

**SHUBHA GHOSH**  
Crandall Melvin Professor of Law  
Director, Technology Commercialization Law Program  
Syracuse University College of Law  
Dineen Hall Suite 301  
Syracuse, NY 13244-6070  
Mobile: (608) 770-7090  
E-mail: [sgfioshi01@syr.edu](mailto:sgfioshi01@syr.edu)

## **EDUCATION**

**Stanford Law School**, J.D., with distinction, 1994.

**University of Michigan**, Ph.D. (Economics), 1988

**Amherst College**, B.A., History and Economics, *cum laude*, 1984

## **ACADEMIC APPOINTMENT**

Syracuse University College of Law, from January 2016, Crandall Melvin Professor of Law  
And Director, Technology Commercialization Law Program.

## **PUBLICATIONS**

### **Books and Monographs, Authored:**

EXHAUSTING INTELLECTUAL PROPERTY RIGHTS—A CRITICAL AND COMPARATIVE ANALYSIS (with Irene Calboli, Cambridge University Press, forthcoming).

INTELLECTUAL PROPERTY: PRIVATE RIGHTS, THE PUBLIC INTEREST, AND THE REGULATION OF CREATIVE ACTIVITY (*with* RICHARD GRUNER, JAY KESAN & ROBERT REIS) (3<sup>rd</sup> ed., 2016).

**TRANSACTIONAL INTELLECTUAL PROPERTY: FROM STARTUPS TO PUBLIC COMPANIES : A SUCCESSOR TO INTELLECTUAL PROPERTY IN BUSINESS ORGANIZATIONS : CASES AND MATERIALS** (*WITH* RICHARD GRUNER & JAY KESAN) (3<sup>RD</sup> ed., 2015) (4<sup>th</sup> ed., forthcoming, 2017).

**UNDERSTANDING INTELLECTUAL PROPERTY LAW** (*with* DONALD CHISUM, MARY LAFRANCE & TYLER OCHOA) (3<sup>rd</sup> ed. 2015).

THE IMPLEMENTATION OF EXHAUSTION POLICIES: LESSONS FROM NATIONAL EXPERIENCES (2013).  
Available at <http://www.ictsd.org/themes/innovation-and-ip/research/the-implementation-of-exhaustion-policies-lessons-from-national>.

QUESTIONS & ANSWERS : ANTITRUST (2013).

**TRANSACTIONAL INTELLECTUAL PROPERTY: FROM STARTUPS TO PUBLIC COMPANIES** (*WITH* RICHARD GRUNER & JAY KESAN) (2<sup>nd</sup> ed., 2012, *of* **INTELLECTUAL PROPERTY IN BUSINESS**

**ORGANIZATIONS, 2006).**

**IDENTITY, INVENTION, AND THE CULTURE OF PERSONALIZED MEDICINE PATENTING (2012).**

ACING TORT LAW (2<sup>nd</sup> ed. 2012).

GLOBAL ISSUES IN PATENT LAW (*with* MARTIN ADELMAN, AMY LANDERS & TOSHIKI TAKENAKA, 2011).

**UNDERSTANDING INTELLECTUAL PROPERTY** (*with* DONALD CHISUM, MARY LAFRANCE & TYLER OCHOA) (2<sup>nd</sup> ed. 2011).

INTELLECTUAL PROPERTY: PRIVATE RIGHTS, THE PUBLIC INTEREST, AND THE REGULATION OF CREATIVE ACTIVITY (*with* RICHARD GRUNER, JAY KESAN & ROBERT REIS) (2<sup>nd</sup> ed., 2011).

ACING TORT LAW: A CHECKLIST APPROACH TO TORT LAW (2009).

INTELLECTUAL PROPERTY: PRIVATE RIGHTS, THE PUBLIC INTEREST, AND THE REGULATION OF CREATIVE ACTIVITY: CASES AND MATERIALS (*with* RICHARD GRUNER, JAY KESAN & ROBERT REIS) (2007).

INTELLECTUAL PROPERTY IN BUSINESS ORGANIZATIONS: CASES AND MATERIALS, (*with* RICHARD GRUNER & JAY KESAN) (2006).

THEATER LAW: CASES AND MATERIALS (*with* STEVEN E. CHAIKELSON *et al.*) (2004).

**Books and Monographs, Edited:**

INTELLECTUAL PROPERTY AND INNOVATION (forthcoming Elgar, 2017).

CREATIVITY, LAW AND ENTREPRENEURSHIP (Shubha Ghosh & Robin Paul Malloy eds., 2011).

**Chapters in Books:**

*A Duty to Remember*, Introduction to Forgotten Intellectual Property Cases, Syracuse Law Review Symposium (forthcoming 2018).

*Injunctive Relief and Compulsory Licensing under Indian Patent Law*, in ANNOTATED LEADING PATENT CASES IN MAJOR ASIAN JURISDICTIONS (Kung-Chung Liu, ed., 2017).

*Patent Exhaustion on Trial in the United States*, in GLOBAL GOVERNANCE OF INTELLECTUAL PROPERTY IN THE 21ST CENTURY: REFLECTING POLICY THROUGH CHANGE (Mark Perry ed., 2016).

*Competition, Markets, and Trademark Transactions*, in THE LAW AND PRACTICE OF TRADEMARK TRANSACTIONS (Irene Calboli & Jacques de Werra eds., 2016).

*Incentives, Contracts, and Intellectual Property Exhaustion*, in RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY EXHAUSTION AND PARALLEL Imports (Irene Calboli & Edward Lee eds., 2016).

*Beyond Hatch-Waxman*, 67 Rutgers U.L. Rev. 779 (2015) (symposium contribution).

*Decentering the Consuming Self: Personalized Medicine, Science, and the Market for Lemons*, 5 Wake Forest J.L. & Pol'y 299 (2015).

*The Colorblind Marketplace?*, in INTELLECTUAL PROPERTY, ENTREPRENEURSHIP AND SOCIAL JUSTICE: FROM SWORDS TO PLOUGHSHARES (Lateef Mtima ed., 2015).

*Genetic identity and personalized medicine patenting: an update on Myriad's patents related to Ashkenazim Jewish ancestry*, in DIVERSITY IN INTELLECTUAL PROPERTY : IDENTITIES, INTERESTS, AND INTERSECTIONS (Irene Calboli & Srividhya Ragavan eds., 2015).

*The Idea of International Intellectual Property*, in THE SAGE HANDBOOK OF INTELLECTUAL PROPERTY (Matthew David & Debora J. Halbert eds., 2015).

*What the Treatment of Covenants not to Compete Teaches About Intellectual Property and Competition Norms*, in INTELLECTUAL PROPERTY IN COMMON LAW AND CIVIL LAW (Toshiko Takenaka ed., 2013).

*The Movement of Skilled Labor and Knowledge Across Borders*, in **THE ASHGATE RESEARCH COMPANION TO MIGRATION LAW, THEORY AND POLICY**. (Satvinder Juss ed., 2013).

*Propriedade Intelectuel no novo Projeto de Direito e Desenvolvimento*, in DIREITO E DESENVOLVIMENTO: UM DIALOGO ENTRE OS BRICS (Mario G. Schapiro & David M. Trubek eds., 2012).

*The Strategic Lawyer*, in ENTREPRENEURSHIP AND INNOVATION IN EVOLVING ECONOMIES: THE ROLE OF LAW (Megan M. Carpenter ed., 2012).

*Vertical Restraints. Competition, and the Rule of Reason*, in **ANTITRUST LAW AND ECONOMICS** (Keith Hylton ed., 2010).

*When Property is Something Else: Understanding Intellectual Property Through the Lens of Regulatory Justice*, in INTELLECTUAL PROPERTY AND THEORIES OF JUSTICE (Alain Marciano *et al.* eds., 2008).

*Who Doesn't Own Culture? Two Books on Law's Role in Shaping Culture*, in LAW, CULTURE, AND ECONOMIC DEVELOPMENT: A LIBER AMERICORUM FOR PROFESSOR ROBERTO MCLEAN (Joseph J. Norton & C. Paul Rogers eds., 2007).

*Recognizing Authority in the Marketplace: The Curious and Ubiquitous Problem of Gray Markets*, in INTELLECTUAL PROPERTY AND INFORMATION WEALTH, vol. 4: INTERNATIONAL INTELLECTUAL PROPERTY LAW AND POLICY (Peter Yu ed., 2007).

*How to Build a Commons: Is Intellectual Property Constrictive, Facilitating, or Irrelevant?* in UNDERSTANDING KNOWLEDGE AS A COMMONS: FROM THEORY TO PRACTICE (Elinor Ostrom & Charlotte Hess eds., 2007).

