

The 26th Annual Intellectual Property Institute: A Forum for the Continually Evolving Field of Intellectual Property

WSBA CLE
21602 WEB



Tuesday, May 11, 2021
Wednesday, May 12, 2021

9.25 CLE credits

L&LP - 8.25
Ethics - 1.00

Tuition:

- \$250 - Intellectual Property Section Members
- \$275 - Standard/Non-Section Members
- \$275 - Join the Section (\$25) and register at the discounted rate (\$250)
- \$250 - New Members*

*Members who have been admitted to practice in Washington for fewer than five years are eligible to receive the new member tuition.

Washington State Bar Association

Live Webcast

Presented in partnership with
WSBA Intellectual Property Section

DESCRIPTION:

The Intellectual Property Section of the WSBA is proud to host the 26th Annual IP Institute on Tuesday, May 11 and Wednesday May 12, 2021. This day-and-a-half CLE features top national and Pacific Northwest-based speakers discussing emerging issues and new approaches to IP management and enforcement along with updates on the past year in copyright, trademark, and patent law.

CO-CHAIRS:

Brooke Quist - Seed IP, Seattle
Karin Swope - Cotchett, Pitre & McCarthy, LLP, Seattle

Schedule

DAY ONE - TUESDAY MAY 11, 2021

8:30 a.m. Registration Opens

8:45 a.m. Webcast Lobby Opens

8:55 a.m. Welcome and Introductions by
Program Co-Chairs

Brooke Quist - Seed IP, Seattle

Karin Swope - Cotchett, Pitre & McCarthy, LLP, Seattle

9:00 a.m. Trademark Year in Review

A presentation and discussion of important developments in Trademark Law spanning the last six months or so to the present, and looking to the future. Including an overview of the Trademark Modernization Act of 2020, notable decisions, and cases to watch.

Brigid Mahoney - Seed IP, Seattle

10:00 a.m. A Fireside Chat with Drew Hirshfeld
*performing the functions and duties of the
Under Secretary of Commerce for Intellectual
Property and Director of the USPTO*

Drew Hirshfeld will answer moderator and audience questions regarding current USPTO priorities and programs.

Topical issues will include:

- Section 101
- PTAB
- Trademark Modernization Act
- USPTO trends

Acting Director Drew Hirshfeld - USPTO, Alexandria

11:00 a.m. BREAK

11:15 a.m. Copyright Developments of a Pandemic Year—
Fair Use and More

A review of notable copyright decisions from the past year, along with notes on a few key pending cases, covering licensing rights disputes, the copyrightability of functional software and of public laws, embedded links, termination rights, the Visual Artist Rights Act, fair use, and substantial similarity analysis; including decisions from the US Supreme Court, courts of appeal and district courts, and the worlds of comedy, music, film, news, visual art, books, musicals, sports, software and social media.

Trevor Gates - K&L Gates, Seattle

Mark Wittow - K&L Gates, Seattle

12:15 p.m. END DAY ONE

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(schedule continued from previous page)

DAY TWO – WEDNESDAY MAY 12, 2021

8:30 a.m. Registration Opens

8:45 a.m. Webcast Lobby Opens

**8:55 a.m. Welcome and Introductions by
Program Co-Chairs**

Brooke Quist – Seed IP, Seattle

Karin Swope – Cotchett, Pitre & McCarthy, LLP, Seattle

9:00 a.m. Patent Law Update

This session will cover developments in patent law over the past year with a focus on decisions and updates from the U.S. Supreme Court, the U.S. Court of Appeals for the Federal Circuit, and the U.S. Patent and Trademark Office.

Bobby Soltani – Seed IP, Seattle

10:00 a.m. Artificial Intelligence Basics

This session will provide an overview of AI and some key issues, including IP, privacy, ethics, and the responsible use of AI. We will also cover a broad overview of where AI law is headed.

Johan Cho – Microsoft, Redmond

Catherine Romero – Microsoft, Redmond

10:45 a.m. BREAK

**11:00 a.m. Views from the Bench: Topics including
Effective Presentations on IP issues and
Remote Access Hearings**

Judge James Donato – US District Court, Northern District of California, San Francisco, CA

12:00 p.m. LUNCH

1:00 p.m. Reflections on “101 Days”

In February 2019, Chief Judge Stark of the District of Delaware introduced a new approach to handling the many motions on his docket that are directed to whether patent claims are valid under Section 101 of the Patent Act. During “101 Days,” Judge Stark hears argument on similar motions pending in unrelated cases, aiming to rule from the bench on all patentable subject matter issues by the end of the day. In this presentation, Judge Stark will describe what he hoped to accomplish with this innovation and consider how it has worked in practice.

Judge Leonard Stark – US District Court, District of Delaware, Wilmington

**2:00 p.m. The Future of the Patent Work Force Including
DEI Considerations**

Roger Wylie – Kilpatrick Townsend, Seattle

Stephanie Sanders – Kilpatrick Townsend, Seattle

2:45 p.m. BREAK

**3:00 p.m. Once Upon a Time: Video Game Characters in the
Public Domain**

Tinkerbell, Frankenstein, Captain Nemo. Good games need good characters and the public domain is a treasure trove. But, it’s easy to fall down a rabbit hole in Wonderland. This session will examine the IP issues that arise when developing and marketing games that feature public domain characters

Alexander Montgomery – Aristocrat Digital - Big Fish Games & Product Madness, Seattle

**3:45 p.m. Cross-Jurisdictional Telecommuting and the
Unauthorized Practice of Law**

Join us for a discussion of the relevant ethics principles and constraints on the “virtual” practice of law – a very timely topic as many of us work remotely. We will also consider the benefits and detriments of a virtual law firm and the unique obligations of virtual practice.

Amy Richardson – Harris, Wiltshire & Grannis, Washington, DC

Lauren Snyder – Harris Wiltshire & Grannis, Washington, DC

4:45 p.m. Complete online evaluations • Adjourn

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REGISTRATION

Please fill out the registration form and mail or fax to WSBA seven business days prior to the program. To register online, go to www.wsba.org/seminars and enter **21602** in the search box. **Do not return form with financial information via email.**

First Name _____ M.I. _____ Last Name _____

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#21602 WEB, attend via webcast, 5/11/2021 and 5/12/2021

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NOTE: Please keep a copy of this flier for your records.

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Registrations received less than 48 hours before a seminar are not guaranteed a coursebook or other presentation materials on-site.