

JORGE L. CONTRERAS
S.J. QUINNEY COLLEGE OF LAW
UNIVERSITY OF UTAH
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ACADEMIC APPOINTMENTS

University of Utah, Salt Lake City, UT

S.J. Quinney College of Law

Professor (2017- present), Associate Professor (2014-17)

Committees:

Career Line Faculty (Chair) (2016-17)

Admissions (2014-present)

Awards: Early Career Teaching Award (2015-16)

Celebrate U – Research Award (2017)

Affiliations: Center for Law and Biomedical Sciences (LABS)

Wallace Stegner Center for Land, Resources and the Environment

Utah Center of Excellence in ELSI Research (UCEER)

Faculty Advisor: Student Intellectual Property Law Assn. (SIPLA)

Courses Taught:

Property Law

Intellectual Property (survey)

Intellectual Property Transactions

Trademark Law

Current Issues in IP Law

University of Utah Health Sciences and School of Medicine

Adjunct Professor, Department of Human Genetics

Affiliate Member, Cancer Control and Population Sciences, Huntsman Cancer Institute

Executive Steering Committee, Center for Clinical & Translational Science

Scientific Advisory Board, Utah Genome Project

Courses Taught:

Genomic Medicine: Ethical, Legal and Social Issues

University Committees and Service

Conflicts of Interest Committee (2015-present)

Search Committee: Asst. VP Equity and Diversity (2015-16)

American University Washington College of Law, Washington, DC

Associate Professor (2012-14), Visiting Associate Professor (2011-12)

Awards: Elizabeth Payne Cubberly Faculty Scholarship Award 2014

Committees: Curriculum, SJD Admissions, Career Development

Courses Taught:

Intellectual Property Licensing and Technology Transactions

Intellectual Property in Cyberspace
Property Law
Law and Regulation of Science
SJD candidate supervision (comparative copyright law)

Student Engagement:

Latino Law Student Assn (LALSA)
IP/Transactional LawMeets team coach (National Champions 2013)
AU Law Review 2012 Symposium advisor

Washington University in St. Louis, School of Law, St. Louis, MO

Acting Director, Intellectual Property Program; Senior Lecturer in Law (2010-11)
Institute for Public Health Scholar (2010-11)
Senior Visiting Scholar, Center on Law, Innovation and Economic Growth and
Adjunct Professor of Law (2009-10)
Courses Taught:
Law and Regulation of Science
Intellectual Property Licensing and Technology Transfer
Intellectual Property and Business Organizations
Internet Law

FELLOWSHIPS AND SECONDARY APPOINTMENTS

American University Washington College of Law, Washington, DC

Senior Policy Fellow, Program on Intellectual Property and Information Justice (2015-)

Tilburg University, Tilburg, Netherlands

TILT-TILEC Fellow (Tilburg Institute for Law, Technology, and Society and Tilburg Law and Economics Center) (2017-18)

Centre for International Governance Innovation (CIGI), Waterloo, Ontario, Canada

Senior Fellow – International Law Research Programme (2017-)

University of Leiden, Leiden, Netherlands

Doctoral dissertation committee – Carl Mair (2017)

Harvard Law School, Cambridge, Massachusetts

Fellow, Berkman Center for Internet and Society (1999)

EDUCATION

Harvard Law School, Cambridge, Massachusetts
J.D. *cum laude* 1991

Harvard Journal of Law and Technology (Technical Editor, Book Review Editor)
Federal Circuit Bar Association: George Hutchinson Writing Competition Winner
Research Assistant to Professor Laurence Tribe
Instructor (Harvard College), Science A-22 (“Chance, Necessity and Order”)

Rice University, Houston, Texas
B.S.E.E. (Electrical Engineering) *cum laude* 1988
B.A. (English) *cum laude* 1988

Tau Beta Pi National Engineering Honors Society
Eta Kappa Nu National Electrical Engineering Honors Society
Student Association Treasurer

Cambridge University/University of New Hampshire
Gonville & Caius College, Cambridge University summer 1987 (English literature)

JUDICIAL CLERKSHIP

Supreme Court of Texas, Austin, Texas

Briefing Attorney to Chief Justice Thomas R. Philips (1991-92)

PROFESSIONAL EMPLOYMENT

Contreras Legal Strategy LLC

Legal and strategic consulting (2010-present)

Wilmer Cutler Pickering Hale and Dorr LLP, Washington DC, Boston, MA, London, UK

Partner (1999-2009), Junior Partner (1996-99), Associate (1992-96)
Corporate and Transactions Practice Group
Technology Transactions and Licensing Group
DC Group leader (2005-09)
UK Group leader (2000-02)
Partner in charge of training and education (1999-2008)

Santamarina y Steta, S.C., Mexico, D.F. – secondment (1997)
Dewey Ballantine, Washington, DC – summer associate (1991)
Cravath, Swaine & Moore, New York, NY – summer associate (1990)
Irell & Manella, Menlo Park, CA – summer associate (1989)

Bar Memberships

DC, U.S. Supreme Court, Massachusetts (inactive), New York (inactive), Missouri (inactive)
Law Society of England and Wales Registered Foreign Lawyer (2000-02)

AWARDS AND RECOGNITION

University of Utah – “Celebrate U” Faculty Research Award (2017)

Standards Engineering Society (SES) 2015 World Standards Day Paper Competition – 1st place (*A Practical Guide to Patent Policies of Standards Development Organizations* – co-authored with Andrew Updegrave)

University of Utah S.J. Quinney College of Law – Early Career Teaching Award (2015-16)

Elizabeth Payne Cubberly Faculty Scholarship Award, American University Washington College of Law (2014)

Standards Engineering Society (SES) 2011 World Standards Day Paper Competition – 1st place (*Toward a Rational Framework for Sustainable Building Materials* – co-authored with Megan Lewis and Hannah Roth)

Fellow, American Bar Foundation (elected 2007)

Massachusetts Super Lawyers (2004)

Boston Business Journal: “40 Under 40” Top Business Professionals Under 40 (2000)

EXTERNAL FUNDING AWARDS

National Human Genome Research Institute (NHGRI) - Utah Center of Excellence in ELSI Research (UCEER) – Small/Pilot Grant Award (2017) – Narratives of Gene Patenting
Role: Principal Investigator

European Commission – Joint Research Centre (JRC) (awarded to Tilburg Univ., Sept. 2016)
Contract 600450 (JRC/SVQ/2013/J.3/0003/OC – Interplay of SDOs and IPR Systems in ICT
Role: Contractor/Co-Investigator

National Human Genome Research Institute (NHGRI) (No. T32HG008962, Jun. 2016)
Training Program in Genomic Medicine (PI Lynn Jorde)
Role: Steering Committee Member and Course Co-Director

Leonardo Da Vinci Fellowship Research Grant (awarded June 2013 by the George Mason Center for the Protection of Intellectual Property)
Role: Principal Investigator

National Institute of Standards and Technology (NIST) (Contract No. SB134110SE1033 awarded Sept. 22, 2010), “An Empirical Study of Ex Ante Licensing Behavior in the Development of Voluntary Technical Standards”

Role: Principal Investigator

Brookings Institution/Washington University Academic Venture Fund (awarded Sept. 16, 2010), “Materials Sustainability Standards”

Role: Co-Investigator

GOVERNMENT SERVICE

National Institutes of Health (NIH)

Office of the Director

NIH Council of Councils (2015-present)

National Center for the Advancement of Translational Sciences (NCATS)

NCATS Advisory Council (2012-17)

Cures Acceleration Network (CAN) Review Board (2012-17)

National Human Genome Research Institute

National Advisory Council for Human Genome Research (2007-10)

Planning the Future of Genomics: Foundational Research and Applications in Genomic Medicine (July 2010) – Co-Chair, Societal Implications of Genomics group

National Science Foundation (NSF)

Belmont Forum U.S. Delegation member - E-Infrastructure and Data Management Knowledge Hub – Work Package 4 (Data Sharing) (2013-15)

National Academies of Science (NAS)

Science, Technology, and Economic Policy (STEP) Program - Committee on Intellectual Property Management in Standard-Setting Processes (2011-13)

U.S. Veterans’ Administration

Oversight Board - Veterans’ Administration Genealogy Project (2015-)

GUEST TEACHING

Duke Patent Law Institute (2013)

HNBA-Microsoft Intellectual Property Institute (2013-17)

International Development Law Organization (Rome, Italy) (2001, 2002)

Massachusetts Institute of Technology – Sloane School of Business (2001-05)

Harvard Law School (2010)
University of Missouri Kansas City (2013)
Washington University in St. Louis (2013, 2014)
Yale Law School (2013)

BAR AND PROFESSIONAL SERVICE

American Bar Association, Section of Science & Technology Law

Co-Chair, Interdisciplinary Division (2016-)
Book Publishing Board (2008-12, 2016-)
Jurimetrics Editorial Board (2016-)
Budget Officer and Council Member (2008-12)
Chair, Committee on Technical Standardization (2003-16)

American Association of Law Schools (AALS)

Board, Section of Intellectual Property (2014-15)

American Association for the Advancement of Science (AAAS)

Science & Technology Policy Fellowship Selection Committee (2013-14)

