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Keynote
Charles H. Rivkin, Chairman and CEO, Motion Picture Association

Leading Academicians
Professors Crouch, Farley, Geluso, Greene, Nimmer and Rothman

Plus: Women in IP Leadership Half-Day Workshop on September 22 presented by USC Gould and ChiPs

The virtual path to IP solutions

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Join over 600 IP professionals for an unrivaled gathering of national speakers and a sophisticated discussion of emerging issues and best practices in copyright, patent, trademark, trade secret and related fields. See Judges O’Malley (Fed. Cir.), Stoll (Fed. Cir.), Albright (W.D. Tex.), Bataillon (D. Neb.), Conley (W.D. Wis.), Fitzgerald (C.D. Cal.), Selna (C.D. Cal.) and Wu (C.D. Cal.) plus MPA CEO Charles Rivkin, prominent government officials, leading academicians, in house counsel, and top practitioners for two days of learning and networking in a virtual landscape.

Join the Virtual IP Community
During these unpredictable times, it is more important than ever to stay up-to-date on the latest issues and build or maintain our IP community connections as we travel down the same virtual path. So take advantage of the Institute’s reduced ticket pricing which now includes the Women in IP Leadership workshop and the opportunity to interact with over 60 sponsoring organizations. Register online now at http://cle.usc.edu/ip2020

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Please visit our website at http://cle.usc.edu/ip2020 for a complete and up-to-date list of institute contributors.
Redefining the Rules of the Game: Voices of Organizational Change Makers

From letter writing campaigns to proactive legislative efforts, various stakeholders will discuss meaningful ways to change corporate and law firm culture so that women and people of color gain leadership opportunities, equity, commensurate comp, and lead counsel roles. The panel discussion will include, among other things, the June 2019 letter lawmakers sent to Big Tech and the open letter to law firm partners from 170+ GCs pushing for greater diversity, as well as legislative efforts such as California’s law mandating that publicly held companies headquartered in California have at least one female on its board of directors.

1.25 hours of MCLE elimination of bias credit available.

Redefining Your Future: Strategies to Build Your Brand

This panel will focus on creative and constructive ways in which women and people of color can market themselves to build their personal and professional brands (whether in-house or outside counsel) so that their talents, expertise and aptitudes can be seen, heard and positively leveraged.

3:00 PM

Networking Reception

End the day meeting speakers and connecting with your colleagues in a lively networking event hosted by the Los Angeles Chapter of ChIPs.
7:50 AM  
Welcome and Opening Remarks

8:00 AM  
Looking Over the Horizon for Patent Litigation

Join prominent Federal Circuit and District Judges as they share their views on where we are, where we are going, and what lies over the horizon for patent cases, including trials, damages, experts, the interplay with the Patent and Trademark Appeals Board proceedings, remedies for standard essential patents, statutory subject matter, and other issues. Learn the playbook for the future now.

Questions for judges? Visit the Institute website at http://cle.usc.edu/ip2020 and submit your questions in advance.

9:30 AM  
Copyright and Trademark Litigation: A View from the Bench

With nearly 8,000 copyright and trademark cases filed in federal district courts every year, who better situated to comment on copyright and trademark litigation than the District Judges who preside over those cases? This panel of jurists will discuss current issues in copyright and trademark litigation and how they can be addressed effectively in the courtroom. Topics may include surviving a motion to dismiss, the use of expert evidence, standards for statutory damages, the work made for hire and fair use doctrines, as well as establishing willfulness, the requirements for recovering an infringer’s profits and more.

10:50 AM  
IP Rights and Forced Technology Transfer in China: The Trade War Involving Intangibles

This distinguished panel of experts will discuss the national security and economic implications of China’s trade regime and laws in the areas of intellectual property and technology transfer, including longstanding concerns about intellectual property theft, cyberattacks, forced technology transfer, foreign ownership restrictions, and China’s new Cybersecurity law that may impose restrictions on foreign company protection of data and communications. The panel will also address the impact of the January 15, 2020 Phase One trade deal between the U.S. and China in the foregoing areas and the current status of any changes to China’s foreign investment laws as relates to these areas.

