The Engelberg Center provides a unique environment where scholars can examine the law and policy that best support innovation. Over the years, the Engelberg Center has fostered interdisciplinary and collaborative research on innovation law and policy. In doing so, the Center has attracted legal scholars and practitioners, government officials, economists, physical scientists, engineers, historians, industry experts, and others who study, theoretically and empirically, the incentives that motivate innovators, how those incentives vary among different types of creative endeavor, and the laws and policies that help or hinder them. The Engelberg Center facilitates programming, publications, and other interactions that refine our understanding of the legal and policy implications of this research and that communicate those implications to stakeholders and decision makers, both nationally and internationally.

In addition to the world-class faculty and scholars it attracts, the Engelberg Center draws on the diversity of New York City, which is a center for creativity in advertising, art, cuisine, entertainment, fashion, financial services, graphic design, law, life sciences, literature, marketing, music, and technology, among other fields. We seek to enhance the ecosystem that supports close connections between IP scholars and the innovator community in and around the city.

Alfred B. Engelberg ’65 generously endowed the Engelberg Center on Innovation Law & Policy as a patent examiner, a patent agent, a patent attorney in the Department of Justice, a member of the legislative process that led to the Patent Term Restoration Act of 1984 (the “Hatch-Waxman Act”).

BARTON BEEBE
John M. Deearmas Professor of Intellectual Property Law

Barton Beebe specializes in the doctrinal, empirical, and cultural analysis of intellectual property law. He has been the Anne Urowsky Visiting Professor of Law at Yale Law School, a visiting professor of law at Stanford Law School, and a Visiting Research Fellow at Merton College, Oxford. He has also taught courses at Hebrew University, Jerusalem, the Centre d’Études Internationales de la Propriété Intellectuelle at the Université de Strasbourg, the Munich Intellectual Property Law Center, the State Intellectual Property Office of the People’s Republic of China, and the Hanken School of Economics in Helsinki, Finland. He is the author of *Trademark Law: An Open-Source Casebook* v. 4.0 (2017).

Recent Publications
- “Is Trademark Dilution a Unicorn? An Experimental Investigation” (forthcoming) (with Roy Germain, Christopher Sprigman, and Joel Teitel)
- Trademark Law: An Open-Source Casebook v. 4.0 (2017)
Innovation, and Information Law Program
Pauline Newman Professor of Law; Co-Director, Competition, ROCHELLE DREYFUSS

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its Project on Intellectual Property and is currently an adviser on
American Law Institute, Professor Dreyfuss was the Reporter for
Chief Justice Warren Burger (US Supreme Court). A member of the
she clerked for Chief Judge Wilfred Feinberg (Second Circuit) and
issues arising in intellectual property litigation, particularly in the
A trained research chemist, Rochelle Cooper Dreyfuss focuses
areas, Professor Dreyfuss has co-authored books on intellectual
property law and international intellectual property law.

Recent Publications
“On-Arting Technological Development: The Max Planck Declaration on Patent
Protection,” University of California Irvine Law Review (forthcoming) (with
Eisenbahn Danielos)

Introduction in The Oxford Handbook of Intellectual Property Law (Rochelle C. Dreyfuss
& Justice Pita, eds., Oxford University Press, forthcoming) (with Justice Pita)
Should the Patent and Trademark Office Be Allowed to Change Its Mind?


Enforcing Intellectual Property Claims Globally: When Rights Are Defined Territorially,
In The Internet and the Emerging Importance of New Forms of Intellectual Property (Guy

“A Contest for the Future: The Increasingly Strategic and Antitrust-Sensitive
Economic Espionage in Reality or Rhetoric: Equating Trade Secrecy with National

Entre la salud y las patentes: la disputa por la propiedad intelectual y el acceso a los
medicamentos en América Latina (ed con César Rodríguez-Garavito, Universidad de
los Andes, 2016)

Constructing an International Property Acquis for the Agricultural Sciences, in
The Intellectual Property-Regulatory Complex: Overcoming Barriers to Innovation in Agricultural
Genomes 211 (Emily Martin et al., eds., UBC Press, 2016)

Patents and Human Rights: The Paradox Re-Examined, in 3 Intellectual Property and
Access to Science and Culture: GenfSt or Converging? 54 (Christoph Geiger, ed.,
ICTSD/CIEPI, 2016)

ROCHELLE DREYFUSS
Pauline Newman Professor of Law; Co-Director, Competition, Innovation, and Information Law Program

A trained research chemist, Rochelle Cooper Dreyfuss focuses
her research and writing on the intersection between patents and
science and examines the implications of technological change
on patent law and policy. Her other interests include procedural
issues arising in intellectual property litigation, particularly in the
international context. After graduating from Columbia Law School, she
clerked for Chief Judge Wilfred Feinberg (Second Circuit) and
Chief Justice Warren Burger (US Supreme Court). A member of the
American Law Institute, Professor Dreyfuss was the Reporter for
its Project on Intellectual Property and is currently an adviser on
a Resident Fellow with Yale Law School’s Information Society
Project. She earned her BA summa cum laude in Computer
Science from Barnard College and her SM in Electrical
Engineering and Computer Science from MIT for research in
artificial intelligence and computational linguistics, and worked at
AT&T (Bell) Laboratories in those same areas. She received her
JD magna cum laude from Harvard Law School, serving as
Articles and Comments Editor of the Harvard Law Review and
Editor of the Harvard Journal of Law and Technology.

Recent Publications
“Taking Intellectual Property into Their Own Hands” (forthcoming) (with
Amy Adler)

“Claiming Design” (forthcoming) (with Mark McKenna)

“A Theory of Legal Protection for Industrial Design” (forthcoming) (with
Christopher Sprigman)

“Trademark Shrinkage” (forthcoming)

“Ara We Running Out of Trademarks? An Empirical Study of Trademark

“Forgotten Functionality,” 166 University of Pennsylvania Law Review Online
(forthcoming 2017) (with Christopher Buccafusco)

“Fashion’s Function in Intellectual Property Law,” 93 Notre Dame Law
Review (forthcoming 2017) (with Christopher Buccafusco)

Comment to United States Patent & Trademark Office on Possible Streamlined Version of Cancellation Proceedings on Grounds of
Abandonment and Nonuse (Aug. 14, 2017) (with Barton Beebe)


“A Theory of Legal Protection for Industrial Design” (forthcoming) (with
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Economic Espionage in Reality or Rhetoric: Equating Trade Secrecy with National

Patents and Human Rights: The Paradox Re-Examined, in 3 Intellectual Property and
Access to Science and Culture: GenfSt or Converging? 54 (Christoph Geiger, ed.,
ICTSD/CIEPI, 2016)

JEANNE FROMER
Professor of Law

Jeanne Fromer specializes in intellectual property, including
copyright, patent, trademark, trade secret, and design protection
laws. In 2011, she was awarded the American Law Institute’s
inaugural Young Scholars Medal for her scholarship in intellectual
property. Professor Fromer was a visiting professor at Harvard
Law School and also previously taught at Fordham Law School.
She was a law clerk to Justice David H. Souter (US Supreme
court) and Judge Robert D. Sack (Second Circuit). After working
at Hale and Dorr LLP (now WilmerHale) in intellectual property, she
was an Alexander Fellow with the NTU School of Law and a
Resident Fellow with Yale Law School’s Information Society
Project. She earned her BA sums cum laude in Computer
Science from Barnard College and her SM in Electrical
Engineering and Computer Science from MIT for research in
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Access to Science and Culture: GenfSt or Converging? 54 (Christoph Geiger, ed.,
ICTSD/CIEPI, 2016)
Recent Publications


Scott Hemphill teaches and writes about antitrust, intellectual property, and regulation of industry. He holds a JD and PhD in economics from Stanford, an AB from Harvard, and an MS in economics from the London School of Economics, where he studied as a Fulbright Scholar. He served as Antitrust Bureau Chief for the New York Attorney General and clerked for Judge Richard Posner on the US Court of Appeals for the Seventh Circuit, and Justice Antonin Scalia on the United States Supreme Court. Hemphill joined NYU from Columbia Law School, where he was a professor of law. Hemphill’s research focuses on the law and economics of competition and innovation. His scholarship ranges broadly, from drug patents to net neutrality to fashion and intellectual property. Recent work examines the antitrust problem of parallel exclusion in concentrated industries and anticompetitive settlements of patent litigation by drug makers. His scholarship has been cited by the United States Supreme Court and California Supreme Court, among others, and formed the basis for congressional testimony on matters of regulatory policy. His writing has appeared in law reviews, peer-reviewed journals, and the popular press, including the Yale Law Journal, Science, and the Wall Street Journal.

