

**curriculum vitae**

**Jessica M. Silbey**

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**Employment**

Professor of Law, Northeastern University School of Law (2015 – present)

Co-Director, Center for Law, Innovation and Creativity (CLIC) (2016 – present)

Faculty, NuLab for Texts, Maps and Networks (2017 – present)

Professor of Law, Suffolk University Law School (2011 – 2015)

Associate Professor of Law, Suffolk University Law School (2007 – 2011)

Assistant Professor of Law, Suffolk University Law School (2004 – 2007)

*Courses:* Constitutional Law, Copyright Law, Trademark Law, Advanced IP Seminar

*Service:* Dean Search Committee (2017-2018); Appointments Committee (2015 - );

Faculty Senate (2016 - ); Faculty Handbook Committee (2016 - ); Women, Gender and

Sexuality Studies Executive Board (2016 – present); Law Review Faculty Advisor (2014-

2015), Hiring Committee (Co-Chair 2012-2014, 2010-2011, Member 2008-2011), Dean

Search Committee 2006-2007 (elected member), Faculty Scholarship Committee,

Clerkship Committee, LLM Committee (2008-2013), S.J.D and LLM. Admissions Committee (2010-2013), Advisor to NWLSA (2008 – 2013).

*Professional Activities:* Presidential Special Committee, AALS Law and Film Series (2012-2018), ISHTIP Governing Board (2017-2021); AALS Scholarly Papers Awards Committee (2018-2019); Executive Board Member, AALS IP Section Chair (2016-2017); Co-Chair, New England Chapter of the Copyright Society for the USA (2015-2017); AALS IP Section Executive Committee (2014-2016), Co-Organizer, *IP + Race* (2017) at Boston College; Editorial Board Member, Jotwell (IP Books); IP Law Book Review; Co-Convenor for *Goodridge* and *Lawrence* at 10, Suffolk Law School (2013); Chair, AALS Section on Law and Humanities (2011-12); Program Chair, AALS Section on Law and Humanities (2009-2010); Editorial Board (International Journal for the Semiotics of Law 2009-2012); Executive Committee, AALS Section on Law and Interpretation; Chair, AALS Section on Art Law, Executive Committee (2007-2008); Organizing Committee, Association of Law, Culture and Humanities (2007-2010); On-Site Coordinator of Annual Conference, Association of Law, Culture and Humanities (2009), Program Committee, Association of Law, Culture and Humanities (2008); Outside reviewer and manuscript referee (Yale Univ. Press, Cambridge Univ. Press, Stanford U. Press, Routledge, on-going).

**Pre-Academic Employment**

Litigation Associate, Foley Hoag LLP, Boston, 2001 – 2004

Law Clerk, Judge Levin H. Campbell, US Court of Appeals for the First Circuit, 2000 – 2001

Law Clerk, Judge Robert E. Keeton, US District Court, MA, 1999 - 2000

## **Awards and Grants**

Guggenheim Fellow, 2018-2019, John Simon Guggenheim Foundation

Humanities Center Fellowship, 2017-2018, Northeastern University

Teaching and Learning Innovation Grant (TEALIG) (\$2,000) for open-access casebook project with Professors Rebecca Curtin and Leah Grinvald (Suffolk University)

FSRP Initiation Grant, University of Notre Dame, 2017-2018 (\$10,000) for project called "Investigating Design" (an interdisciplinary and empirical project on design patents and industrial design with Professor Mark McKenna at University of Notre Dame Law School)

Innovation Grant, 2016-2017 (\$10,000 from the Spangenberg Center for Law, Technology & the Arts at Case Western Reserve University School of Law for empirical project on digital photography and intellectual property, with collaborators Peter DiCola and Eva Subotnik)

Boston College Institute for Liberal Arts (\$35,000 grant to sponsor conference and research on IP + Race, 2016-2017, with collaborators Anjali Vats, Deirdre Keller, Amit Basole)

Dean's Faculty Fellow Award for "extraordinary scholarly production" (Fall 2012)

Alexander Cella Memorial Award for faculty dedication to Suffolk Law Review (2011, 2013)

Teaching Enrichment Grant for innovating intellectual property courses (2011-2012)

## **Education & Honors**

Willson Center for Humanities and Arts Distinguished Lecturer, University of Georgia, Feb. 2018

Harvard Berkman Center for Internet & Society, Faculty Associate 2016-2017

Yale Information Society Project (ISP), Affiliate Fellow, Yale University, Law School

University of Michigan, Ph.D. (comparative literature) 1999

*Dissertation:* The Subjects of Trial Films

Program Fellowship, 1993 - 1999

Rackham Predoctoral Fellow, 1998 - 1999

Lloyd Hall Scholars Fellowship, 1996 - 1998

Dean's Candidacy Fellowship, 1997

University of Michigan Outstanding Graduate Student Instructor Award, 1997-1998

Twice voted University of Michigan's top teaching assistant (top 10%) by students

University of Michigan, J.D. *cum laude*, 1998  
Articles Editor, University of Michigan Journal of Race & Law

