

# Intellectual Property Protection

for the

## FINANCIAL SERVICES INDUSTRY

March 8-9, 2010  
Westin Times Square  
New York, NY

*Advanced Strategies for Safeguarding Information,  
Controlling Legal Costs and Managing Risk*

Learn how  
**In re Bilski will Impact  
the Patentability of  
Business Methods!**

### Featured Companies & Key Deliverables

- ✓ **FREDDIE MAC**  
*Assessing the impact of recent rulings on IP in the financial services industry*
- ✓ **METLIFE**  
*Impact of In re Bilski on future portfolio development*
- ✓ **THE TRAVELERS COMPANIES, INC.**  
*Beyond patents: Using trade secrets to safeguard your information*
- ✓ **THE HARTFORD FINANCIAL SERVICES GROUP**  
*Best practices for defending against patent litigation actions*
- ✓ **JPMORGAN CHASE BANK, NA**  
*Strategies to utilize during troll litigation*
- ✓ **VISA, INC.**  
*Key strategies to employ when dealing with non-practicing entities*

- ✓ **GE FINANCIAL**  
*Protecting your intellectual property from internal threats*
- ✓ **BANC OF AMERICAS SECURITIES, LLC**  
*Managing your IP litigation risk through indemnification measures*
- ✓ **CITIGROUP**  
*Identifying and preventing infringements of your business method patents*
- ✓ **FANNIE MAE**  
*Cost containment measures to reduce legal expenses*
- ✓ **STUART WEITZMAN**  
*Determining when to use outside counsel versus in-house staff*
- ✓ **PIPELINE TRADING SYSTEMS LLC**  
*Using "obviousness" to defeat a business method patent infringement claim*

- ✓ **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP**  
*Litigation readiness: Proactive steps for litigating patents*

### OUTSIDE THE INDUSTRY PERSPECTIVE

- ✓ **SUN MICROSYSTEMS, INC.**  
*Examining the pros and cons of joining a Patent Aggregation System*
- ✓ **VERIZON COMMUNICATIONS, INC.**  
*Maximizing the value of your IP portfolio*
- ✓ **COMCAST CABLE COMMUNICATIONS**  
*Damage assessments: How to make them work for you*
- ✓ **KRAFT FOODS**  
*Employing the patent reexamination process as a litigation tool*

### KEY TAKEAWAYS

- ✓ Assess the Impact of In re Bilski on the Patentability of Business Methods
- ✓ Defend Yourself Against Costly Patent Litigation Claims
- ✓ Utilize a Cost-Benefit Analysis When Deciding Whether to Go to Trial or Settle
- ✓ Respond Appropriately When Dealing with Patent Trolls
- ✓ Maximize the Value of Your IP Portfolio
- ✓ Employ Cost Containment Measures to Keep Your Legal Budget in Check

### IN-DEPTH WORKSHOP SESSION

#### Advanced Techniques for Constructing Your Patent Application to Ensure Its Validity

**Dean Alderucci**  
*Vice President & Chief Operating Officer,  
Innovation Division  
CANTOR FITZGERALD*

**Jerry Wald**  
*Senior Business Leader,  
Intellectual Asset Strategy & Management  
VISA, INC.*

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**FINANCIAL SERVICES INDUSTRY**

March 8-9, 2010  
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*Advanced Strategies for  
Safeguarding Information,  
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## WHO SHOULD ATTEND

- Chief IP Counsel
- IP Counsel
- General Counsel
- Chief Technology Officer
- Product Development
- Chief Patent Counsel
- Patent Counsel
- Chief Information Officer
- IP Strategist
- Technology Planning

### *From the Following Industries:*

- Financial Services
- Brokerage Firms
- Insurance
- Mutual Funds
- E-Commerce
- Investment Banks
- Commercial Banks
- Reinsurance
- Financial Technology Firms
- Technology

### *Private Practice Attorneys in the Following Areas:*

- Intellectual Property
- Litigation
- Financial Services
- E-Discovery & Technology

*This program is also geared towards vendors, consultants and solutions providers offering services or tools that deal with intellectual property.*

With the patentability of business methods being called into question by the Bilski case, companies, particularly those in the financial services industry, are reevaluating the strategies they use to protect their intellectual property. At the same time, the tightened economy is forcing many organizations to secure their information on a reduced legal budget.

