

INTERSECTION OF COMPETITION POLICY AND PATENT POLICY : IMPLICATIONS FOR PROMOTING INNOVATION

BIOGRAPHICAL STATEMENTS OF PARTICIPANTS

May 26, 2010

OPENING REMARKS

David Kappos is the Under Secretary of Commerce for Intellectual Property and Director of the U.S. Patent and Trademark Office. In this role he advises the President, the Secretary of Commerce, and the Administration about intellectual property matters. Prior to joining the USPTO, Mr. Kappos was Vice President and Assistant General Counsel, Intellectual Property Law and Strategy, for IBM Corporation, directing IBM's Intellectual Property Law function, providing legal counsel over all facets of protecting and licensing IBM's intellectual property assets and leading IBM's engagement of intellectual property law policy issues, as well as setting legal strategy for the company across IBM's technology-based business units. In particular, Mr. Kappos was responsible for the management of IBM's patent and trademark portfolios; protecting and licensing intellectual property (patents, copyrights, trademarks, know-how and technology) worldwide; and directing intellectual property law operations relating to the research, services, consulting, computer systems, storage products, semiconductor and technology development, software, marketing and other groups, divisions, and entities within IBM. In addition, Mr. Kappos was responsible for IP policy and coordination with IBM's litigation and corporate development groups in matters relating to intellectual property.

Christine A. Varney was confirmed as Assistant Attorney General for the Antitrust Division of the United States Department of Justice on April 20, 2009, continuing a distinguished career in both the public and private sectors. Immediately prior to her appointment, Ms. Varney was a partner in the Washington, D.C. office of Hogan & Hartson LLP, where she served in a dual capacity as a member of the firm's Antitrust Practice Group and head of the firm's Internet Practice Group. Her practice provided full-service assistance to companies doing business globally, including providing advice on antitrust, competition policy, regulatory matters, privacy, business planning and corporate governance, intellectual property, and general liability issues. From 1994 to 1997, Ms. Varney served as a Commissioner at the Federal Trade Commission, and was a leading official on a wide variety of Internet and competition issues. Prior to becoming a Federal Trade Commissioner, Ms. Varney served as an Assistant to the President and Secretary to the Cabinet. She was the primary point of contact for the 20-member Cabinet and was responsible for the overall coordination of several major issues and initiatives between the White House and various agencies.

Aneesh Chopra is the United States Chief Technology Officer and in this role serves as an Assistant to the President and Associate Director for Technology in the Office of Science and Technology Policy. He works to advance the President's technology agenda by fostering new ideas

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Joshua Makower, M.D., is the CEO and Founder of ExploraMed Development, LLC, a medical device incubator. He is also a Venture Partner with New Enterprise Associates where he supports the investing activity in the medical device area. Dr. Makower serves as a Consulting Associate Professor of Medicine at Stanford University Medical School and founded Stanford's Biodesign Innovation Program. He has founded several companies through ExploraMed incubator that have achieved successful M&A transactions, including Acclarent, Inc., a company focused on developing novel therapies in ENT, which was acquired by J&J in 2010, Vascular, Inc., a company focused on the development of a completely catheter-based coronary bypass technology, which was acquired by Medtronic, Inc. in 2003, and EndoMatrix, Inc., a company focused on the development of a novel therapy for incontinence and GI Reflux, which was acquired by (b) (3) (d) (2) (e) (4) (7) (6)

served on the editorial boards of the Antitrust Law Journal and the Journal of Business and Economics Statistics. In 2005, Professor Stern was awarded the first Ewing Marion Kauffman Prize Medal for Distinguished Research in Entrepreneurship.

Professor Stern graduated with a B.A. in economics from New York University, and received his Ph.D. in economics from Stanford University in 1996. From 1995, Professor Stern was Assistant Professor of Management at the Sloan School of Management, from 2001-2003, Professor Stern was a Non-Resident Senior Fellow of the Brookings Institution.

