

# ACPC

Association  
of Corporate  
Patent Counsel

## 2018 Winter Meeting of the Association of Corporate Patent Counsel

January 21-24, 2018  
La Quinta Resort & Club  
Palm Springs, CA



# ACPC

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# ACPC

2017/2018

## EXECUTIVE COMMITTEE

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### OFFICERS:

President, Karen Borrelli, Newell Brands (former)  
Vice President, Darryl Frickey, The Dow Chemical Company  
Secretary, Krish Gupta, Dell  
Treasurer, Kevin Rhodes, 3M

### AT-LARGE MEMBERS:

Douglas Norman, Eli Lilly and Company (Past President)  
Glenn Edwards, Ingersoll Rand  
Tim Loomis, Qualcomm  
Kelsey Milman, Caterpillar, Inc.  
Cheryl Tubach, J.M. Huber Corporation  
Bernie Zidar, McKesson Corp.

# ACPC

Dear January 2018 ACPC Meeting Attendees:

We are happy that you have registered to attend the ACPC's Winter Meeting in Palm Springs, CA. The line-up of speakers and social activities planned will make for a fantastic meeting.

Our professional program will include several interesting presentations covering IP Law Dept. Recruiting and Diversity, Patents: Creative Use of IP, Ethics, Proper Balance of Counsel, Damages and Complex Litigation, and Mentoring, Career Path Development and Retention. Of course, no ACPC program would be complete without the always informative IP Operations presentations from our members.

ACPC is honored to welcome Michelle Lee, Former Under Secretary of Commerce and Director of USPTO and Sue Robinson, United States District Court Judge for the District of Delaware (retired), as our VIP speakers for our Winter Meeting.

The ACPC Women's Lunch will be held Monday afternoon and will begin with a special presentation by Michelle Lee, Former Under Secretary of Commerce and Director of USPTO. Back by popular demand, ACPC will hold two Benchmarking Sessions Tuesday afternoon that will build on the Damages and Complex Litigation, Law Dept. Recruiting and Diversity and Mentoring, and Career Path Development and Retention topics from the professional program.

Monday's organized activities include the Carl Horton Memorial Golf Tournament and a Hummer tour to Joshua Tree National Park. The golf tournament is generously sponsored by Schwegman Lundberg & Woessner. Those who signed up for the Hummer tour should prepare for an exciting off-road adventure! Tuesday's activities include a tequila tasting and cooking demo presented by La Quinta's culinary staff, and Open Golf, on the Mountain Course at La Quinta. I highly encourage you to register for an activity and experience all that Palm Springs has to offer. For those who are not participating in one of the organized activities, I hope you'll take advantage of the hotel's great location and enjoy a meal at one of La Quinta's seven restaurants.

On Tuesday evening, ACPC is holding an off-site reception and dinner at Jackalope Ranch in Palm Springs. Here you will enjoy a delicious barbeque dinner and live music by Dakota Duo. After the dinner, please join us for an after dinner reception at La Quinta, generously sponsored by Cantor Colburn LLP.

Our meetings provide an opportunity for you to meet and get to know your peers. It is probably our most important member benefit! Please keep a look out for new ACPC members who will be wearing red ribbons.

As always, please don't hesitate to reach out to me or any member of ACPC's Executive Committee with your thoughts and ideas about future programs.

Warm Regards,



Karen Borrelli  
ACPC President

**PROFESSIONAL PROGRAM**

January 21-24, 2018

La Quinta Resort & Club

**Monday 1/22**

- 8:00-8:15      **Opening Remarks**  
*Karen Borrelli, ACPC President*
- 8:15-9:15      **IP Law Dept. Recruiting and Diversity**  
*Debbie Segers, FIS*  
*Krish Gupta, Dell Technologies*  
*Diane Lettelleir, JCPenney*  
*Michelle Lee, Former Under Secretary of Commerce and Director of USPTO (speaker/moderator)*
- 9:15-10:30     **Patents: Creative Use of IP**  
*Boris Tekler, Conversant*  
*Jeff Risher, Tesla Inc.*  
*Tom Mavrakakis, ServiceNow*  
*Lew Zaretski, Hamilton IPV (speaker/moderator)*
- 10:30-10:45    **Break**
- 10:45-11:30    **IP Operations**  
*Michael W. Mihm, Deere & Company*
- 

**Tuesday 1/23**

- 8:00-8:15      **ACPC Business Update**  
*Karen Borrelli, ACPC President*
- 8:15-9:15      **Ethics in 2018—Understanding the Behavior as Well as the Rules**  
*Bernie Knight, McDermott Will & Emery*  
*John Cheek, Tenneco Inc. (speaker/moderator)*
- 9:15-10:30     **Proper Balance of Counsel**  
*Joe Benz, President and COO of Ford Global Technologies*  
*Robert Deberardine, Johnson & Johnson*  
*Gauri Dhavan, Zoll Medical*  
*Mike Lee, Google LLC*  
*Marc Adler, Buchanan Ingersoll & Rooney (speaker/moderator)*
- 10:30-10:45    **Break**
- 10:45-11:30    **VIP Presentation**  
*Sue Robinson, United States District Court Judge for the District of Delaware (retired)*  
*Karen Borrelli, ACPC President (speaker/moderator)*



