USC GOULD SCHOOL OF LAW

2023 INTELLECTUAL PROPERTY INSTITUTE

JUDGES
• Hon. Beth Labson Freeman (N.D. Cal.) • Chief Judge Philip S. Gutierrez (C.D. Cal.)
• Hon. Mark C. Scarsi (C.D. Cal.)

LUNCHEON KEYNOTE
Jeremy Bash (Member of President’s Intelligence Advisory Board/Founder and Managing Director of Beacon Global Strategies LLC)

ACADEMICS
Professors Abbott, Balganesh, Burk, Craig, Goodman, Menell, Morris and Rothman

PLUS: Damages Half-Day Workshop on Monday, March 20

The Pathways to Clear IP Solutions

MCLE/CPE credits available
Register online now at https://gould.usc.edu/cle/ip/
#USCLAWIP
Prominent Speakers

Join over 600 IP professionals for an unrivaled gathering of national speakers and a sophisticated discussion of emerging issues and best practices in copyright, patent, trademark, trade secret and related fields. Join Judges Labson Freeman (N.D. Cal.), Gutierrez (C.D. Cal.), and Scarsi (C.D. Cal.) plus prominent government officials, leading academics, in house counsel, and top practitioners for two days of learning and networking at the beach.

Don’t Miss Out

The Institute will sell out early, so register online now at https://gould.usc.edu/cle/ip/

Intellectual Property Institute Sponsors

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### 2023 Intellectual Property Institute

**DAMAGES WORKSHOP PROGRAM**

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<td>11:30 AM</td>
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| 12:00 PM – 1:30 PM | Apportionment in Patent Damages                                                          | John L. Hansen  
Partner, TM Financial Forensics, an HKA Company  
Gregory Pinsonneault  
Managing Director / CEO, LitiNomics, Inc.  
Amy E. Proctor  
Irell & Manella LLP  
Bita Rahebi  
Morrison Foerster LLP  
MODERATOR  
Russell W. Mangum III, Ph.D.  
Executive Vice President, Cirque Analytics |
| 1:45 PM – 3:15 PM | Use of Licenses and Other Tools to Estimate a Reasonable Royalty                          | Charles S. Barquist  
Maschoff Brennan  
Elizabeth A. Dean  
Managing Director, Alvarez & Marsal Disputes and Investigations, San Francisco, CA  
Erin Gibson  
DLA Piper LLP (US), San Diego, CA  
Jeffrey Kinrich  
Managing Principal, Analysis Group, Inc.  
MODERATOR  
Justin Lewis  
Managing Director, Ocean Tomo, LLC, a part of J.S. Held |

**MONDAY MARCH 20, 2023**

**2023 Intellectual Property Institute**

**DAMAGES WORKSHOP PROGRAM**
3:30 PM – 5:00 PM
Proving and Arguing Monetary Remedies in Copyright, Trade Secret and Trademark Disputes

In the context of allegations of infringement of copyrights, trade secrets, and trademarks, monetary remedies include lost profits, as well as an infringer’s profits, and in some situations a reasonable royalty. This session will look at issues such as burden-shifting, proof of offsets to revenue for costs and apportionment, requirements for the availability of a royalty, and statutory damages, as well as what can be done without proof of the use of a trade secret.

5:00 PM
Adjournment

Sarah Butler
Managing Director
NERA Economic Consulting
San Francisco, CA

Suzanne Heinemann
Principal
Analytics WEST

Diana Hughes Leiden
Winston & Strawn LLP

James Pampinella
Senior Managing Director
Ankura Consulting Group
San Francisco, CA

Justin E. Pierce
Venable LLP
Washington, D.C.

continuing education credits

LAWYERS. Minimum Continuing Legal Education (MCLE): USC Gould School of Law, a State of California approved MCLE provider, certifies that this activity qualifies for MCLE credit.

In-Person and Livestream Maximum: 4.5 hours for Monday 3/20 and 8 hours for Tuesday 3/21, of which 1 hour may apply to elimination of bias credit.

