

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

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針對美國聯邦法院專利訴訟爭端之進階法律策略：  
實際/熟練的作證會和權利要求結構技巧

Advanced Legal Strategies for Litigating Patent Disputes in  
U.S. Federal Court: Fact / Expert Depositions and Claim  
Construction Techniques

3.5 HOURS CLE CREDIT (3.5 小時 CLE 學分)

One of our speakers may interpret portions of the presentation from English to Chinese based as needed.

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

Perkins Coie LLP Attorneys Eric Wesenberg, Christopher Kao, Bobbie Wilson, and David Tsai with the Chinese National Federation of Industries (CNFI) are pleased to co-host a symposium from 9/23 to 9/25 in four cities (Taipei, Tainan and Hsinchu) in Taiwan for those who already have a basic knowledge of patent litigation procedures in Federal District Courts and in the Court of Appeals for the Federal Circuit. The symposium will address advanced patent litigation topics, strategies and practice pointers and practical tips in view of the Federal Circuit's most recent rule changes, opinions and orders. Topics will include:

- Advanced Techniques for Preparing for Fact Witness Depositions
- How to Find the Best Expert Witness & Techniques for Preparing For Expert Witness Depositions
- Strategies for Claim Construction & A Claim Construction Case Study

**1st Day of Seminar 第一場研討會**

Tuesday, 9/23/2014 – Taipei City (1:30 PM – 5:30 PM)

民國 103 年 9 月 23 日，星期二，台北市（下午 1 點 30 分至 5 點 30 分）

國家圖書館國際會議廳（台北市中山南路 20 號）

Conference Room of the National Library (No. 20, Zhongshan S. Rd., Taipei City, Taiwan)

聯合主辦

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## 2nd Day of Seminar 第二場研討會

Wednesday, 9/24/2014 – Tainan City (1:30 PM – 5:30 PM)

民國 103 年 9 月 24 日，星期三，台南市(下午 1 點 30 分至 5 點 30 分)

南部科學工業園區公會 南科商務會館 2 樓 201 會議室 (台南市南科三路 26 號)

201 Conference Room, 2nd Floor, Business Building of Southern Taiwan Science Park  
(No. 26, Nanke 3rd Rd., Tainan City, Taiwan)

## 3r Day of Seminar 第三場研討會

Thursday, 9/25/2014 – Hsinchu City (1:30 PM – 5:30 PM)

民國 103 年 9 月 25 日，星期四，新竹市(下午 1 點 30 分至 5 點 30 分)

集思竹科會議中心愛迪生廳 (新竹科學園工業東二路 1 號科技生活館 2 樓)

Edison Conference Room of GIS HSP Convention Center  
(2nd Floor, No. 1, Gongye East 2nd Road, Hsinchu City, Taiwan)



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## Topics & Schedule 研討會的主題與安排

1:30 – 2:00 PM

REGISTRATION 簽到

2:00 – 3:30 PM

### ADVANCED TECHNIQUES FOR PREPARING FOR FACT WITNESS DEPOSITIONS

- Overview of Fact Witness Depositions
- Advanced Techniques and Strategies for Fact Witness Depositions
- Examples and Case Studies

Presenters 演講者：Bobbie Wilson & David Tsai

- Bobbie Wilson, Partner of San Francisco Office, Perkins Coie LLP
- David Tsai, Counsel of San Francisco Office, Perkins Coie LLP

### HOW TO FIND THE BEST EXPERT WITNESS & TECHNIQUES FOR PREPARING FOR EXPERT WITNESS DEPOSITIONS

- Best Practices for Retaining Expert Witnesses and Consultants
- Overview of Expert Witness Depositions
- Techniques and Strategies for Expert Witness Depositions
- Examples and Case Studies

Presenters 演講者：Chris Kao & David Tsai

- Chris Kao, Managing Partner of Palo Alto Office, Perkins Coie LLP
- David Tsai, Counsel of San Francisco Office, Perkins Coie LLP

3:30 – 3:45 PM

BREAK 休息

3:45 – 5:30 PM

### STRATEGIES FOR CLAIM CONSTRUCTION & CLAIM CONSTRUCTION CASE STUDY

- Overview of Current Claim Construction Law
- Potential Issues in Claim Construction
- Techniques and Strategies for Claim Construction
- Example and Case Study: Arguing Claim Construction

Presenters 演講者：Eric Wesenberg & Chris Kao

- Eric Wesenberg, Partner of Perkins Coie Foreign Legal Affairs Attorneys at Law & Partner of Palo Alto Office, Perkins Coie LLP
- Chris Kao, Managing Partner of Palo Alto Office, Perkins Coie LLP

