

# PATENT LAW UPDATE

## What IP Practitioners Need to Know in 2016

January 25, 2016 • Renaissance Downtown • Denver

### Dear Colleague:

With the opening of the U.S. Patent and Trademark Office in Denver on June 30, 2014, the adoption of local rules by the U.S. District Court for Colorado, as well as other developments, the intellectual property landscape in Colorado is changing.

Join us for the latest updates from the newly appointed Regional Director of the Rocky Mountain USPTO, the Patent Trial and Appeal Board, the U.S. District Court of Colorado, leading in-house patent counsel, and other nationally recognized patent lawyers.

This one-day Conference on Patent Law will bring you a variety of perspectives on the latest issues, including:

- **Case Law Updates, Including *Teva Pharm. USA, Inc. v. Sandoz, Inc.***
- **Strategies, Trends, and Updates in Defending NPE Patent Suits**
- **Local Patent Rules for the District of Colorado**
- **Best Practices for a Future-Proof Application**
- **Rocky Mountain USPTO Updates**
- **Denver PTAB Trends, Rules of Practice, and Your Concerns**
- **Best Practices before the U.S. District Court of Colorado**
- **Damages in Patent Litigation**
- **... and more!**

Join your colleagues for practical information and the latest patent law developments.

We look forward to seeing you in Denver in January!



**Don Degnan, Esq., Program Chair**  
Holland & Hart, Boulder

Mr. Degnan is the Chair of Holland & Hart's Intellectual Property Practice. His practice focuses on policing, enforcing and defending his clients' intellectual property rights through litigation and other means. Mr. Degnan has successfully represented clients in high-stakes patent jury trials. Clients have noted his "excellent judgment on trial strategy" and "outstanding courtroom skills." He is recognized as a leader in Intellectual Property by Chambers, Best Lawyers, IAM Patent 1000, WTR 1000, IP Stars, Who's Who Legal and other organizations. His goal is to implement practical, cost-effective, objective-based approaches to protecting and enforcing his clients' intellectual property.

### Conference Location



**Renaissance Downtown**  
918 17th Street  
Denver, CO 80202

Enjoy the Renaissance's ideal location at Champa and 17th streets and its rich history. The hotel is housed in the former Colorado National Bank Building, maintaining its original architecture, design elements, and repurposed ornamentalations.

## Monday, January 25

8:00 Registration and Networking Continental Breakfast

### 8:30 **Welcome and Introduction**

Overview of the Day

**Don Degnan, Esq., Program Chair**  
Holland & Hart, Boulder

### 8:45 **Case Law Update**

Learn the latest developments and key Supreme Court and Federal Circuit decisions impacting patent law, including the status of *Teva Pharm. USA, Inc. v. Sandoz, Inc.*

**James Brogan, Esq.**  
Cooley, Broomfield

### 9:30 **Strategies, Trends, and Updates in Defending NPE Patent Suits**

Non-practicing entities continue to buy and assert patents against established businesses and product lines. Update your knowledge on current legislative efforts, strategies and trends in defending against these aggressive patent suits.

**James E. Hanft, Esq.**  
**Director and Senior Corporate Counsel, IP**  
DISH Network, Englewood

10:15 Networking Break

### 10:30 **Local Patent Rules for the District of Colorado**

The co-author of the patent local rules of practice and procedure will provide insights on key requirements when litigating a patent case in Colorado as well as updates concerning application of the rules in everyday practice.

**Wayne Stacy, Esq.**  
Cooley, Broomfield

### 11:15 **Best Practices for a Future-Proof Application in an Unpredictable World**

Recent changes at the PTO, in the courts, and with the implementation of the AIA have dramatically changed the patent landscape. The changes seem to be coming at a frenetic pace, defying long held expectations. However, there are many consistent themes that, when identified, illustrate a path toward a future-proof application.