Stanford University, A.B. *with honors* in comparative literature, 1992  
Humanities Honors Program  
Represented Stanford at Helsinki Accord Conference on Human Diversity in Moscow, 1991  
Awarded grant to work on emerging grass-roots women's organizations in USSR, 1991

**Works in Progress:**

Empirical Study of Intellectual Property, Photography, and Changing Aesthetic and Business Practices (with Peter DiCola and Eva Subotnik) (funded with seed grant of \$10,000 from Spangelberg Center for Law and Technology at Case Western Reserve University School of Law)

The Domestication of Intellectual Property (book manuscript exploring diverse values animating intellectual property law, such as equality, autonomy and privacy, that resonate with foundational legal principles)

Copyright's Privacy Problem (work in progress with Professor Eric Goldman)

Investigating Design (qualitative empirical project on design protection with Professor Mark McKenna) (funded with FSRP Initiation Grant, University of Notre Dame, 2017-2018 (\$10,000))

**Publications: Books**

Trial Films on Trial (eds. Austin Sarat, Jessica Silbey, and Martha Umphrey) (University of Alabama Press forthcoming)

The Eureka Myth: Creators, Innovators and Everyday Intellectual Property (Stanford University Press 2015)

Law and Justice on the Small Screen (Robson and Silbey eds., Hart 2012)

**Publications: Law Review Articles**

Justifying Copyright in the Age of Digital Reproduction: The Case of Photographers, \_\_ U.C. Irvine L. R. \_\_ (2018)

Heuristic Interventions in the Study of Intellectual Property, 101 U. Minnesota L. Rev. Headnotes 332 (2017)

Fairer Uses, 96 B.U. L. Rev. 857 (2016)

Picturing Moral Arguments in a Fraught Legal Arena: Fetuses, Phantoms and Ultrasounds, 16 Geo. J. Gender & Law 593 (2016)

Patent Variation: Discerning Diversity Among Patent Functions, 45 Loy. U. Chi. L. Rev. 441 (2013)

- Images In/Of Law, 57 N.Y.L.S. L. R. 171 (2012/2013)  
(symposium issue: Visualization of Law in the Digital Age)
- Harvesting Intellectual Property, 'Inspired Beginnings and 'Work Makes Work': Two Stages in the Creative Process of Artists and Innovators, 86 Notre Dame L. R. 2091 (2011)
- Comparative Tales of Origins and Access: Intellectual Property and the Rhetoric of Social Change, 61 Case Wes. Res. L. R. 195 (2011)
- Reasoning from Literature, 22 Yale J. L. Hum. 339 (2010)
- Evidence Verité and the Law of Film, 31 Cardozo L. R. 1257 (2010)
- Cross-Examining Film, 8 U. Md. J. Race, Religion & Gender & L. 101 (2009)  
(symposium issue: documentary and law)
- Mythical Beginnings of Intellectual Property, 15 Geo. Mason L. R. 319 (2008)  
(selected for re-publication by the Berkeley Center for Law and Technology)
- Truth Tales and Trial Films, 40 Loyola L. R. 551 (2007)
- Criminal Performances: Film, Autobiography and Confession, 37 New Mex. L. R. 189 (2007)
- Videotaped Confessions and the Genre of Documentary, 16 Ford. Intell. Prop. Media & Ent. L. J. 789 (2006) (reprinted in REDEFINING DOCUMENTARY FILMS (ICFAI University Press, India 2009) and MEDIA AND LAW (AMICUS Books, India 2009))
- Filmmaking in the Precinct House and the Genre of Documentary Film, 29 Colum. J. L. & Arts. 107 (2005)
- Judges as Film Critics: New Approaches to Filmic Evidence, 39 Mich. J. L. Reform 493 (2004)
- What We Do When We Do Law and Popular Culture, 27 Law & Soc. Inquiry 139 (2002)
- Patterns of Courtroom Justice, 28 J. Law & Soc'y 97 (2001)
- Publications: Book Chapters, Book Reviews & Other**
- A History of the Photocopy Machine and Contested Features of Intellectual Property, in A HISTORY OF INTELLECTUAL PROPERTY IN 50 OBJECTS (eds. Dan Hunter and Claudy Op Den Kamp) (Cambridge University Press, 2018 forthcoming)
- Reputation and the Role of Trademarks in Businesses Infused with IP, in *Law & Society Perspectives in Intellectual Property* (Halbert & Gallagher eds., Cambridge forthcoming)
- The Law-STEM Alliance & Next Generation Innovation: How Do Lawyers Think Differently From

STEM Professionals When Approaching Problems and Risk?" Northwestern University Law Review Online (Vol. 112, January 2018) (<http://bridges.northwesternlaw.review/>)

Three Strikes for Copyright, JOTWELL (October 13, 2017) (reviewing Abhishek Nagaraj, *Does Copyright Affect Reuse? Evidence from Google Books and Wikipedia*, Mgmt. Sci. (forthcoming 2017), available at [abhishekn.com](http://abhishekn.com)), <https://ip.jotwell.com/three-strikes-for-copyright/>

American Trial Films and Popular Culture, in OXFORD RESEARCH ENCYCLOPEDIA OF OXFORD ENCYCLOPEDIA OF CRIME, MEDIA, AND POPULAR CULTURE (Oxford University Press, 2017).

