
APPOINTMENTS**UNIVERSITY OF MICHIGAN LAW SCHOOL** / ANN ARBOR, MICHIGAN

Thomas W. Lacchia Professor of Law / 2022 to present

CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW / CLEVELAND, OHIO

John Homer Kapp Professor of Law / 2021 to 2022

Professor / 2015 to 2022

Associate Professor / 2013 to 2015

UNIVERSITY OF NOTRE DAME LAW SCHOOL / NOTRE DAME, INDIANA

Visiting Associate Professor / 2012

WAYNE STATE UNIVERSITY LAW SCHOOL / DETROIT, MICHIGAN

Assistant Professor / 2009 to 2012

UC BERKELEY SCHOOL OF LAW / BERKELEY, CALIFORNIA

Microsoft Research Fellow / 2008 to 2009

UC BERKELEY SCHOOL OF INFORMATION / BERKELEY, CALIFORNIA

Lecturer / 2007 to 2008

EDUCATION**UC BERKELEY SCHOOL OF LAW** / JDBerkeley Technology Law Journal
California Law Review**KENYON COLLEGE** / AB / PHILOSOPHY

BOOKS**THE LICENSED LIBRARY**

LENDING IN THE ERA OF DIGITAL BOOKS

In progress (with Jason Schultz)

THE RIGHT TO REPAIR

RECLAIMING THE THINGS WE OWN

Cambridge University Press 2022

CREATIVITY WITHOUT LAW

CHALLENGING THE ASSUMPTIONS OF INTELLECTUAL PROPERTY

NYU Press 2017 (edited with Kate Darling)

THE END OF OWNERSHIP

PERSONAL PROPERTY IN THE DIGITAL ECONOMY

MIT Press 2016 (with Jason Schultz)

CHAPTERS

RESALE MARKETS FOR DIGITAL MUSIC

OXFORD HANDBOOK OF MUSIC LAW AND POLICY

Oxford University Press 2021 (Sean O'Connor ed.)

OWNING THE BODY: CREATIVE NORMS IN THE TATTOO INDUSTRY

CREATIVITY WITHOUT LAW

NYU Press 2017

DIGITAL COPYRIGHT EXHAUSTION & PERSONAL PROPERTY

RESEARCH HANDBOOK ON IP EXHAUSTION AND PARALLEL IMPORTS

Edward Elgar Publishing 2016 (Irene Calboli & Edward Lee eds.)

ARTICLES

ENDING INTELLECTUAL PROPERTY

In progress

CAMPAIGNS, COPYRIGHT & TARNISHMENT

In progress (with Jake Linford)

MANDATING REPAIR SCORES

In progress, Berkeley Technology Law Journal

CONSUMER PERCEPTIONS OF THE RIGHT TO REPAIR

96 Indiana Law Journal 361 (2021)

ABANDONING COPYRIGHT

62 William & Mary Law Review 487 (2020) (with Dave Fagundes)

THE TETHERED ECONOMY

87 George Washington Law Review 783 (2019) (with Chris Jay Hoofnagle & Aniket Kesari)

CLOWN EGGS

94 Notre Dame Law Review 1314 (2019) (with Dave Fagundes)

THE LIMITS OF COPYRIGHT OFFICE EXPERTISE

32 Berkeley Technology Law Journal 733 (2018)

WHAT WE BUY WHEN WE "BUY NOW"

165 University of Pennsylvania Law Review 315 (2017) (with Chris Jay Hoofnagle)

RECONCILING PERSONAL & INTELLECTUAL PROPERTY

90 Notre Dame Law Review 1213 (2015) (with Jason Schultz)

TATTOOS & IP NORMS

98 Minnesota Law Review 511 (2013)

COPYRIGHT EXHAUSTION AND THE PERSONAL USE DILEMMA

96 Minnesota Law Review 2067 (2012) (with Jason Schultz)

DIGITAL EXHAUSTION

58 UCLA Law Review 889 (2011) (with Jason Schultz)

Reprinted in Intellectual Property Law Review (West 2012)

FIXING RAM COPIES

104 Northwestern University Law Review 1067 (2010)

UNBRANDING, CONFUSION & DECEPTION

24 Harvard Journal of Law & Technology 1 (2010)

RETHINKING ANTICIRCUMVENTION'S INTEROPERABILITY POLICY

42 UC Davis Law Review 1549 (2009)

THE PENUMBRAL PUBLIC DOMAIN:

CONSTITUTIONAL LIMITS ON QUASI-COPYRIGHT LEGISLATION

10 University of Pennsylvania Journal of Constitutional Law 1081 (2008)

THE MAGNIFICENCE OF THE DISASTER:

RECONSTRUCTING THE SONY BMG ROOTKIT INCIDENT

22 Berkeley Technology Law Journal 1157 (2007) (with Deirdre Mulligan)

RELATIVE ACCESS TO CORRECTIVE SPEECH:

A NEW TEST FOR REQUIRING ACTUAL MALICE

94 California Law Review 833 (2006)

SHORT ARTICLES

YOU BUY IT, YOU BREAK IT

74 Washington & Lee Law Review 527 (2017)

THE INTERACTION OF EXHAUSTION AND THE GENERAL LAW

102 Virginia Law Review Online 8 (2016) (with Ariel Katz & Guy Rub)

LEGISLATING DIGITAL EXHAUSTION

28 Berkeley Technology Law Journal 1535 (2015) (with Jason Schultz)

AFTERWORD: CONFERRING ABOUT THE CONFERENCE

52 Houston Law Review 679 (2015) (with Jessica Silbey & Marketa Trimble)

IN DEFENSE OF INTELLECTUAL PROPERTY ANXIETY

94 Minnesota Law Review Headnotes 85 (2010)

EVOLVING STANDARDS & THE FUTURE OF THE DMCA ANTICIRCUMVENTION RULEMAKING

10 Journal of Internet Law 1 (2007)

USER CHOICES AND REGRET:

UNDERSTANDING USERS' DECISION PROCESS ABOUT CONSENSUALLY ACQUIRED SPYWARE

2 I/S: Journal of Law & Policy 283 (2006) (with Nathaniel Good, Jens Grossklags, David Thaw & Deirdre Mulligan)

PROMETHEUS RADIO PROJECT V. FCC: THE PERSISTENCE OF SCARCITY

20 Berkeley Technology Law Journal 743 (2005)

BRIEFS & FILINGS**TESTIMONY OF IP PROFESSORS ON RIGHT TO REPAIR BILLS**

Submitted to California, Colorado, Delaware, Florida, Maryland, Nevada, New York, Oregon, and Washington legislatures (2021)

BRIEF OF INTELLECTUAL PROPERTY PROFESSORS

Capitol Records v. ReDigi (No. 16-2321) (2d Cir. 2017)

BRIEFS OF INTELLECTUAL PROPERTY PROFESSORS & AMERICAN ANTITRUST INSTITUTE

Impression Products v. Lexmark 581 U.S. __ (2017)

Impression Products v. Lexmark (No. 15-1189) (supporting certiorari)

Lexmark v. Impression Products, 816 F.3d 721 (Fed. Cir. 2016)

COMMENT OF INTELLECTUAL PROPERTY PROFESSORS

Software-Enabled Consumer Products Study, US Copyright Office (2016)

BRIEF OF TWENTY-FIVE INTELLECTUAL PROPERTY LAW PROFESSORS

Kirtsaeng v. John Wiley & Sons, 568 U.S. 519 (2013)

BRIEF OF THIRTY-ONE INTELLECTUAL PROPERTY AND CONSTITUTIONAL LAW PROFESSORS

United States v. Martignon, 492 F.3d 140 (2d Cir. 2007)

BRIEF OF LAW PROFESSORS WITH EXPERTISE IN INTERNET LAW

Barrett v. Rosenthal, 40 Cal. 4th 33 (Cal. 2006)

COMMENT OF EDWARD FELTEN & J. ALEX HALDERMAN

Rulemaking on Exemptions from Prohibition on Circumvention of Technological Measures, US Copyright Office (2006)

BRIEF OF SIXTY INTELLECTUAL PROPERTY AND TECHNOLOGY LAW PROFESSORS AND THE UNITED STATES PUBLIC POLICY COMMITTEE OF THE ASSOCIATION FOR COMPUTING MACHINERY

Metro-Goldwyn-Mayer Studios v. Grokster, 545 U.S. 13 (2005)

Reprinted in 20 Berkeley Technology Law Journal 535 (2005)

BRIEF OF CONSUMERS UNION AND PUBLIC KNOWLEDGE

Davidson & Associates v. Jung, 422 F.3d 630 (8th Cir. 2005)

SPEAKING**THE EMERGENT RIGHT TO REPAIR**

UC Berkeley School of Law / BCLT Annual Symposium
April 22 & 29, 2022 / Co-organizer (with Pam Samuelson)

CAMPAIGNS, COPYRIGHT & TARNISHMENT

WIPIP / Saint Louis University / February 19, 2022

AALS / Bring The Noise: IP in Tumultuous Times / January 7, 2022

INTA Symposium / January 14, 2022

University of Pittsburgh / IP Colloquium / January 28, 2022

DIGITAL OWNERSHIP & THE FUTURE OF LIBRARY COLLECTIONS

Internet Archive / Library Leaders Forum / October 13, 2021

BRIEFING ON DIGITAL OWNERSHIP

National Telecommunications & Information Administration
July 26, 2021

THE RIGHT TO REPAIR

ABA Antitrust Spring Meeting / April 6, 2022
Niskanen Center / January 20, 2022
Copyright Society of the USA / April 13, 2021

HEARING ON HOUSE BILL 21-1199

Colorado General Assembly / March 25, 2021

THE END OF LIBRARY OWNERSHIP?

