

## MICHAEL A. CARRIER

Rutgers Law School  
217 North Fifth Street  
Camden, NJ 08102

(856) 225-6380 (office)  
[mcarrier@law.rutgers.edu](mailto:mcarrier@law.rutgers.edu)  
[@profmikecarrier](https://twitter.com/profmikecarrier)

### *Highlights*

- Co-author of leading IP/antitrust treatise, *IP AND ANTITRUST LAW: AN ANALYSIS OF ANTITRUST PRINCIPLES APPLIED TO INTELLECTUAL PROPERTY LAW* (3d ed. 2017 and annual updates, with Hovenkamp, Janis, Lemley, and Leslie)
- Internationally-acclaimed *Innovation for the 21st Century: Harnessing the Power of Intellectual Property and Antitrust Law* (Oxford 2009, paperback 2011)
- *Critical Concepts in IP Law: Competition* (editor, Edward Elgar 2011)
- 160 book chapters and law review articles, including in the primary law reviews of Stanford, Michigan, Penn, Cornell, Duke, Vanderbilt, Minnesota, Iowa, and Notre Dame, and online journals at Harvard, Yale, Stanford, Chicago, Columbia, Michigan, NYU, Penn, and Northwestern
- Scholarship served as basis for legislation on citizen petitions and product hopping introduced in 119<sup>th</sup> Congress (S. 1040, S. 3014), 118<sup>th</sup> Congress (S. 150, S. 1067, H.R. 3030); 117<sup>th</sup> Congress (S. 562, S. 1435, H.R. 2843, H.R. 2873); and 116<sup>th</sup> Congress (S. 660, S. 1416, S. 1895, H.R. 2387)
- Cited in opinions of U.S. Supreme Court, California Supreme Court, D.C. Circuit, Second/Third/Fourth/Tenth Circuits, district courts, ITC, FTC
- Submitted 25 amicus briefs on behalf of antitrust groups and hundreds of professors in U.S. and California Supreme Courts and Federal, 1st, 2nd, 3rd, 5th, 7th, 9th Circuits
- Testified before House Energy & Commerce Committee (3x), Senate Judiciary Committee (2x), House Judiciary Committee, FDA, FTC, and National Academies, and gave talks to U.S. Department of Justice, Canadian Competition Bureau, and state attorneys general
- 3rd most cited antitrust scholar in country 2016-20; 5<sup>th</sup> most cited 2010-14
- Assisted 2020 Biden-Harris campaign on policy issues
- Served on ABA Antitrust 2016 Presidential Transition Task Force
- Contributing Editor of Antitrust Law Journal
- First recipient of Greg Lastowka Memorial Award for Scholarly Excellence and of Chancellor's Award for Outstanding Research and Creative Activity
- Teaching Awards: Professor of Year (2022); Grand Marshal (2018, 2017); Graduation Reader (2023, 2021, 2014, 2013, 2011); Graduation Hooder (2025, 2024, 2020, 2015)
- Top 1/40 of 1% (#450 of 1,800,000) of SSRN authors
- Quoted more than 2000 times in ABC NEWS, BLOOMBERG, CBS NEWS, CNBC.COM, CNN, C-SPAN, ECONOMIST, ESPN, FINANCIAL TIMES, FORBES, FORTUNE, FOX NEWS, NBC NEWS, N.Y. TIMES, NPR, PBS, POLITICO, SPORTS ILLUSTRATED, THE ATLANTIC, USA TODAY, WALL STREET JOURNAL, WASHINGTON POST, other publications

Michael A. Carrier  
Rutgers Law School

## **CURRENT EMPLOYMENT**

### **Rutgers Law School, Camden, New Jersey**

*Board of Governors Professor & Co-Director, Rutgers Institute for Information Policy & Law*  
(July 2023 – present)

*Distinguished Professor & Co-Director, Rutgers Institute for Information Policy & Law*  
(July 2013 – June 2022)

*Professor & Co-Director, Rutgers Institute for Information Policy & Law* (July 2010 –  
June 2013)

*Professor* (July 2006 – June 2010)

*Associate Professor* (July 2004 – June 2006)

*Assistant Professor* (July 2001 – June 2004)

*Visiting Assistant Professor* (July 2000 – June 2001)

### **University of Pennsylvania Carey Law School, Philadelphia, Pennsylvania**

*Visiting Professor* (January 2020 – April 2020)

### **The Hebrew University of Jerusalem, Jerusalem, Israel**

*Visiting Professor* (June 2019)

### **Tel Aviv University, The Buchmann Faculty of Law, Tel Aviv, Israel**

*Visiting Professor* (December 2014 – January 2015)

### **Karl-Franzens Universitat, Graz, Austria**

*Visiting Lecturer* (June 2010)

**Classes:** Advanced Antitrust, Antitrust, Intellectual Property, Intellectual Property: Current  
Issues, Property

## **PUBLICATIONS**

### ***Books:***

ANTITRUST AND INTELLECTUAL PROPERTY: PHARMACEUTICALS AND HIGH TECH (Edward Elgar  
Publishing, forthcoming 2026)

IP AND ANTITRUST LAW: AN ANALYSIS OF ANTITRUST PRINCIPLES APPLIED TO INTELLECTUAL  
PROPERTY LAW (3d ed. 2017 and annual updates, with Hovenkamp, Janis, Lemley, and  
Leslie)

CRITICAL CONCEPTS IN INTELLECTUAL PROPERTY LAW: COMPETITION (Editor, Edward Elgar  
Publishing, 2011)

INNOVATION FOR THE 21<sup>ST</sup> CENTURY: HARNESSING THE POWER OF INTELLECTUAL PROPERTY  
AND ANTITRUST LAW (Oxford University Press 2009, paperback 2011)

- Subject of symposia in *Alabama Law Review* and on patent (PatentlyO) and antitrust (Truth on the Market) blogs

Michael A. Carrier  
Rutgers Law School

***Book chapters (all solicited):***

*The EpiPen and High Drug Prices*, RESEARCH HANDBOOK IN INTELLECTUAL PROPERTY AND HEALTH (Ana Santos Rutschman editor, Edward Elgar, forthcoming 2026)

*FTC v. Qualcomm: The Difficult Path for Antitrust FRAND Challenges in the U.S.*, FRAND CASES IN CONTEXT (Jorge Contreras editor, Edward Elgar, forthcoming 2026)

*Unfair Competition and Antitrust Law*, RESEARCH HANDBOOK ON UNFAIR COMPETITION AND PASSING OFF (Graeme Dinwoodie and Ansgar Ohly editors, Edward Elgar, forthcoming 2026)

*Intellectual Property Right*, COMPETITION LAW DICTIONARY (Concurrences 2024)

*High Prices and Pharmaceuticals*, HARRY FIRST TRIBUTE (Concurrences 2024) (symposium)

*Intellectual Property*, GLOBAL DICTIONARY OF COMPETITION LAW (2021)

*Four Innovation Myths*, Albert Foer Liber Amicorum, CONCURRENCES (2020) (symposium)

- Nominated for one of top antitrust articles of 2020

*Product Hopping: The U.S. Approach*, in EU LAW OF COMPETITION AND TRADE IN THE PHARMACEUTICAL SECTOR (Pablo Figueroa & Alejandro Perez editors, Edward Elgar Publishing, 2019)

*U.S. Intellectual Property and Competition Law*, in THE INTERPLAY BETWEEN COMPETITION LAW AND INTELLECTUAL PROPERTY - AN INTERNATIONAL PERSPECTIVE (Gabriella Muscolo & Marina Tavassi editors, Kluwer, 2018)

*Introduction to Part II*, THE CAMBRIDGE HANDBOOK OF TECHNICAL STANDARDIZATION LAW (Jorge Contreras editor, Cambridge University Press, 2017)

*Drug Patent Settlements*, in CAMBRIDGE UNIVERSITY PRESS ANTITRUST INTELLECTUAL PROPERTY AND HIGH TECH HANDBOOK (D. Daniel Sokol editor, Cambridge University Press, 2016)

*Pharmaceutical Antitrust Law in the United States*, in THE PHARMACEUTICAL SECTOR BETWEEN PATENT LAW AND COMPETITION LAW: AN INTERNATIONAL PERSPECTIVE (Giovanni Pitruzzella & Gabriella Muscolo editors, Kluwer Law International, 2016)

*Antitrust and Climate Change*, in RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY AND CLIMATE CHANGE (Josh Sarnoff editor, Edward Elgar Publishing, 2016)

*Antitrust Treatment of Intellectual Property Rights*, in RESEARCH HANDBOOK ON COMPARATIVE COMPETITION LAW (Arlen Duke et al. editors, Edward Elgar Publishing, 2016)

*The Recess Appointments Clause*, in THE HERITAGE GUIDE TO THE CONSTITUTION (second edition, 2014)

Michael A. Carrier  
Rutgers Law School

*Limiting Copyright Through Property*, in CONCEPTS OF PROPERTY IN INTELLECTUAL PROPERTY LAW (Helena Howe editor, Cambridge University Press 2013)

*Competition Law and Enforcement in the Pharmaceutical Industry*, in INTERNATIONAL RESEARCH HANDBOOK ON COMPETITION LAW (Ariel Ezrachi editor, Edward Elgar Publishing, 2012)

*Standard-Setting Analysis Under U.S. Law*, in INTELLECTUAL PROPERTY AND COMPETITION LAW: NEW FRONTIERS (Ariel Ezrachi and Steve Anderman editors, Oxford University Press, 2010)

*The Propertization of Copyright*, in INTELLECTUAL PROPERTY AND INFORMATION WEALTH (Peter Yu editor, Praeger, 2006)

*Does a Patent Automatically Demonstrate Market Power for Purposes of the Antitrust Tying Offense?*, American Bar Association series, PREVIEW OF U.S. SUPREME COURT CASES (2005)

*The Recess Appointments Clause*, in THE HERITAGE GUIDE TO THE CONSTITUTION (2005)

**Articles:**

*Competitive Concerns from Pharmacy Benefit Managers Selling Their Own Drugs* (with Rachel Sachs), 23 YALE JOURNAL OF HEALTH POLICY, LAW, AND ETHICS \_\_ (forthcoming 2026)

*Settlements and Value*, 19 SAINT LOUIS UNIVERSITY JOURNAL OF HEALTH LAW AND POLICY \_\_ (forthcoming 2026) (symposium)

*Non-Big Tech Antitrust Litigation*, CONCURRENCES, forthcoming 2026

*Seven Types of Standard Essential Patents Abuse* (with Earl Nied), LANDSLIDE MAGAZINE (ABA Intellectual Property Section Publication, September/October 2025)

*The Innovation/Access Tradeoff, Part 1000: Response to William Feldman's Congressional Testimony*, 53 JOURNAL OF LAW, MEDICINE & ETHICS 164 (June 2025) (symposium)

*Avanci's Admissions Cast Doubt on Pool's Procompetitive Effects* (with Brian Scarpelli and Priya Nair), CPI TECHREG CHRONICLE (March 2025) (symposium)

*Standards Organizations: The Missing Link in Fixing FRAND Evasion* (with David Katz), CPI TECHREG CHRONICLE (March 2025) (symposium)

*PBMs: The Hidden Actor Behind Product Hopping* (with Victoria Field), CPI ANTITRUST CHRONICLE (January 2025) (symposium)

- Received the National Association of Attorneys General Antitrust Task Force Chair's Writing Award

Michael A. Carrier  
Rutgers Law School

*Rule or Reason? The Role of Balancing in Antitrust Law* (with Mark Lemley), 100 NOTRE DAME LAW REVIEW REFLECTION 139 (2025)

*Of Labor, Antitrust, and Why the Proposed House Settlement Will Not Solve the NCAA's Problem* (with Marc Edelman), 93 FORDHAM LAW REVIEW 1573 (2025)

- Awarded Outstanding Sports and Entertainment Paper by the Academy of Legal Studies in Business

*A Surprising Reason the Reverse-Payment Caselaw Has Not Developed*, 28 JOURNAL OF HEALTH CARE LAW & POLICY 94 (2025) (symposium)

*The Missing Caselaw of Reverse-Payment Settlements* (with Ed Bank), 98 ST. JOHN'S LAW REVIEW 959 (2025)

*Pharmaceutical Antitrust Enforcement in the Biden Administration*, CONCURRENCES (2024)

*The Antitrust Case Against Live Nation Entertainment*, 15 HARVARD JOURNAL OF SPORTS AND ENTERTAINMENT LAW 1 (2024) (lead article)

*An Antitrust Analysis of the NCAA Transfer Policy* (with Marc Edelman), 11 TEXAS A&M LAW REVIEW 999 (2024)

*Why Pharmaceutical Patent Thickets Are Unique* (with Sean Tu), 32 TEXAS INTELLECTUAL PROPERTY LAW JOURNAL 79 (2024)

- Cited in FTC Comment, Terminal Disclaimer Practice To Obviate Nonstatutory Double Patenting, Docket No. PTO-P-2024-0003 (July 2024)

*Innovation, Invention, and Standards*, COMPETITION POLICY INTERNATIONAL (Sept. 2023)

*Why is FRAND Hard?*, 2023 UTAH L. REV. 931 (2023)

- Nominated for one of top antitrust articles of 2024

*Patenting Strategies on Inhaler Delivery Devices* (with Brandon J. Demkowicz, S. Sean Tu, Aaron S. Kesselheim, & William B. Feldman), CHEST (Feb. 2023)

- Cited in Chair Lina M. Khan Statement at September Open Commission Meeting on Brand Drug Manufacturers' Improper Listing of Patents in the Orange Book (Sept. 2023)
- Cited in N.Y. Times article (Sept. 2023)

*Prior Bad Acts and Merger Review* (with Gwendolyn J. Lindsay Cooley), 111 GEORGETOWN LAW JOURNAL ONLINE 106 (2022)

- Nominated for one of top antitrust articles of 2024
- Cited in Concurring Statement of Commissioner Rebecca Kelly Slaughter, *In the Matter of ExxonMobil Co.*, Commission File No. 2410004 (May 2024)
- Cited in FTC Commissioners' Statement in *In the Matter of Amgen, Inc. and Horizon Therapeutics plc* (Sept. 2023)
- Cited in *Federal Trade Commission Statement Concerning Brand Drug Manufacturers' Improper Listing of Patents in the Orange Book* (Sept. 2023)

Michael A. Carrier  
Rutgers Law School

*How the Federal Trade Commission Can Use Section 5 To Strengthen the Right to Repair*, 37  
BERKELEY TECHNOLOGY LAW JOURNAL 1145 (2022) (symposium)

