

# GREGORY DOLIN, M.D., J.D.

University of Baltimore School of Law • 1420 N. Charles Street • Baltimore, MD 21201 • gdolin@ubalt.edu

## ACADEMIC APPOINTMENTS

### UNIVERSITY OF BALTIMORE SCHOOL OF LAW, BALTIMORE, MD

*Associate Professor of Law with tenure; Associate Director, Center for the Law of Intellectual Property & Technology, 2014-present*

*Co-Director, Center for Medicine & Law; Senior Research Associate in the Center for Int'l & Comparative Law, 2011-present*

*Associate Professor of Law, 2011-2014*

Courses: Torts; Property; Health Care Law; Intellectual Property Survey; Medical Malpractice Litigation

Awards: 2014-15 Teacher of the Year, selected by the Student Bar Association

### THE JOHNS HOPKINS UNIVERSITY, BALTIMORE, MD

*Adjunct Associate Professor of Emergency Medicine, 2011-present*

### NEW YORK LAW SCHOOL, NEW YORK, NY

*Adjunct Associate Professor of Law, 2012-present*

Courses: Intellectual Property; Copyright

### THE GEORGE MASON UNIVERSITY, CENTER FOR PROTECTION OF IP, ARLINGTON, VA

*Thomas Edison Fellow, 2013-2014*

Non-resident fellowship awarded for significant scholarly contributions in the area of Intellectual Property

### SETON HALL LAW SCHOOL SUMMER PROGRAM, GENEVA, SWITZERLAND

*Visiting Associate Professor, Summer 2012*

Courses: Intellectual Property and International Health Policy

### THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL, WASHINGTON, DC

*Frank H. Marks Visiting Associate Professor, 2009-2011*

Courses: Torts; TRIPS, Patents, & Public Health

### NORTHWESTERN UNIVERSITY SCHOOL OF LAW, CHICAGO, IL

*John M. Olin Fellow in Law, 2007-2008*

Courses: International Team Project-Brazil (Spring 2008)

## EDUCATION

### THE GEORGE WASHINGTON UNIVERSITY, WASHINGTON, DC

*Master of Arts in Philosophy & Social Policy, 2015*

### STATE UNIVERSITY OF NEW YORK-STONY BROOK SCHOOL OF MEDICINE, STONY BROOK, NY

*Doctor of Medicine with Recognition in Humanities, 2005*

### GEORGETOWN UNIVERSITY LAW CENTER, WASHINGTON, DC

*Juris Doctor, Cum Laude, 2004*

➤ Senior Articles Editor of Georgetown Journal of Law and Public Policy

THE JOHNS HOPKINS UNIVERSITY, BALTIMORE, MD  
*Bachelor of Arts with University and Departmental Honors, 1998*  
➤ *Majors: Neuroscience; Russian Literature*

#### **LEGAL EXPERIENCE**

HON. PAULINE NEWMAN, U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT, WASHINGTON, DC  
*Judicial Law Clerk, 2008-2009; Visiting Scholar, 2009-2010*

HON. H. EMORY WIDENER, JR., U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT, ABINGDON, VA  
*Judicial Law Clerk, 2006-2007*

KRAMER, LEVIN, NAFTALIS & FRANKEL, LLP, NEW YORK, NY  
*Associate, 2005-2006; Summer Associate, 2003*  
Worked in Intellectual Property Group on patent litigation and prosecution

#### **LEGAL SCHOLARSHIP**

#### **WORKS IN PROGRESS**

*Taking Presumptions* (with Irina Manta) (working title)

*Inventors' Moral Rights, eBay, and Patent Injunctions* (working title)

#### **ARTICLES**

*Dubious Patent Reform*, 56 B.C.L. REV. \_\_\_\_ (forthcoming 2015)

*Non-Price Competition in "Substitute" Drugs: The FTC's Blind Spot*, 59 ANTITRUST BULL. 579-91 (2014) (invited contribution) (peer reviewed)

