

全國工業總會研討會：  
美國聯邦法院訴訟之進階策略

CNFI Seminars: Advanced U.S. Federal Court Litigation Strategies



全國工業總會  
Chinese National Federation of Industries (CNFI)  
博欽律師事務所  
Perkins Coie LLP  
博欽外國法事務律師事務所  
Perkins Coie Foreign Legal Affairs Attorneys at Law

**PERKINScoie**  
FOREIGN LEGAL AFFAIRS ATTORNEYS AT LAW  
博欽外國法事務律師事務所  
PERKINS COIE LLP  
博欽律師事務所

針對美國聯邦法院專利訴訟爭端之進階法律策略：  
專利和商業機密訴訟之熱門話題

**Advanced Legal Strategies for Litigating Intellectual Property  
Disputes in U.S. Federal Courts:  
Hot Topics in Patent & Trade Secret Litigation**

3.5 HOURS CLE CREDIT (3.5 小時 CLE 學分)

One of our speakers who will briefly translate English into Chinese based on our attendees' inquiry/required on the seminar date.

我們其中一位演講者將依當天出席者之需求，將英語講講內容做部分之中文節譯

Partners (Bobbie Wilson, Joshua Reiten and David Tsai) from the San Francisco Office of Perkins Coie LLP and the Chinese National Federation of Industries (CNFI) are pleased to co-host a symposium on 3/26 and 3/27 in two cities in Taiwan (Hsinchu and Taipei) for those who already have a basic knowledge of patent and trade secret litigation procedures in U.S. courts. The symposium will address advanced patent and trade secrets litigation topics, strategies and practice pointers and practical tips in view of the recent developments in the U.S. courts. Topics will include:

- How to Protect Your Damages Expert from Disqualification
- Strategies for Avoiding Pitfalls in Trade Secret Litigation
- How to Determine Reasonable and Non-Discriminatory (RAND) Patent Licensing Terms

**1st Day of Seminar 第一場研討會**

Thursday, 3/26/2015 – Hsinchu City (1:30 PM – 5:15 PM)

民國 104 年 3 月 26 日，星期四，新竹市（下午 1 點 30 分至 5 點 15 分）

台灣科學工業園區科學工業同業公會 202 會議室(新竹科學園區展業一路 2 號)

Conference Room 202 of the Allied Association for Science Park Industries

(No.2, Prosperity Rd.1, Hsinchu Science Park, Hsinchu 30078, Taiwan, R.O.C.)

聯合主辦

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## 2nd Day of Seminar 第二場研討會

Friday, 3/27/2015 – Taipei City (1:30 PM – 5:15 PM)

民國 104 年 3 月 27 日，星期五，台北市（下午 1 點 30 分至 5 點 15 分）

台大社科院大樓 3 樓梁國樹國際會議廳(台北市羅斯福路 4 段 1 號)

3rd Floor of Kuo-Shu Liang International Conference Hall of College of Social Sciences,  
National Taiwan University (No. 1, Sec. 4, Roosevelt Road, Taipei 10617, Taiwan, R.O.C.)



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## Topics & Schedule

### 研討會的主題與安排



1:00 – 1:30 PM	<b>簽到 REGISTRATION</b>
1:30 – 3:00 PM	<b>HOW TO PROTECT YOUR DAMAGES EXPERT FROM DISQUALIFICATION</b> <ul style="list-style-type: none"><li>▪ Overview of Purposes of Damages Expert Testimony and its Admissibility</li><li>▪ Strategies for Preparing Your Damages Expert for Deposition and Tips for Protecting the Expert from Attack</li><li>▪ Examples and Case Studies</li></ul> Presenter 演講者： <i>Bobbie Wilson</i>
	<b>STRATEGIES FOR AVOIDING PITFALLS IN TRADE SECRET LITIGATION</b> <ul style="list-style-type: none"><li>▪ Overview of Trade Secret Litigation and Current Trends</li><li>▪ Case Studies and Examples of Litigation Missteps</li><li>▪ Practical Tips for Maximizing Success</li></ul> Presenter 演講者： <i>Joshua Reiten</i>
3:00 – 3:15 PM	<b>BREAK</b>
3:15 – 5:00 PM	<b>HOW TO DETERMINE REASONABLE AND NON-DISCRIMINATORY (RAND) PATENT LICENSING TERMS IN U.S. PATENT LITIGATION</b> <ul style="list-style-type: none"><li>▪ Overview of Current Case Law Regarding RAND Damages</li><li>▪ Explanation of Damages Issues Raised in the <i>Innovatio IP Ventures</i> and <i>Ericsson v. D-Link</i> cases</li></ul> Presenter 演講者： <i>David Tsai</i>
5:00 – 5:15 PM	<b>PANEL DISCUSSION / Q&amp;A</b>

## About the Speakers



**Bobbie Wilson**

Partner 合夥人

San Francisco Office, U.S.A.

