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**Matthew Sag**  
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### **Academic Appointments**

#### EMORY UNIVERSITY SCHOOL OF LAW

Professor of Law and Artificial Intelligence, Machine Learning, and Data Science,  
July 1, 2022 – present

#### LOYOLA UNIVERSITY CHICAGO SCHOOL OF LAW

Associate Dean for Research and Faculty Development, July 2019 – June 2022  
Georgia Reithal Professor of Law, March 20, 2018 – June 2022  
Professor, June 1, 2013 – present  
Associate Professor, July 2011 – June 2013

#### INSTITUTE FOR CONSUMER ANTTITRUST STUDIES

Interim Co-Director, January 2022 – June 2022  
Associate Director for Intellectual Property, January 2012 – June 2022

#### DEPAUL UNIVERSITY COLLEGE OF LAW

Associate Professor, July 2009 – June 2011  
Assistant Professor, July 2006 – June 2009

### **Visiting Appointments**

MELBOURNE UNIVERSITY LAW SCHOOL, Spring 2013  
LOYOLA UNIVERSITY CHICAGO SCHOOL OF LAW, Fall 2010 and Spring 2011  
UNIVERSITY OF VIRGINIA SCHOOL OF LAW, Spring 2008  
NORTHWESTERN UNIVERSITY SCHOOL OF LAW, Fall 2004 through Spring 2006

### **Other Appointments**

AMERICAN LAW INSTITUTE, Elected to membership in December 2018

COLLEGE ART ASSOCIATION, CODE OF BEST PRACTICES IN FAIR USE OF COPYRIGHTED MATERIALS  
FOR THE VISUAL ARTS, Legal Advisory Committee 2014-15

HATHITRUST RESEARCH CENTER ADVISORY BOARD MEMBER, Since 2016

CODE OF BEST PRACTICES IN FAIR USE SOFTWARE PRESERVATION, Legal Advisory Committee  
2018-2019

## **Grants and Grant Applications**

BUILDING LEGAL LITERACIES FOR TEXT DATA MINING SUMMER INSTITUTE, as \$165,000 grant from the National Endowment for the Humanities (Project Team Member) (2019-2020)

## **Education**

THE AUSTRALIAN NATIONAL UNIVERSITY

Bachelor of Arts 1997

Bachelor of Laws (with honors) 1997

## **Judicial Clerkship**

FEDERAL COURT OF AUSTRALIA

Associate to the honorable Justice Paul Finn, August 1997 – July 1998

## **By the Numbers (as of January 2022)**

Years tenured or tenure track:	16
H-Index:	20
Traditional publications:	26
Google Scholar citation count:	1654 (749 since 2017)
SSRN downloads:	24,975

## **Conferences Organized**

Legal Scholars Roundtable on Artificial Intelligence (2022)  
- with Charlotte Tschider, Loyola University Chicago

Copyright Scholars Roundtable (2015-2022)  
- with Prof. Shyam Balganes, Columbia University

Zoom Intellectual Property Occasional Workshop (2020)

The Society for Economic Research on Copyright Issues Annual Meeting (2016)  
- with Prof. Paul Heald, University of Illinois

## Current and Recent Administration and Service

Associate Dean for Research and Faculty Development (Loyola)  
University Rank and Tenure Committee (Loyola)  
Dean's Advisory Counsel (Loyola)  
Student Conduct Committee (Loyola)  
Ad Hoc Committee on Research and Scholarship (Loyola)

## Traditional Publications

*Discovering eBay's Impact on Copyright Injunctions Through Empirical Evidence*, 64 *William & Mary Law Review* \_\_\_\_ (\_\_\_\_) (with Pamela Samuelson)

*Oral Argument in the Time of COVID: The Chief Plays Calvinball*, *Southern California Interdisciplinary Law Journal*, 30 *Southern California Interdisciplinary Law Journal* 399–459 (2021) (with Tonja Jacobi, Timothy R. Johnson, and Eve Ringsmuth)

*Implementing User Rights for Research in the Field of Artificial Intelligence: A Call for International Action*, *EUROPEAN INTELLECTUAL PROPERTY REVIEW* (2020) (with Sean Flynn, Chistohpe Geiger, João Quintais, Thomas Margoni, Lucie Guibault, Michael W. Carroll)

