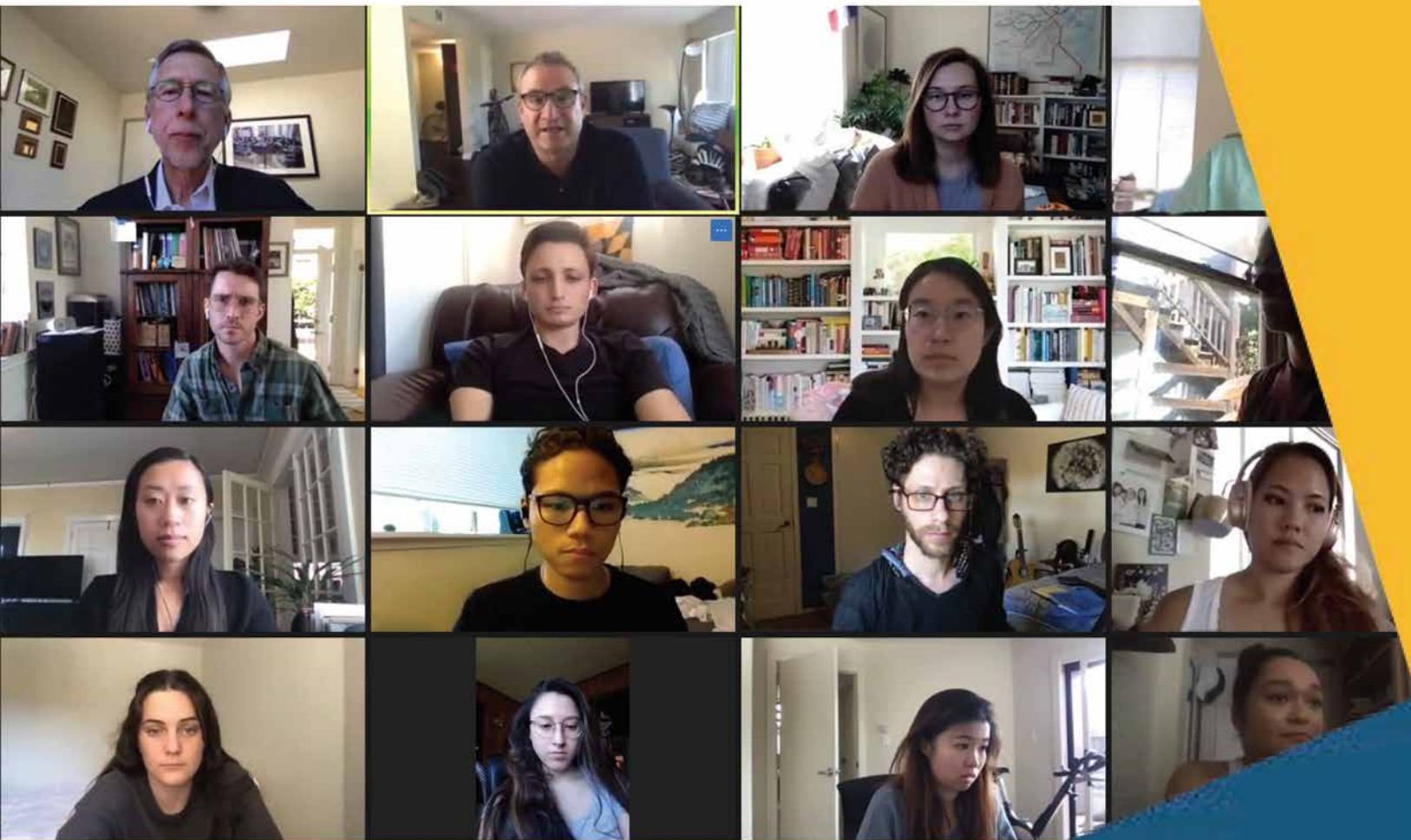


Berkeley

Center for Law
& Technology



2020-2021 Annual Bulletin



For over 25 years, the Berkeley Center for Law & Technology (BCLT) has been 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.

In this time of pandemic, economic distress, trade wars, and anger over systemic racism, BCLT is adapting and expanding. As our faculty directors embrace the tools for online teaching, we are adding new courses to the law and technology curriculum. We have taken all of our conferences online and simultaneously expanded their number. The eleven student-led groups we support are more active and creative than ever.

Our fall 2020 agenda includes two student-run conferences (one on tech law and anti-racism), the launch of a new life sciences webinar series, the Research2Practice series (in which BCLT faculty directors share recent research with attorneys at sponsoring law firms and tech companies), the AI Unlocked executive education program, and an ever-expanding roster of co-branded events with partner law firms. These are in addition to our signature events, including our Privacy Law Forum (October 9) and our Advanced Patent Law Institute (December 10-11).

In its multiple programs, our Asia IP & Technology Law Project is providing a unique venue to examine the impact on the tech industry of the trade wars and the momentous but often overlooked changes occurring in Chinese IP law.

For spring 2021, we are planning three symposia: one in February on design patents, one in March marking the 25th anniversary of the Telecommunications Act of 1996, and one in April celebrating the legacy of Joel Reidenberg's seminal article *Lex Informatica*.

We look forward to the time when we can be together with you--students, practitioners, judges, policymakers, fellow academics--in person. Meanwhile, we welcome you to take advantage of all that BCLT has to offer.

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BCLT BY THE NUMBERS

#1 IP law program,
17 years in a row,
by *US News*



 **750+**

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

 **17** **FACULTY
DIRECTORS**
Full-time faculty teaching and
writing on law & tech issues

 **30+**
23

Practitioners
teaching advanced
and specialized
courses

Years BCLT has
been collaborating
with Federal
Judicial Center



11 From the Berkeley Technology
Law Journal
to
Student Groups Women in Tech Law

 **9** Major conferences
planned for 2020 - 2021

20+
Other events
on and off
campus

38
Luncheon
presentations
by practitioners
in 2019 - 2020

46+ law & tech
courses in
2020 - 21



4
Career events
for students
and law firms

KEEPING PACE WITH TECH INNOVATION

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 computer crime and cybersecurity, biotech, sports and entertainment law, telecommunications regulation, the fairness and transparency issues associated with artificial intelligence, and the social justice implications of technological disruption.

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 internationally-recognized privacy experts with concentrations spanning comparative privacy law, consumer privacy, computer crime, 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

Among BCLT's faculty directors are leading experts on algorithmic fairness and the intersection of law with machine learning and AI. In collaboration with the campus's Division of Data Sciences and Berkeley's School of Information, their empirical and theoretical research seeks to answer the legal, social and ethical challenges of this rapidly spreading technology.

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. Our Asia IP and Technology Law Project sustains an ambitious agenda of activities on both sides of the Pacific.

Technology Law and Anti-Racism

In 2020, as the focal point at Berkeley Law for activities focused on the role of technology in society, BCLT expanded its exploration of issues at the intersection of technology, race, and justice. Among our initiatives: We are supporting the student-led Berkeley Technology Law Journal in planning a two-day symposium on technology law as a vehicle for anti-racism and we are increasing our undergraduate STEM outreach efforts to attract more applicants to Berkeley Law who are Black, indigenous or persons of color.



