

## **Timothy R. Holbrook**

Provost's Professor  
Robert B. Yegge Endowed Distinguished Professor in Law  
Professor of Law  
University of Denver Sturm College of Law  
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Denver, CO 80208  
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### **ACADEMIC POSITIONS**

#### **University of Denver Sturm College of Law, Denver, CO**

*Provost's Professor* 9/23-present

*Robert B. Yegge Endowed Distinguished Professor in Law* 9/23-present

*Professor of Law* 8/23-present

*Visiting Associate Professor of Law* Spring 2009

Teach courses in patent law, patent litigation, intellectual property, trademark law, and civil procedure. Research explores patent law, the disclosure function of patents, patenting of human genes, 3D printing, and the extraterritoriality of intellectual property rights. Public scholarship addresses issues of LGBTQ+ inclusion and equality.

#### **Emory University School of Law, Atlanta, GA**

*Asa Griggs Candler Professor of Law* 2/18-7/23

*Professor of Law* 7/09-7/23

Taught courses in all areas of intellectual property (patent, trademark, copyright, trade secrecy, patent litigation, international patent and intellectual property law) and property. As associate dean of faculty, coordinated promotion and tenure processes for law school candidates and worked to enhance the scholarly community within the law school.

#### **Chicago-Kent College of Law, Illinois Institute of Technology, Chicago, IL**

*Associate Professor of Law (with tenure)* 7/06-7/09

*Associate Director, Program in Intellectual Property Law* 7/06-7/09

*Assistant Professor of Law* 8/01-7/06

*Visiting Associate Professor of Law* 6/00-8/01

### **ADMINISTRATIVE POSITIONS**

#### **Emory University, Atlanta, GA**

*Vice Provost for Faculty Affairs* 8/18-12/22

Oversaw activities that support faculty recruitment, retention, and success at the university level. Direct reports included the Center for Faculty Development and Excellence and the Emory University Emeritus College. Coordinated processes for the Emory Tenure and Promotion Advisory Committee and university policies that impact faculty life. Engaged in faculty-related conflict resolution. Oversaw

faculty hiring with an emphasis on diversity, equity, and inclusion. Partner with the Office of Research Administration in matters of research integrity and security.

**Emory University School of Law, Atlanta, GA**

*Associate Dean of Faculty*

7/12-8/15

Coordinated promotion and tenure processes for law school candidates, advised faculty on the promotion and tenure process, and worked to enhance the scholarly community within the law school.

**VISITING POSITIONS**

**Central European University, Budapest, Hungary**

*Visiting Professor, Department of Legal Studies*

Sept. 2010

*Scholar-in Residence*

Spring 2006

Center for Communication and Media Studies

**Stanford Law School, Palo Alto, CA**

*Edwin A. Heafey, Jr. Visiting Professor of Law*

Fall 2007

**Lund University and Suffolk University School of Law, Lund, Sweden**

*Professor in Summer Program*

Summer 2005

**Washington University School of Law, St. Louis, MO.**

*Visiting Professor*

Spring 2004

**EDUCATION**

**Yale Law School, New Haven, CT**

J.D., June 1996

*Activities*      *Yale Journal on Regulation*, Lead Editor and Publications Director  
Class of 1996 Student Representative

Barristers' Union Mock Trial – Board Member and Treasurer

*Alum*              YLS Assoc. of Chicago – Coordinating Committee Member (2003-09)

YLS Assoc. Executive Committee, Regional Representative (2016-18);  
Term Member (2013-16)

**North Carolina State University, Raleigh, NC**

B.S. in Chemical Engineering, May 1993. GPA: 4.00/4.00

Valedictorian, *summa cum laude*

*Honors*           National Merit and John T. Caldwell Alumni Scholar  
North Carolina Fellows Leadership Development Program

Phi Kappa Phi and Tau Beta Pi Honor Societies

*Activities*       Phi Delta Theta Fraternity – Secretary and Alumni Chair  
NC State Student Senate – Athletics and Operations Chairs  
Chancellor's Aide

North Carolina State University Study Abroad Program, Oxford,  
University, Oxford, UK, Summer 1990

## JUDICIAL CLERKSHIP

12/97-3/98

- 4<sup>th</sup> edition cited in *Intellectual Ventures II v. FedEx Corp.*, No. 2:16-CV-00980-JRG, 2017 WL 6002762, at \*2 n.1 (E.D. Tex. Dec. 1, 2017).

*Extraterritoriality and Intellectual Property*, in ELGAR CONCISE ENCYCLOPEDIA OF EXTRATERRITORIALITY AND THE LAW (Edward Elgar, forthcoming 2025).

*Extraterritoriality: Intellectual Property*, in RESEARCH HANDBOOK ON EXTRATERRITORIALITY IN INTERNATIONAL LAW (Parrish, A. and Ryngaert, C., eds.) (Edward Elgar, 2023).

*Extraterritoriality and Digital Patent Infringement*, in RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY AND DIGITAL TECHNOLOGIES 338-62 (Aplin, T. ed.) (Edward Elgar, 2020).

*Remedies for Digital Patent Infringement: A Perspective from USA*, in 3D PRINTING AND BEYOND: THE INTELLECTUAL PROPERTY AND LEGAL IMPLICATIONS SURROUNDING 3D PRINTING AND EMERGING TECHNOLOGIES 217-33 (Mendis, D., Lemley, M., Rimmer, M., eds.) (Edward Elgar, 2019).

*The America Invents Act: A New Patent System for the 21<sup>st</sup> Century*, in TECHNOLOGICAL INNOVATION: GENERATING ECONOMIC RESULTS 131-62 (Thursby, M., ed.) (2d. ed. Emerald Group, 2016).

*The Risks of Early Commercialization of an Invention: the On-Sale Bar to Patentability*, in INTELLECTUAL PROPERTY AND INFORMATION WEALTH, (Yu, P., ed.) (Praeger 2006).

**ARTICLES AND ESSAYS** (\* denotes works co-authored with students)  
*Copyright Extraterritoriality*, 62 SAN DIEGO L. REV. --- (forthcoming 2025).

*Relative and Absolute Patentability*, 59 WAKE FOREST L. REV. 641 (2024) (with Mark D. Janis).

*Confusion Over Trademark Extraterritoriality...and Beyond*, 73 AM. U. L. REV. 989 (2024) (with Anshu Garg).\*

*Remembering Dr. Dmitry Karshedt as a Scholar and Friend*, 21 NW. J. OF TECH. & INTELL. PROP. 319 (2024) (with J. Jonas Anderson and Sean B. Seymore).

*How the Supreme Court Ghosted the PHOSITA: Amgen and Legal Constructs in Patent Law*, 109 IOWA L. REV. ONLINE 83 (2024) (invited response) (with Mark D. Janis).

*Is There a New Extraterritoriality in Intellectual Property?*, 44 COLUM. J.L. & ARTS 467 (2021).