Parrots, Foxes and Copy Rights: A Book Review of WHAT'S WRONG WITH COPYING by Abraham Drassinower (Harvard University Press, 2015) in the THE IP LAW BOOK REVIEW Vol. 6. (2017)

A Book Review of PUNISHMENT IN POPULAR CULTURE, Eds. Charles J. Ogletree, Jr. and Austin Sarat (New York University Press, 2015) in LAW & SOCIETY REVIEW, Vol. 51 (2017)

Speaking from the Grave: Should Copyright Listen? JOTWELL (September 19, 2016) (reviewing Eva Subotnik, *Artistic Control After Death*, 92 Wash. L. Rev. (2017) <https://ip.jotwell.com/speaking-from-the-grave-should-copyright-listen/>

Parody and Fair Markets, reviewing Kris Erickson, Martin Kretschmer, and Dinusha Mendis *Copyright and Economic Effects of Parody*, JOTWELL, October 2015 (<http://jotwell.com/>)

The Eureka Myth: How Misunderstandings about Creativity Sustain a Flawed Copyright System, SLATE.COM, January 23, 2015

Understanding Intellectual Property and The Value of Interdisciplinary Case Studies: A Review of *Putting Copyright in Its Place: Rights Discourses, Creative Labour and the Everyday* by Laura Murray, Tina Piper, and Kirsty Robertson (Oxford University Press, 2014), INTELLECTUAL PROPERTY JOURNAL OF CANADA, Vol. 27, pp. 91-103 (2015)

Reading Intellectual Property Law Reform through the Lens of Constitutional Equality (reviewing Robert Spoo's *Without Piracy*, Aram Sinnreich's *The Piracy Crusade*, and Bill Herman's *The Fight for Digital Rights*), 50 TULSA L.R. 101-122 (2015) (Annual Book Review Volume)

The Past and Future of Copyright Politics, Bill Herman, *The Fight Over Digital Rights: The Politics of Copyright and Technology*, JOTWELL, December 2014 (<http://jotwell.com/>)

Afterword: Conferring about the Conference, 52 HOUSTON L. R. 679 (2014) (with Aaron Perzanowski and Marketa Trimble)

Progress Evaluated: A Qualitative Analysis of “Promoting Progress” through IP, in IP HANDBOOK (Halbert and David eds., Sage 2014)

Persuasive Visions: Film and Memory, 10 LAW, CULTURE & THE HUMANITIES 24 (2014) available at <http://lch.sagepub.com/content/early/2012/01/06/1743872111423175.full.pdf>

Copyright Fair Use: A Four Way Discussion and Book Round Up, 52:2 CINEMA J. 138-150 (2013) (with Peter Decherney, Rebecca Tushnet, Bill Herman)

The Semiotics of Film in U.S. Supreme Court Jurisprudence, in VISUAL SEMIOTICS AND LAW (Springer Press, 2013) (eds. Anne Wagner & Richard Sherwin) available at <http://www.springer.com/law/book/978-90-481-9321-9>

Vendor’s Penalty Bad Call by Mass (with Stacey Dogan), Opinion Editorial, BOSTON HERALD, May 21, 2012

Language and Culture in Intellectual Property Law: A Book Review (reviewing Jessica Reyman’s “The Rhetoric of Intellectual Property: Copyright and the Regulation of Digital Culture”), THE IP LAW BOOK REVIEW Vol. 1, No. 1. (2010).

The Politics of Law and Film Study: An Introduction to the Symposium on Legal Outsiders in American Film, 42 SUFFOLK L. R. 755 (2009)

A History of Representations of Justice: Coincident Preoccupations of Law and Film, in REPRESENTATIONS OF JUSTICE 131-152 (eds. Antoine Masson & Kevin O’Connors) (2008)

A Witness to Justice, in SPECIAL EDITION OF STUDIES IN LAW, POLITICS AND SOCIETY ON LAW AND FILM: ESSAY ON THE STATE OF THE FIELD (eds. Austin Sarat et. al) (2008)

Justices Taken in By Illusion of Film, Opinion Editorial, BALTIMORE SUN, May 13, 2007 (2007)

Orit Kamir's Framed: Women in Law and Film, 17:4 BIMONTHLY REVIEW OF LAW BOOKS (July/Aug. 2006) (book review)

## **Presentations**

### **2018**

“Intellectual Property and Constitutional Equality,” University of Texas Law School, IP Colloquium, October 15, 2018

“Copyright in Sharp Focus: An Empirical Study of Professional Photographers,” Munich Summer Institute June 4, 2018

Michigan State University Law School, Junior IP Scholars Workshop, (Senior Scholar Invited Commentator), May 23, 2018