- Nominated for one of top antitrust articles of 2022

*The Right to Repair, Competition, and Intellectual Property*, LANDSLIDE MAGAZINE (ABA  
Intellectual Property Section publication) (2022)

*Back to 2012: The Seventh Circuit's Reliance on Pre-Actavis Law in Dismissing Patent-Thicket  
Claims*, COMPETITION POLICY INTERNATIONAL (Nov. 2022)

*The Neglected Concern of Firm Size in Pharmaceutical Mergers* (with Patricia Danzon), 84  
ANTITRUST LAW JOURNAL 487 (2022)

- Cited in FTC Commissioners' Statement in *In the Matter of Amgen, Inc. and Horizon Therapeutics plc* (Sept. 2023)
- Top Academic Antitrust article (Merger category) of 2022

*Pharmaceutical Settlements and Judicial Error*, COMPETITION POLICY INTERNATIONAL (May  
2022)

*The US District Court for the Southern District of New York Imposes Lifetime Ban Against  
Pharmaceutical Executive and Requires \$65 Million Payment for Antitrust Violation  
(Martin Shkreli)*, E-COMPETITIONS (No. 105456, Mar. 2022)

*A Simple Solution to the Problem of "Product Hopping,"* HARVARD HEALTH POLICY REVIEW,  
Dec. 2021

- Nominated for one of top antitrust articles of 2022

*Patient and Payer Incentives to Use Patented Brand-Name Drugs vs Authorized Generic Drugs  
in Medicare Part D* (with Stacie B. Dusetzina, Ameet Sarpatwari, Richard A. Hansen,  
Nancy L. Keating, and Haiden A. Huskamp), 181 JAMA INTERNAL MEDICINE 1605 (Oct.  
2021)

- Cited in *Policy Statement of the Federal Trade Commission on Rebates and Fees in  
Exchange for Excluding Lower-Cost Drug Products* (2022)

*An Antitrust Framework for False Advertising* (with Rebecca Tushnet), 106 IOWA LAW REVIEW  
1841 (2021)

- Winner of American Antitrust Institute's Jerry S. Cohen Award for best 2021 Antitrust  
Article on Monopolization
- Nominated for one of top antitrust articles of 2020

*Pharmaceutical Antitrust Enforcement in the United States and Chile* (with Fernando Araya),  
8 JOURNAL OF LAW AND THE BIOSCIENCES 1 (2021)

*Why The New Administration Should Bury the New Madison Approach*, CPI ANTITRUST  
CHRONICLE (2021) (symposium)

Michael A. Carrier  
Rutgers Law School

*The Alston Case: Why the NCAA Does Not Deserve Antitrust Immunity and Should Not Succeed Under a Rule-of-Reason Analysis* (with Chris Sagers), 29 GEORGE MASON LAW REVIEW 1461 (2021)

- Nominated for one of top antitrust articles of 2021

*Rescuing Antitrust's Role in Patent Holdup*, 168 PENNSYLVANIA LAW REVIEW ONLINE 238 (2021)

*Pharmaceutical Antitrust: What the Biden Administration Can Do*, CONCURRENCES (2021)

*The U.S. Court of Appeals for the Federal Circuit Reverses a Judgment that Upheld "Skinny Labels" and Allowed the Generic To Launch on Uses Not Covered by a Patent (GlaxoSmithKline/Teva)*, E-COMPETITIONS (No. 98366, Dec. 2020)

*Don't Die! How Biosimilar Disparagement Violates Antitrust Law*, 115 NORTHWESTERN UNIVERSITY LAW REVIEW ONLINE 119 (2020)

*The U.S. District Court for the Northern District of Illinois Dismisses Antitrust Case Challenging Patent Thicket (Humira)*, E-COMPETITIONS (No. 96364, Sept. 2020)

*Pay-for-Delay: Who Does the Generic Industry Lobby Represent?*, CPI ANTITRUST CHRONICLE (May 2020)

*Playing Both Sides? Branded Sales, Generic Drugs, and Merger Policy* (with Mark A. Lemley & Shawn Miller), 71 HASTINGS LAW JOURNAL 307 (2020)

- Nominated for one of top antitrust articles of 2019

*Three Challenges for Pharmaceutical Antitrust*, 59 SANTA CLARA LAW REVIEW 613 (2020) (symposium)

*Big Tech, Antitrust, and Breakup*, GEORGETOWN JOURNAL OF INTERNATIONAL AFFAIRS (January 2020)

*Why Absolutist Conceptions of Property Do Not Support the Antitrust Abandonment of Standards*, 57 HOUSTON LAW REVIEW 265 (2019) (symposium)

- Nominated for one of top antitrust articles of 2019

*Higher Drug Prices from Anticompetitive Conduct: Three Case Studies*, 39 THE JOURNAL OF LEGAL MEDICINE 151 (2019) (symposium)

*Why the NCAA's No-Transfer Rule Is No Good* (with Marc Edelman), THE UNIVERSITY OF CHICAGO LAW REVIEW ONLINE (2019)

*College Athletics: The Chink in the Seventh Circuit's "Law and Economics" Armor* (with Marc Edelman), 117 MICHIGAN LAW REVIEW ONLINE 90 (2019)

Michael A. Carrier  
Rutgers Law School

*Don't Ditch Antitrust's Role in Product Hopping: A Response to Pace and Adam* (with Steve D. Shadowen), 33 ANTITRUST 72 (2019)

*FTC Reverses Administrative Law Judge Decision, Finding Section 5 Violation for Reverse-Payment Settlement (Impax)*, E-COMPETITIONS (No. 90331, May 2019)

*The Four-Step Rule of Reason*, 33 ANTITRUST 50 (2019)

*A Non-Coercive Approach to Product Hopping* (with Steve D. Shadowen), 33 ANTITRUST 102 (2018)

*Antitrust in the Pharmaceutical Sector*, E-COMPETITIONS (No. 88026, Oct. 2018)

*Antitrust, Market Exclusivity, and Transparency in the Pharmaceutical Industry* (with Michael S. Sinha and Greg D. Curfman), 319 JAMA 2271 (2018)

- Nominated for one of top antitrust articles of 2018

*Biologics: The New Antitrust Frontier* (with Carl J. Minniti III), 2018 UNIVERSITY OF ILLINOIS LAW REVIEW 1 (2018) (lead article)

- Subject of 8-article symposium and featured in Inside Health Policy article

*The U.S. District Court for the Northern District of California Sets Student-Athletes' Antitrust Case for Trial*, E-COMPETITIONS (No. 87066, May 2018)

*Five Actions to Stop Citizen Petition Abuse*, 118 COLUMBIA LAW REVIEW ONLINE 81 (2018)

- Served as basis in 118<sup>th</sup> Congress for:
  - Time-limit provision in S. 1067 (Ensuring Timely Access to Generics Act of 2023), passed by Senate HELP Committee in 21-0 vote
    - Also introduced in 119<sup>th</sup> Congress as S. 3014 (Ensuring Timely Access to Generics Act of 2025)
- Served as basis in 117<sup>th</sup> Congress for:
  - Time-limit provision in S. 562 (Ensuring Timely Access to Generics Act), passed by Senate HELP Committee in 13-9 vote
- Served as basis in 116<sup>th</sup> Congress for:
  - H.R. 2387 (STOP GAMES Act of 2019), unanimously approved by House Energy & Commerce's Health Subcommittee
    - Also introduced in 118<sup>th</sup> Congress as H.R. 3030 (STOP GAMES Act of 2023) and 117<sup>th</sup> Congress as H.R. 2843 (STOP GAMES Act of 2021)
  - S. 660 (Efficiency and Transparency in Petitions Act, introduced by Sen. Braun (R-IL))
  - Time-limit provision in S. 1895 (Lower Health Care Costs Act, passed by Senate HELP Committee in 20-3 vote)

*The Curious Case of Wellbutrin: How the Third Circuit Mistook Itself for the Supreme Court*, 103 CORNELL LAW REVIEW ONLINE 137 (2018)

Michael A. Carrier  
Rutgers Law School

*William Howard Taft Lecture: The Rule of Reason in the Post-Actavis World*, 2018 COLUMBIA BUSINESS LAW REVIEW 26 (2018)

*Solving the Product Hopping Conundrum Through Safe Harbors and a No-Economic-Sense Test* (with Steve Shadowen), 28 RESEARCH IN LAW AND ECONOMICS 89 (2018)

*Risk Evaluation and Mitigation Strategies: An Antitrust Framework*, COMPETITION LAW INSIGHT (2018)

*Antitrust's Hidden Hook in Drug Price Increases*, 27 COMPETITION: THE JOURNAL OF THE ANTITRUST, UCL AND PRIVACY SECTION OF THE CALIFORNIA LAWYERS ASSOCIATION 45 (2018)

*Drug Patent Settlements Around the World*, 62 ANTITRUST BULLETIN 770 (2017)

*Sharing, Samples, and Generics: An Antitrust Framework*, 103 CORNELL LAW REVIEW 1 (2017) (lead article)

- Winner of American Antitrust Institute's Jerry S. Cohen Award for best 2017 Antitrust and Healthcare Article; cited in Bloomberg BNA article
- Cited in House Energy & Commerce Committee Report for CREATES Act, 116<sup>th</sup> Cong. 1<sup>st</sup> Sess.

*Five Solutions to the REMS Patent Problem* (with Brenna Sooy), 97 BOSTON UNIVERSITY LAW REVIEW 1661 (2017)

- Recommendations supported by California Attorney General in comments to FDA

*The U.S. Court of Appeals for the Third Circuit Applies an Appropriate Post-Actavis Pleading Standard (Lipitor)*, E-COMPETITIONS (No. 84937, Oct. 2017)

*Using Antitrust Law to Challenge Turing's Daraprim Price Increase* (with Nicole Levidow and Aaron S. Kesselheim), 31 BERKELEY TECHNOLOGY LAW JOURNAL 1379 (2017)

- Bloomberg Opinion called article "blueprint" for FTC/NY lawsuit against Martin Shkreli, which resulted in \$65 million damages award and ban from industry for life
- Reviewed in *Paper Trail: Working Papers and Recent Scholarship*, THE ANTITRUST SOURCE, April 2016; discussed on STAT healthcare blog

*The Untold EpiPen Story: How Mylan Hiked Prices by Blocking Rivals* (with Carl J. Minniti III), 102 CORNELL LAW REVIEW ONLINE 53 (2017)

- Focus of Law360 story and discussed on health care blogs
- Featured in class action lawsuit filed against Mylan's EpiPen

*Product Hopping*, 23 JOURNAL OF COMMERCIAL BIOTECHNOLOGY 82 (2017)

Michael A. Carrier  
Rutgers Law School

*Citizen Petitions: Long, Late-Filed, and At-Last Denied* (with Carl J. Minniti III), 66 AMERICAN UNIVERSITY LAW REVIEW 305 (2016)

- Top Academic Antitrust article (IP category) of 2016
- Featured in class action lawsuit filed against Mylan's EpiPen
- Cited in *Blue Cross & Blue Shield of Vermont v. Teva Pharm. Indus., Ltd.*, 712 F. Supp. 3d 499, 515 n.8 & 531 (D. Vt. 2024)
- Cited by Senator Collins (R-ME) in May 2023 Senate HELP Committee markup
- Cited by Senators Durbin (D-IL) and Klobuchar (D-MN) in July 2021 Senate Judiciary Committee markup
- Cited in Senator Cassidy's (R-LA) Ensuring Timely Access to Generics Act release
- Cited in U.S. Senate Finance Committee Minority Staff Report, June 2018
- Cited in FTC's comment on FDA's Citizen Petition Guidance
- Cited in Atlantic, Bloomberg, CNBC.com, Law360, NBC News, Reuters

*Product Hopping: A New Framework* (with Steve Shadowen), 92 NOTRE DAME LAW REVIEW 167 (2016)

- Featured in NBC10 investigative report, Forbes, and Consumer Reports
- Served as basis of S. 1416 (Affordable Prescriptions for Patients Act of 2019), authored by Senator Cornyn (R-TX) and Senator Blumenthal (D-CT) and sponsored by 12 other Senators, approved 22-0 by Senate Judiciary Committee in 116<sup>th</sup> Congress
- Served as basis of S. 1435 (same authors, 16 sponsors), approved unanimously by Senate Judiciary Committee in 117<sup>th</sup> Congress
- Served as basis of H.R. 2873 (Affordable Prescriptions for Patients Through Promoting Competition Act of 2021), sponsored by Representative Cicilline (D-RI), which House Judiciary Committee reported to the House floor in 117<sup>th</sup> Congress
- Served as basis of:
  - S. 150, Affordable Prescriptions for Patients Act of 2023, sponsored by Senators Cornyn (R-TX), Blumenthal (D-CT), Grassley (R-IA), Durbin (D-IL), Cruz (R-TX), and Klobuchar (D-MN) in 118<sup>th</sup> Congress
  - S. 1040, Drug Competition Enhancement Act, sponsored by Senators Cornyn (R-TX), Blumenthal (D-CT), Grassley (R-IA), and Durbin (D-IL) in 119<sup>th</sup> Congress
- Cited in U.S. Senate Finance Committee Minority Staff Report, June 2018

*The U.S. Federal Trade Commission Issues Report on Patent Assertion Entities*, E-COMPETITIONS (No. 82367, Dec. 2016)

*Pharmaceutical Antitrust: What the Trump Administration Can Do*, CONCURRENCES: COMPETITION LAW REVIEW 63 (No. 4, 2016)

*The U.S. Court of Appeals for Third Circuit Offers Misguided Analysis of Product Hopping*, E-COMPETITIONS (No. 81744, Oct. 2016)

*Why the Supreme Court Should Deny Certiorari in King Drug*, CPI ANTITRUST CHRONICLE (Sept. 2016)

*Pleading Standards: The Hidden Threat to Actavis*, 91 N.Y.U. L. REV. ONLINE 31 (2016)

Michael A. Carrier  
Rutgers Law School

*Why “Large and Unjustified Payment” Is Not a Threshold Under Actavis*, 91 WASHINGTON LAW REVIEW 109 (2016) (symposium) (solicited)

*The U.S. Court of Appeals for the First Circuit Concludes that a Reverse Payment Need Not Be in Cash (Loestrin)*, E-COMPETITIONS (No. 78533, Mar. 2016)

