



JULY 20-22, 2023 | MACKINAC ISLAND

48TH ANNUAL

Intellectual Property Law Institute

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IP's Top Minds, Your Perfect CLE Getaway

USPTO Deputy Director Derrick Brent shares the agency's latest initiatives. Judge Kara Stoll gives insight into IP litigation and the federal circuit. And more experts from across the country—Jorge Contreras from Utah, Eric Goldman from California, and Megan Bannigan from New York—provide essential updates on patent, trademark, and copyright law.

Get up to speed on the rising interest in cultural IP rights and the oft-misunderstood Section 230. Plus, don't miss elegant receptions and unparalleled networking, all while you bask in the beauty of Mackinac Island.

You will be able to:

- Gain insight on the USPTO's latest initiatives from Deputy Director Derrick Brent
- Bolster your appellate advocacy with advice from Judge Kara Stoll of the federal circuit
- Demystify Section 230 and grasp why it matters to you and your IP clients
- Review everyday ethical challenges and come away with advice that keeps you out of trouble
- Protect IP rights for cultures with long-standing traditions and heritage
- Stay current on many cases, including *ModernaTX Inc v Pfizer Inc* and *California Institute v Broadcom*
- Help clients navigate proceedings of the new Copyright Claims Board (CCB)

Featured National Speakers



Derrick Brent

U.S. Patent and Trademark Office, *Alexandria, VA*

Derrick serves as deputy under secretary of commerce for intellectual property and deputy director of the USPTO. He manages a wide portfolio of programs and operations for one of the largest IP offices in the world, with more than 13,000 employees and an annual budget of more than \$4 billion.

Featured Session: 8:30am/Saturday

USPTO Update

Get an exclusive inside look at the latest activities and initiatives at the United States Patent and Trademark Office. The deputy director himself will also shed light on long-term goals to bolster economic growth and promote innovation.



Hon. Kara F. Stoll

U.S. Court of Appeals for the Federal Court, *Washington, DC*

Judge Stoll was appointed by President Obama in July 2015. Prior to that she practiced law for 17 years, specializing in patent litigation. Judge Stoll has served as an adjunct professor at the George Washington University Law School, George Mason University School, and Howard University School of Law.



Jorge L. Contreras

University of Utah S.J. Quinney College of Law, *Salt Lake City, UT*

Jorge, an alumnus of Harvard Law School, is an award-winning professor who teaches in the areas of IP law, genetics and the law, technical standardization, antitrust and science policy, and more. He has written or edited 12 books and published more than 150 scholarly articles and book chapters.

Jorge returns for two sessions. His advanced session walks you through *AMP v Myriad*, which is covered in his award-winning book. Attend that session and receive a free copy of *The Genome Defense: Inside the Epic Legal Battle to Determine Who Owns Your DNA*.

His patent law update covers many important cases, including *Amgen Inc v Sanofi*; *California Institute v Broadcom*; *Apple Inc. v Wi-Lan Inc*; *ModernaTX Inc v Pfizer Inc*; and more.



Eric Goldman

Santa Clara University School of Law
Santa Clara, CA

Eric is associate dean for research and professor of law at the university. He published his first paper on Internet law in 1993 and has been named an “IP Vanguard” by the California State Bar’s IP Section. He shares insights in the all-important copyright law update session.



J. Janewa Osei-Tutu

Florida International University College of Law
Pembroke Pines, FL

Jan is associate dean for diversity, culture, and inclusion and professor of law at the university. She previously served as legal counsel to the Canadian equivalent of the USPTO. In her session, Jan talks about the rise in cultural IP rights in several regions.

Agenda

CLE: 9 ETHICS: 1 LEVEL: Intermediate/Advanced

THURSDAY, JULY 20, 2023

Patent Advanced Session

3:30pm

The Lawsuit That Ended Gene Patenting in America (Preregistration Required)

Copyright Advanced Session

Everything You Need to Know about Section 230 (Preregistration Required)

6:00pm Reception for Institute Registrants and Guests*

FRIDAY, JULY 21, 2023

8:00am Continental Breakfast and Business Meeting of the IP Law Section

8:30am Welcome and Introduction from Section Chair

8:45am Update on Patent Law

10:15am Update on Copyright Law

11:15am Networking Break

11:30am Update on Trademark Law

5:00pm Women in IP Networking High Tea (Preregistration Required—Limit 30)

6:00pm Reception for Institute Registrants and Guests*

SATURDAY, JULY 22, 2023

8:00am Continental Breakfast and Award Presentation

8:30am USPTO Update

9:15am The Judge's Perspective on IP Litigation

10:15am Networking Break

10:30am Ethical Issues in IP Practice

11:30am International and Comparative Intellectual Property: A Look at Cultural IP

“ I have been to many CLE programs around the nation. This is one of the best. ”

-Joel E. Bair, McGarry Bair PC, *Grand Rapids*

*Please note, evening wear is required in all areas of the hotel after 6:30pm.

