Established in 1995, the Berkeley Center for Law & Technology (BCLT) is the focal point at the University of California, Berkeley, School of Law for teaching, research, convening, and student activities on issues at the intersection of law and technology.

Our curriculum continues to expand to prepare our students for practice. The scholarship of BCLT’s faculty directors is shaping the law across a wide range of topics. Our conferences and workshops bring together practicing attorneys, in-house counsel, judges, policymakers, and scholars to learn from each other and to help advance the development of legal principles central to our technological future.

BCLT capitalizes on its location:
- at the world’s foremost public research university;
- surrounded by internet and biotech innovation;
- on the Pacific Rim, enhancing its global outlook.

BCLT was the first center of its kind. Now in its third decade, BCLT is continuing to grow, adding new faculty directors, developing resources for judges on the technologies increasingly appearing in litigation, and launching a project focused on the rapid evolution of intellectual property law in Asia.
BCLT by the numbers

15
Faculty directors
Full time faculty teaching and writing on law & tech issues

30+
Practitioners teaching advanced and specialized courses

21
Years BCLT has been collaborating with Federal Judicial Center

14 years in a row ranked #1 in IP by US News

8
Major conferences

4
Career events for students and law firms

12
Other events on and off campus

10
Student groups on tech-related issues

43
Luncheon presentations by practitioners

38+
law & tech courses every year

750+
Federal judges attending the BCLT/FJC IP seminar over its lifespan

150+
Entrepreneurs participating each semester in Startup@BerkeleyLaw’s FORM+FUND workshop series
Our Mission

The mission of the Berkeley Center for Law & Technology is to foster the beneficial and ethical advancement of technology by guiding the development of intellectual property law, information privacy law, and related areas of law and public policy as they interact with business, science, and technical innovation.

Teaching, scholarship, convening, and student activities – these are the core functions of BCLT. Through a uniquely rich catalogue of courses, we train tomorrow’s leaders in technology law. We support our faculty directors’ groundbreaking research and writing. With our ever-expanding community of practitioners and scholars, we convene yearly a series of must-attend conferences. We support a host of student-led activities. Our Asia IP Project expands our international engagement, while our Startup@BerkeleyLaw initiative focuses on legal issues crucial to the innovation ecosystem of the Bay Area. For all these reasons, Berkeley is the place to come for a law and technology education.

—Jim Dempsey, BCLT Executive Director
A Scope as Wide as the Internet

Starting with a focus on intellectual property, BCLT has expanded over the years to develop an equally deep expertise on privacy. Our activities now encompass the full range of technology law, including cybercrime and cybersecurity, biotech, sports and entertainment law, telecommunications regulation, and the fairness and transparency issues associated with artificial intelligence.

**Intellectual Property**
Over the years, BCLT's intellectual property program has provided not only an unmatched classroom education for our students but also a multitude of conferences and other events where scholars, practitioners, and policymakers meet to consider the complex and dynamic issues arising in the field of intellectual property.

**Privacy and Cybersecurity**
The Berkeley Law faculty includes leading privacy experts with concentrations spanning comparative privacy law, consumer privacy, cybercrime, and the law of government surveillance. In addition to teaching, research, and writing, BCLT faculty directors advise corporations and non-profits, testify at legislative hearings, and serve on government commissions and task forces.

**Sports and Entertainment in the Digital Age**
Music, film, television, sports, and games have been revolutionized by the internet. Berkeley Law’s innovative courses on music law, TV and film law, sports law, and video game law as well as BCLT conferences and networking opportunities provide students and practitioners insight to these rapidly changing industries.

**Artificial Intelligence**
The Berkeley Law faculty includes leading experts on algorithmic fairness and the intersection of law with machine learning and AI. In collaboration with UC Berkeley’s Division of Data Sciences and the School of Information, the law school is a leader in these emerging fields.

**A Global Perspective**
In today’s interconnected world, technology law issues are global in scope. Recognizing this, BCLT collaborates with scholars, lawyers, and public officials around the world to share perspectives and confront emerging issues. In December 2017, we launched a new Asia IP Project, with an ambitious agenda of activities on both sides of the Pacific.
Curriculum

Berkeley Law offers a remarkably rich curriculum on technology issues, ranging from the intellectual property survey class to the intensive learning experience provided by the Samuelson Law, Technology & Public Policy Clinic to advanced courses and seminars on patent prosecution, antitrust, privacy, cybercrime, entrepreneurship, telecoms, the law affecting the entertainment industry — even a course on wine law.

Annually, BCLT faculty directors reassess the curriculum to ensure that it covers emerging topics that our students will encounter in practice. Recent additions to our course catalogue include:

**Patent Litigation II**
While Patent Litigation I focuses on district courts, this course focuses on proceedings before the Patent Trial and Appeal Board.

**Berkeley IP Lab**
Working under the supervision of leading practitioners, students perform a patent landscape survey for real start-ups, learning both substantive patent law and client counseling skills.

**Cybersecurity in Context**
This course explores the legal, political, social, economic, and military factors that shape cybersecurity problems and their management.

**IP and Social Justice**
This seminar explores the ramifications of intellectual property law for public health, freedom of expression, income inequality, group identity, and other social justice concerns.

**Law & Technology Certificate**
The Law & Technology Certificate recognizes a student’s sustained commitment to technology law through successful completion of a prescribed number of tech-related courses plus participation in a student-led activity. The curricular requirements emphasize depth and breadth while affording students flexibility in adapting their course of study to a range of career paths.
Law and Technology Scholarship Seminar

This interdisciplinary seminar in the spring semester 2018 allowed students to interact with an exciting roster of scholars presenting new and forthcoming articles.

