



2018 AIA/NDIA Technical Data Rights Forum

“Closing the Loop: Defense Acquisition Reform and Technical Data Rights”

Thursday, October 18, 2018

The Boeing Company
929 Long Bridge Drive, Arlington, VA 22202
Building: 95-929

- 7:45 am – 8:15 am Continental Breakfast
- 8:15 am – 8:30 am **Welcome**
Dan Barbieri
Chair, AIA Intellectual Property Committee
Rockwell Collins Inc.
- 8:30 am – 9:00 am **Keynote Speaker**
Dr. Alexis Lasselle Ross
Deputy Assistant Secretary of the Army for Strategy and Acquisition Reform
(Acquisition, Logistics and Technology)
- 9:00 am – 10:15 am **Panel Discussion:** The Section 813 Panel Report and other Recent Legislative and Policy Developments

The panel will discuss the FY 16 NDAA Section 813 Panel’s recommendations and other recent changes to the technical data statutes and implementing regulations, to include Modular Open Systems Approach (MOSA) implementation, improving communications for long term sustainment needs, new contractual mechanisms being considered, and recommendations regarding software.

Moderator: **Kevin O’Brien**, IP Attorney,
UTC Aerospace Systems, ISR & Space Systems

Panelists:
Samuel Mark Borowski, Associate General Counsel (Intellectual Property)
Department of the Air Force Office of the General Counsel
James McEwen, Assistant General Counsel, Intellectual Property, Lockheed Martin Corporation
Jon Etherton, President, Etherton & Associates, Inc.
- 10:15 am – 10:45 am **Break - Networking**

10:45 am – 12:00 pm

Panel Discussion: IP Valuation in Defense Acquisition

Congress recently passed legislation requiring (to the maximum extent possible) the DoD to negotiate a price for technical data deliverables before selecting a contractor for major weapon systems and requiring the DoD to establish a cadre of IP experts skilled in IP valuation. The panel will discuss these legislative developments and other challenges and opportunities for IP valuation in defense acquisition.

Moderator: **Nick Florio**, Principal, Deloitte

Panelists:

Carolyn Tomberlin, IP Management, Rockwell Collins Inc.

Jerry Trepkowski, Senior Counsel, The Johns Hopkins University, Applied Physics Laboratory

John Lisciandro, Managing Director, Government & Public Sector Valuation, Deloitte

12:00 pm – 1:00pm

Lunch & Networking

1:00 pm – 2:15 pm

Panel Discussion: The Acquisition of Commercial Items to Meet DoD Requirements

The panel will discuss challenges and opportunities in acquiring commercial items from both traditional and nontraditional contractors to meet DoD requirements, and explore various contracting instruments such as other transactions.

Moderator: **Kelly Kyes**, Senior Policy Specialist, The Boeing Company

Panelists:

Richard Gray, Associate General Counsel, Office of the General Counsel, DoD

Laurie Landgraf, Senior Counsel, The Boeing Company

Louis Ross, CEO, MEI Micro, Inc.

2:15 pm – 2:45 pm

Break - Networking

2:45 pm – 4:00 pm

Panel Discussion: Technical Data Rights for Sustainment: OMIT, Detailed Manufacturing or Process Data and Depot-Level Maintenance and Repair

The panel will discuss government and industry views on various sustainment-related technical data rights topics, to include: (1) the development of IP strategies as part of overarching acquisition strategies; (2) technical data that is “necessary for operation, maintenance, installation or training (OMIT)” and the carve out for “detailed manufacturing or process data”; and (3) depot-level maintenance and repair and 50/50 requirements.

Moderator: **Dan Barbieri**, Rockwell Collins

Panelists:

Azza Jayaprakash, US Army CECOM; Division Chief, IP Law Division

David Frey, Chief IP Counsel, Rolls-Royce Americas

David Rikkers, Senior IP Counsel, Raytheon

Roger Hamerlinck, Acquisition Policy Specialist, Office of the ASA (ALT)

4:00 pm – 4:30 pm

Closing Remarks

Dan Barbieri, Chair, AIA Intellectual Property Committee, Rockwell Collins Inc.