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, Silicon Valley antitrust, privacy, computer crime, entrepreneurship, telecoms, the law affecting the entertainment industry—even a course on wine law.

The Berkeley Law curriculum allows students to delve deeply into a particular practice area or to gain breadth over the range of issues posed by technology.



In intellectual property, students can progress from the four-credit survey to more in-depth courses on patent law, copyright, trade secrets, trademarks, patent litigation (two courses, one on district court litigation, one on proceedings before the Patent Trial and Appeal Board), patent prosecution, and Chinese IP law. In the privacy and data security field, students can take information privacy law, computer crime, cybersecurity, privacy counseling, and national security surveillance law.

Transactional courses include one on drafting and negotiating software licenses, cloud computing agreements, and other IT contracts. Our sports and entertainment courses include video game law, TV and film law, and music law, as well as courses on representing professional athletes, drafting and negotiating sports law contracts, and negotiating Hollywood contracts.

In 2020, in order to provide entering 1Ls an extra opportunity to form connections despite our remote form of instruction, the BCLT faculty directors offered a series of one-unit courses for small groups of 1Ls:

- Intro to Information Privacy
- Regulating Internet Platforms
- Secrecy
- Technological Disruption and Social Justice
- When Technology Meets a Criminal Case

BCLT's Law & Technology Certificate Program

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.



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:

Social Media Law

To be offered in Fall 2021, this course will examine legal issues that have uniquely developed around social media, including First Amendment, privacy and targeted advertising, Section 230 of the Communications Decency Act, and efforts to protect vulnerable populations from exploitation through social media.

Privacy Counseling

As the demands of privacy compliance grow, there is an expanding role for lawyers in the design of technology products and the shaping of business strategies. This course explores the substantive and ethical implications of this new practice area.



Biotechnology Law

Co-taught by two in-house counsel at biotech companies, this course examines legal issues encountered uniquely and frequently in the biotechnology industry, including patent issues, technology licensing, litigation, the regulatory landscape for pharmaceuticals and agricultural products, and various hot topics such as the CRISPR-Cas9 patents.

Cybersecurity in Context

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

Antitrust and Innovation

Taught by two Silicon Valley practitioners, this course covers the real-world application of antitrust law to the industries pioneering tech and life sciences innovation, exploring issues associated with mergers, monopolization, big data, networks and platforms, predatory innovation, and licensing strategies.

Topics in Pharmaceutical Policy: The Case of Biotherapeutics

This seminar explores the gaps, conflicts, and overlaps in different countries' patent systems and their impact on access to pharmaceutical products.

Chinese IP Law

Intellectual property protection in China has never been more important in bilateral and multilateral trade relations than today. This course addresses a range of controversial issues surrounding the definition and enforcement of IP in China and the law's impact on innovation there and on foreign companies' efforts to protect their IP.

Space Law

This course introduces students to the US regulatory frameworks for spacecraft, satellite communications, and earth imaging as well as ongoing legislative efforts to address next-generation issues, including harvesting the resources of celestial bodies and human settlements in space.

COURSES & SEMINARS

FALL 2020

Biotechnology Law
Chinese IP Law
Computer Law
Cybersecurity in Context
Entertainment Law in the TV Industry
Information Privacy Law
Intellectual Property Law
Intro to Information Privacy (1L)
Law & Technology Writing Workshop
Negotiating Hollywood Contracts
Network Neutrality Seminar
Patent Prosecution
Regulating Internet Platforms (1L)
Samuelson Clinic and Seminar
Advanced Samuelson Clinic and Seminar
Secrecy: The Use and Abuse of Information in the Courts (1L)
Technological Disruption and Social Justice (1L)
Topics in Privacy and Security Law
Trade Secret Law and Litigation
Trademark Law
Video Game Law
Wine Law
When Technology Meets a Criminal Case (1L)

SPRING 2021

Advanced IT Contracts: Drafting and Negotiating
Antitrust and Innovation
Antitrust and Technology Platforms
Art and Cultural Property Law
Computer Crime Law
Computer Programming for Lawyers
Copyright Law
Advanced Copyright Seminar
Cybersecurity Law and Policy
Disruptive Technologies & Regulation
Future of Cybersecurity Workshop
Intellectual Property Law
Patent Law
Patent Litigation I
Privacy Counseling & Compliance
Samuelson Clinic and Seminar
Advanced Samuelson Clinic and Seminar
Space Law
Technological Disruption Seminar
Technology for Lawyers
The Business of Intellectual Property
Topics in Sports Law
Topics in Pharma Policy: Biotherapeutics

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

Patentability of AI: Strategies for the USPTO and the EPO, with Kilburn & Strode

October 29, 2019

Palo Alto

Co-presented in partnership with the Kilburn & Strode law firm, this seminar explored and contrasted how the European Patent Office and the US Patent and Trademark Office are approaching the patentability of AI technologies. Speakers, including Kilburn & Strode attorneys, senior staff from the EPO and the USPTO, and patent counsel from leading tech companies, outlined strategies for identifying and appropriately protecting AI technologies.

The Role of the Courts in Patent Law and Policy, with Georgetown Law

November 15, 2019

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 speakers from law firms, corporations, the academy, government, and, most especially, the judiciary. In 2019, speakers included U.S. district court judges Cathy Ann Bencivengo, Rodney Gilstrap, and Maryellen Noreika, FTC commissioner Rebecca Slaughter, ITC judge Clark Cheney, academics, law firm practitioners, and in-house counsel from major tech companies.

20th Annual Berkeley-Stanford Advanced Patent Law Institute

December 12 & 13, 2019

Palo Alto

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 review of the latest developments in patent law and practice.

IP Rights in the New Frontier of HealthTech, with Paul Hastings

January 16, 2020

San Francisco

BCLT faculty co-director Peter Menell, executive Director Jim Dempsey, and attorneys from Paul Hastings discussed a range of issues at the intersection of law and health tech innovation, including patent eligibility, how judges and juries learn about tech and life sciences inventions, claim construction, how privacy in data is relevant to health tech innovation, and trade secrets.

Calling All Innovators: Driving Inclusive Team Idea Generation in a Remote Environment, with McDermott, Will & Emery

April 30, 2020

Webinar

This hour-long webinar, aimed at in-house counsel, offered actionable steps on how to use virtual collaboration sessions to engage product development teams in order to identify patentable ideas, with an emphasis on driving engagement in company patent filings of diverse, and often underrepresented, innovators.

Patent Law and COVID-19, with Kirkland & Ellis

July 15, 2020

Webinar

Kirkland intellectual property partners Diana Torres and Allison Buchner, along with Microsoft chief IP counsel Jennifer Yokoyama, Gil Labrucherie, chief operating officer and chief financial officer at Nektar Therapeutics, and Rob Merges, faculty co-director of BCLT, used a series of hypos around the development of COVID-19 diagnostics and treatments to explore how companies can protect their intellectual property and mitigate the risks of an IP dispute while engaging in joint collaborations and information sharing.

Artificial Intelligence and Patent Law, with Womble Bond Dickinson

July 22, 2020

Webinar

This webinar examined current doctrines and best practices, and engaged in a little crystal ball-gazing, about a range of issues related to AI and patenting: When an invention is (or includes) AI? What would it take for AI to be deemed an "inventor"? What are the dividing lines between AI-as-invention, AI-as-research-tool, and AI-as-inventor? What are the implications of AI for the level of ordinary skill in an art?

