



Eastern District of Texas 2016 Bench Bar Conference

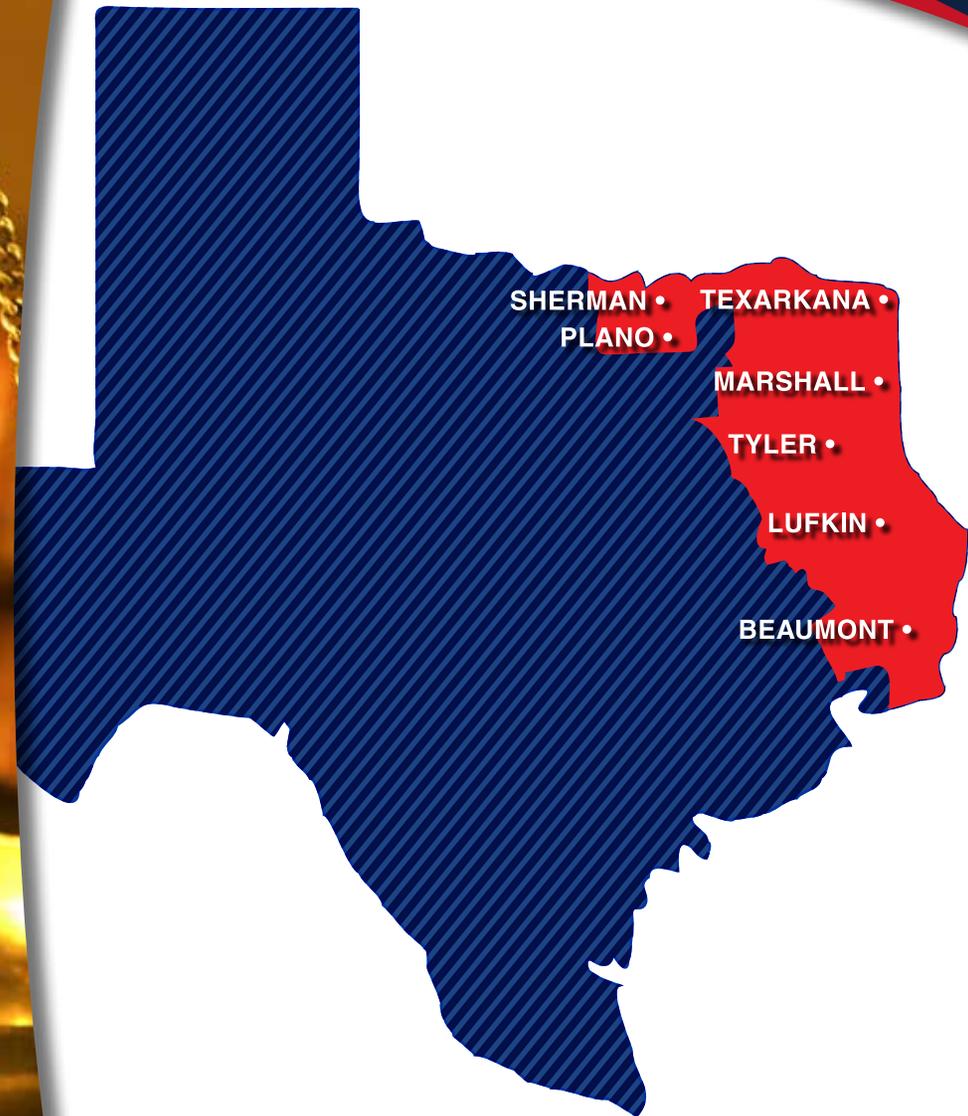
Jointly with the
**The Center for American and
International Law**

October 19-21, 2016

Plano Marriott Legacy Town Center

7121 Bishop Road, Plano, Texas 75024

800.228.9290 • 972.473.6444



“The Right Side of Texas”

WEDNESDAY, OCTOBER 19, 2016

- 8:30 AM CAIL PTAB Bench Bar Starts.
- 9:00 AM Handgun Shooting at Frisco Gun Club.
Event Sponsor: Haltom & Doan.
- 9:00 AM Shotgun Clay Pigeon Shooting at Elm Fork Shooting Sports.
Event Sponsor: Caldwell Cassady Curry PC.
- 10:00 AM Golf at Gleneagles Country Club.
Event Sponsor: Dovel & Luner.