**Wednesday 1/24**

- 7:55-8:00     **Opening Remarks**  
*Karen Borrelli, ACPC President*
- 8:00-9:00     **Damages and Complex Litigation**  
*Dan McDonald, Merchant & Gould*  
*Chris McLaughlin, Rudolph Technologies, Inc.*  
*Neel Chatterjee, Goodwin Proctor*  
*Cheryl J Tubach, J.M. Huber Corporation (speaker/moderator)*
- 9:00-10:00    **Mentoring, Career Path Development and Retention**  
*Joseph Reagen, Chief IP Counsel of Baxter Healthcare*  
*Dr. Stan Beecham, Leadership Resource Center*  
*Bernie Zidar, McKesson Corp. (speaker/moderator)*
- 10:00-10:15   **Break**
- 10:15-11:00   **IP Operations**  
*Brandon Boss, Gilead Sciences, Inc.*



## Activities Program

La Quinta Resort & Club  
January 21-24, 2018



### Sunday, January 21, 2018

3:00 pm – 5:00 pm

Executive Committee Meeting – *Grgich Room*

3:00 pm – 6:30 pm

Registration – *Grgich Patio (near the lobby)*

6:30 pm – 8:30 pm

Welcome Reception – *Main Lawn*

### Monday, January 22, 2018

7:00 am – 9:00 am

Continental Breakfast – *Adobe Grill*

7:30 am – 12:00 pm

CLE Registration – *Fiesta Foyer*

8:00 am – 11:30 am

Professional Program – *Fiesta 3,4,6*

11:30 am – 1:00 pm

Women's Networking Lunch – *Diego Rivera Room*

12:18 pm – 5:00 pm

Optional Activity: Carl Horton Memorial Golf Tournament – *Dunes Course at La Quinta*

1:30 pm – 6:00 pm

Optional Activity: Off-road Hummer Tour to Joshua Tree National Park – *Outside of main lobby*

7:00 pm – 9:00 pm

IPO Reception – *La Casa Courtyard*

### Tuesday, January 23, 2018

7:00 am – 9:00 am

Continental Breakfast – *Adobe Grill*

7:30 am – 12:00 pm

CLE Registration – *Fiesta Foyer*

8:00 am – 11:30 am

Professional Program – *Fiesta 3,4,6*

1:15 pm – 3:15 pm

Benchmarking Sessions – *Fiesta 3 & 4*

3:30 pm – 5:30 pm

Optional Activity: Tennis – *La Quinta Courts*

6:00 pm – 7:30 pm

Offsite Cocktail Reception – *Jackalope Ranch (transportation pickup at 5:45pm outside main lobby)*

7:30 pm – 9:30 pm

Offsite Dinner – *Jackalope Ranch (transportation pickup at 9:30pm outside of restaurant)*

9:30 pm – 11:00 pm

After Dinner Reception – *Twenty6 (located at La Quinta)*

### Wednesday, January 24, 2018

7:00 am – 9:00 am

Continental Breakfast – *Adobe Grill*

7:30 am – 12:00 pm

CLE Registration – *Fiesta Foyer*

8:00 am – 11:00 am

Professional Program – *Fiesta 3,4,6*

*ACPC thanks our generous sponsors!*

Carl Horton Golf Tournament:



Tuesday After Dinner Reception



Cantor Colburn LLP

2018 Winter Meeting

Presentation Summaries  
and Objectives



# ACPCC

**Date:** Monday, January 22nd

**Time:** 8:15am -- 9:15am

**Title:** IP Law Dept. Recruiting and Diversity

**Speakers:**

- Michelle K. Lee, Stanford Law School Visiting Professor
- Debbie Segers, FIS
- Krish Gupta, Dell Technologies
- Diane Lettelleir, JC Penney
- Michelle Lee, Former Under Secretary of Commerce and Director of USPTO (speaker/moderator)

**Summary:** This panel will explore the current numbers on diversity in the legal profession (including in-house and law firms) and what IP departments can do to improve recruiting and diversity in corporate legal departments as well as law firms.

**Learning Objectives:**

1. How legal departments can encourage diversity from outside counsel
  2. How legal departments can promote legal diversity within their own departments
  3. How to recruit diverse teams
  4. How to retain diverse teams
- 

**Date:** Monday, January 22nd

**Time:** 9:15am -- 10:30am

**Title:** Patents: Creative Use of IP

**Speakers:**

- Boris Teksler, McDermott Will & Emery
- Jeff Risher, Tesla Inc.
- Tom Mavrakakis, ServiceNow
- Lew Zaretski, Hamilton IPV (speaker/moderator)

**Summary:** Many firms focus their patent operations around patent development, patent assertion, or defense against patent assertions. While all of these are important functions, they are also much discussed. We aim to discuss other approaches by which an operating company's patent organization can create value within the greater corporation.

**Learning Objectives:**

1. Discuss potential options for creating value from patent portfolios going beyond ordinary patent monetization and defense against patent assertions/ litigation
2. Discuss case studies depicting the use of such options in real situations in order to understand whether such options could be appropriate and productive in each audience member's company.
3. Discuss the rising pressure from CFOs and the like to justify corporate investment in the patent function, and to show a "return on investment" to the corporation

# ACPC

**Date:** Monday, January 22nd

**Time:** 10:45am -- 11:30am

**Title:** IP Operations

**Speaker:**

- Michael W. Mihm, Deere & Company

**Summary:**

- Overview of Deere business operations
- Overview of Deere IP Law function
- Department organization, location, personnel
- Important IP metrics at Deere (no. of filings, in which countries, etc.)
- IT systems used, pros and cons
- Quality initiatives within the IP department at Deere
- Recent challenges: cost containment
- Patent strategy process at Deere

