ENGELBERG CENTER
on Innovation Law & Policy
NYU School of Law
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The Engelberg Center provides a unique environment where scholars and policymakers examine the law and policy that best support innovation. 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 legal scholars and the innovator community in and around the city.

Alfred B. Engelberg ’65 generously endowed the Engelberg Center on Innovation Law & Policy in 1994. He has enjoyed an unusually varied career in the field of intellectual property, having served as a patent examiner, a patent agent, a patent attorney in the Department of Justice, a member of a law firm, a representative for the generic pharmaceutical industry, and a principal negotiator during the legislative process that led to the Patent Term Restoration Act of 1984 (the “Hatch-Waxman Act”).
Barton Beebe specializes in the doctrinal, empirical, and cultural analysis of intellectual property law. He has been the James S. Carpentier Visiting Professor of Law at Columbia Law School, 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 Center for International Intellectual Property Studies 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. He is the author of *Trademark Law: An Open-Source Casebook*, which is a free online trademark casebook now in use in over 45 law schools around the world. Professor Beebe received his JD from Yale Law School, his PhD in English Literature from Princeton University, and his BA from the University of Chicago. He clerked for Judge Denise Cote of the United States District Court for the Southern District of New York.

**RECENT PUBLICATIONS**


ROCHELLE DREYFUSS
Pauline Newman Professor of Law

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: Principles Governing Jurisdiction, Choice of Law and Judgments in Transnational Disputes. She is currently an adviser on the ALI’s Restatement Third of Conflicts of Laws project. She has been a consultant to the Federal Courts Study Committee, the Presidential Commission on Catastrophic Nuclear Accidents, and the Federal Trade Commission. She has served on committees of the National Academies of Science and the Department of Health & Human Services. She is a past chair of the Intellectual Property Section of the American Association of Law Schools. In addition to articles in her specialty areas, Professor Dreyfuss has co-authored books on intellectual property law and international intellectual property law.

RECENT PUBLICATIONS

“Cultural Heritage and the Public Domain: What the US’s Myriad and Mayo Can Teach Oslo’s Angry Boy,” Transition and Coherence in IP (Graeme Dinwoodie, ed.) (forthcoming)


“Choice of Law in EU Trade Secrecy Cases,” Harmonization and Protection of Trade Secrets in the EU 173 (Thomas Riis ed.) (forthcoming) (with Mireille van Eechoud)


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 (now WilmerHale) in intellectual property, she was an Alexander Fellow with the NYU School of Law and 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 Commentaries Editor of the *Harvard Law Review* and Editor of the *Harvard Journal of Law and Technology*.

**RECENT PUBLICATIONS**

“Memes on Memes” (forthcoming) (with Amy Adler)


“Playful Innovation” (forthcoming) (with Mark Lemley)

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

“Overhauling Trademark Distinctiveness” (forthcoming)


Copyright Law: Cases and Materials v. 2.0 (free textbook, 2020) (with Christopher Sprigman)


“Machines as the New Oompa Loompas: Trade Secrecy, the Cloud, Artificial Intelligence, and Automation” 94 *NYU Law Review* 706 (2019)


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.

RECENT PUBLICATIONS


“What Role for Antitrust in Regulating Platforms?” Communications of the ACM at 36 (May 2020)

2020 Professor’s Update to Antitrust Analysis: Problems, Text, Cases (with Phillip Areeda, Louis Kaplow, and Aaron Edlin)


Jason M. Schultz is a Professor of Clinical Law, Director of NYU’s Technology Law & Policy Clinic, and Area Lead in Law & Policy for the AI Now Institute. His clinical projects, research, and writing primarily focus on practical frameworks and policy options to help traditional areas of law such as intellectual property, privacy, consumer protection, and civil rights adapt in light of new technologies and the challenges they pose. His most recent work focuses on the social and legal implications of machine learning, artificial intelligence, and Internet of Things.

During the 2016-2017 academic year, Professor Schultz was on leave to work at the White House Office of Science and Technology Policy, where he served as Senior Advisor on Innovation and Intellectual Property to US Chief Technology Officer Megan Smith.

With Aaron Perzanowski, he is the author of The End of Ownership: Personal Property in the Digital Economy (MIT Press 2016), which argues for retaining consumer property rights in a marketplace that increasingly threatens them. 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.

RECENT PUBLICATIONS


“Algorithmic Impact Assessments: A Practical Framework for Public Agency Accountability” (AI Now Institute 2018) (with Dillon Reisman, Kate Crawford, and Meredith Whittaker)

RECENT PUBLICATIONS

“A Theory of Legal Protection for Industrial Design” (forthcoming) (with Jeanne Fromer)

“Measuring Uncertainty: An Improved Survey Method in Trademark Law” (forthcoming) (with Barton Beebe, Roy Germano, and Joel Steckel)

“Bias-Self-Management and the Role of Autonomy in Improving Contract Performance” (forthcoming) (with Stephan Tontrup)

“The Paradox of Privacy Regulation: How Law Meant to Protect Privacy Can Erode It” (forthcoming) (with Stephan Tontrup)


Copyright Law: Cases and Materials v. 2.0 (free textbook, 2020) (with Jeanne Fromer)


“Testing for Trademark Dilution in Court and in the Lab,” 86 University of Chicago Law Review 611 (2019) (with Barton Beebe, Roy Germano, and Joel Steckel)

“The Filtration Problem in Copyright’s ‘Substantial Similarity’ Infringement Test,” 23 Lewis & Clark Law Review 571 (2019) (with Samantha Fink Hedrick)

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 Economy: How Imitation Sparks Innovation (Oxford 2012), co-authored with Kal Raustiala of the UCLA School of Law. He also serves as the Reporter for the American Law Institute’s Restatement of Law: 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 in 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 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. She is also the faculty director of the interdisciplinary NYU Information Law Institute.

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. Cudahy 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.

Prior to her legal career, Professor Strandburg was a research physicist 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.

RECENT PUBLICATIONS

Governing Privacy as Commons (Cambridge University Press forthcoming 2020) (Madelyn Sanfilippo, Katherine J. Strandburg, and Brett M. Frischmann, eds.)

“Public Facebook Groups for Political Activism,” Governing Privacy as Commons (Brett M. Frischmann, Madelyn Sanfilippo, and Katherine Strandburg, eds.) (forthcoming 2020)

“Adjudicating with Inscrutable Decision Rules,” in Human Use of Machine Learning (Teresa Scantamburlo and Marcello Pelillo, eds.) (forthcoming 2020)


“Knowledge Commons,” in Handbook of the Commons (Blake Hudson, Jonathan Rosenbloom, and Daniel H Cole, eds., Routledge 2018) (with Michael J. Madison and Brett M. Frischmann)


“Privacy as Commons: Case Evaluation through the Governing Knowledge Commons Framework,” 8 Journal of Information Policy 116 (2018) (with Madelyn Sanfilippo and Brett Frischmann)
The Engelberg Center’s Advisory Board brings together a corps of accomplished and insightful people from industry, law firms, government, and the non-profit sectors, and from every part of the innovation community. The Engelberg Center works closely with the Advisory Board to connect our academic work to real-world knowledge, practice, and wisdom.