Judicial Panel: Grappling with the Uncertainties Created by Halo, Alice and FRAND, with Winston & Strawn

July 28, 2020

Webinar

Co-hosted with the Federal Circuit Bar Association, in cooperation with The Sedona Conference, Federal Circuit Judge Kathleen M. O'Malley and Federal District Court Judges Alan D Albright (W.D. Tex.) and Cathy Ann Bencivengo (S.D. Cal.) joined The Sedona Conference Patent Litigation Working Group Chairs Matt Powers and Eric Hutz to discuss the current state of play on key issues in patent litigation, including willfulness, patent eligibility, and FRAND.

Privacy and Data Security

The 12th Annual BCLT Privacy Lecture - "Snowden's Long Shadow: Recasting Domestic and Global Privacy Debates"

November 7, 2019

Berkeley

In his BCLT Privacy Lecture, Prof. Abraham Newman of Georgetown University explored how privacy is no longer simply a legal tool to safeguard dignity but increasingly a highly politicized policy field used to protect citizens, firms, and governments from foreign surveillance. Commenting on Prof. Newman's lecture were Prof. Laura Donohue, Georgetown University Law Center, Prof. Margot Kaminski, Univ. of Colorado Law School, and Prof. Peter Swire, Georgia Tech Scheller College of Business.

Remote to Reopening – Managing Privacy and Getting with Business After Lockdown, with Baker Botts

May 18, 2020

Webinar

In this one-hour webinar, Baker Botts practitioners specializing in privacy and data security and BCLT executive director Jim Dempsey discussed the evolving privacy and security legal landscape, along with novel technologies and best practices, to guide companies in developing their re-opening safety protocols.

Privacy Law Scholars Conference, with George Washington Law School

June 4-5, 2020

Online

PLSC assembled a wide array of privacy law scholars and practitioners from around the world to discuss current issues and foster greater connections between academia and practice. Seventy-six papers were presented for comment and the collegial atmosphere of PLSC was replicated in 37 networking sessions during the breaks and after each day's official proceedings.

Happy 2d Birthday, GDPR, with Osborne Clarke

June 11, 2020

Webinar

The European Union's General Data Protection Regulation took effect in May 2018, with huge implications for companies around the world, including those based in the US. Two years in, this webinar identified lessons learned from enforcement actions and regulators' guidance and offered tips to companies on what they might have overlooked or gotten wrong. In a discussion moderated by BCLT executive director Jim Dempsey, experts from Osborne Clarke outlined best practices on privacy impact assessments, access requests, and other key requirements of the GDPR.

Digital Content and Platforms

Legal Frontiers in Digital Media: 2020 Webinar Series May – June, 2020

Online

In partnership with the Media Law Resource Center, BCLT offered a series of one-hour webinars on legal issues affecting digital media and platforms:

- Content Moderation and the Coronavirus (April 15, 2020)
 - Experts in the law and policy of platforms, including senior policy staff from two leading companies, explored how digital platforms, already under scrutiny for their moderation practices, were fighting off misinformation about the coronavirus and handling other content-related issues while human reviewers were under stay-at-home orders.
- Webscraping and Computer Fraud and Abuse Act Claims After *hiQ* (May 14, 2020) – BCLT faculty co-director Orin Kerr joined Marc Zwillinger, ZwillGen, and Julie Lickstein, Deputy General Counsel, YipitData, in discussing the impact of the Ninth Circuit's *hiQ* decision, corporate practices, and how the Supreme Court's upcoming consideration of *Van Buren v. United States* may impact application of the CFAA.
- Contact Tracing and Other Data Use in Response to COVID: What Does the Law Allow?(May 28, 2020)
 - As entities, ranging from internet and technology giants to employers to businesses eager to reopen to the public, were considering how and whether to collect and use data about individuals to understand the spread of COVID-19, increase safety, and otherwise respond to the pandemic, this webinar outlined the legal rules that need to be considered in collecting and using health, location or other data about individuals.
- Tough Issues and Hot Topics in CCPA Compliance (June 18, 2020)
 - This session explored some of the complex and challenging issues that digital media and digital platforms are facing in the wake of the newly enacted California Consumer Privacy Act. Stacey Schesser, Supervising Deputy Attorney General at the California Department of Justice, provided insight on the recently-issued CCPA Regulations and the current state of enforcement priorities for the Attorney General's office while others on the panel considered CCPA-related litigation to date and compliance challenges.

International IP

2nd Annual Berkeley-Tsinghua Conference on Transnational IP Litigation

October 22, 2019

Berkeley

In collaboration with Tsinghua Law School, BCLT convened this full-day conference, aimed at in-house counsel and law firm attorneys. The program fostered a deeper understanding among practitioners, judges and policy makers of the increasingly important role of cross-border litigation, especially for Chinese and American companies.

China Law, Economy and Trade 2020

April – May 2020

Online

BCLT's Asia IP & Technology Law Project presented a three-part virtual series on current developments in Chinese law, with a focus on trade and the tech industry:

- China: Law, Economy and Trade in 2020 (April 22, 2020) – A look at legal and economic developments in China as they affect trans-Pacific trade for 2020 and beyond.



- The Phase 1 Agreement and Its Implementation (May 6, 2020) – Former high-ranking US government officials and one of China's leading experts on IP law discussed the Phase 1 Trade Agreement between the US and China. Among the issues discussed: To what extent will the Agreement improve US and Chinese trade relations? On IP specifically, what does the Agreement offer to US companies? Will China wholeheartedly implement the Agreement. Will the dispute settlement mechanisms in the Agreement work? What about China's own efforts to improve its IP regime? What further improvements are possible in a Phase 2 Agreement, and indeed will there be a Phase 2?
- Following the Data: What the Latest Research Says about China's Legal and IP Environment (May 20, 2020) – Given the unprecedented amounts of judicial and other governmental data now available in China, how should academics, lawyers and business strategists understand data-driven Chinese legal policymaking, and how do the databases and tools now available provide strategic insights?

China Tech, Trade and IP 2020: Online Certificate Series

May – July 2020

Online

As intellectual property law in China was undergoing rapid change, with profound implications for the global tech industry, the BCLT Asia IP & Technology Law Project presented a series of seven webinars wherein leading experts from China and the US covered developments in Chinese law on important topics including patentability, pharmaceutical IP, trade secrets law and enforcement, licensing and antitrust, and copyright. The series was intended for in-house counsel and law firm attorneys representing tech companies concerned about protecting their IP in China, where the trade wars and internal drivers were spurring momentous but often overlooked developments in IP law. The topics in the series:

- Pharmaceutical IP Issues (May 27, 2020)
- Licensing and Antitrust (June 3, 2020)
- Trade Secret Protection (June 10, 2020)
- Section 101 Comes to China: Is China Turning the Unpatentable into the Patentable? (June 17, 2020)
- Abusive Trademark Registrations (June 24, 2020)
- Copyright Commercialization, Protection, and Reform (July 8, 2020)
- The Future of IP and Tech Collaboration in China (July 15, 2020)

Technology Policy & Litigation

2019 Disruptive Technologies Legal Summit, with Winston & Strawn

September 12, 2019

Santa Clara

In collaboration with Winston & Strawn, BCLT co-hosted this day-long conference on the legal landscape for artificial intelligence, blockchain, and other emerging and disruptive technologies. Leading lawyers, academics, and business leaders, explored common legal and regulatory challenges, potential solutions, and strategies for safely and successfully staying at the forefront of this rapidly developing area of law.