**NETWORKING
at its finest**

6:00pm/Thursday & Friday

Evening Receptions for Registrants and Guests

Stroll the historic Grand Hotel porch and connect with Michigan's best practitioners.

5:00pm/Friday

Women in IP Networking High Tea

This is more than tea—it's an experience. Trade stories with peers and enjoy a delicious spread in a traditional setting. It's open to everyone, but don't wait—seating is limited.

(Preregistration Required—Limit 30)

Plenary Sessions

6:00pm/Thursday

Reception for Institute Registrants and Guests

Relax and join seminar faculty, section council members, exhibitors, fellow registrants, and guests for an evening reception on the historic Grand Hotel porch.

Please note, evening wear is required in all areas of the hotel after 6:30pm.

8:00am/Friday

Continental Breakfast and Business Meeting of the IP Law Section

8:30am/Friday

Welcome and Introduction from Section Chair

Hear updates from the chair of the Intellectual Property Law Section.

Kimberly A. Berger, Miller Canfield PLC, *Detroit*

8:45am/Friday

Update on Patent Law

Analyze the latest patent decisions and master the rules and standards they outline. Receive thoughtful interpretation of caselaw and its lasting effects.

Jorge L. Contreras, University of Utah S.J. Quinney College of Law, *Salt Lake City, UT*

10:15am/Friday

Update on Copyright Law

Stay ahead of the curve with the most up-to-date copyright caselaw review. Get insight on the cases and how they will shape the future of copyright practice.

Eric Goldman, Santa Clara University School of Law, *Santa Clara, CA*

11:15am/Friday

Networking Break

11:30am/Friday

Update on Trademark Law

Delve into recent trademark law happenings and understand how these changes will impact your clients.

Megan K. Bannigan, Debevoise & Plimpton LLC, *New York, NY*

5:00pm/Friday

Women in IP Networking High Tea

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Please note, evening wear is required in all areas of the hotel after 6:30pm.

8:00am/Saturday

Continental Breakfast and Award Presentation

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Plenary & Advanced Sessions

8:30am/Saturday

USPTO Update

Hear about the latest USPTO activities and initiatives straight from the agency’s deputy director, who will also discuss the USPTO’s goals and priorities to bolster U.S. economic growth and promote American innovation through a strong intellectual property system.

Derrick Brent, U.S. Patent and Trademark Office, *Alexandria, VA*

9:15am/Saturday

The Judge’s Perspective on IP Litigation

Gain new insights and bolster your appellate advocacy at the federal circuit with Judge Stoll’s advice on drafting briefs and presenting argument in appeals from the patent trial and appeal board, the trademark trial and appeal board, and district courts.

Hon. Kara F. Stoll, U.S. Court of Appeals for the Federal Circuit, *Washington, DC*

10:15am/Saturday

Networking Break

10:30am/Saturday

Ethical Issues in IP Practice

Avoid ethical minefields and handle conflicts of interest and claims for breach of fiduciary duty with expert strategies. Steer clear of the attorney discipline system, secure your reputation, and represent your clients confidently and effectively.

Kirk Goodwin, Whirlpool Patent Company, *St. Joseph*

11:30am/Saturday

International and Comparative Intellectual Property: A Look at Cultural IP

The WTO TRIPS Agreement was a win for geographical indications (GIs). While many European nations were familiar with GIs, they were relatively new for the United

States and several other nations. Learn how, nearly 20 years later, protection for cultural IP rights is on the rise in several regions, whether in the form of GIs or as sui generis forms of protection. Also, how cultural marks and symbols are an increasingly attractive and lucrative option for nations with long-standing traditions and cultural heritage.