National Conference of Lawyers and Scientists (NCLS)

Co-chair (ABA Delegation) (2009-14)

American National Standards Institute (ANSI)

Intellectual Property Rights Policy Committee (IPRPC) (2010-present)
Chair, IPRPC Legislative Monitoring Committee (2014-present)
Chair, Nominating Committee (2014-15)

Internet Society

ISOC Ambassador to Internet Governance Forum, Sharm el-Sheikh, Egypt (2009)

ASTM International

Chair, Subcommittee E-56.04, Intellectual Property Issues in Nanotechnology Standards (2006-present)

Smart Grid Interoperability Panel (SGIP)

Chair, Ad Hoc Task Force on SDO Intellectual Property Policies (2011-12)

Pacific Rim Advisory Council (PRAC)

Co-Chair, Intellectual Property and Licensing Committee (2004-05)

EDITORIAL AND PEER REVIEW

SSRN (Social Science Research Network)

Founding Editor, *Law, Policy and Economics of Technical Standards* eJournal (2013-present)

The Journal of Philosophy, Science & Law

Editorial Board (2014-17)

American Intellectual Property Law Association (AIPLA)
Editorial Board, AIPLA Quarterly Journal (2009-12)

Peer Reviewer:

American Journal of Bioethics
Antitrust Law Journal (U. Michigan)
Cambridge University Press
Dove Medical Press
International Journal of the Commons
Intl. Journal of IT Standards and Standardization Research
Journal of Competition Law and Economics
Jurimetrics Journal (ASU)
Learned Publishing (Elsevier)
National Telecommunications & Information Administration (NTIA) - Broadband Technology Opportunities Program (BTOP) (2009)
Netherlands Organisation for Scientific Research (NWO)
New England Journal of Medicine
Routledge Publishing
Science (AAAS)
Stanford Journal of Law, Science and Policy
Technovation (Elsevier)
Telecommunications Policy (Elsevier)
World Trade Review (Cambridge)
Yale Law Journal

PUBLIC SERVICE AND COMMUNITY LEADERSHIP

Obama-Biden Campaign 2008: Technology, Media and Telecommunications Policy Committee, Intellectual Property Subcommittee

Rice University: Humanities Advisory Council (2004-12)

New England Aquarium: Board of Overseers, Audit Committee, Global Marine Programs Committee (2003-05)

MassHousing: 10th Annual Latino Heritage Month Celebration – Keynote speaker (2001)

Latino Professional Network: Board of Directors (1998-2000)

Massachusetts Association of Hispanic Attorneys: Treasurer (1994-96)

SELECTED PRESS/MEDIA APPEARANCES/INTERVIEWS

Al Jazeera – The Stream (tv)
BBC (radio)
Bloomberg (tv, online)
Elektronik Tidningen (print – Sweden)
Financial Times (online)
FOX Business (tv, online)

IP Theory (podcast)
Korea Times (print/online - Korea)
KRCL (public radio)
KUTV (tv)
Law360
M-Lex
New York Times (print/online)
PaRR
Politico (print/online)
Science (print/online)
Seattle Times (print/online)
STAT
Wall St. Journal (print/online)
WAMU – Kojo Nnamdi Show (radio)
Washington Post (print/online)

SELECTED PUBLICATIONS

A. Books

1. CAMBRIDGE HANDBOOK OF TECHNICAL STANDARDIZATION LAW: VOL. 2 - COPYRIGHT, TRADEMARK, ADMINISTRATIVE LAW AND INTERNATIONAL TRADE (Jorge L. Contreras, ed., Cambridge Univ. Press: 2019, forthcoming) (including several authored chapters)
2. CAMBRIDGE HANDBOOK OF TECHNICAL STANDARDIZATION LAW: VOL 1 - COMPETITION, ANTITRUST, AND PATENTS (Jorge L. Contreras, ed., Cambridge Univ. Press: 2017) (including several authored chapters)
3. PATENT PLEDGES: GLOBAL PERSPECTIVES ON PATENT LAW'S PRIVATE ORDERING FRONTIER (Jorge L. Contreras & Meredith Jacob, eds., Edward Elgar, 2017) (including several authored chapters)
4. BIOINFORMATICS LAW: LEGAL ISSUES FOR COMPUTATIONAL BIOLOGY IN THE POST-GENOME ERA (Jorge L. Contreras & A. James Cuticchia, eds., 2013 (ABA Publishing)) (including several authored chapters)
5. ABA COMM. ON TECH. STANDARDIZATION, STANDARDS DEVELOPMENT PATENT POLICY MANUAL (Jorge L. Contreras, ed., 2007 (ABA Publishing))

B. Book Chapters

1. *Patents, Standards and Borders* in MEGAREGIONALISM: INNOVATION AND TRADE WITHIN GLOBAL NETWORKS (Dieter Ernst & Michael Plummer, eds., World Scientific Studies in International Economics: 2018, forthcoming)
2. *Injunctive Relief in U.S. Patent Cases* in INJUNCTIONS IN PATENT LAW (Rafal Sikorski, ed., Wolters Kluwer: 2018, forthcoming)
3. *Technical Standards, Standards-Setting Organizations and Intellectual Property: A Survey of the Literature (With an Emphasis on Empirical Approaches)*, in RESEARCH HANDBOOK ON THE ECONOMICS OF INTELLECTUAL PROPERTY LAW, VOL. II – ANALYTICAL METHODS (Peter S. Menell & David Schwartz, eds., Edward Elgar: 2018, forthcoming)
4. *Development of the Personal Genomics Industry* in GENETICS, ETHICS AND EDUCATION, Ch. 13 (Susan Bouregy, et al, eds., Cambridge Univ. Press: 2017) (with Vikrant Deshmukh)
5. *Leviathan in the Commons: Biomedical Data and the State*, in GOVERNING MEDICAL KNOWLEDGE COMMONS, CH. 2 (Katherine Strandburg, Brett Frischmann, Michael Madison eds. (Cambridge Univ. Press: 2017))
6. *National Disparities and Standards-Essential Patents: Considerations for India* in COMPLICATIONS AND QUANDARIES IN THE ICT SECTOR: STANDARD ESSENTIAL PATENTS AND COMPETITION ISSUES, Ch. 1 (Ashish Bharadwaj, Vishwas H. Deviah & Indranath Gupta, eds., Springer: 2017)

7. *Introduction* in CAMBRIDGE HANDBOOK OF TECHNICAL STANDARDIZATION LAW: COMPETITION, ANTITRUST, AND PATENTS (Jorge L. Contreras, ed., Cambridge Univ. Press: 2017)
8. *Origins of FRAND Licensing Commitments in the United States and Europe* in CAMBRIDGE HANDBOOK OF TECHNICAL STANDARDIZATION LAW: COMPETITION, ANTITRUST, AND PATENTS, Ch. 9 (Jorge L. Contreras, ed., Cambridge Univ. Press: 2017)
9. *Form and Variation in FRAND and other Standards Licensing Commitments* in CAMBRIDGE HANDBOOK OF TECHNICAL STANDARDIZATION LAW: COMPETITION, ANTITRUST, AND PATENTS, Ch. 10 (Jorge L. Contreras, ed., Cambridge Univ. Press: 2017)
10. *Enforcing FRAND and Other SDO Licensing Commitments* in CAMBRIDGE HANDBOOK OF TECHNICAL STANDARDIZATION LAW: COMPETITION, ANTITRUST, AND PATENTS, Ch. 11 (Jorge L. Contreras, ed., Cambridge Univ. Press: 2017)
11. *Non-Discrimination and FRAND Commitments* in CAMBRIDGE HANDBOOK OF TECHNICAL STANDARDIZATION LAW: COMPETITION, ANTITRUST, AND PATENTS, Ch. 12 (Jorge L. Contreras, ed., Cambridge Univ. Press: 2017) (with Anne Layne-Farrar)
12. *Essentiality and Standards-Essential Patents* in CAMBRIDGE HANDBOOK OF TECHNICAL STANDARDIZATION LAW: COMPETITION, ANTITRUST, AND PATENTS, Ch. 13 (Jorge L. Contreras, ed., Cambridge Univ. Press: 2017)
13. *Alternative Dispute Resolution and FRAND Disputes* in CAMBRIDGE HANDBOOK OF TECHNICAL STANDARDIZATION LAW: COMPETITION, ANTITRUST, AND PATENTS, Ch. 22 (Jorge L. Contreras, ed., Cambridge Univ. Press: 2017) (with David L. Newman)
14. *The Anti-Suit Injunction: A Transnational Remedy for Multi-Jurisdictional SEP Litigation* in CAMBRIDGE HANDBOOK OF TECHNICAL STANDARDIZATION LAW: COMPETITION, ANTITRUST, AND PATENTS, Ch. 27 (Jorge L. Contreras, ed., Cambridge Univ. Press: 2017) (with Michael Eixenberger)
15. *Assertion of Standards-Essential Patents by Non-Practicing Entities* in PATENT ASSERTION ENTITIES AND COMPETITION POLICY, Ch. 4, 50-71 (D. Daniel Sokol, ed., Cambridge Univ. Press: 2017)
16. *Introduction* in PATENT PLEDGES: GLOBAL PERSPECTIVES ON PATENT LAW'S PRIVATE ORDERING FRONTIER ((Jorge L. Contreras & Meredith Jacob, eds., Edward Elgar: 2017)
17. *A Patent Pledge Taxonomy* in PATENT PLEDGES: GLOBAL PERSPECTIVES ON PATENT LAW'S PRIVATE ORDERING FRONTIER, Ch. 1 ((Jorge L. Contreras & Meredith Jacob, eds., Edward Elgar: 2017)
18. *Patent Pledge Enforcement Theories* in PATENT PLEDGES: GLOBAL PERSPECTIVES ON PATENT LAW'S PRIVATE ORDERING FRONTIER, Ch. 5 ((Jorge L. Contreras & Meredith Jacob, eds., Edward Elgar: 2017)
19. *A Registry for Patent Pledges* in PATENT PLEDGES: GLOBAL PERSPECTIVES ON PATENT LAW'S PRIVATE ORDERING FRONTIER, Ch. 18 ((Jorge L. Contreras & Meredith Jacob, eds., Edward Elgar: 2017)

