



AMERICAN UNIVERSITY LAW REVIEW

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THE AMERICAN UNIVERSITY LAW REVIEW VOLUME 74 FEDERAL CIRCUIT SYMPOSIUM AGENDA

We hope you will join us for the following discussions!

- | | |
|--|-------------------------------|
| 8:00 AM to 8:25 AM | REGISTRATION & BREAKFAST |
| 8:25 AM to 8:30 AM | OPENING REMARKS |
| 8:30 AM to 9:30 AM
The Honorable Leonard P. Stark, Circuit Judge for the United States Court of Appeals for the Federal Circuit | KEYNOTE |
| 9:40 AM to 10:40 AM
PANEL
Moderator: Professor Joshua Landau
Topic: The field of patent law is ever evolving. This panel will cover a range of hot topics in the field, including from how artificial intelligence is changing the patent landscape, the effect of <i>Loper Bright Enterprises v. Raimondo</i> on the Patent and Trademark Office, and the impact of the Bayh-Dole Act and march-in rights after the National Institute of Standards and Technology released for public comment its <i>Draft Interagency Guidance Framework for Considering the Exercise of March-In Rights</i> in late 2023 and the FTC submitted a comment earlier this year. | PATENT LAW |
| 10:50 AM to 11:50 PM
PANEL
Moderator: Professor Charles Duan
Topic: Why do judges dissent? This panel will answer that question and more. The Federal Circuit is unique among the circuit courts of appeal for its specialized jurisdiction over international trade, government contracts, patents, trademarks, veterans' benefits, and appeals from certain administrative agencies. Professors Paul Gugliuzza and Jason Rantanen will present their research, co-authored by Professor Jonathan Remy Nash, into a robust dataset of the Federal Circuit's decisions and dissents. In conversation with Professor Megan La Belle and Seth Lloyd, the panel will explore the decision to dissent and the power of a dissent. | VOLUME 74.4 AUTHORS & FRIENDS |
| 11:50 PM to 12:50 PM | LUNCH |
| 1:00 PM to 2:00 PM
Chair Amy A. Karpel, United States International Trade Commission | KEYNOTE |
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2:10 PM to 3:10 PM

VETERANS LAW

PANEL

Moderator: Krista Trefren, *AULR* Senior Staffer, LT, U.S. Navy

Topic: This panel will explore *Bufkin v. McDonough* and the benefit of the doubt rule at the heart of the case's appeal to the Supreme Court. 38 U.S.C. § 5107(b) states that the Secretary of Veterans Affairs "shall give the benefit of the doubt to the claimant" when there is "an approximate balance of positive and negative evidence" that is material to deciding a matter. The Supreme Court's decision has the potential to expand benefits for thousands of veterans who have suffered traumas in connection with their service. *Bufkin v. McDonough* is set for oral argument before the Supreme Court on October 16, 2024.

3:20 PM to 4:20 PM

TRADEMARK LAW

PANEL

Moderator: Professor Christine Haight Farley

Topic: The Federal Circuit decided *Bureau National Interprofessionnel du Cognac v. Cologne & Cognac Entertainment* on August 6, 2024. Cologne & Cognac Entertainment, a hip-hop record label, registered for the mark "Cologne & Cognac Entertainment" to use in connection with music composition services, live entertainment, CDs, digital downloads, and other related uses. The Bureau National Interprofessionnel du Cognac and the Institut National des Appellations d'Origine are entities responsible for controlling and protecting the certification mark "Cognac," and they opposed Cologne & Cognac Entertainment's application. The Trademark Trial and Appeal Board dismissed the opposition, holding that the mark was not likely to cause confusion or dilution, but the Federal Circuit vacated and remanded the decision. This panel will discuss the Federal Circuit's decision, consumer confusion, trademark dilution, and the unique aspects of geographical marks in trademark law.

4:20 PM

CLOSING REMARKS

Alexis Berg, *AULR* Volume 74 Editor-In-Chief

Peter Sabini, *AULR* Volume 74 Senior Federal Circuit Editor