*Speaking of Science: Introducing Notice-and-Comment into the Legislative Process*, 2014 UTAH L. REV. 243-79 (2014)

*Resolving the Original Sin of *Bolling v. Sharpe**, 44 SETON HALL L. REV. 749-96 (2014)

*Supreme Court & Patent Cases in OT 2013 – It Could Have Been Worse*, 2012-13 CATO SUP. CT. REV. 267-82 (2013) (invited contribution)

*Exclusivity without Patents: The New Frontier of FDA Regulation for Genetic Materials*, 98 IOWA L. REV. 1399-1465 (2013)

*Reverse Settlements as Patent Invalidity Signals*, 24 HARV. J. L. & TECH. 281-333 (2011)

*A Defense of Embryonic Stem Cell Research*, 84 IND. L. J. 1204-57 (2009)

*Medical Hope, Legal Pitfalls: Potential Legal Issues in the Emerging Field of Oncofertility*, 49 SANTA CLARA L. REV. 673-716 (2009) (with Dorothy Roberts, Teresa Woodruff, and Lina Rodriguez), cited in *Reber v. Reiss*, 42 A.3d 1131 (Pa. Super. Ct. 2012)

*The Great Writ of Incoherence: An Analysis of Supreme Court's Rulings on "Enemy Combatants,"* 36 GEO. J. INT'L L. 623-650 (2005)

*Time to Enter a "Do Not Resuscitate" Order on the National Resident Matching Program's Chart,* 8 QUINNIPIAC HEALTH L. J. 59-88 (2004)

*Licensing Health Care Professionals: Has the United States Outlived the Need for Medical Licensure?\_*Note, 2 GEO. J. L. & PUB. POL'Y 315-336 (2004)

*A Healer or an Executioner: The Proper Role of a Psychiatrist in a Criminal Justice System,* 17 J. L. & HEALTH 169-216 (2003) (article submitted and accepted for publication while a law student)

### **BOOK CHAPTERS & ESSAYS**

*Googling Down the Costs of Low Sanctions,* 66 FLA. L. REV. FORUM 25-30 (2015)

*The Food and Drug Administration,* In PHARMACEUTICAL PUBLIC POLICY (Tom Fulda, et al., eds.) (Jones & Bartlett Learning, forthcoming 2015)

*Response to "Pervasive Sequence Patents Cover the Entire Human Genome,"* 6 GENOME MEDICINE 14 (2014) (co-authored)

*Improving Legislation with the Help of Objective Scientific Advice,* In ONCOFERTILITY COMMUNICATION: SHARING INFORMATION AND BUILDING RELATIONSHIPS ACROSS DISCIPLINES (Teresa K. Woodruff, et al., eds.) (Springer Science+Business Media, 2013)

*The Short-Sighted Attack on Patent Eligibility of Healthcare Related Patents,* 43 INT'L REV. INTELLECTUAL PROP. & COMP. L. 499-501 (2012)

*Legal Issues in Oncofertility,* In ONCOFERTILITY: REFLECTIONS FROM THE HUMANITIES AND SOCIAL SCIENCES (Teresa K. Woodruff, et al., eds.) (Springer Science+Business Media, 2010)

### **SCIENTIFIC PUBLICATIONS**

*Neuronal Localization of the Adenomatous Polyposis Coli Tumor Suppressor Protein,* J.S.F. Brakeman, S.H. Gu, X.B. Wang, G. Dolin and J.M. Baraban, 91 NEUROSCI. 661-72 (1999)

### **MISCELLANEOUS PUBLICATIONS**

*Additional Opportunities in the Legal Field and Applying to Law School,* In PHYSICIANS' PATHWAYS TO NON-TRADITIONAL CAREERS AND LEADERSHIP OPPORTUNITIES (Richard D. Urman and Jesse M. Ehrenfeld, eds.) (Springer Science+Business Media, 2012)

*Why Patent Auctions Are Here to Stay,* THE DAILY DEAL (April 18, 2006) (with Barry Evans, Esq.)

