

ACPCTM

Association of Corporate Patent Counsel

2014 Winter Meeting
of the
Association of Corporate Patent Counsel

January 26-29, 2014
Arizona Biltmore
Phoenix, AZ



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2013/2014
EXECUTIVE COMMITTEE LISTING

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Jennifer Johnson, *Syngenta Biotechnology, Inc.*
Kevin Rhodes, *3M*
Dennis Skarvan, *Caterpillar, Inc.*
Brian Stierwalt, *ConocoPhillips Company*



Association of Corporate Patent Counsel

Dear January 2014 ACPC Meeting Attendees:

Thank you for attending the ACPC's Annual Meeting in Phoenix, AZ. All of our plans are in place for a terrific meeting.

Our Professional Program should prove very educational with three different presentations from our members sharing benchmark information on their "IP Operations," and some interesting panels covering IPR proceedings, divided infringement and patent law hot topics to name a few.

We will hear from esteemed judges Hon. Kathleen O'Malley, Circuit Judge, United States Court of Appeals for the Federal Circuit; Hon. Theodore Essex, Administrative Law Judge, U.S. International Trade Commission and Hon. Leonie Brinkema, United States District Court, Eastern District of Virginia during our ITC panel on Monday morning. We thank them and all of our wonderful speakers for taking the time to address our group.

Russ Slifer has arranged the Monday golf scrambles tournament at Biltmore's Links Course and open play on Tuesday at Biltmore's Adobe Golf Course. We also have plenty of opportunities to explore Phoenix on our tours, which include horseback riding, a guided hike in the McDowell Mountains, a Heard Museum and Desert Botanical Garden tour and a 4x4 excursion.

Our meetings provide an opportunity for you to meet and get to know your peers. It is probably our most important member benefit. Please keep a look out for new ACPC Members who will be wearing red ribbons.

As always, please don't hesitate to reach out to me or any member of ACPC's Executive Committee with your thoughts and ideas about future programs.

I look forward to enjoying our Annual Meeting with you!

Warm Regards,

Steve Miller
President



PROFESSIONAL PROGRAM

January 26-29, 2014

Monday, January 27

- 8:15-8:20 **Opening Remarks**
Steve Miller – ACPC President, VP & General Counsel - IP, The Procter & Gamble Company
- 8:20-9:35 **ITC Panel**
Moderator – Eric Namrow, Morgan, Lewis & Bockius LLP
Honorable Kathleen O'Malley, Circuit Judge, United States Court of Appeals for the Federal Circuit
Honorable Theodore Essex, Administrative Law Judge, U.S. International Trade Commission
Honorable Leonie Brinkema, United States District Court, Eastern District of Virginia
- 9:35-10:30 **Divided Infringement – Recent Updates and Practical Impact**
Moderator – Bernie Zidar, Chief IP Counsel, McKesson Corp.
Daryl Joseffer, King & Spalding
Hans Sauer, Associate General Counsel for IP, Biotechnology Industry Organization
Thad Kodish, Fish & Richardson
- 10:30-10:45 **Break**
- 10:45-11:30 **IP Operations at Freescale Semiconductor**
Jennifer Wuamett, VP and Chief IP Counsel

Tuesday, January 28

- 8:00-8:15 **ACPC Business Update/Vote**
- 8:15-9:15 **IPR Proceedings Panel**
Moderator – Russ Slifer, Chief Patent Counsel, Micron Technology
Erika Arner, Partner, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
Bernard J. Knight, Jr., Partner, McDermott Will & Emery LLP
Adam Perlman, Partner, Williams & Connolly
- 9:15-10:30 **Hot Topics – Patent Law**
Moderator – Kevin Rhodes, President and Chief IP Counsel, 3M
Bill Rooklidge, Partner, Jones Day
Dennis Crouch, Associate Professor University of Missouri School of Law
Barbara Fiacco, Partner, Foley Hoag
- 10:30-10:45 **Break**
- 10:45-11:30 **IP Operations at Newell Rubbermaid**
Karen Etheridge, Chief Patent Counsel

Wednesday, January 29

- 8:00-8:15 **Announcements**
- 8:15-9:15 **Unitary Patent and Unified Patent Court Panel**
Moderator – Dennis Skarvan, General IP Counsel, Caterpillar Inc.
Kevin Mooney, Partner, Simmons & Simmons
Alan Johnson, Partner, Bristows
Marc Döring, Partner, Simmons & Simmons
- 9:15-10:00 **Legislative Update**
Aaron Cooper, Covington & Burling LLP
- 10:00-10:15 **Break**
- 10:15-11:00 **IP Operations at Chevron**
Nick Leach, Chief IP Counsel



Activities Program

Arizona Biltmore
January 26-29, 2014



Sunday, January 26, 2014

3:00 pm – 5:00 pm

5:30 pm – 8:30 pm

6:30 pm – 8:30 pm

Executive Committee Meeting – *Prescott*

Registration – *Aztec Foyer*

Welcome Reception – *Aztec*

Monday, January 27, 2014

7:30 – 9:00 am

7:30 am – 12:00 pm

8:15 – 11:30 am

12:10 pm

1:00 – 5:00 pm

1:00 – 5:00 pm

6:00 – 8:00 pm

Full Breakfast – *Sedona*

CLE Registration – *Aztec Foyer*

Professional Program – *Aztec*

Optional Golf Tournament – *The Links Course (contact Russ Slifer)*

Optional Activity: Horseback Riding

Optional Activity: McDowell Mountains Hike

IPO Reception – *Cottage Court**

Tuesday, January 28, 2014

7:30 am – 9:00 am

7:30 am – 12:00 pm

8:00 am – 11:30 am

12:00 – 5:00 pm

12:10 pm

1:00 – 5:00 pm

6:00 – 7:00 pm

7:00 – 10:00 pm

Full Breakfast – *Grand Canyon*

CLE Registration – *Aztec Foyer*

Professional Program – *Aztec*

Optional Activity: Desert Botanical Garden and Heard Museum Tour

Open Golf – *The Adobe Course (contact Russ Slifer)*

Optional Activity: 4x4 Excursion

Cocktail Reception – *Squaw Peak Terrace*

Dinner (business casual) – *Grand Ballroom*

Wednesday, January 29, 2014

7:30 am – 9:00 am

7:30 am – 11:00 am

8:15 am – 11:00 am

Full Breakfast – *Grand Canyon*

CLE Registration – *Gold Room*

Professional Program – *Gold Room*

*In the case of inclement weather, the IPO reception will be held in Aztec.

