

Featuring Speakers From:

- Byrnes Keller Cromwell LLP
- Durie Tangri Page Lemley Roberts & Kent LLP
- K&L Gates LLP
- Keker & Van Nest LLP
- Microsoft Corporation
- Orrick, Herrington & Sutcliffe LLP
- Perkins Coie LLP
- T-Mobile USA Inc.
- University of Washington School of Law

Who Should Attend:

In-house and private attorneys, business executives, consultants and others interested in protecting and maximizing the value of their intellectual property

A One-Day Seminar on Strategies for Adapting to the

Defend Trade Secrets Act

Impact on business and litigation strategies

Live Webcast
and Home study
available!

November 7, 2016

Seattle, Washington

1201 Third Avenue Building, 49th Floor

Credits: WA 6.75 CLE (incl. 1 ethics) (call about others)

Quick when/where: 8:30 a.m., 1201 Third Avenue

Defend Trade Secrets Act Seminar

November 7, 2016 | Seattle, Washington
1201 Third Avenue Building, 49th Floor

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Monday, November 07, 2016

Defend Trade Secrets Act Seminar

8:00 Registration Opens

8:30 Introduction

Overview of the Defend Trade Secrets Act

Jeffrey C. Johnson, Esq., *Program Co-Chair*
K&L Gates LLP ~ Seattle, WA

Jerry A. Riedinger, Esq., *Program Co-Chair*
Perkins Coie LLP ~ Seattle, WA

9:00 What's Happened in the First Six Months?

Are plaintiffs filing in federal court? What are courts doing? What problems have popped up?

Nagendra (Nick) Setty, Esq.
Orrick, Herrington & Sutcliffe LLP ~ Seattle, WA

9:30 Remedies: The New Option of Ex Parte Seizure Orders

The addition of remedies not found in the Uniform Trade Secrets Act: Conditions for the grant of a seizure order; process for obtaining an order and required findings; necessary instructions for law enforcement; procedures for storing seized material

T. Andrew Culbert, Professor
University of Washington School of Law ~ Seattle, WA

10:15 Break

10:30 Adapting Litigation Strategies to the Provisions of the Act

Plaintiff's choice of venue: Ownership as a requirement for standing; tips for working through the pros and cons of federal court and coming to the best decision

Jeffrey C. Johnson, Esq., *Program Co-Chair*

Defense in federal court under the Act vs. defense in state court: What are the differences you need to consider?

Ragesh K. Tangri, Esq.
Durie Tangri Page Lemley Roberts & Kent LLP
San Francisco, CA

Case study to put differences into context: Specific issues arising in a high profile employment case and how the approach, and possibly the outcome, would have been different under the Act

Jeffrey R. Chanin, Esq.
Keker & Van Nest LLP ~ San Francisco, CA

12:15 Lunch (on your own)

1:30 Legal Ethics

Potential issues arising from adaptation of internal procedures to the new provisions of the Act and the conduct of litigation under the Act

John A. Tondini, Esq.
Byrnes Keller Cromwell LLP ~ Seattle, WA

2:30 Impacts on Confidentiality Agreements

Adapting to the new whistleblower provisions and required disclosure during litigation; provisions that necessitate changes to your standard Non-Disclosure Agreement (NDA)

Julie S. Lucht, Esq.
Perkins Coie LLP ~ Seattle, WA

3:15 Break

3:30 Wrap Up Panel Discussion: Adapting your Overall Business Strategy for Dealing with the New Trade Secrets Act

Anticipating and addressing the potential issues in hiring, joint ventures, and licensing transactions

James Pooley, Esq., *Moderator*
Orrick, Herrington & Sutcliffe LLP ~ Menlo Park, CA

David H. Green, Esq., *Assistant General Counsel*
Microsoft Corporation ~ Redmond, WA

Elana S. Matt, Esq.
T-Mobile USA Inc. ~ Bellevue, WA

5:00 Evaluations and Adjourn

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About the Seminar



What previous attendees have said:

"Excellent. High energy. Informative."

"The presentations were remarkably well prepared and well presented. This seminar was well planned and made great efforts at compiling information and presenting."

On May 11, 2016, President Obama signed into law the Defend Trade Secret Act (DTSA) creating, for the first time, a federal cause of action for the protection of trade secrets. This conference is a must attend program for anyone interested in these new federal protections. Our expert faculty of leading in-house and private attorneys and consultants from around the country will bring you up to date on all of the important aspects of the DTSA.

We will explore the latest cases brought under the DTSA, strategies for bringing such cases, guidance for complying with the nuances of the DTSA's requirements regarding contracts with employees and contractors, and a detailed explanation of the DTSA's grant of a right to obtain ex parte seizure orders.