*The Importance of Communication to Possession in IP*, 100 B.U. L. REV. ONLINE 18 (2020) (invited essay response to Dotan Oliar & James Y. Stern, *Right on Time*:

- First Possession in Property and Intellectual Property*, 99 B.U. L. REV. 395 (2019)).
- What Counts as Extraterritorial in Patent Law?*, 25 B.U. J. SCI. & TECH. L. 291 (2019) (symposium).
- Extraterritoriality and Proximate Cause after WesternGeco*, 21 YALE J.L. & TECH. 189 (2019).
- Patent Prior Art and Possession*, 60 WM. & MARY L. REV. 123 (2018).
- Method Patent Exceptionalism*, 102 IOWA L. REV. 1001 (2017).
- Cited *Brumfield v. IBG LLC*, 97 F.4th 854, 879 (Fed. Cir. 2024).
- Boundaries, Extraterritoriality, and Patent Infringement Damages*, 92 NOTRE DAME LAW REVIEW 1745 (2017) (symposium).
- The Federal Circuit's Acquiescence (?)*, 66 AM. U. L. REV. 1061 (2017) (symposium).
- Is the Supreme Court Concerned with Patent Law, the Federal Circuit, or Both: A Response to Judge Timothy B. Dyk*, 16 CHI-KENT J. OF INTELL. PROP. 313 (2017) (invited response to Timothy B. Dyk, *Thoughts on the Relationship Between the Supreme Court and the Federal Circuit*, 16 CHI-KENT J. OF INTELL. PROP. 67 (2016)).
- Printing the Future: Implications of 3D Printing*, 4 TEXAS A&M J. OF PROP. L. 15 (2017) (symposium) (edited transcription of remarks).
- Polyamory, Offense, and Obergefell*, CONN. L. REV. ONLINE 1 (2017) (essay).
- Patent Disclosures and Time*, 69 VAND. L. REV. 1459 (2016) (symposium).
- Patent Anticipation and Obviousness as Possession*, 65 EMORY L.J. 987 (2016).
- The Supreme Court's Quiet Revolution in Induced Patent Infringement*, 91 NOTRE DAME L. REV. 1007 (2016).
- The Patent Trial and Appeal Board's Evolving Impact on Claim Construction*, 24 TEX. INTELL. PROP. L.J. 301 (2016) (symposium), *reprinted in* 47 INTELLECTUAL PROPERTY L. REV. 71 (2017) (selected as one of the top articles on intellectual property published in 2016).
- Expressive Eligibility*, 5 UC IRVINE L. REV. 973 (2015) (with Mark D. Janis) (symposium).

*Digital Patent Infringement in an Era of 3D Printing*, 48 UC DAVIS L. REV. 1319 (2015)  
(with Lucas Osborn).

*Patent-Eligible Processes: An Audience Perspective*, 17 VAND. J. OF ENT. & TECH. L. 349  
(2015) (with Mark. D. Janis) (symposium).

- Cited in *Wanker v. United States*, 146 Fed. Cl. 582 (Jan. 31, 2020).

*Is the Supreme Court Poised to Assess the Extraterritorial Scope of US Patent Law?*, 36  
EUROPEAN INTELL. PROP. REVIEW 212 (2014) (essay).

*The Written Description Gap*, 45 LOY. U. CHI. L.J. 345 (2013) (symposium).

*Explaining the Supreme Court's Interest in Intellectual Property*, 3 IP THEORY 32 (2013)  
(symposium).

*Patent Law's Audience*, 97 MINN. L. REV. 72 (2012) (with Mark D. Janis).

*Territoriality and Tangibility after Transocean*, 61 EMORY L.J. 1087 (2012) (essay).

*From Densmore to DC: A Biography of Glenn L. Archer, Jr.*, 6 J. OF FED. CIR. HIST.  
SOC'Y 7 (2012).

*The Potential Extraterritorial Consequences of Akamai*, 26 EMORY INT'L L. REV. 499  
(2012) (invited essay).

*Should Foreign Patent Law Matter?*, 34 CAMPBELL L. REV. 581 (2012) (symposium).

*Patents, Presumptions, and Public Notice*, 86 IND. L.J. 779 (2011).

WHAT IS A PATENT?, American Bar Association Publication (3d ed. 2010).

*Equivalency and Patent Law's Possession Paradox*, 23 HARV. J.L. & TECH. 1 (2009).

- Cited and quoted in *Lite-Netics, LLC v. Nu Tsai Capital LLC*, No. 8:22CV314,  
2022 WL 15523245, at \*1 (D. Neb. Oct. 27, 2022)

*Extraterritoriality in U.S. Patent Law*, 49 WM. & MARY L. REV. 2119 (2008).

- Cited in *Uniloc USA, Inc. v. Microsoft Corp.*, 632 F.Supp.2d 147 (D.R.I. 2009).

*A Comparative Look at Recent US Supreme Court Patent Decisions*, COMPUTER L. REV.  
INT'L 71 (CRi) (June 15, 2008) (invited essay).

*Patents for Poets*, 52 ST. LOUIS UNIV. L. REV. 795 (2008) (invited essay for *Teaching  
Intellectual Property Law* issue).

*The Return of the Supreme Court to Patent Law*, 1 AKRON INTELL. PROP. J. 1 (2007) (symposium).

*Obviousness in Patent Law and the Motivation to Combine: A Presumption-Based Approach*, WASH. U. L. REV., Slip Opinions, Mar. 21 2007, available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=976695&download=yes](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=976695&download=yes)

*The Expressive Impact of Patents*, 84 WASH. U. L. REV. 573 (2006).

*When Patents Threaten Science*, 314 SCIENCE 1695 (December 1, 2006) (with Jordan Paradise, Lori Andrews, and Danielle Bochniak).

*Possession in Patent Law*, 59 SMU L. REV. 123 (2006).

- Cited in *Safety Syringes, Inc. v. Plastef Investissements*, No. 207CV02307FMCPLAX, 2008 WL 11336332, at \*5 n.7 (C.D. Cal. Aug. 28, 2008).

*The Intent Element of Induced Infringement*, 22 SANTA CLARA COMPUTER & HIGH TECH. L.J. 399 (2006) (symposium), reprinted in PATENT INFRINGEMENT: DISPUTES AND REMEDIAL OPTIONS (Icfaï Univ. Press 2008).

*Patents on Human Genes—An Analysis of Scope and Claims*, 307 SCIENCE 1566 (March 11, 2005) (with Jordan Paradise and Lori Andrews).

*Substantive versus Process-Based Formalism in Claim Construction*, 9 LEWIS & CLARK L. REV. 123 (2005) (symposium).

*Territoriality Waning? Patent Infringement for Offering in the United States to Sell an Invention Abroad*, 37 UC DAVIS L. REV. 701 (2004).

- Cited in *Rundquist v. Vapiano*, 798 F.Supp.2d 102 (D.D.C. 2011).

*The Treaty Power and the Patent Clause: Are There Limits on the United States' Ability to Harmonize?*, 22 CARDOZO ARTS & ENT. L.J. 1 (2004) (symposium).

*The Supreme Court's Complicity in Federal Circuit Formalism*, 20 SANTA CLARA COMPUTER & HIGH TECH. L.J. 1 (2003) (invited essay).

*Liability for the "Threat of a Sale": Assessing Patent Infringement for Offering to Sell an Invention and Implications for the On-Sale Patentability Bar and Other Forms of Infringement*, 43 SANTA CLARA L. REV. 751 (2003), reprinted in 36 INTELLECTUAL PROPERTY L. REV. 137 (2004) (selected as one of the top articles on intellectual property published in 2003).

- Cited in *Transocean Offshore Deepwater Drilling, Inc. v. Maersk Contractors USA, Inc.*, 617 F.3d 1296 (Fed. Cir. 2010); *Transocean Offshore Deepwater Drilling, Inc. v. Maersk Contractors USA, Inc.*, NO. CIV.A. H-07-2392, 2011 WL 2604769 (S.D. Tex. Jun 30, 2011); *Franklin Elec. Co. v. Dover Corp.*, 84 U.S.P.Q.2D 1916 (W.D. Wisc. 2006).

*The More Things Change, The More They Stay The Same: Implications of Pfaff v. Wells Electronics, Inc. and the Quest for Predictability in the On-Sale Bar*, 15 BERKELEY TECH. L.J. 933 (2000).

- Cited in *August Tech. Corp. v. Camtek, Ltd.*, 655 F.3d 1278 (Fed. Cir. 2011); *In re Terazosin Hydrochloride Antitrust Litig.*, 335 F. Supp. 2d 1336 (S.D. Fla. 2004).

#### **AMICUS BRIEFS AND OTHER ADVOCACY**

*Brief Amici Curiae of Three Intellectual Property Law Professors in Support of Neither Party*, No. 21-1043, Abitron Austria GmbH v. Hetronic International, Inc. (U.S. Dec. 27, 2022).

*Brief of Amici Curiae Mark D. Janis and Timothy R. Holbrook in Support of Petitioners*, No. 21-1566, Juno Therapeutics, Inc. v. Kite Pharma, Inc. (U.S. July 15, 2022).