Videos On Demand Maximum: 4.5 hours for Monday 3/20 and 12.5 hours for Tuesday 3/21, of which 1 hour may apply to elimination of bias credit.

ACCOUNTANTS. Continuing Professional Education (CPE): This program meets the guidelines set by the California State Board of Accountancy in the amount of 270 minutes for Monday 3/20 and 490 minutes for Tuesday 3/21. The maximum amount of CPE credit is 760 minutes or 15 hours.

contact information

USC Gould School of Law – Continuing Legal Education
699 Exposition Boulevard, Suite 326, Los Angeles, CA 90089

Telephone: (213) 821-3580   Email: cle@law.usc.edu
Website: http://cle.usc.edu

Office hours are 9:00 a.m. to 5:00 p.m. Pacific Time
It’s a rare treat to hear three federal judges in candid conversation about trends in IP litigation. Who can doubt the benefits of learning how these jurists view the IP litigation landscape, the cases we bring before them, and the strategies and tactics we employ? This panel is always one of the highlights of the Institute, and we promise you another blockbuster this year.
10:30 AM – 11:40 AM
Artificial Intelligence Affects Intellectual Property Both Artificially and Intelligently
Join us for a lively panel with a trio of international experts, authors, and commentators on how AI is perceived by courts and regulators when addressing its impact, if any, on long-standing tenets of IP law such as authorship, copyrightability, patentability and trade secret protections for machine generated art, music, inventions, machine-learning algorithms, etc., and other ways that AI perniciously affects the legal landscape for IP practitioners. Or does it? Attend this panel to find out what the experts think.

Prof. Ryan Abbott
Partner, Brown, Neri, Smith & Khan Neutral, JAMS
Professor, University of Surrey School of Law

Prof. Dan Burk
Distinguished and Chancellor’s Professor of Law
University of California, Irvine

Dr. Carys Craig
Associate Professor
Osgoode Hall Law School, York University
Toronto, Canada

MODERATOR
Rachel Capoccia
Attorney at Law

11:40 AM – 12:00 PM – Networking Break

12:00 PM – 1:10 PM
COPYRIGHT TRACK SESSION 1A
Fair Use Transformed? Lessons from Google v. Oracle and Warhol Foundation v. Goldsmith
The Supreme Court has taken up fair use twice in recent years, in Google LLC v. Oracle America, Inc. and Andy Warhol Foundation for the Visual Arts, Inc. v. Lynn Goldsmith. What broader lessons or guiding principles can be drawn from these cases? How does one determine transformativeness or the extent thereof, and how much does that matter? Should these cases change the way clients are counseled when it comes to using code, photographs, or other types of works in the different kinds of works they want to create? This panel of experts involved in these cases will address the potential impact of these cases.

Dale Cendali
Kirkland & Ellis LLP
New York, NY

Prof. Peter Menell
Koret Professor of Law, Co-Director, Berkeley Center for Law and Technology
UC Berkeley School of Law
Berkeley, CA

Jaime A. Santos
Goodwin Procter LLP
Washington, D.C.

MODERATOR
Grace Davis Fisher
Munger, Tolles & Olson LLP
San Francisco, CA

PATENT TRACK SESSION 1B
Issues that Arise in Life Science Cases
Join our expert speakers as they discuss cases, strategies and best practices for representing and litigating life sciences. They will discuss Amgen v. Sanofi (Fed. Cir.) and similar cases on Section 112, damages and other critical intellectual property matters affecting the life sciences industry.

Carol Pitzel Cruz
Knobbe Martens
Seattle, WA

Amanda L. Major
Wilmer Cutler Pickering Hale and Dorr LLP

Jake Oyloe
Assistant General Counsel
AstraZeneca

Register online now at https://gould.usc.edu/cle/ip/
TRADEMARK TRACK SESSION 1C

Trademark Infringement and Fraud

This panel will explore new variants of fraud and trademark infringement on the Internet and otherwise. The panel will cover Amazon Brand Registry issues, phishing, domain name fraud, clone trademark applications, changing correspondence information on applications, improper use of supplier information, and other novel variants of fraud.

