

Michael J. Madison

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Faculty Appointments

University of Pittsburgh, Pittsburgh, PA

Professor of Law, 2008-present; Associate Professor, 2004-2008; Assistant Professor, 2000-2004; Visiting Assistant Professor, 1998-2000

Courses (for academic credit): Copyright Law, Trademark Law, Patent Law, Intellectual Property (survey), Foundations of Intellectual Property (seminar); Contracts; Property; Secured Transactions

Course (extracurricular/volunteer): Innovation Practice Institute Leadership Forum

Tel Aviv University Buchmann Faculty of Law, Tel Aviv, Israel

Visiting Professor of Law, May 2018

Course: Intellectual Property in Institutional Context

Munich Intellectual Property Law Center, Max Planck Institute for Innovation and Competition (Max-Planck-Institut für Innovation und Wettbewerb), Munich, Germany

Visiting Professor, George Washington University Law School Summer IP Program, Summer 2006, Summers 2008-2014

Course: Theoretical Foundations of Intellectual Property / Philosophical Foundations of Intellectual Property

Washington University, St. Louis, MO

Visiting Assistant Professor of Law, Summer 2002

Course: Intellectual Property

Harvard University, Cambridge, MA

Climenko Fellow, Harvard Law School, January 1997-July 1998

Course: Lawyering

Leadership and Administrative Appointments

University of Pittsburgh, Pittsburgh, PA

Academic Director, University of Pittsburgh Institute for Cyber Law, Policy, and Security, August 2017-August 2019

Faculty Director, Innovation Practice Institute, University of Pittsburgh School of Law, January 2011-present

Associate Dean for Research, University of Pittsburgh School of Law, January 2006-December 2010

Honors and Awards (Academic)

American Law Institute, elected member, 2016

John E. Murray Faculty Scholar, University of Pittsburgh School of Law, 2017-present

University of Pittsburgh Buchanan Ingersoll & Rooney Faculty Scholar Award, 2012

Fellow, Educating Tomorrow's Lawyers, 2012-2017

University of Pittsburgh Chancellor's Distinguished Teaching Award, 2009

Officer and Advisory Positions (Academic)

Master, Q. Todd Dickinson American Inn of Court, Pittsburgh, PA, 2012-present
Advisor, American Bar Association Section of Intellectual Property Law, Joint Task Force on On-Line Piracy and Counterfeiting Legislation, 2012-2014
Executive Committee, Section on Intellectual Property Law, Association of American Law Schools, 2008
Chair, Section on Law and Computers, Association of American Law Schools, 2005
Advisory Committee to the Western District of Pennsylvania for Intellectual Property Cases, 2004-present
Ad Hoc Committee of the Pittsburgh Intellectual Property Law Association on Local Patent Rules for the Western District of Pennsylvania, 2003-2004
Legal Advisory Boards, Statements of Best Practices in Fair Use, American University Center for Media and Social Impact (www.cmsimpact.org/fair-use), 2005-2018

Research Interests and Activities

Intellectual property law (copyright, trademark, patent, and trade secret law); knowledge commons (including information and data sharing and data governance); innovation and creativity; new technologies and media; institutions and other forms of social order; law, the legal profession, and legal education; and universities and higher education; soccer/football

Co-founder, Workshop on Governing Knowledge Commons, a collaborative, interdisciplinary research network, 2013-present (knowledge-commons.net)

Co-founder, FutureLawWorks, a collaborative network directed to the future of law, legal institutions, and legal education, 2018-present (futurelawworks.org)

Research Affiliations

Affiliate Faculty, Vincent and Elinor Ostrom Workshop in Political Theory and Policy Analysis, University of Indiana Bloomington, Bloomington, IN, 2013-present
Senior Scholar, University of Pittsburgh Institute for Cyber Law, Policy, and Security, 2017-present
Faculty Affiliate, University Center for Behavioral Health and Smart Technology, 2019-present
Faculty Affiliate, University Center for International Studies, Global Studies Center, 2007-present
Faculty Affiliate, The Sara Fine Institute: Dedicated to Exploring the Intersection of Interpersonal Behavior and Technology, 2007-present

Books

GOVERNING MEDICAL KNOWLEDGE COMMONS (Cambridge University Press, 2017) (editor, with Brett M. Frischmann and Katherine J. Strandburg)

GOVERNING KNOWLEDGE COMMONS (Oxford University Press, 2014) (editor, with Brett M. Frischmann and Katherine J. Strandburg)

THE LAW OF INTELLECTUAL PROPERTY (Aspen Law & Business, 5th ed. 2017) (and Teachers' Manual, and website at madisonian.net/ipcasebook/) (with Craig Allen Nard and Mark McKenna)

Book Chapters

Knowledge Commons, in RESEARCH HANDBOOK ON THE ECONOMICS OF INTELLECTUAL PROPERTY LAW (Vol. II – Analytical Methods) 656-76 (Peter Menell and David Schwartz, eds.) (Edward Elgar Publishing, 2019) (with Brett M. Frischmann and Katherine J. Strandburg)

Biobanks as Knowledge Institutions, in GLOBAL GENES, LOCAL CONCERNS: LEGAL, ETHICAL AND SCIENTIFIC CHALLENGES IN INTERNATIONAL BIOBANKING 22-40 (Timo Minssen, Janne Rothmar Herrmann, and Jens Schovsbo, eds.) (Edward Elgar Publishing, 2019)

Knowledge Commons, in ROUTLEDGE HANDBOOK OF THE STUDY OF THE COMMONS 76-90 (Blake Hudson, Jonathan Rosenbloom, and Dan Cole, eds.) (Routledge, 2019) (with Brett M. Frischmann and Katherine J. Strandburg)

Knowledge Commons and the Road to Medical Commons [1-8]; *The Knowledge Commons Framework* [9-18]; and *Governing Knowledge Commons: An Appraisal* [421-429], in GOVERNING MEDICAL KNOWLEDGE COMMONS (Katherine J. Strandburg, Brett M. Frischmann, and Michael J. Madison, eds.) (Cambridge University Press, 2017) (with Brett M. Frischmann and Katherine J. Strandburg)