*Brief Amici Curiae of Intellectual Property Law Professors in Support of Petitioners*, No. 18-600, Texas Advanced Optoelectronic Solutions, Inc. v. Renesas Electronics America, Inc., fka Intersil Corp. (U.S. December 7, 2018).

*Brief Amici Curiae of Intellectual Property Law Professors*, No. 16-1011, WesternGeco LLC v. Ion Geophysical Corp. (U.S. March 2, 2018).

*Brief Amici Curiae of Intellectual Property Law Professors*, No. 14-1538, Life Technologies Corp. v. Promega Corp. (U.S. September 8, 2016).

*Brief Amicus Curiae of Professor Timothy R. Holbrook in Support of Petitioners*, No. 14-1538, Life Technologies Corp. v. Promega Corp. (U.S. July 29, 2015).

*Brief of Amici Curiae Chris Kluwe, Brendon Ayanbadejo, and Scott Fujita in Support of Petitioners*, No. 14-556, Obergefell v. Hodges (U.S. March 6, 2015).

*Brief Amici Curiae of Sixteen Intellectual Law Professors in Support of Respondent*, No. 13-896, Commil USA, LLC v. Cisco Systems, Inc. (U.S. Feb. 25, 2015).

*Brief Amici Curiae of Ten Intellectual Property Law Professors in Support of Petitioner on the Issue of Extraterritoriality*, No. 12-786, Limelight Networks, Inc. v. Akamai Technologies, Inc., et al. (U.S. Feb. 14, 2014).



*Brief of Amici Curiae 10 Law Professors in Support of Petitioner*, No. 13-43, Maersk Drilling USA, Inc. v. Transocean Offshore Deepwater Drilling, Inc. (U.S. Aug. 5, 2013).

*Brief of Amicus Curiae Law Professor Timothy R. Holbrook in Support of Petitioner*, No. 12-800, Epic Systems Corp. v. McKesson Techs., Inc. (U.S. Feb. 4, 2013).

*Brief of Amici Curiae Chris Kluwe and Brendon Ayanbadejo in Support of Respondents*, No. 12-144, Hollingsworth v. Perry (U.S. Feb. 2013).

*Letter to The Honorable Lamar Smith, Chairman, Committee on the Judiciary, U.S. House of Representatives regarding the Constitutionality of a First Inventor to File Regime*, June 12, 2011 (with Mark Janis).

*Brief Amici Curiae of 41 Law, Economics, and Business Professors in Support of Petitioners*, Global-Tech Appliances, Inc. v. SEB S.A., (U.S. Dec. 6, 2010) (with Mark Lemley and Lynda Oswald).

*Brief Amici Curiae of 26 Law, Economics, and Business Professors in Support of Petitioners*, Global-Tech Appliances, Inc. v. SEB S.A., (U.S. July 29, 2010) (with Mark Lemley and Lynda Oswald).

*Brief of Amici Curiae Mark D. Janis and Timothy R. Holbrook in Support of Neither Party*, Ariad Pharmaceuticals, Inc. v. Eli Lilly & Co. (Fed. Cir. October 14, 2009).

**OP-EDS, BLOG POSTS, AND OTHER MEDIA** (\* denotes works co-authored with students)  
*It's Time for Real Talk About Prostate Cancer*, US NEWS AND WORLD REPORTS, May 28, 2025, <https://www.usnews.com/opinion/articles/2025-05-27/biden-prostate-cancer-tests-screening>

*Why a Cancer Diagnosis Made Me Worry About the Fate of Same-Sex Marriage*, US NEWS AND WORLD REPORTS, April 16, 2025, <https://www.usnews.com/opinion/articles/2025-04-16/trump-lgbtq-supreme-court-obergefell>

*Seventh Circuit Explores Copyright and Trade Secret Extraterritoriality*, TRANSNATIONAL LITIGATION BLOG, July 31, 2024, <https://tlblog.org/seventh-circuit-explores-copyright-and-trade-secret-extraterritoriality/>

*Baking a cake should not outweigh Civil Rights*, DENVER POST, p. D2, June 9, 2024 (with Alan Chen), republished on line on June 19, 2024 at <https://www.denverpost.com/2024/06/19/jack-phillips-cake-shop-discrimination-free-speech-court-ruling/>.

*Extraterritoriality and Patent Damages Under § 271(a)*, PATENTLYO, April 12, 2024, <https://patentlyo.com/patent/2024/04/holbrook-extraterritoriality-damages.html>.

*Abitron Eliminates Circuit Tests but Causes More Confusion*, TRANSNATIONAL LITIGATION BLOG, July 25, 2023, <https://tlblog.org/abitrn-eliminates-circuit-tests-but-causes-more-confusion/> (with Anshu Garg).\*

*Supreme Court leaves door open to widespread discrimination*, CNN OPINION, June 30, 2023, <https://www.cnn.com/2023/06/30/opinions/scotus-leaves-door-open-to-widespread-discrimination/index.html>.

*Territoriality v. Extraterritoriality in Intellectual Property*, TRANSNATIONAL LITIGATION BLOG, Oct. 6, 2022, <https://tlblog.org/territoriality-v-extraterritoriality-in-intellectual-property/> (with Gianna Mercandetti and Eva Rian).\*

*Justices Must Correct Federal Circuit's Overreach on Patents*, LAW360, July 28, 2022, <https://www.law360.com/ip/articles/1515702> (with Mark D. Janis).

*Marriage equality laws and Roe's reversal*, ATLANTA-JOURNAL CONSTITUTION, July 8, 2022, <https://www.ajc.com/opinion/opinion-marriage-equality-laws-and-roes-reversal/SOFEHNZ4XVD7PIKTELDB3GV4YQ/> (with Michael J. Broyde).

*LGBTQ rights may be safe at the Supreme Court – for now*, CNN OPINION, Nov. 6, 2020, <https://www.cnn.com/2020/11/06/opinions/lgbtq-rights-barrett-supreme-court-argument-holbrook/index.html>.

*Don't reward intellectual property theft*, THE FORUM: INSIDERADVANTAGE: FORUM, Oct. 26, 2020, <https://insideradvantage.com/2020/10/26/dont-reward-intellectual-property-theft/>.

*Same-sex marriage at risk as Supreme Court gets more conservative*, CNN OPINION, Oct. 6, 2020, <https://www.cnn.com/2020/10/06/opinions/thomas-alito-obergefell-marriage-equality-at-risk-holbrook/index.html>.

*Whose Law Controls On Sale Prior Art in Foreign Countries*, PATENTLYO, Feb. 4, 2020, <https://patentlyo.com/patent/2020/02/holbrook-controls-countries.html>.

*Trumps potential rules won't erase LGBTQ Americans*, CNN OPINION, Oct. 22, 2018, <https://www.cnn.com/2018/10/22/opinions/transgender-trump-protection-title-ix-hhs-holbrook/index.html>.

*WesternGeco's Implications for Patent Law and Beyond*, PATENTLYO, June 24, 2018, <https://patentlyo.com/patent/2018/06/holbrook-westerngecos-implications.html>.

*Deconstructing the question presented in WesternGeco*, PATENTLYO, Jan. 15, 2018, <https://patentlyo.com/patent/2018/01/deconstructing-presented-westerngeco.html>.

*It's not about you, Kevin Spacey*, CNN OPINION, Nov. 1, 2017,  
<http://www.cnn.com/2017/11/01/opinions/kevin-spacey-coming-out-opinion-holbrook/index.html>.

*Sessions gets law dead wrong on transgender protections*, CNN OPINION, Oct. 6, 2017,  
<http://www.cnn.com/2017/10/06/opinions/sessions-is-wrong-on-lgbtq-memo-holbrook/index.html>.

*Will Chief Justice Roberts save same-sex marriage?*, CNN OPINION, June 28, 2017,  
<http://www.cnn.com/2017/06/28/opinions/roberts-same-sex-marriage-opinion-holbrook/index.html>.

*Life Technologies Corp. v. Promega Corp. and the Absent Presumption Against Extraterritoriality*, PATENTLYO, Feb. 27, 2017,  
<http://patentlyo.com/patent/2017/02/technologies-presumption-extraterritoriality.html>.

