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Honors and Awards**IP LEGAL NEWS AND UPDATES****IPR Spotlight Series: Navigating IPR Discovery**

Authors: Carly S. Levin, Fabian M. Koenigbauer, Meaghan Hemmings Kent, and Steven J. Schwarz

To help navigate the uncharted waters of *inter partes* review (IPR) before the Patent Trial and Appeal Board (PTAB), each edition of *IP Buzz - Post Grant Practice* includes an installment of our IPR Spotlight series, where we feature a specific event on the **IPR timeline**, from filing the petition for IPR through oral hearing and final written decision. In our **fifth IPR Spotlight installment**, we focus on navigating IPR discovery.

3-D Printing – The End of Shopping As We Know It?

Author: Joshua J. Kaufman

3-D printing is proving to be a very disruptive technology. While it is currently used for prototype design, medical devices and creating novelty items, it has the potential to dramatically change not only our way of life, but also our legal system, from licensing to liability.

[Click here to read the potential legal issues that come with the rise of 3-D printing.](#)

Using AIA Trials as a Defense to Willful Infringement

Authors: Fabian M. Koenigbauer, Carly S. Levin, Meaghan Hemmings Kent, and Steven J. Schwarz

Recently, in *Ultratec, Inc. v. Sorenson Communications, Inc.*, the Western District of Wisconsin evaluated how the PTAB's decision to institute an *inter partes* review impacts willfulness in litigation. Specifically, though the decision held that institution of an AIA trial was insufficient to warrant summary judgment as to non-willfulness, it suggested that AIA trials may still be used to defend against a charge of willful infringement.

[Click here to learn how AIA trials can impact willful infringement.](#)

Summer/Fall 2014 Federal Copyright and Trade Secret Legislation Update

Authors: Armand J. (A.J.) Zottola and Robert F. Parr

Since the **Winter 2014 update**, the 113th Congress has continued to devote effort to establishing or amending certain federal statutes related to the protection, enforcement, and exploitation of trade secrets or copyrights. This includes legislation to establish a private right of action for trade secret theft under federal law; and legislation to modify the royalties owed to authors of certain sound recordings or visual works under copyright law. If signed into law, these bills would have important implications for a wide range of interested parties, including songwriters, certain performing artists, authors of visual works, the entertainment industry or content right stakeholders, and any business intent on exerting greater control over its trade secrets.

[Click here to read the complete update.](#)

A Marketplace for Ideas: 5 Things Companies Should Know About the New IP Financial Exchange

Authors: [Armand J. \(A.J.\) Zottola](#) and [Morgan E. Brubaker](#)

Established in 2007 and finally opened in July 2014, the Intellectual Property (IP) Exchange is the first financial exchange in the United States to focus on IP assets. The IP Exchange will facilitate non-exclusive licensing and trading of IP assets. The IP Exchange was founded by a group of organizations ranging from some of the world's top tech companies to universities, banks, and laboratories to provide a more uniform way for companies to monetize IP assets and encourage innovation.

[Click here to read the five basic things every company should know about this new market-based approach to licensing IP.](#)

Apps Apps Everywhere: 5 Essential Legal Considerations for Companies Developing a Mobile App

Authors: [Armand J. \(A.J.\) Zottola](#) and [Morgan E. Brubaker](#)

A version of this article was also published in *Law360* on October 14, 2014 and was among *Law360's* top ten most read analyses for the week.

Mobile applications or "apps" are everywhere. Mobile devices are outselling personal computers, and an increasing percentage of internet access is made through mobile devices. These developments have driven the rapidly growing usage of apps. It has therefore become increasingly important for companies to invest in and develop mobile apps. Because mobile apps are essentially just a specific type of software, app development presents many of the same challenges involved in a traditional software development project. However, there are some pronounced or unique intellectual property, ownership, privacy, data security, and advertising considerations that a company should keep in mind when developing a mobile app.

[Click here to learn the considerations for mobile app development.](#)

ANNOUNCEMENTS AND REMINDERS

Venable Webinar: Strategic Intellectual Property Management for Funds and Portfolio Companies

Wednesday, November 19, 2014 | 1:00 p.m. - 2:00 p.m. ET

As the private equity community matures, it is increasingly important to position your fund carefully for both fundraising and deal sourcing efforts. This challenge is exacerbated by many funds with similar names. Venable's Intellectual Property and Corporate attorneys work with our fund clients to build the value of funds and portfolio companies through strategic brand building.

Please join us on November 19th for this complimentary webinar discussing in depth the following issues relevant to funds in this highly competitive, rapidly evolving landscape.

- Risk of brand confusion for funds
- Interplay of funds and portfolio companies when managing intellectual property
- Strategic and efficient management of your intellectual property

Charles J. Morton, Jr., co-chair of Venable's **Corporate Practice Group** and past Chairman of the global board of directors of the Association for Corporate Growth, and **Frank M. Gasparo**, Head of **Intellectual Property** of Venable's New York Office, will serve as the speakers during this thought provoking session. The program will be followed by a brief question and answer session.

[Click here to register.](#)

Venable Adds Three Attorneys to Intellectual Property Litigation Practice

Venable is pleased to announce the addition of three associates to our [Intellectual Property Litigation Practice](#). **Joshua C. Cumby** clerked for The Honorable John F. Anderson, Magistrate Judge, and for The Honorable Leonie M. Brinkema, District Judge, both of the US District Court for the Eastern District of Virginia. He received his JD from the George Mason University School of Law. **Michael E. Nelson** was a patent agent at Venable for about 3½ years. He received his JD from the Georgetown University Law Center and has a PhD in Medicinal Chemistry and Pharmacognosy from The Ohio State University as well as a BS in Chemistry from the University of Texas - Dallas. **Briana C. Rizzo** was a Venable Summer Associate in 2013. She holds a JD from Vanderbilt University Law School and has a BA in Government from the University of Virginia.

International AntiCounterfeiting Coalition 2014 Fall Conference

Marcella Ballard spoke at the [International AntiCounterfeiting Coalition \(IACC\) 2014 Fall Conference](#) on October 23, 2014 regarding "The Future of Evidence: Obtaining and Using Documents in a Paperless World." As counterfeiting is increasingly transacted in a digital environment, what are the best practices for identifying, preserving and presenting evidence in support of enforcement efforts? The panel considered civil and criminal standards and addressed recent changes in the law that may expedite and simplify data collection efforts. Ms. Ballard was joined by Moderator Andy Coombs, President, J. Andrew Coombs, A P.C.; Maya Markovich, Senior Manager, Product Marketing, MarkMonitor; and Michael Godfrey, Special Agent (Retired), US Department of Homeland Security.

Venable Article Referenced by Bloomberg

Venable's article, "[Patent Trial and Appeal Board Statistics](#) (September 2014)" was referenced in an October 6th Bloomberg BNA article, "Oxycontin, Cialis Makers Avoid Court in Bid to Win Patent Fights."

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