Choose from the refinement of golfing on the beautiful Gleneagles County Club, 5401 West Park Blvd., Plano, Texas, minutes from the conference hotel, or join a bunch of rag tag lawyers taken to calling themselves the Posse for an East Texas cultural excursion shooting handguns and more at the nearby Frisco Gun Club, 6565 Eldorado Pkwy., Frisco, Texas or a round of sporting clays at Elm Fork Shooting Sports, 10751 Luna Road, Dallas, Texas. If you have never fired a gun, or even touched one, this is your chance. All experience levels accommodated and everything you need but your nerve is provided.

During Breaks Throughout the Conference -

Jeopardy East Texas Style - by Melissa Smith, Gillam & Smith; Elizabeth "Betty" DeRieux, Capshaw DeRieux; Amanda Abraham, The Roth Law Firm, P.C.; David Stein, Alston & Bird.

Joint Panels with the Institute for Law & Technology, Center for American and International Law, PTAB Bench Bar Conference.

- 1:30 PM **Revisions to the Local Rules, Standing Orders & Thoughts on Timing of PTAB Petitions & Stays Pending Inter Partes Review.**
Betty Chen, Fish & Richardson, Moderator; Chief Judge Ron Clark (E.D. Tex.); Judge Rodney Gilstrap (E.D. Tex.); Wesley Hill, Ward, Smith & Hill; Jennifer Ainsworth, Wilson, Robertson & Cornelius.

2:15 PM **Double the Forums; District Court and PTAB and Their Effect on Efficiency, Consistency and Redundancy.**

Chris Kennerly, Paul Hastings, Moderator; Judge Robert W. Schroeder (E.D. Tex.); John A. Scott, Vice-President & Legal Counsel, Qualcomm, Incorporated; Marta Beckwith, Former Senior In House Counsel, Aruba Networks & Cisco Systems; Rocky Schwartz, Whitaker Chalk Swindle & Schwartz.

3:00 PM **The Role of Post Grant Challenges in Offensive and Defensive Litigation Strategies.**

Rose Keagy, Attorney, Texas Instruments, Moderator; David Melaugh, Director, Patent Litigation, Apple, Inc.; Chris Dunstan, Senior Counsel, Ericsson, Inc.; Kerry Flynn, Vice President & Chief IP Counsel, Vertex Pharmaceuticals; Kirupa Pushparaj, Director, Intellectual Property, Square/ Adjunct Professor of Law, Stanford University.

3:45 PM **The Intersection Between Hatch Waxman, PTAB, ITC & ED Texas. Using All The Tools in the Tool Box.**

Stephanie Barnes, Siebman, Burg, Phillips & Smith, Moderator; Judge John Love (E.D. Tex.); Thomas Meloro, Willkie, Farr & Gallagher; Jennifer Doan, Haltom & Doan; Kat Li, McKool Smith.

4:15 PM **It's Back. So Now What? Exploring the Effect of PTAB Proceedings on the Ultimate Resolution of the Case.**

Bruce Sostek, Thompson & Knight, Moderator; Judge Raymond Chen (Fed. Cir.); Chief Judge Leonard Stark (D. Del.); Judge Nicole Mitchell (E.D. Tex.); Sharon Israel, Mayer Brown.