*Trump shows his true hand on LGBTQ rights*, CNN OPINION, Feb. 13, 2017,  
<http://www.cnn.com/2017/02/13/opinions/trump-true-views-on-lgbtq-rights-holbrook-opinion/>.

*Supreme Court: Design patents are worth less, but we won't tell you how much*, THE CONVERSATION, Dec. 8, 2016, <https://theconversation.com/supreme-court-design-patents-are-worth-less-but-we-wont-tell-you-how-much-70031>.

*Do you buy a smartphone for its curves? Do you buy a car for its cup holders?*, THE CONVERSATION, Oct. 13, 2016, <https://theconversation.com/do-you-buy-a-smartphone-for-its-curves-do-you-buy-a-car-for-its-cup-holders-66970>.

*The real reason the EpiPen and other off-patents are so expensive*, THE CONVERSATION, Aug. 25, 2016, <https://theconversation.com/the-real-reason-the-epipen-and-other-off-patents-are-so-expensive-64346>.

*The National Success of, and Challenges for, Intellectual Property American Inns of Court*, THE BENCHER, May/June 2016,  
[https://home.innsofcourt.org/AIC/AIC\\_For\\_Members/AIC\\_Bencher/AIC\\_Bencher\\_Recent\\_Articles/2016\\_MayJun\\_Holbrook.aspx](https://home.innsofcourt.org/AIC/AIC_For_Members/AIC_Bencher/AIC_Bencher_Recent_Articles/2016_MayJun_Holbrook.aspx).

*Georgia, North Carolina bills are about LGBT discrimination. Period.*, CNN OPINION, March 25, 2016, <http://www.cnn.com/2016/03/25/opinions/georgia-religious-freedom-law-threatens-lgbt-rights-holbrook/>.

*How 3D Printing Threatens Our Patent System*, THE CONVERSATION, Jan. 6, 2016,  
<https://theconversation.com/how-3d-printing-threatens-our-patent-system-52665>,  
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<http://www.scientificamerican.com/article/how-3d-printing-threatens-our-patent-system/>.

*Give existing reforms a chance to kill patent trolls*, THE CONVERSATION, July 30, 2015, <https://theconversation.com/give-existing-reforms-a-chance-to-kill-patent-trolls-44499>.

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*Justice Kennedy comes out for same-sex marriage*, THE CONVERSATION, June 26, 2015, <https://theconversation.com/the-supreme-court-upholds-same-sex-marriage-expert-reaction-43961>.

*Are gay marriage opponents being bullied?*, CNN OPINION, April 26, 2015, <http://www.cnn.com/2015/04/26/opinions/holbrook-marriage-equality/index.html>.

*Indiana uses religious freedom against gays*, CNN OPINION, March 31, 2015, <http://www.cnn.com/2015/03/31/opinions/holbrook-indiana-law/>.

*What same-sex marriage has to do with gun control*, CNN OPINION, Nov. 12, 2014, <http://www.cnn.com/2014/11/12/opinion/holbrook-same-sex-marriage/>.

*A surprising non-decision*, ATLANTA JOURNAL CONSTITUTION, Oct. 10, 2014, <http://www.ajc.com/news/news/opinion/a-surprising-non-decision/nhfJd/>.

*Marriage equality is not like abortion*, CNN OPINION, Sept. 23, 2014, <http://www.cnn.com/2014/09/23/opinion/holbrook-marriage-equality/>.

*Sexual orientation doesn't need to be cured*, CNN OPINION, July 15, 2014, <http://www.cnn.com/2014/07/15/opinion/holbrook-gay-gene/>.

*No basis for marriage ban*, ATLANTA JOURNAL CONSTITUTION, May 8, 2014, <http://www.myajc.com/news/news/opinion/no-basis-for-marriage-ban/nfq9R/>.

*Is the Supreme Court About to Rule that Software is Ineligible for Patent Protection?*, FORBES, March 16, 2014, <http://www.forbes.com/sites/realspin/2014/03/16/is-the-supreme-court-about-to-rule-that-software-is-ineligible-for-patent-protection/>.

*Not All Patent Trolls are Demons*, CNN OPINION, Feb. 21, 2014, <http://www.cnn.com/2014/02/21/opinion/holbrook-patent-trolls-demons/>.

*Forget Invisibility: Visibility is the New Superpower*, HUFFINGTON POST, Jan. 1, 2014, [http://www.huffingtonpost.com/timothy-holbrook/forget-invisibility-visib\\_b\\_4532824.html](http://www.huffingtonpost.com/timothy-holbrook/forget-invisibility-visib_b_4532824.html).

*Where are the Gay Federal Appellate Judges?*, HUFFINGTON POST, Oct. 13, 2013, [http://www.huffingtonpost.com/timothy-holbrook/where-are-the-gay-federal-appellate-judges\\_b\\_4118795.html](http://www.huffingtonpost.com/timothy-holbrook/where-are-the-gay-federal-appellate-judges_b_4118795.html).

*Why Being a Gay Christian Isn't an Oxymoron*, TALKING POINTS MEMO (TPM), Oct. 4, 2013, <http://talkingpointsmemo.com/cafe/why-being-a-gay-christian-isn-t-an-oxymoron>.

#### **HONORS AND AWARDS**

- Emeritus Status, The Honorable Chad Pannell, Jr. Intellectual Property Inn of Court (2023).
- American Bar Foundation Fellow (2019-22), Life Fellow (2022-present).
- Fall Lecture Fellow, University of Houston Law Center Institute for Intellectual Property and Information Law, 25<sup>th</sup> Annual Fall Lecture, November 2018.
- Emory Academic Leadership Program, 2017-18.
- Two articles selected as Best Articles Written in Intellectual Property in 2016 and 2004, respectively; reprinted in the INTELLECTUAL PROPERTY LAW REVIEW.
- Keynote, Conference on Innovation and Communications Law 2017, University of Szeged, Szeged, Hungary, May 29, 2017.
- Emory Williams Teaching Award, 2017.
- Chesnut LGBT Person of the Year Award, Emory University, 2015.
- Keynote, Lavender Graduation Ceremony, North Carolina State University, 2015.
- Outstanding Service to the Community Award, Stonewall Bar Association of Georgia (LGBTQ bar association), 2014.
- Friends in Faculty Award, Division of Campus Life, Emory University, 2014.
- Professor of the Year, Emory's Black Law Students Association, 2014.
- Public Voices Fellow in the Op-Ed Project, Emory University, 2014-16.
- The Linn Inn Alliance Distinguished Service Medal, March 22, 2013.
- Elected Member, American Law Institute (ALI), March 19, 2013.

#### **RESEARCH GRANT**

Lori Andrews, Lori Rosenow, Timothy R. Holbrook, *Complex Genetic Disorders and Intellectual Property Rights*, #DE-FG02-02ER63460, from the Office of Biological and Environmental Research, the Office of Science, U.S. Department of Energy (DOE) and the Robert Wood Johnson Foundation Investigator Awards in Health Policy Research Program. Two year grant to study the implications of intellectual property rights on research on complex genetic disorders.

