BCLT ANNUAL BULLETIN

Boalt Hall School of Law

BCLT DEVELOPMENTS & EVENTS FOR 2006 - 2007

- Samuelson Law Technology & Public Policy Clinic and BCLT hosted a conference, Reviving the 4th Amendment in June, 2006.
- In February, 2006 and July, 2006 BCLT hosted the US Patent & Trademark Office regarding the US PTO’s Proposed Changes to Patent Claims & Continuations. BCLT anticipates more discussions with the US Patent & Trademark Office to further these discussions.
- BCLT faculty continued to provide advanced legal training to 35 Israeli lawyers enrolled in Tel Aviv University’s International Executive LL.M. program, including hosting an evening event in August, 2006.
- August 10-11, 2006 the IP Scholar’s Conference sponsored by BCLT, DePaul, Cardozo and Stanford, brought over 120 IP faculty to Boalt for a 2-day conference.
- Patents and Diversity in Innovation, Peter Menell spoke at University of Michigan Law School on Cross-Benefit Analysis Across Industries on September 29-30, 2006.
- In connection with the School of Information (SIMS) Distinguished Lecture featuring Fred Schneider, SIMS, BCLT and SLTPPC sponsored a Trust Privacy Workshop on October 5-6, 2006 at Boalt Hall.
- China IPR Leadership Program was held October 9 through October 19, 2006, sponsored by BCLT and Haas School of Business.
- BCLT hosted this Workshop on Trade Secret Law on October 13, 2006.
- BCLT, Santa Clara Law School and SVIPLA hosted an evening program for patent practitioners, PTO Rulemaking Event, on October 26, 2006, followed by the Patent Policy in the Supreme Court and Congress conference on October 27, 2006.
- The University of Texas School of Law, BCLT and Stanford University Law School hosted the Seventh Annual Advanced Patent Law Institute in San Jose on November 29-December 1, 2006.
- On December 7-8, 2006 BCLT and LexisNexis hosted Copyright – From Traditional Concepts to the Digital Age, held in San Francisco.
- The Fourth Annual Telecommunications and IP Conference was sponsored by BCLT and Seoul National University in Hawaii on January 12-13, 2007.
- On February 16, 2007 BCLT will host the Federal Circuit Bar Association.
- March 9-10, 2007, BCLT will host our Annual Symposium on Copyright, DRM Technologies and Consumer Protection, sponsored by BCLT, BTIJ and the Institute for Information Law at the University of Amsterdam (IViR).
- BCLT will host a Corporate Counsel Summit on March 22, 2007.
- The Eighth Annual IP Retreat for Federal Judges will be held in Berkeley in May 2007, co-sponsored by the Federal Judicial Center and BCLT.
- The Seventh Annual IP Scholars Conference, sponsored by BCLT, DePaul, Stanford and Cardozo will be held on August 9-10, 2007.

A Message from the Executive Director

I’d like to take this opportunity to thank our generous sponsors and other supporters who have participated in our programs and to highlight some exciting developments at BCLT.

BCLT has been active in patent reform for several years, participating in studies of the patent system by the Federal Trade Commission and the National Academies’ Board on Science, Technology and Economic Policy, hosting conferences and facilitating dialogue among the diverse interests that are affected by the patent system. In the past year we hosted a conference on the Political Economy of Patent Reform and a Town Hall meeting with Jon Dudas, Under Secretary of Commerce for Intellectual Property, and Director of the United States Patent and Trademark Office, PTO General Counsel James Toupin, Acting Deputy Commissioner for Patent Examination Policy Jay Lucas and over 300 interested practitioners. BCLT faculty also participated in amicus briefs for several key patent cases, including two Supreme Court patent cases, e-bay vs MercExchange and KSR vs Teleflex. This year we are embarking on an exciting new research project on patent policy and entrepreneurship, pursuant to a generous grant from the Ewing Marion Kauffman Foundation. BCLT faculty will be working with two new full time Research Fellows in Law and Economics to study the impact of the current patent system, and of proposed changes to the patent system, on entrepreneurial activity in various industries.

Our work on patent reform is just one example of BCLT’s collaborative, interdisciplinary work on important policy issues. Last year’s successful symposium on the Legal and Policy Challenges of Stem Cell Research Policy brought together experts in various legal and scientific disciplines and generated several important articles published in the Berkeley Technology Law Journal. This year we are working with the Institute for Information Law at the University of Amsterdam on a symposium on Copyright, Digital Rights Management Technologies, and Consumer Protection; the Seoul National University Center for Law & Technology on our annual Conference on Telecommunication and Intellectual Property; U.S. and Asian Perspectives; and Chalmers University of Technology and Göteborg University on CIP Forum 2007 in Sweden. We also continue to work closely with other Research Centers on the Berkeley campus, including the Center for Research on Chinese & American Strategic Cooperation and the Competition Policy Center.

