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**PROFESSIONAL EMPLOYMENT AND
APPOINTMENTS**

- 2014 - Honorable William Matthew Byrne, Jr. Distinguished Professor of Law, Loyola Law School, Loyola Marymount University, Los Angeles, teaching international trade, intellectual property, and internet law subject.
- 2021 - Visiting Professor of Law, Faculty of Law, Oxford University, UK, teaching graduate intellectual property subjects.
- 2024 (*contemporaneous with above*) Fulbright Distinguished Chair in Law, Hanken School of Economics, Helsinki, Finland [awarded February 2023]
- 2009-2013 (*contemporaneous with below*) Senior Advisor to the Undersecretary of Commerce for Intellectual Property, U.S. Department of Commerce; U.S. chief negotiator and head of delegation at the Beijing (2012) and Marrakesh (2013) Diplomatic Conferences; recipient of the Secretary of Commerce's Gold and Silver Medals for outstanding service.
- 2002 - 2013 Professor of Law, Cardozo School of Law, Yeshiva University, New York; Director, Intellectual Property Program [2004-2009]; Founder, Cardozo - State Intellectual Property Office (China) program; Founder - Indie Film Clinic; Best Professor Awards 2006, 2009, 2011, and 2012.
- 2003 Hosier Distinguished Visiting Professor, DePaul University, Chicago.
- 2001-02 Visiting Professor of Law, UCLA Law School, Los Angeles.
- 2000-01 (*contemporaneous with below*) Adjunct Professor, Cardozo Law School, New York.
- 1997-01 Attorney-Advisor, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C.
- 1996 Scheduler, Clinton/Gore and California Coordinated Campaign, overseeing California scheduling for Presidential and Cabinet member visits, Los Angeles
- 1991-95 Associate, Manatt, Phelps & Phillips, Los Angeles.
- 1988-89 Law Clerk to the Lord President, Supreme Court of Malaysia, Kuala Lumpur [as Henry Luce Scholar, *infra*].
- 1986-1988 Associate, Coudert Frères, Paris, France.

EDUCATION AND ACADEMIC HONORS

Fulbright Distinguished Professorship (2024, Helsinki)

Henry Luce Scholar (1988-1989, Kuala Lumpur)

Harvard Law School, J.D. *magna cum laude* (1986); Baxter Scholar to the Hague Academy of International Law (1985); Articles editor, *Harvard International Law Journal* (1986); Harvard Moot Court team to ABA competition (1985, 1986); Harvard Jessup Moot Court team (1986).

Oberlin College, B.A. *magna cum laude* in Philosophy (1982); Phi Beta Kappa, Dahl, Jorgensen, and Patterson endowed prizes; second major in Government.

SCHOLARLY WRITINGS

Secret Traditions as Trade Secrets (w. Margo Bagley), 65 HARVARD INTERNATIONAL LAW JOURNAL ____ (forthcoming, 2025)

Comparative Online Bad Guys, 38 HARVARD JOURNAL OF LAW TECHNOLOGY ____ (forthcoming, 2025)

Prêt-a-protect or Prêt-a-copy? – Fashion copyright in the United States in ROUTLEDGE HANDBOOK OF FASHION LAW __ (Rosati and Calboli, eds., 2024, forthcoming)

Do Copyright Professors Pay Attention to Economists? – How Empirical Evidence of Copyright Piracy Appears (or Not) in Legal Literature (w. Michael D. Smith), 47 COLUMBIA JOURNAL OF LAW & ARTS 165 (2024)

A scholarly look at international intellectual property – idealistic and pragmatic (w. Ruth L. Okediji) in INTELLECTUAL PROPERTY – A GLOBAL PROJECT (Frankel, Chon, Dinwoodie, Lauriat, and Schovsbo, eds., 2023)

Fitting China-US Trade into WTO Trade Law – National Security and Non-violation Mechanisms, 2022 MICHIGAN STATE LAW REVIEW 319

The Sub Rosa Rules of Copyright Fair Use, 64 ARIZONA LAW REVIEW 1 (2022)

Restating Copyright Law's Originality Requirement, 44 COLUMBIA JOURNAL OF LAW & ARTS 383 (2021)

The respective role of judges and juries in fair use determinations, 58 HOUSTON LAW REVIEW 327 (2020)

The Charming Betsy Canon, American Legal Doctrine, and the Global Rule of Law, 53 VANDERBILT JOURNAL OF TRANSNATIONAL LAW 1147 (2020)

Gorgeous Photograph, Limited Copyright in THE ROUTLEDGE COMPANION TO COPYRIGHT AND CREATIVITY IN THE 21ST CENTURY (Michelle Bogre and Naomi Wolff, eds., Francis/Routledge, 2020)

Globalization, Revising the Terms of Trade, and the Return of 'History,' 14 OHIO STATE BUS. L. J. 15 (2019)

Actors as Authors in American Copyright Law, 51 CONNECTICUT LAW REVIEW 1 (2019)

Non-Traditional Trademarks and the Dilemma of Aesthetic Functionality, in THE PROTECTION OF NON-TRADITIONAL MARKS: CRITICAL PERSPECTIVES (Irene Calboli and Martin Senftleben, eds., Cambridge University Press, 2018)

Landmark Trademarks, 52 WAKE FOREST LAW REVIEW 1163 (2017)

The Limited Promise of Geographical Indications for Developing Country Farmers in GEOGRAPHICAL INDICATIONS IN THE ASIA-PACIFIC REGION (Irene Calboli and Ng Wee Loon, eds., Cambridge University Press, 2017)

Copyright and Distributive Justice (w. Robert Merges), 92 NOTRE DAME L. REV 513 (2017)

Fair Use and Its Politics – at Home and Abroad in COPYRIGHT LAW IN AN AGE OF LIMITATIONS AND EXCEPTIONS (Ruth Okediji, ed., Cambridge University Press, 2016)