Information Abundance and Knowledge Commons, in USER GENERATED LAW: RE-CONSTRUCTING INTELLECTUAL PROPERTY LAW IN A KNOWLEDGE SOCIETY 28-54 (Thomas Riis ed.) (Edward Elgar Publishing, 2016)

Understanding Access to Things: a Knowledge Commons Perspective, in INTELLECTUAL PROPERTY AND ACCESS TO IM/MATERIAL GOODS 17-43 (Jessica Lai and Antoinette Maget Dominicé, eds.) (Edward Elgar Publishing, 2016)

Governing Knowledge Commons [1-43] and *Conclusion* [469-484], in GOVERNING KNOWLEDGE COMMONS (Brett M. Frischmann, Michael J. Madison and Katherine J. Strandburg, eds.) (Oxford University Press, 2014) (with Brett M. Frischmann and Katherine J. Strandburg)

Commons at the Intersection of Peer Production, Citizen Science, and Big Data: Galaxy Zoo, in GOVERNING KNOWLEDGE COMMONS 209-254 (Brett M. Frischmann, Michael J. Madison and Katherine J. Strandburg, eds.) (Oxford University Press, 2014)

Contrasts in Innovation: Pittsburgh Then and Now in INNOVATION AND ENTREPRENEURSHIP IN EVOLVING ECONOMIES: THE ROLE OF LAW 111-155 (Megan Carpenter ed.) (Edward Elgar Publishing, 2012)

Constructing Commons in the Cultural Environment, in COMMONS. FÜR EINE NEUE POLITIK JENSEITS VON MARKT UND STAAT (Silke Helfrich/Heinrich-Böll-Stiftung (Hg.)) (transcript -Verlag, 2012) (published in English as THE WEALTH OF THE COMMONS: A WORLD BEYOND MARKET & STATE (David Bollier and Silke Helfrich, eds., 2012) (with Brett M. Frischmann and Katherine J. Strandburg)

Creativity and Craft, in CREATIVITY, LAW AND ENTREPRENEURSHIP 22-48 (Shubha Ghosh and Robin Paul Malloy eds.) (Edward Elgar Publishing, 2011)

Open Secrets, in THE LAW AND THEORY OF TRADE SECRECY: A HANDBOOK OF CONTEMPORARY RESEARCH 222-245 (Rochelle C. Dreyfuss and Katherine J. Strandburg, eds.) (Edward Elgar Publishing, 2011)

Fair Use and Social Practices, in INTELLECTUAL PROPERTY AND INFORMATION WEALTH 177-199 (Peter Yu ed.) (Praeger, 2006)

Articles and Essays

What's News, 6 CRITICAL ANALYSIS L. 240-251 (2019) (reviewing WILL SLAUTER, WHO OWNS THE NEWS? (Stanford University Press 2019))

IP Things as Boundary Objects: The Case of the Copyright Work, 6 LAWS 13- 57 (2017)

Authority and Authors and Codes, 84 GEO. WASH. L. REV. 1616-1643 (2016)

Leading New Lawyers: Leadership and Legal Education, 83 TENN. L. REV. 751-769 (2016)

Innovators, Esq.: Training the Next Generation of Lawyer Social Entrepreneurs, 83 UMKC L. REV. 967-989 (2015) (with Stephanie A. Dangel)

The End of the Work as We Know It, 19 J. INTELL. PROP. L. 325-55 (2012)

Madisonian Fair Use, 30 CARDOZO ARTS & ENT. L.J. 39-51 (2012)

Knowledge Curation, 86 NOTRE DAME L. REV. 1957-1998 (2011)

Beyond Invention: Patent as Knowledge Law, 15 LEWIS & CLARK L. REV. 71-108 (2011)

Some Optimism About Fair Use and Copyright Law, 57 J. COPYRIGHT SOC'Y U.S.A. 351-370 (2010)

Beyond Creativity: Copyright as Knowledge Law, 12 VANDERBILT J. ENT. & TECH. L. 817-851 (2010)

Reply: The Complexity of Commons, 95 CORNELL L. REV. 839-850 (2010) (with Brett M. Frischmann and Katherine J. Strandburg)

Constructing Commons in the Cultural Environment, 95 CORNELL L. REV. 657-709 (2010) (with Brett M. Frischmann and Katherine J. Strandburg)

Republished in ELINOR OSTROM AND THE BLOOMINGTON SCHOOL OF POLITICAL ECONOMY (Vol. 4, Policy Applications and Extensions) (Daniel Cole and Michael McGinnis eds.) (Lexington Books, 2018), and in INTELLECTUAL PROPERTY AND THE PUBLIC DOMAIN (Robert Merges and Amy Landers, eds.) (Edward Elgar Publishing, 2017)

Of Coase and Comics, or the Comedy of Copyright, 95 VA. L. REV. ONLINE 27-42 (2009)

Notes on a Geography of Knowledge, 77 FORDHAM L. REV. 2038-2085 (2009)

The University as Constructed Cultural Commons, 30 WASH. U. J.L. & POL'Y 365-406 (2009) (with Brett M. Frischmann and Katherine J. Strandburg)

IP and Americana, or Why Intellectual Property Gets the Blues, 18 FORDHAM INTELL. PROP. MEDIA & ENT. L.J. 677-710 (2008)

Writing to Learn Law and Writing in Law: An Intellectual Property Illustration, 52 ST. LOUIS U. L.J. 823-841 (2008)

The Idea of the Law Review: Scholarship, Prestige, and Open Access, 10 LEWIS & CLARK L. REV. 901-924 (2006)

Social Software, Groups, and Governance, 2006 MICH. ST. L. REV. 153-191

Metaphor, Objects, and Commodities, 54 CLEV. ST. L. REV. 141-174 (2006) (with George Taylor)

Law as Design: Objects, Concepts, and Digital Things, 56 CASE W. RES. L. REV. 381-478 (2005)

Rewriting Fair Use and the Future of Copyright Reform, 23 CARDOZO ARTS & ENT. L.J. 391-418 (2005)

A Pattern-Oriented Approach to Fair Use, 45 WM. & MARY L. REV. 1525-1690 (2004)

The Narratives of Cyberspace Law (or, Learning from Casablanca), 27 COLUM. J. L. & ARTS 249-275 (2004)

Reconstructing the Software License, 35 LOY. U. CHI. L.J. 275-340 (2003)