“Video and Film Evidence: Current Issues and Common Pitfalls,” Federal Judiciary Center, Annual Conference for United States District Court Judges, Washington DC, May 5, 2018

“Intellectual Property and Constitutional Equality,” New York University Law School, IP Colloquium, Engelberg Center on Innovation Law and Policy, April 26, 2018

“Janus v. AFSCME, and the Problem of Money as Speech,” American Constitutional Society, Northeastern University School of Law, April 6, 2018

“Privacy Across the Disciplines” (convenor for Northeastern University School of Law’s CLIC Conference (Center for Law, Innovation and Creativity)), April 4, 2018

Invited Commentator at Conference on “Images, Copyright, and the Public Domain in the Long Nineteenth Century,” iWinterthur Museum, Garden & Library, Wilmington, Delaware, sponsored by LARCA (Laboratoire de recherches sur les cultures anglophones), Université Paris Diderot, March 29-30, 2018

“Copyright’s Privacy Problem,” (with Eric Goldman), Internet Works-in-Progress, New York Law School, March 24, 2018

“Justifying Copyright in the Age of Digital Reproduction: The Case of Photographers,” Boston University IP Colloquium, March 5, 2018

The Eureka Myth: Creators, Innovators and Everyday Intellectual Property, University of Georgia Willson Humanities Distinguished Lecture, February 22, 2018

## **2017**

“Copyright Reform and Everyday Creators,” IP Institute Cravath, Swaine & Moore LLP (Invited Speaker), November 30, 2017

“Justifying Copyright in the Age of Digital Reproduction: The Case of Photographers,” UC Irvine School of Law, October 2017

Church-State Separation and Reproductive Justice, ACLU/JALSA Series, October 3, 2017, Suffolk Law School

“Empirical Study of Photography: Changing Aesthetic and Business Practices in the Digital Age,” ISHTIP, University of Toronto, July 12-14, 2017

“Video and Film Evidence: Current Issues and Common Pitfalls,” United States Court of Appeals for the Second Circuit, Annual Judicial Conference, Mohawk, NY, June 9, 2017 (invited speaker)

“Empirical Study of Photography: Changing Aesthetic and Business Practices in the Digital Age,” Cardozo Empirical IP Workshop, May 17-18, 2017 (invited participant)

“Empirical Study of Photography: Changing Aesthetic and Business Practices in the Digital Age,” Spangenberg Center for Law, Technology and the Arts, May 5, 2017

“The Domestication of IP,” Willamette School of Law, April 10, 2017

“The Art and Science of the Deal,” (invited speaker), University of Washington School of Law, April 8, 2017

“TLO Practices and Researcher Realities,” Universities and Intellectual Property, Harvard Law School (conference, invited speaker), March 27, 2017

“Law and American Film,” Berkshire County Courthouse Law Library, March 20, 2017

Commentary on *Trapped*, at Women’s Take: The Reel Film Festival, Northeastern University, WGSS, March 16, 2017

“Reproductive Justice under a Trump Administration,” Women’s Advocacy Summit, Boston, Massachusetts, Nutter, McClellan & Fish, March 8, 2017

“The Domestication of IP,” UNC School of Law at Chapel Hill, February 23, 2017

Copyright’s Privacy Problem, Harvard Law School, Seminar on Legal Scholarship and Research Methods, February 13, 2017

“Photographers in the Digital Age: A Qualitative Study of Changing Aesthetic and Business Practices,” Works-in-Progress-in-Intellectual Property Conference, Boston University School of Law, February 9, 2017 (with Eva Subotnik and Peter DiCola)

“Investigating Design: Patenting and Industrial Design in the Age of the Copy,” (with Mark McKenna), Works-in-Progress-in-Intellectual Property Conference, Boston University School of Law, February 9, 2017

“Demystifying Copyright: A Crash Course on the Law of Literature,” AWP Conference and Bookfair, Washington DC, February 2017

Moderator and Convenor, Intellectual Property in Concert or Conflict with Community Values, AALS Annual Conference, San Francisco, January 6, 2017

## **2016**

“Copyright Law, State Courts and Access to Justice,” at Boston University School of Law, Conference on State Legal Materials, December 2, 2016

“Photographers in the Digital Age: A Qualitative Study of Changing Aesthetic and Business Practices,” New York University Law School, Engelberg Center on Innovation Law and Policy, November 29, 2016



"IP Law and Privacy Harms," American University, Washington College of Law, November 19, 2016

"The Domestication of IP," IPSC, Stanford University, August 10-11, 2016

"Law and American Film," Library of Congress, Law Day Speaker, July 20, 2016

Keynote and Moderator, "Music, the Internet, and Intellectual Property," International Festival of Arts & Ideas, New Haven, Connecticut, June 14, 2016

"IP and Equality," at "Values, Questions, and Methods in IP" at St. Johns University School of Law, April 23, 2016

"IP Claims and Privacy Harms," at "IP in all the New Places," Texas A&M University School of Law, April 15-16, 2016