This comprehensive conference will include a detailed examination of the pros and cons of trade secret litigation in federal court under the new DTSA as opposed to existing state law trade secret protections.

~ Program Co-Chairs: Jeffrey C. Johnson, Esq. of K&L Gates LLP and Jerry A. Riedinger, Esq. of Perkins Coie LLP



Jeffrey C. Johnson, *Program Co-Chair*, partner, K&L Gates LLP, focuses on trade secret, trademark, copyright and other areas of commercial litigation. He regularly advises clients on trade secret protection issues, and has led several internal corporate trade secret investigations both domestic and international.

Jerry A. Riedinger, *Program Co-Chair*, partner and firm-wide chair of the patent litigation practice at Perkins Coie LLP, focuses on patent infringement, trade secret litigation, and trademark and intellectual property litigation.

James Pooley, *Moderator*, senior counsel, Orrick, Herrington & Sutcliffe LLP, represents clients in preventing and resolving trade secret and patent disputes. His most recent book is *Secrets: Managing Information Assets in the Age of Cyberespionage*. The Senate Judiciary Committee relied on him for expert testimony and advice during consideration of the recently-passed Defend Trade Secrets Act.

Jeffrey R. Chanin, partner, Kecker & Van Nest LLP, focuses on intellectual property, commercial, and white collar criminal defense matters. He specializes in trade secret misappropriation, patent infringement, copyright, legal malpractice, and civil false claims matters, and in criminal cases ranging from money laundering to manslaughter.

T. Andrew Culbert, Professor at the University of Washington School of Law and partner with Perkins Coie LLP, guides technology companies through intellectual property matters. A former Associate General Counsel in Microsoft Corporation's Litigation Department, he was the head of Microsoft's worldwide intellectual property litigation docket.

David H. Green, Assistant General Counsel, Microsoft Corporation, advises on copyrights, trade secrets, publicity rights, competitive intelligence, and related licensing, marketing, and product development matters

applicable to Windows and Bing. Previously, he was an Associate General Counsel for Corbis Corporation, and the University of Washington, counseling on technology transfer and intellectual property.

Julie S. Lucht, partner in the Labor & Employment Practice, Perkins Coie LLP, counsels and defends clients in connection with issues and claims arising under WLAD, Title VII, ADEA, ADA, FMLA, GINA, FLSA, WARN, NLRA, USERRA, as well as drafting employee handbooks, separation and termination agreements, equal employment opportunity policies, sexual harassment policies, employee leave policies, reasonable accommodation policies and employment contracts.

Elana S. Matt, Director of Legal Affairs, T-Mobile USA, Inc., is primarily responsible for managing patent litigation and licensing matters for the company. She is also responsible for proactive risk management and providing general legal advice relating to all aspects of intellectual property, including patents, trademarks, copyrights, and trade secrets.

Nagendra (Nick) Setty, partner, Orrick, Herrington & Sutcliffe LLP, focuses on intellectual property litigation and counseling, including patent, trademark, trade secrets, and copyright cases, with a special focus on patent litigation.

Ragesh K. Tangri, partner, Durie Tangri LLP, represents clients in trade secret cases through all stages of litigation and in intellectual property matters, as well as in legal malpractice cases, contract claims, founder disputes, earn-out, post-merger matters, and other civil cases.

John A. Tondini, partner, Byrnes Keller Cromwell LLP, represents plaintiffs and defendants in state and federal litigation and counsels clients on trade practices, antitrust and consumer issues. He also represents lawyers in defense of professional malpractice lawsuits.

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Substitution & Cancellation:

You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Tuesday, November 1, 2016. After that time, we will credit your tuition toward attendance at another program or the purchase of a webcast or audio replay.

Seminar Location: The seminar will be held at the 1201 Third Avenue Building, 49th Floor at 1201 Third Avenue in Seattle, WA 98101. A special thanks to Perkins Coie LLP for graciously offering to host the seminar in their conference space.

Continuing Education Credits:

Live credits: This program qualifies for WA 6.75 CLE (incl. 1 ethics) credits. Upon request, we will apply for, or help you apply for, CLE credits in other states and other types of credits.

Time Shift Your Content: Webcast and audio replays, with course materials, are available for \$805. The course materials alone are available for \$100. Replays will be available within two weeks after the seminar or from the date we receive payment.

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Our Co-Chairs:



Jeffrey C. Johnson, Esq.
K&L Gates LLP



Jerry A. Riedinger, Esq.
Perkins Coie LLP

You Will Learn About:

- *Adapting to the Act*
- *What's happened in the first six months*
- *Remedies: The new option of ex parte seizure orders*
- *Adapting litigation strategies to the provisions of the Act*
- *The Act's impacts on confidentiality agreements*
- *Adapting your overall business strategy for dealing with the new trade secrets Act*
- *Legal ethics*

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