INTELLECTUAL PROPERTY IN BUSINESS ORGANIZATIONS: CASES AND MATERIALS, (with RICHARD GRUNER & JAY KESAN) (2006).

*The Importance of Patents, Trade-marks and Copyright for Innovation and Economic Performance: Developing a Research Agenda for Canadian Policy*, (with Dr. Mohammed Rafiqzaman) in INTELLECTUAL PROPERTY AND INNOVATION IN THE KNOWLEDGE-BASED ECONOMY (Jonathan D. Putnam ed., 2006).

*Competitive Baselines for Intellectual Property Systems*, in INTERNATIONAL PUBLIC GOODS AND TECHNOLOGY TRANSFER (Keith Maskus & Jerome Reichmann eds., 2005).

*Copyright Act of 1790*, MAJOR ACTS OF CONGRESS, vol. 1, at 181 (Brian K. Landsberg ed., 2004).

*Copyright Act of 1976*, MAJOR ACTS OF CONGRESS, vol. 1, at 185 (Brian K. Landsberg ed., 2004).

*Patent Acts*, MAJOR ACTS OF CONGRESS, vol. 3, at 116 (Brian K. Landsberg ed., 2004).

*Understanding Immigrant Entrepreneurs : Theoretical and Empirical Issues*, in THE STATE OF ASIAN PACIFIC AMERICA. REFRAMING THE IMMIGRATION DEBATE : A PUBLIC POLICY REPORT (Bill Hing & Ronald Lee eds., 1996).

#### **Articles in Law Reviews and Other Scholarly Journals:**

*The Mirror, the Lamp, and Public Performances*, in OXFORD HANDBOOKS ONLINE (April 2017), DOI: 10.1093/oxfordhb/9780199935352.013.45  
<http://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199935352.001.0001/oxfordhb-9780199935352-e-45?rskey=f6unCy&result=3>

*Remapping copyright functionality: the quixotic search for a unified test for severability for PGS works*, 39 EUR. INTELL. PROP. REV. 90 (2017).

*Are Universities Special?*, 49 AKRON L. REV. 671 (2015).

*Asking the Nearest Hippie*, 22 MICH. TELECOMM. & TECH. L. REV. 135 (2015).

*Beyond Hatch-Waxman*, 67 RUTGERS U. L. REV. 779 (2015).

*Decentering the Consuming Self: Personalized Medicine, Science, and the Market for Lemons*, 5 WAKE FOREST J. L. & POL'Y 299 (2015).

*Against Contractual Authoritarianism*, 44 Sw. L. Rev. 239 (2014-2015).

*Short-Circuiting Contract Law: The Federal Circuit's Contract Law Jurisprudence and IP Federalism*, 96 J. PAT. & TRADEMARK OFF. SOC'Y 536 (2014).

*Convergence?*, 15 MINN. J. L. SCI. & TECH. 95 (2014).

*Introduction, Legal Education and Legal Reform in South Asia*, 63 J. LEGAL EDUC. 497 (2013-2014).

*Reforming Software Claiming*, 2013 WIS. L. REV. ONLINE 63 (2013).

*Komesar's Razor: Comparative Institutional Analysis in a World of Networks*, 2013 WIS. L. REV. 455 (2013).

*Duty, Consequences, & Intellectual Property*, 10 U. ST. THOMAS L.J. 801 (2012-2013).

*Managing the Intellectual Property Sprawl*, 49 SAN DIEGO L. REV. 979 (2012).

*Informing and Reforming the Marketplace of Ideas: The Public-Private Model for Data Production and the First Amendment*, 2012 UTAH L. REV. 653 (2012).

*The Quest for Effective Traditional Knowledge Protection: Some Reflections on WIPO's Recent IGC Discussions*, 6 BIORES no. 2 (18 June 2012). Available at <http://www.ictsd.org/bridges-news/biores/news/the-quest-for-effective-traditional-knowledge-protection-some-reflections>.

*Commercializing Data*, 3 ELON L. REV. 195 (2011-2012).

*Why Intergenerational Equity*, 2011 WIS. L. REV. 103 (2011).

*FDA Preemption of Drug and Device Labeling: Who Should Decide What Goes on a Drug Label?* (with Tamsen Valoir), 21 HEALTH MATRIX 555 (2011).

*The Sale of Patented Methods: Reconciling on-Sale Bar & Patent Exhaustion Doctrines in Light of In Re Kollar & Quanta v. LG* (with Lucas Divine), 39 AIPLA Q. J. 295 (2011).

*Open Borders, the US Economic Espionage Act of 1996, and the Global Movement of Knowledge and People*, 21 K.L.J. 1 (2010).

*Open Borders, Intellectual Property & Federal Criminal Trade Secret Law*, 9 J. MARSHALL REV. INTELL. PROP. L. [i] (2009-2010).

*The Transactional Turn in Intellectual Property*, 35 U. DAYTON L. REV. 329 (2009-2010).

*Carte Blanche, Quanta, and Competition Policy*, 34 J. CORP. L. 1209 (2008-2009).

*Patenting Games: Baker v. Selden Revisited*, 11 VAND. J. ENT. & TECH. L. 871 (2008-2009).

*Predatory Conduct and Predatory Legislation: Exclusionary Tactics in Airline Markets (with Darren Bush)*, 45 HOUS. L. REV. 343 (2008-2009).

*Protection and Enforcement of Well-known Mark Rights in China: History, Theory and Future, (with Jing “Brad” Luo)*, 7 Nw. J. Tech. & Intell. Prop. (2008-2009).

*Decoding and Recoding Natural Monopoly, Deregulation, and Intellectual Property*, 2008 U. ILL. L. REV. 1125 (2008).

*Intellectual Property: American Exceptionalism or International Harmonization (with F. Scott Kieff, et al.)*, 3 N.Y.U. J.L. & LIBERTY 448 (2008)

*Race-Specific Patents, Commercialization, and Intellectual Property Policy*, 56 BUFF. L. REV. 409 (2008).

*Dilution and Competition Norms: The Case of Federal Trademark Dilution Claims Against Direct Competitors*, 24 SANTA CLARA COMPUTER & HIGH TECH. L.J. 571 (2007-2008).

*Who Doesn't Own Culture - Two Books on Law's Role in Shaping Culture*, 8 STUD. INT'L FIN. ECON. & TECH. L. 135 (2007).

*Belief: An Essay in Understanding*, 54 BUFF. L. REV. 807 (2006).

*What Is the Legal Standard for Determining When Bidding Is Predatory?*, 34 PREVIEW U.S. SUP. CT. CAS. 138 (2006).

*How Specifically Must an Antitrust Plaintiff Plead a Conspiracy in Order to State a Claim?*, 34 PREVIEW U.S. SUP. CT. CAS. 134 (2006).

*The Fable of the Commons: Exclusivity and the Construction of Intellectual Property Markets*, 40 U.C. DAVIS L. REV. 855 (2006-2007).

*The Market As Instrument*, 59 S.M.U. L. Rev. 1717 (2006).

*A Rose Is a Rose Is ...: The Thorny Case of Morris Communications Corp. v. Professional Golf Association Tour, Inc.*, 3 BUFF. INTELL. PROP. L.J. 1 (2005-2006).

*Exclusivity: The Roadblock to Democracy?*, 50 ST. LOUIS U. L.J. 799 (2005-2006).

*Can a Business Collude with Itself?*, 2005-2006 PREVIEW U.S. SUP. CT. CAS. 182 (2005-2006).

*When Exclusionary Conduct Meets the Exclusive Rights of Intellectual Property: Morris v. PGA Tour and the Limits of Free Riding As An Antitrust Business Justification*, 37 LOY. U. CHI. L.J. 723 (2005-2006).

*Market Entry and the Proper Scope of Copyright*, 12 INT'L J. ECON. OF BUS. 347 (2005).

*Law, Technology, and Development: Policy Debates in the New Millennium*, 27 LAW & POL'Y 1 (2005).

*Patent Law and the Assurance Game: Refitting Intellectual Property in the Box of Regulation*, 18 CAN. J. L. & JURISPRUDENCE 307 (2005).

*The Functions of Transaction Costs: Rethinking Transaction Cost Minimization in a World of Friction (with David Driesen)*, 47 ARIZ. L. REV. 61 (2005).

*On Bobbling Heads, Paparazzi, and Justice Hugo Black*, 45 SANTA CLARA L. REV. 617 (2004-2005).

