

THE IP STRATEGY SUMMIT

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ENFORCEMENT/MONETIZATION SILICON VALLEY



APRIL 21, 2016 • CROWNE PLAZA HOTEL PALO ALTO

The AIA has **transformed the landscape**: IP owners are finding it harder to monetize and enforce their patent portfolio and face growing hostility when they do. An ineffective **enforcement strategy** means loss of value to your organization, while also encouraging potential and current infringers. On the other hand, **a well-run enforcement strategy** sets clear boundaries with potential infringers and earns respect in your market place.

The IP Enforcement/Monetization Summit explores, benchmarks and challenges the enforcement strategies that Operating Companies are implementing, how they can be improved and where current trends are heading. Most importantly, the conference looks at how these Enforcement strategies can fit into your **organization's goals** and **larger IP strategy**.

KEY TOPICS TO BE DISCUSSED

- **Crafting Patents for Monetization & Enforcement**
- A Patent Owner's Guide to Surviving Post Issuance Proceedings
- Pre-Trial Litigation Strategy
- **Settlement & Trial Strategy - Your End Game**
- Portfolio Analysis & Due Diligence for Monetization
- **Running a Licensing Program - An Operating Company Perspective**

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Past Attendees:



LEADING EXPERTS AND SPEAKERS INCLUDE:



Sriranga Veeraraghavan
Senior Director,
Patent Litigation
Tessera



Phil Colburn
Co-Managing Partner
Cantor Colburn LLP



Roger C. Kuan
Lead IP Counsel
Thermo Fisher Scientific



Steve Baughman
Partner
Ropes & Grey LLP



Bryon Pickard
Director, Litigation Group
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Thomas Fitzpatrick
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Varun Shah
Principal Patent/IP Attorney
Precision IP



Patrick Duncan
Senior Patent Attorney
HGST, Inc.



Rosie Dickens
Patent Counsel
Google



Greg Leibold
Partner
Merchant & Gould



Randy Berholtz
Acting General Counsel
and Secretary
Innovus Pharmaceuticals,
Inc.



Milan Patel
VP, Patent Strategy
Rovi Corporation



Joel Harris
Senior Director of IP
Incube Labs



Michael Kim
Senior Enforcement Counsel
Finjan Holdings



Andrea Hutchinson
Corporate Counsel,
IP Litigation
Gilead



Courtland Reichman
Principal
McKool Smith



James Zhu
Partner
Jun He



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Business Development
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Questel



Paul Andre
Partner
Kramer Levin



Paul Huang
President
CMOS Micro Devices Inc.



Kim R. Jessum
Chief IP & Associate
General Counsel
Heraeus Incorporated



Alexis Garcha
Senior IP Litigation Counsel
Nokia

AGENDA THURSDAY, APRIL 21, 2016

7:30 am **REGISTRATION AND BREAKFAST**

8:15 am **CHAIRPERSON OPENING REMARKS**

8:30 am **CRAFTING PATENTS FOR MONETIZATION & ENFORCEMENT**

What are the criteria for crafting patents that give your organization the best **monetization and enforcement options** in today's challenging environment? The ability to **license, sell and enforce** effectively gives your organization a strong advantage, but it all starts with strong patents.

TOPICS COVERED:

- The **new IP landscape** – How challenging and complex is it
- Patent Prosecution: the gate keeper for **innovation & R&D**
- More stringent ranking of potential fillings
- Can you make your patents **IPR-proof**
- What can you learn from the **competitive landscape**

Milan Patel - VP, Patent Strategy, Rovi Corporation

Phil Colburn - Co-Managing Partner, Cantor Colburn LLP

Joel Harris - Senior Director of IP, Incube Labs

Roger C. Kuan - Lead IP Counsel, Thermo Fisher Scientific

9:20 am **A PATENT OWNER'S GUIDE TO SURVIVING POST ISSUANCE PROCEEDINGS**

Everyone has seen the data: Post Issuance Proceedings still give the advantage to defendants. Post Issuance Proceedings - **especially IPRs and CBMs** - are infringers and defendants' best tool to delay, deflect and invalidate. The good news is plaintiffs can now benchmark which strategies can effectively navigate through post issuance proceedings.

TOPICS COVERED:

- Proactive strategies– Hint: expect to face IPRs and CBMs
- How are infringers using Post Issuance when facing:
 - IPRs
 - CBMs
- Pitfalls to avoid
- Most effective strategies

Michael Kim - Senior Enforcement Counsel, Finjan Holdings

Steve Baughman - Partner, Ropes & Grey LLP

Randy Berholtz - Acting General Counsel & Secretary, Innovus Pharmaceuticals, Inc.