**John Desmarais ’88, Claudia Ray ’92, and Bruce Wexler ’92** led the effort of bringing the Engelberg Center’s Advisory Board together, and we are immensely grateful for their work and dedication.

**BOARD MEMBERS**

**JUDGES**
- **Judge Raymond Chen ’94**, US Court of Appeals for the Federal Circuit
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- **Judge Pierre Leval**, US Court of Appeals for the Second Circuit
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Vladimir Elgort, Chief IP Counsel, American Express
Henry Hadad, Senior Vice President and Deputy General Counsel, Bristol-Myers Squibb
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Erin Mehta, Counsel, Litigation & Patents, Hulu
Donna Meuth, Associate General Counsel Intellectual Property, Eisai
Douglas Norman, Vice President and General Patent Counsel, Eli Lilly and Company
Benjamin Ostapuk, Vice President and Director of Patent Litigation, Intel Corporation
Mark Rachlin, Senior Patent Litigation Counsel, GlaxoSmithKline
Laura Sheridan, Senior Patent Counsel, Google
Jule Sigall, Associate General Counsel, IP Policy & Strategy, Microsoft
Jennifer Yokoyama, Associate General Counsel, IP Litigation, Microsoft

NON-PROFIT, GOVERNMENT, AND POLICY LAWYERS
Greg Cram, Associate Director of Copyright and Information Policy, The New York Public Library
Alfred Engelberg '65, Trustee, The Engelberg Foundation
Judit Rius Sanjuan, International Governmental Organization
Gigi Sohn, Distinguished Fellow, Georgetown Law Institute for Technology Law & Policy
STAFF

MICHAEL WEINBERG
Executive Director
Before joining NYU, Michael Weinberg served as General Counsel at Shapeways, a 3D printing marketplace and service company, where he also oversaw strategic partnerships. He is the author of a number of white papers that examine the intersection of 3D printing and intellectual property law. Before Shapeways, Weinberg was Vice President at Public Knowledge, a nonprofit public interest advocacy organization dedicated to representing consumers in technology policy debates in Washington, DC. Weinberg regularly discusses 3D printing law and policy issues with the media and at public events and founded 3D/DC, an annual 3D printing policy event in Washington, DC. He is also the president of the board of the Open Source Hardware Association, where he oversees the open source hardware certification project. Weinberg holds a BA in government and history from Claremont McKenna College and a JD from The George Washington University Law School.

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. Arzt 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.
FELLOWS

ALBERT FOX CAHN

Albert Fox Cahn is the Surveillance Technology Oversight Project’s (S.T.O.P.’s) Founder and Executive Director. As a lawyer, technologist, writer, and interfaith activist, Cahn began S.T.O.P. in the belief that emerging surveillance technologies pose an unprecedented threat to civil rights and the promise of a free society. Cahn previously served as Legal Director for a statewide civil rights organization, overseeing its direct legal services, impact litigation, and government affairs during the first two years of the Trump presidency. Prior to that, he worked as an Associate at Weil, Gotshal & Manges LLP, where he advised Fortune 50 companies on technology policy, antitrust law, and consumer privacy. In addition to his work at S.T.O.P., Cahn serves on the Immigrant Leaders Council of the New York Immigration Coalition. He is a member of the New York City Bar Association and the New York County Lawyers’ Association. Cahn received his JD, cum laude, from Harvard Law School (where he was an Editor of the Harvard Law & Policy Review), and his BA in politics and philosophy from Brandeis University.

MALA CHATTERJEE ’18

Mala Chatterjee is a Furman Fellow at NYU School of Law and a joint-JD/PhD in philosophy candidate at NYU. She is also a Fellow at NYU School of Law’s Engelberg Center on Innovation Law & Policy and a Visiting Fellow at Yale Law School’s Information Society Project. Chatterjee received her JD summa cum laude in 2018, and was a Furman Academic Scholar and Executive Editor of the NYU Law Review. She earned the Maurice Goodman Memorial Prize for outstanding academic achievement and scholarship, the John Bruce Moore Award for highest excellence in law & philosophy, and the Bradley Fellowship for scholarly work in free speech. She was a Pomeroy Scholar and a Butler Scholar (awarded to the top 10 students after 1L and 2L respectively), and elected to the Order of the Coif. Chatterjee clerked for the Honorable Judge Robert D. Sack for the Second Circuit Court of Appeals in the 2019-2020 term, and was a summer associate at Davis Polk & Wardwell LLP and Durie Tangri LLP. She received her BA in philosophy with a minor in symbolic systems from Stanford University in 2014.
FELLOWS

SARAH FEINGOLD
Born an artist, Sarah Feingold decided the best way to protect creative folk like herself was to attend law school. She then cannonballed into Etsy as the 17th employee and first lawyer. For nearly a decade, she played an integral role in scaling Etsy from an inconspicuous startup to a publicly traded company. After Etsy, Feingold joined Vroom as its General Counsel and first attorney. In 2018, the New York Law Journal awarded Feingold with the General Counsel Impact Award for her accomplishments. Feingold is an international speaker, co-founded The Fourth Floor, and consults for various startups. You can also find her making things, writing, eating candy, hammering silver, and chasing her child.

KAT GEDDES
Kat Geddes is a JSD candidate at NYU Law, focusing on the capacity of user-oriented copyright norms to democratize discourse on digital platforms and promote the development of robust civil societies, particularly in developing countries, to counteract both digital authoritarianism and algorithmic copyright enforcement. She is particularly interested in the free speech and digital labor implications of the algorithmic copyright adjudication employed by social media platforms. Prior to joining NYU, Geddes was a Fellow at the Berkman Center for Internet and Society, and a Research Fellow at Harvard Law School, where she worked on patent law reform and access to medicines in sub-Saharan Africa. She has previously worked at the UN, Doctors Without Borders, and King & Wood Mallesons. She holds an LLM in intellectual property law from Cambridge University, a Master’s in Public Policy from Harvard University, and a Bachelor of Laws/Bachelor of Commerce from the University of New South Wales, Sydney.
FELLOWS