20. *Patents and Internet Standards* in MAPPING THE DIGITAL FRONTIERS OF TRADE AND INTELLECTUAL PROPERTY – RESEARCH VOL. 3, Ch. 2 (Global Comm’n on Internet Governance: 2016)
21. *Big Genomic Data and the State*, in BIG DATA IS NOT A MONOLITH: POLICIES, PRACTICES AND PROBLEMS, Ch. 7 at 93-103 (Ekiba Hamid, Michael Mattioli & Cassidy Sugimoto, eds., MIT Press: 2016)
22. *Optimizing Access Policies for Big Data Repositories: Latency Variables and the Genome Commons* in BIG DATA OPTIMIZATION: RECENT DEVELOPMENTS AND CHALLENGES, Ch. 9 at 201-215 (Ali Emrouzejnad, ed., Springer Intl.: 2016)
23. *FRAND Commitments under U.S. Antitrust Law* in INTELLECTUAL PROPERTY RIGHTS AND MANAGEMENT ACCOUNTABILITY: A NEW PERSPECTIVE, Ch. 6 at 107-120 (Ricardo Luiz Sichel, ed., Editorial Gramma: 2016)
24. *A Primer on Intellectual Property Policies of Standards Bodies* in EFFECTIVE STANDARDIZATION MANAGEMENT IN CORPORATE SETTINGS, Ch. 10 at 215-235 (Kai Jacobs, ed., IGI Global: 2016)) (with Andrew Updegrave)
25. *Catalyzing Technology Development Through University Research*, in RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY AND CLIMATE CHANGE at (Joshua D. Sarnoff, ed., Edward Elgar: 2016) (with Charles R. McManis)
26. *Standards and Related Intellectual Property Issues for Climate Change Technology*, in RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY AND CLIMATE CHANGE at (Joshua D. Sarnoff, ed., Edward Elgar: 2016)
27. *Constructing the Genome Commons* in GOVERNING KNOWLEDGE COMMONS at Ch. 4 (Brett Frischmann, Michael Madison, Katherine Strandburg, eds., Oxford Univ. Press: 2014)
28. *Standards, Patents and the National Smart Grid*, in INTELLECTUAL PROPERTY, INNOVATION AND THE ENVIRONMENT (Peter S. Menell & Sarah M. Tran, eds., Edward Elgar: 2014) (reprint of 32 PACE L. REV. 641 (2012))
29. *Compulsory Licensing of Intellectual Property: A Viable Policy Lever for Promoting Access to Critical Technologies?*, in TRIPS AND DEVELOPING COUNTRIES – TOWARDS A NEW IP WORLD ORDER? (Gustavo Ghidini, Rudolph J.R. Peritz & Marco Ricolfi, eds., Edward Elgar: 2014) (with Charles R. McManis)
30. *Data Release and Access* in BIOINFORMATICS LAW: LEGAL ISSUES FOR COMPUTATIONAL BIOLOGY IN THE POST-GENOME ERA (Jorge L. Contreras & A. James Cuticchia, eds., ABA Publishing: 2013)
31. *Technical Standards and Bioinformatics* in BIOINFORMATICS LAW: LEGAL ISSUES FOR COMPUTATIONAL BIOLOGY IN THE POST-GENOME ERA (Jorge L. Contreras & A. James Cuticchia, eds., ABA Publishing: 2013)
32. *University Research and Licensing* in BIOINFORMATICS LAW: LEGAL ISSUES FOR COMPUTATIONAL BIOLOGY IN THE POST-GENOME ERA (Jorge L. Contreras & A. James Cuticchia, eds., ABA Publishing: 2013) (with Jennifer Carter-Johnson & Jeffrey S. Carter-Johnson)

33. *International Issues in STRUCTURING, NEGOTIATING AND IMPLEMENTING STRATEGIC ALLIANCES* (J. Ashe-Taylor & S. Bell, eds., Practising Law Inst.: 2004)
34. *Application of the Doctrine of Equivalents to Software-Based Patents in PATENT PROTECTION FOR COMPUTER SOFTWARE: THE NEW SAFEGUARDS* 161 (Michael S. Keplinger & Ronald S. Laurie, eds., Practising Law Inst.: 1989) (with Ronald S. Laurie)

C. Law Review Articles

1. *Patent Working Requirements and Complex Products*, 7 NYU J. INTELL. PROP. & ENTERTAINMENT L. __ (2018, forthcoming) (with Rohini Lanshané and Paxton Lewis)
2. *Litigation of Standards-Essential Patents in Europe: A Comparative Analysis*, 32 BERKELEY TECH. L.J. __ (2018, forthcoming) (with Fabian Gaessler, Christian Helmers, Brian J. Love)
3. *Intellectual Property, Surrogate Licensing, and Precision Medicine*, __ IP THEORY __ (2018, forthcoming) (with Jacob S. Sherkow)
4. *Aggregated Royalties for Top-Down FRAND Determinations: Revisiting 'Joint Negotiation'*, 62(4) ANTITRUST BULLETIN 690-709 (2017)
5. *Rationalizing FRAND Royalties: Can Interpleader Save the Internet of Things?*, 36(2) REV. LITIG. 285-334 (2017) (with Jason R. Bartlett) (invited symposium)
6. *Patents and Mobile Devices in India: An Empirical Survey*, 50 VAND. TRANSNATIONAL L.J. 1-44 (2017) (with Rohini Lanshané) (lead article)
7. *Model Jury Instructions for Reasonable Royalty Patent Damages*, 57 JURIMETRICS J. 1 (2017) (with Michael A. Eixenberger)
8. *From Private Ordering to Public Law: The Legal Framework Governing Standards-Essential Patents*, 30 HARV. J.L. & TECH. 211-231 (2017) (invited symposium)
9. *Solar Climate Engineering and Intellectual Property: Toward a Research Commons*, 18 MINN. J. L. SCI. & TECH. 1-110 (2017) (with Jesse L. Reynolds and Joshua D. Sarnoff) (lead article)
10. *Genetic Property*, 105(1) GEO. L.J. 1-54 (2016) (lead article)
11. *Pre-Competition* 95(1) N.C. L. Rev. 67-131 (2016) (with Liza Vertinsky)
12. *Narratives of Gene Patenting*, 43(4) FLA. ST. U. L. REV. 1133 (2016).
13. *When a Stranger Calls: Standards Outsiders and Unencumbered Patents*, 12(3) J. COMPETITION L. & ECON. 507-540 (2016)
14. *A Tale of Two Networks: Patents, Standards and the Internet*, 93(4) DENVER L. REV. 855-897 (2016) (invited symposium)

15. *FRAND Market Failure: IPXI's Standards-Essential Patent License Exchange*, 15(2) CHI-KENT J. INTELL. PROP. 419-440 (2016)
16. *Patent Pledges*, 47(3) ARIZ. ST. L.J. 543-608 (2015)
17. *A Unified Framework for RAND and other Reasonable Royalties*, 30(2) BERKELEY TECH. L.J. 1447-1499 (2015) (with Richard J. Gilbert)
18. *A Market Reliance Theory for FRAND Commitments and Other Patent Pledges*, 2015(2) UTAH L. REV. 479-558 (2015)
19. *A Brief History of FRAND: Analyzing Current Debates in Standard-Setting and Antitrust through a Historical Lens*, 80(1) ANTITRUST L.J. 39-120 (2015) (peer reviewed; published by Univ. Michigan School of Law)
20. *Developing A Framework For Arbitrating Standards-Essential Patent Disputes*, 2014 J. DISPUTE RESOL. 23-50 (2014) (with David L. Newman) (invited symposium)
21. *Copyright Termination and Technical Standards*, 43 U. BALTIMORE L. REV. 221 (2014) (with Andrew Hernacki)
22. *No Matter How Small ... Property, Autonomy and State in Horton Hears a Who!*, 58 N.Y. L. SCH. L. REV. 603-615 (2014) (symposium issue)
23. *Fixing FRAND: A Pseudo-Pool Approach to Standards-Based Patent Licensing*, 79 ANTITRUST L.J. 47-97 (2013) (peer reviewed; published by Univ. Michigan School of Law)
24. *Confronting the Crisis in Scientific Publishing: Latency, Licensing and Access*, 53 SANTA CLARA L. REV. 491-575 (2013)
25. *Technical Standards and Ex Ante Disclosure: Results and Analysis of an Empirical Study*, 53 JURIMETRICS 163-211 (2013) (peer reviewed; published by Arizona State Univ. O'Connor College of Law)
26. *Intellectual Property Landscape of Material Sustainability Standards*, 14 COLUMBIA SCI. & TECH. L. REV. 485 (2013) (with Charles R. McManis)
27. *Standards, Patents and the National Smart Grid*, 32 PACE L. REV. 641 (2012) (symposium issue) (winner of the 2014 Elizabeth Payne Cubberly Scholar Award) (reprinted in *INTELLECTUAL PROPERTY, INNOVATION AND THE ENVIRONMENT* (Peter S. Menell & Sarah M. Tran, eds., 2014))
28. *Implementing Procedural Safeguards for the Development of Bioinformatics Interoperability Standards*, 39 N. KY. L. REV. 87 (2012) (symposium issue – Informatics)
29. *Open Access Scientific Publishing and the Developing World*, 8 ST ANTONY'S INTL. REV. 43 (2012) (invited)
30. *Bermuda's Legacy: Patents, Policy and the Design of the Genome Commons*, 12 MINN. J.L., SCI. & TECH. 61-125 (2011)
31. *Data Sharing, Latency Variables and Science Commons*, 25 BERKELEY TECH. L.J. 1601-72 (2010)

