



AMERICAN BAR ASSOCIATION
SECTION OF ANTITRUST LAW
750 N. LAKE SHORE DRIVE
CHICAGO, ILLINOIS 60611
www.abanet.org/antitrust



Non-Profit Organization
U.S. Postage
PAID
American Bar Association

IMPORTANT DEADLINES

Early Bird Registration: May 2	Advance Registration: May 16	Housing: May 5
--	--	--------------------------

Registrants are encouraged to fax in the hotel reservation form directly to The Westin. Please go to www.abanet.org/antitrust to download the reservation form. All meeting registrations received after the May 16, 2003 deadline must be made on-site.

IMPORTANT PHONE/FAX NUMBERS

The Westin Palo Alto 675 El Camino Real Palo Alto, CA 94301 Phone: 650.321.4422 Fax: 650.321.5522 www.starwoodhotels.com	Stanford University Tressider Union 459 Lagunita, 2nd Floor Stanford, CA 94305 650.725.1478
--	--

The Section of Antitrust Law message center telephone number will be 650.725.1478. Messages for registrants will be posted as they are received on a bulletin board near the Registration Desk.



THE STANFORD CONFERENCE ON ANTITRUST IN THE TECHNOLOGY ECONOMY

ABA Section of Antitrust Law
Stanford Law School

June 5-6, 2003
Stanford University • Tressider Union
Palo Alto, CA

CONFERENCE CHAIRS:

JOHN B. BARTON
DANIEL M. WALL

CO-SPONSORED BY
THE SECTION OF ANTITRUST LAW AND STANFORD LAW SCHOOL
THE AMERICAN BAR ASSOCIATION



Dear Colleague:

As the world economy is increasingly driven by technology, so too are the great antitrust issues of our day. The celebrated Microsoft litigation, the Rambus/Unocal theory of unlawfully “capturing” an industry technical standard, the wave of public and private actions attacking the resolution of patent disputes – these bear witness not only to the frequency of antitrust actions in the technology sector, but to the unique challenges technology markets present to traditional antitrust rules.

Nowhere are these issues more important than in California’s Silicon Valley. The Antitrust Section is therefore pleased to announce that in partnership with The Stanford Law School, it will present on June 5-6, 2003, on the Stanford campus in Palo Alto, California, The Stanford Conference on Antitrust in the Technology Economy. Please accept our invitation to attend this exciting and informative event.

A Conference Focused on How and Why High-Tech Antitrust is Different

This is not another general purpose antitrust conference, but one designed especially for the lawyer practicing in technology industries. The curriculum is designed to explore how the structure and economics of high-tech industries affect legal rules and litigation outcomes in government and private antitrust disputes. Among the questions to be addressed are:

- **Market Power:** What features of high-tech markets affect traditional antitrust policies for measuring and controlling the growth of market power? What are technology and innovation markets, and do they matter? How are high-tech mergers evaluated?
- **Intellectual Property:** How does antitrust law affect the right to exploit one’s intellectual property? What license terms are problematic? What makes a patent settlement agreement anticompetitive?
- **Exclusionary Conduct:** What did the Microsoft saga teach us about tying and exclusive dealing? Does Kodak require companies to license their IP to rivals? How do the rules differ in Europe?
- **Key Issues in the Computer and Life Sciences Industries:** In concurrent breakout sessions, panelists will discuss issues from the Computer (hardware, software, networking and electronic commerce) and Life Sciences (biotechnology, pharmaceuticals and medical devices) sectors.

