

HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION

AND

UNIVERSITY of **HOUSTON** | LAW CENTER

Institute for Intellectual Property & Information Law

36th Annual

Fall Institute on Intellectual Property Law

OCTOBER 1 – 3, 2020

MOODY GARDENS HOTEL
GALVESTON, TEXAS



Highlights

Best Practices for Serving Clients during Crisis - from Pandemic to Hurricane

Federal Circuit Patent Law: A Year in Review

PTAB Update

Ex Parte Patent Appeal Tips/Analytics

Moody Gardens Hotel

GALVESTON, TEXAS

APPROVED BY THE STATE BAR OF TEXAS

13.75 Hours Participatory CLE, Including 4.75 Hours Ethics

Featuring

KEYNOTE SPEAKER

Hon. Jeffrey V. Brown
U.S. District Court Southern District of Texas

DIVERSITY BREAKFAST SPEAKER

Hon. Wallace Jefferson
Alexander Dubose Jefferson LLP

JUDICIAL PANEL

Hon. Peter Bray, Hon. Christina A. Bryan and Hon. Andrew M. Edison
from the
U.S. District Court Southern District of Texas

HIPLA OFFICERS

Jason Sander <i>LyondellBasell</i> President	Lee Eubanks <i>Eubanks PLLC</i> Vice President	Mark Chretien <i>Greenberg Traurig, LLP</i> Secretary
Tammy Pennington Rhodes <i>Wenderoth, Lind & Ponack, L.L.P.</i> President-Elect	Iona Kaiser <i>Vorys, Sater, Seymour and Pease LLP</i> Treasurer	Carlyn Burton <i>Osha Liang LLP</i> Immediate Past President

UNIVERSITY OF HOUSTON LAW CENTER

Dave Fagundes, <i>Baker Botts L.L.P.</i> Professor of Law	Sapna Kumar, <i>Law Foundation</i> Professor of Law
Paul Janicke, <i>Professor of Law</i>	Andrew Michaels, <i>Assistant Professor of Law</i>
Craig Joyce, <i>Hunton Andrews Kurth</i> Professor of Law	Greg R. Vetter, <i>HIPLA</i> Professor of Law

PROGRAM ADMINISTRATION

Dwayne Mason <i>Greenberg Traurig, LLP</i> Chair	Professor Greg R. Vetter <i>University of Houston Law Center</i> Vice-Chair	Sindee Bielamowicz <i>University of Houston Law Center</i> Program Coordinator
--	---	--

PROGRAM SELECTION COMMITTEE MEMBERS

Ifti Ahmed	Brigitte Jeffery Echols	Danielle Joy (DJ) Healey	Al Riddle
Jeff Andrews	Rob Edmonds	Sharon Israel	Ted Ro
Gordon Arnold	Sparkle Ellison	George Jordan	Jason Sander
Norma Bennett	Lee Eubanks	Albert Liou	Jennifer Sickler
Megan Boulware	Ed Fein	Bob McAughan	Keana Taylor
Carlyn Burton	Jack Goldstein	Karthika Perumal	Tara Williams
Rodney Caldwell	Ronald Haggerty	Matthew Prater	Russell Wong
Mark Chretien	Ira Hatton	Tammy Pennington Rhodes	