AMBA KAK

Amba Kak is the Director of Global Strategy & Programs at NYU’s AI Now Institute. In this role, Kak develops and leads AI Now’s global policy engagement, programs, and partnerships. As policy counsel, researcher, and lawyer, Kak has worked on a variety of technology-related issues. She joined AI Now from her role as Policy Advisor at Mozilla, where she led the organization’s work in India and contributed to global policy forums on issues such as data protection, online content regulation, and network neutrality. She was also part of Mozilla’s inaugural cohort of Technology Policy Fellows. Kak’s interdisciplinary research includes a project on network neutrality and zero-rating at the Oxford Internet Institute in 2014, as well as work on copyright licensing practices in the digital age as Google Policy Fellow in 2012. Previously, Kak has worked at the National Institute of Public Finance & Policy, New Delhi, where she advised government regulators on telecom policy. She has also been the Secretariat Coordinator for the National Campaign for People’s Right to Information, an advocacy network focused on transparency and accountability laws. Trained as a lawyer, Kak received her BA LLB (Hons) from the National University of Juridical Sciences in India. As a Rhodes Scholar at the University of Oxford, she received a Masters in Law (BCL) and an MSc in Social Science of the Internet.

CHRISTOPHER MORTEN ’15

Chris Morten returned to NYU Law in Fall 2019 as the Clinical Teaching Fellow and Supervising Attorney in the Technology Law and Policy Clinic and a Fellow at the Engelberg Center. His clinical work and research focus on access to knowledge, with particular focus on access to medicines and health justice more broadly. Before joining the Engelberg Center, Morten worked at Yale Law School, where he was Staff Attorney and Research Scholar in Law at the Collaboration for Research Integrity and Transparency and Supervising Attorney and Clinical Lecturer in Law at Yale Law School’s Media Freedom & Information Access Clinic. Morten remains a Visiting Fellow of the Information Society Project and a Fellow of the Global Health Justice Partnership at Yale Law School. Prior to coming to Yale, Morten worked as a Litigation Associate at Goodwin Procter and as a Patent Agent at Baker Botts. He clerked for the Honorable Timothy B. Dyk of the US Court of Appeals for the Federal Circuit from 2015 to 2016. Morten received his JD, magna cum laude and Order of the Coif, from New York University in 2015, a PhD in organic chemistry from the Massachusetts Institute of Technology in 2011, and a BA in chemistry, summa cum laude, from Columbia University in 2005.
FELLOWS

GABRIEL NICHOLAS
Gabriel Nicholas is a Joint Fellow at NYU School of Law’s Information Law Institute and Center for Cybersecurity. His research focuses on tech competition and algorithmic explainability. Nicholas received his MS in Information Management and Systems from the UC Berkeley School of Information in 2018 and his BS from Tufts University in Cognitive Science in 2013. Previously, he worked as a software developer at Yahoo for five years. Nicholas’ written work has appeared in Wired, Slate, and the Boston Globe, and he is a contributor at the LA Review of Books.

CLARISSA REDWINE
Clarissa Redwine explores community-driven innovation. As a philosophy student, she cofounded the nonprofit TechMill, a hackerspace for entrepreneurs and tech enthusiasts. Interested in crafting environments that foster innovation, she joined the global startup program Techstars as Program Manager of the Qualcomm Robotics Accelerator. After studying the startup accelerator model, she moved on to crowdfunding as Kickstarter’s Senior Outreach Lead for Design & Tech. While growing the Kickstarter creator community, she guided the launch of projects at the forefront of open source hardware, science, and sustainable design. In 2019, Redwine joined Kickstarter United, the first major tech-company unionizing effort in the United States, and launched Solidarity Onboarding, a campaign to encourage collective action and create modern education materials for labor rights.
NEAL STIMLER
Neal Stimler is a Senior Advisor with the Balboa Park Online Collaborative. He advises a range of clients to strategize programming, digital operations for exhibitions, and media partnerships for nonprofit institutions and technology initiatives that connect audiences to art, culture, and science. Stimler is known as a global expert in the open access movement. He led the implementation of the Metropolitan Museum of Art’s open access program in 2017 and consulted in 2019 with the Cleveland Museum of Art on their open access initiative.

JACOB VICTOR
Jacob Victor’s research focuses on how intellectual property regimes adapt to accommodate new forms of technology, as well as the role of property as a regulatory tool in addressing the policy concerns of the digital age. Prior to joining NYU, Victor was an associate in the intellectual property litigation group at Kirkland & Ellis, where he litigated copyright, trademark, and trade secret cases and advised clients on legal issues related to entertainment, art, technology, and advertising. Before that, he served as a law clerk for Judge Pierre N. Leval on the US Court of Appeals for the Second Circuit. Victor graduated from Yale Law School in 2014, where he was an Essays Editor of the Yale Law Journal, a Coker Fellow, a member of the Media Freedom and Information Access Clinic, and a Fellow at the Yale Information Society Project. Victor recently joined Albany Law School as an Assistant Professor of Law.
STUDENT FELLOWS

SANTANA JACKSON '21

LINNEA PITTMAN '20

JULIANA ZHANG '22
AMY ADLER
Emily Kempin Professor of Law
A leading scholar of art law, Adler specializes in the legal regulation of artistic expression, sexuality, and free speech. Her recent scholarship addresses an array of issues such as the First Amendment treatment of visual images, the misfit between copyright law and the art market, the legal regulation of pornography, and the moral rights of artists.

JANE ANDERSON
Associate Professor, 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
Considered one of the most influential thinkers in legal academia, Richard Epstein is known for his research and writings on a broad range of constitutional, economic, historical, and philosophical subjects.

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 scholarly work has focused on various aspects of antitrust enforcement and theory.

ELEANOR FOX LLB ’61
Walter J. Derenberg Professor of Trade Regulation
Eleanor Fox LLB ’61 is a prominent antitrust and comparative competition law scholar. She has a special interest in developing countries, poverty, and inequality, and explores how opening markets and attacking privilege, corruption, and cronyism can alleviate marginalization and open paths to economic opportunity and inclusive development.

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 a Professor of History of the
Faculty of Arts and Science at NYU, as well as
a Professor in the Division of Medical Bioethics
at the NYU Langone School of Medicine. His
research interests include the history of sci-
ence; the history of physics in 19th-century
Germany; intellectual property, gene patenting,
race, and genomics; and humans, machines, and
aesthetic theories.

DANIEL KEVLES
Interdisciplinary Fellow, NYU School of Law;
Stanley Woodward Professor Emeritus of
History, History of Medicine & American
Studies, Yale University; Adjunct Professor,
Yale Law School
Daniel Kevles’ research and writing encompass
the interplay of science, technology, and society
past and present with a focus on the United
States. His particular research interests include
the history of physics, biology, scientific fraud
and misconduct, plant and animal breeding,
biotechnology, intellectual property, and sci-
ence, arms, and the state.

