



**SUFFOLK  
UNIVERSITY  
BOSTON**

## **AN OVERVIEW OF SECTION 337 INVESTIGATIONS BEFORE THE U.S. INTERNATIONAL TRADE COMMISSION**

Join us for an afternoon program introducing Section 337 and discussing developments in and finer points of Section 337 law and procedure. Learn how Section 337 can be utilized to remedy infringement of your IP assets and other unfair competition by imported products. A reception will follow the program.

**Presented at Suffolk University Law School by the**

**ITC TRIAL LAWYERS ASSOCIATION  
BOSTON PATENT LAW ASSOCIATION  
SUFFOLK UNIVERSITY LAW SCHOOL**

**Friday, April 13, 2018**

**Program 1:00 p.m. – 5:00 p.m.**

**Reception 5:00 p.m. – 7:00 p.m.**

***To Register:* <http://www.itctla.org/upcoming-events/event/34>**

Cost:	ITCTLA and BPLA members	\$100.00
	Non-members	\$125.00
	Law Students	Free (with registration online)

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**Agenda below**



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## AN OVERVIEW OF SECTION 337 INVESTIGATIONS AT THE U.S. INTERNATIONAL TRADE COMMISSION

APRIL 13, 2018  
SUFFOLK UNIVERSITY LAW SCHOOL  
Classroom 295

### AGENDA

1:00 pm – 1:10 pm Introduction

1:10 pm – 1:30 pm ITC Section 337 Basics

Speaker: David Nickel, Foster, Murphy, Altman & Nickel, PC, President, ITC TLA

1:35 pm – 2:20 pm Section 337 Best Practices

*This section addresses practical considerations when bringing and litigating Section 337 actions, and includes a report on the Feb. 2018 Sedona Conference Working Group Commentary on best practices, a discussion of the ITC's mediation program, and practice tips and pointers. As part of this presentation, Andrew Beverina, a senior investigative attorney from the ITC's Office of Unfair Import Investigations, will provide perspective from inside the agency on certain aspects of the Sedona best practices proposals, especially those directed to interactions with the ITC.*

Moderator: Spence Chubb, Law Office of T. Spence Chubb

Panelists: Jerry Cohen, JAMS and Burns & Levinson LLP  
Andrew Beverina, OUII, U.S. International Trade Commission

2:25 pm – 3:10 pm Recent Section 337 Developments

*Learn from experts about recent Section 337 developments involving the domestic industry requirement, remedies, and interplay with the AIA.*

Moderator: Ben Levi, Levi & Snotherly, PLLC

Panelists: Paul Goulet, Winston & Strawn  
Michael Kudravetz, Finnegan

3:10 pm – 3:25 pm Break



3:25 pm – 4:10 pm Exploring the Breadth of the ITC’s Jurisdiction

*The ITC is widely known as a forum for litigating patent infringement claims. Section 337, however, can be used to address a wide variety of unfair acts, including trade secret misappropriation, false advertising, trademarks, and those involving biotechnology products. This panel will explore the bounds of ITC’s jurisdiction and discuss how the ITC is uniquely positioned to address unfair acts in our global marketplace.*

Moderator: Maresa Frederick, Finnegan

Panelists: Jeremy Younkin, Foley Hoag LLP  
Stephen Smith, Cooley LLP  
Asha Allam, Adduci, Mastriani & Schaumberg, LLP  
Aarti Shah, Mintz Levin

4:15 pm – 5:00 pm Navigating Customs and Border Protection Enforcement of Intellectual Property Rights

*This panel will discuss U.S. Customs and Border Protection’s role in enforcing ITC exclusion orders at the border. It will cover border enforcement of exclusion orders, how CBP treats the introduction of new or re-designed products into the marketplace, CBP’s statutory and regulatory procedures for obtaining rulings on infringement of new and re-designed products, and CBP’s current practice of conducting inter partes proceedings to deal with these issues. Christopher Bullard, an attorney-advisor from the Intellectual Rights Branch, Office of Regulations and Rulings, U.S. Customs and Border Protection, will shed unique insights from CBP on these topics and will discuss best practices for interacting with CBP.*

Moderator: Jeffrey M. Telep, King & Spalding LLP

Panelists: Christopher Bullard, U.S. Customs and Border Protection  
Steven Anzalone, Winston & Strawn  
Barbara Murphy, Foster, Murphy, Altman & Nickel, PC

5:00 pm Closing remarks

5:00 pm – 7:00 pm Reception, First Floor Function Room (170)