

Business Methods Customer Partnership Meeting

Clara Barton Auditorium North
Alexandria, VA

Terminal Annex Federal Building
Dallas, Texas

Agenda

April 2, 2019

10 a.m. EST / 9 a.m. CST	Meet and greet
10:30 a.m. EST / 9:30 a.m. CST	Opening remarks (Alexandria) <i>Andrew Hirshfeld</i> <i>Commissioner for Patents for the United States Patent and Trademark Office</i>
10:40 a.m. EST / 9:40 a.m. CST	Director's update <i>Tariq Hafiz (Alexandria)</i> <i>Director, Technology Center 3600</i> <i>James (Jim) Trammell (Dallas)</i> <i>Director, Technology Center 3600</i>
11:20 a.m. EST / 10:20 a.m. CST	Blockchain technology: Drafting effective patent claims (Alexandria) <i>Salvatore P. Tamburo</i> <i>Ameya V. Paradkar</i> <i>Partner, Blank Rome LLP</i> <i>Associate, Blank Rome LLP</i>
12 p.m. EST / 11 a.m. CST	Lunch break
1 p.m. EST / 12 p.m. CST	Overview of the Dallas Texas Regional Office (Dallas) <i>Hope Shimabuku</i> <i>Director of the Texas Regional United States Patent and Trademark Office</i>
1:30 p.m. EST / 12:30 p.m. CST	Interview practice (Dallas) <i>Anita Coupe</i> <i>Supervisory Patent Examiner, Technology Center 3600</i>
2 p.m. EST / 1 p.m. CST	Break
2:15 p.m. EST / 1:15 p.m. CST	Subject matter eligibility training update (Alexandria) <i>Jamisue Plucinski</i> <i>Quality Assurance Specialist, Technology Center 3600</i>
3:15 p.m. EST / 2:15 p.m. CST	Patent examination quality (Alexandria) <i>Martin Rater</i> <i>Chief Statistician, Office of Deputy Commissioner for Patent Quality</i>
3:45 p.m. EST / 2:45 p.m. CST	Open forum Q&A (Alexandria / Dallas)
4 p.m. EST / 3 p.m. CST	Closing remarks and adjourn

UNITED STATES
PATENT AND TRADEMARK OFFICE



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Opening remarks

April 2, 2019

Andrew H. Hirshfeld, Esq.

Commissioner for Patents for the United States Patent and Trademark Office

Drew Hirshfeld is Commissioner for Patents for the U.S. Patent and Trademark Office. He was appointed to this position in July 2015.

As Commissioner for Patents, Mr. Hirshfeld manages and leads the patent organization as its chief operating officer. He is responsible for managing and directing all aspects of this organization which affects the administration of patent operations, examination policy, patent quality management, international patent cooperation, resources and planning, and budget administration.

Mr. Hirshfeld began his career at the USPTO in 1994 as a Patent Examiner. He has served in a number of management positions including Deputy Commissioner for Patent Examination Policy.

Mr. Hirshfeld received a Bachelor of Science from the University of Vermont and a J.D. from Western New England College School of Law.

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Director's update

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Tariq Hafiz

Director, Technology Center 3600

Tariq Hafiz joined the USPTO in 1992 as a patent examiner and in 2016 became a Director for Technology Center (TC) 3600 specializing in Business Methods. He first became a Director in TC 2600 specializing in communications. Prior to becoming a Director, Tariq served as a Supervisory Patent Examiner in Business Methods where he managed the examination of applications in the operations research technologies.

At the USPTO, he has led efforts to revamp the initial After Final Consideration Pilot to increase collaboration between the examiner and applicant. He is also a lead for examiner interview practice, which provides training to examiners as well as increases communication between the examiner and applicant. Prior to the USPTO, he worked in software development at the Computer Sciences Corporation for over three years. Mr. Hafiz earned a bachelor's degree in physics from the College of William and Mary with graduate work in electrical engineering from Virginia Tech.

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Director's update

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James (Jim) P. Trammell
Director, Technology Center 3600

James (Jim) P. Trammell is currently a Technology Center (TC) Director in TC 3600 and oversees patent examination operations in the areas of business methods.

