

Michael J. Madison

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Education

Stanford Law School, Stanford, CA, J.D., with Distinction, 1987

Yale University, New Haven, CT, B.A., *magna cum laude*, in Political Science, 1983

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

Vincent and Elinor Ostrom Workshop in Political Theory and Policy Analysis, University of Indiana
Bloomington, Bloomington, IN

Affiliate Faculty, November 2013-present

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

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

Faculty Director, Innovation Practice Institute, January 2011-present

Associate Dean for Research, January 2006-December 2010

Honors and Awards (Academic)

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

American Law Institute, elected member, 2016

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

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 (Academic)

Master, Q. Todd Dickinson American Inn of Court, 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, 2003-04

Legal Advisory Boards, Statements of Best Practices in Fair Use, American University Center for Media and Social Impact (<http://www.cmsimpact.org/fair-use>) (Documentary Filmmakers, 2005; Online Video, 2008; Media Literacy Education, 2008; Dance-Related Materials, 2009; OpenCourseWare, 2009; Scholarly Research in Communication, 2010; Poetry, 2011; Academic and Research Libraries, 2012; Journalism, 2013; Collections Containing Orphan Works for Libraries, Archives and other Memory Institutions, 2014; Software Preservation, 2018)

Officer and Advisory Positions (Volunteer)

Chair, Board of Governors, Association of Yale Alumni, 2010-2012 (Board member, 2004-2014; Immediate Past Chair, 2012-2014; Vice-Chair, 2008-2010; Secretary, 2007-2008)

Research Interests

Intellectual property law (copyright, trademark, patent, and trade secret law), knowledge commons, legal issues involving new technologies and media, and institutions and new forms of social order

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

Co-founder, FutureLawWorks, a collaborative network directed to the future of law, legal institutions, and legal education (2018-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 <http://madisonian.net/ipcasebook/>) (with Craig Allen Nard and Mark McKenna)

Book Chapters

Knowledge Commons and the Road to Medical Commons; The Knowledge Commons Framework; and Governing Knowledge Commons: An Appraisal, 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 and Conclusion, 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

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) (book review of *Academic Legal Writing*, by Eugene Volokh)

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)

Other Publications

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

- *Money for Your Life: Understanding Modern Privacy* (article review), JOTWELL, January 8, 2018
<https://cyber.jotwell.com/money-life-understanding-modern-privacy/>
- *What is Cyberlaw, or There and Back Again* (article review), JOTWELL, December 9, 2016
<https://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
<https://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
<https://cyber.jotwell.com/theyre-coming-to-get-you-barbara/>
- *What's So Special About Information Security* (article review), JOTWELL, December 13, 2013
<https://cyber.jotwell.com/whats-so-special-about-information-security/>
- *Tattoo You* (article review), JOTWELL, January 23, 2013
<https://ip.jotwell.com/tattoo-you/>
- *Law and Borders, Revisited* (article review), JOTWELL, January 4, 2012
<https://cyber.jotwell.com/law-and-borders-revisited/>
- *Exploring Legitimacy in Internet Institutions* (book chapter review), JOTWELL, December 10, 2010
<https://cyber.jotwell.com/exploring-legitimacy-in-internet-institutions/>
- *Straight Talk About Game Gods* (article review), JOTWELL, October 27, 2009
<https://cyber.jotwell.com/joshua-fairfields-the-god-paradox/>

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

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

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

Working Papers (unpublished manuscripts)

An Invitation Regarding Law and Legal Education, and Imagining the Future, U. of Pittsburgh Legal Studies Research Paper No. 2018-03. Available at SSRN: <https://ssrn.com/abstract=3122624> (February 12, 2018). Extended in an online Symposium at Prawfsblawg, accessible via <http://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: <http://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: <http://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: <http://ssrn.com/abstract=2412238> (Mar. 20, 2014)

Works in Progress

GOVERNING UNIVERSITY KNOWLEDGE COMMONS (draft book manuscript)

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

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

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

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

Knowledge Law (draft article and book manuscript)

Laws of the Game: Who Owns Soccer? (draft article)

Things as Governance (draft article)

Knowledge as Governance (draft article)

Fantastic Fair Use and Where to Find It (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)

Scholarly Presentations

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, 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, 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, Centre for Information and Innovation Law (CIIR) Update on current intellectual property research, 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?, University of Indiana Indianapolis Robert H. McKinney School of Law Center for Intellectual Property Law and Innovation Distinguished Lecture Series, Indianapolis, IN, March 2016

Commentary, Symposium on International and Comparative User Rights in the Digital Economy, American University, Washington College of Law, Washington, DC, 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

Commentary, Public Interest Copyright Advocacy and Fair Use Education: 1995-2015, American University, Washington College of Law, Washington, DC, September 2015

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

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

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

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

Governing Knowledge Commons, Innovation Law Beyond Intellectual Property 2 Conference, Yale University, 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, 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, University of Copenhagen Centre for Information and Innovation Law, 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, Bloomington, IN, October 2013