Julia J. Osei-Tutu, Florida International University College of Law, *Pembroke Pines, FL*

Advanced Sessions (Preregistration Required)

3:30pm/Thursday

Patent: The Lawsuit That Ended Gene Patenting in America

In *AMP v Myriad* the Supreme Court held that naturally occurring genetic sequences are ineligible subject matter for patent protection. It’s a fascinating narrative about patent litigation, the judicial process, and the inner workings of the federal administration. Attend and receive a copy of the award-winning book, *The Genome Defense: Inside the Epic Legal Battle to Determine Who Owns Your DNA*, and hear the author explain not only what happened, but why, how, and—most surprisingly—who was behind it all.

Jorge L. Contreras, University of Utah S.J. Quinney College of Law, *Salt Lake City, UT*

3:30pm/Thursday

Copyright: Everything You Need to Know about Section 230

Section 230 is the legal foundation of the modern Internet, but it’s poorly understood by many lawyers. In particular, IP lawyers may be surprised by how much Section 230 has to say about IP law. This session will demystify the law, explain why IP lawyers should care, and run through some case studies to see how it applies in practice.

Eric Goldman, Santa Clara University School of Law, *Santa Clara, CA*

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Explore Mackinac Like Never Before

Rediscover why the island is known as “the jewel of the Great Lakes.” Explore the new outdoor recreation space, including pickleball courts and a BMX bike path. Bring your family and enjoy some well-deserved time out of the office.



Grand Hotel

This historic site is a premier destination. Even the porch (the world’s longest) is famous! Pack your best evening wear and prepare for nightly dancing and majestic meals. This should be on every Michigander’s bucket list.



Island Activities

Join a guided carriage tour past Arch Rock or Fort Mackinac or drive your own buggy. Enjoy beautiful vistas via footpath, horseback, or tandem bike. Stick around for July 22, when the island marks the 125th anniversary of the island’s automobile ban—with a special event featuring an 1886 Benz Mortwagen.



Dining & Nightlife

There’s more to Mackinac than fudge (though who doesn’t love that?). At the Chippewa Hotel you’ll find a revamped giant hot tub, as well as the Pink Pony restaurant—just “the Pony” to locals—which offers stunning views and glorious whitefish. And Sadie’s Ice Cream Parlor has new exotic flavors. The island comes alive at night with karaoke, classic rock, jazz, and more.



Online Booking at Grand Hotel

It’s easier than ever to secure your discounted room. Simply go to www.icle.org/ip/hotel no later than 5:00pm (EST) on June 4, 2023. Discounted reservations can only be made online.

Shepler’s Ferry Discounts

Shepler’s is the official ferry of Grand Hotel. Visit www.sheplersferry.com, email groups@sheplersferry.com, or call 800-828-6157. Use promo code ICLE2023 for these discounted prices: \$23 (adults), \$14 (children ages 5–12). Daytime parking is free; overnight Standard and Premium parking ranges from \$20-\$40.

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C. Advanced Sessions | Optional

- FREE Patent: The Lawsuit That Ended Gene Patenting in America 07/20/23 (Preregistration Required)
- FREE Copyright: Everything You Need to Know about Section 230 07/20/23 (Preregistration Required)

D. Networking Event | Optional

- FREE Women in IP Networking High Tea, 07/21/23
(Preregistration Required—Limit 30)

E. Materials Format for Institute Registrants | Pick One

- FREE Electronic Materials
- \$35 Print Handbook³ and Electronic Materials

F. Can't Attend the Institute?

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Prices guaranteed until 07/22/23. Cannot combine discounts. ¹Please attach additional sheet listing registrants attending. All registrations must be submitted and paid for at the same time. ²Current sitting state court judges (limit 40) attend free and must call ICLE or submit order form to register. ³Limit one print handbook purchase per registrant. Print handbooks are nonrefundable after the event cancellation date. Complete Seminar Policies: www.icle.org/info/seminarpolicies. Cancellation Policy: For a full refund, notify ICLE by 07/06/23. Registrants who cancel after that date will be charged a \$60 cancellation fee. No refunds will be issued after 07/13/23. Walk-in Registrations: Permitted on a space-available basis or if registrants fail to claim their seat in the first 15 minutes of the seminar. Persons with Disabilities or Dietary Restrictions: For special arrangements please contact ICLE no later than seven days before the seminar. Accommodations: A discounted block of rooms has been reserved at Grand Hotel on Mackinac Island for 07/20–22/23. Visit www.icle.org/ip/hotel. Reservations must be made by 06/04/23 at 5:00pm (EST). Registrants are responsible for their own hotel expenses.