*Patents and the Regulatory State: Rethinking the Patent Bargain Metaphor After Eldred*, 19 BERKELEY TECH. L.J. 1315 (2004).

*A Rose Is a Rose Is: The Thorny Case of Morris Communications Corp. v. Professional Golf Association Tour, Inc.*, 1 ERASMUS L. & ECON. REV. 287 (2004).

*Globalization, Patents, and Traditional Knowledge*, 17 COLUM. J. ASIAN L. 73 (2003-2004), reprinted as *Traditional Knowledge, Patents and the New Mechanisms*, 85 J. PAT. & TRADEMARK OFF. SOC'Y 828, 885 (2003).

*What Do Patents Purchase?: In Search of Optimal Ignorance in the Patent Office (with Jay Kesan)*, 40 HOUS. L. REV. 1219 (2003-2004).

*Copyright as Privatization: The Case of Model Codes*, 78 TUL. L. REV. 653 (2003-2004).

*Reflections on the Traditional Knowledge Debate*, 11 CARDOZO J. INT'L & COMP. L. 497 (2003-2004).

*Deprivatizing Copyright*, 54 CASE W. RES. L. REV. 387 (2003-2004).

*Gandhi & the Life of the Law*, 53 SYRACUSE L. REV. 1273 (2003).

*The Traditional Terms of the Traditional Knowledge Debate*, 23 NW. J. INT'L L. & BUS. 589 (2002-2003).

*Legal Code and the Need for a Broader Functionality Doctrine in Copyright*, 50 J. COPYRIGHT SOC'Y U.S.A. 71 (2002-2003).

*Pills, Patents, and Power: State Creation of Gray Markets as a Limit on Patent Rights*, 53 FLA. L. REV. 789 (2001), *reprinted at* 14 FLA. J. INT'L L. 217 (2001-2002).

*The Merits of Ownership; or, How I Learned to Stop Worrying and Love Intellectual Property*, 15 Harv. J. L. Tech 453 (2001-2002).

*Turning Gray into Green: Some Comments on Napster*, 23 HASTINGS COMM. & ENT. L.J. 563 (2000-2001).

*Colloquium on Privacy and Security (with Gary M. Schober et al.)*, 50 BUFF. L. REV. 703 (2002).

*Relaxing Antitrust during Economic Downturns: A Real Options Analysis of Appalachian Coals and the Failing Firm Defense*, 68 ANTITRUST L.J. 111 (2000-2001).

*Panel One: The Road to Napster: Internet Technology & Digital Content*, 50 Am. U. L. Rev. 363 (2000-2001).

*Toward a Theory of Regulatory Takings for Intellectual Property: The Path Left Open after College Savings v. Florida Prepaid*, 37 SAN DIEGO L. REV. 637 (2000).

*Where's the Sense in Hill v. Gateway 2000?: Reflections on the Visible Hand of Norm Creation*, 16 TOURO L. REV. 1125 (1999-2000).

*Gray Markets in Cyberspace*, 7 J. INTELL. PROP. L. 1 (1999-2000).

*Reconciling Property Rights and States' Rights in the Information Age: Federalism, the Sovereign's Prerogative and Takings after College Savings*, 31 U. TOL. L. REV. 17 (1999-2000).

*Whistling Dixie: The Invalidity and Unconstitutionality of Covenants Against Yankees (with Alfred Brophy)*, 10 VILL. ENVTL. L.J. 57 (1999).

*Fragmenting Knowledge, Misconstruing Rule 702: How Lower Courts Have Resolved the Problem of Technical and Other Specialized Knowledge in Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 1 CHI.-KENT J. INTELL. PROP. 1 (1999).

*Casting Light on Originalism*, 24 OKLA. CITY U. L. REV. 431 (1999).



*W[h]ither Daubert? What Courts Mean by “Scientific” Evidence*, 29 TRIAL LAW. QUARTERLY 9 (1999).

*Federal and State Resolutions of the Problem of Daubert and “Technical or Other Specialized Knowledge,”* 22 AM. J. TRIAL ADVOC. 237 (1998-1999).

*The Legal, Economic, and Policy Roles of Immigrant Entrepreneurs in the Immigration Debate*, 5 UCLA Asian Pac. Am. L.J. 15 (1998).

*The Morphing of Property Rules and Liability Rules: An Intellectual Property Optimist Examines Article 9 and Bankruptcy*, 8 FORDHAM INTELL. PROP. MEDIA & ENT. L.J. 99 (1997-1998).

*Takings, the Exit Option, and Just Compensation*, 17 INT’L REV. L. & ECON. 157 (1997).

*Property Rules, Liability Rules, and Termination Rights: A Fresh Look at the Employment at Will Debate with Applications to Franchising and Family Law*, 75 OR. L. REV. 969 (1996).

*An Economic Analysis of the Common Control Exception to Gray Market Exclusion*, 15 U. PA. J. INT’L BUS. L. 373 (1994-1995).

#### **Reports to Governmental Bodies and Professional Associations:**

Brief of Amici Curiae US Inventor, Inc. et al., *Retractable Technologies, Inc. and Thomas J. Shaw v. Becton, Dickinson & Co.*, No. 16-953 (5th Cir. 2017).

#### **Miscellaneous Works:**

*Asking the Nearest Hippie*, 22 MICH. TELECOMM. & TECH. L. REV. 135 (2015)(tribute issue to Professor Margaret J. Radin).

*Reviving the Original Scope of Intellectual Property, Internationally*, JOTWELL (Jan. 12, 2016) (reviewing Rochelle Dreyfuss and Susy Frankel, *From Incentive to Commodity to Asset: How International Law is Reconceptualizing Intellectual Property*, 36 MICH. J. INTL. L. 4 (2015))<http://intl.jotwell.com/reviving-the-original-scope-of-intellectual-property-internationally/>.

*Komesar's Razor: Comparative Institutional Analysis in A World of Networks*, 2013 Wis. L. Rev. 455 (2013)(symposium of work of Neil Komesar).

*Peace Song for the Tiger Mother*, 17 UCLA ASIAN PAC. AM. L.J. 45 (2011-2012).

*CSI: Aoki*, 45 U.C.D. L. REV. 1889 (2011-2012).

*Life in the Anticommons*, criticism of CURB YOUR ENTHUSIASM, published on the PICTURING JUSTICE

website, [www.usfca.edu/pj](http://www.usfca.edu/pj) (2005).

*Myriad Troubles Facing Gene Patents*, 2(5) PRECLINICA 300 (2004) (discussion of cancellation of patent on breast cancer gene sequence in Europe).

*Intellectual Property in Bankruptcy*, 2(4) PRECLINICA 239 (2004) (presentation to general audience on bankruptcy and intellectual property).

*The Bayh-Dole Act Under Fire*, 2(2) PRECLINICA 13 (2004) (commentary on Bayh-Dole Act and recent claims of conflict of interest at the National Institute of Health).

*Shooting Gus van Sant's Elephant*, film criticism of ELEPHANT, published on the PICTURING JUSTICE web site, [www.usfca.edu/pj](http://www.usfca.edu/pj) (2004).

*Leaving the Friedmans Alone*, film criticism of CAPTURING THE FRIEDMANS, published on the PICTURING JUSTICE web site, [www.usfca.edu/pj](http://www.usfca.edu/pj) (2003).

*The Relationship Between Antitrust and Intellectual Property Laws*, published at [www.gigalaw.com](http://www.gigalaw.com) (December 2000).

*The Legal Importance of Defining Markets on the Internet*, published at [www.gigalaw.com](http://www.gigalaw.com) (November 2000).

*Antitrust Scrutiny of Business to Business Websites*, published at [www.gigalaw.com](http://www.gigalaw.com) (October 2000).

*The Antitrust Implications of B2B Electronic Marketplaces*, published at [www.gigalaw.com](http://www.gigalaw.com) (September 2000).

*MP3 v. the Law: How the Internet Could (But Won't) Become Your Personal Jukebox*, published at [www.gigalaw.com](http://www.gigalaw.com) (July 2000).

*Unscrambling Free Speech Law for Cable....and the Internet?*, published at [www.gigalaw.com](http://www.gigalaw.com) (June 2000).

*Deciphering Free Speech and the Encryption Debate*, published at [www.gigalaw.com](http://www.gigalaw.com) (May 2000).

*Source Code as Free Speech in Encryption Cases*, published at [www.gigalaw.com](http://www.gigalaw.com) (April 2000).

*Analyzing Fair Use and the First Amendment on the Internet*, published at [www.gigalaw.com](http://www.gigalaw.com) (March 2000).

