

# Post-Election Webinar Series

Intellectual Property | November 19, 2020

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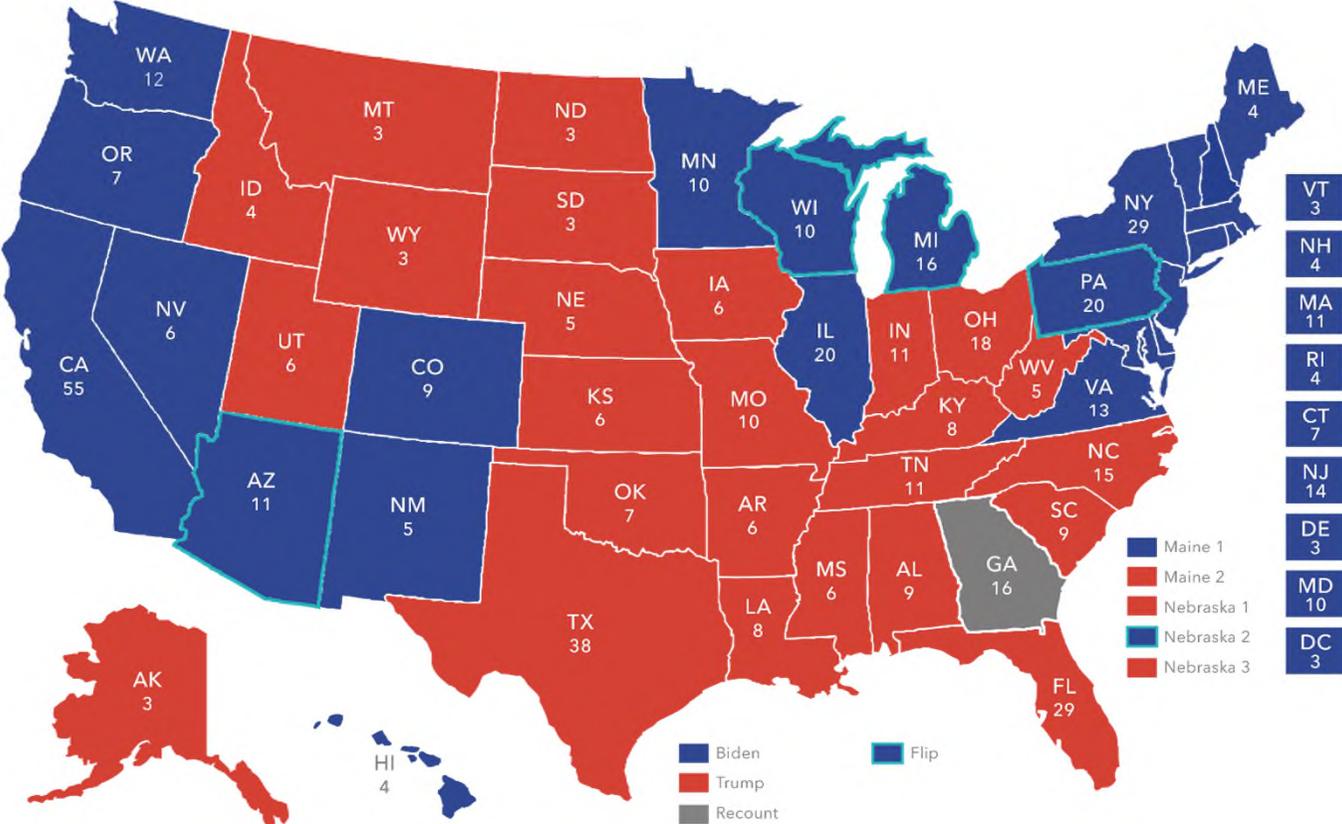
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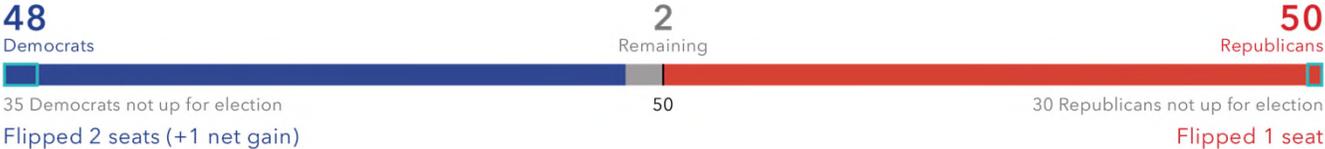
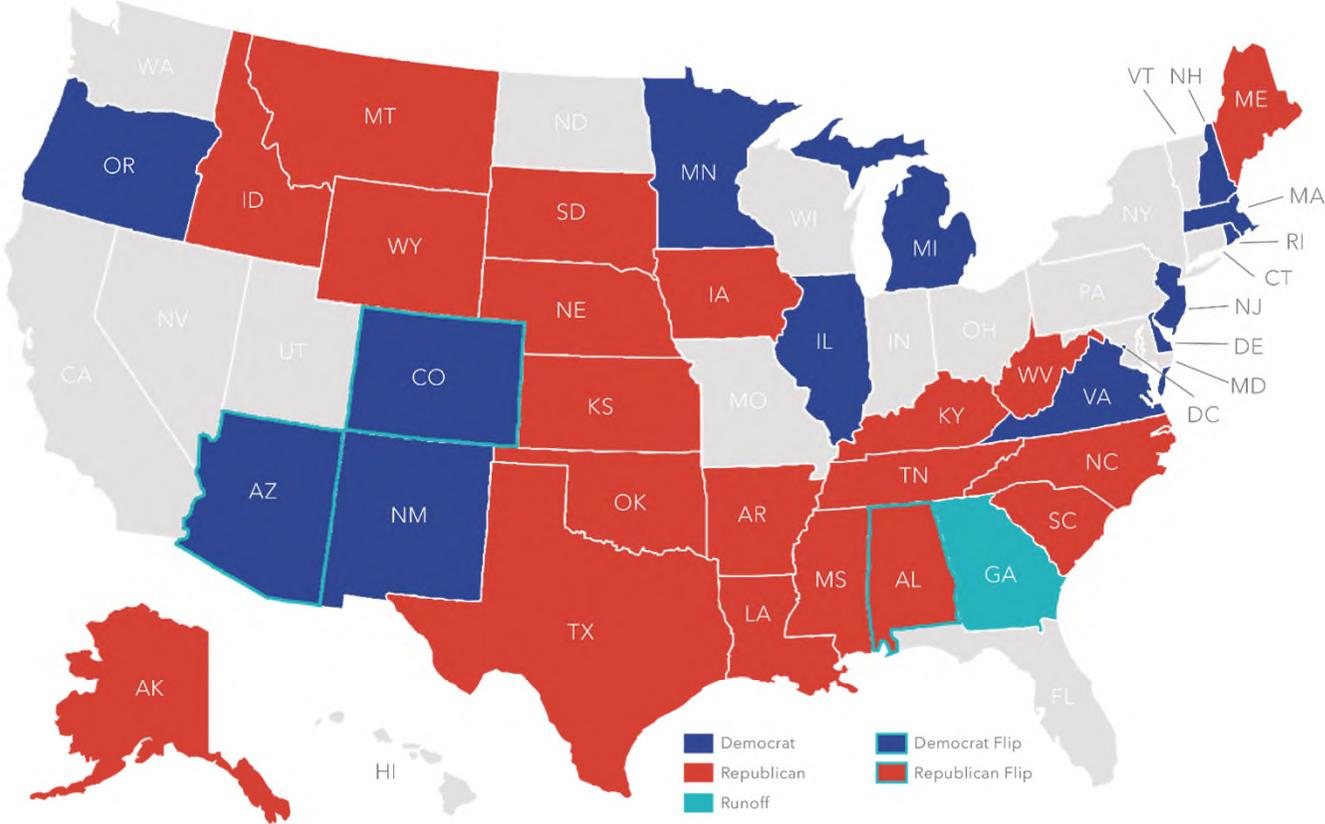
# The 2020 Election – President-Elect Biden at 290

