



Intellectual Property Law

Conference 2008

Important trends that intellectual property lawyers need to know

8 panels & workshops

- Bankruptcy and IP
- Trademarks
- Copyright and New Media
- Injunctions in IP Cases
- Attorney Opinions and Privilege in Patent Cases
- Declaratory Judgment Actions
- Damages in *Lanham Act* Cases
- Panel Discussion on the State of Intellectual Property

Why attend?

The law of intellectual property is rapidly changing. The business of intellectual property may be changing even more rapidly. How can you take advantage of advances in the law to protect your client's intellectual property or to protect your client from allegations of misappropriation of intellectual property? This conference gives you the knowledge and insight to optimize your client's position with respect to patents, trademarks, and copyrights.

The faculty shares a wealth of experience in protecting intellectual property, litigating intellectual property cases, and handling intellectual property transactions. They explain the intellectual property issues that

arise in "new media." They discuss whether judges are granting compulsory licenses as remedies in patent cases. You learn whether and how clearance opinions should be obtained, and how they impact the privilege of attorney-client communications. They explain why you need to be thinking about bankruptcy issues when negotiating a transaction involving intellectual property, and what to do when the opposite party to a license agreement may or does enter bankruptcy. You learn the types of activities that are resulting in declaratory judgment actions and how your patent-owning clients may be able to avoid them. And you learn how to litigate false-advertising cases.

Don't miss this opportunity to catch up on new developments, trends, and cutting-edge issues in this ever-changing field of law. The networking breaks and the reception for registrants and faculty allow you to talk with your old friends and meet new colleagues.

Special bonus for all registrants—comprehensive course materials

All *Conference* registrants receive course materials covering all of the topics addressed at the *Conference*. These insightful articles serve as a valuable reference long after the *Conference* is over.

FACULTY

Timothy M. Murphy, Esq., Chair, *Bromberg & Sunstein LLP, Boston*; Karen A. Buchanan, Esq., *Bromberg & Sunstein LLP, Boston*; Edward J. Dailey, Esq., *Bromberg & Sunstein LLP, Boston*; Professor Stacey L. Dogan, *Northeastern University School of Law, Boston*; Mark A. Fischer, Esq., *Fish & Richardson, PC, Boston*; Stacey Carrara Friends, Esq., *Ruberto, Israel & Weiner, PC, Boston*; Lee T. Gesmer, Esq., *Gesmer Updegrave LLP, Boston*; Vickie L. Henry, Esq., *Foley Hoag LLP, Boston*; John G. Loughnane, Esq., *McCarter & English LLP, Boston*; Courtney M. Quish, Esq., *Bromberg & Sunstein LLP, Boston*

DATE AND LOCATION

Wednesday, June 18, 2008
1 – 6 p.m.
MCLE Conference Center,
Ten Winter Place, via Winter Street,
Boston

PROGRAM NO. 2080227P01

5 Substantive Credits

TUITION includes written materials

- ▶ MCLE Sponsor Members \$245
- ▶ MBA/BBA Members \$265
- ▶ All Others \$295

SPECIAL NEW LAWYER DISCOUNT

- For new lawyers admitted after 2003, pending admittees, and law students
- ▶ MCLE Sponsor Members \$175
 - ▶ MBA/BBA Members \$195

Tuition includes written materials developed specifically for this seminar. It does not include *Intellectual Property Practice in Massachusetts*, which is sold separately.

CAN'T ATTEND?

-  Written Materials
 - ▷ MCLE Sponsor Members . . . \$110
 - ▷ NonMembers \$125
-  CD
 - ▷ MCLE Sponsor Members . . . \$155
 - ▷ NonMembers \$175

KEYNOTE SPEAKER

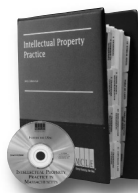
Professor Stacey L. Dogan on Expansions and Contractions in Turn-of-the-Century Trademark Law

Professor Dogan offers a bird's eye view of recent trends in trademark law. She teaches intellectual property and antitrust law, and her research and writing tackles issues arising in digital and online settings. She is a founding member of Northeastern's Institute for Global Innovation and an active participant in educational programs with the local bar. She has developed an economically oriented critique of recent expansions of trademark law. Professor Dogan served as a law clerk to the Hon. Judith Rogers of the U.S. Court of Appeals for the District of Columbia. She specialized in antitrust litigation at Covington & Burling in Washington, DC, and she practiced with Heller, Ehrman, White & McAuliffe in San Francisco. She is currently a professor at Northeastern University School of Law.