"Fairer Uses" in a Qualitative Study of Borrowing Practices Among Everyday Creators and Innovators, at "Inventing the New: Innovation in Creative Enterprises," Northwestern University on April 8-9, 2016

Book Roundtable on *The Eureka Myth: Creators, Innovators and Everyday Intellectual Property*, Mosaic Conference on IP, Marquette Law School, March 17, 2016

"Creators, Innovators and Everyday Incentives," at Silicon Flatirons Center, University of Colorado School of Law, March 3, 2016

Guest Lecturer, Harvard Law School, Seminar on Legal Scholarship and Research Methods, February 15, 2016

Moderator and Commentator, AALS Annual Conference, IP Section Panel on "Teaching Intellectual Property Outside the Law School," January 9, 2016

Moderator and Commentator, AALS Annual Conference, Presidential Film Panel on Documentary Film: *Hunting Ground* with Director Kirby Dick, January 8, 2016

## **2015**

Guest Lecture, Dain, Torpy, Le Ray, Wiest & Garner, P.C., "Eureka Myth: Creators, Innovators and Everyday Intellectual Property," Boston, Mass., December 3, 2015

"Visualizing Law in the 21<sup>st</sup> Century," Invited Speaker (paper: Picturing Moral Arguments in a Fraught Legal Arena: Fetuses, Phantoms and Mandatory Ultrasounds), University of Verona, Verona, Italy, November 11-13, 2015

"How Long?: Copyright's Duration in the 21<sup>st</sup> Century," Invited Speaker, University of Tulsa College of Law, Tulsa, Oklahoma, October 28-29, 2015

IP Scholars Forum on University Technology Transfer Practices and IP Policy, Invited Participant, University of Akron Law School, Akron, Ohio, October 16, 2015

Faculty Workshop, "IP and Equality," Boston College Law School, October 9, 2015

Roundtable Participant, discussing book by Abraham Drassinower "What's Wrong with Copying" (Harvard Press, 2015), Notre Dame Law School, South Bend, Indiana, October 2, 2015

Guest Lecturer, Harvard Graduate Program on Empirical Studies, Harvard University, September 28, 2015

Conference on Notice Failure in Intellectual Property, Invited Commentator, Boston University School of Law, Boston, MA, September 25-26, 2015

EPIP 2015 (European Policy Conference for Intellectual Property), "Distributions Diversity and Fairer Uses: A Qualitative Analysis," University of Glasgow, Glasgow, Scotland, September 2-3, 2015

ISHTIP, University of Pennsylvania Law School, July 22-24 (2015) (invited commentator)

"Filmmaking and Fair Use," Brooklyn Film Festival (BRIC), June 6, 2015

"Borrowing Practices, Fair Use and Everyday Intellectual Property," University of Washington, Seattle, "Campbell at 20 Symposium," April 17, 2015

"The Eureka Myth: Creators, Innovators and Everyday Intellectual Property," Faculty Colloquium, San Diego School of Law, April 16, 2015

"Intellectual Property and Constitutional Equality," Yale Information Society Project Conference, Yale Law School, March 28-29, 2015

"The Eureka Myth: Creators, Innovators and Everyday Intellectual Property," NH Humanities Council and NH High Tech Council, Manchester, NH, March 17, 2015

"The Eureka Myth: Creators, Innovators and Everyday Intellectual Property," Microsoft Research, Cambridge, March 11, 2014

"The Eureka Myth: Creators, Innovators and Everyday Intellectual Property," Yale Information and Society Program, Yale Law School, March 4, 2015

"Intellectual Property and Constitutional Equality," IP/Gender Conference, Washington College of Law, American University, February 28, 2015

"The Eureka Myth: Creators, Innovators and Everyday Intellectual Property," Harvard Book Store, February 13, 2015

“Ideas on Tap: Consumer Privacy,” (with Omer Tene of IAPP), New Hampshire Humanities Council, Portsmouth, NH, February 11, 2015

“Intellectual Property and Constitutional Equality,” WIPIP 2015, George Washington University School of Law, February 7-8, 2015

“The Eureka Myth: Creators, Innovators and Everyday Intellectual Property,” University of Toronto School of Law, January 14, 2015

Commentator, “Anita F. Hill, Supreme Court Confirmation Hearings, and ‘Anita,’” AALS Annual Meeting, January 5, 2015

## **2014**

“The Eureka Myth: Creators, Innovators and Everyday Intellectual Property,” Berkman Center, Harvard Law School, December 2, 2014

“How Should the Law Respond to Contradictory Preferences?” NYU Law, IP and Entertainment Law Symposium (invited speaker), November 21, 2014

Co-Convenor, Trial Films on Trial, Amherst College, Amherst, Mass., November 14-15, 2014 (with Austin Sarat and Martha Umphrey)

“The Eureka Myth: Creators, Innovators and Everyday Intellectual Property,” Book Talks @ IIT Chicago-Kent College of Law, November 10, 2014

“Intellectual Property and Equality,” University of Victoria, Colloquium in Social, Political and Legal Theory, October 2, 2014