Library Futures / February 22, 2021

ABANDONING COPYRIGHT

University of Pittsburgh / IP Colloquium / January 30, 2020
DePaul College of Law / IP Scholars Conference / August 8, 2019
University of Houston / Works in Progress IP / February 9, 2019

THE RIGHT TO REPAIR, IP, AND INNOVATION

IP & Innovation Conference / Suffolk University / October 29, 2019

THE TETHERED ECONOMY

Arizona State University College of Law / Governance of Emerging
Technologies / May 23, 2019
Yale Law School / (Im)Perfect Enforcement / April 6, 2019

TRADEMARK CONFUSION & CONSUMER CREDULITY

USPTO / Roundtable on Empirical Methods in IP / April 13, 2019

FAIR USE & CONTROLLED DIGITAL LENDING

CWRU / Fair Use Week / February 13, 2019

IP EXHAUSTION & POST-SALE RESTRICTIONS

AALS Annual Meeting / New Orleans / January 4, 2019

INTELLECTUAL PROPERTY'S ECONOMIC FOUNDATIONS

BYU Copyright & Trademark Symposium / October 18, 2018

CLOWN EGGS

University of Tulsa College of Law / October 15, 2018
Wayne State University School of Law / September 17, 2018
CWRU / Works in Progress IP / February 17, 2018
Case Downtown / City Club of Cleveland / October 18, 2017
Cardozo Law School / IP Scholars Conference / August 11, 2017
Boston University / Works in Progress IP / February 11, 2017

THE INTERNET OF THINGS YOU DON'T OWN

Law & Society / Toronto ON / June 9, 2018

HOW SCIENTOLOGY & PORN SHAPED THE INTERNET

RightsCon / Toronto ON / May 17, 2018

RESALE MARKETS FOR DIGITAL MUSIC

New Music Ecosystem / University of Washington & KEXP
May 4, 2018

THE LIMITS OF COPYRIGHT OFFICE EXPERTISE

UC Berkeley School of Law / Administrative Law of IP
April 12, 2018

THE END OF OWNERSHIP

University of Windsor / April 6, 2018
University of Chile / Civil Law Congress / March 13, 2018
CopyCamp / Warsaw PL / September 28, 2017
SXSW Interactive / Austin TX / March 15, 2017
UC Berkeley School of Law / BCLT / February 2, 2017
R Street Institute / Washington DC / December 2, 2016
Harvard University / Berkman Klein Center / November 15, 2016
Yale Law School / Information Society Project / November 3, 2016
Electronics Reuse Conference / Houston TX / October 24, 2016
Chicago-Kent College of Law / October 19, 2016
UC Berkeley School of Law / Software IP / April 15, 2016
University of Denver / Future World IP / February 4, 2016
CWRU School of Law / Barrister's Lecture / October 10, 2015
University of Hawaii School of Law / April 30, 2015
City Club of Cleveland / March 18, 2015
Lewis & Clark Law School / IP in the Trees / March 6, 2015
US Patent & Trademark Office / Works in Progress / February 6, 2015

WORKS IN PROGRESS IP

CWRU School of Law / February 16-17, 2018
Conference Organizer

GLOBAL PATENT LICENSING POST-LEXMARK

Stanford Law School / Patents in Global Perspective
October 20, 2017

DIGITAL LENDING WORKSHOP

Internet Archive / San Francisco CA / May 24, 2017

WHAT WE BUY WHEN WE "BUY NOW"

United States Patent & Trademark Office / April, 18 2017
University of Washington / Art & Science of IP Deals / April, 8 2017
University of Pennsylvania / Law Review / November, 29 2016
Stanford Law School / IP Scholars Conference / August 11, 2016
Federal Trade Commission / April 5, 2016
University of Washington / Works in Progress / February 19, 2016
White House / Office of Science & Tech Policy / December 14, 2015
New America / Open Technology Institute / December 14, 2015
Indiana University School of Law / IP Seminar / October 22, 2015
Michigan State University / IP Seminar / October 13, 2015
DePaul College of Law / IP Scholars Conference / August 7, 2015
Ohio State University College of Law / July 23, 2015

