



Bar-Ilan University

Faculty of Law



Jerusalem College of Technology

The Sanford T. Colb & Co. Intellectual Property Law Conference

Sponsored by:

STC Sanford T. Colb & Co. Intellectual Property Law

In Cooperation with:



FISH & RICHARDSON

The Future of Subject Matter Eligibility After *In re Bilski*

January 3-4, 2010

Bar-Ilan University,
Feldman Building (301),
Senate Hall, 2nd Floor

The Sanford T. Colb & Co. IP Conference addresses the impact of anticipated changes in patent subject matter eligibility in the USA in view of the expected U.S. Supreme Court decision in *In re Bilski* and possible legislative developments.

The Sanford T. Colb & Co. IP Conference brings together leading patent law scholars and practitioners in the U.S. and Israel to consider the future boundaries of patentable subject matter.

SPEAKERS



Prof. Margo A. Bagley
University of Virginia School of Law



Mr. David Barkan
Principal, Fish & Richardson



Dr. Daniel Benoliel
Haifa University, Faculty of Law



Dr. Miriam Bitton
Bar-Ilan University, Faculty of Law



Prof. Joseph S. Bodenheimer
President Emeritus, Jerusalem College of
Technology



Prof. Dan Burk
University of California, Irvine



Adv. Sanford T. Colb
Managing Attorney, Sanford T. Colb & Co



Prof. Kevin E. Collins
Indiana University Maurer School of Law



Prof. Thomas F. Cotter
University of Minnesota Law School



Prof. John F. Duffy
The George Washington University Law School



Prof. Rebecca S. Eisenberg
The University of Michigan Law School



Prof. Niva Elkin-Koren
Dean, Haifa University, Faculty of Law



Dr. Orit Fischman-Afori
College of Management Academic Studies



Dr. Daniel Goldstein
Senior Patent Attorney, Sanford T. Colb & Co



Adv. Ehud Hausman
Senior Partner, Reinhold Cohn Group



Prof. Scott Kieff
The George Washington University Law School



Prof. Emily Michiko Morris
Indiana University School of Law



Dr. Meir Noam
Israel Commissioner of Patents



Prof. Gideon Parchomovsky
Bar-Ilan University, Faculty of Law;
University of Pennsylvania Law School



Prof. Pam Samuelson
University of California, Berkeley, Berkeley Law
School & School of Information



Mr. Nagerada Setty
Managing Principal, Fish & Richardson



Prof. Ted M. Sichelman
University of San Diego School of Law



Dr. Chagay Vinizky
Shaarei Mishpat College of Law



Dr. Shlomit Yanisky-Ravid
Ono Academic College, Faculty of Law



Dr. Tal Zarsky
Haifa University, Faculty of Law



Dr. Lior Zemer
Interdisciplinary Center Herzliya,
Radzyner School of Law

SUNDAY, JANUARY 3, 2010

- 11:15 – 11:40** **Registration**
- 11:40 – 13:30** **INTRODUCTION TO THE CONFERENCE**
- 11:40 – 12:00** **Prof. Gideon Parchomovsky**, Bar-Ilan University, Faculty of Law; University of Pennsylvania Law School, *Introduction to the Conference*
- 12:00 – 12:10** **Prof. Arie Reich**, Dean, Bar-Ilan University, Faculty of Law, *Welcoming Remarks*
- 12:10 – 12:20** **Prof. Joseph S. Bodenheimer**, President Emeritus, Jerusalem College of Technology, *Welcoming Remarks*
- 13:30 – 14:30** **Panel I: WHY DOES SUBJECT MATTER ELIGIBILITY MATTER ?**
- Moderator:* **Prof. Niva Elkin-Koren**, Dean, Haifa University, Faculty of Law
- Speakers:* **Dr. Miriam Bitton**, Bar-Ilan University, Faculty of Law, *In re Bilski and Subject Matter Eligibility Thresholds*
- Mr. Nagendra Setty**, Managing Principal, Fish & Richardson, *The Practical Implications of Bilski and the Subject Matter Inquiry*
- Prof. Emily Michiko Morris**, Indiana University School of Law, Indianapolis, *In re Bilski, Proxies, and the Role of Subject Matter Thresholds in the Patent System*
- 14:30 – 14:45** **BREAK**
- 14:45 – 16:30** **Panel II: TACKLING SUBJECT MATTER ELIGIBILITY IN THE PHARMACEUTICAL, BIOTECH & MEDICAL DEVICE INDUSTRIES**
- Moderator:* **Dr. Orit Fischman-Afori**, College of Management Academic Studies, Law School
- Speakers:* **Prof. Rebecca S. Eisenberg**, The University of Michigan Law School, *Implications of In re Bilski for Diagnostic Method Patents*
- Prof. Kevin E. Collins**, Indiana University Maurer School of Law, *Opening the Floodgates? The Patent Eligibility of Medical Diagnostics and Other "Determine and Infer" Claims*
- Prof. Dan Burk**, University of California, Irvine, *Patenting Products, Patenting Processes*
- Dr. Daniel Goldstein**, Senior Patent Attorney, Sanford T. Colb & Co., *Medical Device Patent Prosecution in Light of In re Bilski*