**Jason M. Schultz**
Professor of Clinical Law

Jason M. Schultz is a Professor of Clinical Law and Director of NYU’s Technology Law & Policy Clinic. His clinical projects, research, and writing primarily focus on the ongoing struggles to balance intellectual property and privacy law with the public interest in free expression, access to knowledge, and innovation in light of new technologies and the challenges they pose.

Prior to joining NYU, Professor Schultz was an Assistant Clinical Professor of Law and Director of the Samuelson Law, Technology & Public Policy Clinic at the UC Berkeley School of Law (Boalt Hall). Before joining Boalt Hall, he was a Senior Staff Attorney at the Electronic Frontier Foundation (EFF), one of the leading digital rights groups in the world and before that practiced intellectual property law at the firm of Fish & Richardson, PC. He also served as a clerk to the Honorable D. Lowell Jensen of the Northern District of California.

He is a member of the American Law Institute and was recently on leave to serve as Senior Advisor to United States Chief Technology Officer Megan Smith in the White House Office of Science and Technology Policy.

Recent Publications


“The Innovators of Things We Don’t Own,” Communications of the ACM (ACM/New York, N.Y.), May 2016, at 36

The End of Ownership: Personal Property in the Digital Economy (MIT Press, 2016) (with Aaron Perzanowski)

CHRISTOPHER SPRIGMAN
Professor of Law

Chris Sprigman teaches intellectual property law, antitrust law, competition policy, and comparative constitutional law. His scholarship focuses on how legal rules affect innovation and the deployment of new technologies. He is the author of numerous articles both in law reviews and in the popular press, as well as a book, The Knockoff: Copyright. Sprigman received his BA with honors from the University of Pennsylvania in 1988. He attended the University of Chicago Law School, serving as a comment editor of the University of Chicago Law Review and graduating with honors in 1993. Following graduation, Sprigman clerked for Judge Stephen Reinhardt of the US Court of Appeals for the Ninth Circuit, and for Justice Lourens H. W. Ackermann of the Constitutional Court of South Africa. Sprigman also taught at the law school of the University of the Witwatersrand, in Johannesburg, South Africa. From 1999 to 2001, Sprigman served as appellate counsel to the Antitrust Division of the US Department of Justice, where he worked on US v. Microsoft, among other matters. Sprigman then joined the Washington, D.C., office of King & Spalding, where he was elected a partner in 2003. He left private law practice to become a Residential Fellow at the Center for Internet and Society at Stanford Law School. He joined the University of Virginia faculty in 2005, and moved from UVA to NYU School of Law in 2013.

KATHERINE STRANDBURG
Alfred E. Engelberg Professor of Law

Katherine Strandburg concentrates her teaching and research in the areas of patent law and innovation policy and information privacy law. Her scholarship considers how the law in these areas should reflect the importance of collaboration and social interactions and respond to technological change. Her legal analysis is informed by studies of user innovation and of knowledge commons governance.

Professor Strandburg obtained her law degree from the University of Chicago Law School with high honors in 1995 and served as a law clerk to the Honorable Richard D. Clifton of the US Court of Appeals for the Seventh Circuit. She is an experienced litigator, is licensed to practice before the United States Patent and Trademark Office, and has authored several amicus briefs to the Supreme Court and federal appellate courts dealing with patent law and privacy issues.

Recent Publications

Katherine Strandburg was a research assistants to the program at Argonne National Laboratory, having received her PhD from Cornell University in 1984 and conducted postdoctoral research at Carnegie Mellon. She was a visiting faculty member of the physics department at Northwestern University from 1990 to 1992.
ANNE HASSETT
Executive Director
Anne Hassett joined the Engelberg Center following a distinguished 30-year career as a trial lawyer in complex business litigation, in particular intellectual property litigation. Anne most recently was a senior partner in the patent litigation practice at Goodwin Procter LLP and previously was a partner in the intellectual property practice at Kirkland & Ellis LLP. Anne received her BS summa cum laude in chemistry from SUNY Albany, AM in chemistry from Harvard University, and JD cum laude from U.C. Hastings College of the Law. Anne was Editor-in-Chief of the Hastings Law Review and named to the Order of the Coif and the Thurston Society. She is currently the President of the New York Intellectual Property Law Association (NYIPLA), works closely with NYIPLA’s Legislative Action Committee, and is a member of the Honorable William C. Conner Inn of Court. Anne is Of Counsel to Amster, Rothstein & Ebenstein LLP. She is also a research scholar at NYU School of Law, with a particular interest in how diversity enhances innovation. Anne has an adjunct faculty appointment at NYU School of Law and co-taught Life Sciences Patent Law in Spring 2017.

NICOLE ARZT
Program Coordinator
Nicole Arzt has overseen the daily operations of the Engelberg Center on Innovation Law & Policy since 2000 and coordinates the Center’s various programs. Nicole recently received NYU’s Give-A-Violet award, which annually recognizes NYU staff who perform above and beyond the normal scope of their responsibilities. She holds a BA in Fashion Merchandising with a minor in business from the University of Maryland.

OCTOBER 14
Barton Beebe and Scott Hemphill
NYU School of Law
The Scope of Strong Marks: Should Trademark Law Protect the Strong More than the Weak?

OCTOBER 27
Dr. Barbara Lauriat
King’s College London, The Dickson Poon School of Law
The Implications and Challenges of Arbitrating International Intellectual Property Disputes

NOVEMBER 18
Jeanne Fromer
NYU School of Law
Opening Design (with Mark McKenna)

NOVEMBER 29
Jessica Silbey
Northeastern University School of Law
The Art and Business of Photography in the Digital Age (with Peter DiCola and Eva Subotnik)

DECEMBER 8
David Abrams
University of Pennsylvania Law School and The Wharton School
The Patent Troll: Benign Middleman or Stick-up Artist?

MAY 5
Amanda Lewandowski
NYU School of Law
How Copyright Law (Un)Molds Artificial Intelligence

MAY 22
Alexander Paulsrett
Engelberg Center Distinguished Visiting Scholar in Residence; Goethe University Frankfurt am Main
Rethinking the Ontology of IP

ENGELBERG CENTER FACULTY TALKS
HARRY FIRST
Charles L. Denison Professor of Law

HARRY FIRST is Co-Director of the Competition, Innovation, and Information Law Program and a specialist in antitrust and business crime. First’s recent work includes articles on antitrust, markets, developing countries, and global governance, and casebooks on US antitrust law and European Union law.

AMY ADLER
Emily Kemper Professor of Law

AMY ADLER is a leading scholar of art law. Amy Adler specializes in the legal regulation of artistic expression, sexuality, and free speech.

JANE ANDERSON
Assistant Professor of Anthropology and Museum Studies, NYU

JANE ANDERSON’s research focuses on the intersection of indigenous knowledge with intellectual property law and the complicated legal and social justice problems that this intersection presents. She is also an expert consultant for the World Intellectual Property Organization on a number of policy proposals for the protection of traditional knowledge and cultural expressions.

RICHARD EPSTEIN
Laurence A. Tisch Professor of Law

RICHARD EPSTEIN is a renowned commentator on law and society. He won an Emmy for his work on NBC’s The Constitution: That Delicate Balance and served for two decades as the legal editor for ABC’s Good Morning America.

HILA LIFSHITZ-ASSAF
Assistant Professor of Information, Operations and Management Sciences, NYU Stern School of Business

HILA LIFSHITZ-ASSAF’s research focuses on developing an in-depth empirical and theoretical understanding of the complex interplay of science, technology, and society past and present with a focus on the United States. His particular research interests include the history of science, technology, and science, arms, and the state.

