

Widening Your Moat: Using Continuation Applications to Protect Commercially Successful Products



Fitch, Even, Tabin & Flannery LLP will present a free webinar, “Widening Your Moat: Using Continuation Applications to Protect Commercially Successful Products,” featuring Fitch Even partners Jonathan H. Urbanek and Mark A. Borsos.

The event will be Thursday, Sept. 28, 2017, at 9 am PDT / 10 am MDT / 11 am CDT / 12 noon EDT.

CLE credit has been approved for California, Illinois, and Nebraska. Other states may also award CLE credit upon attendee request. There is no fee to attend, but registration is required. Register at http://bit.ly/FitchEven_SeptWebinar

Protecting a commercially successful product is critical for any business. Although patents can help to prevent others from utilizing covered technology, recent trends in case law and post-issuance validity challenges introduced by the American Invents Act have made it more difficult for businesses to effectively enforce patents against competitors. Continuation applications can be an important tool for bolstering patent protection for key products, providing the patent owner leverage in negotiations and enforcement.

This webinar will provide tips and strategies on how to use continuation applications to

- Limit design-arounds that use similar technology
- Target commercial products
- Expand the scope of patent protection

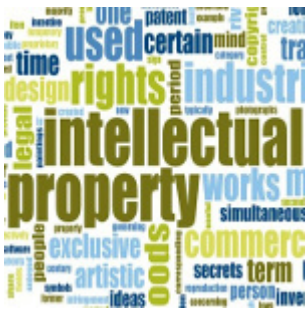
- Mitigate invalidity challenges
- Avoid antitrust pitfalls

Following the live event, a recording of the webinar will be available to view for one year at www.fitcheven.com.

[Register for the webinar.](#)

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[Understanding AIA 102: Prior Art Exceptions and Declaration Practice](#)



Fitch, Even, Tabin & Flannery LLP will present a free webinar, “[Understanding AIA 102: Prior Art Exceptions and Declaration Practice,](#)” featuring Fitch Even partner Alan E. Schiavelli.

The webinar will take place on Thursday, August 17, 2017, at 9:00 am PDT / 10:00 am MDT / 11:00 am CDT / 12:00 noon EDT.

CLE credit has been approved for California, Illinois, and Nebraska. Other states may also award CLE credit upon attendee request. There is no fee to attend, but registration is required.

Register at <https://register.gotowebinar.com/register/8108721617713884931>

More and more patent applications now being examined and granted by the U.S. Patent and Trademark Office are first-inventor-to-file applications under the America Invents Act (AIA). The AIA redefined which documents and activities constitute prior art that may be used to reject patent applications and invalidate patents.

During this webinar, attendees will gain a basic understanding of the statutory framework of 35 U.S.C. § 102, including the categories of prior art defined by the statute, the exceptions to those categories, and the manner in which the exceptions can be invoked. We will also discuss a recent Federal Circuit panel decision some see as undermining Congress's intent in establishing the AIA's on-sale bar.

Specific topics will include these and more:

- Changes to prior public use and sale
- Prior art under 102(a)(1) and exceptions
- Prior art under 102(a)(2) and exceptions
- Declaration practice under AIA 102
- Ramifications of *Helsinn Healthcare v. Teva Pharmaceuticals*

Following the live event, a recording of the webinar will be available to view for one year at www.fitcheven.com.

[Register for the webinar.](#)

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Is Your Compliance Training Program Working Hard Enough?



Navex Global will present a complimentary [webinar](#) outlining the state of compliance training in 2017. The event will be Thursday, July 27, 2017, at 10 a.m. Pacific time/1 p.m. Eastern time.

“Employee compliance training is intended to create great culture – yet we are still seeing company after company in the headlines because of bad corporate culture,” Navex says on its website. “So where’s the disconnect?”

The webinar will address such questions as:

- What are advanced organizations doing to break through and help create an ethical culture through training?
- What issues threaten training effectiveness?
- How do I gain executive buy-in and decrease employee cynicism?
- How are companies measuring the ROI of training?

The presentation also will include benchmark data compiled from almost a thousand practitioners’ feedback about their training efforts.