CONFERENCE PROGRAM

MONDAY, JANUARY 4, 2010

08:30 – 08:45 Registration, Coffee & Refreshments

08:45 – 11:15 **Panel III: THE FUTURE OF SOFTWARE & BUSINESS METHOD PATENTS AFTER *BILSKI***

Moderator: **Adv. Sanford T. Colb**, Managing Attorney, Sanford T. Colb & Co.

Speakers: **Prof. Pam Samuelson**, University of California, Berkeley, Berkeley Law School & School of Information, *Bilski Will Cast a Stronger Shadow over Business Method than Software Patents*

Prof. Kevin E. Collins, Indiana University Maurer School of Law, *Semiotics 101: Taking the Printed Matter Doctrine Seriously*

Adv. Ehud Hausman, Senior Partner, Reinhold Cohn Group, *A Practitioner Perspective Concerning Software Patents: Client's IP Strategy in the Wake of Bilski*

10:15 – 10:30 **BREAK**

Dr. Daniel Benoliel, Haifa University, Faculty of Law, *Technological Forecasting of Software Technology: A Historical Reassessment*

Dr. Meir Noam, Israel Commissioner of Patents, *Patent Examination Practice Concerning Computer Systems and Its Challenges*

11:15 – 11:35 **BREAK**

11:35 – 13:00 **Panel IV: RETHINKING SUBJECT MATTER ELIGIBILITY STANDARDS**

Moderator: **Dr. Chagai Vinizky**, Shaarei Mishpat College of Law

Speakers: **Prof. Ted M. Sichelman**, University of San Diego School of Law, *Commercializing Patentable Subject Matter*

Prof. Thomas F. Cotter, University of Minnesota Law School, *A Burkean Perspective on Patent Eligibility, Part II: Reflections on the (Counter) Revolution in Patent Law*

Prof. F. Scott Kieff, The George Washington University Law School, *Some Tangible and Troubling Characteristics of Heightened Patent Eligibility Standards*

13:00 – 13:45 **LUNCHEON**

13:45 – 14:45 **KEYNOTE LECTURE**

Prof. Pam Samuelson, University of California, Berkeley, Berkeley Law School & School of Information, Richard M. Sherman Distinguished Professor of Law; Professor of Information Management; Chancellor's Professor; Director, Berkeley Center for Law & Technology, *Learning to Live with Limits on Patent Subject Matter*

14:45 – 16:30

Panel V: *BILSKI'S* IMPLICATIONS BEYOND PATENTABILITY

Moderator: **Dr. Tal Zarsky**, Haifa University, Faculty of Law

Speakers: **Mr. David Barkan**, Principal, Fish & Richardson, *What Congress Can't Do the Courts Can: The Impact of Bilski and Other Recent Decisions that Rewrite the Rules for Claim Drafting and Retroactively Change the Rights of IP Owners and Investors*

Prof. Margo A. Bagley, University of Virginia School of Law, *Patent Subject Matter and the Public Good: To Limit or Not to Limit?*

Prof. John F. Duffy, The George Washington University Law School, *The Inducement Standard of Patentability*

Dr. Shlomit Yanisky-Ravid, Ono Academic College, Faculty of Law, *Rethinking Subject Matter Eligibility - A Social & Gender Perspective*

16:30 – 16:45

BREAK

16:45 – 17:30

THE ROAD AHEAD - OPEN DISCUSSION & CONCLUDING REMARKS

Moderator: **Dr. Lior Zemer**, Interdisciplinary Center Herzliya, Radzyner School of Law

SPEAKERS PROFILES

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Pam Samuelson is the Richard M. Sherman '74 Distinguished Professor of Law and Information at the University of California at Berkeley and a Director of the Berkeley Center for Law & Technology. She teaches courses on intellectual property, cyberlaw, and information privacy. She has written and spoken extensively about the challenges that new information technologies pose for traditional legal regimes, especially for intellectual property law. She is a Fellow of the Association for Computing Machinery (ACM), a Contributing Editor of Communications of the ACM, a past Fellow of the John D. & Catherine T. MacArthur Foundation, and an Honorary Professor of the University of Amsterdam. She is a member of the Board of Directors of the Electronic Frontier Foundation, as well as a member of the Advisory Boards for the Electronic Privacy Information Center and Public Knowledge.