Compliant by Design: Doing Business in an Evolving Tech Law Landscape, with Covington

October 17, 2019

Palo Alto

BCLT and Covington hosted this discussion about the ways in which government regulation affects tech businesses. Topics included keeping bias out of your AI, FTC guidance on influencers, sponsored content, and consumer reviews, IoT security, government demands to produce electronic data or to assist in electronic surveillance, and the rapidly-evolving national security rules around foreign investments and tech transfers to foreign persons.

In-House Counsel on the Hot Seat: Unintentionally Waiving Privilege, with Baker Botts

October 24, 2019

San Francisco

This discussion focused on frighteningly-common situations where patent and litigation counsel may easily and inadvertently waive privilege and how to prevent it while preparing defenses to willful infringement allegations and in the context of common interest agreements.

The 24rd Annual BCLT/BTLJ Symposium - The Roles of Technology Expertise in Law and Policy

February 27-28, 2020

Berkeley

As more litigation, legislation, and regulation involves technological matters (especially those involving digital technologies, this two-day symposium explored how expertise about technology and its impacts is generated, introduced, and used in making legal and policy decisions. The first day focused on technology expertise in patent and copyright litigation, while the second day considered the use of expertise in legislative and executive branch decision-making, including at the state and local level.

Workshop on Identifying and Deploying Technology Expertise in Shaping Government Policy Around Algorithmic Systems

March 3, 2020

Berkeley

Building on the discussion at the annual symposium, this workshop brought together 40 experts from the disciplines of technology design, sociology, human-computer interaction, computer science, science and technology studies, and law to develop recommendations for policymakers in all branches of government, at federal, state and local levels, about how to identify and deploy technology expertise in shaping government policy around algorithmic systems.

Judicial Panel: Litigation in the Face of a Pandemic, with Winston & Strawn

May 12, 2020

Webinar

Three of this country's busiest judges—Federal District Court Judges Alan D Albright (W.D. Tex.), Rodney Gilstrap (E.D. Tex.), and Maryellen Noreika (D. Del.)—provided insight on how they are proceeding with cases as courts across the country were shut down due to the COVID-19 pandemic.

District Court Judicial Panel: The Changing Landscape and the Opportunities It Presents, with Winston & Strawn

June 12, 2020

Webinar

Co-hosted by the Federal Circuit Bar Association, the Berkeley Judicial Institute, ChIPs, and CLI, Federal district court judges Alan D Albright (W.D. Tex.), Barbara Lynn (N.D. Tex.), and Jon S. Tigar (N.D. Cal.) provided insights about their career paths, the evolution of their practices over time, the changing judicial landscape, and the opportunities it presents for junior lawyers and associates.

Judicial Panel: PTAB's LEAP Initiative for NextGen Lawyers, with Winston & Strawn

May 29, 2020

Webinar

The Federal Circuit Bar Association and ChIPs co-sponsored this webinar with BCLT and Winston & Strawn. It featured the Deputy Chief Judge of the Patent Trial and Appeal Board, Jackie Bonilla, along with Vice Chief Judge Janet Gongola and Administrative Patent Judge Christa Zado in a discussion of the USPTO's Legal Experience and Advancement Program (LEAP), intended to facilitate the professional development of patent attorneys and agents who appear before the PTAB.



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FACULTY

BCLT is led by 17 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.



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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 and appellate courts.



Kenneth A. Bamberger

ADMINISTRATIVE LAW, TECHNOLOGY AND GOVERNANCE, INFORMATION PRIVACY AND SECURITY, THE FIRST AMENDMENT

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, the application of zero-knowledge proofs to law, and Jewish privacy law.

Catherine Crump

FREE SPEECH, PRIVACY, TECHNOLOGY AND LAW ENFORCEMENT

Catherine Crump is Director of the Samuelson Law, Technology & Public Policy Clinic and 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.

Twitter: @CatherineNCrump



FACULTY



Catherine Fisk

LABOR LAW, EMPLOYMENT LAW,
INTELLECTUAL PROPERTY IN THE
EMPLOYMENT CONTEXT, LABOR ISSUES
IN ENTERTAINMENT LAW, THE LEGAL
PROFESSION

Catherine Fisk is 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 includes labor, antitrust, and IP issues affecting dramatists working in commercial theatre and labor organizing among gig workers in tech and video game writers.

Chris Jay Hoofnagle

CYBERSECURITY, QUANTUM INFORMATION
THEORY, PRIVACY, COMPUTER CRIME,
CONSUMER PROTECTION

Chris Hoofnagle is a teaching professor in the School of Law with a dual appointment in the School of Information. He is the author of *Federal Trade Commission Privacy Law and Policy* (Cambridge University Press) and *Law and Policy for the Quantum Age* (forthcoming Cambridge University Press, with Simson Garfinkel). An elected member of the American Law Institute, Hoofnagle is of counsel to Gunderson Dettmer LLP and serves on boards for 4iQ and Palantir Technologies.

Twitter: @hoofnagle



Sonia Katyal

INTELLECTUAL PROPERTY, CIVIL
RIGHTS, TECHNOLOGY

Sonia Katyal is Haas Distinguished Chair and Co-Associate Dean for Faculty Development and Research. Her scholarly work focuses on intellectual property, civil rights (including gender, race and sexuality), trademarks, 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). In March of 2016, Professor Katyal was selected by US Commerce Secretary Penny Pritzker to be part of the Commerce Department's Digital Economy Board of Advisors.



Orin S. Kerr

CRIMINAL PROCEDURE, COMPUTER CRIME LAW, CRIMINAL LAW, EVIDENCE, PROFESSIONAL RESPONSIBILITY

Orin Kerr joined the faculty at Berkeley Law in July 2019. Professor Kerr specializes in criminal procedure and computer crime law, and he has also taught courses in criminal law, evidence, and professional responsibility. His scholarship has been cited in more than 3,000 academic articles and in over 40 judicial opinions (including seven citations in US Supreme Court opinions). In addition to writing law review articles, Professor Kerr has authored popular casebooks, co-authored the leading criminal procedure treatise, and published countless blog posts at popular blogs such as the Volokh Conspiracy and Lawfare.

Twitter: @OrinKerr

Peter Menell

INTELLECTUAL PROPERTY, ENTERTAINMENT LAW, TECHNOLOGICAL DISRUPTION

Peter Menell is the Koret Professor of Law and Faculty Director of the Berkeley Judicial Institute. Reflecting his training in technology, economics and law, Professor Menell's research focuses on the role and design of intellectual property law with particular emphasis on the digital technology and content industries. His current projects explore the digital revolution, legal protection for computer software, design protection, the scope of patentable subject matter, the interplay of intellectual property and social justice, and judiciary reform. In 2016, he founded Clause 8 Publishing, which publishes the leading intellectual property casebooks at a small fraction of the price of traditional casebooks.



