

# 2<sup>nd</sup> Annual Conference on Corporate Intellectual Property in China

*Strategically Managing Your Patents to Gain Competitive Edge*

26th & 27th April, 2007  
Hilton, Shanghai

Following on from the success of last year, we are pleased to hold our 2nd annual conference on Corporate Intellectual Property in China. Compared to last year's event, the 2nd IP conference offers more interactive sessions such as panel discussions of specific current interests and Mock Deposition and Hearing

As your intellectual property is valuable to create market monopolies, it needs to be commercialized, licensed or enforced instead of just hung on the wall. This 2-day highly interactive conference is specially designed to sharpen your licensing strategies and skills. **Don't miss** this unique opportunity to meet your peers and learn best practices for how to successfully manage IP resources to maximize the value for both your and your licensee's business.

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## 8.30 Registration

### 8.50 Opening Remarks from the Chair

*Daniel Altman, Knobbe Martens Olson & Bear LLP*

## Panel Discussion

### 9.00 IP regulations reform and case studies

- IP legislature reform underway
- Major obstacles for IP right owner to protect their rights through lawsuits under existing legislature
- IP court system
- How the IP courts handles IP cases

**Moderator:** *Dennis Deng, Lawyer, Dacheng Law Firm*

#### Panelists:

##### Senior Offices

*Ma Junfang, IPR Director, Cooperation Dept, Datang Mobile Communications Equipment*

*Katherine Wang, Regional Legal Affairs Director, AstraZeneca*

### 9.50 Import exclusion under section 337: how does it work, and who is being hit?

- How ITC proceedings are begun
- Explanation of procedures and relief available
- Recently filed ITC cases and products involved
- Understanding the scope of exclusion orders
- Strategies for avoiding being an ITC target

**Ann G. Fort, Partner,**

*Christopher J. Chan, Counsel,*

*Sutherland Asbill & Brennan LLP*

## 10.35 Refreshment and Networking Break

### 11.00 Identifying the right IP strategy for your business

- Tailoring IP strategy by: industry, company and corporate culture
- Ensuring relevancy and compatibility of IP and business
- Carrot licensing vs. stick licensing
- Revenue generator vs. bargaining chip

*Reserved for legal expert*

### 11.45 Strategies for building and managing a patent portfolio for your business

- Identify your business assets that may be worth patenting; consider what is eligible for patenting under the law.
- Determine the best approach to protect each asset – Obtain patent protection, maintain as trade secret, or make available to the public.
- Strategies for obtaining patent protection – Consider the types of applications to file, strategies for claim drafting, and approaches for prosecution, in order to gain expedited allowance of strong claims at low cost.
- Managing and utilizing patent portfolio.

**Frank S. DiGiglio, Managing Partner;**

*Xiaochun Zhu, Partner, PhD., Esq.*

*Scully Scott Murphy & Presser, P.C.*

## 12.30 Welcome address from Dr. Leo Polz, Partner, Hoffmann • Eitle

### 12.40 Lunch sponsored by

**HOFFMANN • EITLÉ**  
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## 1.30 Due diligence for executing your licensing strategy

- Addressing the future- best practices to deal with difficult assessments
- The effective due diligence report
- Structuring the diligence -the right assessment for the right deal
- Due diligence as assessment tool
- Disclosure schedules consistent with findings
- Protection mechanisms

*Tianjun Hou, Associate, Foley & Lardner LLP*

## 2.15 Innovation and intellectual property- challenges and opportunities for companies

- Aspirations and challenges companies facing now
- Collaborative innovation and evolving role of intellectual property
- Patent leadership and patent quality

*Zhang Yan, Counsel, Intellectual Property Law, IBM China Company Ltd.*

## 3.00 Refreshment and Networking Break

### 3.20 Brief introduction and comments on the draft of the third amendment to the Chinese Patent Law

On December 27, 2006, the State Intellectual Property Office (SIPO) presented an updated draft to the Third Amendment to the Chinese Patent Law to be reviewed by the Legislative Affairs Office of the State Council (Draft for Review). As compared to the Draft for Public Comments published in August 2006, the Draft for Review makes considerably great changes in terms of the determination of service and non-service invention-creations, approval procedure to file an invention-creation completed in China in foreign countries, rules for determining patent infringement, patent administrative enforcement, and statute of limitations for patent infringement litigation.

