



bskb

2011

SUMMER PATENT
SEMINAR

June 11 – July 1, 2011

Metropolitan Washington, DC



JOIN US!

We are pleased to announce the dates for BSKB's 29th Annual Summer Patent Seminar (SPS):

June 11 – July 1, 2011

The BSKB Annual SPS is a seminar designed to provide a comprehensive overview of U.S. patent law. From introductory lectures on the basics of the U.S. patent system to more advanced topics such as infringement, litigation and interference practice, the SPS focuses on practical problems encountered in obtaining and enforcing patents. Cutting edge cases and recent legal decisions are discussed throughout the curriculum and all sessions are led by knowledgeable subject matter experts.

In order to make attendance more convenient, for 2011 we have condensed the program from the traditional four weeks to three weeks.

We invite you to review the enclosed lecture descriptions. Since class size is limited, 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 2011 seminar must be returned to BSKB by April 15, 2011.**

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Who Should Attend?

- In-house counsel, technical advisors, and IP coordinators and managers from the U.S. and abroad
- U.S. attorneys in general practice and corporate general counsel and paralegals seeking instruction on U.S. patent law
- Patent attorneys and agents from abroad who are interested in developing a thorough understanding of U.S. patent practice

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 daily. Class schedules will be issued upon acceptance into the seminar. *In order to take advantage of the full seminar, we encourage participants to arrive prior to June 11, 2011 and leave after July 1, 2011.*

The seminar officially starts with a Welcome Reception on Saturday, June 11, 2011, allowing attendees and BSKB attorneys to meet in an informal atmosphere. In addition to lectures, various activities are scheduled:

- weekend trip to a mountain resort
- guided tour of select Washington, DC sights
- professional baseball game outing

The total fee for the 2011 seminar is \$4,995, which includes the lecture materials, the trip to a mountain resort, and certain other social events. Once accepted into the program, you will receive an invoice which is payable upon receipt. *The fee must be received prior to the first day of the seminar.*

BSKB has arranged a group rate for participants at a nearby hotel. Upon registering for the seminar, you will receive further information on housing options.

Topics Covered Include:

Filing and Prosecuting Patent Applications— An Overview

Discussion of the formal requirements for filing patent applications in the U.S. Patent and Trademark Office as well as how applications are handled by the USPTO, from issuance of an Official Filing Receipt through grant of the Official Letters Patent. Emphasis is on the practical aspects of filing and prosecuting applications in the U.S.

Statutory Subject Matter

Lecture covering the various types of subject matter that can and cannot be protected by United States patents, as well as the utility requirements of U.S. patent law. Other available types of protection for designs and plants will be discussed.

Prior Art and Obviousness

Discussion of prior art under the various sections of 35 U.S.C. § 102, as well as the types of prior art that can be used in making obviousness rejections under 35 U.S.C. § 103. Helpful suggestions will be given concerning how to overcome rejections based on 35 U.S.C. § 102 and 35 U.S.C. § 103.

Disclosure Requirements

Detailed discussion on the requirements of 35 U.S.C. § 112, first paragraph. Lecture will cover enablement, written description and best mode.

Duty of Disclosure

Overview of the current duty of disclosure requirements and the consequences of failing to comply with this duty. Practical suggestions and detailed procedural requirements will be given.

Continuation, CIP and Divisional Practice; Foreign Priority; PCT Practice

Discussion of practical use of continuation/divisional practice in the United States as well as Requests for Continued Examination (RCEs) and Continuation In Part (CIP) applications. Foreign priority issues under the Paris Convention and the Patent Cooperation Treaty (PCT) will also be presented.

Strategy for Prosecuting Patent Applications

Presentation with practical suggestions for prosecuting patent applications including use of the Patent Prosecution Highway (PPH), personal interviews with examiners, and strategies and procedures for responding to non-Final and Final Rejections.

Design Patents

Discussion of types of inventions that qualify for design patents and particular problems unique to prosecuting design patent applications.

Copyrights and Protection of Computer and Semiconductor Chip Technology

Examination of how to protect developments relating to computer and semiconductor chip technology, as well as software. Particular attention will be given to copyright and semiconductor chip technology laws of the U.S. and the use of trade secrets to protect these technologies.

Biotechnology Patent Practice

Exploration of the unique problems found in preparing and prosecuting biotechnology patent applications with suggested strategies for addressing and overcoming these problems.

Interferences

Analysis of the basic principles and procedures involved in U.S. interference practice, with emphasis on the preliminary stages of patent interferences and relevant strategies.

Patent Appeals and Petitions

Discussion of how to review decisions by a Patent Examiner either by petition or appeal. Includes outline of procedures for filing appeals to the Patent and Trademark Office Board of Patent Appeals and Interferences and to the Court of Appeals for the Federal Circuit (CAFC).

Patent Term

Overview of the rules for calculating patent term and ways to extend patent terms, including Patent Term Adjustments (PTAs). Includes a discussion of the recent *Wyeth v. Kappos* decision.

Inventorship and Conflicting Subject Matter in Related Applications

Examination of the various problems that can arise when a number of U.S. patent applications are filed on related inventions, with a focus on the importance of determining the proper inventorship for the subject matter claimed in a U.S. application.

Patent Infringement

Detailed lecture on the various types of activities that constitute patent infringement in the United States, as well as in-depth discussion of the Doctrine of Equivalents and Prosecution History Estoppel (File Wrapper Estoppel). Learn how one should approach, analyze and handle potential infringement problems.

Patent Specification and Claim Drafting

Overview of techniques for drafting patent specifications and claims in order to minimize problems during prosecution. This lecture will contain an explanation of various types of objections and rejections often raised by U.S. Examiners concerning claim format.

Mechanical and Electrical Patent Practice

Discussion of problems often encountered in prosecuting patent applications for mechanical or electrical inventions. The use of means plus function type language in claims, as well as other claim drafting techniques, will be discussed. Special problems relating to computer programs and mathematical algorithms will also be covered.

Chemical Patent Practice

Examination of various problems unique to preparation and prosecution of patent applications relating to chemical inventions. Practical suggestions will be given on properly preparing patent specification and ways of overcoming rejections raised by Examiners. Various claim formats of chemical inventions will be presented.

Correction of Patents

Overview of various methods for correcting or amending already issued United States patents including Certificates of Correction, Reexaminations, Reissues and Disclaimers. Includes discussion and comparison of the pros and cons of using these different methods.

International Patent Cooperation

Review of the major international developments affecting the practice of intellectual property in the U.S., including strategies for using the PCT system.

Litigation and ITC Practice

Multi-day lecture series will examine various procedures in United States District Court litigation and International Trade Commission (ITC) proceedings. Particular attention will be given to patent infringement litigation and actions before the ITC under Section 337 of the Tariff Act of 1930. Practical examples will be shown regarding the discovery practice in the United States, and a live mock trial with witnesses and class participation will be presented.

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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