Myles Jackson
Gallatin Research Excellence Professor, NYU Gallatin School of Individualized Study

MYLES JACKSON is an Emmy award-winning commentator on law and society. He is a renowned commentator on law and society, and he won an Emmy for his work on NBC’s The Constitution: That Delicate Balance and served for two decades as the legal editor for ABC’s Good Morning America.

ELEANOR FOX
Walter J. Dorfman Professor of Trade Regulation

ELEANOR FOX is a prominent antitrust and competition law scholar. Her recent work includes articles on antitrust, markets, developing countries, and global governance, and casebooks on US antitrust law and European Union law.

DEEPAK HEGDE
Associate Professor of Management and Organizations, NYU Stern School of Business

DEEPAK HEGDE’s research focuses on the unique challenges posed by innovation to business strategy and public policy (principally the production and commercialization of new ideas). He studies high-tech industries including biomedical and information and communication technologies.

Myles Jackson
Gallatin Research Excellence Professor, NYU Gallatin School of Individualized Study

MYLES JACKSON is an Emmy award-winning commentator on law and society. He is a renowned commentator on law and society, and he won an Emmy for his work on NBC’s The Constitution: That Delicate Balance and served for two decades as the legal editor for ABC’s Good Morning America.

HILA LIFSHITZ-ASSAF
Assistant Professor of Information, Operations and Management Sciences, NYU Stern School of Business

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FLORENCIA MAROTTA-WURGLER
Professor of Law

FLORENCIA MAROTTA-WURGLER is an expert in online and standard form contracting. Her research has addressed online standard form contracting with delayed disclosure, contracting in the presence of seller market power, and dispute resolution clauses. She has recently working on a large empirical project on consumer privacy policies online and on the effectiveness of the Federal Trade Commission’s privacy enforcement actions.
ADJUNCT FACULTY

JODI BALSAM
Associate Professor of Clinical Law, Brooklyn Law School

MITCH ENGLER
Professor of Law, Cardozo Law School

KIEL BRENNAN-MARQUEZ
Research Fellow, Information Law Institute, NYU School of Law

DAVID H. BERNSTEIN
Partner, Debevoise & Plimpton

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Partner, Paul, Weiss, Rifkind, Wharton & Garrison LLP

DOUGLAS HAND
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ANNE HASSEY
Executive Director, NYU Center on Law & Security

DAY KROLIK
Senior Vice-President Labor Relations and Talent Negotiations, NBCUniversal (retired)

VINAY JAIN
Vice President and Senior Counsel for Technology & IP, American Express Global Business Travel

AMANDA LEVENDOWSKI
Clinical Teaching Fellow, NYU Law Technology Law & Policy Clinic; Affiliate Researcher, NYU Information Law Institute

GUILLERMO JIMENEZ
Professor, Polytechnic Institute of Technology

MICHAEL KASDAN
Partner, Wiggin and Dana LLP

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Staff Attorney, ACLU Center for Democracy

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Executive Vice President, Strategic Policy Advisor to the Chair and CEO of Verizon Communications (retired)

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DAVID PASHMAN
Assistant General Counsel, Meetup, Inc.

ROSE SCHWARTZ
Partner, Franklin, Weinrib, Rudell & Vassallo, PC

ERIC STONE
Partner, Paul, Weiss, Rifkind, Wharton & Garrison LLP

BRUCE WEXLER
Partner, Paul Hastings LLP

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Staff Attorney, Speech, Privacy & Technology Project, American Civil Liberties Union

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Assistant General Counsel, The New York Times

NICHOLAS GORDON
Partner, Franklin, Weinrib, Rudell & Vassallo, PC

DAVID PASHMAN
Assistant General Counsel, Meetup, Inc.
AMAN GABRI
Post-Doctoral Global Fellow
Ethiopia

Aman Gaba’s research interests are intellectual property, innovation, and development. He has taught intellectual property law (domestic and international), international investment law, and law and development at the University of Ontario Institute of Technology and Heriot-Watt University. As a Post-Doctoral Global Fellow at NYU School of Law, Gabri researched and wrote Challenges in the Intellectual Property Protection of Traditional Knowledge: Searching for Solutions Using Proprietary and Open-Innovation Concepts.

CHRISTOPHE GEIGER
Professor, Director General and Director of the Research Department of the Centre for International Intellectual Property Studies (CEIPI), University of Strasbourg

Christophe Geiger specializes in national, European, international, and comparative copyright and intellectual property law and acts as external expert for the European Parliament and the European Union Intellectual Property Office (EUIPO). Geiger was a Global Professor of Law at NYU School of Law in Spring 2017 and taught a seminar on Intellectual Property and Human Rights.

SEVERINE DUSOLLIER
Professor, Institut d’Etudes Politiques (Sciences Po Paris)

Séverine Dusollier’s current research focuses on copyright, including changes of authorship models in contemporary art and in digital practices, focusing on open source and free licensing.

ADRIAN KUENZLER
Branco Weiss Fellow, Society in Science, Swiss Federal Institute of Technology (ETH) Zurich

Adrian Kuenzler’s scholarship draws on insights from the behavioral sciences to document the law’s role in stimulating new innovation and economic growth. Kuenzler specializes in national, European, international, and comparative copyright and intellectual property law and acts as external expert for the European Parliament and the European Union Intellectual Property Office (EUIPO). Kuenzler is also an expert for the German Association of Law and Economics. In his role as a Global Professor of Law at NYU School of Law in Spring 2017, Kuenzler taught a seminar on Intellectual Property and Human Rights.

CHRISTOPHE GEIGER
Professor, Director General and Director of the Research Department of the Centre for International Intellectual Property Studies (CEIPI), University of Strasbourg

Christophe Geiger specializes in national, European, international, and comparative copyright and intellectual property law and acts as external expert for the European Parliament and the European Union Intellectual Property Office (EUIPO). Geiger was a Global Professor of Law at NYU School of Law in Spring 2017 and taught a seminar on Intellectual Property and Human Rights.

ARGYRI PANEZI
Post-Doctoral Global Fellow
Greece

Argyri Panazi studies the intersection of intellectual property law, technology, and access to knowledge. Panazi’s research as a Post-Doctoral Global Fellow at NYU School of Law examined the impact of digitization on the future of public libraries and, specifically, their strategies to adapt to the digital era and provide access to a broader demographic.

ALEXANDER PEUKERT
Professor of Law, Goethe University Frankfurt am Main

Alexander Peukert is a Distinguished Scholar in Residence affiliated with the Engelberg Center on Innovation Law & Policy. He is a professor of civil law and commercial law, and is involved in developing a novel set of responses to problems of consumer sovereignty within antitrust and intellectual property law. As a Post-Doctoral Global Fellow at NYU School of Law, Peukert conducted research on advertising and consumer sovereignty.

NARI LEE
Professor of Intellectual Property, Hanken School of Economics, Finland

Nari Lee’s research focuses on the intersection of law and technology. The topics of her recent publications include open innovation, pharmaceutical patents, and the governance of intellectual property in China and Europe. Her research project as a Senior Global Research Fellow at NYU School of Law focused on the interplay between disruptive innovation and intellectual property law, using 3D-printing technology as an example.

THEODOSIA STAVROULAKI
PhD Researcher, Department of Law, European University Institute

Theodotis Stavroulakis’s main areas of expertise include EU competition law, health law and policy, law and economics. Her PhD research project, which is entitled The Integration of Healthcare Quality Under a Competition Law Analysis: Current Challenges and Proposals for Further Development, examines how and to what extent health care quality may be taken into account under EU competition law. Stavroulakis won a prize for the Best Paper in Law and Economics by the Greek Association of Law and Economics. She won an in-residence research fellowship from the American Bar Association in 2015.