*Strategies that Delay or Prevent the Timely Availability of Affordable Generic Drugs in the United States* (with Gregory H. Jones, Richard T. Silver, & Hagop Kantarjian), 127 BLOOD (journal published by the American Society of Hematology) 1398 (2016)

*The “Equity of the Statute” and Copyright Law: Three Critiques*, 163 UNIVERSITY OF PENNSYLVANIA LAW REVIEW ONLINE 377 (2015) (response to Shyamkrishna Balganesh & Gideon Parchomovsky, *Equity’s Unstated Domain: The Role of Equity in Shaping Copyright Law*, 163 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1859 (2015)) (solicited)

*How Not to Apply the Rule of Reason: The O’Bannon Case*, 114 MICHIGAN LAW REVIEW FIRST IMPRESSIONS 73 (2015)

*2008 and 2015: Night and Day for Drug Patent Settlements*, CPI ANTITRUST CHRONICLE (Dec. 2015)

*The U.S. Court of Appeals for the Third Circuit Concludes that the Actavis Ruling Applies to Non-Cash Payments (Lamictal)*, E-COMPETITIONS (No. 75208, Aug. 2015)

*Eight Reasons Why “No-Authorized-Generic” Promises Constitute Payment*, 67 RUTGERS UNIVERSITY LAW REVIEW 697 (2015) (symposium)

- Cited in *In re: Nexium (Esomeprazole) Antitrust Litigation*, 2015 WL 4717286 (D. Mass. Aug. 7, 2015)

*After Actavis: Seven Ways Forward*, 67 RUTGERS UNIVERSITY LAW REVIEW 543 (2015) (symposium)

- Cited in *In re Aggrenox Antitrust Litigation*, 2017 WL 5885664 (D. Conn. Nov. 29, 2017)

*The California Supreme Court Cements Vigorous Scrutiny of Reverse-Payment Settlements (Cipro)*, E-COMPETITIONS (No. 73830, June 2015)

*U.S. Court Upholds Antitrust Action Against Patent Troll*, E-COMPETITIONS (No. 73428, May 2015)

- Nominated for one of top antitrust articles of 2015

*What Does State Law Say About Drug Patent Settlements? The California Supreme Court’s Cipro Case*, ANTITRUST HEALTH CARE CHRONICLE (April 2015)

Michael A. Carrier  
Rutgers Law School

*O'Bannon v. National Collegiate Athletic Association: Why the Ninth Circuit Should Not Block the Floodgates of Change in College Athletics* (with Chris Sagers) (response to Marc Edelman, *The District Court Decision in O'Bannon v. National Collegiate Athletic Association: A Small Step Forward for College-Athletes, and a Gateway for Far Grander Change*, 71 WASHINGTON AND LEE LAW REVIEW ONLINE 299 (2015)) (symposium)

*A U.S. Court Sends Second Reverse Payment Case to Trial (Cephalon)*, E-COMPETITIONS (No. 71871, Jan. 2015)

*How Not To Apply Actavis*, 109 NORTHWESTERN UNIVERSITY LAW REVIEW ONLINE 113 (2015)

*No, RIAA, It's Not the End of the World for Musicians*, 83 UMKC LAW REVIEW 287 (2014) (symposium)

- Republished in ENTERTAINMENT, PUBLISHING AND THE ARTS HANDBOOK (Thomson Reuters, 2015)

*Payment After Actavis*, 100 IOWA LAW REVIEW 7 (2014)

- Cited in *In re Cipro Cases I & II*, 61 Cal.4th 116 (Cal. 2015)
- Cited in *King Drug Co. of Florence, Inc. v. Smithkline Beecham Corp.*, 791 F.3d 388 (3d Cir. 2015)
- Cited in *In re: Nexium (Esomeprazole) Antitrust Litigation*, 2015 WL 4717286 (D. Mass. Aug. 7, 2015)

*Pharmaceutical Antitrust Complexity*, COMPETITION POLICY INTERNATIONAL (Vol. 10, No. 2, 2014) (symposium)

*U.S. Court Issues Concerning Ruling on Drug Patent Settlements (Loestrin)*, E-COMPETITIONS (No. 69705, Oct. 2014)

*U.S. Court Finds that an Athletics Association's Rules Restricting Payments to Student-Athletes Violate Antitrust Laws (O'Bannon v. NCAA)*, E-COMPETITIONS (No. 68725, Sept. 2014)

*What You Need to Know About Standard Essential Patents*, COMPETITION POLICY INTERNATIONAL (Vol. 8, No. 2, 2014)

*Limelight v. Akamai: Limiting Induced Infringement*, 2014 WISCONSIN LAW REVIEW ONLINE 1

*Apple v. Motorola: Five Lessons for Judges in Admitting Expert Testimony*, 14 BLOOMBERG BNA EXPERT EVIDENCE REPORT, May 2014

*A U.S. Court Issues Formalistic Ruling on Reverse-Payment Settlements After "Actavis" (GlaxoSmithKline/Teva Pharmaceuticals/Louisiana Wholesale Drug Company/King Drug Company)*, E-COMPETITIONS (No. 63588, Feb. 2014)

Michael A. Carrier  
Rutgers Law School

*Only "Scraping" the Surface: The Copyright Hole in the FTC's Google Settlement*, 46  
UNIVERSITY OF BRITISH COLUMBIA LAW REVIEW 759 (2014) (symposium)

*A Response to Chief Justice Roberts: Why Antitrust Must Play A Role in the Analysis of Drug Patent Settlements*, 15 MINNESOTA JOURNAL OF LAW, SCIENCE & TECHNOLOGY 31 (2014)  
(symposium)

*A U.S. Court Issues Second Ruling Determining RAND Rate for Standard Essential Patent (Innovatio)*, E-COMPETITIONS (No. 58558, Nov. 2013)

*Five Arguments Laid to Rest After Actavis*, 13 ANTITRUST SOURCE 1 (2013)

*Google and Antitrust: Five Approaches to an Evolving Issue*, HARVARD JOURNAL OF LAW AND TECHNOLOGY OCCASIONAL PAPER SERIES (July 2013)

- Nominated for one of top antitrust articles of 2013

*U.S. Supreme Court Issues First Ruling on Antitrust Legality of Reverse-Payment Drug Patent Settlements (FTC v. Actavis)*, E-COMPETITIONS (No. 53120, July 2013)

*Copyright and Innovation: Responses to Marks, Masnick, and Picker*, 2013 WISCONSIN LAW REVIEW ONLINE 46

*A U.S. Court Issues First Analysis of an Appropriate Royalty that a Patentee Could Obtain after Promising to License Its Patent on Reasonable and Nondiscriminatory (RAND) Terms (Microsoft v Motorola)*, E-COMPETITIONS (No. 51802, May 2013-I)

*Increasing Innovation Through Copyright Common Sense and Better Government Policy*, 62 EMORY LAW JOURNAL 983 (2013) (symposium)

*Roundtable on Reverse-Payment Settlements*, ABA SECTION OF ANTITRUST LAW, ANTITRUST HEALTH CARE CHRONICLE (March 2013)

*Patent Assertion Entities: Six Actions the Antitrust Agencies Can Take*, COMPETITION POLICY INTERNATIONAL: ANTITRUST CHRONICLE (Vol. 1 No. 2, 2013)

*SOPA, PIPA, ACTA, TPP: An Alphabet Soup of Innovation-Stifling Copyright Legislation and Agreements*, 11 NORTHWESTERN JOURNAL OF TECHNOLOGY AND INTELLECTUAL PROPERTY 21 (2013) (symposium)

*Copyright and Innovation: The Untold Story*, 2012 WISCONSIN LAW REVIEW 891

- Republished in INTELLECTUAL PROPERTY AND INNOVATION (Shubha Ghosh editor, Edward Elgar Publishing, 2017)
- Subject of online symposium involving [Steven Marks](#), [Mike Masnick](#), and [Randal Picker](#)
- Discussed in Billboard magazine, NY Times blog, Boing Boing, and more than 50 music, arts, law, and technology websites
- #1 downloaded article on SSRN in July 2012

Michael A. Carrier  
Rutgers Law School

*Citizen Petitions: An Empirical Study* (with Daryl Wander), 34 CARDOZO LAW REVIEW 249 (2012)

- Cited in *Blue Cross & Blue Shield of Vermont v. Teva Pharm. Indus., Ltd.*, 712 F. Supp. 3d 499, 515 n.8 (D. Vt. 2024)
- Cited in *Cerveney v. Aventis, Inc.*, 855 F.3d 1091 (10th Cir. 2017)
- Cited in *In re Actos End–Payor Antitrust Litigation*, 848 F.3d 89 (2d Cir. 2017)
- Cited in *Apotex Inc. v. Acorda Therapeutics, Inc.*, 823 F.3d 51 (2d Cir. 2016)

*Why the “Scope of the Patent” Test Cannot Solve the Drug Patent Settlement Problem*, 16 STANFORD TECHNOLOGY LAW REVIEW 1 (2012)

*A Roadmap to the Smartphone Patent Wars and FRAND Licensing*, COMPETITION POLICY INTERNATIONAL: ANTITRUST CHRONICLE (Vol. 4 No. 2, 2012)

- Nominated for one of top antitrust articles of 2012

*Post-Grant Opposition: A Proposal and a Comparison to the America Invents Act*, 45 U.C. DAVIS LAW REVIEW 103 (2011)

*A Tort-Based Causation Framework for Antitrust Analysis*, 77 ANTITRUST LAW JOURNAL 991 (2011) (symposium)

- Nominated for one of top antitrust articles of 2011
- Cited in *Jetaway Aviation, LLC v. Board of County Commissioners*, 754 F.3d 824 (10th Cir. 2014).

*An Antitrust Framework for Climate Change*, 9 NORTHWESTERN JOURNAL OF TECHNOLOGY AND INTELLECTUAL PROPERTY 513 (2011)

- Cited in OECD REPORT ON SUSTAINABILITY & COMPETITION LAW AND POLICY (2020)

*Provigil: A Case Study of Anticompetitive Behavior*, 2 HASTINGS SCIENCE TECHNOLOGY & LAW JOURNAL 441 (2011) (symposium)

*Solving the Drug Settlement Problem: The Legislative Approach*, 41 RUTGERS LAW JOURNAL 83 (2011) (symposium)

- Cited in *Statement of the Federal Trade Commission, FTC v. Cephalon, Inc.* (May 28, 2015) (\$1.2 billion settlement with Cephalon and Teva)
- Cited in *In re Loestrin 24 Fe Antitrust Litigation*, 2014 WL 4368924 (D.R.I. Sept. 4, 2014)

*2025: Reverse-Payment Settlements Unleashed*, 2 COMPETITION POLICY INTERNATIONAL ANTITRUST JOURNAL (2010) (symposium)

*A Real-World Analysis of Pharmaceutical Settlements: The Missing Dimension of Product-Hopping*, 62 FLORIDA LAW REVIEW 1009 (2010)

- Cited in *New York ex rel. Schneiderman v. Actavis PLC*, 787 F.3d 638 (2d Cir. 2015)

*Innovation for the 21<sup>st</sup> Century: A Response to Seven Critics*, 61 ALABAMA LAW REVIEW 597 (2010) (symposium)

Michael A. Carrier  
Rutgers Law School

*The Pirate Bay, Grokster, and Google*, 15 JOURNAL OF INTELLECTUAL PROPERTY RIGHTS 7 (2010) (solicited)

*Unsettling Drug Patent Settlements: A Framework for Presumptive Illegality*, 108 MICHIGAN LAW REVIEW 37 (2009)

- Cited in *In re Cipro Cases I & II*, 61 Cal.4th 116 (Cal. 2015)

*The Rule of Reason in the 21st Century*, 17 GEORGE MASON LAW REVIEW 827 (2009) (symposium)

- Cited in *United States v. American Airlines*, 2023 WL 3560430 (D. Mass. May 19, 2023)
- Discussed in Bloomberg Law article
- Cited in INVESTIGATION OF COMPETITION IN DIGITAL MARKETS: MAJORITY STAFF REPORT AND RECOMMENDATIONS (Subcommittee on Antitrust, Commercial, and Administrative Law of the House Committee on the Judiciary) (2022)

*Two Puzzles Resolved: Of the Schumpeter-Arrow Stalemate and Pharmaceutical Innovation Markets*, 93 IOWA LAW REVIEW 393 (2008)

- Cited in OECD REPORT ON SUSTAINABILITY & COMPETITION LAW AND POLICY (2020)

*Against Cyberproperty*, 22 BERKELEY TECHNOLOGY LAW JOURNAL 1485 (2008) (with Greg Lastowka)

*Why Modularity Does Not (and Should Not) Explain Intellectual Property*, 116 YALE LAW JOURNAL POCKET PART 95 (2007) (solicited)

*Pictures at the New Economy Exhibition: Why the Antitrust Modernization Commission Got it (Mostly) Right*, 38 RUTGERS LAW JOURNAL 473 (2007) (symposium)

- Reprinted in *Patents vs. Competition: A Legal Debate* (ICFAI University Press, India, 2008)

*Refusals to License Intellectual Property After Trinko*, 55 DEPAUL LAW REVIEW 1191 (2006) (symposium)

- Republished as *Odbijanje davanja licence za intelektualno vlasništvo nakon predmeta Trinko*, translated by Zeljko Mrcic, *Nov-um* (2008) [Croatian]

*Of Trinko, Tea Leaves, and Intellectual Property*, 31 JOURNAL OF CORPORATION LAW 357 (2006) (symposium)

- Reprinted in *Intellectual Property and Licensing Issues* (P.L. Jayanthi Reddy editor, ICFAI University Press, India, 2009)

*Vote Counting, Technology, and Unintended Consequences*, 79 ST. JOHN'S LAW REVIEW 645 (2005)

Review of IP AND ANTITRUST: AN ANALYSIS OF ANTITRUST PRINCIPLES APPLIED TO INTELLECTUAL PROPERTY LAW (Herbert Hovenkamp, Mark D. Janis & Mark A. Lemley editors), 28 WORLD COMPETITION LAW AND ECONOMICS REVIEW 277 (2005) (solicited)

Michael A. Carrier  
Rutgers Law School

*Cabining Intellectual Property Through a Property Paradigm*, 54 DUKE LAW JOURNAL 1 (2004)

*Resolving the Patent-Antitrust Paradox Through Tripartite Innovation*, 56 VANDERBILT LAW REVIEW 1047 (2003)