James P. Trammell received his B.S. in Electrical Engineering from Colorado State University in 1989. He joined the USPTO in August of 1989 as a Patent Examiner in Examining Group 230, Art Unit 236 examining applications in computer control systems and manufacturing. He received his Primary Certification in 1994 and was selected as a Supervisory Patent Examiner (SPE) in 1998. As an SPE, he managed various art units in the business methods area from cryptography to finance and then in 2011, he moved to 3660s and managed an art unit in vehicle controls. In 2013 he was selected as TC 3600's SASME (Selecting Authority Subject Matter Expert) responsible for overseeing all the hiring of examiners in 3600. From April of 2016 to January 2017, he was selected and served as the Quality Lead for 3600 responsible for leading 3600's QAS shop. He was a Director in 2800 from January 2017 to February 2018.

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Overview of the Dallas Texas Regional Office

April 2, 2019

Hope Shimabuku

Director of the Texas Regional United States Patent and Trademark Office

As the Director of the Texas Regional United States Patent and Trademark Office (USPTO), Hope Shimabuku carries out the strategic direction of the Under Secretary of Commerce for Intellectual Property and Director of the USPTO and is responsible for leading the Texas regional office. Focusing on the region and actively engaging with the community, Ms. Shimabuku ensures the USPTO's initiatives and programs are tailored to the region's unique ecosystem of industries and stakeholders.

Ms. Shimabuku brings to the USPTO nearly two decades of experience as an engineer and intellectual property attorney. Most recently, Ms. Shimabuku was part of the Office of General Counsel at Xerox Corporation serving as Vice President and Corporate Counsel responsible for all intellectual property matters for Xerox Business Services, LLC. She also worked for BlackBerry Corporation advising on United States and Chinese standards setting, cybersecurity, technology transfer, and intellectual property laws and legislation. As an engineer, she worked for Procter & Gamble and Dell Computer Corporation.

Ms. Shimabuku is a leader in the Texas region. She currently serves as the Chair for the State Bar of Texas Intellectual Property Section and sits on the Board of Visitors for the University of North Texas Law School. She served as Pupilage Group Leader, a Barrister Member and Inaugural Member of the Barbara M.G. Lynn IP Inn of Court, and served as a facilitator for the DFW Women in Intellectual Property group. She is a past president of the Dallas Asian American Bar Association, chaired the Dallas Diversity Task Force, and served on the board of the Dallas Bar Association and as a member of the Grievance Committee for the State Bar of Texas – District 6.

Throughout her career, Ms. Shimabuku has championed diversity efforts and was honored with the DCEO Champion of Diversity Award by the Association of Corporate Counsel. She has also received numerous professional honors, including being recognized as the 2016 Hero of Innovation by the Institute for Law and Technology, selected as a Dallas Business Journal "Top 40 Under Forty," named Dallas Business Journal's Corporate Counsel Rookie of the Year, and selected as one of DCEO's "500 Most Powerful Business Leaders."

Ms. Shimabuku received a B.S. in Mechanical Engineering from the University of Texas at Austin and graduated cum laude with a J.D. from the Southern Methodist University Dedman School of Law. She is a native Texan, born and raised in Houston, Texas. She currently lives in Flower Mound, Texas, with her husband and two daughters.

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Interview practice

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Anita Y. Coupe

Supervisory Patent Examiner, Technology Center 3600

Anita Coupe attended Loyola College in Maryland, earning an interdisciplinary B.S. in Molecular Biology and Biochemistry in 2001. Ms. Coupe attended the University of Maryland School of Medicine before joining the USPTO in Technology Center 3600 in 2007. Ms. Coupe began her examining career in the Health Care Management area of Business Methods. In 2015 she became a Supervisory Patent Examiner in the Operations Research area of Business Methods. Since 2015, Ms. Coupe has regularly delivered U.S.C. 101 training to the patent examining corps and currently serves as a point of contact for the Business Methods area. Ms. Coupe has also been a member of the Interview Practice team responsible for training Interview Specialists and developing corps-wide interview training for examiners.

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Subject matter eligibility training update

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Jamisue Plucinski

Technology Quality Assurance Specialist, Technology Center 3600

Jamisue Plucinski is a Technology Quality Assurance Specialist for Technology Center 3600. Prior to her role as a TQAS, she served as a Supervisory Patent Examiner in Business Methods in both the Advertising Art as well as the Miscellaneous Art.