**Learning Objectives:**

1. Discussion of how to measure quality in the writing of patent applications
  2. Discussion of various options for responding to corporate directives to contain costs regarding management of an IP law department
  3. Benchmarking of best practices within a corporate IP law department
- 

**Date:** Tuesday, January 23rd

**Time:** 8:15am -- 9:15am

**Title:** Ethics in 2018—Understanding the Behavior as Well as the Rules

**Speakers:**

- Bernie Knight, McDermott Will & Emery
- John Cheek, Tenneco Inc. (speaker/moderator)

**Summary:** Ethics in 2018 includes more than just memorizing the rules. A strong dose of emotional intelligence and strong core values helps to avoid unintended ethics violations. We will review the OED ethics rules and how they were modified in 2012. The discussion will include a review of disciplinary ethics proceedings and how they are instituted. The importance of both emotional intelligence and strong core values to ethical decision making will be analyzed along with examples of ethics violations and actual cases. The role that emotional intelligence plays in lawyering and ethical decision making will be covered. Finally, we will look at implicit bias and how a strong sense of social responsibility motivates managers to consider implicit bias in their employment decisions.

**Learning Objectives:**

1. OED ethics rules and the procedures for initiating the filing of a complaint
2. How emotional intelligence plays a role in ethical behavior
3. Managers have a social responsibility to take steps to try to mitigate implicit bias

# ACPCC

**Date:** Tuesday, January 23rd

**Time:** 9:15am --10:30am

**Title:** Proper Balance of Counsel: In-House and Outside Patent Counsel

**Speakers:**

- Joe Benz, Ford Global Technologies
- Robert Deberadine, Johnson & Johnson
- Gauri Dhavan, Zoll Medical
- Mike Lee, Google
- Marc Adler, Buchanan Ingersoll & Rooney (speaker/moderator)

**Summary:** Chief Patent counsel from 4 companies from different industry sectors explore the issues facing how to best provide legal support using both in-house and outside patent counsel. Questions explored include: What is each company's current overall balance between inside and outside counsel? What skill sets and responsibilities do each provide, how did each get to the current balance? How do they know and measure whether the current balance is appropriate and why and how do they make changes to the balance?

**Learning Objectives:**

1. How does a company's industry sector, budget, headcount, skill sets and responsibilities of in-house and outside patent counsel affect the balance of inside and outside counsel
  2. How does a company's business strategy determine its use of in house and outside counsel
  3. How does a company make changes to its balance and measure whether it is achieving its objectives
- 

**Date:** Tuesday, January 23rd

**Time:** 10:45am -- 11:30am

**Title:** Fireside Chat: 25 Years on the Bench

**Speaker:** Honorable Sue L. Robinson

**Summary:** Managing patent cases, then and now; especially in light of changes in the law

**Learning Objectives:**

1. A 25 year perspective on patent litigation
2. Transition from public to private sector
3. Challenges facing the patent system going forward

# ACPC

**Date:** Wednesday, January 24th

**Time:** 8:00am -- 9:00am

**Title:** Damages and Complex Litigation

**Speakers:**

- Dan McDonald, Merchant & Gould
- Chris McLaughlin, Rudolph Technologies, Inc.
- Neel Chatterjee, Goodwin Procter
- Cheryl J. Tubach, J.M. Huber Corporation (speaker/moderator)

**Summary:** The speakers will address recent developments in addressing damages issues in complex litigation, including global litigation alternatives and counsel selection, trends toward earlier damages disclosure requirements including new local rules requirements, the benefits of early damages assessments, how to assess damages before discovery, and the scope of recoverable damages when U.S. patent infringement involves imports or exports.

**Learning Objectives:**

1. Learn about the early damages disclosures required by more courts in patent cases, and the consequences of inadequate disclosures
2. Learn how to meet early damages disclosure requirements, and use them for strategic advantage
3. Learn about recent developments regarding the scope of damages available for U.S. - based infringement that has economic impact outside the U.S., such as imports and exports

**Date:** Wednesday, January 24th

**Time:** 9:00am -- 10:00am

**Title:** Mentoring, Career Path Development and Retention

**Speakers:**

- Joseph Reagen, Chief IP Counsel of Baxter Healthcare
- Dr. Stan Beecham, Leadership Resource Center
- Bernie Zidar, McKesson Corp. (speaker/moderator)

**Summary:** Dr. Beecham will discuss the right mindset from which to judge performance and development expectations, and the importance of modeling self-development to teams. The panel will address best practices in conducting difficult reviews and performance evaluations, career path discussions, and successful approaches to retaining key employees.

**Learning Objectives:**

1. Clarifying your development mindset
2. Best practices in mentorship, retention approaches and career development for team leaders
3. Best practices in approaching and successfully conducting tough performance discussions

# ACPC

**Date:** Wednesday, January 24th

**Time:** 10:15am --11:00am

**Title:** IP Operations

**Speaker:**

- Brandon Boss, Gilead Sciences, Inc.

**Summary:**

- Overview of Gilead
- Overview of corporate structure
- Department organization, location, personnel
- IP metrics
- IT systems used
- Recent challenges: growth

**Learning Objectives:**

1. Discussion about business support

2018 Winter Meeting

# Speaker Biographies

## Speaker Information for Monday, January 22 (in order of appearance)

### **Krish Gupta, *Senior Vice President* – Dell Technologies**



Krish Gupta is Senior Vice President, Intellectual Property and Litigation, for Dell Technologies. Krish leads the litigation and intellectual property teams with worldwide responsibility for managing and resolving business and intellectual property litigation and disputes, providing legal support for and developing the company's policies for patents, trademarks and copyrights, open source and standards, building and managing the patent, trademark and domain portfolios, intellectual property licensing, and driving patent and IP policy efforts.