Robert P. Merges

PATENTS, INTELLECTUAL PROPERTY, ECONOMICS, TECHNOLOGY MARKETS & VALUATION

Robert Merges is the 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.

FACULTY



Deirdre K. Mulligan

PRIVACY, CYBERSECURITY, TECHNOLOGY
AND GOVERNANCE, VALUES IN DESIGN

Deirdre K. Mulligan is a 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. Current 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. With Kenneth Bamberger, she received the 2016 IAPP Leadership Award for their book, *Privacy on the Ground: Driving Corporate Behavior in the United States and Europe* (MIT Press, 2015). With fellow I School Associate Professor Jenna Burrell, Professor Mulligan co-leads the Algorithmic Fairness and Opacity Working Group (AFOG at Berkeley).

Tejas N. Narechania

INTELLECTUAL PROPERTY, PATENTS,
TELECOMMUNICATIONS REGULATION,
ADMINISTRATIVE LAW, FEDERAL COURTS

Tejas N. Narechania is the Robert and Nanci Corson Assistant Professor of Law. He focuses on matters related to telecommunications regulation and intellectual property. Before joining Berkeley Law, Professor Narechania clerked for Justice Stephen G. Breyer of the Supreme Court of the United States (2015-2016) and for Judge Diane P. Wood of the US Court of Appeals for the Seventh Circuit (2011-2012). He has advised the Federal Communications Commission on network neutrality matters, where he served as Special Counsel (2012-2013). Professor Narechania's research has appeared in the *Georgetown Law Journal*, the *University of Pennsylvania Law Review*, and the *Stanford Law Review Online*, and his work has been cited and discussed various media outlets, including *The New York Times*, the *Washington Post*, and *First Mondays*.

Twitter: @tnarecha



Andrea Roth

CRIMINAL LAW, FORENSICS, SCIENCE AND
CRIMINAL JUSTICE

Andrea Roth is Professor of Law. She worked for over eight years as a trial and appellate attorney at the Public Defender Service (PDS) for the District of Columbia. At PDS she was a founding member of a Forensic Practice Group, which studied and litigated forensic DNA typing. She is a member of the Constitution Project's National Committee on DNA Collection and serves on the Legal Resources Committee of the National Institute of Standards and Technology's Organization of Scientific Area Committees for forensic science. Her research focuses on the use of forensic science and machine-generated proof in criminal trials and the ways in which due process must be re-conceptualized in an era of science- and machine-based prosecutions. In 2019, she was one of four recipients of the campus- wide Distinguished Teaching Award.

Twitter: @andrealroth



Pamela Samuelson

COPYRIGHT, PATENT, INTERNET AND DIGITAL MEDIA, CYBERLAW

Pamela Samuelson is the Richard M. Sherman Distinguished Professor of Law and Information. Much of her work has focused on updating and adapting US 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. Her two most recent articles are on remedies for IP infringement. Professor Samuelson is Chair of the Board of Directors of the Electronic Frontier Foundation, President and Chair of the Board of the Authors Alliance, a nonprofit organization that represents the interests of authors who want their works to be widely available for the public good, and Contributing Editor to Communications of the ACM, the flagship journal of the computing professionals society.

Twitter: @PamelaSamuelson

Paul M. Schwartz

PRIVACY, DATA SECURITY, INTERNATIONAL DATA PROTECTION LAW, CYBERLAW, INTELLECTUAL PROPERTY

Paul Schwartz is the 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. Professor Schwartz was co-reporter of the American Law Institute's pathbreaking Principles of the Law, Data Privacy (2019). At present, he is engaged in research into comparative privacy developments in the US and the European Union, cloud computing, and the interplay between state and federal privacy law.

Twitter: @paulmschwartz



Erik Stallman

COPYRIGHT AND MACHINE LEARNING, MUSIC LICENSING, THE INTERSECTION OF COPYRIGHT AND MEDIA REGULATION

Erik Stallman is the Associate Director of the Samuelson Law, Technology & Public Policy Clinic and an Assistant Clinical Professor of Law. Previously, he was a policy counsel at Google, focusing on copyright and telecommunications policy. Before that, he spent 12 years in Washington, DC, working for the Federal Communications Commission, the US House of Representatives, and the law firm Steptoe & Johnson LLP, and then serving as General Counsel and Director of the Open Internet Project at the Center for Democracy & Technology. His research interests include copyright and machine learning, music licensing, and the intersection of copyright and media regulation.

Twitter: @eriktheread

FACULTY



Jennifer M. Urban

INTELLECTUAL PROPERTY, PRIVACY, DATA AND CYBERSECURITY, TECHNOLOGY LAW AND POLICY

Jennifer Urban is a Clinical Professor of Law and the Director of Policy Initiatives for the Samuelson Law, Technology & Public Policy Clinic. She studies the legal, private-ordering, and social systems that govern technology and how they interact with values such as free expression, access to knowledge, freedom to innovate, and privacy. In addition to the Samuelson Clinic, she teaches classes on cybersecurity, intellectual property, and technology law. Her recent research includes empirical work on consumer privacy, judges' decisions in patent cases, and online content removal. Professor Urban is currently researching how algorithmic decisions can be contested under Europe's General Data Protection Regulation. She co-founded The Takedown Project, an international consortium of scholars studying content removal regimes around the world.

Molly S. Van Houweling

COPYRIGHT, DIGITAL MEDIA, INTELLECTUAL PROPERTY, TECHNOLOGY LAW

Molly Van Houweling is the Harold C. Hohbach Distinguished Professor of Patent and IP Law and Associate Dean for J.D. Curriculum and Teaching. Her teaching portfolio includes intellectual property, basic property law, and food law and policy. 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.



Rebecca Wexler

EVIDENCE, TRADE SECRETS, SECRECY IN COURTS

Rebecca Wexler is an Assistant Professor of Law and Nonresident Fellow at the Brookings Institution, working on data, technology, and criminal justice. She focuses on evidence law, criminal procedure, privacy, and intellectual property protections surrounding new data-driven criminal justice technologies. Before joining Berkeley Law, Professor Wexler clerked for Judge Pierre N. Leval of the United States Court of Appeals for the Second Circuit and Judge Katherine Polk Failla of the United States District Court for the Southern District of New York. She worked as a Yale Public Interest Fellow at The Legal Aid Society's criminal defense practice and as a Lawyer-in-Residence at The Data and Society Research Institute.