CONFERENCE FACULTY

Ray Ashburg ELECTROLUX <i>Charlotte, North Carolina</i>	Professor Dave Fagundes UNIVERSITY OF HOUSTON LAW CENTER <i>Houston, Texas</i>	Katherine Jackson EXXON MOBIL Corporation <i>Houston, Texas</i>	Ryan Pool MILLEN, WHITE, ZELANO & BRANIGAN, PC <i>Arlington, Virginia</i>
Alexandra Bistline PIRKEY BARBER PLLC <i>Austin, Texas</i>	Mavis Fowler-Williams COLUMBIA LAW SCHOOL <i>New York, New York</i>	Professor Paul Janicke UNIVERSITY OF HOUSTON LAW CENTER <i>Houston, Texas</i>	Matt Prater SABIC <i>Houston, Texas</i>
Meg Boulware BOULWARE & VALOIR <i>Houston, Texas</i>	Natalie Gonzales BAKER BOTTS L.L.P. <i>Houston, Texas</i>	Professor Renee Knake Jefferson UNIVERSITY OF HOUSTON LAW CENTER <i>Houston, Texas</i>	Tammy Pennington Rhodes WENDEROTH, LIND & PONACK, L.L.P. <i>Houston, Texas</i>
Hon. Peter Bray U.S. DISTRICT COURT SOUTHERN DISTRICT OF TEXAS <i>Houston, Texas</i>	Ira Hatton GREENBERG TRAUIG, LLP <i>Houston, Texas</i>	Hon. Wallace Jefferson ALEXANDER DUBOSE JEFFERSON LLP <i>Austin, Texas</i>	Steven Spears BAKER HUGHES <i>Houston, Texas</i>
Hon. Jeffrey V. Brown U.S. DISTRICT COURT SOUTHERN DISTRICT OF TEXAS <i>Galveston, Texas</i>	Danielle Joy (DJ) Healey FISH & RICHARDSON <i>Houston, Texas</i>	James Kurka WEATHERFORD INTERNATIONAL <i>Houston, Texas</i>	Leslie Streefer LYONDELLBASELL <i>Houston, Texas</i>
Hon. Christina A. Bryan U.S. DISTRICT COURT SOUTHERN DISTRICT OF TEXAS <i>Houston, Texas</i>	Jason Howard SHOOK, HARDY & BACON L.L.P. <i>Kansas City, Missouri</i>	Albert Liou JONES DAY <i>Houston, Texas</i>	Tammy Terry OSHA LIANG LLP <i>Houston, Texas</i>
Carlyn Burton OSHA LIANG LLP <i>Houston, Texas</i>	Professor David Hricik MERCER UNIVERSITY SCHOOL OF LAW <i>Macon, Georgia</i>	Melissa Martinez MARTINEZ LAW GROUP PLLC <i>Houston, Texas</i>	Paula Whitten-Doolin NESTE <i>Houston, Texas</i>
Hon. Andrew M. Edison U.S. DISTRICT COURT SOUTHERN DISTRICT OF TEXAS <i>Galveston, Texas</i>	Lee Huddleston AMAZON <i>Seattle, Washington</i>	Jessica Nguyen LEXION <i>Seattle, Washington</i>	Jeff Whittle WOMBLE BOND DICKINSON <i>Houston, Texas</i>
Sparkle Ellison BOULWARE & VALOIR <i>Houston, Texas</i>	Sheikh Ismail TEXAS A&M UNIVERSITY <i>Bellaire, Texas</i>	Karthika Perumal WOMBLE BOND DICKINSON <i>Houston, Texas</i>	Tara Williams SKIERMONT DERBY LLP <i>Dallas, Texas</i>
	Sharon Israel SHOOK, HARDY & BACON L.L.P. <i>Houston, Texas</i>	Pete Peterson LAW OFFICES OF GALE R. PETERSON PLLC <i>San Antonio, Texas</i>	

HOUSTON INTELLECTUAL PROPERTY LAW ASSOCIATION AND UNIVERSITY OF HOUSTON LAW CENTER'S
36TH ANNUAL FALL INSTITUTE ON INTELLECTUAL PROPERTY LAW
OCTOBER 1 – 3, 2020

THURSDAY, OCTOBER 1

12:00 p.m. – 1:00 p.m.
REGISTRATION

SPONSORED BY:
TT Consultants

Moderator:
Lee Huddleston

12:45 p.m. – 1:00 p.m.
OPENING REMARKS
Dwayne Mason

1:00 p.m. – 1:45 p.m.
**PROTECTING THIRD PARTY
PRIVILEGE
(ETHICS – 0.75 HOURS)**
Carlyn Burton
Tammy Pennington Rhodes

1:45 p.m. – 2:30 p.m.
**MOCK LICENSING EXERCISE
(ETHICS – 0.25 HOURS)**
Sheikh Ismail
Katherine Jackson
Matt Prater
Jeff Whittle, Moderator

2:30 p.m. – 3:00 p.m.
**DIVERSITY AS AN ETHICS
OBLIGATION—UNDERSTANDING
ABA MODEL RULE 8.4(G) THROUGH
THE LENS OF SUPREME COURT
SHORTLISTS
(ETHICS – 0.5 HOURS)**
Professor Renee Knake Jefferson

3:00 p.m. – 3:15 p.m.
BREAK

SPONSORED BY:
Osha Liang LLP

3:15 p.m. – 4:00 p.m.
TRADEMARK LAW UPDATE
Alexandra Bistline

4:00 p.m. – 5:00 p.m.
**IN-HOUSE COUNSEL CHALLENGES
DURING A GLOBAL PANDEMIC**
James Kurka
Jessica Nguyen
Steven Spears
Paula Whitten-Doolin

