

THE OVERHAUL OF U.S. PATENT LAW

FORUM: The Impact on Patenting Practice, Patent Protection, and on Science & Engineering Jobs



Supporters:



Technical Sponsors:



Washington D.C.,
Northern Virginia
and Baltimore Sections

DATE & TIME: Monday, August 29, 2011; 1:00 PM – 4:30 PM.

LOCATION: [UC Washington Center, 1608 Rhode Island Ave. NW, Washington, D.C. 20036.](#)

OVERVIEW: Major changes in U.S. patent law enacted by Congress radically shift the landscape for the process of seeking and obtaining patent protection for innovations. Recent mega-acquisitions of patent portfolios with unprecedented valuations by large multinational corporations underscore a trend of a radical shift away from an intellectual property marketplace infused with small innovators toward one in which large, multinational corporations own a growing share of U.S. patents. Speakers and panelists on this Forum will address these trends and the effects of statutory changes in the patent law on the courts, on large and small firm patenting, on investments in new inventions and on new domestic science and engineering jobs creation prospects for U.S. professionals. Other panelists will speak on the regulatory changes required to implement the new law, the prospects of U.S. Patent Office access to its user fees, and its ability to handle the increasing workload and new tasks necessitated by the new law.

SPEAKERS & PANELISTS:

Paul Michel, Chief Judge (retired), The U.S. Court of Appeals for the Federal Circuit

Pinchus Laufer, Office of Patent Legal Administration, U.S. Patent & Trademark Office

John Duffy, University of Virginia School of Law

Valerie Gaydos, Angel investor, Angel Venture Forum

Ron Hira, Rochester Institute of Technology, co-author of *"Outsourcing America"*

Ron Katznelson, Entrepreneur-inventor and President of Bi-Level Technologies

Lisa Kuuttilla, President & CEO, STC.UNM, at the University of New Mexico

Henry Nothhaft, Serial Entrepreneur and Author of *"Great Again"*

Herbert Schwartz, Patent litigator and author of *"Patent Law and Practice"*

MODERATOR:

Chris Katopis, Former USPTO Director of Congressional Relations

WHO SHOULD ATTEND: Professionals involved in the creation, protection, use, funding, and acquisition of intellectual property interested in learning about the changes in the U.S. patent system and related impact on innovation activities and on expected shifts in their careers and job prospects.

COST: No Admission Charge

Register for the Forum. Limited seating,
registration closes on August 26, 2011.

Do not register here for webcast viewing

[Register Now](#)

The event's webcast will be available on the
day of the event here:

[View Webcast](#)

SCHEDULE:

1:00 PM – 1:10 PM Opening and introductions

1:10 PM – 2:45 PM Speaker presentations: [unconfirmed tentative titles]

- **Pinchus Laufer**, “Challenges in Implementing the *America Invents Act* – the USPTO Perspective”
- **John Duffy**, “The Bureaucracy and Administrative Complexity of the Patent Bill”
- **Judge Paul Michel**, “No Resources, No Reform”
- **Ron Katznelson**, “Downhill Patent Harmonization with What?”
- **Ron Hira**, “Innovation Policy and Offshoring of R&D”
- **Valerie Gaydos**, “*America Invents Act* – Angel Venture Investor Perspective”

2:45 PM – 3:10 PM Coffee Break

3:10 PM – 4:00 PM Panel Discussion

The panel discussion will cover the topics of the presentations and will include the presenting speakers listed above joined by the following panelists, who will comment further on expected changes as follows:

- **Lisa Kuuttilla**, effects on university R&D, innovation and technology transfer
- **Henry Nothhaft**, effects on innovation and early stage technology companies
- **Herbert Schwartz**, effects on patent litigation practice and the courts

4:00 PM – 4:25 PM Audience Q&A

4:25 PM – 4:30 PM Closing

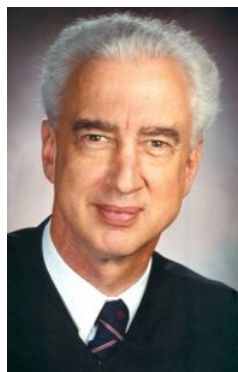
VENUE: For directions to the UC Washington Center see www.ucdc.edu/aboutus/location.cfm

FOR MORE INFORMATION: Contact [Dr. Ron Katznelson](#).

