



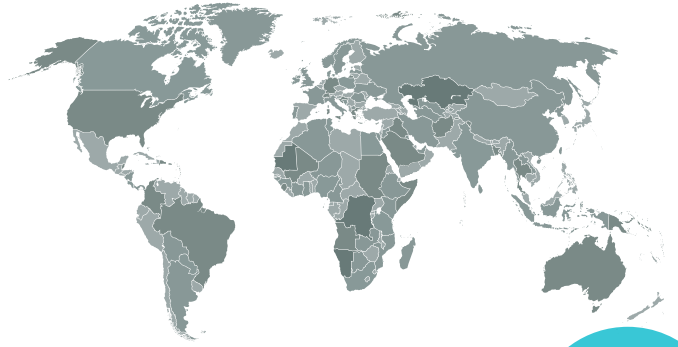
Business Information
In A Global Context

Hi-Tech Patents: IPR Strategies & Litigation

30 June & 1 July 2014

Hilton Munich City Hotel, Munich, Germany

Up to
14.0 CPD



01

Invaluable insight from leading international judges:



Judge Alice Pezard,
Cour de Cassation,
Paris



Judge Dr. Matthias
Zigann, Munich I
Regional Court



Judge Sharon Prost,
United States Court
of Appeals for the
Federal Circuit



Judge Sam Granata,
Commercial Court,
Antwerp



Judge Karin Friehe,
Federal Patent Court,
Munich

03

Benchmark your IPR and Litigation Strategies with Leading Hi-Tech Experts from:

- >> Ericsson
- >> ETSI
- >> European Patent Office
- >> GSMA
- >> Intel Corporation
- >> Nokia
- >> Qualcomm
- >> Research in Motion/Blackberry
- >> Siemens
- >> Sisvel

04

Enhance your conference experience by attending our expert-led and interactive post-forum workshop on 2 July 2014:

Successful Patent Drafting Tips and Techniques in Light of Recent Case Law Developments

Knowledge Sponsor:

TaylorWessing

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OLSWANG

02

Interactive discussions and real-time lessons on:

- >> **The Unitary Patent Court – Mock Trial:**
How to successfully alter your strategies & prepare for the new patent litigation era
- >> **Enforcing Standard-Essential Patents in Europe:**
Obtaining injunctive relief and other remedies
- >> **Protecting and future-proofing your IP from the threat of Non-Practicing Entities**
- >> **Making FRAND Licensing work for you**
- >> **Deploying a successful strategy for pan-European enforcement following recent case law on Cross-Border Injunctions**
- >> **The interaction between Anti-Trust Law and intellectual property rights**
- >> **The role of SSOs and the European Patent Office in enforcing IPR**

05

European Commission Keynote Address:



Thomas Kramler,
Deputy Head of Unit,
DG Competition

Media Partners:



»»»»» "Patent Wars continuing before the courts..."

"The European Commission set to rule on Motorola and Samsung anti-trust cases..."

"Non-practicing entities pose growing threat in Europe..." <<<<<<

»»»»» "Ongoing uncertainty around obtaining injunctive relief for SEPs..."

The challenges facing intellectual property practitioners in hi-tech industries → continue to mount.

IP practitioners are tasked with both implementing the most competitive strategies to protect and defend their patent portfolios, whilst also maximising revenues when entering or consolidating their place in the market. Given the highly competitive and lucrative nature of the hi-tech industries, it is more important than ever to stay abreast of recent court decisions, current IPR strategies and litigation tactics.

C5's forum on **Hi-Tech Patents: IPR Strategies & Litigation** is a timely expert-led forum written to provide tangible solutions to a range of industry critical issues affecting the whole spectrum of hi-tech patents.

Uncompromising, relevant and hard-hitting, dispensing the latest insights, best practice and 'need to know' information, the agenda delivers unrivalled opportunities for practical learning, knowledge sharing and benchmarking.

Key judicial authorities, distinguished in-house counsel from the world's largest hi-tech companies, and their expert legal advisors come together to provide you with advanced and practical IPR strategies to use in maximising revenue from your IP portfolio and defending your market position.

