

JENNIFER M. URBAN

University of California, Berkeley, School of Law
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ACADEMIC APPOINTMENTS

UNIVERSITY OF CALIFORNIA-BERKELEY SCHOOL OF LAW (BERKELEY, CA)

Current:

Clinical Professor of Law 2014–present

Director of Policy Initiatives,
Samuelson Law, Technology & Public Policy Clinic 2020–present

Previous:

Clinical Assistant Professor of Law; Co-Director and Director,
Samuelson Law, Technology & Public Policy Clinic 2009–2019

Courses taught:

Samuelson Law, Technology & Public Policy Clinic; Advanced Samuelson Law,
Technology & Public Policy Clinic; Cybersecurity in Context; Future of Cybersecurity
Reading Group; Law and Technology Scholarship Seminar

UNIVERSITY OF SOUTHERN CALIFORNIA, GOULD SCHOOL OF LAW (LOS ANGELES, CA)

Founding Director, Intellectual Property and Technology Law Clinic 2004–2009

Clinical Professor of Law 2009

Clinical Associate Professor of Law 2006–2009

Clinical Assistant Professor of Law 2004–2006

Courtesy/Interdisciplinary:

Faculty, USC Center for Communication Law and Policy

Fellow, USC Annenberg Center for Communication

Instructor, USC Stevens Institute/Viterbi School of Engineering: Intellectual Property for
Inventors (class on intellectual property and commercialization for science and
engineering graduate students)

STANFORD UNIVERSITY, STANFORD LAW SCHOOL (STANFORD, CA)

Visiting Associate Professor of Law

Interim Director, Cyberlaw Clinic Academic year 2007–2008

UNIVERSITY OF CALIFORNIA-BERKELEY SCHOOL OF LAW (BERKELEY, CA)

Samuelson Law, Technology & Public Policy Clinic:

Visiting Acting Clinical Professor of Law 2003–2004

Fellow and Lecturer 2002

GOVERNMENT SERVICE

BOARD CHAIRPERSON, CALIFORNIA PRIVACY PROTECTION AGENCY

Appointed by California Governor Gavin Newsom 2021–present

EDUCATION

UNIVERSITY OF CALIFORNIA-BERKELEY SCHOOL OF LAW (BERKELEY, CA)*Juris Doctor (Intellectual Property Law Certificate)* 2000

Award for Excellence in Writing and Research; Chief Editor and Teaching Fellow, *Berkeley Technology Law Journal Annual Review of Law and Technology*, 1999–2000; *Berkeley Technology Law Journal* Article Editor, Associate Editor, 1997–1999; Executive Board of the Berkeley Organization for Law and Technology; Founder and Co-Director, ASSET (Attracting Students of Science, Engineering and Technology); Member, Health Care Law Society

CORNELL UNIVERSITY (ITHACA, NY)*B.A., Biological Science (Concentration in Neurobiology & Behavior)* 1997**PROFESSIONAL EXPERIENCE**

VENTURE LAW GROUP (MENLO PARK, CA)

Attorney, IP Group 2000–2001
 Summer Associate Summer, 1999

HOWREY AND SIMON, LLP (MENLO PARK, CA)

Summer Associate Summer, 1999

PUBLICATIONS

ARTICLES, REPORTS, AND BOOKS

Foreword to the 27th Annual Berkeley Center for Law and Technology/Berkeley Technology Law Journal Symposium: From the DMCA to the DSA—A Transatlantic Dialogue on Platform Liability and Copyright Law, 38-3 BERKELEY TECHNOLOGY LAW JOURNAL 865 (2023)

WRITING ABOUT REAL PEOPLE (2023) (with Gabrielle Daley and students Lily Baggott, Jameson Davis, Tommy Ferdon, Alex Harvey, Emma Lee, and Daniel Todd)

The Right to Contest AI, 121 COLUMBIA LAW REVIEW 1957 (2021) (with Margot E. Kaminski)

Takedown in Two Worlds: An Empirical Analysis, 64 JOURNAL OF THE COPYRIGHT SOCIETY OF THE USA 483 (2018) (peer-reviewed) (with Brianna L. Schofield and Joe Karaganis)

Notice and Takedown: Online Service Provider and Rightsholder Accounts of Everyday Practice, 64 JOURNAL OF THE COPYRIGHT SOCIETY OF THE USA 371 (2017) (peer-reviewed) (with Brianna L. Schofield and Joe Karaganis)

NOTICE AND TAKEDOWN IN EVERYDAY PRACTICE, (v.1, 2016; v.2, 2017) (with Brianna L. Schofield and Joe Karaganis)

Takedown and Today's Academic Digital Library, 13 I/S: JOURNAL OF LAW AND POLICY FOR THE INFORMATION SOCIETY 125 (2016) (with Brianna L. Schofield)

Privacy Issues in Smart Grid Deployment, in RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY AND CLIMATE CHANGE (Elgar 2016) (book chapter)

The Privacy Pragmatic as Privacy Vulnerable, Symposium on Usable Privacy and Security (Juried) (2014) (with Chris Jay Hoofnagle)

Alan Westin's Privacy Homo Economicus, 49 WAKE FOREST LAW REVIEW 261 (2014) (with Chris Jay Hoofnagle)

Does Familiarity Breed Contempt Among Judges Deciding Patent Cases? 66 STANFORD LAW REVIEW 1121 (2014) (with Mark A. Lemley and Su Li)

Solving the Orphan Works Problem for the United States, 37 COLUMBIA JOURNAL OF LAW & THE ARTS, No. 1, (2013) (with David R. Hansen, Kathryn Hashimoto, Gwen Hinze, and Pamela Samuelson)

What Constitutes a Diligent Search Under Present and Proposed Orphan Work Regimes? Berkeley Digital Library Copyright Project, White Paper No. 5 (2013) (with David R. Hansen and Gwen Hinze)

Orphan Works and the Search for Rightsholders: Who Participates in a "Diligent Search" under Present and Proposed Regimes? Berkeley Digital Library Copyright Project, White Paper No. 4 (2013) (with David R. Hansen and Gwen Hinze)

Report on Orphan Works Challenges for Libraries, Archives, and Other Memory Institutions (2013) (with David Hansen; co-researchers Patricia Aufderheide, Peter Jaszi, and Meredith Jacob)

Mobile Payments: Consumer Benefits & New Privacy Concerns, THE EUROPEAN FINANCIAL REVIEW pp. 9-12, Feb.-Mar. 2013 edition, (2013) (with Chris Jay Hoofnagle and Su Li) (cover article)

How Flexibility Supports the Goals of Copyright Law: Fair Use and the U.S. Library Experience, on behalf of Library Copyright Alliance (2013) (with Lila I. Bailey and students Elizabeth A. Hadzima and Alexandra A. Wood)

The Library Copyright Alliance's Experience with Flexible Limitations and Exceptions in the U.S. Copyright Regime (short paper), on behalf of Library Copyright Alliance; also translated as *Experiências Da Library Copyright Alliance Com Limitações E Exceções Flexíveis Na Lei Estadunidense De Direitos Autorais*, (in Brazilian Portuguese; translator Seth David Schoen) (2012) (with Lila I. Bailey and students Elizabeth A. Hadzima and Alexandra A. Wood)

Privacy and Advertising Mail, BCLT Research Paper Series (2012) (with Chris Jay Hoofnagle and Su Li)

Privacy and Modern Advertising: Most US Internet Users Want 'Do Not Track' to Stop Collection of Data about their Online Activities, Amsterdam Privacy Conference (2012) (with Chris Jay Hoofnagle and Su Li)

A Quick Guide to Software Licensing for the Scientist-Programmer, 8 PLOS COMPUTATIONAL BIOLOGY, Issue 7, e1002598 (2012) (peer-reviewed) (authors Andrew Morin, Jennifer M. Urban, and Piotr Sliz)

How Fair Use Can Help Solve the Orphan Works Problem, 27 BERKELEY TECHNOLOGY LAW JOURNAL 1379 (2012)

Mobile Phones and Privacy, BCLT Research Paper Series (2012) (with Chris Jay Hoofnagle and Su Li)

Mobile Payments: Consumer Benefits & New Privacy Concerns, BCLT Research Paper Series (2012) (with Chris Jay Hoofnagle and Su Li)