[Register for the webinar.](#)

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Webcast: Emerging Trends And Legal Analytics For Employment Litigation

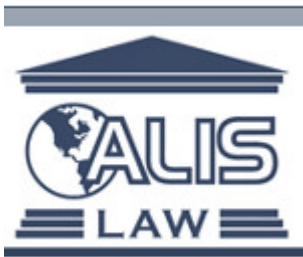
Above the law and Lex Machina will present [a webinar](#) on trends and legal analytics for employment litigation on Thursday, July 13, at 12 p.m. EDT.

David Lat, founder of Above the Law, says the event will address such questions as: The What do recent political and economic changes mean for the employment litigation landscape? How can knowledge management and technological tools help litigators navigate the transformations in this sector?

Lex Machina is expanding its Legal Analytics to a new practice area, Employment Litigation, shedding light on this rapidly evolving area of law, Lat writes. The webcast will feature panelists discussing new employment litigation data, with never-before seen trends and insights about judges, parties, lawyers and law firms.

[**Register for the webinar.**](#)

The Law Conference for Hotel Owners and Operators



ALIS Law will present its [annual conference](#) on Jan. 22-23, 2018, at the Residence Inn and Courtyard Los Angeles. Attendees are expected to include general counsel teams of hotel ownership companies, management companies and brands, as well as law firms that advise hoteliers.

Under the ALIS umbrella, ALIS Law focuses on current legal matters of interest to hotel owners and operators. While the Americas Lodging Investment Summit (ALIS) conference discusses the issues and opportunities related to buying, selling, and building hotels, ALIS Law focuses on the “day after” the deal closes and the many legal issues owners and operators face, ALIS said in a news release.

As in previous years, ALIS Law will apply for MCLE credit hours in the state of California.

In addition, attorneys in attendance may be eligible to receive MCLE credit through reciprocity or attorney self-submission in other states, and ALIS Law will help provide the details needed to apply. Participants may contact their state bar or licensing authority to verify the requirements and process to apply.

In order for ALIS Law to have record of your attendance on file, attendees should make sure you sign-in at the start of each session. An official record of attendance form will be available on a table outside each session room.

[Get more information on the conference.](#)

HIPAA 101: The 30-Minute Guide to Understanding Compliance



Compliancy Group will present a free webinar on HIPAA compliance, titled “[The 30-Minute Guide to Understanding Compliance.](#)”

The event will be Tuesday, June 27, at 2 p.m. EDT.

In this webinar, the goal is to break down HIPAA compliance by walking you through the Regulation since the moment it was enacted in 1996, Compliancy Group says on its website.

“Through the years HIPAA regulation has undergone significant change, and the need to understand the Regulation has as well.

“Though it was once just another regulation, HIPAA has become a cultural issue for health care organizations of all kinds, affecting how to run a practice and the means of doing business. Join us through this timeline of HIPAA compliance and a how it pertains to you as a Covered Entity or Business Associate,” the site adds.

[Register for the webinar.](#)

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[Webinar: Avoiding Construction Claims and Disputes](#)

A Baker Tilly [on-demand webinar](#) provides an overview of strategies to identify potential claims scenarios and potential resolutions available to mitigate claims.

“Conflict and disagreements are normal on construction projects; however, when everyday disagreements escalate into unresolvable issues, claims and disputes may result,” the firm says on its site. “These can lead to costly and time consuming distractions for your organization and your project.”

Learning objectives:

- Understand red flags associated with high-risk projects
- Learn characteristics of a culture of claims avoidance
- Learn contractual methods/provisions that can help to proactively avoid disputes
- Understand remedies not requiring legal action

[Watch the on-demand video.](#)

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[The Difficulties of Being Obvious: Practical Advice for Overcoming Obviousness Rejections](#)

Fitch, Even, Tabin & Flannery LLP will present a free webinar, "[The Difficulties of Being Obvious: Practical Advice for Overcoming Obviousness Rejections](#)," featuring Fitch Even partner Stephen Favakeh and Fitch Even patent agent, Thomas James.