ACPC™

Association of Corporate Patent Counsel

2014 Winter Meeting

Speaker Biographies

Speaker Information for Monday, January 27 (in order of appearance)



Steve Miller, *VP and General Counsel – Intellectual Property, Procter & Gamble*

Steven W. Miller is Vice President & General Counsel – Innovation & Brand Equity for The Procter & Gamble Company, having joined Procter & Gamble in August, 1984. In this position, he oversees about 150 patent and trademark attorneys worldwide, and advises Procter & Gamble's senior management on intellectual property issues. Mr. Miller has authored numerous P&G patents and patent applications and has been involved in a number of license agreements, acquisitions, interferences, arbitrations, and litigation, both in the U.S. and abroad. Mr. Miller worked on the patent reform legislation culminating in the Leahy-Smith America Invents Act, the first major patent reform since 1952. He received a J.D. with Honors and a B.S. in Mechanical Engineering, cum laude, from The Ohio State University.



Eric Namrow, *Morgan, Lewis & Bockius LLP*

Eric S. Namrow is a partner in Morgan Lewis's Litigation and Intellectual Property Practices, and is chair of the firm's IP litigation practice before the International Trade Commission (ITC). Mr. Namrow focuses his practice on intellectual property litigation and counseling in courts throughout the U.S. He has particular experience in Section 337 investigations before the ITC and related proceedings before U.S. Customs and Border Protection and the Court of International Trade. Mr. Namrow has represented complainants and respondents in more than 40 ITC investigations and regularly counsels international companies regarding ITC and U.S. Customs processes and procedures. The Legal 500 has described Mr. Namrow as "a superstar IP lawyer and well respected by the staff at the ITC." In addition to his ITC experience, Mr. Namrow has handled cases in U.S. district courts throughout the

United States in all areas of intellectual property, including patents, trademark and trade dress, copyright, trade secret misappropriation, and unfair competition, as well as appeals to the U.S. Supreme Court, the U.S. Court of Appeals for the Federal Circuit, and state supreme courts. Mr. Namrow is a frequent speaker, commentator, and author on a wide range of intellectual property and ITC-specific issues, and has taught intellectual property law as an adjunct at the University of Maryland School of Law. He is currently writing a book on ITC Practice and Procedure for Oxford University Press.



Honorable Kathleen O'Malley, *Circuit Judge - United States Court of Appeals for the Federal Circuit*

Kathleen M. O'Malley was appointed to the United States Court of Appeals for the Federal Circuit by President Barack Obama in 2010. Prior to her elevation to the Federal Circuit, Judge O'Malley was appointed to the United States District Court for the Northern District of Ohio by President William J. Clinton on October 12, 1994. Judge O'Malley served as First Assistant Attorney General and Chief of Staff for Ohio Attorney General Lee Fisher from 1992-1994, and Chief Counsel to Attorney General Fisher from 1991-1992. From 1983 to 1991, Judge O'Malley was in private practice, where she focused on complex corporate and intellectual property litigation; she was with Porter, Wright, Morris & Arthur from 1985 to 1991 and with Jones Day from 1983 to 1985. During her

sixteen years on the district court bench, Judge O'Malley presided over in excess of 100 patent and trademark cases and sat by designation on the United States Circuit Court for the Federal Circuit. As an educator, Judge O'Malley has regularly taught a course on Patent Litigation at Case Western Reserve University Law School; she is a member of the faculty of the Berkeley Center for Law & Technology's program designed to educate Federal Judges regarding the handling of intellectual property cases. Judge O'Malley has served as a board member of the Sedona Conference; as the judicial liaison to the Local Patent Rules Committee for the Northern District of Ohio; and as an advisor to national organizations publishing treatises on patent litigation (*Anatomy of a Patent Case*, Complex Litigation Committee of the American College of Trial Lawyers; *Patent Case Management Judicial Guide*, Berkeley Center for Law & Technology). Judge O'Malley began her legal career as a law clerk to the Honorable Nathaniel R. Jones, Sixth Circuit Court of Appeals in 1982-1983. She received her J.D. degree from Case Western Reserve University School of Law, Order of the Coif, in 1982, where she served on Law Review and was a member of the National Mock Trial Team. Judge O'Malley attended Kenyon College in Gambier, Ohio where she graduated magna cum laude and Phi Beta Kappa in 1979.



Honorable Theodore Essex, *Administrative Law Judge - U.S. International Trade Commission*

Judge Essex served as an Administrative Law Judge at the Office of Medicare Hearings and Appeals in Cleveland, Ohio, from November 2006 until his United States International Trade Commission (USITC) appointment in October 2007. He previously served as a consultant to the Compensation and Pension Service of the Department of Veterans Affairs in Washington, DC, from 2005 to 2006. From 1985 to 2005, Judge Essex served in a variety of positions with the U.S. Air Force (USAF), from which he retired in 2005. He was Chief of the General Torts Branch of AFLSA/JACT in Arlington, VA, from 2002-2005. He served as Chief of Aviation Law with the Air Education and Training Command, USAF from 2000-2002; as Deputy Staff Judge Advocate with the Air Intelligence Agency, USAF from 1999-2000; as Chief, Operations Law, USAF Headquarters in the United Kingdom from 1996-1999; as an Attorney-Adviser in the AFLEM Office of International Claims and Investment Disputes at the U.S. Department of State from 1995-1996; as a Staff Judge Advocate based in Norway from 1992-1995; as a Deputy Staff Judge Advocate based in the United Kingdom from 1990-1992; as a Circuit Defense Counsel for the USAF AL Legal Services Center from 1988-1990; as a Deputy Staff Judge Advocate based in Belgium from 1987-1988; as an Area Defense Counsel from 1986-1987; and as an Assistant Staff Judge Advocate from 1985-1986. Judge Essex holds a Juris Doctor degree from The Ohio State University, 1980 and a Bachelor of Arts Degree from Miami University in Oxford, Ohio in 1977. He holds an active law license in the state of Louisiana and is a registered solicitor in England and Wales. Judge Essex is also a professorial lecturer in law at The George Washington University Law School. The U.S. International Trade Commission is an independent, nonpartisan, quasi-judicial federal agency that provides trade expertise to both the legislative and executive branches of government, determines the impact of imports on U.S. industries, and directs actions against certain unfair trade practices, such as patent, trademark, and copyright infringement.