5:00 PM **Reading the Tea Leaves. Observations from the Bench Beyond Alice, Halo and Stryker.**

Geoff Culbertson, Patton, Tidwell & Culbertson, Moderator; Chief Judge Barbara Lynn (N.D. Tex.); Judge Richard Andrews (D. Del.); Judge Amos Mazzant (E.D. Tex.); Judge Robert W. Schroeder (E.D. Tex.).

5:45 PM **Opening Reception for all Conference Attendees Including Guests from CAIL ILT Bench Bar PTAB.**
Sponsored by StoneTurn Group.

7:00 PM **Dinner on Your Own.**

10:00 PM **Presidential Suite Opens For After Dinner Drinks and Conversation.**

THURSDAY, OCTOBER 20, 2016

7:30 AM **Breakfast Buffet Opens.**

8:15 AM **Kickoff Breakfast Presentation for the Eastern District of Texas Association of Women Lawyers.**

Open For All Conference Attendees.

Breakfast Sponsors: Baker & McKenzie LLP; Federal Arbitration, Inc.; Findlay Craft.

Taking the Lead Lawyer Role at Trial. What Should Women Lawyers Do?

Claudia Frost, Orrick, Herrington & Sutcliffe, Moderator; Sarah Decker, Senior Legal Counsel, STMicroelectronics; Rebecca Hurley, Executive Vice President, General Counsel & Secretary, LHP Hospital Group; Mary-Olga Lovett, Greenberg Traurig.

9:00 AM **Opening Remarks.**

Chief Judge Ron Clark (E.D. Tex.); Stephanie Barnes (President, Eastern District of Texas Bar Association); Clyde Siebman (Chairman, Eastern District of Texas Bench Bar Conference).

Joint Panel with the Institute for Law & Technology, Center for American and International Law, PTAB Bench Bar Conference.

9:10 AM **Through the Looking Glass.**

Michelle Lee, Under Secretary of Commerce for Intellectual Property & Director of the United States Patent and Trademark Office With Introduction by Chief Judge Ron Clark (E.D. Tex.).

9:35 AM **From Alice to Halo, Stryker and Beyond. How Do Reasonable Judges and Businesses Make Reasonable Decisions in an Unsettled Legal Environment?**

Leonard Davis, Retired, Judge (E.D. Tex.), Fish & Richardson, Moderator; Judge Kathleen O'Malley (Fed. Cir.); Chief Judge Leonard Stark (D. Del.); Judge Rodney Gilstrap (E.D. Tex.); Tina Chappell, Associate General Counsel, Director of Intellectual Property Policy, Intel, Inc.; Ken Korea, Senior VP & Head of US IP Center, Samsung Electronics.

10:25 AM **MORNING BREAK.**

10:40 AM **The Use & Abuse of Social Media in Selecting Juries.**

Charles Bundren, Wm. Charles Bundren & Associates, Moderator; Judge Roy Payne (E.D. Tex.); Rebecca Hurley, Executive Vice President, General Counsel & Secretary, LHP Hospital Group; Judge Paul Grewal (Counsel, Facebook & Former Judge, N.D. Cal.).

11:10 AM **Falling Into the Rabbit Hole. Does the Patent System Need Fix'in, or Is Somebody Just Trying to Put the Fix In?**

Eric M. Albritton, Albritton Law Firm, Moderator; Professor Peter Menell, UC Berkeley Law; Professor Jay Thomas, Georgetown Law; Todd Dickinson, Polsinelli and Former Undersecretary of Commerce & Former Director of the United States Patent and Trademark Office.

12:00 PM **Lunch Presentation.**

Practicing Law at the Speed of Light.

Dr. Larry Richard, Lawyer's Brain.

Lunch Sponsors: Duff & Phelps; McDermott Will & Emery; Ward, Smith & Hill, PLLC.

1:15 PM **Inside the Judges' Chambers. An Introspective Fireside Chat with Federal Circuit Judges.**

Alan Fisch, Fisch Sigler, Moderator; Chief Judge Sharon Prost (Fed. Cir.); Judge Raymond T. Chen (Fed. Cir.).