32. *In the Village Square: Risk Misperception and Decisionmaking in the Regulation of Low-Level Radioactive Waste*, 19 *ECOLOGY L.Q.* 481 (1992)
33. *The Art Auctioneer: Duties and Assumptions*, 13 *HASTINGS COMM/ENT L.J.* 717 (1991)
34. *Wilson Sporting Goods and Hypothetical Patent Claims: A New Slice at the Doctrine of Equivalents*, 1 *FED. CIR. BAR J.* 11 (1991) (winner of the Fed. Cir. Bar Assn. George Hutchinson Writing Competition)

D. Scientific and Technical Literature

1. *Intellectual Property Policies for Solar Climate Engineering*. *WILEY INTERDISCIPLINARY REVIEWS: CLIMATE CHANGE* (2018, forthcoming) (with Jesse L. Reynolds and Joshua D. Sarnoff)
2. *The Genomic Commons*. 19 *ANNUAL REV. GENOMICS & HUMAN GENETICS* __ (2018, forthcoming) (with Bartha M. Knoppers)
3. *CRISPR, surrogate licensing, and scientific discovery*. 355(6326) *SCIENCE* 698-700 (2017) (with Jacob S. Sherkow)
4. *The President Says Patients Should Own their Genetic Data. He's Wrong*. 34(6) *NATURE BIOTECHNOLOGY* 585-586 (2016)
5. *Sharing by Design: Data and Decentralized Commons*, 350 *SCIENCE* 1312-1314 (Dec. 2015) (with Jerome H. Reichman)
6. *Intellectual Property Issues and Synthetic Biology Standards*, 33 *NATURE BIOTECHNOLOGY* 24-25 (2015) (with Arti K. Rai and Andrew W. Torrance)
7. *NIH's Genomic Data Sharing Policy: Timing and Tradeoffs*, 31 *TRENDS IN GENETICS* 55-57 (2015)
8. *Divergent Patterns of Engagement in Internet Standardization: Japan, Korea and China*, 38 *TELECOM. POLICY* 916-934 (2014)
9. *The International Serious Adverse Events Consortium*, 13 *NAT. REV. DRUG DISCOVERY* 795 (2014) (with Arthur L. Holden, Sally John & Matthew R. Nelson)
10. *The International Serious Adverse Events Consortium's Data Sharing Model*, 31 *NATURE BIOTECH.* 17 (2013) (with Aris Floratos & Arthur Holden)
11. *Higher Standards for Sustainable Building Materials*, 2 *NATURE CLIMATE CHANGE* 62 (Feb. 2012) (with Hannah Roth & Meghan Lewis)
12. *Toward a Rational Framework for Sustainable Building Materials*, *STANDARDS ENGINEERING*, Sept/Oct. 2011 (winner of Standards Engineering Society (SES) 2011 Annual World Standards Day Paper Competition) (with Hannah Roth & Meghan Lewis)
13. *Prepublication Data Release, Latency, and Genome Commons*, 329 *SCIENCE* 393 (2010)

14. *Legal Issues in the Development of Biological Research Standards*, 26 NATURE BIOTECH. 498 (2008)
15. *IP Squared: Internet Standards and Intellectual Property*, 12 IEEE INTERNET COMPUTING 83 (Nov/Dec 2008) (with Russ Housley)

E. Legal Commentary, Notes, White Papers and Reviews

1. *Are PAEs Different? The Legal Treatment of Patent Assertion Entities in Europe and the United States*, IEEE COMMUNICATION STANDARDS (forthcoming, 2018) (with Peter Georg Picht)
2. *The Evolving Patent Pledge Landscape*, CIGI Research Paper Series ____, 2018 forthcoming
3. *Assessing the Effectiveness of the Eco-Patent Commons: A post-mortem analysis*, CIGI Research Paper Series ____, 2018 forthcoming (with Bronwyn Hall and Christian Helmers)
4. *Patent Assertion Entities and Legal Exceptionalism in Europe and the United States, a Comparative View*, Max Planck Inst. for Innovation & Competition Research Paper No. 17-11 (Sept. 2017) (with Peter Georg Picht)
5. *Global Markets, Competition and FRAND Royalties: The Many Implications of Unwired Planet v. Huawei*, 16 ANTITRUST SOURCE, August, 2017.
6. *A Practical Guide to Patent Policies of Standards Development Organizations*, 67(6) STANDARDS ENGINEERING 1-6 (2015) (with Andrew Updegrave) (winner of Standards Engineering Society (SES) 2015 Annual World Standards Day Paper Competition))
7. *Common Knowledge and Non-Patent Literature in the Internet Age*, BERKELEY TECH. L.J. ONLINE COMMENTARY (Mar. 12, 2016), <http://btlj.org/2016/03/common-knowledge-and-non-patent-literature-in-the-internet-age-2/>
8. *Patent Pledges: Middle Ground Between The Public Domain And Patent Exclusivity*, 2015 MICH. ST. L. REV. 788-792 (2015) (invited symposium)
9. *Standards, Royalty Stacking and Collective Action*, 3 CPI ANTITRUST CHRON. (2015)
10. *Tesla Motors and the Rise of Non-ICT Patent Pledges*, 3 NTUT J. INTELL. PROP. L. & MGMT. 188 (2014)
11. *Foreword: Mapping Today's Cybersecurity Landscape*, 62 AM. U. L. Rev. 1113 (2013) (with Laura DeNardis & Melanie Teplinski)
12. *Equity, Antitrust and the Reemergence of the Patent Unenforceability Remedy*, ANTITRUST SOURCE (Oct. 2011)
13. *Public Health versus Personal Liberty: The Uneasy Case for Individual Detention, Isolation and Quarantine*, SCITECH LAWYER, Spr. 2011, at 6.

14. *Book Review: NEXT and Michael Crichton's Five-Step Program for Biotechnology Law Reform*, 48 JURIMETRICS 337 (2008)
15. *Recent Developments in On-line Liability, Around the World*, GLOBAL ECOMM. L. & BUS. RPT., Jan. 2003 (with Kenneth Slade)
16. *The Tangled Web of Global Deep-Linking Rules*, GLOBAL ECOMM. L. & BUS. RPT., Sept. 2002 (with Lyn Barkow and Christian Breuer)
17. *Aligning U.S. Copyright Law with International Treaties: Possible Effects on Technology Companies*, GLOBAL ECOMM. L. & BUS. RPT., May 2002 (with Bipasa Nadon)
18. *Is the Transfer of Software a License or a Sale?*, CYBERSPACE L., Jan. 2002 (with Soojin Chung)
19. *Click-wrap Agreements: Background and Guidelines for Enforceability*, COMPUTER UND RECHT INTL., Apr. 2000 (with Kenneth Slade)
20. *Book Note: The Hacker Crackdown: Law and Disorder on the Electronic Frontier*, 6 HARV. J. L. & TECH. 421 (1993)
21. *Book Note: The Struggle for Auto Safety*, 4 HARVARD J. L. & TECH. 307 (1991)
22. *NEC v. Intel: Breaking New Ground in the Law of Copyright*, 3 HARV. J. L. & TECH. 209 (1990) (with Laura Handley & Terrence Yang)