Public Lecture, “Picturing Justice in a Fraught Legal Arena: Fetuses, Phantoms and Mandatory Ultrasounds,” Griffith University School of Law, Brisbane, Australia, July 9, 2014

Keynote Speaker, Symposium “Through the Looking Glass: The Framing of Law and Justice through Popular Imagination,” University of Wollongong, Australia, July 4, 2014

“The Eureka Myth: Creators, Innovators and Everyday Intellectual Property,” Federal Trade Commission guest speaker, June 23, 2014

Women’s Bar Association, Boston, Massachusetts, “The Massachusetts Buffer Zone and *McCullen v. Coakley*,” June 18, 2014 (invited speaker)

Invited Participant and Commentator, National Conference for the Institute for Intellectual Property & Information Law at the University of Houston Law Center, Santa Fe, New Mexico, May 30-31, 2014

“Harvesting Intellectual Property: A Qualitative Analysis of Creative and Innovative Activity,” Ethics Center series on Intellectual Property and Cultural Diversity, University of North Carolina, Charlotte, April 8, 2014

“Making Do with an Intellectual Property Misfit,” Yale Information Society Project Conference “Innovation Law Beyond IP,” Yale Law School, March 29-30, 2014

“Harvesting Intellectual Property: A Qualitative Analysis of Creative and Innovative Activity,” Loyola Los Angeles School of Law, IP Colloquium, February 24, 2014

“Making Do with an Intellectual Property Misfit,” NYU Law School, IP Colloquium, February 20, 2014

“Harvesting Intellectual Property: A Qualitative Analysis of Creative and Innovative Activity,” Osgoode Hall School of Law, Toronto, January 15, 2014

“Distributing Creative and Innovative Work,” AALS January 2014, Art Law Section (referreed paper session)

### **2013**

“Reforming Formats and Tolerance for Derivative Works among Creators in the U.S.,” Workshop Sponsored by Alexander von Humboldt Institute for Internet and Society (HIIG) and CREAtE, the Research Councils UK Centre for Copyright and New Business Models in the Creative Economy (University of Glasgow), December 5-6, 2013, Berlin, Germany, (invited speaker)

“Privacy and the Internet Era”, Annual Conference for Journalism Education Association and the National Scholastic Press Association, November 15, 2013, Boston, Massachusetts (invited speaker)

“When Privacy Meets the First Amendment: Social Media, the Constitution and You,” UNH and the New Hampshire Humanities Council, November 13, 2013

“Policing in Trying Times: Surveillance, Videos and Digital Photography,” Continuing Legal Education, Suffolk Law School, November 8, 2013

Commenter (invited), ISHTIP (International Society for the History and Theory of IP), Paris, Sorbonne, June 26-28, 2013

“Images in/of Law,” Law and Society Conference, Boston, Mass., June 2013

“Instruction and Distribution: Two Stages of Harvesting Intellectual Property,” Law and Society Conference, Boston, Mass., June 2013

“IP at Work,” University of Maine School of Law, Faculty Colloquia, April 19, 2013

“Patent Values: A Qualitative Analysis,” Loyola Chicago School of Law, Patents and Innovation Conference, April 11, 2013

“Harvesting Intellectual Property: Distribution and Dissemination, Forgotten Foundations of IP, A Qualitative Study,” Works-In-Progress on Intellectual Property Conference, Seton Hall Law School, February 22, 2013

“Creativity and Incentives to Create,” American Law Institute, ALI Young Scholars Conference on Patent Law, February 21, 2013 in Washington, DC

“Harvesting Intellectual Property: IP Interventions and the Roles of Intellectual Property in Creative and Innovative Work,” London School of Economics, February 19, 2013

“IP and Distribution: An Empirical Analysis,” University of Pennsylvania Cinema Studies, February 6, 2013

“IP at Work,” IP and Information Law Colloquium, Cardozo Law School, February 4, 2013

## **2012**

“IP at Work: How Creators and Innovators Manage in a Leaky Legal Landscape,” Faculty Workshop, Harvard Law School, November 29, 2012

“Constitutionally Speaking: Privacy and the Supreme Court,” UNH Constitutionally Speaking Day, Nov. 19, 2012

“Origins and Stages of Intellectual Property Development: A Qualitative Study of Artists and Scientists,” Chicago-Kent Law School, Chicago, October 16, 2012

“Harvesting Intellectual Property: How IP Serves Artists and Scientists,” Intellectual Property Workshop, University of Michigan Law School, October 10, 2012

Invited Commentator, Conference on Copyright and the Constitution, UNH School of Law, September 28-29, 2012

“IP at Work: How Creators and Innovators Manage in a Leaky Legal Landscape,” Faculty Workshop, Case Western Reserve Law School, September 13, 2012

“Reputation and the Role of Trademarks in Businesses Infused with IP,” American University Symposium on Trademark Law Works-in-Progress, September 7-8, 2012