2016–17

2017–18

MARTIN SENFTLEBEN
Professor of Intellectual Property, Vrije Universiteit Amsterdam Faculty of Law

Martin Senftleben specializes in intellectual property law and information law. His current research activities concern cultural aspects of the protection of intellectual property such as the influence of copyright law on individual and collaborative processes of creation, particularly in the participative web 2.0, the role of (well-known) trademarks and transnational trademark registration systems in the exchange of cultural values; the use of protection mechanisms of intellectual property law with regard to the preservation of traditional cultural expression; and the evolution of competition culture and the protection against unfair competition in former centrally planned economies.

ADRIAN KUENZLER
Branco Weiss Fellow, Society in Science, Swiss Federal Institute of Technology (ETH) Zurich

Adrian Kuenzler’s scholarship draws on insights from the behavioral sciences to document the law’s role in stimulating new innovation and economic growth. Kuenzler specializes in national, European, international, and comparative copyright and intellectual property law and acts as external expert for the European Parliament and the European Union Intellectual Property Office (EUIPO). Kuenzler is also an expert for the German Association of Law and Economics. In his role as a Global Professor of Law at NYU School of Law in Spring 2017, Kuenzler taught a seminar on Intellectual Property and Human Rights.

SEVERINE DUSOLLIER
Professor, Institut d’Etudes Politiques (Sciences Po Paris)

Séverine Dusollier’s current research focuses on copyright, including changes of authorship models in contemporary art and in digital practices, focusing on open source and free licensing.

MARTIN SENFTLEBEN
Professor of Intellectual Property, Vrije Universiteit Amsterdam Faculty of Law

Martin Senftleben specializes in intellectual property law and information law. His current research activities concern cultural aspects of the protection of intellectual property such as the influence of copyright law on individual and collaborative processes of creation, particularly in the participative web 2.0, the role of (well-known) trademarks and transnational trademark registration systems in the exchange of cultural values; the use of protection mechanisms of intellectual property law with regard to the preservation of traditional cultural expression; and the evolution of competition culture and the protection against unfair competition in former centrally planned economies.

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TRIAL BY JURY OF PATENT CASES
September 30, 2016

This conference assembled distinguished federal jurists, academics, and practitioners to discuss whether the 7th Amendment guarantees a right to a jury trial in patent cases and to analyze, in a series of presentations and roundtable discussions, current issues and trends in how patent jury trials are conducted. The Honorable Kathleen O’Malley (Circuit Judge, United States Court of Appeals for the Federal Circuit) delivered the keynote address.

Anne Hassett and Steven Susman (Civil Jury Project; Susman Godfrey) organized this conference, which included the following debates, presentations, and roundtables:

Update on “Rush to Judgment? Trial Length and Outcomes in Patent Cases”
Mark Lemley (Stanford Law School)

Scholars’ Debate: Does the 7th Amendment Guarantee a Jury Trial in Patent Litigation?
Renée Lerner (George Washington University Law School)
James Oldham (Georgetown University Law Center)
Jeanne Fromer (moderator)

Judges Roundtable
Hon. William Conley, US District Court for the Western District of Wisconsin
Hon. Rodney Gilstrap, US District Court for the Eastern District of Texas
Hon. Leonard Stark, US District Court for the District of Delaware
Hon. William Young, US District Court for the District of Massachusetts
Scott Hemphill (moderator)

Summary of Patent Jury Trial Statistics
Margaret Diamond ’16 (Engelberg Center Student Research Fellow)

Scholars Roundtable
Colleen Chien (Santa Clara University School of Law)
Mark Lemley (Stanford Law School)
David Schwartz (Northwestern Pritzker School of Law)
Rochelle Dreyfuss (moderator)

Practitioners Roundtable
Juanita Brooks (Fish & Richardson)
Douglas Cawley (McKool Smith)
John Desmarais (Desmarais LLP)
William Lee (WilmerHale)
Steve Susman (Susman Godfrey) (moderator)
The 2016 IP Institute, co-hosted by the Engelberg Center and Cravath, Swaine & Moore LLP, brought together leading judges, scholars, business people, and lawyers in the field to discuss developments across a range of intellectual property topics. Professor Rochelle Dreyfuss and David J. Kappos, Partner, Cravath, Swaine & Moore LLP, organized the program.

The day-long event, which began with introductory remarks by the Honorable Colleen McMahon (US District Court for the Southern District of New York) and featured a demonstration of IBM's Watson technology, included the following presentations and panel discussions:

**Keynote Address**
Graham Moore, Author of *The Last Days of Night* and Academy Award-Winning Screenwriter of *The Imitation Game*

**Legislative Perspectives—Agenda for Congress and the New Administration**
Aaron Cooper, BSA|The Software Alliance; US Senate Judiciary Committee (former)
Noah Phillips, US Senate Judiciary Committee
David J. Kappos, Cravath, Swaine & Moore LLP (moderator)

**The Antitrust/IP Interface**
Scott Hemphill

**GC Perspectives on IP**
Michael D. Fricklas, Viacom
Horacio Gutierrez, Spotify
Donald J. Rosenberg, Qualcomm
David R. Marriott, Cravath, Swaine & Moore LLP (moderator)

**Europe’s New Patent Court and Patent System—Perspectives from European Experts**
Tommaso Faelli, BonelliErede
Dr. Wolfgang Kellenter, Hangeler Mueller
Susie Middlemiss, Slaughter and May
Rochelle C. Dreyfuss (moderator)

**Issues Towards Maturation of the US Post-Grant Review Process**
Anne Hassett
Jeffrey N. Myers, Pfizer
James D. Smith, Ecolab; US Patent Trial and Appeal Board (former)
David R. Marriott, Cravath, Swaine & Moore LLP (moderator)

**Mediation and Arbitration Perspectives from Presiding Judges**
The Honorable Joseph J. Farnan, Jr., US District Court for the District of Delaware (Retired)
The Honorable Faith Hochberg, US District Court for the District of New Jersey (Retired)
The Honorable Paul R. Michel, US Court of Appeals for the Federal Circuit (Retired)
Karin A. DeMasi, Cravath, Swaine & Moore LLP (moderator)

**Judicial Perspectives from Sitting Judges**
The Honorable Raymond T. Chen, US Court of Appeals for the Federal Circuit
The Honorable Denise L. Cote, US District Court for the Southern District of New York
The Honorable Leonard P. Stark, US District Court for the District of Delaware
Evan R. Chesler, Cravath, Swaine & Moore LLP (moderator)
The 2017 Tri-State Region IP Workshop brought together intellectual property scholars (including professors, fellows, visitors, graduate students, and practitioners) from New York, New Jersey, Connecticut, and Philadelphia to present their works in progress for commentary in a workshop environment. The papers examined issues concerning patent law, copyright law, teaching intellectual property, and intellectual property theory.

Professors Barton Beebe and Jeannie Fromer organized the 2017 workshop, which featured the following articles, presenters, and commentators:

**PATENT LAW I**
Mark Patterson, Fordham University School of Law

David Abrams, University of Pennsylvania Law School and The Wharton School
Bhaven Sampat, Columbia University Mailman School of Public Health
Drug Patents and Real Value Commentator: Amy Kapczynski, Yale Law School

**COPYRIGHT LAW**
Amy Adler, NYU School of Law
Should We Abolish Copyright for Visual Art? Commentator: Eva Subotnik, St. John’s University School of Law

Shyam Balganesh, University of Pennsylvania Law School
Copyright as Tortious Interference with a Market Prospect Commentator: Christina Mulligan, Brooklyn Law School

**TEACHING INTELLECTUAL PROPERTY**
James Grimmelmann, Cornell Tech and Cornell Law School
Excerpts from Patterns of Information Law course pack

**INTELLECTUAL PROPERTY THEORY**
Christopher Buccafusco, Benjamin N. Cardozo School of Law
Functionality Screens (with Mark Lemley, Stanford Law School) Commentator: Irina Manta, Maurice A. Deane School of Law, Hofstra University

Jeremy Sheff, St. John’s University School of Law
Excerpts from Making Progress Commentator: Christopher Brudiehamp, Brooklyn Law School

**PATENT LAW II**
Jonathan Ashtor, Skadden, Arps, Slate, Meagher & Flom LLP
Do Valid Patents Promote Progress? Commentator: Michael Burton, Cardozo School of Law and McKinsey

Janet Freilich, Fordham University School of Law
Patent Clutter Commentator: Katherine Strandburg

THE CRISPR PATENT BATTLE: IMPLICATIONS FOR DOWNSTREAM INNOVATION AND COMMERCIALIZATION IN GENE EDITING
March 21, 2017

Four expert panelists discussed several issues raised by the recent patent interference ruling at the US Patent Trial and Appeal Board between two universities (the MIT- and Harvard-affiliated Broad Institute versus the University of California, Berkeley) concerning their respective patent claims to the gene editing technology CRISPR/Cas9. Our expert panelists explained the importance of the CRISPR technology, which was developed via federal research grants, and the patent litigation issues. In particular, they offered their perspectives on how the recent ruling may affect the short-term strategy of companies seeking to innovate using the CRISPR platform and the longer-term implications of the university patentees’ CRISPR licensing strategies for downstream innovation using the CRISPR platform.