The webinar will take place on Thursday, June 22, 2017, at 9:00 am PDT / 10:00 am MDT / 11:00 am CDT / 12:00 noon EDT.

CLE credit has been approved for California, Illinois, and Nebraska. Other states may also award CLE credit upon attendee request. There is no fee to attend, but registration is required.

Following the live event, a recording of the webinar will be available to view for one year at www.fitcheven.com.

Register at
<https://register.gotowebinar.com/register/2784708194098019841>

In the predictable arts, an obviousness rejection is typically based on a combination of multiple references, the firm says on its website. Attempting to overcome such a rejection can be a perplexing and frustrating experience. This is particularly true when the patent examiner is combining references to arrive at the claimed invention in what can be a highly subjective manner. Nevertheless, when it comes time to

respond, there will usually be more than one way to get the job done.

The webinar will address best practices for responding to obviousness rejections, covering these topics and more:

- How to take the prevailing and latest Federal Circuit case law into account in your responses
- Making effective claim amendments specifically tailored to overcome the obviousness rejection
- Developing persuasive arguments in support of patentability over a combination of references

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[Webinar: Effectively Using Offers of Judgment](#)

Dinsmore & Shohl LLP will present a complimentary webinar titled “[Effectively Using Offers of Judgment](#)” on Thursday, May 18, at 11 a.m. Central time.

In the third webinar series of the year, Brittany Kirk will provide an introduction to Offers of Judgment, discussing how to leverage this risk-shifting tool to avoid litigation and its associated costs.

This presentation will discuss:

- When is the Offer of Judgment an effective litigation tool
- How to draft a precise Offer of Judgment

- Using Offers of Judgment to moot class actions after Campbell-Ewald
- State Offer of Judgment statutes

Anyone with questions may contact Missy Davis:
melissa.davis@dinsmore.com

[Register for the webinar.](#)

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Webinar: Bridging the Information Gap Between Inventors and the Patent System



Fitch, Even, Tabin & Flannery LLP will present a free webinar, "[Full Disclosure: Bridging the Information Gap Between Inventors and the Patent System](#)," featuring Fitch Even partner Michael J. Krautner.

The webinar will take place on Thursday, April 27, 2017, at 9:00 am PDT / 10:00 am MDT / 11:00 am CDT / 12:00 noon EDT.

In a release, the firm said patents can be extremely valuable business assets, but only as valuable as the information they

convey. Before a patent can be monetized, it will be scrutinized by myriad individuals – inventors, attorneys, examiners, judges, juries, and business leaders – each of whom will interpret the patent in the light most favorable to their objective. As a patent filer, it's vital to ensure inventors provide clear, detailed, and accurate descriptions of their inventions so they'll withstand scrutiny and generate the optimal return on investment.

Inventors can provide a business with a true competitive advantage, but because of the technical and legal complexities involved, attempting to capitalize on their innovations can be both expensive and risky. By educating inventors to recognize patentable innovations, the expense can be reduced and the risk mitigated.

This webinar will provide tips and strategies on how to

- Educate inventors on how to identify viable inventions and distinguish them from unpatentable ideas and concepts
- Ask the right questions to get inventors to divulge the unique details of an invention
- Tell a story that clearly illustrates why a patent is warranted

CLE credit has been approved for California and Illinois and is pending in Nebraska. Other states may also award CLE credit upon attendee request. There is no fee to attend, but registration is required.

Following the live event, a recording of the webinar will be available to view for one year at www.fitcheven.com.

[Register for the webinar.](#)

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Deal Protections and Remedies: A Study of Public Merger Agreements in 2016

Practical Law has completed its annual survey of public M&A transactions, the fourth to analyze deal-protection measures binding target companies.

The company will discuss the survey results in a complimentary [60-minute webinar](#) scheduled for April 26 at 1 p.m. EDT.

This year's edition reviews the first full year of public merger deals to have been negotiated following the Delaware Supreme Court's seminal 2015 decision in *Corwin v. KKR*, which held that an informed stockholder vote can restore the presumptions of the business judgment rule in the target board's favor. The study provides a timely snapshot of how practitioners have begun responding to this increased deference toward director decision-making in M&A.

