



THE FEDERAL CIRCUIT BAR ASSOCIATION
in cooperation with
D.C. BAR ASSOCIATION
present

THE IMPACT OF POST-KSR COURT DECISIONS AND PTO GUIDELINES ON OBVIOUSNESS ISSUES

NOVEMBER 9, 2007
12:00 PM TO 1:30 PM EST

PROGRAM DETAILS:

Shortly after the Supreme Court's April 30, 2007 opinion in *KSR Int'l Co. v. Teleflex, Inc.*, 127 S.Ct. 1727 (2007), there was considerable speculation on its potential impact. In the last six months, KSR has been cited in at least ten Federal Circuit and 40 district court decisions. Further, on October 10, 2007, the PTO published *Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103 in View of the Supreme Court Decision in KSR International Co. v. Teleflex, Inc.*, 72 Fed. Reg. 57,526.

The panel will discuss the impact of the post-KSR decisions and PTO guidelines, as follows:

- I. Analysis of Federal Circuit decisions post-KSR. Has KSR materially changed the Federal Circuit's approach on obviousness issues in view of prior decisions, such as *Dystar* and *Pfizer*? Ms. Addy.
- II. Analysis of District Court decisions post-KSR. To what extent has KSR affected decisions on the obviousness issue? Mr. Cohen
- III. ITC proceedings in the wake of KSR. Ms. Browne
- IV. Differences between Pre and Post Post-KSR PTO Examination Guidelines, and the potential effect on patentability of claims. Dr. Haanes.
- V. Panel Discussion of post-KSR issues.

PANELISTS

MEREDITH MARTIN ADDY, PARTNER, BRINKS HOFER GILSON & LIONE
ELIZABETH J. HAANES, DIRECTOR, STERNE KESSLER GOLDSTEIN FOX PLLC
MAUREEN F. BROWNE, SHAREHOLDER, HELLER EHRMAN LLP

ERIC COHEN, PARTNER, KATTEN MUCHIN ROSENMAN LLP, MODERATOR

REGISTRATION

Regular: \$75.00

Government: \$25.00 (use coupon code: fsufotendr)

Please note that there are two ways to participate in this event:

- 1) **Live** at 1620 I Street, NW Suite 900 Washington, D.C. 20006
OR
- 2) **By way of web cast via the internet.**

1) For those wishing to register for the in-house session, please visit our website at www.fedcirbar.org.
Registration for the in-house session will include lunch.

2) For those wishing to participate via the internet, please visit the website: <https://fedcirbar.webex.com/>. The registration password is "fcbaKSR". Detailed instructions for participating are provided through the website.

Law Students and Clerks wishing to register please contact Elisabeth Reed, at 202 536-4160 or reed@fedcirbar.org

* FCBA will seek CLE registration from applicable states for those registrants from within the United States (PA & TX not available).