Anne Hassett organized the program and moderated the discussion among the panelists:
- Abram Goldfinger (Executive Director of the Office of Industrial Liaison at New York University)
- Lisa Larrimore Ouellette (Stanford Law School)
- Jacob Sherkow (New York Law School)
- Bruce Wexler (Partner, Chair of the Life Sciences Industry Practice Group, Paul Hastings)
PATENT LAW ESSENTIALS: WHAT SCIENTISTS, ENGINEERS, PHYSICIANS & ENTREPRENEURS NEED TO KNOW

March 25, 2017

The goal of this afternoon-long workshop was to help undergraduates, graduate students, post-docs, faculty, and alumni in science, engineering, medicine, business, and law appreciate the basics of US patent law as a guide to, among other things, when they should consult lawyers concerning their innovations. The Engelberg Center co-sponsored this program together with the NYU Entrepreneurial Institute and three student-run organizations at NYU School of Law: the NYU Intellectual Property & Entertainment Law Society; NYU Patent Law Reading Group; and the NYU Social Enterprise & Startup Law Group.

In addition to being co-sponsored by NYU School of Law student organizations, NYU School of Law students Stephen M. Hou ’17 and Julian G. Pymento ’17, both with engineering backgrounds, developed and taught this program. The workshop covered the basics of US patent law, including the patent application process, prosecution, litigation, and licensing. The program highlighted key issues that inventors should be aware of as they navigate the patenting process, discussed what recent developments in patent law mean for inventors, and drew examples ranging from the computer software to the pharmaceutical industries. The program was telecast live to NYU Abu Dhabi, Harvard University, the Massachusetts Institute of Technology, the Scripps Research Institute, and Stanford University.

ORACLE V. GOOGLE AND THE RISE OF THE API® DEAD

March 28, 2017

In an entertaining multimedia presentation, Peter S. Menell (UC Berkeley Law, Koret Professor of Law and Co-Director, Berkeley Center for Law & Technology) discussed the long-running IP litigation between Oracle and Google pending before the US Court of Appeals for the Federal Circuit. At issue in Oracle v. Google is whether Oracle can claim a copyright on Java APIs and, if so, whether Google infringes these copyrights. Professor Christopher Sprigman provided commentary.

JASON SCHULTZ BOOK TALK: THE END OF OWNERSHIP

April 4, 2017

In conversation with Professor Katrina Wyman (NYU School of Law), Professor Jason Schultz explained that he wrote the recently published book The End of Ownership (co-authored with Aaron Perzanowski) to focus attention on how the digital economy has changed traditional notions of ownership: “As technology has gotten more complex, and as the law has gotten more complex, there’s been a dramatic but gradual shift to a more ambiguous way of owning things—eventually to where we might never own anything. The shift in ownership in the digital economy has been happening behind the scenes, through deeply embedded digital device lockdowns and endless click-through licensing agreements that nobody—not even lawyers—pay attention to.” The book was published in October 2016, not long after Professor Schultz returned to campus from his service as a senior adviser on intellectual property and innovation in the White House Office of Science and Technology Policy.
INTERNATIONAL INTELLECTUAL PROPERTY LAW ROUNDTABLE

April 7-8, 2017

The Engelberg Center on Innovation Law & Policy hosted the 2017 International Intellectual Property Law Roundtable at NYU School of Law. Over two days, members of the Roundtable presented works in progress in a variety of fields, including international trademark law, trade secrecy law, and enforcement, as well as papers on topics at the intersection of intellectual property and development, human rights, and trade.

Professors Rochelle Dreyfuss and Irene Calboli (Texas A&M University School of Law) organized the conference, which featured the following presenters, papers, and moderators:

TRADEMARKS
Christine Farley, American University Washington College of Law
Martin Senftleben, Vrije Universiteit Amsterdam Faculty of Law
Lisa Ramsey, University of San Diego School of Law
Marketa Trimble, University of Nevada, Las Vegas, William S. Boyd School of Law
Moderator: Barton Beebe

IP AND DEVELOPMENT I
Ruth Oledji, University of Minnesota Law School
Irene Calboli (T exas A&M University School of Law)
Martin Sentilieb, Vrije Universiteit Amsterdam Faculty of Law
Lara Ramseger, University of San Diego School of Law
Moderator: Aman Gebru, Hauser Global Post-Doctoral Fellow, NYU School of Law (2016-17)

IP AND DEVELOPMENT II
Margaret Chon, Seattle University School of Law
Jorge Contreras, S. J. Quinney College of Law, University of Utah
Moderator: Katherine Strandburg

TRADE SECRETS
Sharon Sandeen, Mitchell Hamline School of Law
Nari Lee, Hauser Senior Global Research Fellow, NYU School of Law (2016-17)
Moderator: Rochelle Dreyfuss

ENFORCEMENT
Daniel Gervais, Vanderbilt University Law School
Peter Yu, Texas A&M University School of Law
Mary LeFrance, University of Nevada, Las Vegas, William S. Boyd School of Law
Moderator: Irene Calboli, Texas A&M University School of Law

THEME 1: Trademarks

Christine Farley, American University Washington College of Law
Global Trademark Law: Caring for Trademarks in a Multinational Context

Martin Senftleben, Vrije Universiteit Amsterdam Faculty of Law
Extending Article 8(1) of the Paris Convention for Trademarks with Cultural Significance—Nonsense or Necessary?

Lisa Ramsey, University of San Diego School of Law
Nontraditional Trademarks and Inherently Valuable Expression

Marketa Trimble, University of Nevada, Las Vegas, William S. Boyd School of Law
Territorialization of the Internet Domain Name System

Moderator: Barton Beebe

THEME 2: Intellectual Property and Trade

Keith Maskus, University of Colorado at Boulder
Intellectual Property-Related Preferential Trade Agreements and the Composition of Trade

Irene Calboli, Texas A&M University School of Law
Exhaustion and Trade

Susy Frankel, Victoria University of Wellington, Faculty of Law
It’s Raining Carrots: The Trajectory of Increased Intellectual Property Protection

Moderator: Anne Hassett

THEME 3: Trade Secrets

Sharon Sandeen, Mitchell Hamline School of Law
EU Trade Secrecy Directive

Nari Lee, Hauser Senior Global Research Fellow, NYU School of Law (2016-17)
The Problematic Object and Purpose of Trade Secret Protection

Moderator: Rochelle Dreyfuss

THEME 4: Intellectual Property and Development

Molly Land, University of Connecticut School of Law
The Monopoly Theory and the Geography of Human Rights and Intellectual Property

Christophe Geiger, Hauser Global Professor of Law, NYU School of Law (Spring 2017)
Centre for International Intellectual Property Studies (CEIPI), University of Strasbourg
Copyright as Private Ownership: How to Reassess Free Artistic Creation with Copyright Law in an International and Regional Legal Context

Moderator: Christopher Sprigman

THEME 5: Intellectual Property and Human Rights

Ruth Oledji, University of Minnesota Law School
International Copyright Limitations and Exceptions as Development Policy

Margo Kopay, Indiana University School of Law

Moderator: Anna Gabr, Hauser Global Post-Doctoral Fellow, NYU School of Law (2016-17)
At this day-long gathering co-hosted by the Engelberg Center and ETH Zurich, innovation and intellectual property scholars presented their works in progress for commentary in a workshop environment. The papers for review examined issues on a variety of topics concerning innovation and intellectual property protection in design. The program included keynote talks by design experts Judy Yee (Microsoft) and Michael Bierut (Pentagram). The conference concluded with a paper slam in which authors shared information and invited commentary on their works in early stages of development.