*Why Antitrust Should Defer to the Intellectual Property Rules of Standard Setting Organizations: A Commentary on Teece and Sherry*, 87 MINNESOTA LAW REVIEW 2019 (2003) (symposium)

*Antitrust After the Interception: Of a Heroic Returner and Myriad Paths*, 55 STANFORD LAW REVIEW 287 (2002) [Review of RICHARD A. POSNER, ANTITRUST LAW (2001)]

• Also published in THE ANTITRUST SOURCE, at [http://www.americanbar.org/content/dam/aba/publishing/antitrust\\_source/carrier.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/publishing/antitrust_source/carrier.authcheckdam.pdf)

*Unraveling the Patent-Antitrust Paradox*, 150 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 761 (2002)

- Cited in *Bilski v. Kappos*, 130 S. Ct. 3218 (2010) (Stevens, J., concurring)
- Cited in *Asahi Glass v. Pentech Pharmaceuticals*, 289 F. Supp. 2d 986 (N.D. Ill. 2003)

*The Real Rule of Reason: Bridging the Disconnect*, 1999 BYU LAW REVIEW 1265 (1999)

*All Aboard the Congressional Fast Track: From Trade to Beyond*, 29 GEORGE WASHINGTON JOURNAL OF INTERNATIONAL LAW & ECONOMICS 687 (1996)

*Justice Oliver Wendell Holmes: Law and the Inner Self*, 93 MICHIGAN LAW REVIEW 1894 (1995)

*When Is the Senate in Recess for Purposes of the Recess Appointments Clause?*, 92 MICHIGAN LAW REVIEW 2204 (1994)

- Cited in *NLRB v. Enterprise Leasing Co. Southeast, LLC*, 2013 WL 3722388 (4th Cir. July 17, 2013).
- Cited in *NLRB v. New Vista Nursing & Rehabilitation*, 2013 WL 2099742 (3d Cir. May 16, 2013)
- Cited in *Canning v. NLRB*, 2013 WL 276024 (D.C. Cir. Jan. 25, 2013)
- Cited in *Swan v. Clinton*, 100 F.3d 973 (D.C. Cir. 1996)
- Cited in *Nippon Steel Corp. v. U.S. ITC*, 239 F. Supp. 2d 1367 (ITC 2002)

### *Amicus briefs / Group letters*

[Corrected] Brief of 52 Professors of Law, Economics, and Medicine as Amici Curiae in Support of Defendants-Appellees and Affirmance (with Mark Lemley), *Teva Branded Pharmaceutical Products R&D, Inc. et al. v. Amneal Pharmaceuticals of New York, LLC et al.*, U.S. Court of Appeals for the Federal Circuit, October 2024,

[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4967805](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4967805)

Michael A. Carrier  
Rutgers Law School

Amicus Curiae Brief of 69 Professors of Law, Economics, Business, and Medicine in Support of Plaintiff, *Government Employees Health Ass'n v. Actelion Pharmaceuticals Ltd. et al.*, District of Maryland court, April 2024, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4784604](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4784604)

- Court stated that brief was “relevant and helpful”

Letter (with Alex H. Moss) to Assistant Attorney General Kanter on behalf of 28 former government enforcement officials, academics, and public interest advocates, October 2022, <https://www.law360.com/articles/1540636/attachments/0>

- Received coverage in [Law 360](#) and ABA newsletter

Brief of 42 Professors of Law, Economics, Business, and Medicine as *Amici Curiae* in Support of the Petition (with Charles Duan and S. Sean Tu), *Teva Pharmaceuticals USA, Inc. v. GlaxoSmithKline LLC*, U.S. Supreme Court, August 2022

Brief of Amici Curiae 38 Law, Economics, and Business Professors in Support of Appellant/Cross-Appellee, *Epic Games, Inc. v. Apple Inc.*, U.S. Court of Appeals for the Ninth Circuit, January 2022

- Cited in *Epic Games v. Apple*, 67 F.4th 946 (9th Cir. 2023)
- Received coverage in [Bloomberg](#) and was focus of [Law 360](#) piece and [software patent blog post](#)

Brief Amici Curiae of 65 Professors of Law, Business, Economics, and Sports Management in Support of Respondents (with Chris Sagers), *NCAA v. Alston and American Athletic Conference v. Alston*, U.S. Supreme Court, March 2021

- Cited in *NCAA v. Alston*, 141 S. Ct. 2141 (2021)

*Amici Curiae* Brief of 57 Law, Economics, Business, Health, and Medicine Professors in Support of Cross-Appellant’s Petition for Rehearing En Banc, *GlaxoSmithKline LLC v. Teva Pharmaceuticals, Inc.*, U.S. Court of Appeals for the Federal Circuit, December 2020

- Featured in [Reuters](#) story
- Cited in *GlaxoSmithKline LLC v. Teva Pharmaceuticals, Inc.*, 7 F.4th 1320 (Fed. Cir. 2021) (Prost, J., dissenting).

*Amici Curiae* Brief of 66 Law, Economics, Business, and Medical Professors in Support of Plaintiffs-Appellants, *UFCW Local 1500 Welfare Fund v. AbbVie Inc.*, U.S. Court of Appeals for the Seventh Circuit, October 2020

- Received coverage in [Law360](#), [PatentlyO](#), IAM, and ABA Antitrust Connect (Intellectual Property and Health Care & Pharmaceuticals newsletters)

Brief *Amici Curiae* of 82 Law, Economics, Business, and Medical Professors in Support of Respondent, *Impax Laboratories v. FTC*, U.S. Court of Appeals for the Fifth Circuit, December 2019

Motion for Leave to File Brief and Brief Amicus Curiae in Support of Defendant’s Opposition to Plaintiff’s Motion for Preliminary Injunction, *Association for Accessible Medicines v. Becerra*, U.S. District Court for the Eastern District of California, December 2019

Michael A. Carrier  
Rutgers Law School

Letter (with Tim Muris) to Assistant Attorney General Makan Delrahim on behalf of 77 former government enforcers and academics, May 2018, <https://law.rutgers.edu/f/mc-05-18-2018.pdf>

- Received coverage in [Bloomberg BNA](#), [Competition Policy International](#), [Law360](#), and [PatentlyO](#).

Brief Amici Curiae of 58 Law, Economics, and Business Professors in Support of Appellants' Petition for Panel Rehearing or Rehearing En Banc, *In re Wellbutrin XL Antitrust Litigation*, U.S. Court of Appeals for the Third Circuit, September 2017

Brief for the American Antitrust Institute as Amicus Curiae in Support of Petition for Rehearing and Rehearing En Banc (with Richard Brunell), *Mylan v. Warner Chilcott*, U.S. Court of Appeals for the Third Circuit, October 2016

Letter to Deputy Solicitor General on behalf of 61 professors in *SmithKline Beecham v. King Drug of Florence*, July 2016

Brief Amici Curiae of 48 Law, Economics, and Business Professors and the American Antitrust Institute in Support of Appellants, *In re Lipitor Antitrust Litigation*, U.S. Court of Appeals for the Third Circuit, December 2015

Brief Amici Curiae of 48 Law, Economics, and Business Professors and the American Antitrust Institute in Support of Appellants, *In re Effexor XR Antitrust Litigation*, U.S. Court of Appeals for the Third Circuit, November 2015

- Cited in *In re Lipitor Antitrust Litigation*, 868 F.3d 231 (3d Cir. 2017)

Brief Amici Curiae on Behalf of 70 Law, Economics, and Business Professors and the American Antitrust Institute in Support of Appellants, *In re: Loestrin 24 FE Antitrust Litigation*, U.S. Court of Appeals for the First Circuit, June 2015

Brief Amici Curiae of 53 Law, Economics, and Business Professors, the American Antitrust Institute, and Consumers Union in Support of Appellants, *In re: Lamictal Direct Purchaser Antitrust Litigation*, U.S. Court of Appeals for the Third Circuit, April 2014

Brief of Amici Curiae 49 Professors in Support of Petitioners, *In re Cipro Cases I & II*, California Supreme Court, March 2014

Brief Amici Curiae of the American Antitrust Institute and Consumers Union, *In re Wellbutrin XL Antitrust Litigation*, U.S. District Court for the Eastern District of Pennsylvania, September 2013

Brief Amici Curiae of 118 Law, Economics, and Business Professors and the American Antitrust Institute in Support of Petitioners (with Mark Lemley), *Federal Trade Commission v. Watson Pharmaceuticals, Inc.*, U.S. Supreme Court, January 2013

- Cited in *FTC v. Actavis*, 570 U.S. 136 (2013)

Amici Curiae Brief of 27 U.S. Antitrust, Intellectual Property, and Innovation Professors in Support of Plaintiff-Appellee, *Ritz Camera & Image, LLC v. Sandisk Corp.*, U.S. Court of Appeals for the Federal Circuit, June 2012

Michael A. Carrier  
Rutgers Law School

Brief of Amici Curiae American Antitrust Institute and 26 Law Professors, *In re K-Dur Antitrust Litigation*, U.S. Court of Appeals for the Third Circuit, May 2011

Brief of Amicus Curiae Professor Michael Carrier in Support of Defendants-Appellees and Urging Affirmance, *Viacom International, Inc. v. YouTube, Inc.*, U.S. Court of Appeals for the Second Circuit, April 2011

Brief Amici Curiae of Consumer Federation of America, Prescription Access Litigation LLP, The National Legislative Association on Prescription Drug Prices, and U.S. PIRG in Support of the Petitioners, *Louisiana Wholesale Drug Co. v. Bayer*, U.S. Supreme Court, January 2011

Brief for Consumers Union, Consumer Federation of America, U.S. PIRG and National Legislative Association on Prescription Drug Prices as *Amicus Curiae* in Support of Plaintiffs-Appellants' Petition for Rehearing *En Banc*, *Arkansas Carpenters Health and Welfare Fund v. Bayer AG*, U.S. Court of Appeals for the Second Circuit, May 2010

### **Government submissions**

*Third Party Michael A. Carrier's Statement on the Public Interest, U.S. International Trade Commission, Investigation No. 337-TA-1379*, February 2025

*Third Party Michael A. Carrier's Statement on the Public Interest, U.S. International Trade Commission, Investigation No. 337-TA-1380*, January 2025

*Intellectual Property Does Not Justify Repair Restrictions*, Submission for FTC-2023-0077-0001, February 2024, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4714237](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4714237)

Comment on: PTO-C-2023-0034, Joint ITA-NIST-USPTO Collaboration Initiative Regarding Standards, September 2023, <https://www.regulations.gov/comment/PTO-C-2023-0034-0009>

Policy Statement Re: Improper Listing of Patents in Orange Book, Comment for FTC September 14, 2023 Open Meeting

Comments on IEEE FAQ Revisions, April 2023

*REMS Patents Should Not be Listed in the Orange Book*, Submission for Docket No. PTO-P-2022-0037: "Joint USPTO-FDA Collaboration Initiatives," January 2023, <https://www.regulations.gov/comment/PTO-P-2022-0037-0033>

Third Party Michael A. Carrier's Statement on the Public Interest, *U.S. International Trade Commission, Investigation No. 337-TA-1240*, May 2022, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4111444](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4111444)

Comment on *Draft Policy Statement on Licensing Negotiations and Remedies for Standards-Essential Patents Subject to F/RAND Commitments*, December 2021, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4036566](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4036566)

Michael A. Carrier  
Rutgers Law School

Comments on IEEE SA Patent Policy, October 2021

Comments on Section 5(d) of Executive Order 14036 (standard setting), September 2021  
*Response to Representative Pallone's Questions for the Record*, House Committee on Energy and Commerce, Subcommittee on Health Hearing on "Negotiating a Better Deal: Legislation to Lower the Cost of Prescription Drugs," August 2021

*Four Proposals for a More Robust Analysis of Pharmaceutical Mergers*, submitted to Multilateral Pharmaceutical Merger Task Force, June 2021

*Response to Representative Swalwell's Question for the Record* for House Committee on the Judiciary, Subcommittee on Antitrust, Administrative, and Commercial Law's Hearing on "Treating the Problem: Addressing Anticompetitive Conduct and Consolidation in Health Care Markets," June 2021

*Testimony for House Energy & Commerce Committee (Health Subcommittee) Hearing on "Negotiating a Better Deal: Legislation to Lower the Cost of Prescription Drugs,"* April 2021, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3861369](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3861369)

*Testimony for House Judiciary Committee (Antitrust, Commercial and Administrative Law Subcommittee) Hearing on "Treating the Problem: Addressing Anticompetitive Conduct and Consolidation in Health Care Markets,"* April 2021, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3861368](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3861368)

*REMS Patents Should Not Be Listed in Orange Book*, July 2020 comments on proposed FDA regulations on Listing of Patent Information in the Orange Book, <https://beta.regulations.gov/comment/FDA-2020-N-1127-0002>

*Response to Representative Schakowsky's Questions for the Record for House Energy & Commerce Committee (Subcommittee on Consumer Protection and Commerce) Hearing on "Profits Over Consumers: Exposing How Pharmaceutical Companies Game the System,"* October 22, 2019, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3507863](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3507863)

*Letter to Federal Trade Commission on AbbVie's proposed acquisition of Allergan*, October 3, 2019, <https://law.rutgers.edu/sites/law/files/FTC-AbbVie-Allergan-letter-Carrier.pdf>

*Testimony for House Energy & Commerce Committee (Consumer Protection and Commerce Subcommittee) Hearing on "Profits over Consumers: Exposing how Pharmaceutical Companies Game the System,"* September 19, 2019, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3464850](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3464850)

*Responses to Questions for the Record by Senator Grassley, Senator Klobuchar, and Senator Blumenthal*, May 2019, <https://www.judiciary.senate.gov/imo/media/doc/Carrier%20Responses%20to%20QFRs.pdf>

*Testimony for Senate Judiciary Committee Hearing on "Intellectual Property and the Price of Prescription Drugs: Balancing Innovation and Competition,"* May 2019, <https://www.judiciary.senate.gov/imo/media/doc/Carrier%20Testimony.pdf>

Michael A. Carrier  
Rutgers Law School

*Testimony for House Energy & Commerce Committee (Health Subcommittee) Hearing on “Lowering the Cost of Prescription Drugs: Reducing Barriers to Market Competition,”* March 2019, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3352629](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3352629)

- Cited in Expanding Access to Low-Cost Generics Act: Senator Tina Smith (D-Minn.) and Senator Mike Braun (R-Ind.), available [here](#)