Amy Cotton
Deputy Commissioner for Trademark Examination Policy
United States Patent and Trademark Office
Arlington, VA

Aaron Fennimore
Director and Senior Legal Counsel
Western Digital

MODERATOR
Michael Moore
Associate General Counsel
Mattel, Inc.

1:10 PM – 1:35 PM Luncheon Break

1:35 PM – 1:45 PM
SPECIAL PRESENTATION

Jeremy Bash
Member, President’s Intelligence Advisory Board and Founder and Managing Director of Beacon Global Strategies LLC, discusses the challenges and opportunities for technology and IP in a global market increasingly fraught with tension and conflict. Mr. Bash will discuss the intersection of IP and geopolitics and why IP practitioners should understand how geopolitics impacts their practices and clients.

Jeremy Bash
Member, President’s Intelligence Advisory Board
Founder and Managing Director, Beacon Global Strategies LLC
Washington, D.C.

INTRODUCER
Cynthia Lock Tregillis
Senior Vice President and Deputy General Counsel, Government Affairs and Corporate Legal Services
Western Digital

2:30 PM – 3:40 PM
COPYRIGHT TRACK SESSION 2A

More Tools in Your Tool Belt: Protecting Copyright in 2023

Karyn Temple, the immediate past Register of Copyrights and now Global General Counsel at the Motion Picture Association, will lead a lively discussion of copyright experts on the latest tools for protecting content in the global economy.

Cory Baskin
witkow | baskin
San Francisco, CA

Terrica Carrington
VP, Legal Policy and Copyright Counsel
Copyright Alliance

Karyn Temple
Senior Executive Vice President and Global General Counsel
Motion Picture Association
SEP Licensing: Where Have We Been and Where Are We Going?
The panel will explore recent developments and practices in the area of licensing and enforcement of standard essential patents (“SEPs”). The SEP arena has experienced some dynamic changes in terms of the entities seeking to license SEPs, market practices driving license negotiations, litigation strategies and venues, and efforts to resolve SEP issues through legislation. The panel will seek to discuss some of these issues from the practices and perspectives of industry participants, economists, and policy makers. The panel will also discuss how recent developments may impact licensing for the next generation of 5G devices and the IoT space, as well as spur new regulatory proposals.

Trademark Prosecution and Enforcement Tips in Light of the Trademark Modernization Act
This panel will discuss how the Trademark Modernization Act (TMA) has changed trademark clearance, prosecution, maintenance, and pre-litigation trademark enforcement strategies.

3:40 PM – 4:00 PM – Networking Dessert Break

4:00 PM – 6:00 PM
The IP Year in Review: Patent, Trademark and Right of Publicity, and Copyright
In this popular session, top scholars in patent, trademark and right of publicity, and copyright highlight and explain the most significant developments in IP law of the past year.

6:00 PM – 7:30 PM – Networking Reception
planning committee

Laura M. Burson*
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Suzanne Heinemann
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Jeff Kichaven Commercial Mediation

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The Media, Entertainment & Technology Law Program at the USC Gould School of Law offers students a unique educational experience that addresses the complex mix of legal and business issues in content and technology markets. Our innovative curriculum prepares students for practice through courses in intellectual property and business law taught by our research faculty, and transactional and litigation attorneys. USC Gould law students gain practical experience through our Intellectual Property and Technology Law Clinic, and externship opportunities in the legal departments of media and technology firms. Students who wish to specialize in these practice areas have the opportunity to earn our Media & Entertainment Law Certificate or Technology & Entrepreneurship Law Certificate. Interested in learning more about our program, students and graduates? We encourage you to browse our website at http://gould.usc.edu/academics/media-entertainment-and-technology-law-program/ or contact the Director, Professor Jonathan Barnett, at jbarnett@law.usc.edu.
REGISTRATION
In-person registration for the Institute includes all sessions for the day, including the breakfast session, keynote luncheon, networking breaks, and cocktail reception. All registrations will receive continuing education credit and an electronic download of the program syllabus materials. Free Wi-Fi will be available for all attendees.