-- Over --

SPEAKERS/PANELSISTS BIOGRAPHIES:

Paul R. Michel



Paul R. Michel was Chief Judge, U.S. Court of Appeals for the Federal Circuit until his retirement in May 2010. Judge Michel was appointed to this court in March of 1988 and assumed the duties of Chief Judge in December 2004. After his elevation to Chief Judge, he served as one of 27 judges on the Judicial Conference of the United States, the governing body of the Judicial Branch. In 2005 he was appointed by Chief Justice Rehnquist to also serve on the Judicial Conference's seven-judge Executive Committee.

In his years on the bench Judge Michel judged thousands of appeals and wrote over 800 opinions, approximately one-third of which were in patent cases. Prior to his appointment to the bench, Judge Michel served in the executive and legislative branches for 22 years. Following graduation from Williams College in 1963 and the University of Virginia Law School in 1966, Michel served as Assistant District Attorney and then Deputy District Attorney for Investigations under Arlen Specter in Philadelphia; as Assistant Special Watergate Prosecutor in 1974-1975; from 1975 to 1976 he was an assistant counsel for the Senate Select Committee on Intelligence; from 1976-1978, he served as Deputy Chief of the Justice Department's Public Integrity Section, where he directed the "Koreagate" investigation; in 1978 he was appointed as an Associate Deputy Attorney General; in 1980 he served as Acting Deputy Attorney General; and from 1981 until 1988, he served on Senator Arlen Specter's staff, including as Counsel and Chief of Staff.

Since retiring from the court, Judge Michel continues to share knowledge gained during his 22 years on the court by speaking out on issues related to the courts and the patent system. He also provides mediation, arbitration, and case evaluation services to private clients.

Judge Michel is also serving as an advisor to a number of organizations. In June 2010, Judge Michel was elected a member of the Board of Directors of the Intellectual Property Owners (IPO) Education Foundation and became a Distinguished Scholar in Residence there. He also serves as Special Advisor to the Patent Reform Task Force and the Council of the Section on Intellectual Property of the American Bar Association, and is a member of the AIPLA Committee on Public Appointments. Most recently he was invited to join the Advisory Committee of the World Intellectual Property Organization's Networked Innovation project and the Advisory Committee of the Manufacturing Initiative of the U.S. Council on Competitiveness.

Pinchus M. Laufer



Dr. Pinchus M. Laufer currently serves as a Patent Examination Policy Analyst & Senior Legal Advisor in the Office of Patent Legal Administration (OPLA) at the U.S. Patent and Trademark Office (USPTO). He came to this position after a lengthy tenure as a Special Programs Examiner in the Computer Security, Architecture & Software area. In these positions, Dr. Laufer has developed extensive expertise in reexamination, reissue, and 37 CFR 1.131 affidavit practice. Dr. Laufer began his career as a patent examiner with the USPTO in the security area specializing in cryptography, optical measuring and testing, and electronic commerce. He was involved in implementing the Accelerated Examination procedure and drafting the [*Examination Guidelines for Determining Obviousness in View of the Supreme Court Decision in KSR*](#).

Prior to joining the USPTO, Dr. Laufer worked in support of space & defense projects including work on missile defense, radar, and laser systems. He holds a Bachelors of Science with dual majors in Mathematics and Physics, Summa Cum Laude from Brooklyn College and a Ph.D. in Theoretical Solid State Physics from the Graduate School & University Center of the City University of New York, and a J.D., Magna Cum Laude, Order of the Coif, from the Georgetown University Law Center. Dr. Laufer is a member of the Bars of Maryland and the District of Columbia.