2:00 PM **Considering Diversity. Why Does Big Law Pitch So Few Females as Lead Lawyers in Complex Civil Trials? Why Do Young Lawyers Write the Briefs and Old Lawyers Argue Them?**

Natalie Bennett, McDermott, Will & Emery, Moderator; Judge Nicole Mitchell, (E.D. Tex.); Jong Choi, Litigation/Corporate Counsel Samsung Electronics; Chad Hanson, In House Counsel, Medtronic, Inc.; Sarah Columbia, Global Head of IP Practice Group, McDermott, Will & Emery; Mary Huser, Vice President & Deputy General Counsel, Blackberry.

2:50 PM **Defending and Pursuing Patent Infringement Cases When Less than a Million Dollars is at Stake? Do The New Federal Rules Provide Relief?**

Bo Davis, The Davis Firm, Moderator; Judge Lee Yeakel (W.D. Tex.); J. Thad Heartfield, The Heartfield Law Firm; Lee Lauridsen, Senior Counsel, Sprint; Mark Michels, Director, Deloitte Forensic.

3:30 PM **AFTERNOON BREAK.**

3:45 PM **From the Patent Pilot Courts to the Federal Circuit, What are the Advantages and Disadvantages of Patent Cases Congregating in Courts with Special Patent Expertise?**

Professor Peter Menell, UC Berkley Law, Moderator; Judge Kathleen O'Malley (Fed. Cir.); Judge Gregg Costa (5th Cir.); Chief Judge Ron Clark (E.D. Tex.); Chief Judge Leonard Stark (D. Del.); Judge Young Gi Kim (Uijeongbu District Court in Republic of Korea); The Honorable Michael Fysh, QC SC.

4:45 PM **Trials with U.S. Magistrate Judges; Are They Any Different?**

Mike Jones, Potter Minton, Moderator; Judge Keith Giblin (E.D. Tex.); Judge Caroline Craven (E.D. Tex.); Judge Zack Hawthorn (E.D. Tex.); Tom Melsheimer, Fish & Richardson.

5:15 PM **President's and Chief Judge's Reception.**

Reception Sponsor: King & Spalding.

6:30 PM **Chief Judge Ron Clark & President Stephanie Barnes with Judge Judith Guthrie Presenting 2016 John H. Hannah, Jr. Award.**

6:45 PM **President's and Chief Judge's Dinner.**

Dinner Sponsors: Greenberg Traurig, LLP; Hartline Dacus Barger Dreyer LLP; Thompson & Knight LLP.

7:45 PM **Keynote Address by General Michael Hayden, The Chertoff Group, Former Director of the Central Intelligence Agency and National Security Agency, International Cyber Threats to American Intellectual Property Rights and Information Technology Systems.**

8:15 PM **Fireside Chat.**

Moderated by John "Malcolm" Bales, U.S. Attorney (E.D. Tex.) with Judge Marcia Crone (E.D. Tex.), General Michael Hayden, The Chertoff Group; Harvey Rishikof, Senior Counsel, Crowell Moring - What Lawyers Should Know About Cyber Threats To Their Clients & Themselves?

9:00 PM **Emerald City/Dessert and Dancing.**

(Made to Order Ice Cream Sundaes with Chocolate Brownies).

9:30 PM **Presidential Suite Opens.**

Join Judge Young Gi Kim in the Presidential Suite after dinner for an interactive conversation about the Korean patent litigation system and its IP Court.