5:00 p.m. – 5:30 p.m.
**OUTSOURCING ETHICS
(ETHICS – 0.5 HOURS)**
Jason Howard

5:30 p.m.
CLOSING REMARKS
Dwayne Mason

6:00 p.m. – 7:00 p.m.
RECEPTION
Moody Gardens Hotel

SPONSORED BY:
StoneTurn

FRIDAY MORNING, OCTOBER 2

Moderator:
Melissa Martinez

7:30 a.m. – 9:00 a.m.
**DIVERSITY BREAKFAST
AND PRESENTATION**

SPONSORED BY:
Duff and Phelps
Greenberg Traurig, LLP

8:30 a.m.
OPENING REMARKS
Dwayne Mason

9:00 a.m. – 9:30 a.m.
**DIVERSITY PRESENTATION:
PERSPECTIVES ON DIVERSITY FROM
THE FORMER CHIEF JUSTICE**
Hon. Wallace Jefferson
ALEXANDER DUBOSE JEFFERSON LLP

9:30 a.m. – 10:15 a.m.
**FEDERAL CIRCUIT PATENT LAW:
A YEAR IN REVIEW PART 1
(ETHICS – 0.25 HOURS)**
Pete Peterson

10:15 a.m. – 10:30 a.m.
BREAK

10:30 a.m. – 11:15 a.m.
**FEDERAL CIRCUIT PATENT LAW:
A YEAR IN REVIEW PART 2
(ETHICS – 0.25 HOURS)**
Pete Peterson

11:15 a.m. – 11:45 a.m.
**RECENT ETHICS CASES IN IP
PRACTICE
(ETHICS – 0.5 HOURS)**
Professor Paul Janicke

11:45 a.m. – 1:00 p.m.
LUNCH (ON YOUR OWN)

1:00 p.m. – 1:45 p.m.
KEYNOTE SPEAKER
HON. JEFFREY V. BROWN
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

FRIDAY AFTERNOON, OCTOBER 2

Moderator:
Leslie Streeter

2:00 p.m. – 3:00 p.m.
JUDICIAL PANEL
Hon. Peter Bray
Hon. Christina A. Bryan
Hon. Andrew M. Edison
Sharon Israel, Moderator

3:00 p.m. – 3:30 p.m.
**HOW TO EFFECTIVELY COUNSEL
CLIENTS AND NEGOTIATE IP
AGREEMENTS ETHICALLY
(ETHICS – 0.5 HOURS)**
Mavis Fowler-Williams

3:30 p.m. – 3:45 p.m.
BREAK

3:45 p.m. – 4:15 p.m.
**ETHICAL ISSUES CREATED BY AI,
INNOVATION, THE IOT AND 3D
PRINTING
(ETHICS – 0.5 HOURS)**
Professor David Hricik

4:15 p.m. – 4:45 p.m.
**EX PARTE PAT APPEAL TIPS/
ANALYTICS**
Ryan Pool

4:45 p.m. – 5:15 p.m.
PTAB UPDATE
Tammy Terry

5:15 p.m.
CLOSING REMARKS
Dwayne Mason

SATURDAY, OCTOBER 3

7:30 a.m. – 8:30 a.m.
CONTINENTAL BREAKFAST

Moderator:
Karthika Perumal

8:15 a.m. – 8:30 a.m.
OPENING REMARKS
Dwayne Mason

8:30 a.m. – 9:00 a.m.
**OPEN SOURCE SOFTWARE
LICENSING: WHAT IP LAWYERS
SHOULD KNOW**
Albert Liou

9:00 a.m. – 9:30 a.m.
COPYRIGHT LAW UPDATE
Professor Dave Fagundes

9:30 a.m. – 10:00 a.m.
TRADE SECRET UPDATE (DTSA)
Natalie Gonzales
Danielle Joy "DJ" Healey

10:00 a.m. – 10:15 a.m.
BREAK

10:15 a.m. – 11:00 a.m.
**BEST PRACTICES FOR SERVING
CLIENTS DURING CRISIS - FROM
PANDEMIC TO HURRICANE
(ETHICS – 0.75 HOURS)**
Ray Ashburg
Meg Boulware

11:00 a.m. – 11:30 a.m.
**PATENT JURISDICTION
(ITC/IPR/IPA)**
Ira Hatton
Tara Williams

11:30 a.m. – 12:00 p.m.
PTA/PTE TIPS
Sparkle Ellison

12:00 p.m.
CLOSING REMARKS
Dwayne Mason

SPECIAL EVENTS

THURSDAY, OCTOBER 1, 2020

6:00 p.m. – **Reception:** Mingle with fellow Fall Institute attendees over drinks and heavy appetizers at the Moody Gardens Hotel. Reception sponsored by StoneTurn.