Knowledge Law: An Introduction and Overview, Intellectual Property Scholars Conference, 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

Commentary, *Owning e-Sports: Proprietary Rights in Professional Computer Gaming*, Symposium: The Evolving Internet, University of Pennsylvania Law School, Philadelphia, PA, October 2012

The Future of Things: The Copyright Work as Legal Object, Faculty Workshop, McGill University, 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, University of Georgia Journal of Intellectual Property Law Conference, 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, NYU 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

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, March 2009

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

Open Secrets, Workshop on Trade Secrecy, 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, Stanford 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, Conference on Information Convergence, John Marshall Law School, Chicago, IL, November 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, Thomas Jefferson School of Law, San Diego, 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, DePaul University College of Law, Chicago, IL, August 2007

Information Governance, Yale Law School Information Society Project Speaker Series, 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, George Washington University Law School: IP Series, Washington, DC, November 2006

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

The Idea of the Law Review: Scholarship, Prestige, and Open Access, Lewis & Clark Law School Symposium on Open Access Publishing and the Future of Legal Scholarship, Portland, OR, March 2006 [delivered *in absentia*]

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

2005

The Knowledge Problem in Patent Law, Works in Progress Intellectual Property 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, Charlottesville, VA, February 2005

2004

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

Rights and Things, Fourth Annual Intellectual Property Scholars Conference, 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, Philadelphia, PA, November 2003

A Pattern-Oriented Approach to Fair Use, Tulane Law School Works-in-Progress Intellectual Property Colloquium, 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, Chicago, IL, January 2003

2002

Rights of Access and the Shape of the Internet, Boston College Intellectual Property, the Internet & E-Commerce Conference, 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, Philadelphia, PA, November 2002

The Fairness of File Sharing, Cardozo Intellectual Property Scholars Conference, New York, New York, NY, August 2002

Other Invited Presentations

2018

Governing Knowledge Commons: A Short History and Update
IASC World Commons Week Webinar, October 2018

2017

Comment on David Fossum, *Copyright as Culture: Ethnography of the Law, the Global, and Turkey's Music Industry*, University of Pittsburgh Humanities Center Colloquium, Pittsburgh, PA, October 2017

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

Junior Scholars in IP Workshop, Invited Reviewer and Commentator, Michigan State University College of Law, East Lansing, MI, May 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 <http://madisonian.net/2017/05/01/the-future-of-law-teaching/>)

Comment on Lawrence Liang, *Erotic Encounters of an Extra Judicial Kind*, University of Pittsburgh Department of English & Asian Studies Center Speakers Series, Pittsburgh, PA, January 2017

Comment on Johanna Hartelius, *The Infrastructural Commons: The Creative Commons Licenses*, University of Pittsburgh Humanities Center Colloquium, Pittsburgh, PA, January 2017

2016

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

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

2015

Commentary, *What's Wrong with Copying? Drassinower Book Roundtable*, University of Notre Dame Law School, South Bend, IN, October 2015

Commentary, Global Legal Developments: Pitt Law Faculty and Friends Discuss Recent Issues on the 20th Anniversary of the Center for International Legal Education, University of Pittsburgh School of Law, Pittsburgh, PA, September 2015

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

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

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

2014

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

Panel moderator and member, International Scientific Program Committee, The 2nd International Association for the Study of Commons (IASC) Thematic Conference on Knowledge Commons, New York University School of Law, New York, NY, September 2014

2012

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, The Katz Graduate School of Business and Echo Strategies, University of Pittsburgh, Pittsburgh, PA, January 2012

2011

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

2010

Junior Scholars in IP Workshop, Invited Reviewer and Commentator, Michigan State University College of Law, East Lansing, MI, April 2010

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

2009

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

2008

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

2007

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

2006

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

2005

Conference on Technology for Life and Living, University of Pittsburgh Institute on Aging, Pittsburgh, PA, October 2005 (*The Impact and Ethics of Innovation for Older Adults*)

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

2004

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

2003

Conference on Current Controversies in Medical Ethics, UPMC Health System/University of Pittsburgh School of Medicine, Pittsburgh, PA, April 2003 (commentator, *Genetic Ownership: Property and the Human Body*)

2001

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

Presentations to Professional Organizations

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

Freedom of Information in China: Learning from Google's Example, Allegheny County Bar Association Asian Attorneys Committee, Pittsburgh, PA, May 2010

Copyright Law, Internet Law Update, Pennsylvania Bar Institute, Pittsburgh, PA, April 2010

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

Digital Rights Management, Internet Law Update, Pennsylvania Bar Institute, Pittsburgh, PA, April 2007

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, AIPLA Annual Meeting, Washington, DC, October 2005

Local Patent Rules for the Western District of Pennsylvania, Pennsylvania Bar Institute, Pittsburgh, PA, September 2005

Claim Construction After Phillips, Pennsylvania Bar Institute, Pittsburgh, PA, August 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 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, Practicing Law Institute, Washington DC, April 2001

