

## MOLLY SHAFFER VAN HOUWELING

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University of California, Berkeley  
School of Law  
Berkeley, CA 94720

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### ACADEMIC APPOINTMENTS

Professor of Law, University of California, Berkeley (July 2010-present).

Courses: Property, Introduction to Intellectual Property, Food Law and Policy, Intellectual Property Scholarship Seminar, Property's Intellect Seminar.

Assistant Professor of Law, University of California, Berkeley (July 2005-June 2010).

Visiting Assistant Professor of Law, University of California, Berkeley (Fall 2004-Spring 2005).

Assistant Professor of Law, University of Michigan Law School (Fall 2002-June 2004).

### EDUCATION

Harvard Law School, Cambridge, MA. J.D., *cum laude*, 1998.

University of Michigan, Ann Arbor, MI. B.A. with Highest Distinction, Political Science, 1994.

### PREVIOUS EMPLOYMENT

Executive Director, Creative Commons (2001-2002).

Research Fellow, Center for Internet and Society, Stanford Law School (2001-2002).

Law Clerk to Justice David H. Souter, U.S. Supreme Court (2000-2001).

Law Clerk to Judge Michael Boudin, U.S. Court of Appeals for the First Circuit (1999-2000).

Senior Advisor to the President and Directors, Internet Corporation for Assigned Names & Numbers (1998-1999).

Teaching and Research Fellow, Berkman Center for Internet & Society, Harvard Law School (1997-1999).

Program Analyst, United States Department of Commerce, Technology Administration (1994-1995).

### PUBLICATIONS

*Land Recording and Copyright Reform*, BERKELEY TECH. L. J. (forthcoming 2013).

*Technology and Tracing Costs: Lessons from Real Property*, in INTELLECTUAL PROPERTY AND THE COMMON LAW (Shyam Balganes, ed., forthcoming 2013).

*Atomism and Automation*, 27 BERKELEY TECH. L. J. 1471 (2012).

*Touching and Concerning Copyright*, 51 SANTA CLARA L. REV. 1063 (2011).

*Author Autonomy and Atomism in Copyright Law*, 96 VIRGINIA L. REV. 549 (2010).

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### **PUBLICATIONS (continued)**

*The New Servitudes*, 96 GEORGETOWN L. J. 885 (2008).

*Cultural Environmentalism and the Constructed Commons*, 70 LAW & CONTEMP. PROBS. 23 (2007).

*Bumping Around in Culture: Creativity, Spontaneity and Physicality in Copyright Policy*, 40 U.C. DAVIS. L.REV. 1253 (2007).

*Communications' Copyright Policy*, 4 J. TELECOMM. & HIGH TECH. L. 97 (2005).

*Distributive Values in Copyright*, 83 TEXAS L. REV. 1535 (2005).

*Enforcement of Foreign Judgments, the First Amendment, and Internet Speech: Notes for the Next Yahoo! v. LICRA*, 24 MICH. J. INT'L L. 697 (2003).

*Cultivating Open Information Platforms: A Land Trust Model*, 1 J. TELECOMM. & HIGH TECH. L. 309 (2002).

### **REPRESENTATIVE PRESENTATIONS**

Land Recording and Copyright Reform. Presentation to the Lewis & Clark Law School IP in the Trees Workshop, April 1, 2013 (also presented at the April 2013 Berkeley Center for Law & Technology symposium on Reform(aliz)ing Copyright).

Property's Intellect. Presentation to the University of Texas Law School Faculty, Oct. 5, 2012 (also presented at the 2012 Intellectual Property Scholars Conference and the 2012 Property Works in Progress Conference).

Technology and Tracing Costs: Lessons from Real Property. Presentation to the University of Pennsylvania Law School Conference on Intellectual Property and the Common Law, May 6, 2011 (revised draft presented to the University of Colorado Law School faculty in October, 2012, and the Duke Law School faculty in February, 2013).

Touching and Concerning Copyright. Presentation to the Santa Clara High Tech Law Institute Conference on Exhaustion and First Sale in Intellectual Property, November 5, 2010 (also presented at intellectual property workshops at Fordham, Loyola Los Angeles, and Loyola Chicago).

Copyright in the Digital Age. Presentation to the Santa Fe Institute Symposium on Complexity of Regulation, November 13, 2010.

The Moral Right of Revision. Presentation to the Intellectual Property Scholars Conference, August 13, 2010 (also presented at the Statute of Anne Conference at the University of California, Berkeley; the Intellectual Property Colloquium at Cardozo Law School; and the Property Works in Progress Conference at the University of Colorado Law School).

Using Intellectual Property to Teach Property Essentials. Presentation to the American Association of Law Schools Mid-Year Workshop on Property, June 11, 2010.

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### **REPRESENTATIVE PRESENTATIONS (continued)**

Autonomy and Atomism in Copyright Law. Presentation to the Intellectual Property Scholars Conference, August 6, 2009 (also presented at the Law and New Institutional Economics Workshop at the University of Colorado Law School, the Columbia Law School Intellectual Property Colloquium, the Property Works in Progress Conference at the University of Colorado Law School, the Cyberlaw Colloquium at American University, and the Berkeley Law Intellectual Property Scholarship Seminar).

The New Servitudes. Online workshop hosted by the University of Chicago Law School Faculty, February 2-8, 2008.

Safe Harbors in Copyright. Presentation to the Intellectual Property Scholars Conference, August 10, 2006.

Real Property, Intellectual Property, and the Constructed Commons. Presentation to the Stanford Law School Conference on Cultural Environmentalism at 10, March 12, 2006.

Communications' Copyright Policy. Presentation to the Silicon Valley Flatirons Conference on the Digital Broadband Migration, University of Colorado School of Law, February 14, 2005.

Distributive Values in Copyright. Presentation to the University of Michigan Legal Theory Workshop, April 9, 2004 (also presented at the University of Pennsylvania Law School, Michigan State University-DCL College of Law, Stanford Law School, and the University of Virginia Law School).

*Free Speech: The First Amendment and Distributive Values in Copyright.* Presentation to the 31st Research Conference on Communication, Information and Internet Policy hosted by The National Center for Technology & Law, George Mason University School of Law, September 21, 2003.

Conflicts in the Cyberspace: Lessons from the *Yahoo!* Case. Presentation to the Association of American Law Schools Section on Conflicts of Laws, January 3, 2003.

### **REPRESENTATIVE PROFESSIONAL ACTIVITIES AND INSTITUTIONAL SERVICE**

Commission on the Future of the University of California, Berkeley, Library.

University of California, School of Law, Faculty Appointments Committee Chair (2011-12), member (2007-08, Spring 2011, and 2012-13).

National Academies' Board on Science, Technology, and Economic Policy Committee on the Impact of Copyright Policy on Innovation in the Digital Era.

Board of Directors, Authors Alliance.

Board of Directors, Creative Commons.