CONFERENCE SCHEDULE, WEDNESDAY, JUNE 18, 2008

1 – 1:15 p.m.	Welcome and Introduction	<ul style="list-style-type: none"> ■ Timothy M. Murphy, Esq., Chair <i>Bromberg & Sunstein LLP, Boston</i>
1:15 – 1:45 p.m.	Bankruptcy and IP Bankruptcy issues that should be addressed when negotiating an intellectual property transaction. Intellectual property issues that arise when licensors or licensees threaten or declare bankruptcy.	<ul style="list-style-type: none"> ■ John G. Loughnane, Esq. <i>McCarter & English LLP, Boston</i>
1:45 – 2:15 p.m.	Trademarks Current PTO pitfalls, dilution, parody, comparative advertising, and international considerations.	<ul style="list-style-type: none"> ■ Stacey Carrara Friends, Esq. <i>Ruberto, Israel & Weiner, PC, Boston</i>
2:15 – 2:45 p.m.	Copyright and New Media Social networking, copyright and virtual worlds such as Second Life, user-generated content, user terms vs. copyright, joint authorship, revenue sharing, safe harbors and liability for using the content of others, liability for conduct, and privacy and data.	<ul style="list-style-type: none"> ■ Mark A. Fischer, Esq. <i>Fish & Richardson, PC, Boston</i>
2:45 – 3 p.m.	Networking Break	
3 – 3:45 p.m.	Keynote Address: Expansions and Contractions in Turn-of-the-Century Trademark Law	<ul style="list-style-type: none"> ■ Stacey L. Dogan <i>Northeastern University School of Law, Boston</i>
3:45 – 4 p.m.	Networking Break	
4 – 4:25 p.m.	Injunctions in IP Cases How are judges crafting remedies in light of <i>eBay</i> ?	<ul style="list-style-type: none"> ■ Lee T. Gesmer, Esq. <i>Gesmer Updegrave LLP, Boston</i>
4:25 – 4:50 p.m.	Attorney Opinions and Privilege in Patent Cases What should potential defendants do in light of <i>In re Seagate</i> and <i>Knorr-Bremse</i> ?	<ul style="list-style-type: none"> ■ Vickie L. Henry, Esq. <i>Foley Hoag LLP, Boston</i>
4:50 – 5:15 p.m.	Declaratory Judgment Actions What should potential licensees do in light of <i>MedImmune v. Genentech</i> , <i>SanDisk v. STMicroelectronics</i> , and <i>Teva v. Novartis</i> ?	<ul style="list-style-type: none"> ■ Karen A. Buchanan, Esq. <i>Bromberg & Sunstein LLP, Boston</i>
5:15 – 5:40 p.m.	Damages in Lanham Act Cases Proving deception and causation, knocking down the damages barrier, and chronicling <i>The HipSaver Company Inc. v J.T. Posey Company</i> , 497 F. Supp. 3d 96 (D. Mass. 2007). Strategy and law for inferential proof of lost sales in literally false advertising cases.	<ul style="list-style-type: none"> ■ Edward J. Dailey, Esq. <i>Bromberg & Sunstein LLP, Boston</i> ■ Courtney M. Quish, Esq. <i>Bromberg & Sunstein LLP, Boston</i>
5:40 – 6 p.m.	Panel Discussion on the State of Intellectual Property	<ul style="list-style-type: none"> ■ The Conference Faculty
6 p.m.	Reception for Faculty & Registrants	

ALSO AVAILABLE



Intellectual Property Practice in Massachusetts

Rather than taking an academic approach to this potentially complex area, MCLE's *Intellectual Property Practice in Massachusetts* cuts straight through erudite laws and regulations—explaining in plain language how to recognize, protect, enforce and value intellectual property claims as they arise in the business context. Topics covered include patent, trademark, trade secret and copyright law and practice. You get a practical, nuts-and-bolts treatment of commonly encountered issues pertaining to intellectual property asset protection, management and enforcement against misuses and infringements.

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