Twitter: @RebeccaWexler

Lecturers

Every week, senior practicing lawyers from major law firms and tech companies come to Berkeley to teach advanced courses, sharing their practical expertise and insights with our students. In 2018-2020, lecturers from practice included:

Sally M. Abel, partner, Fenwick & West, and **Kathryn J. Fritz**, partner, Fenwick & West, teaching Trademark Law

David Almeling, partner, O'Melveny & Myers, and **James Pooley**, James Pooley, PLC, teaching Trade Secret Law and Litigation

Jared Bobrow, partner, Orrick, **Sonal Mehta**, partner, Durie Tangri, and **Ed Reines**, partner, Weil Gotshal, teaching Patent Litigation I

Noah Brumfield and **Eric Lancaster**, partners, White & Case, teaching Silicon Valley Antitrust

Steven Carlson, partner, Robins Kaplan, and **Jeffrey G. Homrig**, partner, Latham & Watkins, teaching Patent Litigation II: PTAB and ITC

Monami Chakrabarti, director/senior counsel, Mastercard, teaching E-Commerce & Product Counseling: A Consumer Protection Perspective

Lothar Determann, partner, Baker & McKenzie, teaching Computer Law

Justin Erlich, VP of Strategy, Policy, and Legal at Voyage, and **Sam Swartz**, Public Policy at Stripe, teaching Disruptive Technologies & Regulation

Mark Flanagan, partner, Wilmer Hale, teaching Cybercrime

Andrew Gass, partner, Latham & Watkins, teaching Copyright Law

Tracy Genesen, general counsel, Wine Institute, and **John Trinidad**, partner, Dickenson Peatman & Fogarty, teaching Wine Law

Elizabeth George, partner, Wilson Sonsini, teaching Surveillance Law & Technology

Rafael Gomez-Cabrera, director, Universal Television Group, teaching Entertainment Law in the TV Industry

Brain Israel, co-founder and legal counsel, ConsenSys Space, teaching Space Law

Jennifer Johnson, associate general counsel, DuPont, and **Barbara McClung**, chief legal officer, Caribou Biosciences, teaching Biotechnology Law

Linda Lichter, partner, Lichter, Grossman, Nichols, Adler, Feldman, Clark, teaching Negotiating Hollywood Contracts

Jeffrey Ostrow, partner, Simpson Thacher, teaching The Business of Intellectual Property

Daniel Schact, partner, Donahue Fitzgerald, teaching IP in the Music Industry

Todd Smithline, managing principal, Smithline PC, teaching Video Game Law

Wayne Stacy, partner, Baker Botts, teaching Patent Law

Lee Van Pelt, partner, Van Pelt, Yi & James, and **Michael Schallop**, partner, Van Pelt, Yi & James, teaching Patent Prosecution and Technology for Lawyers



Recent Scholarship

Kenneth A. Bamberger

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Catherine Crump

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Mark Cohen

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How A Changing Geopolitical Climate Affects Licensing, INTELL. ASSET MGMT. (Nov. 29, 2019)

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James X. Dempsey

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Catherine Fisk

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Kathryn Hashimoto

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Chris Jay Hoofnagle

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The Tethered Economy, 87 GEO. WASH. L. REV. (2019) (with Aniket Kesari and Aaron Perzanowski)

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Sonia Katyal

The Gender Panopticon, UCLA L. REV. (forthcoming) (with Jessica Jung)

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Orin Kerr

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Christina Koningsor

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Peter Menell

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Robert Merges

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Deirdre Mulligan

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Tejas Narechania

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Andrea Roth

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Pamela Samuelson

Pushing Back on Stricter Copyright ISP Liability Rules, MICH. TECH. L. REV. (forthcoming 2020)

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The Disgorgement Remedy of Design Patent Law, 108 CAL. L. REV. 183 (2020) (with Mark Gergen)

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Paul Schwartz

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Erik Stallman

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Jennifer Urban

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Molly Van Houweling

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Rebecca Wexler

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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. In 2020, despite the pandemic, we continued to provide all these opportunities, using the online tools to create breakout sessions where students could ask questions of lawyers from dozens of law firms.

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 review sessions, 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 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 Career 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.



STUDENTS

Student Groups

BCLT provides administrative and financial support to eleven 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 Law

BERC Law 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 Law helps to inform law students about legal developments and career opportunities in the fields of energy, climate, and clean technologies.

Berkeley Journal of Entertainment and Sports Law

The Berkeley Journal of Entertainment and Sports Law (BJESL) is a student-run organization dedicated to promulgating scholarship on legal issues that contemporaneously impact various entertainment industries, both domestically and internationally. As an interactive and electronic law review, BJESL presents a unique platform for rich discourse on legal topics such as copyright, trademark, art, sports, film and television, communications and broadcast media, First Amendment, right to privacy, music, antitrust and unfair competition, contracts, and more!

Bringing Law Into Science & Society (BLISS@Berkeley Law)

BLISS seeks to build greater understanding between scientists and lawyers. At BLISS' interdisciplinary seminars and networking events, lawyers and law students can learn how scientific proof is defined and constructed, so they can better understand the technologies they encounter in the practice of law, and scientists and



STEM students can learn how legal proof is constructed and described, to enhance their advocacy on legal and policy matters.

Privacy Law at Berkeley (Priv LAB)

The Privacy Law at Berkeley (Priv LAB) 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 speaker series.



BERKELEY TECHNOLOGY LAW JOURNAL
University of California, Berkeley, School of Law



PrivLAB
Privacy Law at Berkeley



**HEALTHCARE &
BIOTECH LAW SOCIETY**



PIL & T

Public Interest Law & Technology



PATENT LAW SOCIETY



BERKELEY JOURNAL
of Entertainment and Sports Law



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

Boldly 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.

Public Interest Law & Technology

Public Interest Law & Technology (PIL&T) is a community of students interested in the intersection of law, technology, and social justice. We recognize the ways in which new technologies—and the laws governing them—can positively or negatively impact civil liberties, human rights, democratic governance, and social equity. PIL&T links together the robust public interest and tech law communities at Berkeley Law by establishing a space for students to learn about important issues in this intersection, network with public interest technology lawyers, and support one another in crafting fulfilling careers.

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.

STUDENTS

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. These were our luncheon speakers in 2019-20:

August 22, 2019

Mark Mathison, Kilpatrick Townsend,
What Every Silicon Valley Lawyer Has To Know About IP

August 29, 2019

Doug Sharp and Alejandro Almodovar, Fenwick, *How To Train Your Unicorn: Startup Law 101*

September 3, 2019

David Sanker and Jianbai Wang, Morgan Lewis, *A New Problem for the U.S. Patent Office: Inventions Created by Artificial Intelligence*

September 5, 2019

William Gaede and Bhanu Sadasivan, McDermott, *Patent Innovation in the Life Sciences*

September 10, 2019

Adam Connolly, Cooley, *Life as a Privacy Lawyer in the Age of GDPR*

September 12, 2019

Katherine Van Hest, Casetext, *Legal Research and AI: The Case of Casetext*

September 17, 2019

Josh Furman, Tim Horgan-Kobelski, and Eneda Hoxha, Durie Tangri, *When Robots Kill: From Terminator to Tesla*

September 19, 2019

Chris Mammen and Carrie Richey, Womble Bond Dickinson, *AI and IP: Protection of and Infringement by AI-Powered Technologies*

September 24, 2019

Hopkins Guy, Baker Botts, *Public Speaking in the Practice of Law*

September 26, 2019

Brett Sanford and Clara Wang, Latham & Watkins, *From Law Student To Trial Lawyer: The Associate's Role In Complex IP Cases And Trials*

October 1, 2019

Simon Frankel, Kanu Song, Covington & Burling, *Rethinking Copyright and Photography*

October 3, 2019

Howard Wettan and Margaux Curie, White & Case, *Key Topics in Digital Innovation Partnerships*

October 8, 2019

Todd Schwartz, Danli Guo, Boris Lubarsky, and Philip Ou, Paul Hastings, *Charting a Career Path in Tech Law*