Shining Light into Black Boxes, 336 SCIENCE, 159-160 (2012) (peer-reviewed) (authors Andrew Morin, Jennifer Urban, Paul D. Adams, Ian Foster, Andrej Sali, David Baker, and Piotr Sliz)

Protecting Open Innovation: The Defensive Patent License as a New Approach to Patent Threats, Transaction Costs, and Tactical Disarmament, 26 HARVARD J. LAW AND TECH. 1, Fall 2012 (with Jason Schultz)

Law Reform in IP/Technology Clinics, 10 CLINICAL LAW SEMINAR 145 (Dec. 2011) (Symposium: *Start-Up in the Collaboration of Legal and Medical Education*) (in Japanese; translation by Shinichi Yuhara)

Streamlining Music Licensing to Facilitate Music Delivery, on behalf of Public Knowledge, Copyright Reform Act Project (2011) (with Daniel S. Park and Jennifer Lynch)

Providing an Incidental Copies Exemption for Service Providers and End-Users, on behalf of Public Knowledge, Copyright Reform Act Project (2011) (with students Dena Chen, Musetta Durkee, and Jared Friend)

Updating 17 U.S.C § 512's Notice and Takedown Procedure for Innovators, Creators, and Consumers, on behalf of Public Knowledge, Copyright Reform Act Project (2011) (with students Dena Chen, Musetta Durkee, and Jared Friend)

Copyright Abuse and Notice, on behalf of Public Knowledge, Copyright Reform Act Project (2010) (with Allen W. Wang, Pan C. Lee, and Daniel S. Park)

Demystifying Fair Use: The Gift of the Center for Social Media Statements of Best Practices, 57 JOURNAL OF THE COPYRIGHT SOCIETY OF THE USA 337 (2010) (peer-reviewed) (with Anthony Falzone)

The Cat's Out of the Bag: Recommendations to Poets for Expanding Access to Poetry in a New Media World, 43 THE WRITER'S CHRONICLE at 42 (2010) (with Katherine Coles, Lewis Hyde, and Peter Jaszi)

Updating 17 U.S.C. § 1201 for Innovators, Creators, and Consumers in the Digital Age, on behalf of Public Knowledge, Copyright Reform Act Project (2010) (with Pan C. Lee, Daniel S. Park, and Allen W. Wang)

Updating Fair Use for Innovators and Creators in the Digital Age: Two Targeted Reforms, on behalf of Public Knowledge, Copyright Reform Act Project (2010)

Introduction to the Copyright Reform Act, on behalf of Public Knowledge, Stanford Cyberlaw Clinic (2010) (with Pan C. Lee, Daniel S. Park, and Allen W. Wang)

Efficient Process or ‘Chilling Effects’? Takedown Notices Under Section 512 of the Digital Millennium Copyright Act, 22 SANTA CLARA COMPUTER AND HIGH TECH. L.J. 621 (2006) (with Laura Quilter)

Legal Uncertainty in Free and Open Source Software and the Political Response, in THE POLITICS OF OPEN SOURCE ADOPTION, Social Science Research Council (2005)

Radio Frequency Id and Privacy with Information Goods, WPES 2004 (Short Paper) (authors Nathan Good, John Han, Elizabeth Miles, David Molnar, Deirdre Mulligan, Laura Quilter, Jennifer Urban, and David Wagner)

NOTE, *Bell & Howell Document Management Products Co. v. Altek Systems*, 14 BERKELEY TECH. L.J. 103 (2000)

SHORTER PIECES AND OPINION-EDITORIALS

Will the DSA have the Brussels Effect?, in Debate: “From the DMCA to the DSA—A Transatlantic Dialogue on Online Platform Regulation and Copyright”, VERFASSUNGSBLOG (Feb. 21, 2024) (with Martin Husovec)

Requiring In-Person Government Meetings Across California Will Only Reduce Public Participation, CALMATTERS (Sept. 1, 2023) (also syndicated in other outlets)

California Leads the Nation in Privacy Protections. Congress Wants to End That, SAN FRANCISCO CHRONICLE (Sept. 28, 2022)

Inside the DMCA’s Black Box, 130 LOS ANGELES DAILY JOURNAL, No. 62 (Mar. 31, 2017).

The Rise of the Robo Notice, 58 COMMUNICATIONS OF THE ACM 29 (Sept. 2015) (with Joe Karaganis).

Nuclear Deterrence for Patents: Let’s Create a Network of Defensive Patents, WIRED, (Feb. 21, 2013)

Twitter Has a Savvy New Patent Strategy, 118 SAN FRANCISCO DAILY JOURNAL, No. 085, pp. 1, 4 (May 2, 2012) (with Jason Schultz)

TOOLS AND DATA

Data Transfer Agreement for Open Research (2017)

Notice Coding Database, Coding Engine, and Query Engine: A customized database, coding engine, and query engine used to house and add data to millions of individual records from the Lumen archive or other sources (2014–2017) (with Joe Karaganis and Brianna L. Schofield)

Questionnaire for Semi-Structured Interviews with Online Service Providers and Documentation (2017) (available in Appendix B of NOTICE AND TAKEDOWN IN EVERYDAY PRACTICE) (with Joe Karaganis and Brianna L. Schofield)

Questionnaire for Semi-Structured Interviews with Notice Senders and Documentation (2017) (available in Appendix B of NOTICE AND TAKEDOWN IN EVERYDAY PRACTICE) (with Joe Karaganis and Brianna L. Schofield)

Questionnaire for Notice and Takedown Library Survey (2016) (available in Appendix A of Takedown and Today's Academic Digital Library) (with Brianna L. Schofield)

Takedown Notice Dataset: Prepared, Coded, and Redacted Randomized Sample of 1875 Takedown Requests, drawn from a set of 108,331,663 Requests (2017) (with Brianna L. Schofield)

Takedown Notice Dataset: Prepared, Coded, and Redacted Randomized Sample of 1732 Takedown Requests, drawn from a subset of 33,409 requests to Google Image Search within a set of 108,331,663 Requests (2017) (with Brianna L. Schofield)

Variable Documentation of the Takedown Request Dataset (available in Appendix C of NOTICE AND TAKEDOWN IN EVERYDAY PRACTICE and at (2017) (with Brianna L. Schofield)

Statement of Best Practices in Fair Use of Collections Containing Orphan Works for Libraries, Archives, and other Memory Institutions (Dec. 2014) (with co-facilitators Patricia Aufderheide, David R. Hansen, Meredith Jacob, and Peter Jaszi)

IS IT IN THE PUBLIC DOMAIN? A HANDBOOK FOR EVALUATING THE COPYRIGHT STATUS OF WORK CREATED IN THE UNITED STATES BETWEEN JANUARY 1, 1923 AND DECEMBER 31, 1977 (2014) *and* ACCOMPANYING FLOWCHARTS (with Menesha A. Mannapperuma, Brianna L. Schofield, Andrea K. Yankovsky, and Lila Bailey)

The Defensive Patent License, *available at* <http://www.defensivepatentlicense.org/content/defensive-patent-license> (v. 1.0, 2013; v.1.1.1, 2014) (with Jason Schultz)

Code of Best Practices in Fair Use for Poetry (2011) (with co-facilitators Patricia Aufderheide, Katherine Coles, and Peter Jaszi)

Poetry and New Media: A Users' Guide (2009) (contributing author with the Poetry Foundation's Harriet Monroe Institute Poetry and New Media Working Group: Katherine Coles, Michael Collier, Wyn Cooper, Rita Dove, Cornelius Eady, David Fenza, Kate Gale, Kimiko Hahn, Lewis Hyde, Fiona McCrae, Robert Pinsky, Claudia Rankine, Alberto Rios, Don Selby, Rick Stevens, Jennifer Urban, and Monica Youn)

BRIEFS, ADMINISTRATIVE FILINGS, AND LEGISLATIVE MATERIALS

Comments to the United States Copyright Office, Long Comment in Support of Expanding Exemptions from Section 1201 of the Digital Millennium Copyright Act for Text and Data-Mining Research, on Behalf of Authors Alliance, the American Association of University Professors, and Library Copyright Alliance (Dec. 22, 2023) (with students Mathew Cha and Zhudi Huang)

