



JULY 21–23, 2022 | MACKINAC ISLAND

47TH ANNUAL

# Intellectual Property Law Institute

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# IP's Top Minds, Your Perfect CLE Getaway

Join us for comprehensive content in patent, trademark, and copyright law. Hear from top local and national experts while you bask in the beauty of Mackinac Island. Don't miss elegant receptions and unparalleled networking with top-notch practitioners.

You will be able to:

- Stay current with critical updates on patent, trademark, and copyright law
- Negotiate and draft airtight nondisclosure agreements
- Explore patent law's role in the "billionaire space race"
- Strategically use standards-essential patents and FRAND licenses

## Featured National Speakers



**Jorge L. Contreras**

University of Utah S.J. Quinney College of Law  
*Salt Lake City, UT*

Jorge, an alumnus of Harvard Law School, is an award-winning professor who teaches in the areas of IP law, genetics and the law, and more. Don't miss his special advanced session on standards-essential patents and FRAND licenses. Walk away with new strategies for this global issue.



**Leslie J. Lott**

Lott & Fischer PL  
*Coral Gables, FL*

Leslie is a founder of the firm and specializes exclusively in IP law. She is a popular speaker at events throughout the country and has also served on the Trademark Public Advisory Committee of the USPTO. She gets you up to speed on trademark law in a critical update session.

**Featured Session: 10:15am/Saturday**

### Negotiating and Drafting Nondisclosure Agreements

Cover your bases with these critical documents. Know what to include in your NDA, but perhaps even more importantly, what not to include. Find the middle ground and avoid forfeiture of patent rights. *See page 6.*



## Explore Mackinac Like Never Before

You've likely enjoyed much of Mackinac Island. But there's always something new to check out. Rediscover why the island is known as "the jewel of the Great Lakes." Bring your family and enjoy a relaxing CLE getaway. It's well worth your time out of the office.



### Grand Hotel

This historic site is a premier destination. Even the porch (the world's longest) is famous! Pack your best evening wear and prepare for nightly dancing and majestic meals. This should be on every Michigander's bucket list.



### Island Activities

Mackinac is known for its quaint carriage rides. Join an informed tour guide for a trip past Arch Rock or Fort Mackinac. Feeling more adventurous? You can drive your own buggy. Enjoy beautiful vistas via footpath, horseback, or tandem bike. Visit a spa, try parasailing, charter a boat—there's even a haunted house!



### Dining & Nightlife

There's more to Mackinac than fudge (though who doesn't love that?). The Chuckwagon serves a mean burger and the Pink Pony (just "the Pony" to locals) offers stunning views and glorious whitefish. The island comes alive at night with karaoke, classic rock, jazz, and more.



**Thomas Kjellberg**

Cowan Liebowitz & Latman  
New York, NY

Tom practices in the areas of copyright, right of publicity, and trademark law. He is a sought-after speaker and writer whose significant cases have included such clients as Penguin Group and Universal Studios. He delivers another can't-miss update on copyright law.



**Theodore (Ted) U. Ro**

National Aeronautics and Space Administration  
Houston, TX

Ted is chief counsel for NASA's Johnson Space Center, practicing in the areas of IP, technology, government/administrative, and international law. Don't miss a rare opportunity to explore patent law's role as space exploration continues to evolve and more companies join in on the race.

Featured Session: 11:15am/Saturday

### Space: The Final Frontier for Patent Law

We've all seen the footage of civilians (sometimes celebrities) in space. The rise of commercial tech companies and the race for the stars will undoubtedly involve patent law. Get ahead on what's next. *See page 6.*



## Agenda

CLE: 8.5 ETHICS: 1 LEVEL: Intermediate/Advanced

### THURSDAY, JULY 21, 2022

#### Patent Advanced Session

3:30pm Standards-Essential Patents and FRAND Licenses  
(Preregistration Required)

#### Copyright Advanced Session

Music and Sound Recordings  
(Preregistration Required)

6:00pm Reception for Institute Registrants and Guests\*

### FRIDAY, JULY 22, 2022

8:00am Continental Breakfast and Business Meeting of the IP Law Section  
8:30am Welcome and Introduction from Section Chair  
8:45am Update on Patent Law  
10:15am Update on Copyright Law  
11:15am Networking Break  
11:30am Update on Trademark Law  
5:00pm Women in IP Networking High Tea (Preregistration Required—Limit 30)  
6:00pm Reception for Institute Registrants and Guests\*

### SATURDAY, JULY 23, 2022

8:30am Continental Breakfast and Award Presentation  
9:00am Ethical Issues in IP Practice  
10:00am Networking Break  
10:15am Negotiating and Drafting Nondisclosure Agreements  
11:15am Space: The Final Frontier for Patent Law

“All serious IP practitioners  
need to attend this seminar.”