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Industry Leading Insight from Our Expert Faculty:

Michael Burdon, Partner, [Olswang LLP](#)

Roberto Dini, Founder, [Sisvel](#)

Martin Faehndrich, Partner, [Hogan Lovells](#)

His Honour Michael Fysh QC SC,
8 New Square

Judge Karin Friehe,
Federal Patent Court, Munich

Martin Faehndrich, Partner, [Hogan Lovells](#)

Michael Froelich, Senior Director,
EU Intellectual Property & Strategy,
[RIM / BlackBerry](#)

Dr Michel Goudelis, Director
Directorate 1854, Telecommunications,
European Patent Office

Judge Sam Granata,
Commercial Court, Antwerp

Christian Harmsen, Partner, [Bird & Bird](#)

Harald Heiske, Principal IP Counsel,
[Siemens](#)

Daniel Hermele, Director of IPR & Licensing,
[Qualcomm](#)

Clemens Heusch, Head of European
Litigation, [Nokia](#)

Willem A. Hoyng, Partner,
[Hoyng Monegier](#)

Konstantinos Karachalios, Managing
Director, [IEEE Standards Association](#)

Ed Kelly, Partner, [Ropes & Gray](#)

Thomas Kramler, Deputy Head of Unit, DG
Competition, [European Commission](#)

Gertjan Kuipers, Partner,
[De Brauw Blackstone Westbroek N.V.](#)

Roland Küppers, Partner, [Taylor Wessing](#)

Michael Loch, Senior Legal Director, [GSMA](#)

Thomas Lynker, Partner, [Olswang LLP](#)

Monica Magnusson, Director, Patent
Licensing, [Ericsson](#)

James Marshall, Partner, [Taylor Wessing](#)

Rick McCaulley, Partner, [Ropes & Gray](#)

Kevin Mooney, Partner,
[Simmons & Simmons](#)

Judge Alice Pezard, [Cour de Cassation](#), Paris

Judge Sharon Prost, Federal Judge,
[United States Court of Appeals for the
Federal Circuit](#)

Michael Tierney, Assistant Director
of Patents, [Intel Corporation](#)

Richard Vary, Head of Litigation, [Nokia](#)

Pierre Veron, Partner, [Veron & Associates](#)

Dirk Weiler, Chairman, [ETSI General
Assembly & IPR Special Committee \(Head
of Standards Management & Horizontal,
Nokia Solutions and Networks\)](#)

Judge Dr. Matthias Zigann
Munich I Regional Court

MAIN FORUM
DAY ONE
30 June 2014

09:00 **Chair's Opening Remarks**

James Marshall
Partner, **Taylor Wessing**

09:10 **The Unified Patent Court: How to Successfully Alter Your Strategies and Prepare for the New Patent Litigation Era**

Kevin Mooney
Chairman of the UPC Drafting Committee (UK)
(Partner, Simmons & Simmons)

Willem A. Hoyng
Member of the UPC Drafting Committee
(Netherlands) (Partner, Hoyng Monegier)

Pierre Veron
Member of the UPC Drafting Committee (France)
(Partner, Veron & Associates)

The Unified Patent Court (UPC) will soon go live. To help businesses and practitioners, we have put together a panel of experts from the Drafting Committee of the UPC to answer your questions about the structure of the UPC, fees and litigation costs, the role of the national courts, the procedures in the UPC, the appeals system, the possibility of pan-European injunctions, the competency and judges of the Court, the opt in and opt out option, the role of experts in the UPC, the role of the ECJ and the much debated issue of bifurcation.

10:10 **Morning Refreshments**

10:30 **Mock Trial: Obtaining A Preliminary Injunction Under the Rules of the Unified Patent Court**

Judging Panel:

Judge Alice Pezard
Cour de Cassation, Paris

Judge Sam Granata
Commercial Court, Antwerp

His Honour Michael Fysh QC SC
8 New Square, London

Judge Karin Friehe
Federal Patent Court, Munich

Counsel:

Christian Harmsen
Partner, **Bird & Bird**

Martin Faehndrich
Partner, **Hogan Lovells**

With the UPC becoming an integral part of patent procurement and litigation strategy, a lot of questions arise regarding the procedures of the UPC in practice. This session will bring together judges from four different EU member states. Two leading counsel will argue a mock case seeking a preliminary injunction on a telecommunications dispute before the panel. The panel of judges will give a verdict and their reasoning offering an insight to the UPC judge panel system.

