**SUMMARY OF TELECONFERENCE FOR 9TH IP SYMPOSIUM**

**Date:** Tuesday. Aug. 22, 2017

**Time:** 2:00 pm

**Attendees**:

Terry Sanks 407-926-7700 TSanks@bwsmiplaw.com

Jim Matulis 813-451-7347 Jim@matulis-law.com

Darren Spielman 954-768-9002 DSpielman@complexip.com

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Kimra Major- Morris (407) 230-0540 kimra@majormorrislaw.com

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Jim Gale (305) 358-1991 JGale@cozen.com

JoAnn Shearer (850) 561-5630 JShearer@flabar.org

**Next Call**: Date: **Tue. September 5, 2017 at 2:00 p.m.**

Call In: (641) 715-3580

Passcode: 711799#

Topics: Panel Topics – Sponsors – Luncheon & Keynote Speakers – Possible IP certification presentation or panel

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1. **Date** –tentatively either March 1/2 or April 12/13 – March 1/2 cons are that it is coming up fast and is ~5 weeks after the mid-year meeting, pro is that it may be easier to entice Northerners to leave the cold; April 12/13 cons are (1) that it is 5 days after Passover ends, and (2) it is one-day after Hillsborough County Bar Association IP CLE, pro is that we have more time. JoAnn to send out RFPs for both blocks of dates to ensure neither is cost-prohibitive
2. **Location** for next Symposium is Tampa/ St. Pete area, per rotation
	1. The consensus is that beach is preferable to downtown, more enjoyable and a change of scenery from last Tampa Symposium (2014)
	2. beach may be expensive as it is still high season – JoAnn
3. **Keynote Speaker** – TBD - approach CAFC judges once date and venue pinned down
4. **Dinner Speaker** – everyone - need to identify candidates
5. **CLE Topics**
	1. Need 7-9 hours, prefer 10 hours total + possible IP cert presentation – we are currently at ~7.5 hours CLE’s + 2.0 IP cert seminar currently = 9.5 hours - everyone consider additional topics, preferably another 1.5 – 2 hours of CLE
	2. Initial Topics list – subject to subcommittee’s modification/approval -
		1. **“Recent Supreme Court Cases” theme** – per assignments below, each topic to be vetted for content/substance and to procure a speaker - preferably presented by counsel involved in each case - who can discuss case /subsequent interpretations/practice pointers
			1. Jackie - **TC Heartland** – how courts are applying it and practice pointers – CAFC reversed (Moore, Lynn, and Wallach)
			2. Kimra - **Star Athletica –** what it means for fashion and other areas –6th circuit affirmed
			3. Jim G - **Lexmark** – what options remain available to prevent patent exhaustion / licensing – (SCt reversed en banc CAFC opinion in which Dkye and Hughes dissented)
		2. Jim M **- Patreus** – prosecuting and defending old copyright claims
		3. Everyone - Any other recent SCt cases ?
	3. Other (Non Supreme Court cases)
		1. Darren - Amazon – IP enforcement under the ToS and in the Courts – in-house Amazon rep - or possibly panel to include if brand owners too
			1. or Alibabba addressing online counterfeiting
			2. or both
		2. TBD - **DMCA Take Down Notice and Fair Use** - after the dancing baby case - <https://www.naturescapes.net/articles/business/court-requires-that-you-consider-fair-use-before-sending-a-dmca-takedown-notice/> - probably not, few published citing cases
		3. TBD **- Year in Review** – to possibly include trade secrets in addition to patents, copyright, trademarks – first offered to committee participants, then consider professors – Stetson located in Tampa
		4. TBD **- Bitcoin** (+ impact on IP) – panel?
		5. JIM G **- IP Cert** – Jim G willing to present again – Jim M to review last year’s feedback and confirm interest, but anticipated that will present again on Thursday before the IP committee meeting
6. Sponsorship – Jackie to take the lead on sponsors
	* 1. Cherry Baekert is a candidate
		2. eDiscovery vendor too (Elijah sponsors BLS)
		3. Everyone – work to identify sponsors and contacts
7. Feedback – JMM to review 8th IP surveys and share with group
8. Participation Requirement – to qualify for free registration to Symposium (excluding meals) subcommittee members must actively participate in subcommittee meetings and handle at least one of the major tasks
	1. Major tasks include
		1. Coordinate CLE topic or presentation to arrange / or Present CLE
		2. Coordinate Dinner Speaker
		3. Coordinate Lunch speaker
		4. Sponsorship lead
		5. Other