October 15, 2019

Doug Kramer, Cloudflare, *Intermediary Liability and Regulation of the Internet*

October 17, 2019

Peter Magic and Emily Chen, Desmarais, *Patent Damages: Halos and Royalties*

October 22, 2019

Leeron Kalay and Charles Bahlert, Fish & Richardson, *Trademarks and Trade Secrets: Hard Facts about Soft IP*

October 24, 2019

Shong Yin and Stepan Starchenko, Ropes & Gray, *Pro Bono in Big Law with Ropes & Gray*

October 29, 2019

Thomas Chia and Andrew Fischer, Via Licensing, *Global Licensing, Technical Standards and Patent Pools*

November 5, 2019

Bas de Blank and Lillian Mao, Orrick, *Scary Stories from the ITC*

November 12, 2019

Kristin Madigan, Crowell & Moring, *Privacy and Data Security 101*

November 19, 2019

Rich Hung and Anita Choi, Morrison & Foerster, *IP Spotlight: Collaboration in Action*



November 21, 2019

John Brockland and Max Scott, Hogan Lovells, *Joint Development Agreements – What Technology Lawyers Need to Know*

January 14, 2020

Jeremy Elman, White & Case, *Don't Blame Tech Companies That Software Laws Are Outdated*

January 16, 2020

Sheila Swaroop, Knobbe Martens, *Winning by Design: Making the Most of Design Patents*

January 21, 2020

Lee Van Pelt, Van Pelt, Yi & James, *Bayes Theorem: What A Lawyer Needs to Know About Probability and Statistics*

January 23, 2020

Craig Crockett and Charan Brahma, Troutman Sanders, *Becoming an Expert on Expert Depositions*

January 28, 2020

Derek Walter, Weil, Gotshal & Manges, *A Decade of Major Changes in Patent Law*

February 4, 2020

Marcela Robledo and Corina McIntyre, Simpson Thacher & Bartlett, *A Day in the Life of an IP Transactions Attorney*

February 6, 2020

Eugene Marder, Twitch, *Emerging Legal Issues in Streaming Media*

February 11, 2020

Elizabeth Denham, UK Information Commissioner's Office, *Privacy Gone Global: Are We There Yet?*

February 13, 2020

Ian Washburn and Dominik Slusarczyk, Irell & Manella, *What You Can Patent: Adventures in Section 101*

February 18, 2020

Ali Alemozafar, Wilson Sonsini Goodrich & Rosati, *Patenting Genes and Artificial Intelligence*

February 20, 2020

Mike Tomasulo and Nimalka Wickramasekera, Winston & Strawn, *Litigation Wars and the Gaming Industry*

February 25, 2020

Omid Uskowi and Andrea Tovar, Baker McKenzie, *San Francisco to South Sudan: Big Law Career Paths in International Law*

February 27, 2020

Jeff Rabkin and Ka-on Li, Jones Day, *The Evolving Practice of the Cybersecurity and Tech Tans Lawyer*

March 5, 2020

Clem Roberts and Will Melehani, Orrick, *Discovery in the Patent Process*

March 31, 2020

Adam Alper, Brandon Brown, Natalie Flechsig, Laura Uhlenhuth, Kirkland & Ellis, *How to Win an IP Trial*

April 14, 2020

David Bloch, Dash McLean, Andy Schwaab, Greenberg Traurig, *The Different Paths of an IP Attorney*

A poster with a blue and white digital theme. At the top, the letters 'AI' are rendered in a large, stylized font with circuit-like patterns inside. Below this, the text 'ARTIFICIAL INTELLIGENCE UNLOCKED' is written in a bold, sans-serif font. Further down, it says 'EARN A CERTIFICATE IN AI FROM UC BERKELEY'. At the bottom of the poster, it mentions 'Co-sponsored by Berkeley Law Executive Education and the Berkeley Center for Law & Technology.'

ARTIFICIAL INTELLIGENCE UNLOCKED

**EARN A CERTIFICATE IN AI
FROM UC BERKELEY**

Co-sponsored by Berkeley Law Executive Education
and the Berkeley Center for Law & Technology.

PARTNERSHIPS

Through valued partnerships, BCLT expands its presence within the Law School and beyond.

The Federal Judicial Center and the Berkeley Judicial Institute

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 third edition, with chapters authored by Professor Menell and a team of leading practitioners, the guide is an authoritative resource for both judges and practitioners. In 2018, Berkeley Law launched the Berkeley Judicial Institute (BJI), a groundbreaking initiative that further significantly expands the school's collaboration with the judiciary. The Institute serves as a bridge between the judiciary and the legal academy, for the primary purpose of promoting judicial integrity and judicial

independence. Its twin goals are to provide education and resources to judges and to focus scholarly attention on the important challenges faced by judges. The Institute is headed by retired US District Judge Jeremy Fogel, who led the FJC for nearly seven years. BCLT has provided administrative support to the BJI in its early stages, and BCLT faculty co-director Peter Menell has played a lead role in developing the concept and programming of the Institute.

In 2020, BJI is co-sponsoring BCLT's annual symposium, on the role of technology expertise in law and policy. Among the questions to be examined: What should be considered an issue of technological expertise and what should be considered a question of law? In technologically complex cases, should judges appoint experts, technical advisers, or special masters or rely on attorneys and litigants' experts?