Honorable Leonie Brinkema, *United States District Court Judge - Eastern District of Virginia*

Judge Brinkema has served on the U.S. District Court for the Eastern District of Virginia since October 1993, during which time she has presided over several high profile national security and terrorism cases, including *United States v. Zacarias Moussaoui*, the only civilian trial addressing the September 11, 2001 attacks on the United States, as well as handling numerous cases involving intellectual property issues. Before becoming a district court judge, she was a U.S. magistrate judge, served as an Assistant U.S. Attorney in the Eastern District of Virginia, and was in private practice. She began her legal career with the Department of Justice as a trial attorney in the Criminal Division, first in the Honors Program in the Public Integrity Section and later in the Office of International Affairs. Judge Brinkema received her J.D. cum laude from Cornell Law School in 1976, her Masters Degree in Library Service from Rutgers University Graduate School of Library Service in 1970, and her B.A. in Philosophy with honors from Douglass College in 1966. She also attended New York University and the University of Michigan for graduate studies in philosophy. She has received several awards and honors; including the Douglass Residential College Award for Outstanding Public Service; the Colby College Morton A. Brody Distinguished Judicial Service Award; the University of Virginia School of Law William J. Brennan, Jr. award; named a Rutgers University Distinguished Alumni; membership in the Douglass College Society; Phi Beta Kappa; a Woodrow Wilson Foundation Graduate Fellowship; and a Danforth Foundation Graduate Fellowship.



Bernie Zidar, *Chief IP Counsel - McKesson Corp.*

Joining McKesson in February 2007, Bernie has overall responsibility for intellectual property issues at McKesson, including patent, copyright, trademark and confidentiality issues. Previously, Bernie was a partner with the IP boutique Needle & Rosenberg, PC (now the IP practice of Ballard Spahr, LLP) and a mechanical engineer with Westinghouse Electric Company. Bernie holds a *Juris Doctor* from Emory University and a Bachelor's degree in Mechanical Engineering from the University of Notre Dame. He spends his spare time traveling, jogging, reading, hang gliding, golfing, playing tennis, fly fishing, hiking, camping and engaging in any other sport or outdoor activity he can get his hands on. Bernie loves his original hometown of Pittsburgh, PA, and remains a very enthusiastic Pirates, Penguins and Steelers fan.



Daryl Joseffer, *King & Spalding*

Daryl Joseffer is the head of King & Spalding's national appellate practice. A former Principal Deputy Solicitor General, he has argued 12 cases and handled well over 100 matters in the Supreme Court. Mr. Joseffer has also argued over 15 patent appeals, including *Merck v. Integra*, *Microsoft v. AT&T*, and *McKesson v. Epic*. Before joining the Office of the Solicitor General, Mr. Joseffer was Deputy General Counsel of the White House Office of Management and Budget, a partner at Kirkland & Ellis, and a law clerk to Judge Jerry E. Smith of the U.S. Court of Appeals for the Fifth Circuit. He graduated from Harvard Law School (*magna cum laude*) and Stanford University.



Hans Sauer, *Associate General Counsel for IP – Biotechnology Industry Organization*

Hans Sauer is Deputy General Counsel for Intellectual Property for the Biotechnology Industry Organization, a major U.S.-based trade association representing over 1,100 biotechnology companies from the medical, agricultural, environmental and industrial sectors in 31 countries. At BIO, Dr. Sauer advises the organization's board of directors, amicus committee, and various staff committees on patent and other intellectual property-related matters. Prior to taking his current position at BIO in 2006, he was Chief Patent Counsel for MGI Pharma, Inc. in Bloomington, Minnesota, and Senior Patent Counsel for Guilford Pharmaceuticals Inc. in Baltimore, Maryland. Dr. Sauer has 18 years of in-house experience in the biotechnology industry, first as a research scientist and later as a lawyer. He worked on several drug development programs, being responsible

for patent prosecution and portfolio oversight, clinical trial health information privacy, and sales and marketing legal compliance. He did his postdoctoral fellowship at Genentech, Inc. in South San Francisco, and holds a M.S. degree from the University of Ulm in his native Germany; a Ph.D. in Neuroscience from the University of Lund, Sweden; and a J.D. degree from Georgetown University, where he serves as adjunct professor.

Thad Kodish, *Managing Principal - Fish & Richardson*



Thad Kodish is Managing Principal of Fish & Richardson's Atlanta office where his practice focuses on patent litigation in the electrical, mechanical and chemical arts. Thad also handles trademark, copyright, trade secret, and related matters. Thad has led numerous litigation teams in cases pending before Georgia, Texas, and California courts and throughout the country. Other aspects of Thad's practice have included testifying as a patent law expert, litigating *inter partes* review proceedings and performing due diligence and licensing negotiations concerning large patent portfolios. Prior to joining Fish & Richardson, he was a chemical process engineer at Pratt & Whitney Aircraft. Thad has a B.S. in Chemical Engineering from the University of Michigan (*cum laude*), and a J.D. from Emory School of Law, where he was an editor of the *Emory Law Journal*. Thad was recognized as one of Georgia's Top 40 under

40 lawyers, and has been repeatedly selected as a leader in IP law by *Chambers USA*, *Super Lawyers*, and *Managing Intellectual Property*.