*Addressing Abusive Citizen Petitions*, October 2018 comments on proposed FDA regulations on Citizen Petitions and Petitions for Stay of Action Subject to Section 505(q) of the Federal Food, Drug, and Cosmetic Act, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3269498](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3269498)

*Five Proposals to Stop the Games and Encourage a Robust Biosimilar Market*, September 2018 comments on “Facilitating Competition and Innovation in the Biological Products Marketplace; Public Hearing; Request for Comments,” FDA, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3251528](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3251528)

*IP and Competition: Context, Test, and Balance*, August 2018 comments on “The Role of Intellectual Property and Competition Policy in Promoting Innovation,” FTC hearings on Competition and Consumer Protection in the 21<sup>st</sup> Century, <https://www.ftc.gov/policy/public-comments/2018/08/15/comment-ftc-2018-0055-d-0005>

*Essential Changes to Shared REMS*, July 2018 comments on proposed FDA Draft Guidance for Industry Development of a Shared System REMS, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3213682](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3213682)

*High Prices & No Excuses: 6 Anticompetitive Games*, Federal Trade Commission workshop on “Understanding Competition in Prescription Drug Markets,” November 2017, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3066514](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3066514)

*Statement on “Antitrust Concerns and the FDA Approval Process,”* Subcommittee on Regulatory Reform, Commercial and Antitrust Law, U.S. House Committee on the Judiciary, July 2017, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3008227](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3008227)

*Four Proposals to Enhance Generic Competition*, U.S. Food and Drug Administration (FDA) hearing on “The Hatch-Waxman Amendments: Ensuring a Balance between Innovation and Access,” July 2017, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3003969](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3003969)

*Comments on Proposed Update on Intellectual Property Licensing Guidelines*, U.S. Department of Justice Antitrust Division and Federal Trade Commission, August 2016, [https://papers.ssrn.com/sol3/papers2.cfm?abstract\\_id=2833348](https://papers.ssrn.com/sol3/papers2.cfm?abstract_id=2833348)

- Reprinted in COMPETITION: THE JOURNAL OF THE ANTITRUST, UCL AND PRIVACY SECTION OF THE STATE BAR OF CALIFORNIA (Fall 2016)

Michael A. Carrier  
Rutgers Law School

*Eliminate Statutory Damages for Secondary Infringers*, Department of Commerce Internet Policy Task Force Comment, January 2014, [http://www.ntia.doc.gov/files/ntia/carrier\\_post-meeting\\_comments.pdf](http://www.ntia.doc.gov/files/ntia/carrier_post-meeting_comments.pdf)

- Cited numerous times in DEPARTMENT OF COMMERCE INTERNET POLICY TASK FORCE, WHITE PAPER ON REMIXES, FIRST SALE, AND STATUTORY DAMAGES: COPYRIGHT POLICY, CREATIVITY, AND INNOVATION IN THE DIGITAL ECONOMY (Jan. 2016)

*Statement on “Pay-for-Delay Deals: Limiting Competition and Costing Consumers,”* Senate Judiciary Committee, Subcommittee on Antitrust, Competition Policy and Consumer Rights, July 2013, [http://www.judiciary.senate.gov/hearings/testimony.cfm?id=f4106739eddbae64611e52656baee009&wit\\_id=f4106739eddbae64611e52656baee009-0-7](http://www.judiciary.senate.gov/hearings/testimony.cfm?id=f4106739eddbae64611e52656baee009&wit_id=f4106739eddbae64611e52656baee009-0-7)

*Antitrust Enforcement and Trolls*, Federal Trade Commission and U.S. Department of Justice, Patent Assertion Entity Activities Workshop, December 2012, <http://www.ftc.gov/os/comments/pae/pae-0002.pdf>

*IP Enforcement Can’t Whack Every Mole but Can Stifle Technological Innovation*, U.S. Intellectual Property Enforcement Coordinator, Development of the Joint Strategic Plan on Intellectual Property Enforcement, August 2012, <http://infojustice.org/archives/26891>

*An Important, but Incomplete, Notice of Inquiry on Copyright and Innovation*, National Telecommunications and Information Administration Inquiry on Copyright Policy, Creativity, and Innovation in the Internet Economy Docket # 100910448-0448-01, November 2010, <http://ssl.ntia.doc.gov/comments/100910448-0448-01/comment.cfm?e=A0B285F6-F5A9-4E51-867C-4DF688AB3458>

*Innovation and Copyright: The Neglected Relationship, and Supplemental Remarks on Innovation/Copyright Hearings*, Board on Science, Technology, and Economic Policy, The Impact of Copyright Policy on Innovation in the Digital Era, October 2010, [http://sites.nationalacademies.org/PGA/step/copyrightpolicy/PGA\\_066845](http://sites.nationalacademies.org/PGA/step/copyrightpolicy/PGA_066845)

### ***Short articles/blog posts***

*Worried About AI Monopoly? Embrace Copyright’s Limits* (with Derek Slater), LAWFARE (October 2025), <https://www.lawfaremedia.org/article/worried-about-ai-monopoly--embrace-copyright-s-limits>

*Four Strengths of the Government’s Lawsuit Against Live Nation-Ticketmaster: Part II*, PROMARKET (July 2024), <https://www.promarket.org/2024/07/02/four-strengths-of-the-governments-lawsuit-against-live-nation-ticketmaster/>

*The Government Has a Compelling Monopolization Lawsuit Against Live Nation-Ticketmaster: Part I*, PROMARKET (July 2024), <https://www.promarket.org/2024/07/01/the-government-has-a-compelling-monopolization-lawsuit-against-live-nation-ticketmaster/>

Michael A. Carrier  
Rutgers Law School

*Don't Let Monopolies Hold Taylor Swift's Next Tour Hostage*, THE HILL (Feb. 2024),  
<https://thehill.com/opinion/finance/4449148-dont-let-monopolies-hold-taylor-swifts-next-tour-hostage/>

*Why the Antitrust Agencies Should Consider Prior Bad Acts in Merger Review* (with Gwendolyn J. Lindsay Cooley), PROMARKET (March 2023)

*Even Avanci's Supporters Don't Defend its Litigation Funding Scheme* (with Alex Moss), PATENT PROGRESS (Dec. 2022)

*Protect the Supply Chain from Patent Trolls Before It's Too Late* (with Alex Moss), BLOOMBERG LAW (Nov. 2022)

*A Right to Repair* (Letter to the Editor), PHILADELPHIA INQUIRER (Nov. 2022)

*Op-Ed: Prevent a Legal Catch-22 that Could Push Thousands of Generic Drugs off the Market* (with Charles Duan & S. Sean Tu), LOS ANGELES TIMES (Sept. 2022)

*4 Ways Kanter Should Clean Up DOJ Antitrust Holdups*, LAW360 (Nov. 2021)

*Why the FTC Should Consider Size in Drug Mergers* (with Patricia M. Danzon), PROMARKET, July 2021

*How Standard-Setting Orgs Can Curb Patent Litigation* (with Brian Scarpelli), LAW360 (June 2021)

- Top Academic Antitrust article (Business Article, IP category) of 2022
- Cited in *SEPs, Antitrust, and the FTC: Remarks of Commissioner Rebecca Kelly Slaughter*

*Helping Consumers Afford Prescription Drugs: An Antitrust Agenda for the New Congress*, HEALTH AFFAIRS BLOG (Jan. 2021)

*How Biosimilar Disparagement Violates Antitrust Law*, BLOOMBERG LAW (Nov. 2020)

*Why Do Courts Err in Pharmaceutical Antitrust Cases?*, CONCURRENTIALISTE JOURNAL OF ANTITRUST LAW (Aug. 2020)

*How Biologics Cos. Disparage Biosimilars And How To Stop It*, LAW360 (Aug. 2020)

- Nominated for one of top antitrust articles of 2020

JUST SECURITY blog symposium, *11 Top Antitrust Experts Alarmed by Whistleblower Complaint Against A.G. Barr—and Office of Professional Responsibility's Opinion* (June 2020)

*New Statement on Standard-Essential Patents Relies on Omissions, Strawmen, Generalities*, BLOOMBERG LAW (Jan. 2020)

4-Part Series in BIOSIMILAR DEVELOPMENT on *2019 Events and 2020 Predictions* (Dec. 2019 to Jan. 2020)

Michael A. Carrier  
Rutgers Law School

*Solving the “Parking” Problem in the Drug Monopoly Game*, THE HILL (Dec. 2019)

*The Fifth Circuit Must Preserve the Patent-Antitrust Balance by Upholding Actavis*, IP WATCHDOG (Dec. 2019)

*Answer to Iancu’s SEP Policy Call is in Plain Sight*, LAW360 (Oct. 2019)

- Nominated for one of top antitrust articles of 2019

*The Industry that Cries Wolf: Pharma and Innovation* (with Genevieve Tung), STAT (Sept. 2019)

- Cited in Forbes [article](#)

*Responding to Delrahim on IP*, GLOBAL COMPETITION REVIEW (Feb. 2019)

*Challenging Deceptive Drug Pricing*, JURIST (Nov. 2018)

*DOJ Giving Cover to Monopolizing Firms that Breach Antitrust Rules*, THE HILL (Oct. 2018)

*A Six-Step Solution to the PBM Problem*, HEALTH AFFAIRS BLOG (Aug. 2018)

*FTC v. Actavis: Where We Stand After 5 Years*, IP WATCHDOG (June 2018)

*NCAA Business Model Under Fire*, SPORTS LAW BLOG (Apr. 2018)

*How Big Pharma Sandbags Generic Competition*, WALL STREET JOURNAL OPINION (Nov. 2017)

Featured in *Q&A: Will we see more drug makers file antitrust lawsuits against rivals?*, STAT (Oct. 2017)

Featured in *Q&A: Drug Industry May Face New Areas of Antitrust Scrutiny*, Bloomberg BNA (Apr. 2017)

*Hate High Drug Prices? Blame Greedy Companies and Our Politicians* (with Hagop Kantarjian), THE HILL (Feb. 2017)

*The Business of Amateurs: Suffering Student-Athletes and a Thriving NCAA*, SPORTS LAW BLOG (Aug. 2016)

*A Simple Way to Lower Drug Prices*, IP WATCHDOG (June 2016)

- Discussed in Lincoln Journal Star [editorial](#) and Rapid City Journal [editorial](#)

*The NCAA’s Exploitation of Student-Athletes*, SPORTS LAW BLOG (Mar. 2016)

*The Daraprim Price Hike and a Role for Antitrust* (with Aaron Kesselheim), HEALTH AFFAIRS BLOG (Oct. 2015)

*Drug Antitrust Issues with Daraprim and Beyond*, LAW 360 (Oct. 2015)

Michael A. Carrier  
Rutgers Law School

*Third Circuit Lamictal Ruling: "Payment" Broader than Cash*, IP WATCHDOG (June 2015)

*Aereo and Innovation: A Sobering Lesson from Music*, DISRUPTIVE COMPETITION PROJECT (DISCO) (July 2014)

*Why Actavis Is Not Limited to Cash: Professors Brief in Lamictal*, IP WATCHDOG (May 2014)

*No Statutory Damages for Secondary Liability*, DISRUPTIVE COMPETITION PROJECT (DISCO) (Jan. 2014)

*Copyright's Blind Spot: The Innovation Asymmetry*, DISRUPTIVE COMPETITION PROJECT (DISCO) (Dec. 2013)

*Actavis and "Large and Unjustified" Payments*, SCOTUSBLOG (July 2013)

*It's Settled: Pay-for-Delay Challenges Had a Big Week*, INFOJUSTICE.ORG (June 2013)

*The Supreme Court's Actavis Decision, Or Why Pay-for-Delay Litigation Just Got More Active*, IP WATCHDOG (June 2013)

*Classic Antitrust/IP Scholarship*, WRITTENDESCRIPTION (June 2013)

*Op-ed: Antitrust Regulators Ponder Patent Trolls—But They Need To Act*, ARS TECHNICA (April 2013)

*Participant, Blog Symposium on Patent Assertion Entities*, ANTITRUST & COMPETITION POLICY BLOG (April 2013)

*Supreme Court Agrees To Tackle Drug Patent Settlements*, IP WATCHDOG (December 2012)

*Reverse Payment Home Run for Pharma Antitrust Enforcement*, IP WATCHDOG (July 2012)

*Review of Creation without Restraint: Promoting Liberty and Rivalry in Innovation*, ANTITRUST & COMPETITION POLICY BLOG (March 2012)

*Why Innovation is Under Attack*, TECHDIRT (May 2011)

*Hatch-Waxman at the Supreme Court: Supporting Cert. in Cipro*, IP WATCHDOG (Jan. 2011)

*The Proposed New Copyright Crime of "Aiding and Abetting,"* OUP BLOG (Oxford) (Oct. 2010)

*After Cipro*, OUP BLOG (Oxford) (Apr. 2010)

*Guest Post: Fostering Innovation in China and the U.S. for the 21st Century*, CHINA LAW BLOG (Jan. 2010)

*Guest Post: Innovation for the 21st Century*, SPICY IP (Dec. 2009)

*BitTorrent: Under Attack but Needed for Innovation*, TORRENTFREAK (Aug. 2009)

Michael A. Carrier  
Rutgers Law School

*BitTorrent: Legal Nightmare or Future Business Model?*, OUP BLOG (Oxford) (Apr. 2009)

*The Rambus Certiorari Petition: Causation, Competition, and Standard-Setting Organizations*, PATENTLYO (Jan. 2009)

*Video Rental Company Redbox Sues Universal Studios*, DRM WATCH (Nov. 2008)