Krish is a member of the board of directors of the Intellectual Property Owners Association (IPO), a trade association for owners of patents, trademarks, copyrights and trade secrets, and the Northeast Chapter of the Association of Corporate Counsel, a global legal association that promotes the common professional and business interests of in-house counsel who work for corporations, associations and other private-sector organizations. Krish is a member of the executive committee of the Association of Corporate Patent Counsel (ACPC), a membership association of Chief Intellectual Property Counsel of businesses operating in the United States and a member of the board of the Acton Boxborough United Way. Krish is frequently asked to speak at legal events and forums throughout the U.S. In addition, he has also testified before congressional committees on patent reform legislation three times within the past few years.

Krish holds an MS degree in Electrical Engineering from Clemson University and a JD from Suffolk University Law School.

### **Michelle Lee – *Former Under Secretary of Commerce and Director of USPTO***



The Honorable Michelle K. Lee is the most recent former Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (USPTO). In this role, she led one of the largest intellectual property offices in the world with 13,000 people and an annual budget of \$3.4 billion. Ms. Lee was also the principal advisor to the President, through the Secretary of Commerce, on domestic and international intellectual property policy. Ms. Lee is the first woman to serve as Director of the USPTO in the country's 220+ year history, and is an advocate for women and girls in science, technology, engineering, math and computers.

Prior to the USPTO, Ms. Lee served as Deputy General Counsel at Google and partner at Fenwick & West. Ms. Lee worked as a computer scientist at Hewlett-Packard Research Laboratories, as well as at the MIT Artificial Intelligence Laboratory.

With her experience in Silicon Valley and Washington, D.C., Ms. Lee has experience advising high-growth, innovative companies with disruptive technologies and business models, particularly those with a need to navigate and shape complex legal and highly regulated landscapes. She currently serves as the Herman Phleger Visiting Professor at Law at Stanford Law School where she teaches a joint engineering and law course on disruptive technologies and their impact on laws and regulations as well as a course on intellectual property law.

She holds a B.S. and an M.S. in electrical engineering and computer science from MIT, as well as a J.D. from Stanford Law School, and wrote her graduate thesis on artificial intelligence at the M.I.T. AI Lab. Ms. Lee clerked on the U.S. District Court for the Northern District of California and the U.S. Court of Appeals for the Federal Circuit.

### **Diane Lettelleir, *Senior Managing Counsel* – JCPenney**



Senior Managing Counsel for J. C. Penney Corporation, Inc., is responsible for all patent litigation involving the company. Since joining JCPenney, Diane has handled more than 50 patent disputes. Diane joined JCPenney in 2010 after more than 25 years in private practice focused on intellectual property litigation and portfolio management. While in private practice, Diane represented clients that were patent owners asserting patents against competitors, as well as clients accused of infringement.

### **Debbie Segers, *Deputy General Counsel, Chief Intellectual Property Counsel* – FIS**



Ms. Segers is Deputy General Counsel, Chief Intellectual Property Counsel at FIS, a global leader in financial services technology. Her practice focuses on all aspects of intellectual property protection and issues for the company, including copyright, patent and trademark matters, intellectual property litigation, licensing, acquisitions, transactions and agreements. Prior to FIS, Ms. Segers led the Intellectual Property sections for Arizona Chemical Company, Sabre, Travelocity, and American Airlines.



### Tom Mavrakakis, *Patent Litigator – ServiceNow*



Tom Mavrakakis is a patent litigator with experience in a wide variety of technology areas including mobile devices and gene targeting.

Tom also focuses his practice on pre-litigation analysis for patent assertions and licensing as well as the analysis of patent portfolios for potential acquisition. He counsels clients on many types of patent-related matters, including patent portfolio development strategy, patent assertions, acquisitions and other pre-litigation strategy. He is adept at performing due diligence on the intellectual property aspects in the corporate acquisition context.

Tom brings a unique perspective to his practice, having worked as Director of Patent Strategy for Apple Inc. during the rollout of the first generation iPhone. There, he managed pre-litigation analysis and conflict resolution for patent assertions, negotiated licenses, managed patent infringement cases, and analyzed patent portfolios for potential acquisition. He was also involved with patent mediations and managed some patent prosecution matters, including those involving patent reexamination and reissue proceedings.

Prior to his work at Apple, Tom was a partner at Howrey Simon Arnold & White, where he managed and participated in patent and trade secret litigations on behalf of both plaintiff and defendant corporations.

### Jeff Risher, *Deputy General Counsel & Chief IP Counsel - Tesla Inc.*



Jeff Risher is currently Deputy General Counsel & Chief IP Counsel at Tesla, Inc. Before joining Tesla, Jeff held various senior IP and litigation roles at Apple Inc., including Director of Patent Strategy & Licensing, Director of Patent Litigation, and Director of Commercial Litigation. He also previously served as IP Litigation Counsel for Abbott Laboratories. Before his in-house career, Jeff was a litigator at Latham & Watkins and at Rutan & Tucker, both in Orange County, CA. He received a B.A. from Dartmouth College and a J.D. from UCLA.