COPYRIGHT SMALL CLAIMS ROUNDTABLE

UC Berkeley School of Law / BCLT / February 3, 2017

THE PSYCHOLOGY AND SOCIOLOGY OF CREATIVITY AND IP

Stanford Law School / September 9-10, 2016

DECEPTION ROUNDTABLE

University of Notre Dame Law School / May 20, 2016

SOFTWARE-ENABLED CONSUMER PRODUCTS STUDY

United State Copyright Office / May 18, 2016

WORKSHOP ON CYBERSECURITY RESEARCH

UC Berkeley School of Law / April 9-10, 2015

INTERNATIONAL IP EXHAUSTION

CWRU School of Law / The Digital Border / March 20, 2015

CREATIVITY WITHOUT LAW

Conference Organizer / CWRU School of Law / November 7, 2014

Cosponsored by Harvard Berkman Center for Internet & Society

RECONCILING PERSONAL & INTELLECTUAL PROPERTY

Northeast Ohio Faculty Colloquium / October 31, 2014

University of British Columbia / ALPS / May 2, 2014

Santa Clara School of Law / Works in Progress/ February 8, 2014

Indiana University McKinney School of Law / January 28, 2014

Cardozo Law School / IP Scholars Conference / August 8, 2013

RECALIBRATING COPYRIGHT

University of Houston IPIL National Conference / May 31, 2014

**U.S. PATENT AND TRADEMARK OFFICE COPYRIGHT GREEN PAPER
ROUNDTABLE**

Vanderbilt University Law School / May 21, 2014

LEGISLATING DIGITAL EXHAUSTION

UC Berkeley School of Law / The Next Great Copyright Act

April 3, 2014

TATTOOS & IP NORMS

University of Idaho College of Law / March 10, 2014

Cleveland Intellectual Property Law Association / January 9, 2014

CWRU School of Law / Student Scholarship Lecture / November 20,

2013 University of Akron School of Law / February 27, 2013

University of Notre Dame Law School / November 20, 2012

Whittier Law School / September 20, 2012

Stanford Law School / IP Scholars Conference / August 10, 2012

ALTAI @ 21 ROUNDTABLE

UC Berkeley School of Law / BCLT / October 25, 2013

INTELLECTUAL PROPERTY V. PERSONAL PROPERTY

Computers, Freedom & Privacy / Washington DC / June 25, 2013

THE FUTURE OF COPYRIGHT'S FIRST SALE DOCTRINE

Columbia University / American Assembly / May 17, 2013

GENERALIZING IP NORMS

University of Notre Dame Law School / Knockoff Economy Roundtable / January 18, 2013

READERS AS OWNERS

New York Law School / In re Books / October 26, 2012

IS COPYRIGHT'S FIRST SALE DOCTRINE DYING?

American Bar Association / Section of IP Law / June 28, 2011

TECHNOLOGICAL TRANSPARENCY AND ACCOUNTABILITY

UC Berkeley School of Law / Samuelson Clinic Tenth Anniversary April 1, 2011

DIGITAL EXHAUSTION

UC Berkeley School of Law / IP Scholars Conference August 12, 2010

UNBRANDING, CONFUSION & DECEPTION

University of Michigan Law School / IP Workshop / March 24, 2010

FIXING RAM COPIES

Cardozo Law School / IP Scholars Conference / August 6, 2009

RETHINKING ANTICIRCUMVENTION'S INTEROPERABILITY POLICY

Microsoft Corporation / December 16, 2008

Stanford Law School / IP Scholars Conference / August 7, 2008

EXEMPTION PROPOSAL TESTIMONY

US Copyright Office / Anticircumvention Rulemaking March 31, 2006

SERVICE**PROMOTION & TENURE COMMITTEE**

Chair / 2017 to 2019, 2021 to 2022

FACULTY SENATE

Senator / 2016 to 2019

Executive Committee / 2018 to 2019

IP POLICY REVIEW COMMITTEE

2017 to 2019

INFORMATION TECHNOLOGY ADVISORY COMMITTEE

2015 to 2022

WORKS IN PROGRESS IP CONFERENCE

Board member / 2018 to present

Chair / 2018 to 2019

PEER REVIEWER

Harvard Law Review, NYU Law Review, Stanford Law Review, Yale Law Journal, Cambridge University Press, MIT Press, Oxford University Press

LEGAL PRACTICE**FENWICK & WEST LLP**

Litigation Associate / 2006 to 2008 / San Francisco CA

ELECTRONIC FRONTIER FOUNDATION

Legal Intern / 2006 / San Francisco CA

SAMUELSON LAW, TECHNOLOGY & PUBLIC POLICY CLINIC

Student Attorney / 2004 to 2006 / UC Berkeley School of Law

MEDIA

Featured in outlets including Associated Press, BBC, Bloomberg, CBC, Economist, Financial Times, Forbes, Harper's, LATimes, NBC, New Yorker, NPR, Playboy, la Repubblica, Reuters, Slate, Variety, Vice, Vox, Wall Street Journal, Washington Post, and Wired
