

The logo for Birch Stewart Kolasch Birch LLP, featuring the lowercase letters 'bskb' in a bold, sans-serif font. The 's' and 'k' are connected, and the 'b's are also connected. The logo is set against a background of faint, technical drawings and circuit diagrams.

2010

ADVANCED PATENT
& LICENSING
SEMINAR

September 27 – October 8, 2010
Falls Church, Virginia

JOIN US!

We are pleased to announce the dates for BSKB's 16th annual Advanced Patent & Licensing Seminar (APLS):

September 27 – October 8, 2010

This two-week program of lectures and workshops focuses on advanced topics that benefit patent owners desiring to effectively enforce their patent rights, as well as competitors desiring to avoid patent infringement. After initially reviewing strategies to obtain a patent, participants learn how to modify and determine the scope of a granted U.S. patent, as well as how to address significant licensing issues. The second week emphasizes workshops that address validity and infringement issues, negotiating strategies involving patents, license agreement drafting issues, and litigation strategies.

We invite you to review the enclosed lecture descriptions. Since attendance is limited to approximately 35 participants, we recommend that you complete and return the enclosed registration form as soon as possible to reserve your space. Preference in registration will be given to BSKB clients. **Registrations for the 2010 seminar must be returned to BSKB by August 27, 2010.**

Protecting
the Product
of your Mind.

Who Should Attend?

- Patent attorneys and agents from abroad who have basic knowledge of the U.S. patent system and are interested in developing a more thorough understanding of U.S. patent practice
- In-house counsel, technical advisors and IP coordinators from the U.S. and abroad who have a desire to strengthen their U.S. patent system knowledge
- U.S. attorneys in general practice and corporate general counsel seeking to expand their knowledge of U.S. patent law

In-Depth Discussions of Patent Scope, Validity and Licensing Issues

Advanced Patent & Licensing Seminar participants will review patentability standards and significant patent prosecution strategies in the U.S. patent system. How patents can be modified after grant along with the repercussions from the view of both the patent owner and the competitor attempting to avoid patent infringement will also be addressed. The discussions proceed to review how one determines the scope of patent claims, including both the literal scope and an analysis of the "doctrine of equivalents". Patent license agreement issues are also covered before concluding the first week of the program with an excursion to a resort in the mountains of western Maryland.

The second week emphasizes workshops that allow participants to analyze issues in hypothetical examples based on actual U.S. court decisions. The workshops address validity and infringement issues, license agreement drafting issues, settlement negotiation strategies, and litigation strategies. Questions and participant involvement are encouraged.



Topics Covered Include:

Reexaminations and Reissue Patents

Discussion of strategies used by patent owners to correct errors in granted patents through *ex parte* reexaminations, as well as the filing of reissue patent applications, certificates of correction and statutory disclaimers. Also addressed are competitor strategies of attacking patents through *inter partes* reexaminations and other USPTO procedures.

Literal Patent Claim Scope Interpretation

Examination of the tools used to interpret the literal scope of a patent claim based on the most relevant U.S. court decisions. Addresses claim interpretation and literal infringement, and gives special consideration to “product-by-process” and “means-plus-function” claim language.

Doctrine of Equivalent & Prosecution History Estoppel

Analysis of the “doctrine of equivalents” under U.S. case law, including its potential benefit to patent claim scope. Includes discussion of limitations on this doctrine, including “prosecution history estoppel” and the “all elements rule.”

Patent Licensing Issues and Negotiation Strategies

Exploration of the significant issues arising in drafting an effective, enforceable license agreement from the perspective of both the patent owner licensor and the licensee. A hands-on workshop, featuring teams arguing opposing hypothetical positions, allows participants to practice and improve their negotiating skills.

Litigation Issues

Examination of various strategies involved in litigation before a U.S. court from the perspective of both a patent owner and a competitor. Pre-litigation strategies, such as sending or responding to a “warning letter” and “discovery”; trial procedures; and remedies, such as infringement damages and injunctions, are addressed.

General Information

Lectures are held at the Falls Church, Virginia offices of BSKB, in the Metropolitan, Washington, DC area. Classes generally run from 9:30am to 4:00pm. Class schedules will be issued upon acceptance to the seminar. *In order to take advantage of the full seminar, we encourage participants to arrive prior to September 27 and leave after October 8, 2010.*

The seminar officially starts with a Welcome Reception on Monday, September 27, 2010, allowing attendees and BSKB attorneys to meet in an informal atmosphere. In addition to lectures, various activities may be scheduled as time permits, such as:

- Weekend excursion to a mountain resort in western Maryland
- Cultural event at a concert or theatre
- Closing banquet with a graduation ceremony

The fee for the 2010 APLS is \$2,950. This fee covers course materials, lunch provided on most days, all social activities and transportation to and from the various social events. Participants will pay for their own housing and meal expenses other than those associated with the program. BSKB can assist in arranging appropriate housing.

Registration Requirements

A reasonable knowledge of patents, as well as a moderate fluency in English, is required in order to attend the Advanced Patent and Licensing Seminar productively and to participate in class discussions. For example, graduates of the BSKB Summer Patent Seminar and other applicants having an equivalent level of training or knowledge in the field of U.S. patent law are qualified to be admitted to the seminar.

About BSKB

Founded in 1976, BSKB is a nationally recognized intellectual property law firm with offices in Falls Church, VA and San Diego, CA. The firm has a full service intellectual property practice including litigation, patent interference, patent re-examination, and copyright and trademark services. For more information, see the firm's website at www.bskb.com.

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