#### **PROFESSIONAL ACTIVITIES**

- Colorado Intellectual Property American Inn of Court, Master (2023-present)
- Colorado LGBT Bar Association, Member (2023-present)
- American Intellectual Property Law Association, Member
- Federal Circuit Bar Association, Member; PTO Committee Member (2023-24); Patent Appeals Subcommittee (2023-24)
- Federal Circuit Historical Society

- Charles A. Pannell, Jr. Intellectual Property Inn of Court (formerly Atlanta Intellectual Property Inn of Court), Founder, Emeritus (2023-present) (highest honor bestowed on Inn members); Master (2012-2023), Past President (2012-2014); First President (2010-2012).
- Executive Committee, AALS Section on Sexual Orientation and Gender Identity Issues (2018-2020).
- Executive Committee, AALS Section on Intellectual Property (2019-2020).
- Member of the NY, DC, Supreme Court, and Federal Circuit bars.
- Board, North Carolina State University GLBT Center (2019-2020).
- Transgender Legal Defense and Education Fund, Board member (2017-18).
- Co-coordinator of Observers Mentoring Program for the Culp Colloquium (program to assist legal scholars of color obtain tenure-stream positions) (2016-present).
- Naples Roundtable Advisory Board member (2017-present).
- Atlanta Yale Law School Executive Committee (2016-present).
- Yale Law School Executive Committee (2013-18).
- American Inns of Court Law School Task Force (2017-18).
- Stonewall Bar Association of Georgia (LGBTQ Bar Association) (2012-2023), Board member (2014-17); CLE Committee Chair (2014-15; 2016-17).
- American Intellectual Property Law Association, Education Committee Vice Chair (2014-15); Annual Meeting Planning Subcommittee (2013-14); Amicus Brief Committee (2010-2013).
- Sedona Conference Working Group 10 (2013-14).
- American Bar Association, Book Board, IP Section (2010-12).
- Richard Linn Inn of Court (IP-specific Inn of Court), Founder, Program Chair (2006-2009).
- Board of Directors, AIDS Legal Council of Chicago (2004-07).
- Chicago Intellectual Property Alliance (CIPA), Chair of IP Day Committee (2006-07)
- English Language Editor, *Proceedings of the Hungarian Group*, International Association for the Protection of Industrial Property (1998-2005)

#### **PRESENTATIONS AND WORKSHOPS**

*Patent Claim Dissection*, Works-in-Progress IP (WIPIP), UNLV William S. Boyd School of Law, Las Vegas, NV, Feb. 1, 2025.

Commentator, Patent Scholars Roundtable X, Stanford Law School, Palo Alto, CA, January 24, 2025.

Co-convenor and commentator, Rocky Mountain IP Works-in-Progress, University of Utah, Salt Lake City, UT, Oct. 4, 2024.

*The New Intellectual Property Extraterritoriality*, International Intellectual Property Colloquium, Indiana University Maurer School of Law, Bloomington, IN, September, 26, 2024.

*What Does Recent Obviousness Jurisprudence Tell Us About the Federal Circuit (and Maybe the PTAB)?*, Intellectual Property Scholars Conference, UC Berkeley School of Law, August 8, 2024.

*Relative and Absolute Patentability*, PatCon, University of San Diego School of Law, San Diego, CA, April 13, 2024.

Panelist, Patent Law, *Celebration of Professor Dan Burk's Scholarly Contributions*, University of California-Irvine School of Law, Irvine, CA, February 9, 2024.

*Relative and Absolute Patentability*, Works-in-Progress IP (WIPIP) Conference, Santa Clara University School of Law, Santa Clara, CA, February 2, 2024.

*Relative v. Absolute Patentability*, Patent Scholars Roundtable IX, Vanderbilt Law School, Nashville, TN, January 26, 2023.

*Confusion Over Trademark Extraterritoriality...and Beyond*, The Honorable Chad Pannell, Jr., Intellectual Property Inn of Court, Atlanta, GA, November 8, 2023.

*Relative and Absolute Patentability*, Intellectual Property Scholars Conference, Benjamin N. Cardozo School of Law, New York, NY, August 3, 2023.

*Territoriality, Extraterritoriality, and the Risks of Exhaustion of Patent Rights via Cross Border Licenses*, University of Szeged, Szeged, Hungary, April 28, 2023.

*Competing Economic Theories of Patent Law and Their Consequences*, University of Szeged, Szeged, Hungary, April 27, 2023.

Panelist, *IP @ the Supreme Court Series: Abitron Austria GmbH v. Hetronic International, Inc.*, American University Washington College of Law, Washington, DC, March 21, 2023.

*Patents, Property, and Possession*, Faculty Colloquium, University of Denver Sturm College of Law, Denver, CO, January 17, 2023.

Moderator, *40<sup>th</sup> Anniversary: A Review of the Federal Circuit*, Federal Circuit Judicial Conference, Washington, DC, September 9, 2022.

*HIV/AIDs, LGBTQ+ Activism, and Intellectual Property*, Notre Dame Intellectual Property Law Society and LGBT Law Forum, Notre Dame Law School, South Bend, IN, March 23, 2022.

Panelist, *Are international systems adequately promoting innovation?*, Leahy Institute of Advanced Patent Studies, 7<sup>th</sup> Annual Conference, Naples Roundtable, March 17, 2022 (virtual).

Commentator, *Patent Scholars Roundtable*, University of Notre Dame, Chicago Campus, Chicago, IL, January 14, 2022.

*Extraterritoriality – Intellectual Property*, Extraterritoriality in International Law, Indiana Maurer School of Law, September 16, 2021 (virtual).

Panelist, *Phoenix Issue IV. Antitrust – Patent Interface and Conflict in view of FTC v. Qualcomm*, Naples Roundtable 6<sup>th</sup> Annual Conference, Leahy Institute of Advanced Patent Studies, February 16, 2021.

*Patent Law's New Extraterritoriality*, Indiana University Maurer School of Law IP Colloquium, Bloomington, IN, Nov. 14, 2019.

*Patents, Property, and Possession: Reconceptualizing Patent Law*, BYU Law School IP Colloquium, Provo, UT, Nov. 1, 2019.

*Patents, Property, and Possession: Reconceptualizing Patent Law*, Vanderbilt Law School Faculty Workshop, Nashville, TN, Sept. 23, 2019.

*Update on the Rights of LGBTQ Persons*, Womble Bond Dickinson Diversity Speaker Series, Atlanta, GA, June 24, 2019.

*What Counts as Extraterritorial in Patent Law*, Symposium on Intellectual Property in a Globalized Economy: United States Extraterritoriality in International Business, Boston University School of Law, Boston, Mass., Feb. 15, 2019.

Panelist, *Extraterritorial Liability: Spotlight after WesternGeco*, IPO IP Chat Channel, Jan. 17, 2019.

*3D Printing, Digital Patent Infringement, and Its Implications*, 25<sup>th</sup> Annual Fall Lecture, University of Houston Law Center, Houston, TX, Nov. 13, 2018.

Facilitator, *Think Tank: What Would Emory Do: Sexual and Racial Harassment in Higher Education*, ThinkPosium on Equity, Emory University, Atlanta, GA, Oct. 19, 2018.

Panelist, *Claiming your Expertise*, Center for Faculty Development and Excellence, Emory University, Atlanta, GA, Sept. 19, 2018.

Moderator, *Federal Circuit Moot Court Oral Argument*, Georgia IP Institute, Amelia Island, FL, Sept. 22, 2018.

Panelist, *Sovereign Immunity*, Georgia IP Institute, Amelia Island, FL, Sept. 21, 2018.

Panelist, *A Different World: What to Expect in Law School*, AT&T Legal Scholars, Kilpatrick Townsend, Atlanta, GA, July 27, 2018.



*The Potential for Digital Patent Infringement under US Law*, Panel on Intellectual Property in the Era of 3D Printing, AIPPI Israel, Tel Aviv, Israel, April 30, 2018.

Panelist, *Phoenix Issue IV: Extraterritoriality in Intellectual Property and Antitrust Enforcement*, Leahy Institute of Advanced Patent Studies, The Naples Roundtable, Naples, FL, Feb. 19, 2018.

*Patent Prior Art and Possession*, Georgia Intellectual Property Scholars Roundtable, Emory University School of Law, Atlanta, GA, Dec. 12, 2017.

*Patent Prior Art and Possession*, Faculty Colloquium, Temple University Beasley School of Law, Philadelphia, PA, Nov. 30, 2017.

*Patent Prior Art and Possession*, Faculty Colloquium, Tulane University Law School, New Orleans, LA, Nov. 9, 2017.

*Extraterritoriality and Digital Patent Infringement*, Hofstra Law School Intellectual Property Colloquium, Hempstead, NY, Oct. 30, 2017.

Panelist, *Patent Exhaustion at the Supreme Court: Impression v. Lexmark*, Yale Information Society Project, Yale Law School, New Haven, CT, Oct. 17, 2017.

*Extraterritoriality and Digital Patent Infringement*, Vanderbilt Intellectual Property Law Society, Vanderbilt Law School, Nashville, TN, Sept. 21, 2017.

