$14^{\rm th}$ Annual Intellectual Property Scholars Conference uc Berkeley School of Law \mid Berkeley, CA \mid August 6 - 8, 2014

List of Speakers

First Name	Last Name	Abstract Title	Breakout
Ana	Alba Betancourt	Cross-border Patent Conflicts, UPC or	V
Jonas	Anderson	Arbitration? Lobbying by Judges: The Federal Circuit, Congress, and the History of Judicial Lobbying Efforts	I
Clemens	Appl	Consuming Digital Goods: A Subject-Matter of Copyright?	IV
Ozgur	Arikan	Modern Functions and the Trademark Prerequisite in European Trademark Law	III
Clark	Asay	Copyright's Technological Interdependencies	III
Jonathan	Ashtor	Redefining "Valuable Patents": Analysis of the Key Value Factors of U.S. Patents Asserted in Infringement Litigation	I
Shyamkrishna	Balganesh	Unplanned Coauthorship	III
Christopher	Beauchamp	The First Patent Litigation Explosion	II
Karl	Belgum	FRAND Limitations on Licensing Strategies	V
Gaia	Bernstein	The Rise and Fall of the End User in Patent Litigation and the Attorney Fee Shifting Debate	VI
Ana Carolina	Bittar	Unlocking the Gates of Alexandria: DRM, Competition and Access to E-Books	III
Megan	Blakely	Pattern Recognition: Governmental Regulation of Tartan and Commodification of Culture	IV
Jeremy	Bock	An Experimental Assessment of the Presumption of Validity	I
Bruce	Boyden	Copyright's Missing Secondary Liability Factor: Cost	IV
Dan	Burk	Inventing Around Copyright	V

$14^{th} \ Annual \ Intellectual \ Property \ Scholars \ Conference$

First Name	Last Name	Abstract Title	Breakout
Shane	Burke	Beyond the Readymade: Michael Asher's	V
		Skulptur Projekte Münster Caravan and the	
		Challenges for Copyright Law	
Michael	Burstein	Secondary Markets for Patents:	PLENARY
		A Framework for Evaluation	
Sarah	Burstein	The Patented Design	VI
Michael	Carrier	Payment After Actavis	\mathbf{V}
Michael	Carroll	Why Researchers' Machines Should Have	I
		the Right to Read	
Bernard	Chao	Patent Imperialism	II
Tun-Jen	Chiang	Patent Law and The First Amendment	\mathbf{V}
Jorge	Contreras	Stories of Gene Patenting	IV
Carys	Craig	Bodies in Motion: Contemplating	I
		Choreography and Copyright Law	
Ben	Depoorter	Copyright Remedies & Hypothetical	III
		Damages	
Peter	DiCola	Valuing Control	I
Stacey	Dogan	Trademark Law and Social Value	I
Yan	Fang	Fair Music and False Advertising	I
Robin	Feldman	Patent Demands & Startup Companies:	IV
		The View From the Venture Capital	
		Community	
Joseph	Fishman	Creating Around Copyright	\mathbf{V}
Michael	Frakes	Does the U.S. Patent & Trademark Office	I
		Grant Too Many Bad Patents?:	
		Evidence from a Quasi-Experiment	
Jeanne	Fromer	The Use and Abuse of Certification Marks	I
Stefania	Fusco	The Patentability Requirements in the	II
		Venetian Republic Between the 15th and	
		18th Centuries	
William	Gallagher	Do 'Groundless Threats' Statutes Curtail IP	IV
		Over-Enforcement?	
Kristelia	García	Triggering Competition	III