Perkins Coie LLP 博欽律師事務所

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**Bobbie Wilson** is a Partner in Perkins Coie's San Francisco office and a member of Perkins' Litigation practice, has extensive experience in complex civil litigation primarily in the area of intellectual property. She focuses on patent, trade secrets, Internet privacy, and Section 230 litigation under the Communications Decency Act. Ms. Wilson also serves as the lead trial counsel in complex class action litigation and patent cases.

Whether it is a grant of summary judgment in a Section 230 case, dismissal of a class action lawsuit, or a \$56.00 punitive damages award as new trial counsel, Ms. Wilson gets results. In recognition of her accomplishments, Ms. Wilson was recently recognized as one of the 50 Women Leaders in Technology Law in California and one of the "Top 100 Women Lawyers" in California.

She speaks on cutting edge issues and authors articles, the most recent concerning how to deal with threat letters in patent cases and dealing with social media and jurors as a trial lawyer.



**Joshua Reiten**

Partner 合夥人

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[JReiten@perkinscoie.com](mailto:JReiten@perkinscoie.com)

**Joshua Reiten** is a Partner in Perkins Coie's in Commercial Litigation practice. He has extensive experience litigating trade secret cases. On a case with Bobbie and David, he represented a Taiwanese client in a high stakes trade secrets case involving allegations of misappropriation of cable modem technology and source code. He also has successfully defended one of the world's largest manufacturers of semiconductors and its U.S. subsidiary in California state court against claims of trade secret misappropriation. In that case, Joshua's client prevailed on every motion, prevented plaintiff from taking any discovery, and won a dismissal with prejudice. After securing the favorable judgment, Joshua prevailed on a motion for attorneys' fees that awarded his client over \$200,000. Joshua has jury trial experience and is well-versed in all aspects of defending complex commercial litigation matters.

## About the Speakers



**David Tsai 蔡進昌**

Partner 合夥人

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**David Tsai (蔡進昌)** is a Partner in Perkins Coie's San Francisco and Taipei offices and a member of Perkins' Commercial Litigation Practice Group. David's practice focuses on trade secret and patent litigation involving Internet, software, semiconductors, set-top boxes, smartphones, light-emitting diodes (LEDs), pharmaceuticals, biotechnologies, and medical devices. His legal experience also includes successfully second chairing a trade secrets arbitration case involving silicon technology, litigating in the areas of copyrights and trademarks, preparing and prosecuting U.S. electrical engineering patent applications, drafting patentability, freedom-to-operate and non-infringement opinions, as well as patent interference in the area of biotechnology. David has written and lectured on Internet software applications, Hatch-Waxman/Abbreviated New Drug Application (ANDA) litigation, and stem cell gene therapy. He is Past President and current board member of the Silicon Valley Intellectual Property Law Association.

David has been recognized as a top 50 California Lawyer on the Fast Track by The Recorder, Super Lawyer in Intellectual Property Litigation, Best Lawyer Under 40 by the National Asian Pacific American Bar Association, and one of the Daily Journal's 2013 Top "Five Associates To Watch" in California.

David is fluent in spoken Taiwanese and Chinese Mandarin and has successfully represented numerous Taiwan-based companies. He also co-chairs Perkins Coie's Asian Pacific Islander Affinity Group. David is a graduate of Harvard, Stanford, and Santa Clara University.

# Firm Overview



With more than 1,000 lawyers in 19 offices across the United States and Asia, Perkins Coie provides a full array of corporate, commercial litigation and intellectual property legal services to clients that span the range of entities in the business world - from FORTUNE 50 corporations to small, independent start-ups, as well as public and not-for-profit organizations. Perkins Coie's 100-year tradition of partnering with our clients to build great companies has earned our firm the privilege of representing leading Taiwanese companies and other industry-leading companies such as HTC, ASUSTeK, Largan Precision, ATEN International, Microsoft, Intel, Google, Boeing and Starbucks, to name just a few.

