

Federal Circuit Bar Association

BENCH & BAR®

2025 Bench & Bar® Conference Agenda

Wednesday, June 18 – Saturday, June 21, 2025
Meritage Resort | Napa Valley, CA

Tuesday, June 17, 2025

6:00 PM – 8:00 PM

Mock Argument Reception (Invite Only) | *Vintner's Rooftop*

Wednesday, June 18, 2025

Noon – 8:00 PM

Bench & Bar® Conference Registration | *Vineyard Foyer*

Mock Argument

9:00 AM – 9:30 AM

(Open to Mock Argument Participants Only)

Check-in | *Carneros Foyer*

9:30 AM – 10:15 AM

First Round | *Salon A, Salon B, Salon C, Salon D, Salon E, Salon F, Salon G, Salon H, Salon J, Salon K, Merlot Room, Room 4132, Room 4130, Room 4128*

10:15 AM – 10:30 AM

Break

10:30 AM – 11:15 AM

Second Round | *Salon A, Salon B, Salon C, Salon D, Salon E, Salon F, Salon G, Salon H, Salon J, Salon K, Merlot Room, Room 4132, Room 4130, Room 4128*

11:20 AM – 11:30 AM

Closing Remarks | *Carneros Foyer*

11:30 AM – Noon

Advocate Photos | *Carneros Foyer*

Welcome Reception

6:00 PM – 8:00 PM

Opening Event, All Conference Registrants | *Vineyard Deck*

Thursday, June 19, 2025

Plenary

7:30 AM – 8:30 AM

General Attendee Breakfast | *Vineyard Foyer & Terrace*

7:30 AM – 8:30 AM

Court Advisory Council Breakfast (Invite Only)

7:30 AM – 2:00 PM

Bench & Bar® Conference Registration | *Vineyard Foyer*

8:30 AM – 8:45 AM

Welcoming Remarks

Jennifer H. Wu, President, Federal Circuit Bar Association®

| Partner, Groombridge, Wu, Baughman & Stone LLP | *Meritage I – VIII*

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Plenary

8:45 AM – 9:00 AM

State of the Court – Remarks from the United States Court of Appeals for the Federal Circuit. | *Meritage I – VIII*

Plenary

9:00 AM – 10:00 AM

Federal Circuit Perspectives – In keeping with long-standing Bench and Bar® tradition, the incoming President of the Federal Circuit Bar Association® will moderate a panel discussion of active Judges of the United States Court of Appeals for the Federal Circuit. Topics will include best practices in a variety of relevant areas, and other significant procedural and practical views from the Bench. This is the bar's opportunity to hear from the Judges about their views, likes, and dislikes, outside of the context of particular cases. | *Meritage I – VIII*

Moderator:

- Corey Salsberg, President-Elect, Federal Circuit Bar Association®
| Vice President, Global Head IP Affairs, Novartis

Panelists:

- CAFC Judicial Panel

10:00 AM – 10:15 AM

Networking Break | *Vineyard Foyer & Terrace*

Parallel Tracks

10:15 AM – 11:15 AM

Bench Trials: When the Judge is a Jury of One – This panel will explore bench trials, where judges serve as the sole arbiters of both fact and law, examining effective advocacy techniques across tribunals. Panelists will address persuasive technical presentations, demonstratives, evaluation of witness credibility, and the best use of pre and post-trial filings. The discussion will highlight practical insights to help litigators effectively communicate complex technical arguments to a judicial fact finder. | *Carneros Ballroom*

Co-Moderators:

- Patrick C. Keane, Shareholder, Buchanan Ingersoll & Rooney PC
- Jennifer Ying, Partner, Morris, Nichols, Arsht & Tunnell LLP

Panelists:

- U.S. International Trade Commission Judge
- United States Court of Federal Claims Judge
- United States District Court Judge
- Jessica C. Kaiser, Partner, Perkins Coie LLP