First Name	Last Name	Abstract Title	Breakout
Shubha	Ghosh	Exit, Voice, and Intellectual Property	II
Llewellyn	Gibbons	Fake It Until You Make It: A Justification	V
		for Intellectual Property "Piracy" as an	
		Instrument of Economic Development	
		Based on Classical Economic Theory	
James	Gibson	Trademark Law and Agency Costs	I
Andrew	Gilden	Raw Materials and Creative Works	II
U. Shen	Goh	Branding Democracy:	V
		Using Trade-marks to Voice Dissent	
John	Golden	When Law Repeats Itself:	II
		Redundancy and Legal Design	
Patrick	Goold	Why Copyright Infringement is Not a Strict	IV
		Liability Tort and Why That Matters	
Wendy	Gordon	The Core of Copyright	I
Brad	Greenberg	Rethinking Technology Neutrality:	IV
	C	Copyright's Case for Discrimination	
Hillary	Greene	Information Product Redesign as	III
·		Commercial Expression: Antitrust	
		Treatment of Speech and Innovation	
Leah	Grinvald	Policing the Cease-and-Desist Letter	VI
Richard	Gruner	An Agency Theory of Patent Law:	VI
		Linking Innovators and Invention Users	
Paul	Gugliuzza	Patent Preemption	VI
Eldar	Haber	The Criminal Copyright Gap	IV
Debora	Halbert	Intellectual Property for the Neurocentric	II
		Age: Towards a Neuropolitics of IP	
Yaniv	Heled	Regulatory Competitive Shelters as Patent	VI
		Substitutes	
Christian	Helmers	Invalid but Infringed? An Analysis of	V
		Germany's Bifurcated Patent Litigation	
		System	
Joachim	Henkel	Why Most Patents are Invalid - Extent,	VI
		Reasons, and Potential Remedies of Patent	
		Invalidity	

14th Annual Intellectual Property Scholars Conference UC Berkeley School of Law | Berkeley, CA | August 6 - 8, 2014

First Name	Last Name	Abstract Title	Breakout
Laura	Heymann	Knowing How to Know: Secondary Liability	IV
		for Speech	
Sarah	Hinchliffe	Defining the Boundaries of a Scandalous	IV
		Mark - Perspectives from Australia, and the	
		United States, and the United Kingdom	
Cynthia	Но	A New Challenge to Domestic Ability to	II
		Determine Intellectual Property Rights:	
		Evaluating Eli Lilly's Investor-State	
		Arbitration Claim for Invalidation of	
		Patent Rights	
Vuyisile	Hobololo	Government's Walk-in Rights and Public	V
		Access to Medicines: Implications of the IPR	
		Act on State-funded Pharmaceutical R&D	
		Outcomes in South Africa	
Christopher	Holman	The Emerging Issue of Self-Replicating	V
		Technologies and Inadvertent Patent	
		Infringement:	
		Bowman v. Monsanto as a Bellwether	
Philipp	Homar	Consuming Digital Goods:	IV
		A Subject-Matter of Copyright?	
Erik	Hovenkamp	Predatory Patent Litigation	IV
Camilla	Hrdy	Commercialization Awards	VI
Jingjing	Hu	Research on TPP "Intellectual Property	II
		Damages" and China's Approach	
Gus	Hurwitz	Privacy, Security, and the FTC's	III
		UnCommon Law	
D.R.	Jones	Law Firm Copying and Transformative Fair	II
		Use: An Examination of Different Purpose	
Dmitry	Karshtedt	Upstream Inventions	VI
Ariel	Katz	The IP Constitution:	VI
		Private Power and State Power in IP Law	
Jay	Kesan	Made in China: How Chinese Innovation is	VI
		Changing the Patent Landscape	
Sapna	Kumar	Infringing Data and Rogue Agencies	II