Kim R. Jessum - Chief IP & Associate General Counsel, Heraeus Incorporated

10:10 am **NETWORKING BREAK**10:50 am **PRE-TRIAL LITIGATION STRATEGY**

As the litigation landscape becomes more complex, the plaintiff's advantages have now become even more important. The ability to plan, prepare and **foresee the potential defenses** that you may face will give you an advantage. Once the litigation commences, managing and executing that plan gives your organization the best opportunity to achieve its goals.

TOPICS COVERED:

- Prepare to succeed or prepare to fail
- The difference between **facing rivals** and non-core operating companies
- **Due diligence** on potential infringers
- Preparing for litigation:
 - Case history
 - Building your team
 - Working with outside counsel
 - Building your strategy

Alexis Garcha - Senior IP Litigation Counsel, Nokia

Byron Pickard - Director, Litigation Group, Sterne, Kessler, Goldstein & Fox

Andrea Hutchinson - Corporate Counsel, IP Litigation, Gilead

11:40 am **SETTLEMENT & TRIAL STRATEGY – YOUR END GAME**

As the plaintiff, what are the best ways to achieve your end game? Litigation is most likely going to end in settlement (during or before trial). While a settlement gives your organization consistency, it may not achieve your long term strategic goals. If you go to trial, what are the best ways to leverage your advantage and achieve your organizational goals? How can you run your end game to **close your litigation successfully**?

TOPICS COVERED:

- What is your goal
- What are the most **effective ways to reach settlement**
- How to best **utilize your witnesses**
- What is the story
- Undermining their case/story – “big bad corporation coming after us”

Sriranga Veeraraghavan - Senior Director, Patent Litigation, Tessera

Courtland Reichman - Principal, McKool Smith

Sand Young Brodie - Executive Counsel, General Electric

12:30 pm **NETWORKING LUNCH**12:45 pm **LUNCH AND LEARN (INVITATION ONLY)**
IP ENFORCEMENT IN CHINA

Presented by:

James Zhu - Partner, Jun He

1:45 pm **ROUNDTABLES**

Five (5) interactive rotating 20-minute discussions hosted by an expert on the following topics.

***(Note: Attendees are in-house counsel only, except Moderators)*

1. “Unintended Consequences of Nautilus, Highmark, Octane & ALICE for Patent Owners”

Phil Colburn - Co-Managing Partner, Cantor Colburn LLP

2. “Best Practices in Invention Disclosure Management & IP Budget Forecasting”

Austin Englert - Business Development Manager, Questel

3. “Concurrent Litigation Proceedings”

Lori Gordon - Partner, Sterne Kessler

4. “Trade Secrets Enforcement”

Tom Fitzpatrick - Partner, Pepper Hamilton

5. “The 2 Chair Patent Drafting Model”

Varun Shah - Principal Patent/IP Attorney, Precision IP

3:05 pm **NETWORKING BREAK**3:35 pm **PORTFOLIO ANALYSIS & DUE DILIGENCE FOR MONETIZATION**

There are two types of analysis and due diligence when it comes to monetization – internal and external. In today's landscape, in order to successfully **license, sell or transfer technology** you must understand which are your best patents, why they give you the best opportunity to drive value, and which patent to let go? The external work is understanding the competitive landscape: what companies to target and why? Crucially, where are the **gaps in the market** that you can leverage for organizational success?

TOPICS COVERED:

- Internal analysis:
 - What's in your portfolio
 - What to look for
 - Red flags
 - IP Valuation – What is your portfolio worth
- A penny saved – a penny made
 - What to keep, sell, license, cut
- External Analysis
 - Competitive Analysis
 - Where are the monetization opportunities
 - Due diligence – where are the gaps

Patrick Duncan - Senior Patent Attorney, HGST, Inc.

Paul Andre - Partner, Kramer Levin

Rosie Dickens - Patent Counsel, Google

Paul Huang - President, CMOS Micro Devices Inc.

4:25 pm **RUNNING A LICENSING PROGRAM – AN OPERATING COMPANY PERSPECTIVE**

Successful licensing programs are utilizing an array of tools: strong internal communication, handling management expectations and securing their buy-in, as well as being open to new, win-win deal structures. The fundamentals, however, still apply although the time lines may be longer and the deals more complex. How can an operating company run a licensing program in today's landscape?

TOPICS COVERED:

- Why are you running a licensing program
 - Is the company committed
 - **Paper tigers beware** – enforcement needs to be a real option
- Organizational Buy-in:
 - Setting expectations
 - Gaining support from important internal partners
 - Internal obstacles – working and clashing with other divisions
- Licensee as:
 - Infringer
 - Partner
 - Customer
 - The engagement of your licensee
 - What due diligence to run on your licensee

Greg Leibold - Partner, Merchant & Gould

5:15 pm **NETWORKING COCKTAIL RECEPTION**

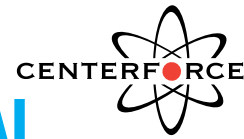


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