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# Intellectual Property Law in China and Beyond

**September 22-23, 2005 • St. Regis Hotel • Shanghai**

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CLE International's annual "Doing Business in China" Conference is being held in China for the first time, with all of the topics exclusively dedicated to intellectual property. After you've spent two days with our distinguished faculty in Shanghai, you'll be surprised to learn how your IP strategy can be integrated into your global business plan and how enforcing IP in China can help you tremendously with your business growth.

Shanghai takes its place among the world's most booming urban areas. While the city epitomizes modern China, its history is one of its most intriguing features. Many buildings, constructed in various foreign styles, are well preserved in the Bund area.

A visit to the Old City is easily combined with a stop at Yuyuan Garden. Jade Buddha Temple is the most popular Buddhist temple in the city, drawing both worshippers and tourists. Shanghai is also a great destination for shoppers, and Nanjing Road is the best-known shopping street in China. Stand on a boat on the Huangpu River, enjoy a panoramic view of the city skyline, and find out why Shanghai enjoys international fame as the "Pearl of the Orient."

Source: Information taken from <http://www.travelchinaguide.com/cityguides/shanghai.htm>



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Conference Schedule and Speaker Biographies Inside



**Thursday, September 22**

**Friday, September 23**

- 8:30 Registration and Continental Breakfast
- 9:00 **Introduction and Welcoming Remarks**  
*Arthur Wineburg, Esq., Program Co-Chair*  
Akin Gump Strauss Hauer & Feld, Washington, DC, USA
- 9:15 **Intellectual Property Strategy Part I**  
Doing Business in China  
*Catherine Sun, Esq., Program Co-Chair*  
Weil Gotshal Manges, Shanghai, China
- 9:45 **Intellectual Property Strategy Part II**  
On a Global Scale  
*Sharon R. Barner, Esq.*  
Foley & Lardner, Chicago, IL, USA
- 10:15 Morning Break
- 10:30 **China's Patent Reform**  
Trends in Chinese Patent Legislation  
*Lulin Gao, PhD, Chairman*  
East IP Group, Beijing, China
- 11:00 **The Global Patent Crisis**  
Patent Reform-Sino-US Patent Relations  
*Bruce A. Lehman, Esq.*  
Akin Gump Strauss Hauer & Feld, Washington, DC, USA
- 11:30 **How Multinationals Work with the Chinese Government in Dealing with IP Issues**  
Key Business Considerations  
*Nongfan Zhu, Esq., Senior IP Counsel, Asia Pacific*  
General Electric, Shanghai, China
- 12:00 Q&A Panel  
Members of the Faculty
- 12:15 Lunch Break
- 1:45 **Licensing Among the United States, Mainland China and Taiwan**  
The Nuances of This Tripartite Relationship  
*Yitai Hu, Esq.*  
Akin Gump Strauss Hauer & Feld, Washington, DC, USA
- 2:15 **University Technology Transfer in China**  
The Importance of IP in Academia  
*Professor Bing Wang, Associate Dean*  
Tsinghua Law School, Beijing, China
- 2:45 **Patent Licensing to China**  
The Experiences of a Pharmaceutical Company with Operations in the United States, Hong Kong and the Mainland  
*Sam Lou, Chief Operating Officer*  
Crimson Pharmaceutical, Shanghai, China
- 3:15 Afternoon Break
- 3:30 **Cross-Border Technology Transfer**  
Maximizing the Benefits of Collaboration  
*Michael A. Epstein, Esq.*  
Weil Gotshal Manges, New York, NY, USA
- 4:00 **Patent Alliance in the Global Market**  
The Experience of a Japanese Company with Operations in All Three Countries  
*Hironori Seki, Esq., Manager, IP Division*  
Renesas, Tokyo, Japan
- 4:30 **The Motion Picture Industry in China**  
IP Pitfalls  
*Michael Ellis, Senior Vice President and Asia Pacific Regional Director*  
The Motion Picture Association, Hong Kong
- 5:00 Q&A Panel  
Members of the Faculty
- 5:15 Adjourn to Private Networking Reception