Ms. Plucinski started her career at the USPTO in October 2000 as an examiner in Technology Center 3700, working on applications in the area of absorbent articles. In January of 2004, she moved to Technology Center 3600 and became an examiner in Business Methods in the miscellaneous art. She examined applications in the area of safety and security, building evacuation and business certification. As an Examiner she worked on a detail with the Business Method Practice Specialist. As a Supervisor she worked on a detail as a Trainer at the Patent Training Academy.

Prior to joining the Patent Office she worked as a Natural Gas Analyst for SAIC and worked with the US Department of Energy.

Ms. Plucinski received a Bachelor of Science in Chemical Engineering from The University of Iowa.

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Patent examination quality

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Martin Rater

Chief Statistician, Office of Deputy Commissioner for Patent Quality

Mr. Rater is the Chief Statistician for the Office of Deputy Commissioner for Patent Quality. He joined the USPTO in 2000 as part of the Office of Quality Management and Training where he led efforts related to customer and employee surveys and provided statistical consultation for both the Patent and Trademark quality review programs. In 2004, Mr. Rater joined the Office of Patent Quality Assurance (OPQA) where he oversaw several aspects of the quality review program such as sample design, review methodology, and reporting of quality metrics. Mr. Rater also oversaw OPQA's ISO 9001-certified quality management system. In his role as Chief Statistician, Mr. Rater conducts statistical research on primary and secondary data to explore and test potential impacts on patent examination quality. He develops statistical sampling procedures and data collection methods to support quality control and quality assurance activities and serves on several teams tasked with evaluating program effectiveness, customer and employee experience, and patent examination behaviors.

Prior to joining the USPTO, Mr. Rater worked as a consultant designing program evaluations and providing data analysis and survey expertise to Federal agencies and Fortune 500 companies. Upon graduation from the University of Georgia in 1990, Mr. Rater began his career working for USDA, conducting surveys and data analyses related to the estimation of crop and livestock production.

Salvatore P. Tamburo Partner

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Salvatore Tamburo focuses his practice mainly on intellectual property litigation with a specialty in patent litigation. His litigation experience includes dozens of matters, including seven jury trials in various U.S. district courts. He has extensive experience litigating in various different technologies, including wavelet compression, broadband services, safety caps, medical devices including suture anchors, surgical sutures and surgical techniques, nuclear technology, semiconductor technology, chemical pesticides, electrostatic dissipative industrial containers, and video displays.

Salvatore's experience also encompasses several other aspects of intellectual property law, including licensing and counseling, drafting and prosecuting patent applications, and preparing opinions on patentability, infringement, validity, and enforceability.

Salvatore's non-litigation experience includes various technologies such as semiconductors, optics, robotics, imagers, laser doppler velocimeters, wind farm operations, medical devices, surgical methods, gaming software, and various other technologies incorporating analog and digital circuits.

Prior to joining private practice, he worked as an electrical engineer with Signal Transformer Co., Inc. in Inwood, New York, from 1990 to 1998.

At St. John's University School of Law, he served as an articles and notes editor on the American Bankruptcy Institute Law Review. He earned his bachelor of science degree in Electrical Engineering from New York University's Tandon School of Engineering.

SELECT ENGAGEMENTS

- *Dominion Resources, Inc. et al. v. Alstom Grid, Inc.*, 2:15-cv-00224, Eastern District of Pennsylvania (Philadelphia) – successfully represented patentee Dominion against competitor for electrical distribution systems software where jury found patents valid and infringed
- *Areva NP Inc., f/k/a Framatome ANP, Inc., v. The Babcock & Wilcox Company, et al*, CL 11-006236-00, Circuit Court for the City of Lynchburg – successfully defended client B&W against charges of misappropriation of nuclear technology trade secrets
- *Depuy Mitek, Inc. v. Arthrex, Inc.*, 1:04-cv-12457, District of Massachusetts (Boston) – successfully represented defendant Arthrex against patent

ADMISSIONS

- District of Columbia, 2000
- New York, 1999
- Supreme Court of the United States, 2007
- U.S. District Court - District of Columbia, 2002
- U.S. Patent and Trademark Office, 1999
- United States Court of Appeals for the Federal Circuit, 2006
- United States Court of Federal Claims, 2018

MEMBERSHIPS

- American Bar Association
- American Intellectual Property Law Association
- Federal Circuit Bar Association
- New York State Bar Association