In order to help you find the best, most cost-effective solutions for safeguarding your intellectual property, Global Media Dynamics is presenting its one-of-a-kind event on Intellectual Property Protection for the Financial Services Industry. In this unique forum, we bring together leading in-house counsel from top companies such as JPMorgan Chase Bank, Visa, MetLife, Freddie Mac, GE Financial, The Travelers Companies, Cantor Fitzgerald, Fannie Mae, Banc of Americas Securities, Citi, The Hartford Financial Services Group and more! Together, they will discuss their strategies for confronting the most pressing IP issues facing the financial services industry today. Some of the topics to be covered include:

- Best practices for defending against patent litigation claims
- The effect of In re Bilski on the patentability of business methods
- Protecting your intellectual property from internal threats
- Managing your IP litigation risk through indemnification measures
- Advanced strategies for constructing your patent application to ensure its validity
- Employing the patent reexamination process as a litigation tool
- Utilizing trade secrets to protect your information
- Key strategies to use when dealing with non-practicing entities

Take advantage of this opportunity to network with your colleagues facing similar challenges while learning from the top experts in the field. Register today to reserve your seat at the conference and take advantage of the early bird discounts. Call 1-800-646-9581 or register online at [www.ipfinance2010.com](http://www.ipfinance2010.com).

We look forward to seeing you in New York!

Sincerely,

**GLOBAL MEDIA DYNAMICS**

Global Media Dynamics

## MAIN CONFERENCE WORKSHOP SESSION • Monday, March 8, 2010

9:00 a.m. – 11:30 a.m.

### Advanced Techniques for Constructing Your Patent Application to Ensure Its Validity

Over the past few years, the number of business method patent applications filed has steadily increased. At the same time, the examination process in the Patent Office has become far less predictable. As a result, it is more important than ever to properly prepare your patent application to avoid costly delays, loss of rights or a worthless patent. In this interactive workshop, participants will learn the drafting strategies and techniques that will enable them to construct a business method patent application that will minimize

delays, have a higher likelihood of approval and command more value in the market. Specifically, they will learn how to:

- Accurately and effectively describe the business method or process
- Ensure that claims are directed to patent-eligible subject matter
- Avoid obviousness challenges
- Draft applications to ease examination by the PTO

- Prepare applications to maximize value and to overcome PTO reluctance to examine high-value applications

**Dean Alderucci**  
*Vice President & Chief Operating Officer,  
Innovation Division*  
**CANTOR FITZGERALD**

**Jerry Wald**  
*Senior Business Leader,  
Intellectual Asset Strategy & Management*  
**VISA, INC.**

# How to Register – Ph

8:30 *Workshop Registration & Morning Coffee***9:00 – 11:30** *Main Conference Workshop Session:  
Advanced Techniques for Constructing Your Patent  
Application to Ensure Its Validity*12:00 *Main Conference Registration*1:00 *Chairperson's Opening Remarks***1:15 Case Law Update: Assessing the Impact of Recent Rulings on IP in the Financial Services Industry**

While much of the focus in recent months has been on *In re Bilski*, the lower courts have also issued many key decisions affecting the intellectual property rights of those in the financial services industry. For many companies, these rulings are significant as they may impact both their existing patents as well as their future portfolio development. In this session, our panel will focus on:

- Key decisions over the past year
- Impact of these rulings on venue selection
- Will any of these decisions cause financial institutions to alter their IP strategies?

**Ankur D. Shah***Associate General Counsel, Intellectual Property***FREDDIE MAC****Melissa K. Boon***Counsel, Intellectual Property/Information Technology***METLIFE****2:00 Litigation Readiness:  
Proactive Steps for Litigating Patents**

Patent litigation can be reactive. However, being prepared for common issues that can arise during litigation can help reduce costs and surprises. This discussion will touch on proactive considerations for addressing issues before they are encountered, such as discovery, corporate witness preparation, conception and reduction to practice, joint infringement, and invalidity.