10:15 AM – 11:15 AM

Patent Remedies and Damages –The law defining the scope and calculation of available patent damages and injunctive remedies continues to evolve in courts and Congress. Panelists will discuss the recent *en banc* decision in *EcoFactor, Inc. v. Google LLC*, and explore the relevance of foreign commercialization in patent damages calculations after *WesternGeco* and *Brumfield*. Panelists will also discuss the recently reintroduced *RESTORE* Patent Rights Act of 2025, and how it may alter the current standard for injunctive relief under *eBay* if enacted.

| *Meritage I – VIII*

Co-Moderators:

- Kristin Cleveland, Partner, Klarquist Sparkman LLP
- Maia Harris, Partner, Troutman Pepper

Panelists:

- United States District Court Judge
- The Honorable Kathleen O'Malley, Principal, Kate O'Malley LLC; Former Judge, United States Court of Appeals for the Federal Circuit
- Lauren Dreyer, Partner, Baker Botts LLP
- Bryan Sinclair, Sr. Director, IP Litigation, Cisco
- Nicole Williams, Senior Director of Litigation, 10x Genomics

11:15 AM – 11:30 AM

Networking Break | *Vineyard Foyer & Terrace*

Plenary

11:30 AM – 12:30 PM

Civility and Wellbeing in the Legal Profession (Ethics) – Civility is a code of conduct by which attorneys, as officers of the court, must adhere to in the legal profession. Courts, state bars, and bar associations have rules governing professionalism, integrity, and honesty in the practice of law. But what happens when vigorous representation crosses the line of civility? How does the lack of civility in advocacy affect the well-being of lawyers, PTO officials, and the judiciary? This esteemed panel will discuss these topics and others, including possible causes and justifications for perceived “uncivil” behavior, sanctions, how experience and mentorship may build a culture of civility and trust, and how to respond to uncivil or unprofessional conduct. The panelists will also address challenges attorneys face in balancing their work demands with their wellness and provide tips for fostering wellbeing.

| *Meritage I – VIII*

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Co-Moderators:

- Azra Hadzimehmedovic, Partner, Tensegrity Law Group LLP
- Anna G. Phillips, Director, Sterne, Kessler, Goldstein & Fox P.L.L.C.

Panelists:

- United States District Court Judge
- United States District Court Judge
- United States District Court Judge
- Danielle Coleman, Senior Director & Associate General Counsel, VMware LLC
- Kathi Vidal, Partner, Winston & Strawn LLP

Plenary

12:30 PM – 1:00 PM

Fireside Chat with Coke Morgan Stewart, Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the United States Patent and Trademark Office

Co-Moderators:

- Sandra Kuzmich, Partner, Haug Partners
- Jennifer H. Wu, Partner, Groombridge, Wu, Baughman & Stone LLP

1:00 PM – 1:15 PM

Federal Circuit Bar Association® Annual Meeting | *Meritage I – VIII*

6:00 PM – 7:00 PM

Reception | *Oakville Terrace & Activities Lawn*

7:00 PM – 9:30 PM

Dinner | Keynote Speaker: John Trinidad, Managing Partner, Dickenson Peatman & Fogarty PC | *Carneros Ballroom*

Friday, June 20, 2025

6:30 AM – 7:30 AM

FCBA 2025 Annual 5K Fund Run/Walk Classic | *Spa Entrance*

7:30 AM – 8:30 AM

General Attendee Breakfast | *Vineyard Foyer & Terrace*

7:30 AM – 2:00 PM

Bench & Bar® Conference Registration | *Vineyard Foyer*

Town Halls

8:30 AM – 9:30 AM

The Administrative State – The administrative state is in flux. Join us for an engaging discussion about new developments in the laws and policies of federal agencies, with a focus on how these changes may affect the Federal Circuit’s varied areas of jurisdiction. Panelists will discuss judicial review of agency decisions following *Loper Bright* and *SEC v. Jarkesy*, as well as the changing approach of the executive branch to the administrative state. Panelists will cover developments at the U.S. International Trade Commission, such as the *Lashify* decision addressing domestic industry and the potential fate of *Suprema*’s rule conferring ITC jurisdiction over alleged post-importation infringement. Panelists also will discuss developments at the U.S. Patent and Trademark Office, including policy changes affecting the Patent Trial and Appeal Board and its Administrative Patent Judges, as well as the agency’s engagement with emerging issues such as artificial intelligence and evolving matters. Panelists also will share insights on administrative law developments in the areas of government contracting, customs, and tariffs, as relevant to the U.S. Court of Federal Claims and the U.S. Court of International Trade. Our expert panelists will explore these vital issues and their potential ramifications for the future of administrative law at the Federal Circuit and beyond. | *Meritage I – VIII*

