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CURRICULUM VITAE

Michael James Meurer

Contact Information

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Fields Intellectual Property, Law and Economics, Antitrust, Regulation

Education

Ph.D. Economics, University of Minnesota, December, 1986
J.D. Law, University of Minnesota, May, 1985
S.B. Economics, MIT, May 1980
S.B. Interdisciplinary Science, MIT, May 1980

Current Academic Position

2004-present Professor and Abraham and Lillian Benton Scholar, Boston
University School of Law
1999-2004 Associate Professor, Boston University School of Law
2003-2008 Director, Institute for Business, Law and Technology

Previous Academic Position

Spring 2017 Visiting Professor, Harvard University Law School
1995-1999 Associate Professor, Law, University at Buffalo
Fall 1998 Visiting Professor, Boston University School of Law
1987-1994 Assistant Professor, Economics, Duke University
1985-1990 Lecturer, Law School, Duke University
1985-1987 Instructor, Economics, Duke University

Grants, Fellowships, and Awards

2017-2018 Tides Foundation [Google], gift, received 10/17/18, 2018-2019,
\$100K total, "TPRI Artificial Intelligence Project"

Schmidt Futures, gift, received 11/21/18, 2018-2020, \$200K total, “Addressing the Slow Diffusion of IT”
Charles Koch Foundation, \$153K, gift, received 11/29/18, 2018-2019, \$433 total, [untitled]
Intel Corporation, \$32,002, gift, received 12/11/18, 2017-2019, \$76,500 total [final payment on prior gift]
Jeffrey M. Zucker, \$25K, gift, received 12/11/18, one-time gift
Ewing Marion Kauffman Foundation, \$180,114, grant, received 10/1/18, 2018-2021, total \$468,760, “The Impact of Information Technology on Entrepreneurship and Industry Structure.”

2016-17 Charles Koch Foundation, \$350,000 grant for study of technology and policy
2016-17 Google, \$100,000 grant for study of patent law and policy
2008-2015 Kauffman Foundation, principal investigator, \$443,000 grant for study of Law, Innovation and Growth
2007 David Saul Smith Award, \$20,000, first recipient of new annual BU Law award for faculty scholarship
2002 Washington Univ. School of Law, Center for Interdisciplinary Studies, Human Genome Project Conference, \$5000
2001 Paper selected for presentation at Stanford-Yale Junior Faculty Forum
1991-92 Post-doctoral Member of Technical Staff, AT&T Bell Labs
1991 Pew Charitable Trusts Grant, \$40,000
1990-91 Olin Faculty Fellow, Yale Law School
1990-91 Ford Foundation Grant, \$45,000
1988-90 Pew Charitable Trusts Grant, \$64,000

PUBLICATIONS

Book

Patent Failure: How Judges, Bureaucrats, and Lawyers Put Innovators at Risk (with James Bessen) (Princeton University Press, 2008)
<http://www.researchoninnovation.org/dopatentswork/>

Articles, Book Chapters

A New Approach to Patent Reform, 14 *U. C. Irvine L. Rev.* forthcoming (2024) (with Janet Freilich, Mark Schankerman, and Florian Schuett).

Bilksi and the Information Age a Decade Later, **The Cambridge Handbook of Investment-Driven IP** (Cambridge University Press 2023), eds. Enrico Bonadio & Patrick R. Goold.

Patents and Price-Fixing by Serial Colluders, (with William E. Kovacic and Robert C. Marshall) 10 **N.Y.U. J. Intell. Prop. & Ent. Law** 152 (2021).

Intellectual Property and Price Discrimination, (with Ben de Poorter) **Research Handbook on the Economics of Intellectual Property Law**, eds. Peter Menell and Ben de Poorter, Edward Elgar (2019).

Serial Collusion by Multi-Product Firms, (with William E. Kovacic and Robert C. Marshall) 6 **J. Antitrust Enforcement** 296 (2018).

Allocating Patent Litigation Risk across the Supply Chain, 25 **Tex. J. of I. P. L.** 251 (2018).

Bargaining Failure and Failure to Bargain, 96 **B. U. L. Rev.** 655 (2016).

Current Issues in Patent Law and Policy, 39 **Harv. J. L. & Public Policy** 71-78 (2015).

The Direct Costs from NPE Disputes, (with James Bessen), 99 **Cornell L. Rev.** 387-424 (2014).

The Patent Litigation Explosion (with James Bessen), 45 **Loyola U. Chicago L. J.** 401-440 (2013) *symposium*.

Notice Failure and Notice Externalities (with Peter Menell), 5 **Journal of Legal Analysis** 1-59 (2013).

The Private Costs of Patent Litigation (with James Bessen), 9 **Journal of Law, Economics & Policy** 59 (2012).

The Private and Social Costs of Patent Trolls, (with James Bessen and Jennifer Ford), 34 **Regulation** 26-35 (Winter 2011-12).

Patent Notice and Cumulative Innovation, in Geoffrey A. Manne and Joshua D. Wright eds. **Competition Policy and Patent Law under Uncertainty: Regulating Innovation**, 331-344 (2011).