Taught by the Leading Policymakers, Academics and Practitioners

Befitting the Stanford setting, the presenters at this conference are a Who’s Who of High-Tech Antitrust. They include key officials of the Federal Trade Commission and Department of Justice, an unrivaled group of economists and law school professors, and distinguished in-house and outside counsel. Among those who have confirmed their attendance are:

- The Honorable Thomas B. Leary, Commissioner, Federal Trade Commission
- David Sibley, Incoming Deputy Assistant Attorney General for Economics, Antitrust Division, US Department of Justice
- Lawrence Lessig, Stanford Law School and Founder, Stanford Center for Internet and Society
- Kenneth J. Arrow, Nobel Prize Laureate and Professor of Economics (Emeritus) Stanford University

We hope to see you in Palo Alto for this unique and valuable conference.

Robert T. Joseph
Chair, Section of Antitrust Law

Daniel M. Wall
Conference Co-Chair

John H. Barton
Stanford Law School
Conference Co-Chair

Conference Agenda

THURSDAY, JUNE 5, 2003

8:30 - 8:45 am

WELCOME AND INTRODUCTIONS

John H. Barton, Stanford Law School, Palo Alto, CA
Robert T. Joseph, Sonnenschein Nath & Rosenthal, Chicago, IL
Daniel M. Wall, Latham & Watkins LLP, San Francisco, CA

8:50 - 9:30 am

KEYNOTE ADDRESS: “THE CHALLENGES FOR ANTITRUST IN A TECHNOLOGY ECONOMY.”

Lawrence Lessig, Stanford Law School, Founder, Stanford Center for Internet and Society, Palo Alto, CA

9:30 - 10:00 am

PERSPECTIVES FROM THE ANTITRUST DIVISION, US DEPARTMENT OF JUSTICE

David Sibley, University of Texas at Austin, and Incoming Deputy Assistant Attorney General for Economic Analysis, US Department of Justice, Washington, DC

10:00 - 10:15 am

BREAK

10:15 am - 12:00 pm

MODULE ONE: MARKET POWER

- Assessing Market Power in Technology Markets
- Intellectual Property as a Source of Market Power
- Network Effects and Their Implications for Antitrust Analysis
- Merger Analysis in High Technology Markets

Panelists:

Joseph Farrell, University of California, Berkeley, CA
Joe Sims, Jones Day, Washington, DC
Christine A. Varney, Hogan & Hartson, L.L.P., Washington, DC

12:00 - 1:30 pm

LUNCHEON ADDRESS

A Business Perspective on Antitrust Regulation of the Technology Economy

TBD. Please go to www.abanet.org/antitrust for more information.

1:45 - 3:45 pm

MODULE TWO: INTELLECTUAL PROPERTY

- The Antitrust-Intellectual Property Interface
- Patent Pools and Cross-Licensing
- Pitfalls in IP Licensing

Panelists:

John H. Barton, Stanford Law School, Palo Alto, CA
Mark A. Lemley, Boalt Hall School of Law, University of California, Berkeley, CA
Leslie C. Overton, Counsel to the Assistant Attorney General, US Department of Justice, Washington, DC

Conference Agenda

THURSDAY, JUNE 5, 2003

3:45 - 4:00 pm

BREAK

4:00 - 5:30 pm

POLICY ROUNDTABLE

Are We Getting It Right (Or Even Close to Right)? An Arthur Miller-Style Panel Discussion on the Performance of Antitrust in the Technology Economy

Moderator:

Daniel M. Wall, Latham & Watkins LLP, San Francisco, CA

Panelists:

Timothy F. Bresnahan, Stanford University, Palo Alto, CA

Susan A. Creighton, Deputy Director, Bureau of Competition, Federal Trade Commission, Washington, DC

Christopher B. Hockett, Bingham McCutchen LLP, San Francisco, CA

Janusz A. Ordovery, New York University, New York, NY

Charles F. Rule, Fried Frank Harris Shriver & Jacobson, Washington, DC

The Hon. John Shepard Wiley, Jr., Superior Court of Los Angeles County, Los Angeles, CA