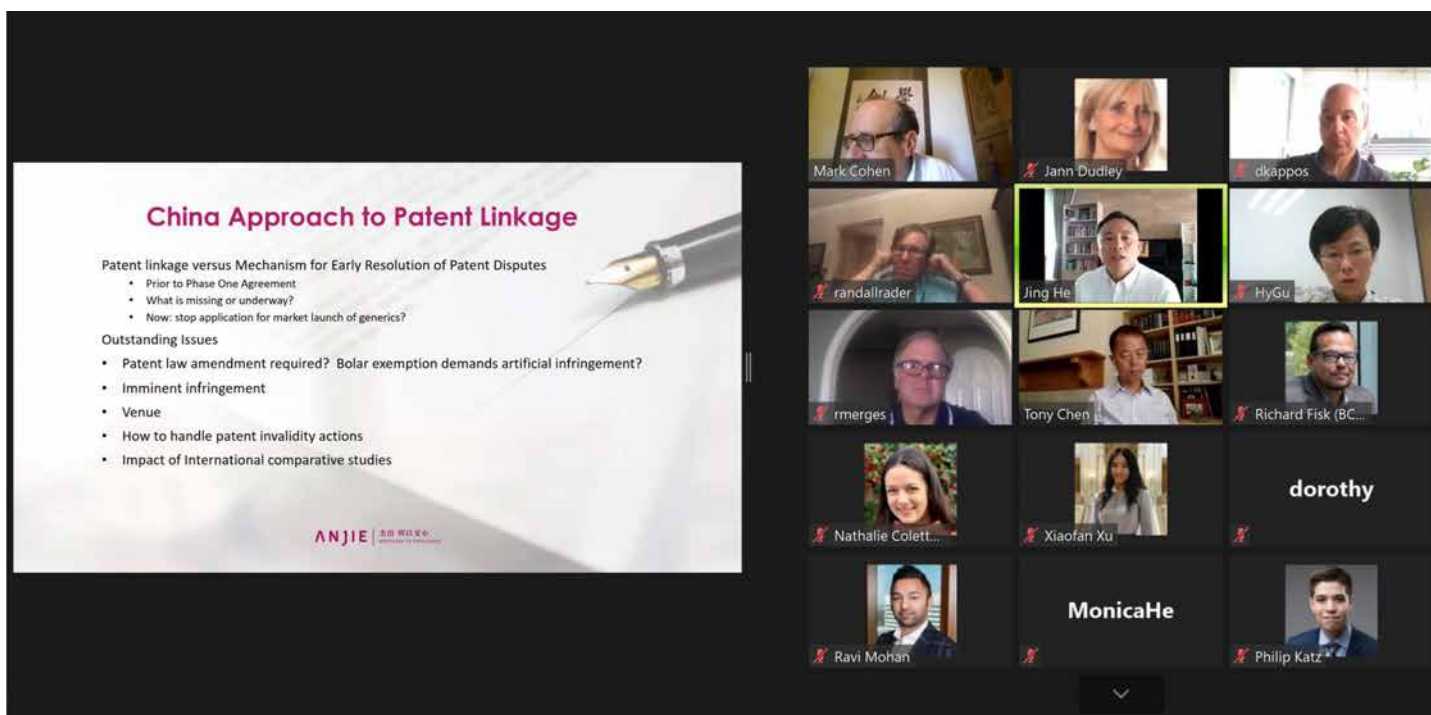


BCLT's Asia IP and Technology Law Project

BCLT's Asia IP Project is 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.

BCLT collaborates with the executive education unit at Berkeley Law to produce an annual academy on artificial intelligence for mid-career attorneys and executives, on the technology, business applications, and law associated with a set of innovations that is permeating every sector of the economy.



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 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, and 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.

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BCLT does not receive any 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. Our generous sponsors include:

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STAFF



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 President Obama, 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 counter-terrorism 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 Mandarin, on IP issues.



Jann Dudley

ASSOCIATE DIRECTOR

Jann Dudley 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 sponsor relations, short and long range planning, and managing the team of professionals who organize BCLT's ambitious agenda of events for law students, alumni, and the law and technology community.



Richard Fisk

ASSISTANT DIRECTOR, EVENTS &
COMMUNICATIONS

Richard Fisk 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.



Kathryn Hashimoto

COPYRIGHT RESEARCH FELLOW

Kathryn Hashimoto received her BA in English from UC Berkeley and her JD from the University of San Francisco School of Law. With a background in book publishing, Kathryn specializes in copyright law. Recent articles with Professor Pamela Samuelson include *The Enigma of Digitized Property: A Tribute to John Perry Barlow*, Duke Tech. L.J. (forthcoming 2019), and *Scholarly Concerns About a Proposed Copyright Small Claims Tribunal*, 33 BERKELEY TECH. L.J. 689 (2018), in addition to forthcoming book chapters on fair use in international copyright contexts and copyright in standards.

Kathryn has also worked with Professor Samuelson and the Samuelson Clinic on *amicus curiae* briefs submitted to the US Supreme Court and the Second and Eleventh Circuit Courts of Appeals.



Richard Mendelson

DIRECTOR, BCLT WINE LAW PROGRAM

Richard Mendelson is a leader in the field of wine law. His treatise, *Appellation Napa Valley: Building and Protecting an American Treasure* (2016), was awarded the 2016 Grand Prize in Economics and Law by the International Organization of Vine and Wine. He is also the author of the leading casebook on the subject, *Wine in America: Law and Policy* (Wolters Kluwer 2011), winner of a 2011 Gourmand Book Award, and of *From Demon to Darling: A Legal History of Wine in America* (University of California Press 2009), which was awarded the Grand Prize in Law from the International Organization of Vine and Wine in Paris, France. For many years he was a partner and Managing Director at one of Napa's leading law firms, Dickenson, Peatman & Fogarty, where he remains Of Counsel. He is a Director and past President of the International Wine Law Association, a Director of the Académie Amorim, a wine research institute, and a member of the Scientific Committee of the Paysages et Architectures Viticoles dans le Monde. In addition to teaching Wine Law, he arranges internships and other opportunities for Berkeley Law students.



Matthew Ray

ASSISTANT DIRECTOR,
PROGRAM DEVELOPMENT & STUDENT
ENGAGEMENT

Matthew Ray has over 5 years of experience working for the University of California, both at Berkeley and Santa Cruz. At BCLT, Matthew enhances law students' educational experience by managing the Tuesday-Thursday speaker series, coordinating the Law & Technology Certificate, organizing career fair and networking events, advising law and tech-related student groups, and coordinating the mentor program. Matthew also works as an editor and researcher, visiting Okinawa and the Pearl River Delta during occasional summers.

Before joining BCLT in 2019, Matthew held positions at The Humanities Institute, CASMA, and the Institute for Jewish Law. Matthew holds a BA in History with a minor in East Asian Studies from UC Santa Cruz.



Irys Schenker

OFFICE ADMINISTRATOR

Irys Schenker 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.

SAVE THE DATES 2020 - 2021 Events

Upcoming Events

AI Unlocked Executive Education Academy, with Berkeley Law Executive Education
October 6, 8, 13, 15 and 20, 2020
Online

9th Annual Privacy Law Forum
October 9, 2020
Online

BCLT Privacy Lecture: Digital and Physical Company Towns in the Age of Public Capitalism
Prof. Jon Michaels, UCLA School of Law
October 29, 2020
2:30 - 4:30 P.M.
Online

Life Sciences IP webinar series
November-December 2020

Sports and Entertainment Law Conference November 5-6, 2020
Online

BTLJ-BCLT Symposium: Technology Law as a Vehicle for Anti-Racism
November 12-13, 2020
Online Symposium

3rd Annual Conference on Transnational IP Litigation, with Tsinghua Law School
November 2020 -January 2021

21st Annual Berkeley-Stanford Advanced Patent Law Institute: Silicon Valley
December 10 & 11, 2020
Online

Recruiting Events

Fall Tech Law Careers Online Mixer
October 28, 2020
Online

1L Patent Law Recruiting Panel & Tech Fair (focused specifically on 1Ls with STEM degrees)
December 2020
Online

Co-Branded Events (with BCLT Sponsors)

The Latest PTAB Developments: New Challenges for Institution and New Risks for Patent Litigation, a webinar with Orrick
October 27, 2020

2nd Annual AI Summit, a 3-part webinar series with Robins Kaplan
Fall 2020

Patent Law Strategies in Europe, with Kilburn & Strode
December 1-3, 2020

Looking Ahead to 2021

Design Patent Symposium, with the Berkeley Technology Law Journal
Friday, February 19, 2021
Online

Symposium: 25th Anniversary of the Telecommunications Act of 1996—Looking Ahead to the Next Telecommunications Act, with Federal Communications Law Journal at George Washington University Law School
March 12, 2021
Online

BCLT/BTLJ Symposium - Lex Informatica: The Formulation of Information Policy Rules through Technology
April 15, 2021

Privacy Law Scholars Conference, with George Washington University Law School, in Washington, DC
June 3-4, 2021

Advanced Patent Law Institute, with Stanford Law School, Palo Alto
December 9-10, 2021