

November 28, 2018

Intellectual Property Webinar Series Library

Upcoming Webinars

Past Webinars

“AIA Trial Practice – The Next Generation”

Wednesday, November 28, 2018

Presented by: Gilberto E. Espinoza & Marshall J. Schmitt

After more than five years of post-grant practice before the Patent Trial and Appeal Board (PTAB), some critical issues have been resolved, and some new issues have arisen. The PTAB has implemented several changes to the conduct of AIA trials in response to recent decisions by the U.S. Supreme Court and the Federal Circuit. In this webinar, attorneys Gilberto Espinoza and Marshall Schmitt will review these changes and provide practical tips on how Petitioners and Patent Owners can leverage these changes to craft successful strategies before the Board. They will also discuss the new wave of constitutional challenges to AIA trials in the wake of the Supreme Court’s *Oil States* decision and how they could impact future AIA trials.

[Click here to listen to the recording.](#)

“Dispute Resolution Considerations for Licensing Agreements”

Thursday, August 30, 2018

Presented by: Jeffrey D. Peterson

Dispute resolution provisions, such as arbitration, are more and more common in commercial agreements. In licensing agreements for intellectual property, however, inartful dispute resolution provisions can have unintended consequences. In this webinar, attorney Jeffrey D. Peterson will walk through examples of dispute resolution provisions and discuss tips and traps when drafting such provisions.

[Click here to listen to the webinar.](#)

“The U.S. Supreme Court’s Recent Impact on the Prosecution-Litigation Interface: *Oil States* and *SAS Institute*”

Thursday, July 12, 2018

Related Practices

Copyright
Enforcement, Clearance & Defense
Intellectual Property
Licensing & Technology Agreements
Patent
Trademark

Presented by: Jon R. Trembath, Justin R. Cruz, and Ben Roxborough

The U.S. Supreme Court continues to scrutinize patent law—recently upholding the inter partes review (IPR) process in *Oil States*. But while the IPR process has passed constitutional muster (albeit in a narrow holding), the Supreme Court's decision in the companion case *SAS Institute* fundamentally changed how IPR petitions may be granted or denied by the Patent Trial and Appeal Board. What are the lessons learned from these developments, and what are prosecutors and litigators to do? In this webinar, attorneys Jon R. Trembath, Justin R. Cruz, and Ben Roxborough will discuss the practical implications on how strategies have changed, how they remain the same, and will engage in some crystal ball gazing to provide some guidance along the way.

[Click here to listen to the recording.](#)

"Challenges to Advertising: National Advertising Division vs. Federal Court"

Thursday, May 31, 2018

Presented by: Katherine W. Schill

In this webinar, attorney Katherine W. Schill will explore the National Advertising Division (NAD) as an alternative to federal court for pursuing issues of false or misleading advertising. She will also discuss NAD procedure as well as the pros and cons of that venue compared to federal court.

[Click here to listen to the recording.](#)

"Software Licensing & Information Technology Agreements: Advice for the Customers"

Thursday, April 26, 2018

Presented by: Gregory T. Holding & Derek C. Stettner

This discussion, mainly from a customer's perspective, will focus on software licensing and information technology agreements required to secure the software, cloud services, and professional services you need to operate your business. In this webinar, attorneys Gregory T. Holding and Derek C. Stettner will discuss key terms and provisions of such agreements and underlying copyright and intellectual property laws. Additional topics include license scope, payment terms, warranties, limitations on liability, technical and functional specifications, service level agreements, milestones, delivery and acceptance, and data security.

[Click here to listen to the webinar.](#)

"*Oil States* – What is the Future of Post-Grant Practice?"

Thursday, March 29, 2018

Presented by: Marshall J. Schmitt

Attorney Marshall J. Schmitt, an experienced post-grant practitioner, will report on the status of the *Oil States* matter pending before the United States Supreme Court, the possible outcomes, and what is likely to happen in the wake of the decision. Included in the discussion will be a play-by-play of the oral argument before the Court, an analysis of the many *amici* briefs, and a prediction about how the Court will resolve the case. Potential legislative responses to the possible decisions will also be explored in the context of other recent Supreme Court and Federal Circuit decisions addressing post-grant practice. As the constitutionality of *inter partes* review hangs in the balance, learn what is stake, what is likely to happen, and what consequences will follow.

“Key Considerations in Negotiating Trademark Licenses”**Thursday, January 25, 2018****Presented by: Louise Arnott & Luke W. DeMarte**

Trademarks are one of your company’s most valuable assets. Licensing your mark to others can unlock a brand’s value, but a bad deal can put your brand at risk. In this webinar, attorneys Louise Arnott and Luke W. DeMarte will discuss key trademark license terms and strategies for managing disputes and enforcement issues surrounding trademark licenses. Louise and Luke will highlight common traps for the unwary, and explore effective tools for negotiating trademark licenses.

[Click here to listen to the webinar.](#)

“Navigating the Public Use and On Sale Bars”**Tuesday, November 28, 2017****Presented by: J. Donald Best & Kenneth M. Albridge, III**

The public use and on-sale bars to patentability have long been a part of United States patent law. Nevertheless, legal jurisprudence in this area has continued to develop in recent years. In this webinar, J. Donald Best and Kenneth M. Albridge, III will discuss recent, notable decisions from the federal courts and explore the differences between pre-AIA and AIA standards, the differences between third-party and patentee public use, the on-sale bar in the context of supplier-manufacturer relationships, and the experimental use doctrine.