**Michael Drapkin, Esq.**  
Holland & Hart, Boulder

12:00 Lunch Break

### 1:15 **Rocky Mountain USPTO Update**

Attend a special presentation by the new Regional Director of the Rocky Mountain USPTO. Learn updates and best practices to avoid mistakes throughout prosecution.

**New Regional Director (TBA)**  
Rocky Mountain U.S. Patent and Trademark Office, Denver

### 2:15 **Featured Presentation**

#### **Denver PTAB Trends, Rules of Practice, and Your Concerns**

The Lead Administrative Patent Judge in Denver will provide updates on recent trends and procedures before the Patent Trial and Appeal Board. The presentation will include a question and answer session to address specific issues of concern when practicing before the PTAB.

**Lead Administrative Patent Judge Patrick M. Boucher**  
Patent Trial and Appeal Board, Denver

3:15 Networking Break

### 3:30 **Featured Presentation**

#### **Best Practices Before the U.S. District Court of Colorado**

Recommended best practices in patent cases from sitting U.S. District Court Magistrate Judge Kristen L. Mix, including guidance on issues arising with concurrent litigation before the court and proceedings before the USPTO.

**Hon. Magistrate Judge Kristen L. Mix**  
U.S. District Court of Colorado, Denver

### 4:15 **Damages in Patent Litigation**

Several recent court decisions provide guidance for proving or disproving patent infringement damages. Learn about the evolving law, methods, and best practices gleaned from these cases and utilized by lead counsel in patent litigation.

**Natalie Hanlon Leh, Esq.**  
WilmerHale, Denver

5:00 Audience Questions for Faculty

5:30 Evaluations and Adjourn

**Earn up to 7 Hours MCLE Credit**

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## PROGRAM CHAIR

**Don Degnan, Esq., Program Chair**  
Holland & Hart, Boulder

## FEATURED SPEAKERS

## Lead Administrative Patent Judge

**Patrick M. Boucher**

Patent Trial and Appeal Board, Denver

## Hon. Magistrate Judge Kristen L. Mix

U.S. District Court of Colorado, Denver

## FACULTY

**James Brogan** is Chair of Cooley's national Intellectual Property practice and partner in the Firm's Litigation department. He is also an adjunct professor at the University of Denver, Sturm College of Law, where he teaches a course on patent litigation. Throughout his 20-plus year legal career, Mr. Brogan has served as lead trial counsel for a diverse collection of technology and life sciences companies such as Innolux Corporation, Gevo, Inc., Hon Hai Precision Industries, Ltd., Picolight, Inc., ACQIS Technology, Inc., and Monolithic Power Systems. In this capacity, Mr. Brogan has successfully represented both plaintiffs and defendants in high-stakes patent trials focusing on key products and technologies. Over the past three years alone, Mr. Brogan scored important jury victories in the Eastern District of Texas, including a win against IBM in which the jury determined that the *Fortune* 100 company infringed his client's patents relating to blade servers.

**James E. Hanft** is Director of Intellectual Property for DISH Network L.L.C. His responsibilities include managing all of DISH's patent, trademark and copyright litigations, overseeing the patent and trademark portfolio, acquiring top level domains and supporting new business initiatives. Mr. Hanft spent twenty years in private practice in New York prior to moving to Colorado and joining DISH in 2014.

**Wayne Stacy** is a partner in Cooley's Intellectual Property practice group. He is consistently ranked by Chambers USA and Intellectual Asset Manager (IAM) as one of the top patent litigators in the United States - with Chambers referring to him as "a renowned patent litigator" and IAM highlighting his specialty in competitor-versus-competitor litigations. He has tried patent cases totaling over a half-billion dollars in value to verdict. In addition to representing clients in high-stakes patent litigation in federal courts across the country, Mr. Stacy advises his clients on the strategic uses of post-grant trial proceedings within the context of litigation, before the Patent Trial and Appeal Board. Mr. Stacy co-created a leading resource which tracks and analyzes PTAB decisions. He recently co-authored the patent local rules in the District of Colorado. He also serves as an adjunct professor at both the University of Colorado School of Law and the University of Denver School of Law where he has taught patent law and patent litigation classes for over a decade.