## CAPABILITIES

Perkins Coie attorneys represent a wide range of clients—individuals, partnerships, non-profit organizations, government bodies, corporations, international entities—and provide counsel in every major area of commercial and regulatory law and litigation. While the firm offers a broad range of specialized services, we focus intensively on patent litigation, patent procurement, other intellectual property and technology; M&A, corporate finance and other strategic transactions; complex litigation; labor and employment law; political law and government affairs; and real estate.

The firm has a strong international capability through our offices in Taipei, Beijing and Shanghai, the ongoing experience of our attorneys in the United States and our relationships with foreign law firms.

## PROFESSIONAL RECOGNITION

Perkins Coie was ranked #49 on the American Lawyer 100 list in 2014 (based on 2013 results) and listed on FORTUNE magazine's "100 Best Companies to Work For" for twelve consecutive years (2003 - 2014). The firm was ranked as a leading firm in Chambers USA with 128 attorneys listed in 10 key markets across the country. Nineteen of the firm's practices received Band 1 rankings (2014) and 221 lawyers were named among the "Best Lawyers in America" (2015).

## OFFICE LOCATIONS

Anchorage, Alaska

Beijing, China

Bellevue, Washington

Boise, Idaho

Chicago, Illinois

Dallas, Texas

Denver, Colorado

Los Angeles, California

Madison, Wisconsin

New York, New York

Palo Alto, California

Phoenix, Arizona

Portland, Oregon

San Diego, California

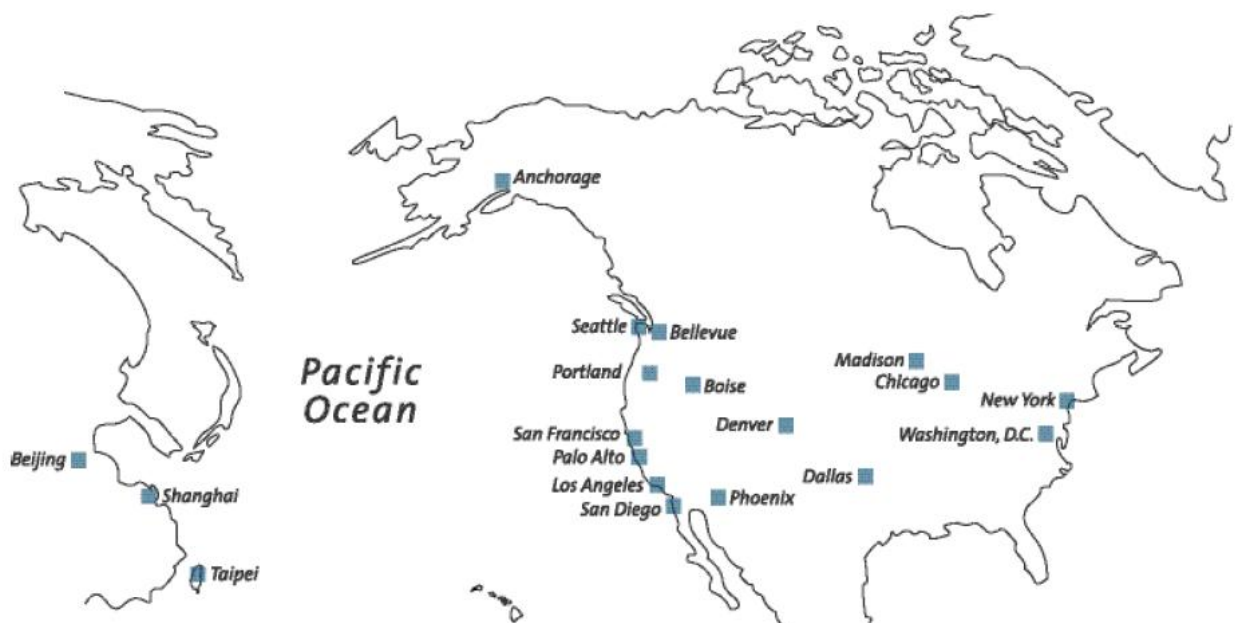
San Francisco, California

Seattle, Washington

Shanghai, China

Taipei, Taiwan

Washington, D.C.



For more information please visit [www.perkinscoie.com](http://www.perkinscoie.com)

# Patent and Trade Secret Practice

## PATENT PRACTICE OVERVIEW

Perkins Coie is ranked the top ITC patent litigation firm in *Corporate Counsel* magazine's most recent survey, among the top five most-hired firms for patent litigation defense in the 2014 Patent Litigation Survey (based on 2013 results) by *Corporate Counsel* and a leading firm for Intellectual Property law in U.S. in 2015 by *Chambers and Partners*. Perkins Coie was also named the 2013-2014 U.S. News – Best Lawyers “Law Firm of the Year” in Patent Law and is the only AmLaw 100 firm ranked in the Top 3 for patent quality by *Ocean Tomo and Intellectual Asset Management Magazine*.