Professors Chris Sprigman and Stefan Bechtold (ETH Zurich) organized the conference. The presentations included the following speakers, papers, and commentators:

**Jeanne Fromer**, NYU School of Law  
**Mark McKenna**, Notre Dame Law School  
**Claiming Design**  
**Commentator**: Christopher Sprigman

**Daniel Gross**, Harvard Business School  
**Creatively Under Fire: The Effects of Competition on Creative Production**  
**Commentator**: Christopher Buccafusco, Benjamin N. Cardozo School of Law

**Bruce Tether**, Manchester Business School, University of Manchester  
**Design Registration and the Failure to Protect Design Innovations: Reflections on Magmatic vs. PMS International**  
**Commentator**: Stefan Bechtold, ETH Zurich

**Pamela Samuelson**, UC Berkeley Law  
**Exclusivity and Overlaps in Intellectual Property Regimes**  
**Commentator**: Katherine Strandburg

Keynote Presentation by **Judy Yee**, Microsoft

**Sarah Burstein**, The University of Oklahoma College of Law  
**Partial Design**  
**Commentator**: Barton Beebe

Keynote Presentation by **Michael Bierut**, Pentagram

**Subramanian Balachander**, UC Riverside School of Business  
**The Effects of a Product’s Aesthetic Design on Demand and Marketing Mix Effectiveness: The Role of Segment Prototypicality and Brand Consistency**  
**Commentator**: Joel Steckel, NYU Leonard Stern School of Business

**Paper Slam**

**The Irony of Functionality Screening** by Christopher Buccafusco, Mark Lemley, and Jonathan Mazer  
**Qualitative Investigations of Design** by Mark McKenna and Jessica Silbey  
**Furniture Design Protection and Innovation: EU vs. US** by Stefan Bechtold and Christopher Sprigman

**Joanne Fromer**, NYU School of Law  
**Mark McKenna**, Notre Dame Law School  
**Claiming Design**  
**Commentator**: Christopher Sprigman

**Daniel Gross**, Harvard Business School  
**Creatively Under Fire: The Effects of Competition on Creative Production**  
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**Qualitative Investigations of Design** by Mark McKenna and Jessica Silbey  
**Furniture Design Protection and Innovation: EU vs. US** by Stefan Bechtold and Christopher Sprigman
SELECTED OTHER EVENTS AT NYU SCHOOL OF LAW

NYU School of Law is home to a diverse range of academic centers, which often collaborate on an interdisciplinary approach to consideration of issues related to innovation. Here are a few recent examples:

COMPETITION AND GLOBALIZATION IN DEVELOPING ECONOMIES
October 28, 2016
Rapidly emerging economies are taking center stage in antitrust enforcement. This program considered the effect of global forces on developing countries’ competition law systems and the impact on the behavior of entrepreneurs, consumers, and the world. The conference was co-organized by Professors Harry First and Eleanor Fox ’61.

2017 ANNUAL SURVEY DEDICATION TO JUDGE PAULINE NEWMAN
February 21, 2017
The editorial staff of the NYU Annual Survey of American Law dedicated its 74th volume to Pauline Newman ’58, Circuit Judge of the US Court of Appeals for the Federal Circuit. Among Judge Newman’s colleagues and friends who spoke at the dedication were Raymond Chen ’94, Circuit Judge of the US Court of Appeals for the Federal Circuit, and Rochelle Dreyfuss, Pauline Newman Professor of Law.

COPYRIGHTING FASHION AFTER VARSITY BRANDS
February 24, 2017
This event, organized by the NYU Annual Survey of American Law, discussed Star Athletica, LLC v. Varsity Brands, Inc., which involved creative ways to evade surveillance, protect privacy, and improve security by adding, rather than concealing, data. This interdisciplinary workshop, sponsored by the NYU Information Law Institute, convened researchers, scientists, developers, and artists to discuss a broad range of technical, theoretical, and policy approaches to obfuscation, from tools that anonymize users’ social media data to new methods for writing code itself. Helen Nissenbaum was a co-organizer of the workshop.

A CONVERSATION WITH TWITTER GENERAL COUNSEL VIJAYA GADDE ’00
March 22, 2017
Twitter users have the power to shape politics and culture, and with that come questions about online abuse, anonymity, government surveillance, fake news, and more. Christopher Sprigman discusses these topics with Twitter General Counsel Vijaya Gadde ’00.

INTERNATIONAL WORKSHOP ON OBFUSCATION: SCIENCE, TECHNOLOGY, AND THEORY
April 7-8, 2017
Obfuscation strategies offer creative ways to evade surveillance, protect privacy and improve security by adding, rather than concealing, data. This interdisciplinary workshop, sponsored by the NYU Information Law Institute, convened researchers, scientists, developers, and artists to discuss a broad range of technical, theoretical, and policy approaches to obfuscation, from tools that anonymize users’ social media data to new methods for writing code itself. Helen Nissenbaum was a co-organizer of the workshop.

WHEN TRADEMARKS OFFEND
April 19, 2017
The Slants is an Asian-American band whose name was chosen to reappropriate a racial slur. Simon Tam, a social activist and frontman for the band, challenged the decision of the US Patent and Trademark Office denying registration of the band’s name, citing the Lanham Act’s prohibition on registration of any disparaging trademark. After a federal appeals court struck down that law on First Amendment grounds, the Supreme Court agreed to review Tam’s case. This program, presented after the oral argument in the Supreme Court but before the Court’s decision, considered, among other questions, whether disparaging marks used to sell football tickets and logo-bearing merchandise should be viewed through the same lens as those used by musicians who are members of the disparaged group trying to reclaim the slur and make a point. Simon Tam discussed the issues in a panel moderated by Jeanne Fromer.

ALGORITHMS AND EXPLAINABILITY SYMPOSIUM
April 27-28, 2017
Machine learning algorithms and similar data-driven approaches may enhance the accuracy and efficiency of decision-making processes, but the logic and rationale that underlie the ultimate decisions are opaque to human understanding. This symposium, organized by the NYU Information Law Institute and Katherine Strandburg and Kiel Brennan-Marquez, addressed whether decision makers who rely on such processes should be legally or ethically obligated to provide humanly meaningful explanations of individual decisions to those who are affected or to society at large.
HIGHLIGHTS OF 2017 EVENTS

This year, Engelberg Center faculty offered their perspectives to courts in a series of amicus curiae briefs.

Design features of cheerleader uniforms were the topic of debate at the Supreme Court when it heard arguments in Star Athletica, LLC v. Varsity Brands, Inc. in October 2016. The case centered on whether Varsity Brands could copyright its uniform designs, and many believed it could help clarify a major issue for the fashion industry: the kinds of intellectual property protections that are available for its products. In a 6-2 decision in March 2017, the Court ruled in favor of Varsity Brands.

Jeanne Fromer, Scott Hemphill, and Chris Sprigman filed separate amicus briefs in the case, and each took a different perspective on the question.

- United States Supreme Court, Brief of Amicus Curiae on Behalf of Intellectual Property Professors in Support of Petitioner, in Star Athletica, LLC v. Varsity Brands, Inc., No. 15-866 (Chris Sprigman with Mark Lemley, Mark McKenna, and Rebecca Tushnet) (2016)

Chris Sprigman focused on the constitutionality of the Trademark Dilution Law under the First Amendment and the application of principles of fair use in copyright to the creation of a database and its different functions, respectively, in separate amicus curiae briefs filed in two cases before the US Second Circuit Court of Appeals:


On behalf of over two dozen copyright law scholars, Jason Schultz and the students in his Technology Law & Policy Clinic filed an amicus brief in the appeal of Capitol Records, LLC v. ReDigi Inc., arguing that the language of the Copyright Act’s Section 109(a), its context, its history and the case law supported a broad reading of the first sale doctrine that would allow owners of particular digital phonorecords to use ReDigi’s service to transfer ownership. Jason Schultz recently argued the case before the US Second Circuit Court of Appeals on behalf of amici curiae.