Brief on Behalf of *Amici Curiae* Center for Democracy & Technology, Library Freedom Project, and Public Knowledge in *Hachette Book Group, Inc. et al. v. Internet Archive.*, United States Court of Appeals for the Second Circuit (Dec. 20, 2023) (with students Noor Alanizi, Jessica Kwok, and Katherine Wang)

Brief on Behalf of *Amici Curiae* Intellectual Property Law Professors in *American Society for Testing and Materials v. Public.Resource.Org.*, United States Court of Appeals for the District of Columbia Circuit (Dec. 12, 2022) (with Erik Stallman and students Eric Nikolaides and Catherine Sakurai)

Comments in Response to the Article of Manufacture Requirement: Request for Information, 85 Fed. Reg. 83,063 (Dec. 21, 2020), *before* the United States Patent and Trademark Office, Docket No. PTO-C-2020-0068 (Feb 4. 1, 2021) (with Erik Stallman)

Letter in Response to “DMCA Reform Bill: Questions from Senator Tillis for Stakeholders” (Dec. 1, 2020) (with Jessica Litman, Pamela Samuelson, and Rebecca Tushnet)

Proposal to the Judicial Council for Changes to California Rule of Court 2.1050, on behalf of Public.Resource.Org (Nov. 24, 2020) (with students Jennifer A. Hewitt and Blaine Valencia)

Brief on Behalf of *Amici Curiae* American Library Association, Association of College and Research Libraries, Association of Research Libraries, and the American Association of Law Libraries in *State of Georgia v. Public.Resource.Org.*, Supreme Court of the United States (Oct. 16, 2019) (with Erik Stallman and students Emma Lee, Erin Moore, and Aislinn Smalling)

Brief on Behalf of *Amicus Curiae* Open Source Hardware Association in *Curver Luxembourg, SARL v. Home Expressions Inc.*, United States Court of Appeals for the Federal Circuit (Nov. 20, 2018) (with Erik Stallman and students George Laiolo, and Kyle McLorg)

Comments to the United States Copyright Office, Empirical Research Submission for Section 512 Study, in Response to Request for Additional Comments (Mar. 22, 2017)

Additional Comments to the United States Copyright Office in Response to the Section 512 Study: Request for Additional Comments (Feb. 17, 2017)

Comments to the United States Copyright Office in Response to the Section 512 Study: Notice and Request for Public Comment (April 1, 2016) (with Brianna L. Schofield)

Comments in Response to the Public Consultation on the Review of the EU Copyright Rules (2014) (with David Hansen, Kathryn Hashimoto, Gwen Hinze, Pamela Samuelson, and Jason Schultz)

Brief *Amici Curiae* of Experts in the History of Executive Surveillance: James Bamford, Loch Johnson, and Peter Fenn in *First Unitarian Church of Los Angeles v. National Security Agency*, United States Court of Appeals for the Second Circuit (Nov. 15, 2013) (with students Charles Crain, Samia Hossain, and Jesse Koehler)

Brief of *Amici Curiae* National Alliance for Media Art and Culture, the Alliance for Community Media, and Kartemquin Films in *Viacom International v. YouTube, Inc.*, United States Court of Appeals for the Second Circuit (Nov. 1, 2013) (with Brianna L. Schofield)

Brief *Amici Curiae* of 133 Academic Authors in Support of Defendants-Appellees and Affirmance, *Authors Guild, Inc. v. HathiTrust*, United States Court of Appeals for the Second Circuit (June 4, 2013) (with Pamela Samuelson and David Hansen)

Brief of Software Innovators, Start-Ups, and Investors as *Amici Curiae* in *Oracle v. Google*, United States Court of Appeals for Federal Circuit (May 30, 2013) (with students Christopher Civil and Michael Liu Su)

Memorandum from Electronic Frontier Foundation and the Samuelson Law, Technology & Public Policy Clinic Regarding Technical Issues with Anonymization & Aggregation of Detailed Energy Usage Data as Methods for Protecting Customer Privacy to Participants of the Working Group organized pursuant to Administrative Law Judge's Ruling Setting Schedule To Establish "Data Use Cases," Timelines For Provision of Data, and Model Non-Disclosure Agreements, California Public Utilities Commission Rulemaking Proceeding No. 08-12-009 (Apr. 13, 2013) (with Lila Bailey and students Brady Blasco and Julie Byren)

Memorandum from Electronic Frontier Foundation and the Samuelson Law, Technology & Public Policy Clinic Regarding Legal Considerations for Smart Grid Energy Sharing to Participants of the Working Group organized pursuant to Administrative Law Judge's Ruling Setting Schedule To Establish "Data Use Cases," Timelines For Provision of Data, and Model Non-Disclosure Agreements, California Public Utilities Commission Rulemaking Proceeding No. 08-12-009 (Apr. 13, 2013) (with Lila Bailey and students Julie Byren, and Brady Blasco)

The Library Copyright Alliance's Experience with Flexible Limitations and Exceptions in the U.S. Copyright Regime, SCCR/25 November 19-23, 2012, on behalf of Library Copyright Alliance, World Intellectual Property Organization meeting of the Standing Committee on Copyright and Related Rights (Nov. 2012) (with Lila I. Bailey and students Elizabeth A. Hadzima and Alexandra A. Wood)

Libraries and Society Can Benefit When Flexible Limitations and Exceptions Supplement Closed-List Exceptions in Copyright Law (short handout), on behalf of Library Copyright Alliance, World Intellectual Property Organization meeting of the Standing Committee on Copyright and Related Rights (Nov. 2012) (with Lila I. Bailey and students Elizabeth A. Hadzima and Alexandra A. Wood)

Brief of *Amici Curiae* Public Domain Interests, in *Golan v. Holder*, Supreme Court of the United States (June 21, 2011) (with Jeffrey P. Cunard)

Brief of *Amici Curiae* National Alliance for Media Art and Culture and the Alliance for Community Media, in *Viacom International, Inc. v. YouTube, Inc.*, United States Court of Appeals for the Second Circuit (Apr. 7, 2011) (with students Brianna L. Schofield, Eddy Park, and Aaron Mackey)

Proposed Smart Grid Privacy Policies and Procedures—Amended Reply Comments of the Center for Democracy & Technology to Assigned Commissioner's Ruling of September 27, 2010, *before the California Public Utilities Commission* (Nov. 12, 2010) (with students Heather Patterson and Evan White, and client Jim Dempsey)

Proposed Smart Grid Privacy Policies and Procedures—Opening Response of the Center for Democracy & Technology and the Electronic Frontier Foundation to Assigned Commissioner's Ruling of September 27, 2010, *before the California Public Utilities Commission* (Oct. 15, 2010) (with Lee Tien, students Heather Patterson and Evan White, and client Jim Dempsey)

Prehearing Conference Statement of the Center for Democracy & Technology and the Electronic Frontier Foundation *before* the California Public Utilities Commission (Aug. 13, 2010) (with Lee Tien and Jim Dempsey)

Joint Reply Comments of the Center for Democracy & Technology and the Electronic Frontier Foundation on Proposed Policies and Findings Related to the Smart Grid, *before* the California Public Utilities Commission (Apr. 7, 2010) (with Jennifer Lynch, Lee Tien, and Jim Dempsey, and students Jonas Herrell, David Marty, Longhao Wang, and Shane Witnov)

Joint Comments of the Center for Democracy & Technology and the Electronic Frontier Foundation on Proposed Policies and Findings Related to the Smart Grid, *before* the California Public Utilities Commission (Mar. 9, 2010) (with Jennifer Lynch, Lee Tien, and Jim Dempsey, and students Jonas Herrell, David Marty, Longhao Wang, and Shane Witnov)

Brief of *Amicus Curiae* the Motown Alumni Association, in *F.B.T. Productions, LLC v. Aftermath Records*, United States Court of Appeals for the Ninth Circuit (Jan. 4, 2010) (with Jason Schultz and students Adam Blankenheimer, Amber Burroff, Jade Jurdi, and Joel Wallace)

Comments of the Center for Democracy & Technology, *on* Draft NIST Interagency Report (NISTIR) 7628, Smart Grid Cyber Security Strategy and Requirements, *before* the Department of Commerce, National Institute for Standards and Technology (Dec. 1, 2009) (with students Elizabeth Eraker and Longhao Wang)