Motion Pictures, Markets, and Copylocks, 23 GEORGE MASON LAW REVIEW 941 (2016)

Understanding (and fixing) the right of fixation in copyright law, 62 JOURNAL OF COPYRIGHT SOCIETY OF U.S.A. 385 (2015)

Cognitive and Aesthetic Functionality in Trademark Law, 36 CARDOZO LAW REVIEW 1227 (2015)

Traditional Knowledge, Cultural Expression, and the Siren's Call of Property, 49 SAN DIEGO LAW REVIEW 1215 (2013)

The Photographer's Copyright – photograph as art, photograph as database, 25 HARVARD J. ON LAW & TECHNOLOGY 339 (2012)

A short history of 'intellectual property' in relation to copyright, 33 CARDOZO LAW REVIEW 1293 (2012)

Locke's 1694 Memorandum (and More Incomplete Copyright Historiographies) [introductory essay], 27 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 555 (2010)

Copyright and Its Rewards, Foreseen and Unforeseen, 122 HARVARD LAW REVIEW FORUM 81 (2009)

Created Facts and the Flawed Ontology of Copyright, 83 NOTRE DAME LAW REVIEW 43 (2007)

American Moral Rights and Fixing the Dastar Gap, 2007 UTAH LAW REVIEW 659 (December 2007)

Champagne, Feta, and Bourbon: the Spirited Debate about Geographical Indications, 58 HASTINGS LAW JOURNAL 299 (2006)

Copyright and Incomplete Historiographies – of Piracy, Propertization, and Thomas Jefferson, 79 SOUTHERN CALIFORNIA LAW REVIEW 993 (2006)

Size Matters (or Should) in Copyright Law, 75 FORDHAM LAW REVIEW 575 (2005)

On the Logic of Suing One's Customers and the Dilemma of Infringement-Based Business Models, 23 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 723 (2005)

Of World Music and Sovereign States, E-Commerce and the Formation of Legal Norms, 35 LOYOLA UNIVERSITY CHICAGO LAW JOURNAL 155 (2004)

The Internet and the Persistence of Law, 44 BOSTON COLLEGE LAW REVIEW 359 (2003)

Fair Use Across Time, 43 UCLA LAW REVIEW 775 (2003)

How extra-copyright protection of databases can be constitutional, 28 U. DAYTON LAW REVIEW 159 (2003)

The Line Between Work and Framework, Text and Context, 18 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 19 (2001)

Recoding Intellectual Property and Overlooked Audience Interest, 77 TEXAS LAW REVIEW 923 (1999)

The Personality Interest of Artists and Inventors in Intellectual Property, 16 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 81 (1998)

Foreign lis alibi pendens, Non-Chinese Majority Tribunals and Other Issues of Neutrality in CIETAC Arbitrations, 13 ARBITRATION INTERNATIONAL 63 (Winter 1997)

The Philosophy of Intellectual Property, 77 GEORGETOWN LAW JOURNAL 287 (1988)

A New Generation of State Tax and Expenditure Limitations [with G. Reiman], 22 HARVARD JOURNAL ON LEGISLATION 269 (1985)

Group Speech Acts, 7 PHILOSOPHY AND LINGUISTICS (1984)

COMMENTARIES, OP-EDS, TRANSLATIONS, AND POPULAR PRESS

Can Hollywood's new SAG-AFTRA contract hold AI at bay?, LOS ANGELES TIMES, 30 November 2023, <https://www.latimes.com/opinion/story/2023-11-30/ai-hollywood-sag-aftra-strike-streaming-residuals-digital-replacement>

Why make Eric Garcetti ambassador to India?, LOS ANGELES TIMES, 16 December 2021, <https://www.latimes.com/opinion/story/2021-12-16/eric-garcetti-joe-biden-ambassador-india>

Biden decision on COVID vaccine patent waivers is more about global leadership than IP, USATODAY, 6 May 2021, <https://www.usatoday.com/story/opinion/2021/05/06/covid-vaccine-patents-biden-boosts-american-leadership-column/4932766001/>

How Biden's 'Buy American' plan is different from Trump's, THE HILL, 17 February 2021, <https://thehill.com/opinion/finance/539283-how-bidens-buy-american-plan-is-different-from-trumps>

If voting by mail is the future of voting, it's wonderful, CALMATTERS, 16 November 2020, <https://calmatters.org/commentary/my-turn/2020/11/if-voting-by-mail-is-the-future-of-voting-its-wonderful/>

A Seventh Amendment Right to Fair Use Determinations?, ABA LANDSLIDE, September 2020, https://www.americanbar.org/groups/intellectual_property_law/publications/landslide/2020-21/september-october/seventh-amendment-right-fair-use-determinations/, reprinted IN ILLINOIS STATE BAR ASSOCIATION INTELLECTUAL PROPERTY NEWSLETTER, March 2021.

Churches, cinemas, and the politics of COVID, CALMATTERS, 12 June 2020, <http://tinyurl.com/vchgeonm>

Acknowledging the public role in private drug development: lessons from remdesivir (with Arti K. Rai), STAT (Boston Globe site for journalism about health, medicine, life sciences), 8 May 2020, <https://www.statnews.com/2020/05/08/acknowledging-public-role-drug-development-lessons-remdesivir/>

Digital fakes show need to update publicity laws, ALBANY TIMES-UNION, 26 June 2019, <https://www.timesunion.com/opinion/article/Commentary-Digital-fakes-show-need-to-update-14054377.php>.