**Karen Levy**, Assistant Professor of Information Science, Cornell University
“The Contexts of Control: Information, Power, and Truck Driving Work” and “Robo-Truckers: The Double Threat of AI for Low-Wage Work”

**Jennifer Rothman**, Professor of Law and Joseph Scott Fellow, Loyola Law School, Los Angeles
“From the Ashes of Privacy: The Right of Publicity’s Relationship to Privacy and the First Amendment”

**Tejas N. Narechania**, Assistant Professor of Law, Berkeley Law
“Certiiorari, Universality, and a Patent Puzzle”

**Elizabeth Joh**, Professor of Law, UC Davis School of Law; **Catherine Crump**, Assistant Clinical Professor of Law and Director, Samuelson Law, Technology & Public Policy Clinic, Berkeley Law; **Ryan Calo**, Associate Professor of Law, Lane Powell & D. Wayne Gittinger Endowed Professorship, University of Washington School of Law
Panel: Technology-Assisted Policing

**Pamela Samuelson**, Richard M. Sherman Distinguished Professor of Law, Berkeley Law
“Exclusivity and Overlap in Intellectual Property Regimes”

**Amy Kapczynski**, Professor of Law and Faculty Director, Global Health Justice Partnership, Yale Law School
“Beyond Efficiency: Towards a Political Economy Approach to Intellectual Property”

**Eric Goldman**, Professor of Law and Co-Director of the High Tech Law Institute, Santa Clara University School of Law
“Emojis and the Law”

**Peter S. Menell**, Koret Professor of Law, Berkeley Law, and **Uri Hacohen**, JSD student, Berkeley Law
“Unjust Endorsement”

**Lisa Larrimore Ouellette**, Associate Professor of Law, Stanford Law
“How Do Patent Incentives Affect University Researchers?”

**James Grimmelmann**, Professor of Law, Cornell Tech
“The Structural and Legal Interpretation of Computer Programs”

**Chris Jay Hoofnagle**, Adjunct Professor of Law, UC Berkeley School of Information and Berkeley Law
“A Research Agenda for 21st Century Consumer Law”

**Robin Feldman**, Harry and Lillian Hastings Professor of Law; Director of the Institute for Innovation Law, UC Hastings College of the Law; **Talha Syed**, Assistant Professor of Law, Berkeley Law, **Jacob Sherkow**, Associate Professor, New York Law School; **Barbara McClung**, Chief Legal Officer and Corporate Secretary at Caribou Biosciences
Panel: Legal and Social Effects of CRISPR
Events

Through its conferences, symposia, judicial education programs, and other convenings, BCLT provides a forum where academics, law students, policymakers, judges, practitioners, entrepreneurs, and technology experts can exchange ideas and advance their understanding of complex and rapidly changing areas of the law. The breadth of topics covered by these events reflects the scope of BCLT.
**Intellectual Property**

**Global Strategies for IP**  
*September 14, 2017*  
*Palo Alto, CA*  
Winston & Strawn and BCLT co-hosted this seminar on multinational enforcement of intellectual property rights.

**ChIPs Women in Tech, Law and Policy Global Summit**  
*October 17-19, 2017*  
*Washington, DC*  
BCLT co-sponsored the ChIPs 2017 Summit, where hundreds of women from corporations, academia, law firms, the judiciary, government agencies, and public interest organizations shared experiences and ideas to advance women in the IP field.

**9th Annual Patent Law and Policy Conference**  
*November 3, 2017*  
*Washington, DC*  
BCLT and Georgetown University Law Center collaborate every year to present this unique program, which focuses on the role of the courts, with experts from law firms, corporations, the academy, government, and, most especially, the judiciary.

**Global Software Patent Summit**  
*December 7, 2017*  
*Palo Alto, CA*  
BCLT and Kilburn & Strode co-sponsored this half-day event where patent examiners, in-house counsel, and BCLT scholars discussed the differing approaches to software patentability around the world and offered practical approaches to managing software patents globally.

**18th Annual Berkeley-Stanford Advanced Patent Law Institute**  
*December 14-15, 2017*  
*Palo Alto, CA*  
Co-organized by BCLT and Stanford Law School, the APLI presents a roster of judges, academics, litigators, patent prosecutors, and senior IP counsel from major corporations offering a results-oriented, in-depth look at the latest developments in patent law and practice.

**22nd Annual BCLT/BTLJ Symposium – The Administrative Law of Intellectual Property**  
*April 12-13, 2018*  
*Berkeley, CA*  
This two-day symposium turned a spotlight on a wide range of administrative law issues that can impact intellectual property rights, examining agency practices and policies in the patent, copyright, and trademark fields as well as the relationship among agencies and between agencies and the courts.

**Federal Judicial Center Seminar on Intellectual Property**  
*May 22-25, 2018*  
*Berkeley, CA*  
Thirty federal judges attended the 21st iteration of this weeklong course, which included lectures by leading scholars and practitioners, panels, and mock hearings.

**17th Annual Intellectual Property Scholars Conference (IPSC)**  
*August 9-10, 2018*  
*Berkeley, CA*  
BCLT hosted the 2018 IPSC, a two-day program in which IP scholars from across the globe came together to present and discuss their works in progress on a wide range of IP topics.
Privacy and Cybersecurity

Beyond Snowden – Mass Surveillance in the Shadow of Trump
September 13, 2017
Berkeley, CA
Timothy Edgar, former senior privacy officer for the US intelligence community, outlined the progress still remaining to be made in establishing transparency and accountability for national security surveillance programs.

10th Annual BCLT Privacy Lecture: Open Data, Trust, and Stewardship: Universities at the Privacy Frontier
November 16, 2017
Berkeley, CA
Christine Borgman, Distinguished Professor and Presidential Chair in Information Studies at UCLA and Director of the UCLA Center for Knowledge Infrastructures, presented the annual BCLT Privacy Lecture, with responses by Dean Erwin Chemerinsky and Katie Shilton, Associate Professor, University of Maryland.

7th Annual BCLT Privacy Law Forum: Silicon Valley
March 23, 2018
Palo Alto, CA
Bridging academia and practice, this annual event combines the scholarly research of BCLT faculty directors and the pragmatic insights of leading privacy lawyers to shed light on the latest developments in privacy law. 2018 topics included GDPR, explainable AI, and the antitrust implications of big data.

11th Annual Privacy Law Scholars Conference (PLSC)
May 30-31, 2018
Washington, DC
Organized jointly by BCLT and the George Washington University Law School, PLSC has become the privacy event of the year, bringing together privacy law scholars and practitioners from around the world to present and comment on papers covering a diversity of issues.

Digital Content and Platforms

Accessibility Workshop
November 17, 2017
Berkeley, CA
Digital technologies can enable greater access to cultural heritage for print- and hearing-disabled persons, but obstacles—technical, economic, and legal—still exist. This workshop brought together representatives of disabled communities, legal scholars, and technologists to formulate ideas about how to overcome those obstacles.

