



22nd Annual National SuperConference *Live!*

# WINE, BEER & SPIRITS LAW

Now in the Pacific Northwest!

September 14-15, 2017 • The Benson • Portland, OR


Connect with Over 100 of Your Fellow Professionals from Around the Country!

Dear Colleague:

The picturesque Pacific Northwest is home to this year's Wine, Beer & Spirits Law Conference.

Don't miss your chance to experience Oregon's exquisite wine country, and the city of Portland's thriving craft beer and small batch distillery scenes, all while amassing critical information and valuable insights on these important topics:

- TTB Update
- State Regulators Panel
- How Marijuana Interacts with the Alcohol Industry
- Trade Practice Developments
- When Is a Wine Not a Wine?
- Crisis Management
- What the Heck Is a Hard Seltzer?
- Alcohol Regulatory & Distribution Issues in the Transactional Context
- Trends in Retailer Liability
- Frequent Subtopics in Supplier-Distributor Litigation
- Producers Making Retail Sales - Expanding the Market or Threat to Competition?
- Recent Industry Trademark Developments
- Private Label Legal Issues
- ... and more!

Registration and Breakfast on Thursday morning, sponsored by: 

Don't miss Thursday evening's Private Networking Reception, sponsored by:



Oregon is the second largest hop growing state in the US and boasts roughly 230 brewing companies. The state is also a world-class wine region. Over 700 wineries and more than 1,000 vineyards growing 72 grape varieties, make Oregon the third largest wine grape producing state in the country, yet it still remains focused on producing small-batch artisan wine.

Come for the conference, and stay for the weekend! We look forward to seeing you in Portland.

Sincerely,



**James M. Seff, Esq.**  
Program Co-Chair  
Pillsbury Winthrop Shaw Pittman  
San Francisco, CA



**Marc E. Sorini, Esq.**  
Program Co-Chair  
McDermott Will & Emery  
Washington, DC

## CONFERENCE LOCATION & HOTEL ACCOMMODATIONS



**The Benson**  
309 SW Broadway  
Portland, OR 97205  
Tel: 503-228-2000


Explore all Portland has to offer from one of the city's most treasured historic landmarks. Founded in 1913, and refreshed in 2017, The Benson features elegant European design with a host of modern amenities. The hotel's superb location puts you within walking distance to all of the shopping, dining, and entertainment of the Pearl District.

### Hotel Reservations

Please call 888-523-6766 or 503-228-2000, or email [reservations@bensonhotel.com](mailto:reservations@bensonhotel.com), and mention the CLE - 2017 Wine, Beer & Spirits Law Conference.

Conference hotel sold out last year, so reserve and register today!

THURSDAY, SEPTEMBER 14

8:00 Registration and Breakfast Sponsored by  STATE LAW DATABASE

8:30 **Welcome and Introduction**

State of the Industry

**Steven Marks, Executive Director**

Oregon Liquor Control Commission, Portland, OR

**James M. Seff, Esq., Program Co-Chair**

Pillsbury Winthrop Shaw Pittman, San Francisco, CA

**Marc E. Sorini, Esq., Program Co-Chair**

McDermott Will & Emery, Washington, DC

9:15 **TTB Update**

Developments and Trends

**John J. Manfreda, Administrator**, Alcohol and Tobacco Tax and

Trade Bureau, US Department of the Treasury, Washington, DC

10:00 Networking Break

10:15 **State Regulators Panel**

Update from Top Alcohol Beverage Law Administrators

**Jacob A. Appelsmith, Esq., Director**, California Department of Alcoholic Beverage Control, Sacramento, CA

**Matthew D. Botting, Esq., General Counsel**, California Department of Alcoholic Beverage Control, Sacramento, CA

**Danica Hibpsman, Director, Statewide Licensing and Compliance** Oregon Liquor Control Commission, Portland, OR

**Teri L. Quimby, Administrative Commissioner**

Michigan Liquor Control Commission, Lansing, MI

*Moderator: James M. Seff, Esq., Program Co-Chair*

11:30 **Trade Practice Developments**

Overview of Recent Developments, Including Recent TTB Rulings, Massachusetts Investigations and Litigation, California Investigations, Litigation and Settlements, and More

**Carrie L. Bonnington, Esq.**

Pillsbury Winthrop Shaw Pittman, Sacramento, CA

12:15 Lunch Break (on your own)

1:30 **How Marijuana Interacts with the Alcohol Industry**

The Business, Legal and Policy Sides of This Important Issue, Including Exploration of Consumption Patterns, Methods for a Federal Permittee to Engage in This Conduct, and the Question of Whether Marijuana Advocates the New Neo-Prohibitionists?