Europe is right. Social media titans should pay up to use creative content, LOS ANGELES TIMES, 19 April 2019, <https://www.latimes.com/opinion/op-ed/la-oe-hughes-european-union-copyright-law-20190419-story.html>

Is the EU About To End 'Free' Data?, BRINKNEWS, 17 April 2019, <http://www.brinknews.com/is-the-eu-about-to-end-free-data/>

LACMA versus Los Angeles' urban fabric, LOS ANGELES DAILY NEWS, 2 December 2017, <http://www.dailynews.com/2017/12/02/lacma-versus-los-angeles-urban-fabric/>

Trump can make 'Buy American' more than a slogan. Just enforce a 1980 law, USATODAY, 3-4 July 2017, page 7A, available at <https://www.usatoday.com/story/opinion/2017/07/03/president-trump-economic-plan-justin-hughes-column/424241001/>

Fulfilling Trump's promise on trade law enforcement? THE HILL, 29 December 2016, <http://thehill.com/blogs/congress-blog/economy-budget/312096-fulfilling-trumps-promise-on-trade-law-enforcement>

What will it take to fulfill Trump's promise on trade law enforcement? SACRAMENTO BEE, 27 November 2016, <http://www.sacbee.com/opinion/california-forum/article116744173.html>

Why do we still buy oil from thugs? – a review of Leif Wenar's "Blood Oil" (2016), LOS ANGELES REVIEW OF BOOKS, 11 August 2016, available at <https://lareviewofbooks.org/article/why-do-we-still-buy-oil-from-thugs/>

Dear Brits: Don't Listen to the U.S. on "Brexit," LOS ANGELES TIMES, 15 June 2016,
<http://www.latimes.com/opinion/op-ed/la-oe-hughes-brexit-letter-to-brits-20160609-snap-story.html>

John Kasich's fantastic run for vice president, THE HILL, 23 February 2016,
<http://thehill.com/blogs/congress-blog/presidential-campaign/270309-john-kasichs-fantastic-run-for-vice-president>

Ohio Gov. John Kasich is really running for vice president, LOS ANGELES DAILY NEWS, 11 February 2016,
<http://www.dailynews.com/opinion/20160211/ohio-gov-john-kasich-is-really-running-for-vice-president-guest-commentary>

Copyright Experts in Washington, IP VIEWPOINTS Series, The Media Institute, Washington, D.C., 29 January 2015, available at <http://www.mediainstitute.org/IPI/2015/012915.php>

Making Copyright Policy in Washington, THE HILL- CONGRESS BLOG, Washington, D.C., 23 January 2015, available at <http://thehill.com/blogs/congress-blog/the-administration/230449-making-copyright-policy-in-washington>

The Marrakesh Treaty for the Blind – and the Future of Global Copyright, IP VIEWPOINTS Series, The Media Institute, Washington, D.C., 5 August 2013, available at <https://www.mediainstitute.org/2013/08/05/the-marrakesh-treaty-for-the-blind-and-the-future-of-global-copyright/>

How (Dis)respected Is Copyright Law?, IP VIEWPOINTS Series, The Media Institute, Washington, D.C., 13 December 2011, available at <http://www.mediainstitute.org/IPI/2011/121311.php>

Copyright, Trademark, and the Ninth Circuit's Flirtations With 'Aesthetic Functionality', IP VIEWPOINTS Series, The Media Institute, Washington, D.C., 22 September 2011, available at <http://www.mediainstitute.org/IPI/2011/092211.php>

English translation of *Tea Board of India v. DuSong*, Court of Appeals of Paris, 05/20050, Decision of 22 November 2006 (with D. Artal), 28 CARDOZO ARTS & ENT. L. J. 431 (2010)

True Authors and the Work-for-Hire Doctrine, Part I, IP VIEWPOINTS Series, The Media Institute, Washington, D.C., 25 March 2010, available at http://www.mediainstitute.org/IPI/2010/032510_TrueAuthors.php

Network Neutrality and the Copyright Wildcard, IP VIEWPOINTS Series, The Media Institute, Washington, D.C., 2 October 2009, available at http://www.mediainstitute.org/IPI/2009/100209_NetworkNeutrality.php

Election Copyright – Campaign Ad Smackdown, IP VIEWPOINTS Series, The Media Institute, Washington, D.C., 20 July 2009, available at http://www.mediainstitute.org/IPI/2009/072009_ElectionCopyright.php

Copyrights and Wrongs, an online debate with Professor William Fisher, THE ECONOMIST, May 2009, available at <http://goliveinternet.economist.com/debate/days/view/310>

Election Copyright – "You Press the Button, We Do the Rest," IP VIEWPOINTS Series, The Media Institute, Washington, D.C., 6 May 2009
<https://www.mediainstitute.org/2009/05/06/election-copyright-you-press-the-button-we-do-the-rest/>

Election Copyright – They’re Playing Our Song, IP VIEWPOINTS Series, The Media Institute, Washington, D.C., 14 April 2009
<https://www.mediainstitute.org/2009/04/14/election-copyright-theyre-playing-our-song/>

English translation of *SABAM v. S.A. Scarlet*, District Court of Brussels, No. 04/8975/A, Decision of 29 June 2007 (with F. Mady and J. Bourrouilhou), 25 CARDOZO ARTS & ENT. L.J. 1279 (2008)

Should Copyright’s Originality Standard be Sort-of Non-Obviousness?, Richmond IPI Virtual Workshop, April 2009 [invited commentary on paper by Professor Joe Miller of Lewis & Clark]

Surrendering Words to the EU, MANAGING INTELLECTUAL PROPERTY, 1 May 2003

TESTIMONY

Parliament of Canada, House of Commons, Special Committee on the Economic Relationship between Canada and the United States Hearing, 15 April 2021.

U.S. Senate Judiciary Committee Hearing, *Copyright Law in Foreign Jurisdictions: How are other countries handling digital piracy?*, Washington, 10 March 2020.