Engelberg Center Faculty and Students Go to Court

Top row: Judge Pauline Newman’s colleagues on the court and in the field of intellectual property and patent law, as well as several of her former clerks, honored her scholarship, eloquence, and work ethic at the NYU Annual Survey of American Law dedication.

Left: Simon Tam discussed the Supreme Court showdown regarding his trademark case with Jeanne Fromer just two months before the Court decided in his favor.
The 17th Annual Intellectual Property Scholars Conference Honors Rochelle Dreyfuss

Professor Dreyfuss delivered the IPSC's first career retrospective on August 10, 2017. Here are some excerpts from her keynote address:*

I started teaching in 1983 and there are many differences between then and now. The first difference is evident in this room—the change in the size of the IP professoriate. Now, we write to a plus and minus. On the one hand, at the start of my career I could write about anything—there was no such thing as preemption; on the other hand, no one was there to read what I’d written. My first intellectual property conference was at the University of Virginia. There were around 20 of us and we looked at one another in amazement......

The second difference goes to why I started in the field. In my day you got to choose one course and one seminar. Everything else was assigned, whether you knew something about the topic or not. I chose civil procedure and a seminar in law and science. My initial assignment was environmental law, but that was soon changed to IP......

And that brings me to the third difference between then and now: how the academy thinks about intellectual property law..... Almost no one in the academy saw intellectual property as about anything but allocating rents among private parties. As far as the economy goes, transactions involving intellectual property were considered a sideshow. No one perceived any questions of theoretical interest or normative consequence about how the law was structured....

*Rochelle Dreyfuss's full keynote address can be found on the Engelberg Center website.

IP Scholars Comment on Professor Dreyfuss's Scholarship

The Continued Relevance of Dreyfuss's Work on Specialized IP Adjudication
Presenter: Melissa F. Wasserman '07 (University of Texas School of Law, Austin)

Rochelle Dreyfuss is one of a handful of scholars that helped make intellectual property law, and patent law in particular, a legitimate and important area of focus within the academy. In her work on specialized intellectual property adjudication, Professor Dreyfuss was one of the very first in the field to think deeply about design choices in the patent system. As the power dynamics of institutions in the patent system evolve, her body of work will continue to inform how future modifications to the institutional design of the patent system should proceed.

Why We Need To Read Rochelle Dreyfuss's Scholarship
Presenter: Graeme Dinwoodie (Faculty of Law, University of Oxford; Chicago-Kent College of Law)

One of the traits most emblematic of Rochelle's scholarship has been its engagement with other more general fields of law such as private international law. For 20 years, her careful and enlightened scholarship on that intersection shows that one can embrace an internationalist approach to transnational IP litigation without impairing the substantive balance of domestic US law. Those two decades of writing should be essential reading for scholars, stakeholders, and policymakers as a Judgment Convention returns to the Hague Conference agenda.

Rochelle Dreyfuss and Intellectual Property Pluralism
Presenter: Michael Burstein '04 (Benjamin N. Cardozo School of Law)

Professor Dreyfuss has staked out a position as an IP pluralist, recognizing that innovation happens in many different settings. Through careful attention to the context in which innovation problems arise, her deep knowledge of and ability to think across IP fields and boundaries, and her consistent awareness of institutional arrangements outside of IP, Professor Dreyfuss rejects a one-size-fits-all approach to IP. Her distinguished body of work articulates a vision of innovation policy that allows innovation to thrive wherever and however it is found.
NYU SCHOOL OF LAW
IP COURSE OFFERINGS

SURVEY
Survey of Intellectual Property (L elective)
Survey of Intellectual Property (2L, 3L, and LLM)

ART LAW
Art Law
Advanced Topics in Art Law Seminar

COPYRIGHT LAW
Copyright Law
Advanced Copyright Law

PATENT LAW
Patent Law
Bio-Tech Patent Law
Life Sciences Patent Law
Patent Licensing Seminar
Patent Litigation Seminar

TRADEMARK LAW
Trademark and False Advertising Law
Branding and the Law
Trademark Law on the Internet
Advanced Trademark and Advertising Law

TRADE SECRET LAW
Trade Secret Law

ADVANCED TOPICS IN INNOVATION LAW & POLICY
Advanced Technology Law and Policy Clinic
Advanced Technology Law and Policy Clinic Seminar
Advanced Topics in Privacy Law Seminar
ASPIRE Scholarship Seminar (cybersecurity)
Communicating Academic Work to Policymakers Seminar
Cyber Crimes
Cybersecurity Law and Technology Seminar
Entertainment Law Seminar
Fashion Law and Business
Free Speech
Human Rights, Civil Society, and the Internet in China Seminar
Information Privacy Law
Innovation Law and Economics
Innovation Policy Colloquium
Innovate Without IP
Intellectual Property and Human Rights Seminar
Intellectual Property and Traditional Knowledge: The Politics of Law, Knowledge and Culture
Intellectual Property Crimes Seminar
Intelligence Gathering and Law Enforcement Post 9/11 Seminar
International Intellectual Property Law
Internet and Business Law for Technology Companies
Innovative Contracts
Labor and Employment in the Entertainment Industry Law and Journalism Seminar
Law and the Many Faces of Information Seminar
Mist Media Law
Property Theory Seminar
Sports Law
Taxation of Intellectual Property
Technology Law and Policy Clinic
Technology Law and Policy Clinic Seminar
The Law of the Startup Seminar
Theories of Intellectual Property Law Seminar
Topics in Museum Studies: Museums & the Law

Technological advances are driving greater social, economic, and political change, including access to information, health care, and entertainment; impacts on the environment, education, and commerce; and facilitating greater surveillance by law enforcement agencies. These changes mean that issues related to privacy, consumer rights, free speech, and intellectual property are becoming increasingly critical and complex.

TECHNOLOGY LAW & POLICY CLINIC

The Technology Law and Policy Clinic is a semester-long, 6-credit course that focuses on the representation of individuals, nonprofits, and consumer groups that are engaged with these questions from a public interest perspective. The clinic is a mixture of fieldwork and seminar discussion, ranging from technology law and policy to the ethical challenges of representing public interest organizations. The seminar includes problem-solving workshops, guest speakers, and other components that expose students to the practice of technology law in the public interest.

Approximately one-half of the students work with the teachers of the clinic representing individuals, non-profits, and other public interest clients on matters primarily focused on intellectual property. Past representative matters include:

- Counseling the New York Public Library on the legal rules and risks associated with open source software production and
- Filing amicus briefs in key copyright, patent, trademark, and other intellectual property cases.

The other half of the students work with the American Civil Liberties Union’s Speech, Privacy & Technology Project and National Security Project on issues or cases currently on the Project’s docket. Representative matters include:

- Filing public-records requests and lawsuits to inform the public about government surveillance programs. For example, the ACLU has litigated Freedom of Information Act requests to force the disclosure of records regarding the warrantless tracking of the location of people’s cell phones and regarding new methods and technologies for disrupting large-scale protests.
- Developing ACLU policy priorities and state legislative strategies for ensuring that new laws regulating access to digital assets after death are privacy-protective.
- Contributing to various criminal and civil cases, through direct representation or amicus support that challenge government national-security surveillance.

The Technology Law and Policy Clinic is directed by Professor Jason Schultz and co-taught with Professor Brett Max Kaufman and Clinical Teaching Fellow Amanda Levendowski ’14.
Each year, the Engelberg Center sponsors a Colloquium on Innovation Law & Policy that includes both students and members of the innovation community, including faculty at NYU, faculty at other universities, law practitioners, and industry representatives. Topics are chosen on a yearly basis by those serving as the Colloquium faculty for that year.