Patent Litigation, Licensing, Nonobviousness, and Antitrust, in Keith N. Hylton ed. **Antitrust Law and Economics**, 261-279 (2010).

Patent Examination Priorities, 51 **William & Mary Law Review** 675-709 (2009) *symposium*.

Commentary: The Social Costs of Rent-seeking by Intellectual Property Owners (comment on article by Teresa Scassa), in David Vaver, Marcel Boyer, and Michael

Trebilcock, eds., **Competition Policy and Intellectual Property** 156-164, (Toronto: Irwin Law, 2009).

Do Patents Perform Like Property? (with James Bessen), 22 **Academy of Management Perspectives** 8-20 (2008). A similar version of this article was published as: *Of Patents and Property* 31 **Regulation** 18-27 (2008-2009).

Inventors, Entrepreneurs, and Intellectual Property Law, 45 **Houston Law Review** 1201-38 (2008) *symposium*.

Patent Carrots and Sticks: A Model of Nonobviousness (with Katherine Strandburg) 12 **Lewis and Clark Law Review** 547-78 (2008) *symposium*.

What's Wrong with the Patent System? Fuzzy Boundaries and the Patent Tax, (with James Bessen) 12 **First Monday**, no. 6 (June 2007); available at: http://www.firstmonday.org/issues/issue12_6/bessen/index.html.

Patent Litigation with Endogenous Disputes, (with James Bessen) 96 **American Economic Review** Papers & Proceedings 77-81 (2006).

Lessons for Patent Policy from Empirical Research on Patent Litigation, (with James Bessen) 9 **Lewis and Clark Law Review** 1-27 (2005) *symposium*

Invention, Refinement, and Patent Claim Scope: A New Perspective on the Doctrine of Equivalents, (with Craig Nard) 93 **Georgetown Law Journal** 1947-2012 (2005). Reprinted in *Intellectual property rights: critical concepts in law*, vol. 3 (ed. David Vaver) (2006).

Patent Policy Adrift in a Sea of Anecdote: A Reply to Lichtman, (with Craig Nard) 93 **Georgetown Law Journal** 2033-36 (2005).

Law, Economics, and the Theory of the Firm, 52 **Buffalo Law Review** 727-55 (2004).

Bidder Collusion and Antitrust Law, (with Robert Marshall) 72 **Antitrust Law Journal** 83-118 (2004).

Too Many Markets or Too Few? Copyright Policy toward Shared Works, 77 **Southern California Law Review** 904-74 (2004).

Pharmacogenomics, Genetic Tests, and Patent-Based Incentives, PERSPECTIVES ON PROPERTIES OF THE HUMAN GENOME PROJECT, (ed. F. Scott Kieff) 50 **Advances in Genetics** 399-426 (Academic Press 2003).

Vertical Restraints and Intellectual Property Law: Beyond Antitrust, 87 **Minnesota Law Review** 1871-1912 (2003) *symposium*

Controlling Opportunistic and Anti-Competitive Intellectual Property Litigation, 44 **Boston College Law Review** 509-544 (2003) *symposium*

Business Method Patents and Patent Floods, 8 **Washington University Journal of Law and Policy** 309-339 (2002) *symposium*

Comments on Open Source Genomics, Symposium on Bioinformatics and Intellectual Property Law, 8 **Boston University Journal of Science & Technology Law**, 254 (2002).

Copyright Law and Price Discrimination, 23 **Cardozo Law Review** 55-148 (2001).

The Economics of Auctions and Bidder Collusion, (with Robert Marshall) **Game Theory and Business Applications** 339-70, eds. Kalyan Chatterjee and William F. Samuelson (Kluwer Academic Press, 2001).

Patent Rights and Licensing, Technology Law Symposium: Biotech Materials and Medical Devices in the New Millennium, 6 **Boston University Journal of Science & Technology Law** 3 (2000).

Fair Division, 47 **Buffalo Law Review** 937-74 (1999).

Conference Remarks: Digital Technology and Copyright: A Threat or a Challenge, Franklin Pierce Law Center, 39 **IDEA** 291 (1999).

Price Discrimination, Personal Use and Piracy: Copyright Protection of Digital Works, 45 **Buffalo Law Review** 845-898 (1997).

Curbing Agency Problems in the Procurement Process (with Robert Marshall and Jean-Francois Richard) 25 **Rand Journal of Economics** 297-318 (1994).

Litigation Settlement and Collusion, (with Robert Marshall and Jean-Francois Richard) 109 **Quarterly Journal of Economics** 213-39 (1994).

Multiple Litigants with a Public Good Remedy, (with Robert Marshall and Jean-Francois Richard) 16 **Research in Law and Economics** 151-73(1994).

Numerical Analysis of Asymmetric First Price Auctions, (with Robert Marshall and Jean-Francois Richard) 7 **Games and Economic Behavior** 193-220 (1994).

Informative Advertising and Product Match, (with Dale Stahl) 12 **International Journal of Industrial Organization** 1-19 (1994).

