



Please join us for A Post-Decision Discussion of:

**EGYPTIAN GODDESS, INC. V. SWISA, INC.**

PANELISTS TO INCLUDE:

PERRY J. SAIDMAN, REPRESENTING AMICUS CURIAE APPLE, INC.  
*SAIDMAN DESIGN LAW GROUP*

CHRISTOPHER CARANI, REPRESENTING AMICUS CURIAE AIPLA  
*MCANDREWS HELD & MALLOY LTD.*

CHRISTOPHER RENK, REPRESENTING AMICI CURIAE ELECTROLUX HOME PRODUCTS, NIKE, AND FICPI  
*BANNER & WITCOFF, LTD.*

KEVIN KRAMER, REPRESENTING AMICUS CURIAE FEDERAL CIRCUIT BAR ASSOCIATION  
*PILLSBURY WINTHROP SHAW PITTMAN LLP*

WITH MODERATOR

JOHN JOSEF MOLEND  
*Jenner & Block LLP*  
*Vice Chair, Patent Litigation Committee*

**Tuesday, October 7, 2008**  
**12:00 PM EDT**

In a landmark decision, the Federal Circuit in *Egyptian Goddess, Inc. v. Swisa, Inc.* set forth a new set of standards for assessing design patent infringement. Overruling nearly 25 years of its precedent, the Federal Circuit held that the "ordinary observer" test is the sole test for conducting a design patent infringement analysis, and that such test should be applied "through the eyes of an observer familiar with the prior art." The Federal Circuit further held that the "point of novelty" test, and its "non-trivial advance" subtest, should no longer be employed. The Court also addressed the respective burdens of the parties in a design patent infringement case and whether district courts should "construe" design patent claims. Join us for a discussion of these issues with several esteemed members of the design patent community, all of whom submitted amicus briefs before the Federal Circuit in this landmark case.

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