

Spring ©LLE 2016 SEMINAR®

Presented by
THE TENNESSEE INTELLECTUAL PROPERTY LAW ASSOCIATION

Hosted by
Bradley Arant Boult Cummings
1600 Division Street Suite 700
Nashville, TN
615-244-2582

Friday
May 6, 2016
NASHVILLE, TN

FRIDAY, MAY 6, 2016

8:25 - 8:30 **Welcoming Remarks**
Gary Montle (Patterson Intellectual Property)

8:30 - 9:15 **Intellectual Property and the First
Sale Doctrine**
Jacob Neu (Bradley Arrant Boulton Cummings)

9:15 - 10:15 **Best Practices for Use of the Patent
Cooperation Treaty**
Carl Oppedahl (Oppedahl IP)

10:15 - 10:30 **Break**

10:30 - 11:00 **Ethics and Advertising for the IP Attorney**
Steve Stark (Miller & Martin)

11:00 - 11:45 **Athletes and the Right of Publicity**
Kevin Brown (Waller Lansden Dortch & Davis)

11:45 - 12:45 **Lunch**

12:45 - 1:45 **Ethics Panel**
Professor Richard Redano, Moderator
(University of Tennessee)
Robb Edmonds (Edmonds & Nolte)
Warner Delaune (Baker Donelson)
John T. Winemiller (Merchant & Gould)

1:45 - 2:30 **AIA, Trade Secrets and the Small Inventor**
Ian McFarland (Merchant & Gould)

2:30 - 2:45 **Break**

2:45 - 3:15 **An Update on Patentable Subject Matter**
Gary Montle (Patterson Intellectual Property)

3:15 - 3:45 **Trademark Filings and Bad Faith**
Paige Mills (Bass Berry & Sims)

3:45 - 4:30 **The Intersection of Copyright Law and
Publicity Rights**
Professor Joseph Fishman (Vanderbilt University)

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Kevin Brown is a partner in the trial and appellate practice of Waller Lansden Dortch & Davis, LLP in Austin, Texas. Kevin's experience includes a variety of contractual and real estate disputes, intellectual property matters (including copyright and trademark infringement, false advertising and trade secret misappropriation), employment law matters and general business torts. In addition, Kevin has represented clients in the media, entertainment and sports industries in a variety of licensing and royalty disputes, copyright infringement, and right of publicity cases.

Warner Delaune is a member of Baker Donelson's Intellectual Property Group. Through his representation of both large and small companies, he has written and prosecuted numerous patent applications across a wide range of technologies. Mr. Delaune received his undergraduate degree from Louisiana State University in mechanical engineering, and he was employed with Texas Instruments, Inc., in the Defense Systems and Electronics Group, where he designed infrared systems for use on military vehicles. He also participated in flight testing of those systems on both fixed wing aircraft and helicopters.

Robb Edmonds is a founding member of the firm Edmonds & Nolte, PC. His practice is exclusive to intellectual property law, concentrating on prosecution, litigation, portfolio management and licensing matters. His practice combines his prior engineering experience in oil & gas, hydrocarbons, polymers and chemical processing with an expertise in patent drafting, prosecution, IP enforcement and client counseling on IP related matters. Robb earned his B.S. in Chemistry at Emory, his Masters of Chemical Engineering at Texas A&M University and his J.D. at South Texas College of Law.

Joseph Fishman's research focuses on intellectual property, particularly its relationship to creativity and the creative process. His most recent work, "Creating Around Copyright," published in the Harvard Law Review, examines copyright restrictions' underappreciated upside for stimulating creativity among those who need to work around them. Professor Fishman joined Vanderbilt's law faculty in fall 2015 after serving as a Climenko Fellow and Lecturer in Law at Harvard Law School. He earned his A.B. magna cum laude from Harvard College with a joint major in music and religion, his M.Phil. in musicology from the University of Cambridge, and his J.D. cum laude from Harvard Law School. After law school, he was a law clerk for Judge Jeffrey R. Howard of the U.S. Court of Appeals for

the First Circuit and for Judge Miriam Goldman Cedarbaum of the U.S. District Court for the Southern District of New York.