10:30 AM – Networking Break Sponsored By Munck Wilson Mandala, LLP

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U.S. Court of Appeals (Fed. Cir.)

Hon. Kara Farnandez Stoll  
U.S. Court of Appeals (Fed. Cir.)

Hon. Alan Albright  
U.S. District Court (W.D. Tex.)

Hon. William M. Conley  
U.S. District Court (W.D. Wis.)

Hon. James V. Selna  
U.S. District Court (C.D. Cal.)

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Former Senior Director for Strategy National Security Council, White House  
Senior Fellow, Hudson Institute  
Co-CEO, Q Networks  
Arlington, VA

Kevin J. Wolf  
Akin Gump Strauss Hauer & Feld LLP  
Washington, DC

MODERATOR
Evan Y. Chuck  
Crowell & Moring LLP
Expanding the “Feud” Between Copyright and the Right of Publicity
What happens when famous athletes, performers and other celebrities appear in copyrighted works? How do their rights to protect their identities affect the rights of authors and copyright owners to create and protect copyrighted works? And how will new state legislation expanding the right of publicity affect the balance? This panel of legal experts from the worlds of sports and entertainment and leading scholars and litigators will address the interplay of copyright and the right of publicity, addressing such issues as when copyright preempts publicity rights, First Amendment protection in right of publicity cases, and the extent to which copyright and the right of publicity are useful vehicles to address novel intellectual property challenges, including what to do about so-called “deep fakes.”

Stephanie S. Abrutyn
Senior Vice President and Chief Counsel, Litigation & Public Policy
WarnerMedia
New York, NY

Henry Behnen
Sr. Counsel, Business & Legal Affairs
ViacomCBS
New York, NY

Duncan Crabtree-Ireland
COO and General Counsel
SAG-AFTRA

Prof. Jennifer E. Rothman
Professor of Law and Joseph Scott Fellow
Loyola Law School

Kelli L. Sager
Davis Wright Tremaine LLP

MODERATOR
Jeff Kichaven
Jeff Kichaven Commercial Mediation

Hot Topics in Patent Litigation, Licensing and Transactions
This panel will focus on trending issues in patent litigation, patent licensing in light of the FTC decision against Qualcomm, litigation strategies in light of recent case law, and important issues in patent sales and valuations.

Stephanie S. Abrutyn
Senior Vice President and Chief Counsel, Litigation & Public Policy
WarnerMedia
New York, NY

Henry Behnen
Sr. Counsel, Business & Legal Affairs
ViacomCBS
New York, NY

Duncan Crabtree-Ireland
COO and General Counsel
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Prof. Jennifer E. Rothman
Professor of Law and Joseph Scott Fellow
Loyola Law School

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Jeff Kichaven
Jeff Kichaven Commercial Mediation

Hon. Alan Albright
U.S. District Court (W.D. Tex.)

Kent Baker
Head of IP Strategy & Licensing
u-blox AG
San Diego, CA

Hon. Joseph F. Bataillon
U.S. District Court (D. Neb.)

Brad Watts
Majority Chief Counsel and Staff Director
U.S. Senate Judiciary Committee, Subcommittee on Intellectual Property
Washington, DC

MODERATOR
Ellen S. Robbins
Akerman LLP

A Survey of Surveys: Tips and Traps for Trademark Survey Evidence
The stakes are rising in trademark litigation and the Internet has changed both the marketplace and means for conducting surveys. At this panel, you will learn the most current developments on surveys used for likelihood of confusion, dilution, fame, and secondary meaning. The panel will discuss key attributes of each survey, and tips for preparing and using a persuasive, defensible survey. The panel will also discuss how to avoid common or uncommon pitfalls that may devastate a survey.