## **SCHOLARLY PRESENTATIONS**

### *Taking Presumptions*

Works in Progress in Intellectual Property Conference, Alexandria, VA (Feb. 6, 2015)

### *Dubious Patent Reform*

Works in Progress in Intellectual Property Conference, Alexandria, VA (Feb. 6, 2015)

George Washington University Law School, Washington, DC (Jan. 22, 2015)

Mid-Atlantic Works in Progress Conference, American University, Washington, DC (Oct. 10, 2014)

### *Inventors' Moral Rights, eBay, and Patent Injunctions*

Intellectual Property Scholars Conference, New York, NY (Aug. 8, 2013)

### *Speaking of Science: Introducing Notice-and-Comment into the Legislative Process*

Law & Society Conference, Boston, MA (May 31, 2013)

Virtual Grand Rounds, Northwestern University School of Medicine, Chicago, IL (Feb. 21, 2013)

### *Exclusivity without Patents: The New Frontier of FDA Regulation for Genetic Materials*

Intellectual Property Scholars Conference, Palo Alto, CA (Aug. 9, 2012)

Works in Progress in Intellectual Property Conference, Houston, TX (Feb. 10, 2012)

University of Baltimore Law Review Symposium, Baltimore, MD (March 7, 2011)

### *A Patent Law Approach to Reverse Settlements*

Intellectual Property Scholars Conference, Berkeley, CA (August 13, 2010)

IP Scholars Roundtable; Drake University School of Law, Des Moines, IA (March 20, 2010)

### *Medical Hope, Legal Pitfalls: Potential Legal Issues in the Emerging Field of Oncofertility*

Oncofertility and Religion Conference; Chicago, IL (July 22, 2009)

### *A Defense of Embryonic Stem Cell Research*

Northwestern University Faculty Workshop; Chicago, IL (April 30, 2008)

## **PODCASTS, GENERAL CONFERENCES, DEBATES, & GUEST LECTURES**

*Annual BioPharma/Tech Law Symposium*, Robert H. McKinney School of Law, Indiana University, Indianapolis, IN (March 12, 2015)

*Nautilus, Inc. v. Biosig Instruments, Inc.*, American University School of Law Program on Information Justice and Intellectual Property (April 28, 2014)

*Fire in the Blood Debate: Access to HIV medications in Africa*, University of Baltimore (March 31, 2014)

*Is IP Property or Government-Conferred Monopoly?*, 16<sup>th</sup> Annual Faculty Conference, Federalist Society, New York, NY (Jan. 3, 2014)

*Genetic Resources, Indigenous Peoples and Federal Policy, 2nd Annual Cherry Blossom Symposium – Traditional Knowledge: IP and Federal Policy*, American University School of Law Program on Information Justice and Intellectual Property (March 21, 2014)

*Should the U.S. Enact Stronger Regulations against Genetically Modified Crops?*, The Pride and Purpose Debate, Hofstra University, Hempstead, NY (Dec. 5, 2013)

*Burden of Proof in the World of Patents: Medtronic v. Boston Scientific*, Podcast, Federalist Society (Nov. 25, 2013)

*The Role of the “Nonobviousness” Bar to Patentability*, Yale Law School Information Society Project Reading Group, New Haven, CT (Oct. 10, 2013)

*Patents at the Supreme Court in OT 2012*, Cato Institute Center for Constitutional Studies, Washington, DC (Sept. 17, 2013)

*Big Data and Pharmacovigilance* by Ryan Abbott, Invited Commentator, IP Scholars Conference, New York, NY (Aug. 9, 2013)

*The Myriad Decision and Patented Innovation in the Biotech Industry*, Podcast, Federalist Society Panel (July 11, 2013)

*Patenting Human DNA: The Court's Decision*, Podcast, Federalist Society (June 27, 2013)

*Supreme Court's Decision in AMP v. Myriad*, Podcast, Federalist Society (June 19, 2013)

*Roundtable on Standard-Setting Organizations and Standard-Essential Patents*, George Mason University, Center for Protection of Intellectual Property (June 10, 2013)