*The New Legal Landscape for Text Mining and Machine Learning*, 66 *JOURNAL OF THE COPYRIGHT SOCIETY OF THE U.S.A.* 291–367 (2019)

*Taking Laughter Seriously at the Supreme Court*, 72 *VANDERBILT LAW REVIEW* 1423–1496 (2019) (with Tonja Jacobi)

*The New Oral Argument: Justices as Advocates*, 94 *NOTRE DAME LAW REVIEW* 1161–1254 (2019) (with Tonja Jacobi)

*Empirical Studies of Copyright Litigation, Research Handbook on the Economics of Intellectual Property Law (Vol. II -- Analytical Methods)* (Edward Elgar Publishing) (2019)

*Defense Against the Dark Arts of Copyright Trolling*, 103 *IOWA LAW REVIEW* 571–661 (2018) (with Jake Haskell)

*Internet Safe Harbors and the Transformation of Copyright Law*, 93 *NOTRE DAME LAW REVIEW* 499–564 (2017)

*IP Litigation in US District Courts: 1994 to 2014*, 101 *IOWA LAW REVIEW* 1065–1112 (2016)

*Promoting Innovation*, 100 *IOWA LAW REVIEW* 2223–2247 (2015) (with Spencer Weber Waller)

*Copyright Trolling, An Empirical Study*, 100 *IOWA LAW REVIEW* 1105–1146 (2015)

*League Structure & Stadium Rent Seeking – the Antitrust Role Reconsidered*, 65 *FLORIDA LAW REVIEW* 1–72 (2013) (with David Haddock and Tonja Jacobi)

*Digital Archives: Don't Let Copyright Block Data Mining*, 490 NATURE 29–30 (October 4, 2012) (with Matthew Jockers and Jason Schultz)

*Orphan Works as Grist for the Data Mill*, 27 BERKELEY TECHNOLOGY LAW JOURNAL 1503–1550 (2012)

*An Information-Gathering Approach to Copyright Policy*, 34 CARDOZO LAW REVIEW 173 – 247 (2012) (with Peter DiCola)

*Predicting Fair Use*, 73 OHIO STATE LAW JOURNAL 47– 91 (2012)

*The Pre-History of Fair Use*, 76 BROOKLYN LAW REVIEW 1371–1412 (2011)

*The Google Book Settlement and the Fair Use Counterfactual*, 55 NEW YORK LAW SCHOOL LAW REVIEW 19 – 76 (2010)

*Copyright and Copy-Reliant Technology*, 103 NORTHWESTERN UNIVERSITY LAW REVIEW 1607–1682 (2009)<sup>1</sup>

*Taking the Measure of Ideology: Empirically Measuring Supreme Court Cases*, 98 THE GEORGETOWN LAW JOURNAL 1–75 (2009) (with Tonja Jacobi)<sup>2</sup>

*Ideology and Exceptionalism in Intellectual Property – An Empirical Study* 97 CALIFORNIA LAW REVIEW 801 – 856 (2009) (with Tonja Jacobi & Maxim Sytch)

*Patent Reform and Differential Impact*, 8 MINNESOTA JOURNAL OF LAW, SCIENCE & TECHNOLOGY 1 – 96 (2007) (with Kurt Rohde)<sup>3</sup>

*Beyond Abstraction, The Law And Economics Of Copyright Scope And Doctrinal Efficiency*, 81 TULANE LAW REVIEW 187 – 250 (2006)

*Twelve Year-Olds, Grandmothers, and Other Good Targets for File Sharing Litigation*, 4 NORTHWESTERN JOURNAL OF TECHNOLOGY & INTELLECTUAL PROPERTY 133 – 155 (2006)

*God in the Machine: A New Structural Analysis of the Fair Use Doctrine in Copyright Law*, 11 MICHIGAN TELECOMMUNICATIONS & TECHNOLOGY LAW REVIEW 381 – 435 (2005)

*Source Code Versus Object Code: Patent Implications for the Open Source Community*, 18 SANTA CLARA COMPUTER & HIGH TECH. L.J. 235 (2002) (with Daniel Lin)

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<sup>1</sup> Cited in Brief Amicus Curiae of the Computer & Communications Industry Association in *Fox News Network v. TVEyes, Inc.*, 2016 WL 1170280, 2nd Cir. (Appellate Brief)