A 1971 graduate of the University of Hawaii and a 1976 graduate of Yale Law School, Samuelson practiced law as a litigation associate with the New York law firm Willkie Farr & Gallagher before turning to academic pursuits. From 1981 through June 1996 she was a member of the faculty at the University of Pittsburgh Law School, from which she visited at Columbia, Cornell, and Emory Law Schools. She has been a member of the Berkeley faculty since 1996 and was a Visiting Professor at Harvard Law School during the fall term 2007.

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Gideon Parchomovsky specializes in intellectual property, property law, and cyber law. Parchomovsky has already made significant contributions to the field through his wide-ranging scholarship, having written numerous articles for major law reviews on property and liability rules, insider trading, trademarks, domain names, and patents. Most recently, he has been advocating the need for a comprehensive property theory and the need to introduce a value-oriented theory. Parchomovsky has received the A. Leo Levin Award which is presented to the best teacher of a first-year course.

Miriam Bitton is a law professor at the Bar-Ilan University Faculty of Law. She received her Bachelor of Laws and Master of Laws degrees from the Bar-Ilan University School of Law, as well as a Master of Laws and a Doctor of the Science of Law from the University of Michigan Law School. A former Visiting Assistant Professor of Law at the DePaul University College of Law, she was also a Microsoft Research Fellow at U.C. Berkeley School of Law and a Visiting Fellow at George Washington University Law School. Dr. Bitton writes and teaches in the fields of intellectual property law, law and technology, and property. She is the winner of the prestigious Alon Fellowship for the years 2009-2011 (granted by the Council of Higher Education in Israel to promising junior faculty members in Israel), and the 100,000 EUROS Marie Curie International Reintegration Grant (granted by the European Union Commission).

FEATURED SPEAKERS

Margo A. Bagley is a Professor of Law at the University of Virginia School of Law. Her teaching and writing focus on U.S., international, and comparative patent law issues. Professor Bagley received her J.D. in 1996 from Emory University School of Law, where she was a Robert W. Woodruff Fellow, an editor of the *Emory Law Journal*, and was elected to Order of the Coif. She received her B.S. in Chemical Engineering from the University of Wisconsin-Madison and worked for the Procter & Gamble Company and the Coca-Cola Company prior to attending law school. Professor Bagley is a member of the Georgia bar and is registered to practice before the United States Patent & Trademark Office. She enjoyed an intellectual property practice with the law firms of Smith, Gambrell & Russell, LLP and Finnegan, Henderson, Farabow, Garrett & Dunner, LLP before joining the Emory Law School faculty in 1999. She joined the University of Virginia School of Law faculty in 2006 and has also been a Visiting Professor at Washington & Lee University School of Law and the National University of Singapore, and has taught courses in Munich, Germany and Zhuhai, China. Professor Bagley is a frequent speaker on patent law-related topics and has written extensively in the area.

Professor Bagley's articles include: *The New Invention Creation Boundary in Patent Law*, (forthcoming, William & Mary L. Rev. 2009); *The Need for Speed (and Grace): Issues in a First-Inventor-To-File World*, 23 Berkeley Tech. L.J. (2008) (symposium issue); *Patents and Technology Commercialization: Issues and Opportunities*, book chapter in vol. 18, *Advances in the Study of Entrepreneurship, Innovation and Economic Growth* (Gary Libecap, ed., Elsevier Science and Technology Books 2007); *Academic Discourse and Proprietary Rights, Putting Patents in Their Proper Place*, 47 B.C.L. Rev. 1 (2006); *Patent First, Ask Questions Later: Morality and Biotechnology in U.S. Patent Law*, 45 William & Mary L. Rev. 1 (2004); *Legal Movements in IP: TRIPS, Bilateral Agreements, and Access to Essential Medicines*, 18 Emory Int'l L. Rev. (2004) (symposium issue); *Still Patently Unconstitutional: A Reply to Professor Nard*, 88 Minn. L. Rev. (2004); *Patently Unconstitutional: Geographical Limitations on Prior Art in a Small World*, 87 Minn. L. Rev. 679 (2003); and *Internet Business Model Patents: Obvious By Analogy*, 7 Mich. Telecom. & Tech. L. Rev. 253 (2001) (symposium issue).

David M. Barkan is a litigation principal in Fish & Richardson's Silicon Valley office and served as the firm's Nationwide Head of Litigation from 2001 through 2006. David received a Bachelor of Arts in Government from Harvard University, magna cum laude, and a law degree from the University of California, Berkeley, where he was elected to the Order of the Coif. David then clerked for

the Honorable Fern Smith in the Northern district of California. Before law school, David wrote software for a start-up in Cambridge, Massachusetts. David specializes in high technology litigation, spanning a broad range of computer and network technologies. David has tried intellectual property cases before judges and juries in U.S. district courts, in the U.S. International Trade Commission, and in arbitration proceedings. In 2009, the Los Angeles and San Francisco Daily Journal named David as one of the "Top 100" most influential lawyers in California and as one of the "Top 75" intellectual property litigators in California.

