

# Designing the Design Patent System

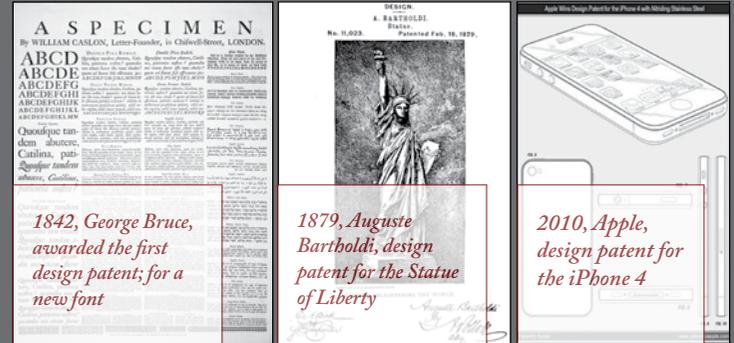
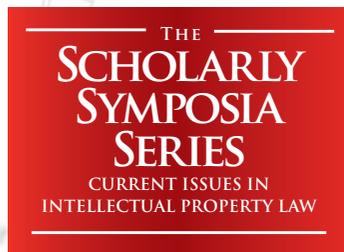
University of Dayton School of Law  
 Joseph E. Keller Hall, Albert H. Scharrer Atrium

Thursday, September 15, 2011  
 6:00 p.m. – 8:30 p.m.

6:00 p.m. – 7:00 p.m.  
 Hearty appetizers and cocktails

Guest Speaker: Mark D. Janis  
 followed by robust panel debate  
 7:00 p.m. – 8:30 p.m.

The favor of your reply is requested by September 8, 2011



Why did the U.S. decide to create a patent system to protect designs? Was Congress persuaded that patent protection would be more effective than other forms of intellectual property protection for designs?

Since 1842, when Congress enacted the design patent provisions, these questions have gone largely unanswered. Yet they remain important even after decades of design patent jurisprudence.

The modern design patent system is enigmatic, even for many specialists. Fundamental questions about design patent claim construction, infringement, obviousness, functionality, and other issues continue to arise in modern design patent litigation.

Questions also persist about the role of the design patent system alongside other forms of design protection such as copyright and trade dress.

The design patent system originated as a remarkable experiment in intellectual property lawmaking. A better understanding of its origins can assist us in grappling with the critical issues that modern practitioners face.

## About our Guest Speaker

### Mark D. Janis

Robert A. Lucas Chair of Law  
 Indiana University  
 Maurer School of Law

#### Education

J.D., Maurer School of Law, Indiana University  
 B.S., Chemical Engineering, Purdue University



Mark D. Janis teaches and writes in the fields of patents, trademarks/unfair competition and intellectual property antitrust. He joined the faculty at the Indiana University Maurer School of Law in 2009, where he is Robert A. Lucas Chair of Law and the Director of the Center for Intellectual Property Research.

Mark has published numerous law review articles and is co-author of two casebooks, both with Prof. Graeme Dinwoodie – Trademarks & Unfair Competition: Law and Policy (now in its 3rd edition) and Trade Dress and Design Law. His other books include two edited volumes on trademark law (also with Prof. Dinwoodie) and the treatise IP and Antitrust (with Hovenkamp, Lemley and Leslie).

Previously, he held the H. Blair & Joan V. White Intellectual Property Law Chair at the University of Iowa, where he also won the Collegiate Teaching Award (2000-2001) and the Faculty Scholar Award (2002-2006). In 2008, he won INTA's Ladas Award for his trademark law research (with Dinwoodie).

## Our Panelists



### Tara M. Rosnell

Associate General Counsel –  
 Director of Global Trademarks  
 The Procter and Gamble Company  
 J.D., University of Cincinnati  
 B.S., University of Dayton

Tara joined P&G's IP Division in 1991, and her practice covers all areas of IP including patents, trademarks, copyright, designs, domain names, rights of publicity, brand protection and enforcement through negotiation, mediation and litigation. She has moderated sessions of the All Ohio Annual Institute of Intellectual Property in Cincinnati, was a panelist at the 23rd Annual Intellectual Property Law Conference on a panel entitled "Trademark law and the Private Label Revolution" in April 2008 and was a panelist at an American Bar Association conference on a panel entitled "Criminal Enforcement of IP" in April 2010.



### Christopher V. Carani, Esq.

McAndrews Held & Malloy Ltd  
 J.D., University of Chicago  
 B.S., Engineering, Marquette University

Christopher is a partner and shareholder at the Chicago-based IP law firm McAndrews. He is nationally recognized as a forerunner in design patent law, having presented and published extensively on the topic, litigated numerous disputes and served as a legal consultant and expert witness in many design law cases. He chaired the AIPLA's Industrial Designs Committee and currently chairs the ABA's Design Rights Committee.

## RSVP/Registration

**Please Register  
 by September 8, 2011  
 Symposium Fee \$50.00**

This course has been approved by the Supreme Court of Ohio Commission on Continuing Legal Education for 1.50 total CLE hour(s), with 0.00 of ethics, 0.00 of professionalism and 0.00 of substance abuse instruction.

You may register by contacting:

Nan Holler-Potter

Phone: (937) 229-4676

Fax: (937) 229-4778

email: [hollernl@notes.udayton.edu](mailto:hollernl@notes.udayton.edu)

online: [www.dayton.edu/law](http://www.dayton.edu/law)

If you prefer not to send your credit card information by fax, please call us at (937) 229-4676.

If you choose to pay by check, make it payable to the University of Dayton and mail to:

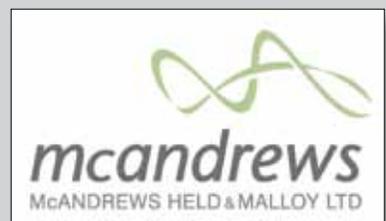
Nan Holler-Potter

University of Dayton School of Law

Keller Hall, RM 326

300 College Park

Dayton, OH 45469-2772



EVENT SPONSOR