*Limiting Speech: The Consequences of Quashing Cybersquatting*, published at [www.gigalaw.com](http://www.gigalaw.com) (February 2000).

*Revealing the Microsoft Windows Source Code*, published at [www.gigalaw.com](http://www.gigalaw.com) (January 2000).

**Book Reviews:**

*Reviving the Original Scope of Intellectual Property, Internationally*, JOTWELL (Jan. 12, 2016) (reviewing Rochelle Dreyfuss and Susy Frankel, *From Incentive to Commodity to Asset: How International Law is Reconceptualizing Intellectual Property*, 36 *MICH. J. INTL. L.* 4 (2015)), <http://intl.jotwell.com/reviving-the-original-scope-of-intellectual-property-internationally/>.

Book review, IP LAW BOOK REVIEW, June 2010, at 8 (reviewing DAN L. BURK & MARK A. LEMLEY, *THE PATENT CRISIS AND HOW THE COURTS CAN SOLVE IT* (2009)), available at [http://gguipbc.com/the\\_ip\\_law\\_book\\_review/archive\\_-\\_vol\\_1\\_no\\_1\\_june\\_2010](http://gguipbc.com/the_ip_law_book_review/archive_-_vol_1_no_1_june_2010).

*Modeling Globalization from the Bottom Up: A Review Essay of John Braithwaite and Peter Drahos*, *GLOBAL BUSINESS REGULATION*, 39 *LAW & SOC'Y REV.* 965 (2005).

*Belling the Cat, Virtually, Review of Stuart Biegel's, BEYOND OUR CONTROL?*, 1 *BUFF. INTELL. PROP. L.J.* 240 (2002).

*Enlightening Identity and Copyright*, Book Review of Emma Rothschild, *ECONOMIC SENTIMENTS*, 49 *BUFF. L. REV.* 1315 (2001).

Book Review: *LAW AND ECONOMICS ANTHOLOGY* (Kenneth G. Dau-Schmidt & Thomas S. Ulen eds.); *FOUNDATIONS OF THE ECONOMICS APPROACH TO LAW* (Avery Katz ed.), 23 *LEGAL STUD. F.* 599 (1999).

Book Review: Jamie Cassels, *THE UNCERTAIN PROMISE OF LAW: LESSONS FROM BHOPAL* (Univ. of Toronto Press, 1993), 13 *STAN. ENVTL. L.J.* 251 (1994).

**SELECTED PRESENTATIONS AND APPEARANCES**

Spurious Production Differentiation and Intellectual Property Protection for Design, German Law & Economics Association Annual Meeting, University of Marburg Institute for Law & Economics, July, 2017.

Commentator on paper on patents and warfare and paper on traditional knowledge, ISHTIP Annual Meeting, University of Toronto Faculty of Law, July, 2017.

Author Meets Reader Session, Panel Discussion on “Writing for Hire” by Catherine Fisk, Law & Society Annual Meeting, Mexico City, June, 2017.

Chair, panel on Designing IP Law and panel on Exhaustion of Rights, Law & Society Annual Meeting, Mexico City, June, 2017.

Trademark Fundamentals, American Intellectual Property Lawyers Association Trademark Boot Camp, Arlington, VA, June, 2017.

First Amendment and Death of Trademark, INTA Annual Meeting, Barcelona, Spain, May, 2017.

Keynote Lecture, Transaction Cost Lawyering and Intellectual Property, NCCCU, Taipei, Taiwan, May, 2017.

Patents, Nationalism, and Colonialism: A Preliminary Study of the Indian Patent Office During the Raj, Conference on 50<sup>th</sup> Anniversary of Stockholm Conference, Texas A&M University School of Law, April, 2017; Singapore Management University, February, 2017.

A Preliminary Study of the Settlements under Rule 317, 7<sup>th</sup> Annual Patent Conference, Northwestern University School of Law, April, 2017.

Panel Discussion on Lee v Tam Case, University at Buffalo Law School, April, 2017.

IP Developments, Panel Discussion, Broome County Bar Association, Binghamton, NY, March, 2017.

Invited Lecturer, Short Course on Intellectual Property and Competition Law, National Law University of Delhi, March, 2017.

Invited Lecture on First Amendment, University of Hong Kong Law Faculty, November, 2016.

Intellectual Property Exhaustion Law and Policy, International IP Workshop, Indiana University-Bloomington, October, 2016.

Patent Licensing and the Costs of Transacting, University of Ahmedabad School of Management, Ahmedabad, India, July, 2016.

Economics of Precedent, Canadian Law and Economics Association Annual Meeting, University of Toronto Faculty of Law, September, 2016; Keynote Lecture, German Law & Economics Association Annual Meeting, Andrassy University, Budapest, Hungary, July, 2016.

Keynote, Marketplace of Ideas and Products, National Law University, Delhi, India, May, 2016.

University as an Organization, Faculty Workshop, University of Tennessee, Knoxville, January, 2016.

Visiting Lecturer, Singapore Management University, lectures at law school and at Competition Commission, November, 2015.

Organizer, Panels on Culture, Society, and Intellectual Property, Law & Society Association Annual

Meeting, Seattle, WA, June, 2015.

Patent Law and Antitrust After Actavis, Workshop on Actavis, University of San Francisco Law School, San Francisco, CA, February, 2015.

Biotechnology Patent Law Updates, UIA Annual Meeting, Florence, Italy, October, 2014.

Competition and Intellectual Property, Vienna School of Business and Economics, Vienna, Austria, September, 2014.

Rethinking Patent Cultures, University of Leeds, July, 2014.

Demarcating Nature, IP & the Biosciences, Griffiths University, July, 2014.

IP and Competition Policy, Wuhan University Faculty of Law, May, 2014.

The New Global IP Jurisdrudence from the U.S. Supreme Court, National Law University, Delhi, March, 2014.

Interview and Panel Discussion on Dotcom Prosecution, Wisconsin Eye Television Program, September, 2013.

Organizer and Commentator, Author Meets Reader Session on Margaret Radin's Boilerplate, Law and Society Association, May, 2013.

Lecture and discussion on my book Identity, Invention and Personalized Medicine, Stanford Law School Center on Law and Biosciences, April 2013; Information Society Project, Yale Law School, March 2013; Petrie-Flom Center on Law and Biosciences, Harvard Law School, March 2013; Institute for IP and Social Justice, Howard Law School, September 2012.

"The Idea of International Intellectual Property," Works in progress seminar, University of San Diego Law School, April 2013.

"Duty, Consequences, and Intellectual Property," University of Saint Thomas Law School, Symposium on Intellectual Property and Religious Thought, April 2013.

Lecture on copyright and sound recordings, Mayrent Institute for Yiddish Culture, University of Wisconsin, March 2013.

Lecture on Bowman v. Monsanto, Intellectual Property Students Organization, University of Wisconsin Law School, March 2013.

"Federal Circuit's Common Law Contract Law Jurisprudence," Texas A&M at Texas Wesleyan School of Law, Eighth Annual Contracts Conference, February 2013.

Panel Discussion on *Bowman v. Monsanto*, Intellectual Property Owner's Association, New York, New York, February 2013.

Recent Intellectual Property Developments, SMU Lyle School of Engineering, Short Course on Intellectual Property for Scientists and Engineers, January 2013.

Chair, Section on South Asian Legal Studies, AALS Annual Meeting, Panel on Legal Education and Legal Reform, New Orleans 2013.

Presenter, Wisconsin Law Review Symposium on Comparative Institutional Analysis and Komesar, University of Wisconsin, October 2012.

Seminar on then forthcoming book *Identity and Invention*, Goethe University, Frankfurt, Germany, August 2012.

Presenter, paper on recognizing the user in intellectual property law and policy, University of San Diego Law Review, May, 2012; Notre Dame Law School, April 2012.

Chair, Panel on BRICS, Law and Development, Tower Center, Southern Methodist University, March 2012.

Lecturer, Copyright Law, WIPO Training Workshop on Intellectual Property, New York City, March 2012.

Presenter, Developments in Intellectual Property Law, Howard Law School Institute for Social Justice, March 2012.

Keynote, Intellectual Property Works in Progress Conference, University of Houston Law Center, February 2012.

Presenter, Ethics of Intellectual Property, Lyle School of Engineering, Southern Methodist University, January 2012.

Chair, Section on South Asian Legal Studies, AALS Annual Meeting, Panel on South Asian Jurisprudence, Washington, D.C., January 2012.

Lecturer, Commercializing Intellectual Property, Amrita Vishwa Vidyapeetham University, December 2011.