Conferences Organized

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, New York University School of Law Engelberg Center for Innovation Law & Policy, 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, NYU School of Law Engelberg Center for Innovation Law & Policy, 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

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

- Provost's Tenure Appeal Panel, 2017

- Research Data Management/Data Commons Committee and Research Data Management Committee Policy Working Group (Co-Chair), 2016-present
- Patent and Copyright Policy Review Committee, 2015-present
- University Senate Tenure & Academic Freedom Committee subcommittee on social and electronic media, 2014-2015
- University of Pittsburgh Open Access Task Force, 2010-2012
- Provost's Advisory Council on Instructional Excellence, 2009-2012
- 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
- Faculty Affiliate, The Sara Fine Institute: Dedicated to Exploring the Intersection of Interpersonal Behavior and Technology, 2007-present
- Faculty Affiliate, University Center for International Studies, 2007-present
- 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 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
- Committee service: Task Force on Innovation in Legal Education, Chair, 2013-2014; Committee on Assessing Student Learning Outcomes, 2014-2016, 2017-2018, Chair, 2014-2015; Curriculum Committee, 2012-2013; Colloquium Committee, 2001-2003, 2007-2010, Chair, 2002-2003, 2007-2010; Petitions and Academic Standards Committee, Chair, 2003-2004; Library and Technology Committee, Chair, 2004-2005; Appointments Committee, 2005-2007, 2013-2014; Ad Hoc Committee on the Appointments Process, 2007-2008; Planning and Budget Committee, 2015-2017, Chair, 2016-2017, 2008-2010; Legal Education Initiatives Committee, Co-Chair, 2009-2010; Writing Awards Committee, 2011-2013, 2018-2019, Chair, 2012-2013
- Faculty Advisor, *University of Pittsburgh Law Review*, 2008-2018
- Faculty Advisor, *University of Pittsburgh School of Law Journal of Technology Law & Policy*, 1999-present
- 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

Professional Memberships and Service

- Association for Teaching and Research in Intellectual Property (ATRIP)
- American Intellectual Property Law Association
- American Bar Association Section of Intellectual Property Law
- Pittsburgh Intellectual Property Law Association
- Faculty member, 2013 Intellectual Property Academics Boot Camp, University of New Hampshire School of Law, June 2013

Selected Volunteer Service

- Chair, Board of Governors, Association of Yale Alumni, 2010-2012 (Board member, 2004-2014; Vice-Chair, 2008-2010; Secretary, 2007-2008)

- Member, Development Council, Yale University, 2014-2017
- Member, University Council, Yale University, 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
- Boards of Directors of the Yale Alumni Fund (2010-2012) and Yale Alumni Publications, Inc. (2008-2010)
- Judge, StartUp Weekend Pittsburgh, March 2012
- Youth soccer coach, Mt. Lebanon (PA) Soccer Association (1998-2003), Belmont (MA) Soccer Association (1997-1998), Rockridge (Oakland, CA) Soccer Club (1996)
- Volunteer, Boy Scout Troop 284 (Mt. Lebanon, PA), 2002-2009

Websites, weblogs, and social media

Websites

- *Workshop on Governing Knowledge Commons*, <http://knowledge-commons.net>. Webmaster, 2013-present
- *Innovation Practice Institute*, <http://innovation-practice.net>. Webmaster, 2013-present
- Webmaster, AALS Section on Intellectual Property Law, 2007-2010

Weblogs and Twitter

- *@profmadison*, <https://twitter.com/profmadison>. 2013-present
- *Madisonian.net*, about law, society, and technology, <http://madisonian.net>. Founder and editor, 2004-present
- *Pitt Law Faculty Blog*, <http://pittlawfaculty.net>. Founder and editor, 2006-2011
- *IP and IT Conferences*, a calendar of academic conferences on intellectual property and information technology law and policy, <http://madisonian.net/conferences>. Founder and editor, 2006-2016
- *Pittsblog*, about economic development in Pittsburgh and Western Pennsylvania, <http://pittsblog.blogspot.com> and *@pittsblog* (<https://twitter.com/pittsblog>). Founder and editor, 2004-2014
- *Blog-Lebo*, about community events and local politics in Mt. Lebanon, PA, <http://bloglebo.blogspot.com>. Founder and editor, 2005-2009
- Occasional guest blogger at *Concurring Opinions*, *The Faculty Lounge*, and *The Conglomerate*

Podcasts

- *Future Law Podcast* (Dan Hunter, Swinburne Law School, and Lisa Leong) (co-founder and co-host)
- *Oral Argument* (Christian Turner and Joseph Scott Miller, University of Georgia School of Law) (Jan. 13, 2017, on knowledge commons; Sept. 9, 2018, co-host; Feb. 27, 2016, on fair use)
- *Ipsa Dixit* (Brian Frye, University of Kentucky College of Law) (Nov. 16, 2018, on copyright and culture)
- *Just Wanna Quilt* (Elizabeth Townsend Gard, Tulane University Law School) (June 19, 2018, on knowledge commons and studying quilting)

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