



*53rd
Annual*

Intellectual Property Law Conference



Developments *in* Patent, Trademark, Copyright & Trade Secrets Law

TM

Friday

February 27, 2009



THE JOHN MARSHALL LAW SCHOOL®
CHICAGO

CENTER FOR INTELLECTUAL PROPERTY LAW

THE 53RD ANNUAL CONFERENCE ON DEVELOPMENTS IN INTELLECTUAL PROPERTY LAW



Dear Colleagues:

Change is once again a primary theme in IP law. New IP standards have emerged from important judicial decisions and administrative rules. Although legislative revisions to IP standards have slowed—at least temporarily—older standards from existing legislation have been reinterpreted in new ways that answer some questions but raise important new ones. New technology-driven controversies, and some practical solutions such as the clearance process emerging from the settlement of the Google Books Project litigation, raise new challenges and opportunities for IP specialists. As the creative practices and applications of innovative individuals and entities evolve, IP law continues to change to keep up, and the demands on practitioners to stay current are immense.

As an aid to the practicing bar to keep up with this rapidly changing field, the Center for Intellectual Property Law at The John Marshall Law School is pleased to present the 53rd Annual Intellectual Property Law Conference. The conference, presented as part of the IP Center's continuing service to the bar and its mission to be a leader in IP education, includes an extraordinary set of judicial, administrative, bar, and academic presenters with extensive experience in the IP field.

We look forward to seeing you at this and subsequent events presented by the Center for Intellectual Property Law.

Professor Richard S. Gruner

Director, The John Marshall Law School Center for Intellectual Property Law

Charles W. Shifley

Conference chair

Banner & Witcoff



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The John Marshall Law School Center for Intellectual Property Law

53rd Annual Intellectual Property Law Conference: Hot Topics and Current Developments

Friday, February 27, 2009,
The John Marshall Law School, Chicago

Schedule of Speakers & Topics

8:00 – 8:45 a.m.

Registration & Continental Breakfast

8:45 – 9:00 a.m.

Introduction & Welcome

John E. Corkery, *Dean*
The John Marshall Law School, Chicago

Richard S. Gruner, *Director*
Center for Intellectual Property Law
The John Marshall Law School, Chicago

Charles W. Shifley, *2009 Conference Chair*
Banner & Witcoff, Ltd., Chicago

9:00 a.m. – 12:30 p.m.

Recent Developments in Intellectual Property Law

Moderator: Charles W. Shifley

Patent Law: Professor David L. Schwartz
The John Marshall Law School, Chicago

Trademark Law: Mark V. B. Partridge
Pattishall McAuliffe Newbury Hilliard & Geraldson, Chicago

Copyright Law: William H. Frankel
Brinks Hofer Gilson & Lione, Chicago

Trade Secret Law: R. Mark Halligan
Lovells, Inc., Chicago

Update on Local

Patent Rules: Hon. Matthew F. Kennelly
U.S. District Court, Northern District of Illinois, Chicago

12:30 – 1:45 p.m.

Luncheon

Room: The Living Room, 2nd Floor, The Standard Club

Speaker: The Honorable Marybeth Peters
Register of Copyrights
U.S. Copyright Office
Library of Congress, Washington, DC

1:45 – 5:00 p.m.

Afternoon Sessions [see following panel for information on
Track 1: Patent Issues and Track 2: Trademark, Copyright & Related Issues]

5:00 – 6:00 p.m.

Reception

3East, The John Marshall Law School

Afternoon Sessions 1:45 – 5:00 p.m.

Track 1
Patent Issues, Room 1200

Moderator:

Professor Richard S. Gruner
*Director, Center for Intellectual Property Law
The John Marshall Law School, Chicago*

**Patentable Subject Matter
after *Bilski***

Meredith Martin Addy
*Brinks Hofer Gilson & Lione
Chicago*

**Strategies for Patent
Validity Challenges in light
of *MedImmune* and *KSR***

Brian D. Roche
*Reed Smith
Chicago*

**Patent Exhaustion
Guidance from the
Quanta Decision**

Timothy C. Meece
*Banner & Witcoff, Ltd.
Chicago*

**Patent and Trade Secret
Enforcement in China**

James J. Trussell
*Assistant General Counsel
Chief Intellectual Property Counsel
BP America
Warrenville, Illinois*

Track 2
**Trademark, Copyright
& Related Issues, Room 503**

Moderator:

Beverly A. Berneman
Querrey & Harrow, Chicago

**The Google Book Project:
Litigation and Settlement**

Jonathan Band
*PLLC, policybandwidth
Washington, DC*

**It Isn't Easy Being Green—
“Green” Trademark Issues**

Maureen B. Gorman
*Davis McGrath LLC
Chicago, IL*

Litigating Fair Use Cases

Anthony Falzone
*Executive Director
Fair Use Project
Lecturer in Law, Stanford Center
for Internet and Society
Stanford Law School
Stanford, CA*

**Open Source Software—
Traditional Copyright in
Innovative Models**

Evan D. Brown
*Hinshaw & Culbertson LLP
Chicago, IL*

*Unless otherwise noted, all events will take place at
The John Marshall Law School in Room 1200.*



Conference Information

Location

The John Marshall Law School, 315 S. Plymouth Court, Chicago, IL 60604

Housing

Lodging: The conference is not reserving a block of rooms at any area hotels, so please contact a hotel immediately to reserve a room. Room rates vary from \$99 to \$350.

