Friday, February 10

8:00 a.m. Registration and Continental Breakfast – Butler Atrium

8:30 a.m. Opening Session – Room 103

Welcome Remarks

Dean Maureen A. O’Rourke

Professor Kevin Outterson, Executive Director of CARB-X

Opening Plenary

Emily Michiko Morris, Much Ado About the TPP’s Effect on Pharmaceuticals

Neel Sukhatme, Value-Based Patents

Rebecca Schoff Curtin, Zombie Cinderella and the Undead Public Domain

10:30 a.m. Break

11:00 a.m. Concurrent Sessions 1

Room 103

Sean Pager, A Unified Theory of Authors and Incentives

Andres Sawicki, The Law of Creativity?

Jessica Silbey, Empirical Study of Photographic Copyright and Changing Aesthetic and Business Practices in the Digital Age

Andrew Gilden, IP, R.I.P.
Room 209  
Jeremy Bock, *Behavioral Claim Construction*  
Christopher Buccafusco, *Risk, Creativity, and IP: An Experimental Approach*  
Betsy Rosenblatt, *Uncertainty Aversion and Intellectual Property*  
Jason Rantanen, *Patent Credentials*  

Room 211  
Ana Santos Rutschman, *The Intellectual Property of Ebola and Zika*  
Greg R. Vetter, *Deleveraging the Software License in Health Information Technology*  
Jorge L. Contreras & Jacob S. Sherkow, *Dividing the Spoils of CRISPR*  
Aman Gebru, *A Model Legal Framework for Intellectual Property Protection of Traditional Medicinal Knowledge*  

Room 212  
Jonathan H. Ashtor, *Do Valid Patents Promote Progress?*  
Colleen Chien, *Patent Inequality*  
Xuan-Thao Nguyen, *Zombie Patents and Zombie Companies with Patents*  
Andrew C. Michaels, *Patent Transfer: A Diminished Bundle of Sticks*  

12:30 p.m.  
**Lunch – Barristers’ Hall**  

1:30 p.m.  
**Concurrent Sessions 2**  

Room 103  
Michael J. Meurer, *Bargaining Failure and Failure to Bargain*  
Sapna Kumar, *Patent Damages Without Borders*  
Deepa Varadarajan, *The Trade Secret-Contract Interface*  
Jeremy N. Sheff, *Valuing Progress*
Room 209  Patrick R. Goold, *Intellectual Tort Law*

Amanda Levendowski, *Do We Need Fair Use for Fair Artificial Intelligence?*

David S. Welkowitz, *The Game’s the Same, But the Rules Have Changed: Rights of Publicity, False Endorsement, and the First Amendment*


Room 211  H. Brian Holland, *We Are All Cyborgs Now: A Cognitive Theory of the Third-Party Doctrine*

David S. Levine, *Confidentiality Creep, Opportunistic Privacy and Dual-Use Secrecy: The Professions in an Age of Information Capture*

Sarah R. Wasserman Rajec, *In Rem in IP*

Cathy Gellis, *Testing the Limits of the Section 230 IP Exemption*


Kevin Emerson Collins, *Patent Law’s Expression Screen*

Rachel E. Sachs, *Divided Infringement and the Doctor-Patient Relationship*

3:00 p.m.  Break

3:30 p.m.  Concurrent Sessions 3

Room 103  Melissa F. Wasserman, *Procrastination in the Workplace: Evidence from the U.S. Patent Office*

Megan M. La Belle, *Influencing Juries in Litigation “Hot Spots”*

Jonas Anderson, *Court Capture*

Edward Lee, *Patent Transfers of Power*

Saurabh Vishnubhakat, *The Non-Doctrine of Redundancy*
Room 209  
James Gibson, Higher Education & the DMCA
Carys J. Craig, Relying on (User) Rights-Talk: On Copyright Limits and Rhetorical Risks
Martin Skladany, Proposals to Reduce the Harm of Excessive Copyright Protection That Are Immune to Big Copyright’s Influence
D.R. Jones, Edicts of Government: Copyright in State Legal Materials
Tiffany Li, Robots vs. Animals: Toward a Unified Theory on Intellectual Property Rights on Non-Human Creators

Room 211  
Irene Calboli, Learning from the Different: The Case for a More Prominent Role of Comparative Legal Analysis in Intellectual Property Scholarship in the United States
Maria Lillà Montagnani, The Digitisation of Cultural Heritage in Europe: A Theoretical and Empirical Analysis
Liza Vertinsky, Social Patents, Trust and Innovation Networks
Peter K. Yu, The Pathways of Multinational Intellectual Property Dispute Settlement
Eric E. Johnson, Intellectual Property and Growth Economics