Comments of the Center for Democracy & Technology, *on Draft NIST Framework and Roadmap for Smart Grid Standards and Interoperability*, *before* the Department of Commerce, National Institute for Standards and Technology (Nov. 9, 2009) (with students Elizabeth Eraker and Longhao Wang)

Comments of the Center for Democracy & Technology, *In the Matter of Smart Grid Technology*, DA 09-2017, *before* the Federal Communications Commission (Oct. 2, 2009) (with students Elizabeth Eraker and Longhao Wang)

Brief of *Amici Curiae* American Library Association, Association of Research Libraries, Association of College and Research Libraries, the Organization for Transformative Works and the Right to Write Fund, in *J.D. Salinger v. Fredrick Colting*, United States Court of Appeals for the Second Circuit (Aug. 3, 2009) (with Anthony T. Falzone, Julie A. Ahrens, Sarah H. Pearson, and Rebecca Tushnet)

Brief of *Amici Curiae* Internet Archive, American Association of Law Libraries, Association of Research Libraries and Special Libraries Association, in *United States of America v. Jean Martignon*, United States Court of Appeals for the Second Circuit (May 11, 2005) (with students Anne Depree and Lydia Wahlke)

Brief of *Amici Curiae* Consumers Union and Public Knowledge, in *Davidson and Associates, Inc., et al. v. Internet Gateway, Inc., et al.*, United States Court of Appeals for the Eighth Circuit (Feb. 3, 2005) (with Deirdre K. Mulligan and Laura Quilter)

Brief *Amici Curiae* of 40 Intellectual Property and Technology Law Professors Supporting Affirmance, in *Metro-Goldwyn-Mayer Studios, Inc., et al. v. Grokster, Ltd., et al.*, United States Court of Appeals for the Ninth Circuit (Sept. 26, 2003) (lead author:

Pamela Samuelson)

Brief of Consumers Union as *Amicus Curiae* Supporting Skylink Technologies, Inc.'s Motion for Summary Judgment, in *The Chamberlain Group, Inc. v. Skylink Technologies, Inc.*, United States District Court for the Northern District of Illinois, Eastern Division (May 8, 2003) (with student Will DeVries)

Brief of the World Wide Web Consortium Supporting the Appellant, in *Access Now, Inc. v. Southwest Airlines, Inc.*, United States Court of Appeals for the Eleventh Circuit (Mar. 17, 2003) (with Deirdre K. Mulligan)

Brief of Google Inc. as *Amicus Curiae* In Support of the Supplemental Brief of Defendant-Appellee Ditto.com, Inc. (formerly Arriba Soft Corporation) Responding to the Court's Order Dated (Oct. 10, 2002), in *Lesley Kelly v. Arriba Soft Corporation*, United States Court of Appeals for the Ninth Circuit (Dec. 2, 2002)

Brief of *Amici Curiae* The Internet Archive, Prelinger Archives, and Project Gutenberg Literary Archive Foundation in Support of Petitioners, in *Eldred v. Ashcroft*, Supreme Court of the United States (May 2002) (with Deirdre K. Mulligan, Mark A. Lemley, Jason Schultz, and Steven M. Harris)

Brief of Google Inc. as *Amicus Curiae* In Support of Petition for Panel Rehearing and Rehearing En Banc by Defendant-Appellee Ditto.com, Inc. (formerly Arriba Soft Corporation), in *Lesley Kelly v. Arriba Soft Corporation*, United States Court of Appeals for the Ninth Circuit (Mar. 1, 2002) (with Laurel Jamtgaard)

COLLABORATIVE AND INTERDISCIPLINARY PROJECTS

The Takedown Project (international research effort to investigate intermediary “notice and takedown” systems)

Defensive Patent License: www.defensivepatentlicense.org (research on innovative private-ordering solutions to address the patent threat issues)

Berkeley Digital Library Copyright Project:

<http://www.law.berkeley.edu/librarycopyright.htm> (research effort to investigate copyright obstacles to library and archive digitization projects)

Berkeley Consumer Privacy Survey:

<https://www.law.berkeley.edu/research/bclt/research/privacy-at-bclt/berkeley-consumer-privacy-survey> (survey research series investigating consumer privacy knowledge and attitudes)

GRANTS AND GIFTS

Cy Pres Relief from *Prather v. Wells Fargo Bank, N.A.* to the Samuelson Law, Technology & Public Policy Clinic (\$244,735; 2019)

Cy Pres Relief from *Malta v. The Federal Home Loan Mortgage Corporation* to the Samuelson Law, Technology & Public Policy Clinic (\$158,489; 2019)

Cy Pres Relief from *Wells Fargo v. Prather* to the Samuelson Law, Technology & Public Policy Clinic (\$40,918; 2019)

Cy Pres Relief from *Cross v. Wells Fargo* to the Samuelson Law, Technology & Public Policy Clinic (\$865,131; 2018)

Cy Pres Relief from *Doe v. Twitter* to the Samuelson Law, Technology & Public Policy Clinic (\$302,914; 2016)

Cy Pres Relief from *In re: Netflix Privacy Litigation* to the Samuelson Law, Technology & Public Policy Clinic (\$180,651; 2014) (by application)

Cy Pres Relief from *Marsh and Evans v. ZaaZoom Solutions, Inc.* to the Samuelson Law, Technology & Public Policy Clinic (\$181,235; in three disbursements: 2014, 2015; 2016)

Principal Investigator (UC Berkeley), Alfred P. Sloan Foundation Grant 2012-12-11, *Orphan Works Best Practices Project* (\$50,475; 2013-14) (with American University co-investigators Peter Jaszi and Patricia Aufderheide; full grant \$189,802)

Co-Principal Investigator (with Pamela Samuelson and Jason Schultz), Alfred P. Sloan Foundation Grants 2011-6-29 and 2013-3-17, *Berkeley Digital Library Copyright Project* (\$1.22 million total; 2011-14)

Cy Pres Relief from *Lanchester v. Washington Mutual Bank* to the Samuelson Law, Technology & Public Policy Clinic (\$241,985; 2014) (by application)

Principal Investigator, *The Takedown Project*, gift in support of copyright takedown research from The American Assembly (\$82,000; 2014) (with co-investigator Joseph Karaganis at The American Assembly, Columbia University. Part of an initial gift to The American Assembly from Google Inc. of \$210,000 in partial support of our takedown research)

Cy Pres Relief from *In re Google Buzz User Privacy Litigation* to the Samuelson Law, Technology & Public Policy Clinic (\$200,000; 2012) (by application to the Rose Foundation for Communities and the Environment)

Cy Pres Relief from *In re iPod Nano Cases* to the Samuelson Law, Technology & Public Policy Clinic (\$288,970; 2012) (by application)

Cy Pres Relief to the Samuelson Law, Technology & Public Policy Clinic (\$250,000; 2011) (by application)

Support from The Poetry Foundation for Samuelson Law, Technology & Public Policy Clinic work on copyright and fair use (\$15,000; 2009)

SELECTED SERVICE, PROFESSIONAL ACTIVITIES, AND HONORS

Chairperson, California Privacy Protection Agency Board (2021–present)

Legal Advisory Board, Project LEND (2023–present)

Third Annual Reidenberg Lecture

35th Annual Wheeler Lecture

2022 California Lawyers Association Intellectual Property Vanguard Award

National Science Foundation—Review Panel

Expert Advisory Group, European Commission, Directorate-General for Communications Networks, Content and Technology (DG-CNCT), Liability Regime and Notice-and-Action Procedures SMART 2016/0039 Study

Advisory Board, LOT Project (License Effective On Triggering Event) (2014–2021)

Legal Advisory Board for the Open Source Initiative

Co-Chair, Subcommittee on Orphan Works, American Bar Association Intellectual Property Section Copyright & Policy Committee (2012–2013)

Poetry and New Media Working Group, Harriet Monroe Poetry Institute (2008–2009)

Blue Ribbon Panel, Code of Best Practices for Fair Use in Online Video Project, Center for Social Media (2008)

