

Robin Feldman
Professor of Law
Director, Institute for Innovation Law
University of California Hastings College of the Law

Education:

Stanford Law School, J.D.

Urban A. Sontheimer Award (graduating second in class)

Order of the Coif

Articles Department, Stanford Law Review

Hilmer Oehlmann Jr. Prize (legal research and writing)

Stanford University, B.A.

Phi Beta Kappa

Degree Awarded with Distinction

Dean's Award for Community Service

Law Clerk, The Honorable Joseph T. Sneed, U. S. Court of Appeals, 9th Cir.

Honors:

Visionary Award (presented in 2012 by the UC Hastings Board of Directors for founding the Innovation Law Clinics and the Law & Bioscience Project)

Elected Member of the American Law Institute (2012)

William Rutter Award for Excellence in Teaching, UC Hastings (2009)

Patent and Antitrust: Differing Shades of Meaning, 13 VIRGINIA J.L. & TECH. 5, judged one of the best Intellectual Property articles of 2008 and thereby selected for inclusion in the anthology, THE INTELLECTUAL PROPERTY LAW REVIEW (2009)

1066 Foundation Award for Scholarship, UC Hastings (2004)

Tisconia Summer Stipend Chair, UC Hastings (2013)

Institute for Innovation Law--Startup Legal Garage named one of the most

innovative law school programs in the country (2012)

Books:

RETHINKING PATENT LAW (**Harvard** 2012)

THE ROLE OF SCIENCE IN LAW (**Oxford** 2009)

Book Chapters:

Coming to the Community, *in* IMAGINING NEW LEGALITIES, AMHERST SERIES IN LAW, JURISPRUDENCE, AND SOCIAL THOUGHT (Austin Sarat ed., **Stanford** 2012)

Patent Misuse: From Inception to Modern Case Law, *in* INTELLECTUAL PROPERTY & INFORMATION WEALTH (Peter K. Yu ed., **Praeger** Publishers, 2007)

Articles:

Intellectual Property Wrongs, 18 **STANFORD JOURNAL OF LAW, BUS. & FINANCE** 250 (2013)

Copyright at the Bedside: Should We Stop the Spread? (forthcoming **STANFORD TECH. L. REV.** 2013), with John Newman

The America Invents Act 500 Expanded: Effects of Patent Monetization Entities, (forthcoming **UCLA J. OF LAW & TECH.** 2013), with Tom Ewing & Sara Jeruss

A Conversation in Judicial Decision-Making, 5 **HASTINGS SCI. & TECH. L.J.** 1 (2013)

The Giants Among Us, 2012 **STANFORD TECH. L. REV.** 1, with Tom Ewing (2012)

The America Invents Act 500: Effects of Patent Monetization Entities on US Litigation, 11 **DUKE L & TECH. REV.** 357 (2012), with Sara Jeruss & Joshua Walker

Understanding and Incentivizing Biosimilars, 64 **HASTINGS L.J.** 57 (2012), with Jason Kanter

Copyright and Open Access at the Bedside, 365(26) **NEW ENGLAND JOURNAL OF MEDICINE** 2449 (Dec. 29, 2011), with John Newman

Whose Body Is It Anyway? Human Cells and the Strange Effects of Property and Intellectual Property Law, 63 **STANFORD L. REV.** 1377 (2011)

The Intellectual Property Landscape for iPS Cells, 3 **STANFORD J.L. SCI. & POLICY** 16 (2010) (peer review), with Deborah Furth

The Role of the Subconscious in Intellectual Property Law, 2 **HASTINGS SCI. & TECH. L.J.** 2 (2010)

Historic Perspectives on Law and Science, 2009 **STANFORD TECH. L. REV.** 1 (2009)

Law's Misguided Love Affair with Science, 10 **MINN. J.L. SCI. & TECH.** 95 (2009) (peer review)

Plain Language Patents, 17 **TEXAS I.P.L.J.** 289 (2009)

Patent and Antitrust: Differing Shades of Meaning, 13 **VIRGINIA J.L. & TECH.** 5 (2008)

