
Palace Sports & Entertainment



Amy Peterson

Former Associate Counsel
Detroit Tigers

VP of Special Products and
General Counsel
Ross Initiative in Sports for Equality (RISE)

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Hotel Information

The Dearborn Inn

20301 Oakwood Boulevard, Dearborn, MI 48124

A block of rooms has been reserved at a discounted rate at The Dearborn Inn, Dearborn, under ICLE for October 24–25, 2018. The room rates begin at \$150/night. Please call 800-228-9290 to reserve a room.

Reservations must be made by 09/21/18. Registrants are responsible for their own hotel expenses.



Grab a Bite and Explore

You don't have to go far to experience something extraordinary. Dearborn has unique dining experiences, from Buddy's Pizzeria (famous Detroit-style deep dish) to Miller's Bar (nationally known for no-fuss burgers). Explore vintage record stores on Michigan Avenue. Plus, the Motor City beckons from just a few miles away.



Patent Artifacts at the Henry Ford

Michigan natives know the Henry Ford Museum is a treasure, but many don't have the chance to experience it on an exclusive level. Don't miss your opportunity to go behind the scenes with a guided tour of patent artifacts, led by historian Tom Varitek.

(Purchase Discounted Tickets at the Museum)



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- \$195 New Lawyer (0–3 Years in Practice P79400+)
- \$295 per Registrant (4+ Registrants from the Same Firm)¹
- FREE Judges²

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C. Materials Format | Institute Registrants Pick One

- FREE Electronic Materials³
- \$25 Print Handbook and Electronic Materials³

D. Networking Event | Optional

FREE Women in IP Networking Tea, 10/26/18
(Pre-Registration Required—Limit 45)

E. Can't Attend the Institute?

Non-Registrants—Purchase the Electronic Materials.

- \$195 Non-ICLE Partners
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Prices guaranteed until 10/26/18. Cannot combine discounts. ¹Please attach additional sheet listing registrants attending. ²Current sitting state court judges (limit 40) attend free and must complete order form or call ICLE to register. ³Electronic materials will be posted online before the seminar. **Persons with Disabilities or Dietary Restrictions:** For special arrangements please contact ICLE no later than seven days before the seminar. **Walk-in Registrations:** Permitted on a space-available basis or if registrants fail to claim their seat in the first 15 minutes of the seminar. **Cancellation Policy:** For a full refund, notify ICLE by 10/11/18. Registrants who cancel after that date will be charged a \$60 cancellation fee. No refunds will be issued after 10/18/18.