Reno at 20: The Internet and Contested Content, Then and Now
December 8, 2017
San Francisco, CA
Key architects of the campaign that culminated in the Supreme Court victory in ACLU v. Reno and those currently shaping internet policy examined the challenges to free expression online, the international dimensions of the problem, and the raging debate over corporate responsibility.

Net Neutrality – What Happens Next?
March 5, 2018
Berkeley, CA
BCLT faculty director Tejas Narechania interviewed FCC Commissioner Mignon Clyburn about the future of the internet after repeal of the Commission’s open internet rule and what can be done to ensure that the internet remains a non-discriminatory platform for innovation.

11th Annual Conference on Legal Frontiers in Digital Media
May 17-18, 2018
San Francisco, CA
In partnership with the Media Law Resource Center, BCLT co-hosted the 11th annual iteration of this conference, exploring emerging legal issues surrounding digital content.
International

Vera Jourová, European Union Commissioner for Justice, Consumers and Gender Equality
September 20, 2017
Berkeley, CA
Commissioner Jourová set out the European Union’s views on issues ranging from privacy and consumer protection to fighting online hate speech and terrorist propaganda.

October 13, 2017
Los Angeles, CA
Co-hosted by Loyola Law School, Los Angeles, Renmin University, Beijing, and BCLT, this conference brought together senior policymakers, academics and practitioners from China and the US. In addition to a wide range of intellectual property issues, the 2017 session examined privacy and cybersecurity.

Addressing the Tax Challenges of the Digital Economy
November 1-2, 2017
Berkeley, CA
Hosted by BCLT and Baker McKenzie, senior representatives of the members of the Organisation for Economic Cooperation and Development held a public consultation on how the digital economy should be taxed around the world.

Roundtable on IP Developments in Pharma in China
May 30, 2018
Berkeley, CA
This roundtable provided a forum for academics and former government officials from the US and China to exchange views on current challenges of protecting pharmaceutical IP rights in China, addressing the likely impact of pending law reform efforts in China as well as the recent reorganization of the Chinese IP agencies.

US-China IP Cooperation Dialogue
May 31-June 1, 2018
Berkeley, CA
Sponsored by the US Chamber of Commerce, the Dialogue brought together senior IP experts from the US and China for in-depth discussions on the full range of challenging IP issues facing the two countries.
Faculty

BCLT is led by fifteen faculty directors. The range and depth of their scholarship and their skill as instructors make Berkeley’s the most sophisticated academic program in law and technology in the world. BCLT faculty directors also play an influential role beyond the academic setting, participating in public policy debates, testifying before legislatures, serving on government advisory boards, and submitting amicus briefs in major cases before the Supreme Court.
Catherine Crump is Director of the Samuelson Law, Technology & Public Policy Clinic and Assistant Clinical Professor of Law. Her work focuses on the application of First and Fourth Amendment principles to government use of new technologies, in particular to government surveillance. She has litigated cases in state and federal court and testified before state legislatures, Congress, and the European Parliament. Recent projects include a focus on street-level policing, including deployment of police body-worn cameras and the use of GPS tracking on youth in the juvenile justice system.

Recent Publications

- Electronic Monitoring of Youth in the California Justice System (Samuelson Law, Technology & Public Policy Clinic and East Bay Community Law Center 2017)
- No Tape, No Testimony: How Courts Can Ensure the Responsible Use of Body Cameras (ACLU Fdn. of Mass. and the Samuelson Law, Technology & Public Policy Clinic 2016)

Kenneth A. Bamberger is the Rosalinde and Arthur Gilbert Foundation Professor of Law at Berkeley Law. He is an expert on government regulation and corporate compliance, especially with regard to issues of technology, free expression, and information privacy. In 2016, he and Professor Deirdre Mulligan were awarded the Privacy Leadership Award by the International Association of Privacy Professionals for their comparative study of privacy regimes and corporate privacy practices, Privacy on the Ground: Driving Corporate Behavior in the United States and Europe. His current work focuses on the governance of technology design to protect public values, the ways that digital platforms affect markets and consumers, and the meaning of cybersecurity.

Recent Publications

- Privacy on the Ground: Driving Corporate Behavior in the United States and Europe (MIT Press 2015) (with Deirdre K. Mulligan)

Kenneth Bamberger is the Rosalinde and Arthur Gilbert Foundation Professor of Law at Berkeley Law. He is an expert on government regulation and corporate compliance, especially with regard to issues of technology, free expression, and information privacy. In 2016, he and Professor Deirdre Mulligan were awarded the Privacy Leadership Award by the International Association of Privacy Professionals for their comparative study of privacy regimes and corporate privacy practices, Privacy on the Ground: Driving Corporate Behavior in the United States and Europe. His current work focuses on the governance of technology design to protect public values, the ways that digital platforms affect markets and consumers, and the meaning of cybersecurity.

Recent Publications

- Privacy on the Ground: Driving Corporate Behavior in the United States and Europe (MIT Press 2015) (with Deirdre K. Mulligan)
Chris Jay Hoofnagle

cybersecurity, privacy, computer crime, consumer protection

Chris Hoofnagle teaches about the regulation of technology. He has written extensively in the fields of information privacy, the law of unfair and deceptive practices, consumer law, and identity theft. Professor Hoofnagle is co-founder of the Privacy Law Scholars Conference.

@hoofnagle

Catherine Fisk

labor law, employment law, intellectual property in the employment context, labor issues in entertainment law, the legal profession

Catherine Fisk joined the Berkeley Law faculty in 2017 as the Barbara Nachtrieb Armstrong Professor of Law. She teaches courses on the law of work and also on the legal profession and freedom of speech and association. She writes in the fields of labor and employment, employee-generated intellectual property, sociolegal history, and the legal profession. Professor Fisk has written several major works on employer-employee disputes over intellectual property, including Working Knowledge: Employee Innovation and the Rise of Corporate Intellectual Property, 1800-1930 (UNC Press 2009), which won prizes from the American Historical Association and the American Society for Legal History. Her current research projects include a book on labor protest in the mid-twentieth century and works on video game writers and on governance of worker centers and labor unions.