5:30 PM – 5:45 PM

PANEL DISCUSSION/ Q&A

# About the Speakers



**Eric Wesenberg 艾瑞克**

Partner 合夥人

Perkins Coie Foreign Legal Affairs  
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**Eric L. Wesenberg (艾瑞克)** is a Partner in Perkins Coie's Patent Litigation group, focuses his practice on complex patent disputes, covering a broad spectrum of technologies. He practices before federal courts at both the trial and appellate levels. He has extensive experience arguing before the Federal Circuit Court of Appeals and has appeared in U.S. International Trade Commission (ITC) proceedings relating to Section 337 claims, patent disputes and anti-trust challenges. Eric is co-chair of Perkins Coie's Federal Circuit Appellate Group and has participated in dozens of CAFC appeals relating to patents, arguing 15. Among these appeals, he has prevailed in arguing as an appellee, appellant and mandamus petitioner. Issues he has argued on appeal to the CAFC include: claim construction, anti-trust violations, patent misuse, patent invalidity, res judicata, statutory construction underlying mandamus petition, patent pooling standards, preliminary injunctions and a variety of jurisdictional issues. He is a member of a variety of Federal Circuit and appellate bar associations and has spoken on a variety of appeals issues. Eric has been a guest lecturer at Santa Clara University Law School on intellectual property. He has lectured to numerous foreign corporations and trade groups, primarily in Asia, regarding U.S. patent law and litigation including presentations regarding strategic use of intellectual property, patents and the ITC, monetization of intellectual property, and defensive patent portfolios.

**Christopher Kao (高鼎祖)** is a Partner in Perkins Coie's Patent Litigation group and is the Managing Partner of the firm's Palo Alto Office. Chris focuses on intellectual property litigation, including patent, copyright, trademark and trade secrets disputes, and other high-stakes commercial litigation. He has represented clients in the computer hardware and software, semiconductor, telecommunications, and consumer products industries, including many Taiwanese companies. Chris has served as lead counsel in numerous patent litigation matters throughout the United States including the most popular venues for patent litigation, the District of Delaware, the Eastern District of Texas, the Central District of California, the Northern District of California, and the U.S. International Trade Commission, and in appeals before the U.S. Court of Appeals for the Federal Circuit. He has also acted as lead counsel in complex commercial litigation matters in both state and federal courts involving breach of contract, product warranty, and other business disputes. Chris has tried numerous cases to verdict, in both bench and jury trials, and also has substantial experience with alternative dispute resolution procedures such as mediation and arbitration.



**Bobbie Wilson**

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**Bobbie Wilson** is a Partner in Perkins Coie's 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.

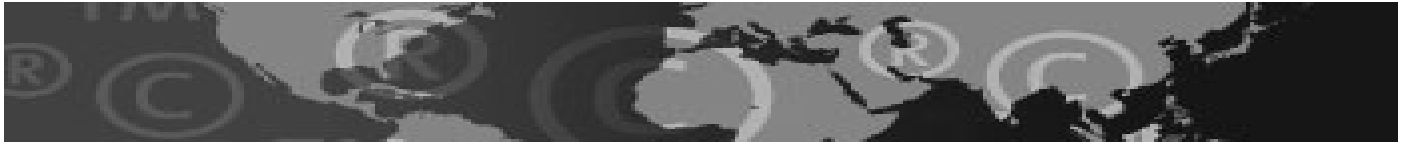
She speaks on cutting edge issues and authors articles, the most recent concerning how to deal with threat letters in patent cases and dealing with social media and jurors as a trial lawyer.

**David Tsai (蔡進昌)** is a Counsel 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 the Immediate Past President 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' Asian Pacific Islander Affinity Group. David is a graduate of Harvard, Stanford, and Santa Clara University.

# Firm Overview



With more than 900 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, for-profit entities, international organizations—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 (2013) and listed on FORTUNE magazine's "100 Best Companies to Work For" for eleven consecutive years (2003 - 2013). The firm was ranked as a leading firm in Chambers USA with 118 attorneys listed in 10 key markets across the country. Eighteen of the firm's practices received Band 1 rankings (2013) and 206 lawyers were named among the "Best Lawyers in America" (2014).

## 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 Practice



## OVERVIEW

Perkins Coie is ranked the top ITC patent litigation firm in the July 2013 issue of *Corporate Counsel* magazine, the top five most-hired firms for patent litigation defense in The 2013 Patent Litigation Survey by *Corporate Counsel* and a leading firm for Intellectual Property law in U.S. in 2013 by *Chambers and Partners*. Perkins Coie is named the 2012-2013 U.S. News – Best Lawyers “Law Firm of the Year” in Patent Law and the only AmLaw 100 firm ranked in the Top 5 for patent quality by *Ocean Tomo and Intellectual Asset Management Magazine*.

The Perkins Coie Patent practice has more than 185 patent attorneys and agents that support the prosecution and litigation needs of our clients. Nearly 100 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.

## 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.

## ACCOLADES

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

Ranked Top 5 most-hired firms for patent litigation defense in 2013 by *Corporate Counsel*

Named 2012-2013 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 4 firms for patent quality in 2013 by Ocean Tomo and *Intellectual Asset Management Magazine*.

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

Ranked the 5th busiest law firm in the country for patent litigation defense and 7th for overall patent litigation by *Corporate Counsel*