Daniel Benoliel is an Assistant Professor at the University of Haifa, Faculty of Law, and Director of Patents at the Center of Law and Technology (HCLT) in the faculty. His main fields of research and teaching include international intellectual property, public international law and patent law.

He completed a J.S.D. at the Boalt Hall School of Law at the University of California, Berkeley (Supervisor: Professor Mark Lemley), and a one-year Information Society Project (ISP) Visiting Fellowship at Yale Law School. Thus far, he has written about international intellectual property, patent law, and public international law with emphasis on the Israeli-Arab conflict. His articles have been published in the *B.U. Int'l L. J.*, the *California L. Rev.*, the *Berkeley L. & Tech. J.*, the *Yale J. of L. & Tech.*, and the *Cardozo Arts & Entertainments L. J.*

Joseph Bodenheimer is a renowned physicist specializing in electro-optics, especially in the area of optical measurements and data transfer. He received his Ph.D. from Hebrew University and during post-doctoral studies in laser spectrometry at King's College, London University, Prof. Bodenheimer discovered two previously unknown phase transitions, and also developed a new spectrometric technique. He joined the Electro-Optics Department of the Jerusalem College of Technology (Machon Lev) in 1973, was appointed Department head in 1982, and became full Professor of Electro-optics two years later. In 1989 he was elected as Rector and for the past 16 years, up until his recent retirement, he served as President of JCT. Awarded substantial research grants from institutes and foundations throughout the world, Prof. Bodenheimer has published many papers and holds 11 patents. He has served as a consultant for numerous high technology companies in Israel and in the United States, and was a member of several national scientific committees.

Dan L. Burk is Chancellor's Professor of Law at the University of California, Irvine, where he is a founding member of the law faculty. An internationally prominent authority on issues related to high technology, he lectures,

SPEAKERS PROFILES

teaches, and writes in the areas of patent, copyright, electronic commerce, and biotechnology law. He is the author of numerous papers on the legal and societal impact of new technologies, including articles on scientific misconduct, on the regulation of biotechnology, and on the intellectual property implications of global computer networks.

Professor Burk holds a B.S. in Microbiology (1985) from Brigham Young University, an M.S. in Molecular Biology and Biochemistry (1987) from Northwestern University, a J.D. (1990) from Arizona State University, and a J.S.M. (1994) from Stanford University.

Prior to joining the faculty at UC Irvine, he taught at the University of Minnesota. He has served as a legal advisor to a variety of private, governmental, and intergovernmental organizations, including the American Civil Liberties Union Committee on Patent Policy and the OECD Committee on Consumer Protection.

Sanford T. Colb is the founder of Sanford T. Colb & Co. He is licensed to practice before the Israel Patent Office and the US Patent and Trademark Office, and is a licensed attorney in Israel and in the US. Mr. Colb is a member of the American Patent Law Association, International Law Committee, Israel Association of Patent Attorneys, AIPPI, Licensing Executives Society, American Arbitration Association, International Trademark Association, Pharmaceutical Trade Marks Group, and American Bar Association. He has been a lecturer in intellectual property law at Bar-Ilan University and at Netanya Academic College.

Mr. Colb has an M.A. (Honors) from Cambridge University and a B.A. (magna cum laude) and M.Sc. in Physics from the University of Pennsylvania. He was awarded the Silver Medal of the Royal Society of Arts, London, and was a Thouron Scholar at Cambridge University. Sanford T. Colb holds a J.D. degree from Harvard Law School.

Kevin E. Collins joined the faculty of the Indiana University Maurer School of Law—Bloomington in 2004, bringing a diverse range of academic and professional experience to his scholarship and teaching. With an undergraduate degree from Yale in Molecular Biochemistry and Biophysics, Professor Collins focuses his research primarily on patent law. Most recently he has written articles clustered around two patent law topics: the reach of patent rights into after-arising technologies and the extent to which inventive human thought should be treated as a propertizable resource under the patent regime. Professor Collins is also interested in the intersection of law and architecture. A registered architect in the state of New York, he earned a master's degree in architecture from Columbia University and spent the next five years as an architect and lead designer with Bernard Tschumi Architects, working on projects in New York and France.

He also taught a seminar in 20th-century architectural history at Yale College and studio design courses at Columbia's Graduate School of Architecture Planning and Preservation. At the Maurer School of Law, he puts this background to use in a course on Law and Architecture that adopts an interdisciplinary perspective to examine both the effect of built structure on social structure and the ways in which the social planner can use law to harness the built environment's behavioral impact.