<sup>2</sup> Reviewed in Adam N. Steinman, *No Laughing Matter*, JOTWELL (August 11, 2020) (<https://courtslaw.jotwell.com/no-laughing-matter/>)

<sup>3</sup> Cited in three separate amicus briefs in *Microsoft Corp. v. I4I*, 2010 U.S. Briefs 290 (U.S. Feb. 2, 2011); *Therasense, Inc. v. Becton, Dickinson & Co.*, 2008 U.S. Fed. Cir. Briefs 1511 (Fed. Cir. Oct. 15, 2010); *Microsoft Corp. v. Z4 Techs.*, 2007 U.S. Briefs 1243 (U.S. Mar. 31, 2008).

## Less traditional publications

*Building Legal Literacies for Text Data Mining* (Pressbooks 2021)<sup>4</sup>

*Extended Readings on Copyright* (2019-2022)<sup>5</sup>

*DSC #7: The DSC and Mean Copyright Law*, The Data-Sitters Club, September 22, 2020 (with Quinn Dombrowski)<sup>6</sup> (with Quinn Dombrowski)

## Published Remarks

*Copyright Law's Impact on Machine Intelligence in the United States and The European Union*, 14 FIU LAW REVIEW 293 (2020)

## Working Papers

*Inclusive Citation Ranking of U.S. Law Schools*

## Short Unpublished Papers

*The Uncertain Scope of the Public Performance Right After Aereo* (2014)

*Empirical Studies of Copyright Litigation: Nature of Suit Coding* (2013)

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<sup>4</sup> This book explores the legal literacies covered during the virtual Building Legal Literacies for Text Data Mining Institute, including copyright (both U.S. and international law), technological protection measures, privacy, and ethical considerations. It describes in detail how we developed and delivered the 4-day institute, and also provides ideas for hosting shorter literacy teaching sessions.

Finally, we offer reflections and take-aways on the Institute. The book is coauthored with Scott Althaus, David Bamman, Sara Benson, Brandon Butler, Beth Cate, Kyle K. Courtney, Sean Flynn, Maria Gould, Cody Hennesy, Eleanor Dickson Koehl, Thomas Padilla, Stacy Reardon, Matthew Sag, Rachael Samberg, Brianna L. Schofield, Megan Senseney, Timothy Vollmer, and Glen Worthey

<sup>5</sup> A 900 page creative commons licensed textbook on U.S. Copyright Law ([www.matthewsag.com/eroc](http://www.matthewsag.com/eroc)).

<sup>6</sup> A short book about copyright law and the practical issues of text data mining research narrated in the style of the Baby Sitters Club books. (<https://datasittersclub.github.io/site/dsc7>)

## Significant Amicus Briefs & Submissions

*Brief of Digital Humanities and Law Scholars in Support of Defendants-Appellees and Affirmance* in Authors Guild v. Google (13-4829) (July 10, 2014)

*Brief of Digital Humanities and Law Scholars in Support of Defendants-Appellees and Affirmance* in Authors Guild v. HathiTrust (12-4547) (June 4, 2013)<sup>7</sup>

*The Fair Use Doctrine in the United States — A Response to the Kernochan Report*, a submission dated July 26, 2013 to Australian Law Reform Commission in connection with its study of Copyright and the Digital Economy (co-authored with Gwen Hinze & Peter A. Jaszi)<sup>8</sup>

*Brief of Digital Humanities and Law Scholars in Support of Defendants' Motion For Summary Judgment* in Authors Guild v. HathiTrust (11-CV-06351-HB)<sup>9</sup>

*Brief of Digital Humanities and Law Scholars in Support of Defendants' Motion For Summary Judgment* in Authors Guild v. Google<sup>10</sup>

## Social Media

Occasional blog posts at [www.matthewsag.com](http://www.matthewsag.com)

Twitter feed – @matthewsag

## Courses

Primary courses: Copyright Law; Artificial Intelligence and the Law; IP Survey

Additional courses:

Antitrust & IP; Election Law; International IP; Internet Law; Property Law; Trademark Law;

## Peer Review Service

Review of Law & Economics

Israel Science Foundation, Social Sciences & Humanities

Cambridge University Press, Law

Numerous confidential tenure and promotion letters

## Legal Practice

Skadden, Arps, Slate, Meagher & Flom LLP, Palo Alto, California, 2001 – 2004 • Arnold & Porter LLP, London, England, 2000 • Corrs Chambers Westgarth, Lawyers, Canberra, Australia, 1998 – 1999

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<sup>7</sup> Australian Law Reform Commission, Copyright and the Digital Economy, ALRC Final Report 122, November 2013.