Presenter, Conference on Interdisciplinary Approaches to Intellectual Property, Golden Gate University School of Law, November 2011.

Keynote Speaker, Workshop on Traditional Knowledge, World Intellectual Property Organization and Ono Academic College, Tel Aviv, Israel, October, 2011.

Presenter, Faculty Workshops, Research on Holmes' Intellectual Property Jurisprudence, Marquette Law School; Lewis & Clark Law School, September 2011.

Presenter, Developments in Intellectual Property, Wisconsin Bar Section on Intellectual Property, Green Bay, WI, July 2011.

Presenter, Global Legal Studies Workshop on Law and Development, University of Wisconsin Law School, May 2011.

Presenter, Bayh-Dole at 30, Conference held at University of California Davis Law School, April 2011.

Organizer and Presenter, Intergenerational Equity and Intellectual Property, Wisconsin Law Review Symposium, November 2010.

Presenter, BRIC's and the New Law and Development, FGV School of Law, Sao Paulo Law School, November, 2010.

Law Review Symposium on Transparency in Government, Elon Law School, October, 2010.

Co-organizer, Canadian Law and Economics Association Annual Meeting, October, 2010.

Presenter, Texas Wesleyan Faculty Workshop, October, 2010.

Presenter and Organizer, Three Panels on Law and Creativity, Law and Society Annual Meeting, May, 2010.

Presenter and Commentator, Future of Intellectual Property, University of Leeds, March, 2010.

Presenter, Global Intellectual Property Law and Open Borders, King's College Law School, March, 2010.

Presenter, Law and Development and BRIC's, workshop organized by Professor David Trubek, March, 2010.

Commentator, Intellectual Property Developments in Mexico, John Tower Center Conference on Doing Business in Mexico, Dallas, Texas, March 2010.

Organizer and Presenter, Global Legal Studies Panel on Intellectual Property Commercialization, February, 2010.

Organizer and Presenter, Global Legal Studies Panel on Intellectual Property Commercialization, February, 2010.

Moderator, Private Orderings, AALS Section on Intellectual Property, AALS Annual Meeting, New Orleans, January, 2010.

“Entrepreneurship and IP in a US Research University,” Center for Innovation and Structural Change, Cairnes School of Management, National University of Ireland Galway.

“Transactions through an IP Lens,” AALS Workshop on Transactional Law, Long Beach, CA, June 13, 2009.

"Carte Blanche, *Quanta*, and Competition Policy," Workshop on Invention, Creation, and Public Policy, University of Iowa Law School, February 13-14, 2009.

"Patenting Games," Workshop on Intellectual Property, Vanderbilt Law School, November 14, 2008.

"Effects of the Economic Espionage Act on Skilled Immigrant Labor," University of Wisconsin Ideas and Innovation Series, Madison, Wisconsin, October 24, 2008; University of Wisconsin Business School, November 4, 2008.

"Expressive Works as Trademark Infringement," Debate with Professor William Ford, John Marshall Law School, Sponsored by Intellectual Property Students Organization, University of Wisconsin Law School, Madison, Wisconsin, October 22, 2008.

"Intellectual Property as a Business Asset," Conference on Commercialization and Intellectual Property, Nanjing University, Nanjing, China, October 18, 2008.

"Doing Business in India: Intellectual Property and Competition Law Perspectives," University of Wisconsin Executive Education Program, Abbott Labs, Chicago, Illinois, October 7, 2008.

"Intellectual Property, Migration, and the Economic Espionage Act," Intellectual Property Scholars Conference, Stanford Law School, August, 2008.

“IP as CP: Competition Policy Norms in Intellectual Property,” Invited Distinguished Lecture, John Marshall Law School, Chicago, IL, April, 2008.

Comments on “The Benefits of Private Antitrust Enforcement,” Institute for Consumer Antitrust Studies, Loyola Law School, Chicago, IL, April, 2008.

“IP Developments in India,” Doing Business in India Conference, CAIL, Plano, TX, April, 2008.

Comments on Besen and Meurer’s Patent Failure, University of Georgia Law School, Athens, GA,



March, 2008.

“Competition and Intellectual Property Developments in India,” Workshop on Intellectual Property and Development, University of Illinois Law School, Champaign, IL, March, 2008.

“Race and Entrepreneurship: Patenting Personalized Medicine,” Workshop on Law and Entrepreneurship, The University of Arizona Law School, Tucson, AZ, March, 2008.

“Belief: At The Intersection of Religious and Market Fundamentalism,” Faculty Workshop, Thomas Jefferson Law School, San Diego, CA, February, 2008.

“Competition Norms and IP Before the Supreme Court: The Quanta v. LG Electronics Litigation,” CLE on Intellectual Property, Northern Kentucky University, Cincinnati, Ohio, February, 2008.

Comments on Papers by Aviva Bernstein and Katje Weckerstorm, MSU IP Scholars Conference, E. Lansing, MI, February, 2008.

Comments on James Hackney’s Under Cover of Science, AALS Section of Socioeconomics Annual Meeting, New York, New York, January, 2008.

“How Far Does The Long Arm of Patent Law Reach?: The Supreme Court’s Review of the First Sale Doctrine in Quanta v. LG Electronics,” Annual Federalist Society Meeting, Washington, D.C., November, 2007.

“Dilution Claims Against Direct Competitors,” The 45<sup>th</sup> Annual Intellectual Property Conference, Center for American and International Law (CAIL), Plano, Texas, November 2007.

“Digital Rights Management: How Intellectual Property Protects Ordinary Objects,” Department of Engineering Short course on Intellectual Property, Southern Methodist University, Dallas, Texas, October, 2007.

“Parallel Imports and Intellectual Property Policy,” ALI-ABA Conference of Cross-Border Issues in Intellectual Property, Toronto, Canada, October, 2007.

“Race Specific Patents and Intellectual Property Policy,” The University of Wisconsin Law School, October, 2007.

“Patents, Pharmacogenomics, and Venture Capital: The Role of PTO Oversight,” Center for Entrepreneurship, The University of Wisconsin School of Business, October, 2007.

“Dilution and Competition Norms,” Conference on Trademark Dilution, Santa Clara School of Law, October, 2007.

“Normative Law and Economics,” Canadian Law and Economics Association Annual Meeting, University of Toronto Faculty of Law, September 2007.

“Race, Markets, and Patents,” Seventh Annual Intellectual Property Scholars Conference, DePaul College of Law, August, 2007.

“Roundtable for Collaborative Research Network on Intellectual Property, Culture, and Society,” Law and Society Annual Meeting, Berlin, July, 2007.

“Identifying Competitive Norms in Intellectual Property,” Session on Property Rights: Structures of Property, Session on The Legal Regulation of Art and Fashion, and Session on Market Access, Law and Society Annual Meeting, Berlin, July, 2007.

“Property and Competition,” Conference on Property, Citizenship, Sovereignty, and Entrepreneurship, University of Durham, July, 2007.

“Internet Market Diversity,” ALI-ABA Conference on Internet Law, Washington, D.C., May, 2007.

“Are Patents Private Property Under the Fifth Amendment?,” The Federalist Society for Law and Public Policy Luncheon Symposium, Washington, D.C., March, 2007.

“Racial Categories in Patent Law: Reflecting Social Hierarchies or Creating Them?,” Howard University School of Law. Conference on Intellectual Property and Social Justice, March 2007; University of Oklahoma College of Law Faculty Workshop, February, 2007.

“Is Intellectual Property Constitutionally Protected Property?,” Debate Series, Intellectual Property Center, University of Richmond School of Law, February, 2007.

Lectures on the Law and Economics of Intellectual Property, National Law School of India University, Bangalore, India, December, 2006.

“Deregulation, Intellectual Property, and Competition Policy, International Conference on Impact of TRIPS, Indo-US Exchange, National Academy of Legal Studies and Research, Hyderabad, India, December, 2006.

Panel Discussion of Intellectual Property Issues confronting the Courts, Appellate Judges Education Institute, Dallas, Texas, November, 2006.

“A Bend in the River?: Intellectual Property and the Supreme Court’s 2005-2006 Term,” Appellate Judges Education Institute, Dallas, Texas, November, 2006.

“Decoding and Recoding Natural Monopoly, Deregulation, and Intellectual Property,” Annual Intellectual Property Scholars Meeting, Boalt Hall School of Law, Berkeley, California, August,

2006.

"Economics and Intellectual Property," AALS Mid-year Meeting of the Intellectual Property Section, Vancouver, British Columbia, June 15, 2006.

