

Prepared for distribution at the
PATENT LITIGATION 2013
Program
October–November 2013

CONTENTS:

| | |
|---|-----|
| PROGRAM SCHEDULE | 9 |
| FACULTY BIOS | 15 |
| 1. RECENT DEVELOPMENTS IN PATENT LAW AND THEIR IMPACT ON PATENT LITIGATION | 79 |
| Elaine Herrmann Blais Nicholas K. Mitrokostas <i>Goodwin Procter LLP</i> | |
| 2. RECENT DEVELOPMENTS AT THE ITC: FRAND AND DOMESTIC INDUSTRY | 89 |
| Doris Johnson Hines J.P. Long, Ph.D. <i>Finnegan, Henderson, Farabow, Garrett & Dunner, LLP</i> | |
| 3. THREE YEARS AFTER <i>BILSKI</i> —THE PATENTABILITY OF BUSINESS METHODS, AUGUST 8, 2013..... | 127 |
| Marc V. Richards <i>Brinks Hofer Gilson & Lione</i> | |
| 4. BUSINESS METHOD PATENTS—WHERE ARE WE NOW?, JULY 25, 2013..... | 169 |
| Carolyn H. Blankenship <i>Thomson Reuters</i> | |
| 5. PARALLEL PATENT REEXAMINATIONS AND PTAB PROCEEDINGS | 179 |
| George E. Badenoch Annie Tung <i>Kenyon & Kenyon LLP</i> | |

| | | |
|-----|--|-----|
| 6. | PROBLEMS IN PATENT LITIGATION: STANDING, LOST PROFITS AND INJUNCTIONS | 203 |
| | James R. Ferguson <i>Mayer Brown LLP</i> | |
| 7. | REASONABLE ROYALTY PATENT DAMAGES—WHAT THEY ARE LIKE AFTER <i>UNILOC</i> | 229 |
| | Neil C. Jones <i>Nelson Mullins Riley & Scarborough LLP</i> | |
| 8. | ASSESSING AND RESPONDING TO WILLFULNESS CLAIMS POST- <i>BARD</i> | 247 |
| | David Brightman <i>Yahoo! Inc.</i> Heather Faltin <i>Comcast Cable Communications LLC</i> | |
| 9. | EXPERTS IN PATENT CASES: GETTING THE MOST OUT OF YOUR STAR WITNESS, AUGUST 2013..... | 263 |
| | Michelle M. Umberger Christopher G. Hanewicz <i>Perkins Coie LLP</i> | |
| 10. | ISSUES CONCERNING EXPERTS IN PATENT LITIGATION, 2013 | 291 |
| | Eric J. Lobenfeld <i>Hogan Lovells US LLP</i> | |
| 11. | SPLITTING JOINT INFRINGEMENT: UNDERSTANDING <i>AKAMAI</i> AND <i>McKESSON</i> | 303 |
| | Gene W. Lee Julian Moore <i>Ropes & Gray LLP</i> | |
| 12. | HOW TO BE AN EXPERT ON EXPERTS IN PATENT JURY TRIALS, JULY 26, 2013 | 349 |
| | David J.F. Gross Kevin P. Wagner Ryan Clough <i>Faegre Baker Daniels LLP</i> | |

13. PATENT LITIGATION ETHICS 2013, AUGUST, 2013397
 Julianne M. Hartzell
 Marshall, Gerstein & Borun LLP

INDEX421

Program Attorney: John M. Mola