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**CHISUM PATENT ACADEMY<sup>®</sup>**

**Advanced Patent Law Small Group Seminar**

**August 4-5 and 8-9, 2016**

**Mayflower Park Hotel**

**Seattle, WA**

**Instructors: Donald S. Chisum and Janice M. Mueller**

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Session	Topics	Cases and Materials for Discussion
<b>Day 1</b> <b>Morning</b> <b>Session</b> <b>9:00 am –</b> <b>12:00 pm</b>	<b><i>Recent Blockbuster Supreme Court and Federal Circuit En Banc Cases</i></b>	<b>File02</b> , Donald Chisum, <i>Abstracts of Recent Blockbuster Supreme Court and Federal Circuit Decisions</i> . Abstracted decisions: <ul style="list-style-type: none"><li>• <i>Halo Electronics</i>, 136 S. Ct. 1923 (2016) (enhanced damages, willful infringement);</li><li>• <i>Carnegie Mellon</i>, 807 F.3d 1283 (Fed. Cir. 2015), <i>rehearing en banc, denied in part and held in abeyance in part</i>, 805 F.3d 1382 (Fed. Cir. 2015) (willful infringement, enhanced damages);</li><li>• <i>Lexmark, Inc.</i>, 816 F.3d 721 (Fed. Cir. 2016) (<i>en banc</i>) (exhaustion);</li><li>• <i>The Medicines Co. v. Hospira</i>, No. 2014-1469, 2016 WL 3670000, 2016 U.S. App. LEXIS 12667 (Fed. Cir. 2016) (on sale, commercial activity) (see File03 below);</li><li>• <i>Cuozzo Speed Technologies, LLC v. Lee</i>, 136 S. Ct. 2131 (2016) (<i>inter partes</i> review, appeals, broadest reasonable construction).</li></ul> <b>File03</b> , Janice Mueller, Powerpoints on On-Sale Bar: <i>The Medicines Co. v. Hospira, Inc.</i> , No. 2014-1469, 2016 WL 3670000 (Fed. Cir. July 11, 2016) ( <i>en banc</i> ).

<p><b>Day 1</b></p> <p><b>Afternoon Session</b></p> <p><b>1:00 pm – 4:00 pm</b></p>	<p><b>Inter Partes Review I: Appellate Review and Broadest Reasonable Construction</b></p>	<p><b>File04</b>, Janice Mueller, PowerPoints on <i>Inter Partes</i> Review;</p> <p><b>File05</b>, Donald Chisum, <i>Thresholds to Inter Partes Review Institution: Federal Circuit Review Before and After Cuozzo</i>. Abstracted Decisions:</p> <ul style="list-style-type: none"> <li>● <i>SightSound Technologies</i>, 809 F.3d 1307;</li> <li>● <i>Versatam</i>, 793 F.3d 1306;</li> <li>● <i>MCM</i>, 812 F.3d 1284;</li> <li>● <i>Ethicon</i>, 812 F.3d 1023;</li> <li>● <i>GTNX</i>, 789 F.3d 1309;</li> <li>● <i>Achates</i>, 803 F.3d 652;</li> <li>● <i>Synopsys</i>, 814 F.3d 1309;</li> <li>● <i>Shaw</i>, 817 F.3d 1293,</li> <li>● <i>Harmonic</i>, 815 F.3d 1356;</li> <li>● <i>HP</i>, 817 F.3d 1339.</li> </ul> <p><b>File06</b>, Donald Chisum, <i>Broadest Reasonable Construction in Inter Partes Review: Case Examples</i>. Abstracted Decisions:</p> <ul style="list-style-type: none"> <li>● <i>Straight Path</i>, 806 F.3d 1356;</li> <li>● <i>PPC Broadband</i>, 815 F.3d 734;</li> <li>● <i>PPC Broadband</i>, 815 F.3d 747.</li> </ul>
<p><b>Day 2</b></p> <p><b>Morning Session</b></p> <p><b>9:00 am – 12:00 pm</b></p>	<p><b>Inter Partes Review II: Claim Amendments and Procedural Fairness</b></p>	<p><b>File07</b>, Donald Chisum, <i>Claim Amendments During Inter Partes Review</i>. Abstracted Decisions:</p> <ul style="list-style-type: none"> <li>● <i>Proxyconn</i>, 789 F.3d 1292;</li> <li>● <i>Prolitec</i>, 807 F.3d 1353;</li> <li>● <i>Synopsys</i>, 814 F.3d 1309;</li> <li>● <i>Nike</i>, 812 F.3d 1326;</li> <li>● <i>Aqua Products</i>, No. 2015-1177, 2016 WL 3007656, 118 USPQ2d 1776.</li> </ul> <p><b>File08</b>, Donald Chisum, <i>Procedural Fairness and Due Process in Inter Partes and Post-Grant Review</i>. Abstracted Decisions:</p> <ul style="list-style-type: none"> <li>● <i>Belden</i>, 805 F.3d 1064;</li> <li>● <i>Ariosa Diagnostics</i>, 805 F.3d 1359;</li> <li>● <i>Straight Path</i>, 806 F.3d 1356;</li> <li>● <i>SightSound Technologies</i>, 809 F.3d 1307;</li> </ul>

		<ul style="list-style-type: none"> <li>● <i>Redline Detection</i>, 811 F.3d 435;</li> <li>● <i>Nike</i>, 812 F.3d 1326;</li> <li>● <i>Dell</i>, 818 F.3d 1293;</li> <li>● <i>Intelligent Bio-Systems</i>, 821 F.3d 1359;</li> <li>● <i>SAS Institute</i>, No. 2015-1346, 2016 WL 3213103, 119 USPQ2d 1031;</li> <li>● <i>Genzyme Therapeutic</i>, No. 2015–1720, 2016 WL 3254734, 119 USPQ2d 1022.</li> </ul>
<p><b>Day 2</b></p> <p><b>Afternoon Session</b></p> <p><b>1:00 pm – 4:00 pm</b></p>	<p><b>Inter Partes Review III: Obviousness: Comparing Inter Partes Review and District Court Litigation</b></p>	<p><b>File09</b>, Donald Chisum, <i>Cases on Obviousness: Comparing Inter Partes Review and District Court Litigation</i>. Abstracted Decisions:</p> <ul style="list-style-type: none"> <li>● <i>Circuit Check</i>, 795 F.3d 1331;</li> <li>● <i>Allergan</i>, 796 F.3d 1293;</li> <li>● <i>Belden</i>, 805 F.3d 1064;</li> <li>● <i>MCM Portfolio</i>, 812 F.3d 1284;</li> <li>● <i>SightSound Technologies</i>, 809 F.3d 1307;</li> <li>● <i>Merck &amp; Cie v. Gnosis</i>, 808 F.3d 829;</li> <li>● <i>Redline Detection</i>, 811 F.3d 435;</li> <li>● <i>Ethicon Endo-Surgery, Inc. v. Covidien</i>, 812 F.3d 1023;</li> <li>● <i>TriVascular</i>, 812 F.3d 1056;</li> <li>● <i>Shaw Industries</i>, 817 F.3d 1293;</li> <li>● <i>Pride Mobility</i>, 818 F.3d 1307;</li> <li>● <i>Intelligent Bio-Systems</i>, 821 F.3d 1359.</li> </ul>