“Making Do with Leaky IP: Analysis of a Qualitative Study,” ISHTIP (International Society for the History and Theory of IP), London School of Economics, June 25-26, 2012

“Reputation and the Role of Trademarks in Businesses Infused with IP,” International Trademark Association, Washington D.C., May, 2012

“Law and Film, Questions of Evidence, Due Process and the Role of Courts,” Court Conference for the United States District Court for the Southern District of Georgia, February 24-25, 2012, Amelia Island, Florida

“Scott v. Harris, Questions of Film Evidence and the Role of Courts,” Court Conference for the United States District Court for the Virgin Islands, January 17, 2012, St. Thomas, U.S. Virgin Islands

“*Fury* and Questions of Law and Evidence in Early Film,” Presidential Panel on Law and Film, Annual Association of Law Schools Annual Meeting, January 6, 2012

## **2011**

“Making Do with Leaky IP: Analysis of a Qualitative Study,” Boston University School of Law, New England IP Colloquium Speaker Series, November 18, 2011

“Images of and in Law,” New York Law School/ Cardozo Law School, Conference on Visualization of Law in the Digital Age, October 21, 2011

“Harvesting Intellectual Property: Analysis of a Qualitative Study,” University of Washington School of Law, Seattle, IP Innovations Workshop, October 17, 2011

“Law, Journalism and the Public,” Roundtable with Jeffrey Rosen at Suffolk University, September 23, 2011

“Making Do with Leaky IP: How Creators and Innovators Engage Intellectual Property,” 2011 Intellectual Property Scholars Conference, DePaul University Law School, August 10-11, 2011

“Harvesting Intellectual Property: Understanding How and Why Artists and Innovator’s Create,” MCLE 14th Annual IP Law Conference, June 16, 2011

“The Google Book Search,” Discussion at the BBA Section of Arts and Entertainment Law Luncheon, May 21, 2011

“The Courts, The Closet and The Press,” The Masterman Institute at Suffolk University Law School, Moderator (on panel with Dahlia Litwick, Hon. Nancy Gertner, Professor Pamela Karlan), March 10, 2011

“IP Interventions: Stories of IP’s Role in the Lives of Artists and Scientists,” Drexel University School of Law, March 3, 2011

“Law, Film and Memory: Visual Persuasions and Persuasive Visions,” USC Center for Law, History & Culture, 10th Anniversary Conf., On Law and Memory, February 25-26, 2011

## **2010**

“A History of Law and Film,” Penn State Comparative Literature Program, December 1, 2010

“Harvesting Intellectual Property: Creative Culture and Innovating Ways, An Empirical Study of IP Stories” Notre Dame Law School, November 19, 2010

Short Course Presenter on Trademark Law, Advanced Legal Studies, Suffolk University Law School, October 14, 2010

Invited moderator, “Motive and Meaning: Legal Understandings and Line Drawing,” Northeast Law and Society Association, Amherst, Massachusetts, October 1, 2010

Invited Commenter, International Society for the History and Theory of Intellectual Property, American University Washington College of Law, Sept. 24-25, 2010

Commenter, INTA Academic Day, Boston, Massachusetts, May 24, 2010

Moderator and Chair, Derivative Works in Copyright Law, Donahue Lecture, Suffolk University Law School, April 14, 2010

“Comparative Tales of Origins and the Commons: The New Future for Intellectual Property,” Intellectual Property Colloquium, University of Indiana Law School, Bloomington, April 8, 2010

“Rules for Innovation: Intellectual Property Norms, Law and Culture,” Faculty Workshop, University of Minnesota Law School, April 1, 2010

“Persuasive and Documentary Filmmaking: Legal Films and Legal Fictions,” at Law, Culture and Humanities Conference, Brown University, March 19-20, 2010

“Reasoning from Literature,” Chair and Discussant for AALS Section on Law and Humanities, January 9, 2010, New Orleans

## **2009**

“Cross-Examining Film, Videotaped Evidence and Police Misconduct,” at the Practicing Law Institute, Section 1983 Civil Rights Litigation 26th Anniversary Program, New York City, October 29, 2009 (teaching faculty)

“Comparative Tales of Origins and the Commons: The New Future for Intellectual Property,” Works-In-Progress on Intellectual Property Conference, Seton Hall Law School, October 2-3, 2009

“Cross-Examining Film,” at the Pennsylvania Bar Association, Annual Bench Bar Conference, September 21, 2009 (teaching faculty)

“Comparative Tales of Origins and the Commons: The New Future for Intellectual Property,” Intellectual Property Scholars Conference, Cardozo Law School, August 6-7, 2009

“Evidence Verité and the Law of Film,” Suffolk University Law School Faculty Workshop, July 23, 2009

“Cross-Examining Film,” Federal Judiciary Center, Section 1983 Symposium, June 8-10, 2009 (teaching faculty)

“Evidence Verité and the Law of Film,” Cardozo Law School, Symposium Film In/On Trial, May 7-8, 2009

## **2008**

“Mythical Beginnings of Intellectual Property and the Access Movements,” Suffolk University Law School Faculty Colloquium, November 20, 2008