EDUCATION

- St. John's University School of Law (JD, 1998)
- New York University (BS, 1989)

infringement charges where jury found patent for high strength suture was not infringed

- *Arthrex, Inc. v. Depuy Mitek, Inc.* 2:08-cv-48, Middle District of Florida (Tampa) – successfully represented patentee Arthrex against competitor for orthopedic surgical method, court granted summary judgement of infringement
- *LINQ Industrial v. Intertape, Inc, et al*, 8:02-cv-1148, Middle District of Florida (Tampa) – successfully represented patentee LINQ where jury found patents for anti-static bulk containers were infringed and valid
- *Bonutti Skeletal Innovations LLC v. Arthrex, Inc.*, 6:13-cv-00620, Middle District of Florida (Orlando) – successfully defended client Arthrex against charges of infringement of various medical device patents
- *Bashen Corporation v. MicroPact, Inc.* 4:12-cv-01566, Southern District of Texas (Houston) – successfully defended client MicroPact against charges of infringement of patent covering EEO compliance software
- *Orthopro, Inc v. Arthrex, Inc*, 3:08-cv-01315, Northern District of Texas (Dallas) – successfully defended client Arthrex against charges of patent infringement covering various medical devices

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Ameya V. Paradkar Associate

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Ameya (“Arun”) Paradkar concentrates his practice in intellectual property matters, with a particular focus on patent litigation and counseling in software and biotechnology. He has experience in authentication, streaming, database, and machine learning (“AI”) technologies, as well as in pharmaceuticals.

As an experienced litigator, Arun has:

- argued a motion on the subject matter eligibility of a software database patent
- taken and defended technical depositions
- prepared experts for depositions
- drafted briefs and motions in pending litigation
- assisted experts in the preparation of infringement and damages reports
- assisted experts in source code analyses in Python, C++, C#, Java, and PHP

Arun has litigated patent infringement matters in U.S. District Courts for:

- the District of Delaware
- the Southern District of New York
- the District of New Jersey
- the Eastern District of Texas

He also has experience in:

- preparation of Paragraph IV Notice letters, Offers for Confidential Access, and validity and non-infringement opinions pursuant to the Hatch-Waxman Act
- freedom-to-operate analyses for medical devices and software operating with such devices

As a part of his counseling practice, Arun is experienced in prosecuting software, biotechnical, and electro-mechanical technologies before the USPTO and in the management of trade secrets and license agreements.

While in law school, Arun was the managing editor of the Journal of Business & Technology Law and an editor for the Maryland Entrepreneur’s Guide. He was also president of the Business Law Society and a member of the Maryland Intellectual Property Student Association.

ADMISSIONS

District of Columbia, 2014

Maryland, 2013

U.S. Patent and Trademark Office, 2014

United States Court of Appeals for the Federal Circuit, 2015

EDUCATION

University of Maryland School of Law (JD, 2013)

Dartmouth College (BA, 2007)

Arun previously served under the Honorable Marvin J. Garbis of the U.S. District Court for the District of Maryland. Prior to law school, Arun was a Senior Derivatives Analyst at Bank of America Merrill Lynch in New York, where he specialized in equity derivatives.

SELECT ENGAGEMENTS

- Represented a software company asserting its authentication patents against a major corporation through settlement.

PROFESSIONAL ACTIVITIES

Arun has published in:

- *Bloomberg Big Business Law*, as a co-author for "Divided Infringement: Weak Link in Secure Blockchain IP Strategy?"
- *Bloomberg BNA's Patent, Trademark & Copyright Journal*, as a co-author for "Enforcing U.S. Patents on Blockchains Distributed Worldwide"
- *Westlaw Journal: Software Law*, as a co-author for "Encryption Disputes: Clues to Resolution May Lie in 1973 Disabilities Law"

Arun participates in a number of *pro bono* matters, including:

- drafting patent applications and amendments through the USPTO pro bono program
- advising start-ups in intellectual property matters in collaboration with SEED SPOT
- drafting corporate formation documents for non-profits
- drafting wills and powers of attorney in collaboration with the AARP

OUTSIDE THE FIRM

Arun serves as captain of the Firm-sponsored soccer team for the DC SCORES charity and as an alumni interviewer for Dartmouth College.