Rights of Access and the Shape of the Internet, 44 B.C. L. REV. 433-507 (2003)

Where Does Creativity Come From? and Other Stories of Copyright, 53 CASE W. RES. L. REV. 747-765 (2003)

The Lawyer as Legal Scholar, 65 U. PITT. L. REV. 63-81 (2003) (review of EUGENE VOLOKH, ACADEMIC LEGAL WRITING (Foundation Press 2003))

Complexity and Copyright in Contradiction, 18 CARDOZO ARTS & ENT. L. J. 125-174 (2000)

Legal-Ware: Contract and Copyright in the Digital Age, 67 FORDHAM L. REV. 1025-1143 (1998)

Short Works

The Football as Intellectual Property Object, in A HISTORY OF INTELLECTUAL PROPERTY IN 50 OBJECTS 165-171 (Claudy Op Den Kamp and Dan Hunter, eds.) (Cambridge University Press, 2019)

Tragedy revisited, SCIENCE 14 Dec 2018: Vol. 362, Issue 6420, pp. 1236-1241. DOI: 10.1126/science.aaw0911 (with Robert Boyd, Tine De Moor, Christopher Dye, Brett M. Frischmann, Kristina M. Gjerde, Harriet Harden-Davies, Matthew O. Jackson, Angela R McLean, Ruth Meinzen-Dick, Peter J. Richerson, and Katherine J. Strandburg)

Book Review, How to Fix Copyright, by William Patry, 3 THE IP LAW BOOK REVIEW 29-35 (2013)

The Legitimacy of Open Source and Other Software Licenses, 9 J. INTERNET L. 1, 13-25 (2005)

What's My Copy Right?, 48 J. COPYRIGHT SOC'Y U.S.A. 787-794 (2001)

Other Publications

JOTWELL (Journal of Things We Like Lots), review essays:

- *Fucking with the Magic* (article review), JOTWELL, January 22, 2019. cyber.jotwell.com/fucking-with-the-magic/
- *Money for Your Life: Understanding Modern Privacy* (article review), JOTWELL, January 8, 2018. cyber.jotwell.com/money-life-understanding-modern-privacy/
- *What is Cyberlaw, or There and Back Again* (article review), JOTWELL, December 9, 2016. cyber.jotwell.com/what-is-cyberlaw-or-there-and-back-again/
- *Data for Peace: The Future of the Internet of Things* (article review), JOTWELL, January 7, 2016. cyber.jotwell.com/data-for-peace-the-future-of-the-internet-of-things/
- *"They're Coming to Get You, Barbara"* (article review), JOTWELL, January 12, 2015. cyber.jotwell.com/theyre-coming-to-get-you-barbara/
- *What's So Special About Information Security* (article review), JOTWELL, December 13, 2013. cyber.jotwell.com/whats-so-special-about-information-security/
- *Tattoo You* (article review), JOTWELL, January 23, 2013. ip.jotwell.com/tattoo-you/
- *Law and Borders, Revisited* (article review), JOTWELL, January 4, 2012. cyber.jotwell.com/law-and-borders-revisited/

- *Exploring Legitimacy in Internet Institutions* (book chapter review), JOTWELL, December 10, 2010. cyber.jotwell.com/exploring-legitimacy-in-internet-institutions/
- *Straight Talk About Game Gods* (article review), JOTWELL, October 27, 2009. cyber.jotwell.com/joshua-fairfields-the-god-paradox/

Working Papers (unpublished manuscripts)

Is Blockchain the Next Step in the Evolution Chain of [Market] Intermediaries? Available at SSRN: ssrn.com/abstract=3427506 (Dec. 20, 2019) (with Marcela Gomez, Pedro Bustamante, Martin B. H. Weiss, Ilia Murtazashvili, Wilson Law, Tymofiy Mylovanov, Herminio Bodon, Prashant Krishnamurthy)

Ostrom Amongst the Machines: Blockchain as a Knowledge Commons. Available at SSRN: ssrn.com/abstract=3462648 (Oct. 12, 2019) (with Herminio Bodon, Pedro Bustamante, Marcela Gomez, Prashant Krishnamurthy, Michael J. Madison, Ilia Murtazashvili, Jennifer Brick Murtazashvili, Tymofiy Mylovanov and Martin B. H. Weiss)

An Invitation Regarding Law and Legal Education, and Imagining the Future, U. of Pittsburgh Legal Studies Research Paper No. 2018-03. Available at SSRN: ssrn.com/abstract=3122624 (Feb. 12, 2018).

Extended in an online Symposium at Prawfsblawg, accessible via madisonian.net/2018/04/25/law-legal-education-and-imagining-the-future-the-project-continues-part-6-and-end/

Preparing for Service: A Template for 21st Century Legal Education, U. of Pittsburgh Legal Studies Research Paper No. 2015-27. Available at SSRN: ssrn.com/abstract=2646931 (Aug. 12, 2015)

Lost Classics of Intellectual Property Law, U. of Pittsburgh Legal Studies Research Paper No. 2014-28. Available at SSRN: ssrn.com/abstract=2475883 (Aug. 1, 2014)

Visions of the Future of (Legal) Education, U. of Pittsburgh Legal Studies Research Paper No. 2014-13. Available at SSRN: ssrn.com/abstract=2412238 (Mar. 20, 2014)

Works in Progress

Books

UNDERSTANDING UNIVERSITIES AS KNOWLEDGE COMMONS

LAWS OF THE GAME: WHAT THE WORLD'S MOST POPULAR GAME TEACHES ABOUT GOVERNANCE, OWNERSHIP, AND COMMUNITY

Book Chapters

Data Governance and the Emerging University, in RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY AND TECHNOLOGY TRANSFER (Jacob H. Rooksby, ed.) (forthcoming, Edward Elgar Publishing)

The Republic of Letters and the Origins of Scientific Knowledge Commons, in GOVERNING PRIVACY IN KNOWLEDGE COMMONS (Madelyn Sanfilippo, Katherine J. Strandburg, and Brett M. Frischmann, eds.) (forthcoming, Cambridge University Press)

Articles and Essays

Fantastic Fair Use and Where to Find It (draft article)

Trust, Truth, and Justice (draft article)

Published Presentations

Information Governance, 25 J. MARSHALL J. COMPUTER & INFO. L. 673-679 (2009)