BENEDICT KINGSBURY
Vice Dean and Murry and Ida Becker
Professor of Law; Director, Institute for
International Law and Justice; Faculty
Director, Guarini Institute for Global
Legal Studies, NYU School of Law
Kingsbury’s major current projects focus on
large-scale global ordering such as TPP and the
Belt and Road Initiative (MegaReg); physical, dig-
ital, and informational infrastructure (InfraReg,
with Sally Merry); and global data/tech law.

HILA LIFSHITZ-ASSAF
Assistant Professor of Information,
Operations and Management Sciences,
NYU Stern School of Business
Hila Lifshitz-Assaf’s research focuses on de-
veloping an in-depth empirical and theoretical
understanding of the micro-foundations of
scientific and technological innovation and
knowledge creation processes in the digital
age. She explores how the ability to innovate
is being transformed, as well as the chal-
 lenges and opportunities the transformation
means for R&D organizations, professionals,
and their work.
FLORENCIA MAROTTA-WURGLER '01
Professor of Law Faculty Director, NYU Law in Buenos Aires
Florencia Marotta-Wurgler '01 is an expert in online and standard form contracting. Her teaching and research interests are contracts, consumer privacy, electronic commerce, and law and economics. Her published research has addressed various problems associated with standard form contracts online, such as the effectiveness of disclosure regimes and whether people read the fine print. She is currently working on a large empirical project on consumer privacy policies online and on the effectiveness of the Federal Trade Commission’s privacy enforcement actions.

ARTHUR MILLER
University Professor
Arthur Miller, CBE, is one of the nation’s most distinguished legal scholars in the areas of civil litigation, copyright, unfair competition, and privacy. A renowned commentator on law and society, he won an Emmy for his work on PBS’ The Constitution: That Delicate Balance and served for two decades as the legal editor for ABC’s Good Morning America.

PETRA MOSER
Associate Professor of Economics, Jules I. Backman Faculty Fellow, NYU Stern School of Business
Professor Moser’s research combines methods from empirical microeconomics and economic history to examine the determinants of creativity and innovation. She uses historical variation in patent and copyright laws to examine the effects of intellectual property on science, technological innovation, and artistic creativity.

JOEL STECKEL
Professor of Marketing, Vice Dean for Doctoral Education, NYU Stern School of Business
Joel Steckel’s primary research areas of interest include marketing research, marketing and branding strategy, approaches for one-to-one marketing, managerial decision processes, and methodologies for measuring consumer performance and behavior. Among other accomplishments, Professor Steckel was the Founding President of the INFORMS Society for Marketing Science.

DIANE ZIMMERMAN
Samuel Tilden Professor of Law Emerita
An award-winning reporter for Newsweek and the New York Daily News, Diane Zimmerman joined the faculty of NYU School of Law in 1977. Her specialties include freedom of speech and press and intellectual property.
VISITING SCHOLARS

CHRISTOPHER BEAUCHAMP
Professor of Law, Brooklyn Law School
Christopher Beauchamp teaches and writes in the areas of intellectual property and legal history. His recent scholarship has been published in the *Stanford Technology Law Review*, the *Yale Law Journal*, and the *Vanderbilt Law Review*, and has been selected for presentation at the Yale/Harvard/Stanford Junior Faculty Forum.

GRAEME DINWOODIE
Global Professor of Intellectual Property Law and Co-Director of the Program in Intellectual Property Law, Chicago-Kent School of Law
Graeme Dinwoodie is a prolific intellectual property scholar of international renown. From 2009 to 2018, he was Professor of Intellectual Property and Information Technology Law at the University of Oxford, where he was also Director of the Oxford Intellectual Property Research Centre and a Professorial Fellow of St. Peter’s College.

SUSY FRANKEL
Chair in Intellectual Property and International Trade, Victoria University Wellington (New Zealand)
Susy Frankel teaches courses in intellectual property (including copyright, patents, and trademarks), patent law and innovation, global intellectual property issues, international trade law and the protection of traditional knowledge and regulation. She has published numerous books, articles, and book chapters and is frequently invited to give conference presentations on various aspects of intellectual property law and policy.

ANGSAR OHLY
Chair of Private Law, Intellectual Property, and Competition Law, Ludwig-Maximilians-Universität München (Germany)
Ansgar Ohly’s main fields of academic interest are all areas of intellectual property law, the law of unfair competition, and the rights of personality and privacy. He is especially interested in European developments and in the comparison of civil law and common law systems.

MICHAL SHUR-OFRY
Senior Lecturer with Tenure, Hebrew University of Jerusalem, Faculty of Law
Michal Shur-Ofry’s research focuses on intellectual property law and innovation theory. She is also interested in the interrelations between law and networks, and her scholarship uses insights from the theory of complex systems to examine, explain, and challenge various legal rules and conceptual frameworks.
ADJUNCT FACULTY

JODI BALSAM ’86
Associate Professor of Clinical Law,
Director of Externship Programs,
Brooklyn Law School

DAVID H. BERNSTEIN
Partner, Debevoise & Plimpton

MITCH ENGLER ’90, LLM ’91
Professor of Law, Cardozo Law School

ANGELINA FISHER
Program Director,
Institute for International Law and Justice,
NYU School of Law

ZACHARY GOLDMAN ’09
Senior Associate, WilmerHale

NICHOLAS GROOMBRIDGE
Partner, Paul, Weiss, Rifkind, Wharton & Garrison

DOUGLAS HAND ’97
Partner, Hand Baldachin & Associates

VINAY JAIN ’09
Vice President and Senior Counsel for Technology & IP, American Express Global Business Travel

MICHAEL KASDAN ’01
Partner, Wiggin and Dana
**Rochelle Dreyfuss** was the Arthur Goodhart Visiting Professor of Legal Science at the University of Cambridge. Her research focused on problems of technological inequality, including the difficulties that developing countries face in implementing the TRIPS Agreement and meeting their obligations under bilateral investment treaties. In the spring, she gave a series of public lectures with Dr. Henning Grosse Ruse-Khan of Kings College, Cambridge, on ensuring the optimal development of and access to COVID-related diagnostics, treatments, and vaccines. While holding the Goodhart chair, she taught a course on International Intellectual Property.

In July 2019, **Jeanne Fromer** testified before the US House of Representatives, Committee on the Judiciary Subcommittee on Courts, Intellectual Property, and the Internet, at its hearing on *Counterfeits and Cluttering: Emerging Threats to the Integrity of the Trademark System and the Impact on American Consumers and Businesses*.