Incentive-Based Procurement Oversight by Protest (with Robert Marshall and Jean-Francois Richard) **Incentives in Procurement Contracting**, eds. J. Leitzel and J. Tirole (Westview, 1993).

The Value of Faith in an Unfaithful Agent: The Settlement Conflict between a Liability Insurer and Defendant, 8 **Journal of Law, Economics, & Organization** 502-22 (1992).

The Private Attorney General Meets Public Contract Law: Procurement Oversight by Protest, (with Robert Marshall and Jean-Francois Richard) 20 **Hofstra Law Review** 1-71 (1991). Reprinted in *IRS Computer Modernization and Procurement*, **Hearings before the Senate Governmental Affairs Committee** June 25, 1991 and April 2 1992.

Foreword: Economics of Contract Law, 52 **Law & Contemporary Problems** 1-7 (1989).

Efficient Remedies for Breach of Warranty, (with Ken Chapman) 52 **Law & Contemporary Problems** 107-31 (1989).

The Settlement of Patent Litigation, 20 **Rand Journal of Economics** 77-91 (1989).

Note, *An Economic Analysis of Royalty Terms in Patent Licenses*, 67 **Minnesota Law Review** 1198-1234 (1983). Reprinted in **Intellectual Property Law Review** (1984).

Working Papers

Shifting Burdens at Patent Examination (with Janet Freilich)

Do Salary History Bans Mitigate Discriminatory Hiring Practices? (with James Bessen, Erich Denk, and Chen Meng)

Obvious Distortions of Patent Law

A Comparison of Life Science and Hi-Tech Patent Licenses (with Jorge Contreras)

Contractual Allocation of Defense against Patent Assertions (with Jorge Contreras)

Mind the Gap: Can We Reverse the Decline in the Pace of Technology Diffusion? (with James Bessen)

IP License Terms, Misuse, Preemption, and Competition Law Principles (with Maureen O'Rourke)

Informal Contract Law and Intra-Firm Transactions.

Dividing the Spoils: Fair Division and Intellectual Property Law.

Delegated Procurement and Pre-Award Protests (with Robert Marshall and Jean-Francois Richard).

Private Provision of a Public Good in a Finitely Repeated Game.

Technology Bias and Federal Procurement (with Robert Marshall and Jean-Francois Richard).

Protest of Bidder Exclusion from Federal Procurements (with Robert Marshall and Jean-Francois Richard).

Law School Teaching Experience

Patents, Copyright, Trademark, Antitrust Law, Telecommunications Law, Public Policy Toward Hi-Tech Industry, Law and Economics, Economics of the Patent System, Regulation, Risk Assessment.

Economics Teaching Experience

Microeconomics (intro and intermediate), Industrial Organization (undergrad and graduate), Game Theory (graduate), Managerial Economics (undergrad).

Professional Experience

Officer: Secretary of the Intellectual Property Section (American Association of Law Schools) 1998-99

Visiting Professor: University of Victoria Faculty of Law, Patent Law, June 1999
National University of Singapore, Patent Law, August 2001

Advisor: Member of the Advisory Council to the Program in Intellectual Property Law and Technology, Osgoode Hall Law School

Editorial:
Journal of Public Policy & Marketing, editorial advisory board, 2003-2008
Law & Society Review, editorial advisory board, 1998-2001
Law & Contemporary Problems, special editor, 1989
Minnesota Law Review, research editor 1983-84

Consulting: Bates White Economic Consulting, damage calculations for patent litigation, 2011-12

Consulting with Industry Canada on project concerning empirical research in copyright law, 2009.

Under contract to the Department of Justice, Antitrust Division and the Federal Trade Commission as a neutral advisor on clearance disputes, 2003-04.

Prepared testimony as an expert witness for the Federal Trade Commission on merger issues relating to patent licensing, December 1994 - February 1995.

Consultation with Mongolian government officials concerning antitrust problems in the Mongolian economy. Sponsored by IRIS and AID at University of Maryland, College Park, March 1992

Prepared, *The Place of Economics and Economists in Law Schools*, a report to the Committee of Graduate Education in Economics of the American Economics Association, July 1989

Referee:

American Economic Review	Journal of Political Economy
Rand Journal of Economics	Management Science
Policy Science	Research in Law and Economics
Law and Society Review	Law and Social Policy
Journal of Law and Economics	Economic Inquiry
Journal of Economics and Management Strategy	
Research Policy	
American Law and Economics Review	
Quarterly Review of Business and Economics	
Journal of Industrial Economics	
Journal of Law, Economics, and Organization	
Journal of Legal Studies	
International Journal of Industrial Organization	
Journal of Public Policy and Marketing	
Society for Economic Research on Copyright Issues	
Review of Law and Economics	
SCRIPTed – A Journal of Law, Technology & Society	
NSF Proposals	

Editorial comments on books for Aspen Press, NYU Press, and MIT Press.