“The Access Movements and the Future of Intellectual Property,” at the Cyberlaw Workshop, American University Washington College of Law, November 7-8, 2008

“Imaging the Law,” at the Northeast Law and Society Association, Amherst, Massachusetts, October 30, 2008

“Cross-Examining Police Films,” at the Practicing Law Institute, Section 1983 Civil Rights Litigation 25th Anniversary Program, New York City, October 29, 2008 (teaching faculty)

“Film and Law,” at the Connecticut Bar Association, Annual Bench Bar Conference, September 19, 2008 (teaching faculty)

Moderator of Panel “Color of Justice” at Law, Culture and Humanities Conference, Boalt Hall, March 28-29, 2008

Moderator of Panel “Visions of Law” at Law, Culture and Humanities Conference, Boalt Hall, March 28-29, 2008

“Cross-Examining Film,” at University of Maryland Law School Symposium: What Documentary Films Teach Us about the Criminal Justice System, February 29, 2008

## **2007**

“The TTAB Comes to Boston” at Suffolk University Law School, sponsored by the Trademarks and Unfair Competition Committee of the Boston Patent Law Association, October 26, 2007

“Mythical Beginnings of Intellectual Property” at New England IP Scholars Forum (hosted by Northeastern School of Law) October 24, 2007

“Representations of Law in Film,” Federal Judicial Center Conference, Suffolk University Law School, June 23, 2007

“The CSI Effect: Litigation Strategies and Courtroom Dynamics,” Suffolk University Law School, Continuing Legal Education Program, May 10, 2007 (Host, Co-Organizer and Chair of conference)

“Origin Stories and Other Tales: Mythical Beginnings of Intellectual Property,” University of Iowa College of Law, April 12, 2007



“Criminal Performances: Film, Autobiography and Confession,” Law, Culture and Humanities Conference, Georgetown Law Center, March 23-24, 2007

“Origin Stories and Gendered Tales,” Fourth Annual Symposium on IP/Gender: The Unmapped Connections at Washington College of Law, American University, March 23, 2007

## **2006**

“Filmed Confessions, Criminal Performances and Documentary Filmmaking in the 21st Century,” Rider University, New Jersey, October 2006 (keynote speaker)

“Origin Stories and Other Tales: Mythical Beginnings of Intellectual Property,” Intellectual Property Scholars Conference, University of California Berkeley, August 2006

“Origin Myths and Authenticity,” A Response to Susan Scafidi’s *Who Own’s Culture* at Law and Society Conference, Baltimore, Maryland, July 2006

“Criminal Performances and Filmed Confessions,” Impact of Film on Law, Lawyers and Legal Practice, Symposium at University of Maryland School of Law, April 2006

“Filmmaking in the Precinct House and the Genre of Documentary Film” First Annual Suffolk University Conference: Discovering Boundaries and Connections, Boston, March 30, 2006

“Filmmaking in the Precinct House and the Genre of Documentary Film” Association for the Study of Law, Culture & Humanities, University of Syracuse, March, 2006

## **2005-2003**

“Legal Evidence and Documentary Film,” Panel on Law and Popular Culture, American Political Science Association, September 2005 March

“Filmmaking in the Precinct House and the Genre of Documentary Film,” Workshop on Law and Documentary Films, Fordham Law School, May 2005 March

“Filmic and Legal Epistemologies,” Association for the Study of Law, Culture & Humanities, University of Connecticut, March 2004 March

“The Screening of Law,” Short Course Presenter, American Political Science Association Annual Conference, August 26, 2003 March

“A History of the Trial on Film,” Concluding Remarks, Law’s Moving Image, Amherst College April 11, 2003

“Judges as Film Critics II: Personal Injury to Expert Testimony,” Association for the Study of Law, Culture & Humanities, Cardozo Law School, March 8, 2003

## **2002-1993**

"Judges As Film Critics I: Surveillance and Crime Scene Footage," Association for the Study of Law, Culture & Humanities, University of Pennsylvania Law School, March 12, 2002

"The Gender of the Trial Film Genre," Association for the Study of Law, Culture & Humanities, Georgetown Law Center, March 10, 2000

"Truth Tales and Trial Films," Association for the Study of Law, Culture & Humanities, Wake Forest University School of Law, March 13, 1999

"*The Accused* and the Big Dan Rape Trial," Association for the Study of Law, Culture & Humanities, Georgetown Law Center, March 28, 1998

"Devastating Heroes: Oliver Stone's JFK and the Remaking of a Presidential Identity," National Conference of Teachers of English, Detroit, November 21, 1997

"Filmed Trials and Filmic Trials," Law, Literature and Culture Conference, University of Southern California, March 1, 1997

"Before the Law of Genre: Legal Authority and Judicial Dissents," Law & Society Annual Conference, June 3, 1995

"Sexuality as a Site of Critical Transformation: The Case of Glast'nost Cinema," Conference on Society and Social Thought, University of Michigan, April 1993