"Exclusivity and the Construction of Intellectual Property Markets in Cyberspace and Real Space," Public Lecture, Oxford Internet Institute, Oxford University, April 10, 2006.

"The Fable of the Commons: Rethinking Intellectual Property Rights and the Construction of the Commons," Public Lecture, AHRC Research Centre for Studies in Intellectual Property and Technology Law, University of Edinburgh Faculty of Law, April 6, 2006.

"The Fable of the Commons," Symposium on Intellectual Property and Distributive Justice, University of California, Davis, School of Law, March 10, 2006.

"Experimental Use," Facultes Universitaires, Centre Innovation-Propriete Intellectuelle (CIPI), Brussels, Belgium, October 28, 2005.

"How the Grokster Decision Makes Copyright More Like Patent," Conference on Peer to Peer and File Sharing Technologies, Santa Clara Law School, October 7, 2005.

"Intellectual Property and Privatization," participant, Childress Lecture Series, Saint Louis University School of Law, September 30, 2005.

Interviewed on Squawk Box, CNBC, about Grokster case, June 6, 2005.

"Exclusivity, Free Riding, and Antitrust," Institute for Consumer Antitrust Studies, Loyola Law School, Chicago, April 8, 2005.

"Patents and the Regulatory State," Faculty Seminar Series, University of Ottawa Faculty of Law, March 15, 2005.

"Strict Liability for Information Privacy Breaches," Symposium on Cybersecurity: Developing a Legal and Regulatory Framework for Cybersecurity, Carnegie Mellon University and Internet Security Alliance Joint Symposium, October 13-14, 2004, National Press Club, Washington, D.C.

"Intellectual Property and Distributive Justice," Annual Conference of the Society for Economic Research of Copyright Issues, Turin, Italy, July, 2004; University of Sienna Summer School, July, 2004.

"Decentering Property," Law and Society Annual Meeting, Chicago, Illinois, May, 2004.

"Author Meets Reader Panel: Discussion of Robin Paul Malloy's Law in a Market Context," Law and Society Annual Meeting, Chicago, Illinois, May, 2004.

“A Social Insurance Perspective on Cybersecurity and Privacy,” Conference on Security and Privacy in Cyberspace, Stanford Law School, March, 2004.

“Standard Setting Organizations and the Duty to Disclose Patents: A Discussion of the Federal Circuit’s Decision in Rambus v. Infineon Technologies,” Erie County Bar Association, Intellectual Property Section, Monthly Meeting, December, 2003.

“Son of Sony: Comments on Grokster,” Niagara Falls Intellectual Property Law Association Meeting, November, 2003.

“Copyright as Privatization,” Oxford Intellectual Property Research CenterCentre, St. Peter’s College, Oxford University, October, 2003.

“Culture, Copyright and the Public Domain,” Seminar Series on Institutionalism, University at Buffalo Law School, September, 2003.

“Understanding Copyright Markets,” IP Scholars Conference, Tulane Law School, October, 2003; IP Scholars Conference, Boalt Hall, August, 2003; Annual Meeting of American Law and Economics Association, September 2003.

“Recent Cases from the Federal Circuit,” Intellectual Property Continuing Legal Education Seminar, Law Firm of Hodgson Russ, Buffalo, New York, August, 2003.

“Rights of First Entry in Derivative Markets,” Society for Economic Research in Copyright Issues Annual Meeting, Northampton, Mass., June, 2003.

Television Appearance, WKBW-TV, Buffalo, New York, interviewed on privacy in social security numbers, May, 2003.

“Competitive Baselines for Intellectual Property Systems,” Conference on Global Public Goods and Technology Transfer, Duke University School of Law, April, 2003.

“Country Level Domain Names in India,” Conference on Ruling the Root, Cardozo Law School, March, 2003.

“Law and Economics and Other Schools of Jurisprudence,” Meeting of the AALS Section of Law and Economics, AALS Annual Meeting, Washington, D.C., January, 2003.

“Foreseeability and the Scope of the Patent Grant,” Conference on International Patent Law, Cardozo Law School, November, 2002.

“Manufacturing Law,” Boston University School of Law, October, 2002; IP Scholars Conference,

Cardozo Law School, August, 2002.

Radio Appearance, Buffalo Beat, NPR, interviewed on new JD/MA in economics program, August, 2002.

“Kelly v. Arriba Soft: Copyright Treatment of Search Engines and Linking,” Intellectual Property Continuing Legal Education Presentation, Law Firm of Hodgson Russ, Buffalo, New York, April, 2002.

“Literary Woman and Economic Man Revisited,” Conference on Law, Culture, and Humanities, University of Pennsylvania Law School, March, 2002.

“Reflections on the Traditional Knowledge Debate,” Conference on Traditional Knowledge and Intellectual Property Systems, Cardozo Law School, February, 2002.

"Pharmaceutical Patents," Joint Panel of AALS Sections on Patent Law and Health Law, AALS Annual Meeting, New Orleans, January, 2002.

"Contracts and Socio-economics," AALS Section on Socio-economics, AALS Annual Meeting, New Orleans, January, 2002.

"Intellectual Property and Market Creation: On Napster and Neem," invited lecture, Syracuse University School of Law, October, 2001.

"Comparison of Canadian and US Copyright and Trademark Law," Intellectual Property and Innovation in the Knowledge-Based Economy, Industry Canada and Center for Innovation, University of Toronto Faculty of Law, May, 2001.

"Fixed Costs, Public Goods, and Napster," Conference on Beta-testing the First Amendment, Hastings College of Law, April 2001.

"Understanding the Public Domain," Commodification Futures Conference, University of Denver College of Law, April, 2001.

"Gray Markets, Intellectual Property Rights, and Access to Pharmaceuticals," University of Florida School of Law, Symposium on Intellectual Property, February, 2001.

"Beyond Napster: Debating the Future of Copyright on the Internet," American University, Washington College of Law, November, 2000.

"Traditional Knowledge, Intellectual Property, and Biodiversity," invited lecture, Vermont Law School, October, 2000.

Television Appearance, WKBW-TV and WIVB-TV, Buffalo, New York, interviewed about Napster,

October, 2000.

"Real Options and Antitrust Law," Antitrust Section of the American Bar Association Symposium, Washington College of Law, American University, September, 2000.

"Market Definition for Web-Based Transactions," Joint ABA and AALS Session on Antitrust Law, American Bar Association Antitrust Section, Annual Meeting, Washington, D.C., April, 2000.

"Norms and Gateway2000," AALS Section on Contract, AALS Annual Meeting, January, 2000.

"Bundling Information Products After Microsoft," Joint Meeting of the Antitrust and Intellectual Property Sections of the State Bar of Georgia, Atlanta, GA, December, 1999.

"Product Innovation and the Biomaterials Access Assurance Act of 1998," Meeting of the Products Liability Section of the American Bar Association, Atlanta, GA, November, 1999.

"Coase, Causation, and Expert Witnesses" Canadian Law and Economics Association Annual Meeting, University of Toronto, September, 1999.

"State Sovereign Immunity and the Aftermath of College Savings," South Eastern Association of American Law Schools Annual Meetings, Hilton Head, South Carolina, July, 1999.

"The Origins of 'Intellectual' Property," Law & Society Annual Meeting, Chicago, Illinois, May, 1999.

"Gray Markets in Cyberspace," Works in Progress Series, Boston College Law School, October, 1998.

"The Economic Theory of the Family from an Evolutionary Perspective," First Annual Society of Evolutionary Analysis of the Law Conference, Pace University, October, 1998.

"Gray Markets and Club Goods in Cyberspace," Canadian Law and Economics Association Annual Meeting, University of Toronto, September, 1998.

"Expert Testimony and Social Science," Law & Society Annual Meeting, Aspen, Colorado, May, 1998; Central States Law School Conference, Tulsa, Oklahoma, October, 1997.

"Employment at will: A Property Rights Perspective," Works in Progress Series, UCLA Law School, September, 1996; American Law & Economics Association Annual Meetings, Chicago, Illinois, May, 1996.

"Immigrant Entrepreneurship," various audiences of legal and business professionals, New York City, Dallas, Houston, San Francisco, March-April, 1996.

"Gray Marketing," George Mason Law School, January, 1994; Stanford Law School, Oct., 1993.

"International Trade and Population Growth," Midwest Regional International Conference, Kellogg School of Business, Northwestern University, May, 1991.

"Transfers within the Family," University of Chicago Dept. of Economics, February, 1989; University of Pennsylvania Dept. of Economics, January, 1988.

## **ORGANIZED PANELS AND CONFERENCE**

Founder, Chair, Panel Organizer, Section on South Asian Legal Studies, AALS, January 2010 to present. (Chair, 2012-13).