**Joseph E. Palys***Associate***FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP**2:45 *Networking Break and Refreshments***3:15 Beyond Patents:  
Using Trade Secrets to Safeguard Your Information**

Severe backlog at the Patent Office, the growing threat of educating competitors on inventions, issues stemming from *Bilski* and limited patent lifecycles, are just some of the challenges forcing companies to rethink their IP strategies. Rather than utilize patents, more and more IP strategists are turning to trade secrets to protect valuable proprietary information. In this session, you will learn:

- When obtaining patent protection may actually limit the value of your IP
- Practical strategies to identify and classify your trade secrets
- Detecting and preventing trade secret misappropriation
- Benefits and limitations of non-disclosure agreements and non-compete clauses as a way to protect business methods and processes

- Policing and enforcing trade secret violations

**Gerard L. DePardo***Corporate Legal Services, Intellectual Property Counsel***THE TRAVELERS COMPANIES, INC.****4:00 Best Practices for Defending Against Patent Litigation Actions**

The number of patents being litigated continues to rise dramatically every year. At the same time, these cases are becoming significantly more complex and difficult to manage due to both ever-changing litigation tactics and new legislation. In this session, our panel will provide you with tested strategies to utilize when defending your patents, including:

- Successfully arguing that a claimant's method or process is not patentable subject matter
- Using "obviousness" to defeat a business method patent infringement claim
- Defending against willful infringement claims
- Strategies to utilize during troll litigation
- Impact of recent shifts in venue preferences

**David Cunningham***Vice President, Assistant General Counsel**& Director of Patent Law***THE HARTFORD FINANCIAL SERVICES GROUP****Kathlyn Card Beckles***Executive Director & Assistant General Counsel**Intellectual Property & Technology***JPMORGAN CHASE BANK, NA****Richard L. West***General Counsel***PIPELINE TRADING SYSTEMS, LLC**5:00 *End of Day One*7:30 *Morning Breakfast*8:15 *Recap of Day One***8:30 Key Strategies to Employ When Dealing With Non-Practicing Entities**

Dealing with non-practicing entities, (NPEs), once a mere nuisance for many companies, has become an increasingly costly and time-consuming problem. While recent case law has supposedly made it more difficult for NPEs, companies are nevertheless still being targeted in record numbers. In this session, our panel will discuss successful strategies they have used to deal with patent trolls at their organizations. Specifically, you will learn about:

- Responding to "cease and desist" and "notice" letters
- Examining the pros and cons of joining a Patent Aggregation System
- Implementing an aggressive and strategic plan for confronting trolls
- Applying lessons learned from other industries when dealing with trolls

**Gary Bender***Head of Intellectual Asset Strategy & Management***VISA, INC.****Noreen Krall***Vice President & Chief IP Counsel***SUN MICROSYSTEMS, INC.**

### 9:30 **Maximizing the Value of Your IP Portfolio**

Out of the Industry Perspective!

The total cost of owning intellectual property can be staggering. In fact, it is estimated that the cost of owning a twenty-year patent can total \$100,000 – and this does not even include expenses associated with patent procurement or litigation. Given the costs associated with IP ownership, companies need to ensure that they are getting a healthy return on their investment. In this session, you'll learn key strategies to maximize value while keeping costs down, including:

- Utilizing open source networks to reduce research and development costs
- Monitoring your intellectual property to ensure your investment continues to make sense over time
- Licensing your patents to others to maximize revenue
- Reexamining the patent jurisdictions represented in your portfolio

#### **Brian Hinman**

*Vice President, Intellectual Property & Licensing*  
**VERIZON COMMUNICATIONS, INC.**

10:15 *Networking Break and Refreshments*

### 10:45 **Cost Containment Measures to Reduce Legal Expenses**

Corporations are always looking for ways to maximize resources and value while simultaneously improving quality. In this day and age, corporate legal departments, frequently viewed as “cost centers,” need to ensure that every dollar in their budget is being used resourcefully. In this presentation, you will learn key strategies for managing legal costs while maintaining quality legal work, including:

- Achieving better value from your outside counsel
- Utilizing alternative fee arrangements to cut outside legal costs
- Determining when to use outside counsel versus in-house staff
- Limiting the costs associated with electronic discovery

#### **Tanguy de Carbonnieres**

*Associate General Counsel*  
**FANNIE MAE**

#### **Barbara Kolsun**

*General Counsel*  
**STUART WEITZMAN**

### 11:45 **Damage Assessments: How to Make Them Work for You**

Out of the Industry Perspective!