**Rick Garza, Director**

Washington State Liquor and Cannabis Board, Olympia, WA

**Jesse Sweet, Administrative Policy and Process Director**

Oregon Liquor Control Commission, Portland, OR

**Lori Ajax, Director (invited)**

California Bureau of Medical Cannabis Regulation, Sacramento, CA

2:45 **Crisis Management**

Yesterday, Today, and Tomorrow

**Thomas A. Campbell, Esq.**

Pillsbury Winthrop Shaw Pittman, Houston, TX

3:30 Networking Break

3:45 **When Is a Wine Not a Wine?**

Sake, Soju, Shochu, and More!

**James M. Seff, Esq., Program Co-Chair**

4:30 **What the Heck Is a Hard Seltzer?**

A New Category with Legal Wrinkles (A Beer for Internal Revenue Code Purposes, but Not a Malt Beverage for FAA Act Purposes, and Other Conundrums)

**Tara L. Heath, Esq.**

**Vice President-Legal and Deputy General Counsel**

The Boston Beer Company, Boston, MA

5:15 Adjourn to Private Networking Reception Sponsored by



FRIDAY, SEPTEMBER 15

8:00 Continental Breakfast

8:25 **Welcome Back**

Overview of Day Two

**Marc E. Sorini, Esq., Program Co-Chair**

8:30 **Alcohol Regulatory and Distribution Issues in the Transactional Context**

Recurring Issues that Arise in the Purchase and Sale of Wineries, Breweries, Distilleries, and Importers, Including: Potential Tied-House Issues and Other Buyer Due-Diligence, Licenses and Permits, Distributor Changes, and Potential Loss of Special Tax Rates and Sales Privileges

**Marc E. Sorini, Esq., Program Co-Chair**

9:15 **Trends in Retailer Liability**

Premises Liability, Dram Shop Cases, and Other Issues that Keep Retailers Up at Night

**Richard M. Blau, Esq., Gray Robinson, Tampa, FL**

10:00 **The Art of the Formula**

A Hands-On "How To" for Approaching the TTB Formula and Pre-Import Approval Process; All the Tricks on Nesting Formulas, Ranges, and Presenting to Fit Different Classes and Types

**Deborah Ringo, Director, Regulatory & Technical Affairs**

Diageo North America, Washington, DC

10:45 Networking Break

11:00 **Frequent Subtopics in Supplier-Distributor Litigation**

What Happens when the Supplier Changes Control or a Foreign Manufacturer Changes Importers? What About a Distributor Change in Control or a Distributor Asset Sale? Who Gets the Rights to Brand Extensions? What About Entirely New Products?

**R.E. "Tuck" Duncan, Esq., Duncan Law Office, Topeka, KS**

**Michael S. Nadel, Esq., McDermott Will & Emery, Washington, DC**

**James B. Niehaus, Esq., Frantz Ward, Cleveland, OH**

*Moderator: Marc E. Sorini, Esq., Program Co-Chair*

12:15 Lunch Break (on your own)

1:30 **Producers Making Retail Sales - Expanding the Market or Threat to Competition?**

A Rumble of the Beer Economists

**Lester Jones, MS, Chief Economist**

National Beer Wholesalers Association, Alexandria, VA

**Bart Watson, PhD, Chief Economist**

The Brewers Association, Boulder, CO

2:15 **Recent Industry Trademark Developments**

The Hot Topic of Trademark Issues and Disputes; Overview of Trademark and Related IP Law; Review of Recent Developments, Cases, and Trends in the Industry

**Eugene M. Pak, Esq., Wendel Rosen Black & Dean, Oakland**

3:00 Networking Break

3:15 **Private Label Legal Issues**

Practical Issues and Solutions, Including Tied-House, Refusal to Sell, and IP Licensing Issues

**Genevieve Burch, Esq., Vice President-Legal**

**Associate General Counsel, WX Brands, Novato, CA**

4:00 **Ethics**

When Is a Client a Client? and Other Puzzles; A Practical Guide to Some of the Most Common Legal Pitfalls of a Practicing Attorney, Done Using Alcohol Beverage Industry Examples

**William P. Schuman, Esq., McDermott Will & Emery, Chicago, IL**

5:00 Evaluations and Adjourn

**Earn up to 13 Hours MCLE Credit Including One Hour of Ethics**

REGISTER NOW! [cle.com/Portland](http://cle.com/Portland) or (800) 873-7130

**PROGRAM CO-CHAIRS**

**James M. Seff** is a member of his firm’s Wine, Beer & Spirits Law team, and is a *Chambers* ranked practitioner with nearly five decades of experience advising clients in the area of licensed beverage law and regulation. He is a former chair of the American Bar Association Committee on Alcoholic Beverage Law Practice and serves as pro bono counsel to a number of non-profits including the San Francisco Symphony and San Francisco Ballet (both for alcohol issues) and the Society of Medical Friends of Wine.

