

## Intellectual Property Remedies

This conference will bring scholars and practitioners together to discuss the important field of remedies in intellectual property law. Recent court decisions have reminded us that remedies are often the tail that wags the dog, whether it be in the form of injunctive relief (*eBay*), declaratory relief (*MedImmune*), bet-the-company trademark awards (*Adidas*), or disproportionate copyright awards (*Thomas*). Ten commentators who teach, practice, and write on remedies law, intellectual property law, or both will present papers in a forum setting.

**LEWIS & CLARK LAW SCHOOL**  
10015 S.W. Terwilliger Boulevard  
Portland, Oregon 97219

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By Darryl Lloyd



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## Intellectual Property Remedies

Friday, October 2, 2009

Sponsored by:

Oregon State Bar, Computer  
and Internet Law Section

Oregon State Bar, Intellectual  
Property Law Section

Lewis & Clark Law School  
Portland, Oregon

## SCHEDULE

All events held at Lewis & Clark Law School in Classroom 7, Wood Hall

8:00 a.m. **Registration and Continental Breakfast**

8:50 a.m. **Welcome and Introductions**

Dean Robert Klonoff and Professor Tomás Gómez-Arostegui

9:00 a.m. **Session I**

Moderator: Joe Miller

Stacey L. Dogan

*Trademarks, Intermediaries, and the Question of Remedies*

Mark McKenna

*Back to the Future: Rediscovering Equitable Discretion in*

*Trademark Cases*

David Levine

*Declaratory Relief After MedImmune*

10:30 a.m. **Morning Break**

10:45 a.m. **Session II**

Moderator: Tomás Gómez-Arostegui

James M. Fischer

*What Hath eBay v. MercExchange Wrought?*

David McGowan

*Property Rules and Non-Monetary Harm*

Rachel M. Janutis

*Are Patents Different?: The Feasibility of Transubstantive*

*Rules of Equity*

12:15 p.m. **Luncheon**

1:00 p.m. **Keynote Address**

Michael Traynor

*Some Open Questions About Intellectual Property Remedies*

1:45 p.m. **Session III**

Moderator: Lydia Pallas Loren

Caprice L. Roberts

*The Case for Unjust Enrichment Remedies in Patent Law*

Daralyn J. Durie

*A Structured Approach to Calculating Reasonable Royalty Damages*

Colleen P. Murphy

*Questioning Statutory Damages in Copyright Law*

3:15 p.m. **Closing of Conference and Reception**

## REGISTRATION

Forum registration deadline is September 25, 2009.

**REGISTER ONLINE** at <http://go.lclark.edu/law/remedies>

or fill out the form below.

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**Registration Fee** includes Forum materials, continental breakfast, lunch and reception.  Check for vegetarian lunch.

Regular \$50

Alumni/Student \$30

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**MCLE Credit:** The program has applied for MCLE credits in Oregon and Washington.

**Special Assistance:** If you have a disability or special needs, please let us know so we can accommodate you.

## FEATURED PARTICIPANTS

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