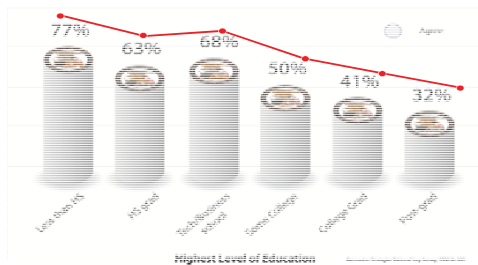


Patently Persuasive: Reaching Today's IP Jurors

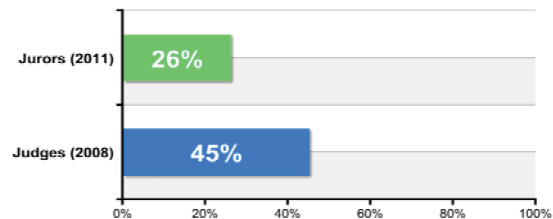
How savvy are you about jury decision making in intellectual property litigation? We test your grasp of intellectual property jury decision making in this session by using a quiz throughout the presentation. We provide the answers and strategies that arise from extensive jury research in IP cases. The perspective and data shared in this session are based on the study of thousands of mock jurors and a few hundred arbitrators and federal judges across the country, incorporating up-to-date measures of relevant perceptions and how they impact your advocacy and arguments in patent, trademark, and trade secrets litigation. Many of the strategies spring from two Persuasion Strategies consultants' book, *Patently Persuasive*. Topics include:

- Identifying the “juror flip” in juror profiles unique to patent litigation
- Defining key voir dire questions for both sides in patent cases
- Revealing a jury-tested opening statement structure that is most persuasive
- Comparing judges' and jurors' perceptions of Non-Practicing Entities (NPEs) in patent litigation
- Leveraging consumer benefits in trademark litigation
- Identifying voir dire questions that backfire in theft of trade secret litigation

Once a Patent Is Granted, No One Should Be Allowed to Argue that the Patent Is Not Valid



Getting a patent for an invention today is easy



Persuasion Strategies National Juror Survey, conducted 2011, N = 400; Federal Judge Survey conducted 2008, N=105.