- 9:00 **Introduction**  
Recap of Day One and Introduction to Day Two  
*Catherine Sun, Esq., Program Co-Chair*
- 9:15 **International Trade Commission Proceedings**  
Defensive and Offensive Use  
*Arthur Wineburg, Esq., Program Co-Chair*
- 9:45 **Enforcing IP Rights in Multiple Jurisdictions**  
Key Strategies  
*Richard L. Thurston, Esq.*  
*Vice President and General Counsel*  
Taiwan Semiconductor Manufacturing Company, Taipei, Taiwan
- 10:15 Morning Break
- 10:30 **Comparative IP Litigation**  
Dialogue Between the Bench and the Profession  
*Moderator: Harold C. Wegner, Esq.*  
Foley & Lardner, Washington, DC, USA  
*The Honorable Judge Randall R. Rader, Circuit Judge*  
United States Court of Appeals for the Federal Circuit, Washington, DC, USA  
*The Honorable Judge Tong Wang, Chief Judge*  
Shanghai No. 1 Intermediate People's Court, IP (No. 5) Tribunal, China  
*Matthew D. Powers, Esq.*  
Weil Gotshal & Manges, Silicon Valley, CA, USA
- 11:45 Q&A Panel  
Members of the Faculty
- 12:00 Lunch Break
- 1:15 **Alternative Dispute Resolution**  
Creating Lasting Results Through Appropriate Options  
*Alex Montagu, Esq., General Counsel*  
Lipper, A Reuters Company, New York, NY, USA
- 1:35 **IP Crimes in China**  
Facets of Criminal Prosecution  
*Wenju Lu, Esq., Senior Research Fellow*  
IP Research Center, Shenzhen, China
- 1:55 **Pre-Suit Preliminary Injunctions in China**  
When Is Immediate Redress Appropriate?  
*The Honorable Judge Dan Zhu, Assistant Director*  
Shanghai High People's Court, IP (No. 3) Tribunal, China
- 2:15 Afternoon Break
- 2:30 **How to Deal with IP Cultural and Ethical Issues in China-Related Cross-Border Transactions and Enforcement**  
An Advanced Hypothetical Case Study  
*Moderator: William J. Calore, Esq.*  
*Assistant General Counsel*  
Reichhold, Research Triangle Park, NC, USA  
*Davis Wang, Esq., General Counsel*  
General Mills, Greater China, Shanghai, China  
*Lynn Eccleston, Esq.*  
The Eccleston Law Firm, Washington, DC, USA  
*Susan Brown, Esq.*  
Mayer, Brown, Rowe & Maw, Washington, DC, USA  
*Esther Lim, Esq.*  
Finnegan, Henderson, Farabow, Garrett & Dunner, Washington, DC, USA  
*Keith Witek, Esq., Assistant General Counsel*  
AMD, Austin, TX, USA  
*Alex Montagu, Esq., General Counsel*  
*Catherine Sun, Esq., Program Co-Chair*
- 4:45 Evaluations and Adjourn

**Note:** The course will be conducted in English.

**Intellectual Property Law  
in China & Beyond**

meet your **faculty**

<p><b>Program Co-Chairs</b></p> <p><b>Catherine Sun</b> has practiced intellectual property law for 12 years in the U.S., Hong Kong and mainland China. She focuses on complex IP litigation, technology transfer, licensing, portfolio management, strategic counseling and other cross-border transactions.</p> <p><b>Arthur Wineburg</b> has 30 years of experience protecting his clients' IP rights worldwide. He has tried patent, trade secrets and other IP and trade regulation disputes in federal courts and before the International Trade Commission.</p>	<p><b>Lulin Gao</b> has worked for many years in public office in IP protection in China. He is a Former Commissioner of the Chinese Intellectual Property Office and was a senior advisor to the WIPO.</p> <p><b>Yitai Hu</b> focuses on patent infringement, validity and enforceability, trade secret misappropriations and licensing disputes. He has represented clients in a wide array of areas.</p> <p><b>Bruce A. Lehman</b> advises clients on virtually all aspects of intellectual property law. He is the former Commissioner of the U.S. Patent Office, and also served as Assistant Secretary of Commerce.</p>	<p><b>Hironori Seki</b> has been focusing on IP issues for over 20 years. He is in charge of all IP licensing operations of Renesas, a joint venture company with Hitachi-Mitsubishi.</p> <p><b>Richard L. Thurston</b> is responsible for legal and intellectual property management at his company. He is well known for his global experience in commercial, technology and international law.</p> <p><b>Bing Wang</b> has extensive experience in the management, education and research of IP law. He has been responsible for the collaborations between Tsinghua University and industry for many years.</p>
<p><b>Sharon R. Barner</b> has 20 years' experience in all aspects of corporate and commercial matters. She has concentrated in IP and technology disputes, particularly patent infringement litigation.</p> <p><b>Susan Brown</b> has extensive experience in complex IP litigation, which includes preparing motions and briefs at both the trial and appellate levels and in the International Trade Commission.</p> <p><b>William J. Calore</b> is experienced in corporate matters, negotiating transactions and commercial agreements, litigation management, employment counseling, IP matters and government affairs.</p> <p><b>Lynn Eccleston</b> continues her practice from her previous partnership with Morgan Lewis. She has extensive experience in dealing with the complex aspects of patent law.</p> <p><b>Michael Ellis</b> focuses on the prevention of piracy in the motion picture industry. He has six years of experience with the Royal Hong Kong Police's Commercial Crime Bureau, where he specialized in transnational crimes and extradition requests.</p> <p><b>Michael A. Epstein</b> is nationally recognized in intellectual property law. He litigates and counsels corporations worldwide, and has litigated and resolved some of the most complex IP disputes.</p>	<p><b>Esther Lim</b> specializes in patent litigation in all technologies. She has lectured nationally and internationally on the procurement and enforcement of U.S. intellectual property rights.</p> <p><b>Sam Lou</b> has over 20 years of experience in pharmaceutical/biotechnology business management in the U.S. and China. He also has experience in the formulation and development of an anti-cancer drug.</p> <p><b>Wenju Lu</b> is an attorney and a Senior Research Fellow with the Intellectual Property Research Center in Shenzhen, China.</p> <p><b>Alex Montagu</b> is General Counsel to Lipper, a Reuters company. Lipper is a global leader in supplying mutual fund information, analytical tools, and commentary. Mr. Montagu is a member of ACCA's Intellectual Property Law Committee.</p> <p><b>Matthew D. Powers</b> tries patent and trade secret cases internationally. He was recently named "California Lawyer Attorney of the Year" in Intellectual Property by <i>California Lawyer</i> magazine.</p> <p><b>Randall R. Rader</b> has served on the U.S. Court of Appeals for the Federal Circuit since 1990. He has participated in 26 delegations to foreign countries. He authored <i>Patent Law</i>, a widely used casebook.</p>	<p><b>Davis Wang</b> is presently legal counsel to General Mills in the Asia-Pacific Region. He was previously in-house counsel with Microsoft in China and worked with a venture capital firm in Silicon Valley.</p> <p><b>Tong Wang</b> is the Chief Judge of Shanghai's No. 1 Intermediate People's Court IP (No. 5) Tribunal, which handles intellectual property issues.</p> <p><b>Harold C. Wegner</b> is a partner with his firm and continues his teaching affiliation with the George Washington University Law School. He was honored with the American Intellectual Property Law Association's President's Award for Outstanding Achievement.</p> <p><b>Keith Witek</b> focuses on business development, strategy, technology transactions, client counseling, patent cross-licensing, patent prosecution, opinion drafting and litigation support.</p> <p><b>Dan Zhu</b> is the Assistant Director of IP (No. 3) Tribunal of the Shanghai High People's Court, which is an appellate court that handles IP matters.</p> <p><b>Nongfan Zhu</b> is responsible for establishing and implementing IP protection strategies in the region and supporting business interests and operation needs.</p>