<sup>8</sup> Cited in Australian Law Reform Commission, Copyright and the Digital Economy, ALRC Final Report 122, November 2013.

<sup>9</sup> Cited in the judgment of Hon. Harold Baer, Jr., District Judge in Authors Guild, Inc. v. HathiTrust, 902 F. Supp. 2d 445, 460, 464 & fn 22 (S.D.N.Y. 2012)

<sup>10</sup> Cited in the judgment of Hon. Denny Chin, District Judge in Authors Guild, Inc. v. Google Inc., 954 F. Supp. 2d 282, 287 (S.D.N.Y. 2013)

**Bar Admission**

California Bar 2001-present

**Community Engagement**

Diverse Attorney Pipeline Program (review of Property law)

**INVITED SPEECHES & PRESENTATIONS**

See Appendix A

**EDITORIALS & MEDIA INTERVIEWS**

See Appendix B

## APPENDIX A: CONFERENCES, SPEECHES, & PRESENTATIONS

*An Empirical Study of Copyright Injunctions After eBay*, IP Scholars Conference, Cardozo Law School (online), August 2021 (selected presentation)

*Building Legal Literacies For Text Data Mining Summer Institute (Follow Up)*, UC Berkeley (virtual) (Participant), February 2021

*Building Legal Literacies For Text Data Mining Summer Institute*, UC Berkeley (virtual), June 2020 (Presenter and moderator)

*Artificial Intelligence: Promises & Perils*, UIC John Marshall Law School 63rd Annual IP Conference, November 1, 2019 (Plenary Panel)

*Artificial Intelligence: Fault Lines, Key Issues, and the Road Ahead*, UIC John Marshall Law School, October 29, 2019 (Panelist)

*Tools for Fighting Voter Suppression*, Loyola University Chicago School of Law, October 28, 2019 (Introduction and overview)

*The Supreme Court IP Review (SCIPR)*, Chicago-Kent College of Law, September 20, 2019 (Panelist)

*The New Legal Landscape for Text Mining and Machine Learning*, Copyright Scholars Roundtable, University of Pennsylvania Law School, June 21-22, 2019 (Co-organizer and presenter)

*Legal Issues in Text Data Mining*, Works in Progress IP, University of Houston Law School, February 8, 2019 (presentation)

*The New Oral Argument*, Conference on Empirical Legal Studies, University of Michigan School of Law, November 9, 2018 (selected presentation)

*Current Developments In Copyright Law*, Current Developments in Intellectual Property, Information Technology & Privacy Law, John Marshall Law School, November 2, 2018 (invited speaker)

*Predicting Supreme Court Cases with Oral Argument Data Analytics*, Chicago Legal Innovation & Technology at Northwestern Pritzker School of Law, November 1, 2018 (invited speaker)

*Comments on Hacking Democracy*, Northwestern/Penn/Stanford Young Faculty Forum for Law and STEM at Northwestern Law School, September 29, 2018.

*Text Data Mining and Copyright, Fair use and Beyond*, Global Congress on Intellectual Property and the Public Interest, Washington D.C., September 27-28, 2018 (selected presentation and participating expert)

*The Legal Infrastructure for Text Data Mining*, Intellectual Property Scholars Conference, UC Berkeley Law School, August 12, 2018 (presentation)



Roundtable on Empirical Methods in Intellectual Property, Northwestern University School of Law, May 4-5, 2018 (commentator)

*Minnesota Voters Alliance v. Mansky* American Constitution Society, Supreme Court Roundup, Loyola Law Chicago, April 9, 2018 (invited presentation)

National Forum on Intellectual Property and Text Data Mining, funded by the Institute for Museum and Library Services, Chicago, April 5-6, 2018 (invited speaker)

*Internet Safe Harbors and the Transformation of Copyright Law*, University of Colorado Law School, Copyright Law Symposium. February 22, 2018 (invited presentation)