In December 2019, **Barton Beebe** testified before the United States Senate, Committee on the Judiciary, Subcommittee on Intellectual Property, at its hearing on *Fraudulent Trademarks: How They Undermine the Trademark System and Harm American Consumers and Businesses*.

These hearings formed the basis for the Trademark Modernization Act of 2020, which as of this writing is currently before the full House for a vote.

In August 2020, **Katherine Strandburg**, along with Co-Principal Investigators Brett Frischmann and Michael Madison, received a National Science Foundation grant to support their work establishing The Governing Knowledge Commons Research Coordination Network. This research coordination network will assemble researchers from law, the social and behavioral sciences, computer science, and engineering to aid in the development of empirical and theoretical insights into commons governance of shared knowledge, information, and data resources.
ENGELBERG CENTER EVENTS

IPNY: REBECCA GIBLIN ON MOVING TOWARDS A NEW COPYRIGHT BARGAIN
September 10, 2019
This edition of the IPNY series featured a presentation from Rebecca Giblin, ARC Future Fellow and Associate Professor at Monash University, Australia, presenting “Moving Towards a New Copyright Bargain.” The IPNY series allows the NYC IP community to come together and connect. Professor Giblin’s presentation was followed by a Q&A and a brief reception.

NYU LAW & TECH: IMPACT OF INNOVATION
October 15, 2019
Legal tech is here. So is a lot of hype. What’s happening today that will actually have a meaningful impact on your practice? NYU Law alumni who left Big Law to found leading legal technology companies discussed key trends with law firm, corporate, and academic leaders, answering questions from NYU Law students with PhDs in Computer Science and Engineering.

IPNY: ANDELKA PHILLIPS ON BUYING YOUR GENETIC SELF ONLINE
October 29, 2019
This edition of the IPNY series featured a presentation from Andelka Phillips, Senior Lecturer at Te Piringa, Faculty of Law, the University of Waikato in New Zealand and Research Associate at the University of Oxford’s Centre for Health, Law, and Emerging Technologies, UK. Professor Phillips discussed her forthcoming book Buying Your Self on the Internet: Wrap Contracts and Personal Genomics.

LEGAL MADNESS
November 18, 2019
Working in a tech company can be madness, and lawyers at those companies have a front-row seat. In-house attorneys have tales to tell, but confidentiality obligations have kept them silent.

Until now....

The Engelberg Center on Innovation Law & Policy collected anonymous stories from lawyers inside tech companies. We then hired actors to play the role of tech lawyers at an open-mic night in the Village to retell them to a cabaret audience.
The 2019 IP Institute, co-hosted by the Engelberg Center and Cravath, Swaine & Moore, brought together leading judges, scholars, business people, and lawyers in the field to discuss developments across a range of intellectual property topics. Professors Rochelle Dreyfuss and Scott Hemphill, in collaboration with David J. Kappos, Partner, Cravath, Swaine & Moore, organized the program.

**Artificial Intelligence: Perspectives from the Front Lines**
- Sanjay Bharwani, Ernst & Young LLP
- Adam Eltoukhy, Samsara Networks
- Randal S. Milch, NYU School of Law, NYU Center for Cybersecurity
- Wes Earnhardt, Cravath (Moderator)

**Legislative Perspectives**
- Jeff Hantson, Office of US Senator Mazie K. Hirono (D-HI)
- Franci Rooney, US Senate Committee on the Judiciary
- Mary Beth Walker, US House Judiciary Subcommittee on Courts
- Brad Watts, US Senate Committee on the Judiciary
- David Kappos, Cravath, Swaine & Moore (Moderator)

**Engelberg Center Start-Up Presentation & Award for Innovation of the Year**
- Michael Weinberg, NYU School of Law (Moderator)

**Judicial Perspectives**
- The Honorable Kent A. Jordan, US Court of Appeals for the Third Circuit
- The Honorable Maryellen Noreika, District Court for the District of Delaware
- Commissioner Noah Phillips, Federal Trade Commission
- Keith Hummel, Cravath, Swaine & Moore (Moderator)

**Keynote: Is IP the Way Forward for Policy on Data?**
- Nobel Laureate Paul Romer, New York University
The 2020 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.

Professors Barton Beebe and Jeanne Fromer organized the workshop, which featured the following authors, papers, and commentators:

**RIGHTS IN DATA**
Amy Kapczynski, Yale Law School
Christopher Morten, NYU School of Law
*The Big Data Regulator, Rebooted: Why and How the FDA Can and Should Disclose Confidential Data on Prescription Drugs*
Commentator: Jeremy Sheff, St. John’s University School of Law

James Grimmelmann, Cornell Tech and Cornell Law School
Christina Mulligan, Brooklyn Law School
*Data Is Property*
Commentator: Shyam Balganesh, University of Pennsylvania Law School

**PATENT LAW**
Bhaven Sampat, Columbia University Mailman School of Public Health
*TRIPS, Patents, and Drug Prices in India* (with Margaret Kyle and Ken Shadlen)
Commentator: Scott Hemphill, NYU School of Law

Paul Gugliuzza, Temple University School of Law
*Law, Fact, and Patent Validity*
Commentator: Sepehr Shahshahani, Fordham University School of Law
IP VALUES

Mala Chatterjee, US Court of Appeals for the Second Circuit and NYU School of Law
Understanding Intellectual Property: Expression, Innovation, and Individuation
Commentator: Michael Burstein, Cardozo School of Law

Courtney Cox, Fordham University School of Law
Does the Law Require Deception? A Study of Trade Secret Doctrine and the Reasonable Precaution Requirement
Commentator: Irina Manta, Maurice A. Deane School of Law at Hofstra University

IP, MIND, AND BODY

Christopher Buccafusco, Cardozo School of Law
Incentivizing Accessible Design
Commentator: Jason Schultz, NYU School of Law

Mark Bartholomew, University of Buffalo School of Law
Copyright and the Brain
Commentator: Christopher Sprigman, NYU School of Law

LIGHTNING ROUND

Molly Stech, US Patent and Trademark Office
The Essence of Authorial Originality

Jonathan Ashtor, Cardozo School of Law and Paul, Weiss LLP
The Case for Patent Clarity

Jacob Victor, NYU School of Law
Utility-Expanding Fair Use
FEEDING A BABY UNICORN: WHAT STARTUPS WANT FROM THEIR LAWYERS
January 22, 2020
A joint collaboration between the Engelberg Center and The Fourth Floor, this event featured a discussion between Engelberg Center Fellow Sarah Feingold (former General Counsel of Etsy and Vroom), Adam Greenberg (General Counsel of Ro, former Head of Legal at Warby Parker), Fannie Chen (Senior Counsel, Casper), and Lydia Cheuk (Deputy General Counsel, Away) discussing their experiences hiring, firing, and working with outside counsel.

