

The Global Fellows Series — Bridging the IP Gap Between the US and Europe

The Federal Circuit Bar Association is pleased to announce its Global Fellows Series, an entirely new program intended to promote a higher level of international IP practice among the next generation of leaders in the global legal community. The intent of the Global Fellows Series is to bring together a small group of future leaders in the global legal community for an intensive learning program taught by leading judges and practitioners from both countries. In an interactive small-group learning environment these emerging leaders will together focus on both policy issues and practical lessons on the operation of the patent systems in Europe and the US, enhancing their ability to provide effective legal service to clients. Simultaneously, the Global Fellows will develop professional relationships crossing international boundaries and legal cultures that we hope will endure throughout their legal careers.

The Fellows will convene for two consecutive sessions, first in Washington, DC, from September 11-14, 2012, and then in Munich at the Munich Intellectual Property Law Center/ Max Planck Institute for Intellectual Property and Competition Law, from March 12-15, 2013.

Because the number of available spaces is limited to 12 from Germany and 12 from the United States, those who are interested in participating should submit an application by July 31, 2012. An application form is included with this package of materials. If you or your organization have an interest in participating, or wish to obtain more information on the Global Fellows Series, please contact Mr. James Brookshire, Executive Director, FCBA, globalfellows2012@fedcirbar.org.

Frequently Asked Questions

What is the subject matter of the program?

The program will focus exclusively on patent law and policy in Europe, particularly Germany, and the United States.

Who will be on the faculty?

The faculty will be made up of present and former judges and patent office personnel, as well as preeminent IP practitioners.

What is the curriculum?

The program will be divided into two parts. The first part will consist of presentations by the faculty, as well as visits to courts, the USPTO, the EPO and other leading IP institutions. During the September 2012 session this part of the program will include meetings with a Justice of the US Supreme Court and a judge of the US Court of Appeals for the Federal Circuit. The goal is to make this part of the program highly interactive so that participants can gain maximum benefit from their contact with the faculty. The second part will focus on the fundamentals of the US and European patent systems, and will use a hypothetical case as a framework for participants to develop skills in providing advice to clients on international IP issues. This practical part will include exercises in case evaluation, developing effective global enforcement strategies, including coordination of parallel US and German patent litigation, preservation and collection of evidence, defensive strategies, mediation and ADR, claim construction, practical considerations such as timing and costs, as well as presentation of a party's position at trial and on appeal. This part of the program will culminate with a mock trial in the March 2013 session in Munich. An overview of the practical program is included with this package of materials.

Who should participate as a Global Fellow?

The program is intended for intellectual property lawyers, including patent attorneys, who have been in practice for 8-15 years, who expect to have a strong international focus in their practice in years to come, and who have achieved recognition within their own organizations as potential future leaders.

How many Global Fellows will there be?

One of the fundamental goals of the program is to limit the number of participants both in order to maximize the quality of instruction and to foster connections that will last for many years. With this in mind, participation will be limited to a maximum of 24 Fellows, 12 each from Germany and the US.

How is the program structured?

The program will consist of two consecutive sessions that are held in Washington, DC, and Munich. The participants will attend each session but the faculty will

be different. The two sessions are designed to be complimentary and the practical part of the program is built around a common fact pattern for both sessions.

Will there be additional events other than the sessions in Washington, DC and Munich?

We are currently considering whether to hold a third session and expect to seek input from the participants on this decision. In addition, we expect there will be further opportunities for participants to meet at FCBA events on a continuing basis in years to come.

What is the cost?

The fee for the program will be \$8000/€6400. This single fee covers both sessions but is payable in two installments, half no later than 30 days before the beginning of the September 2012 session and the balance no later than 30 days before the March 2013 session.

What is included in the price?

The price includes all instruction, course materials, transport to and from offsite parts of the program (such as visits to courts), lodging for four nights in Washington, DC and four nights in Munich, as well as three meals per day for participants. Please note that travel to or from Washington, DC and Munich is not included. Hotel reservations will be handled by the program organizers to ensure that all participants are in a single location during the program.

What is the language of the program?

All proceedings will be conducted in English.

How does one become a Fellow?

An application should be completed and submitted to the FCBA. The application form is included with this package of materials. Alternatively, copies of the application form can be obtained from Mr. James Brookshire, Executive Director, FCBA, globalfellows2012@fedcirbar.org. Upon acceptance of the application a deposit of \$1000/€800 will be due.

Is the program only for lawyers in private practice?

No: any intellectual property professional at an appropriate point in his or her career development may participate. We would like the Global Fellows to fully reflect the diversity of the legal profession and thus attorneys in private practice, corporate legal

departments, or other forms of employment are equally welcome. Please note however that the program is primarily aimed at full-time patent practitioners.

Is there any preparation required in advance of the sessions?

A package of materials including the patents and other detailed factual information regarding the hypothetical case will be distributed approximately two weeks in advance of the September 2012 session. Participants will be expected to be familiar with these course materials.

Do participants have to attend both sessions?

Yes: it is expected that participants will attend all four days of both sessions in order to get maximum benefit from the program.

What organizations are involved?

The Global Fellows Series is a program offered by the Federal Circuit Bar Association in co-organization with the Munich Intellectual Property Law Center/Max Planck Institute for Intellectual Property and Competition Law. The program has been created with assistance on a voluntary basis from the law firms Bird & Bird LLP, Foley & Lardner LLP, Paul, Weiss, Rifkind, Wharton & Garrison LLP and Noerr LLP.

What are the co-organizers?

The Federal Circuit Bar Association is an organization of attorneys who practice before the United States Court of Appeals for the Federal Circuit. That Circuit shoulders the responsibility, among others, of creating a national body of jurisprudence in the United States in intellectual property law. The Association seeks to improve and facilitate the administration of justice and to encourage dialogue and professional excellence in matters related to the Circuit's jurisdiction. The Munich Intellectual Property Law Center (MIPLC) is an academic center for postgraduate intellectual property law education and research. It operates a one-year international LL.M. program on "Intellectual Property and Competition Law." The MIPLC is jointly run by four highly reputable partners: the Max Planck Institute for Intellectual Property and Competition Law, the University of Augsburg, the Technische Universität München, and The George Washington University Law School, Washington DC.