Jennifer Wuamett, *VP and Chief IP Counsel – Freescale Semiconductor, Inc.*

Jennifer Wuamett is Senior Vice President, General Counsel and Secretary for Freescale Semiconductor, Inc., a global leader in the design and manufacture of embedded semiconductors. Jennifer is responsible for the company's worldwide legal operations, including ethics and compliance, and government relations. Previously, Jennifer served as Freescale's Vice President & Chief Intellectual Property Counsel since the company's formation in 2004. In that role she led a global team responsible for the company's worldwide intellectual property legal matters, and counseled senior management on creating innovative strategies to protect and leverage Freescale's intellectual property, reduce risks and protect value in high-stakes transactions and disputes. Jennifer also served

as IP Law Director with Motorola's Global Strategic IP Counseling Team. Before joining Motorola, Jennifer was an attorney in private practice with the national law firm Quarles & Brady, located in the firm's Phoenix, Arizona office. Jennifer's practice included patent and trademark prosecution and transaction and litigation support. Jennifer received her Law Degree from the Arizona State University College of Law, where she graduated *Magna Cum Laude* and was the 1995 recipient of the Arizona State University College of Law's Outstanding Graduate Award. She also served as Editor-in-Chief of the Arizona State Law Journal from 1994 to 1995.

Speaker Information for Tuesday, January 28 (in order of appearance)



Russ Slifer, *Chief Patent Counsel - Micron Technology*

Russ Slifer is the Chief Patent Counsel for MICRON TECHNOLOGY, INC. where he is responsible for IP portfolio management, including domestic and international patent prosecution. Russ has extensive management experience in both corporate and private practice. He has a J.D. from Northern Illinois University and a B.S. in Electrical Engineering from Iowa State University. Russ is the immediate past president of ACPC.



Erika Arner, *Finnegan, Henderson, Farabow, Garrett & Dunner, LLP*

Erika Arner chairs Finnegan's patent prosecution practice. She focuses on patent prosecution management, client counseling, and litigation, with an emphasis on electronic technology, computer software, and the Internet. Ms. Arner has helped clients of all sizes to establish and grow patent portfolios, align intellectual property strategy with business objectives, and adapt to the evolving legal landscape, including the America Invents Act. Ms. Arner is a well-known authority in the area of business method patents and patent-eligibility jurisprudence. She represented the petitioners before the U.S. Supreme Court in *Bilski v. Kappos*, and has advised clients on issues related to patentable subject matter before the U.S. Court of Appeals for the Federal Circuit, U.S. district courts, and the U.S. Patent and Trademark Office. She has also served as lead counsel before the Patent Trial and Appeal Board of the U.S. Patent and Trademark Office (PTAB) (formerly the U.S. Board of Patent Appeals and Interferences) in post-grant review proceedings involving covered business method patents. Ms. Arner has provided opinions on patentability, infringement, and validity of patents, and drafted or overseen the drafting of more than 150 patent applications for business method, electrical, telecommunications, and software-based technologies. She is a frequent author and lecturer on business method and computer-related patents.



Bernard J. Knight, Jr., *McDermott Will & Emery LLP*

Bernard J. Knight, Jr. is a partner in the law firm of McDermott Will & Emery LLP and is based in the Firm's Washington, D.C., office. He focuses his practice on complex patent litigation. Bernie is among the most respected authorities on intellectual property law in the United States, having served as General Counsel for the U.S. Patent and Trademark Office's (USPTO). At the USPTO, he played a leading role in the development and implementation of the landmark America Invents Act (AIA). As General Counsel of the USPTO, he led the development and legal review of the regulations implementing the new *Inter Partes* review, post grant review, business method review and derivation proceedings, as well as the regulations changing the United States to a first-inventor-to-file system. Bernie is experienced in handling all IP matters, including patent, trademark and copyright issues. He has advised on intellectual property cases before the United States Supreme Court and provided oversight on patent and trademark cases before the Court of Appeals for the Federal Circuit and the district courts. Bernie previously served as Acting General Counsel of the U.S. Treasury at the height of the financial crisis. From 2001 to 2006, he was Deputy General Counsel for the USPTO. Bernie began his government career in 1991 at the Department of Justice, Tax Division, where he served for 10 years. Earlier, he was a Senior Manager at Ernst & Young.



Adam Perlman, Partner - Williams & Connolly

Adam Perlman's practice focuses on complex civil litigation, and in particular, intellectual property disputes. Mr. Perlman has served as lead counsel in major patent litigations at trial and in the U.S. Court of Appeals for the Federal Circuit. He has also litigated *inter partes* review proceedings before the USPTO. His patent litigation practice has involved a wide range of technologies, including pharmaceuticals, biotechnology, medical devices, computers, and financial services. In recent years, Mr. Perlman has tried several high-stakes patent cases, including successfully defending the patents covering Eli Lilly's blockbuster anti-cancer drug Alimta, Alcon's Patanol and Vigamox ophthalmic solutions, and Bayer's antibiotic Avelox. He also successfully represented researchers from the University of Pittsburgh in an inventorship dispute with scientists from the University of

California in a biotech case over the invention of stem cells derived from fat tissue. Mr. Perlman has also litigated claims of misappropriation of trade secrets in connection with a patent and licensing dispute involving antibody technology, and in a dispute between mobile phone carriers. Mr. Perlman's patent litigation experience also includes arguing appeals before the Federal Circuit. Mr. Perlman graduated from Tufts University, *magna cum laude*, and received his J.D., *summa cum laude*, from the University of Pennsylvania Law School, where he was Articles Editor of the *University of Pennsylvania Law Review*. Mr. Perlman spent a year as a law clerk to Judge Marvin J. Garbis of the U.S. District Court for the District of Maryland before joining Williams & Connolly LLP in 1998. Prior to turning 40, he was named one of the country's top five intellectual property partners under 40 by *Law360*. He has been recognized as a "Life Sciences Star" by *LMG Life Sciences* in 2012 and 2013, and was named an "IP Star" by *Managing IP* in 2013. He has also served on the faculty of the ALI course *Trial of a Patent Case*. Mr. Perlman spent five years as a member of the firm's Hiring Committee.