10TH ANNIVERSARY OPEN HARDWARE SUMMIT
March 13, 2020
The Engelberg Center co-hosted the Open Source Hardware Association’s 10th Anniversary Open Hardware Summit. Originally scheduled as an in-person event, the COVID pandemic forced the summit to become a virtual event.
CAREERS IN TECH NETWORKING EVENT  
January 29, 2020

The Careers in Tech networking event was a collaboration between the NYU Law Intellectual Property and Entertainment Law Society and the Engelberg Center. It provided students with the opportunity to meet in-house employers that were offering 1L summer legal internships.

PUBLIC INTEREST CAREERS TECHNOLOGY PANEL  
February 28, 2020

The Public Interest Law Center and the Engelberg Center hosted a panel discussion with alumni and others to learn more about careers in technology-related public interest law. The panel featured Alexia Ramirez '19 of the ACLU Speech, Privacy & Technology Project, Albert Fox Cahn of the Surveillance Oversight Technology Project (and an Engelberg Center Fellow), and Elizabeth Daniel Vasquez ’13 of Brooklyn Defender Services.
REFORMING SECTION 101 AND THE FUTURE OF PATENTABLE SUBJECT MATTER
April 13, 2020 - Canceled due to COVID
Section 101 of the Patent Act, which defines patent eligibility, has been at the center of a vigorous debate in recent years. Courts continue to grapple with the consequences of a series of Supreme Court decisions in the 2010s that redrew the boundaries of eligibility. The US Patent & Trademark Office has announced and begun to apply its own interpretation of patent eligibility doctrine. Congress is currently debating multiple proposals for statutory reform. This event was designed to explore the future of critical patent doctrines.

A NEW GLOBAL COPYRIGHT ORDER?
April 20, 2020 - Reconstructed as a podcast series
The European Union recently enacted a new copyright directive that could redefine global copyright enforcement, fundamentally altering the relationship between online platforms, large content owners, and users. This event was designed to explore the future of online copyright law.
DATA PORTABILITY AND PLATFORM COMPETITION

Gabriel Nicholas
Michael Weinberg

Building on focus group interviews drawn from across the tech industry, *Data Portability and Platform Competition* explores the seemingly straightforward question: If data portability can fuel competition, and data portability has been available for almost a decade, where are the competitors built on data portability?

CONGESTION PRIVACY

Albert Fox Cahn

Co-published with the Surveillance Technology Oversight Project (S.T.O.P.), *Congestion Privacy* documents the privacy impact of New York City’s proposed congestion pricing system.
ENGELBERG CENTER
WHITE PAPERS AND
REPORTS

TURNING THE CAMERA AROUND
Albert Fox Cahn
A second co-publication with S.T.O.P., Turning the Camera Around details the public’s right to record police officers in public spaces.

CLINICAL TRIAL COST TRANSPARENCY
AT THE NATIONAL INSTITUTES OF HEALTH
Ariella Barel
Laurel Boman
Christopher Morten (Editor)
A project of the NYU Technology Law & Policy Clinic, Clinical Trial Cost Transparency at the National Institutes of Health discusses the need for cost transparency into pharmaceutical research and development and, specifically, transparency into the costs of clinical trials funded by the United States National Institutes of Health (NIH). The paper proposes a set of legislative, administrative, and other reforms to achieve that goal.
THE NEW PORTABILITY
Gabriel Nicholas
Expanding upon Data Portability and Platform Competition, The New Portability proposes best practices for designing data portability regimes intended to increase competition, including collective portability frameworks.

GLAM3D.ORG
Thomas Flynn
Neal Stimler
Michael Weinberg
Designed as a regularly updated online resource instead of a static paper, Glam3D.org is a comprehensive guide for bringing 3D versions of cultural resources online. It includes background on open access, technical and legal considerations, and practical advice for launching a sustainable 3D open access program.
ENGELBERG CENTER PODCASTS

ENGELBERG CENTER INNOVATION POLICY COLLOQUIUM

Featuring in-depth conversations with presenters from the Engelberg Center’s annual Innovation Policy Colloquium, this podcast invites listeners to experience discussions that form the core of the discussion series. The first season focused on “Alternative IP”—forms of intellectual property that are rarely covered in traditional IP survey courses, such as geographical indications, design protection, and indigenous knowledge.

ENGELBERG CENTER LIVE

Originally designed as a convenient way to access recordings of Engelberg Center events, Engelberg Center Live has evolved into a unique platform in light of COVID-related event restrictions. The podcast now features a specially produced miniseries on EU copyright rules, discussions about privacy and contact tracing, and audio postcards capturing the experience of litigating in a fully virtual environment.
OTHER EVENTS AT NYU LAW

The Information Law Institute is an academic center for the study of law, policy, and social norms defining and affecting the flow of information in a digitally networked society. Its mission is to encourage and disseminate thoughtful research and commentary, welcoming the participation of faculty, students, and other researchers across the disciplinary spectrum. Katherine Strandburg is its Director. Florencia Marotta-Wurgler, Ira Rubinstein, and Jason Schultz are its Faculty Fellows.

AUTONOMOUS VEHICLES: WHAT COULD POSSIBLY GO WRONG?

March 13, 2020

The Information Law Institute and Cornell Tech co-hosted a workshop bringing together experts from engineering, policy, and industry to discuss the social implications of autonomous transport from different perspectives. The workshop focused on questions including:

• How different vehicle deployments change how human occupants are identified and defined, and how that may affect questions of privacy and autonomy

• How different business models like passenger ride-sharing, fleet management, or private vehicle ownership require different technological configurations, and what they require in terms of data flows and public accountability

• How different vehicle systems require changes to public space or re-instrumenting of roadways, and who has the power to determine the shape of those new urban environments

• How business decisions, and the technologies required to implement them, interact with broader policy questions around public life, the environment, and international geopolitics
OTHER EVENTS AT NYU LAW

LATHAM & WATKINS FORUM—REINING IN BIG TECH
September 11, 2019
Professor Eleanor Fox moderated a discussion among Facebook co-founder Chris Hughes, Professor Florencia Marotta-Wurgler, and George Mason University Antonin Scalia Law School Professor Abbott (Tad) Lipsky Jr. about the need to regulate and reign in companies such as Google, Apple, Facebook, and Amazon.

ANTITRUST AND DEVELOPING AND EMERGING ECONOMIES: NEW ISSUES IN CARTELS AND CORRUPTION, BIG DATA, AND THE PUBLIC INTEREST
November 1, 2019
This year’s conference highlighted anti-cartel and corruption enforcement, and experts presented compliance strategies to guard against both, especially at their intersection as occurred in Brazil’s Petrobras incident. The program explored big data networks and their effect on economic development; and experts explained the most recent concerns in clearing mergers that affect developing countries, including legislative developments in adding public interest factors to merger law and advice as to what the agencies will expect from the merging parties to address these concerns.