Recent Publications


The Writer’s Share (The Donahue Lecture), Suffolk University Law Review (2018, forthcoming)


Non-Proprietary Autonomy and Contemporary Television Writing, Television & New Media (2016) (with Michael Szalay)

Recent Publications


The FTC’s Inner Privacy Struggle, in The Cambridge Handbook of Consumer Privacy (Evan Selinger, Jules Polonetsky, & Omer Tene, eds.) (Cambridge University Press 2017)

Privacy on Adult Websites, Workshop on Technology and Consumer Protection (ConPro ’17), co-located with the 38th IEEE Symposium on Security and Privacy, San Jose, CA (2017)

What We Buy When We “Buy Now,” 165 University of Pennsylvania Law Review 315 (2017) (with Aaron Perzanowski)
Peter Menell

intellectual property, computer law, entertainment law, property law, environmental law

Peter Menell is Koret Professor of Law. Reflecting his training in economics and law, Professor Menell’s research focuses principally on the role and design of intellectual property law with particular emphasis on the digital technology and content industries. His current projects explore the scope of patentable subject matter, copyright protection for application program interfaces, and the interplay of intellectual property and social justice. In 2016, he founded Clause 8 Publishing, which seeks to promote the creation and dissemination of educational resources at fair prices.

Recent Publications

Contrabrand, which examines the relationship between art, advertising, and trademark and copyright law. In March of 2016, Professor Katyal was selected by U.S. Commerce Secretary Penny Pritzker to be part of the inaugural U.S. Commerce Department’s Digital Economy Board of Advisors.

Sonia Katyal

intellectual property, civil rights, technology

Sonia Katyal is Chancellor’s Professor of Law. Her scholarly work focuses on intellectual property, civil rights (including gender, race and sexuality), information law, and entrepreneurship. Her current projects consider the intersection between technology, internet access and civil/human rights, including the right to information; the intersection between trade secrets and algorithmic discrimination; and the role of platforms in reforming current approaches to trademark law. Professor Katyal is the co-author of Property Outlaws (Yale University Press, 2010) (with Eduardo Peñalver), which studies the intersection between civil disobedience and innovation in property and intellectual property frameworks. In 2008, she was awarded a grant from the Warhol Foundation for her forthcoming book, Contrabrand, which examines the relationship between art, advertising, and trademark and copyright law. In March of 2016, Professor Katyal was selected by U.S. Commerce Secretary Penny Pritzker to be part of the inaugural U.S. Commerce Department’s Digital Economy Board of Advisors.

Recent Publications


Why You Should be Suspicious of That Study Claiming A.I. Can Detect a Person’s Sexual Orientation, Slate.com (2017)

The Numerus Clausus of Sex, 84 University of Chicago Law Review 389 (2017)


Star Athletica’s Fissure in the Intellectual Property Functionality Landscape, 166 University of Pennsylvania Law Review Online 137 (2017) (with Daniel Yablon)


Tailoring a Public Policy Exception to Trade Secret Protection, 105 California Law Review 92 (2017)
Robert P. Merges

patents, intellectual property, economics, technology markets & valuation

Robert Merges is Wilson Sonsini Goodrich & Rosati Professor of Law and chair of the LLM and JSD Program Committee. He is the author of Justifying Intellectual Property, published by Harvard University Press in 2011. A comprehensive statement of mature views on the ethical and economic foundations of IP law, the book reviews foundational philosophical theories of property and contemporary theories about distributive justice and applies them to IP; identifies operational high-level principles of IP law; and, with all this as background, works through several pressing problems facing IP law today. Professor Merges is co-author of two leading casebooks, on intellectual property and on patent law.

Recent Publications

- Copyright and Distributive Justice, 92 Notre Dame Law Review 513 (2017) (with Justin Hughes)

Deirdre K. Mulligan

privacy, cybersecurity, technology and governance, values in design

Deirdre K. Mulligan is an Associate Professor in the School of Information and the School of Law (by courtesy). Her research explores legal and technical means of protecting values such as privacy, freedom of expression, and fairness in emerging technical systems. Projects include theoretical and empirical work exploring the implications of machine learning and AI systems and the development of governance models to protect and advance human values. She is currently serving on the Defense Advanced Research Projects Agency’s Information Science and Technology Study Group, the Board of Directors of the Center for Democracy & Technology, and the Board of Directors of the Partnership for AI. With fellow I School Associate Professor Jenna Burrell, Mulligan co-leads the Algorithmic Fairness and Opacity Working Group (AFOG) at Berkeley.

Recent Publications

- Privacy is an essentially contested concept: a multi-dimensional analytic for mapping privacy, Philosophical Transactions of the Royal Society A 374.2083 (2016): 20160118 (with Colin Koopman and Nick Doty)
- These Aren’t the Autonomous Drones You’re Looking for: Investigating Privacy Concerns through Concept Videos, Journal of Human-Robot Interaction 5(3) (2016) (with Richmond Y. Wong)
Andrea Roth is Assistant Professor of Law. She joined the Boalt faculty in 2011 after a tenure as a Thomas Grey Fellow at Stanford Law School. Before Stanford, she worked for over eight years as a trial and appellate attorney at the Public Defender Service for the District of Columbia (PDS). At PDS she was a founding member of a Forensic Practice Group, which studied and litigated forensic DNA typing. She has lectured nationally on forensic science-related issues. She is also a member of the Constitution Project’s National Committee on DNA Collection and was selected to serve on the Legal Resources Committee of the National Institute of Standards and Technology’s Organization of Scientific Area Committees (OSAC) for forensic science. Her research focuses on the use of forensic science and machine-generated proof in criminal trials, the continuing viability of the lay jury, and the ways in which concepts of criminal procedure and evidentiary law must be re-theorized in an era of science- and machine-based prosecutions.

Recent Publications

Admissibility of DNA Evidence in Court, in Silent Witness: Applying Forensic DNA Evidence in Criminal Investigations and Humanitarian Disasters (Henry Erlich, Eric Stover, & Thomas White, eds.) (Oxford Univ. Press 2019)
Trial by Machine, 104 Georgetown Law Journal 1245 (2016)
Paul M. Schwartz

privacy, data security, international data protection law, cyberlaw, intellectual property

Paul Schwartz is Jefferson E. Peyser Professor of Law. His scholarship focuses on how the law has sought to regulate and shape information technology. His most frequent areas of publication concern information privacy and data security. At present, Professor Schwartz is engaged in research into comparative privacy developments in the U.S. and the European Union, cloud computing, and the interplay between state and federal privacy law. He is co-reporter of the American Law Institute’s Restatement of Privacy Law Principles.