We are pleased to welcome our seventh Faculty Director, Professor Paul Schwartz, a leading international expert on information privacy and information law. Paul adds a significant new dimension to our growing community of law and technology faculty, students and research fellows. We look forward to the continuing expansion of our research, programs and curriculum, with a little help from our friends.
Professor Menell founded the Berkeley Center for Law & Technology in 1995. He has written extensively on intellectual property, property, and environmental law. He founded and supervises the Annual Review of Law and Technology, now entering its ninth year. Professor Menell has organized and lectured at more than two dozen intellectual property education programs for the Federal Judicial Center.

Robert P. Merges

Professor Merges is the author of the leading text on patent law and has written numerous articles on the economics of intellectual property, especially as they affect patent law and the biotechnology industries. Professor Merges has worked with government agencies such as the Department of Justice and the Federal Trade Commission on IP-related policy issues and litigation strategy. He has also consulted with leading law firms and companies.

Deirdre K. Mulligan

Deirdre K. Mulligan is the director of the Samuelson Law, Technology & Public Policy Clinic and a clinical professor of law at Boalt Hall. Before coming to Boalt, she was staff counsel at the Center for Democracy & Technology in Washington. Through the clinic, Professor Mulligan and her students foster the public’s interest by engaging in client advocacy and interdisciplinary research, and by participating in the development of technical standards and protocols.

Law & Tech Courses

SPRING 2007 COURSES

- Antitrust & IP
- Biotechnology & Chemical Patent Law
- Computer Law
- Copyrights
- CyberLaw
- Intellectual Property in the Entertainment Industries
- Introduction to Intellectual Property
- Mergers & Acquisitions in High Tech
- Patent Litigation
- Patent Prosecution
- Playing by the Rules: Video Game Law
- Tax Issues Facing Technology Venture Start-Ups
- Trade Secrets
- Trademark Law
- Samuelson Law, Technology & Public Policy Clinic Seminar & Clinic

Student Activities

Students at Boalt have a unique opportunity to participate in a diverse set of activities and organizations and to explore IP and technology law from a broad spectrum of perspectives, including:

- IL Technology Law Mentor Program
- Annual Review of Law and Technology
- BCLT/BTLJ Lunch Speaker & reception Series (weekly)
- BCLT Fellowship Program
- Berkeley Technology Law Journal (BTJL)
- boalt.org
- Boalt Hall Patent Law Society
- Certificate Program
- Chillingeffects.org
- Moot Court Competitions
- Samuelson Law, Technology & Public Policy Clinic
- Sports and Entertainment Law Society
- Universities Allied for Essential Medicines
**Pamela Samuelson**  
**CYBERLAW, COMPUTER LAW, COPYRIGHT LAW, PRIVACY**

Professor Samuelson continues to be active in writing and speaking about how the law should be adapted to respond appropriately to the challenges of advances in digital technology. She serves as an Advisor to the Samuelson Technology Law and Public Policy Clinic, and sits on the Boards of Directors for the Electronic Frontier Foundation and the Open Source Application Foundation.

**Paul Schwartz**  
**PRIVACY, COPYRIGHT, TELECOMMUNICATIONS, INFORMATION LAW**

Professor Schwartz is a leading international expert on information privacy and information law. His scholarship focuses on how the law has sought to regulate and otherwise shape information technology—as well as the impact of information technology on law and democracy. Schwartz joined the faculty in 2006 after teaching at Brooklyn Law School, the University of Arkansas-Fayetteville, and visiting at schools, including Boston College Law School.

**Howard A. Shelanski**  
**TELECOMMUNICATIONS, ANTITRUST LAW**

Professor Shelanski’s research focuses on telecommunications law, regulation and antitrust. During the 1999-2000 academic year, he was on leave to serve as Chief Economist of the Federal Communications Commission. During the 1998-99 academic year, he served as a senior economist to the President’s Council of Economic Advisers.

**Molly Van Houweling**  
**IP, TECHNOLOGY LAW, PROPERTY, CONSTITUTIONAL LAW**

Molly Shaffer Van Houweling joined the Boalt faculty in fall 2005 from the University of Michigan Law School, where she had been an assistant professor since 2002. She was a visiting professor at Boalt in 2004-05. Before joining the Michigan faculty, Professor Van Houweling was president of Creative Commons, a nonprofit group that facilitates sharing of intellectual property.