Keynote Address: *Extraterritoriality and Digital Patent Infringement*, Conference on Innovation and Communications Law 2017, University of Szeged, Szeged, Hungary, May 29, 2017.

*Trump Tall: First 100 Days, Trump and LGBTQ Issues*, Office of Equity and Inclusion, Emory University, Atlanta, GA, April 10, 2017.

*Workshop on Section 101 Patentable Subject Matter*, Berkeley Center for Law & Technology, University of California Berkeley School of Law, Berkeley, CA, March 17, 2017.

*Federal Circuit Acquiescence(?)*, American University Law Review Federal Circuit Symposium: Identifying Boundaries in Patent and Trademark Law, American University Washington College of Law, Washington, DC, January 27, 2017.

Panelist, *SCOTUS Series – Life Technologies Corporation v. Promega*, American University Washington College of Law, Washington, DC, Dec. 6, 2016.

Panelist, *Case Law Year in Review*, 8<sup>th</sup> Annual Patent Law and Policy Conference, Georgetown University Law Center, Washington, DC, Dec. 1, 2016.

*Boundaries, Territoriality, and Patent Infringement Remedies*, Notre Dame Law Review Symposium: Negotiating IP's Boundaries in an Evolving World, Notre Dame Law School, South Bend, IN, Nov. 12, 2016.

*How 3D Printing Challenges our Patent System*, Texas A&M Journal of Property Law Symposium: "Printing the Future: The Implications of 3D Printing," Texas A&M University School of Law, Fort Worth, TX, Nov. 10, 2016.

*How 3D Printing Challenges our Patent System*, University of Iowa College of Law, Iowa City, IA, Nov. 3, 2016.

*Panelist, Unfinished Business: Queer Justice After Marriage Equality*, Georgia Institute of Technology, Atlanta, GA, Oct. 4, 2016.

*Panelist, The Federal Circuit and the Future of Patent Law*, Vanderbilt Intellectual Property Association, Vanderbilt Law School, Nashville, TN, Sept. 28, 2016.

*Moderator, How to Maintain Your Ethics in an (Increasingly) Unethical World*, with the Honorable Steve C. Jones and the Honorable Leigh Martin May, both of the U.S. District Court for the Northern District of Georgia, 2016 Georgia Intellectual Property Institute, Amelia Island, FL, Sept. 17, 2016.

*Moderator, Federal Circuit Mock Argument*, 2016 Georgia Intellectual Property Institute, Amelia Island, FL, Sept. 17, 2016.

*Panelist, Inducement and Indirect Infringement: A Muddle After NuVasive?*, IPO IP Chat Channel, Aug. 30, 2016.

*Patent Prior Art and Possession*, 16<sup>th</sup> Annual Intellectual Property Scholars Conference, Stanford Law School, Stanford, CA, Aug. 11, 2016.

*Commentator*, Vanderbilt Patent Faculty Forum, Washington, DC, July 21-22, 2016.

*Patent Prior Art and Possession*, Emory/University of Georgia Joint Faculty Workshop, Atlanta, GA, July 18, 2016.

*Panelist, Protecting Innovation in a 3D Printing World*, Legal and Policy Considerations of IP in 3D Printing, United States Patent and Trademark Office, Alexandria, VA, June 28, 2016.

*Commentator on Jonas Anderson, Court Capture*, Vanderbilt Junior IP Scholar Workshop, Vanderbilt Law School, Nashville, TN, April 28-29, 2016.

*Commentator on Dmitry Karshedt, Causal Responsibility and Patent Infringement*, Notre Dame Junior Patent Scholar Workshop, University of Notre Dame Law School, South Bend, IN, April 1, 2016.

*What's Next After Obergefell*, Georgia Bar Association 4<sup>th</sup> Annual Same-Sex Legal Issues Seminar, Georgia Bar Association, Atlanta, GA, March 19, 2016.

*Commentator on Christopher M. Newman, Vested Use-Privileges in Property and Copyright*, Private Law and Intellectual Property Conference, Harvard Law School, Cambridge, MA, March 11, 2016.

*The Patent Trial and Appeal Board's Evolving Impact on Claim Construction*, 17<sup>th</sup> Annual IP Symposium: Patent and Trademark Office Proceedings, Texas Intellectual Property Law Journal, University of Texas School of Law, Austin, TX, March 3, 2016.

*Panelist, Impact of New Discovery Proportionality Rules on Patent Litigation*, Naples Working Group, Patent Experts Roundtable, Naples, FL, Feb. 15, 2016.

*Patent Prior Art through a Possession Lens*, Vanderbilt Patent Scholars Workshop, Atlanta, GA, Feb. 12, 2016.

*Panelist, Patent Reform Legislation After the AIA and Octane/Highmark*, Patent Litigation in the New Era, Bloomberg/Wiley Rein, Washington, DC, Nov. 12, 2015.

*Patent Disclosures and Time*, The Disclosure Function of the Patent System, 2015 Vanderbilt Law Review Symposium, Vanderbilt University Law School, Nashville, TN, Nov. 6, 2015.

*Panelist, Practical Tips and Guidance for Post Grant Proceedings at the USPTO*, IP Section of the Georgia Bar Association, Atlanta, GA, Oct. 8, 2015.

*Moderator*, Panel on Ethics with the Honorable Kimberly A. Moore, U.S. Court of Appeals for the Federal Circuit, 2015 Georgia Intellectual Property Institute, Amelia Island, FL, Sept. 19, 2015.

*Moderator*, Federal Judicial Panel, 2015 Georgia Intellectual Property Institute, Amelia Island, FL, Sept. 19, 2015.

*Method Patent Exceptionalism*, Inaugural Tsai Center Symposium on Intellectual Property Law, SMU Dedman School of Law, Dallas, TX, Sept. 18, 2015.

*Method Patent Exceptionalism*, 15<sup>th</sup> Annual Intellectual Property Scholars Conference, DePaul College of Law, Chicago, IL, Aug. 6, 2015.

*From Outlaws to In-Laws: Obergefell and its Aftermath*, Kilpatrick Townsend Lunch Conversation, Atlanta, GA, July 15, 2015.

*What's Next After Marriage Equality?*, Stonewall Bar Assoc. and Morris, Manning & Martin CLE Event, Atlanta, GA, July 9, 2015.

Commentator, Junior IP Scholars Workshop, Vanderbilt Law School, Nashville, TN, April 23, 2015.

Alumnus Keynote Speaker, Lavender Graduation Ceremony, North Carolina State University, Raleigh, NC, April 21, 2015.

Panelist, *Strategies and Perspectives with regard to New Developments in Patent Law*, Licensing Executives Society (Atlanta Chapter), Atlanta, GA, April 2, 2015.

*Patent Year in Review 2014-15*, 17<sup>th</sup> Annual Akron Symposium on Intellectual Property and Policy, University of Akron School of Law, Akron, OH, March 9, 2015.

*Innovation Reform in All Three Branches of Government*, Keynote Address, Emory Office of Technology Transfer Celebration of Technology and Innovation, March 4, 2015.

*Patent Anticipation and Obviousness as Possession*, University of Illinois Intellectual Property Colloquium (via Skype due to weather), March 2, 2015.

*The Complexity of the Same-Sex Marriage Cases*, Emory Law Democrats, Atlanta, GA, Feb. 23, 2015.

*Active Active Inducement (Active<sup>2</sup> Inducement)*, Patent Law Experts Conference, Naples, FL, Feb. 9, 2015.

Panelist, *Federal Circuit Update*, Association of Corporate Patent Counsel, Winter Meeting, San Antonio, TX, Jan. 26, 2015.

*Explaining the Supreme Court's Interest in Patent Law*, Emory Law @ Work, Orrick, Herrington & Sutcliffe, San Francisco, CA, Dec. 4, 2014.

