



Oregon Law Institute
of Lewis & Clark Law School

Intellectual Property:

Developments and New Challenges in the Digital Era

The power of the internet is not only capable of bringing down governments, it has also brought down businesses. Intellectual-property management is forever changed with the new fluidity social media has brought into the DNA of the digital age.

If you are legal counsel to businesses, governmental entities, and individuals whose primary asset is intellectual property or information management, this seminar is a must-attend event featuring top practitioners in the region. Join us for a review of new decisions, changes in how the internet is working, and why the stakes are higher than ever.

FRIDAY, JUNE 10, 2011

Oregon Convention Center
777 NE Martin Luther King Jr. Blvd.
Portland, Oregon

6.25 General MCLE Credits

SCHEDULE

- 8:00 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:30–9:30 **Protecting Intellectual Property on the Internet**
- Protecting IP through website terms and conditions
 - Internet copying: what's infringement and what's fair use?
 - Combating online counterfeiting
 - *Brantley C. Shumaker*
 - *Matthew R. Wilmot*
- 9:30–10:15 **The ABCs of the 2011 Trademark Law Update**
- An update on keyword litigation
 - Bona fide intent, specimens, and use issues: the Trademark Trial and Appeal Board's new priorities post-*Bose*
 - Can you believe it? OBAMA BAHAMA PAJAMAS and KHORAN for wine and other interesting tidbits
 - *Sheila Fox Morrison*
- 10:15–10:30 BREAK
- 10:30–11:15 **Website Risks: Avoiding Online Liabilities**
- Liabilities for third party content
 - Website jurisdiction—running afoul of foreign laws
 - False advertising
 - *Joseph N. Eckhard*
 - *Nathan C. Mocerri*
- 11:15–11:45 **Copyright Issues in the Internet Era**
- Safe harbors and liabilities for hosting subscriber and user content
 - Pitfalls in sending and responding to takedown notices
 - Recent 9th Circuit cases on the intersection of copyright and contract law
 - *Lydia Pallas Loren*
- 11:45–1:00 LUNCH (on your own)
- 1:00–1:45 **Navigating the Next Big Thing: Evolving Software Licensing Concerns for Licensees**
- Software as a service
 - Hosted software solutions
 - Virtualization
 - License management
 - Licensor and third-party audits
 - Privacy and security considerations
 - Global markets
 - *Jennifer L. Connelly*
- 1:45–2:30 **Protecting Intellectual Property in Government Contracts**
- Terms to worry about in your Cooperative Research and Development Agreement (CRADA) with the federal government and federal labs
 - Licensing technology under the Federal Acquisition Regulations (FAR) and Defense Federal Acquisition Regulations (DFAR)
 - Negotiating with contracting officers—the importance and limits of the relationship
 - Subcontractor IP issues
 - *Mark G. Jackson*
 - *Akana K. J. Ma*
 - *David McFeeters-Krone*

SCHEDULE (cont.)

2:30–2:45 BREAK

2:45–3:30 **Recent Developments in Creative Commons and Open Source**

- Case law developments
- Implications for licenses
– *Bradley J. Schrock*

3:30–4:00 **Developments and Trends in Domain Name Disputes**

- Remedies and jurisdiction under Anticybersquatting Consumer Protection Act (ACPA)
- Recent developments in the 9th Circuit
- Department of Homeland Security (DHS) domain name seizures
- 2011 WIPO Report on Cybersquatting
– *Mike Heilbrunner*

4:00 p.m. ADJOURN

Program Faculty

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Mike Heilbronner

IdeaLegal, PC

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LIVE PRESENTATION

Portland – 6/10/11

Oregon Convention Center
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VIDEO REPLAYS

Please register at least one week prior to the replay date.

Bend – 6/24/11

Replay 8:30 a.m.

Bryant Lovlien & Jarvis
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Eugene – 6/17/11

Replay 8:30 a.m.

Harrang Long Gary & Rudnick PC
360 East 10th Avenue, Ste. 300

Medford – 6/17/11

Replay 8:30 a.m.

Kellington Krack Richmond
Blackhurst & Glatte LLP
23 Newtown Street

Portland – 6/29/11

Replay 9:00 a.m.

Oregon Law Institute
Gus J. Solomon Courthouse
620 SW Main Street, Ste. 706

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Friday, June 10, 2011

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Please "✓" appropriate box below:

- Live presentation
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TUITION

(Prices apply to live and video replays.)

- \$179** Early registration (*received by June 6, 2011*)
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