Advisory Board, Code of Best Practices in Fair Use for Media Literacy Education

Advisory Board, Code of Best Practices in Fair Use for OpenCourseWare

Advisory Board, Statement of Best Practices in Fair Use of Dance-related Materials

Review Board, *Copyright* (peer-reviewed, open-access journal on copyright)

Peer reviewer, *International Journal of Communication*

Participant in various working groups related to privacy, copyright policy, digital rights management, open source software, and data retention

Berkeley Center for Law and Technology Distinguished Alumni Award, 2003

BERKELEY LAW AND UNIVERSITY SERVICE

Campus Computing and Information Technology Committee (CIT) (Fall 2023–present)

Berkeley Law Equity Advisor (Fall 2023–present)

Faculty Appointments Committee (Fall 2022–present)

Illuminations Design Committee (2022–2023)

Ad hoc review committee, ad hoc hiring committee

Faculty Advisor, First Generation Professionals' Group (Spring 2012–present)

Equity and Inclusion Committee (Fall 2020–Spring 2021)

Faculty Retreat Committee (2022)

Co-Chair of Academic Placement Committee (2010–2013); member (2009–2010, 2018–2020)

Co-Chair, Junior Working Ideas Group (JWIG) (2012–2013)

Clinical Faculty Internal Matters Lead (2009–2011)

Faculty Journals Coordinator (Spring 2011)

BAR ADMISSIONS AND PROFESSIONAL ASSOCIATIONS

State Bar of California (since 2000)

Supreme Court of the United States

California Supreme Court

United States District Court for the Northern District of California

United States Court of Appeals for the Ninth Circuit

United States Court of Appeals for the District of Columbia Circuit
United States Court of Appeals for the Second Circuit
United States Court of Appeals for the Eleventh Circuit (currently expired)
United States Court of Appeals for the Eighth Circuit
United States Court of Appeals for the Federal Circuit
American Intellectual Property Law Association
American Bar Association and Intellectual Property Section
California Lawyers Association and Intellectual Property Law and Privacy Law Sections

CONFERENCE ORGANIZING

Co-Organizer, 27th Annual Berkeley Center for Law and Technology/*Berkeley Technology Law Journal* Symposium: From the DMCA to the DSA—A Transatlantic Dialogue on Platform Liability and Copyright Law, April 6–7, 2023

Co-Chair, Governing Machines: Defining and Enforcing Policy in AI Systems, annual Berkeley Center for Law and Technology and *Berkeley Technology Law Journal* symposium, April 4–5, 2019

Program Committee, FATES on the Web 2019

Co-Organizer, Moral, Ethical, and Legal Issues in Robotics, RSS 2014 Workshop, Jul. 12, 2014

Co-Organizer, Public Roundtable, “Our Robot Future: The Moral, Ethical, and Legal Challenges of Ubiquitous Robotic Systems,” Jul. 11, 2014

Chair, Takedown Project Research Network Workshop, May 2014

Chair, “The Defensive Patent License, 1.0: DPL Birthday,” November 2013

Chair, “Workshop on Takedown Research,” Institute for Information Law, Faculty of Law, University of Amsterdam, June 29, 2013

Co-Chair and Lecturer, “Library Digitization, Copyright, and Fair Use” Workshop, Bowling Green State University, Bowling Green, OH, May 6–7, 2013 (with Brandon Butler and David Hansen)

Planning Committee, Northern California Clinical Conference, 2012–2013

Planning Committee/Host, Reform(aliz)ing Copyright for the Internet Age, Berkeley, CA, Apr. 18, 2013

Co-Chair, Workshop: “The Defensive Patent License,” New York Law School, New York, NY, Jan. 31, 2013

Planning Committee, Symposium, “Orphan Works and Mass Digitization: Obstacles and Opportunities,” April 2012

Organizer, “What Is Fair Use for Libraries? Introducing the Code of Best Practices in Fair Use for Academic and Research Libraries,” February 2012

Co-Chair, Samuelson Law, Technology & Public Policy Clinic 10th Anniversary Conference and Celebration, April 2011 (with Jason Schultz)

Program Committee, TPRC 2008, 2009, 2010, and 2011: Telecommunications Policy Research Conference's 36th, 37th, 38th, and 39th Research Conferences on Communication, Information, and Internet Policy

Program Committee, Annual Conference on Computers, Freedom, and Privacy (2003-2004 and 2008)

Co-chair and Lecturer), Creator Workshop: Copyright and DIY Media, University of Southern California, February 2008 (with Joi Ito)

Organizing Committee, 24/7: a DIY Video Summit (2007, 2008, 2011)

Executive and Planning Committees, USC Intellectual Property Institute (2004-2009)

SELECTED PRESENTATIONS, TESTIMONY, AND WORKSHOPS

Invited Participant, MacArthur Foundation AI Governance Workshop, Mar. 22, 2024

Keynote Speaker, Bloomberg Law In-House Forum 2024, Global Privacy Dynamics: Navigating Data Laws & AI Challenges, Mar. 13, 2024

Speaker, "Biometrics and Privacy Law," Surveillance and Privacy in a Biometric World, Social Science Matrix, UC Berkeley, Feb. 15, 2024

Invited Participant, Berkeley Summit on Safeguarding the Development of Artificial Intelligence, UC Berkeley Center for Security and Politics, Jan. 22, 2024

Invited Participant, Roundtable on Digital Services Act (DSA) Reporting Consultation, hosted by the Directorate-General for Communications Networks, Content and Technology of the European Commission (DG-CNCT), and the Delegation of the European Union to the United States, Jan. 18, 2024

Commissioner Panelist, "Addressing the Risks of AI from the Regulatory Perspective," at Enhancing Personal Data Protection in the Age of Artificial Intelligence, hosted by University of Hong Kong and the Office of the Privacy Commissioner for Personal Data, Hong Kong, Jan. 10, 2024

Keynote Lecture, "Privacy Wrongs in Search of Remedies,' Twenty Years On," Third Annual Reidenberg Lecture, Fordham Law School, May 9, 2023

Speaker, "Copyright Law and/or/vs. a 'Brussels Effect' for the Digital Services Act," 27th Annual Berkeley Center for Law and Technology/*Berkeley Technology Law Journal* Symposium: From the DMCA to the DSA—A Transatlantic Dialogue on Platform Liability and Copyright Law, April 7, 2023

Speaker, "The CCPA and the CPPA: California as a Vanguard for Consumer Privacy," Carnegie Mellon University, Privacy Engineering Program/ISR, Mar. 28, 2023

Panelist, "An Overview of the International Privacy Landscape: A Comparative Perspective," Berkeley Privacy Law Forum, Berkeley Center for Law and Technology, Mar. 6, 2023

Speaker, "The CCPA and the CPPA: California as a Vanguard for Consumer Privacy," UC Davis School of Law, Center for Innovation, Law, and Society, Feb. 16, 2023

Speaker, "California and Beyond: What Does the Future of Privacy Regulation Hold?" Berkeley Law Alumni Reunion, Sept. 30, 2022

Keynote, “Fireside Chat on the California Privacy Protection Agency,” 2022 American Bar Association National Institute on Cybersecurity and Data Protection, Sept. 13, 2022

Keynote Lecture, “Privacy of the People, for the People, and by the People,” 35th Annual Wheeler Society Lecture, Benjamin Ide Wheeler Society, University of California, Berkeley, Jul. 18, 2022

Panelist, “State Privacy Laws: Enforcement Considerations,” National Conference of State Legislatures, Cybersecurity Task Force and Privacy Work Group Meeting, Mar. 25, 2022

Panelist, “Emerging Privacy Regimes,” UCLA Institute for Technology, Law & Policy and UCLA Ziffren Institute for Media, Entertainment, Technology & Sports Law, Mar. 11, 2022

Speaker, “California Consumer Privacy Act,” 10th Annual BCLT Privacy Law Forum, Feb. 24, 2022

Featured Speaker, “Conversation with Jennifer Urban,” CPRA and Emerging US Privacy Laws, California Lawyers Association Privacy Section and Future of Privacy Forum, Feb. 18, 2022

Panelist, “Algorithms, Privacy & the Future of Tech Regulation in California,” California 100 and Stanford Reg Lab, Jan. 18, 2022