FRIDAY, JUNE 6, 2003

9:00 - 9:10 am

WELCOME AND INTRODUCTIONS

John H. Barton, Stanford Law School, Palo Alto, CA

Daniel M. Wall, Latham & Watkins LLP, San Francisco, CA

9:10 - 9:50 am

PERSPECTIVES FROM THE FEDERAL TRADE COMMISSION

The Hon. Thomas B. Leary, Commissioner, Federal Trade Commission, Washington, DC

10:00 am - 12:30 pm

MODULE THREE: EXCLUSIONARY CONDUCT

- Lessons from US v. Microsoft
- Bundling Strategies in Technology Markets
- Exclusionary Collaborations
- Abuse of Dominance and European Union Regulation of Exclusionary Conduct

Panelists:

John Kallaughner, Latham & Watkins LLP, London, England and Brussels, Belgium, and University College, London, England

Joseph Kattan, Gibson, Dunn & Crutcher LLP, Washington, DC

M.J. Moltenbrey, Freshfields Bruckhaus Deringer, Washington, DC

Barry J. Nalebuff, Yale School of Management, New Haven, CT

Carl B. Shapiro, Haas School of Business, University of California, Berkeley, CA

Conference Agenda

FRIDAY, JUNE 6, 2003

12:30 - 1:30 pm

LUNCH BREAK

1:30 - 2:45 pm

INDUSTRY BREAKOUTS

Concurrent Programs—Choose A or B

A. THE COMPUTER INDUSTRY: HARDWARE, SOFTWARE, NETWORKS AND THE INTERNET

Moderator:

M. Howard Morse, Drinker Biddle & Reath LLP, Washington, DC

Panelists:

Renata Hesse, Antitrust Division, US Department of Justice, Washington, DC

Michael Lacovara, Sullivan & Cromwell LLP, Palo Alto, CA

Gil Ohana, Cisco Systems, Inc., San Jose, CA

B. LIFE SCIENCES: BIOTECHNOLOGY, PHARMECEUTICALS, AND MEDICAL DEVICES

Moderator:

Steven A. Newborn, Clifford Chance LLP, Washington, DC

Panelists:

Jeffrey W. Brennan, Assistant Director, Bureau of Competition, Federal Trade Commission, Washington, DC

Sean A. Johnston, Vice President of Intellectual Property, Assistant Secretary, Genentech, Inc.

Ann B. Malester, Assistant Director, Bureau of Competition, Federal Trade Commission, Washington, DC

3:00 - 3:45 pm

CLOSING ADDRESS

Kenneth J. Arrow, Nobel Prize Laureate and Professor of Economics (Emeritus), Stanford University, Palo Alto, CA

Registration Information

ADVANCE REGISTRATIONS

Registrations received with payment by May 16 will appear in the meeting roster. Please bring your confirmation to the registration desk to pick up your badge and course book.

Registrations can be made directly by going on-line to www.abanet.org/antitrust or by returning the completed registration form with payment to the Section of Antitrust Law via mail or fax.

CONFIRMATIONS

All registrants will receive a detailed confirmation within 10 days after their registration is received and processed (provided they have completed all required information and included appropriate payment.) Please be advised that incomplete or incorrect information will delay the processing of registration forms.

If you have not received your confirmation within 10 days of submitting your registration form, please contact the Section registrar at 312.988.5609. Please allow the estimated time given for confirmations prior calling the Section to see if registration has been received.

ON-SITE REGISTRATION

On-site registration is available pending space availability. Course materials cannot be guaranteed for those registering after the cut-off date. If necessary, a copy of the course materials will be mailed after the conference to those who registered after the cut-off.

REGISTRATION FEE

Full payment must be received with your registration form. Make checks payable to the American Bar Association or charge your registration fee to American Express, VISA or MasterCard. Registrations without payment will not be processed. Registrations received without the correct amount will be automatically corrected and charged the correct amount. The conference registration fee includes the course materials, two light breakfasts, one lunch and refreshment breaks listed in the conference agenda.

