



Stop Copyists From Undercutting Your Innovation in China

Tuesday, December 08, 2009
San Diego Marriott Del Mar, San Diego, CA

AGENDA

8:00 a.m. Registration

8:30 a.m. - 8:40 a.m. Welcome/Opening Remarks

G. Peter Albert, Partner and Chair, San Diego/Del Mar Office IP Department, Foley & Lardner LLP

8:40 a.m. - 9:10 a.m. Overview of The Third Amendment to China's Patent Law

Kurt M. Kjelland, IP Partner, Foley & Lardner LLP

The most recent revision to China's Patent Law – the Third Amendment – took effect on October 1, 2009 and contains significant changes to China's IP policy. These changes have implications for U.S. companies doing business in China.

- Changes to patentability standards
- Provisions relating to post-grant enforcement
- Foreign filing, co-ownership issues, inventor remuneration, and potential compulsory licensing
- Harmonization of Chinese Patent Law to international norms

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9:10 a.m. - 9:40 a.m. Patent Enforcement in China

Alex Nie, IP Associate, Foley & Lardner LLP

Understanding of China's patent enforcement is key to protecting your IP asset in China. Statutory damages and judicially awarded damages are on the rise, which is encouraging, though on the other hand Chinese companies are learning to fight back. Further, the draft Guidelines for judicial interpretation of patent enforcement laws, published by the Supreme People's Court in June, 2009, provides a statutory framework for patent interpretation.

- The dual track patent enforcement system
- Damages for patent infringement
- Change of Chinese companies' IP wisdom
- "Guidelines" by the Supreme People's Court
- Looking forward

9:40 a.m. - 9:55 a.m. Break

9:55 a.m. - 10:45 a.m. New Trends of IP Protection in China

Xu Wen, President, Scihead Patent Agent Co., Ltd.

- New Trends of IP Protection in China
- Introduction of the Chinese IP Law firms
- How to handle IP litigation in China

9:45 a.m. - 11:00 a.m. Questions and Answers/Closing Remarks

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