Sarah Butler
Managing Director
NERA Economic Consulting
San Francisco, CA

Matt Ezell
Trademark Survey Expert
Ezell Group LLC

Hon. S. James Otero (Ret.)
Neutral, JAMS

Jedediah Wakefield
Fenwick & West LLP
San Francisco, CA

MODERATOR
Raffi Zerounian
Hanson Bridgett LLP
The Future of the Entertainment Industry

Charles H. Rivkin, Chairman and CEO of the Motion Picture Association (MPA), discusses the challenges and opportunities for the future of the entertainment industry in an expanding global market in this 30 minute presentation.

Mr. Rivkin leads the MPA’s global mission to advance and support the film, television, and streaming content industry by advocating for policies that drive investment in film and television production, protect creative content, open markets, and championing the economic and cultural power of film and television to communities around the world. The MPA’s current members include Disney, Netflix, Paramount, Sony, Universal, and Warner Bros.

In 2018, Mr. Rivkin was appointed to the U.S. Trade Representative’s Advisory Committee for Trade Policy and Negotiations. From 2014 to 2013, he was the U.S. Assistant Secretary of State for Economic and Business Affairs and from 2009 to 2013, he served as the U.S. Ambassador to France and Monaco. Before his government service, Mr. Rivkin worked in the media and entertainment sector for more than 20 years and served as President and CEO of the Jim Henson Company.

USC Gould School of Law
Media, Entertainment & Technology Law Program

The Media, Entertainment & Technology Law Program at the USC Gould School of Law offers students a unique educational experience that addresses the complex mix of legal and business issues in content and technology markets. Our innovative curriculum prepares students for practice through courses in intellectual property and business law taught by our research faculty, skills and simulation workshops taught by senior transactional and litigation attorney. USC Gould law students gain practical experience through our Intellectual Property and Technology Law Clinic, and externship opportunities in the legal departments of leading media, entertainment and technology firms. Students who wish to specialize in entertainment law have the opportunity to earn a Certificate in Entertainment Law, including courses at the USC School of Cinematic Arts. Interested in learning more about our program, students and graduates? We encourage you to browse our website at http://gould.usc.edu/academics/media-entertainment-and-technology-law-program/ or contact the Director, Professor Jonathan Barnett, at jbarnett@law.usc.edu.

upcoming USC Gould School of Law programs

ENTERTAINMENT LAW AND BUSINESS
Saturday, October 17, 2020

REAL ESTATE LAW AND BUSINESS
Thursday, October 29, 2020

Email cle@law.usc.edu to join our mailing list and keep up to date with our programs.
Unauthorized Use of Trademarks and Copyrights in Social Media and User-Generated Content: Where are the Boundaries and Who’s Responsible?

Content sharing platforms such as social media attract visitors, publishers, and advertisers with convenient access to spontaneous and current content relevant to users’ interests. But with this comes the increased publication of unauthorized content protected by trademark and copyright. This panel will explore and discuss the challenges faced in this environment, including how intellectual property owners, content platforms, users, and courts are interpreting the boundaries, and who is to be held responsible for overstepping those limits.

The Piper Will Lead Us To Reason: Current Developments In Music Copyright

A multitude of recent high profile music plagiarism cases have explored such issues as to the extent to which various elements of songs are copyrightable, the standards for substantial similarity, the roles of courts and juries in deciding infringement and what may be considered in making that decision. This panel of experts from the worlds of music, film and copyright litigation and a leading musicologist, will explore whether courts view music disputes differently than other copyright litigation and the effect of recent legal proceedings on songwriters and others in the creative community. The panel will also discuss the Music Modernization Act, the Justice Department’s ongoing review of the ASCAP and BMI consent decrees and other emerging issues.

The Rise of Trade Secret Litigation

This panel will focus on the increased interest in trade secrets in the tech community, particularly in light of the uncertainty created by Section 101 jurisprudence and the enactment of the Defend Trade Secrets Act (DTSA) in 2016, as well as recent trends in trade secret litigation and key decisions.
The IP Year in Review: Patent, Trademark and Right of Publicity, and Copyright

In this popular session, top scholars in patent, trademark and right of publicity, and copyright highlight and explain the most significant developments in IP law of the past year.