GROUP DISCOUNTS

Multiple attendees from a single firm or corporation will receive a 33% discount beginning with the second attendee. To receive the discounted fee, registrations must be received as a group, with a single payment for all registrations no later than May 2, 2003. Group discounts only apply if they are sent in by May 2, 2002. The discount for multiple attendees does not apply to government or academic registrants.

Save \$\$ If you are a member of the ABA and would like to join the Section of Antitrust Law, you may register for this and other Section conferences at the Section member rate. Details for joining are on the registration form.

AIRLINE RESERVATIONS

The preferred airline carriers of the American Bar Association are American, Delta and US Airways. Attendees are encouraged to contact these carriers directly as they offer special discounts. Please compare all options available, including flight schedule and rates and restrictions between airline fares and ABA rates. When making reservations, reference the following ABA account numbers and tell the airline that you are attending the ABA, Section of Antitrust Law and Stanford University Law School meeting. Contact the ABBA Travel Agency at 800.921.9190.

American Airlines	Account #15794	800.433.1790
Delta Air Lines	Account #189408A	800.241.6760
US Airways	Account #36632473	877.874.7687

ABA members are entitled to special discounts by calling our premier provider, Hertz-Rent-A-Car, at 800.654.3131. Identify yourself as an ABA member to receive the discounted rate.

Registration Information (cont'd)

CANCELLATION

Cancellations and refund requests must be submitted IN WRITING to the American Bar Association, Section of Antitrust Law, 750 North Lake Shore Drive, Chicago, IL 60611, on or before May 16, 2003. Refund requests will NOT BE ACCEPTED OVER THE TELEPHONE. In the event of cancellation, a refund of the registration fee, less a \$50.00 administrative fee, will be granted only for requests received by May 16, 2003. There will be no refunds granted after May 16, 2003. Cancellations may also be sent via facsimile to the attention of the Section Registrar (FAX: 312.988.5637). Please allow 8 to 10 weeks after the meeting for the processing of any refunds.

The ABA reserves the right to cancel any conference or portion thereof and assumes no responsibility for personal expenses.

SUBSTITUTIONS

Written requests for substitutions will be permitted prior to the conference and on-site. Please submit a request on firm letterhead to transfer the registration. Once the registration is substituted, it will not revert back to the original registrant. The substitute *only* will be eligible for CLE credit.

The substitute and original registrant must work out the payment between themselves.

General Information

HOTEL INFORMATION

A room block has been reserved for attendees at a rate of \$229.00. All hotel rates are subject to applicable occupancy tax at 10.0%. Please contact the hotel directly for specific information regarding additional charges and to make reservations. Please refer to the ABA, Section of Antitrust Law when making your reservation. After Friday, May 5, 2003, or when the room block is sold out, guest rooms at the special ABA rate are not guaranteed and may not be available.

The Westin Palo Alto	Stanford University
675 El Camino Real	Tressider Union
Palo Alto, CA 94301	459 Lagunita, 2nd Floor
Phone: 650.321.4422	Stanford, CA 94305
Fax: 650.321.5522	650.723.4314
www.starwoodhotels.com	

*All CLE programming will be held at Stanford University in Tressider Union.

UNIVERSITY SHUTTLE

The Marguerite is Stanford's free public shuttle service and operates from 6:00 am – 7:45 pm. It is the most popular form of transportation. The Marguerite's B line runs every 15 minutes from the Palo Alto Caltrain station and stops directly in front of Tressider Union. For more information, please go to www.abanet.org/antitrust.

AMERICANS WITH DISABILITIES ACT

Participants with special needs for facilities, visual or audio aids, or dietary requirements are asked to contact Angelica Spyles at 312.988.5792 so that appropriate accommodations can be made.

General Information (cont'd)

MCLE CREDIT

Accreditation has been requested for this meeting from each state that has a mandatory continuing legal education requirement for lawyers. While each state granting such credit makes its own determination as to the number of credit hours to be awarded for attendance, you will be eligible for MCLE credit.