The following hotels are within walking distance of The John Marshall Law School.

The W Chicago - City Center (Midland)

172 W. Adams St.

Phone: 312.332.1200 or 800.621.2360 , Fax: 312.332.5909, www.whothels.com

The Palmer House Hilton

17 E. Monroe St.

Phone: 312.726.7500 or 800.445.8667 , Fax: 312.917.1735, www.hilton.com

Hilton Chicago and Towers

720 S. Michigan Ave.

Phone: 312.922.4400 or 800.445.8667 , Fax: 312.922.5240, www.chicago.hilton.com

Crowne Plaza Chicago - The Silversmith

10 S. Wabash Ave.

Phone: 312.372.7696 or 800.227.6963 , Fax: 312.372.7320, www.crowneplaza.com

Hotel Blake

500 S. Dearborn St.

Phone: 312.986.1234 or 866.411.7800 , Fax: 312.939.2468, www.hotelblake.com

Chicago's Essex Inn

800 S. Michigan Ave.

Phone: 312.939.2800 , Fax: 312.922.6153, www.essexinn.com

Hotel Monaco

225 N. Wabash Ave.

Phone: 312.960.8503 , Fax: 312.960.8538, www.monaco-chicago.com

Hotel Allegro

171 W. Randolph St.

Phone: 312.236.0123 or 800.643.1500, Fax: 312.236.3440, www.allegrochicago.com

Club Quarters Hotel*

111 W. Adams St.

Phone: 312.214.6400 , Fax: 312.601.3300, www.clubquarters.com

*A discounted room rate is available at the Club Quarters Hotel.

Mention The John Marshall Law School when making your reservation to receive a preferred rate.

Renaissance Chicago Hotel

One W. Wacker Drive

Phone: 312.372.7200 or 800.468.3571, Fax: 312.795.3480, www.renaissancehotels.com

Still can't find a room?

For additional hotel listings in the downtown Chicago area, visit
www.placestostay.com/destination/usa/illinois/chicago/dest.asp
chicago.hotelchannel.com/chicago_hotels.htm

For more information regarding hotels call Hotel Reservations Network at
800.964.6835 or visit www.hoteldiscount.com

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REGISTRATION FORM

Please complete the following registration information. One form per individual. Registrations will not be taken by telephone, as payment must be received with registration.

Registration Deadline: February 20, 2009

(please print or type)

Name _____

Title _____

Firm/Company _____

Address _____

City _____ State _____ ZIP _____

Telephone _____

Fax _____

E-mail _____

Registration Fee (includes admission to the program, breakfast, luncheon, reception and all course materials):

General Registration: \$195.00

Government, Judicial or Academic Registration: \$95.00

John Marshall Students – Please contact Michele Bridges at

***mbridges@jmls.edu* for student fee waiver information**

Method of Payment

- Check (Made payable to The John Marshall Law School)
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Cardholder Signature _____ Exp. Date _____

Mail to: The John Marshall Law School
 Department of Event Management
 315 S. Plymouth Court
 Chicago, IL 60604

(Credit card orders may be faxed to 312.427.7128)

Confirmation A confirmation will be sent by email or fax.

Confirmation will include directions to the law school and additional conference information.

Cancellations Must be received no later than February 20, 2009 to receive a full refund. After that date, refunds will be subject to a \$50.00 processing charge. No refunds will be given once the program has taken place.

Special Service Requirements Requests must be received by February 20, 2009. Please indicate below any ADA service needs.

Dietary needs (please indicate) _____

Sign Language Interpreter

Attending in a wheelchair or other personal transport device

Reader available

Additional ADA Service requirement _____

CLE Credit: Approx. 7 Hours

The John Marshall Law School will advise the appropriate state bar or agency indicated below of the presentation of its program. The extension of CLE credit is subject to each state's approval. It is the responsibility of the individual to meet the requirements of each jurisdiction. The John Marshall Law School is an approved MCLE provider with the State Bars of California, Illinois, Missouri, Pennsylvania, South Carolina and Wisconsin. The John Marshall Law School will assist with CLE applications in Florida, Georgia, Rhode Island and Texas, but attorneys must apply individually for credit for courses and submit payment directly in these states.

(Complete only if you require CLE credit. List all states where you require credit.)

Bar No.: _____ State: _____

Bar No.: _____ State: _____

Non-Discrimination Policy

The John Marshall Law School, finding any invidious discrimination inconsistent with the mission of free academic inquiry, does not discriminate in admission, services or employment on the basis of sex, sexual orientation, race, color, religion, national origin, ancestry, age, or disability.