U.S. - China Economic and Security Review Commission Hearing, *China and its WTO Enforcement Obligations*, Washington, 7 June 2006.

U.S. Senate Judiciary Committee Hearing, *Competition, Innovation, and Public Policy in the Digital Age: Is the Marketplace Working to Protect Digital Creative Works?*, Washington, 14 March 2002.

OTHER CIVIC AND PROFESSIONAL ACTIVITIES

General - current

Member, board of directors, Plaza Community Services, Los Angeles; Arbitrator, Uniform Dispute Resolution Policy (UDRP), World Intellectual Property Organization (WIPO); Member, Los Angeles World Affairs Council.

General - past

Chairman, board of directors, Technicolor Foundation for Film and Television Heritage, Paris (2005-2009); Editorial Board, *Journal of the Copyright Society of America* (2003 - 2007); Term Member, Council on Foreign Relations, New York (1995 - 2000); Mentor, Fulfillment Fund, Los Angeles (1993 - 1999).

Democracy development

Associate Producer, 1998 Presidential Debates in Bosnia-Herzegovina (August 1998); Member, OSCE election monitoring team to Albania (July 1997), USAID-funded pre-election assessment team to Mali (April 1997), Organization of American States election monitoring team to Haiti (May 1995), and USAID-funded election monitoring team to El Salvador (March and April 1994).

INVITED PRESENTATIONS, PANELS, AND TALKS

2024

Moderator, “Consumer Harms, Security Risks, and the Criminal Nexus” *21st Century Piracy Symposium*, U.S. Chamber of Commerce, **Washington, D.C.**, 30 September 2024

Speaker, “Secret Traditions as Trade Secrets,” *Intellectual Property Law Scholars Conference*, UC Berkeley Law School, **Berkeley**, 9 August 2024

Commentator, *Fifth Annual Art Law Works-in-Progress Colloquium*, Ohio State University, **Columbus**, 30 May 2024

Convener, *Patent Law Roundtable Commemorating the 400th anniversary of the Statute of Monopolies*, George Washington University, **Washington**, 29 May 2024

Speaker, "Comparative Online Bad Guys," *Symposium on Intellectual Property Remedies*, New York University, **New York**, 25 April 2024

Speaker, "Shifting or Thickening Copyright Protection for Musical Works," *31st Annual International Intellectual Property Law and Policy Conference*, Fordham University, **New York**, 4 April 2024

Speaker, "The Siren's Call of 'Property' and Traditional Knowledge, Cultures, and Communities," *Indigenous Peoples, Traditional Knowledge, and Intellectual Property in International Law*, Harvard Law School, **Cambridge, Massachusetts**, 15 February 2024

Commentator, *AI Disrupting Law Symposium*, Chicago-Kent College of Law, **Chicago**, 9 February 2024

Speaker, "Comparative Online Bad Guys," *Sixth IP & Innovation Researchers of Asia (IPIRA) Conference*, Foreign Trade University, **Hanoi, Vietnam**, 19 January 2024

2023

2023 Christopher Meyer Memorial Copyright Lecturer, *co-sponsored by U.S Copyright Office, the Copyright Society, and George Washington University*, George Washington University, **Washington**, 2 November 2023

Speaker, "Intellectual Property at the Dawn of Generative AI," *Rappaport Forum*, Harvard Law School, **Cambridge, Massachusetts**, 30 October 2023

Speaker, "Do Copyright Law Professors Pay Attention to Economists?," *Intellectual Property Law Scholars Conference*, Cardozo Law School, **New York**, 4 August 2023

Panelist, "Law and Technology: What Lies Ahead for the Courts," and "Challenges and Issues in Copyright Litigation," *Indo-Pacific Judicial Colloquium*, U.S. Patent and Trademark Office, **Alexandria, Virginia**, 25-26 July 2023

Speaker, "Comparative Online Bad Guys." *Association of Teachers and Researchers in Intellectual Property (ATRIP) Annual Conference*, University of Tokyo, **Tokyo**, 10 July 2023

Panelist, "Of Parodies, Referential Use, and Other Creative Uses: Walking the Fine Line Between Limitations and Infringement," *International Trademark Association (INTA) Annual Convention*, **Singapore**, 18 May 2023

Speaker, "Freedom of expression for Authors and Artists in the US," *International conference on freedom of expression for workers*, Norwegian Business School, **Oslo**, 12 May 2023

Speaker, "Trademarks Trouble with T-Shirts," *30th Annual International Intellectual Property Law and Policy Conference*, Fordham University, **New York**, 13 April 2023

Panelist, How the DSA Shifts Responsibilities of OSPs on Copyright Norms, *27th Annual BTLJ-BCLT Symposium: From the DMCA to the DSA*, UC Berkeley, **Berkeley**, 7 April 2023

Panelist, International Intellectual Property, *Dreyfest – Festschrift for Professor Rochelle Dreyfuss*, New York University, **New York**, 24 March 2023

Speaker, "The Sub Rosa Rules of Copyright Fair Use," *Faculty Speaker Series*, William & Mary University, **Williamsburg, Virginia**, 21 March 2023

Speaker, "Adieu Terroir – how geographical indications have become a law of state-managed certification marks," *Works-in-Progress in Intellectual Property (WIPIP) Conference*, Suffolk University, **Boston**, 3 February 2023

Speaker, "Adieu Terroir – how geographical indications have become a law of state-managed certification marks," *Workshop on Geographical Indications, Gastronationalism, and Fair Food*, Utrecht University, **Utrecht**, 12-13 January 2023

2022

Speaker, "Do Copyright Law Professors Pay Attention to Economists?," *Society for Economic Research on Copyright Issues Annual Conference*, University of Colorado, **Boulder**, 10 September 2022

Speaker, "Complexities in interesting New World producers in Old World GI customs," *Perspectives mondiales sur les indications géographiques*, Food and Agricultural Organization, **Montpelier, France**, 5-8 July 2022

