

Preliminary Conference Schedule and Agenda
January 24, 2017

Conference on Patent Damages

The University of Texas School of Law
February 17 & 18, 2017

Friday, February 17, 2017

8:50-9 Welcome
9-10:20 Paper Session 1
10:20-10:40 Break
10:40-12 Paper Session 2
12-1:40 pm Lunch at Texas Law with Judges' Panel
1:40-2 Break
2-3:20 Paper Session 3
3:20-3:40 Break
3:40-5 Paper Session 4
6-9 Reception and Dinner with In-House Counsel Panel

Saturday, February 18, 2017

8:50-9 Opening Remarks for Day 2
9-10:20 Paper Session 5
10:20-10:40 Break
10:40-12 Paper Session 6
12-1:40 pm Lunch at Texas Law with Economic/Damages Experts' Panel

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 8.00 credit hours, of which 0.00 hours are ethics.

The conference is supported by a fund at the University of Texas School of Law created through a gift from Intel Corporation. Papers from the conference will appear in the Texas Intellectual Property Law Journal and The Review of Litigation.

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Composition of Panels

Judges' Panel

Chief Judge Colleen McMahon (SDNY)
Judge Marilyn Huff (SD Cal)
Judge Sue Robinson (D Del)
Judge Lee Yeakel (WD Tex)
Moderator: Hilda Galvan (Jones Day–Dallas)

In-House Counsel Panel

Vanessa Bailey (Intel)
Ron Epstein (Epicenter)
Anthony Peterman (Dell–Austin)
Dan Sharp (UT-Austin)
Jennifer Wuamett (NXP–Austin)
Moderator: Justin Nelson (Susman Godfrey–Austin)

Economic/Damages Experts' Panel

David Abrams (Penn Law & Wharton)
Elizabeth (Liz) Bailey (UC Berkeley Business)
John C. Jarosz (Analysis Group–Washington, DC)
James R. Kearl (BYU Economics)
Shirley Webster (Ocean Tomo–Houston)
Moderator: Michael Risch (Villanova Law)

Paper Session 1: Apportionment and Patent Damages

Moderator: Sapna Kumar (Houston Law)

- Design Patent Remedies
 - Presenter: Mark Janis (Indiana Bloomington Law)
 - Commentator: Pamela Samuelson (Berkeley Law)
- Apportionment and Reasonable Royalties
 - Presenter: Anne Layne-Farrar (Charles River Associates)
 - Commentator: David Adelman (Texas Law)

Paper Session 2: Guidance and Discretion

Moderator: Kevin Meek (Baker Botts)

- Jury Instructions for Patent Damages (by Bill Lee (WilmerHale) & Doug Melamed (Stanford Law))
 - Presenter: Jorge Contreras (Utah Law)
 - Commentator: Bernard Chao (Denver Law)
- Discretion and Patent Remedies
 - Presenter: John Golden (Texas Law)
 - Commentator: Rebecca Eisenberg (Michigan Law)

Paper Session 3: Damages for Deterrence?

Moderator: Marketa Trimble (UNLV Law)

- Damages as Injunction Substitute
 - Presenter: Dan Burk (UC Irvine Law)
 - Commentator: Samuel Bray (UCLA Law)
- Judicial Reasoning for Enhanced Damages
 - Presenter: Karen Sandrik (Willamette Law)
 - Commentator: Tom Cotter (Minnesota Law)

Paper Session 4: Circularity in Patent Valuation?

Moderator: Sarah Burstein (Oklahoma Law)

- The Circularity Story for Reasonable Royalties
 - Presenter: Oskar Liivak (Cornell Law)
 - Commentator: Oren Bracha (Texas Law)
- Patent Valuation and Taxation
 - Presenters: Jennifer Blouin (Penn Wharton) & Melissa Wasserman (Texas Law)
 - Commentator: Susan Morse (Texas Law)

Paper Session 5: New Approaches to Calculating Patent Damages

Moderator: Saurabh Vishnubhakat (Texas A&M Law)

- Cost-Plus Patent Damages: An Economic Analysis
 - Presenter: Michael Abramowicz (George Washington Law)
 - Commentator: Sarah Wasserman Rajec (William & Mary Law)
- Adjusting Patent Damages for Non-Patent Incentives
 - Presenter: Lisa Ouellette (Stanford Law)
 - Commentator: Glynn Lunney (Texas A&M Law)

Paper Session 6: Norms and Boundaries for Patent Damages

Moderator: Tun-Jen Chiang (George Mason Law)

- Factoring Pain and Suffering into Patent Damages
 - Presenter: Ronen Avraham (Texas Law)
 - Commentator: Wendy Gordon (Boston University Law)
- Normative Aims and the Assessment of Patent Damages
 - Presenter: Peter Lee (UC Davis Law)
 - Commentator: Robert Bone (Texas Law)