Recent Publications
Systematic Government Access to Private-Sector Data in Germany, in Bulk Collection (Fred H. Cate & James X. Dempsey, eds.) (Oxford University Press 2017)

Pamela Samuelson

copyright, patent, internet and digital media, cyberlaw

Pamela Samuelson is Richard M. Sherman Distinguished Professor of Law and Information. Much of her recent work has focused on updating and adapting U.S. copyright law to meet challenges of the digital age. She has written amicus curiae briefs as well as law review and other articles on major software IP cases such as Oracle v. Google. Other recent work has focused on improving public access to mass digitized copies of in-copyright works. Professor Samuelson is President and Chair of the Board of Authors Alliance, a nonprofit organization that represents the interests of authors who want their works to be widely available for the public good. She is vice chair of the Board of Directors of the Electronic Frontier Foundation and a member of the ACM Council, as well as a Contributing Editor to Communications of the ACM, a computing professionals society.

Recent Publications
Strategies for Discerning the Boundaries of Copyrights and Utility Patents, 92 Notre Dame L. Rev. 1493 (2017)
Functionality and Expression in Computer Programs, 31 Berkeley Tech. L. J. 1215 (2016)
Functional Compilations, 54 Houston L. Rev. 321 (2016)
Reconceptualizing Copyright’s Merger Doctrine, 63 J. Cop. Soc’y 417 (2016)
Molly S. Van Houweling

copyright, digital media, intellectual property, technology law

Molly Van Houweling is the Harold C. Hobach Distinguished Professor of Patent and Intellectual Property and Associate Dean for J.D. Curriculum and Teaching. Her teaching portfolio includes intellectual property, basic property law, and food law and policy. In Spring 2018 she also introduced a new class on “Satisfaction in Law and Life,” featuring guest appearances by Berkeley Law alumni and other lawyers who have found happiness and balance in their careers. Much of Professor Van Houweling’s research focuses on copyright law’s implications for new information technologies (and vice versa). She often explores this and other intellectual property issues using theoretical and doctrinal tools borrowed from the law of tangible property. Professor Van Houweling is an Associate Reporter on the American Law Institute’s Restatement of the Law, Copyright, and an Adviser to the Restatement of the Law Fourth, Property. She is a member of the Board of Directors of Authors Alliance and Chair of the Board of Creative Commons.

Recent Publications

Tempting Trespass or Suggesting Sociability? Augmented Reality and the Right to Include, 51 U.C. Davis L. Rev. 731 (2017)
Authors Versus Owners, 54 Houston Law Review 371 (2016)

Jennifer M. Urban

intellectual property, privacy, security, technology, creativity, innovation

Jennifer Urban is a Clinical Professor of Law. She studies how the legal, private-ordering, and social systems that govern technology interact with values such as free expression, access to knowledge, freedom to create or innovate, and privacy. Recent research includes empirical work on the DMCA notice-and-takedown system, consumer privacy, and judges’ decisions in patent cases. She is co-founder of The Takedown Project, a consortium of scholars studying content removal regimes around the world. www.takedownproject.org.

Recent Publications

Notice and Takedown: Online Service Provider and Rightsholder Accounts of Everyday Practice, 64 Journal of the Copyright Society of the USA 371 (2017) (with Joe Karaganis and Brianna L. Schofield)
Notice and Takedown in Everyday Practice (2016) (with Joe Karaganis and Brianna L. Schofield)
Students

Berkeley Law attracts the very best students and offers them the most comprehensive instructional program in law and technology available anywhere in the world. BCLT extends beyond the classroom, supporting extra-curricular groups that provide students a wide range of opportunities to enrich their law school experience.

The unmatched experience of Berkeley Law makes its students sought-after hiring prospects by top law firms, judges, government agencies, and other organizations. BCLT works closely with the law school’s Career Development Office to present a series of career fairs and informal networking events where students can meet potential employers and learn about areas of practice.
Student Events

For students interested in law and technology, BCLT provides a wealth of information, guidance, and support, from their first days on campus to graduation and beyond.

Program Orientation and Curriculum Planning
Early in the fall semester, BCLT welcomes incoming students with an information session outlining all aspects of the law and technology program. Twice a year, fall and spring, we hold in-depth curriculum planning lunches, to help students plot their time at Berkeley Law to take maximum advantage of our rich offerings and prepare for a variety of career paths.

Fall Reception
BCLT hosts an annual fall networking mixer for law students and lawyers from top law firms in the Bay Area.

Patent Law Careers
Co-sponsored with the student-led Patent Law Society, this December event introduces 1Ls with a STEM background to law firms specifically hiring students interested in patent law.

Spring Career Fair
BCLT introduces representatives from leading law firms to law students interested in technology law.

Summer Mixer
BCLT brings together Berkeley Law students with summer jobs in the Bay Area and lawyers from top law firms for a summer networking opportunity.

Summer LL.M. Events
Each summer, BCLT presents several events specifically designed for the extraordinary participants in the Berkeley Law summer LL.M. program.
Student Groups

BCLT provides administrative and financial support to ten student groups, focused on specific issues or areas of the law, allowing students to supplement their classroom education with speakers and networking opportunities. BCLT also provides funding for students to participate in national moot court competitions on IP and technology-related law.

BERC@Boalt
BERC@Boalt is the law school branch of the Berkeley Energy & Resources Collaborative, a campus-wide student-led organization. Through its alumni and professional network, speaker events, and the publication of a career guide, BERC@Boalt helps to inform law students about legal developments and career opportunities in the fields of energy, climate, and clean technologies.

Berkeley Information Privacy Law Association
The Berkeley Information Privacy Law Association (BIPLA) serves as a forum for students, faculty, and others interested in the various facets of information privacy law. BIPLA organizes roundtables, talks, and other events. It aims to develop a strong network of people committed to overcoming privacy challenges posed by the digital world.