### Boris Teksler, *President and CEO – Conversant*



Mr. Boris Teksler has been Chief Executive Officer and President of Conversant Intellectual Property Management Inc. since December 19, 2016. Mr. Teksler served as Chief Executive Officer and President of Great Elm Capital Group, Inc. (also known as Unwired Planet, Inc.) since June 01, 2015 until July 5, 2016. Mr. Teksler served as a Senior Executive Vice-President of Technology at Technicolor SA and served as its President of The Technology Business Group until January 2015. Mr. Teksler served as Head of Technology Business Segment at Technicolor SA since June 17, 2013. Mr. Teksler spent four years at Apple as head of Patent Licensing & Strategy. Prior to Apple, he spent 16 years at Hewlett-Packard, as a co-founder of Hewlett-Packard Company's Intellectual Property Licensing Business. During his career at HP, Mr. Teksler served several roles in senior management and research and development including General Manager of Mobility and Access Solutions. He also served a variety of senior management roles in research & development, marketing and general management. As a 24-year veteran of Silicon Valley with a career spanning research, product development and intellectual property commercialization. He has acquired extensive experience in commercializing technologies and Intellectual Property. He has been a Director at Conversant Intellectual Property Management Inc. since December 19, 2016. He served as a Director of Great Elm Capital Group, Inc. since June 01, 2015 until December 21, 2016. He holds a degree in Computer Science from the University of California, Davis.

### Lew Zaretzki, *Managing Director – Hamilton IPV*



Lew leads Hamilton IPV's strategy consulting services to major technology companies and investors, from mobile and semiconductor leaders to the world's finest private equity, hedge funds and sovereign wealth funds. For technology companies, Lew develops corporate, IP, transaction/ dispute strategies, and valuation. For investors, Lew focuses on buy and sell-side IP due diligence and transaction execution for major M&A transactions and financial investments, as well as the valuation and evaluation of IP transactions including licenses, acquisitions and divestitures. In this capacity, Lew has been honored to be a member of the IAM 300 Top IP Strategists each year since its inception in 2009.

Prior to establishing Hamilton IPV, Lew served as EVP of Advisory Services for ThinkFire, an IP industry boutique, and as a principal in Regis McKenna's strategy consulting firm where he led marketing strategy development for high tech clients and investment due diligence for private equity and venture capital funds. Before that, Lew served as a management consultant in PriceWaterhouseCoopers' Telecom Strategy practice and Andersen Consulting's Technology practice. Lew has appeared and been cited in leading business publications and academic journals such as the Wall Street Journal and University of Chicago Law Review, and published a number of studies of the mobile licensing industry and also of the patent transaction market. Lew holds an MBA from Duke University's Fuqua School of Business and a B.A. in Economics from University of Michigan.

**Michael Mihm, *Associate General Counsel*— Deere & Company**



Mike Mihm is Associate General Counsel, Intellectual Property, at Deere & Company. In his 28 years with Deere, Mike has worked on a wide array of IP issues, including patent application drafting, portfolio maintenance, patent clearances, patent litigation, trademark prosecution and clearances, trademark litigation, IP agreement work, IP strategy, copyright and trade secret issues, and open source software matters. Mike has rendered IP advice to all levels of the company. IP professionals in five offices across the globe currently report to Mike in his role as head of the IP law function at Deere & Company. He received a Bachelor of Science degree in civil engineering from Marquette University, a law degree from Northern Illinois University College of Law, and a Masters of Business Administration from Saint Ambrose University. He remains active in pro bono by serving as a judge for the Youth Services Bureau Peer Justice program, and by serving as a mediator of civil rights complaints for local Civil Rights Commissions.

**Speaker Information for Tuesday, January 23 (in order of appearance)**

**Bernie Knight, *Partner & Senior Counsel* – McDermott Will & Emery**



Bernard (Bernie) J. Knight, Jr.: Bernie is a lawyer, licensed professional counselor and certified coach. Bernie has a counseling/coaching practice and provides ethics, career and wellness coaching to corporate executives and legal teams. Recently, he was a partner and senior counsel at McDermott Will & Emery specializing in complex patent litigation. Bernie served as General Counsel at the USPTO from 2010 to 2013. In this role, he supervised litigation on intellectual property cases before the United States Supreme Court and provided oversight on patent and trademark cases before numerous Federal courts. Additionally, he served as Acting General Counsel of the U.S. Department of Treasury leading the Treasury legal team during the Administration's financial markets crisis response efforts, and as Deputy General Counsel at the

USPTO from 2001 to 2006. As a result of his accomplishments, Mr. Knight was named an "Intellectual Property Trailblazer" by the National Law Journal.

**John Cheek, *Chief IP Counsel* – Tenneco Inc.**



John Cheek is Chief IP Counsel for Fortune 500 technology and manufacturing leader Tenneco Inc. (NYSE: TEN), one of the world's leading designers, manufacturers and distributors of clean air and ride performance products and systems for the automotive, commercial truck and off-highway markets and the aftermarket. Prior to joining Tenneco in 2017, Mr. Cheek was Senior Corporate Counsel/Managing Attorney with Caterpillar Inc., the world's leading manufacturer of construction and mining equipment, diesel and natural gas engines, locomotives, and industrial gas turbines, where he served in leadership roles in the United States and Europe. Mr. Cheek is also an active supporter of civil legal aid, most recently serving as Vice President of Prairie State Legal Services. Prior to joining Caterpillar in 1997, Mr. Cheek was in private practice in Dayton, Ohio. Mr. Cheek received an undergraduate degree in Mathematics and Economics from Wabash College and completed

additional undergraduate studies in Physics and Mechanical Engineering at the University of Dayton and Bradley University. He also received a Juris Doctor from the University of Dayton and a Masters of Business Administration from the University of Chicago's Booth School of Business. He is a regular lecturer on intellectual property strategy and management at the Kellogg School of Management at Northwestern University.