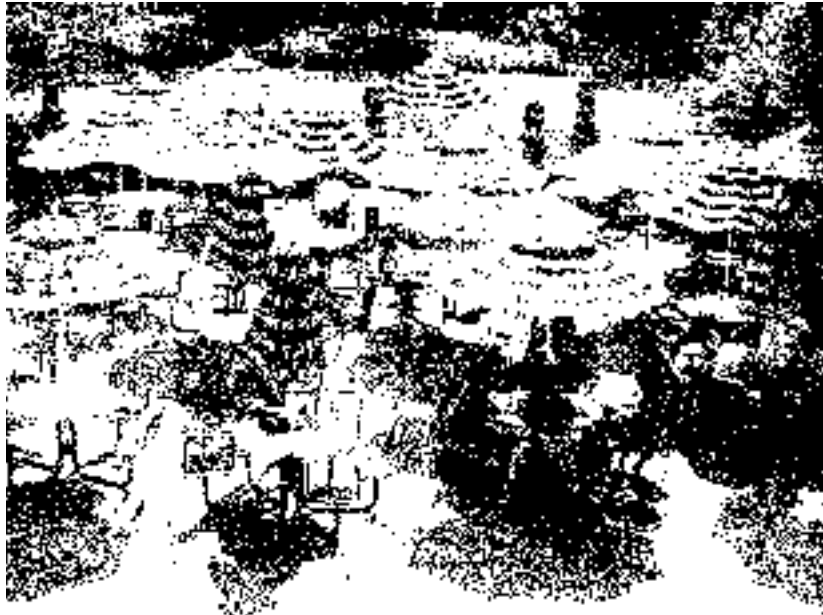
Certificate of Attendance and detailed instructions regarding obtaining CLE credits will be included on-site. The Section of Antitrust Law has applied for CLE credit in all states where applicable. Attendees must sign-in at each CLE program. Attendees requesting Pennsylvania credits will be required to pay CLE fees directly to the state of Pennsylvania. Attendees requesting New York credit will be required to sign in and out of each CLE session. You may call the American Bar Association Center for Continuing Legal Education at 312.988.6217, beginning three weeks prior to the start of the meeting, with questions regarding the number of credit hours available at each program.

MESSAGES

Messages for conference attendees should be phoned directly to the registration desk at 650.725.1478. Messages will be posted at the registration desk on a bulletin board as they are received. Messages will not be delivered into meeting rooms.

CONFERENCE CHANGES

We work very hard to assemble a top-notch, cohesive, educational conference. Unfortunately, and despite our best efforts, the faculty and conference scheduling can result in unanticipated or last minute changes. For an up-to-date listing of conferences and speakers, we encourage you to log on to the Section of Antitrust Law website at www.abanet.org/antitrust.



Mark Your Calendar

Please call the Section office at 312.988.5609 for conference information with the following topics or go to www.abanet.org/antitrust.

Antitrust in Healthcare

Co-sponsored with the Health Law Section and the American Health Lawyers Association
May 15-16, 2003
JW Marriott
Washington, DC

ABA Annual Meeting, Section of Antitrust Law

August 11-12, 2003
Ritz-Carlton Hotel
San Francisco, CA

Antitrust Litigation Course

October 16-17, 2003
Fairmont Copley Place
Boston, MA

Fall Forum

November 18-19, 2003
The National Press Club
Washington, DC

International Cartel Workshop

February 5-6, 2004
The Plaza Hotel
New York, NY

Section of Antitrust Law Spring Meeting

April 2-4, 2004
JW Marriott Hotel
Washington, DC

Antitrust and Intellectual Property: The Courts, The Enforcers and The Business World

May 20-21, 2004
Renaissance Stanford Court
San Francisco, CA



RECENT SECTION PUBLICATIONS

	Price:	Qty:	Amt:
The Federal Antitrust Guidelines for the Licensing of Intellectual Property: Origins and Applications PC# 5030387			
AT Members	\$55.00	_____	\$ _____
Non-Section Members	\$65.00	_____	\$ _____