F. Reports, Governmental Submissions and White Papers (principal author)

1. *Comments submitted to Japan Patent Office Concerning Guidelines for Licensing Negotiations Involving Standard Essential Patents (SEPs)*, Nov. 9, 2017
2. *Comments of Law and Business Scholars Submitted to the U.S. Department of Justice and Federal Trade Commission Regarding a Proposed Update to the Antitrust Guidelines for the Licensing of Intellectual Property*, Sept. 25, 2016
3. *Response to Government of India Department of Industrial Policy and Promotion (DIPP) Discussion Paper on Standard Essential Patents and Their Availability on FRAND Terms*, Apr. 21, 2016
4. *Patents and Internet Standards*, Global Commission on Internet Governance Paper Series: No. 29 (Apr. 2016), <https://www.cigionline.org/publications/patents-and-internet-standards>
5. *Comments Submitted to U.S. Department of Education in Response to Notice of Proposed Rulemaking: Open Licensing Requirement for Direct Grant Programs*, Dec. 18, 2015
6. *Comments Submitted to the U.S. Patent and Trademark Office on Enhancing Patent Quality*, May 6, 2015
7. *Comments Submitted to Public Consultation on Patents and Standards*, European Commission – DG Enterprise and Industry, Feb. 15, 2015

8. *Response of Legal Scholars to Second Request for Comments: Patent Assertion Entities (Project No. P131203)*, Federal Trade Commission, June 17, 2014
9. *Response to Request for Comments: Patent Assertion Entities (Project No. P131203)*, Federal Trade Commission, Dec. 15, 2013
10. *Response to Request for Comments: Draft NIH Genomic Data Sharing Policy (Fed. Reg. Vol. 78, No. 183, p. 57,860, Sept. 20, 2013)*, National Institutes of Health, Nov. 19, 2013
11. *Developing a Framework to Improve Critical Infrastructure Cybersecurity (Response to NIST Request for Information Docket No. 130208119-3119-01)*, National Institute of Standards and Technology, Apr. 8, 2013
12. *Rethinking RAND: SDO-Based Approaches to Patent Licensing Commitments*, International Telecommunications Union (ITU) Patent Roundtable, Oct. 10, 2012
13. *Survey of Bioinformatics Standards*, Report Presented to the National Academy of Sciences, Sept. 17, 2012
14. *Materials Sustainability Standards and Intellectual Property*, Report Presented to the National Academy of Sciences, Sept. 17, 2012 (with Charles R. McManis)
15. *Response to Digital Research Data Sharing and Management Request for Information*, National Science Board - National Science Foundation, Jan. 18, 2012
16. *Response to Request for Information - Public Access to Peer-Reviewed Scholarly Publications*, Office of Science and Technology Policy - National Science and Technology Council, Jan. 12, 2012
17. *Response to Request for Information - Public Access to Digital Data*, Office of Science and Technology Policy - National Science and Technology Council, Jan. 12, 2012
18. *An Empirical Study of the Effects of Ex Ante Licensing Disclosure Policies on the Development of Voluntary Technical Standards* (Natl. Inst. Standards & Tech. Report No. GCR 11-934) (June 27, 2011)

G. Group Authorship

1. Giovanni Destro Bisol, et al., *Perspectives on Open Science and Scientific Data Sharing: An Interdisciplinary Workshop*, 92 J. ANTHROPOLOGICAL SCI. 179 (2014)
2. NATL. RESEARCH COUNCIL, *INTELLECTUAL PROPERTY CHALLENGES FOR STANDARD-SETTING IN THE GLOBAL ECONOMY* (Keith Maskus & Stephen A. Merrill, eds., Natl. Acad. Press 2013) (drafting committee member)
3. Hinxton Group, *Statement on Policies and Practices Governing Data and Materials Sharing and Intellectual Property in Stem Cell Science* (2010) [http://www.hinxtongroup.org/Consensus_HG10_FINAL.pdf]

4. Toronto International Data Release Workshop Authors, *Prepublication Data Sharing*, 461 NATURE 168 (2009)

H. Blogs and Popular Press

1. TCL v. Ericsson: *The First Major U.S. Top-Down FRAND Royalty Decision*, Patently-O blog, Dec. 27, 2017
2. *At Long Last, A Revised Patent Policy for IETF: What's Behind BCP79bis?*, IETF blog, Jul. 14, 2017 (with Scott O. Bradner)
3. Unwired Planet v. Huawei: *An English Perspective on FRAND Royalties*, Patently-O blog, Apr. 10, 2017
4. *The Case of the Missing SEPs: Why do the New DOJ-FTC Antitrust IP Licensing Guidelines Fail to Mention the Biggest IP Licensing Issue of the Last Decade?*, All Things FRAND blog, Sept. 28, 2016
5. *Leviathan in the Commons – Biomedical Data and the State*, Law & Biomedical Sciences (LABS) blog, Sept. 26, 2016
6. *“Made in India” Innovation Policy*, SpicyIP blog, Sept. 19, 2016 (with Colleen Chien)
7. *Internet Standards - Less Litigation in a Patent-Light Environment*, All Things FRAND blog, Sept. 19, 2016
8. *CSIRO v. Cisco: The Convergence of RAND and non-RAND Royalties for Standards-Essential Patents*, Patently-O blog, Dec. 7, 2015
9. *When is a Covenant Just a Covenant? Of Meso, Newman and Transactions with Patents*, New Private Law blog, Nov. 9, 2015
10. *Desperately Seeking Stacking*, Written Description blog, Apr. 23, 2015
11. *Property Rules and Liability Rules for Genetic Data*, Balkinization blog, Mar. 26, 2015
12. *IEEE Amends its Patent (FRAND) Policy*, Patently-O blog, Feb. 9, 2015
13. *Why FRAND Commitments are not (usually) Contracts*, Patently-O blog, Sept. 15, 2014
14. *Tesla Motors and the Rise of Non-ICT Patent Pledges*, Patently-O blog, Jun. 16, 2014
15. *Industry Responds to White House Calls for Prior Art, Examiner Training*, Patently-O blog, Feb. 27, 2014
16. *The Landscape of Proposed Patent Law Amendments: A Comparative Look*, Patently-O blog, Nov. 7, 2013

17. *Samsung Proposes a Patent Pledge to Settle EC FRAND Investigation*, Patently-O blog, Oct. 21, 2013
18. *Non-SSO Patent Commitments and Pledges*, Antitrust & Competition Policy Blog, Oct. 14, 2013
19. *The Topsy-Turvy ITC*, Infojustice.org, June 16, 2013
20. *So That's What RAND Means? A Brief Report on the Findings of Fact and Conclusions of Law in Microsoft v. Motorola*, Patently-O blog, Apr. 27, 2013
21. *Patent-less Smartphone Innovation and Global Technology Markets*, PatentProgress.org, Dec. 19, 2012
22. *Good Things Come in Threes? DOJ, FTC and EC Officials Wax Eloquent About FRAND*, Patently-O blog, Oct. 29, 2012
23. *Vanishing Licenses – How International Bankruptcy Rules Could Threaten the Networked Patent Economy*, PatentProgress.org, Nov. 26, 2012
24. *Samsung's Billion Dollar Question*, Public Knowledge Policy Blog, Aug. 31, 2012
25. *The FRAND Wars: Who's on First*, Patently-O blog, Apr. 17, 2012
26. *The February of FRAND*, Patently-O blog, Mar. 6, 2012

SELECTED SPEAKING ENGAGEMENTS

A. Invited Academic Talks and Addresses

1. **Keio University** (Tokyo, Japan): Public Lecture: “The Global Standards Wars: Patent and Competition Disputes in North America, Europe and Asia” (Nov. 2017)
2. **National University Singapore** (Singapore): Public Symposium: “The Global Standards Wars: Patents, Antitrust and Competition” (Nov. 2017)
3. **Saint Louis University** (St. Louis, MO): Faculty Symposium: “Silly Patents” (Apr. 2017)
4. **Brigham Young University** (Provo, UT): Law, Entrepreneurship, and Innovation Colloquium, “Dividing the Spoils of CRISPR: Surrogate Licensing and Scientific Discovery” (Feb. 2017)
5. **Brigham Young University** (Provo, UT): Intellectual Property Colloquium, "Solar Climate Engineering and Intellectual Property: Toward a Research Commons" (Sept. 2016)
6. **University of Nevada – Las Vegas** (Las Vegas, NV): Faculty Seminar, “Silly Patents” (Feb. 2016)
7. **Columbia Law School** (New York, NY): Law and Economics Workshop, “Commoditized FRAND Licenses: The Failure of IPXI” (Oct. 2015)
8. **Lewis and Clark School of Law** (Portland, OR): Intellectual Property in the Trees symposium, “Narratives of Gene Patenting” (Oct. 2014)
9. **University of Houston School of Law** (Houston, TX): Faculty symposium, “Market Reliance and Patent Pledges” (Sept. 2014)
10. **Washington & Lee University School of Law** (Lexington, VA): Faculty symposium, “Market Reliance and Patent Pledges” (Jan. 2014)
11. **American Association for the Advancement of Science (AAAS)** (Washington, DC): “The Constitution and the Structure of United States Government” (Address to 2013 AAAS Fellows) (Sept. 2013)
12. **Meharry Medical College Bioethics Speaker Series** (Nashville, TN): “The Current Gene Patenting Landscape After Prometheus and Myriad” (Aug. 2012)
13. **Workshop in Political Theory and Policy Analysis**, Indiana University (Bloomington, IN): “Wait for It ... Commons, Copyright and the Private (Re)Ordering of Scientific Publishing” (Feb. 2012)
14. **Washington University School of Law Spring 2011 Intellectual Property Colloquium**, Washington University in St. Louis (St. Louis, MO): “Patents, Timing and Science Commons” (Apr. 2011)

