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Understanding the Intellectual Property License 2008

Chicago, October 20-21, 2008

New York City,* October 27-28, 2008

San Francisco, December 15-16, 2008

Live Webcast, December 15-16, 2008 — www.pli.edu

- Comprehensive Coverage of IP Licensing in Two Days: Copyright, Trademark, Rights of Publicity & Entertainment, Open Source, Patent & Technology
- Winning Strategies to Address International, Antitrust, Bankruptcy and Litigation Issues in Licensing
- Learn Valuable Techniques from a Skilled Mock Negotiation of a License Agreement
- One Full Hour of MCLE Ethics Credit

**This is an approved transitional program*

Do You Know There Are 5 Ways To Attend PLI's Programs? *See inside for details...*

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Why You Should Attend

Licensing is one of the hottest areas in intellectual property today. The licensing of intellectual property has exploded into a multibillion-dollar industry. Many companies are analyzing and identifying their intellectual property assets to determine which they can license and how they can license them. Virtually every business today will confront licensing issues on an increasingly frequent basis. A solid base of knowledge about licensing of intellectual property has never been more important for companies and their counsel. This introductory course will give you an overview of how to negotiate and draft effective license agreements, whether you are the licensor or licensee. Experts in licensing will discuss different kinds of licensing agreements, and the business and legal issues related to them.

What You Will Learn

- Drafting techniques and suggestions for specific clauses
- Key provisions and practical considerations in trademark and copyright licenses
- Open source licenses and the impact of GPLv3
- Special issues for User-Generated content and the Internet
- Strategies for exploiting technological property rights
- Coordinating patent licenses with software and database licenses
- Enforcement and protection of rights in the international arena
- Avoiding antitrust problems
- Rights and remedies in the event of bankruptcy
- What happens when the agreement has to be enforced
- The “real world” relevance of license provisions
- Ethical issues in licensing

Who Should Attend

General practitioners, intellectual property specialists, corporate counsel and others who need to know the basics of how to license and protect their intellectual property.

PLI's Guarantee

It's simple. If you're not completely satisfied with the return on your investment from any PLI program, your money will be refunded in full.

Reserve your place today, call (800) 260-4PLI.

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Palo Alto, California

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Cydney A. Tune

Pillsbury Winthrop Shaw Pittman LLP
San Francisco

Paul W. Vapnek

Townsend and Townsend and Crew LLP
San Francisco

Program Attorney: Tamara C. Kiwi

P R O G R A M

Please plan to arrive with enough time to register before the conference begins.
A continental breakfast will be available upon your arrival.

DAY ONE: 9:00 A.M. – 5:00 P.M.

Morning Session: 9:00 a.m. – 12:30 p.m.

9:00

Introduction

CHI: Marcelo Halpern

NYC: Susan Progoff

SF & WEB: Ian N. Feinberg

9:15

Trademark Licensing

- Rationale for licensing
- Fundamentals of a trademark license
- Key provisions and practical considerations

CHI: Liisa M. Thomas

NYC: Susan Progoff

SF & WEB: Sally M. Abel

10:15

Copyright Licensing

- Rationale for licensing
- Fundamentals of a copyright license
- Key provisions and practical considerations

CHI: Beth A. Fulkerson

NYC: Mavis K. Fowler-Williams

SF & WEB: Cydney A. Tune

11:15 Break

11:30

Rights of Publicity and Entertainment Licensing

- Rights of publicity
- Celebrity licensing
- Television and movie licensing
- Special issues for User-Generated content and the Internet

CHI: E. Leonard Rubin

NYC: Edward H. Rosenthal

SF & WEB: William Sloan Coats

12:30 Lunch

Afternoon Session: 1:45 p.m. – 5:00 p.m.

1:45

Open Source Licenses

- Varying terms in open source licenses and their impacts
- Quality, security, support, and compliance issues in open source licenses
- Key provisions and impact of GPLv3
- Litigation and enforcement activity involving open source licenses
- Business models based on open source technology

CHI: Beverly A. Berneman

NYC: David M. Hudanish

SF & WEB: Robin J. Lee; Alan Stern

2:45

Patent and Technology Licensing

- Standard clauses and variations
- Strategies for exploiting technological property rights
- Negotiating a royalty and constraints on licensing restrictions
- Handling patent licensing issues in the context of joint development and software integration projects
- Coordinating patent licenses with software and database licenses

CHI: Margaret M. Duncan

NYC: Gerard A. deBlasi

SF & WEB: Michael A. Molano

3:45 Break

4:00

Ethical Issues in Licensing

- A discussion of potential ethical issues that arise in the licensing arena and how to handle them

CHI: Champ W. Davis, Jr.

NYC: David Rabinowitz

SF & WEB: Paul W. Vapnek

5:00 Adjourn

PLI's Nationally Acclaimed Course Handbooks

All program attendees* will receive a copy of the Course Handbook. This bound volume is prepared specifically for this program and also stands alone as a permanent reference. PLI's Course Handbooks represent the definitive thinking of the nation's finest legal minds, and are considered the standard reference in the field. Please note: Individual Webcast attendees will receive a downloadable version of the Handbook the day of the program, and the Course Handbook after the program date.

*Web Subscribers to Webcasts can purchase the Handbook at a 50% discount; contact PLI Customer Service to order.

SCHEDULE

DAY TWO: 9:00 A.M. – 4:45 P.M.

Morning Session: 9:00 a.m. – 12:15 p.m.

