

Thursday, August 9, 2018 - Breakout 1			9:00 - 10:30 A.M.		DRAFT as of August 10, 2018
Room 102	Room 203	Room 204	Garden Room	Room 104	Executive Dining Room
Patent Theory	IP Protection for Designs	Copyright: Intermediaries and Markets	Trademarks	Ad Law of IP	History: IP and Innovation
Scott Baker (and Anup Malani), The Blackstone Principle as Policy Lever <a href="#">Abstract</a>	Sarah Burstein, Partial Designs <a href="#">Abstract</a>	Annemarie Bridy, New Frontiers in Intermediary Liability: Copyrights & CDNs <a href="#">Abstract</a>	Jason George (and Lisa Larrimore Ouellette), Trademarks as Innovation Incentives <a href="#">Abstract</a>	Michael Frakes (and Melissa Wasserman), Board Reversal and Patent Examiner Incentives <a href="#">Abstract</a>	Rebecca Curtin, More on Locke's Literary Property <a href="#">Abstract</a>
Michael Burstein (and Mark McKenna), Toward a Theory of Inventorship in Patent Law <a href="#">Abstract</a>	Mala Chatterjee, Conceptual Separability as Conceivability: A Philosophical Analysis of the Useful Articles Doctrine <a href="#">Abstract</a>	Juan Contreras and Carlos Uribe, Challenges Regarding the Interaction Between Competition Law and Intellectual Property <a href="#">Abstract</a>	Christian Helmers (with Carsten Fink, Andrea Fosfuri, and Amanda Myers), Submarine Trademarks <a href="#">Abstract</a>	Jonathan Masur, PTAB Stacking and the Nature of Patents <a href="#">Abstract</a>	Randy Picker, The Invention of the Computer <a href="#">Abstract</a>
Nicholson Price, The Problem with Novelty <a href="#">Abstract</a>	Joshua Sarnoff, A New Old Theory of Design Patent Subject Matter <a href="#">Abstract</a>	Jim Gibson (and Christopher Cotropia), Convergence and Conflation in Online Copyright <a href="#">Abstract</a> <a href="#">Paper</a>	Daniel Hemel (and Lisa Larrimore Ouellette), Governing the Semantic Commons <a href="#">Abstract</a>	Saurabh Vishnubhakat, Renewed Efficiency in Administrative Patent Revocation <a href="#">Abstract</a>	Michael Risch (and Mike Viney), 19th Century Apple Papers: A Case Study in Innovation <a href="#">Abstract</a>
	Daniel Yablon (and Peter Menell), Useful Article Design: Tracing and Disentangling the Intellectual Property Landscape <a href="#">Abstract</a>	Molly Van Houweling, Fair Use as Market Maker <a href="#">Abstract</a>		Melissa Wasserman (and Chris Walker), The Lost World of Agency Adjudication <a href="#">Abstract</a>	

Thursday, August 9, 2018 - Breakout 2		11:00 A.M. - 12:30 P.M.			DRAFT as of August 10, 2018	
Executive Dining Room	Room 203	Room 204	Garden Room	Room 104	Room 102	
IP History and Theory	Patents	Copyright	Trademarks	Law, Norms, Forms	Right of Publicity	
Stephanie Bair, IP Inequality <a href="#">Abstract</a>	Chris Holman, <i>Vanda v. West-Ward</i> Pharmaceuticals <a href="#">Abstract</a>	Shane Burke, Score, Performance, and the Posthumous Conductor: Conceptual Art and the Law of Copyright <a href="#">Abstract</a>	Christopher Buccafusco (with Jonathan Masur and Mark McKenna), Screening for Secondary Meaning in Trademark Law <a href="#">Abstract</a>	Jorge Contreras, Private Law, Conflicts of Law, and a <i>Lex Mercatoria</i> of Standards Development Organizations <a href="#">Abstract</a> <a href="#">Paper</a>	Jennifer Rothman, The Intellectual Property Turn in the Right of Publicity <a href="#">Abstract</a>	
Carys Craig, Critical Copyright Law and the Politics of "IP" <a href="#">Abstract</a>	Amy Motomura, The Overlooked Significance of Own Prior Art <a href="#">Abstract</a>	Andrew Gilden, Copyright's Market Gibberish <a href="#">Abstract</a>	Jake Linford, An Information Theory of Trademark Intent <a href="#">Abstract</a>	Brett Frischmann (with Katherine Haenschen and Ari Waldman), Privacy Commons Across Academic, Commercial, and Public Policy Contexts <a href="#">Abstract</a>	Mark Lemley, Privacy, Property, and Publicity <a href="#">Abstract</a> <a href="#">Paper</a>	
Jeremy Sheff, Jefferson's Taper and Cicero's Lumen: A Genealogy of Intellectual Property's Distributive Ethos <a href="#">Abstract</a>	David Schwartz (with Jay Kesan and Anne Layne-Farrar), Understanding Patent "Privateering" <a href="#">Abstract</a>	Zahr Said, Jury Instructions as Policy Levers in Copyright Law <a href="#">Abstract</a>		Robert Cooter (and Uri Hacoen), Progress in the Useful Arts: Foundations of Patent Law in Growth Economies <a href="#">Abstract</a> <a href="#">Paper</a>	Dustin Marlan, Unmasking the Right of Publicity <a href="#">Abstract</a>	
Toshiko Takenaka, Industry 4.0 and Patent System: Rethinking Key Concepts <a href="#">Abstract</a>	James Stern, Patent Incontestability <a href="#">Abstract</a>	Christopher Yoo, Are Ideas Independent from Expression: Implications of Linguistics and Cognitive Science for Copyright <a href="#">Abstract</a>		Joseph Miller, IP Law's Semantic Self-Portrait: A Co-Citation Analysis <a href="#">Abstract</a>	Joel Wacks, Nonfictional Characters: How Copyright Can Restore Order to Publicity Rights <a href="#">Abstract</a> <a href="#">Paper</a>	