*IP at the Supreme Court: Guidance or Garbage*, 8<sup>th</sup> Annual Evil Twin Debate, Intellectual Property Institute of the University of Richmond School of Law, Nov. 21, 2014 (debate with Prof. John Golden of University of Texas School of Law)

*Patent Anticipation and Obviousness as Possession*, Faculty Colloquium, Notre Dame School, South Bend, IN, Oct. 30, 2014.

*Diversity, Inclusion and Unconscious Bias*, GE Power and Water Legal Retreat, Atlanta, GA, Oct. 23, 2014.

*Explaining the Supreme Court's Interest in Patent Law*, Atlanta Intellectual Property Inn of Court, Atlanta, GA, Oct. 15, 2014.

*Patent Anticipation and Obviousness as Possession*, Faculty Workshop, William and Mary Law School, Williamsburg, VA, Oct. 2, 2014.

Moderator, *Mock Oral Arguments with Judges from the US Court of Appeals for the Federal Circuit*, Georgia Intellectual Property Institute, Amelia Island, FL, Sept. 20, 2014.

Panelist, *A Matter of Perspective: Current Trademark Issues Examined from the Academic, In-House, and Private Practice Viewpoints*, Georgia Intellectual Property Institute, Amelia Island, FL, Sept. 20, 2014.

Panelist, *Limelight v. Akamai and Medtronic v. Mirowski*, Supreme Court Intellectual Property Review, IIT Chicago-Kent College of Law, Chicago, IL, Sept. 12, 2014.

Commentator, Junior IP Scholars Workshop, Vanderbilt Law School, Nashville, TN, April 25, 2014.

*The Federal Circuit is No Longer the "Supreme Court" of Patent Law: Patent Year in Review*, 16th Annual Sughrue Symposium, University of Akron School of Law, Akron, OH, March 10, 2014.

*The Supreme Court and Patent Law*, Naples Midwinter Patent Law Experts conference, Naples, FL. Feb. 11, 2014.

Panelist, *A Comparative Look at Obviousness*, Naples Midwinter Patent Law Experts conference, Naples, FL. Feb. 10, 2014.

*Patentable Subject Matter and Audience*, Patents 101: Eligibility from Computer Code to Genetic Codes Symposium, Vanderbilt Law School, Nashville, TN, Jan. 24, 2014.

*Patent Anticipation and Obviousness as Possession*, Emory University School of Law Faculty Workshop, Emory University, Atlanta, GA, Jan. 8, 2014.

*The Smart Phone Wars*, Emory Law "Point Nine," Miami, FL, Nov. 19, 2013.

Panelist, *Crystal Balls and Groundhogs—Predicting the Future of Emerging Entertainment and IP Issues*, 25<sup>th</sup> Annual North American Entertainment, Sports, and Intellectual Property Conference, Montego Bay, Jamaica, Nov. 9, 2013.

*Explaining the Supreme Court's Interest in Patent Law*, Alston & Bird IP Retreat, Callaway Gardens, GA, Aug. 24, 2013.

*A Possession-Based Approach to Patent Validity*, Thirteenth Annual Intellectual Property Scholars Conference, Cardozo School of Law, Yeshiva University, New York, NY, Aug. 9, 2013.

*Commentator on Paul Gugliuzza, Patent Law Federalism*, Thirteenth Annual Intellectual Property Scholars Conference, Cardozo School of Law, Yeshiva University, New York, NY, Aug. 8, 2013.

*A Possession-Based Approach to Patent Validity*, Emory/University of Georgia Joint Faculty Workshop, Athens, GA, July 17, 2013.

*Perry and Windsor: An Introduction*, The Supreme Court's Marriage Cases: What Do We Do Now?, Stonewall Bar Association of Georgia, Atlanta, GA, July 10, 2013.

*Mid-Year Patent Law Review*, American Intellectual Property Law Association Mid-Year Meeting, Seattle, WA, May 3, 2013.

Panelist, *LGBT Diversity in IP Profession*, American Intellectual Property Law Association Mid-Year Meeting, Seattle, WA, May 1, 2013.

*The Written Description Gap*, Patents, Innovation and Freedom to Use Ideas, Loyola University Chicago Law Journal Symposium, Loyola University Chicago School of Law, Chicago, IL, April 11, 2013.

*The Smart Phone Wars*, Kiwanis Club of North Druid Hills, Atlanta, GA, March 25, 2013.

*As If the AIA Wasn't Enough: Continued Judicial Activity in Patent Law, 2012-13*, 15th Annual Sughrue Symposium, University of Akron School of Law, Akron, OH, March 4, 2013.

Panelist, *Software Skirmishes: Is Patent Stockpiling Trampling Innovation?*, Vanderbilt University School of Law, Feb, 25, 2013.

Panelist, *Copyright and Patent Law*, American Law Institute, Washington, DC, Feb. 21, 2013.

*Explaining the Supreme Court's Interest in Patent Law*, Naples Midwinter Patent Law Experts Conference, University of Akron School of Law, Naples, FL, Feb. 4-5, 2013.

*The Smart Phone Wars*, Emory Alumni Association Back to Class, Coral Gables, FL, Jan. 26, 2013.

Panelist, *A Discussion of the Recent Federal Circuit Rulings on Joint Infringement in McKesson Technologies and Akamai Technologies*, Emory Law Alumni Intellectual Property Society, Atlanta, GA, Nov. 15, 2012.

Panelist, *Trans-border Infringement: Latest Developments and Outlook*, IPO IP Chat Channel, Nov. 14, 2012.

Panelist, *Patent Indirect Infringement*, 24th Annual North American Entertainment, Sports, and Intellectual Property Law Conference, Cancun, Mexico, Nov. 7-11, 2012.

*The Internationalization of U.S. Patent Law*, Corporate IP Institute, Georgia State University, Atlanta, GA, Oct. 25, 2012.

Moderator, *Cease and Desist Letters: The Law and Tactics*, Patent Perspectives from the Inside, Sitting of the US Court of Appeals for the Federal Circuit at the University of Denver Sturm College of Law, Denver, CO, Oct. 4, 2012.

*Explaining the Supreme Court's Interest in Intellectual Property*, The State of Patent Litigation: A Conversation with the Federal Circuit, Indiana University Maurer School of Law, Bloomington, IN, Sept. 24, 2012.

*Explaining the Supreme Court's Interest in Intellectual Property*, IP Law Summit, Las Vegas, NV, Sept. 14, 2012.

*Extraterritoriality in U.S. Patent Law*, Brown Bag Lunch Workshop, United States Patent and Trademark Office, Alexandria, VA, July 10, 2012.

Panelist, *Court 101* (discussing proper appellate strategy), IP SpringPosium, IP Section of the Atlanta Bar Association, Barnsley Gardens, GA, April 13, 2012.

*Patent Law Developments*, 14th Annual Richard C. Sughrue Symposium on Intellectual Property and Policy, University of Akron School of Law, Akron, OH, March 19, 2012.

*Should Foreign Patent Law Matter?*, The New Global Convergence: Intellectual Property, Increasing Prosperity, and Economic Networks in the Twenty-First Century, Campbell University Norman Adrian Wiggins School of Law, Raleigh, NC, March 16, 2012.

*The America Invents (work for patent attorneys) Act*, 3rd Annual Intellectual Property Law Symposium of The Florida Bar, Orlando, FL, March 2, 2012.

*Explaining the Supreme Court's Renewed Interest in Patent Law*, 56th Annual Intellectual Property Law Conference, John Marshall Law School, Chicago, IL, Feb. 24, 2012.