- Determination of Service Invention-Creation
- Approval Procedure to File an Invention-Creation Completed in China in a Foreign Country
- Patent Administrative Enforcement
- Patent Infringement Litigation

**Tai Hong, Patent Attorney, Attorney-at-Law, Assistant General Manager**  
**Wu Yuhe, Patent Attorney, Attorney-at-Law, Director of Legal Affairs Dept.**

*China Patent Agent Hong Kong*

## 4.05 Draft Third Revision of the Patent Law – European concerns and recommendations

**Douglas Clark, Chairman of the IPR Working Group of the European Chamber in Shanghai**

## Panel Discussion

### 4.50 Identifying patent trolls and mitigating the risks

- Why trolls become more prevalent
- Being a commercializer or an aggressive assertor
- Do patent trolls contribute to innovation or hinder it?
- Troll defenses

**Moderator: John B. Conklin, Partner, Leydig, Voit & Mayer, Ltd.**

#### Panelists:

**Joseph E. Rogers**

*Alcatel-Lucent Intellectual Property and Standards, APAC*

*Director, Intellectual Property, Alcatel Shanghai Bell*

*Phillip M. Pippenger, Partner, Leydig, Voit & Mayer, Ltd.*

## 5:40 Cocktail Reception sponsored by

**Knobbe Martens  
Olson & Bear LLP**  
*Intellectual Property Law*

## 6:40 Remarks from the Chair and Close of Day One

## 8.30 Registration

### 8.50 Opening Remarks from the Chair

*Kimberley Chen Nobles, Partner, Crowell & Moring LLP*

### 9.00 Globalization and International Licensing

- Global marketplace for cross-border licensing
- Business reasons for cross-border licensing
- Foreign recognition and enforcement of intellectual property rights
- Additional foreign law considerations - import controls, antitrust, data protection, consumer rights and employment laws
- Negotiation considerations for outbound and inbound software licenses

*Kimberley Chen Nobles, Partner, Crowell & Moring LLP*

### 9.45 The role IP licensing plays in a company going global

- Licensing technology from a multi-national company to tap into a foreign culture
- Leveraging their know-hows and IP
- Building stronger IP portfolio in a foreign market for defense and perhaps offense in the future.

*Naomi Abe Voegtli, Director Global IP - APA, SAP Labs China*

## 10.30 Refreshment and Networking Break

### 10.50 International patent strategy for global competition

- Patents – Corporate Asset and Business Strategy
  - Extracting large settlements
  - Shutting down competitors from global market
  - U.S. Patents are Valuable!
- Offensive Strategy:
  - Patenting own products
  - Blocking others
  - Techniques: silver bullets and comprehensive applications
- Defensive Strategy:
  - Patent study and design around
  - Best defense is offense!

*Daniel H. Mao, Director of China Practice,  
Richard Ogawa, Chairman of Asia Practice,  
Townsend and Townsend and Crew LLP*

### 11.35 Increasing the quality and quantity of patent applications to maximize protection

- Understanding the IP portfolio in a business context
- Deciding on patent filing priority
- Cost effective methods of managing your patent portfolio

*Joseph E. Rogers*

*Alcatel-Lucent Intellectual Property and Standards, APAC  
Director, Intellectual Property, Alcatel Shanghai Bell*

## 12.20 Welcome address from Chair

## 12.30 Lunch

### 1.30 Inequitable conduct: an American plague visited upon the rest of the world

- Who owes Duty of Disclosure to the U.S. Patent and Trademark Office? What documents do those owing a duty have?
- Standard of materiality
- What types of information qualify when determining if there has been a non-disclosure of material information or disclosure of false material information with an intent to deceive the USPTO?
  - Prior art
  - Existence of co-pending applications and proceedings in the prosecution of those co-pending applications
  - Data or test results
  - Unsubstantiated examples
  - Unsupported factual representations in the patent specification and during the prosecution of the application
  - Arguments in declarations inconsistent with statements made in specification and/or during prosecution
  - Relationship between the declarant(s) and the patentee

*Thomas L. Irving, Partner, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP*

### 2.15 Facing China patent challenges

*Mark Cohen, Intellectual Property Attaché, U.S. Embassy, Beijing*

## 3:00 Refreshment and Networking Break

## Mock Deposition and Hearing

### 3.30 Strategies for Defending Patent Infringement

The U.S. legal system can be intimidating. A panel of legal experts will walk you through the process of defending against charges of patent infringement in the U.S. from start to finish.