B. Academic Conferences and Symposia

1. **Law and Economics Workshop on IPRs for Standard-based Innovations**, Waseda University (Tokyo, Japan, Dec. 2017), “Top-Down FRAND Royalty Rate Determinations” (presentation)
2. **2nd TILEC Conference on Competition, Standardization and Innovation**, Tilburg University (Tilburg, Netherlands, Dec. 2017) (scientific committee, discussant, panelist)
3. **2nd International Symposium on Standardization and Governance**, Hunan University (Changsha, China, Oct. 2017), “FRAND as Private Law and Public Law” (presented paper)
4. **Wiet Life Science Law Scholars Conference**, Loyola University Chicago School of Law (Chicago, IL, Oct. 2017), “IP, Surrogate Licensing and Precision Medicine” (with Jacob S. Sherkow)
5. **2017 Patent Pledges Roundtable: The Evolving Patent Pledge Landscape**, American University Washington College of Law (Washington, DC, Sep. 2017) (organizer, presenter)
6. **14th Annual Symposium on Emerging Intellectual Property Issues: The Value of Intellectual Property**, Southern Methodist University (Dallas, TX, Sept. 2017), “Patent Damages and Complex Products” (panelist)
7. **17th Annual Intellectual Property Scholars Conference (IPSC)**, Cardozo Law School (New York, NY, Aug. 2017): “Do Working Requirements Work?” (paper presented)
8. **Sixth Annual IP Teaching/Workshop**, National Law University, Delhi and National Law School of India University, Bangalore (Bangalore, India, July 2017), “The Emerging Discourse on IP Remedies: Addressing the Research Gaps” (panelist)
9. **Second Annual Roundtable on Innovation, Intellectual Property and Competition**, National Law University, Delhi (Bangalore, India, July 2017), “Standard-Essential Patents: Adjudicating FRAND in India from a Comparative Perspective” (panelist)
10. **Second International Conference on Standardization, Patents and Competition Issues**, Jindal Global University (New Delhi, India, Jun. 2017), “Form 27 and India’s Patent Working Requirement” (presented paper)
11. **Genomics and Society: Expanding the ELSI Universe**, University of Connecticut (Farmington, CT, Jun. 2017), “Narratives of Gene Patenting” and “Genetic Property” (presented papers)
12. **Fifth Annual Research Roundtable on Technology Standards**, Searle Center on Law, Regulation and Economic Growth, Northwestern University (Chicago, IL, May 2017): “Assertion of Standards Essential Patents in Europe” (presented paper)
13. **International Intellectual Property Law Roundtable**, New York University (New York, NY, Apr. 2017), “Working Property Requirements - Lessons Learned from India's Experiment with Form 27” (presented paper)
14. **International Patent Remedies Comparative Project (INPRECOMP) Workshop**, Arizona State University (Phoenix, AZ, Mar. 2017) (organizer)

15. **Works in Progress in Intellectual Property (WIPIP)**, Boston University (Boston, MA., Feb. 2017), “Dividing the Spoils of CRISPR” (presented paper)
16. **Frontiers in Precision Medicine II: Cancer, Big Data and the Public**, University of Utah (Salt Lake City, UT, Dec. 2016): “Patents and Precision Medicine” (conference organizer, panel moderator)
17. **International Patent Remedies Comparative Project (INPRECOMP) Workshop**, Kings College London (London, UK, Oct. 2016) (organizer)
18. **Patent Holdup Theory: Implications for the Courts, Government, and the Legislature**, Stanford University Hoover Inst. (Washington, DC, Oct. 2016): “Patent Holdup, Royalty Stacking, and Standards: Theory and Evidence” (speaker)
19. **International Conference on Innovation, Intellectual Property, Competition and Standard Setting in the ICT**, Jindal Global University (New Delhi, India, Aug. 2016): “National Disparities and Standards-Essential Patents: Considerations for India (presented paper)
20. **Conference on Patent Damages**, University of Texas School of Law (Austin, TX, June 2016): “Interpleader and FRAND Royalties” (presented paper)
21. **Injunctions in Patent Law**, Adam Mickiewicz University (Poznan, Poland, Jun. 2016): “US Law on Patent Injunctions” (lecture)
22. **Fourth Annual Research Roundtable on Technology Standards**, Searle Center on Law, Regulation and Economic Growth, Northwestern University (Chicago, IL, May 2016): “When a Stranger Calls: Standards Outsiders and Unencumbered Patents” (presented paper)
23. **Research Uses of Genetic Resources: The Nagoya Protocol and Policy Solutions**, National Library of Medicine (Bethesda, MD, May 2016) (commentary)
24. **Annual Roundtable on Innovation, Intellectual Property and Competition**, National Law University (Delhi, India (via Skype), Apr. 2016), “FRAND in India from a Comparative Perspective and the DIPP Discussion Paper on SEPs” (panelist)
25. **Patent Conference 6 (PatCon)**, Boston College Law School (Newton, MA, Apr. 2016), “When a Stranger Calls: Standards Outsiders and Unencumbered Patents” (presented paper)
26. **Private Law and Intellectual Property**, Harvard Law School (Cambridge, MA, Mar. 2016), “Private Ordering or Public Law? The Legal Character of Technical Standard Setting” (presented paper)
27. **Patent Damages Workshop**, University of California Berkeley (Berkeley, CA, Mar. 2016) (invited participant and panelist)
28. **Regulating Patent Hold-Up**, University of Liege, Competition and Innovation Institute (Brussels, Belgium, Mar. 2016): “Patent Holdup: Theory and Evidence” (panelist)

29. **Denver University Sturm College of Law – Law Review Symposium** (Denver, Colo., Feb. 2016): “Patents and Internet Standards” (presented paper)
30. **Works in Progress in Intellectual Property (WIPIP)**, University of Washington (Seattle, Wash., Feb. 2016), “A Telecommunications Patent Landscape of India” (presented paper)
31. **Mega-Regionalism - New Challenges for Trade and Innovation (NSF/East-West Center)** (Honolulu, HI, Jan. 2016), “Patents, Standards and Borders” (presented paper)
32. **American Assn. Law Schools (AALS) Annual Meeting** (New York, NY, Jan. 2016): BioLaw Section “Genetic Property and Precision Medicine” (presented paper)
33. **Frontiers in Precision Medicine: Exploring Science and Policy Boundaries** (Salt Lake City, UT, Dec. 2015): Conference Organizer
34. **4th Global Congress on Intellectual Property in the Public Interest** (New Delhi, India, Dec. 2015): Track Leader: IP and Development; Panel Organizer; Paper presented
35. **Competition, Standardization and Innovation**, Tilburg Law and Economics Center, Tilburg University (Amsterdam, Netherlands, Dec. 2015): “Assertion of Standards-Essential Patents by Non-Practicing Entities” (presented paper)
36. **7th Annual Patent Law and Policy Conference**, Georgetown Law Center and Berkeley Center for Law & Technology (Washington, DC, Nov. 2015): “Leading-Edge Issues in Patent Remedies” (speaker/panelist)
37. **Patents in Telecoms**, University College London & George Washington University School of Law (Washington, DC, Nov. 2015): “How to Calculate FRAND” (speaker/panelist)
38. **9th International Conference on Standardization and Innovation in Information Technology (IEEE-SIIT)** (Sunnyvale, CA, Oct. 2015): “RAND Market Failure: Analyzing IPXI's unsuccessful attempt to establish an exchange for unitized standards-essential patent licenses” (presented paper)
39. **15th Annual Intellectual Property Scholars Conference (IPSC)**, DePaul University (Chicago, IL, Aug. 2015): “Silly Patents: Common Sense and the Elusive Prior Art of Everyday Life” (presented paper)
40. **Patent Pledges Symposium**, American University Washington College of Law (Washington, DC, June 2015) (organizer)
41. **International Association for the Study of the Commons (IASC)** (Edmonton, Alberta, May 2015), “Genomic Data Sharing: 1992-2015” (presented paper)
42. **International Intellectual Property Roundtable**, Duke Law School (Durham, NC, Apr. 2015), “Multi-Commons and Meta-Commons in the New Data Sharing Universe” (presented paper)
43. **Beyond IP 2**, Yale Law School (New Haven, CT, Mar. 2015), “Consent in the Cathedral” (presented paper)
44. **18th Annual Conference – Assn. for the Study of Law, Culture and Humanities**, Georgetown Law Center (Washington, DC, Mar. 2015) “Narratives of Gene Patenting” (presented paper)