- Thomas N. Young, Young Basile Hanlon &  
MacFarlane PC, *Troy*

\*Please note, evening wear is required in all areas of the hotel after 6:30pm.



## NETWORKING at its finest

6:00pm/Thursday & Friday

#### Evening Receptions for Registrants and Guests

Stroll the historic Grand Hotel porch and connect with Michigan's best practitioners.

5:00pm/Friday

#### Women in IP Networking High Tea

This is more than tea—it's an experience. Trade stories with peers and enjoy a delicious spread in a traditional setting. It's open to everyone, but don't wait—seating is limited.

(Preregistration Required—Limit 30)



## Plenary Sessions

6:00pm/Thursday

### Reception for Institute Registrants and Guests

Relax and join seminar faculty, section council members, exhibitors, fellow registrants, and guests for an evening reception on the historic Grand Hotel porch.

Please note, evening wear is required in all areas of the hotel after 6:30pm.

8:00am/Friday

### Continental Breakfast and Business Meeting of the IP Law Section

8:30am/Friday

### Welcome and Introduction from Section Chair

Matthew D. Kendall, Chair, Intellectual Property Law Section of the State Bar of Michigan, Gardner Linn Burkhardt & Ondersma LLP, *Grand Rapids*

8:45am/Friday

### Update on Patent Law

Analyze the latest patent decisions and master the rules and standards they outline. Receive thoughtful interpretation of caselaw and its lasting effects.

Jorge L. Contreras, University of Utah S.J. Quinney College of Law, *Salt Lake City, UT*

10:15am/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.

Thomas Kjellberg, Cowan Liebowitz & Latman, *New York, NY*

11:15am/Friday

### Networking Break

11:30am/Friday

### Update on Trademark Law

Delve into recent trademark law happenings and understand how these changes will impact your clients.

Leslie J. Lott, Lott & Fischer PL, *Coral Gables, FL*

5:00pm/Friday

### Women in IP Networking High Tea

Join faculty and fellow registrants for an informal networking opportunity. Get to know your colleagues, trade stories, and discuss current issues and challenges facing women IP lawyers. It's open to everyone, but don't wait—seating is limited.

(Preregistration Required—Limit 30)

6:00pm/Friday

### Reception for Institute Registrants and Guests

Relax and join seminar faculty, section council members, exhibitors, fellow registrants, and guests for a reception on the historic Grand Hotel porch.

Please note, evening wear is required in all areas of the hotel after 6:30pm.

8:30am/Saturday

### Continental Breakfast and Award Presentation

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## Plenary & Advanced Sessions

9:00am/Saturday

### Ethical Issues in IP Practice

Avoid ethical minefields and handle conflicts of interest and claims for breach of fiduciary duty with expert strategies. Steer clear of the attorney discipline system, secure your reputation, and represent your clients confidently and effectively.

Michael E. McCabe, Jr., McCabe & Ali LLP, *Potomac, MD*

10:00am/Saturday

### Networking Break

10:15am/Saturday

### Negotiating and Drafting Nondisclosure Agreements

One of the single most important legal documents to protect your intellectual property is a well-tailored NDA ensuring parties keep sensitive and proprietary information confidential. Caselaw demonstrates that catchall NDAs can inadvertently contribute to the forfeiture of patent rights. Grasp essential terms your NDA must contain, and more importantly, what must not be included in NDAs used for employment, when collaborating with others, licensing use of IP, or for a merger or acquisition.

Andrey T. Tomkiw, Dinsmore & Shohl LLP, *Troy*

11:15am/Saturday

### Space: The Final Frontier for Patent Law

In the last two decades, a commercial space race has been in play, and over 500 space-related companies have been created. This exponential growth will likely continue in the future. It is safe to assert, for the most part, space-related companies are technology companies. Hence, as commercial

technology companies continue to reach for the stars, patent law will naturally follow. Journey through international space law to discover how patent law applies in the expanse of outer space.

Theodore (Ted) U. Ro, National Aeronautics and Space Administration, *Houston, TX*

## Advanced Sessions (Preregistration Required)

3:30pm/Thursday

### Patent: Standards-Essential Patents and FRAND Licenses

After an overview of the contractual, remedial, and antitrust issues raised by standards-essential patents, dive into how overseas litigation is being prohibited by countries and the growing caselaw surrounding global FRAND licenses and non-litigation orders (anti-suit injunctions) issued by courts around the world. Gain strategies on how to avoid these pitfalls (if they are indeed pitfalls).