FRIDAY, OCTOBER 21, 2016

- 7:30 AM **All Conference Breakfast/E.D. Texas Bar Association Business Meeting & Judge's Breakfast.**
Breakfast Sponsor: Baker Botts L.L.P.
- 8:30 AM **Hail to the Chiefs. Appellate Insights from the Highest Levels of the Federal and Fifth Circuits.**
Judge Rodney Gilstrap (E.D. Tex.), Moderator; Chief Judge Sharon Prost (Fed. Cir.); Chief Judge Carl Stewart (5th Cir.).
- 9:15 AM **Defend Trade Secrets Act of 2016. A New Frontier or an Old Best Friend of the Eastern District of Texas?**
Michael C. Smith, Siebman, Burg, Phillips & Smith, Moderator; Harry "Gil" Gillam, Gillam & Smith; Robert Kantner, Jones Day; Scott Partridge, Baker & Botts.
- 10:00 AM **MORNING BREAK.**
- 10:15 AM **Trials in East Texas. Is It What You Do or Is It The Way You Do It? From Preparation to Presentation, a Race for Credibility.**
Video Supported Presentation of E.D. Texas Judges and Court Personnel. Clyde Siebman, Siebman, Burg, Phillips & Smith, Moderator; Dr. Doug Keene, Keene Trial Consulting; Jeannie Heffernan, Kirkland & Ellis; James Renard, Norton Rose Fulbright.
Special Recognition to Ryan Kane, Kirkland & Ellis, Cliff Richhart, Milktoast Productions, Andrea McCoy Williams & Big Bang Recruiting for their assistance with the program.
- 11:15 AM **Striking Through the Entire Panel versus Striking through the Strike Zone; Does it Impact the Composition of the Jury?**
Michael J. Truncale, Orgain Bell & Tucker, Moderator; Professor Francis McGovern, Duke Law; Charles B. "Chip" Molster, The Law Offices of Charles B. Molster, III PLLC.

- 11:45 AM **Lunch Panel. From Plano to Sherman; Diving Deep into the Sherman Division. Who Are These New Judges? How Big is this Boom?**
Elizabeth Forrest, Siebman, Burg, Phillips & Smith & Former Law Clerk to Judge Amos Mazzant, Moderator; Judge Amos Mazzant, (E.D. Tex.); Judge Christine Nowak, (E.D. Tex.); Judge Kimberly Priest Johnson (E.D. Tex.); David O'Toole, (U.S. District Clerk, E.D. Tex.) Dr. Ray Perryman, President & CEO, The Perryman Group.
- 1:00 PM **Closing Remarks by Chief Judge Ron Clark.**

OPTIONAL PROGRAMMING

ACT of Communication was founded almost 39 years ago to set a new standard in oral advocacy. They have trained thousands of attorneys in workshop settings and continuing legal education accredited classes using precise theatrical techniques designed to optimize results in trial, mediation, arbitration and other professional settings.
REGISTER FOR THIS OPTIONAL PROGRAM AND FIND OUT FOR YOURSELF WHAT LAWYERS CAN LEARN FROM ACTORS.

- 1:15 PM **The Art of Story Telling. ACT of Communication. Consultants in the Art of Advocacy.**

Facilitators: Andy Tindel, MT² Law Group, Jennifer Truelove, McKool Smith.

Formal Presentation Followed by Workshops in Breakout Rooms.

- 3:45 PM **Act of Communication Workshop Concludes.**



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The Eastern District Of Texas Posse

(Contact for Information on Shooting Range Excursions)

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20th Annual Eastern District of Texas Bench Bar Conference

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**Akin Gump Strauss Hauer & Feld • Cozen O'Connor • Fish & Richardson P.C. • Gillam & Smith LLP • Kirkland & Ellis LLP
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20th Annual Eastern District of Texas Bench Bar Conference

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20th Annual Eastern District Bench Bar Conference Wednesday, Thursday and Friday, October 19 – October 21, 2016

Register Online at: <https://www.cailaw.org/eventRegistration.html?e=1659>

REGISTRATION FORM

Name (for name badge): _____
Firm: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____
Fax: _____
E-mail: _____
My guest will attend the Thursday evening dinner? Yes _____ No _____
Guest's name _____ (\$100 Fee Applies)

E.D. TEX. BAR ASSOCIATION RENEWAL AND CONFERENCE REGISTRATION FEES:

_____ **I wish to register for the conference – \$895**
((\$995 if received after October 7, 2016)
ED Texas CJA Panel Members & Government Lawyers – \$750 / (\$850 if received after October 7, 2016)
(Paid Event Sponsors apply 10% discount. Must pay discounted fees by check from sponsor.)
Discount not available for online registration.)