Several recent rulings by federal courts have influenced both the value of patents and the manner in which damages are calculated in patent infringement cases. However, while the courts continue to focus on this issue, many companies still give scant attention to the issue of damages until far along in the litigation process. By properly assessing the value of a case at an earlier stage, though, companies can make more informed decisions about how to proceed. In this session, you will learn:

- Methodologies used for accurately assessing the value of a case
- Utilizing a cost-benefit analysis when determining whether to go to trial or settle
- Tools for determining damage estimates
- Effective cost management strategies when working with outside counsel

#### **David L. Marcus**

*Assistant General Counsel & Chief Patent Counsel*  
**COMCAST CABLE COMMUNICATIONS**

12:30 *Luncheon for Speakers and Delegates*

### 1:30 **Protecting Your Intellectual Property from Internal Threats**

In many cases, the biggest threat to a company's intellectual property is not from its competitors or rogue third parties, but rather from its own employees. Given that, companies must ensure that they are properly allocating their resources and taking the necessary precautions to guard against all threats. This session will cover the following:

- How real is the inside risk?
- Proactive measures companies can take to protect their intellectual property from their employees
- What are the legal issues involved when trying to mitigate your risks?
- Recommendations for handling the fallout when misuse is uncovered

#### **Orrie Dinstein**

*Chief Privacy Leader & Senior IP Counsel*  
**GE CAPITAL**

### 2:15 **Managing Your IP Litigation Risk through Indemnification Measures**

Indemnification clauses in high-technology contracts are among the most frequently and most intensely negotiated clauses. These clauses and the procedures and limits they establish are vital pieces of risk management. In this session, you will learn the details of negotiating and drafting IP indemnification clauses, where even small differences in language can have huge consequences. Specifically, the discussion will focus on:

- Current case law on indemnification clauses
- Key language to include when the IP at stake is a trade secret
- Key elements to include when patents are involved

#### **Joel Wolfson**

*Assistant General Counsel*  
**BANC OF AMERICAS SECURITIES, LLC**

3:00 *Networking Break and Refreshments*

### 3:30 **Identifying and Preventing Infringements of Your Business Method Patents**

With all the costs of patent ownership, it is of the utmost importance for companies to safeguard and prevent misuse of their business method patents. Yet, while prevention should be the goal, companies must also have a clear understanding of their options are when an infringement occurs. In this session, you will learn key techniques for protecting your patents, including:

- Identifying potential infringements of your business method patents
- Using a cost-benefit analysis to help determine what action to take against potential infringers
- Ensuring that your business method patents withstand an “obviousness” defense
- Overcoming a non-patentable subject matter defense
- Making a successful claim for willful infringement

#### **Moshe Malina**

*Chief Patent Counsel*  
*& General Counsel, Growth Ventures*  
**CITIGROUP**

#### 4:15 **Employing the Patent Reexamination Process as a Litigation Tool**

Out of the Industry Perspective!

The costs associated with patent litigation are at an all-time high, with the average case costing each side over one million dollars in legal expenses. As a result, more companies are beginning to utilize the patent reexamination process, both as a key litigation tool and as a way to cut back on expenses. In this session, you will learn:

- Current trends around the use of the patent reexamination process
- Under what circumstances should a patent reexamination be utilized?

- Determining at what point during the litigation process to file for reexamination
- Common issues that may arise during litigation when using the patent reexamination process
- How the doctrines of collateral estoppel and intervening rights have created challenges to attorneys utilizing the patent reexamination process

**Debbie K. Wright**

*Chief Counsel, Global IP, Open Innovation & Global Supply Chain*

**KRAFT FOODS**

5:00 *Conference Concludes*

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# FINNEGAN

Finnegan integrates business, science, and law to help companies protect their intellectual property, extract maximum value from IP assets, and reduce the risk of infringing the rights of others. From offices in the United States, Europe, and Asia, our more than 375 lawyers provide full-service IP coverage—patent, trademark, copyright, and trade secret law—in virtually every technology, industry, and product category. We are dedicated to advancing the ideas, discoveries, and innovations that drive businesses around the world. <http://www.finnegan.com/>

### Sponsorship Opportunities

Current sponsorship opportunities for the *Intellectual Property Protection for the Financial Services Industry* conference range from speaking to exhibiting at the event. All sponsorship opportunities are on a first come first serve basis. For information on sponsorship and exhibiting opportunities, please contact **Justin Sanders** at **1-800-646-9581** or [jsanders@globalmediadynamics.com](mailto:jsanders@globalmediadynamics.com)

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#### The Westin New York at Times Square

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**VENUE:**

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### YES! Please register me for Intellectual Property Protection for the Financial Services Industry

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