Beyond Napster: Debating the Future of Copyright on the Internet, 50 AMERICAN U. L. REV. 363-387 (2000)

Selected Scholarly Presentations

2019

Governing the World's Most Valuable Resource (Everything You Know About Data is Right), Workshop on Governing Data as a Resource (keynote), Tilburg Institute for Law, Technology, and Society (TILT) & Tilburg Law and Economics Center (TILEC), Tilburg University, Tilburg, The Netherlands, November 2019

Knowledge Commons: A Research Agenda and Health Policy Implications, University of Pittsburgh School of Public Health, Pittsburgh, PA, April 2019

Data Governance and the Emerging University, Second Annual Three Rivers Tech & IP Colloquium, Duquesne University School of Law, Pittsburgh, PA, January 2019

2018

The Origins of Knowledge Commons: Open Science in Historical Perspective, Privacy as Knowledge Commons Governance Conference, Villanova University Charles Widger School of Law, Villanova, PA, October 2018

Governing University Knowledge Commons, University of Haifa, Faculty of Law, Center for Cyber Law and Policy, Haifa, Israel, May 2018

Governing University Knowledge Commons, 2018 Lastowka Academic Roundtable, Washington & Lee University School of Law, Lexington, VA, April 2018

Data Models and the DMCA, Symposium: The Digital Millennium Copyright Act at 20, Texas A&M University School of Law, Fort Worth, TX, March 2018

Fantastic Fair Use and Where to Find It, Works in Progress Intellectual Property (WIPIP), Case Western Reserve University School of Law, Cleveland, OH, February 2018

2017

Biobanks as Knowledge Institutions, Global Genes - Local Concerns Seminar, University of Copenhagen Faculty of Law, Copenhagen, Denmark, November 2017

Governing Privacy and Security Commons: Beyond Technical and Legal Panaceas, Pitt Science 2017, University of Pittsburgh, Pittsburgh, PA, September 2017

Governing University Knowledge Commons, Ninth Annual Workshop of the International Society for the History and Theory of Intellectual Property (ISHTIP), University of Toronto Faculty of Law, Toronto, Ontario, Canada, July 2017

Three Things About Things, The Art and Science of the IP Deal, University of Washington School of Law, Seattle, WA, April 2017

Authority and Authors and Codes, 2017 Lastowka Cyberlaw Colloquium, Villanova University Charles Widger School of Law, Villanova, PA, February 2017

2016

Patterns and Fair Use in Copyright 2: The Sequel, Copyright in the Public Interest: A Conference Reflecting on the Scholarship of Peter Jaszi, American University Washington College of Law, Washington DC, November 2016

Governing Medical Knowledge Commons, University of Cambridge, Faculty of Law, Centre for Intellectual Property and Information Law, Cambridge, UK, October 2016

Copyright in the Era of Big Data, Institute for European Studies, Vrije Universiteit Brussel (Free University of Brussels), Brussels, Belgium, October 2016

Governing Knowledge Commons, International Association for the Study of Commons (IASC) Third Thematic Conference on Knowledge Commons (keynote), Sciences Po, Paris, France, October 2016

Information Abundance and Knowledge Commons, Munich Summer Institute, Max Planck Institute for Innovation and Competition, Munich, Germany, June 2016

Governing Medical Commons, 8th Conference on Innovation and Communications Law, University of Eastern Finland (UEF) Law School, Joensuu, Finland, May 2016

Governing Medical Commons, Update on current intellectual property research, Centre for Information and Innovation Law (CIIR), University of Copenhagen, Copenhagen, Denmark, May 2016

Big Data and Commons Challenges for Researchers, Program on Global Genes, Local Concerns Conference: Legal dimensions of Big Data in the Health and Life Sciences – from intellectual property rights and global pandemics to privacy and ethics, University of Copenhagen, Copenhagen, Denmark, May 2016

Laws of the Game: Who Owns Soccer?, Intellectual Property in All the New Places Symposium, Texas A&M University School of Law, Fort Worth, TX, April 2016

Laws of the Game: Who Owns Soccer?, Center for Intellectual Property Law and Innovation Distinguished Lecture Series, University of Indiana Indianapolis Robert H. McKinney School of Law, Indianapolis, IN, March 2016

2015

Authority and Authorship, George Washington Law Review Symposium on Hacking into the Computer Fraud and Abuse Act: The CFAA at 30, George Washington University Law School, Washington, DC, November 2015

Universities as Commons, University of Akron School of Law Second Annual David & Ann Brennan IP Scholars Roundtable, Akron, OH, October 2015

Governing Knowledge Commons, Max Planck Institute for Innovation and Competition and Munich Intellectual Property Law Center, Munich, Germany, June 2015

Governing Knowledge Commons, DLA Piper IP Lecture Series, Bucerius Law School, Hamburg, Germany, June 2015

Governing Knowledge Commons, Institute for Information Law (IViR), University of Amsterdam, Amsterdam, The Netherlands, May 2015

Governing Knowledge Commons, Centre for Global Governance Studies, University of Leuven, Leuven, Belgium, May 2015

Governing Knowledge Commons, Innovation Law Beyond Intellectual Property 2 Conference, Yale University Law School, New Haven, CT, March 2015

Innovation Institutions: A Field Guide to Contemporary IP Research and Practice, University of Connecticut School of Law, Hartford, CT, February 2015

Access as Knowledge Commons, Conference: Access to Material and Immaterial Goods, University of Luzern, Luzern, Switzerland, January 2015

2014

Governing Knowledge Commons, Creativity Without Law Symposium, Case Western Reserve University School of Law, Cleveland, OH, November 2014

Governing Knowledge Commons, BookIT IP Series, Chicago-Kent College of Law, Illinois Institute of Technology, Chicago, IL, October 2014

A Theory of Things, Intellectual Property Scholars Conference (IPSC), University of California Berkeley School of Law, Berkeley, CA, August 2014

The Knowledge Commons Concept, Workshop on the Ostrom Workshop (WOW) 5, Indiana University, Bloomington, IN, June 2014

Managing Commons, Conference on IP Governance by Private Collective Entities, Centre for Information and Innovation Law (CIIR), University of Copenhagen, Copenhagen, Denmark, March 2014