**Marc Adler, *Of Counsel* – Buchanan Ingersoll & Rooney**



Marc Adler is currently Of Counsel to the firm of Buchanan Ingersoll & Rooney. He was the Chief Intellectual Property and Associate General Counsel of Rohm and Haas Company where he was employed for 28 years until his retirement in 2008. From 2008 to 2017 Marc had his own intellectual property strategy consulting practice focusing on intellectual property strategies and management consulting to large, medium and start-up companies

While at Rohm and Haas, Marc was responsible for all intellectual property matters including managing a group of 25 attorneys and agents in the US, Europe, Japan and China, and the development and execution of the company's global intellectual property strategies, patent preparation and prosecution, licensing and litigation.

He is past President of the Intellectual Property Owners Association, and Association of Corporate Patent Counsel. He is currently on the Board of the Intellectual Property Owners Educational Foundation .

Marc received his BS ChE from the City College of New York, his MS ChE from the University of Florida, and his law degree (JD) from St. John's University in New York. He started his professional career as a chemical engineer before becoming an associate with a patent law firm in New York City in 1982.

**Joe Benz, *President and COO* – Ford Global Technologies, LLC**



Joe Benz is the President & COO at Ford Global Technologies, LLC. Ford Global Technologies owns, manages and commercializes patents and copyrights for Ford Motors. Based in Dearborn, Michigan, Ford Global Technologies was incorporated in 2002 and operates as a subsidiary of Ford Motor Company.

**Robert Deberardine, *Vice President, Chief Intellectual Property Counsel* – Johnson & Johnson**



Robert DeBerardine is Worldwide Vice President, Chief Intellectual Property Counsel of Johnson & Johnson where he manages a group of about 270 IP professionals, of whom about 110 are patent and trademark attorneys.

Before joining Johnson & Johnson, Robert was Chief Intellectual Property Counsel for Sanofi. Prior to Sanofi, Robert served as Chief Intellectual Property Counsel for Abbott Laboratories. Prior to working in-house, Robert practiced at two international law firms where he handled transactional intellectual property matters and intellectual property litigation.

Robert has a BS in Chemical Engineering from Lafayette College and a JD from Cornell University.

**Gauri Dhavan, *Chief Intellectual Property Counsel* – Zoll Medical**



Gauri Dhavan, Ph.D., J.D., is Chief Intellectual Property Counsel at ZOLL Medical Corporation, a company offering and developing novel medical devices and software solutions in the resuscitation and acute critical care fields. Gauri leads ZOLL's IP team in managing all aspects of ZOLL's intellectual property, including patent portfolio development, charting IP strategy and policy, best practices, IP litigation and risk management. Before joining ZOLL, Gauri was a patent litigator in the Boston area at the law firms Goodwin Procter and Fish & Richardson, where her practice included patent litigation and post grant proceedings. Gauri has a J.D. from Boston College Law School and a Ph.D. in Biophysics and Biochemistry from Yale University.

**Mike Lee, *Head of Patents* – Google LLC**



Mike Lee is Head of Patents at Google LLC. He leads a global team responsible for Google's patent matters. Google's patent portfolio has received numerous accolades and has been recognized as one of the strongest portfolios in the world (U.S. Patent 100, IEEE Patent Power Rankings, and Thomson Reuters Global Innovator Award).

Prior to joining Google, Mike was a Senior Director, Intellectual Property at Cisco Systems, where he led a team that focused on patent licensing, patent purchases, IP policy, standards IPR, patent-related issues related to open source, patent pools, IP due diligence for mergers and acquisitions, and technology licensing for the Chief Technology Architecture Office. While at Cisco, Mike was appointed by the Secretary of Commerce and U.S. Trade Ambassador to serve on the Industry Trade Advisory Committee (ITAC) on Intellectual Property.

Before Cisco, Mike was at Yahoo! and in private practice focusing on patent litigation. He received a bachelor of science degree in materials science engineering from the University of California at Berkeley, and a law degree from The George Washington University Law School.

**Sue Robinson, *United States District Court Judge for the District of Delaware (retired)***



Judge Robinson is a partner at Farnan LLP where her practice focuses on complex commercial litigation, consulting in high stakes litigation, mock trials, and alternative dispute resolution.

Judge Robinson joined Farnan LLP after her 25-year tenure as a United States District Judge for the District of Delaware. She is the recipient of numerous awards and holds a number of distinctions, notably serving as the first woman Chief Judge for the District of Delaware and only the second woman appointed as a district judge in Delaware. She was selected to serve on several judicial committees of the U.S. Courts, including the Judicial Conference of the United States. She is also a member of the American Law Institute.

During her tenure on the bench, Judge Robinson presided over an extraordinary number of complex trials, including the billion dollar stent litigation, the trademark infringement litigation of Nexium, and numerous anti-trust cases, to name a few. Judge Robinson issued over 3,000 decisions as a United States District Judge. Prior to her appointment to the bench, Judge Robinson served as an Assistant United States Attorney and the United States Magistrate Judge for the District of Delaware.