13:00 **Networking Lunch**

14:15 **Enforcing Standard – Essential Patents (SEPs) in Europe: Obtaining Injunctive Relief and Other Remedies**

James Marshall
Partner, **Taylor Wessing**

Roland Küppers
Partner, **Taylor Wessing**

- Update on Huawei v ZTE referral to the CJEU
- Review of Samsung commitments to the Commission
- What comes first: assessment of a FRAND licence, or litigation of infringement/validity?
- How to determine whether an offer is FRAND?
 - Procedural issues (discovery of comparables, confidentiality, evidence)
 - Will guidance from US cases be followed?
- When might a patent-owner have a right to an injunction on a SEP?
 - What are the restrictions?
 - Key developments in the UK in 2013 & 2014: *IPComm v Nokia; Nokia v HTC*

15:15 **Afternoon Refreshments**

15:35 **Making FRAND Licensing Work For You: Industry Panel Discussion**

Daniel Hermele
Director of IPR & Licensing, **Qualcomm**

Monica Magnusson
Director, Patent Licensing, **Ericsson**

Michael Tierney
Assistant Director of Patents, **Intel Corporation**

Michael Froelich
Senior Director, EU Intellectual Property & Strategy,
RIM / BlackBerry

Harald Heiske
Principal IP Counsel, **Siemens**

17:05 **Revising Your IP Portfolio Strategy to Incorporate the Latest Non-Practicing Entity (NPE) Issues**

- Defending against infringement actions brought by NPEs
- Proactive defences: declarations of non-essentiality & non-infringement and revocation actions
- Can NPEs get the same relief as practicing entities?
- Licensing deals to encumber patent portfolios
- US perspectives and impact of *Vringo*

17:50 **Chairs' Closing Remarks followed by**



**Networking
Drinks Reception**

8:45 **Chair's Opening Remarks**

Michael Burdon
Partner, **Olswang LLP**

09:00 **The Role of Standard Setting Organisations (SSOs) in Promoting Innovation and Enforcement of Intellectual Property Rights**

Moderator:

Roberto Dini
Founder, **Sisvel**

Panellists:

Dirk Weiler
Chairman, **ETSI General Assembly & IPR Special Committee** (Head of Standards Management & Horizontal, Nokia Solutions and Networks)

Dr Michel Goudelis
Director, Directorate 1854, Telecommunications,
European Patent Office

Michael Loch
Senior Legal Director, **GSMA**

Konstantinos Karachalios
Managing Director, **IEEE Standards Association**

- Examining the IPR policies of hi-tech SSOs: encouraging a balance between fostering innovation and protecting IPR
- How SSOs, Governmental Regulators, Patent Offices and Patent Pool Administrators can cooperate to foster standardized technologies
- Commitment to license under FRAND terms: obligations for patent holders and implementers
- Patent hold-up and reverse hold-up: The difficulties to find balanced and widely accepted improvements to the current framework
- Interplay with Anti-Trust and the modern role of SSOs
- Avoiding stacking of royalties due to requests from multiple patent owners

10:10 **Morning Refreshments**

10:30 **Perspectives for European Lawyers on the New U.S. Patent Trial and Appeals Board as a Forum for Resolving Hi-Tech Patent Validity**

Rick McCaulley
Partner, **Ropes & Gray**

Ed Kelly
Partner, **Ropes & Gray**

In 2012, as part of the America Invents Act (AIA), the U.S. formed a new Patent Trial and Appeals Board (PTAB) to provide technology companies with a lower cost and more efficient forum for resolving competitor patent threats in the U.S. Only 18 months later, hundreds of cases have been filed and over 25 decisions have been handed down. The session is designed to help European lawyers understand this new forum and its potential role in the hi-tech industry. The panel includes members from one of the pioneering firms practicing in this new forum. The panel will review key results from the initial PTAB decisions, highlight the

implications for European technology companies that operate in the U.S., and discuss the benefits and drawbacks of using this new forum. The panel will also discuss the strategic interplay between PTAB challenges and European oppositions/revocations in managing competitor patent risk on a global basis.