45. **Works in Progress in Intellectual Property**, U.S. Patent and Trademark Office (Washington, DC, Feb. 2015), “Patent Pledges” (presented paper)
46. **Rocky Mountain Junior Scholars Forum**, University of Utah (Salt Lake City, UT, Nov. 2014), “Patent Pledges” (presented paper)
47. **Third Annual University of Toronto Patent Colloquium** (Toronto, Canada, Nov. 2014) “Standards-Essential Patents: Enforcement Options with FRAND Terms” (speaker/panelist)
48. **The Future of Patent Royalties**, American University Washington College of Law (Washington, DC, Nov. 2014) (organizer, moderator)
49. **Patents in Telecoms**, University College London & George Washington University School of Law (Washington, DC, Nov. 2014): “Overview of Standards-Setting Organizations” (speaker/panelist)
50. **Michigan State Law Review Fall 2014 Symposium: Public Domain(s): Law Generating Knowledge, and Furthering Innovation in the Information Economy**, Michigan State University School of Law (Lansing, MI, Oct. 2014) “Patent Pledges” (presented paper)
51. **Big Data is Not a Monolith - Workshop**, University of Indiana Maurer School of Law (Bloomington, IN, Oct. 2014) (workshop participant)
52. **Adam Mickiewicz University**, Faculty symposium on intellectual property (Poznan, Poland, Sept. 2014) “Patent Assertion Entities in the United States” (speaker)
53. **14th Annual Intellectual Property Scholars Conference (IPSC)**, University of California Berkeley (Berkeley, CA, Aug. 2014): “Narratives of Gene Patenting” (presented paper)
54. **International Society for the History and Theory of Intellectual Property (ISHTIP)** (Uppsala, Sweden, Jun. 2014): “Narratives of Gene Patenting” (presented paper, commented on paper)
55. **Seventh Annual Conference on Innovation Economics**, Searle Center on Law, Regulation and Economic Growth, Northwestern University (Chicago, IL, Jun. 2014) (commenter)
56. **Patent Pledges – Developing a Research Agenda**, American University Washington College of Law (Washington, DC, May 2014) (workshop organizer)
57. **Medical User Innovation and Knowledge Commons**, NYU School of Law (New York, NY, May 2014): “Leviathan in the Commons: Biomedical Data and the State” (presented paper)
58. **Patent Conference 4 (PatCon)**, Univ. of San Diego School of Law (San Diego, CA, Apr. 2014): “Market Reliance and Patent Pledges” (presented paper)
59. **Texas IP Law Journal 15th Annual IP Symposium: FRAND and the Antitrust/Intellectual Property Interface**, Univ. Tex. Law School (Austin, Tex., Feb. 21, 2014): “A Brief History of FRAND” (presented paper)
60. **Next Generation of Antitrust Scholars Conference**, NYU School of Law (New York, NY, Jan. 2014): “Market Reliance and Patent Pledges” (presented paper)

61. **3rd Global Congress on Intellectual Property in the Public Interest** (Cape Town, South Africa, Dec. 2013): “What Tech can Learn from Medicines” (workshop organizer)
62. **University of Missouri**, Resolving IP Disputes: Calling for an Alternative Paradigm (Columbia, MO, Oct. 4, 2013): “Disputes with an Industry Focus” (panelist)
63. **41st Telecommunications Policy Research Conference (TPRC)**, George Mason Law School (Arlington, VA, Sept. 2013): “Fixing FRAND: A Pseudo-Pool Approach to Standards-Essential Patent Licensing” (paper presented)
64. **European Policy in Intellectual Policy (EPIP) 13th Annual Conference** (Paris, France, Sept. 2013): “Fixing FRAND: A Pseudo-Pool Approach to Standards-Essential Patent Licensing” (paper presented)
65. **Scientific Data Sharing: An Interdisciplinary Workshop**, Istituto Italiano di Antropologia and Sapienza Università di Roma (Anagni, Italy, Sept. 2013): "The Genomics Data Sharing Paradigm: Legacy of the Human Genome Project" (paper presented)
66. **13th Annual Intellectual Property Scholars Conference (IPSC)**, Cardozo Law School (New York, NY, Aug. 2013): “Fixing FRAND: A Pseudo-Pool Approach to Standards-Essential Patent Licensing” (paper presented)
67. **Southeastern Association of Law Schools (SEALS)**, 2013 Annual Conference (West Palm Beach, FL, Aug. 2013): “Contract, Reliance and Patent Licensing Commitments” and “The Other Executive Agencies – Patent Policy at NIH” (papers presented)
68. **International Society for the History and Theory of Intellectual Property (ISHTIP)** (Paris, France, Jun. 2013): “The Public Genome: An Alternative Narrative of Gene Patenting” (paper presented)
69. **The Changing Patent Landscape**, Georgetown Law Center (Washington, DC, Mar. 2013): “The SmartPhone Wars” (panelist)
70. **Northwestern Journal of Technology and Intellectual Property (JTIP), Eighth Annual Symposium** (Chicago, IL) (Mar. 2013): “Litigating the Meaning of FRAND” (panel chair)
71. **Exploring Civil Society through the Writings of Dr. Seuss**, New York Law School (New York, NY, Mar 2013), “Property, Ownership and Autonomy in ‘Horton Hears a Who!’” (paper presented)
72. **Works in Progress in IP (WIPIP) Annual Conference**, Seton Hall Law School (Newark, NJ, Feb. 2013): “Fixing FRAND: A Pseudo-Pool Approach to Standards-Based Patent Licensing” (paper presented)
73. **A Discussion on FRAND Licensing and Standards Essential Patents**, University of Virginia (Washington, DC, Nov. 2012) (panelist)
74. **RAND Revisited: Current Developments in the Law of Standards-Essential Patents**, Berkeley Center for Law & Technology (Berkeley, CA, Oct. 2012) (panelist)
75. **American University Law Review Annual Symposium, “America the Virtual - Security,**

Governance and Interoperability in an Interconnected World (Washington, DC): “The Promise and Peril of Being Interconnected, Interoperable and Intelligent” (Oct. 2012)

76. **Intl. Assn. for the Study of the Commons (IASC) Conference on Building Institutions for Sustainable Scientific, Cultural and Genetic Resources Commons** (Louvain-la-Neuve, Belgium, Sept. 2012): “Constructing the Genome Commons” (paper presented)
77. **12th Annual Intellectual Property Scholars Conference (IPSC)**, Stanford University (Stanford, CA, Aug. 2012): “Standards, Equity and Infrastructure” (paper presented)
78. **Junior Scholars in Intellectual Property (JSIP) Workshop**, Michigan State University Law School (Lansing, MI, May 2012): “Wait for It ... Commons, Copyright and the Private (Re)Ordering of Scientific Publishing” (paper presented)
79. **Patent Conference 2 (PatCon)**, Boston College School of Law (Newton, MA, May 2012): “Fixing FRAND: Rationalizing the Basis for “Fair, Reasonable and Non-discriminatory” Licensing of Standards-Essential Patents” (paper presented)
80. **Max Planck Institute for the History of Science** (Berlin, Germany, March 2012): “The Evolution of Regulatory Complexity in the Genome Commons” (paper presented)
81. **Law and Informatics Symposium**, Northern Kentucky Chase Law Review (Lexington, KY, Mar. 2012): “Procedural Protections for Bioinformatics Standards” (paper presented)
82. **Convening Cultural Commons**, New York University School of Law, Engelberg Center on Innovation Law and Policy (NY, NY, Sep. 2011): “Commons and Compromise: The Evolving Rules-Space of the Genome Commons” (paper presented)
83. **Global Congress on Intellectual Property and the Public Interest**, American University – Washington College of Law (Washington, DC, Aug. 2011): “Patent Reform” (panel chair)
84. **11th Annual Intellectual Property Scholars Conference (IPSC)**, DePaul University (Chicago, IL, Aug. 2011): “An Empirical Study of Ex Ante Licensing Behavior in the Development of Voluntary Technical Standards” (paper presented)
85. **Exploring the ELSI Universe Congress**, University of North Carolina (Chapel Hill, NC, Apr. 2011): “Bermuda’s Legacy: The Future of Pre-Publication Data Release in the Post-Genome World” (paper presented)
86. **Technology Standards in a Globalized World**, Arizona State University (Phoenix, AZ, Apr. 2011): “An empirical analysis of ex ante licensing disclosure policies” (paper presented)
87. **4th National Conference on Genomics and Public Health** (Bethesda, MD, Dec. 2010): “Genetic Testing Patents: Operationalizing Legal Uncertainty” (paper presented)
88. **Symposium on the Global Energy Future**, Washington University in St. Louis/McDonald International Scholars Academy (St. Louis, MO, Oct. 2010): “Propertization, Dissemination and Innovation: Intellectual Property and Clean Technology in the Developing World” (paper presented)

89. **Clean Technology and the Law: The Legal Infrastructure for Promoting the Development and Dissemination of Clean Technologies**, University of San Francisco Law School (San Francisco, CA, Oct. 2010): “International Clean Technology Transfer to the Developing World” (paper presented)
90. **10th Annual Intellectual Property Scholars Conference (IPSC)**, University of California Berkeley (Berkeley, CA, Aug. 2010): “Data Sharing, Latency Variables and the Science Commons” (plenary session, paper presented)
91. **Junior Scholars in Intellectual Property (JSIP) Workshop**, Michigan State University Law School (Lansing, MI, Apr. 2010): “Timing is Everything: Latency Analysis and the Design of the Genome Commons” (paper presented)