Professor Collins earned his JD from Stanford University in 2002. Before beginning his teaching career, he clerked for the Honorable Judge Sonia Sotomayor on the Second Circuit Court of Appeals and the Honorable Judge Raymond Clevenger III on the Federal Circuit Court of Appeals.

Thomas F. Cotter joined the University of Minnesota Law School faculty in 2006. He received his bachelor's and master's degrees in economics from the University of Wisconsin-Madison, and in 1987 graduated magna cum laude from the University of Wisconsin Law School, where he served as Senior Articles Editor of the Wisconsin Law Review and was elected to the Order of the Coif. From 1987-89, Cotter clerked for the Honorable Lawrence W. Pierce, United States Court of Appeals for the Second Circuit. He practiced law at Cravath, Swaine & Moore in New York City from 1988-90, and at Jenner & Block in Chicago from 1990-94. From 1994-2005, he taught at the University of Florida College of Law, where he held a University of Florida Research Foundation Professorship and directed the school's Intellectual Property Law Program. From 2005-06, he was a Professor of Law at Washington and Lee University School of Law. In 2005, he was named to a two-year Solly Robins Distinguished Research Fellowship at the University of Minnesota Law School, and in 2007 was named to the Briggs and Morgan Chair in Law. Professor Cotter's principal research and teaching interests are in the fields of domestic and international intellectual property law, antitrust, and law and economics. He is the coauthor, with Roger D. Blair, of *Intellectual Property: Economic and Legal Dimensions of Rights and Remedies*, published by Cambridge University Press in 2005. He has authored or coauthored over 30 other scholarly works, including articles in the *California Law Review*, the *Georgetown Law Journal*, the *Iowa Law Review*, the *Minnesota Law Review*, the *University of Illinois Law Review*, the *William & Mary Law Review*, the *Notre Dame Law Review*, and the *Berkeley Technology Law Journal*.

John F. Duffy is the Oswald Symister Colclough Research Professor of Law at the George Washington University Law School and Of Counsel at the law firm of Fried, Frank, Harris, Shriver & Jacobson LLP. Professor Duffy received an A.B. in physics from Harvard College in 1985 and a J.D. from the University of Chicago in 1989. Prior to entering academics, Professor Duffy clerked for

SPEAKERS PROFILES

Stephen Williams on the United States Court of Appeals for the D.C. Circuit and for Justice Scalia on the United States Supreme Court and served as an Attorney-Advisor in the Department of Justice's Office of Legal Counsel. Professor Duffy has co-authored a casebook on patent law, *Patent Law and Policy* (4th ed. 2007) (with Robert Patrick Merges) and has published articles on a wide range of regulatory and intellectual property issues in journals. In 2007, Professor Duffy was co-counsel for the prevailing petitioner in the Supreme Court case *KSR v. Teleflex*. In 2008, the United States Court of Appeals for the Federal Circuit invited him to present amicus curiae arguments in the en banc case *In re Bilski* concerning the scope of patentable subject matter. His recent article "Are Administrative Patent Judges Unconstitutional?" was covered in the *New York Times* and subsequently led to the enactment of legislation that restructured the appointment process for Administrative Patent Judges. In 2008, the Magazine *Managing Intellectual Property* listed him as one of the 50 most influential people in the world on the subject of intellectual property. In 2009, the *Legal Times* selected him as one of its "Visionaries" of the Washington legal profession, and he was profiled in the *Businessweek* story entitled "A Scholar-Activist Challenges U.S. Patent Law."

Rebecca S. Eisenberg is a graduate of Stanford University and Boalt Hall School of Law at the University of California, Berkeley, where she was articles editor of the *California Law Review*. Following law school she served as law clerk for Chief Judge Robert F. Peckham on the United States District Court for the Northern District of California and then practiced law as a litigator in San Francisco. She joined the University of Michigan Law School faculty in 1984.

Professor Eisenberg regularly teaches courses in patent law, trademark law, FDA law, and runs workshops on intellectual property and student scholarship. She has previously taught courses on torts, legal regulation of science, and legal issues in biopharmaceutical research. She has written and lectured extensively about the role of intellectual property in biopharmaceutical research, publishing in scientific journals as well as law reviews. She spent the 1999-2000 academic year as a visiting professor of law, science and technology at Stanford Law School. She has received grants from the program on Ethical, Legal, and Social Implications of the Human Genome Project from the U.S. Department of Energy Office of Biological and Environmental Research for her work on private appropriation and public dissemination of DNA sequence information. Professor Eisenberg has played an active role in public policy debates concerning the role of intellectual property in biopharmaceutical research. Professor Eisenberg is the Robert and Barbara Luciano Professor of Law.