11:30 **European Commission Keynote Address**

Thomas Kramler
Deputy Head of Unit, DG Competition,
European Commission

12:15 **Networking Lunch**

13:15 **Deploying a Successful Strategy for Pan-European Patent Enforcement Following Recent Case Law Developments on Cross-Border Injunctions**

Thomas Lynker
Partner, **Olswang LLP**

Clemens Heusch
Head of European Litigation, **Nokia**

- What are the implications of recent cross-border injunctions for hi-tech products
- Exploring how patent infringement cases are being handled in European jurisdictions
 - *Solvay v Honeywell*
 - *Motorola v Apple*
 - *Microsoft v Motorola*
 - *LG v Sony*
- How have recent referrals to the ECJ regarding provisional cross-border injunctions been handled?
- What are the discrepancies in the availability of injunctive relief across Europe for patent infringement?
 - Assessing the Dutch Courts approach of allowing a FRAND defence based on contractual and anti-trust arguments: *Apple v Samsung*
 - Why have German Courts been reluctant to accept this defence?
- Damages for wrongful injunctions

14:15 **Afternoon Refreshments**

14:30 **JUDGES PANEL DISCUSSION: A View From the Bench**

Moderator:

Gertjan Kuipers
Partner, **De Brauw Blackstone Westbroek N.V.**

Panellists:

Judge Sharon Prost
Federal Judge, **United States Court of Appeals for the Federal Circuit**

Judge Dr. Matthias Zigann
Munich I Regional Court

In this engaging and enlightening panel discussion, hear directly from leading international judges on lessons learned from the latest hi-tech patent litigation on both sides of the Atlantic as well as invaluable insight on a range of issues such as how the courts are approaching FRAND.

16:15 **How to Determine Royalties Payable on a Patent Portfolio**

Richard Vary
Head of Litigation, **Nokia**

- Different approach licensing SEPs and Implementation patents?
- Lessons learned from US cases: *Microsoft v Motorola*; *Innovatio*
- Factors to be considered when negotiating FRAND royalties
 - Market definition for products using standardized technology
 - Disclosure of SEPs and SEP applications in the specific technology sector
 - Evaluating the relevant factors for assessing FRAND

17:00 **Chair's Closing Remarks and End of Conference**

POST-FORUM WORKSHOP

2 July 2014

9:00am–12:30pm

Successful Patent Drafting Tips and Techniques in Light of Recent Case Law Developments

The workshop leader will examine the practical and strategic tips for drafting successful standards-based and technological patent applications, ensuring you can effectively claim a commercial product in the patent every time, whilst balancing early patent filing with sufficient data.

- Ensuring you claim a commercial product in the patent
- Early filing vs. adequate data
 - How much data needs to be included in the patent application?
 - Determining what is already on the market: adopting a thorough approach
- Understanding the differences in practices in Europe that impact on patent drafting
- What are examiners looking for?
- What should you try to include and what should you try to avoid in drafting a successful patent application?
- How to structure specifications
- Using different claims types
- Avoiding transnational enforcement problems
- Considering licensing opportunities and enforcement issues when drafting claims
- Planning for the future prosecution
- Filing strategically

WEBCAST

Can't take time out of the office? Attend the conference from the convenience of your home or office. Save money on travel and view the conference according to your own schedule. This interactive live webcast allows you to participate in the sessions as they occur, download handouts, and ask speakers questions.

If you can't watch the live feed, the recorded archives of the presentations will also be available for you to view for 45 days after the conference is over, so you can re-watch sessions, or view any sessions you may have missed.

WHO Should Attend?

From the telecommunications, wireless, satellite, electronics, software, semiconductor and computer sectors:

- In-House Counsel and Legal Directors
- Patent Attorneys
- Heads/Directors of IP, IP Counsel & IP Managers
- Heads/Directors of Patents, Patent Counsel & Patent Managers
- Heads/Directors of Licensing
- Patent Specialist/Experts

Private practice lawyers specialising:

- Patent Litigation
- Patent Prosecution

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Evi Kartsouni on +44 (0)20 7878 6955 or email **E.Kartsouni@C5-Online.com**

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Business Information
In A Global Context

Hi-Tech Patents: IPR Strategies & Litigation

30 June & 1 July 2014 – Hilton Munich City Hotel, Munich, Germany

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ADMINISTRATIVE DETAILS

Date: 30 June – 1 July 2014

Time: 9:00 – 18:00

Venue: Hilton Munich City Hotel

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Telephone: +49 (0)89 48040

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