Thursday, August 9, 2018 - Breakout 3			1:30 - 3:00 P. M.		DRAFT as of August 10, 2018
Room 102	Room 203	Room 204	Garden Room	Room 104	Executive Dining Room
IP and Creativity	Infringement and Remedies	Copyright – Empirical	Trade Secrets	Ad Law of IP	Patent’s Purpose
Jeanne Fromer (and Mark Lemley), Playful Innovation <a href="#">Abstract</a>	Bernard Chao (and Roderick O’Doriso), Saliency, Anchors, and Frames: A Multicomponent Damages Experiment <a href="#">Abstract</a>	Frederic Blockx, An Empirical Analysis of the Interpretation of Copyright Law by the European Court of Justice and the U.S. Supreme Court <a href="#">Abstract</a>	Courtney Cox, Can the Law Force You to Lie? The Use of Deceptive Precautions to Protect Trade Secrets <a href="#">Abstract</a>	Jeremy Bock, Closing the Patent Regulatory Feedback Loop <a href="#">Abstract</a>	Jonas Anderson, User Innovation and Patent Law <a href="#">Abstract</a>
Sean Pager, Much Ado About Norms <a href="#">Abstract</a>	Pamela Samuelson (and Mark Gergen), Design Patent Disgorgements <a href="#">Abstract</a>	Kevin Collins, The Irrelevance of Copyright in Customized Creativity <a href="#">Abstract</a> <a href="#">Paper</a>	Sarah Cortes, IP and Data Breaches: An Empirical Study of Darknet IP Crime and its Implications for Legal Remedies <a href="#">Abstract</a>	Charles Duan, The Intersection of IP and Regulatory Systems <a href="#">Abstract</a>	Dan Prud’homme, Alternative responses to anti-commons: China’s state patenting incentives and the strategic value of latecomers’ patent portfolios <a href="#">Abstract</a>
Andres Sawicki, The Law of Creativity? <a href="#">Abstract</a>	Amy Landers, Patent Law: Proximate Cause <a href="#">Abstract</a>	Paul Heald, Copyright Reversion to Authors (and the Rosetta Effect): An Empirical Study of Reappearing Books <a href="#">Abstract</a>	Amit Elazari Bar On (and Peter Menell), Promoting Responsible Whistleblowing: Reconciling and Reforming CFAA Liability in the Information Age <a href="#">Abstract</a>	John Duffy, Rational Ignorance and Reasoned Decision making at the Patent Office <a href="#">Abstract</a>	Brenda Simon, Contextualizing the Information-Facilitating Function of Patents <a href="#">Abstract</a>
Christopher Sprigman, The Versificator: Algorithms & Authorship in the Adult Entertainment Industry <a href="#">Abstract</a>	Erik Hovenkamp, Antitrust And Patent Settlement Design <a href="#">Abstract</a> <a href="#">Paper</a>	Matthew Sag, The Legal Infrastructure for Text Mining Research in the Digital Humanities: Copyright, Fair Use, and Beyond <a href="#">Abstract</a>		Arti Rai, AI at the US Patent Office <a href="#">Abstract</a>	Neel Sukhatme, Patents as Quality Signals to Consumers <a href="#">Abstract</a>

Thursday, August 9, 2018 - Plenary

3:30 - 5:00 P.M.