Keynote, “Commencement Address to the Information School Class of 2021,” Jan. 16, 2022 (recorded remarks)

Keynote, Privacy, Equity, and Civil Rights Listening Sessions, National Telecommunications and Information Administration, Dec. 15, 2021

Panelist, “California’s Privacy Laws and the Birth of a Privacy Agency,” Northern California Bar Association Privacy and Security Conference, Nov. 4, 2021

Panelist, “Consumer Rights, E-Commerce, and Privacy Challenges,” Global Privacy Assembly 2021, Oct. 19, 2021

Panelist, “Privacy in the Information Age,” National Association of Attorneys General, Eastern Regional Meeting, Oct. 8, 2021

“Fireside Chat with California Privacy Protection Agency Board Chairperson, Jennifer Urban,” California Lawyers Association, Privacy Law Section, Oct. 5, 2021

Keynote, “All About the New California Privacy Protection Agency,” Privacy + Security Forum, Sept. 30, 2021 (interviewed by Paul Schwartz)

Speaker, “Case Study: The State of California’s Approach to Consumer Privacy and Individual Data Protection,” 2021 Data Sovereignty International Forum, Gyeonggi Province, Republic of Korea, Sept. 8, 2021 (recorded remarks)

Panelist, “Clinical Attachment: Collaborations Among the Samuelson/Glushko Family of IP Law & Technology Clinics, American Association of Law Schools 2021 Clinical Conference, Apr. 29, 2021

Chair, “Case Studies in Automated Governance,” 25th Annual Berkeley Center for Law and Technology/*Berkeley Technology Law Journal* Symposium: Lex Informatica: The Formulation of Information Policy Rules Through Technology, Apr. 15, 2021

Chair, “Government Censorship and Control of the Internet,” *Berkeley Journal of International Law* 2021 Stefan A. Riesenfeld Symposium: Global Speech Under Pressure, Feb. 13, 2021

Panelist, Senator Dodd: Virtual Town Hall on Data Privacy, Dec. 8, 2020

“The Law and Policy of Covid-19 Contact Tracing Apps,” Berkeley Law Covid-19 Series, Berkeley CA (June 1, 2020)

“Cybersecurity in Context,” Osher Lifelong Learning Institute: Cutting-Edge Issues in Law, Berkeley, CA (Apr. 7, 2020) (with Chris Jay Hoofnagle)

Moderator, “Evidence, Objectivity, and Measurement,” 24th Annual Berkeley Center for Law and Technology/*Berkeley Technology Law Journal* Symposium: The Roles of Technology Expertise in Law and Policy, International House, Berkeley, CA, Feb. 28, 2020

Panelist, “Content Moderation: Regulating Platform Practices and Disclosures,” Regulating Cyberspace: Proposals for New Regulatory Regimes, Stanford University, Stanford, CA, Oct. 4, 2019

“The Right to Contestation,” Privacy Law Scholars Conference 2013, Berkeley, CA, May 30, 2019

“Cybersecurity’s Legal Landscape: What’s the Score and What’s in Store?” Keynote, 7th Biannual Cyber Security Summit, University of California, UC San Francisco, San Francisco, CA, Apr. 17, 2019

“Contestation,” Berkeley Center for Law and Technology/*Berkeley Technology Law Journal* Symposium: Governing Machines: Defining and Enforcing Public Policy Values in AI Systems, International House, Berkeley, CA, Apr. 5, 2019

Participant (discussing contestation), Berkeley Center for Law and Technology/Peking University Roundtable on Privacy and Cybersecurity Law Developments in China, the EU and the US: Cross-Border Alignment and Compliance, UC San Francisco, San Francisco, CA, Feb. 28, 2019

Panelist, “Law and the Public Domain,” The Grand Re-Opening of the Public Domain, Internet Archive, San Francisco, CA, Jan. 25, 2019

Participant, Workshop on Legal and Policy Issues Posed by Artificial Intelligence Advances, UC Berkeley, Berkeley, CA, Sept. 6-7, 2018

Participant, Roundtable on Content Removal Policies, Internet Archive, San Francisco, CA, May 22, 2018

“Notice and Takedown in Everyday Practice,” Berkeley Center for Law and Technology/*Berkeley Technology Law Journal* Symposium: Platform Law: Public and Private Regulation of Online Platforms, International House, Berkeley, CA, Apr. 21, 2017

“Notice and Takedown in Everyday Practice,” IP and Information Law Speaker Series, Loyola Law School Los Angeles, Apr. 3, 2017 (remotely)

Participant, “Session 1: Notice-and-Takedown Process—Identification of Infringing Material and Notice Submission,” “Session 5: Technological Strategies and Solutions,” “Session 6: Voluntary Measures and Industry Agreements,” United States Copyright Office California Roundtable on Section 512, San Francisco, CA, May 12–13, 2016

“A Lawyer’s View of the Fair Use Revolution,” Intellectual Property and the Public Interest: Toward a *Festschrift* for Peter A. Jaszi, American University Washington College of Law, Nov. 18, 2016 (remotely)

Panelist, “Expert Meeting: Notice and Takedown from a US Perspective,” Directorate-General for Communications Networks, Content and Technology of the European Commission (DG-CNCT), Brussels, Belgium, Dec. 7, 2015 (participating remotely)

Chair, “Our Robot Future: The Moral, Ethical, and Legal Challenges of Ubiquitous Robotic Systems,” Jul. 11, 2014

“The Privacy Pragmatic as Privacy Vulnerable,” Symposium on Usable Privacy and Security, Workshop on Privacy Personas and Segmentation, Menlo Park, CA, Jul. 9, 2014

“Privacy and Class: Privacy’s Distributive Value,” Preconference at the 64th Annual Meeting of the International Communication Association, Seattle, WA, May 22, 2014 (participating remotely)

Participant, Takedown Project Research Network Workshop, Berkeley Law, Berkeley, CA, May 2, 2014

“Takedown Project: Research Network and DMCA Section 512 Notice Study,” Empirical Research Open A.I.R. Conference on Innovation and Intellectual Property in Africa & 3rd Global Congress on Intellectual Property and the Public Interest 2013, Cape Town, South Africa, Dec. 9, 2013 (with Brianna L. Schofield)

“The USA Perspective on Transparency in Social Media,” EMSOC Expert Workshop “Smart Privacy Disclosures: Unraveling the Transparency Chain,” Katholieke Hogeschool Leuven, Leuven, Belgium, Dec. 6, 2013

Participant, “Workshop on Transparency Reporting”, co-hosted with Berkman Center for Law and Technology, Harvard University, Berkeley, CA, Nov. 18, 2013

“Troll-Proofing Patents: Protecting Open Innovation,” DPL Birthday Party, Internet Archive, San Francisco, CA, Nov. 15, 2013

“Clinical Training and Research, Opportunities for Collaboration,” The Salzburg Workshop on Cyber Investigation, Salzburg, Austria, Oct. 23, 2013 (with others)

Co-chair, “Embedding Values in Unmanned Aerial System Design,” Drones & Aerial Robotics Conference, New York, NY, Oct. 11, 2013

Invited Participant, “Innovation Law & Policy” Roundtable, Drones & Aerial Robotics Conference, New York, NY, Oct. 11, 2013

“Snowden, the NSA, and We the People: An (Inadvertently) Declassified Briefing on the National Security Agency Leaks,” Berkeley Center for Law and Technology Lunch Talk, Berkeley Law, Berkeley, CA, Oct. 3, 2013

“Copyright Users’ Rights in Law Reform: United States Perspective,” The Law and Economics of Copyright Users Rights, American University, Washington College of the Law, Washington, D.C., Sept. 25, 2013

Participant, Workshop on Metadata and Intellectual Property, Berkeley Law, Berkeley, CA, Sept. 20, 2013

Panelist, “Current Issues in the Smart Grid,” Unplugged: Berkeley Law/Farella Braun /ELI Renewable Energy Speaker Series, Berkeley Law, Berkeley CA, Sept. 18, 2013

Plenary Panelist, “Clinical Perspectives on IP,” Intellectual Property Scholars Conference, Cardozo Law, Yeshiva University, New York, NY, Aug. 9, 2013

“Does Familiarity Breed Contempt Among Judges Deciding Patent Cases?” Intellectual Property Scholars Conference, Cardozo Law, Yeshiva University, New York, NY, Aug. 9, 2013