Knowledge Law: An Introduction and Overview, Cyberlaw Colloquium, The Wharton School, University of Pennsylvania, Philadelphia, PA, February 2014

The Future of Things: The Copyright Work as Legal Object, Cardozo Law School Intellectual Property and Information Law Colloquium, Benjamin N. Cardozo School of Law, Yeshiva University, New York, NY, February 2014

2013

Commons at the Intersection of Peer Production, Citizen Science, and Big Data: Galaxy Zoo, RAND Corporation, Pittsburgh, PA, November 2013

Commons at the Intersection of Peer Production, Citizen Science, and Big Data: Galaxy Zoo, The Vincent and Elinor Ostrom Workshop in Political Theory and Policy Analysis, Indiana University, Bloomington, IN, October 2013

Knowledge Law: An Introduction and Overview, Intellectual Property Scholars Conference (IPSC), Benjamin N. Cardozo School of Law, Yeshiva University, New York, NY, August 2013

The Future of Things: The Copyright Work as Legal Object, Faculty Workshop, Suffolk University Law School, Boston, MA, March 2013

2012

The Future of Things: The Copyright Work as Legal Object, Conference on Searching for the Boundaries of Intellectual Property Law, University of Hong Kong, Hong Kong, December 2012

The Future of Things: The Copyright Work as Legal Object, Faculty Workshop, Brooklyn Law School, Brooklyn, NY, November 2012

The Future of Things: The Copyright Work as Legal Object, Faculty Workshop, McGill University Faculty of Law, Center for Intellectual Property Policy, Montreal, Quebec, Canada, October 2012

Constructing Commons in Intellectual Resources, The 1st Global Thematic Conference on the Knowledge Commons, International Association for the Study of Commons (IASC), Université catholique de Louvain, Louvain-la-Neuve, Belgium, September 2012

Works/Things, Fourth Annual Workshop of the International Society for the History and Theory of Intellectual Property (ISHTIP), London School of Economics, London, England, June 2012

Astrocommons and the Evolving Futures of Scientific Research, Boston University School of Law, Boston, MA, April 2012

The End of the Work as We Know It, Journal of Intellectual Property Law Conference, University of Georgia School of Law, Athens, GA, March 2012

Astrocommons and the Evolving Futures of Scientific Research, Google, Inc., Mountain View, CA, January 2012

2011

Astrocommons and the Evolving Futures of Scientific Research, Faculty Workshop, Earle Mack School of Law, Drexel University, November 2011

Astrocommons and the Evolving Futures of Scientific Research, Convening Cultural Commons Workshop, Engelberg Center for Innovation Law & Policy, New York University School of Law, New York, NY, September 2011

IP and Knowledge, Workshop on Progressive Property IV, McGill University, Faculty of Law, Montreal, Quebec, Canada, May 2011

Contrasts in Innovation: Pittsburgh Then and Now, Evolving Economies: The Role of Law in Entrepreneurship and Innovation, Texas Wesleyan School of Law, Fort Worth, TX, April 2011

2010

Commons and Knowledge Curation, Symposium on Creativity and the Law, University of Notre Dame Law School, South Bend, IN, November 2010

Constructing Commons in the Cultural Environment, H. John Heinz III College Faculty Research Seminar Series, Carnegie Mellon University, Pittsburgh, PA, November 2010

Constructing Commons in the Cultural Environment, Oxford Intellectual Property Seminar Series, St. Peter's College, University of Oxford, Oxford, UK, May 2010

Beyond Creativity: What Copyright Ignores, History of Art and Architecture Colloquium, University of Pittsburgh, Pittsburgh, PA, April 2010

Constructing Commons in the Cultural Environment, Association for Law, Property and Society, Annual Meeting, Washington, DC, March 2010

2009

Gift and Ownership in Popular Music, Conference on Music and Cultural Rights, University of Pittsburgh Department of Music, Pittsburgh, PA, December 2009

Recovering Copyright as a System for Knowledge, Drawing Lines in the Digital Age: Copyright, Fair Use, and Derivative Works, Vanderbilt University Law School, Nashville, TN, October 2009

The University as Constructed Cultural Commons, Law and New Institutional Economics Workshop for Law Professors, University of Colorado Law School, Boulder, CO, June 2009

Open Source Licenses and the Boundaries of Knowledge Production, Torys Speaker Series in Law & Technology, University of Ottawa, Faculty of Law, Ottawa, Ontario, Canada, March 2009

The Entrepreneurship Commons, Digital Entrepreneurship Symposium, West Virginia University College of Law, Morgantown, WV, March 2009

Open Secrets, Workshop on Trade Secrecy, Engelberg Center for Innovation Law & Policy, New York University School of Law, New York, NY, February 2009

2008

Notes on a Geography of Knowledge, When Worlds Collide: Intellectual Property Laws at the Interface Between Systems of Knowledge Creation Symposium, Fordham University School of Law, New York, NY, October 2008

Notes on a Geography of Knowledge, Faculty Workshop, Brooklyn Law School, Brooklyn, NY, October 2008

Constructing Commons in the Cultural Environment, Intellectual Property Scholars Conference (IPSC), Stanford University Law School, Stanford, CA, August 2008

Constructing Commons in the Cultural Environment, Conference on Science and Technology Studies and Intellectual Property Law, UC Berkeley & Stanford Law Schools, St. Helena, CA, May 2008

The University as Constructed Cultural Commons, Symposium: Open Source and Proprietary Models of Innovation: Beyond Ideology, Washington University School of Law, St. Louis, MO, April 2008

Information Governance, Faculty Workshop, Lewis & Clark Law School, Portland, OR, January 2008

2007

Information Governance, Entertainment, Media & Intellectual Property Colloquium, UCLA School of Law, Los Angeles, CA, October 2007

Information Governance, Faculty Workshop, Santa Clara University School of Law, Santa Clara, CA, October 2007

Information Governance, Faculty Workshop, Boston College Law School, Boston, MA, September 2007

Constructing Commons in the Cultural Environment, Intellectual Property Scholars Conference (IPSC), DePaul University College of Law, Chicago, IL, August 2007

Information Governance, Information Society Project Speaker Series, Yale University Law School, New Haven, CT, April 2007