The 2017 Colloquium, which was co-taught by Professors Katherine Strandburg and Helen Nissenbaum, examined the legal and policy challenges posed by society’s increasing reliance on so-called “big data” in a broad range of public and private endeavors, such as targeted advertising, assessment of credit worthiness, urban management, health care, law enforcement, and counterterrorism.

The 2018 Colloquium will examine the relationship between intellectual property law and inequality. Beginning with general theories of inequality in its social, economic, cultural, political, and international aspects, the Colloquium will then consider how conditions of inequality affect and are affected by intellectual property law and policy. Among the topics for study are the impact of intellectual property law on public health, media policy, and distributive justice; the effects of innovation on domestic and global inequality; the access to intellectual property rights by persons of different backgrounds, economic classes, and geographic locations; and the ways in which intellectual property rights enhance or distort competition among innovators. The Colloquium will be co-taught by Professors Barton Beebe and Jeanne Fromer.

FEBRUARY 16
Julia Angwin
ProPublica
Algorithmic Accountability

MARCH 1
Solon Barocas PhD ’14
Microsoft Research
Taking Explanation Seriously in Law and Machine Learning

MARCH 2
Martha Poon
Columbia University, The Committee on Global Thought
Borrowing to Pivot—What Can Microsoft Tell Us About the Financing of the Cloud?

MARCH 9
Mireille Hildebrandt
Vrije Universiteit Brussel, Law Science Technology & Society (LSTS); Data Protection and the Rule of Law at the Science Faculty, Radboud University, Nijmegen, The Netherlands
From Law as Information to Law as Computation

MARCH 13
Elizabeth Joh ’00, PhD ’04
UC Davis School of Law
The Undue Influence of Surveillance Technology Companies on Policing

MARCH 23 (joint session with IILJ Colloquium)
Vijaya Gadde ’00
Twitter, Inc.
Conversation About Social Media, Public Discourse, and International Law

APRIL 6
Matthew Connelly
Columbia University, Department of History
Can We Use Artificial Intelligence and Big Data to Identify State Secrets?

APRIL 13
Elizabeth Joh ’00, PhD ’04
UC Davis School of Law
The Undue Influence of Surveillance Technology Companies on Policing
The LLM program in Competition, Innovation, and Information Law (CIIL) trains students by combining advanced policy and technical expertise with sophisticated legal analysis. The program aims to develop an integrated understanding of the dynamic forces that shape contemporary economic activity and innovation. Students in the CIIL LLM program choose one of two areas of principal focus—Intellectual Property and Information Law, or Antitrust and Competition Policy—while gaining an introductory foothold in the other area and exposure to other related areas of law.

The CIIL program also draws on NYU’s strength in international law. The faculty includes leading experts in international and comparative aspects of competition policy and intellectual property law. Their courses and seminars enable students to understand the importance of competition policy and intellectual property law in today’s global economy.

2016-17 COMPETITION, INNOVATION, AND INFORMATION LAW LUNCH SPEAKERS

**SEPTEMBER 21**
William Efron  
Director, Federal Trade Commission Northeast Region  
Antitrust and Consumer Protection Enforcement at the FTC

**OCTOBER 19**
Michal Gal  
University of Haifa School of Law  
Algorithmic Consumers

**NOVEMBER 30**
Judge Raymond Chen  
United States Circuit Judge, United States Court of Appeals for the Federal Circuit  
The Institutions of Patent Law

**FEBRUARY 22**
LLM Students Discuss How Legal Education Varies Among Their Home Countries

**MARCH 22**
Ayala Deutsch  
Executive Vice President & Deputy General Counsel, NBA Properties, Inc.  
The Challenges the NBA Faces in Enforcing Its Trademarks Worldwide

**APRIL 26**
Corey Salsberg  
Vice President, Global Head IP Affairs, Novartis  
Policy Issues and Legal Challenges Facing R&D-Dependent Companies
The NYU Journal of Intellectual Property & Entertainment Law (JIPEL) is a student-run academic journal dedicated to encouraging scholarly discourse among academics, practitioners, and students interested in intellectual property and entertainment law topics. JIPEL publishes scholarly articles on timely and cutting-edge topics, along with comments and criticism of those articles by industry professionals. JIPEL holds a commitment to open dialogue through comments from its readers. In keeping with its goals of open intellectual property and entertainment law, JIPEL also sponsors academic programs and networking events that bring together members of the Intellectual Property and Entertainment Law Society, the Engelberg Center co-directors and affiliated faculty, innovators, industry and government experts, and practitioners.

The Intellectual Property Law and Entertainment Society (IPELS) of the NYU School of Law is a student-run organization that promotes an understanding of entertainment, sports, fashion, information, internet, and technology law. By connecting NYU School of Law students with industry professionals, JIPEL helps them obtain valuable career and academic advice. JIPEL partners with the Art Law Society, Media Law Collaborative, and Sports Law Association.

JIPEL’s 2017 “Careers in IP Symposium” brought together a broad cross-section of attorneys specializing in intellectual property law. The panelists’ expertise ranged from concentrations in cybersecurity and data privacy to patent law and fashion law.

Anne Hassett moderated the evening’s first panel, which focused on intellectual property attorneys with litigation practices. The panelists—Lauren Aguilar ’95 (partner, Skadden, Arps, Slate, Meagher & Flom LLP) Alexandra Awai (associate, Willkie Farr & Gallagher LLP), Jennifer Wu ’04 (partner, Paul, Weiss, Rifkind, Wharton & Garrison LLP), Colman Ragan (Teva Pharmaceutical Industries Ltd.), and George Stamatosoulos ’12 (associate, Gibson, Dunn & Crutcher LLP)—emphasized that many different roads can lead to intellectual property litigation as a career path.

The second panel focused on attorneys with transactional practices. In a discussion moderated by Christopher Sprigman, panelists Lori Lesser (partner and Head of Intellectual Property Transactions Practice, Simpson Thacher & Bartlett LLP), Douglas Hand ’97 (founder, Hand Balchin & Amburgey LLP), Jeremy Apple (associate, White & Case LLP), Pratt Reddy (associate, Willkie Farr & Gallagher LLP), and Richard Samson (the New York Times) all agreed that elements of luck and “being in the right place at the right time” played a bigger part in their career trajectories than they had anticipated as law students.

Carl Masserek ’17 won the Walter J. Dorenberg Prize, which is awarded to the graduating student having the highest academic grade in the area of copyright law.

Mathilde Hallé ’17 was awarded the Frank T. Diersen Prize for Distinction in the LLM Competition, Innovation, and Information Law program. Mathilde is an associate at DLA Piper. She advises private companies (whether French, foreign, or multinational) as well as public entities (such as governments and regulatory authorities) in their projects, in France and abroad. She has specific experience in telecommunications, media, information technology, internet, and data protection, notably in regulatory and transactional matters in the telecommunications sector in Africa and the Middle East.

Julian Pymento ’17 won NYU School of Law’s 2017 award to the graduating student who wrote the most outstanding note for JIPEL. Julian holds undergraduate and graduate degrees from NYU Tandon School of Engineering; he began his career in Fall 2017 as an associate at Fitzpatrick, Cella, Harper & Scinto.

Thomas Merante ’17 was awarded the 2017 Journal of Intellectual Property and Entertainment Law Prize for the greatest contribution by a third-year editor. Tom, who was the JIPEL Editor-in-Chief, began his career in Fall 2017 as an associate at Willie Farr & Gallagher LLP.

Julia Reeves ’17 and Katherine Nemeth ’17 won the Jack J. Katz Memorial Award honoring the students who demonstrated excellence in the field of entertainment law.

Mathilde Hallé ’17 was awarded the Frank T. Diersen Prize for Distinction in the LLM Competition, Innovation, and Information Law program. Mathilde is an associate at DLA Piper. She advises private companies (whether French, foreign, or multinational) as well as public entities (such as governments and regulatory authorities) in their projects, in France and abroad. She has specific experience in telecommunications, media, information technology, internet, and data protection, notably in regulatory and transactional matters in the telecommunications sector in Africa and the Middle East.

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