Commentator, *Copyright Roundtable*, Columbia University, **New York**, 21-22 June 2022

Commentator, *Colloquium on Philosophical Methods in Intellectual Property*, Classical Liberal Institute, **New York University [virtual]**, 11 June 2022

Speaker, "The TRIPS Covid Patent Waiver – Policy Substance and Geneva Kabuki," *29th Annual International Intellectual Property Law and Policy Conference*, **Fordham University [virtual]**, 21 April 2022

Senior Commentator, *Thomas Edison Innovation Law and Policy Fellows Meeting*, George Mason University, **Arlington, Virginia**, 24-25 March 2022

Speaker, "Landmark Trademarks," *Intellectual Property Colloquium*, Hofstra University, **Hempstead, New York**, 28 February 2022

Speaker, "The Sub Rosa Rules of Copyright Fair Use," *Works in Progress in Intellectual Property Conference 2022*, St. Louis University, **St. Louis**, 19 February 2022

2021

Speaker, "Real World Value in Commercial Goodwill," *WIPO Summer School*, organized by **George Mason University [virtual]**, 10 June 2021

Panelist, “The Originality Requirement in the Restatement,” *The Restatement of Copyright Law: Past, Present, and Future*, **Columbia University** [virtual], 23 April 2021

Speaker, “Copyright Litigation Issues with Constitutional Implications,” *Roundtable Discussion: Copyright and the Constitution*, **George Mason University** [virtual], 16 April 2021

Panelist, *Workshop on Geographical Indications for Wines in TRIPS and Free Trade Agreements*, **Monash University** [virtual], 13 April 2021

Panelist, “Patents and the Pandemic,” *28th Annual International Intellectual Property Law and Policy Conference*, **Fordham University** [virtual], 8 April 2021

Speaker, “The Future of Geographical Indications and Traceability in a Covid Transformed World,” *FIDE /TIPSA Global Digital Encounters*, **Bocconi University** [virtual], 6 April 2021

Speaker, “Copyright and Distributive Justice,” *Notre Dame IP Speaker Series*, **Notre Dame University** [virtual], 26 March 2021

Commentator, *2021 International IP Roundtable*, **Chicago-Kent College of Law** [virtual], 26 February 2021

Speaker, *Deep Dive Episode 164 – How Will the Biden Administration Handle China's Intellectual Property Practices?*, **The Federalist Society** [virtual], 17 February 2021

Speaker, “The Photographer’s Copyright – IP protection of photography in the United States and Europe,” *Experts Dialog Series*, **Hanken School of Economics** [virtual], 11 February 2021

Panelist, “Challenges for the Legal System in Cases Involving New Technologies” *online course Adapting Intellectual Property Laws To Promote Innovation and Creativity in New Technologies*, co-sponsored by U.S. Patent and Trademark office and **Intellectual Property Office of Singapore** [virtual], 21 January 2021

2020 – other events disrupted by pandemic

Presenter, “Practitioner-Professor Debate: AI and Trademarks” *Annual Meeting of the International Trademark Association (INTA)*, **Singapore** (26 April 2020) [cancelled]

Keynote speaker, [title undetermined], Norwegian Business School, **Oslo** (27 March 2020) [cancelled]

Presenter, “Intellectual Property and Distributive Justice,” *Annual Emerging IP Issues Conference*, Southern Methodist University, **Dallas** (28 February 2020)

2019

Panelist, “Implications of the EU Copyright Directive – What Direction for the U.S.?” , *Cravath 2019 IP Institute*, Cravath, Swaine & Moore, **New York**, 5 December 2019

Moderator, “Non-voluntary licensing of pharmaceutical patents – assessing the post-Doha Declaration TRIPS system” *Innovation, Justice, and Globalization – A Celebration of J.H. Reichman*, **Harvard University**, Cambridge, MA, 27 September 2019

Plenary Presenter, “The Law of Digital Avatars,” *19th Annual Intellectual Property Scholars Conference*, **DePaul University**, Chicago, 9 August 2019

Presenter, “Traditional Knowledge, Traditional Cultural Expression, and the Siren’s Call of Property,” *Annual CPIP Summer Institute*, **Beaver Creek, Colorado**, 25 July 2019

Presenter, “The Marrakesh Treaty Takes Effect in the U.S. . . . and Globally,” *National Convention of the National Federation for the Blind*, **Las Vegas**, 11 July 2019

Participant, *Research Colloquium on Philosophical Approaches to Intellectual Property*, **George Mason University**, Arlington, Virginia, 2-3 May 2019

Presenter, “The MMA – the Promise of a Better Deal for Creators and the Challenge of an Authoritative Database,” *27th Annual International Intellectual Property Law and Policy Conference*, **Fordham University**, New York, 5 April 2019

Panelist, “EU Copyright Reform,” *27th Annual International Intellectual Property Law and Policy Conference*, **Fordham University**, New York, 5 April 2019

Panelist, “Copyright, IP Empowerment, and (Re-)Distributive Justice in the 21st Century,” *2nd Race + Intellectual Property Conference*, **New York University**, New York, 6 April 2019

Participant, *Copyrightability and Developments in Technology and the Law Roundtable*, Center for Protection of Intellectual Property, **New Orleans**, 28-29 March 2019

Presenter, “Fairness in wealth distribution from copyright industries,” *FAME-IP Workshop*, **King’s College, Cambridge University**, Cambridge, UK, 8 March 2019

Presenter, “Intelligent Systems and Increasingly Responsible Intermediaries,” *Vanderbilt JETLaw Annual Symposium*, **Vanderbilt University**, Nashville, 20 February 2019