This is the second edition of the Antitrust Section's handbook on the Department of Justice and Federal Trade Commission's *Antitrust Guidelines for the Licensing of Intellectual Property*. Like its predecessor, this volume provides a description of the enforcement agencies' antitrust policy with respect to the licensing of patents, copyrights, trade secrets, and know-how. It also is updated to reflect the pertinent developments since the agencies issued their *Guidelines* seven years ago.

	Price:	Qty:	Amt:
Intellectual Property Misuse: Licensing and Litigation PC# 5030351			
AT Members	\$84.95	_____	\$ _____
Non-Section Members	\$99.95	_____	\$ _____

This timely handbook covers the origin and development of the misuse doctrine, the debate about its scope and existence in relation to antitrust law, and its present status in patent, copyright, and trademark law. The guide offers practical insights into how the doctrine affects both licensing and litigation practice.

PLACE YOUR ORDER FOR COURSE MATERIALS:

	Price:	Qty:	Amt:
Antitrust in the Technology Economy PC#5030399	\$75	_____	\$ _____
Forum on International Competition Law PC#5030398	\$75	_____	\$ _____
2002 Fall Forum PC#5030397	\$75	_____	\$ _____
Antitrust Masters Course PC#5030396	\$75	_____	\$ _____
2003 Spring Meeting Course Materials PC#5030405	\$150	_____	\$ _____
2003 Spring Meeting Antitrust Fundamentals PC#5030406	\$75	_____	\$ _____
Subtotal:			\$ _____
Shipping & Handling:	\$5.95		\$5.95
Tax (IL residents 8.75%, DC 6% and IN 5%)			\$ _____
TOTAL:			\$ _____

Publication Orders: American Bar Association, PO. Box 10892, Chicago, IL 60610-0892
Phone: 312.988.5522 Fax: 312.988.5568
(Please reference the PC# when placing your order)

Conference Registration

ANTITRUST IN THE TECHNOLOGY ECONOMY: JUNE 5-6, 2003

	By:	After:	Qty:	Amt:
	05/02	05/02		
Antitrust Law Section Member	\$750	\$850	_____	\$ _____
Non-Section Member	\$850	\$950	_____	\$ _____
Govt/Academic Section Member	\$250	\$350	_____	\$ _____
Govt/Academic Non-Section Member	\$350	\$450	_____	\$ _____
Law Students	N/C	N/C	_____	\$ _____

(Limited space available for law students.
Please call 312.988.5550 on May 2, 2003)

LUNCHEON ADMITTANCE FOR THURSDAY, JUNE 5, 2003

I will attend the Thursday Luncheon (attendees only) **\$N/A**

Please advise of any special dietary needs _____

I am a member of the ABA and wish to join the Section of Antitrust Law for \$40.00. **\$ _____**

REGISTRATION TOTAL \$ _____

Please Print
ABA Number: _____

ABA # is required; otherwise, you will automatically be charged the Non-Member fee.

Name: _____

Title: _____

Firm/Agency/School: _____

Street: _____

City: _____ State: _____

Zip: _____ Email: _____

Phone: _____ Fax: _____

Enclosed check (make payable to the American Bar Association.) Payment must accompany the registration form.

PLEASE BILL MY: Visa Mastercard American Express

Credit card # _____ Exp. Date: _____

Signature: _____


Information provided on this registration form will be published on an attendee roster that will be disseminated to meeting attendees only.

Registration forms without payment attached will not be processed. Please mail the completed registration form and payment to:

 American Bar Association
750 N. Lake Shore Drive
Chicago, IL 60611

 Phone: 312.988.5609

 Fax: 312.988.5637

 You may obtain a registration form online at:
www.abanet.org/antitrust