2020 NEXT GENERATION OF ANTITRUST, DATA PRIVACY AND DATA PROTECTION SCHOLARS CONFERENCE
January 31, 2020
This day-long conference, which has expanded beyond Antitrust to include Data Privacy and Data Protection, provided an opportunity for professors who began their full-time tenure-track career in or after 2012 to present their latest research. Senior scholars and practitioners in the field commented on the papers.

ANTITRUST AND 21ST CENTURY BIGNESS: DEALING WITH TECH PLATFORMS IN A GLOBALIZED WORLD
February 28, 2020
Antitrust laws in the United States have evolved with the economy and technological change, moving from the trustbusting of Standard Oil to the last of the “Big Cases”—AT&T and Microsoft. Today, the antitrust laws face a new challenge. Giant platform companies such as Google, Facebook, Amazon, and Apple have achieved unprecedented power over technological markets and everyday life. The growth of these companies raises the question whether existing US antitrust laws are capable of checking their power and whether we have strayed too far from the Sherman Act’s intended purpose. In this symposium, panelists addressed these issues and the solutions that have been advanced in the United States and in Europe.
NYU SCHOOL OF LAW
IP COURSE OFFERINGS

SURVEY
Survey of Intellectual Property (IL 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
Patent Licensing Seminar
Patent Litigation Seminar
Patent Law and Life Sciences
Bio-Tech Patent Law

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

TRADE SECRET LAW
Trade Secret Law

ADVANCED TOPICS IN INNOVATION LAW & POLICY
Advanced Topics in Privacy Law Seminar
Advanced Technology Law and Policy Clinic
Advanced Technology Law and Policy Clinic Seminar
ASPIRE Scholarship Seminar (Cybersecurity)
Communicating Academic Work to Policymakers Seminar
Counterterrorism Intelligence Gathering and Law Enforcement Seminar
Cyber Crimes
Cybersecurity Law and Technology Seminar
Cybersecurity Scholars Workshop
Entertainment Law Seminar
Fashion Law and Business
Free Speech
Global Data Law
Global Tech Law: Selected Topics Seminar
Guarini Colloquium
Guarini Externship: Global Legal Practice in Digital Society Seminar
Human Rights, Civil Society, and the Internet in China Seminar
IILJ Colloquium: International Law of Google Information Privacy Law
Innovation Externship
Innovation Externship Seminar
Innovation Law and Economics
Innovation Policy Colloquium
Innovation Without IP
Intelligence Gathering and Law Enforcement: Post 9/11 Seminar
Intellectual Property & Globalization Seminar
Intellectual Property and Human Rights Seminar
Intellectual Property & Traditional Knowledge: The Politics of Law, Knowledge and Culture
Intellectual Property Crimes Seminar
International Intellectual Property Law
Internet and Business Law for Technology Companies
Internet Contracts Seminar
Labor and Employment in the Entertainment Industry
Law and Policy of Big Data, AI and Machine Learning
Law and Journalism Seminar
Law and the Many Faces of Information Seminar
Law of the Startup Seminar
Mass Media Law
Property Theory Seminar
Sports Law
Taxation of Intellectual Property
Technology Law and Policy Clinic
Technology Law and Policy Clinic Seminar
Theories of Intellectual Property Law Seminar
Topics in Museum Studies: Museums & the Law
TECHNOLOGY LAW & POLICY CLINIC

Technological advances are driving greater social, economic, and political change, including in access to information, health care, and entertainment; in impacts on the environment, education, and commerce; and by 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.

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 instructors of the clinic representing individuals, not-for-profits, and other public interest clients on matters primarily focused on intellectual property. Past representative matters include:

- Counseling the New York Public Library on copyright, privacy, and security issues related to its groundbreaking e-book lending app, SimplyE;
- Filing an amicus brief on behalf of Mozilla, Mapbox, Medium, Patreon, Etsy, and Wikimedia in support of certiorari for the Google v. Oracle decision, raising concerns that overprotecting APIs via copyright law could have detrimental impacts on innovation and competition, especially for open source projects and small startups;
- Filing an amicus brief on behalf of two artists in an important copyright case involving the modern practice of appropriation art, arguing that the fair use doctrine should protect artistic, cultural, and political acts of critique and recontextualization that make use of others’ copyrighted works; and
- Working with the PrEP4All Collaboration, an all-volunteer group of access-to-medicines activists based in New York City, to challenge patent monopolies on life-saving HIV/AIDS and COVID-19 drugs and ensure wide, equitable access to medical technologies.

...
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 projects’ dockets. Recent 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.

- Working with a non-profit comprised of criminal defense lawyers to research and draft model briefs addressing the effect of the Supreme Court’s recent landmark privacy decision, United States v. Carpenter, to new contexts that involve location tracking.

- Managing a large set of information requests concerning the use of hacking techniques by local and state governments, and filing a First Amendment right of access motion seeking to unseal a court opinion rejecting a government bid to hold an internet company in contempt of court for not facilitating a wiretap request by undermining its encryption protocol.

- Drafting a litigation memorandum concerning constitutional litigation over an aerial surveillance system over Baltimore, Maryland.

The Technology Law & Policy Clinic is directed by Professor Jason Schultz and co-taught with Adjunct Professor Brett Max Kaufman and Deputy Director Christopher Morten ’15.
THE ENGELBERG CENTER
COLLOQUIUM ON
INNOVATION LAW & POLICY

Each year the Engelberg Center sponsors a Colloquium on Innovation Law & Policy that is open to students and members of the innovation community, including other 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 2020 Colloquium, which was co-taught by Professors Jane Anderson and Jason Schultz, took an interdisciplinary approach to studying intellectual property with a particular emphasis on topics, perspectives, and fields of study that have been traditionally excluded, including critical race theory, algorithmic bias, political economy, Indigenous data sovereignty, colonialism, science and technology studies, traditional knowledge, and biological and cultural heritage collections.
JANUARY 30
CHARLTON MCILWAIN
NYU Steinhardt School of Culture, Education, and Human Development
*Remember When the Internet was Black?*

FEBRUARY 6
STEPHANIE RUSSO CARROLL
Native Nations Institute, University of Arizona
*Enhancing Genomic Research in the US Through the Lens of Indigenous Data Sovereignty*

FEBRUARY 13
LATIPA (NÉE MICHELLE DIZON)
University of California, Riverside
*Archives of Love*