Other:

Organized conference: *Intellectual Property Day*, July 2021

Organized conference: *Technology and the Decline of Economic Dynamism*, September 2020

Organized conference: *Intellectual Property Day*, July 2020

Organized a BU Law Review Symposium in honor of Wendy Gordon, June 2019

Organized conference: *Intellectual Property Day*, July 2019

Judicial Education, Workshop on the Economics of Risk, Injury, Liability, and Insurance, June 2018

Judicial Education Workshop on the Economics of Health Care Law, June 2018

Organized conference: *Competition Conference*, July 2018

Organized conference: *Intellectual Property Day*, July 2018

Met with MA State Senator Tackey Chan and his staff to discuss pending legislation addressing bad faith patent assertions, Massachusetts State House, March 2018

Organized conference: *Intellectual Property Day*, July 2017

Organized conference: *Intellectual Property and Personalized Medicine*, August 2014

Organized conference: Innovation and The Harmonization of Patent Systems: Does One Size Fit All?, September 2011

Organized the Works-in-Progress Intellectual Property Law Colloquium, February 2011

Organized conference: *Communicating Technical Knowledge*, BU Law, June 2010.

Amicus Brief to U.S. Supreme Court in *Bilski v. Kappos* (with Peter Menell)

Helped to organize the conference: Dialogs in Knowledge and Technology Transfer 2009: Optimizing KTT Pathways for Unmet Therapeutic Needs, BU Law and Management, September 2009.

Organized conference: *What does the Economics of Property Teach Patent, Copyright and Trademark Scholars*, BU Law, April 2009.

Presented testimony at the Federal Trade Commission Hearings on the Evolving IP Marketplace, December 2008.

NSF Panelist, *Science of Science & Innovation Policy*, June 2008.

NYSTAR (New York State) Panelist, RFP for Law and Technology Center, July 2007.

NIH Panelist, National Human Genome Research Institute solicitation: *Intellectual Property Rights in Genetics and Genomics*, March 2005

Organized the Works-in-Progress Intellectual Property Law Colloquium, September 2004

Organized the Summer IP Workshop and the IP Speaker Series, BUSL, 2000-06.

Organized a Symposium on Bioinformatics and Intellectual Property Law, BUSL, 2001.

Organized Fifth Annual Southeast Economic Theory and International Trade Conference 1993

Admitted to New York Bar 1992 (retired 1994)

Organized Symposium on the Economics of Contract Law for **Law and Contemporary Problems** 1989

Paper Presentations

Bilsk and the Information Age a Decade Later

WIPIP St. Louis Law School (2022)

Suffolk Law School IP Conference (2021)

Do Salary History Bans Mitigate Discriminatory Hiring Practices? (with James Bessen, Erich Denk, and Chen Meng)

BU Summer Faculty Workshop (2020)

Obvious Distortions of Patent Law

WIPIP Colloquium, Santa Clara Law School (2020)
BU IP Workshop (2020)
BU Faculty Workshop (2021)

A Comparison of Life Science and Hi-Tech Patent Licenses (with Jorge Contreras)

WIPIP Colloquium, Texas A&M Law School, American Univ. Law School, Utah Law School (2021)

Contractual Allocation of Defense against Patent Assertions (with Jorge Contreras)

Winter Deals Conference, BYU Law School, Park City UT (2019)

Mind the Gap: Can We Reverse the Decline in the Pace of Technology Diffusion? (with James Bessen)

Plenary Session, IPSC DePaul Law School (2019)

WIPIP Colloquium, Houston Law School (2019)

Serial Collusion by Multi-Product Firms

Law and Economics Workshop, BU Law (2018)

AI and IP

WIPIP Colloquium, Case Western Law School (2018)
Hariri Institute, BU (2017)

Allocating Patent Litigation Risk across the Supply Chain,

Harvard University Law School (2017)
University of Texas Law School (2016)

Intellectual Property and Price Discrimination

BU Law Faculty Workshop (2109)
University of California-Berkeley Law School (2015)

Bargaining Failure and Failure to Bargain

Boston University Law Review symposium (2015)
Boston University School of Law Faculty Workshop (2016)

Interactions of Technology Strategy and Human Capital Investments

National Bureau of Economic Research (2015)

Patent Transparency

Symposium: Patents, Innovation, and Freedom to Use Ideas, Loyola-Chicago (2013)
Stanford Law School (2014)
Boston University School of Law, Faculty Workshop (2015)
University of Pennsylvania Law School (2015)

Hired to Patent

Pat-Con, 2nd Annual Conference, Chicago-Kent (2013)

The Direct Costs from NPE Disputes

Industry Canada, Ottawa (2013)
University of Texas Law School (2013)
Empirical Patent Law Conference, Cornell (2012)
Association of Intellectual Property Firms, Annual Meeting (2012)
9th Annual Patents for Financial Services Summit (2012)

The Private and Social Costs of Patent Trolls

RPX Conference, San Francisco (2012)
Pat Con 2012, Boston College (2012)
Stanford Law School, Law and Economics Colloquium (2011)