***Media:***

Quoted more than 2000 times in ABA JOURNAL, ABC NEWS, AMERICAN LAWYER, ARSTECHNICA, AUSTRALIAN FINANCIAL REVIEW, BLOOMBERG, BLOOMBERG TV, BOSTON GLOBE, BOSTON HERALD, BUSINESS NEWS DAILY, CAPITAL (BULGARIA), CBS, CBS SPORTS, CHICAGO TRIBUNE, CHRISTIAN SCIENCE MONITOR, CNBC.COM, CNN, CNNMONEY, COLUMBUS DISPATCH, COURIER POST, CONSUMER REPORTS, C-SPAN, DAILY HERALD (CHICAGO), ECONOMIST, ESPN, FDANEWS, FINANCIAL TIMES, FORBES, FORTUNE, FOX NEWS, GLOBAL COMPETITION REVIEW, HOLLYWOOD REPORTER, HOUSTON CHRONICLE, HUFFINGTON POST, INSIDE COUNSEL, INTELLECTUAL PROPERTY WATCH, INTERNATIONAL BUSINESS TIMES, INTERNATIONAL HERALD TRIBUNE, KOREA TIMES, LAW360, LES ECHOS, LOS ANGELES TIMES, NATIONAL LAW JOURNAL, NATURE, NBC NEWS, NEW JERSEY LAW JOURNAL, NEWSDAY, NJBIZ, NJTV, NEW YORK POST, NEW YORK TIMES, NPR, PBS, PHILADELPHIA INQUIRER, POLITICO, REUTERS, SAIDA ONLINE (LEBANON), SAN FRANCISCO BUSINESS TIMES, SAN FRANCISCO CHRONICLE, SEATTLE TIMES, SEPUTAR INDONESIA, SHENZHEN DAILY, SPORTING NEWS, SPORTS ILLUSTRATED, THE ATLANTIC, THE MUMBAI TIMES, THE PINK SHEET, THE TIMES OF INDIA, TORONTO STAR, TV CHANNEL RUSSIA 24, UK REGISTER, UPI, US NEWS & WORLD REPORT, USA TODAY, WALL STREET JOURNAL, WALL STREET JOURNAL TV, WASHINGTON POST, other publications

**PRESENTATIONS**

“PBMs: The Hidden Actor Behind Product Hopping,” Health, Innovation, and the Law Colloquium at the University of Texas Law School, October 2025

“Settlements and Value,” Saint Louis University Journal of Health Law and Policy Workshop on “Antitrust – Reflections on the Role of Antitrust Law in an Era of Corporate Medicine and Deregulation – Looking Back and Squinting Forward,” October 2025

“Lowering Americans’ Drug Prices Through Competition: Anticompetitive Conduct by Pharmaceutical Companies Impeding Generic or Biosimilar Competition” panel, U.S. Department of Justice & Federal Trade Commission, June 2025

Axios Expert Voices Roundtable: “Breaking Barriers in Medicine,” June 2025

“What's Next in the U.S. for SEP Policy?” webinar, ABA Science & Technology Law Section, June 2025

Michael A. Carrier  
Rutgers Law School

Panelist, “Rx Affordability Legislative Forum: A Dose of Reality on Pay For-Delay Agreements,” AARP seminar, May 2025

Comments on Velizar Kirilov, “The Rival Innovator: Blocking Strategies in the Pharmaceutical Industry and the Role of Antitrust,” European University Institute (remote), April 2025

“Antitrust and IP Fundamentals,” ABA Antitrust Law Section, Antitrust Law Spring Meeting, April 2025

Testimony on pharmacy benefit managers (PBMs) for New Jersey Assembly Financial Institutions and Insurance Committee, April 2025

Conference on Competition Policy and Pharmaceutical Markets (co-organizer and participant presenting “PBMs: The Hidden Actor Behind Product Hopping”), The University of California, Irvine School of Law, February 2025

“PBMs: The Hidden Actor Behind Product Hopping,” Boston University Questrom School of Business’s Institute for Business, Markets and Society conference (remote), January 2025

“The Evolving Landscape of Standard-Essential Patents” webinar (“A Global Perspective” panel), Competition Policy International and Innovators Network Foundation, January 2025

“Drug Pricing and the Pharmaceutical Industry,” Cancer Research & Treatment Fund (CR&T) Board Meeting, January 2025

“Antitrust and the NCAA: Challenges to Labor Market Restraints” panel, Reforming College Sports Conference, Fordham Law Review Symposium: Reforming College Sports, November 2024

“FTC v. Qualcomm,” *FRAND Cases in Context* roundtable, November 2024

“Update on Reverse Payment Settlements” panel, Pharma Law USA Conference, October 2024

Save Our Standards conference call with U.S. Department of Justice Antitrust Division, September 2024

“The Missing Caselaw of Reverse-Payment Settlements,” Intellectual Property Scholars Conference, Berkeley Law School (jointly sponsored by Cardozo, DePaul, and Stanford law schools), August 2024

Panelist for R Street event: “Balancing Innovation and Accessibility: Reforming Patent Policy for Patient Benefit,” June 2024

Moderator: “Drug Wars: Pharma Ecosystem Feels Agency Heat” panel, ABA Antitrust Law Spring Meeting, April 2024

Michael A. Carrier  
Rutgers Law School

“This Is A (Patent) Hold-Up!” conversation with Hon. Ronald Cass, Rutgers Law School, March 2024

Participant on “Use of Patents on Prescription Drugs” panel at University of Maryland School of Law’s Journal of Health Care Law and Policy symposium, March 2024

Moderator, Panel on Babette Boliek’s “State Antitrust Law” Initiatives article, Penn Law School: Journal of Law & Innovation Symposium – Antitrust at a Crossroads: The Challenge of Digital Platforms, February 2024

“Drug Patent Settlements and Product Hopping,” Antitrust and Intellectual Property in the Digital Economy class, UCLA Law School, February 2024

Panelist, Swifties’ Revenge: The Case for Breaking Up Live Nation/Ticketmaster, American Economics Liberties Project, January 2024

“High Prices and Cancer Drugs” presentation, Division of Hematology/Medical Oncology, Department of Medicine at Weill Cornell Medicine Grand Rounds, January 2024

“Why Pharmaceutical Patent Thickets Are Unique,” Drug Prices, Patents, and Politics class, University of Pennsylvania Carey Law School, October 2023

Briefing for congressional staffers on drug pricing legislation, Washington, D.C., October 2023

“Why Pharmaceutical Patent Thickets Are Unique,” Intellectual Property Scholars Conference, Cardozo Law School (jointly sponsored by Berkeley, DePaul, and Stanford law schools), August 2023

“Prior Bad Acts and Merger Review” (with Gwendolyn Lindsay Cooley), Presentation to Department of Justice Antitrust Division, May 2023

Panelist, “What is the True Value of an Invention? Standard Essential Patents and Patent Pools,” Unified Patents 11<sup>th</sup> Annual Patent Administrative Law Conference, April 2023

“Not Your Average SEP and FRAND Panel,” ABA Antitrust Law Section, Antitrust Law Spring Meeting, March 2023

“Three Challenges for Pharmaceutical Antitrust,” Distinguished Speaker Series, Saint Louis University, February 2023

Panelist, “Legal Attacks on Patent Thickets and Patent Settlements – Recent Efforts to Broaden a Drug Company’s Potential Antitrust Liability” panel, New York State Bar Association, Food, Drug & Cosmetic Law Section Annual Meeting, January 2023

Panelist, “Regulation of ICT Standards: Local Rules, Global Impact?,” European University Institute Winter Innovation Conference 2023, January 2023

Michael A. Carrier  
Rutgers Law School

“Why Antitrust?” (moderator), Rutgers Law School, November 2022

“How the Federal Trade Commission Can Use Section 5 To Strengthen the Right to Repair,”  
Presentation to Federal Trade Commission, November 2022

Keynote Address, Florence Seminar on Standard-Essential Patents, Florence Competition  
Programme, European University Institute, October 2022

Panelist, “Antitrust and IP” panel, “The New Roaring Twenties: The Progressive Agenda for  
Antitrust and Consumer Protection Law” at the University of Utah S.J. Quinney College of  
Law, October 2022

“Prior Bad Acts as Factors in Pharmaceutical Merger Reviews” panel at Multilateral  
Pharmaceutical Task Force (FTC, Canadian Competition Bureau, European Commission  
Directorate General for Competition, U.K. Competition and Markets Authority, DOJ  
Antitrust Division, Offices of State Attorneys General) workshop on the  
Future of Pharmaceuticals: Examining the Analysis of Pharmaceutical Mergers, June 2022

Commenter, Jeremy C. Kress, “Reviving Bank Antitrust,” Harvard/Yale/Stanford Junior  
Faculty Forum, June 2022

“Competition Issues” panel, The Emergent Right to Repair conference, Berkeley Law  
School, April 2022

“Agency Approaches to the Antitrust-Intellectual Property Interface Under the Biden  
Administration,” ABA-Intellectual Property Law Spring Meeting Panel, April 2022

Presentation to Pharmaceutical Industry Working Group of State Attorneys General on  
“Biologics and Antitrust Law,” March 2022

“The Alston Case: Why the NCAA Does Not Deserve Antitrust Immunity and Should Not  
Succeed Under a Rule-of-Reason Analysis” (with Chris Sagers), U.S. Department of  
Justice Antitrust Division’s Competition Law & Policy Speaker Series, March 2022

“Pharmaceutical Industry Antitrust” panel at Jaharis Symposium on Health Law and  
Intellectual Property, DePaul Law School, March 2022

Presentation to “Regulation of Emerging Technologies & Consumer Protection” class at  
Emory Law School, February 2022

American Conference Institute’s 16th Annual Paragraph IV Disputes conference, November  
2021

Moderator, “Antitrust as Antiracism” panel, Rutgers Law School, November 2021

Antitrust Brainstorming Board interview, Competition Policy International (CPI) / Computer  
& Communications Industry Association (CCIA), October 2021

Michael A. Carrier  
Rutgers Law School

“What Next for New Madison? Current Topics in Intellectual Property and Antitrust” panel,  
Fordham Competition Law Institute - Antitrust Economics Workshop, September 2021

Panelist, The Importance of Preventing Biosimilar Disparagement, ABA Antitrust program,  
June 2021

Testimony for House Energy & Commerce Committee (Health Subcommittee) Hearing on  
“Negotiating a Better Deal: Legislation to Lower the Cost of Prescription Drugs,” April  
2021

Testimony for House Judiciary Committee (Antitrust, Commercial and Administrative Law  
Subcommittee) Hearing on “Treating the Problem: Addressing Anticompetitive Conduct  
and Consolidation in Health Care Markets,” April 2021

Panelist, “Game Over? Alston and the Future of Fair Pay to Play Statutes,” Rutgers Business  
Law Review, April 2021

NCAA v. Alston panel, NOCAP Sports, March 2021

“New Opportunities for American Leadership in Standards and IP Policy” panel, ACT/The  
App Association, February 2021

Lecture on “Three Challenges for Pharmaceutical Antitrust,” Harvard’s Program on  
Regulation, Therapeutics, and Law, February 2021

Guest lecture, Product Hopping, Michigan Law School Antitrust and IP class, February 2021

“Antitrust and Collegiate Athletics” panel, George Mason Law Review 24th Annual Antitrust  
Symposium, February 2021

“Pharmaceutical Competition Policy” panel, Biopharmaceutical Innovation and Pricing  
Reform Conference, Boston University Institute for Health System Innovation and Policy,  
January 2021

Guest Lecture, Drug Patent Settlements, University of Pennsylvania Carey Law School Patent  
Law class, December 2020

“Three Challenges for Pharmaceutical Antitrust,” New York State Bar Association Antitrust  
Section, forthcoming December 2020

ABA Section of Intellectual Property Law CLE Series: Standards Essential Patents & the  
Internet of Things webinar, June 2020

Guest lecture, “Management and Economics of the Pharmaceutical & Biotech Industries”  
class, The Wharton School at the University of Pennsylvania, April 2020

Speaker, FDA/FTC Workshop on a Competitive Marketplace for Biosimilars, March 2020

Michael A. Carrier  
Rutgers Law School

“Three Challenges for Pharmaceutical Antitrust,” The Interplay of Antitrust Laws and Our Current Business Environment, University of Pennsylvania Journal of Business Law Symposium, February 2020

“Antitrust Law and the Pharmaceutical Industry,” The Power of Attorney Podcast (with Co-Dean Kimberly Mutcherson), Rutgers Law School, January 2020

“Examining Pharmaceutical Patent Practices & Their Impact on Drug Prices” panel, Bipartisan Policy Center conference, December 2019

Keynote Address: “The Importance of Pharmaceutical Antitrust Enforcement,” Mercade de Medicamentos: Informe Preliminar del Estudio de Mercado de la FNE [Medication Market: Preliminary Report of the FNE Market Study], Universidad de Chile: Facultad de Derecho [University of Chile Law School] (via Skype), December 2019

- Translated into Spanish

“Higher Drug Prices from Anticompetitive Conduct: Three Case Studies,” U.S. Department of Justice Antitrust Division’s Competition Law and Policy Seminar Series, December 2019

Moderator, “Careers in Antitrust” Panel, Rutgers Law School, October 2019

Testimony for House Energy & Commerce Committee (Consumer Protection and Commerce Subcommittee) Hearing on “Profits over Consumers: Exposing how Pharmaceutical Companies Game the System,” September 2019

Keynote Lecture, “Three Challenges for Pharmaceutical Antitrust,” Pharma/Data/Competition Conference, Hebrew University of Jerusalem, June 2019

- Responses by Ittai Paldor, Tal Band, Eran Bareket

“Why Absolutist Conceptions of Property Do Not Support the Antitrust Abandonment of Standards,” IP from a Property Perspective IPIL conference, June 2019

Testimony for Senate Judiciary Committee Hearing on “Intellectual Property and the Price of Prescription Drugs: Balancing Innovation and Competition,” May 2019

Moderator, “Standards, Intellectual Property, and the Future of the Internet of Things” panel, Internet of Things World, May 2019

Panel on “Brand Companies’ Anticompetitive Strategies,” Kaiser Conference on “Anticompetitive Drug Pricing Practices: A Learning and Strategy Session,” April 2019

“Noerr-Pennington Immunity and ‘Sham’ Petitioning Developments in the Pharmaceutical Industry,” N.Y. State Bar Association, April 2019

Testimony for House Energy & Commerce Committee (Health Subcommittee) Hearing on “Lowering the Cost of Prescription Drugs: Reducing Barriers to Market Competition,” March 2019

Michael A. Carrier  
Rutgers Law School

Guest lecture, “Management and Economics of the Pharmaceutical & Biotech Industries” class, The Wharton School at the University of Pennsylvania, March 2019

Panelist, The App Association, “2019 Patents in Telecoms and the Internet of Things,” George Washington University Law School, March 2019

Keynote Speaker, “Workshop on Recent Challenges in Competition and IP in Pharmaceutical Markets,” OECD, February 2019

“Pharmaceuticals and Antitrust,” Antitrust and Silicon Valley: New Themes and Directions in Competition Law and Policy conference, Santa Clara University School of Law, February 2019

“Biosimilar Innovation,” UC Irvine Law School, February 2019

*Journal of Legal Medicine* Inaugural Symposium: “Solving America’s Drug Pricing Problem,” Georgia State University College of Law, January 2019