Prof. Dennis D. Crouch
Author, Patently-O Blog
Associate Professor of Law
University of Missouri School of Law
Columbia, MO

Prof. Christine Haight Farley
Professor of Law
American University Washington College of Law
Washington, DC

Prof. David Nimmer
Professor from Practice
UCLA School of Law
Of Counsel, Irell & Manella LLP

INTRODUCER
Prof. Jeffrey Pearlman
Clinical Assistant Professor of Law
USC Gould School of Law

Bonus On Demand Session:
Copyright Formalities as the Bane of African-American Artists from Blues to Hip-Hop

African-American music artists are the foundation for the American music industry, having created entire genres of music, from ragtime and blues to funk music and hip-hop. However, there has been a wide gulf between the creative contributions and innovations of black artists, and their entitlement to ownership and compensation under copyright law. In this talk, Professor Greene will explore the critical role of copyright formalities, such as registration, publication and copyright terminations in facilitating wealth transfers from artists and creators to non-creators like record labels and music publishing companies, with proposals for copyright reform that target the least advantaged in society.

(Live streamed on August 19, 2020.)

1 hour of MCLE elimination of bias credit available.

Prof. Kevin J. Greene
Visiting Professor
California Western School of Law
San Diego, CA

INTRODUCER
Rachel M. Capoccia
Jeffer Mangels Butler & Mitchell LLP

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**LAWYERS.** Minimum Continuing Legal Education (MCLE): USC Gould School of Law certifies that this activity qualifies for minimum continuing legal education credit as stated below. The USC Gould School of Law is a State of California approved MCLE provider. Please reference our website for questions about continuing legal education credits for other states.

- **September 22:** 2.25 hours (of which 2.25 hours may apply to elimination of bias credit)
- **September 23:** 8 hours
- **Bonus On Demand Session:** 1 hour (of which 1 hour may apply to elimination of bias credit)

**ACCOUNTANTS.** Continuing Professional Education (CPE): This program meets the guidelines set by the California State Board of Accountancy in the amounts below. The maximum amount of CPE credit is 13.50 hours.

- **September 22:** 195 minutes
- **September 23:** 450 minutes
- **Bonus On Demand Session:** 60 minutes
registration form

USC GOULD SCHOOL OF LAW
VIRTUAL 2020 INTELLECTUAL PROPERTY INSTITUTE
TUESDAY AND WEDNESDAY, SEPTEMBER 22-23, 2020

Registrant Name: ________________________________
Occupation/Title: ___________________________________________
Organization/Law School: ______________________________________
Address: ____________________________________________________________________________
City: __________________________________ State: ______ Zip: ______________
Telephone: __________________________ Email: ________________________________

☐ Check here if you prefer not to share your contact information with our sponsors or partners.
☐ Check here if you are a USC alumnus (Class of ____________).

INSTITUTE REGISTRATION (Wednesday, September 23)
☐ $348 Standard Registration
☐ $299 In House Counsel
☐ $249 Recent Law School Graduates (Classes of 2017-2020)
☐ $249 Government Employee
☐ $0 Full-Time Law Students (complimentary passes subject to availability)

WOMEN IN IP LEADERSHIP WORKSHOP REGISTRATION (Tuesday, September 22)
☐ $0 Included with Wednesday’s Institute Registration
☐ $99 Workshop Only Registration

PAYMENT METHODS

1. Credit Card:* Register and pay online at http://cle.usc.edu/ip2020 (*recommended)

2. Check: Mail checks payable to USC Gould School of Law with the completed form to:
USC Gould Continuing Legal Education
IPI20 Registration
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☐ Enclosed Check # ____________ $ ____________

contact information

USC Gould School of Law
Continuing Legal Education
699 Exposition Boulevard, Suite 326
Los Angeles, CA 90089

Email: cle@law.usc.edu
Website: http://cle.usc.edu

Office hours are 9:00 a.m. to 5:00 p.m. Pacific Time
THE ESSENTIAL EVENTS FOR IP PROFESSIONALS

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