**Michael Drapkin** works closely with his clients to identify, develop, and secure their intellectual property. As a patent attorney in the intellectual property group, Mr. Drapkin's national practice focuses on strategic patent counseling. Much of his work is concentrated in the electronics and computer fields, with an emphasis on complex communications systems and components. Mr. Drapkin guides clients in the development and management of their patent portfolios, preparing and prosecuting patents in the U.S. and abroad. He also has substantial experience in patent infringement and validity analysis, providing written opinions, and counseling clients on product design. In addition, he advises his clients on prelitigation strategies and key licensing negotiations. Mr. Drapkin's clients range from emerging technology companies to Fortune 500 corporations.

**Natalie Hanlon Leh** is an experienced intellectual property lawyer who serves as lead counsel in patent, copyright, trademark and trade secrets matters. As part of Ms. Hanlon Leh's litigation practice, she represents clients in a wide range of technologies, including chemistry assays, genetic research methods, software, cloud storage, fiber-optic networks, tunable lasers and erbium doped fiber amplifiers. Ms. Hanlon Leh has substantial experience with injunctions and expedited proceedings.

4 EASY WAYS  
TO REGISTER

**1** [cle.com/PatentLaw](http://cle.com/PatentLaw)

**2** **FAX**  
(303) 321-6320

**3** **PHONE**  
(800) 873-7130

**4** **MAIL**  
7995 East Prentice Avenue  
Suite 200  
Greenwood Village, CO 80111

**YES!** Please register the following:

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## Cancellation

Full tuition refunds (less a \$75 administrative charge) will be given only if notice of cancellation is received by 5:00 pm MST on the Monday prior to the Conference. Substitutions may be made at any time.

## Tuition - includes Course Materials

- ☐ \$595 per person  
☐ \$495 each for two or more  
☐ \$495 each for government, 501(c)(3) organizations, full-time judges, law students and paralegals  
☐ \$395 each for two or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

## Home Study - available after the Conference

- Audio transcript and course materials  
☐ \$595 plus \$10 shipping and handling

## Course Materials Only

- ☐ \$250 plus \$10 shipping and handling

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### One-Day Conference, Back in Denver – Live!



Earn up to 7 Hours MCLE Credit

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## One-Day Conference, Back in Denver – Live!

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### Featured Presentations

#### Denver PTAB Trends, Rules of Practice, and Your Concerns



**Lead Administrative Patent Judge Patrick M. Boucher**  
Patent Trial and Appeal Board, Denver

Lead Administrative Patent Judge Patrick M. Boucher was appointed to the Board in 2013 to decide appeals arising from adverse decisions of Examiners at the United States Patent and Trademark Office, and to preside over trials to determine patentability of claims in patents subsequent to issuance. Judge Boucher has had a fruitful and diverse career of great legal and technical breadth. Prior to his appointment to the Patent Trial and Appeal Board, he practiced as a patent attorney at Pennie & Edmonds LLP in New York, Townsend and Townsend and Crew LLP, and Marsh Fischmann & Breyfogle LLP in Denver. For several years before becoming an attorney, he was an Associate Editor of Physical Review B.

#### Best Practices Before the U.S. District Court of Colorado



**Hon. Magistrate Judge Kristen L. Mix**  
U.S. District Court of Colorado, Denver

Kristen L. Mix was appointed to the federal bench in 2007. In 2012, United States Supreme Court Chief Justice John Roberts appointed Judge Mix to serve on the Judicial Conference of the United States' Committee on the Administration of the Magistrate Judge System. She also serves on the United States District Court for the District of Colorado's Local Rules Committee. She is the Tenth Circuit representative to the Federal Magistrate Judges' Association Board of Directors. Judge Mix is a member of the Sedona Conference's Working Group 1. She was the judicial co-founder of the Colorado Intellectual Property American Inn of Court.

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