[Click here to listen to the webinar.](#)

“Stopping the Online Sale of Counterfeit Goods”**Tuesday, October 31, 2017****Presented by: Kevin P. Moran**

The prevalence of online counterfeit goods is on the rise, but there are efficient and effective tools available for acting against and preventing such activity. While no one has the answers to eradicate all counterfeits, Michael Best attorneys Lori S. Meddings and Kevin P. Moran will arm you with a number of strategies for implementing a solid prevention and enforcement program.

[Click here to listen to the webinar.](#)

“Intellectual Property & Post-Sale Restrictions: Protecting Your IP Downstream”**Tuesday, August 29, 2017****Presented by: Jeffrey D. Peterson & Kenneth M. Albridge, III**

Over the past five years, the Supreme Court has taken steps to curtail the ability of intellectual property rights holders to restrict post-sale conduct involving their goods and creative works. Most recently, in *Impression Products, Inc. v. Lexmark International, Inc.*, the Supreme Court held that a patentee’s decision to sell a product exhausts all of its patent rights in that item, regardless of any restrictions the patentee purports to impose or the location of the sale. In this webinar, attorneys Jeffrey D. Peterson and Kenneth M. Albridge, III will discuss the Supreme Court’s recent decisions in this area, provide strategies for avoiding exhaustion of IP rights, and explore alternative paths for enforcing post-sale conditions.

[Click here to listen to the webinar.](#)

“SaaS Agreements – A View from the Customer’s Prospective”

Tuesday, July 25, 2017

Presented by: Derek C. Stettner & Gregory T. Holding

By 2020, nearly 80 percent of all software will be provided as a service rather than as a copy with a license. Companies that are not already operating in the cloud, will be. In this webinar, attorneys Derek C. Stettner and Gregory T. Holding will discuss key points to consider when negotiating a Software as a Service (SaaS) contract, mainly from a customer’s perspective. Topics discussed will include ownership of customizations, data rights, information security and confidentiality, usage metrics, uptime and performance warranties, issue response and resolution times, and contract termination.

[Click here to listen to the webinar.](#)

"PTAB Remands and Real Parties-in-Interest"

June 27, 2017

Presented by: Gilberto E. Espinoza, Brian T. Mangum & Mircea A. Tipescu

In this webinar, attorneys Gilberto E. Espinoza, Brian T. Mangum, and Mircea A. Tipescu will address:

What to Expect When the Federal Circuit Remands Your Case to the PTAB:

You successfully appealed the Patent Trial and Appeal Board’s (PTAB’s) Final Written Decision, and the Federal Circuit remands the case back to the PTAB. What do you do next? Can you submit new evidence or new arguments? What is the scope of briefing, if any? Presenters will address these and other questions that arise when your case is remanded to the PTAB.

Who is the real party-in-interest?

In this portion, presenters will review recent decisions by the PTAB related to identifying real parties-in-interest in *inter partes* review petitions and discuss how to avoid having your petition dismissed for failure to properly name all real parties-in-interest.

[Click here to listen to the webinar.](#)

"What's Next: Now that your IPR is over, who is estopped, and what does the district court do?"

May 30, 2017

Presented by: Kevin P. Moran & Marshall J. Schmitt

In this webinar, attorneys Kevin P. Moran and Marshall J. Schmitt will explore such issues confronting the courts and provide practical advice about how to account for these issues as petitioners and patent owners adapt to the post-AIA world.

[Click here to listen to the webinar.](#)

"Subject Matter Eligibility: Avoiding § 101 Issues in Protecting Life Science Inventions & The State of Software Patents Three Years After Alice"

May 3, 2017

Presented by: Brian T. Mangum

Lisa L. Mueller, Chair of Michael Best’s Life Sciences Industry Group, will present an overview of case law and best practices related to patent subject matter eligibility of life sciences inventions, particularly with respect to diagnostic related inventions. Attorney Brian T. Mangum will also present an update on post-*Alice* case law and USPTO practice with specific focus on software patents and computer-implemented inventions.

[Click here to listen to the webinar.](#)

"Design Patents: The Basics and Beyond"

December 15, 2016

Presented by: Edward J. Evans & Matthew D. Brown

In this webinar, attorneys Edward J. Evans and Matthew D. Brown will provide an introduction to design patents and insight on how they might fit into your organization's patent strategy. Ed and Matt will cover the basics of design patents, including how they differ from utility patents and what subject matter can be covered by one. They will also discuss preparation and prosecution of such patents, post-issuance topics such as post-grant review challenges and enforcement, and international design protection.

[Click here to listen to the webinar.](#)

"Conducting Contests, Sweepstakes, and Promotions on Popular Social Media Platforms"

November 17, 2016

Presented by: Jeffrey H. Brown

In this webinar, Attorney Jeffrey H. Brown will include an overview of contest and sweepstakes law. Jeff will focus on key considerations promotion sponsors need to keep in mind when conducting contests and sweepstakes on popular social media platforms.