First Name	Last Name	Abstract Title	Breakout
Anna	Laakmann	Intellectual and Regulatory Property	IV
Mary	LaFrance	The Authorship Rights of Performers	III
Peter	Lee	The Supreme Court's Myriad Effects on Scientific Research	IV
Edward	Lee	Patent Trolls: Moral Panics and Patent Reform	VI
Zhen	Lei	Patents and Information Containment: The Case of Hydraulic Fracturing in Shale Gas Extraction	VI
Mark	Lemley	Does "Public Use" Mean the Same Thing It Did Last Year?	III
David	Levine	Tailoring Trade Secrecy: The Moral Imperative of Industry-Specific Application of Doctrine	II
Oskar	Liivak	When Nominal is Reasonable: Damages for the Unpracticed Patent	VI
Jake	Linford	Trademark Capacities	I
Jiarui	Liu	Copyright for Blockheads: An Empirical Study of Market Incentive and Intrinsic Motivation	III
Deming	Liu	Wedgwood, Innovation and Patent	II
Orly	Lobel	The New Cognitive Property: Human Capital, Knowledge Creation, and the Reach of Intellectual Property	II
Brian	Love	An Empirical Study of Inter Partes Review	III
Lisa	Macklem	The Public Performance Right in the Digital Environment: A Comparative Analysis	IV
Michael	Madison	Subjects, Objects, and Social Things: The Case of the Copyright Work	I
Irina	Manta	Judging Similarity	III
Jonathan	Masur	Deference Mistakes	VI
Michael	Mattioli	The Regulation of Big Data Pools	VI

14^{th} Annual Intellectual Property Scholars Conference

First Name	Last Name	Abstract Title	Breakout
Mark	McKenna	Criminal Trademark Enforcement and the Problem of Inevitable Creep	IV
Salil	Mehra	Compulsory Licensing of Intellectual Property in China	VI
Robert	Merges	Interdependent Invention: A Limited Defense of Absolute Infringement Liability in Patent Law	VI
Shawn	Miller	If You Can't Beat 'Em, Join 'Em? How Sitting by Designation Affects Judicial Behavior	I
Emily	Morris	Reverse Payment Settlement Paradigms	V
Adam	Mossoff	A Brief History of Software Patents (and Why They're Valid)	II
Xuan-Thao	Nguyen	In the Name of Patent Stewardship: The Federal Circuit's Overreach in Commercial Law	I
Liam	O'Melinn	Copyright, Culture, and the Intellectual Property Servitude	I
Tyler	Ochoa	Forgotten and Abandoned: Section 113's Limitations on Copyright in Works Depicting Useful Articles	V
Lisa	Ouellette	Patentable Subject Matter and Non-Patent Innovation Incentives	II
Sean	Pager	Making Copyright Work for Creative Upstarts	PLENARY
Laura	Pedraza-Farina	Understanding the Federal Circuit: A Model of Expert Decision-making	I
Miquel	Peguera	Trademark Functions and Trademark Rights	I
Thami	Piaia	Which Institutions, Legal and Economic, Allow Innovations?	V
W. Nicholson	Price	Incentives, Intellectual Property, and Black Box Personalized Medicine	IV

First Name	Last Name	Abstract Title	Breakout
Christoph	Rademacher	The Marginal Role of Japanese Trade Secret	V
		Law	
Arti	Rai	Biosimilars and Manufacturing Trade	IV
		Secrets	
Sarah	Rajec	Indisputable IP	I
Cesar	Ramirez-Montes	A Re-assessment of Trade Mark Use in	III
		European Law	
Lisa	Ramsey	Free Speech, Competition, and the Structure	V
		of Trademark Law	
Brenda	Reddix-Smalls	Satellite Remote Sensing and Database	IV
		Management Who Owns Digitalization of	
		Indigenous Peoples, Antiquities and Their	
		Artifacts	
Greg	Reilly	Forum Selling	I
Michael	Risch	A Generation of Patent Litigation	IV
Jeff	Roberts	Rebel Without Good Laws: James Dean and	II
		Posthumous Publicity Rights on Social	
		Media	
Jorge	Roig	Can DNA Be Speech?	V
Betsy	Rosenblatt	IP, Creativity, and a Sense of Belonging	IV
Jennifer	Rothman	Copyright's Private Ordering: Lessons For	PLENARY
		Congress	
Rachel	Sachs	The Unexplored Intersection of Divided	V
		Infringement and Medical Method Patents	
Matthew	Sag	Copyright Trolling	IV
Zahr	Said	Copyright Law and Interpretive	III
		Engagement	
Pamela	Samuelson	Justifications for Copyright Limitations &	V
		Exceptions	
Sharon	Sandeen	Trade Secrets Plus (or the Real Purpose	III
		Behind the AIA?)	
Karen	Sandrik	Using Contract Law to Reopen Academic	I
		Science	