- President-Elect Joe Biden is the projected winner with 290 votes. President Trump has 232 votes but has yet to concede.
- Georgia is undergoing an audit that should be completed this week, and President Trump’s legal challenges in several states appear to be winding down.



# The 2020 Election – The U.S. Senate: Undecided

- Control of the United States Senate has not been determined yet.
- Republicans were able to flip Alabama and hold Montana and Iowa.
- Democrats flipped Arizona and Colorado.
- There will be two runoffs in Georgia that will determine the majority in the U.S. Senate.



# The 2020 Election – The Next 60 Days

## The Election Fight, Continuing Resolution, and COVID-19 Stimulus Bill

- How long could it take to finalize the results of the presidential election?
- Georgia January runoff elections
- The government runs out of funding on December 11
- Will Democrats and Republicans work to finish a COVID-19 bill and combine with a CR or wait until 2021?
- Will Trump sign any bill coming to him?



# The 117th Congress

## House of Representatives



Rep. Nancy Pelosi (D-CA)  
**Speaker of the House**



Rep. Kevin McCarthy (R-CA)  
**Republican Leader**

## U.S. Senate



Sen. Mitch McConnell (R-KY)  
**Republican Leader**



Sen. Charles Schumer (D-NY)  
**Democratic Leader**

## House Judiciary Committee



Jerrold Nadler (D-NY)  
**Committee Chair**



Rep. Jim Jordan (R-OH)  
**Ranking Member**

## Senate Judiciary Committee



Sen. Charles Grassley (R-IA)



Sen. Dianne Feinstein (D-CA)



Sen. Lindsey Graham (R-SC)

# IP Issues to Watch

- IP issues generally tend to be nonpartisan
  - Rx Drug Pricing Reform and Patents
  - U.S. Supreme Court review of the Affordable Care Act (*California v. Texas*) and potential severability of, among other provisions, the Biologics Price Competition and Innovation Act (oral arguments were held on Nov. 10, 2020).
  - China IP Theft
  - Standard Essential Patents

# IP Issues to Watch

- Covered Business Method (CBM) Patent Resurrection?
- Rise in ecommerce and anti-counterfeiting legislation to protect consumers and brands
  - Stopping All Nefarious Toys in America Act (SANTA Act)
  - Stopping Harmful Offers on Platforms by Screening Against Fakes in E-Commerce Act (SHOP SAFE Act)
  - Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act (INFORM Consumers Act)
- DMCA Triennial Review 2021 (Library of Congress)
- PTAB Discretionary Denials
- ITC Sec. 337 Reforms (e.g., Advancing America's Interests Act)

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**Questions?**

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