The Perkins Coie Patent practice has more than 200 patent attorneys and agents that support the prosecution and litigation needs of our clients. Nearly 150 members of the group have science degrees, including electrical engineering, computer engineering or computer science backgrounds and numerous life sciences disciplines. Few firms, if any, in the country have our expertise plus such a deep technical bench.

Our Patent practice is part of the firmwide Intellectual Property group, which includes more than 250 lawyers focused on IP litigation, patent and trademark prosecution, technology licensing, copyrights, and trade secret and unfair competition counseling. Our clients include companies in all technologies and industries around the world. The IP group also has extensive experience litigating patent and trademark infringement actions, Internet-related disputes and gray market and anti-counterfeiting claims for companies in the software, online retail, search and electronics industries. Our clients benefit from our interdisciplinary approach to matters, which combines extensive legal and technical experience with strong corporate and litigation resources in a leading technology law firm.

## TRADE SECRET PRACTICE OVERVIEW

Perkins Coie's attorneys frequently counsel clients on best practices for protecting trade secrets and preventing claims of trade secret theft by others. When necessary, our attorneys enforce clients' trade secret rights in litigation, as well as defend clients against claims of trade secret theft.

**Litigation:** We have a deep bench of attorneys with significant litigation and trial experience in trade secret matters. Our attorneys have handled trade secret disputes for a diverse client base involving a wide variety of technologies. We are often called upon to pursue or defend against motions for temporary restraining orders or preliminary injunctions and have been successful in these proceedings. With litigators in all of our U.S. offices, we have handled cases in federal and state courts across the country.

**Business transactions:** Our Business attorneys are highly skilled in providing practical and effective advice to clients on trade secret issues in business transactions. They frequently assist clients with identifying and defining trade secrets in connection with business transactions, negotiating trade secret licenses and other transfers and establishing measures and programs for protecting trade secrets and other confidential information.

**Employment matters:** We also have substantial experience dealing with trade secrets in the employment context. Our Labor attorneys counsel clients on, and help them prepare, employment agreements involving trade secrets and other intellectual property, confidentiality agreements, non-compete agreements and

## ACCOLADES

Ranked No. 1 law firm for handling the most cases in the ITC in 2013 by *Corporate Counsel*

Ranked the 5th most-hired firm in the country for patent litigation and 6th for defense in 2014 by *Corporate Counsel*

Named 2013-2014 Patent “Law Firm of the Year” by U.S. News – Best Lawyers

Ranked National Tier 1 in Patent Law by *U.S. News – Best Lawyers*

Ranked Top 3 firms for overall patent quality, No. 1 firm for Industrials and No. 4 firm for Information Technology in 2014 by *Ocean Tomo and Intellectual Asset Management Magazine*

Ranked the 9th largest IP practice globally in 2014 by *Law360*

Four patent litigators are Fellows in the American College of Trial Lawyers

internal trade secret protection procedures. Where effective, our Labor attorneys partner with our Intellectual Property attorneys to form industry or technology focused teams for a client's specific needs.

### **ASIAN CLIENT EXPERIENCE**

Perkins Coie has strong experience representing Asian companies, particularly in patent litigation and other intellectual property matters. We assist Asian companies in obtaining, enforcing and protecting their intellectual property assets in a variety of disciplines including semiconductors, telecommunications, biotechnology, pharmaceutical, medical devices and industrial chemistry and manufacturing.

The firm represents technology companies such as HTC, ASUSTeK, ATEN International, Largan Precision, Princo Corporation, Lite-On Group and Monolithic Power Systems in patent litigation and patent prosecution. Recently, we secured an important patent litigation victory for HTC Corporation before the U.S. International Trade Commission in a case filed against it and others by FlashPoint Technologies, a subsidiary of Apple (337-ITC-726). We also recently obtained a favorable result in the ITC for HTC in a case brought by Apple (337-ITC-710).

Perkins Coie has an office in the Taipei 101 Tower, which marks the third Perkins Coie office in Asia. Our offices in Beijing and Shanghai represent Chinese and multinational companies in intellectual property matters in the areas of technology and life sciences.