Niva Elkin-Koren is the Dean of the University of Haifa, Faculty of Law and the Director of the Haifa Center for Law & Technology (HCLT). She is the author of *Intellectual Property in the Information Age* (2004); coauthor of *The Limits of Analysis: Law and Economics of Intellectual Property in the Digital Age* (forthcoming 2010); and *Law, Economics and Cyberspace: The effects of Cyberspace on the Economic Analysis of Law* (2004). She is the coeditor of *Law and Information Technology* (forthcoming 2010) and *The Commodification of Information* (2002). Her research focuses on the legal institutions that facilitate private and public control over the production and dissemination of information. She has written extensively on copyright law and information policy, and published many articles in Hebrew and in English in prominent journals. Elkin-Koren earned her S.J.D from Stanford Law School in 1995, her LL.M from Harvard Law School in 1991, and her LL.B from Tel-Aviv University School of Law in 1989. She has been a visiting professor at leading law schools in the United States and in Europe.

Orit Fischman-Afori is an Associate Professor (Senior Lecturer) at the College of Management Academic Studies Law School as well as Academic Manager of the LLM program.

Dr. Orit Fischman-Afori's main fields of research are intellectual property law in general and copyright law in particular. Her publications in the area of intellectual property law focus on copyright, industrial designs, and cultural rights as human rights. Dr. Orit Fischman-Afori teaches various courses, which include corporate law, copyright law, and intellectual property. She directs various seminars in the intellectual property field, including a clinical seminar on intellectual property and law and technology.

Daniel Goldstein is a senior patent attorney at Sanford T. Colb & Co., and is licensed to practice before the Israel and US patent offices. He and his team prepare and prosecute patent applications in a wide range of fields in which Israeli companies are involved; among them healthcare, mechanical devices, and software. He is particularly proud to have had the opportunity to train and work with four excellent professionals – Benjamin Fishman, Tiffany Lev-Hess, Joel Beider, and Chagit Brand. Dr. Goldstein and his team assist clients in enhancing the strength of their patent portfolios, and in assessing and addressing issues related to the patent portfolios of competitors. They also work with investors, performing due diligence. Dr. Goldstein received a Ph.D. in Bioengineering from the University of Pennsylvania, and a BSE in Mechanical Engineering from Princeton University.

SPEAKERS PROFILES

Ehud Hausman received a B.A. in Computer Science from the Technion - Israel Institute of Technology (*cum laude*) in 1986, a M.Sc. in Computer Science from the Technion - Israel Institute of Technology in 1989; and an LL.B. from the Interdisciplinary Center, Herzliya in 2003. Hausman heads the hi-tech group of RCG, a group which handles a wide range of technologies, including physics, software, hardware, electronics, medical devices, etc. Hausman has extensive experience in various aspects of intellectual property, including strategic consultation for managing intellectual property assets for multinational companies, leading industrial companies and start-up companies. He has gained professional experience as a software engineer in various capacities in the hi-tech industry. Hausman specializes in protecting inventions in the fields of computer science, physics and electronics, specializing, in particular in: communications and telecommunications, internet, cellular technology, databases, multi-media and other software, hardware, integrated systems and processes, semiconductor devices and semiconductor related processes, medical devices, and methods of doing business.

In addition, Hausman lectures on intellectual property at Israeli academic institutes and at additional forums. He is a member of the Israel Bar Association, the Association of Israel Patent Attorneys, AIPPI (Israeli group), and FICPI (Israeli branch). Hausman was a member of the Committee for the Introduction of Law for Protection on Topographies of Semiconductor Devices (appointed by the Minister of Justice).

F. Scott Kieff became a Professor at the George Washington University Law School in Washington, DC, in the summer of 2009 after serving as a Professor at the Washington University in Saint Louis School of Law with a secondary appointment in the School of Medicine's Department of Neurological Surgery. He is the Ray and Louis Knowles Senior Fellow at Stanford's Hoover Institution, where he directs the Project on Commercializing Innovation, which studies the law, economics, and politics of innovation, including entrepreneurship, corporate governance, finance, economic development, intellectual property, antitrust, and bankruptcy. He also serves on Hoover's Property Rights Task Force. Kieff is a faculty member of the Munich Intellectual Property Law Center at Germany's Max Planck Institute; and has previously been a visiting professor in the law schools at Northwestern, Chicago, and Stanford, as well as a faculty fellow in the Olin Program on Law and Economics at Harvard. Before attending law school at the University of Pennsylvania, he studied molecular biology and microeconomics at MIT and conducted research in molecular genetics at the Whitehead Institute. Having practiced law for over six years as a trial lawyer and patent lawyer for Pennie & Edmonds in New York and Jenner & Block in Chicago

and as law clerk to U.S. Circuit Judge Giles S. Rich, he regularly serves as a testifying and consulting expert, mediator, and arbitrator to law firms, businesses, government agencies, and courts.