Commentator “Innovation and Incarceration: An Economic Analysis of Criminal Intellectual Property Law” by Christopher Buccafusco and Jonathan S. Masur, Intellectual Property Scholars Conference, Cardozo Law, Yeshiva University, New York, NY, Aug. 8, 2013

“NSA Surveillance Revelations,” Faculty Workshop, Berkeley Law, Berkeley, CA, July 31, 2013

“*Association for Molecular Pathology v. Myriad Genetics, Inc.*,” Faculty Workshop, Berkeley Law, Berkeley, CA, July 30, 2013

“Protecting Open Innovation with the Defensive Patent License,” Open Source Convention 2013, Portland, OR, July 22, 2013 (juried presentation)

Session Lead, “The Big Picture: Hot Topics in Tech Clinics’ Substantive Areas of Practice,” Tech Clinic Summer Camp 2.0: East Coast Edition, Harvard Law School, Cambridge, MA, July 18, 2013

Invited Participant, “Workshop on Takedown Research, Intermediary Liability and Freedom of Expression,” Institute for Information Law, Faculty of Law, University of Amsterdam, June 28–29, 2013 (Chair of Day 2 research workshop)

“Making Sense of Americans’ Privacy Attitudes,” Privacy Law Scholars Conference 2013, Berkeley, CA, June 6, 2013

Panelist, “Free Speech vs. Copyright: Is this an Intersection or a Collision?” Alliance for Community Media 2013 Annual Conference, San Francisco, CA, May 29, 2013

Co-host, Workshop, The Future of Copyright’s First Sale Doctrine, Columbia University, New York, NY, May 17, 2013

Invited Lecturer, “Copyright and Fair Use for Digital Libraries,” Library Digitization, Copyright, and Fair Use Workshop, Bowling Green State University, Bowling Green, OH, May 6-7, 2013

Testimony, “Legal Issues with Domestic Drones and Legal Approaches to Managing Them,”

Berkeley City Council Peace & Justice Commission, Special Meeting: Town Hall Forum on Drones, Berkeley, CA, May 1, 2013

Invited Participant, Library License Workshop, Harvard Law School, Cambridge, MA, Apr. 5, 2013

Co-Facilitator, “Setting the Stage for Discussion,” Energy Data Center (Phase 3 of R.08-12-009) Working Group Session #1, California Public Utilities Commission, San Francisco, CA, Apr. 3, 2013

“The Privacy Decision and Legal Framework for Smart Grid Datasharing,” Energy Data Center (Phase 3 of R.08-12-009) Working Group Session #1, California Public Utilities Commission, San Francisco, CA, Apr. 3, 2013

“Technology and Privacy by Design: Help from Empirical Evidence,” 2nd Annual Berkeley Center for Law and Technology Privacy Law Forum, Palo Alto, CA, Mar. 21, 2013

Invited Participant, Workshop on Differential Privacy, Law and Policy, The Alfred P. Sloan Foundation, Simons Foundation, and Benjamin N. Cardozo School of Law, New York, NY, Mar. 7, 2013

Chair, “American Bar Association Webinar on Orphan Works,” Feb. 25, 2013

“Mobile Phones and Privacy,” Symposium: The Mobile Revolution, Santa Clara University, Santa Clara, CA, Feb. 22, 2013

“Mobile Payments- Consumer Benefits and New Privacy Concerns,” 14th Annual Privacy and Security Conference, Victoria, British Columbia, Feb. 7, 2013

Co-Chair, Workshop: “The Defensive Patent License,” New York Law School, New York, NY, Jan. 31, 2013

Testimony, “Privacy Principles and Standards,” Energy Data Access Workshop, *before the* California Public Utilities Commission, San Francisco, CA, Jan. 15, 2013

Invited Participant, “Workshops on Limitations and Exceptions to Copyright,” Global Congress on Intellectual Property and the Public Interest, Rio de Janeiro, Brazil, Dec. 16–17, 2012

“New Approaches to Patent Strategy and to Dealing with Inventors,” 13th Annual Silicon Valley Advanced Patent Law Institute, Palo Alto, CA, Dec. 6, 2012

“Defensive Patent License,” Software Patent Solutions Conference, Santa Clara University, Santa Clara, CA, Nov. 16, 2012

Participant, Workstream Workshops: Digital Public Library of America Midwest, Chicago, IL, Oct. 11–12, 2012

“Privacy and Modern Advertising,” Amsterdam Privacy Conference, Amsterdam, The Netherlands, Oct. 8, 2012

Invited Participant, Workshop on Flexible Limitations and Exceptions to Copyright, Program on Information Justice and Intellectual Property, Washington College of Law, American University, Washington, D.C., Sept. 14, 2012

Co-Chair, Workshop on Orphan Works Best Practices for Libraries and Archives, Washington, D.C., Sept. 13, 2012

“How Fair Use Can Help Solve the Orphan Works Problem,” 12th Annual Intellectual Property Scholars Conference, Stanford Law School, Stanford, CA, Aug. 10, 2012

Co-Chair, Workshop, “A Defensive Patent License,” Fenwick and West, Mountain View, CA, June 27, 2012

“Results of the Berkeley Consumer Privacy Survey,” Nokia, Espoo, Finland, May 11, 2012

“Mobile Payments: Consumer Benefits and New Privacy Concerns,” Berkeley Law Privacy Forum, Palo Alto, CA, Apr. 26, 2012

Panelist, “Should IP Activists Go to Law School?” Innovate/Activate Conference, Berkeley Law, Berkeley, CA, Apr. 21, 2012

“Fair Use as a Partial Solution to the Orphan Works Problem,” Symposium on Orphan Works & Mass Digitization: Obstacles & Opportunities, Berkeley, CA, Apr. 12, 2012

“Defending Open Innovation: A New Approach in the Patent Wars,” Faculty Colloquium, Washington University School of Law, St. Louis, MO, Mar. 28, 2012

Panelist, “The Privacy Issues Raised by the Smart Grid,” An Electric Grid for the 21st Century, University of Colorado, Boulder, CO, Mar. 13, 2012

Panelist, “Plenary Session II: Teaching Collaborative Lawyering,” Northern California Clinical Conference, University of California-Davis, Davis, CA, Feb. 25, 2012

“A Defensive Patent License,” Kauffman Roundtable on Patent Reform & Innovation, Yale Law School, New Haven, CT, Nov. 7, 2011

“10 Years of the Samuelson Clinic: Preparing Tomorrow’s Tech Leaders,” Boalt Hall Alumni Weekend, Berkeley Law, Berkeley, CA, Oct. 1, 2011

Participant, “We the Public Domain: Roundtable on *Golan v. Holder*,” Berkman Center for Law and Technology, Harvard Law School, Cambridge, MA, Sept. 23, 2011

Working Group Co-Chair (with Jason Schultz), “A Defensive Patent License,” Open Video Conference, New York Law School, New York, NY, Sept. 10, 2011

“A Defensive Patent License Proposal,” Global Congress on Intellectual Property and the Public Interest, Washington College of Law, American University, Aug. 25–27, 2011

Co-Presenter (with Deirdre K. Mulligan), “Smart Grid Privacy,” Webinar for the National Association of Regulatory Utility Commissioners, Lawrence Berkeley National Laboratory, Berkeley, CA, June 20, 2011

Panelist, “Technology, Social Media, and Liminal IP,” Law and Society Association Annual Meeting, San Francisco, CA, June 5, 2011

Co-Presenter (with Julie Ahrens, Abigail Philips, and Jason Schultz), “DIY Fair Use Workshop,” DIY Video Summit 2011, California College of the Arts, San Francisco, CA, Apr. 16, 2011

Co-Chair and Participant, Samuelson Law, Technology & Public Policy Clinic 10th Anniversary Conference and Celebration, Berkeley, CA, Apr. 1, 2011

“Privacy and Security in the Cloud,” 6th Joint Hawaii Conference, Center for Law and Technology, Seoul National University & Berkeley Center for Law & Technology, Honolulu, HI, Feb. 21, 2011

“Fair Use and Poetry,” Association of Writers and Writing Programs Annual Conference & Bookfair, Washington, D.C., Feb. 3, 2011