The Practical Law study examines how various deal characteristics – including buyer type, form of consideration, deal size, and financing—affect the negotiations and ultimate agreement between the transaction parties. The study also reviews the deal protections negotiated by buyers who require their own stockholder approval before closing. This analysis has two goals: to learn how frequently those buyers agree to symmetrical deal-protection measures, and to determine how reciprocally binding covenants and remedies affects the deal protections agreed to by the target company.

Daniel Rubin, Senior Legal Editor, Practical Law Corporate and M&A and primary author of the study, will review the study's

results, including its findings on no-shop and go-shop provisions, fiduciary outs and matching rights, termination rights, and break-up fees.

Following the webinar, attendees will receive a link via e-mail to these Practical Law resources:

Fiduciary Duties in M&A Transactions

Fairness Opinions

[Register for the webinar.](#)

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[On-Demand: Before You Outsource, Protect Your IP & Mitigate Open Source Risks](#)



[Black Duck Software](#) has posted a [complimentary on-demand webinar](#) discussing ways organizations can outsource to meet their development needs and also address open source security and management risks before giving contractors access to their valuable technologies.

“Today’s rapidly changing technologies, including the proliferation of open source and the accelerating shift to the

cloud, are increasing the use of outside experts for both application development and IT solutions,” the company says on its website. “At the same time, IP security is top of mind worldwide.”

The presenter is Jim Markwith, co-founder and managing partner of Symons Markwith LLP’s Seattle and Washington, DC area offices.

He is an experienced technology and corporate transactions attorney with over 20 years of experience. His clients range from start-ups to fortune 50 technology leaders, including computer software, on-line retail, and Healthcare IT product and service developers.

Prior to private practice, Markwith held executive and senior in-house legal positions with Microsoft, Adobe Systems, and Allscripts Healthcare. He received his J.D. degree from Santa Clara University School of Law, and is a member of the California, Washington, DC, and Washington State Bar Associations.

[Watch the on-demand webinar.](#)

Liability of Compliance

Officers at Financial Institutions

Practical Law and Norton Rose will present a webinar titled "[Liability of Compliance Officers at Financial Institutions](#)" on Wednesday, May 3, 2017, beginning at 1 p.m. EDT.

CLE credit is available in multiple states.

In recent years, U.S. securities regulators have increasingly focused on the regulated entities' compliance personnel, holding many individually liable for the deficiencies in their firm's handling of its compliance obligations, the company says on its website. The regulators deem compliance officers the gate keepers whose efforts should detect and prevent securities laws violations at the firm.

The free 75-minute webinar that will discuss recent trends and issues in this field. The webinar presenters will discuss several topics, including:

- Different approaches US securities regulators use in assessing individual liability of compliance personnel.
- Recent cases against individual compliance officers by various regulators.
- Best practices for minimizing the risk of a regulatory action or sanctions against compliance professionals at a broker-dealer or investment advisor.

A short Q&A session will follow.

Presenters:

Kevin James Harnisch, Partner, Norton Rose Fulbright US LLP

Ilana Beth Sinkin, Associate, Norton Rose Fulbright US LLP

Vlad Pavlovic, Senior Legal Editor, Practical Law Litigation

(Moderator)

[Register for the webinar.](#)

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[The Case for Continuous Open Source Management](#)



Speakers from Black Duck Software and Wolters Kluwer will be presenters in a [webinar](#) addressing key open source security and management questions.

The complimentary event will be Wednesday, March 22, at 11 a.m. Eastern time.

Speakers will be Bob Genshaft, Director Strategic Programs at Wolters Kluwer, and Black Duck's VP and General Manager On-Demand Audits Phil Odence.

“Companies are constantly seeking ways to ensure their application code is secure and effectively managed. For example, M&A acquirers conduct one-time code audits on companies they are buying to avoid legal, operational or security pitfalls. Other organizations are proactive, using an ongoing solution to make sure their application code is secure and well managed on a day-to-day basis. Increasingly,

many companies are opting to use both approaches,” Black Duck says in a release.