Notice Failure and Notice Externalities

US Patent and Trademark Office (2012)
Cardozo Law School (2011)
Michigan State Law School (2011)
University of Wisconsin Law School (2011)
Boston University School of Law (2011)
Harvard Law School, Law and Economics Workshop (2010)
IP Scholars Conference, University of California, Berkeley (2010)
De Paul Law School (2010)
WIPIP Colloquium, Seton Hall Law School (2009)

Uncertain Patent Rights

University of California-Irvine Law School (2010)

Patent Licensing by Standard Setting Organizations: A NASTY Alternative to RAND

Boston Patent Law Association (2009)

The Economics of Start-ups, Employee Mobility, and Trade Secret Law

Conference on Trade Secret Law, NYU Law School (2009)

Patent Examination Priorities

Journal of Science and Technology Law Conference (2017)

William and Mary Law School (2009)

Boston University School of Law (2009)

Inventors, Entrepreneurs, and Intellectual Property Law

Intellectual Property Scholars Conference, DePaul School of Law (2004)

Works-in-Progress Intellectual Property Conference, Boston University (2004)

Canadian Law and Economics Association meetings, University of Toronto (2004)

Boston University (2004)

Conference on Entrepreneurs and IP Law (Berkeley 2008)

University of Houston Patent Law Symposium (2008)

Patent Notice and Cumulative Innovation

George Mason University/Microsoft Conference on the Law and Economics of Innovation (2008)

Washington University School of Law Conference on the Economics of Law and Innovation (2009)

Boston University School of Law Conference, What Does the Economics of Property Law Teach IP Scholars? (2009)

George Washington Law School Conference on Patents and Entrepreneurship in Business and Information Technologies (2009)

Patent Failure

Cardozo Law School (2006)

Emory Law School (2006)

Michigan Law School (2006)

Patents and Diversity in Innovation Conference (Michigan 2006)

Works-in-Progress IP Colloquium (Pittsburgh 2006)

IP Scholars Conference (Berkeley 2006)

Software Patent Conference (BUSL 2006)

Patent Law Conference, Santa Clara Law School (2006)

Keynote speech, 2007 Asia Pacific Intellectual Property Symposium, National Yunlin University of Science and Technology (Yunlin, Taiwan, 2007)

Hsing Kuo University (Tainan City, Taiwan, 2007)

Smith Lecture, BU Law (2007)
Progress and Freedom Foundation, Aspen Summit (2007)
Symposium on **Patent Failure** at the University of Georgia Law School (2008)
Conference on Insurance, Intellectual Property & Innovation (Connecticut 2008)
Perspectives on Patent Reform (Boston College 2008)
Keynote lecture IP Symposium (San Jose 2008)
Red Hat Summit (Boston 2008)
Boston Bar Association (Boston 2008)
UCL / Howrey Competition Law & Intellectual Property Lecture Series (University College London 2008)
Computers, Freedom, and Privacy (New Haven 2008)
Fordham Law School (2008)
George Mason University, University of Texas, CLE Program at the US Patent and Trademark Office (2008).
Microsoft LCA Visiting Lecture Series (Redmond, WA 2008)
Distinguished Professor Presentation, John Marshal Law School (2009)
University of Iowa Law School (2009)
Suffolk Law School (2009)
FICPI World Congress (Washington, DC 2009)
New England Law School (2010)
Oldham Lecture, University of Akron Law School (2010)
Keynote Lecture, MCLE Annual Intellectual Property Law Conference, Boston (2010)
Panel on Patents and Growth, Federalist Society Annual Meeting, Washington (2011)
Keynote Lecture, IP Business Congress, San Francisco (2011)
Northeastern Law School (2011)

What's Wrong with the Patent System?

National Academies of Sciences Conference on Cyberinfrastructure (2007)
Boston chapter IEEE Society on Social Implications of Technology (2007)

Nonobviousness and Nerd Culture

IP Scholars Conference (DePaul 2007)

Patent Carrots and Sticks

Patents and Progress Conference (DePaul 2007)

Pharmaceutical Patent Litigation

Works-in-Progress IP Colloquium (Washington College of Law 2007)
University of North Carolina Law School (2008)

The Private Costs of Patent Litigation

University of San Diego Law School (2010)
Harvard Law and Economics Workshop (2007)
Stanford Law and Economics Workshop (2007)
Conference on Empirical Legal Studies (NYU 2007)
International Industrial Organization Conference (Boston 2006)

Patent Litigation with Endogenous Disputes

Allied Social Science Association Annual Meeting (Boston 2006)

The Patent Race

IP Scholars Conference (Cardozo 2005)

IP License Terms, Misuse, Preemption, and Competition Law Principles (with Maureen O'Rourke)

Works-in-Progress Intellectual Property Conference, Washington University (2005)
DePaul College of Law (2005)
Canadian Law and Economics Association (2005)
American Association of Law Schools Summer Meeting (2006)
Bates-White Fourth Annual Antitrust Conference (Washington, D.C. 2007)

Lessons for Patent Policy from Empirical Research on Patent Litigation (with James Bessen)

Boston University School of Law (2005)
Lewis and Clark Law School (2004)

The Patent Litigation Explosion, (with James Bessen).

