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2019 POST GRANT BOOTCAMP

Lecture Schedule

Monday, June 10, 2019

9:00-9:15	Introduction	Jerry Murphy Client Relations
9:15-10:15	<u>Tab 1 – Claim Interpretation and 112 Issues</u>	Craig McRobbie
10:15-10:30	Break	
10:30-12:00	<u>Tab 2 – Ex Parte Post Grant Proceedings</u>	David Bilodeau Eugene Perez
12:00-1:00	Lunch (provided by BSKB)	
1:00-2:30	<u>Tab 3 – PTAB Trials Overview</u>	Eugene Perez Jerry Murphy
2:30-2:45	Break	
2:45-3:15	<u>Tab 3 – PTAB Trials Overview (Continued)</u>	Eugene Perez Jerry Murphy
3:15-5:00	<u>Tab 4 – Post Grant Workshop - Introduction</u> <ul style="list-style-type: none"> • Overview of workshop problem • Video of technology • Break into small groups to study a patent and prior art, and present to class 	Chad Billings
5:45	Depart BSKB for Opening Dinner at Settle Down Easy Brewing Co. (transportation provided)	
6:00-8:00	<i>A casual reception and dinner to get to know the other participants. Settle Down Easy Brewing Co. is a new nano brewing operation located nearby. Fresh Tex-Mex food will be provided El Tio.</i>	

Tuesday, June 11, 2019

9:00-10:15	<u>Tab 5 – Differences Between Patent Litigation and PTAB Proceedings</u>	Lynde Herzbach
10:15-10:30	Break	
10:30-11:30	<u>Tab 7 – Small Group Discussions of Invalidity Grounds</u> <ul style="list-style-type: none"> • Short slide presentation laying out what they should discuss • Break into small groups (No official break, small groups can take break as needed) • Come up with at least 1 invalidity argument 	<u>Small Group Leaders</u> Eugene Perez Chad Billings Michael Smith Hailey Bureau, Ph.D.
11:30-12:00	<u>Tab 7 – Small Group Discussions of Invalidity Grounds (Continued)</u> <ul style="list-style-type: none"> • In last 30 min of session, come back together and each group has 1 representative discuss the issues group chose 	<u>Small Group Leaders</u> Eugene Perez Chad Billings Michael Smith

	<ul style="list-style-type: none"> • <i>Wrap up discussion – share grounds that problem will move for possible challenge of patent</i> 	Hailey Bureau, Ph.D.
12:00-1:00	Lunch (provided by BSKB)	
1:00-2:15	<u>Tab 8 – The Petition</u>	Jerry Murphy
2:15-2:30	Break	
2:30-3:30	<u>Tab 6 – Ethics in Post Grant Review Procedures</u>	MaryAnne Armstrong, Ph.D.
3:30-4:15	<u>Tab 9 – Patent Owner Preliminary Response</u> <ul style="list-style-type: none"> • <i>Slides (combining strategy & preliminary response)</i> • <i>Large group brainstorming session:</i> <ul style="list-style-type: none"> ○ <i>Should Patent Owner file preliminary response?</i> ○ <i>What issues?</i> ○ <i>Rank petition grounds</i> ○ <i>If time, discuss experts</i> • <i>Discuss Patent Owner Preliminary Response that was filed and whether the Petitioner can file a Reply at this stage</i> • <i>Cadle declaration on claim construction issues</i> 	Eugene Perez
4:15-4:45	<u>Tab 10 – Institution Decision (Lecture)</u> <ul style="list-style-type: none"> • <i>Review institution decision</i> • <i>Slides</i> • <i>Discussion on redundancy and estoppel</i> 	Michael Smith
4:45-5:00	<u>Tab 11 – Request for Rehearing</u>	Lynde Herzbach
5:45	Depart BSKB for Closing Dinner at 2941 Restaurant (transportation provided)	
6:00-8:00	<i>A formal dinner reception held at 2941 Restaurant, one of the most celebrated restaurants in the metropolitan area. The restaurant is nestled in the heart of Falls Church, VA surrounded by lush landscaping, koi ponds, waterfalls, world-class artwork, and a lakeside view. Business attire.</i>	
Wednesday, June 12, 2019		
9:00-9:45	<u>Tab 12 – Objections to Evidence and Motions to Exclude</u>	Lynde Herzbach
9:45-10:15	<u>Tab 13 – Depositions in PTAB Trials (Lecture/Discussion)</u> <ul style="list-style-type: none"> • <i>Discuss weak points of Petitioner’s witness</i> • <i>Lecture on depositions in PTAB trials</i> 	Lynde Herzbach
10:15-10:30	Break	
10:30-11:15	<u>Tab 14 – Additional Discovery and Mock Conference Call</u> <ul style="list-style-type: none"> • <i>Lecture (Jerry Murphy)</i> • <i>Conference Call with mock APJ</i> 	Eugene Perez-Patent Owner Jerry Murphy- Petitioner Rick Anderson – Mock APJ

11:15-12:00	<u>Tab 15 – Patent Owner Response and Motion to Amend</u> <ul style="list-style-type: none"> • <i>Go through Patent Owner Response</i> • <i>Go through Motion to Amend</i> • <i>Slides</i> 	Eugene Perez
12:00-1:00	Lunch (provided by BSKB)	
1:00-1:30	<u>Tab 16 – Petitioner Reply to Patent Owner Response</u> <ul style="list-style-type: none"> • <i>Lecture on Patent Owner Reply</i> • <i>Poll class – are claims invalid?</i> • <i>Choose 2 participants to serve as mock APJs</i> 	Jerry Murphy
1:30-2:00	<u>Tab 17 – Oral Arguments</u> <ul style="list-style-type: none"> • <i>Lecture about Oral Arguments</i> • <i>Mock APJ to meet with other mock APJs (2 participants) to prepare for Oral Hearing</i> 	Jerry Murphy
2:00-2:30	<u>Tab 18 – Mock Oral Arguments and Final Decision</u> <ul style="list-style-type: none"> • <i>Arguments (Jerry Murphy and Lynde Herzbach)</i> • <i>2 Participants sit on panel with mock APJ</i> • <i>Post Oral Argument Discussion and Final Decision (Jerry Murphy moderating)</i> 	Chad Billings – Mock APJ Jerry Murphy- Lead counsel for Petitioner Lynde Herzbach- Lead counsel for Patent Owner
2:30-2:45	Break	
2:45-3:15	<u>Tab 19 – Request for Rehearing and Appeals of Final Written Decisions</u>	Jerry Murphy
3:15-4:30	Closing Remarks and “Final Exam”- Questions and Answers	Jerry Murphy
6:00	Optional dinner for those staying...	