Room 212  
Stephanie Plamondon Bair, Rethinking Consumer Autonomy and Trademarks
Deborah R. Gerhardt, Trademarks as Change Agents for Legal Reform
Alexandra J. Roberts, Use as a Mark
Xuan-Thao Nguyen, The World’s Trademark Powerhouse
Aaron Perzanowski, Juggalos Without Juggalaws: The Norm-Based Governance of Clowns

5:30 p.m.  
Academic program concludes for the day

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<td>Cocktail Hour</td>
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<td>7:30 p.m.</td>
<td>Dinner</td>
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<td>8:30 p.m.</td>
<td>IP Trivia Extravaganza</td>
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An Evening at Fenway Park
### Saturday, February 11

**8:00 a.m.**  
Continental Breakfast – Butler Atrium

**8:30 a.m.**  
Concurrent Sessions 4

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<td>Tabrez Yusuf Ebrahim,</td>
<td><em>Business Plan Competitions: Private Ordering of Incomplete Contracts</em></td>
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<td>Andrew W. Torrance,</td>
<td><em>Trolls Are Good (At Choosing Valuable Patents)</em></td>
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<td>Janet Freilich,</td>
<td><em>Patent Shoppers</em></td>
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<td>Bernhard Ganglmair,</td>
<td><em>The Effect of Patent Insurance on NPE Litigation</em></td>
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<tr>
<td>Keith Hylton,</td>
<td><em>Enhanced Damages for Patent Infringement: A Normative Approach</em></td>
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<td>John M. Golden,</td>
<td><em>Discretion in Patent Damages</em></td>
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<tr>
<td>Tun-Jen Chiang,</td>
<td><em>The Information-Forcing Dilemma in Damages Law</em></td>
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<td>Mark McKenna,</td>
<td><em>Investigating Design: An Empirical Study of Industrial Design and IP Protection</em></td>
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<td>Sarah Burstein,</td>
<td><em>The “Design” in Design Patents</em></td>
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<tr>
<td>Megan Carpenter,</td>
<td><em>Design Thinking: Human Centered Design and Trade Dress Functionality</em></td>
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<td>Stacey Dogan,</td>
<td><em>The Role of Design Choice in Intellectual Property and Antitrust Law</em></td>
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<td>Jay P. Kesan,</td>
<td><em>Serial Petitioning at the PTAB</em></td>
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<td>Greg Reilly,</td>
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<tr>
<td>Paul Gugliuzza,</td>
<td><em>Quick Decisions in Patent Cases</em></td>
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**10:00 a.m.** Break
10:30 a.m. Concurrent Sessions 5

Zahr Said, *Jury Instructions in Copyright Infringement Cases*
Guy A. Rub, *Incentivizing Conceptual Art Through Social Norms*
Peter J. Karol, *The Threat of Copyright Termination in a Dematerialized Art Market*

Room 102 Zvi S. Rosen, *The Lost (and Found) Copyright Records*
Will Slauter, *Copyright Law and Registration Practice: The Case of News, 1870-1918*
Kara W. Swanson, *Beyond the Promotion of Useful Arts: How the Patent System Supported Female Suffrage*

Room 103 Jonathan H. Ashtor & Jay P. Kesan, *The Residual Value of Patents and the Lifespan of Innovation*
Timothy R. Holbrook, *Patent Prior Art and Possession*
Amy Semet, *Patent Law Variations Among the Federal District Courts*
Elizabeth I. Winston, *Within the Jurisdiction of the ITC*

Room 212 Randall Davis, *The Proper Scope of Copyright in Software and Tests for Infringement*
BJ Ard, *Fair Use as Penalty Default*
Stacey M. Lantagne, *Famous on the Internet: The Spectrum of Internet Memes and the Legal Challenge of Evolving Methods of Communication*

12:00 p.m. Lunch – Barristers’ Hall
1:00 p.m.  Closing Plenary – Room 103

IP Trivia Awards

Mark Lemley, *The Fruit of the Poisonous Tree in IP Law*

Shyam Balganesh, *Copyright as “Legal Process”: The Transformation of American Copyright Law*

David Abrams & Bhaven Sampat, *Drug Patents and Real Value*

2:45 p.m.  Conference concludes