Presenter, “Finding a Coherent World-View in Trumpian Trade,” *Economic Nationalism and International Trade Conference*, **Ohio State University**, Columbus, 8 February 2019

Plenary speaker, *First Intellectual Property & Innovation Researchers of Asia Conference*, **International Islamic University Malaysia**, Kuala Lumpur, 31 January 2019

Panelist, “The Realpolitick of IP,” Intellectual Property panel, *AALS Annual Meeting*, **New Orleans**, 5 January 2019

Panelist, “The Use (and Abuse) of Trademarks in Art: Referential Uses, Lazy Art, and Cultural Salience,” Art Law panel, *AALS Annual Meeting*, **New Orleans**, 5 January 2019

2018

Presenter, “Intellectual Property and Distributive Justice,” Norwegian Business School, **Oslo**, 28 November 2018

Panelist, “The History of IP and Technological Shifts,” *IP for the Next Generation of Technology Conference*, George Mason University, **Arlington, Virginia**, 11-12 October 2018

Session Chair, “Economic and Non-Economic Shades of Fairness and Morality,” *37th Annual ATRIP Conference*, Hanken School of Economics, **Helsinki**, 7 August 2018

Presenter, “The DMCA at 20,” *CASRIP Summer Institute*, University of Washington, **Seattle**, 24 July 2018

Presenter, “IP Enforcement in China,” *CASRIP Summer Institute*, University of Washington, **Seattle**, 23 July 2018

Panelist presentation, “Comparative Developments of On-Line Piracy of Audiovisual Works,” *Third Annual US-China Entertainment Law Conference*, **Shanghai**, 19 June 2018

Senior Commentator, *9th Annual Junior Scholars in Intellectual Property Workshop*, Michigan State University, **East Lansing**, 24-25 May 2018

Commentator, *7th Annual International Intellectual Property Roundtable*, Duke University, **Durham**, 26-27 April 2018

Panelist, “ALI Restatement of Copyright,” *26th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York**, 6 April 2018

Plenary Presenter, “Copyright, Incomes, and Inequality,” *26th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York**, 5 April 2018

Plenary Panelist, “Multinational Developments: IP in a Hostile World,” *26th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York**, 5 April 2018

Panelist, “New York Right of Publicity: Reimagining Privacy and the First Amendment in the Digital Age,” *Cardozo Arts & Entertainment Law Journal Spring Symposium*, Cardozo Law School, **New York**, 22 February 2018

Presenter, “Copyright and Distributive Justice,” *Spring 2018 Innovation Policy Colloquium*, New York University Law School, **New York**, 8 February 2018

2017

Presenter, “Copyright and Distributive Justice,” *36th Annual ATRIP Conference*, Victoria University, **Wellington** (25 October 2017)

Panelist, The law and economics of geographical indications and traditional knowledge, *2017 Annual Conference of European Policy for Intellectual Property*, Universite de Bordeaux, **Bordeaux** (5-6 September 2017)

Panelist, “Digital Locks and the Enduring Significance of Section 1201” Center for Protection of Intellectual Property Summer Institute, **Beaver Creek, Colorado** (12 July 2017)

Lecturer, U.S. State Department Public Diplomacy Program, **Addis Ababa & Jimma, Ethiopia** (May 2017)

Plenary Panelist, *24th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York** (20 April 2017)

Panelist, Copyright policy developments, *National libraries copyright officers' meeting*, University of California at Los Angeles, **Los Angeles** (29-30 March 2017)

Presenter, *Discussion on the 60th Anniversary of the Signing of the Treaty of Rome*, Italian Cultural Institute, **Los Angeles** (28 March 2017)

Commentator, *The Second Copyright Scholarship Roundtable*, University of Pennsylvania Law School, **Philadelphia** (23-24 March 2017)

Moderator, Investor-State Dispute Settlement Panel, "U.S. Trade Policy in the New Administration" *JILFA Symposium*, University of California at Los Angeles, **Los Angeles** (3 March 2017)

Presenter, "The Vexing Problem of Aesthetic Functionality in Non-Traditional Marks," *Roundtable on the Protection of Non-Traditional Trademarks*, Singapore Management University, **Singapore** (26-27 January 2017)

2016

Commentor, *The 5th Annual US-China IP Conference: Best Practices for Innovation and Creativity*, **Shenzhen** (14 November 2016)

Presenter, "Meaning and illocutionary intent in international instruments; reflections on group speech acts," *Workshop on Group Speech Acts*, University of Vienna, **Vienna** (26 August 2016)

Plenary Presenter, "Copyright and Distributive Justice," 16th Annual Intellectual Property Scholars Conference, Stanford University, **Palo Alto** (12 August 2016)

Presenter, "The United States Approach and Certification Trade Marks," *Geographical Indications: The International Debate and the Best Way Forward for New Zealand* conference, Victoria University, **Wellington, New Zealand** (4-5 August 2016)

Presenter, "Brexit: What lies in store for Britain, the EU and the US?," *Los Angeles World Affairs Council breakfast*, **Los Angeles** (30 June 2016)

Moderator, "UK Votes on EU Brexit: What Happens Next?" *Pacific Council on International Policy Situation Briefing Teleconference*, **Los Angeles** (23 June 2016)

Commentator, *CPIP Symposium on Research Approaches to IP*, **Jekyll Island, Georgia** (20 May 2016)

Presenter, "Structure and Politics of International Intellectual Property," 5th Annual International Intellectual Property Roundtable, University of Nevada at Las Vegas, **Las Vegas** (8 April 2016)

Presenter, "Fair Use and the Three Step Test," *24th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York** (1 April 2016)

Panelist, "New Perils of Treaty Implementation," *24th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York** (31 March 2016)

Moderator, Copyright Society mid-winter meeting, **New Orleans** (12 February 2016)