*The Seed Patent Case: Bowman v. Monsanto*, Podcast, Federalist Society Panel (June 3, 2013)

*DNA & Patents: AMP v. Myriad Genetics*, Podcast, Federalist Society (May 14, 2013)

*Supreme Court Argument in AMP v. Myriad Genetics*, Podcast, Federalist Society (Apr. 30, 2013)

*AMP v. Myriad Genetics: Post-Argument Discussion*, American University, Program on Information Justice and Intellectual Property (Apr. 15, 2013)

*Supreme Court's Decision in Caraco Pharmaceutical Laboratories, Ltd. v. Novo Nordisk*, Podcast, Federalist Society (Apr. 25, 2012)

*The Patentability of Genes*, University of Washington School of Law, IP Innovations Class (Oct. 31, 2011)

*The Evolution of Legal Landscape for Oncofertility in the last 5 Years*, Oncofertility Consortium Conference (Sept. 29, 2011)

## **MEDIA APPEARANCES**

Quoted in *Anne Arundel Medical Center's Tobacco Ban Part of Growing Trend for Employers*, ABC2 News – WMAR, available at <http://www.abc2news.com/web/wmar/news/health/anne-arundel-medical-center-seeks-to-set-example-with-tobacco-ban> (July 23, 2014)

Quoted in *Hopkins Could See Higher Insurance Costs from Settlement*, BALTIMORE SUN at 10A (July 22, 2014)

Interviewed by ABC2 News – WMAR on *Burwell v. Hobby Lobby* (contraception mandate), *University of Baltimore Law Professor Breaks Down SCOTUS Contraception Decision*, available at <http://www.abc2news.com/news/political/university-of-baltimore-law-professor-breaks-down-scotus-contraception-decision> (June 30, 2014)

Quoted in *Court Sides with Employers in Contraception Case*, BALTIMORE SUN available at <http://www.baltimoresun.com/health/bs-md-hobby-sisters-20140630,0,2928539,full.story> (June 30, 2014)

Quoted in *Doctor Said to Act Alone*, BALTIMORE SUN at 1A (March 27, 2014)

Quoted in *Mistrial in Midei Stent Case as Jury Deadlocks on Damages*, BALTIMORE SUN at 1A (Nov. 6, 2013)

Quoted in *Hopkins Doctor May Have 9,000 Victims*, BALTIMORE SUN at 1A (Nov. 5, 2013)

Interviewed in *Man Fined in Baltimore County Crash that Killed 5-year-old Boy*, WBALTV-11, available at <http://www.wbalv.com/news/maryland/baltimore-county/man-fined-in-baltimore-county-crash-that-killed-5yearold-boy/-/10136486/21871400/-/qp5xi5z/-/index.html> (Sept. 11, 2013)

Quoted in *Patients Settle Stent Claims Against Midei, St. Joseph*, BALTIMORE SUN at 1A (May 2, 2013)

Quoted in *Longer Exclusivity Sought for Fixed-Dose Drug Combinations*, 19 NATURE MEDICINE 1075 (Sept. 6, 2013)

Quoted in Supreme Court's Decision in *AMP v. Myriad Genetics*, CBS NEWS RADIO (June 14, 2013)

Quoted in *Patent Ruling Earns Cheers; DNA Decision Could Widen Access to Genetic Testing and Lower Costs*, BALTIMORE SUN at 1A (June 14, 2013)

Quoted in *Justices Reject Patents for Human Genes; Ruling Ups Access to Testing, Expects Biotech Creations*, CHICAGO TRIBUNE at C18 (June 14, 2013)

Quoted in *Supreme Court Rejects Gene Patents*, L.A. TIMES at A1 (June 14, 2013)

Quoted in *Experts Raise Questions In Response to SCOTUS' Gene Patent Concerns*, FDA WEEK (Apr. 19, 2013)