Organizer, Wisconsin Law Review Symposium on Intellectual Property and Intergenerational Equity, University of Wisconsin Law School, November 12-13, 2010.

Organizer, Workshop on Creativity, Law, and Entrepreneurship, Institute for Legal Studies, INSITE, and Global Legal Studies, University of Wisconsin-Madison School of Law, April, 2009.

Organizer, "The Elephant and the Dragon: Comparative Issues in Law and Development Facing China and India," The National Law School of India University, Bangalore, India, jointly with SMU Dedman School of Law, SMU Tower Center, Shanghai University of Finance and Economics, and The University of Hong Kong, May, 2008.

Organizer, Panels on Culture, Society and Intellectual Property, Law and Society Annual Meetings, Chicago (2004), Berlin (2007), Montreal (2008).

Organizer, Workshop on Ownership and Repatriation of Cultural Heritage, Baldy Center for Law and Policy, April, 2004.

Organizer, Workshop on Law, Technology, and Development, Baldy Center for Law and Policy, March, 2003. Proceedings to be published in Law & Policy.

Organizer, Panel on Teaching Law and Economics, American Association of Law Schools Annual Meeting, January, 2003.

Commentator, Workshop on Technology and Libraries, Baldy Center for Law and Policy, March, 2002.

Organizer, Panel on Economics and Intellectual Property, American Association of Law Schools Annual Meeting, January, 2002.

"Institutional Economics," Session Organizer and Chair, Canadian Law and Economics Conference, University of Toronto Faculty of Law, September, 2002.

“Lotteries,” Session Organizer and Chair, Canadian Law and Economics Conference, University of Toronto Faculty of Law, September, 2002.

"Game Theory Panel," Session Organizer and Chair, Canadian Law and Economics Conference, University of Toronto Faculty of Law, September, 2001.

## **COURSES AND ACADEMIC SUPERVISION**

Intellectual Property in Business Organizations (Spring 2012, 2011, 2010, 2009, 2007; Fall 2009); Intellectual Property Licensing Seminar (Spring 2006); Patent Litigation (Spring 2006); Patent Law (Spring 2012, 2005, Summer 2005, Fall 2008, 2007, 2005); Internet Law (Summer 2004, 2003); Copyright (Spring 2005, 2004, 2003, 2002, 2001; Fall 2012, 2011, 2010); Intellectual Property (Summer 2009, 2008, 2007, 2006, 2003; Fall 2012, 2011, 2010, 2009, 2008, 2006, 2002, 2001, 2000, 1997); Law and Economics (Fall 2005, 2001, 2000; Spring 1998, 1997); Antitrust and Intellectual Property (Fall 2002; Spring 2001); International Intellectual Property (Fall 2009, Summer 2009, 2005, Spring 2004, 2002); Trademark Law (Spring 2003); International Patent Law (Spring 2004); Torts (Spring 2008, 2007, 2005, 2000, 1999; Fall 2007, 2006, 2004, 1999, 1998); Property (Spring 1998); Business Associations (Summer 2002, 2000, 1999; Spring 1998, 1997, 1996; Fall 1997, 1996); Antitrust (Spring 2000, 1999).

SJD/LLM Supervisor, University of Wisconsin Law School, Do Wang Jin, 2008-2011; Chung Wa Kim, 2009-present; Arpita Gupta, 2012-present.

Ph.D. Committee Member, Andrew Dunning, SMU Perkins School of Theology, dissertation on intellectual property and social justice, 2009-present.

Outside Reader, “Empirical Investigation of Attitudes Towards Copyright by Academics,” PhD dissertation of Shahren Ahmed Zaidi Adruce, PhD candidate, Syracuse University School of Information Studies, January, 2004.

Supervised independent studies: **at Buffalo:** Christopher Copeland, “Doctrine of Equivalents” (Fall 2001; Spring 2002); Charles Miller, “Native American Intellectual Property” (Spring 2002); Cindy Majewski, “Chinese Trademark Law” (Fall 2002); Erika Mirabella, “Right of Publicity and the First Amendment” (Fall 2003); Thad McMurray, “Employee Patent Rights in Japan” (Spring 2004)(winner of first place prize in NY State Bar IP Section Competition, 2005); Laura Lombardo, “Intellectual Property Issues in the Art Framing and Reproduction Industry” (Fall 2004); **at SMU:** Brad Luo, “Enforcement of Famous Marks in China” (Fall 2007); Wei Li, “Nonobviousness and Patents in the Computer Electronics Industry” (Fall 2007); **at Wisconsin:** Lucas Divine, “The On Sale Bar After Quanta” (Summer 2009); Grant McNeilly, “IP in Bankruptcy” (Spring 2010); Wen Li, “Copyright and First Sale” (Spring 2010); Zi Yang, “Fiduciary Duties and IP” (Spring 2010); Brian Dunham, “IP in India” (Fall 2010; Spring 2011); Qianli Sha, “Costco Litigation” (Spring 2011); Kyle Tostensen, “IP in Russia”



(Spring 2011); Benjamin Beduhn, Senior Thesis Project on Pharma in India (Fall 2010; Spring 2011).

Supervised Intellectual Property Practice (at Buffalo): Rebecca Dalpe (Spring 2002; Albright-Knox placement); Rachel Williams (Fall 2002; Albright-Knox placement); Mary Beth Priore (Fall 2002; Association of Writers and Publishers placement).

## **PROFESSIONAL EXPERIENCE**

- Spring, 2016      **Fulbright-Nehru Scholar, National Law University, Delhi, Delhi, India.** Taught course on Technology Transfer Law (licensing and contract issues in patent law). Made presentations on work at various conferences in India, including Festival of Innovation, Rashtrapati Bhavan, Delhi, India.
- Academic Year      **Federal Judicial Center, Washington, D.C.,** as Inaugural Law, Science, & 2014-2015 Technology Fellow. Selected through national competition by American Association for the Advancement of Science (AAAS). Conducted research and preparing research reports on fee shifting in patent cases. (on leave from University of Wisconsin).
- Summer 2013      Consultant, International Centre for Trade and Sustainable Development (ICTSD), Geneva, Switzerland. Drafted a 107 page white paper on exhaustion of intellectual property rights, comparing the laws of US, Canada, EU, Japan, India, China, and Brazil.
- Summer 2013      Professor, East China University of Political Science & Law, Shanghai, China. Lectured on international intellectual property, technology transfer, and development.
- Summer 2012      Professor, Biotechnology Program, International Summer University, Justus Liebig University, Giessen, Germany. Lectured on stem cell patenting and transactional IP issues.
- Summer 2012      Professor, Comparative and International Law Program, University of Wisconsin Summer Program, Giessen, Germany. Taught International Intellectual Property Law.
- Summer 2012      Professor, Comparative and International Law Program, University of San Diego, Summer Program, Florence, Italy. Taught International Intellectual Property Law.
- Summer 2012      Expert Witness, Hopkins McCarthy LLC, Milwaukee, WI. Provided testimony on copyright in architectural works in ongoing copyright litigation.
- Summer 2011      Professor, Executive LLM Program in Business Law, Thamassat University, Bangkok, Thailand. Taught course in Introduction to Intellectual Property.
- Summer 2011      Expert Witness, Weil, Gotshal, & Manges, Washington, D.C. Drafted report on

comparative patent invalidity and infringement analysis in Japan, South Korean, EU, and USA.

- Summer 2011 Exchange Professor, Justus Liebig University, Giessen, Germany. Taught Business Torts and Unfair Competition.
- Summer 2010 Professor, University of Wisconsin Summer Program, Giessen, Germany. Taught International Intellectual Property Law.
- Spring 2010- Lecturer on Patent Law and Research Commercialization, NCET. (online courses)
- Summer 2009 Professor, Seton Hall Summer Program on Intellectual Property and Pharmaceutical Regulation in European Union, National University of Ireland Galway.
- February 2009- Expert Witness, Wright, Brown & Close, Houston, TX. Trade secret and trademark ownership issues.
- May 2008- Expert Witness, Caddell & Chapman, Houston, TX. Patent damages in infringement suit.
- November 2007 Pro-Bono, American Antitrust Institute. Drafted Amicus Brief in support of petitioner in Quanta v. LG Electronics, decided by the United States Supreme Court, June 2008.
- July 2007 Expert Witness, Orrick, Menlo Park, California. Antitrust treatment of patent pool.
- January 2007- Fellow, Centre for Competition, Investment, & Economic Regulation, Consumer Unity & Trust Society, Jaipur, India
- November, 2006 Expert Witness, Haynes & Boone, Fort Worth, Texas. Copyright litigation involving issue of originality.
- August 2006-present Expert Witness and Consultant, Bickel & Brewer, Dallas, Texas, Litigation involving proposed reforms of Wright Amendment.
- April 2006 Visiting Fellow, AHRC Research Centre for Studies in Intellectual Property and Technology Law, University of Edinburgh Faculty of Law.
- Summer 2005 Professor, SMU Oxford Summer Program, University College, Oxford.
- Summer 2004 Professor, European Summer Program, University of Siena Faculty of Law and Economics.
- May 2004- May 2005 Co-Director, NYSTAR Science and Technology Law Center, Joint Project of Syracuse Law School and University at Buffalo Law School.