Open Source, Open Access, and Open Transfer: Market Approaches to Research Bottlenecks, 7 **NW. J. TECH. & INTELLECTUAL PROP.** 14 (2008); *reprinted as a book chapter in OPEN SOURCE SOFTWARE-LAW AND PHILOSOPHY (forthcoming Amicus Books 2009)*, with Kris Nelson

Rethinking Rights in Biospace, 79 **S. CAL. L. REV.** 1 (2005)

The Inventor's Contribution, 2005 **UCLA J.L. & TECH.** 6 (2005)

The Open Source Biotechnology Movement: Is it Patent Misuse? 6 **MINN. J. LAW SCIENCE & TECH.** 1 (2004) (peer review)

The Insufficiency of Antitrust Analysis for Patent Misuse, 55 **HASTINGS L. J.** 399 (2003)

Considerations on the Emerging Implementation of Biometric Technology, 2003 **HASTINGS COMM. & ENT. L. J.** 653 (2003)

Defensive Leveraging in Antitrust, 87 **GEORGETOWN L.J.** 2079 (1999)

Consumption Taxes and the Theory of General and Individual Taxation, 21
VIRGINIA TAX REV. 293 (2002)

Written Commentaries in 2013:

SCOTUSBlog, “A Conversation Between the Supreme Court and the Federal Circuit” (symposium on the Myriad gene patenting case) (February 6, 2013)

Boston Globe, “To Liberate American Innovation, We Need to Rethink Patents” (January 20, 2013)

San Francisco Chronicle, “FTC Must Take on Trolls” (July 2013)

Washington Legal Foundation, “Conversation with the Honorable Dick Thornburgh on Trolling, Licensing & Litigation: A 21st Century Patent Paradigm” (Spring 2013)

Other Activities:

Herman Phleger Visiting Professor of Law, Stanford Law School (2007)

Chair, Executive Committee of the Antitrust Section of the AALS (2009-2010);
Committee Member (2005-2009)

Life Sciences Working Group, Stanford Law School Litigation IP Clearing House (2008-2009)

Committee Member, Stanford University Hospital Ethics Committee (1997-2001)

Speaking Engagements: (academic years 2010-2013)

Stanford Law School, symposium in honor of Professor Emeritus John Merryman on the topic of human cells (November 2013)

California Assembly Select Committee on High Technology, testimony on patent assertion entities (October 2013)

Indiana University School of Law, Distinguished Speaker Series, on the topic of empirical data on patent assertion entities (October 2013)

California Assembly Select Committee on Privacy, testimony on status of federal, state, and European privacy law (March 2013)

Yale Law School, Information Society Project, presentation of *Intellectual Property Wrongs* (February 2013)

Stanford Law School, program in Law, Science & Technology, presentation of *Intellectual Property Wrongs* (February 2013)

Stanford Law School, Biolaw & Health Policy Society, presentation on Supreme Court *Myriad* gene patenting case (February 2013)

U**Hastings** Law, moderated Q&A symposium for the Hastings Constitutional Law Quarterly on gene patenting, featuring Alex Kozinski, Chief Judge of the 9th Circuit (February 2013)

FTC/DOJ Workshop on antitrust issues and Patent Assertion Entities (Dec. 2012)

Annual Intellectual Property Scholars Conference, presentation of *The Giants Among Us* (August 2012)

Stanford Law School, roundtable discussion with White House IP Enforcement Coordinator on five-year plan for enforcement (June 2012)

Stanford University, presentation on the topic of What Inventors Should Know About Intellectual Property (May 2012)

Federal District Court Judges of the Northern District of California conference, panelist on the topic of Non-Practicing Patent Entities (April 2012)

Berkeley Law School, panelist on the topic of Patentable Subject Matter in the Health Sciences: Diagnostics & DNA (April 2012)

Stanford Law School Conference on Law and the Biosciences, panelist and moderator on the topic of Patent Exhaustion & International Sales (April 2012)