_____ **I wish to participate in the Golf Tournament – \$100**

_____ **I wish to participate in the Texas Shooting Range Excursion – \$100** _____ **Handgun** _____ **Shotgun**

_____ **I wish to participate in the Friday afternoon “Act of Communication” workshop – \$50**

_____ **My Spouse/Significant Other Registration for social activities – \$100**
(Includes Opening Reception, Chief Judges’ Reception and Dinner & Music by Emerald City)

_____ **I wish to renew my membership/join the ED Texas Bar Association – \$75.00**

_____ **I am a member of the judiciary, law clerk or judicial staff member.** *No Fees Required To Register*

TOTAL: _____

**Response requested by October 7, 2016. Afterwards, there will be an additional fee of \$100
NO REFUNDS AFTER OCTOBER 7, 2016**

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Credit Card: _____ Mastercard _____ Visa _____ AMEX _____ Discover _____
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or (800) 228-9290 and reference the Eastern District of Texas Bar Association 2016 Annual Conference or log on to
[Book your group rate: Eastern District of Texas Bar Association](#)

Conference room rate is available until October 7, 2016 at 5 p.m. at \$192/night for single or double + taxes until room block is filled

Mail to CAIL, 5201 Democracy Drive, Plano, Texas 75024
Email to lgaspar@cailaw.org

WEDNESDAY OPENING RECEPTION

Great food and drink followed by dinner on your own at beautiful Shops of Legacy Town Center.

THURSDAY EVENING CHIEF JUDGE'S & PRESIDENT'S RECEPTION & DINNER

Ice cream sundaes and dancing to sounds of Emerald City.

CONFERENCE

October 19-21, 2016
Plano Marriott Legacy Town Center
7121 Bishop Blvd., Plano, Texas 75024
972.473.6444 800.228.9290

REGISTRATION

Register today by fax, email or online.
Mail completed registration form and your check payable to
CAIL, 5201 Democracy Drive, Plano, Texas 75024

Email or Fax registration form to

lgaspar@cailaw.org or 972.244.3404

Online at <https://www.cailaw.org/eventRegistration.html?e=1659>

DEADLINE FOR REGISTRATION

OCTOBER 7, 2016

**ADDITIONAL FEE OF \$100 APPLIES AFTER THE DEADLINE
AS LONG AS SPACE REMAINS AVAILABLE.**

SPONSORS

The bar association is seeking sponsors for the conference and for selected conference events. If interested, email edtexas@siebman.com for information.

CONTINUING LEGAL EDUCATION

This program is seeking approval for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 17.0 participatory credit hours of which 2.0 credit hours will apply to legal ethics. This course is also seeking approval by the Texas Board of Legal Specialization for certification and recertification in Civil Trial Law. A Uniform Certificate of Attendance will be provided to attorneys licensed outside of Texas.

HOTEL RESERVATIONS

Through October 7, 2016 conference rate applies at \$192 + tax per night, until room block is filled, with complimentary self-parking. Please make reservations at 972.473.6444 or 800.228.9290 and reference the Eastern District of Texas Bar Association.

REGISTRATION FEE INCLUDES

2 RECEPTIONS, 2 FULL BUFFET BREAKFASTS, 2 LUNCHES, CHIEF JUDGES' & PRESIDENT'S DINNER, MUSIC, REFRESHMENT BREAKS, ENTERTAINMENT, NETWORKING OPPORTUNITIES & CLE.

QUESTIONS? Email elizabeth.berry@sbcglobal.net or edtexas@siebman.com