Summer 2003	Consultant, Consumer Project on Technology, Project on South African Competition Law and pharmaceutical pricing.
2000-present	Consultant, Legal Resources Solution, New York, New York.
2000-2002	www.giglaw.com, an online journal devoted to Intellectual Property and Cyberspace Member and former monthly columnist
Summer 2000	Instructor, CLEO Program, University of Georgia School of Law, Instructor
1998-2003	Lecturer, Oklahoma Bar Review
1995-1996	Consultant, Mellon Foundation
1995-1996	Associate, Baker & McKenzie, San Francisco
1994-1995	Law Clerk, The Honorable John T. Noonan, United States Court of Appeals for the Ninth Circuit, San Francisco
June 1993- August 1993	Department of Justice, Antitrust Division, Summer Honors Program, Washington, D.C.
June 1989- August 1989	Visiting Scholar, International Institute For Applied Systems Analysis, Vienna, Austria
May 1987- August 1987	Consultant, National Academy of Science, Committee on Population, Washington, D.C.

### **OTHER ACADEMIC APPOINTMENTS**

**University of Wisconsin Law School**, Vilas Research Fellow & George Young Bascom Professor of Business Law; Associate Director, Initiatives on Studies in Technology and Entrepreneurship (INSITE); Honorary Fellow, Center for South Asian Studies; Faculty, MSc in Biotechnology Program. 2008-present. Recruited in 2007 to teach in areas of intellectual property law and transactions.

**Tower Center for Political Studies**, Southern Methodist University, Fellow. 2010-present. Recruited to work on conferences relating to law, trade and development.

**Adjunct Professor, Seton Hall Law School**, developed and taught on line courses in intellectual property for LLM program in health law. 2012-present.

**Adjunct Professor, Texas A&M at Texas Wesleyan Law School**, teaching courses in patent law, patent litigation, and intellectual property transactions.

**Southern Methodist University, Dedman School of Law**, Professor of Law (with tenure). 2005-2008.

**Southern Methodist University, Dedman School of Law**, Visiting Professor of Law. 2004-2005. Recruited to teach intellectual property courses and add to scholarly profile of school.

**SUNY, University at Buffalo School of Law**, Professor of Law (with tenure). 2003-2006.

**SUNY, University at Buffalo School of Law**, Associate Professor of Law. 2000-2003. Recruited to develop program in intellectual property law.

**National Law School of India**, Bangalore, India, Visitor. August, 2000; January, 2006 & 2007; May, 2008.

**Georgia State University College of Law**, Associate Professor of Law. 1998-2000.

**Oklahoma City University School of Law**, Assistant Professor of Law. 1996-1998.

**University of Texas at Austin**, Assistant Professor of Economics. 1988-1991.

## **ACADEMIC SERVICE**

Member, Copyright Policy Committee, University of Wisconsin, 2012-present.

Series Editor, Creativity, Law & Entrepreneurship Series for Edward Elgar Publishing, 2009-present.  
Moot Court Adviser, Saul Lefkowitz Moot Court, 2009-present; Giles Rich Moot Court, 2011.  
Coach and Judge for Cardozo Entertainment Law Competition; John Marshall IT Competition, 2010-present.

Chair, Faculty Promotion and Tenure Committee, University of Wisconsin Law School, 2009 to 2011;  
Member, 2011-present.

Member, University Lectures Committee, 2011-present.

Member, Student Exchange and Overseas Program Committee, 2010-present.

Representative, Faculty Senate, University of Wisconsin Law School, 2008 to present.

Member, Committee to Select Hastie Fellow, University of Wisconsin Law School, 2008 to present.

Member, Library Committee, University of Wisconsin Law School, 2008 to present.

Editor, The International Lawyer, SMU Dedman School of Law, 2006-2008.

Faculty Adviser, Computer Law Review and Technology Journal, SMU Dedman School of Law, 2006-2008.

Member, University Technology Teaching Committee, Southern Methodist University, 2006-2008.

Member, Curriculum Committee, SMU Dedman School of Law, 2006-2008.

Member, Graduate Committee, SMU Dedman School of Law, 2006-2008.

Promotion and Tenure Reviews for faculty at University at North Carolina-Chapel Hill Law School; University of Louisville Law School; Michigan State Detroit College of Law; Loyola Chicago Law School; University of South Florida, Department of Economics and Geography; Fordham Law School; Emory Law School; University of Toronto Faculty of Law; University of Oklahoma College of Law; University of Maine School of Law; University of San Diego School of Law.

Member, History Department Appointments Committee, South Asianist Search, University at Buffalo, SUNY, 2003-2004.

Faculty Senate Computer Services Committee, University at Buffalo, SUNY, 2002-2006.

Director, Intellectual Property Practice Course, University at Buffalo Law School, SUNY, 2002-present.

Co-director, Program on Regulation and Technology, Baldy Center for Law and Social Policy, University at Buffalo Law School, SUNY, 2001-present.

Co-Director, Concentration in Technology and Intellectual Property, University at Buffalo Law School, SUNY, 2001-present.

Admissions Committee, University at Buffalo Law School, SUNY, 2001-2002.

Faculty Adviser, BUFFALO INTELLECTUAL PROPERTY LAW JOURNAL, University at Buffalo Law School, SUNY, 2000-present.

Admissions Committee, Georgia State University College of Law, 1999-2000.

## **PROFESSIONAL SERVICE**

Vice Chair, Committee on University Intellectual Property, ABA Section on Intellectual Property, since

August 2013.

Panelist to review summer grant applications, National Endowment for Humanities, Fall 2011.

Refereed articles for following journals: ANTITRUST LAW JOURNAL, INTERNATIONAL REVIEW OF LAW AND ECONOMICS, LAW & POLICY, JOURNAL OF FINANCE, JOURNAL OF ECONOMIC ISSUES IN COPYRIGHT; LAW & POLICY REVIEW, LAW AND SOCIAL INQUIRY.

Reviewed book manuscripts for: ASPEN LAW & BUSINESS PRESS, OXFORD UNIVERSITY PRESS, CAMBRIDGE UNIVERSITY PRESS, FOUNDATION PRESS, STANFORD UNIVERSITY PRESS.

Founder, Section of South Asian Legal Studies, AALS, 2010; Chair, 2011-2012.

Member, Executive Committee, Canadian Law and Economics Association, 2000-2008.

Member and Treasurer, American Association of Law Schools Section on Law and Economics, 2001-2003.

Member and Conference Organizer for Sessions on Works in Progress, Northeast Law Professors of Color Conference, 2001-2003.

Member and Treasurer, Conference on Asian Pacific American Law Faculty, 2000-present.

### **HONORS AND FELLOWSHIPS**

Fulbright Research Grant, India, awarded for 2003-2004; awarded for 2001-2002.

National Endowment for the Humanities Summer Stipend, Summer, 2003.

Rackham Dissertation Fellowship, The University of Michigan, 1987-1988.

National Institute for Child Health and Development, Graduate Fellowship, The University of Michigan, 1985-1987.

Department Fellowship, The University of Michigan Department of Economics, 1984-1985.

Amherst Memorial Fellowship, Amherst College, 1984-1985.

### **PROFESSIONAL AFFILIATIONS**

US Supreme Court Bar, 2013- present.

American Antitrust Institute, 2012-present.

American Law Institute (ALI), 2012-present.

Association of Teachers and Researchers in Intellectual Property (ATRIP), 2007-present.

Law and Society Association, 1998-present.

American Bar Association, 1998-present.

Canadian Law and Economics Association, 1998-present.

American Intellectual Property Law Association, 1998-present.

State Bar of California, 1996-present.

### **HOBBIES**

Biking, travel, film, creative writing

### **CITIZENSHIP**

United States; Overseas Citizen of India

**REFERENCES AVAILABLE UPON REQUEST**