



Intellectual Property Law Section Newsletter

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Summer 2020

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UPCOMING SECTION

REMINDERS:

- September 11, 2020, 11 a.m. teleconference
- November 13, 2020, 11 a.m. teleconference
- October 23, 2020, IP CLE conference

THE INTELLECTUAL PROPERTY LAW SECTION NEWSLETTER is an electronic publication of the Intellectual Property Law Section of the State Bar of Nevada.

The NEWSLETTER is intended to provide intellectual property-related material and information with the understanding that the authors do not intend that its contents constitute legal advice.

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News and Notes from the Intellectual Property Section

UPDATE TO THE LOCAL RULES FOR THE DISTRICT OF NEVADA

Updates to the Local Rules of Practice for the U.S. District Court, District of Nevada, took effect on April 17, 2020. The local rules were updated in their entirety, including Part III, the Patent Rules. The Court saw that its time to trial far exceeded other districts, so these rule changes are designed to rectify that issue and speed up patent cases.

The substantive updates include:

- Section 101 motions - filing a motion to dismiss under Section 101 can be done before claim construction, but doing so does not delay any other aspect of the case;
- Special masters - considering one is now part of the 26(f) process and the Court can appoint one at its own discretion;
- An accused infringer now must disclose its invalidity contentions whether they intend to seek an IPR or reexamination, and the scope of such plans;
- The patent owner no longer has to reply to the accused infringer's non-infringement contentions;
- Claim construction hearings are supposed to be held within 60 days of the completion of briefing;
- Parties are to narrow asserted claims and prior art after a claim construction ruling;
- Parties appear to be able to automatically amend contentions after the claim construction ruling; and
- New rules requiring disclosure of opinions of counsel.

A copy of the Local Rules of Practice may be found at www.nvd.uscourts.gov.

NEWLY-FORMED IP SECTION PRO BONO COMMITTEE

The newly-formed IP Section Pro Bono Committee has been tasked with developing resources to support local inventors participating in the USPTO Patent Pro Bono Program for independent inventors and small businesses. STAY TUNED for additional news and information regarding participation in the USPTO Patent Pro Bono Program.

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PLEASE JOIN US!

NEXT INTELLECTUAL PROPERTY LAW
SECTION MEETING

FRIDAY: SEPTEMBER 11, 2020 AT 11:00 A.M.
VIA TELECONFERENCE
See agenda for teleconference information

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STATE BAR OF NEVADA RESOURCES

The following CLE programs are available on the State Bar of Nevada's website as part of the Hot Summer CLE. Each is \$45.00 and includes one CLE credit.

HOW TO THRIVE IN THE AGE OF MILLENNIALS, THE POST-COVID ERA, AND A SHIFTING LEGAL LANDSCAPE

NEW! 2020 will go down in history as a watershed age for the world, and the moment when the legal industry changed forever. Buckle up, because this year and beyond will continue to be a bumpy ride. Your "captain," Fennemore Craig's CEO and Managing Partner James Goodnow, will take you above the storm clouds in this highly interactive discussion about what's here now and what's in store, for attorneys, judges, and law firms alike. Goodnow will utilize the lens of examining the new generation of millennial attorneys, and how you can motivate them, but in so doing he will also discuss how COVID-19, heightened racial tensions throughout the country, and more have impacted the legal industry and how you can adapt to thrive through the changes.

PANDEMIC PARADIGM SHIFT: THE PERILS AND THE PROMISE

NEW! Nevada is just one of many states reopening their economies as the rates of COVID-19 decline. Join employment and management experts Richard Dreitzer of Fennemore Craig, PC and Fred Keeton of Keeton Iconoclast Consulting, LLC as they discuss employer and employee-side implications of returning to work mid-pandemic. This session explores the practical steps employers can take to mitigate their risk, respond to employee concerns, and reengage their workforces in innovative and forward-thinking ways, while remaining compliant with state and Federal laws and successfully operating in the new normal.

PERSUASIVE STORY VITALITY IN AND OUT OF THE COURTROOM

NEW! Story specialist David Mann shares the key foundation techniques for persuasive legal storytelling. It's critical to connect to the jury on a human level when inside a courtroom, and that imperative doesn't go away when the proceedings are virtual. David shows lawyers how to build on the facts to add a dynamic narrative arc that grabs a jury's attention and keeps it. He demonstrates effective wording, how to unfold a story strategically, and how to make the story come alive in both live and virtual environments.



2020 IP CONFERENCE OCTOBER 23, 2020

The Intellectual Property Law Section of the State Bar of Nevada puts on a day-long CLE conference each fall. The conference features speakers covering a wide range of intellectual property law topics intended to provide the latest insight on the hottest topics and law changes as well as allowing the chance to hear from leading attorneys, judges, professors, expert witnesses, and PTO personnel. In 2019, the conference featured the USPTO Director of the Silicon Valley Office, a patent valuation expert, UNLV Professors Trimble and LaFrance, and several experienced attorney speakers. The list of speakers for the 2020 conference will be posted as the conference date approaches.

October 23, 2020

8:30 a.m. - 5:00 p.m.

**Thomas & Mack Moot Court,
Boyd School of Law, UNLV**

**7 CLE Credits
(including 1 Ethics)**



NOTICE: While the conference is planned as a live event, should circumstances dictate that a live event is not possible, the conference will be held virtually and a full refund offered to registered attendees. Notice of any modification will be provided as promptly as possible and include instructions for virtual participation.