PANEL 2: PERMANENT INJUNCTIONS IN THE DISTRICT COURTS AND ITC: EFFECTS ON COMPETITION AND INNOVATION

Suzanne Michel (moderator) is Deputy Director in the Office of Policy Planning at the Federal Trade Commission. She focuses on the patent and patent/antitrust issues that arise in the FTC enforcement and policy work. Ms. Michel is currently heading the FTC's project on the "Evolving IP Marketplace." The FTC awarded her the Paul Rand Dixon award in 2002 and the Excellence in

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Wilson, Sonsini, Goodrich & Rosati, and at Skadden, Arps, Slate, Meagher & Flom. Mr. Cassidy also served as a law clerk to the Honorable John T. Noonan, Jr. of the U.S. Court of Appeals for the

Committee for the legal department. Ms. Ward has worked as an IP litigator and advisor for over twenty years, and prior to joining eBay represented clients in diverse areas of technology. She was an IP litigator at Weil, Gotshal, & Manges; Jones Day; Reavis & Pogue; Fenwick & West. She has a degree in chemical engineering and is a registered patent attorney. Ms. Ward has testified on patent reform before Congress, taught at many conferences and panels, and is recognized in Who's Who in American Law

INTRODUCTORY REMARKS

Edith Ramirez was sworn in as a Commissioner of the Federal Trade Commission on April 5, 2010, to a term that expires on September 25, 2015. Prior to joining the Commission, Ms. Ramirez was a partner in the Los Angeles office of Quinn Emanuel Urquhart & Sullivan, LLP, where she handled a broad range of complex business litigation, including successful

member of the D.C. Federal Judicial Nominations Commission from 1997-2000. Mr. Tom has also been honored by listings in Who's Who in the World, Who's Who in America, The Best Lawyers in America, Chambers USA: America's Leading Lawyers for Business, Competition/Antitrust, PLC Which Lawyer?

Mark Chandler is Senior Vice President, General Counsel and Secretary of Cisco Systems, a Fortune 100 company and the world's leading supplier of Internet infrastructure and telephony equipment. In that role, he manages a 250-member team of professionals; he has served in that capacity since 2001. Prior to that, he was Managing Attorney, Europe, Middle East and Africa, based in Paris. He was previously General Counsel of StrataCom, Inc., which Cisco acquired in July 1996, and was Vice President, Corporate Development and General Counsel of Maxtor Corporation, a Fortune 500 manufacturer of computer data storage devices, from 1993-

Mr. Chandler is responsible for setting Cisco's legal strategy and managing intellectual property and litigation matters, including anti-counterfeiting and anti-piracy efforts, as well as for corporate compliance efforts. He has represented Cisco in a variety of public policy matters regarding global Internet freedom issues, efforts to expand market access by working against tariff barriers affecting the development of the global Internet, and intellectual property legislation.

Mr. Chandler received B.A. in 1978 from Harvard College in Economics, and a J.D. from Stanford Law School in 1981.

Patrick Gallagher, Ph.D., was confirmed as the 14th Director of the U.S. Department of Commerce's National Institute of Standards and Technology (NIST) in November 2009. Dr. Gallagher provides high-level oversight and direction for NIST. The agency promotes U.S. innovation and industrial competitiveness by advancing measurements, standards, and technology. NIST's FY 2009 resources total \$1.6 billion and the agency employs about 2,900 scientists, engineers, technicians, support staff and administrative personnel at two main locations in Gaithersburg, Md., and Boulder, Colo. In addition to \$819 million in FY09 appropriations and \$125 million from other agencies, the American Recovery and Reinvestment Act of 2009 provides a total of \$610 million to NIST for building critically needed research facilities, expanding fellowships and research grants, and addressing important national priorities critical to the nation's future.

Dr. Gallagher had served as Deputy Director since 2008. Prior to that, he served for four years as Director of the NIST Center for Neutron Research (NCNR). The NCNR provides a broad range of neutron diffraction and spectroscopy capability with thermal and cold neutrons and is presently the nation's most used facility of this type. Dr. Gallagher received his Ph.D. in Physics from the University of Pittsburgh in 1991.

and most recently, Advancing Knowledge and the Knowledge Economy

issues, including enforcement of intellectual property protection required under international trade rules, and is responsible for implementation and enforcement of intellectual property obligations under the WTO agreements and all U.S. free trade agreements.

He is a graduate of DePauw University and the University of Virginia School of Law.

A. Douglas Melamed is Senior Vice President and General Counsel at Intel Corporation. In this role, he is responsible for overseeing all Intel legal matters as well as corporate and government affairs. Prior to joining Intel in 2009, Mr. Melamed was a partne

WRAP-UP DISCUSSION

Carl Shapiro, Ph.D., serves as the Deputy Assistant Attorney General for Economic Analysis Antitrust Division of the Department of Justice where he supervises more than 50 Ph.D. economists in the Antitrust Division's Economic Analysis Group (E.A.G.). E.A.G. is widely recognized as one of the most experienced and sophisticated organizations