Topics will include:

- When is it appropriate to conduct an audit?
- When should your company consider an ongoing solution?
- What are the benefits of doing both?

[Register for the webinar.](#)

[Webinar: The Future of Whistleblower Hotlines Revealed](#)



Navex Global will present a [complimentary webinar](#) on the company's annual Ethics & Compliance Hotline Benchmark Report, a tool compliance professionals around the globe reference every year to help measure their program and highlight areas for improvement.

The event will be Tuesday, March 21, 2017, beginning at 10 a.m. Eastern time. Anyone who registers but can't attend the live event will receive a link that will provide access to the recording at a later date.

Navex studied more than 936,000 anonymized reports from their clients' intake systems, analyzed the data and interpreted the

trends.

This webinar will address questions such as:

- Are the number of reports increasing or decreasing?
- What's happening with case closure times?
- Are retaliation reports being substantiated within the organization at higher rates?
- How do open door reports impact the data?

[Register for the webinar.](#)

On-Demand: Managing Workplace Harassment: Trends and Objectives in 2017



Navex Global and Bloomberg have posted an [on-demand webinar](#) discussing discuss discrimination regulations applicable to the workplace, from what constitutes discrimination to what limits employers can put on the words and actions of employees.

The 60-minute webinar is available free of charge.

“After the 2016 election, multiple studies have noted an increase in workplace harassment, through discrimination remarks and actions, from both sides of the campaign,” Navex says on its website. “This has resulted in divisive and sometimes hostile work environments. HR, Compliance and Ethics officers must take action to create a welcome environment that is harassment-free.”

The video covers strategies for developing policies and plans for training departments and employees to minimize and manage workplace harassment, and understand when disciplinary actions should – or must – be taken.

Educational Objectives:

Program participants will learn:

- What actions constitute discrimination in the workplace, including sexism, racism, and homophobia;
- Limits on how employers can approach and manage workplace harassment;
- Strategies for developing training plans for leaders as well as employees to minimize and avoid workplace harassment;
- What types of disciplinary measures might be taken by employers.

Who would benefit most from attending this program?

Human Resources leaders; compliance officers; ethics officers; anyone responsible for employee training within their organizations.

[Watch the on-demand webinar.](#)

Webinar: Fueling Your
Business Strategy with

Patents

Fitch, Even, Tabin & Flannery LLP will present a free one-hour webinar, "[Fueling Your Business Strategy with Patents](#)," featuring Fitch Even attorneys Allen E. Hoover and George N. Dandalides.

The webinar will take place on Wednesday, March 15, 2017, at 9:00 am PST / 10:00 am MST / 11:00 am CST / 12:00 noon EST.

In its invitation, Fitch Even asks: Do you know why your competitors are obtaining all those patents? What value does a patent bring, and how do you leverage it? Patents can provide a wide range of potential benefits, from market protection to licensing to defensive value—as well as other key benefits you may not be aware of. Geared toward IP practitioners as well as business owners, our webinar will cover the following topics and more:

- What a patent is, and why, when, and how to get one
- The many potential benefits of patent protection
- Why and how to enforce a patent, and what to expect
- Timetable and costs

CLE credit has been approved for California and Illinois and is pending in Nebraska. Other states may also award CLE credit upon attendee request.

Following the live event, a recording of the webinar will be available to view for one year at www.fitcheven.com.

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Litigation is Inevitable: Update on Recent Advertising Class Actions

Kelley Drye & Warren will present a [complimentary webinar](#) Wednesday, Feb. 22, 2017, to update participants on recent advertising class actions. The event is part of the firm's Advertising & Privacy Law Webinar Series. The 60-minute webinar will begin at noon Eastern time.

Consumer class action suits continue to be a growing source of concern to marketers and income for plaintiffs' law firms. This webinar will provide an update on recent consumer class action cases across a range of industries and provide guidance and strategies on how to knock out a consumer class action.

Kelley Drye partners August Horvath and Jeff Jacobson will lead the discussion.

The webinar will include a discussion of developing cases, the post-Spokeo standing on class actions, and hot-button issues such as the economic models in support of class certification. Speakers also will discuss the types of cases that are receiving the most traction.

