

## **SUBJECT MATTER ELIGIBILITY FORUM – MAY 9, 2014**

USPTO Madison Auditorium North (Concourse Level)

1:00 PM – 5:00 PM Eastern Time

- 1.00 pm**      **Welcome – Michelle Lee, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office**
- Opening Remarks – Drew Hirshfeld, Deputy Commissioner for Patent Examination Policy**
- 1.10 pm**      **USPTO Presentation: Overview Of The Guidance For Determining Subject Matter Eligibility Of Claims Reciting Or Involving Laws of Nature, Natural Phenomena, & Natural Products**
- 1.40 pm**      **Public Presentations: Group One**
- Four speakers who will discuss their interpretation of the Supreme Court precedent, and its applicability to examination, followed by a short interval (approx. 10 minutes) for questions directed to issues raised by these presentations.
    - Hans Sauer, Ph.D. J.D., Deputy General Counsel for Intellectual Property, Biotechnology Industry Organization
    - Suzannah K. Sundby, Partner, Smith, Gambrell & Russell, LLP
    - Anthony D. Sabatelli, Ph.D., J.D., Partner, Dilworth IP LLC
    - Kenneth H. Sonnenfeld, Ph.D., J.D., Partner, King & Spalding LLP
- 2.30 pm**      **Public Presentations: Group Two**
- Three speakers who will discuss their interpretation of the role of structure and function in connection with the marked difference inquiry and the Supreme Court decisions in *Funk Brothers* and *Chakrabarty*, followed by a short interval (approx. 10 minutes) for questions directed to issues raised by these presentations.
    - Courtenay C. Brinckerhoff, Partner, Foley & Lardner LLP
    - Dr. Leslie Fischer, Ph.D., J.D., Senior Patent Attorney, Novartis Pharmaceuticals Corporation
    - Warren D. Woessner, J.D., Ph.D., Founding Shareholder, Schwegman Lundberg & Woessner, P.A.
- 3.10 pm**      **Break**
- 3.25 pm**      **Public Presentations: Group Three**
- Three speakers who will discuss other topics related to the guidance, including the examination of diagnostic methods, followed by a short interval (approx. 10 minutes) for questions directed to issues raised by these presentations.
    - Barbara Fiacco, Partner, Foley Hoag, speaking on behalf of American Intellectual Property Law Association (AIPLA)
    - Duane C. Marks, Patent Counsel, Roche Diagnostics Operations, Inc.
    - Gregory A. Cox, Asst. General Patent Counsel, Eli Lilly and Company, speaking on behalf of American Bar Association Section of Intellectual Property Law (ABA-IPL)
- 4.05 pm**      **Open Participation/Question & Answer Session**
- A panel of USPTO representatives will answer questions from the public and accept public statements.
- 4.55 pm**      **Closing Remarks – Drew Hirshfeld, Deputy Commissioner for Patent Examination Policy**