Moderator, Roundtable Discussion – Innovation and Africa’s Cultural Industries: Case Studies from the Nigerian Film Industry, *Africa Innovation 2016 Conference*, UC Irvine, **Irvine** (4 February 2016)

2015

Commentator, *The First Copyright Scholarship Roundtable*, University of Pennsylvania Law School, **Philadelphia** (6-7 November 2015)

Invited participant, *Workshop on Copyright Termination of Transfer*, UC Berkeley, **Berkeley** (30 October 2015)

Moderator, *The 4th Annual US-China IP Conference: Best Practices for Innovation and Creativity*, University of California, **Berkeley** (8 October 2015)

Panelist, "IP and the Movies We Watch," *The IP Platform: Supporting Invention and Inspiration Conference*, George Mason University Law School, **Arlington, Virginia** (1 October 2015)

Presenter, "Fair Use and the Three-step Test," *4th Annual International Intellectual Property Roundtable*, Duke University, **Durham** (30 April 2015)

Keynote speaker, *Campbell at 20 Conference*, University of Washington Law School, **Seattle** (15 April 2015)

Presenter, "The Lisbon Revision," *23rd Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **Cambridge, England** (9 April 2015)

Talk, "The limited role of geographical indications in rural development," *Geographical Indications at the Crossroad of Trade, Development, and Culture in Asia-Pacific Conference*, National University of Singapore, **Singapore** (26 March 2015)

Panelist, *Beyond the Digital Border Conference*, Canada-U.S. Law Institute, Case Western University Law School, **Cleveland** (20 March 2015)

Faculty Workshop, "The Right of Fixation in Copyright Law," University of Iowa College of Law, **Iowa City** (13 February 2015)

The Photographer’s Copyright," University of Iowa College of Law, **Iowa City** (13 February 2015)

Senior Commentator, *George Mason University Mark Twain Copyright Fellowship Program*, **New Orleans** (15-16 January 2015)

Panelist, "IP in DC: The Nuts, Bolts, and Duct Tape of Reform," *Annual Conference of Association of American Law Schools*, **Washington** (4 January 2015)

2014

Moderator, Copyright Panel, Entertainment Law and Business Seminar, *CMJ Music Marathon*, **New York** (24 October 2014)

Senior Commentator, *Junior Scholars in IP 2014 Conference*, Michigan State University, **East Lansing** (17-18 October 2014)

Senior Commentator, *George Mason University Mark Twain Copyright Fellowship Program*, **Washington** (26-27 June 2014)

Presenter, *22nd Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York** (24-25 April 2014)

Lecture, Copyright X course (Professor William Fisher), Harvard Law School, **Cambridge** (23 April 2014)

Speaker, *A True Visions: Perspectives on the Marrakesh Treaty for Persons with Visual Disabilities*, Vanderbilt University School of Law, **Nashville** (30 January 2014)

2013

Keynote speaker, *The 2013 Marrakesh Treaty: Providing Access to Copyrighted Works for the Blind and Print Disabled*, Washington Law School, American University, **Washington** (12 September 2013)

Presenter, *21th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York** (5 April 2013)

Panelist, *Symposium on the Beijing Treaty on Audiovisual Performances*, Vanderbilt University School of Law, **Nashville** (25 January 2013)

2012

Panelist, *the artist as philanthropist* conference, Aspen Institute Program on Philanthropy and Social Innovation, **New York** (16 November 2012)

Distinguished Lecture, University of Galway Law Faculty, **Dublin, Ireland** (8 October 2012)

Distinguished Lecture, Golden Gate University Law School, **San Francisco** (27 September 2012)

Panelist, *Fighting Counterfeiting & Piracy: A Call for Dialogue*, French Embassy to the United States, **Washington** (9 May 2012)

Presenter, *Philosophical Foundations of IP* University of San Diego Law School, **San Diego** (4-5 May 2012)

Presenter, *Emerging Markets and Patents* Conference, Florida State University College of Law, **Tallahassee** (13-15 April 2012)

Presenter, 20th Annual International IP Law and Policy Conference, Fordham Law School, **New York** (12 April 2012)

“Photography – The great 19th Century technological challenge to copyright,” *Copyright History Conference*, George Washington University, **Washington** (30-31 March 2012)

“The IP Wars: SOPA and PIPA,” *Federalist Society Debate* [versus Professor David Post], Temple University Beasley School of Law, **Philadelphia** (31 January 2012)

“A view from across the Atlantic – the Directive and the Information Society,” *InfoSoc@Ten – Ten Years after the EU Directive on Copyright and the Information Society*, Centre de Recherches Informatique et Droit and Institute for Information Law (IvIR), **Brussels** (13 January 2012)

2011

“The challenges of a globalized content market,” *International Congress on Creativity, Market, and Cultural Diversity*, **Mexico City** (28 October 2011)

Panelist, “Developments in International Copyright,” *Transcending National Borders, Joint Meeting of Association of Research Libraries and Canadian Association of Research Libraries*, **Montreal** (5 May 2011)

Panelist, *Multilateral Intellectual Property & Policy, 19th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York** (28 April 2011)

Keynote Speaker, *Eighth Annual IP/Gender: Mapping the Connection Conference*, American University, **Washington** (4 April 2011)

Keynote Speaker, *The Power of Innovation: Intellectual Property, AmChamSpain’s 1st Annual Business IPR Roundtable*, **Madrid** (19 January 2011)

Panelist, “The Google Book Settlement – Implications for Stakeholders and Practitioners,” 3rd *Global Forum on Intellectual Property*, Singapore IP Academy, **Singapore** (6 January 2011)

Moderator, “Pirate Bay and the Digital Economy Act – Is the Time ripe for an Overhaul of Copyright Laws,” 3rd *Global Forum on Intellectual Property*, Singapore IP Academy, **Singapore** (6 January 2011)