9:00

International Considerations in Licensing

- How to approach the licensing of a property on a worldwide scale
- Special provisions to be included in foreign licenses
- Enforcement and protection of rights

CHI: Anne S. Jordan

NYC: David A. Latham

SF & WEB: Maureen S. Dorney

10:00

Antitrust Issues in Licensing

- Identifying and avoiding antitrust problems often encountered in the negotiation and drafting of license agreements, standard setting organizations, and patent litigation settlements

CHI: Hanno F. Kaiser

NYC: Mark A. McCarty

SF & WEB: Ian N. Feinberg

11:00 Break

11:15

Bankruptcy Issues in Licensing

- The rights and remedies in the event of the licensor or licensee's bankruptcy
- Negotiating tips to deal with the contingency of bankruptcy

CHI: Marcelo Halpern

NYC: Stuart M. Riback

SF & WEB: Lillian Stenfeldt

12:15 Lunch

Afternoon Session: 1:30 p.m. – 4:45 p.m.

1:30

Drafting for Litigation

- Hear from a litigator what happens when the agreement has to be enforced
- How to draft boilerplate for the litigators

CHI: Steven P. Mandell

NYC: James E. Hopenfeld

SF & WEB: Ian N. Feinberg

2:30

A Mock Negotiation of a License Agreement

- Putting it all together; a simulated negotiation of a license agreement
- Drafting techniques and suggestions for specific clauses
- Explanation of the "real world" relevance of license provisions
- Pointers on negotiation techniques to develop compromises
- Identification of typical business terms

CHI, NYC, SF & WEB: Gregory J. Battersby;

Leonard T. Nuara

3:30 Break

3:45

A Mock Negotiation of a License Agreement *(continued)*

4:45 Adjourn

Watch and Listen to Live Webcast at www.pli.edu

A simultaneous live online broadcast of the San Francisco session of this program is available for individual viewing from your computer on www.pli.edu. Webcast participants will receive streaming audio/video instantaneously from the live program, can view and/or print the Course Handbook, and submit questions electronically. Get "real-time" education right from your PC!

To register for the Webcast, visit www.pli.edu and click *Webcasts* and select the *Understanding the Intellectual Property License 2008* Webcast to purchase the program. Please register before the first day of the program to allow time to test your system. If you have any questions whatsoever please call PLI's Customer Relations Department at (800) 260-4PLI.

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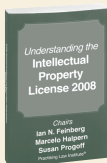
Audio CDs and DVDs of this program will be available for purchase January 2009.

See Registration Form for details.

MP3s and CLE Now Web Segments/Programs of this program will be available January 6, 2009 at www.pli.edu.

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COURSE HANDBOOK

Understanding the Intellectual Property License 2008, \$199.

The Course Handbook will be available on the first day of the program.

TREATISES

Art Law: The Guide for Collectors, Investors, Dealers & Artists, Third Edition

Ralph E. Lerner (Sidley Austin LLP, New York City) and

Judith Bresler (Cowan, DeBaets, Abrahams & Sheppard LLP, New York City)

"Provides welcome guidance."

Edward J. Dolman, CEO, Christie's International plc

3 hardbound volumes, 2,291 pages, \$275 (Revised as needed: No charge for revision issued within 3 months of purchase)



Kane on Trademark Law: A Practitioner's Guide, Fifth Edition

Siegrun D. Kane (Morgan & Finnegan LLP, New York City)

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Jeffrey M. Samuels, Esq., former Assistant Commissioner of Trademarks, PTO

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Patent Licensing: Strategy • Negotiation • Forms

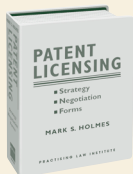
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- **CLE Now Web Segments/Programs** – PLI anywhere, anytime you want it right from your PC.
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Fax or mail completed Registration/Order Form on back cover

Chicago Seminar Location: University of Chicago Gleacher Center, 450 N. Cityfront Plaza Drive, Chicago, IL 60611. (312) 464-8787.

Chicago Hotel Accommodations: Omni Hotel Chicago, 676 N. Michigan Avenue, Chicago, IL 60611. Please contact the hotel directly at 1-800-THE-OMNI or (312) 944-6664. When calling, mention PLI and the name of the program you are attending. The cut-off date for the preferred rate is September 29, 2008.

New York City Seminar Location: PLI New York Center, 810 Seventh Avenue at 53rd Street (21st floor), New York, New York 10019. Message Center, program days only: (212) 824-5733.

New York City Hotel Accommodations:

Due to high demand and limited inventory in NYC, we recommend reserving hotel rooms as early as possible.

The New York Hilton & Towers, 1335 Avenue of the Americas, New York, New York 10019. Reservations (877) NYC-HILT. Please mention you are booking a room under the Practising Law Institute Corporate Rate and the Client File N# is 0495741. You may also book reservations online, go to www.pli.edu for this program, click Hilton link to see preferred rates. Enter requested dates and Practising Law Institute rates will appear.

The Warwick Hotel, 65 West 54th Street, New York, NY 10019. 1 block from PLI Center. Reservations 800-223-4099 or, hotel direct 212-247-2700. Please mention that you are booking a room under the Practising Law Institute Corporate rate. Reservations online at www.warwickhotelnyc.com Click reservations in menu bar on left. Select desired dates. In "Special Rates" drop down window select Corporate Rate. In "Rate Code" enter PLIN. Click search and select desired room type and rate plan. Or, you may email reservation requests to: res.ny@warwickhotels.com

San Francisco Seminar Location: PLI California Center, 685 Market Street, San Francisco, California 94105. (415) 498-2800.

San Francisco Hotel Accommodations: The Palace Hotel, 2 New Montgomery Street, San Francisco, California 94105. Call (800) 917-7456 seven days a week from 6:00 am to 12:00 am (PDT) and mention you are attending this PLI program at Practising Law Institute to receive the preferred rate. For online reservations, go to www.SFPALACE.com and enter SET No. 287179 to receive the preferred rate.

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