Jorge L. Contreras, University of Utah S.J. Quinney College of Law, *Salt Lake City, UT*

3:30pm/Thursday

### Copyright: Music and Sound Recordings

Streaming platforms such as Spotify, Pandora, Apple Music, and even YouTube have remade the commercial music landscape, becoming the primary means to consume music. Take a deep dive into the Music Modernization Act, Congress's attempt to make sure everyone gets paid when copyrighted songs and music are performed publicly. Explore related developments regarding the public performance right under the Copyright Act and the interplay between copyright and "neighboring rights" in the global IP system.

Thomas Kjellberg, Cowan Liebowitz & Latman, *New York, NY*

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A large, natural rock archway frames a view of a turquoise lake under a clear blue sky. The rock is light-colored and textured, with some green foliage growing on the sides. A white circular graphic with a thin border is centered over the lake view, containing the text "New Hotel Reservation Process".

## New Hotel Reservation Process



### Online Booking at Grand Hotel

It's easier than ever to secure your discounted room. Simply go to [www.icle.org/ip/hotel](http://www.icle.org/ip/hotel) no later than 5:00pm (EST) on June 20, 2022. Discounted reservations can only be made online.

### Shepler's Ferry Discounts

Shepler's is the official ferry of Grand Hotel. Visit [www.sheplersferry.com](http://www.sheplersferry.com), email [groups@sheplersferry.com](mailto:groups@sheplersferry.com), or call 800-828-6157. Use promo code ICLE2022 for these discounted prices: \$23 (adults), \$14 (children ages 5–12). Daytime parking is free; overnight Standard and Premium parking ranges from \$15–\$35.

“ This is one of my favorite CLE seminars. Interesting speakers on important topics in a relaxing setting. What's not to like? ”

-John Zanghi, Fay Sharpe LLP, *Cleveland, OH*



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Grand Hotel, Mackinac Island



THE UNIVERSITY OF MICHIGAN  
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### B. Institute Registration | Pick One

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- ☐ \$295 Cosponsor Section Member
- ☐ \$315 ICLE Partner
- ☐ \$195 New Lawyer (0–3 Years in Practice P82700+)
- ☐ \$295 per Registrant (4+ Registrants from the Same Firm)<sup>1</sup>

#### Special Registration:

- ☐ FREE Judges (Limit 40)<sup>2</sup>

22CI-4710

### C. Advanced Sessions | Optional

- ☐ FREE Patent: Standards-Essential Patents and FRAND Licenses  
07/21/22 (Preregistration Required)
- ☐ FREE Copyright: Music and Sound Recordings  
07/21/22 (Preregistration Required)

### D. Networking Event | Optional

- ☐ FREE Women in IP Networking High Tea, 07/22/22  
(Preregistration Required—Limit 30)

### E. Materials Format for Institute Registrants | Pick One

- ☐ FREE Electronic Materials
- ☐ \$35 Print Handbook<sup>3</sup> and Electronic Materials

### F. Can't Attend the Institute?

Non-Registrants—Purchase the Electronic Materials

- ☐ \$195 Non-ICLE Partners
- ☐ \$136.50 ICLE Partners

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Prices guaranteed until 07/23/22. Cannot combine discounts. <sup>1</sup>Please attach additional sheet listing registrants attending. All registrations must be submitted and paid for at the same time. <sup>2</sup>Current sitting state court judges (limit 40) attend free and must call ICLE or submit order form to register. <sup>3</sup>Limit one print handbook purchase per registrant. Print handbooks are nonrefundable after the event cancellation date. **Complete Seminar Policies:** [www.icle.org/info/seminarpolicies](http://www.icle.org/info/seminarpolicies). **Cancellation Policy:** For a full refund, notify ICLE by 07/07/22. Registrants who cancel after that date will be charged a \$60 cancellation fee. No refunds will be issued after 07/14/22. **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. **Persons with Disabilities or Dietary Restrictions:** For special arrangements please contact ICLE no later than seven days before the seminar. **Accommodations:** A block of rooms has been reserved at a discounted rate at Grand Hotel. Reservations must be made by 06/20/22 at 5:00pm (EST) by visiting [www.icle.org/ip/hotel](http://www.icle.org/ip/hotel). Registrants are responsible for their own hotel expenses.