The U.S. International Trade Commission has quickly become the premier forum for intellectual property litigation in the United States. Under Section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337), the ITC has the power to bar the importation of articles that infringe on U.S. patents and other intellectual property rights. In recent years, the ITC has adjudicated cases involving a wide range of goods, including semiconductors, computer software, pharmaceuticals, and auto parts. Although many companies increasingly rely on Section 337 to enforce their IPRs, few practitioners and in-house counsel are familiar with the history behind Section 337 and its implications for the ongoing evolution of Section 337.

Agenda

Introduction: Matthew S. Dunne, King & Spalding

First Roundtable: The Public Interest Requirement under Section 337

This roundtable will examine the public interest requirement under Section 337, its application in Section 337 investigations, its origin, OUII’s representation of the public interest, the application of public interest factors by the ITC and the President, and the public interest requirement under other trade laws.

Moderator: James R. Holbein, U.S. International Trade Commission

Speakers:

* David F. Foster, Miller & Chevalier
* Thomas L. Jarvis, Finnegan Henderson Farabow Garrett & Dunner
* Charles F. Schill, Steptoe & Johnson

Second Roundtable: The Evolution of the Use of Section 337

This roundtable will examine the long-term evolution and increasing usage of Section 337, including its status vis-à-vis other trade remedies and federal court litigation, change in the identity and number of complainants and respondents, and change in the intellectual property rights asserted and products covered.
Moderator: Alexander W. Koff, Whiteford Taylor & Preston

Speakers:

* James B. Altman, Miller & Chevalier
* Thomas M. Schaumberg, Adduci Mastriani & Schaumberg
* Sturgis M. Sobin, Covington & Burling

Closing Remarks: Jeffrey R. Whieldon, Fish & Richardson

Wine & Cheese Reception to follow