Kevin Rhodes, President and Chief IP Counsel - 3M

Kevin Rhodes is the President and Chief Intellectual Property Counsel of 3M Innovative Properties Company in St. Paul, Minnesota, where he is responsible for managing the intellectual property assets of 3M Company and its worldwide affiliates. Mr. Rhodes is a member of the Executive Committee of the Board of Directors of the Intellectual Property Owner's Association, and serves as Chair of the Amicus Committee. He also serves as the Treasurer of the Board of Directors of the Intellectual Property Owner's Association Educational Foundation. Mr. Rhodes also is a member of the Board of Directors of the American Intellectual Property Law Association, and serves on the Executive Committee of the Association of Corporate Patent Counsel. Mr. Rhodes chairs the Board of Advisors of the William Mitchell College of Law Intellectual Property Institute. He also serves on the Steering Committee of the PTO Pro Bono Inventor's Assistance Program. Mr. Rhodes has spoken widely on issues of

intellectual property law and policy. Mr. Rhodes joined 3M in 2001. Prior to joining 3M, Mr. Rhodes was a partner at Kirkland & Ellis in Chicago, where he specialized in intellectual property litigation. Mr. Rhodes received his J.D., *magna cum laude*, from Northwestern University and his undergraduate degree from Grinnell College.



Bill Rooklidge, Partner - Jones Day

Bill Rooklidge is a partner at Jones Day in Irvine, California, where he limits his practice to intellectual property litigation and related counseling, with a focus on patent infringement litigation. He has extensive trial and appellate experience, including trying cases to judges, juries and arbitrators and arguing many cases at the U.S. Court of Appeals for the Federal Circuit. Mr. Rooklidge previously served as a judicial clerk to the Honorable Helen Nies, Circuit Judge of the United States Court of Appeals for the Federal Circuit, and as a registered professional engineer at Portland, Oregon manufacturer Tube Forgings of America, Inc. He earned his LL.M. in patent and trade regulation law from George Washington University in 1985, J.D. from Lewis & Clark College in

1984, and B.S. in Mechanical Engineering from the University of Portland in 1979. He is a member of the bar of the United States Supreme Court, Supreme Court of the State of California, United States Courts of Appeals for the Ninth and Federal Circuits, and federal district courts in California, Illinois and Texas. Mr. Rooklidge has served as President of both the American Intellectual Property Law Association and the Orange County Patent Law Association. His bar work has included drafting or editing many amicus briefs to the United States Supreme Court and Federal Circuit. He has published over 50 publications on patent law topics, many of which have been cited by courts, including the United States Supreme Court, Court of Appeals for the Federal Circuit, and federal district courts. His publications include ten articles on patent damages and the Federal Judicial Center's COMPENSATORY DAMAGES ISSUES IN PATENT INFRINGEMENT CASES: A POCKET GUIDE FOR FEDERAL DISTRICT COURT JUDGES (2011).



Dennis Crouch, Associate Professor, University of Missouri School of Law

Professor Crouch is Associate Professor of Law at the University of Missouri School of Law. Prior to joining the MU Law Faculty, he was a patent attorney at McDonnell Boehnen Hulbert & Berghoff LLP in Chicago, Illinois, and taught at Boston University Law School. He has worked on cases involving various technologies including computer memory and hardware, circuit design, software, networking, mobile and internet telephony, automotive technologies, lens design, bearings, HVAC systems, and business methods. He is also the editor of the popular patent law weblog: Patently-O . Professor Crouch received his BSE in mechanical engineering *cum laude* from Princeton University, where he also earned a certificate in engineering management systems. He then earned his JD *cum laude* from the University of Chicago Law School. While at the University of Chicago, he was a Microsoft, Merck, & Pfizer scholar and a member of the Olin program in law and economics. Prior to attending law school, Professor Crouch worked as a technical consultant for manufacturing firms in New England, as a research fellow at NASA's Glenn Research Center, as a software developer at the Mayo Clinic's department of biomedical imaging, and as a Peace Corps Volunteer in Ghana, West Africa.



Barbara Fiacco, Partner - Foley Hoag

Barbara A. Fiacco is a partner at Foley Hoag. She is a graduate of Dartmouth College and Harvard Law School and practices primarily in the area of IP litigation, specializing in life sciences patent litigation. She has litigated patent and inventorship disputes for pharmaceutical and biotechnology companies, medical device manufacturers, and universities. Ms. Fiacco currently serves on the Board of Directors of the American Intellectual Property Law Association. On behalf of AIPLA she co-authored an amicus brief in the Supreme Court in *Microsoft Corp. v. i4i*. She also co-authored an amicus brief to the Federal Circuit on behalf of BIO in *Amgen v. Roche*. Most recently, she co-authored amicus briefs in the Supreme Court on behalf of the AIPLA in *Highmark Inc. v. Allcare Health Management Systems, Inc.* and in *Octane Fitness, LLC v. Icon Health & Fitness, Inc.* Ms. Fiacco is a frequent speaker on intellectual property matters including patent subject-matter eligibility, attorney-client privilege issues, patent law reform, and biosimilars. She can be contacted at bfiacco@foleyhoag.com.



Karen Etheridge, Chief Patent Counsel – Newell Rubbermaid

Karen Borrelli Etheridge is Chief Patent Counsel at Newell Rubbermaid, Inc. She is responsible for the patent prosecution and litigation strategies for brands such as Graco, Calphalon, Waterman, Sharpie, Levolor, Rubbermaid, and Irwin Tools. Karen joined Newell Rubbermaid in 2007 and has been Chief Patent Counsel since 2011. Ms. Borrelli Etheridge has a background in domestic and international patent prosecution and litigation in the mechanical arts. She began her law career in 1999 as a summer intern for the United States Court of Appeals for the Federal Circuit in Washington, DC and also worked as an associate for the DC office of the law firms McKenna Long & Aldridge and the firm now known as K&L Gates. Prior to joining Newell Rubbermaid, she was Senior Patent Attorney for Ciba Vision, a Novartis Pharmaceuticals Company, in Atlanta. Ms. Borrelli Etheridge received a Bachelor of Mechanical Engineering degree in 1998 from the Georgia Institute of Technology and her law degree from the Catholic University of America in Washington DC in 2001. She is licensed to practice in both Georgia and Washington, DC, as well as before the United States Patent and Trademark Office.