John F. Duffy



John F. Duffy is the Armistead M. Dobie Professor of Law at the University of Virginia School of Law. Professor Duffy received an A.B. in physics from Harvard College in 1985 and a J.D. from the University of Chicago in 1989. Prior to entering academics, Professor Duffy clerked for Stephen Williams on the United States Court of Appeals for the D.C. Circuit and for Justice Scalia on the United States Supreme Court and served as an Attorney-Advisor in the Department of Justice's Office of Legal Counsel.

Professor Duffy has co-authored a casebook on patent law, *PATENT LAW AND POLICY* (5th ed. 2011) and has published articles on a wide range of regulatory and intellectual property issues in journals such as *University of Chicago Law Review*, *Columbia Law Review*, *Yale Law Journal*, *Stanford Law Review*, *Texas Law Review*, *Northwestern University Law Review*, *NYU Law Review*, *University of Pennsylvania Law Review* and the *Supreme Court Review*.

In the field of intellectual property, Professor Duffy has been identified as one of 25 most influential people in nation (by the U.S. publication *The American Lawyer*) and one of the 50 most influential people in the world (by the U.K. publication *Managing Intellectual Property*). His article "Are Administrative Patent Judges Unconstitutional?" was covered in the *New York Times* ([In One Flaw, Questions on Validity of 46 Judges, May 6, 2008](#)) and subsequently led to the enactment of legislation that restructured the appointment process for patent judges. On the issue of patent reform, Professor Duffy has written an article entitled "The Big Government Patent Bill" ([PatentlyO, June 23, 2011](#)), which calls attention to the costs and complexity of the currently pending patent legislation.

Valerie S. Gaydos



Valerie S. Gaydos is the President of Capital Growth, Inc. She is an active angel investor and business development expert. She has been involved with many start-up companies in the areas of operational development and strategic planning for more than 20 years. She is the founder and president of Capital Growth, Inc. (CGI) which was founded in 1994 as a venture capital data and information publishing company that produced the first entrepreneur affordable, online searchable, venture news database. CGI remains focused on actively developing and investing in early stage companies.

From 2004-2007 Ms. Gaydos served as President of the Pennsylvania Angel Network, a network of more than 650 angel investors across Pennsylvania. From 2004-2010 she served as director and member of the Philadelphia Private Investors Forum, whose many successful investments include companies like Fingerworks (touch pad technology sold to Apple), Off-Campus Dining (Meal card technology sold to Sodexo) and Protez Pharmaceuticals (sold to Novartis).

Currently, Ms. Gaydos is a member of the Lancaster Angel Network. She manages the Angel Venture Forum in Washington, DC which is one of the largest consortiums of angel investors in the region. She is also founding director of the Center for New Technology Enterprise, serves on the Policy Committee of the Angel Capital Association (ACA), is a member of the PEG PAC Political Action Committee Board of the Pennsylvania Business Council and serves as Chairman & Treasurer PiPAC which is a Federal Political Action Committee established to preserve and encourage the stability and growth of American emerging businesses. Ms. Gaydos previously served as an Analyst for the Pennsylvania State Senate and also served as Staff Assistant for Pennsylvania U.S. Senator H. John Heinz, III. She earned a BA in Economics and Russian Language from Dickinson College in Carlisle, PA.

Ron Hira



Ron Hira is an Associate Professor of Public Policy at the Rochester Institute of Technology. He is an expert on outsourcing (including offshore outsourcing), technology policy, high skill immigration, and research and development policy. He is a licensed professional engineer, a research associate with the Economic Policy Institute and the co-author of [Outsourcing America](#) (AMACOM Books 2005).

Dr. Hira teaches courses on technological innovation, communications and public policy. He has appeared on “*Lou Dobbs Tonight*” and “*NOW with Bill Moyers*,” and his expertise has been cited in numerous publications including *The New York Times* and *Time Magazine*. He has participated in countless conferences related to science/technology workforce issues and has twice testified before congress on national economic policy.

Dr. Hira completed a post-doctoral fellowship at the Center for Science Policy & Outcomes at Columbia University and holds a Ph.D. in public policy from George Mason University, a master’s in electrical engineering from George Mason University and a B.S. in electrical engineering from Carnegie-Mellon University.