What if the Ancient Romans Had Invented the Printing Press?, Conference: What Ifs, and Other Alternative Intellectual Property and Cyberlaw Stories, Michigan State University College of Law, East Lansing, MI, March 2007

2006

Information Form and Flow, IP Series, George Washington University Law School, Washington, DC, November 2006

IP, Pooling Arrangements, and Constructed Environments, Works in Progress Intellectual Property (WIPIP) Colloquium, University of Pittsburgh School of Law, Pittsburgh, PA, October 2006

Social Software and a Framework for Information Governance, Center for Internet and Society Speaker Series, Stanford University Law School, Stanford, CA, January 2006

2005

The Knowledge Problem in Patent Law, Works in Progress Intellectual Property (WIPIP) Colloquium, Washington University School of Law, St. Louis, MO, October 2005

Social Software, Groups, and Law, Association for the Study of Law, Culture & Humanities Annual Meeting, Austin, TX, March 2005

Fair Use and the Future of Copyright Reform, Faculty Workshop, Marquette University Law School, Milwaukee, WI, March 2005

Fair Use and the Future of Copyright Reform, Symposium: Modest Proposals 2.0, Benjamin N. Cardozo School of Law, Yeshiva University, New York, NY, February 2005

Social Software, Groups, and Law, Symposium on Real Law and Online Rights, Virginia Journal of Law & Technology, University of Virginia School of Law, Charlottesville, VA, February 2005

2004

Information Markets, Humanism, and the Intellectual Property Apocalypse, Works in Progress Intellectual Property (WIPIP) Colloquium, Boston University School of Law, Boston, MA, September 2004

Rights and Things, Fourth Annual Intellectual Property Scholars Conference (IPSC), DePaul University College of Law, Chicago, IL, August 2004

Rights and Things, Law and Society Association Annual Meeting, Chicago, IL, May 2004

Rights and Things, Intellectual Property & Communications Law and Policy Scholars Roundtable, Michigan State University-DCL College of Law, East Lansing, MI, February 2004

2003

A Pattern-Oriented Approach to Fair Use, Penn-Temple-Wharton Colloquium, University of Pennsylvania Law School, Philadelphia, PA, November 2003

A Pattern-Oriented Approach to Fair Use, Works-in-Progress Intellectual Property (WIPIP) Colloquium, Tulane University Law School New Orleans, LA, October 2003

Private Rules and Public Order, Law and Society Association Annual Meeting, Pittsburgh, PA, June 2003

Reconstructing the Software License, Loyola Law School Chicago Conference on the Internet and Governance, Chicago, IL, March 2003

Rights of Access and the Shape of the Internet, Chicago Intellectual Property Colloquium, Chicago-Kent College of Law, Illinois Institute of Technology, Chicago, IL, January 2003

2002

Rights of Access and the Shape of the Internet, Intellectual Property, the Internet & E-Commerce Conference, Boston College Law School, Boston, MA, October 2002

Where Does Copyright Come From?, Conference on *New York Times v. Tasini* and Beyond, Case Western Reserve University School of Law, Cleveland, OH, November 2002

The Fairness of File Sharing, Penn-Temple-Wharton IP Colloquium, The Wharton School, University of Pennsylvania, Philadelphia, PA, November 2002

The Fairness of File Sharing, Intellectual Property Scholars Conference (IPSC), Benjamin N. Cardozo School of Law, Yeshiva University, New York, New York, NY, August 2002

Selected Other Invited Presentations

Creativities: Unpacking the Varieties of a Key Normative Ideal, University of Pittsburgh Humanities Center Faculty Seminar, Pittsburgh, PA, April-May 2019 [collaborator in week-long project led by Eitan Wilf, Hebrew University of Jerusalem, Anthropology]

Governing Knowledge Commons: A Short History and Update, IASC World Commons Week Webinar, October 2018 (video available at www.worldcommonsweek.org/webinars)

Teaching Leadership From the Bottom Up, Educating Tomorrow's Lawyers ... to Serve Tomorrow's Clients, 6th Annual Educating Tomorrow's Lawyers Conference, Denver, CO, October 2017

What is Law School For? Teaching Through a Paradigm Shift, the 2017 Vincent C. Immel Lecture on Teaching Law, St. Louis University School of Law, St. Louis, MO, April 2017 (text available at madisonian.net/2017/05/01/the-future-of-law-teaching/)

Digital Badging, Learning Outcomes for Hire, 5th Annual Educating Tomorrow's Lawyers Conference, Denver, CO, September 2016

Leading New Lawyers, Institute for Professional Leadership Symposium on Professional Leadership Education, University of Tennessee College of Law, Knoxville, TN, April 2016

Regulating Knowledge: Intellectual Property and the 21st Century University, Topics in Higher Ed / Future Professoriate Program, Syracuse University, Syracuse, NY, March 2015

Implementing Innovation in Law Schools, President's Program, Association of American Law Schools Annual Meeting, Washington, DC, January 2015

Thinking Outside the Book, Section on Intellectual Property, Association of American Law Schools Annual Meeting, Washington, DC, January 2015

The Innovation Practice Institute, Accelerating Competency: Assessment in Legal Education, 3rd Annual Educating Tomorrow's Lawyers Conference, Denver, CO, September 2014

Writing to Learn in Doctrinal Courses, Accelerating Competency: Assessment in Legal Education, 3rd Annual Educating Tomorrow's Lawyers Conference, Denver, CO, September 2014

Faculty member, 2013 Intellectual Property Academics Boot Camp, University of New Hampshire School of Law, Lake Squam, NH, June 2013

Classroom-Based Experiential Teaching: An Intellectual Property Illustration, McGill University, Faculty of Law, Montreal, Quebec, Canada, October 2012

The Future of Intellectual Property Scholarship, 31st Annual Congress of the International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP), Chicago, IL, August 2012

The Challenges of Contemporary Fair Use, Digital Media @ Pitt (DM@P) Lecture Series, University of Pittsburgh, Pittsburgh, PA, March 2012

Overcoming Legal and Organizational Barriers to Open Innovation, Accelerating R&D Excellence through Global Collaboration and Open Innovation, University of Pittsburgh Katz Graduate School of Business and Echo Strategies, University of Pittsburgh, Pittsburgh, PA, January 2012

