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.
  o Hans Sauer, Ph.D. J.D., Deputy General Counsel for Intellectual Property, Biotechnology Industry Organization
  o Suzannah K. Sundby, Partner, Smith, Gambrell & Russell, LLP
  o Anthony D. Sabatelli, Ph.D., J.D., Partner, Dilworth IP LLC
  o 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.
  o Courtenay C. Brinckerhoff, Partner, Foley & Lardner LLP
  o Dr. Leslie Fischer, Ph.D., J.D., Senior Patent Attorney, Novartis Pharmaceuticals Corporation
  o 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.
  o Barbara Fiacco, Partner, Foley Hoag, speaking on behalf of American Intellectual Property Law Association (AIPLA)
  o Duane C. Marks, Patent Counsel, Roche Diagnostics Operations, Inc.
  o 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