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### ACADEMIC POSITIONS

University of California at Berkeley

Richard M. Sherman Distinguished Professor of Law & Information,  
since 2005; Chancellor's Professor of Law & Information, 2001-06;  
Professor since 1996

Courses on intellectual property, Internet law, information law and  
policy; seminars on copyright reform, open source and open content  
licensing, intellectual property scholarship, peer to peer file sharing,  
copyright law for an information society

Honorary Professor, University of Amsterdam, since June 2002

University of Pittsburgh School of Law, Professor of Law, 1987-1996;  
Associate Professor, 1984-87; Assistant Professor, 1981-84

Visiting Professor of Law, New York University Law School, Fall 2011;  
Harvard Law School, Fall 2007; Cornell Law School, 1995-96; Columbia  
Law School, Spring 1994; Emory University, 1989-90; Visiting Assistant  
Professor of Law, University of Hawaii Law School, Fall 1980

Distinguished Visiting Faculty, University of Toronto Law School, January  
2002; Visiting Fellow, University of Melbourne School of Law, Summer  
1997; Visiting Scholar, Vrije Universiteit Brussels, Summer 1993

Principal Investigator, Software Licensing Project, Software Engineering  
Institute, Carnegie-Mellon University, 1985-86, Consultant 1986-88

Litigation Associate, Willkie Farr & Gallagher, 1977-81

Research Associate, Vera Institute of Justice, 1976-77

## EDUCATION

Yale Law School, J. D. 1976

University of Hawaii at Honolulu, M. A. 1972, Political Science; B. A. 1971, History

## WORKS IN PROGRESS

How Important Are Intellectual Property Rights to Software Entrepreneurs?, (with Stuart J.H. Graham)

The Quest for a Sound Conception of Copyright's Derivative Work Right

Evolving Conceptions of the Roles of Patent and Copyright Laws in Protecting Intellectual Creations

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Is Copyright Reform Possible?, 127 Harv. L. Rev. (forthcoming 2013) (book review)

The Past, Present and Future of Software Copyright Interoperability Rules in the EU and US, 2012 Eur. Intell. Prop. Rev. 229 (March 2012)

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The Uneasy Case for Software Copyrights Revisited, 79 Geo. Wash. U. L. Rev. 1746 (2011)

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High Technology Entrepreneurs and the Patent System: Results of the 2008 Berkeley Patent Survey, 24 Berkeley Technology L. J. 1255 (2010) (with Stuart J.H. Graham, Robert P. Merges, & Ted Sichelman)

Google Book Search and the Future of Books in Cyberspace, 94 Minn. L. Rev. 1308 (2010)

Academic Author Objections to the Google Book Settlement, 8 J. Telecom. & High Tech. L. 217 (2010)

Is the Proposed Google Book Settlement “Fair”?, 2010-2 AMI: Tijdschrift voor Auteurs, Media & Informatierecht 50

Pamela Samuelson’s Letters to the Court: Concerns on the Proposed Google Book Settlement, 12 Tulane J. Tech. & Intell. Prop. L. 185 (2009)

Why Plaintiffs Should Have To Prove Irreparable Harm in Copyright Preliminary Injunction Cases, 5 I/S: J. Law & Policy for Info. Soc’y 67 (2009) (with Krzysztof Bebenek)

Statutory Damages in U.S. Copyright Law: A Remedy in Need of Reform, 51 Wm. & Mary L. Rev. 439 (2009) (with Tara Wheatland),  
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Copyright Cases, 158 U. Pa. L. Rev. PENNumbra 53 (2009),  
<http://www.pennumbra.com/debates/pdfs/CopyrightDamages.pdf> (with Ben  
Sheffner)

Are Patents on Interfaces Impeding Interoperability?, 94 Minn. L. Rev. 1943  
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Unbundling Fair Uses, 77 Fordham L. Rev. 2537 (2009)  
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2007-08 (Rodney Smolla, ed. 2008); excerpts republished in  
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Professors and US-ACM Public Policy Committee, to the U.S. Supreme  
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REGIME (Keith E. Maskus & Jerome.H. Reichman eds. 2005);  
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earlier version published under the title "Copyright, Censorship and Commodification: The Past As Prologue", in *COMMODIFICATION OF INFORMATION* (Niva Elkin-Koren & Neil Netanel, eds., 2002), republished in *CONSTRUCTING CYBERSPACE* (Birgit Viohl, ed., UNITAR CD-ROM 2003)

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portions republished in *MARGARET JANE RADIN, JOHN ROTHCHILD & GREGORY SILVERMAN, INTERNET COMMERCE: THE EMERGING LEGAL FRAMEWORK* (2002)

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updated version published in *U.S. INTELLECTUAL PROPERTY LAW AND POLICY* (Hugh Hansen, ed. 2006)

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Do Software Copyrights Protect What Programs Do?, 55 Comm. ACM 27 (March 2012)

Why the Google Book Settlement Failed—And What Comes Next?, 54 Comm. ACM 29 (Nov. 2011)

Too Many Copyrights? , 54 Comm. ACM 29 (July 2011)

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<http://radar.oreilly.com/2010/07/why-software-startups-decide-t.html>

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## SELECTED ACTIVITIES AND HONORS

IP3 Award for Internet Policy, Public Knowledge (Oct. 2010)

Member, Board of Directors, Electronic Privacy Information Center, since 2010

Fellow, Center for Democracy & Technology, since 2009

Distinguished Teaching Award, School of Information, UC Berkeley, May 2008

Member, World Economic Forum's Global Agenda Council on Geography of Technology Innovation, since June 2008

Member, California Council of Science & Technology 2006-2007; Member, CCST Intellectual Property Study Committee, 2005-06

Anita Borg Institute Women of Vision Award for Social Impact, October 2005

World Technology Network Award for Law, October 2004

Honorary Professor, University of Amsterdam, since June 2002

Fellow of the John D. and Catherine T. MacArthur Foundation, 1997-2002

Distinguished Alumni Award, University of Hawaii, May 2000

Member, Board of Directors, Open Source Application Foundation, 2002-2007

Member, Board of Directors, Electronic Frontier Foundation, since July 2000; Public Policy Fellow 1997-2000

Member, Board of Directors, Public Knowledge, 2002-2004

Member, National Research Council Study Committee on Intellectual Property Rights in the Knowledge-Based Economy, 2000-04



Berkeley Technology Law Journal Pioneer Award, 1999

Fellow of the Association of Computing Machinery, since 1998

Member, American Law Institute, since 1998

Director, Berkeley Center for Law and Technology, University of California at Berkeley, since 1997

Member, National Research Council Study Committee on Intellectual Property Rights and the Information Infrastructure, 1998-2000

Contributing Editor, Communications of the ACM, 1990- present