Virtual registration includes access to the live broadcast of the Institute sessions and available recordings of the on-demand sessions, continuing education credit, and an electronic copy of the Institute syllabus.

LOCATION AND ACCOMMODATIONS
The 2023 Intellectual Property Institute will be held at:
Fairmont Miramar Hotel & Bungalows
101 Wilshire Boulevard, Santa Monica, CA 90401
Information: (310) 576-7777  Reservations: (310) 319-3156
Website: http://www.fairmont.com/santa-monica/

The Fairmont Miramar combines historic elegance, a beachfront location and modern appointments, offering a beautiful swimming pool, swaying palm trees, sea breezes, exquisitely manicured grounds and casually elegant guest rooms and suites. This luxury oceanfront hotel will provide an unforgettable experience.

A limited number of rooms are available at the Fairmont Miramar at a special rate of $385 per night for single or double occupancy when you mention the USC Gould School of Law. All reservations must be made by February 21, 2023 to take advantage of this special rate.

PARKING
Parking at the hotel is very limited and may not be available when you arrive, so plan accordingly. Hotel parking, if available, costs $20 per day or $50 per night for overnight guests. Self-parking is available at the City of Santa Monica Parking Structures 2 and 4 (short walks from the Fairmont Miramar). You may also be able to reserve parking at nearby private lots using the ParkMe parking app. Visit http://www.downtownsm.com/parking-info for additional information.

CHECK-IN AND BADGE PICK-UP
Check-in begins at 11:30 AM on Monday and 7:30 AM on Tuesday. Badges will be held at Will Call in the Wedgewood Foyer on the ground level of the hotel.

DIETARY RESTRICTIONS AND SPECIAL ACCESS NEEDS
If you require special accommodations or have any questions, please contact us at cle@law.usc.edu or call (213) 821-3580.

ON-DEMAND VIDEO
Do you want to refer back to sessions after the Institute? For in-person registrations, on-demand video will be made available after the event. Please contact us at cle@law.usc.edu for access instructions.

CANCELLATIONS
All registrations and purchases are final and non-refundable.

QUESTIONS?
Contact the USC Gould Continuing Legal Education Office at cle@law.usc.edu or call (213) 821-3580.
Registration Form

USC Gould School of Law
2023 Intellectual Property Institute
Monday and Tuesday, March 20-21, 2023
Fairmont Miramar Hotel & Bungalows, Santa Monica, California

https://gould.usc.edu/cle/ip
It is strongly recommended that you fill out the registration form online.

CREDIT CARD: Register and pay online at https://cle.usc.edu/IpI23

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Early-bird rates end at 5:00 PM on Tuesday, February 21, 2023.

SELECT REGISTRATION TYPE

DAMAGES WORKSHOP REGISTRATION (Monday, March 20)
☐ $175 In-Person Registration
☐ $225 Virtual Registration

INSTITUTE REGISTRATION (Tuesday, March 21)
☐ $599 In-Person Registration ($699 after February 21)
☐ $649 Virtual Registration ($749 after February 21)
☐ $499 In-Person Groups of Three or More (each) Must be from the same organization
☐ $549 Virtual Groups of Three or More (each) Must be from the same organization
☐ $450 In-Person In House Counsel
☐ $500 Virtual In House Counsel
☐ $329 In-Person Recent Law School Graduates (Classes of 2012-22) Must be from the same organization
☐ $379 Virtual Recent Law School Graduates (Classes of 2012-22) Must be from the same organization
☐ $329 In-Person Government Employee
☐ $279 Virtual Government Employee
☐ $299 In-Person Full-Time Law Student
☐ $349 Virtual Full-Time Law Student

REGISTER FOR BREAKFAST SESSION (Tuesday, March 21) ☐ Yes ☐ No (No additional fee.)

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Register Now: https://gould.usc.edu/cle/ip/
Returning Users: Emails used to register in 2022 will be recognized by the Cvent system and populate saved information. Verify information is still accurate and/or make changes. Continue and complete registration.
First Time Users: Complete all required fields and submit registration. Information will save for future registrations.
Questions? Email cle@law.usc.edu or call (213) 821-3580.