DRAFT as of August 10, 2018

Krutch Theatre

**Keynote:**

Rebecca Eisenberg, IP  
Scholarship Then and  
Now

**Comments by:**

Jorge Contreras  
Michael Mattioli  
Tejas Narechania  
Arti Rai

**Moderator:**

Molly Van Houweling

Friday, August 10, 2018 - Breakout 4

9:00 - 10:30 A.M.

DRAFT as of August 10, 2018

Room 102	Room 203	Room 204	Garden Room	Room 104	Executive Dining Room
<b>Patent Litigation</b>	<b>Old and New Theories of IP</b>	<b>Copyright – Fair Use</b>	<b>AI and IP</b>	<b>IP and International Economic Development</b>	<b>IP and Innovation</b>
Rebecca Eisenberg, The Importance of Timing in Allocating Responsibility for Decisions about Patents Between the PTO and the Courts <a href="#">Abstract</a>	Shyam Balganesh, The Common Law of Copyright <a href="#">Abstract</a>	Clark Asay (and Arielle Sloan), Is Transformative Use Eating the World? <a href="#">Abstract</a>	Aviv Gaon, The International Limits to AI Authorship <a href="#">Abstract</a>	Aman Gebru, Disclosure of Origin Requirement as an Innovation-Forcing Rule <a href="#">Abstract</a> <a href="#">Paper</a>	Christopher Cotropia, Crowdfunding and Patents <a href="#">Abstract</a> <a href="#">Paper</a>
Paul Gugliuzza, The Supreme Court Bar at the Bar of Patents <a href="#">Abstract</a>	Uri Hacoen (and Peter Menell), Unjust Endorsement <a href="#">Abstract</a>	Barton Beebe, An Updated Empirical Study of U.S. Copyright Fair Use Opinions, 1978-2017 <a href="#">Abstract</a>	Gi-Kuen Jacob Li, Recent Development on Copyright Protection for AI Generated Works in PRC and ROC <a href="#">Abstract</a>	Cynthia Ho, Cultural Capture: Towards Understanding a US Tendency to Over-Protect IP <a href="#">Abstract</a>	Camilla Hrdy, Innovation or Jobs: An Inconvenient Truth about Public Financing for Innovation <a href="#">Abstract</a>
Dmitry Karshedt, Once is Enough: Rediscovering Collateral Estoppel at the PTAB <a href="#">Abstract</a>	Irina Manta, Explaining Criminal Sanctions in Intellectual Property Law <a href="#">Abstract</a>	Cathay Y.N. Smith, Imagining a Fair Use Defense to VARA <a href="#">Abstract</a>	Rob Merges, Autonomous Vehicle Design Architecture: IP and Regulatory Issues <a href="#">Abstract</a>	John John Uket, Turning Knowledge to Wealth: Intellectual Property Generation and Management in African Institutions <a href="#">Abstract</a>	Lucas Osborn, Comparative Issues in Intellectual Property Law and 3D Printing <a href="#">Abstract</a>
Brian Love (with Bernhard Ganglmair and Christian Helmers), The Effect of Patent Litigation Insurance <a href="#">Abstract</a>	Peter Menell, The Use and Misuse of Intellectual Property Kinship <a href="#">Abstract</a>	Xiyin Tang, Beyond “Transformativeness”: Rethinking Productive Fair Uses <a href="#">Abstract</a>			Raphael Zingg (and Ludvig Wier), Standing on Shoulders or Stepping on Toes: The Impact of Research Clustering on Innovation

Friday, August 10, 2018 - Breakout 5

11:00 A.M. - 12:30 P.M.

DRAFT as of August 10, 2018

Room 102	Room 203	Room 204	Garden Room	Room 104	
IP in the Courts	Patents	Copyright	Patent Practitioners	Innovation and Health	
Sam Ernst, Lost Supreme Court Precedent in an Era of Patent Law Reform <a href="#">Abstract</a>	Ryan Abbott, Everything is Obvious <a href="#">Abstract</a>	Michael Carroll, The Law of Musical Borrowing <a href="#">Abstract</a>	Wissam Aoun, The Fourth Industrial Revolution and the Democratization of Patent Agency <a href="#">Abstract</a>	Robin Feldman, Perverse Incentives <a href="#">Abstract</a>	
Jyh-An Lee (and Dicky Tsang), Unfriendly Choice of Law in FRAND <a href="#">Abstract</a>	Andrew Michaels, Abstract Innovations and Virtual Ideas <a href="#">Abstract</a>	Justin Hughes, Actors as Authors <a href="#">Abstract</a>	Jonathan Ashtor, Measuring the Novelty of U.S. Patents <a href="#">Abstract</a>	Michael Mattioli, The Body Electric <a href="#">Abstract</a>	
Shawn Miller, Venue After TC Heartland <a href="#">Abstract</a>	Ted Sichelman (and Ryan Holte), The Cycle of Obviousness <a href="#">Abstract</a>	Tim McFarlin, Tear Down the Stairway? Copyright Injunctions and the Public Interest <a href="#">Abstract</a>	Jeanne Curtis (and Christopher Buccafusco), The Patent Bar, Design Patents, and Access to the Profession <a href="#">Abstract</a>	Ana Santos-Rutschman, The IP of Vaccine Races <a href="#">Abstract</a>	
	Ryan Whalen (and Laura Pedraza-Farina), A Network Theory of Patentability: Towards an Empirical Measure of Patent Nonobviousness <a href="#">Abstract</a>		William Gallagher, Sociological Perspectives on IP Lawyers and Lawyering: The Patent Prosecutor <a href="#">Abstract</a>	Laura Vidal, The Impact of IP on the Mexican Immunization Schedule <a href="#">Abstract</a>	