FRIDAY, OCTOBER 2, 2020

9:00 a.m. – **Diversity Speaker:** The Honorable Wallace Jefferson with Alexander Dubose Jefferson LLP (former Chief Justice of the Texas Supreme Court)

1:00 p.m. – **Keynote Speaker:** The Honorable Jeffrey V. Brown with the U.S. District Court Southern District of Texas

For more information and details of events, please visit: law.uh.edu/Fall2020IPinstitute

***Please listen for program chair, Dwayne Mason, to announce gift cards provided by: **Gringo's Mexican Kitchen, The Nice Winery, Panera Bread, and Tiff's Treats!**

LOCATION

The **Moody Gardens Hotel** is located in Galveston, Texas, on Hope Boulevard.

From Houston, take I-45 South and exit at 61st Street. Turn right on 61st Street and again on Stewart Road. From Stewart Road, stay in the right lane to go onto Jones Road. Turn right onto Hope Boulevard. The hotel will be on your right.

Telephone numbers: **888.388.8484** or **409.741.8484**

HOTEL INFORMATION

A block of rooms has been reserved at special conference rates. Make your reservation directly with the Moody Gardens Hotel by phone at **888.388.8484**.

The deadline for making your reservation to guarantee a room at the special rate is September 24, 2020. After this date, reservations are made on a space-available basis only.

The Moody Gardens Hotel

wants your experience to be
Clean, Safe, and Fun!

For the hotel COVID-19 guidelines, please
click [here](#).

Moody Gardens Hotel

7 Hope Boulevard
Galveston Island, Texas 77554

888.388.8484

Single:	\$155/night
Double:	\$155/night
Triple:	\$155/night
Quad:	\$155/night
Junior Suite:	\$310/night

Any cancellations must be received at least 48 hours prior to arrival date.

All requests are subject to availability.

Reservations will be considered tentative unless guaranteed by the first night's deposit or major credit card.

SPONSORS

DUFF & PHELPS

GT GreenbergTraurig

OSHALIANG
Intellectual Property Law

Shackelford

StoneTurn

TTCONSULTANTS
Applying Intelligence to IP - Globally

BENEFACTORS

GRINGO'S MEXICAN KITCHEN
THE NICE WINERY

PANERA BREAD
TIFF'S TREATS

PROGRAM MATERIALS

Program materials will be provided in an electronic format via the web and smart phone software application *Whova*.

REFUNDS

Refunds will be made only if they are requested in writing no later than **September 14, 2020**.

MINIMUM CONTINUING LEGAL EDUCATION

This program has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas for 13.75 hours, including 4.75 hours of ethics credit.

Ensuring your safety!



QUESTIONS?

If you have any questions about the program, please call the UH Law Center's Institute for Intellectual Property & Information Law at **713.743.2180** or send email to **IPIL@UH.EDU**.

REGISTRATION INFORMATION

Please register for the 36th ANNUAL FALL INSTITUTE ON INTELLECTUAL PROPERTY LAW, attend in-person or virtually.

Registration costs are:

REGISTRATIONS FEES:

- Government or in-house HIPLA members - **\$495**
- Other HIPLA members - **\$595**
- Non-HIPLA members - **\$695**
- Student limited registration - **\$55**

COURSE MATERIALS:

- Course materials without conference registration - **\$305**

Please select one:

- In-person
- Virtually
- Undecided

TOTAL Amount Due \$ _____

Name Firm

Address City State ZIP

Phone Fax

Email Bar Card No.

Registering online? Contact us at www.hipla.org

Registering by mail? Please return this form, including credit card information below, (no checks please) to:

University of Houston Law Center
Institute for Intellectual Property & Information Law
4604 Calhoun Road
Houston, Texas 77204-6060

Please indicate: MasterCard Visa American Express

Account Number

Name on Card Expiration Date

Signature