Speaker Information for Wednesday, January 29 (in order of appearance)



Dennis Skarvan, *General IP Counsel - Caterpillar Inc.*

Dennis Skarvan is Deputy General Counsel in Caterpillar's Legal Services Division. Dennis manages Caterpillar's Intellectual Property practice group based in Peoria, IL with offices in the U.S., U.K., China, Japan and India. Dennis began his career as a design engineer with General Motors Corporation in 1984 before joining an IP law firm in Indianapolis, IN in 1990. He joined Caterpillar in 1993 as a patent attorney and has held various positions within Caterpillar's Legal Services Division. As an attorney at Caterpillar Financial Services Corporation from 1996-2001, he managed local and cross-border financing and supported regional office expansion in Asia. As general counsel for the Solar Turbines subsidiary of Caterpillar from 2008-2011, he managed the legal offices of Solar Turbines in San Diego, CA and Europe. Dennis has been a speaker at IP meetings and is a member of the

American Intellectual Property Law Association, Association of Corporate Patent Counsel, and on the Board of Directors for the Intellectual Property Owners Association. In 2012, Caterpillar received the International Law Office's Global Counsel Team Award for its Intellectual Property practice group. Dennis holds engineering degrees from General Motors Institute (now Kettering University) and Stanford University, and he received his JD degree from Indiana's School of Law in Indianapolis.



Kevin Mooney, *Partner - Simmons & Simmons*

Kevin specialises in contentious and non-contentious intellectual property matters, focusing specifically on patent litigation, especially in the pharmaceutical industry. Kevin is recommended by "Chambers Guide to the Legal Profession" as being cited by peers as "the doyen of patent law". He is specifically recommended by the Legal 500 for his "pre-eminent reputation for patent expertise". He is also specifically rated as a leader in his field by "The Legal 500", for Patent Litigation and in advising the Pharmaceutical and Biotechnology sector, and the "Global Counsel 3000". He is a member of the Intellectual Property Solicitors Association, a member of the American Intellectual Property Law Association and a former member of the Nuffield Bioethics Counsel Working Party on

Human Tissue. He is past-President and a Director of the European Patent Lawyers Association (EPLAW) and has chaired three Venice conferences of the European Patent Judges. He is chairman of the Drafting Committee for the Rules of Procedure for the Unified Patent Court. He is the author of many articles and a frequent speaker in the UK, Europe and the US on intellectual property issues. Kevin qualified as a solicitor in 1971 and became a partner in 1973.



Alan Johnson, *Partner - Bristows*

Alan is a Partner with English Solicitors, Bristows LLP, specialising in patent litigation, with over 30 years' experience. Clients he has represented include GE Healthcare, ExxonMobil, Olympus and Takeda. He is a member and former Chair (2001-2005) of the Intellectual Property Committee of AmCham EU (the Brussels-based American Chamber of Commerce to the European Union), and Secretary of the Users' Committee of the UK's Intellectual Property Enterprise Court (2001 to date). Alan has been following the events which have led to Europe's proposed unitary patent and Unified Patent Court since the late 1990s, and is a member of the UK IPO's European Focus Group which advises the UK Government on issues concerning the unitary patent and UPC.



Marc Döring, Partner, Simmons & Simmons

Marc specialises in contentious and non-contentious intellectual property, focusing primarily on patent litigation in the pharmaceutical, biotechnology, medical device, telecoms and chemical industries. He has considerable experience in providing strategic litigation advice and coordinating pan-European patent litigation. Marc is recommended by both The Legal 500 and Chambers and Partners as one of the UK's leading patent lawyers. He is also listed in The International Who's Who of Patent Lawyers, The International Who's Who of Life Sciences Lawyers, MIP's Expert Guide to the World's Leading Patent Law Practitioners and IAM Patent 1000. Clients comment that he "is a 'first-class' patent litigator with 'outstanding knowledge and business understanding'" (Chambers 2014); "has the ability quickly to understand clients' problems and goals and then deliver solutions" (Legal 500 2013); "knows what needs to be done and how to go about doing it – he is ceaseless in pursuing a positive result for a client" (IAM 2013); "the ideal solicitor" (Chambers 2012); "excellent communication skills, and understands what the client needs" (Legal 500 2011); "a brilliant up & coming patent litigator" (IAM 2011); "has 'outstanding communication skills' - a 'really perfect lawyer'" (Legal 500 2010); an "exceptional litigator" (Chambers 2010). Marc graduated in 1991 with a degree in biotechnology before going on to study law. Marc joined the firm in 1995, qualified as a solicitor in England & Wales and Hong Kong in 1997 and became a partner in 2007. In 2013, Marc was appointed Head of the London IP Department and International IP Group.



Aaron Cooper, Covington & Burling LLP

Aaron Cooper is special counsel in Covington & Burling's Public Policy and Government Affairs Practice Group. His practice focuses on developing and implementing short and long term policy objectives in the fields of intellectual property, antitrust, communications law, and related areas. Mr. Cooper returned to the firm in December after serving more than seven years for Chairman Leahy on the Senate Committee on the Judiciary, where he was the Committee's Chief Counsel for Intellectual Property and Antitrust Law. In this role, Mr. Cooper had primary responsibility for all aspects of Chairman Patrick Leahy's intellectual property and antitrust initiatives, including drafting, negotiating and developing the legislative strategy for passage of the Leahy-Smith America Invents Act. Mr. Cooper was also the lead Committee counsel responsible for drafting and securing passage of the Satellite Television Extension and Localism Act, the Theft of Trade Secrets Clarification Act, the Patent Law Treaties Implementation Act, the Trademark Technical and Conforming Amendments Act, and numerous other IP and antitrust laws enacted over the last several Congresses. In 2012, Mr. Cooper received the Outstanding Achievement in IP award from Managing Intellectual Property and was listed in Roll Call's 30 Hill Aides to Know and the National Law Journal's Hill Hot List. Prior to serving for Senator Leahy, Mr. Cooper was legal counsel to Senator Sarbanes (2005-2006), an associate at Covington & Burling (2001-2005), and law clerk for Judge Tjoflat on the United States Court of Appeals for the Eleventh Circuit (2000-01). Mr. Cooper graduated from Vanderbilt Law School in 2000 and Princeton University in 1995.



