

The 27th Annual Intellectual Property Institute



ORIGINAL PROGRAM DATE

April 27, 2022 - April 28, 2022

AVAILABLE MEDIA TYPES

Video & Audio MP3

*Presented in partnership with WSBA
Intellectual Property Section*

REPORTING YOUR CREDIT

This on-demand seminar was originally presented as a live webcast on April 27, 2022 - April 28, 2022, in Seattle, WA. If you attended the live webcast and reported CLE credits, you cannot also report credits from watching or listening to this recording if repeated within your three year reporting period.

DESCRIPTION

In this year's exciting and instructive institute we have assembled officers of the Court and practitioners from across the country to present on informative IP topics.

AGENDA

1 Trademark Year in Review

A presentation and discussion of important developments in Trademark Law from 2021 to present. The presentation and discussion will touch on a variety of notable recent topics, including an overview of the rollout of the Trademark Modernization Act, notable case law decisions, and trademark issues to watch in 2022.

Brad Zentz - Seed Intellectual Property Law Group LLP, Seattle, WA

2 Current Issues in Copyright and Content Licensing

This presentation will provide general background on the visual content licensing industry and address current issues impacting the copyright and visual content legal landscape, including recent legislative and litigation developments related to DMCA reform, AI, data privacy, and fair use determinations.

Elizabeth Findley - Getty Images, Seattle, WA

Paul Reinitz - Getty Images, Seattle, WA

3 Updates from the US Patent Office

Commissioner Faile will answer moderator and audience questions regarding current USPTO priorities and programs.

Acting Commissioner Andrew Faile - United States Patent and Trademark Office, Alexandria, VA

4 How to Determine Whether a U.S. Utility Patent is a Lemon, in One Day

Learn how to take any U.S. utility patent and in a day have a fairly reliable assessment of its facial invalidity and/or artificial hurdles to proving infringement. We'll use as examples six patent claims invalidated in six different cases under sections 101 or 112 of the Patent Act. We'll use the free "Patent Defenses" (www.patentdefenses.com) tool. This session is intended for any and all patent practitioners, including anyone assessing an issued patent, or a pending or even draft patent application.

John Vandenberg - Klarquist Sparkman LLP, Portland, OR

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(agenda continued from previous page)

- 5 Fireside chat with Judge Albright and Magistrate Judge Gilliland [NOT FOR CLE CREDIT]**
The Judges from the Western District of Texas are pleased to have a Q&A session to discuss recent changes to the Court, including the arrival of Magistrate Judge Gilliland. Please submit your questions in advance to Brooke Quist. The Court would also like input from the Washington State Bar on the value of mediation in patent proceedings and when it should occur.
Honorable Judge Alan Albright - United States District Court for the Western District of Texas, Waco, TX
Honorable Magistrate Judge Derek Gilliland - United States District Court for the Western District of Texas, Waco, TX
- 6 Artificial Intelligence and Patents**
“AI and patents” is a hot topic now, given the sky-rocketing use of AI across files. This topic actually covers many discrete questions, such as how patents relating to: (1) AI inventions should be drafted/evaluated in terms of disclosure requirements, (2) whether there are any unique concerns relating to the eligibility of AI inventions, and (3) whether an invention “discovered” by an AI algorithm can be patented. We will touch on all these issues.
Katherine Gaudry - Kilpatrick Townsend & Stockton LLP, Washington, DC
- 7 Diversity and Inclusion in IP Law**
Panelists will discuss diversity (or lack thereof) in the field of IP law. Both panelists have appeared on Kilpatrick Townsend’s Sidebars podcast to discuss their experiences as IP lawyers from groups that are underrepresented among the patent bar. They will discuss the current state of diversity in the IP field and opportunities to make the IP field more equitable and inclusive.
Mary Hannon - Sidley Austin LLP, Chicago, IL
Anthony Jones - Perkins Coie LLP, Seattle, WA
- 8 Patent Law Year in Review**
This session will cover significant Federal Court and USPTO decisions and developments in U.S. patent law over the past year.
Michelle LeCointe - Seed Intellectual Property Law Group LLP, Seattle, WA
- 9 The Future of Gaming and related IP Issues [NOT FOR CLE CREDIT]**
This panel will discuss recent developments and trends in Gaming Technology, including Gaming in the MetaVerse, and the interplay with various aspects of Intellectual Property.
David Stelzer - Epic Games, Bellevue, WA
Joel Emans - The Pokemon Company International, Inc., Bellevue, WA
- 10 Anatomy of a Ransomware Attack and the Lawyer’s Role During Response and Recovery**
Imagine your client asks you “Our competitors just got hit with ransomware. It’s been a week and they still don’t know when they’re going to open back up. Can we avoid that kind of thing?” What would you tell them? And what would you say to a client who calls you on Saturday night and says “We’ve lost control of all our computers. Every screen in our building has a \$500,000 ransom demand on it. What do we do now?” Kip Boyle and Jake Bernstein, J.D. (co-hosts of the popular Cyber Risk Management Podcast) will teach you how to begin to answer these increasingly common questions. In this session, using ordinary language, we’ll walk you through two actual ransomware incidents that we’ve handled. Including how the attack started, how the victim recovered, and the role of the attorney throughout the incident.
Jake Bernstein - K&L Gates, Seattle, WA
Kip Boyle - Cyber Risk Opportunities LLC, Seattle, WA