Berkeley Technology Law Journal
The Berkeley Technology Law Journal (BTLJ) is a student-run publication that covers emerging issues in the areas of intellectual property, privacy, and cyberlaw. Since 1986, BTLJ has kept judges, policymakers, practitioners, and the academic community abreast of the dynamic field of technology law. The Journal’s membership of approximately 150 students publishes three issues of scholarly work each year, plus the Annual Review of Law and Technology. The Annual Review is a distinctive issue of the Journal published in collaboration with BCLT and is comprised entirely of student-written pieces discussing the most important IP and technology law developments of the past year. BTLJ co-hosts the Annual BCLT/BTLJ Symposium and publishes a symposium issue, featuring articles by presenters at the conference. BTLJ also co-sponsors BCLT’s twice weekly law and technology speakers series.

Blockchain at Berkeley Law
The potential of blockchain technology has major implications in areas as diverse as finance, tax, human rights, IP, and banking. Blockchain at Berkeley Law was formed by students eager to learn more about the concept of decentralized data structures and to study the legal issues this emerging technology poses.
boalt.org
boalt.org is Berkeley Law's public interest and technology group. It meets regularly to network, share resources and ideas, build community, and discuss trends in law and technology. It works with the law school community and with other campus initiatives to promote wider understanding of the innovations occurring in legal technology.

Healthcare and Biotech Law Society
Members of the Healthcare and Biotech Law Society (HBLs) examine emerging issues at the intersection of law, society, policy, and science. Their mission is to stimulate the intellectual and professional development of students interested in health/biotech issues. HBLs organizes networking events with practitioners, promotes health and biotech courses at the law school, and increases interaction between the law school and other healthcare and biotech-related institutions at UC Berkeley and beyond.

Patent Law Society
The Patent Law Society provides a forum for students interested in practicing patent law to discuss and debate the latest developments in this specialty and to interact, network and exchange ideas with others interested in the field. The group invites patent law practitioners to the school to share their experiences with students.

Space Law Society
Bolding going where no Berkeley Law student organization has gone before, the Space Law Society provides a venue for students to explore issues in the law and policy of outer space, including rapidly emerging issues of commercial space flight and exploitation.

Sports and Entertainment Law Society
The mission of the Sports and Entertainment Law Society (SELS) is to educate the Berkeley Law community about legal opportunities and issues in the entertainment and sports industries. During the academic year, SELS sponsors guest lectures and social events, creating opportunities for students to network with each other and with practitioners representing athletes, performers and content companies.

Women in Tech Law
Through outreach, mentorship and educational resources, Women in Tech Law (WiTL) strives to recruit, support, and empower women interested in pursuing careers in technology law. WiTL aspires to expand the presence of women in technology law by providing awareness of the opportunities for women from both STEM and non-STEM backgrounds.
BCLT/BTLJ Law & Tech Speaker Series

Every Tuesday and Thursday when classes are in session (and sometimes three times a week), BCLT and BTLJ bring to the school for a lunchtime talk practitioners who share with students their substantive knowledge and real-world experience. Each session is attended by 60-130 students. The series not only provides students with substantive deep dives on a remarkably wide range of issues, but also offers them career advice and role models for a life in the law.

In 2017-18, we introduced a series within the series, with four luncheons focused on how technology is changing the practice of law.

These were our luncheon speakers in 2017-18:

**August 24, 2017**
Heather Mewes, Apple, David Rosen, Keker Van Nest & Peters, Wei Wang, Paul Hastings, and Raghav Krishnapriyan, Durie Tangri, *Your Tech Law Career Path: The Value of a Judicial Clerkship*

**August 31, 2017**

**September 5, 2017**
John Grant, Palantir Technologies, *Becoming a Technical Lawyer (Or, Sorry, You Are Going to Have to Learn Some Math After All)*

**September 7, 2017**
Eric Shulman, Fish & Richardson, *Strength in Numbers: Improving the Patent Landscape Together*

**September 14, 2017**
Theodore Karch and Lindsey Tonsager, Covington & Burling, *Keeping Data Private and Secure in the New Era of Artificial Intelligence*

**September 21, 2017**
Lee Van Pelt, Van Pelt, Yi & James, *Bayes Theorem: What Every Lawyer Should Understand About Probability*

**September 28, 2017**
Christian Mammen, Hogan Lovells, *How Tech Is Disrupting the Practice of Law*

**October 2, 2017**
Edward Balleisen, Duke University, *Wrestling with the Flim-Flammers: Anti-Fraud Regulation in America*

**October 3, 2017**
Sabrina Ross, Uber, *In-House Tech Careers: Lessons Learned/Things I Wish I’d Known*

**October 5, 2017**
Rhonda Hjort, Lucasfilm, *The Path to an In-House Career*

**October 10, 2017**
Carrie LeRoy, White & Case, *Can Robots Create Intellectual Property?*

**October 12, 2017**
Pamela Morgan, Bloomberg BNA, *Data, Analytics & Advanced Technologies in Legal Practice*

**October 19, 2017**
Darryl Chiang, Google, *The Evolution of Google Maps from a Product and Legal Perspective*

**October 24, 2017**
Matthew Caplan, Cooley, *A Practical Approach to Trade Secret Litigation: Making Complex Cases Simple*
November 2, 2017
Jonathan Fox, Cisco Systems, and Sayoko Blodgett-Ford, GTC Law Group, *Future Privacy: A Functional Approach to Privacy*

November 7, 2017
Nicholas Plassaras, Fenwick & West, *Your Strategy Guide to IP in Video Games*

November 9, 2017

November 14, 2017

November 28, 2017
Erik Puknys, Finnegan Henderson Farabow Garrett & Dunner, *Have You Ever Wondered How Complex Technical Ideas Can Be Broken Down to Be Understandable to a Jury?*

November 30, 2017
Scott Lonardo and Robert Uriarte, Orrick Herrington & Sutcliffe, *Representing Online Platforms: Defense & Offense*

January 9, 2018
Mark Flanagan and David Smith, Wilmer Cutler Pickering Hale and Dorr, *Cyber Incident Preparation & Response: Best Practices and Lessons Learned*

January 11, 2018
Josh Becker, Lex Machina, *The State of Legal Analytics: What You Need to Know about the Tools Law Firms Are Using*