14th Annual Intellectual Property Scholars Conference UC Berkeley School of Law | Berkeley, CA | August 6 - 8, 2014

Breakout **First Name Abstract Title Last Name** Boon and Bane of Inventive Concepts and Sigram Schindler VI Refined Claim Construction in the Supreme Court's Patent Precedents Mark Uncovering Trade Secrets: An Empirical Schultz II Approach to Trade Secrets David Patent Assertion Entity (PAE) Lawsuits: An IVSchwartz Empirical Study of Settlement Behavior and Litigation Outcomes Victoria Schwartz Importing Privacy Analogies in Trade III Secret Law Lea Shaver Local Language Limitations: Copyright and Ι the Commons Jeremy Sheff **PLENARY** Who Should Pay for Progress? Copyright's Knowledge Principle **Iennifer** Sheridan IVBrenda Generating Trade Secrets from Patents Simon II Ned Snow Content-Based Copyright Denial \mathbf{V} Hefa Patent Quality Connotation and its \mathbf{VI} Song Measuring Indicator System: The Patent Quality Comparison Between China and the Main Developed Countries Based on SIPO's Patent Data Neel Regulatory Monopoly and Differential **Sukhatme** 1 Pricing in the Market for Patents Mira Orphan Works and Moral Rights: A View Sundara Rajan IVfrom the UK Principles of Problematic Patents Harry Surden VITakenaka IVToshiko *Easy Fix for U.S. Software Patent Problems:* Comparative Law Perspective Xiyin III Tang It's Not Fair Use, It's Genericide David **Taylor** Patent Litigation Procedure After the III America Invents Act

First Name	Last Name	Abstract Title	Breakout
Andrew	Torrance	The Three Patent Cultures: A Comparative	I
		Analysis of Utility, Design, and Plant	
		Patent Citation Networks	
Marketa	Trimble	The Multiplicity of Copyright Laws on the	IV
		Internet: Proposed Solutions, Objections to	
		the Solutions, and the Realities of Cross-	
		Border Copyright Enforcement	
Ofer	Tur-Sinai	The Trans-Pacific Partnership:	II
		Experimental Use of Patents on the	
		International Agenda	
Rebecca	Tushnet	All of This Has Happened Before and All of	II
		This Will Happen Again	
Molly	Van Houweling	The Dead Hand of Copyright	I
Liza	Vertinsky	Moving Beyond "Pre-Competitive" in	V
		Public-Private Partnerships	
Saurabh	Vishnubhakat	A Relevant Intent Theory of Patents	I
Robert	Walker	Unavoidable Aesthetic Judgments in	I
		Copyright Law: The Community of Practice	
		Standard	
Faye Fangfei	Wang	Site-blocking Orders in the EU:	IV
		Justifications and Feasibility	
Melissa	Wasserman	Is the Time Allocated to Review Patent	PLENARY
		Applications Inducing Examiners to Grant	
		Invalid Patents? Evidence from Micro-level	
		Application Data	
David	Welkowitz	Willfulness	II
Felix	Wu	Secondary Copyright Remedies	PLENARY
Stephen	Yelderman	Coordination-Focused Patent Policy	V
Christopher	Yoo	Public Good Economics and Standard	V
		Essential Patents	
Peter	Yu	The Right to Parody and User-Generated	II
		Content	
Wentong	Zheng	Exhausting Patents	V

14th Annual Intellectual Property Scholars Conference UC Berkeley School of Law | Berkeley, CA | August 6 - 8, 2014

First Name	Last Name	Abstract Title	Breakout
Dong	Zhu	The Nature of the Sale: Behavior in	VI
		Trademark Infringement under Chinese	
		Trademark Law	