Intellectual Property: Ready for the New Decade

LIVE
Friday, April 5, 2019
Sheraton Charlotte Hotel
555 South McDowell Street
Charlotte

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Program includes the 2019 Intellectual Property Law and Sports & Entertainment Law Sections Annual Meetings
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Video Replays are scheduled for this program. The agenda may not include certain breakouts/tracks shown at the original program. For a list of dates and locations visit www.tinyurl.com/CLE777IPM and indicate your choice below.
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Join us for a special joint meeting between the Intellectual Property Law and Sports & Entertainment Law Sections in Charlotte. In parallel and overlapping tracks, learn about the latest developments in patent, trademark, copyright, trade secrets, and sports and entertainment law.

- Hear from Gene Quinn, a leading commentator on patent law and president of IPWatchdog Inc.
- Gain insight from in-house and outside counsel
- Leave with practice tips for responding to Trademark Office actions

**WHAT PEOPLE ARE SAYING...**

Great program - good variety of topics, good knowledgeable speakers.

I am taking away a better knowledge of the subjects covered.

—Attendees, 2018 Intellectual Property Law Section Annual Meeting
FRIDAY, APRIL 5, 2019 | 7:45 a.m. – 5:00 p.m.

7:45  Registration and Continental Breakfast

8:15  Welcome and Introductions

8:30  SCOTUS or the FAFC? Who is to Blame for the 101 Morass? Quinn
For reasons that remain unclear and difficult to explain, the United States Court of Appeals of the Federal Circuit has collectively abdicated its single responsibility — to bring certainty, stability and predictability to patent law. In fact, the Federal Circuit has been chiefly responsible for the extraordinary unpredictability of the Alice/Mayo framework. Indeed, the outcome of cases is entirely dependent upon the three-judge panel drawn by the patent owner, which speaks to a Court that is hopelessly fractured and incapable of delivering on its sole objective. Is this what the Supreme Court wanted? Is this what the Supreme Court expected? Is the current state of 101 jurisprudence required by the Supreme Court’s modern line of patent eligibility cases?

9:30  Break

9:45  The Intellectual Property Year in Review
- Copyrights/Sports and Entertainment | Adams
- Trade Secrets | Fruth and Sullivan
- Patents | Lawson and Matthews
- Trademarks | Pelton
IP experts review the latest developments in these areas.

11:30  Intellectual Property Law Section Annual Meeting
Angela P. Doughty, Ward and Smith PA, New Bern, 2018-2019 Section Chair, presiding

Sports & Entertainment Law Section Annual Meeting
D. Erik Albright, Fox Rothschild LLP, Greensboro, 2018-2019 Section Chair, presiding

11:45  Networking Lunch

12:45  Navigating the Attorney-Client Relationship Between In-House Counsel and Outside Counsel
Moderator: Gerschutz
Panelists: Gibbs, Levy, Wagner, Ware and Wills

1:45  Break
AGENDA

1:55  BREAKOUT SESSIONS (select one)

Trademarks — Anticipating and Successfully Responding to Trademark Office Actions
Hunter and Ricketts
Explore the kinds of Office actions commonly issued these days with a focus on successfully responding to them. Hear about the pressures on the examiners and discuss ways to use this knowledge to assist them with completing the registration process. The session also addresses challenges inherent in dealing with new examiners.

OR

Patent — Patent Term Adjustments
Irving
This presentation discusses calculating patent term adjustments, the interplay of patent term adjustment and patent term extension, recent court treatment (including how related ODP issues have been handled) and USPTO rules. Learn approaches for preserving rights and maximizing patent term adjustment and optimizing requests for patent term extension.

2:55  Break

3:00  BREAKOUT SESSIONS (select one)

Richey
The Defend Trade Secrets Act was signed into law on May 11, 2016, creating a private right of action in federal court for trade secret theft. What can we learn from the cases asserting a claim under the Act?

OR

Sports & Entertainment — Sports Betting and Changes in the Industry
Moderator: Conley
Panelists: Calhoun, Herbst and Lowenhar-Fisher

4:00  Using Mindfulness to Improve Your Legal Practice†
Nagae
Mindfulness can positively affect the quality of your attentiveness and how effectively you engage with clients, co-workers and others around you. Understand what mindfulness is, how science shows it can change our brains, and how developing it can lead to more professional, ethical decision-making. Learn about one mindfulness practice, meditation, and how it can be incorporated into our lives as lawyers.

5:00  Adjourn

† Indicates portion providing Substance Abuse/Mental Health credit
SPEAKERS

- Andrew M. Adams, Andrew Adams Law, Winston-Salem
- George R. Calhoun, Ifrah Law PLLC, Washington, DC
- Darrell A. Fruth, Smith Anderson, Raleigh
- Andre M. Gibbs, Dell Inc., Durham
- Brian Herbst, NASCAR Media Ventures LLC, Charlotte
- Jayne C. Hunter, Hunter Law Firm PLLC, Charlotte
- Thomas L. Irving, Finnegan Henderson Farabow Garrett & Dunner LLP, Washington, DC
- Lance A. Lawson, McNair Law Firm, Charlotte
- Nichelle N. Levy, NASCAR Digital Media LLC, Charlotte
- Kate C. Lowenhar-Fisher, Dickinson Wright PLLC, Las Vegas, NV
- Richard T. Matthews, Williams Mullen, Raleigh
- Sarah E. Nagae, Nexsen Pruet PLLC, Raleigh
- Erik M. Pelton, Erik M. Pelton & Associates PLLC, Falls Church, VA
- Eugene R. Quinn Jr., IPWatchdog Inc., Leesburg, VA
- Alice C. Richey, Alexander Ricks PLLC, Charlotte
- Allison S. Ricketts, Fross Zelnick Lehrman & Zissu PC, Alexandria, VA
- Mary Pat K. Sullivan, Smith Anderson, Raleigh
- Eric F. Wagner, Duke University Office of Licensing, Durham
- Karen L. Ware, BASF Corporation, Raleigh
- Erin C. Wills, Techtronic Industries, Anderson, SC

HOTEL INFORMATION
Contact hotel directly for reservations at the special NCBA room rate. Rates and rooms are based on availability and may sell out.

Sheraton Charlotte Hotel
555 South McDowell Street, South Tower, Charlotte
- Nightly Rate: $169 single or double | $180 triple | $209 quad
- Reservations: 704.372.4100 or 800.325.3535
- Ask for the NCBA corporate rate.
- Cutoff date: March 4, 2019

PLANNERS

- Daniel I. Becker, Olive Law Group, Cary
- Leon T. Cain II, Olive Law Group, Cary
- Brandon J. Huffman, Odin Law and Media, Raleigh
- Erica B. E. Rogers, Ward and Smith PA, Raleigh

MODERATORS

- John M. Conley, Robinson Bradshaw & Hinson PA, Charlotte
- Andrew D. “Andy” Gerschutz, BioMerieux Inc., Durham
CLE AND PUBLICATION SCHOLARSHIPS

Full and partial scholarships are available for attorneys experiencing a financial hardship of any kind.

Apply at www.ncbar.org/cle/scholarship.

SPECIAL ACCOMMODATIONS

NCBA makes every effort to ensure a quality learning experience. If you have dietary restrictions or need special accommodations, please contact us at least one (1) week prior to the program start date.

We extend our sincere gratitude to the NCBA Intellectual Property Law and Sports & Entertainment Law Sections as well as the planners, speakers and moderator who volunteer their time and expertise toward the goal of presenting an educational program of the highest quality.

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www.tinyurl.com/PremierPass