January 16, 2018
Julie Holloway, Latham & Watkins, *Samsung v. Nvidia: Against All Odds*

January 18, 2018
David Sanker and Ehsun Forghany, Morgan, Lewis & Bockius, *A Real-Life Case Study in Effectively Prosecuting and Litigating Patents*

January 23, 2018
Philip Ou and Phoebe Hung, Paul, Hastings, Janofsky & Walker, *Anatomy of a Patent Case: Creating Value and Opportunities as a Junior Associate and Beyond*

January 25, 2018
Ali Alemozafar, Wilson, Sonsini, Goodrich & Rosati, *The Evolving Fate of Gene and Software Patents Post Alice*

January 30, 2018
Patrick Jewik, Kilpatrick Townsend & Stockton, *Trade Secret or Patent Protection – Which One to Choose?*

February 1, 2018

February 6, 2018
James Pooley, James Pooley Law, *How to Act Like a Lawyer*

February 8, 2018
Robert Blamires, White & Case, *Is Data Privacy a Practice Area?*

February 13, 2018
Bill Ruh, GE Digital, *The Digital Industrial Revolution*

February 20, 2018
Ian Washburn and Tony Rowles, Irell & Manella, *Working with IP Clients*

February 22, 2018
Joseph Loy and Kristin Sheffield-Whitehead, Kirkland & Ellis, *Tricks of the Trade (Secrets): Protecting Confidential Information in the Age of Employee Mobility*

February 27, 2018
Angela Dunning, Cooley, *Naruto v. Blurb (The Monkey Selfie Case)*

March 1, 2018
Sheila Swaroop, Knobbe Martens Olson & Bear, *Enforcing IP at the International Trade Commission*

March 6, 2018
Lu Chen, Jon Swenson, Karina Smith, and Jeremy Taylor, *You’re Hired! Now What?*

March 8, 2018
Kevin Kennedy, Simpson Thacher & Barlett, *Silicon Valley Capital: How to Finance a Tech Company*

March 13, 2018
Daphne Keller, Stanford Center for Internet and Society, *Platform Liability & Internet Users’ Speech Rights*

March 20, 2018
Michelle Ybarra and Eduardo Santacana, Keker Van Nest & Peters, *Video Game Clones: Evolution or Theft?*

March 22, 2018
Fred Parnon, Neota Logic, *The Coming Opportunities at the Intersection of AI & Law Practice*

April 5, 2018
Philip Woo and Winnie Wong, Haynes and Boone, *Recent Trends in Patent Litigation*

April 18, 2018
Nils Rauer and Alberto Bellan, Hogan Lovells, *Copyright in Europe: Is the EU Doing a Better Job of Protecting Rights and Distributing Value Online?*

April 19, 2018
Robert Benson, Orrick Herrington & Sutcliffe, *A Purpose-Driven Practice: Making a Difference from a Big Law Platform*
Partnerships
Through valued partnerships, BCLT expands its presence within the Law School and beyond.

**Samuelson Law, Technology & Public Policy Clinic**
Founded in 2001, the Samuelson Law, Technology and Public Policy Clinic (SLTPPC) provided the first opportunity in legal academia for students to represent public interest clients in major debates and litigation at the intersection of law and technology. Today, it plays a key role in the Berkeley Law curriculum, giving students hands-on advocacy training in the areas of IP, privacy, free expression, and other fields.

**Berkeley Center for Law and Business**
The Berkeley Center for Law and Business (BCLB) is Berkeley Law’s hub for rigorous, relevant, empirically based research and education on the interrelationships of law, business, and the economy. BCLB’s areas of focus include technology innovation and commercialization and financing in the tech sector. BCLT and BCLB collaborate on events and programs exploring the continuum of legal issues crucial to innovation and the start-up ecosystem.

**Collaboration Across the UC Berkeley Campus**
With three faculty directors holding appointments at the Berkeley School of Information, and with relationships at other schools and departments at UC Berkeley, BCLT promotes cross-disciplinary and campus-wide perspectives. For example, faculty director Sonia Katyal, in addition to her classes at the law school, teaches a course to undergraduates on law, technology and entrepreneurship, equipping future inventors, entrepreneurs, and investors with the basics of forming their own startup enterprise.
BCLT and the Federal Judicial Center

BCLT has a long and productive relationship with the Federal Judicial Center (FJC). Since 1998, Professor Peter Menell and BCLT have organized with the FJC an annual intellectual property program for the federal judiciary. More than 750 judges have attended these one-week training sessions covering a full range of IP issues, both substantive and procedural. Professor Menell is a regular speaker on intellectual property for circuit court and district court conferences. He also coordinates production of the Patent Case Management Judicial Guide. Now in its Fourth Edition, with chapters authored by Menell and a team of leading practitioners, the guide is an authoritative resource for both judges and practitioners.

In 2018, BCLT expanded its partnership with the FJC, assisting in developing a series of webinars and other resource materials on key technologies that are woven into our personal and professional lives and that increasingly appear in civil and criminal litigation. The first set of videos in the series features Princeton University computer scientist Ed Felten explaining encryption. In a related project, BCLT is working with the FJC to develop resources on cybersecurity, aimed at increasing the ability of judges to protect the security and integrity of their communications.

The Berkeley Judicial Institute

In 2018, Berkeley Law launched the Berkeley Judicial Institute (BJI), a ground-breaking initiative that will further significantly expand the school’s collaboration with the judiciary. The goal of the institute is to serve as a bridge between the judiciary and the legal academy, by providing education and resources for judges and by focusing scholarly attention on the important challenges faced by judges. The institute will be headed, after he retires from the bench in September 2018, by U.S. District Judge Jeremy Fogel, who led the FJC for nearly seven years. BJI will support academic research, host workshops and working groups, develop case management resources, and work to improve the administration of justice.

BCLT’s Asia IP Project

In November 2017, BCLT launched its Asia IP Project, headed by Mark Cohen, widely recognized as the leading expert in the US on intellectual property law in China. The project is enhancing existing, and developing new, collaborative relationships with academic institutions and other partners in Asia, and organizing workshops, conferences, and other events. At a time of heightened tensions around trade and IP, the project offers a neutral, data-focused forum for current and former government officials, academics, industry leaders, and legal practitioners to come together for learning and dialogue on the full range of IP law challenges.