Ron D. Katznelson



Dr. Ron D. Katznelson has over 25 years of experience in intellectual property rights protection as an inventor (with [23 U.S. Patents](#)), technology developer, entrepreneur and independent scholar of the patent system. He is the Founder and President of Bi-Level Technologies, a signal processing technology startup in Encinitas, CA. In 1990 he founded and led Broadband Innovations (formerly MCSI), a digital RF technology company, as Chief Technology Officer and Chairman until his company was acquired by Motorola in December 2005. Dr. Katznelson is a coauthor of CableLabs’ [DOCSIS® Downstream RF Interface Specification](#) used by all high speed cable modems.

From 1983 to 1989, he was with the VideoCipher Division at Linkabit Corp., later acquired by General Instrument Corp. where he directed digital television R&D efforts that led to the MPEG-2 video compression standard. His responsibilities included managing the Division's intellectual property portfolio, working with outside counsel on patent litigation, and representation in industry groups and standard-setting organizations. From 1982 to 1985, Dr. Katznelson was a Professor of Electrical Engineering at the University of California, San Diego (UCSD).

Dr. Katznelson co-authored a book and authored numerous technical publications in areas including semiconductor device physics, digital RF signal processing, satellite television transmission techniques, and HDTV transmission systems. His [recent publications](#) also include articles on product lifecycles, patent law and operation of the U.S. Patent Office. He is a member of the San Diego IP Law Association, CONNECT’s Public Policy Committee, the National Small Business Association’s Economic Development Committee, and he serves on the UCSD Library Advisory Board. He received his Ph.D. degree in Electrical Engineering (communication theory and systems) from UCSD; his MSc. degree in Applied Semiconductor Physics and a dual major BSc. degree in Mathematics and Physics, both from the Hebrew University in Jerusalem, Israel.

Elizabeth (Lisa) J. Kuuttila



Elizabeth (Lisa) J. Kuuttila is President & CEO of STC.UNM, the technology-transfer arm for the University of New Mexico. Ms. Kuuttila joined STC as President & CEO in 2003. Under her leadership, STC.UNM is substantially growing its technology-transfer program as a door to the marketplace.

Ms. Kuuttila has more than 20 years of prior leadership experience in technology commercialization and licensing. This includes positions as Assistant Vice President for Technology Commercialization at Purdue Research Foundation; Director, Technology Commercialization, University of Georgia; and Director, Office of Technology Commercialization, Center for Advanced Technology Development, Iowa State University. Her prior experience also includes a consulting practice that provided strategic marketing and technology-transfer consulting services for a wide variety of well-known technology corporations, universities and foundations, including Stanford University. Ms. Kuuttila began her career in industry in several engineering and technology- marketing positions. She has significantly increased the number of spin-off companies at each university she has served. She also has substantial expertise in university-based equity transactions. She managed the seed-capital venture fund on behalf of Purdue Research Foundation.

Ms. Kuuttila has published extensively in her field, is an active speaker and has made presentations throughout her career to many organizations. She serves on the Board of Directors of New Mexico Angels, a not-for-profit affiliation of accredited private investors and members of venture capital companies. Ms. Kuuttila received her B.S. degree in Electrical Engineering from the University of Michigan and her M.S. degree in Public Administration from Iowa State University.

Henry R. (“Hank”) Nothhaft



Henry R. Nothhaft is the former chairman and CEO of Tessera, a developer of semiconductor packaging technology for miniaturization and increased performance of electronic products. His new book [*Great Again: Revitalizing America’s Entrepreneurial Leadership*](#) (Harvard Business Press, 2011) has become a national bestseller.

As a pathfinder in the telecommunications and networking industries he led a series of successful venture capital backed start-ups over a 35 year career that gave him the opportunity to create high performance organizations that invented many disruptive technologies resulting in hyper growth and radically changed new markets.