Friday, August 10, 2018 - Breakout 6

1:30 - 3:00 P.M.

DRAFT as of August 10, 2018

Room 102	Room 203	Room 204	Garden Room	Room 104	Executive Dining Room
<b>IP and Academic Institutions/Research</b>	<b>Patent Big Questions</b>	<b>AI and IP</b>	<b>Tort-Tinged IP</b>	<b>IP and International Economic Development</b>	<b>Patent Quality</b>
Stefania Fusco (with Francesco Lissoni, Catalina Martinez, and Valerio Sterzi), Dissemination of Academic Knowledge and Monetization of University Patents <a href="#">Abstract</a>	Dan Burk, Patents and State Constitutionally Protected Speech <a href="#">Abstract</a>	Kathrine Gutierrez, Using IP to Encourage Self-Regulation by Index Producers: Avoiding the Next LIBOR <a href="#">Abstract</a>	Ben Depoorter (and Robert Walker), So Sue Me ... Please! Reverse Nuisance in Intellectual Property Law <a href="#">Abstract</a>	Margaret Chon, Charting the Triple Interface of Public-Private Partnerships, Global Knowledge Governance, and Sustainable Development Goals <a href="#">Abstract</a> <a href="#">Paper</a>	David Abrams, Pharmaceutical Patent Citations and Real Value <a href="#">Abstract</a>
Ariel Katz (and Patrick Pang), Make Canadian Libraries Great Again: Is Controlled Digital Lending Legally Permissible? <a href="#">Abstract</a>	TJ Chiang, Patents and Free Speech <a href="#">Abstract</a>	Andrew Selbst, Tort Law's AI Problem <a href="#">Abstract</a>	Mark McKenna (and Mark Lemley), Unfair Disruption <a href="#">Abstract</a>	Su Li (and Shi Chen), Seeking patent protection overseas: A study of cross-border patents between the U.S. and China <a href="#">Abstract</a>	Colleen Chien, Comparative Patent Quality <a href="#">Abstract</a>
Lisa Larrimore Ouellette (and Andrew Tutt), How Do Patent Incentives Affect University Researchers? <a href="#">Abstract</a>	Greg Reilly, Does History Limit Congress's Patent Power? <a href="#">Abstract</a>	Charlotte Tschider, Beyond the Black Box: Intellectual Property and the Artificially Intelligent Machine <a href="#">Abstract</a>	Betsy Rosenblatt, Verbing Intellectual Property <a href="#">Abstract</a>	Arul Scaria, When the Present Mirrors the Past: Some insights from an empirical survey on open science practices in India <a href="#">Abstract</a>	Glenn Woroch (with Mark Rodini and Thomas Varner), Forward Citation Ratios and their Relationship to Patent Quality and Value <a href="#">Abstract</a>
Argyri Panezi, Updating The Copyright Framework For European Cultural Heritage Institutions <a href="#">Abstract</a>	David Taylor, Morality and Patent Eligibility <a href="#">Abstract</a>	Peter Yu, Data Producer's Right <a href="#">Abstract</a>		Joy Xiang, Mutually Benefiting International Cleantech Cooperation <a href="#">Abstract</a>	

Friday, August 10, 2018 - Closing Plenary

3:30 - 5:00 P.M.

DRAFT as of August 10, 2018

**Krutch Theatre**

Tonya Evans, CryptoKitties, Cryptography, and Copyright <a href="#">Abstract</a>	Deepa Varadarajan and Joseph Fishman, Similar Secrets <a href="#">Abstract</a>	Kristelia Garcia (and Justin McCrary), Reconceptualizing Copyright's Term <a href="#">Abstract</a>	Rachel Sachs, Regulating Intermediate Technologies <a href="#">Abstract</a>		
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