*Internet Safe Harbors and the Transformation of Copyright Law*— Society for Economic Research on Copyright Issues (SERCI) Annual Congress in Turin, Italy, July 10, 2017 (selected presentation)

*Copyright Trolling* – Iowa Bar Association Webinar, March 15, 2017 (invited presentation)

*Monetizing Litigation – Is it Always Bad? Is it Ever Ethical? And Do the Rules and the Statutes Answer Those Questions Clearly Enough*, ABA Webinar, February 28, 2017 (invited presentation)

*Copyright Law*, Presentation for undergraduate business ethics class at Harold Washington College (Chicago), October 20, 2016. (invited presentation)

*The Impact of Kirtsaeng v. John Wiley & Sons, Inc., on Attorney Fees*, Supreme Court IP Review, Chicago Kent Law School, September 22, 2016. (invited panelist)

*Empirical Studies of Copyright Litigation*, Intellectual Property Scholars Conference, Stanford University Law School, Palo Alto, August 11-12, 2016. (selected presentation)

*Empirical Studies of Copyright Litigation*, Society for Economic Research on Copyright Issues Annual Congress, Loyola University Chicago School of Law, Chicago, July 8, 2016. (selected presentation)

*Comments*, Junior Scholars in Intellectual Property Workshop at Michigan State University, May 2016. (invited commentator)

*IP Litigation in the United States*, Faculty of Law and Political Sciences of the Pázmány Péter Catholic University, Budapest, May 11, 2016. (invited faculty presentation)

*US IP and Competition Law*, Faculty of Law and Political Sciences of the Pázmány Péter Catholic University, Budapest, May 11, 2016. (invited class presentation)

*Comments on Maurice Stucke & Allen Grunes “Big Data and Competition Policy — Data-opoly”*, 16th Annual Loyola Antitrust Colloquium, Loyola University of Chicago, April 15, 2016. (Commentator)

*Judicial Decision-Making Process in Intellectual Property Cases*, Loyola University Chicago Law Journal Conference, “Exploring Factors that Affect the Judicial Decision-Making Process”, Loyola University of Chicago, April 8, 2016. (Moderator)

*“Copyright Trolls”* – Columbia University School of Law, The Kernochan Center for Law, Media and the Arts, Spring IP Speaker Series, March 8, 2016. (invited presentation)

*Copyright v. the DMCA* – Internet Law Works-in-Progress Conference at New York Law School, Saturday March 5, 2016 (selected presentation)

*“Reconciling Competing Values in Copyright Trolling”* – University of Iowa School of Law, February 26, 2016 (presentation)

*Comment on Ben Depoorter’s, Enforcing Against Norms*, Copyright Scholars Roundtable, University of Pennsylvania Law School, November 6, 2015 (Co-organizer and commentator)

*Comments on Kristelia Garcia’s, Facilitating Competition by Remedial Regulation*, Copyright Scholars Roundtable, University of Pennsylvania Law School, November 7, 2015 (Co-organizer and commentator)

*The Marginalization of Copyright by the DMCA*, Intellectual Property Scholars Conference, DePaul University, August 6-7, 2015 (presentation)

*Fair use, Transformative Use and Non-Expressive Use, Or, Campbell v. Acuff-Rose and the Future of Digital Technologies*, Fair Use In The Digital Age: The Ongoing Influence of *Campbell v. Acuff-Rose’s* “Transformative Use Test”, University of Washington School of Law, April 17 & 18, 2015 (presentation)

*The Uncertain Scope of the Public Performance Right After Aereo*. ABA IP Section of Litigation Roundtable, Chicago Illinois, December 18, 2014 (co-moderator of a discussion based on my issues paper)

*Workshop on The State of Fair Use in U.S. Copyright Law As It Affects Libraries and Educational Institutions*, University of California, Berkeley, December 8, 2014 (selected participant)

*IP Litigation Trends in United States District Courts – 1994 to 2014*, UCLA Entertainment, Media, and Intellectual Property Colloquium Workshop, UCLA School of Law, November 16, 2014

*IP Litigation Trends in United States District Courts – 1994 to 2014*, Roundtable on Empirical Methods in Intellectual Property September 19-20, 2014 (presentation)

*Copyright Trolling, An Empirical Study*, Intellectual Property Scholars Conference, University of California, Berkeley, August 8-10, 2014 (presentation)