Co-Moderators:

- Christopher A. Suarez, Partner, Steptoe LLP
- Andrew Trask, Partner, Williams & Connolly LLP

Panelists:

- United States Court of Appeals for the Federal Circuit Judge
- United States Court of International Trade Judge
- Michelle Klancnik, Assistant General Counsel (ITC Section 337), U.S. International Trade Commission
- Thomas A. Brown, Head of IP Litigation, Dell Technologies
- Nicholas T. Matich, Acting General Counsel and Principal Legal Advisor to the Under Secretary of Commerce for Intellectual Property & Director, United States Patent and Trademark Office
- Tracey Winfrey-Howard, Partner, Wiley Rein LLP

8:30 AM – 9:30 AM

Legislative Developments – This panel will explore the current patent legislation landscape and policy reforms, and will discuss their scope, rationale, and potential impact on different technology areas. Topics covered may include legislation and policies on the use of AI, drug pricing initiatives, PTAB reform, litigation funding, and substantive patent law. | *Carneros Ballroom*

Co-Moderators:

- Rachel Elsby, Partner, Akin Gump Strauss Hauer & Feld LLP
- Doug Lumish, Partner, Latham & Watkins LLP

Panelists:

- Celia Eckert, General Counsel, Xencor
- Samantak Ghosh, Associate General Counsel, IP Litigation, Gilead Sciences, Inc.
- Laura Sheridan, Head of Patent Policy, Google
- Chris Storm, Legal Director, Intellectual Property, Uber Technologies Inc.
- Philip Warrick, Counsel, Irell & Manella LLP

Plenary

9:30 AM – 10:30 AM

U.S. Supreme Court Review – This panel of experienced Supreme Court advocates will discuss recent highlights and trends in Supreme Court jurisprudence in areas of relevance to the Federal Circuit community. | *Meritage I – VIII*

Moderator:

- Diva Hollis, Partner, Kirkland & Ellis LLP
- Seth Lloyd, Partner, Morrison & Foerster LLP

Panelists:

- Galina Fomenkova, Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice
- Daniel L. Geyser, Partner, Haynes Boone
- Jeffrey A. Lamken, Partner, MoloLamken LLP
- Eric Shumsky, Partner, Orrick, Herrington & Sutcliffe LLP
- Donald B. Verrilli, Jr., Partner, Munger Tolles LLP

10:30 AM – 10:45 AM

Networking Break | *Vineyard Foyer & Terrace*

Town Halls

10:45 AM – 11:45 AM

Corporate Counsel – In-house counsel to high-tech, life sciences, and pharmaceutical companies will share their perspectives on how they select and work with outside counsel, current efforts in IP policy, the impacts of litigation financing, and issues arising in international disputes. | *Carneros Ballroom*

Co-Moderators:

- Adam Shartzter, Partner, Fish & Richardson
- Irene Yang, Partner, Sidley Austin

Panelists:

- Adam Keser, Chief IP Counsel and Associate General Counsel, Saint-Gobain
- Nicholas Kim, Senior Attorney, IP Litigation, Microsoft
- Ajeet Pai, Senior Corporate Counsel, Amazon
- Angela Verrecchio, Senior Counsel, Patent Litigation, Johnson & Johnson
- Limin Zheng, Principal IP Counsel, Natera

10:45 AM – 11:45 AM

Global IP Litigation: Trade Secrets, SEP/Frand, and Patents – This panel will offer insights on global IP litigation from a group of experienced practitioners from around the world. Topics include trends in the Unified Patent Court (UPC) regarding injunctions, venue, and case management; the status of EU's policies toward SEPs and future implications; current and potential future shifts in U.S. SEP policy; and the evolving role of UK courts, highlighted by the *Lenovo v. Ericsson* case. The panel will also compare the use of anti-suit injunctions and the remedies available across numerous jurisdictions. | *Meritage I – VIII*