“Strategies for FOSS and Start-Up Firms in the Absence of Patent Reform: A Defensive Patent License Approach,” The Changing Patent Landscape, Santa Clara Law Conference, Santa Clara, CA, Jan. 21, 2011

“Procedural Due Process and Rights Enforcement,” Intellectual Property Scholars Conference, Berkeley, CA, Aug. 12, 2010

Panelist, “Can We Be Smart And Private? Smart Grids,” 20th Annual Computers, Freedom, and Privacy Conference, San Jose, CA, June 16, 2010

Panelist, “Privacy in the Smart Grid,” National Association of State Utility Consumer Advocates Mid-Year Meeting, San Francisco, CA, June 14, 2010

Invited Seminar, “Updating Fair Use for Innovators and Creators in the Digital Age: Two Targeted Reforms,” Department of Justice, Washington, D.C., May 19, 2010

“Managing Privacy in the Smart Grid,” Home Energy Management in the Smart Grid World, Palo Alto Research Center (PARC), Palo Alto, CA, May 4, 2010

“Can Defensive Patenting Help FOSS? A Defensive Patent License Approach,” Patents and Free and Open Source Software Conference, Silicon Flatirons at Colorado Law, Boulder, CO, Apr. 29, 2010

Panelist, “Smart Grid Panel,” 2010 UC Berkeley Energy Symposium, Berkeley, CA, Mar. 4, 2010

“Managing Privacy in the Smart Grid,” Future of Privacy Forum/Gridwise Alliance Joint Conference, Washington, D.C., Mar. 2, 2010

“Mapping the Information Commons,” USC College Commons, University of Southern California, Los Angeles, CA, Feb. 18, 2010

Chair, “Uses and Misuses of Smart Grid Data,” MacArthur Foundation Workshop on Public Policy Issues in Cyber-Security and Privacy for Smart Grid Technology, University of Illinois, Chicago, IL, Sept. 29–30, 2009

“Law Reform in Intellectual Property and Technology Law Clinics: Achievements and Challenges in the United States,” Joint Symposium on Clinical Legal Education Impacts of Clinical Legal Education on Theory and Practice: Achievements and Challenges in the United States and Japan, Waseda Law School, Tokyo, Japan, Dec. 12-13, 2009

“The Ethics of Cloud Computing: Balancing Client Interests in an Age of Digital Convenience,” Berkeley-Stanford Clinicians’ Writing Workshop, Stanford Law School, Stanford, CA, Oct. 9, 2009

“Undue Process: Challenges for Rightsholders and Service Providers in Implementing Section 512’s Notice and Takedown Provisions,” Telecommunications Policy Research Conference’s 36th, 37th, and 38th Research Conferences on Communication, Information, and Internet Policy, Washington, D.C., Sept. 27, 2009

Panelist, “Reuse, Remix, and Renew: Film Tools for the 21st Century,” Tribeca Film Festival, New York, NY, May 1, 2008

“Secondary Liability for Platform Providers,” Stanford Legal Futures Conference, Stanford, CA, Mar. 8, 2008

Moderator, “DIY Media: The Intellectual Property Dilemma,” at 24/7: a DIY Video Summit, University of Southern California, Los Angeles, CA, Feb. 8–10, 2008

Panelist and Moderator, “The Right Stuff: Copyright Conundrums in the Digital Age,” National Association of Media, Arts and Culture Annual Conference: “The Frontier is Here,” Austin, TX, Oct. 20, 2007 (Two Cyberlaw Clinic students were also panelists.)

Moderator, “*Grokster*, Two Years out and Future Impact: Legal and Business Developments,” University of Southern California Intellectual Property Institute, Los Angeles, CA, Mar. 13, 2007

Invited Lecturer, “Faculty Colloquium: Intellectual Property: Academic Fair Use and Teaching,” University of Southern California, sponsored by the Academic Senate, Office of the Provost, USC Libraries and USC Stevens, Los Angeles, CA, Feb. 22, 2007

Co-Speaker (with Cory Doctorow), Annenberg Center DIY Media Speaker Series, “Bits Will Never Get Harder to Copy: the Limits to Copyright Online,” Annenberg Center for Communication, University of Southern California, Los Angeles, CA, Dec. 14, 2006

Workshop Participant, “Intellectual Property Clinics General Meeting,” American University, Washington College of the Law, Washington, D.C., Sept. 21-22, 2006

Invited Lecturer, “Faculty Colloquium: Intellectual Property: Teaching and Research (in a Multimedia World),” University of Southern California, sponsored by the Academic Senate, Office of the Provost, USC Libraries and USC Stevens, Los Angeles, CA, Sept. 14, 2006

Moderator, “Searching for Legal Clarity: Copyright Issues Raised by Emerging Technologies for Accessing Online Content,” University of Southern California Intellectual Property Institute, Los Angeles, CA, May 23, 2006

Invited Lecture at Motorola Labs, “Emerging Intellectual Property Issues Related to Mobile Media Content,” Schaumburg, IL, May 17, 2006

Organizer and Chair, “Workshop on Film Licensing for Independent and Documentary Filmmakers,” University of Southern California, Los Angeles, CA, Apr. 14, 2006

Panelist, Independent and Documentary Filmmaker Organizations, “Orphan Works: New Prospects for a Solution,” American University Washington College of the Law, Washington, D.C., Feb. 24, 2006

“Remarks on the Proposed Webcasting Treaty,” National Academies Symposium on the Proposed WIPO Webcasting Treaty, The National Academies, Washington, D.C., Feb. 22, 2006

“Legal Uncertainty in Free and Open Source Software and Political Response,” Lunch session, Society for Social Studies of Science Conference (the “4S” conference), Pasadena, CA, Oct. 21, 2005

“Intellectual Property Issues in Access to Information,” First Amendment Coalition Reporters Conference, Cal. State, Fullerton, Fullerton, CA, Oct. 14, 2005

“Efficient Process or ‘Chilling Effects’? Takedown Notices Under Section 512 of the Digital Millennium Copyright Act” Santa Clara University conference, “Third Party Liability in Intellectual Property Law,” Santa Clara, CA, Oct. 7, 2005

“Archiving Everything,” National Association of Media, Arts and Culture Annual Conference: “Taking Liberties: Freedom, Creativity, and Risk in the Media Arts,” Philadelphia, PA, Sept. 20, 2005

American University, Washington College of the Law, Washington, D.C. Invited participant in a symposium on documentary filmmaker and user rights under copyright law, Sept. 16, 2005

Invited participant, End User License Agreement Workshop, Berkeley, CA., Sept. 9, 2005

Orphan Works Roundtables (held by the Copyright Office), Washington, D.C. Participated as a witness *on behalf of* client Association of Independent Video and Filmmakers, July 26-27, 2005

“Copyright Issues for Library and Archive Digitization Projects,” Digital Library Roundtable, University of Southern California, Los Angeles, CA, May 18, 2005

Center for Law, History and Culture, Symposium on Law, History and Culture of Intellectual Property: Chair of Panel II: “Original Authorship Revisited,” Los Angeles, CA, Apr. 29, 2005

“Licensing and Fair Use for Documentary Filmmakers,” Full Frame Documentary Film Festival and Conference, Durham, NC, Apr. 8, 2005

“Competition and the DMCA,” Los Angeles Intellectual Property Law Association Washington in the West Conference, Los Angeles, CA, Jan. 2005

“Anti-Circumvention Under the DMCA: Threat to Innovation?,” Symposium: The Digital Challenge to Copyright Law, Santa Clara, CA, Feb. 6, 2004

“Digital Rights Management Roundtable,” Shared Airwaves/Shared Content: Open Spectrum and Digital Rights Management Conference, Washington, D.C., Dec. 4, 2003

“Consumer Expectations, ‘Personal Use,’ and DRM,” Copyright and the Networked Computer Conference, Washington, D.C., Nov. 7, 2003

Eldred v. Ashcroft, “Forum, with host Angie Coiro,” KQED Public Radio, Oct. 11, 2002

“Open Source Basics,” Fish and Richardson PC, Sept. 26, 2002

“Open Source Licensing Issues,” Session and BOF, O’Reilly Open Source Convention, July 24, 2002