C. Government, Bar, Scientific and Professional Conferences and Workshops

1. **Standards and Intellectual Property: Strategies Japan should adopt in light of current global trends**, Research Institute of Economy, Trade and Industry (RIETI) (Tokyo, Japan, Dec. 2017), “FRAND and Public and Private Law” (presentation)
2. **Patents in Telecoms and the Internet of Things** (Washington, DC) “Who Should Decide FRAND Terms When Parties Cannot Agree?” (Nov. 2017) (panelist)
3. **USPTO and Utah Bar China IP Roadshow** (Salt Lake City, UT) “Technology Standards in China” (Oct. 2017) (panelist)
4. **Knowledge Ecology International: Patents, the Public Interest and Two New Medical Technologies: CRISPR and CAR T** (Washington, DC) “Dividing the Spoils of CRISPR: Surrogate Licensing and Scientific Discovery” (Sept. 2017) (presentation)
5. **IPO Chat Channel: Global FRAND Update - Asia** (webinar) (Aug. 2017) (panelist)
6. **Capitol Hill Staff Briefing: Understanding the Standard Essential Patent and FRAND Debate** (Washington, DC) (Jun. 2017) (panelist)
7. **Second Internet of Things (IoT) National Institute** (Washington DC) (May 2017) (panelist)
8. **IPO Chat Channel: Global FRAND Update – Europe** (webinar) (May 2017) (panelist)
9. **PLI 11th Annual Patent Law Institute** (New York, NY and San Francisco, CA) “Patents and Technical Standards” (Apr. 2017) (speaker)
10. **Creative Commons 2017 Global Summit** (Toronto, Canada) “Patents: The Next Open Access Fight” (Apr. 2017) (panelist)
11. **National Law School of India, International Round Table on Evolving Jurisprudence on Patent Remedies** (Bengaluru, India (remote)) “Injunctive Relief in U.S. Patent Cases” (Mar. 2017)(speaker)

12. **American Antitrust Institute (AAI), International Antitrust Roundtable** (Washington, DC), “Limitations on Patent Enforcement: A Comparative International Assessment” (Feb. 2017) (panelist)
13. **Utah Bar Association, Downtown CLE** (Salt Lake City, UT), “Boundary by Acquiescence – Recent Developments” (Nov. 2016) (speaker)
14. **PLI 10th Annual Patent Law Institute** (New York, NY) “Patents and Internet Standards” (Apr. 2016) (speaker)
15. **Am. Natl. Standards Inst. (ANSI) Open Source, Open Standards, Open Minds Conference** (Washington, DC) (Apr. 2016) (organizer and speaker)
16. **IP Leadership Conference** (Washington, DC) “IP Licensing and Valuation: Views from the Businesses and Courts” (Mar. 2016) (panelist)
17. **Council on Governmental Relations** (Washington, DC, Feb. 2016): “Open Access, Open Source and Patents” (panelist)
18. **Pauline Newman Inn of Court** (Washington, DC) “The Great Patent Wars of American History – Were They Good or Bad for the Republic?” (Nov. 2015) (speaker)
19. **University of Houston Law Center and Houston IP Law Association, 31st Annual Institute on Intellectual Property Law** (Galveston, TX) “Fair, Reasonable and Nondiscriminatory License Terms” (Sept. 2015) (speaker)
20. **Global Competition Review (GCR) Live, IP and Antitrust Asia-Pacific Conference** (Seoul, Korea) “IPR and Standards – Market Failure or Market Success” (June 2015) (panelist)
21. **American Bar Assn. (ABA) Intellectual Property Law Annual Conference** (Bethesda, MD, Mar. 2015), “Hot Topics in Antitrust IP” (moderator)
22. **Patent Office of the Republic of Poland – Symposium on Patent and Competition Law** (Warsaw, Poland), “Patents and Industry Standards” (Sept. 2014) (speaker)
23. **10th International Symposium on IP in the Innovation Economy** (Krakow, Poland) “Intellectual Property Management” (Sept. 2014) (speaker)
24. **Global Competition Review (GCR) Live, 2nd Annual IP and Antitrust Conference** (Brussels, Belgium) “Patent “hold up”- the theoretical and empirical basis for antitrust intervention” (June 2014) (panelist)
25. **American University Program on Information Justice and IP and Public Citizen** (Washington, DC) “Secondary Use Pharmaceutical Patents – A Comparative View” (June 2014) (organizer)
26. **American Bar Assn. (ABA) Live Webinar and Teleconference**, “The Impact of Regulatory & Industry Standards on Patents” (May 2014) (panelist)
27. **Intellectual Property Owners Association (IPO)** (teleconference, Apr. 2014) “Data and the Internet of Things” (panelist)

28. **ABA Intellectual Property Law Spring Conference** (Arlington, VA): “The Impact of Regulatory & Industry Standards on Patents” (panelist) (Apr. 2014)
29. **Institute of Medicine (IOM) - Committee on Personal Protective Equipment for Workplace Safety and Health** (Washington, DC): “Components of Successful Standards Setting” (Feb. 2014) (speaker)
30. **Institute of Medicine (IOM) - Strategies for Responsible Sharing of Clinical Trial Data** (Washington, DC): “Legal, Regulatory, and Policy Context: Intellectual Property and Competition Law” (Feb. 2014) (panelist)
31. **American Bar Association – Section of Antitrust Law, IP Committee Program** (Washington, DC): “Patent Commitments Outside of Standard-Setting Organizations” (Dec. 2013) (panelist)
32. **American National Standards Institute (ANSI), World Standards Week** (Washington, DC): Legal Issues Forum – Arbitration of RAND Disputes (Oct. 2013) (moderator)
33. **Intellectual Property Owners Association (IPO)** (teleconference, Sept. 2013) “What Makes a Patent Essential?” (panelist)
34. **Banbury Center – A Precompetitive Neuroscience Data Sharing Consortium** (Cold Spring Harbor, NY, Apr. 2013) (invited presenter)
35. **Intellectual Property Owners Association (IPO)** (teleconference, Mar. 2013) “Standard Essential Patents: Implications of the FTC-Google Consent Decree” (panel chair)
36. **Washington Legal Foundation** (Washington, DC, Nov. 2012): “Standards Essential Patents: Where Do IP Protections End and Antitrust Concerns Begin?” (panelist)
37. **Federalist Society National Lawyers Convention** (Washington, DC, Nov. 2012): "Undermining or Preserving Property Rights? The New Administrative Patents" (panelist)
38. **American Bar Assn. (ABA) Live Webinar and Teleconference**, “How the Smartphone Wars are Changing the IP Landscape” (Nov. 2012)
39. **Congressional Internet Caucus Advisory Committee** (Washington, DC): “Will \$Billions in Patent Lawsuits Kill Smartphone and Tablet Innovation?” (Oct. 2012)
40. **American Intellectual Property Law Association (AIPLA), Annual Meeting** (Washington, DC): “The Role of Government in Technical Standards-Setting” (Oct. 2011)
41. **American National Standards Institute (ANSI), World Standards Week** (Washington, DC): Legal Issues Forum – Patented Technology in Standards (Oct. 2011)
42. **European Commission, Enterprise and Industry Directorate-General, The Ex Ante Declaration of Licensing Rights** (Brussels, Belgium), “Experiences and Practices of Ex Ante Disclosures in Standard-Setting” (July 2011)
43. **Federal Trade Commission - Workshop on Intellectual Property Rights in Standard Setting: Tools to Prevent Patent Hold-Up** (Washington, DC), “SSO Experiences with *Ex Ante* Disclosure of Licensing Terms” (June 2011)

44. **Intellectual Property Congress for Green Energy Technology** (San Francisco, CA): “Intellectual Property and the Smart Grid” (Apr. 2011)
45. **American Intellectual Property Law Association (AIPLA), Mid-Winter Meeting**, Committee on Technical Standards and Open Source Software (Orlando, FL): “The Role of Government in Technical Standards-Setting” (Jan. 2011)
46. **Electronic Medical Records & Genomics (eMERGE) Network** (Bethesda, MD): “Recent Developments in DNA Patenting” (Aug. 2010)
47. **National Advisory Council for Human Genome Research** (Rockville, MD): “Patenting Human Genes and Genetic Tests” (May 2010)
48. **ABA Annual Meeting** (Chicago, IL): “The Impact of Technical Standards on Business Transactions” (chair) (Aug. 2009)
49. **Biotechnology Industry Organization (BIO) Annual Convention** (Atlanta, GA): Technical Standards in the Biosciences (chair) (May 2009)
50. **ABA Intellectual Property Law Spring Conference** (Arlington, VA): Patent Policies for Technical Standards Development (chair) (Apr. 2008)
51. **ABA Annual Meeting** (San Francisco, CA): Virtual Law – How Online Games are Shaping Legal Rules (chair) (Aug. 2007)
52. **ABA Intellectual Property Law Spring Conference** (Arlington, VA): Virtual Law – How Online Games are Shaping Legal Rules (chair) (Apr. 2007)
53. **International Technology Law Assn.** (Bangalore, India): The Virtual Landscape – How Video Games Have Transformed the Law (Feb. 2007)
54. **Reuters Legal Conference** (NY, NY): Open Source Software (Sep. 2006)
55. **International Technology Law Assn.** (Bangalore, India): Technical Standardization – Legal Issues (Feb. 2006)
56. **ABA Intellectual Property Law Spring Conference** (Arlington, VA): Legal Overview of Technical Standardization Law (chair) (Apr. 2005)
57. **Pacific Rim Advisory Council** (New Delhi, India): IT Outsourcing (chair) (Nov. 2004)