American Law and Economics Association (2005)

Invention, Refinement, and Patent Claim Scope: A New Perspective on the Doctrine of Equivalents (with Craig Nard)

Canadian Law and Economics Association meetings, University of Toronto (2003)
Works-in-Progress Intellectual Property Conference, Tulane University (2003)
Boston University (2003)
University of Pittsburgh (2003)
Washington University (2003)
DePaul College of Law (2004)

Too Many Markets or Too Few? Copyright Policy toward Shared Works

Innovation Colloquium, New York University (2002)
Law and Economics Workshop, USC (2002)
Boston University (2002)
Washington University Law School (2002)
University of Toronto (2002),
Intellectual Property Scholars Conference, Cardozo Law School (2002)
Canadian Law and Economics Association meeting, University of Toronto (2002)
George Washington Law School (2003)
Society for Economic Research on Copyright Issues meeting, Smith College (2003)
American Law and Economic Association meetings, University of Toronto (2003)
Stanford Law School (2004)

Vertical Restraints and Intellectual Property Law: Beyond Antitrust

Symposium on the Interface between Antitrust Law and Intellectual Property Law,
University of Minnesota (2003)

Controlling Opportunistic and Anti-Competitive Intellectual Property Litigation

Symposium on Intellectual Property, E-Commerce, and the Internet, Boston College
(2002)
Financial Markets Conference sponsored by Federal Reserve Bank of Atlanta and
University of North Carolina Law School (2003)

Dividing the Spoils: Fair Division and Intellectual Property Law

Intellectual Property Section of AALS (1999)
Intellectual Property Seminar, St. Peter's College, Oxford University (2000)
Conference on Collective Decision Making, University at Buffalo (2000)
Boston University (2000)
Law and Economics Workshop, University of Chicago (2001)
American Law and Economics Association meeting, Georgetown University (2001)
Junior Faculty Forum, Northeastern (2001)
Law and Economics Workshop, Georgetown Law School (2001)
University of Toronto (2002)
Cardozo Law School (2002)
Society for Economic Research on Copyright Issues meetings, Smith College (2003)
Columbia University Law School IP Colloquium (2009)
MIT Sloan School Conference on Impacts of Open and User Innovation on Intellectual
Property Law (2009)
Boston University School of Law, IP Speaker Series (2016)
Pat Con conference, Boston College Law School (2016)

Bidder Collusion and Antitrust Law (with Robert Marshall)

Law and Economics Workshop, Boston University (2002)
American Association of Law Schools (2004)

Pharmacogenomics, Genetic Tests, and Patent-Based Incentives

Conference on the Human Genome Project and IP Law, Washington University (2002)

Business Method Patents and Patent Floods

American Law and Economics Association meeting, New York University (2000)
Symposium on Intellectual Property, Digital Technology & Electronic Commerce,
Washington University (2001)
Boston University (2001)
Conference on Competing Monopolies, University of Toronto (2002)

Copyright Law and Price Discrimination

Telecommunication Policy Research Conference, Alexandria, VA (1998)
Boston University (2000)
Conference on Copyright Law, Economics and Information Technology, University of
Amsterdam (2000)
University of Minnesota (2001)
Stanford-Yale Junior Faculty Forum, Stanford University (2001)
National Bureau of Economic Research Productivity Lunch Seminar (2001)

Informal Contract Law and Intra-Firm Transactions

American Law and Economics Association meeting, Yale University (1992)
University of Geneva (1992)
Catholic University of Louvain-la-Neuve (1992)
University of St. Germain (1992)
Osnabruck University (1992)
Law and Society meetings, Aspen (1998)
Law and Economics Workshop, Columbia University (1998)
Boston University (1998)
Law & Entrepreneurship Research Conference, Lewis & Clark Law School (2000)
Boston University School of Law (2014)

The Economics of Auctions and Bidder Collusion

American Law and Economics Association meeting, University of Toronto (1997)

Price Discrimination, Personal Use and Piracy: Copyright Protection of Digital Works

Cyberlaw Symposium, University at Buffalo (1997)
Canadian Law and Economics Association, University of Toronto (1997)

Patent Litigation, Licensing, and the Nonobviousness Standard
Economics and Patent Law Conference, National Bureau of Economic Research (1995)

Curbing Agency Problems in the Procurement Process (with Robert Marshall and Jean-Francois Richard)

Economics Department, SUNY-Stonybrook
Economics Department, Rutgers University
School of Management, New York University
Economics Department, University of Pennsylvania
School of Management, Boston University
Econometric Society winter meetings, New Orleans (1991)

Litigation Settlement and Collusion (with Robert Marshall and Jean-Francois Richard)

Econometric Society winter meetings, Anaheim (1992)
Southeastern Theory Conference, Duke (1993)
Cardozo Law School
Chicago-Kent Law School
Fordham Law School
George Mason Law School

Delegated Procurement and Pre-Award Protests (with Robert Marshall and Jean-Francois Richard)

Economics Department University of California, San Diego
Southern Economics Association meetings, Orlando (1989)
National Bureau of Economic Research meetings on the Economics of Procurement (1990)
Econometric Society winter meetings, Washington, D.C. (1990)