Nick Leach, Chief IP Counsel, Chevron

Nicholas N. Leach is Chief IP Counsel and leads the IP & Technology Law Group of Chevron Services Co. The IP & Technology Law Group enhances Chevron's competitive technology advantage by identifying, securing and protecting Chevron's IP rights globally, and by advising on IP and information technology risks and coordinating legal support across the enterprise on IP and technology law matters. Prior to joining Chevron in 2007, Nick was Vice President and Chief Patent Counsel of KimberlyClark Worldwide. In that role he was responsible for management of KimberlyClark's global portfolio of patents, industrial designs, trade secrets and proprietary information, oversaw global patent enforcement proceedings and other significant intellectual property matters across all product/technology categories. In addition to his in-house experience, Nick practiced intellectual property law with Troutman Sanders in Atlanta, Kenyon & Kenyon in New York City, and Morris Nichols in Wilmington. Nick received his J.D. from the University of Georgia School of Law and his B.S. in Mechanical Engineering from the Georgia Institute of Technology. Nick's personal interests include enjoying life and traveling with his wife and two sons, scuba diving, motorcycles, and supporting Chelsea FC.

RECOMMENDED RESTAURANTS

AMERICAN

Wright's- Recently renovated, offering "American Lodge" cuisine. American boutique specialty farmers, ranchers and suppliers provide the freshest natural ingredients for a simple, flavorful style. The dramatic elegant room features gold-leaf ceiling, huge glass windows with views of the property. The freshest ingredients are what make this restaurant's cuisine spectacular. For privacy and ambiance, try the wine cellar or private dining rooms. Named "Top 10 Restaurant in a Hotel" by Hotel Magazine. Dinner Tuesday through Saturday, brunch Sunday. (602) 955-6600
<http://arizonabiltmore.com/dining/wrights.asp>

Frank and Albert's- Enjoy breakfast, lunch or dinner at the new Frank and Albert's. Serving American classics and Arizona comfort food accented by local flavors. Frank and Albert's serves as a neighborhood gathering place for local residents and as a comfortable, inviting venue for resort guests. The warm, relaxed, comfortable ambience is inspired by the art and architecture of Frank Lloyd Wright and Albert Chase McArthur. Open daily from 6am-10pm, the bar is open until 11. Breakfast is served all day, Lunch 11-5, Dinner 5-10.
<http://www.frankandalberts.com>

Lon's at the Hermosa- Fine dining/southwestern influence. Warm inviting atmosphere of southwestern art with award winning contemporary American Cuisine. Beautiful patio with great views of Camelback Mountain. Lunch Monday-Friday, dinner nightly, brunch Sunday. 5532 N. Palo Cristi Drive, Paradise Valley (4 miles – 10 minutes). (602) 955-7878
<http://www.lons.com/about-lons.html>

Elements - Fine Dining. Recognized as one of the "Top 100 Restaurants in the U.S." by *Gourmet* magazine, Elements offers farm-fresh American cuisine with Asian accents. Located at the Sanctuary Resort on Camelback Mountain, the patio has a perfect sunset view of Mummy Mountain. Breakfast, lunch and dinner daily, brunch Sunday. 5700 E. McDonald Drive, Paradise Valley (5 miles – 15 minutes). (480) 607-2300
<http://www.sanctuaryoncamelback.com/content/elements.html>

Tarbell's – A 2006 "Iron Chef America" winner, celebrity Chef Mark Tarbell operates his signature restaurant just 7 minutes from the resort. Tarbell's has a friendly, neighborhood atmosphere and offers an eclectic new spin on American comfort foods with a great wine list. Dinner nightly. 3213 E. Camelback Road. (10 minutes) (602) 955-8100.
<http://www.tarbells.com/>

T. Cooks at the Royal Palms Resort and Spa – T. Cook's has received the highest ratings from both the national food critics and locals for its select seasonal dishes, fire-roasted specialties and elegant surroundings. Their menu features a wide variety of creative dishes from the Mediterranean and exotic surrounding regions. Breakfast and dinner daily, lunch Monday through Saturday, brunch on Sunday from 10 a.m. to 2 p.m. 5200 E. Camelback Road, Phoenix (15 minutes). (602) 840-3610
<http://www.royalpalmsshotel.com/phoenix-arizona-dining.php>

N.O.CA – Noca, which stands for “north of Camelback” is a relatively new entry in the Phoenix culinary scene. Owner Eliot Wexler is already making a name for himself as his restaurant was voted “Best Place to Take a Foodie” in Phoenix’s alternative weekly publication *New Times* in 2008. Noca's atmosphere is refreshingly unpretentious with a definitive playful side, such as the "caviar" of organic eggplant, served out of a caviar tin with warm blinis, to the "milk and cookies" dessert, featuring fresh chocolate chip cookies and a frothy malted vanilla shake. Entrees include fresh pasta, beef, pork and seafood. Dinner nightly, 5:30 p.m. to 10:00 p.m. 3118 E. Camelback Rd. Phoenix (10 minutes). (602) 956-6622
<http://www.restaurantnoca.com/>

STEAKHOUSE/SEAFOOD

Donovan's –Excellent steak house, with 8 private dining rooms. Also has great seafood. Dinner Monday thru Saturday. 3101 E. Camelback Rd., Phoenix (1 ½ miles – 7 minutes) (602) 955-3666 –
<http://www.donovanssteakhouse.com/>

Mastro's City Hall Steakhouse - A beautifully designed restaurant, featuring live music every night in their lounge. Cosmopolitan ambiance and superior service. Incredible menu of steak and seafood, as well as an impressive wine list. 6991 E Camelback Rd, Scottsdale (10-15 minutes) (480) 941-4700
<http://www.mastrosrestaurants.com>

Note: There are two sister restaurants to Mastro's City Hall Steakhouse in the area, Mastro's Steakhouse and Mastro's Ocean Club. The latter restaurant offers prime seafood as well as other entrees.