Legal Aspects, The Future of Scientific Knowledge Discovery in Open Networked Environments, Board on Research Data and Information and Computer Science and Telecommunications Board, National Academy of Sciences, Washington, DC, March 2011

The Future of Legal Scholarship, American University Washington College of Law, Washington, DC, January 2010

IP Pedagogy, 2009 IP Scholars Roundtable, Drake University Law School, Des Moines, IA, February 2009

Free and Open Source: Next Generation Issues, AALS Annual Meeting Section on Law and Computers, San Diego, CA, January 2009

Advice to Junior IP Scholars, 2009 IP Scholars Roundtable, Drake University Law School, Des Moines, IA, February 2008

Copyright in Context, University of Houston Law Center Institute for Information and Intellectual Property Law, Santa Fe, NM, June 2007 (Conference Fellow)

Teaching Students to Practice Intellectual Property, Plenary session, Workshop on Intellectual Property, Association of American Law Schools 2006 Mid-Year Meeting, Vancouver, British Columbia, Canada, June 2006

W(h)ither the Middleman: The Role and Future of Intermediaries in the Information Age, Michigan State University College of Law, East Lansing, MI, April 2005

Untold Stories: Creative Consequences of the Rights Clearance Culture, American University Washington College of Law, Washington, DC, November 2004

Consumers in the Digital Age: Perspectives on the Intersection between Law, Technological Innovation and Consumer Protection, University of California Hastings College of the Law, San Francisco, CA, February 2001

Selected Presentations to Professional Organizations

An Introduction to Intellectual Property Law, for Lawyers and Non-Lawyers Alike, University of Pittsburgh Katz School of Business Executive MBA in Healthcare, Pittsburgh, PA, November 2019

Is There Hope for Fair Use? Current Efforts to Clarify Copyright, Pittsburgh Intellectual Property Law Association, Pittsburgh, PA, October 2019

Artificial Intelligence and Legal Tech in Context: Governing Privacy and Security Commons, Artificial Intelligence and Legal Practice, Allegheny County Bar Association, Pittsburgh, PA, March 2018

Contrasts in Innovation: Pittsburgh Then and Now, Pittsburgh Intellectual Property Law Association, Pittsburgh, PA, November 2012

Pittsburgh: Past, Present and Future of an American City, Morgen/Tomorrow: International Urban Planning Congress Amsterdam, Amsterdam, The Netherlands, October 2009

The Legal Implications of Engaging Outsiders into Business Communities, Community 2.0 Conference, Las Vegas, NV, March 2007

Claim Construction: How Claim Construction is Determined in a Patent Case at a Trial Court Level, American Intellectual Property Law Association Annual Meeting (AIPLA) Annual Meeting, Washington, DC, October 2005

Symposium on Emerging Intellectual Property Issues, Southern Methodist University Dedman School of Law, Dallas, TX, March 2005

The State of the Software License, American Intellectual Property Law Association (AIPLA) Annual Meeting, Washington, DC, October 2003

Enforcement of Shrink-Wrap and Click-Wrap Agreements, The 17th Annual Intellectual Property Law Conference, American Bar Association Section of Intellectual Property Law, Washington DC, April 2002

Solving the Legal Issues Affecting B2B Transactions, Practising Law Institute, Washington DC, April 2001

Conferences Organized

Law's Futures 2: New Institutions for Legal Education, Northwestern University Pritzker School of Law, Chicago, IL, September 2019 (with Daniel Rodriguez and Hiram Chodosh)

Law's Futures: New Institutions for Legal Education, Claremont McKenna College, Claremont, CA, September 2018 (with Daniel Rodriguez and Hiram Chodosh)

2018 Three Rivers Intellectual Property Law Colloquium, University of Pittsburgh School of Law, Pittsburgh, PA, January 2018 (co-sponsored by Duquesne University School of Law)

2016 Lastowka Cyberlaw Colloquium, University of Pittsburgh School of Law, Pittsburgh, PA, February 2016

Medical Commons and User Innovation Workshop, Engelberg Center for Innovation Law & Policy, New York University School of Law, New York, NY, May 2014 (with Katherine J. Strandburg and Brett M. Frischmann)

2012 Cyberlaw Colloquium, Berkman Center for Internet & Society, Harvard Law School, Cambridge, MA, May 2012 (with Jonathan Zittrain and Michael Carroll)

Convening Cultural Commons Workshop, Engelberg Center for Innovation Law & Policy, New York University School of Law, New York, NY, September 2011 (with Katherine J. Strandburg and Brett M. Frischmann)

Works in Progress Intellectual Property (WIPIP) Colloquium, University of Pittsburgh School of Law, Pittsburgh, PA, October 2006

Where IP Meets IP: Technology and the Law Symposium, University of Pittsburgh School of Law, Pittsburgh, PA, March 2005

Graduated PhD students (committee member)

Alexandre Mateus, Carnegie Mellon University Department of Engineering & Public Policy (EPP), 2011

Jonathan Miller, University of Pittsburgh School of Information Sciences, 2009

Other Professional Employment

Gray Cary Ware & Freidenrich (now part of DLA Piper), Palo Alto, CA, 1992-1996

Shartsis, Friese & Ginsburg (now known as Shartsis Friese), San Francisco, CA, 1987-1992

Selected Professional Activities and Service

Peer Review

Referee and Reviewer, National Science Foundation; Yale University Press; Oxford University Press; NYU Press, Edward Elgar Publishing; Research Foundation – Flanders, Belgium; *The Information Society* (journal); *Journal of Information Technology & Politics*; *Jurimetrics*

Faculty Service: University of Pittsburgh

Member, Intellectual Property Policy Committee, 2019
Chair, Provost's Tenure Appeal Panel, 2017
Co-Chair, Research Data Management/Data Commons Committee and Research Data Management Committee Policy Working Group, 2016-2018
Member, Patent and Copyright Policy Review Committee, 2015-2017
Member, University Senate Tenure & Academic Freedom Committee subcommittee on social and electronic media, 2014-2015
Member, University of Pittsburgh Open Access Task Force, 2010-2012
Member, Provost's Advisory Council on Instructional Excellence, 2009-2012
Member, University of Pittsburgh University Research Council, 2003-2005
Chair, University of Pittsburgh Central Research Development Fund Small Grants Program (Social Sciences and Humanities Committee), 2005
Presenter, *Scholarly Publishing: Today and Tomorrow: What You Need to Know*, University Senate Spring Plenary Session, March 2009
Presenter, *Creating a Realistic Business Environment*, Today's Vision, Tomorrow's Realities: Commercializing Academic Innovation, University Senate Spring Plenary Session, March 2006