Ian McFarland graduated from the University of Tennessee College of Law in 2011 and has been an associate in the Knoxville office of Merchant & Gould since 2012. He deals with all aspects of intellectual property law in his practice and particularly focuses on patent, trademark, and trade secret litigation as well as trademark portfolio management and enforcement. Ian is licensed to practice before the USPTO, the Tennessee Supreme Court, the Federal Circuit, the Sixth Circuit, and the Eastern District of Tennessee.

Paige Mills joined Bass, Berry & Sims in 2001 and was named a Member of the firm in 2005. She concentrates her practice in complex litigation and intellectual property and technology and currently serves as co-chair of the firm's Intellectual Property & Technology Litigation Practice Group. She is a seasoned trial lawyer with more than 20 years of litigation experience. She is listed with "Best of the Bar" (2015) in Nashville Business Journal and Best Lawyers in America – Litigation: Intellectual Property; Trademark Law; Copyright Law; Advertising Law (2010-2016).

Gary Montle has an Electrical Engineering degree and served as an intern with the WIPO in Switzerland before graduating from Vanderbilt University Law School. Gary has been with Patterson Intellectual Property Law since 2008. His practice focuses on the procurement and enforcement of intellectual property rights. He regularly advises clients in both corporate and individual capacities throughout each stage of patent, trademark and copyright issues, including strategic portfolio development, scope of protection, licensing and enforcement.

Jacob Neu is a patent attorney in Bradley Arant's Nashville office. He has wide experience in patent and trademark prosecution, technology transactions, and patent litigation. He received his BA in Mechanical Engineering at Rice University and JD at Vanderbilt University Law School.

Carl Oppedahl is a member of Oppedahl Patent Law Firm, LLC in Westminster, Colorado. He is technically trained in physics, electrical engineering, mathematics, and software engineering, having earned a bachelor's degree with a double major in physics with honors and

mathematics with honors from Grinnell College in 1978 and a law degree in 1981 from Harvard Law School. He has written and prosecuted numerous patent applications in electrical engineering, computer software system, and mechanical areas. Carl serves as an adjunct professor at University of Denver School of Law, teaching Advanced Patent Law. He served for many years on the faculty of the Practising Law Institute's Patent Bar Review Course and served as an adjunct professor at Cardozo Law School where he taught Advanced Patent Law.

Richard Redano enjoyed a 26 year career as an IP attorney in Houston, Texas. His legal experience includes jury trials in every field of IP law, numerous Markman hearings, appeals to the Fifth and Federal Circuits, inter partes proceedings in the USPTO, and the arbitration of IP disputes. Richard began his legal career with Arnold, White & Durkee and spent his last eleven years in private practice as a partner with Duane Morris LLP. Richard retired from private practice and relocated to Knoxville. Richard is now an adjunct professor at the University of Tennessee College of Law, where he teaches patent litigation. Richard earned a Bachelor of Science degree with high honors in nuclear engineering from North Carolina State University and his law degree from the University of Tennessee.

Stephen Stark is a member of Miller & Martin and works in their Chattanooga, TN office. He concentrates his area of practice on patents, trademarks, copyrights and litigation matters. He has prosecuted well over a hundred U.S. and foreign patent applications which span a wide landscape of technologies, including various mechanical, electrical, chemical and business method inventions. Additionally, he has assisted clients in obtaining and maintaining hundreds of trademark registrations. He has extensive experience negotiating agreements related to technology. Stephen earned a B.S.M.E with honors at the US Naval Academy and his J.D. at the University of Georgia School of Law. He is named "Lawyer of the Year" by Best Lawyers in America for Trademark Law, 2016.

John Winemiller, a partner in the Knoxville office of Merchant & Gould, represents a wide range of clients in litigation involving patents, trademarks, copyrights, and trade secrets. He is the incoming chair of the Tennessee Bar Association's Intellectual Property Section and was recently named a Fellow of the American Bar Foundation.

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