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Faculty News and Research Highlights

Dwight Jaffee testified at the U.S. Senate Committee on Banking, Housing, and Urban Affairs hearing on "[Housing Finance Reform: Should There Be a Government Guarantee?](#)" about his research into replacing government sponsored enterprises' role in the housing mortgage market with private marketplace solutions.

Is it time to take a look at deregulating the legal profession? **Eric Talley** provided comments on a recent Brookings Institution monograph on that subject. Read his comments and replies from various scholars at: "[Deregulating Lawyers: Comments From a Knee-jerk Skeptic.](#)"

"As a general matter, this could be a cautionary tale about trying to litigate the bejeezus out of an unhappy situation," [commented Eric Talley](#) on the \$66.7 million jury award to bond investor Jeffrey Gundlach in his battle with his former employer, money management firm TCW.

Michael Ross' textbook, *Ethics, Integrity, and Avoiding "Club Fed,"* was recently published by LexisNexis. The book provides junior lawyers with tools to analyze issues thoroughly to facilitate using their legal skills to encourage ethical conduct. It also identifies practical steps that may be taken and practical arguments that may be made to persuade more senior lawyers or clients to avoid unethical conduct.

On November 4, 2011 **Justin McCrary** will present at the Northwestern University School of Law's Sixth Annual Conference on Empirical Legal Studies (CELS 2011) on the topic "Matching and Reweighting on the Propensity Score." Previous participants in the invited series include Josh Angrist, Dan Ho, and Guido Imbens.

Curriculum

Silicon Valley Antitrust is a new addition to the [business law curriculum](#) in Spring 2012. The course covers real-world applications of US and EU antitrust law to the computer, software, internet, and social media industries.

Events

Monday, October 24, 2011

Boalt Hall, Room 145; 12:30 – 1:50 pm

Law & Economics Workshop

[Patent-Infringement Injunctions' Scope](#)

John Golden will discuss the scope of injunctions against patent infringement, including an analysis of results from a study of patent infringement injunctions issued by US district courts in 2010 that disclosed many such injunctions apparently violating the Federal Rules of Civil Procedure.

Tuesday, October 25, 2011

Boalt Hall, Room 12; 11:20 – 12:35 pm

Euro Crisis in Greece: Causes and Conditions for Reform

Stavros Gadinis and **Thanos Veremis**

The Eurozone has been in crisis mode for the last two years. Greece, Ireland, Portugal, and now Spain and Italy, have difficulty convincing investors that they can continue to repay their debts. As the crisis is spreading, the rift between Europe's industrial core and its service-oriented periphery is growing. In the distressed countries, aggrieved citizens flood the streets and labor unions go on strike opposing reforms that they see as an onslaught to the welfare state. Thanos Veremis (University of Athens) will discuss the roots of the crisis in Greece's social model in the decade before the crisis, and will explore avenues for reform. Stavros Gadinis will offer comments and kickstart the discussion.

November 1, 2011

Boalt Hall, Room 110; 12:45 – 1:45 pm

[Do China's Stock Markets Matter?](#)

Carl E. Walter

This year marks the 20th anniversary of the establishment of China's two stock exchanges in Shenzhen and Shanghai. Over these two decades nearly 2,000 Chinese companies have listed domestically and in Hong Kong and beyond raising nearly US \$300 billion. There is no doubt but that these markets are important. But in a country with no private property and in which banks account for over 90 percent of all corporate financings just what role do stock markets play and what is their overall significance? This talk explores these two questions and describes how Western legal, accounting and financial concepts have changed China's economic landscape, although perhaps not in any fundamental way.

Curriculum *(continued)*

Silicon Valley Antitrust *(cont.)*

Firms such as Google, Intel, Microsoft, IBM, Apple, Oracle, Nintendo and others have all been involved in high-stakes antitrust battles that have shaped the global technology landscape. Using industries, rather than legal doctrine, as the main organizing principle for the course, students will explore not only the legal questions but also the economic and public policy issues underlying these trends. The course addresses: (1) the chip-making and foundry business; (2) search and display advertising; (3) mobile ecosystems; (4) the database and enterprise software space; and (5) social networks, which present issues in international cartels, predatory innovation, tying and bundling, search engine manipulation, open and closed systems, monopolization, open source software, and acquisitions of businesses and patent portfolios.

Visiting Scholars Highlights



[Claudia Langer](#) studied law at the University of Freiburg, Germany, and the University of Geneva, Switzerland, with a specialization in Intellectual Property and Competition Law. Her research interest is the intersection of Intellectual Property and Competition/Antitrust Law. In her Ph.D. thesis Ms. Langer compares German, European, and American legal and economic aspects of this intersection with regard to the pharmaceutical and biotechnology industries. Since January 2011, she has been a visiting scholar at BCLBE researching on stem cells and patents from a comparative law point of view with Ken Taymor.

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Events *(continued)*

November 8, 2011

Boalt Hall, Room 110; 12:45 – 1:45 pm

[New Corporate Forms:](#)

Flexible Purpose Corporations, B Corps and L3Cs

Susan H. Mac Cormac, Morrison & Foerster

This talk will explore the positives and negatives of new corporate forms being tested in California and other states and how they differ from traditional corporations, LLCs and partnerships. Ms. Mac Cormac will provide preliminary answers to the questions of whether a new form is necessary and of which model can best serve to promote environmental sustainability. She will also discuss constraints on these forms based on the California and Delaware Corporations Codes and case law.

November 9, 2011

[The Global Marketplace: Keys to Success](#)

BCLBE and **Latham & Watkins** are presenting a timely and informative conference pertinent to companies operating in a global economy. Experts from around the world will provide “on-the-ground” best practices to successfully manage operations overseas. Topics to be discussed at this conference include:

- Looking East: Opportunities for Doing Business in China
- Crossing the Border: Enforcement of IP Rights at the U.S. and European Borders
- Ensuring Global Privacy Compliance
- Navigating Regulatory Risk in an Age of Enforcement
- Trends in Global Antitrust Enforcement – Single-Firm Conduct & High Tech Companies

Safra Catz, President and CFO of Oracle Corporation, will deliver the keynote.

Contact [us](#) for registration information.

Events Recap

Smart Course Planning: What to Take in Business Law and Why.

Ken Taymor and other business law faculty and practitioners gave an overview of the Spring 2012 business law curriculum. The business law course listing is available [here](#). To view a recording of the presentation click [here](#).

BCLBE Online

[The Network:](#) Business at Berkeley Law recently posted on how in the social media fueled economy, forward-thinking businesses are obligated to be concerned about their reputation on the web.

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