**Marc E. Sorini** heads his firm’s Alcohol Regulatory & Distribution Group, where he focuses on regulatory and litigation issues facing the alcohol beverage industry and non-beverage alcohol users. His practice covers licensing, labeling, advertising, trade practices, distribution, import-export, formulation, and excise taxation. Mr. Sorini is a *Chambers* ranked practitioner.

**SPEAKERS**

**Jacob A. Appelsmith, Esq., Director**  
California Department of Alcoholic Beverage Control, Sacramento, CA

**Lori Ajax, Director (invited)**  
California Bureau of Medical Cannabis Regulation Sacramento, CA

**Richard M. Blau, Esq.**  
Gray Robinson, Tampa, FL

**Carrie L. Bonnington, Esq.**  
Pillsbury Winthrop Shaw Pittman, Sacramento, CA

**Matthew D. Botting, Esq., General Counsel**  
California Department of Alcoholic Beverage Control, Sacramento, CA

**Genevieve Burch, Esq., Vice President-Legal Associate General Counsel**  
WX Brands, Novato, CA

**Thomas A. Campbell, Esq.**  
Pillsbury Winthrop Shaw Pittman, Houston, TX

**R.E. “Tuck” Duncan, Esq.**  
Duncan Law Office, Topeka, KS

**Rick Garza, Director**  
Washing State Liquor and Cannabis Board Olympia, WA

**Tara L. Heath, Esq. Vice President-Legal and Deputy General Counsel**  
The Boston Beer Company, Boston, MA

**Danica Hibpshman, Director Statewide Licensing and Compliance**  
Oregon Liquor Control Commission, Portland, OR

**Lester Jones, MS, Chief Economist**  
National Beer Wholesalers Association Alexandria, VA

**John J. Manfreda, Administrator**  
Alcohol and Tobacco Tax and Trade Bureau US Department of the Treasury, Washington, DC

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McDermott Will & Emery, Washington, DC

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Wendel Rosen Black & Dean, Oakland

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Michigan Liquor Control Commission, Lansing, MI

**Deborah Ringo Director, Regulatory & Technical Affairs**  
Diageo North America, Washington, DC

**William P. Schuman, Esq.**  
McDermott Will & Emery, Chicago, IL

**Jesse Sweet Administrative Policy and Process Director**  
Oregon Liquor Control Commission, Portland, OR

**Bart Watson, PhD, Chief Economist**  
The Brewers Association, Boulder, CO

**4 EASY WAYS TO REGISTER**

- 1** [cle.com/Portland](http://cle.com/Portland)
- 2** **FAX**  
(303) 321-6320
- 3** **PHONE**  
(800) 873-7130
- 4** **MAIL**  
7995 East Prentice Avenue  
Suite 200  
Greenwood Village, CO 80111

**YES!** Please register the following:

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**Cancellation**

Full tuition refunds (less a \$75 administrative charge) will be given only if notice of cancellation is received at least seven days prior to the Conference. Substitutions may be made at any time.

Course Materials provided in electronic format only.

**Tuition - includes Course Materials**

- \$995 per person
- \$895 each for 2 or more
- \$795 each for 5 or more
- \$895 each for government, 501(c)(3) organizations, full-time judges, law students and paralegals
- \$795 each for 2 or more government, 501(c)(3) organizations, full-time judges, law students and paralegals
- \$695 each for 5 or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

**Audio Home Study - available after the Conference**

- \$995 Audio transcript and Course Materials

**Course Materials Only - available after the Conference**

- \$250

**Payment**

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# WINE, BEER & SPIRITS LAW

New Trends in the Industry

September 14-15, 2017 • The Benson • Portland, OR

**"Well-organized and well-paced. Very enjoyable and informative! By far, the best CLE conference I've attended."**

- Jason Coupal, Esq., Pompano Beach, FL

**"As a first time participant in this conference, I have been thoroughly impressed by the quality of the presentations and the caliber of the presenters."**

- Craig A. Pacheco, Esq., Bryan Cave  
St. Louis, MO

## Who Should Attend:

- Attorneys
- Distributors
- Retailers
- Wholesalers
- Regulators
- Brewers
- Vintners
- ...and anyone else interested in the legal and practical complexities of the alcohol beverage industry!

## Featuring Experts From:

- Alcohol and Tobacco Tax and Trade Bureau
- Boston Beer Company
- Brewers Association
- California Bureau of Medical Cannabis Regulation
- California Department of Alcoholic Beverage Control
- Diageo North America
- Michigan Liquor Control Commission
- National Beer Wholesalers Association
- Oregon Liquor Control Commission
- Washington State Liquor and Cannabis Board
- WX Brands
- ... and the nation's leading law firms!

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