Moderator, Coalition Against Patent Abuse Launch Event, January 2019

“*Alston v. NCAA*: Will ‘Amateurism’ Survive?,” ABA Antitrust Law section, January 2019

“Biologics and Biosimilars: Vanguard of Health Care and Antitrust,” ABA Federal Civil Enforcement, Health Care & Pharmaceuticals, and Intellectual Property sections, December 2018

Commentator, Yaniv Heled, “Toward Effective Competition in Biologics” and Ana Santos Rutschman, “The New Drug Patent Cliff,” Wiet Life Science Law Scholars Conference, Loyola University Chicago School of Law, September 2018

“Standard Essential Patents and the Internet of Things” panel, ABA Section of Intellectual Property Law 33<sup>rd</sup> Annual Spring Conference, April 2018

“Antitrust/IP: The Basics,” ABA Antitrust Law Section, Antitrust Law Spring Meeting, April 2018

“Meet the Faculty” panel, Rutgers Dean’s Law Day, April 2018

“Professionalism Program: Confidentiality and Technology in the Law Profession,” Rutgers Law School, March 2018

“Closing the Legal Loopholes Blocking Access to Generics and Biosimilars,” 2018 Annual Meeting, Association for Accessible Medicines, February 2018

Response to Jorge Contreras Paper, “Much Ado About Hold-up,” Next Generation of Antitrust Scholars Conference, ABA Antitrust Section/NYU Law School, January 2018

Michael A. Carrier  
Rutgers Law School

- “Drug Law Panel: Gaming,” Annual Meeting, New York State Bar Association – Food, Drug and Cosmetic Law Section, January 2018
- “Five Solutions to the REMS Patent Problem,” Villanova Faculty Colloquium, November 2017
- “Understanding Competition in Prescription Drug Markets: Entry and Supply Chain Dynamics” (Panel on Generic Drug Competition: Understanding Demand, Price and Supply Issues), Federal Trade Commission Workshop, November 2017
- “Sharing, Samples, and Generics: An Antitrust Framework,” Antitrust Scholars Roundtable, University of California, Irvine School of Law, November 2017
- “Pharmaceuticals” case study (discussion leader), Workshop on Innovation and Antitrust, Northeastern University and American Antitrust Institute, October 2017
- “Inaugural William Howard Taft Lecture: The Rule of Reason in the Post-*Actavis* World,” Antitrust Law Section of the New York State Bar Association, September 2017
- “Sharing, Samples, and Generics: An Antitrust Framework,” 17th Annual Intellectual Property Scholars Conference, Cardozo Law School (jointly sponsored by Berkeley, DePaul, and Stanford law schools), August 2017
- “Four Proposals to Enhance Generic Competition,” U.S. Food and Drug Administration (FDA) hearing on The Hatch-Waxman Amendments: Ensuring a Balance between Innovation and Access, July 2017
- “Anticompetitive Behavior and Prescription Drug Prices,” Cancer Research & Treatment Fund, Inc. (CR&T) board meeting, June 2017
- “Sharing, Samples, and Generics: An Antitrust Framework,” Law and Biosciences Workshop, Stanford Law School, May 2017
- “Pay for Delay Today – The Still-Developing Law on Reverse Payment Settlements” panel, Third Circuit Judicial Conference, April 2017
- “Europe’s ‘Actavis’ Moment: Lundbeck v. Commission” panel, ABA Antitrust Law Section, Antitrust Law Spring Meeting, March 2017
- “The Untold EpiPen Story: How Mylan Hiked Prices by Blocking Rivals,” Cornell Law Review, March 2017
- “Meet the Faculty” panel, Rutgers Dean’s Law Day, March 2017
- “Overview of Adverse Possession” lecture, Fundamentals of Legal Analysis Class, March 2017

Michael A. Carrier  
Rutgers Law School

- “Competition in Pharmaceutical Markets Panel,” American Antitrust Institute Healthcare Roundtable, February 2017
- “REMS Abuse: Balancing Generic Competition, Innovation, and Safety Concerns in the Pharmaceutical Industry” panel, California State Bar Antitrust, UCL, and Privacy Law Section, January 2017
- “Drug Patent Settlements: Where We’ve Been and Where We’re Headed” keynote address, New Jersey Law Journal and The Legal Intelligencer’s Pharma and IP Legal Summit, December 2016
- “Barriers to Competition in the Pharmaceutical Sector” panel, National Association of Attorneys General, November 2016
- “Antitrust and Pharma – Seeking a Balance” panel, AIPPI World Congress – Milan, October 2016
- “O’Bannon in the Supreme Court” panel, ABA Antitrust Law Section and Trade, Sports, and Professional Associations Section, August 2016
- “IP/Competition in the Pharmaceutical Industry,” International Conference on Anti-Monopoly and IP, co-organized by UCL, Koguan School of Law, Shanghai Jiao Tong University, HSE-Skolkovo Institute for Law/Development – Shanghai, China (via Skype), July 2016
- “New Development in Reverse Payments: A Crescendo or More of the Same?,” ABA Antitrust Law Section (Intellectual Property, Federal Civil Enforcement, Healthcare/Pharmaceutical Committees), June 2016
- “Drug Patent Settlement Update,” New York City Bar Association Antitrust & Trade Regulation Committee, June 2016
- “Product Hopping: A New Framework,” Michigan Law School Intellectual Property Workshop, April 2016
- “Overview of Adverse Possession” lecture, Fundamentals of Legal Analysis Class, March 2016
- “Standard Essential Patents,” Pennsylvania Bar Association Intellectual Property Law Section, March 2016
- “Innovation and Reverse Payments” discussant, 2016 Next Generation of Antitrust Scholars Conference, ABA Antitrust Section and NYU Law School, January 2016
- “Patent Law Overview,” Masterman Legal Careers Class, Julia R. Masterman Laboratory and Demonstration School, January 2016
- “Standard Essential Patents” keynote address, Pepper Hamilton’s Annual Antitrust Development Update CLE Event, December 2015

Michael A. Carrier  
Rutgers Law School

Introduction, Greg Lastowka Memorial Project, November 2015

The Smartphone Patent Wars, Management 731: Technology Strategy Class, The Wharton School of the University of Pennsylvania, October 2015

“Eight Reasons Why ‘No-Authorized-Generic’ Promises Constitute Payment,” 15th Annual Intellectual Property Scholars Conference, DePaul University College of Law (jointly sponsored by Berkeley, Cardozo, and Stanford law schools), August 2015

Briefing on Patents for the American Antitrust Institute Roundtable, May 2015

“The Future of Patent Privateering” panel, ABA Antitrust Law Section, 63<sup>rd</sup> Antitrust Law Spring Meeting, April 2015

“Scholarly Pursuits at Rutgers – Meet the Faculty” panel, Rutgers Dean’s Law Day, March 2015

Co-organizer and panelist, “Litigating Reverse Payment Cases After Actavis,” University of San Francisco Law School (co-sponsored with Rutgers Institute for Information Policy & Law and American Antitrust Institute), February 2015

Panelist, “Reverse Payment Cases: Where Are We Now?,” ABA Section of Antitrust Law, Federal Civil Enforcement and Health Care & Pharmaceuticals Committees, January 2015

“Payment After Actavis,” Hebrew University Faculty of Law, December 2014

“Eight Reasons Why ‘No-Authorized-Generic’ Promises Constitute Payment,” Tel Aviv University Law & IT Colloquium, December 2014

Panelist, Computer & Communications Industry Association and American Antitrust Institute, “Scrutinizing Patent Assertion Entities: What Competition Enforcers Are Doing,” December 2014

Commentator on Shyam Baganesh & Gideon Parchomovsky, “Equity’s Unstated Domain: The Role of Equity in Shaping Copyright Law,” University of Pennsylvania Law Review symposium on The New Doctrinalism, October 2014

Debate: “Non-Practicing Entities: Promoting the Progress of Science and the Useful Arts?,” DuPont & Widener University School of Law, IP CLE, September 2014

Speaker, “Competition Policy and Life-Cycle Management Strategies,” Global Antitrust Challenges for the Pharmaceutical Industry conference, Global Antitrust Institute at George Mason University School of Law, Law & Economics Center, September 2014

Presentation on Drug Patent Settlements after Actavis to Pharmaceutical Industry Working Group of National Association of Attorneys General, September 2014

Michael A. Carrier  
Rutgers Law School

“Payment After Actavis,” 14th Annual Intellectual Property Scholars Conference, UC Berkeley School of Law, Boalt Hall (jointly sponsored by Cardozo, DePaul, and Stanford law schools), August 2014

Roundtable, “Patent Pledges: Developing a Research Agenda,” American University Washington College of Law, May 2014

Panel on drug patent settlements, DELVACCA (Delaware Valley Association of Corporate Counsel) Chapter 6th Annual In-House Counsel Conference, April 2014

White House Patent Stakeholder Meeting (with Secretary of Commerce Penny Pritzker, National Economic Council director Gene Sperling, U.S. Chief Technology Officer Todd Park, and USPTO deputy director Michelle Lee), February 2014

Commentator on Ariel Katz article, “Next Generation of Antitrust Scholars Conference,” ABA Antitrust Section and NYU Law School, January 2014

Panelist, “What Antitrust Regulators Can Do About Patent Trolling,” Briefing on Patents for American Antitrust Institute, January 2014

“Doing Business on the Cutting Edge of Copyright” panel, Computer & Communications Industry Association’s DisCo Policy Forum 2013, December 2013

“Standard Essential Patents and FRAND” panel, “Patent Reform: Theoretical Propositions and Factual Foundations” conference, University of Pennsylvania Law School, December 2013

Drug Patent Settlements, Rutgers Intellectual Property Law Association (RIPLA) and Health Law Society, November 2013

Panelist, “New Approaches and Incentives in Drug Development” conference (sponsored by Duke Law Center for Innovation Policy, Kauffman Foundation, and One Mind for Research Foundation), November 2013

“Exclusion Payments After Actavis,” Rutgers Law School – Newark, November 2013

Keynote address, Canadian Competition Bureau’s Workshop on Antitrust Issues in the Pharmaceutical Sector, November 2013

“3-D Printing” panel, Georgetown Law Journal’s “Law in an Age of Disruptive Technology” Symposium, November 2013

“Copyright and SOPA/PIPA” panel, Third Annual Rutgers Sports & Entertainment Law Symposium, November 2013

Panelist, “Reverse Payments” panel, Golden State Antitrust and Unfair Competition Law Institute, October 2013

Michael A. Carrier  
Rutgers Law School

Speaker, American Bar Association Antitrust Section, Antitrust and Intellectual Property Conference, Stanford Law School, October 2013

Panelist, American National Standards Institute, "Legal Issues Forum 2013: Arbitration of Standard Essential Patent Disputes," October 2013

Panelist, U.S. Senate Judiciary Committee's Subcommittee on Antitrust, Competition Policy and Consumer Rights hearing on "Pay-for-Delay Deals: Limiting Competition and Costing Consumers," July 2013

Panelist, Computer & Communications Industry Association and American Antitrust Institute, "Competition Law & Patent Assertion Entities: What Antitrust Enforcers Can Do," June 2013

Moderator, "Antitrust and Patent Assertion Entities: The DOJ-FTC Joint Workshop," ABA Section of Antitrust Law (Intellectual Property Committee), May 2013

"World IP Day Lunch: At the Crossroads: Intellectual Property, Innovation, and Competition," U.S. Department of Justice discussion sponsored by Acting Associate Attorney General Tony West, April 2013

Panelist, "Competition Law: Pharmaceuticals and Competition," 21st Annual Fordham Intellectual Property Law and Policy Conference, April 2013

American Intellectual Property Law Association webinar: Debate with Steven Bradbury on Actavis drug-patent-settlement case, April 2013

"The Changing Patent Landscape," Georgetown University Law Center Conference, March 2013

"Copyright and Innovation," Michigan Law School, February 2013

Roundtable Discussion on Federal Trade Commission v. Watson Pharmaceuticals, Rutgers Law School, January 2013

Moderator, "Google and Antitrust," AALS Antitrust and Economic Regulation panel, January 2013

Participant, Renaissance Weekend, December 2012

"Competition and Intellectual Property Law," Center for Studies in Competition Law, University of Bucharest, Romania, November 2012

Presentation on Drug Patent Settlements to Pharmaceutical Industry Working Group of the National Association of Attorneys General, November 2012

American Bar Association (Antitrust Section) conference call: "FDA Citizen Petitions and *Noerr* Immunity: Policy Questions and Litigation Tactics to Consider," November 2012

Michael A. Carrier  
Rutgers Law School

“Economic and Regulatory Perspectives” panel, Berkeley Law School conference on “RAND Revisited: Current Developments in the Law of Standards-Essential Patents,” October 2012

Presentation on IP and Amicus Briefs to IP Law and Policy Class, University of Richmond School of Law, October 2012

Introduction to Intellectual Property, Rutgers Intellectual Property Club, September 2012

American Antitrust Institute roundtable (by invitation) on antitrust and patents, May 2012

Book reading, Yale Club of Philadelphia, April 2012

Radio interviews throughout the United States and Canada: “Innovation for the 21<sup>st</sup> Century,” September 2011 – April 2012

“SOPA, PIPA, and Innovation,” Copyright and the Future of the Entertainment Industry panel at the 2012 Symposium “Beyond IP: How Intellectual Property and Technology Influence Other Areas of Law,” Northwestern Law School, February 2012

“Promoting Innovation Through Government Policy and Copyright Common Sense,” Randolph W. Throver Symposium, Emory Law School, February 2012

Commentary on Bhaven Sampat and Scott Hemphill’s “When Do Generics Challenge Drug Patents?,” Second Annual Tri-State Region IP Workshop, Fordham Law School, February 2012

“Drug Settlements: Patently Anticompetitive?,” Evil Twin Debate (against Dan Crane), University of Richmond School of Law, November 2011

“Gene Patents and Innovation” panel (moderator), Information Policy and Modes of Innovation Conference, Rutgers Institute for Information Policy & Law, November 2011

Introduction to Intellectual Property Lecture, Rutgers Intellectual Property Club, September 2011

“Competition Issues in Global Licensing Strategies: Recent Case Law Developments in the United States and EU,” 2011 High Technology Summit Conference, University of Washington, July 2011

One-Day Workshop on the Economics of Copyright & the Internet, Google, June 2011

- One of 5 law professors invited to roundtable conference at Google

“The Combination of Settlements and Product Hopping,” Competition Law and the Pharmaceutical Industry conference, Oxford Centre for Competition Law and Policy, May 2011