2010

“The Photographer’s Copyright,” University of Pennsylvania Law School, **Philadelphia** (26 October 2010)

“The Photographer’s Copyright,” University of Michigan School of Law, **Ann Arbor** (5 October 2010)

Moderator, “Large Scale Protection Efforts: Infringement Detection, Fair Use, False Positives, and Recurring Infringers,” *Copyright Policy, Creativity, and Innovation in the Internet Economy*, **Washington** (1 July 2010)

Panelist, “Geographical Indications and Traditional Symbols,” 2010 ATRIP Congress – *Individualism and Collectivism in Intellectual Property Law*, **Stockholm** (23-26 May 2010)

“Helping Coffee and Cocoa Farmers with Geographical Indications?” *18th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York** (8-9 April 2010)

Panelist, “Government IP Policy: By Whom and How is it Made?” *18th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York** (8-9 April 2010)

Moderator, “Developments in US Copyright Law,” *18th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York** (8-9 April 2010)

2009

“Copyright Responsibility on the Internet and the Curve of Technology,” Copyright Society of Australia, **Sydney** (27 August 2009)

“Comments on the IP-related Provisions of the Australia-US Free Trade Agreement – Five Years On,” *2009 Fulbright Symposium – The US-Australia Free Trade Agreement – the last five years, the next five years*, **Canberra** (25 August 2009)

“Copyright Responsibility on the Internet and the Curve of Technology,” Law Faculty, University of Queensland, **Brisbane** (19 August 2009)

“Do the Justifications for Intellectual Property Survive in the Networked Environment?” Zhongnan University of Economics and Law, Intellectual Property Law Institute, **Wuhan** (7 July 2009)

Panelist, “Authorship and Ownership,” *Conference on 100th Anniversary of 1909 Copyright Act*, Santa Clara University, **Santa Clara** (30 April 2009)

Moderator, “Creativity and the Internet – Are We Building a Sustainable Ecosystem?” *17th Annual International IP Law and Policy Conference*, Fordham Law School, **Cambridge, UK** (14-15 April 2009)

Moderator, “Trade Policy and IP Rights: The Road Ahead; the Development Agenda,” *17th Annual International IP Law and Policy Conference*, Fordham Law School, **Cambridge, UK** (14-15 April 2009)

“Copyright Responsibility on the Internet – in Three Acts,” *17th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **Cambridge, UK** (14 April 2009)

Panelist, “The Patent Crisis: An Update,” *Roundtable on technology, Innovation, and American Primacy*, Council on Foreign Relations, **New York** (7 April 2009)

Senior Commentator, *Junior Scholars in IP 2009*, Michigan State University, **East Lansing** (27-28 March 2009)

Panelist, “The Legal Landscape,” *Federal Trade Commission Digital Rights Management Town Hall*, **Seattle** (25 March 2009)

“Copyright Enforcement on the Internet in Three Acts,” The University of Hokkaido Law School, **Sapporo** (14 March 2009)

"Do the Justifications for Intellectual Property Survive in the Networked Environment?" The University of Hokkaido Law School, **Sapporo** (13 March 2009)

Panelist, "The Making Available Right: What Went Wrong?" Copyright Society of America, Philadelphia Chapter, **Philadelphia** (26 February 2009)

Panelist, Shooting the Messenger-ISPs & Intermediaries caught in the Crossfire," *Global IP Forum*, Singapore IP Academy, **Singapore** (9 January 2009)

2008

"Trademark Law" and "Geographical Indications," USPTO/MEPI/GWU CIEC IPR Program for Judges from Arab Countries, **Dead Sea, Jordan** (17 December 2008)

Panelist, "Does Making Available Equal Infringement?" Copyright Society of America, New York City Chapter, **New York** (10 December 2008)

"Variations on IP Policy at and after the Inaugural Balls," International Intellectual Property Society Monthly Meeting, **New York** (9 December 2008)

"Discussions in WIPO regarding exceptions and limitations: Engage in norm-setting or resist the idea?" 8th *Annual International Copyright Law Conference*, **London** (4 December 2008)

"Copyright Enforcement on the Internet in Three Acts," University of Pennsylvania Center for Technology, Innovation, and Competition Workshop, **Philadelphia** (11 November 2008)

Panelist, "Future Policy and New Media," Producers Guild of America Speaker Series, New School University, **New York** (5 November 2008)

Untitled talk, *International Copyright Law Summer Institute*, IvIR - University of Amsterdam, **Amsterdam** (9 July 2008)

Panelist, Closing Session, *SINER-GI conference*, **Geneva** (23 June 2008)

Panelist, "Societe de l'Immateriel," *Rencontres Internatioales de la Propriete Industrielle*, Chambre de Commerce et d'Industrie de Paris, **Paris** (16 June 2008)

"Copyright and Digital Intermediaries in 3 Acts," Johann-Wolfgang Goethe University, **Frankfurt** (24 April 2008)

"Copyright and Digital Intermediaries in 3 Acts," Institut für Zivilprozeßrecht, University Bonn, **Bonn** (22 April 2008)

"Counterfeiting and Piracy in the WTO: US v. China," 9th *EIPIN Congress, 2007-2008 - IP Enforcement symposium*, **Windsor (UK)** (20 April 2008)

"The Spirited Debate about Geographical Indications," *IPIL Advisory Council Dinner*, University of Houston Law Center, **Houston** (14 April 2008)

“Copyright Liability on the Internet,” Faculty Workshop, University of Houston Law Center, **Houston** (14 April 2008)

Panelist, Plenary session on “United States v. China,” *16th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York** (27 March 2008)

Moderator, “Copyright Law Exceptions and Limitations,” *16th Annual International Intellectual Property Law and Policy Conference*, Fordham Law School, **New York** (28 March 2008)

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Prior years talks and presentations upon request