

Intellectual Property Practice Before the ITC: Overview and Current Trends

Developed with the KCMBA Patent/Trademark/Copyright Committee

Thursday, June 1, 2017 • 3:00 – 4:45 PM

KCMBA Conference Center

Credit: Missouri – 2.0 / Kansas – Pending

Cost: KCMBA Member - \$70 / Non-Member - \$110

DESCRIPTION

Section 337 (19 U.S.C. § 1337) is a trade statute that protects U.S. industries and the American public from a range of unfair acts relating to the importation of products into the United States. The statute is administered by the U.S. International Trade Commission (ITC), an independent, quasi-judicial executive branch agency.

Section 337 makes it unlawful, among other unfair acts, to import an article into the United States that infringes a valid and enforceable U.S. intellectual property right (IPR). A successful complainant is typically awarded an exclusion order blocking the importation of infringing goods. The ITC may also issue cease and desist orders, which prohibit respondents from distributing, advertising, or selling infringing articles in their U.S. inventory. These robust remedies, along with various other advantages of litigating before the ITC, have made Section 337 a powerful tool for U.S. IPR owners seeking to curtail unfair foreign competition.

This program will provide an overview of Section 337 and the ITC. In particular, the presenters will discuss the prima facie elements of a Section 337 violation, the inner-workings of the ITC, and current hot topics in Section 337 litigation. The presenters will also offer practical insights and suggestions for litigating before the ITC. The program is highly relevant to IP practitioners and is also applicable to international trade lawyers and commercial litigators.

SCHEDULE

2:45 PM	Check-in
3:00 PM	Overview of Section 337 and the U.S. International Trade Commission Beau Jackson, <i>Adduci, Mastriani & Schaumberg, LLP</i>
3:40 PM	Q&A
3:50 PM	Break
3:55 PM	Perspectives and Practice Tips on Litigating a Section 337 Case Panel Discussion Kyle Elliott, <i>Spencer Fane</i> Adam Seitz, <i>EriselP</i> John D. Garretson, <i>Shook, Hardy & Bacon L.L.P.</i> Larry Askew, <i>General Counsel of Sizewise Rentals, LLC</i> Moderator: Beau Jackson, <i>Adduci, Mastriani & Schaumberg, LLP</i>
4:45 PM	Adjourn to Networking Reception

*Course materials will be provided in electronic format only and are accessible with your laptop, tablet or other mobile device during the event. Final course materials will be sent via email when size permits and posted prior to the event at kcmba.org. **Parking will be validated at the event.** **On-site registrations are welcome; however, seating and/or meals cannot be guaranteed unless you pre-register.

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