Co-Moderators:

- Matthias Kamber, Partner, Paul Hastings LLP
- Erik Puknys, Partner, Finnegan Henderson Farabow Garrett & Dunner LLP

Panelists:

- Christopher J. Burrell, Partner, Faegre Drinker
- Peter Damerell, Partner, Powell Gilbert LLP

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- Hasan Rashid, Senior Advisor on IP Licensing, Strategy and Dispute Resolution, Dolby Laboratories
- Keith Syverson, Senior Corporate Counsel, IP Litigation and Transactions, Sumitomo Pharma America
- Shawna Yashar, Partner, O'Melveny & Myers LLP

Town Halls

11:45 AM – 12:45 PM

Ethics – This panel of experienced practitioners will discuss some of the hot ethical issues that many of us must confront regularly when enforcing patents: issues relating to third-party involvement in patent litigation, including in financing; multi-jurisdictional practice; Fed. Cir. Rule 50 regarding employment of former law clerks; ethical settlement and negotiation tactics; and Rule 11 issues relating to pleadings.

| *Carneros Ballroom*

Co-Moderators:

- Steven M. Bauer, Mediator, Arbitrator, Special Master, JAMS
- Omar Khan, Partner, WilmerHale

Panelists:

- Robin Davis, Director, Fortress Investment Group
- Kassie Helm, Partner, Dechert LLP
- Joseph M. Reisman, Partner, Knobbe Martens
- Jonathan Stroud, General Counsel, Unified Patents
- Ranganath Sudarshan, Partner Covington & Burling LLP

11:45 AM – 12:45 PM

Visiting Judges – In this panel we will discuss the Federal Judiciary's Visiting Judge program that permits a judge to temporarily sit on a court other than their regular court. We will cover the process for being designated a Visiting Judge, districts where Visiting Judges are being most frequently used, the panel members likes and dislikes about serving as a Visiting Judge, practices and procedures when serving as a Visiting Judge, and whether serving as a Visiting Judge has impacted case management practices in the Visiting Judge's District.

| *Meritage I – VIII*

Co-Moderators:

- Kelly Farnan, Partner, Richards, Layton & Finger PA
- Julie Goldemberg, Partner, Morgan Lewis & Bockius LLP

Panelists:

- The United States Court of Appeals for the Federal Circuit Judge
- United States District Court Judge
- United States District Court Judge

1:00 PM – 2:00 PM

Federal Circuit Historical Society Luncheon

Featured Speaker: Phil Long, Founder, Longevity Wines

| *Carneros Ballroom*

5:00 PM – 6:00 PM

President's Reception (Invite Only) | *Estate Wine Cave*

6:00 PM – 9:00 PM

Friday Fun Night | *Activities Lawn*

Federal Circuit Bar Association

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Saturday, June 21, 2025

7:30 AM – 8:30 AM

General Attendee Breakfast | *Vineyard Foyer & Terrace*

7:30 AM – 10:30 AM

Bench & Bar® Conference Registration | *Vineyard Foyer*

Plenary

8:30 AM – 10:00 AM

Reviewed Adjudicators – Within our Federal Circuit community, there are many judges that serve on the front lines of the administration of justice. Their thoughtful resolutions of disputes within specific subject areas reviewed by the Federal Circuit give rise to the law that we use to advise our clients and litigate cases. We invite you to join this distinguished panel as they provide their perspectives on the challenges they face, the issues that they are seeing arise lately within their jurisdiction, and best practices for use in appearing before them.

| *Meritage I – VIII*

Co-Moderators:

- Jennifer Nall, Partner, DLA Piper
- Gene Paige, Partner, Kecker, Van Nest & Peters LLP

Panelists:

- United States Court of Appeals for Veterans Claims Judge
- United States District Court Judge
- United States District Court Judge
- United States District Court Judge
- United States District Court Judge
- United States District Court Judge

10:00 AM – 10:05 AM

Closing Remarks

Corey Salsberg, President-Elect, Federal Circuit Bar Association®

| Vice President, Global Head IP Affairs, Novartis | *Meritage I – VIII*