The webinar also will be available later on-demand.

Kelley Drye is an accredited provider of NY & CA CLE. This non-transitional continuing legal education program has been approved for 1.0 NY Professional Practice credit, 1.0 Illinois credit, and 1.0 CA General credit. The firm will apply for CLE credit in other jurisdictions, upon request.

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[Former FCC Legal Advisor Edward 'Smitty' Smith joins DLA Piper](#)

[DLA Piper](#) announced that Edward "Smitty" Smith, former legal advisor to past Federal Communications Commission (FCC) Chairman Tom Wheeler, has joined the firm's Telecommunication practice, part of the firm's global Intellectual Property and Technology practice, as a partner in the Washington, DC office.

Smith recently was responsible for advising the chairman of the FCC on wireless telecommunications, engineering and technology, and consumer affairs. In this role, he led legal and policy teams on major issues involving the cutting edge of technological development. Smith oversaw FCC policymaking on such issues as 5G technology, satellites, spectrum sharing, autonomous vehicle communications, small-cell deployment, and unmanned aviation systems. Previously, Smith was Chief of Staff and Senior Counsel of the FCC's Incentive Auction Task Force, a multibillion-dollar radio spectrum allocation project.

Prior to joining the FCC, Smith was special advisor at the U.S. Department of Commerce's National Telecommunications and

Information Administration. As special advisor, Smith launched the agency's State Broadband Data and Development Grant Program, a \$350 million grant program to improve the quality of broadband data nationwide. Smith also helped lead the agency's Broadband Technology Opportunities Program, a \$4.7 billion effort to extend and develop services to reach rural and underserved areas, worked to improve wireless broadband access for public safety agencies, and helped provide financial assistance to low-income families transitioning from analog to digital television.

At DLA Piper, Smith will focus his practice on telecom matters and advise clients on the full range of issues in the wireless, broadband and satellite sectors.

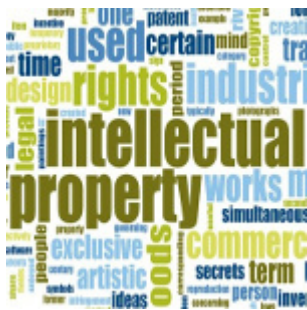
"Smitty brings experience, expertise and leadership that will further strengthen the accomplished telecom team we've built," said Michael Senkowski, co-chair of DLA Piper's Telecommunication practice. "He has an excellent reputation for his government service and his strong knowledge of the telecommunications and technology sectors will be a great benefit to our clients."

"Given the changes in Washington, there's a great deal of uncertainty about the regulatory environment facing companies in the years ahead," said Jeff Lehrer, managing partner of DLA Piper's Washington, DC, office. "Adding Smitty bolsters a team that already had a firm understanding of the industry and the FCC, which today is unquestionably as important, if not more important, than it's been at any point in recent years."

Smith received his J.D. from Harvard Law School and his B.A. from Brown University.

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Webinar: Lessons Learned from Federal Opinions on Patentable Subject Matter



[Fitch, Even, Tabin & Flannery LLP will present a free webinar, “Alice in Chains? Lessons Learned from Recent Federal Circuit Opinions on Patentable Subject Matter,” presented by Eric L. Broxterman and David A. Gosse.](#)

The webinar will take place on Wednesday, Jan. 25, 2017, at 9:00 am PST / 10:00 am MST / 11:00 am CST / 12:00 noon EST.

The Federal Circuit has overruled several district court opinions finding patents invalid for lack of patentable subject matter, most recently in *Enfish v. Microsoft*, *BASCOM v. AT&T Mobility*, and *McRO v. Bandai Namco Games America*. This webinar will review these and other Federal Circuit opinions that have begun to define the boundaries of “abstract ideas” under the Supreme Court’s *Alice* test.

The event will cover the following topics and more:

- The test for patentable subject matter under *Alice v. CLS Bank*
- A survey of recent Federal Circuit cases
- Considerations when responding to a motion for dismissal based on *Alice*
- How claim construction can alter the analysis of patentable subject matter

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