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IP License-Extinguishing "Free & Clear" Sales in Bankruptcy

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Houston Jan. Event

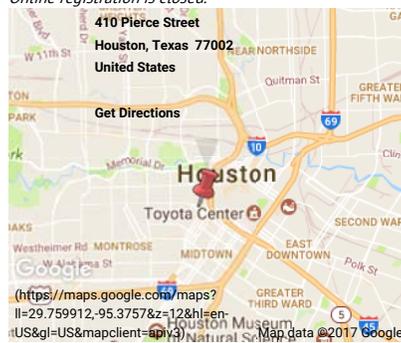
1/23/2017

When: Monday, January 23, 2017
6:00-8:30 p.m.

Where: The Houston Technology Center
410 Pierce Street
Houston, Texas 77002
United States

Contact: Chris Johnson
cjohnson@economicanalyticsconsulting.com (<mailto:cjohnson@economicanalyticsconsulting.com>)
713-487-8835

Online registration is closed.



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IP License-Extinguishing “Free & Clear” Sales in Bankruptcy

Panel Discussion & Reception

CLE Approved: 1.25 Hrs

Monday, Jan. 23, 2017 **The Houston Technology Center**
 6:00 - 8:30 p.m. 410 Pierce Street
 Houston, Texas 77002
(Parking Details Provided Below)

Heavy Appetizers and Drinks Provided

Registration:

Through January 19:

LES Member: \$30.00
 Non-member: \$40.00
 LES Student Member: \$10.00

After January 19:

LES Member: \$40.00
 Non-Member: \$50.00
 LES Student Member: \$20.00

Panel Discussion

The sale of licensed intellectual property in a bankruptcy free and clear sale presents opportunities and risks. Free and clear bankruptcy sales have the potential to extinguish a non-bankrupt party's IP license. Such sales can occur on as little as twenty-one days' notice, or even less. In contrast, transacting with insolvent licensors can leave the licensee vulnerable to risks whether or not the licensor later files for bankruptcy.

For IP buyers looking for bargains, bankruptcy free and clear sales can offer significant value captured in more than just a good price. Properly handled, bankruptcy free and clear sales can reduce the risk that an unknown licensee or other IP encumbrance will be discovered post-sale. This is so because of the bankruptcy free and clear sale process and the finality offered by bankruptcy court sale orders.

Moderator:



Greg Vetter, J.D., MBA
 Professor of Law
 UH Law Center

Professor Vetter is a leading expert on intellectual property as applied to software, with particular emphasis on free and open source software (FOSS) licensing. His scholarship is at the intersection of software and the business of software with patent law, copyright law, and licensing law. After receiving his undergraduate degree in electrical engineering, he worked full time for nine years as a manager in the software field, gaining expertise in enterprise software design, management, and marketing. During these years he obtained a master's degree in computer science, and an MBA, both through evening programs in Kansas City. He then obtained his JD from Northwestern University School of Law, attending from 1996 to 1999. After law school, he worked for two years at the law firm of Kilpatrick Stockton before clerking for the U.S. Court of Appeals for the Federal Circuit for the Honorable Arthur J. Gajarsa. Since his clerkship completed in 2002, he has served as a law professor at the University of Houston Law Center and served as a Co Director of the Law Center's Institute for Intellectual Property and Information Law (IPIL). His [curriculum vitae](http://www.law.uh.edu/faculty/main.asp?PID=545) (<http://www.law.uh.edu/faculty/main.asp?PID=545>) is available for more information.

Panelists:



Anne Culotta, PhD, MBA, JD, LLM
Principal
Culotta Law Firm PLLC

Anne Culotta, PhD, MBA, JD, LLM, is principal of Culotta Law Firm PLLC, based in Houston, Texas. She specializes in intellectual property law, with particular emphasis on the chemical arts and to IP-related transactional work. She counsels and assists entrepreneurs in forming, planning and operating IP-related start-up companies. Ms. Culotta also has recent experience in academic technology transfer, working in health care-related technologies ranging from medical devices to biotechnology. Anne has her BS in Chemistry from the University of St. Thomas (Houston, TX), her PhD in Physical Organic Chemistry from Rice University (Houston, TX), her MBA from Rice University (Houston, TX), her JD from the University of Houston Law Center (TX), and her LLM in IP from the University of Houston Law Center (TX). Ms. Culotta is registered to practice in the State of Texas and before the United States Patent and Trademark Office. Anne has recently authored a timely book entitled *The Law of Fraudulent Transfers Applied to Patent Assignments, Licenses and Security Interests* (Thomson Reuters/ Aspatore 2014).



Edward L. Rothberg
Hoover Slovacek LLP

Edward L. Rothberg is the head of the Hoover Slovacek LLP bankruptcy practice, and has been practicing creditor's rights and bankruptcy law for the past 35 years. Prior to entering private practice, Mr. Rothberg was a trial attorney with the Department of Justice, Tax Division where he represented the IRS in some of the largest bankruptcy cases in Texas including Braniff and Continental. After entering private practice, Mr. Rothberg has represented institutional lenders, secured creditors, unsecured creditors, debtors, committees, bankruptcy trustees, lessors, and indenture trustees in numerous out of court workouts as well as large and complex bankruptcy cases. Mr. Rothberg was born in Brooklyn, New York on February 4, 1957. He was admitted to the Texas Bar in 1980 and is admitted to practice before the U.S. District Courts for all districts in Texas as well as the Court of Appeals for the Fifth Circuit and the U.S. Supreme Court. He received his B.A. in 1977 from Brooklyn College of the City University of New York and his J.D. from Southern Methodist University in 1980, where he served as Editor of the Journal of Air Law and Commerce.



Todd Schwartz
Paul Hastings

Todd Schwartz is an associate in the Corporate practice of Paul Hastings and is based in the firm's San Francisco and Palo Alto offices. His practice focuses on mergers and acquisitions, fund formation and operation, minority and venture capital investments, joint ventures, and restructuring, bankruptcy, and distressed investments, representing companies as well as private equity funds in all aspects of their businesses. Mr. Schwartz has advised borrowers (including portfolio, privately-held, and public companies), creditors, and distressed investors (including hedge funds and private equity funds) in acquisitions, out-of-court restructurings, and chapter 11 cases. He also regularly advises boards of directors and senior management regarding their fiduciary duties and corporate governance. Mr. Schwartz received a B.A. in Integrative Biology and Legal Studies from the University of California, Berkeley in 2003. He received his J.D. in 2007 from the University of Illinois College of Law, where he was a member of the University of *Illinois Law Review* and editor for the *Comparative Labor Law & Policy Journal*. Mr. Schwartz is admitted to practice in California and Illinois.

Parking:

[Parking Map \(/resource/resmgr/chapters/hou_pkg_map.pdf\)](/resource/resmgr/chapters/hou_pkg_map.pdf)

The Parking Map above provides helpful directions.

The most convenient parking garage is at 1910 Bagby, to the west of HTC (left on the above referenced map).

The garage is just north of Victor Street (which turns into Pierce Street) on the west side of Bagby (which is one-way going south).

On the map, the garage is near the upper-left corner, just above what's shown as the BlackFinn restaurant. The restaurant is now called the Republic Smokehouse & Saloon.

Cancellations

Cancellations are non-refundable after January 19. Substitutions are accepted. Contact Dana Whitley at (703) 234-4054 for assistance.

Disability/Dietary Needs

Requests for ADA accommodations and special dietary needs should be submitted to the event contact listed at the top of the page.

Photography Consent

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