Food & Drug Law Institute annual conference in Washington DC, panelist on the topic of Innovative Collaborations Between Industry & Academia (April 2012)

Stanford Law School, Law and the Biosciences Workshop, presentation of "*The Giants Among Us.*" (January 2012)

San Francisco Veterans Administration, works-in-progress for medical faculty of the Department of Geriatrics, discussion of New England Journal of Medicine Piece, *Copyright & Open Access at the Bedside.*" (January 2012)

Stanford Law School, presentation of *The Giants Among Us* (November 2011)

Stanford Law School program in Law, Science & Technology, presentation of *Whose Body Is It Anyway?* (November, 2011)

Annual Intellectual Property Scholars Conference, presentation on *Whose Body Is It Anyway?* (August 2011)

Stanford University, presentation on Intellectual Property Principles for Biotechnology (May 2011)

Yale Law School, Information Society Project, presentation of RETHINKING PATENT LAW (February 2011)

Stanford Law School, Program in Law, Science, & Technology, moderator and discussant for prize-winning papers on Patent Remedies (February 2011)

Stanford Law School, Stanford Law Review Symposium, presentation of *Whose Body Is It Anyway? Human Cells and the Strange Effects of Property & Intellectual Property* (January 2011)

Stanford Law School, Program in Law, Science & Technology, presentation of RETHINKING PATENT LAW (January 2011)

Stanford Medical School, Interdisciplinary Program on Access & Delivery of Essential Medicines, presentation on the topic of Patent Principles for Life Science Inventions (January 2011)

AALS Annual Meeting in San Francisco, Section of Antitrust & Economic Regulation, moderating panel on the topic of Drug Wars: The Battle Over Generic Pharmaceuticals (January 2011)

Stanford Law School, Center on Law & the Biosciences, presentation on the topic of Implications of the New Biosimilars Legislation (November 2010)

Cambridge University, Social Science Conference, presentation of THE ROLE OF SCIENCE IN LAW (August 2010)

Annual Intellectual Property Scholars Conference, presentation of excerpt from RETHINKING PATENT LAW (AUGUST 2010)

Appendix- Robin Feldman

Older Speaking Engagements:

Stanford University, presentation on Intellectual Property Principles for Biotechnology (May 2010)

Amherst College, presentation of *Coming to the Community* (March 2010)

U**Hastings**, Conference by the Hastings Communications and Entertainment Law Journal on the topic of Greed, Gold, and Goblins: Property Rights in Virtual Worlds (March 2010)

Stanford Law School, Symposium on Stem Cell Research, presentation of *Induced Pluripotent Stem Cells: The Intellectual Property Landscape* (December 2009)

Stanford Law School, Program in Law, Science, and Technology, presentation of RETHINKING PATENT LAW (October 2009)

U**Hastings**, Conference on Clean Technology, presentation on Licensing Clean Technology from Research Institutions (September 2009)

USF Law School, Conference on Lawyers, Drugs and Money: A Prescription for Antitrust Enforcement in the Pharmaceutical Industry, presentation on the topic of Burdens of Proof in Sham Litigation Cases (September 2009)

Annual Intellectual Property Scholars' Conference, presentation of "The Bargain Theory of Patents" (August 2009)

Stanford Law School, Conference on Intellectual Property Law and the Biosciences; presentation on the topic of Exhaustion, Implied Licenses, and Reach-Through Claims (May 2009)

Federal Judicial Center Conference held at Stanford Law School; presentation to federal district court and appellate court judges on the topic of Intellectual Property and Biotechnology (January 2009)

Stanford Program in Law, Science, & Technology, presentation of "Patent & Antitrust: Differing Shades of Meaning" (October 2008)

Berkeley Law School, Patentable Subject Matter Conference, roundtable discussion with government and industry leaders on proper boundaries of subject matter for patents (October 2008)

Annual Intellectual Property Scholars' Conference, plenary session presentation of "Patent & Antitrust: Differing Shades of Meaning" (August 2008)

Stanford Law School Roundtable discussion with European Consumer Commissioner on Internet Consumers and Privacy (July 2008)