Faculty Service: University of Pittsburgh School of Law

Director, University of Pittsburgh Intellectual Property and Innovation Concentration (inaugural Director), 2014-present
Director, University of Pittsburgh School of Law Certificate in Intellectual Property and Technology Law, 2002 (inaugural Director)-2005, 2013-2017; Acting Director, 2007-2008
Faculty Advisor, *University of Pittsburgh Law Review*, 2008-2018
Faculty Advisor, *University of Pittsburgh School of Law Journal of Technology Law & Policy*, 1999-2018
Faculty Advisor, University of Pittsburgh School of Law Giles Sutherland Rich Memorial Moot Court Team and Cardozo/BMI Entertainment and Communications Law Moot Court Team, 1998-2008, 2014-present
Faculty Advisor, University of Pittsburgh School of Law Student Intellectual Property Law Association, 1999-present; Sports and Entertainment Law Society, 2003-present
Faculty Advisor, Joint JD/MS Degree Program at the University of Pittsburgh School of Law and the Heinz College, formerly the H. John Heinz III School of Public Policy and Management, Carnegie Mellon University, 2008-present
Selected committee service: Chair, Task Force on Innovation in Legal Education, 2013-2014; Chair, Committee on Assessing Student Learning Outcomes, 2014-2015; Chair, Colloquium Committee, 2002-2003, 2007-2010; Chair, Petitions and Academic Standards Committee, 2003-2004; Chair, Library and Technology Committee, 2004-2005; Chair, Planning and Budget Committee, 2008-2010, 2016-2017; Co-Chair, Legal Education Initiatives Committee, 2009-2010; Chair, Writing Awards Committee, 2012-2013, 2018-2019; Member, Faculty Appointments Committee, 2005-2007, 2013-2014; Member, Ad Hoc Committee on the Appointments Process, 2007-2008

Professional Memberships and Service

Association for Teaching and Research in Intellectual Property (ATRIP)
American Intellectual Property Law Association (AIPLA)
American Bar Association Section of Intellectual Property Law
Pittsburgh Intellectual Property Law Association (PIPLA)

Education

Stanford University Law School, Stanford, CA, J.D., with Distinction, 1987
Yale University, New Haven, CT, B.A., *magna cum laude*, in Political Science, 1983

Honors and Awards (Volunteer)

The Yale Medal, awarded by the Association of Yale Alumni for service to Yale University, 2014
Association of Yale Alumni Leadership Award for Volunteer Innovation and Service, 2013

Officer and Advisory Positions (Volunteer)

Chair, Board of Governors, Association of Yale Alumni (now the Yale Alumni Association), 2010-2012; Immediate Past Chair, 2012-2014; Vice-Chair, 2008-2010; Secretary, 2007-2008

Selected Volunteer Service

Partnership to Advance Responsible Technology (PART) (www.responsibletech.ai)
Member, Board of Directors, 2019-present
Yale University
Member, Board of Governors, Association of Yale Alumni (now the Yale Alumni Association), 2004-2014
Member, Development Council, 2014-2017; University Council, 2010-2012
Alumni Counselor, Yale University Presidential Search Committee, Fall 2012
Chair, Search Committee for the Executive Director of the Association of Yale Alumni, 2015-2016
Member, Board of Directors of the Yale Alumni Fund; 2010-2012; Board of Directors of Yale Alumni Publications, Inc., 2008-2010
Youth soccer coach: Mt. Lebanon (PA) Soccer Association, 1998-2003; Belmont (MA) Soccer Association, 1997-1998; Rockridge (Oakland, CA) Soccer Club, 1996
Scouting: Volunteer, Boy Scout Troop 284 (Mt. Lebanon, PA), 2002-2009

Websites and Social Media

Websites

Workshop on Governing Knowledge Commons, knowledge-commons.net. Webmaster, 2013-present
Future Law Works, futurelawworks.org. Webmaster, 2018-present
Innovation Practice Institute, innovation-practice.net. Webmaster, 2013-2018
The Law of IP Casebook, ipcasebook.com [now defunct]. Webmaster, 2006-2018
Webmaster, AALS Section on Intellectual Property Law, 2007-2010

Weblogs and Twitter

[@profmadison](https://twitter.com/profmadison), twitter.com/profmadison. 2013-present
Madisonian.net, about law, society, and technology, madisonian.net. Founder and editor, 2004-present

Pitt Law Faculty Blog, pittlawfaculty.net [now defunct]. Founder and editor, 2006-2011
IP and IT Conferences, a calendar of academic conferences on intellectual property and information technology law and policy, madisonian.net/conferences [now defunct]. Founder and editor, 2006-2016
Pittsblog, about economic development in Pittsburgh and Western Pennsylvania, pittsblog.blogspot.com and @pittsblog (twitter.com/pittsblog). Founder and editor, 2004-2014
Blog-Lebo, about community events and local politics in Mt. Lebanon, PA, bloglebo.blogspot.com. Founder and editor, 2005-2009
Occasional guest blogger at *Concurring Opinions*, *The Faculty Lounge*, and *The Conglomerate*

Podcasts

Future Law Podcast, thefuturelawpodcast.com. Co-founder and co-host (with Dan Hunter, Queensland University of Technology, and Lisa Leong). 2018-present
Oral Argument, oralargument.org (hosted by Christian Turner and Joseph Scott Miller, University of Georgia School of Law). Occasional guest and guest host, 2016-present
Ipse Dixit, shows.pippa.io/ipse-dixit (hosted by Brian Frye, University of Kentucky College of Law). Guest #31, 2018
Just Wanna Quilt, www.justwannaquilt.com (hosted by Elizabeth Townsend Gard, Tulane University Law School). Guest, 2018

Bar Admissions

State of California, 1987
Supreme Court of the United States, 1999
United States Court of Appeals for the Ninth Circuit, 1987
United States District Courts for the Northern, Eastern, and Central Districts of California, 1987

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