Informative Advertising and Product Match (with Dale Stahl)

School of Management Yale University
Business School, North Carolina State University
Southeastern Economic Theory conference, University of North Carolina (1989)

The Value of Faith in an Unfaithful Agent: The Settlement Conflict between a Liability Insurer and Defendant

Law and Economics Workshop, University of Michigan
American Law and Economics Association, University of Illinois (1992)

Econometric Society summer meetings, University of Washington (1992)

The Private Attorney General Meets Public Contract Law: Procurement Oversight by Protest (with Robert Marshall and Jean-Francois Richard)

Law and Economics workshop Yale University
Law and Economics workshop Columbia University

Private Provision of a Public Good in a Finitely Repeated Game

Economics Department, University of Virginia
Conference on Philanthropy, Duke University

Efficient Remedies for Breach of Warranty

Symposium on the Economics of Contract Law, Duke University

The Settlement of Patent Litigation

Economics Department, SUNY-Buffalo
Economics Department, Emory University
Economics Department, Virginia Tech University
Economics Department, Duke University
School of Management, Northwestern University

Invited remarks at conferences

Online IHS Discussion Colloquium, “Scientific Research and Economic Growth” (2021)

NSF sponsored 2020 Future of IP Conference, hosted by Univ. of Fla., Harvard Univ., Univ. of Texas, Dallas, and the NBER (2020)

Panel at IP Summit, Suffolk University Law (2020)

Panel on PTAB, IP and Innovation Conference, Suffolk University Law (2019)

BioIP Conference, BU Law (2019)

Patent Basics, Boston Bar Association (2019)

Panelist, *Reforming Patent Reform*, USC Law School (2019)

Panelist, *Launch of Prior Art Archive*, MIT and Cisco (2018)

Working group on the Future of Work, met at MIT Sloan School with managers from IBM and academics from MIT and BU, February (2017)

Panelist, Discussion of Bill S.2367 Bad Faith Assertions of Patent Infringement, Foley Hoag, Sponsored by Mass. Technology Leadership Council, January (2017)

Panelist, Boston Bar Association, IP Year-in-Review, January (2016)

Panelist, Harvard Kennedy School workshop on Governing Innovation: The Law, Economics, and Political Economy of Patent Systems, January (2015).

Panelist, Federalist Society National Student Symposium - "Law and Innovation" Chicago, IL, February (2015)

Panelist, Innovation Today: The Legal Challenges of Funding Startups, BU Review of Banking and Financial Law Symposium, February (2015)

Panelist, Patent Litigation Trends and Impacts of Potential Reforms, LeadershIP 2015 conference in Washington, D.C., March (2015)

Panelist, Patent Reform and the 114th Congress: What does the Evidence Show?, Technology Policy Institute, Washington, D.C., April (2015)

Panelist, Is It Time for a New Patent Law? – A Debate, Heritage Foundation, Washington, D.C. May (2015)

Moderator, Boston Bar Association, panel discussion, 2014-15 Supreme Court IP Round-Up, May (2015)

Panelist, Debate -- Do Patents Really Promote Innovation? ABA Antitrust and Intellectual Property Conference, Stanford Law School, October (2015)

Panelist, Patent Reform and Patent Trolls, Stanford-Samsung Patent Conference, March 21 (2014)

Panelist, The Value of Software Patents, Patent Reform: Theoretical Propositions and Factual Foundations, University of Pennsylvania Law School (2013)

Panelist, Software and Business Method Patents, Current Proposals to Amend U.S. Patent Law, Patent+Policy Forum, Washington College of Law, American University (2013)

Panelist, Patent Reform 2.0: Will Proposed Reforms Address the Patent Troll Problems?, Technology Policy Institute, Washington D.C. (2013)

Plenary Address, IP and the Knowledge Frontier, 8th Annual Conference, European Policy for Intellectual Property, Paris (2013)

Debate about Patent Reform in the U.S., IP Business Conference, Boston (2013)

Lecture, Empirical Research on Patent Law, IP Boot Camp, University of New Hampshire Law School (2013)

Discussant, Research on Patent Assertion & Potential FTC Investigations, UC Hastings Law School (2103)

Patent Notice Failure, Pontifical Catholic University of Rio Grande do Sul, Porto Alegre, Brazil (2012)

Panelist, Innovation, Intellectual Property and Competition Policy Conference, Tilburg University, Netherlands (2012)

Commentator, “Patently Informative: Strategy and Information in Patent Litigation across Countries” US Patent and Trademark Office and Kauffman Foundation, Conference on Entrepreneurship and Innovation (2012)

Commentator, Rewarding Duopoly Innovators: The Price of Exclusivity, National Bureau of Economic Research Conference on Patents, Standards and Innovation Conference

Commentator, Solutions to the Software Patent Problem, Santa Clara Law School (2012)

Panelist, Federal Trade Commission, Patent Assertion Entities Activities Workshop (2012)

Commentator, Law and Economics of IP, Germany (2011)