**Karen Borrelli, *ACPC President & Former Chief Patent Counsel at Newell Brands***



Karen Borrelli is the former Chief Patent Counsel at Newell Brands and was responsible for patent prosecution and litigation strategies for brands such as Graco, Calphalon, Contigo, Waterman, Sharpie, Levolor, Rubbermaid, Yankee Candle, Oster, Rawlings, Marmot and Irwin Tools. Karen was also responsible for all patent due diligence for mergers, acquisitions and divestitures, including the acquisitions of Jarden Corp, Ignite, Elmer's, Bubba Brands and Baby Jogger and the divestitures of Levolor, Rubbermaid Medical and Irwin Tools. Ms. Borrelli has a background in domestic and international patent prosecution and litigation in the mechanical arts, specifically consumer products and medical devices. She began her law career in 1999 as a summer intern for the United States Court of Appeals for the Federal Circuit in Washington, DC and also

worked as an associate for the DC office of the law firms McKenna Long & Aldridge and the firm now known as K&L Gates. Prior to joining Newell Rubbermaid, she was Senior Patent Attorney for Ciba Vision, a Novartis Pharmaceuticals Company, in Atlanta. Ms. Borrelli received a Bachelor of Mechanical Engineering degree in 1998 from the Georgia Institute of Technology and her law degree from the Catholic University of America in Washington DC in 2001. She is licensed to practice in both Georgia and Washington, DC, as well as before the United States Patent and Trademark Office.

## **Speaker Information for Wednesday, January 24 (in order of appearance)**

**Neel Chatterjee, *Partner – Goodwin Proctor***



Neel Chatterjee, a partner in Goodwin's Intellectual Property Practice, is an internationally recognized technology litigator and trial lawyer with a proven track record of wins. He is often hired in hard-to-win high-profile technology cases. His cases often break new ground in undefined areas of the law. He is also engaged regularly to architect prosecution and defense of complex technology litigation spanning multiple venues. He is known for his ability to simplify extremely complex concepts to ensure that the judges and juries understand the key issues in the case. Nearly every ranking organization in the United States has named him at or near the top of their rankings. In addition, he was awarded the California State Bar's IP Vanguard Award and was recognized as an "IP Trailblazer and Pioneer" by the National Law Journal. He has represented many technology giants such as Facebook, eBay, EMC, Oracle, Synopsys, NVIDIA and Logitech on some of their most significant matters.

**Dan McDonald, *Patent Litigator – Merchant & Gould***



Dan McDonald has been a patent litigator for Merchant & Gould for over 30 years. He was Best Lawyers® Lawyer of the Year in 2015 for Patent Litigation in Minneapolis, and also a Minnesota Lawyer Attorney of the Year in 2015. He has tried several cases to verdict and through appeal, obtaining exceptional case findings and exemplary damages as well as \$0 defense verdicts. While he has litigated a variety of technologies including footwear, materials handling, housewares, and aerospace, Dan's cases tend to focus on electronics, software, telecommunications, and Internet technologies. His clients have ranged from Fortune 500 companies to individual inventors to the British Post Office. Among his clients is Lori Greiner, a "shark" on ABC-TV's Shark Tank. He has a B.S. in Electrical Engineering and a J.D. from the University of Minnesota, where he is also Chair-Elect of the Law School Board of Advisors and Immediate Past Chair of the University of Minnesota Alumni Association.

**Chris McLaughlin, *IP Counsel – Rudolph Technologies, Inc.***



Chris has been Rudolph's Intellectual Property Counsel for the last 12 years. Chris is responsible for all aspects of Rudolph's IP portfolio and handles international trade matters for the company as well. As part of his IP duties, Chris has managed the litigation teams that successfully concluded a long-running, multi-continent series of patent infringement cases that resulted in awards and settlements for Rudolph totaling more than \$26M. Chris is conversant in a number of technical areas but mostly works in optical inspection, metrology, lithography and the software that runs these types of tools. In addition to being a hobbyist woodworker, Chris is a mechanical engineer and registered patent attorney who attended Marquette University in Milwaukee, Wisconsin.



## Stan Beecham – Leadership Resource Center



Dr. Stan Beecham is a sport psychology consultant and director and founding member of the Leadership Resource Center in Atlanta, Georgia. Since 1998, Beecham has been helping organizations maximize performance and realize the full potential of their human resources. Senior executives utilize Dr. Beecham's expertise to guide them through the process of selecting and developing high performance teams. In addition to his coaching and consulting engagements at the Leadership Resource Center, he is a professional speaker and writer committed to advancing the science of leadership development.

Legendary Coach Vince Dooley gave Beecham his start as an undergraduate student at the University of Georgia, allowing him to work with Kevin Butler, the great college and professional kicker for the Chicago Bears. Dooley later hired Beecham to start the sport psychology program for the athletic department. He was instrumental in helping UGA win numerous individual and team championships during his tenure. Today his work with collegiate, Olympic, and professional athletes from many sports has afforded him an insight into the minds of great competitors that only few have had the good fortune to gain.

## Joseph Reagen, *Chief IP Counsel* – Baxter Healthcare



Joseph Reagen is Chief IP Counsel, Associate General Counsel, and VP for Baxter HealthCare Corporation. He joined Baxter in 2001, assumed management responsibilities for a Global IP Group in 2004, and then assumed positions of greater reasonability until assuming his current position in 2015. The IP Group has 23 IP professionals located in IP offices in Illinois, Sweden, Germany, France and China (a secondment). He and his group manage all IP matters: active IP litigation docket in district court, Federal Circuit appeals, ITC actions, international IP litigations, active IPR practice before the U.S. Patent Office, active Opposition practice in the European Patent Office, IP due diligence for business development (including multi-billion dollar transactions), freedom to operate for R & D, and developing and maintaining global patent and trademark portfolios. Prior to joining Baxter, he was an associate and then partner in law firms primary engaged in IP litigation. He has a Juris Doctor and Master of Intellectual Property from the University of New Hampshire (1992), and a Bachelor of Science in Mechanical Engineering from the University of Illinois (1989).