Hank previously served as chief executive officer of Danger, that developed the wildly popular T-Mobile Sidekick smart phone, and engineered its acquisition by Microsoft in 2008 for \$500 million. He also held the role of chief executive officer at early internet service provider that pioneered guaranteed network performance and created one of the fastest growing companies in the U.S., Concentric Network, where he led the company to a \$70 million initial public offering and later a \$2.9 billion acquisition by Nextlink Communications (now XO Communications).

His leadership with pioneering startups, Telenet Communications and Digital Switch helped revolutionize the telecommunications services industry and provided the foundation for the electronic messaging services and the Internet.

Hank has an MBA in Information Systems Technology from George Washington University and received the Distinguished Eagle Scout Award. He is a graduate of the U.S. Naval Academy and served in Vietnam as a Captain in the U.S. Marine Corps.

Herbert F. Schwartz



Herb F. Schwartz is an Adjunct Professor of Law, the University of Pennsylvania Law School and at the New York University Law School. He was a partner in Ropes & Gray's Intellectual property Group until his retirement on December 31, 2007. He joined Ropes & Gray in 2005 when it merged with Fish & Neave, the IP boutique where he was a partner from 1971 to 2004 and Managing Partner from 1985 to 1991. Mr. Schwartz spent his career litigating intellectual property law matters. He represented various clients in many well-known high-profile intellectual property disputes, including Purdue Pharma in *Purdue v. Endo*, AstraZeneca and Aventis in *Housey v. AstraZeneca, et al.*, Digital Equipment in *Digital v. Intel*, Motorola in *NBA v. Motorola* and Polaroid Corporation in *Polaroid v. Kodak*. He tried many cases and argued many appeals on behalf of these and other clients. He also served as an arbitrator, a special master and mediator in numerous intellectual property litigations.

Mr. Schwartz is the author of [*Patent Law and Practice*](#), published in six editions since 1988. All editions have been made available to all Federal Judges. He is co-author of a 1998 patent law casebook entitled [*Principles of Patent Law*](#), (5th edition, 2011). He has testified before Congress on issues relating to innovation and patent law reform, served as a Special Master in patent litigation, and has written and spoken widely on intellectual property issues. Mr. Schwartz is a Fellow of the American College of Trial Lawyers and The American Bar Foundation and a Member of The American Law Institute. He received his LLB degree, cum laude, from the University of Pennsylvania Law School, MA (Applied Economics) degree from the Wharton School, University of Pennsylvania, and the BSEE (Electrical Engineering) degree from the Massachusetts Institute of Technology.

MODERATOR BIOGRAPHY:

Chris J. Katopis



Chris J. Katopis is a Washington, D.C. technology attorney and entrepreneur. He has worked on intellectual property law matters at the highest levels of all three branches of the federal government.

During his time in the federal government, he was a counsel for the U.S. House of Representatives' Judiciary Subcommittee on the Courts, the Internet and Intellectual Property. In this capacity, he worked extensively on various patent law and oversight matters. During his tenure, Congress made several significant changes to the patent system, including enacting sweeping patent reform (the American Inventors Protection Act of 1999), establishing the inter partes reexam procedure, and enhancing the U.S. Patent and Trademark Office's (USPTO) operations. In 2002, he joined the USPTO where he was a member of the executive management committee and the Director of the Office of Congressional Relations. He served in the judiciary branch of government as a law clerk for the Hon. Pauline Newman of the U.S. Court of Appeals for the Federal Circuit.

In 2010, Chris founded the mobile app software company, Capitol Game Science Media, LLC, which publishes the Voting Card series of apps for various smartphone platforms. He is a graduate of the Temple University School of Law; University of Pennsylvania School of Engineering and Applied Sciences; and, the N.Y. Bronx High School of Science. He is a registered patent attorney who has assisted technology clients before the USPTO. Further, he has testified on technology law matters before the federal and states legislatures and is the author of many legal articles on intellectual property, including: "Perfect Happiness: Game Theory as a Tool to Enhance Patent Quality", [*10 Yale Journal of Law & Technology*, 360 \(2008\)](#).