*Copyright Trolling, An Empirical Study*, 2014 SERCI (Society for Economic Research on Copyright Issues) Annual Congress, Barcelona, Spain, July 10-11, 2014 (presentation)

*Copyright Trolling, An Empirical Study*, Law & Society, Minneapolis, May 29, 2014 (presentation)

*Patent Trolls and Chicago’s Tech Community*, Chicago Tech Roundtable, April 18, 2014 (invited speaker)

*Copyright Trolling, An Empirical Study*, Internet Law Scholarship, 4<sup>th</sup> Annual Work-in-Progress Symposium, New York Law School, March 8, 2014 (presentation)

*American Broadcasting Companies, Inc. v. Aereo, Inc.*, Northwestern Journal of Technology and Intellectual Property's Annual Symposium, Northwestern University School of Law, February 28, 2014 (panel presentation)

*Copyright, Mass Digitization and the Digital Humanities*, University of Iowa Law School, November 8, 2013 (faculty presentation)

*Copyright and Mass-Digitization and the Strategic Importance of Data-mining* –CREATe/Wellcome Trust Symposium “Archives and Copyright: Developing an Agenda for Reform” September 27, 2013, Wellcome Trust, London. (invited presentation)

*An Economic Analysis of Design Patents* – Intellectual Property Scholars Conference, Cardozo Law School, August 8, 2013 (comment)

Compulsory Licenses and Copyright Collectives – Intellectual Property Scholars Conference, Cardozo Law School, August 8, 2013 (presentation)

*Webcasting Through the Lens of Kristelia Garcia's Penalty Default Licenses*– Searle Center Research Roundtable on the Law and Economics of Digital Markets, July 29-Tuesday 2013 (comment)

*Predicting Fair Use* – Melbourne Law School Faculty Research Seminar Series, March 11, 2013 (presentation)

Copyright Reform in the Digital Age: Is Fair Use Too Uncertain? – The Australian Digital Alliance 2013 Annual Copyright Forum, March 1, 2013 (keynote address)

Second Annual Global Congress on Intellectual Property and the Public Interest, Rio De Janeiro December 14-17, 2012 (participating expert)

Standards of Proof in Patent Litigation – CELS 2012 (Conference on Empirical Legal Studies), Stanford University School of Law, November 9, 2012 (comment)

Copyright Policy and Information – Intellectual Property Law Speaker Series, University of San Diego School of Law, November 8, 2012 (invited presentation)

Orphan Works and Mass Digitization – In Re Books, a conference on law and the future of books, New York Law School, October 26-27, 2012 (presentation/panelist)

Global Research Network on Copyright Flexibilities in National Legal Reform – Experts Meeting, Program on Information Justice and Intellectual Property at American University Washington College of Law, September 14-15, 2012 (participating expert)

Orphan Works as Grist for the Data Mill – Intellectual Property Scholars Conference, Stanford University School of Law, August 12, 2012 (presentation)

Orphan Works as Grist for the Data Mill – UC Berkeley School of Law, Orphan Works & Mass Digitization Conference, April 12-13, 2012 (presentation)

League Structure and Stadium Rent Seeking – The Role of Antitrust Revisited – Cardozo Benjamin N. Cardozo School of Law IP Speaker Series, March 5, 2012 (presentation)

Copyright and the Future of the Entertainment Industry – Northwestern Journal of Technology & Intellectual Property Annual Symposium, February 24, 2012 (panelist)

Sports, Economics and Politics — League Structure and Rent Seeking Through Stadiums – Marquette University School of Law Intellectual Property Colloquium, January 25, 2012 (presentation)

Predicting Fair Use – University of Washington, IP Colloquium, December 5, 2011 (presentation)

Predicting Fair Use – CELS 2011 (Conference on Empirical Legal Studies), Northwestern University School of Law, November 5, 2011 (presentation)

Predicting Fair Use – the 39<sup>th</sup> Research Conference on Communication, Information and Internet Policy (Telecommunications Policy Research Conference), George Mason University Law School, Arlington, Virginia September 23-25, 2011 (presentation)

Predicting Fair Use – Intellectual Property Scholars Conference, DePaul University College of Law, August 11, 2011 (plenary presentation)