Emily Michiko Morris came to IU during the summer of 2008. She teaches patent law, copyright law, and intellectual property survey courses. Before joining the Indiana University faculty, Professor Morris was a visiting associate professor at Chicago-Kent College of Law, where she taught both Patent Law and Patent Litigation. She earned her A.B. (*magna cum laude*) from Harvard University and her J.D. from the University of Michigan Law School (*magna cum laude*), where she was an articles editor on the Michigan Law Review. After law school, Professor Morris clerked for the Honorable Bruce M. Selya on the U.S. Court of Appeals for the First Circuit, and then worked for three years as an associate in the Issues & Appeals section of the Washington, DC office of Jones Day. She also served as an adjunct assistant professor and Humphrey Fellow in Law and Economic Policy at the John M. Olin Center for Law and Economics, University of Michigan Law School. Professor Morris's research and teaching interests include patent law, health law and bioethics, Japanese law, and law and economic analysis. Her current work focuses on economic analysis of various patent law issues, including the effects of patent claim construction and scope on incentives and innovation. She is the co-author with Mark D. West of "The Tragedy of the Condominiums: Legal Responses to Collective Action Problems after the Kobe Earthquake," 51 Am. J. Comp. L. 903 (2003), which received the Hessel Yntema Prize from the American Society of Comparative Law.

Meir Noam is a native of Jerusalem. He received his first, second and third degrees in chemistry from Hebrew University and then decided to enter the unique field of patents, which combines science and law. To do so, he studied law in Hebrew University and during that time, worked as a chemistry patent examiner in the Patent Office and then as a consultant to the government patent office. At the same time, Noam studied for the licensing exams and received the Patent Attorney license. After receiving his Attorney License in 1987, Noam retired from civil service and opened a law office. Most of his work involved providing patent and industrial property consultation services, preparing patents, and representing clients in courts and before the Patent Office in proceedings related to patents and trademarks. For approximately fifteen years, Noam worked in the private field. In 2003, he returned to public service in the Patent Office, serving as Patent Commissioner and as Head of the Patent Office: positions that he continues to hold today.

SPEAKERS PROFILES

Nick Setty is the Managing Principal in Fish & Richardson's Atlanta office. Nick received a bachelor of science in biochemistry and a law degree, both from Emory University. He has a national practice covering all aspects of intellectual property litigation and counseling, including patent, trademark, trade secrets, and copyright cases, with a special focus on patent litigation. Nick has served as lead counsel in more than 80 IP cases, including many computer-based, telecommunications and network technologies.

Chambers USA has recognized Nick for his experience and expertise in IP law as one of "America's Leading Business Lawyers" (2004-2009). His peers have identified him as a "Georgia Super Lawyer" (2004-2009) for outstanding achievement in IP litigation, and he has been named to "Georgia's Legal Elite" in Georgia Trend magazine (2006-2008; feature article 2007). Nick has been active in many Bar associations, and has served as Editor of American Bar Association IP publications, has chaired tens of patent litigation conferences and speaks frequently on IP issues.

Ted M. Sichelman is currently a professor at the University of San Diego School of Law, where he teaches patent law and other intellectual property courses. Previously, Professor Sichelman was a Kauffman Foundation Fellow at the University of California, Berkeley, School of Law. He practiced in the areas of intellectual property litigation and transactions, appellate litigation, and venture finance at the law firms of Heller Ehrman and Irell & Manella. Professor Sichelman clerked for Judge A. Wallace Tashima of the U.S. Court of Appeals for the Ninth Circuit. Before practicing law, he founded and ran a venture-backed software company, Unified Dispatch. Professor Sichelman designed the company's software and is a named inventor on several filed patents. Professor Sichelman earned his J.D. from Harvard Law School and an A.B. from Stanford University. His numerous publications include: "Commercializing Patents," in the Stanford Law Review (forthcoming 2010); "Patenting by Entrepreneurs: An Empirical Study," in the Michigan Telecommunications & Technology Law Review (forthcoming 2010); "High Technology Entrepreneurs and the Patent System," in the Berkeley Technology Law Journal (forthcoming 2009); and "Why do Start-Ups Patent?" in the 23 Berkeley Technology Law Journal 1063 (2008). He recently co-authored an amicus brief filed with the U.S. Supreme Court in *Bilski v. Doll*.

He served during the first two years of the Federal Circuit's Appellate Mediation Panel until November 2007 and that December was appointed by Secretary of Commerce Gutierrez to serve a three-year term on the nine-person Patent Public Advisory Committee of the Patent and Trademark Office, which was created by Congress to advise the government on the policies, goals, performance,

budget, and user fees of the patent operation. He was recognized as one of the Nation's "Top 50 under 45" by the magazine *IP Law & Business*.