Stanford University, presentation on Intellectual Property Concepts in Biotechnology (May 2008)

Inauguration of the Drake University Summer Institute in Intellectual Property, Biotechnology, & Agricultural Sciences, panel presentation on Emerging Issues in Biotechnology Law (May 2008)

Berkeley Law School Intellectual Property and Technology Scholars' Roundtable, presentation of 3 of my forthcoming works, LAW'S MISGUIDED LOVE AFFAIR WITH SCIENCE, "Differing Shades of Meaning"; and "Open Source, Open Access, & Open Transfer" (May 2008)

ABA Antitrust Law Spring Meeting in Washington D.C., panel presentation, Scholars' Showcase on Antitrust History (March 2008)

Annual Intellectual Property Scholars' Conference, presentation of "The Role of Science in Law" (August 2007)

ABA Litigation Section Meeting; panel presentation on The IP/Antitrust Intersection (August 2007)

Stanford Law School, Law, Science & Technology Program; presentation on "The Role of Science in Law" (September 2007)

Stanford Law School Faculty Colloquium; presentation of "The Role of Science in Law" (May 2007)

Annual BIO (Biotech Industry Organization) conference; presentation on the topic of Patent Misuse in Light of Recent Federal Circuit and Supreme Court Cases (May 2007)

Stanford Law School, Stanford BioLaw and the Stanford Health Law & Policy Society; presentation of “Rethinking Rights in Biospace” (February 2007)

Chicago IP Colloquium, run jointly by the IP faculty at Loyola Law School and Chicago-Kent Law School; presentation of “The Role of Science in Law” (March 2007)

Joint session of the Intellectual Property Section and the Antitrust and Economic Regulation Section at the AALS Annual Meeting; presentation of “Differing Shades of Meaning” (January 2007)

Joint FTC/DOJ hearings in Washington D.C. on determining appropriate standards for tying prohibitions in high tech and biotech industries; testimony (November 2006)

Stanford Law School, Conference on Law and Bioscience; presentation on the topic of Reach-Through Royalties (September 2006)

Stanford Law School, private roundtable for Members of the European Parliament to discuss software and internet patents (July 2006)

Boalt Hall School of Law private roundtable with representatives of the USPTO to discuss patent reform proposals (June 2006)

Santa Clara University Law School Conference on Intellectual Property; presentation on the topic of Misuse as a Defense in Intellectual Property Cases (October 2005)

Annual Intellectual Property Scholars’ Conference; presentation of “Rethinking Rights in Biospace” (August 2005)

Silicon Valley Licensing Executives Society; presentation on the topic of California Public Financing of Biomedical Research (July 2005)

Stanford University Center for the Advanced Study of the Behavioral Sciences, conference cosponsored with the Gruter Institute; on the topic of Property, Intellectual Property and the Brain (May 2005)

Annual Intellectual Property Scholars’ Conference ; presentation of “The Open Source Movement in Biotechnology: Is It Patent Misuse?” (August 2004)

Federal Judicial Center Conference held at Stanford Law School; presentation to federal district court and appellate court judges on the topic of Intellectual Property and Genetics (August 2004)

American Association of Law Schools Conference; presentation on the topic of Open Source: Software and Beyond. Also moderated a panel at the same conference on the topic of Antitrust and Dominant Firms (January 2005)

Stanford Law School, Stanford Center on Law and Technology Conference on Intellectual Property Issues in Biotechnology; presentation on the topic of How Government, Industry and Academia Interact for the Purposes of Biotech Licensing (March 2005)

University of Iowa Law School, Antitrust Enterprise Conference in honor of Herbert Hovenkamp; moderated panel on the topic of Exclusionary Practices and §2 of the Sherman Act. (March 2005)

McCarthy Institute Intellectual Property Workshop Series at University of San Francisco Law School; presentation of “Rethinking Rights in Biospace” (April 2005)

UCHastings Law School Symposium on Privacy and Security in the New Millennium; presentation on the topic of Biometrics (2003)