Predicting Fair Use – the International Max Planck Research School for Competition and Innovation's Second Workshop for Junior Researchers on the Law & Economics of Intellectual Property and Competition Law, Munich, Germany, June 5, 2011 (presentation)

Fairly Useful: An Empirical Study Of Copyright's Fair Use Doctrine – Internet Law Scholars Conference, Santa Clara University, March 5, 2011 (presentation)

Objective Factors in Fair Use Litigation – Research Design and Causal Inference Workshop, Northwestern University School of Law, August 16, 2010 (workshop presentation)

Objective Factors in Fair Use Litigation – Intellectual Property Scholars Conference, University of California, Berkeley, August 12-13, 2010 (presentation)

Research Symposium on Economics and Law of Internet Search, Northwestern University School of Law, June 10–11, 2010 (invited participant)

The Pre-History of Fair Use – Copyright @300, Looking Back on the Statute of Anne, University of California, Berkeley, April 9-10, 2010 (presentation)

Trademark and Copyright in the Days of Internet: The Google Influence, Northwestern University Journal of Technology & Intellectual Property Annual Symposium, March 5, 2010 (presentation)

Patenting Social Interactions: *Bilski* Before the Supreme Court, Northwestern University Journal of Technology & Intellectual Property Annual Symposium, March 5, 2010 (presentation)

Google Book, Northwestern University School of Law, IP Week, January 11, 2010 (guest speaker)

Searle Center, Roundtable on Empirical Studies of Patent Litigation, November 12–13, 2009, Northwestern University School of Law (invited participant)

Taking the Measure of Ideology: Empirically Measuring Supreme Court Cases – European Association of Law and Economics, Rome, September 17-19, 2009 (presentation)

Taking the Measure of Ideology: Empirically Measuring Supreme Court Cases – American Political Science Association Annual National Conference, Toronto, September 2009 (presentation)

Taking the Measure of Ideology: Empirically Measuring Supreme Court Cases – Intellectual Property Scholars Conference, Cardozo Law School, August 6-7, 2009 (presentation)

The Welfare Effects of the Google Book Settlement – Northwestern University School of Law, Maturing Internet Studies Conference, May 20, 2009 (presentation)

Taking the Measure of Ideology: Empirically Measuring Supreme Court Cases – Midwest Political Science Association Annual National Conference, Chicago, April 3, 2009 (presentation)

Taking the Measure of Ideology: Empirically Measuring Supreme Court Cases – Junior Scholars in Intellectual Property Conference, Michigan State University, March 27–28, 2009 (presentation)

Searle Center, Research Symposium on Property Rights Economics and Innovation, November 14–15, 2008, Northwestern University School of Law (invited participant)

Copyright and Copy-reliant Technology – Midwest Law and Economics Association, Annual Meeting, Northwestern University, Chicago, October 3, 2008 (presentation)

Copyright and Copy-reliant Technology – Intellectual Property Scholars Conference, Stanford University, August 9-10, 2008 (presentation)

The Economics and Law of the Entrepreneur – Searle Center Research Symposium, Northwestern University School of Law, June 18–19, 2008 (invited participant)

Mapping The Frontiers of New Institutional Economics, University of Colorado Law School, Wednesday, June 11, 2008 (invited participant)

The Effect of Ideology in Intellectual Property Cases – American Law & Economics Association Annual Meeting, Columbia University School of Law, May 15, 2008 (invited presentation)

Copyright and Copy-reliant Technology – Faculty Workshop at the University of Virginia School of Law, March 28, 2008 (presentation)

Law & Economics of Innovation – Searle Center Research Roundtable, Northwestern University School of Law, December 6–7, 2007 (invited participant)

The Effect of Ideology in Intellectual Property Cases – Second Annual Conference on Empirical Legal Studies, NYU Law School, November 9–10, 2007 (invited presentation)

The Effect of Ideology in Intellectual Property Cases – Berkeley Program in Law & Economics, Law and Economics Workshop, October 29, 2007 (invited presentation)

A Proposal for Volunteer Judges to Hear Patent Cases, A Conversation with the Judiciary, Featuring Hon. James F. Holderman, Hon. Robert W. Gettleman, and Hon. Elaine E. Bucklo October 24, 2007 (moderator).