Michael A. Carrier  
Rutgers Law School

“A Real-World Analysis of Pharmaceutical Settlements: The Missing Dimension of Product-Hopping,” London School of Economics lecture, May 2011

Book reading and signing, Head House Books (Philadelphia), April 2011

“Copyright and innovation,” Google talk, April 2011

Legislative proposals for “Increasing Innovation by Reining in Copyright,” Cardozo Modest Proposals conference, April 2011

Faculty and the Supreme Court, Rutgers Dean’s Law Day, March 2011

Mock Property Class, Rutgers Dean’s Law Day, March 2011

Debate with Steve Tepp, Senior Director of Internet Counterfeiting and Piracy at U.S. Chamber of Commerce, on Combating Online Infringement and Counterfeits Act, Philadelphia Bar Association, March 2011

“A Real-World Analysis of Pharmaceutical Settlements: The Missing Dimension of Product-Hopping,” AALS Antitrust and Economic Regulation panel on pharmaceutical industry, January 2011

“Pharmaceutical Life Cycle Management Strategies,” New Jersey Intellectual Property Law Association, December 2010

Overview of Hatch-Waxman Act, Patent Issues, and Other Legal Topics Related to Pharmaceutical Industry, Cadista Pharmaceuticals, October 2010

“Impact of Copyright Policy on Innovation in the Digital Era” hearings, The National Academies’ Board on Science, Technology, and Economic Policy (STEP), October 2010

“Pioneering Peer-to-Peer and Other Disruptive Dual-Use Technologies,” Munich Intellectual Property Law Center (organized in conjunction with Max Planck Institute), June 2010

“Pharmaceutical Patent Settlements,” ACES Educational Summit, May 2010

Panel on Biologics, Settlements, Patent Cliff, Evergreening, and FDA Inspections, ACES Educational Summit, May 2010

“Pioneering Peer-to-Peer and Other Disruptive Dual-Use Technologies,” Association for Law, Property, and Society conference held at Georgetown Law School, March 2010

“Antitrust Concerns and the Pharmaceutical Sector – Pharmaceutical Agreements and Generic Companies,” Oxford Competition Law & Policy Guest Lecture (organized in conjunction with the Oxford Intellectual Property Research Centre), February 2010

Michael A. Carrier  
Rutgers Law School

“Pioneering Peer-to-Peer and Other Disruptive Dual-Use Technologies,” Cambridge Centre for Intellectual Property & Information Law LLM Intellectual Property Seminar, February 2010

“Agreements to Delay Entry of Generics in Pharmaceutical Markets,” Bournemouth University Centre for Intellectual Property Policy and Management Public Seminar Series, February 2010

“Pioneering Peer-to-Peer and Other Disruptive Dual-Use Technologies,” London School of Economics IP and Cultural Property Seminar Series, February 2010

Commentator, Josh Davis paper on pharmaceutical settlements, American Antitrust Institute Private Antitrust Enforcement Conference, December 2009

“Solving the Drug Settlement Problem: The Legislative Approach,” University of San Francisco School of Law and American Antitrust Institute: “Lawyers, Drugs and Money: A Prescription for Antitrust Enforcement in the Pharmaceutical Industry,” September 2009

“Pioneering Peer-to-Peer and Other Disruptive Dual-Use Technologies,” Ninth Annual Intellectual Property Scholars Conference, Cardozo Law School (jointly sponsored by Berkeley, Cardozo, DePaul, and Stanford law schools), August 2009

Panel on “Low-Cost Solutions to Health Care Through Generic Competition,” Center for American Progress, June 2009

“Unsettling Drug Patent Settlements: A Framework for Presumptive Illegality,” Loyola Antitrust Colloquium, May 2009

“Pioneering Peer-to-Peer and Other Disruptive Dual-Use Technologies,” Rutgers University School of Law-Camden faculty lunch series, April 2009

“Unsettling Drug Patent Settlements: A Framework for Presumptive Illegality,” Rutgers University School of Law-Camden faculty lunch series, April 2009

“Pioneering Peer-to-Peer and Other Disruptive Dual-Use Technologies,” Rutgers Intellectual Property Club, April 2009

Faculty Scholarship panel, Dean’s Law Day, April 2009

Rutgers University Career Planning panel, February 2009

Commentary on antitrust papers by Einer Elhauge and Tad Lipsky, George Mason Law Review’s 12th Annual Symposium on Antitrust Law, December 2008

“Unsettling Drug Patent Settlements: A Framework for Presumptive Illegality,” University of Pennsylvania Law School seminar on Understanding Business Law Scholarship, November 2008

Michael A. Carrier  
Rutgers Law School

“Unsettling Drug Patent Settlements: A Framework for Presumptive Illegality,” Temple Law School seminar on Advanced Patents, November 2008

“Unsettling Drug Patent Settlements: A Framework for Presumptive Illegality,” Cardozo Law School faculty colloquium, November 2008

Panel on law school teaching, Rutgers Adjuncts program, November 2008

Patent reform lecture, Rutgers Intellectual Property Club, November 2008

Presidential Election Open Forum, debate with Professor Michael Livingston on 2008 presidential election, Rutgers Journal of Law and Public Policy, October 2008

“Unsettling Drug Patent Settlements: A Framework for Presumptive Illegality,” University of Minnesota Law School Second Annual Intellectual Property Scholarship Roundtable, September 2008

Commentary on IP/property papers by Henry Smith, Adam Mossoff, and Scott Kieff, George Mason/Microsoft conference on Patents and the Commercialization of Innovation, May 2008

“One Year Later: The Antitrust Modernization Commission’s Report and the Challenges that Await Antitrust,” Participant in NYU Law School roundtable discussion on the Antitrust Modernization Commission, April 2008

Discussion of Sports Law Issues, Rutgers Sports and Entertainment Law Society, March 2008

“Against Cyberproperty,” IP Scholarship Seminar on “Tangible and Intangible Property,” Berkeley Center for Law & Technology, UC Berkeley Law School, October 2007

“Two Puzzles Resolved: Of the Schumpeter-Arrow Stalemate and Pharmaceutical Innovation Markets,” Iowa Innovation, Business, and Law Colloquium, University of Iowa College of Law, March 2007

“Two Puzzles Resolved: Of the Schumpeter-Arrow Stalemate and Pharmaceutical Innovation Markets,” AALS Sections on Antitrust and Intellectual Property (joint session), AALS Annual Meeting (Washington, D.C.), January 2007

“The Propertization of Copyright,” University of Iowa Law School Speaker Series, December 2006

“The Propertization of Copyright,” AALS Workshop on Intellectual Property, AALS Mid-Year Meeting (Vancouver), June 2006

“Antitrust, the New Economy, and the Antitrust Modernization Commission,” The IP Grab: The Struggle Between Intellectual Property Rights and Antitrust, Seventh Annual American Antitrust Institute Conference, June 2006

Michael A. Carrier  
Rutgers Law School

- “Innovation as an Antitrust Shield,” Sixth Annual Loyola Antitrust Colloquium, Loyola University Chicago School of Law, April 2006
- “Innovation as an Antitrust Shield,” Colloquium on Innovation Policy, New York University School of Law, March 2006
- “Intellectual Property Rights and Monopolization: The U.S. Resolution of the Paradox,” Intellectual Property and Competition Law conference, University of Geneva, February 2006
- “Licensing of Intellectual Property Rights: The U.S. Antitrust Approach,” Intellectual Property and Competition Law conference, University of Geneva, February 2006
- “Of Trinko, Tea Leaves, and Intellectual Property,” Intellectual Property Licensing by the Dominant Firm symposium, DePaul University College of Law, April 2005
- Commentator on Shubha Ghosh, “When Exclusionary Conduct Meets the Exclusive Rights of Intellectual Property,” Fifth Annual Loyola Antitrust Colloquium, Loyola University Chicago School of Law, April 2005
- “Of Trinko, Tea Leaves, and Intellectual Property,” The Antitrust Enterprise conference, University of Iowa College of Law, April 2005
- “Cabining Intellectual Property Through a Property Paradigm,” Intellectual Property Workshop Series, George Washington University Law School, October 2004
- “Cabining Intellectual Property Through a Property Paradigm,” Fourth Annual Intellectual Property Scholars Conference, DePaul University Law School (jointly sponsored by Berkeley, Cardozo, and DePaul law schools), August 2004
- “Cabining Intellectual Property Through a Property Paradigm,” Rutgers Law School – Camden, March 2004
- “Cabining Intellectual Property Through a Property Paradigm,” First Annual Intellectual Property and Communications Law and Policy Scholars Roundtable, Michigan State University College of Law, February 2004
- “Cabining Intellectual Property Through a Property Paradigm,” Villanova University School of Law, February 2004
- “Resolving the Patent-Antitrust Paradox Through Tripartite Innovation,” William & Mary School of Law, November 2003
- “Resolving the Patent-Antitrust Paradox Through Tripartite Innovation,” Law & Technology Lecture Series, Case Western Reserve University Law School, November 2003

Michael A. Carrier  
Rutgers Law School

Commentator on Avishalom Tor, “Developing a Behavioral Approach to Antitrust Law and Economics,” Third Annual Loyola Antitrust Colloquium, Loyola University Chicago School of Law, April 2003

“Resolving the Patent-Antitrust Paradox Through Tripartite Innovation,” AALS Scholars Showcase, ABA Section of Antitrust Law Spring Meeting, April 2003

“Why Antitrust Should Defer to the Intellectual Property Rules of Standard Setting Organizations: A Commentary on Teece and Sherry,” The Interface Between Antitrust Law and Intellectual Property Law symposium, University of Minnesota Law School, February 2003

“Resolving the Patent-Antitrust Paradox Through Tripartite Innovation,” Second Annual Intellectual Property Scholars Conference, Benjamin N. Cardozo School of Law (jointly sponsored by Berkeley, Cardozo, and DePaul law schools), August 2002

### **Rutgers Service:**

Academic Policy Committee (2015-2016, 2020)

Ad Hoc Departmental Promotion Committee (2020, 2024)

Appointments Committee (2021-2022, 2023-2025)

Award Nominations Committee (2024-2025)

Budget and Planning Committee (2025-present)

Building Committee (2002-2006)

Career Planning Committee (2013-2015)

Clinical Promotions Committee (2008-2009)

Curriculum Committee (2001-2002)

Dean’s Award for Scholarly Excellence, Ad Hoc Committee (2011)

Distinguished Professor Committee (Camden chair, 2022-2023, 2025-present)

Diversity, Inclusion, and Belonging Working Group (2021-2023)

Faculty Advisor, Junior Faculty Colloquium (2016-2017)

Faculty Ethics Committee (2009-2011)

Mentor for two Rutgers faculty members (2023-present)

Non-JD Programs (spring 2018 (chair), 2018-2019)

President’s Recognition Program Committee (2005-2008)

Promotions and Tenure Committee (2006-2015, 2025-present; co-chair, 2012-2013; chair 2019-2020)

RLAW Committee (2011-2013)

Rutgers Certificate Program in Intellectual Property Law (Co-Director, 2024-present)

Rutgers Computer and Technology Law Journal, Camden advisor (2016-2024)

Rutgers Institute for Information Policy & Law (Co-Director, 2010-present)

Rutgers Intellectual Property Law Association (Advisor, 2018-present)

Rutgers Law School Dean Search Committee (2022-2023)

Scholastic Standing Committee (2002-2005)

Speakers Committee (2005-2006)

School of Business Dean Search Committee (2009-2010)

Michael A. Carrier  
Rutgers Law School

**External Service:**

2020 Biden-Harris campaign (assist on policy issues)

ABA Antitrust Section Presidential Transition Task Force 2016  
Chair, Intellectual Property Section; Member, Healthcare/Pharmaceuticals Section

Academic Steering Committee, Antitrust Writing Awards (sponsored by Concurrences Review and George Washington University Law School) (2015, 2016, 2019, 2021, 2022, 2024)

American Antitrust Institute (AAI) – Board of Advisors (2005-present)

Antitrust Law Journal – Contributing Editor (2017-present)

Association of American Law Schools (AALS) – Executive Committee of Antitrust and Economic Regulation section (2007-2012, Chair 2012)

e-Competitions Bulletin Advisory Board (2025-present)

Oxford University Press, Cambridge University Press, Harvard University Press, Harvard Law Review, Yale Law Journal, Stanford Law Review, Columbia Law Review, Antitrust Law Journal, JAMA, New England Journal of Medicine, Health Affairs, American Journal of Health Economics, Nature Biotechnology, Journal of Competition Law & Economics, Jurimetrics, other publications – peer reviewer

**PREVIOUS EMPLOYMENT**

**Covington & Burling**, Washington, DC *Associate* (1996–2000)  
Practiced antitrust, intellectual property, sports, and other civil litigation.  
Six-month rotation at Neighborhood Legal Services Program.

**U.S. Court of Appeals for the Fourth Circuit, The Honorable John D. Butzner, Jr.**  
Richmond, VA *Law Clerk* (1995–1996)

**U.S. Department of Justice, Antitrust Division (Civil Task Force II); Debevoise & Plimpton**  
(Summer 1995)

**Dickstein, Shapiro & Morin; Winston & Strawn** (Summer 1994)

**Senate Judiciary Committee (Constitution Subcommittee)** (Summer 1993)

Michael A. Carrier  
Rutgers Law School

## **EDUCATION**

**University of Michigan Law School**, Juris Doctor, *cum laude*, 1995 (Rank: Top 15%)

*Michigan Law Review* – Book Review Editor

SCRIBES Note/Comment Writing Competition (for best Note/Comment in country) – Finalist

Helen L. DeRoy Memorial Award (for “best student contribution” to 1994-95 *Michigan Law Review*)

Campbell Moot Court Competition – Semifinalist

**Yale University**, Bachelor of Arts, *summa cum laude*, 1991 (Distinction in Political Science)

Yale Symphony Orchestra – Principal Percussionist and Soloist

Yale University Dean’s Office – Freshman Counselor

*International Forum at Yale* – Associate Editor

Andrew D. White Prize in European History – First Place

## **BAR ADMISSIONS**

Washington, D.C.

Maryland

United States Supreme Court

United States Court of Appeals for the Federal Circuit

United States Court of Appeals for the First Circuit

United States Court of Appeals for the Third Circuit

United States Court of Appeals for the Fourth Circuit

United States Court of Appeals for the Fifth Circuit

United States Court of Appeals for the Seventh Circuit

United States Court of Appeals for the Ninth Circuit