## Bernie Zidar – McKesson Corp.



Joining McKesson in February 2007, Bernie has overall responsibility for intellectual property issues at McKesson, including patent, copyright, trademark and confidentiality issues as well as legal support for IT procurement and cybersecurity. Previously, Bernie was a partner with the IP boutique Needle & Rosenberg, PC (now the IP practice of Ballard Spahr, LLP) and a mechanical engineer with Westinghouse Electric Company.

Bernie holds a Juris Doctor from Emory University and a Bachelor's degree in Mechanical Engineering from the University of Notre Dame. He lives near downtown Atlanta in the Virginia Highland neighborhood. He spends his spare time traveling, jogging, reading, hang gliding, golfing, playing tennis, fly fishing, hiking, camping and engaging in any other sport or outdoor activity he can get his hands on. Bernie loves his original hometown of Pittsburgh, PA, and remains a very enthusiastic Pirates, Penguins and Steelers fan.

## Cheryl J. Tubach, *Chief IP Counsel* – J.M. Huber Corporation



Since December 2008, Cheryl Tubach has been Chief Intellectual Property Counsel for J.M. Huber Corporation, which produces specialty chemicals, such as rheology modifiers, fire retardant additives, and wood composites. Prior to joining Huber, Ms. Tubach has served as in house patent counsel for The Coca-Cola Company and Eastman Chemical Company. She also practiced IP law for a two boutique law firm in Atlanta, GA and briefly worked for Fulton County, GA as Assistant Solicitor. Prior to becoming a lawyer, Ms. Tubach worked as an engineer for 5 years with Dow Corning Corporation.

Ms. Tubach is active in professional organizations including the Association of Corporate Patent Counsel, GSU Intellectual Property Advisory Board, and GSU Corporate IP Roundtable.

Ms. Tubach obtained a law degree from Georgia State University and a B.S. in Chemical Engineering from the University of Kentucky.

## Brandon Boss – Gilead Sciences, Inc.



Brandon is the head of the EMEA Intellectual Property group at Gilead and is a member of the Intellectual Property Leadership Team. He joined Gilead in 2012 and his experience there includes being the lead commercial product counsel, managing global HIV and HBV patent prosecution, coordinating regulatory exclusivity issues, directing global litigation, and overseeing the patent informatics function. His past experience also includes being a business and research unit patent lead at Pfizer, an associate at a DC law firm, and a trademark examiner at the United States Patent and Trademark Office. Brandon graduated from Tulane Law School in 1998 and is a registered patent attorney.

He also has a Master's degree from Johns Hopkins and an undergraduate degree from the University of Nebraska. He currently lives in the United Kingdom and works at Gilead's international headquarters located outside of London.

## La Quinta Restaurant Listings

### **ADOBE GRILL**

Famed for its award-winning tamales, Adobe Grill offers authentic Mexican dining. Let La Quinta's talented bartenders craft you a signature margarita from one of more than 100 tequilas.

### **CENTRE COURT CAFÉ**

Relax by the main pool with traditional American fare and a frozen cocktail. This bright and cheery spot offers light snacks, burgers, and other casual meal options.

### **ERNIE'S**

Ernie's offers flavorful pub fare plus an extensive selection of fine wines, hand-crafted beers, and spirits. Watch the game in casual comfort, or cozy up by the fire pit with views of the 9th and 18th holes of the Nicklaus Tournament Course.

### **MD GRILL**

Unwind against the stunning backdrop of the 9th and 18th green of the La Quinta Resort & Club Mountain Course. Sample all-American dishes such as wings, chili, classic club sandwiches, and Angus hamburgers.

### **MORGAN'S IN THE DESERT**

Morgan's in The Desert, La Quinta's signature dining venue, showcases contemporary American cuisine inspired by the bounty of the Coachella Valley. La Quinta local focus sources the region's top products and traditional cooking methods.

### **TWENTY6**

For classic comfort food with an imaginative twist, TWENTY6 is the go-to destination. La Quinta's relaxed American bistro and bar showcases innovative approaches to classic dishes using locally sourced, seasonal ingredients.

### **WALLABY'S WEST**

With its ranch-style architecture and panoramic desert views, Wallaby's West captures the spirit of the outback at the Greg Norman Clubhouse. Enjoy light fare in the relaxed dining room or on the patio by the fire pit.

# MEETING FACILITIES



## PLAZA GROUND LEVEL

- TWENTY6 RESTAURANT
- DIEGO ROOM
- THE STUDIO
- PLAZA EXECUTIVE MEETING CENTER

## SHOPS ON THE PLAZA

- LOLLIPOPS
- THE BUNGALOW SHOP
- THE MARKETPLACE
- AUDREY'S
- CITRUS
- GRETA'S
- POLO RALPH LAUREN



## PLAZA UPPER LEVEL

- ADOBE GRILL
- LAS BRISAS
- EXECUTIVE OFFICES
- MARKETING
- SALES
- HUMAN RESOURCES
- ACCOUNTING





# ACPC

## SITES OF FUTURE ACPC MEETINGS



### **2018 Summer Meeting**

Taj Boston  
Boston, Massachusetts  
June 24-27, 2018



### **2019 Winter Meeting**

LaPlaya Beach & Golf Resort  
Naples, Florida  
January 27-30, 2019



### **2019 Summer Meeting**

The Peabody Memphis  
Memphis, Tennessee  
June 23-26, 2019