Panelist, The Economics of Copyright, Sloan Foundation, New York, NY (2010)

Panelist, FTC, DOJ, and PTO Joint Workshop on Promoting Innovation (2010)

Panelist, Innovation Symposium, ABA Antitrust Section, Stanford Law School (2010)

Panelist, Patent Policy and Innovation, Petrie-Flom Center, Harvard Law School (2010)

Panelist, *In re Bilski*, Harvard Law School (2010)

Panelist, “*Ariad v. Eli Lilly*,” Boston IP Inn of Court (2010)

“Antitrust Law at the Federal Circuit,” Symposium on “The Federal Circuit as an Institution” Loyola Law School Los Angeles, Los Angeles, CA (2010)

Panelist, “To Promote the Progress of Science and Useful Arts: The Role of Courts in Patent Law and Policy,” Georgetown Law School, Washington, DC (2009).

“The Three Faces of Patent Gridlock” at “Tragedies of the Gridlock Economy: How Mis-Configuring Property Rights Stymies Social Efficiency” Conference, George Mason University Law School (2009).

“The Pale Reflection of Fair Use in Patent Law” AIPLA Spring Meeting, San Diego, CA (2009).

“Evaluating Software Patents” Conference at the University of Colorado Law School (2009).

“Royalty Stacking and Patent Damages” Conference at the University of San Diego Law School (2009).

“Patentable Subject Matter” Conference on at University of California-Berkeley Law School (2008)

“Open Science and Patent Law” (Boston University 2008)

“KSR, Nonobviousness, and Patent Licensing,” Licensing Executives Society Meeting (Wilmer, Hale, Boston 2007)

“The Economics of Intermediaries in Copyright Protected Industries” Michigan State Law School (2005)

“Patent Fair Use” Some Modest Proposals 2.0, Cardozo Law School (2005)

“Nanotechnology and Patent Law,” Nanotech 2004, NSTI Nanotechnology Conference and Trade Show, Boston, MA (2004)

“Nanotechnology and Patent Law,” Nano-Engineering World Forum, Marlborough, MA (2003)

“Economics of Fair Use” University of Texas Law School/Public Policy, (2003)

“Dragon Slaying for Fun and Profit — Do Patent Opposition Proceedings Work?” Patent Seminar, Boston Bar Association (2002)

“Dragon Slaying for Fun and Profit — Do Patent Opposition Proceedings Work?” Patent Law Conference, Cardozo Law School (2002)

“Intellectual Property Law and Marketing Hi-Tech Products,” AALS Law and Economics Section Meeting (2002)

“Historical Overview: Policy and Legal Developments Shaping the Interface between Intellectual Property Law and Biotechnology,” Law Librarians of New England, Boston (2001)

“Opting Out: Private Ordering by Arbitration, Trade Association and Integration,” Southern Economic Association, Washington (2000)

“Patent Rights and Licensing,” Symposium on Biotech Materials and Medical Devices in the New Millennium, Boston University (2000)

“Roundtable on Copyright and Digital Technology,” Franklin Pierce Law School (1998)

“Strategic Use of Transfer Pricing,” Game theory conference, SUNY-Stonybrook (1992)

Paper Commentary

Comments, Andrew A. Toole, Nicholas A. Pairolero, and Mike Teodorescu, Are you really my twin? Assessing Invention Similarity in Patent Families, US Patent and Trademark Office Empirical Roundtable, Northwestern U. Law School (2018)

Comments, Janet Freilich and Jay Kesan, Towards Patent Standardization, Harvard Law School conference on IP and Private Law (2016).

Comments, James Bessen, Learning by Doing, BU Law (2015)

Comments, Ron Cass and Keith Hylton, Laws of Creation: Property Rights in the World, BU Law (2012)

Economics Ph.D. Dissertation Defense, Peter Neuhausler, Technical University of Berlin (2012)

Comments on “Patent Pools and the Direction of Technical Change: Evidence from the 19th-Century Sewing Machine Industry,” Innovation Policy and the Economy Working Group Meeting of the National Bureau of Economic Research Summer Institute 2010, Cambridge, MA

Comments on “Non-compete agreements, technical expertise, and staffing small firms,” Entrepreneurship Working Group Meeting of the National Bureau of Economic Research Summer Institute 2009, Cambridge, MA

Michigan State, IP Scholars Conference (2008)

Canadian Competition Bureau IP Symposium, Ottawa (2007)

Symposium on Bioinformatics and Intellectual Property Law, Boston University (2001)

Funded Participation

Corporations as Producers and Distributors of Rents, Georgetown University Law Center (2001)

Symposium: Taking Stock: The Law and Economics of Intellectual Property Rights, Vanderbilt University Law School (2000)

Guest lecturer

Gave lecture on copyright law to Professor Frances Whistler's "Editing and Publishing" class, Boston University (2008 – 2010)

Harvard Business School, The Amazon One-Click Patent Dispute, one meeting of MBA course (2006)

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Patent system often stifles the innovation it was designed to encourage, (with Janet Freilich) The Conversation, March 16, 2021