Quoted in *Lawyers are Scrambling for Patients of Late Doctor; Clients Needed to Spur Civil Investigation into Taping*, BALTIMORE SUN at 1A (Feb. 22, 2013)

Quoted in *Hopkins Patients Stream Forward over Recordings; Some Images Taken with Hidden Camera in a Pen, Officials Say*, BALTIMORE SUN at 1A (Feb. 22, 2013)

Quoted in *Patient Sues Over Hepatitis C Exposure*, BALTIMORE SUN, available at <http://www.baltimoresun.com/health/bs-hs-hepatitis-c-lawsuit-20120904,0,4541620.story> (Sept. 4, 2012)

Quoted in *Malpractice Payouts Worry Maryland Medical Community; Large Awards Raise Fears Of Higher Fees, Fleeing Doctors*, BALTIMORE SUN at 1A (Aug. 5, 2012)

Quoted in *High Court's Diagnostic Ruling Impacts New Drug Uses: Expert*, FDANEWS.COM, available at <http://www.fdanews.com/newsletter/article?articleId=145046&issueId=15625> (March 24, 2012)

Interviewed by XINXUA CNC WORLD CHANNEL, *Apple v. Samsung Trial*; available at [http://www.cncworld.tv/news/v\\_show/26913\\_Judge\\_urges\\_Apple\\_&\\_Samsung\\_to\\_settle.shtml](http://www.cncworld.tv/news/v_show/26913_Judge_urges_Apple_&_Samsung_to_settle.shtml); [http://www.cncworld.tv/news/v\\_show/27066\\_Apple\\_vs\\_Samsung\\_wraps\\_testimony.shtml](http://www.cncworld.tv/news/v_show/27066_Apple_vs_Samsung_wraps_testimony.shtml) (August 16, 2012)

Quoted in *Disjointed Custody*, 8 CURE 28 (June 9, 2009)

#### **PROFESSIONAL SERVICE**

Appointed Counsel in *United States v. Hammoud*, Case No. 14-4823 (4th Cir. 2015) (Direct Appeal of a Federal Criminal Conviction)

Appointed Counsel in *Waters v. Clarke*, 2014 U.S. App. LEXIS 4501 (4th Cir. 2014) (Habeas Corpus Appeal of State Conviction)

Amicus Brief in *Ass'n of Molecular Pathology v. Myriad Genetics*, 133 S. Ct. 2107 (2013)

Amicus Brief in *Federal Trade Commission v. Actavis*, 133 S. Ct. 2223 (2013)

Amicus Brief in *In re Cyclobenzaprine Hydrochloride Extended-Release Capsule Patent Litigation*, 676 F.3d 1063 (Fed. Cir. 2012)

Appointed Counsel in *Carr v. Commissioner of Social Security*, No. 11-1608 (4<sup>th</sup> Cir. 2012) (Social Security Disability)

Appointed Counsel in *Krieger v. Brown*, 2012 U.S. App. LEXIS 23195 (4th Cir. 2012) (Prisoner Rights under Religious Land Use and Institutionalized Persons Act)

Peer Referee for JOURNAL OF MEDICAL ETHICS

Peer Referee for LAW & SOCIAL INQUIRY

**INSTITUTIONAL SERVICE**

Institutional Review Board 2014-current  
Dean's Advisory Committee 2013-2014  
Appointments Committee 2012-current  
Faculty Research & Development Committee 2011-current  
Advisor to & Coach of Giles Rich Intellectual Property Moot Court Team 2011- current  
Advisor to the Federalist Society 2011- current  
Advisor to the Health Law Society 2011- current

**BAR ADMISSIONS**

New York (2005)  
District of Columbia (2006, inactive)  
U.S. Court of Appeals for the Fourth Circuit (2007)  
U.S. Court of Appeals for the Federal Circuit (2009)  
U.S. District Court for the Southern District of New York (2005)  
U.S. District Court for the Eastern District of New York (2005)  
U.S. Patent and Trademark Office (2006)

**LANGUAGES**

Native Russian speaker, Advanced comprehension of Ukrainian