*Paul Stewart, Linda Liu, Abraham Chuang, Paul Conover  
Knobbe Martens Olson & Bear LLP*

## 5:00 Closing Remarks from the Chair

## Close of the Conference

## **Platinum Sponsor:**

### **Knobbe Martens Olson & Bear LLP**

Knobbe Martens Olson & Bear LLP is one of the largest intellectual property specialty law firms in the United States, with more than 180 patent and trademark lawyers. Most of the firm's lawyers have undergraduate degrees in engineering and science disciplines, with a majority of these lawyers having advanced degrees and/or prior work experience as engineers or scientists in high-tech industries. In addition, the firm has a number of non-technical lawyers who specialize in the worldwide protection of trademarks and copyrights.

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## **Presentation Sponsors:**

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Founded in 1973, Scully, Scott, Murphy & Presser P.C. ("SSMP") has a global practice exclusively dedicated to intellectual property (IP) and is widely recognized as one of the leading IP law firms in America. We represent some of the most innovative Fortune 100's and start-ups as well as prestigious research institutes and universities in America and around the world.

### **China Patent Agent (H.K.) LTD.**

Along with the enactment of the Chinese Patent Law, China Patent Agent (H. K.) Ltd. was incorporated in 1984 in Hong Kong as one of the leading intellectual property agencies established the earliest with the official approval by the Government of the People's Republic of China and dedicated to providing legal services in the areas of patent, trademark and copyright for overseas clients.

### **Foley & Lardner LLP**

The China Team of Foley & Lardner LLP is drawn from our Business, Intellectual Property, Tax, and Litigation Departments and has sophisticated, cross-border U.S./China experience. Our China Team has enabled many U.S. companies to succeed in China, and many Chinese clients to invest wisely and achieve their objectives in the U.S. Foley's China Team can serve as your bridge to success in China, too.

### **Finnegan, Henderson, Farabow, Garrett & Dunner, LLP**

Finnegan Henderson is dedicated to protecting the ideas and innovations that drive businesses around the world. With over 300 lawyers; eight offices in the United States, Asia, and Europe; and four decades of experience specializing in intellectual property law, we offer full-service IP coverage in virtually every technology and product category.

### **Sutherland Asbill & Brennan LLP**

Sutherland Asbill & Brennan LLP is an international law firm known for resolving global legal issues for many of the world's largest companies. The firm, founded in 1924, has more than 425 lawyers in six U.S. offices. Sutherland will have an increasingly active presence in China throughout 2006 and beyond. The firm has carefully selected more than a dozen professionals to serve clients conducting business in China or to advise Chinese companies that are considering entering the U.S. market.

### **Townsend and Townsend and Crew LLP**

Since our origins in 1860, Townsend has played a significant role in the growth of successful businesses in the Western United States and around the world. The firm traces its history from some of the earliest mechanical inventions of the California Gold Rush to present day technologies in innovative fields such as nanotechnology and biotechnology.

## **Panel Discussion Sponsors:**

### **Leydig, Voit & Mayer (LVM)**

Leydig, Voit & Mayer (LVM) has been at the forefront of intellectual property law for more than 100 years. LVM has more than 80 attorneys in four U.S. offices and provides counseling, litigation, licensing and prosecution services to clients throughout the world. More than 90 paralegals, technical advisors and administrative personnel support our attorneys.

### **Beijing Da Cheng Law Firm**

Beijing Da Cheng Law Firm is among the Top Ten law firms of China. We have been making a difference through dedication, integrity, initiative, and working with others so we are confident of being able to play a key role in our clients' business prosperity in China. Da Cheng has established branch offices in major provincial cities like Shanghai, Xian, Wuhan, Jinan and Chengdu.

## **Lunch Sponsor:**

### **Hoffmann-Eitle**

Hoffmann-Eitle founded in 1892 by Emil Hoffmann, is one of the oldest and largest European intellectual property firms, with offices both in Munich and London. With 52 patent attorneys, 12 specialist attorneys-at-law and about 300 paralegal staff, the firm covers all legal aspects and technological areas of intellectual property law, ranging from patent, utility model, design patent and trademark matters to areas of copyright law, unfair competition, and domestic and European antitrust law as well as licensing.

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## To register:

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**Yes! I would like to register for**

**2<sup>nd</sup> Annual Conference on  
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Standard Price:

- Corporate participants **6600 RMB**
- Lawyers / Legal Consultants / Solution Providers **9900 RMB**

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