conference **information**

<p><b>Continuing Education Credit</b></p> <p><b>MCLE:</b> This Conference qualifies for a maximum of 14 hours of continuing legal education credit, including one hour of ethics. <b>CLE INTERNATIONAL</b> is an approved sponsor in all states having mandatory continuing legal education requirements.</p> <p>For accreditation in specific jurisdictions or disciplines, please contact Brian Fineberg at (800) 873-7130 or brian@cle.com.</p> <p><b>Registration</b></p> <p>Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or homestudy order to (800) 873-7130, fax the registration form to (303) 321-6320, register online at <a href="http://www.cle.com">www.cle.com</a>, or e-mail your registration to registrar@cle.com. Full payment is due at time of registration. Walk-in registrations will be subject to space availability. Please call <b>CLE INTERNATIONAL</b> at (800) 873-7130 if you require any special accommodations.</p> <p><b>Sponsorship Information</b></p> <p>Sponsorship and exhibition opportunities are still available. For more information, please contact Sarah Neenan, Marketing Coordinator, at (800) 873-7130 or sarah@cle.com.</p>	<p><b>Reserve Your Room and Get Your Required Visa Early</b></p> <p>The Conference will be held at the St. Regis Hotel, No. 889 Dong Fang Road, Shanghai, 200122, P.R. China. Make your reservation early to secure your space and get the best rate. For hotel information and to obtain your required Visa for entry into China, please contact JC Travel at (800) 227-3920 or <a href="http://www.jc-travel.com">www.jc-travel.com</a>.</p> <p><b>Tuition</b></p> <p>The tuition fee of \$995 per person includes attendance at all sessions, course materials, continental breakfasts, and coffee breaks. <b>CLE INTERNATIONAL</b> offers special rates for 501(c)(3) organizations, full-time judges and law students.</p> <p><b>Save When Two or More Register</b></p> <p>Save \$200 or more with our multiple registrant discount! Tuition is only \$895 per person for two or more from the same firm.</p> <p><b>About CLE International</b></p> <p><b>CLE INTERNATIONAL</b>, a leading provider of continuing education, has been presenting high-quality professional education programs nationwide since 1983.</p> <p><b>CLE International Managing Program Attorney:</b> <b>Heidi A. Ray, <a href="mailto:heidi@cle.com">heidi@cle.com</a>.</b></p>	<p><b>Course Materials</b></p> <p>Each registrant will receive a set of materials prepared by the speakers specifically for this Conference, which will serve as a valuable future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.</p> <p><b>Homestudy Package</b></p> <p><b>CLE INTERNATIONAL</b> also offers a complete audio transcript of the Conference (including all course materials) for \$995 plus \$10 shipping and handling. This package may qualify for homestudy credit.</p> <p><b>Cancellation</b></p> <p>Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Friday preceding the Conference. Substitutions may be made at any time.</p> <p><b>Optional Full-Day Bus Tour of Shanghai</b></p> <p>See the sights of Shanghai! On Saturday, September 24, join the full-day bus tour of Shanghai. The cost of the tour is \$120 and includes lunch, entrance into Yu Garden and Jade Buddha Temple, the Bund, Nanjing Road, East Pearl Tower and the Pudong New Area. If you would like to join the tour, or find out about additional tour options, please make arrangements through JC Travel at (800) 227-3920 or <a href="http://www.jc-travel.com">www.jc-travel.com</a>.</p>
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