Wildfish Seafood Grille—New, trendy, excellent seafood, appetizers. Great service - also prime steak selections. Dinner nightly. 7135 E. Camelback Rd, Scottsdale (10-15 minutes). (480) 994-4040.
<http://www.eddiev.com/>

SOUTHWEST

Cowboy Ciao - “Hot spot for the hip with seriously good food.” (Zagat Guide) The atmosphere in this former art gallery provides great views of old town Scottsdale. The large bar welcomes anyone to try a fleet of wine, known for one of the most diverse wine list selections in town (1500 wines). Great food with ingredients indigenous to the southwest, such as warm mushroom pan fry or stuffed rib pork chop served with ancho bread pudding. Lunch and dinner daily, brunch Sundays. 7133 E Stetson Dr, Scottsdale (6 ½ miles). (480) 946-3111.
<http://www.cowboyciao.com/>

Old Town Tortilla Factory - This fun restaurant located in Old Town Scottsdale specializes contemporary Sonoran cuisine using classical techniques and regional ingredients such as corn, chiles, beans, citrus and of course, tortillas. Main attraction is the beautiful patio, which is a perfect setting for sipping one of their famous Margaritas. Dinner nightly. 6910 E Main St, Scottsdale (15 minutes). (480) 945-4567.
<http://www.oldtowntortillafactory.com/>

Rokerij - Upscale atmosphere with New Mexican cuisine. Broad variety of menu items including Red Chile Osso Buco and Chimayo Chicken. The sleek booths surround the focal point of the island bar upstairs. Downstairs is cozy and intimate with only a few tables surrounding the fireplace and their signature copper bartop. For those of you that are die hard fans of Richardson's, their burning embers are still ablaze as Rokerij will now serve Richardson's full menu in addition to their own. Full menu is served until midnight daily. Lunch and dinner everyday, breakfast on Sundays. Phoenix (10 minutes). (602) 265-5886, (602) 287-8900.

<http://www.burningembersphoenix.com/>

ITALIAN

L'Amore Italian Restaurant - family owned and located in the heart of Phoenix. Fine dining with a family atmosphere. sauces are from the owners family recipes, pastas fresh, and the ravioli handmade. Lunch Monday through Friday, dinner nightly, closed Sundays. 3159 E Lincoln Dr, Phoenix (7 minutes) (602) 381-3459.

<http://www.lamoreitalianrestaurant.com>

Tomaso's - Northern Italian in a traditional Italian setting. Large portions of food and great variety. Ranging from classic veal meatballs and spaghetti to four cheese ravioli. Nearby location. Dress is casual and price is moderate. Lunch Monday through Friday, dinner nightly. 3225 E Camelback Rd, Phoenix (2 ¼ miles). (602) 956-0836.

<http://www.tomasos.com/>

Avanti - A staple in Phoenix for over thirty years, Avanti has an Old World charm and a great menu that offers fresh pasta dishes and various entrée selections. Lunch Monday through Friday, dinner nightly. 2728 E Thomas Rd, Phoenix (10 minutes). (602) 956-0900.

<http://www.avanti-az.com/>

ASIAN

Hana Japanese Eatery - Authentic traditional food, incredible quality sushi that features fresh fish (much of it bought whole and cut in-house). Lunch Tuesday through Friday, dinner Tuesday through Sunday. 5524 N. Seventh Avenue, Phoenix. (602) 973-1238.

<http://hanajapaneseeatery.com/>

Stingray - Great sushi, trendy scene 2502 E Camelback Rd, Phoenix. (15 minutes). (602) 955-2008

<http://www.stingraysushi.com/index.html>

Malee's on Main- Nationally acclaimed Thai food tucked in the heart of Old Town Scottsdale. An elegant, romantic atmosphere with a cozy fireplace as the focal point. Malee's is a must do for Scottsdale's Thursday night Art Walk. Lunch Monday through Saturday, dinner nightly. 7131 E Main St, Phoenix (15 minutes). (480) 342-9220.

<http://www.maleesthaibistro.com/locations.html>

Roka Akor – Roka Akor serves contemporary Japanese Robatayaki cuisine and signature cocktails in dramatic yet informal surroundings. Examples of Roka's signature dishes are the Butterfish Yuzu tataki or grilled lamb cutlets with Korean spices. The Shochu lounge offers various Shochu tonics. Dinner Sunday through Wednesday 5 to 10 p.m., Thursday through Saturday 5 to 11 p.m. 7299 North Scottsdale Road, Scottsdale. (480) 306-8800.
<http://www.rokaakor.com>

FRENCH

Vincent's - Famed for French-inspired Southwestern cuisine. Despite the intimate atmosphere of Provence, this well-known restaurant specializes in southwestern cuisine. Whether you order classic dishes like duck tamales or blue-corn-crusting sweetbreads, or nouveau entrees like macadamia-crusting scallops or pork osso buco, this inspired fare never seems to get old. Lunch Monday through Friday, dinner Monday through Saturday. 3930 E Camelback Rd # 202, Phoenix (3 ¼ miles). (602) 224-0225
<http://vincentsoncamelback.com/>

Christopher's Restaurant and Crush Lounge - James Beard award winner Chef Christopher Gross and world-renowned sommelier Paola Embry operate a trendy dining and nightclub venue. The menu incorporates Gross' signature French-infused cuisine while the lounge is chic yet relaxing. Their wine selection is one of the best in valley. Located in the Biltmore Fashion Park. (1 ¼ miles) (602) 522-2344.
<http://www.christophersaz.com/>



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