In its first months, the project convened roundtables on developments in Chinese IP law affecting the pharmaceuticals industry and on the impact of trade disputes on the tech industry. For 2018, the project is planning a conference on trans-Pacific IP litigation, to be held in Beijing, and an event on startups and investment, to be held in Shenzhen. Cohen’s China IPR blog is a leading source of insight on developments in IP law and practice in China.
Sponsors

BCLT does not receive funding from UC Berkeley or Berkeley Law. The Center’s staff and all its events and activities are supported by donations from law firms, corporations, and individuals as well as grants and cy pres awards.

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BCLT ANNUAL BULLETIN 2018-2019
Jim Dempsey
Executive Director
A leading expert on privacy, Jim Dempsey has experience as a judicial law clerk, a law firm attorney, a Capitol Hill staffer, a non-profit leader, and a Presidential appointee. Before joining BCLT, Jim spent 18 years with the Center for Democracy & Technology, serving as its executive director from 2003 to 2005 before moving to California to open CDT West. Dempsey led CDT’s Global Internet Policy Initiative, which worked with government officials, industry, and human rights organizations on internet policy issues in developing and transitional countries, and he founded Digital Due Process, a diverse coalition working to update the Electronic Communications Privacy Act. From 2012 to January 2017, after Senate confirmation and appointment by the President, he served as a part-time member of the Privacy and Civil Liberties Oversight Board, an independent agency charged with advisory and oversight roles regarding the nation’s counterterrorism programs.

Mark Cohen
Distinguished Senior Fellow and Director, Asia IP Project
Mark Cohen joined Berkeley Law in November 2017 as director of BCLT’s Asia IP Project. Cohen is widely recognized as the leading expert in the US on intellectual property law in China. For over 30 years, as a law firm attorney, in-house counsel, government official, and adjunct and visiting professor of law, he has practiced, written about, and taught intellectual property and international trade law, always with a focus on Asia. Immediately before coming to BCLT, he was Senior Counsel and Senior Advisor to the Undersecretary of Commerce and Director of the US Patent and Trademark Office. He taught intellectual property law and international trade at Fordham from 2011 to 2017. He has also been a guest professor at Renmin University (Beijing) and Jinan University (Guangzhou). He publishes extensively, in English and Chinese, on IP issues.

Jann Dudley
Associate Director
Jann has extensive knowledge of the business of law practice with a special emphasis on marketing, business development, and administration, having worked for more than 20 years at leading San Francisco Bay Area law firms. In 2017, Jann joined the BCLT team. As Associate Director, Jann is responsible for sponsorship relations, short and long range planning, and managing the team of professionals that organize BCLT’s ambitious agenda of events for law students, alumni, and the law and technology community.

Claire Trias
Assistant Director, Program Development & Student Engagement
Claire has over eight years of experience in higher education handling a range of responsibilities from complex administrative matters to organizing and executing major academic programs and events. Prior to joining BCLT in 2013, Claire was a research assistant at Touro University California. At BCLT, she enhances law students’ educational experience by managing the Tuesday-Thursday speakers series, coordinating the Law & Technology Certificate, organizing career fairs and networking events, advising law and technology-related student groups, and coordinating the mentor program. Claire holds a BA in English with a minor in Art from Holy Names University.
Richard Fisk  
**Assistant Director, Events & Communications**

Richard joined BCLT in September 2015. Prior to that, he was Special Events Manager for the 2015 San Francisco International Film Festival. From 2011-2015, Richard was Director of Events at Central European University, a graduate institution in Budapest, Hungary. He has an extensive background in corporate project coordination, which is when he first began organizing large events. At BCLT, Richard is responsible for planning and executing the center’s extensive schedule of conferences, symposiums, forums, and workshops. Richard holds an MA in Broadcast and Electronic Communication from San Francisco State.

Irys Schenker  
**Office Administrator**

Irys joined BCLT as Office Administrator in July 2016, having worked for the previous 3 years in a similar capacity in the Middle Eastern, South Asian and African Studies Department at Columbia University. Before that, she worked in the business and legal affairs units at Lifetime Television Networks and at IFC/Sundance Channel. As Office Administrator, Irys is responsible for all BCLT reimbursements, payments, and procurements. An accomplished artist, Irys holds a BA from San Francisco State University and an MFA from The School of Visual Arts in New York City.

**Fellows**

**Kathryn Hashimoto** is the Copyright Research Fellow. While working in book publishing, she attended the University of San Francisco School of Law and received her JD in 2010. She also interned at the Electronic Frontier Foundation.

**Joshua Kroll** is a postdoctoral research scholar working with Professor Deirdre Mulligan on legal and ethical issues in algorithmic systems. Josh earned his BA in physics and mathematics from Harvard and his MA and PhD in computer science at Princeton. His dissertation, “Accountable Algorithms,” developed into the seminal co-authored article of the same title and was published in the University of Pennsylvania Law Review. His latest article, with Devan Desai, is “Trust But Verify: A Guide to Algorithms and the Law,” Harvard Journal of Law and Technology (2017). Before coming to Berkeley, Josh was a systems engineer at Cloudflare.
Save the dates: 2018-2019 events

Fall Reception for Berkeley Law Students and BCLT Sponsors
October 30, 2018
Berkeley, CA

11th Annual BCLT Privacy Lecture:
Prof. Shoshana Zuboff
November 8, 2018
Berkeley, CA

The Role of the Courts in Patent Law and Policy
November 16, 2018
Washington, DC

BCLT/Patent Law Society 1L Tech Career Fair
December 3, 2018
Berkeley, CA

Transnational IP Litigation
December 4, 2018
Beijing, China

19th Annual Advanced Patent Law Institute
December 6-7, 2018
Palo Alto, CA

BCLT Spring Career Fair
February 2019
Berkeley, CA

8th Annual BCLT Privacy Law Forum: Silicon Valley
March 22, 2019
Palo Alto, CA

12th Annual Privacy Law Scholars Conference
May 23-24, 2019
Berkeley, CA

19th Annual Intellectual Property Scholars Conference
August 2019
Chicago, IL

12th Annual Conference on Legal Frontiers in Digital Media
May 2019
San Francisco, CA

20th Annual Advanced Patent Law Institute
December 12-13, 2019
Palo Alto, CA

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