Chagai Vinizky is a lecturer at the 'Sha'arei Mishpat' College of Law, where he teaches courses and seminars on property law, contracts, trade secrets, special contracts, intellectual property, and registration of rights in assets. He serves as Dean of Students at 'Sha'arei Mishpat'. Dr. Vinizky is also an Adjunct Lecturer at Bar-Ilan University and at Netanya Academic College. He received his LL.B., Cum Laude, LL.M., Magna Cum Laude, and his Ph.D (Doctoral Dissertation: Register of Trade Secrets) from Bar-Ilan University. During his Ph.D studies he received the Bar-Ilan University Grant of the President and Dean for Outstanding PhD Students (2001 – 2004). He wrote the articles: "*Concrete Distributive Justice in Private Law*" (with Michal Tamir, forthcoming in "**Hamishpat**", December, 2009) and "*Classification of Participants in Suicide Attacks and the Implications of this Classification for the Severity of the Sentence: The Israeli Experience in the Military Courts in Judea and Samaria as a Model to Other Nations*", (with Amit Preiss, forthcoming in the **Pace Law Review**, winter 2010). Dr. Vinizky served as the President of the Disciplinary Tribunal at 'Sha'arei Mishpat' and serves as a Military Judge (res.) with the rank of Captain in the Military Court of Samaria.

Shlomit Yanisky-Ravid received her Ph.D. from Hebrew University in the Direct Doctoral Program for Excellent Students (Doctoral Dissertation: Intellectual Property Rights of Employees' Inventions and Creations: Comparative Legal Study). Dr. Yanisky-Ravid holds a BA from Tel Aviv University Law School (cum laude), and earned the Dean's Award for Excellence during each year of study. She holds a BA in Psychology from Bar-Ilan University (cum laude), as well as a BA from the Bar-Ilan Life Science and Biology School (cum laude). She completed EEC studies in the Max Planck Institute of Comparative Law in Germany. She is a visiting professor at the Swiss Institute of Comparative Law at Lausanne University.

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SPEAKERS PROFILES

Foundation scholarship for research in the field of equality for women (2006); The Swiss Institute of Comparative Law Research scholarship (2007); The Silbert Research and Development Fund, Jerusalem University (2007); The Prof. Gadi Harel Award of the Society for Labor Relations Research for Outstanding Researchers (2006); The Minerva Center for Human Rights scholarship for a doctorate student (2006); Max Planck Institute, Germany, scholarship for students (1992).

Her publications include (partial list): Editor of the book "Discourses on Law, Gender and Feminism" with leading Israeli Professor Daphna Barak-Erez; "Women Inventors" in "Discourses on Law, Gender and Feminism" (2007); "Rethinking Labour Relations - IP Rights of Employees in 'their' IP Products" in Hevra and Mishpat (2009); "Psychological Justification in the Work Place" in the Elisheva Barak Book (2010); "Rawls Theory and the Labour Law" in Kiryat Hamishpat (2005); IP at work (2011).

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סנפורד ט. קולב ושות' מתמחה בתחום הקניין הרוחני ומעניקה ללקוחותיה שירות מלא הנוגע לכל היבטי הקניין הרוחני והרישוי הטכנולוגי, וכן לניהול הון סיכון ותשתית ארגונית. סנפורד ט. קולב שוקדת להעניק את השירות המקצועי ברמה הגבוהה ביותר בתחום ניהול קניין רוחני. משרדנו עוסק במתן שירותים החל מעריכה ורישום פטנטים מורכבים, הגשת בקשות לעיצוב וסמל מסחרי, ועד לשלב הליטיגציה ואכיפת זכויות הקניין הרוחני. בנוסף, אנו בונים לחברות הי טק את התשתית המתאימה להנבטה וצמיחה בסביבת הקניין הרוחני העשירה של ימינו. בין לקוחותינו נמנות חברות ישראליות מובילות, אוניברסיטאות, גופי ממשלה וחברות בינלאומיות. אנו מסייעים ללקוחותינו בפיתוח תלקיט פטנטים יציב ומדריכים אותם באבטחת והגנת זכויותיהם. משרדנו גם מסייע ללקוחותיו לפתח תשתית ארגונית שתאפשר למקסם את נכסי הקניין לאורך ההתפתחות המסחרית של החברה. הצוות המקצועי שלנו כולל עורכי דין ועורכי פטנטים מוסמכים בארץ ובארה"ב בעלי ניסיון רחב במגוון תחומי טכנולוגיה הכוללים, בין השאר, ביוטכנולוגיה, אלקטרוניקה, מדעי המחשב, טכנולוגית מידע, פיזיקה, תרופות, הנדסת מכונות ומתמטיקה.