MARCH 5
KRISTIAN LUM
Human Rights Data Analysis Group
*Measures of Fairness from New York City’s Supervised Risk Assessment Tool*

MARCH 12
CHRISTOPHER MORTEN
Technology Law and Policy Clinic, NYU School of Law
*The Big Data Regulator, Rebooted: Why and How the FDA Can and Should Disclose Confidential Data on Prescription Drugs*

MARCH 26
MINH-HA PHAM
Pratt Institute
*# BalenciagaThailand: How Thai Social Media Users Made Balenciaga Pay for Copying the Sampeng Bag*

APRIL 9
ANJALI VATS
Boston College
*“Who the Fuck Can Make Up That Shit?” Price, Conjectural Celebrity, and Racial Publicity Names*

APRIL 16
MAUI HUDSON
The University of Waikato
*IP and Indigenous Data Sovereignty: The Traditional Knowledge and BioCultural Labels and Notice System*
Launched in Spring 2018, this experiential learning course explores the practice of law in the areas of intellectual property, information privacy, technology, and innovation. Designed and implemented by the Engelberg Center, the course consists of a fieldwork placement and a weekly seminar.

The fieldwork and the seminar help students develop an appreciation of the types of innovation-related legal and ethical issues that may arise and the practical skills that may be most effective in counseling clients in these settings. In 2020, the Innovation Externship was co-taught by Adjunct Professor Rashida Richardson, Professor Jason Schultz, and Engelberg Center Executive Director Michael Weinberg.

Working under supervision, students provide legal services in various settings. In Spring 2020, the fieldwork placements included KeyBase, NAACP Legal Defense and Education Fund, the New York Attorney General’s Internet and Technology Bureau, the Surveillance Technology Oversight Project, TalkSpace, tech:nyc, and The Whitney Museum.

The seminar hosts a number of guest speakers with practical or academic expertise in specific topics.
LLM PROGRAM

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.

In addition to an intensive course of study, CIIL students connect with NYU’s rich cultural life with events such as Legal Madness.
2019-20 Competition, Innovation, and Information Law Lunch Speakers Series

September 25
Data Sharing in IoT and Data Access Problems
Wolfgang Kerber
Professor of Economics, University of Marburg

October 23
Practicing Intellectual Property Law
Marc Reiner
Partner, Hand Baldachin & Associates LLP
Practicing Intellectual Property Law

October 16
“Hot Topics” in Antitrust, Innovation, and Information Law

November 13
The Chinese Vitamin C Export Cartel and the Role of China—Inside the Litigation
William Isaacson
Partner, Boies Schiller Flexner LLP

April 15
T-Mobile/Sprint Merger
Robert Seamans
Associate Professor of Management and Organizations, NYU Stern School of Business
Lawrence White
Robert Kavesh Professorship in Economics, NYU Stern School of Business

April 22
Competition Overdose: How Free Market Mythology Transformed Us from Citizen Kings to Market Servants
Ariel Ezrachi
Slaughter and May Professor of Competition Law and a Fellow of Pembroke College, University of Oxford, College of Law
Maurice Stucke
Professor of Law, The University of Tennessee College of Law
STUDENT LIFE IN NYU SCHOOL OF LAW’S INNOVATION COMMUNITY

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

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. As NYU School of Law’s first and only online journal, JIPEL provides a unique opportunity for online dialogue through comments from its readers. In keeping with its goals of open access and discourse, JIPEL makes its content available for free to anyone interested in 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 Media Law Collaborative (MLC) brings together the NYU School of Law and the arts programs of the university. It creates a space where law students can address the typical, yet significant legal issues that students face when engaged in the film, music, software, publishing, or fine art industries. Law students also have the opportunity to work directly with media students, providing legal advice to those vetted by their particular programs, under the supervision of attorneys. MLC also sponsors joint educational events, such as guest lectures and panel discussions, and social activities in conjunction with other student organizations at NYU Law as well as NYU’s arts programs.

The NYU Law Art Law Society was launched in 2011. Its mission is to provide a forum at NYU Law for cutting-edge art law topics through lectures, panel presentations, gallery visits, and conversations with practitioners, academics, students, and artists themselves.

Rights over Tech’s (R/T) mission is to ensure human and civil rights take supremacy over technology and the power structure that creates it. R/T works against those who sanction, design, or deploy science or technology that violates these rights, especially the rights of those who are vulnerable and marginalized. R/T builds a space where all members of the Law School community can have safe but challenging conversations about the development and deployment of technology with perspectives informed by differences in race, gender identity, sexual orientation, age, visibility of disability, religion, immigration status, ability, and class.
NYU Law’s **Sports Law Association** (SLA) organizes events to educate its members and the broader NYU community about sports law and its related disciplines and to develop relations with industry-leading institutions (including law firms, leagues, players’ associations, and management groups) in order to connect our members with unique career opportunities unavailable through traditional on-campus recruitment. SLA also provides a forum in which the legal issues at the forefront of the profession can be intensively debated.

In 2019, SLA hosted its 8th Annual Sports Law Colloquium, once again bringing together law students, industry professionals, and leading academics from across the United States to examine the present state of the law and how it may change in the future. Over the past four years, SLA has hosted NHL Deputy Commissioner & Chief Legal Officer Bill Daly, NBA Commissioner Adam Silver, New York Mets GM Sandy Alderson, leading sports attorney Jeffrey Kessler, former NCAA Division I basketball coach Bruce Pearl, President of the NY Yankees Randy Levine, FOX reporter Ken Rosenthal, ESPN reporter Andrew Brandt, Vice President & Deputy General Counsel of MLB’s Labor Department Paul Mifsud, and NFL Network reporter Adam Schefter, among many others.
MADELEINE R. CHONÉ ’20 won NYU School of Law’s Jack J. Katz Memorial Award to a student who has demonstrated excellence in the field of entertainment law.

GABRIEL B. FERRANTE ’20 won NYU School of Law’s Walter J. Derenberg Prize for outstanding achievement in the area of intellectual property law.

TY LAI ’20 won NYU School of Law’s Larry Fleisher Memorial Foundation Prize for extraordinary achievement in the area of sports and entertainment law.

YANG LI ’20 won the Journal of Intellectual Property and Entertainment Law Prize for the graduating student who has written the most outstanding note for the journal for the note “Does It Still Take Two to Tango? A Modern Interpretation of the BPCIA’s Patent Dance.”

OREN DANIEL STEVENS ’20 won NYU School of Law’s Jack J. Katz Memorial Award to a student who has demonstrated excellence in the field of entertainment law.

NICHOLAS G. VINCENT ’20 won the Journal of Intellectual Property and Entertainment Law Prize for the greatest contribution by a third-year editor to the journal.