The Effect of Ideology in Intellectual Property Cases – University of Virginia, John M. Olin Program in Law and Economics, Law and Economics Workshop, October 22, 2007 (invited presentation)

Fair Use in the Internet Age– American Intellectual Property Law Association, Annual Meeting, Washington, D.C., October 18–20, 2007 (invited presentation)

The Significance of Opt-Out Mechanisms in Fair Use Analysis – Works In Progress IP, American University, September 28, 2007 (presentation)

Intellectual Property and Access to Medicines in the Developing World – A Roundtable Discussion co-sponsored by DePaul University College of Law and Doctors Without Borders/Médecins Sans Frontières, September 20, 2007 (Chair, moderator)

The Effect of Ideology in Intellectual Property Cases – Intellectual Property Scholars Conference, DePaul University College of Law, August 10-11, 2007 (presentation)

Patent Litigation Reform in the Courts and Congress – Seventh Circuit Bar Association & Judicial Conference, May 8, 2007 (Panelist)

Copyright – Michigan State University Intellectual Property Symposium, March 30-31, 2007 (Moderator)

DePaul University College of Law 10th Annual Symposium: Patents and Progress, DePaul University College of Law, March 15, 16, 2007 (Co-Chair, Moderator & Commentator)

A Conversation with the Judiciary, Featuring Hon. Alex Kozinski, United States Court of Appeals for the 9th Circuit; Hon. Richard Posner, United States Court of Appeals for the 7th Circuit; and Hon. Diane Wood, United States Court of Appeals for the 7th Circuit. DePaul University College of Law, November 2, 2006 (Moderator)

Patent Reform and Differential Impact – Intellectual Property Scholars Conference, U.C. Berkeley, August 11, 2006. (Presentation)

A Comment on Strategic Behaviors and Competition – American Association of Law Schools Workshop on Intellectual Property, Vancouver, June 15, 2006 (Comment)

Piracy: The Recording Industry's Optimal Litigation Strategy – 1st Annual Northwestern Journal of Technology and Intellectual Property Symposium IP Litigation in the 21st Century, Chicago, February 24, 2006 (Presentation)

IP Issues for Bloggers – Columbia College School of Journalism, Chicago, February 21, 2006 (Presentation)

Google Book: Fair Use or Free Lunch – Northwestern University School of Law Intellectual Property Law Society, Chicago, January 12, 2005 (panel)

The Law and Economics of Copyright Scope and Fair Use – Midwest Law and Economics Association, Annual Meeting, Chicago, October 14, 2005 (Presentation)

The IP in iPod – a presentation to the Northwestern University School of Law Intellectual Property Law Society, Chicago, September 28, 2005 (Presentation)

Applying Law and Economics to Copyright's Fair Use Doctrine – Canadian Law and Economics Association, Annual Meeting, Toronto, September 25, 2005 (Presentation)

Copyright Scope and the Law and Economics of Fair Use – Intellectual Property Scholars Conference, New York, August 11, 2005 (Presentation)

Intellectual Property, Antitrust and the Public Domain – Loyola Antitrust Colloquium, Chicago, April 8, 2005 (Comment)

Patent Litigation and Its Effect on Technology Commercialization – a presentation to the Northwestern University School of Law Intellectual Property Law Society, Chicago, January 12, 2005 (moderator)

The Future of Intellectual Property – a presentation to the Northwestern University School of Law Intellectual Property Law Society, Chicago, September 28, 2004 (presentation)

## **Appendix B:**

### **Editorials**

[The Supreme Court needs 15 Justices](#), Bloomberg, May 4, 2021 (co-authored with Tonja Jacobi)

[The Supreme Court Is the Final Hurdle for Voters' Rights](#), Bloomberg, Mar. 31, 2021 (co-authored with Tonja Jacobi)

["Supreme Court justices are speaking up more because they're not afraid to be partisan"](#) Washington Post, April 6, 2018 (April 8 in the print edition) (co-authored with Tonja Jacobi)

[Lessons From South Africa: Protecting Non-Expressive Uses In Copyright Reform](#), Intellectual Property Watch June 11, 2017 (co-authored with Sean Flynn)

### **Television Interviews**

[CBSN with anchor Reena Ninan](#), October 9, 2018 (Discussing Justice Kavanaugh's first day on the bench and the future of the Supreme Court)