*Panelist, International Dispute Resolution, Anticipating Dissension: When Legal Frameworks, U.S. Commerce and Foreign Markets Intersect, Joint Symposium by N.C. Journal of International Law and N.C. Journal of Law and Technology, University of North Carolina School of Law, Chapel Hill, NC, Jan. 27, 2012.*

*Panelist, ETHICS – Therasense, Best Mode + Supplemental Examination from the AIA, IPO Educational Foundation PTO Day, Washington, DC, Dec. 5, 2011.*

*Patent Law's Audience, Distinguished Professor Lecture, John Marshall Law School, Chicago, IL, Nov. 18, 2011.*

*Moderator, A View from the Bench—Federal Circuit Court of Appeals, (panel with Judges Clevenger and Prost of the U.S. Court of Appeals for the Federal Circuit), North American Entertainment, Sports, and Intellectual Property Law Conference, Cabo San Lucas, Mexico, Nov. 10-12, 2011.*

*Explaining the Supreme Court's Interest in IP, Emory IP Alumni Society, Emory University School of Law, Atlanta, GA, October 3, 2011.*

*The Supreme Court's Shocking, Continuing Interest in IP, Carolina Patent, Copyright and Trademark Law Association, Fall Seminar, Charleston, SC, September 24, 2011.*

*Panelist, The America Invents Act: First to File versus First to Invent? (Podcast), The Federalist Society, June 20, 2011.*

*Moderator, Therasense - Inequitable Conduct and Ethical Considerations in IP Practice, 7<sup>th</sup> Annual SpringPosium IP CLE Conference, Barnsley Gardens Resort, Adairsville, Georgia, April 29-30, 2011.*

*Panelist with the Honorable Sharon Prost, U.S. Court of Appeals for the Federal Circuit, IP Advice from the Federal Bench, 7<sup>th</sup> Annual SpringPosium IP CLE Conference, Barnsley Gardens Resort, Adairsville, Georgia, April 29-30, 2011.*

*The Supreme Court and IP: Patent and Copyright, Yes; Trademark, No, Emory IP Law Society Advisory Board CLE, Alston & Bird, Atlanta, GA, March 2, 2011.*

*Panelist, Patent Unrest Symposium, Vanderbilt University Law School, Nashville, TN, Feb. 24, 2011.*

*Commentator, Panel 1: Compulsory Licensing and TRIPS Compliance, 15 Years of TRIPS Implementation, University of Georgia School of Law, Athens, GA, Jan. 28, 2011.*

*Patent Law's Audience, Fordham University School of Law Intellectual Property and Innovation Colloquium, New York, NY, Jan. 24, 2011.*



*2009-10 Patent Law Year in (P)Review*, PLI Patent Litigation 2010, Atlanta, GA, Nov. 8, 2010.

Panelist, *The Extraterritorial Reach of U.S. Patent Law After Transocean*, IPO Chat Channel on-line seminar, Oct. 13, 2010.

*Patents, Presumptions, and Public Notice*, IP Workshop at the George Washington University School of Law, Washington, DC, Sept. 9, 2010.

*The Road to Bilski...and the Path Afterwards*, Technology Association of Georgia, Atlanta, GA, Aug. 17, 2010.

Speaker and Panelist, *Ariad v. Lilly and the Role of Doctrine in Policing Patent Claim Scope*, Southeastern Association of Law Schools 2010 Annual Conference, Palm Beach, FL, July 31, 2010.

Moderator and Speaker, *Ethics and Inequitable Conduct*, 6<sup>th</sup> Annual SpringPosium IP CLE Seminar, Barnsley Gardens, Adairsville, GA, May 8, 2010.

Speaker, *Patent Law's Written Description Requirement*, Georgia IP Bar Association, Atlanta, GA, April 20, 2010.

Moot Court Judge, Washington and Lee Law School, IP Practicum Course, Lexington, VA, April 12, 2010.

Speaker and Panelist, *The Year in Patent Law*, American Bar Association, Section of Intellectual Property, 25th Annual Intellectual Property Conference, Arlington, VA, April 9, 2010.

Speaker and Panelist, *Implications of ACLU-Myriad on the Patentability of Genes*, The Future of Genetic Disease Diagnosis and Treatment: Do Patents Matter?, University of Maryland School of Law, Baltimore, MD, April 2, 2010.

*The Expressive Dimension of Patent Law*, Indiana Intellectual Property Colloquium, Indiana University Maurer School of Law, Bloomington, IN, Jan. 28, 2009.

Panelist, *Opinions of Counsel Post-Seagate*, 15<sup>th</sup> Annual Georgia Intellectual Property Institute Conference, Punta Cana, Dominican Republic, Nov. 13, 2009.

Speaker and Panelist, *The Future of the Patent System*, Symposium for the U.S. Court of Appeals Sitting in Houston, University of Houston Law Center, Nov. 4, 2009.

Panelist, *Developments in Section 112 Law: The Enablement and Written Description Requirements As Applied to Pharma and Biotech Patents*, Developments in

Pharmaceutical and Biotech Patent Law 2009, Practicing Law Institute, New York, NY, Sept. 17, 2009 and San Francisco, CA, Oct. 14, 2009.

*Equivalency and Patent Law's Possession Paradox*, Faculty Workshop, Washington and Lee University School of Law, Lexington, VA, Sept. 14, 2009.

Panelist, *Short-Term Patents & Post-Grant Opposition - Does Europe Have the Answer? and What Can Congress Do to End the Plague of Inequitable Conduct?*, at *Pushing the Envelope on IP Reform*, 2<sup>nd</sup> Annual Quad City IP Symposium, University of Dayton School of Law, Dayton, OH, July 16-17, 2009.

*Patent Non-Economics*, Faculty Workshop, University of Denver Sturm College of Law, Denver, CO, Feb. 13, 2009.

*The World Trade Organization and World Intellectual Property Organization as Institutions of Innovation*, Academic Panel on Institutions Promoting Innovation, Exploring the Obvious: The Evolution of Intellectual Property Law, Texas Intellectual Property Law Journal University of Texas School of Law 10<sup>th</sup> Annual Intellectual Property Law Symposium, Austin, TX, Feb. 6, 2009.

*Equivalency and Patent Law's Possession Paradox*, Faculty Workshop, Emory Law School, Atlanta, GA, Dec. 16, 2008.

Panelist, *Successful Strategies at the Federal Circuit*, Patent Law Symposium 2008, Intellectual Property Law Association of Chicago (IPLAC), Chicago, IL, Oct. 10, 2008.

*Claim Construction Update: What's the Latest Trend?*, Minnesota State Bar Association Continuing Legal Education, Minneapolis, MN, May 2, 2008.

Panelist, *The Pendulum Swings Back: The Impact of Recent SCOTUS and Federal Circuit Cases*, Northwestern Journal of Technology and Intellectual Property 3<sup>rd</sup> Annual Symposium, Northwestern University School of Law, Chicago, IL, April 18, 2008.

Moderator, *What Patent Law Reform Really Means For You*, American Bar Association, Section of Intellectual Property, 23<sup>rd</sup> Annual Intellectual Property Conference, Arlington, VA, April 10, 2008.

Conference Fellow, *A Symposium on PATENT FAILURE*, University of Georgia, Athens, GA, March 29, 2008.

Commentator, *MSU IP & Communications Workshop*, Michigan State University College of Law, East Lansing, MI, Feb. 15-16, 2008.

Panelist, *Patent Reform – Motivations, Impact and Controversy*, Northwestern School of Law IP Law Week, Northwestern University School of Law, Chicago, IL, Jan. 14, 2008.

*Equivalency and Patent Law's Possession Paradox*, Faculty Workshop, Santa Clara University School of Law, Nov. 27, 2007.

*Patent Law: The Year in Review (aka the Aftermath of the Supreme Court)*, On-Line Seminar: Patent, Trademark and Copyright: Hot Topics from 2007, American Intellectual Property Law Association (AIPLA), Nov. 7, 2007.

*Equivalency and Patent Law's Possession Paradox*, Stanford Law School Faculty Workshop, Stanford, CA, Oct. 24, 2007.

*Patent Law: The Year in Review (aka the Aftermath of the Supreme Court)*, Annual Meeting of the American Intellectual Property Law Association (AIPLA), Washington, DC, Oct. 20, 2007.

Moderator for Enablement and Written Description Discussion, Federal Circuit Reform Roundtable, Berkeley Center for Law and Technology, UC Berkeley School of Law, Berkeley, CA, Sept. 26, 2007.

*Extraterritoriality in U.S. Patent Law*, Thomas Jefferson School of Law Faculty Workshop, San Diego, CA, Sept. 7, 2007.

*Equivalency and Patent Law's Possession Paradox*, 7<sup>th</sup> Annual Intellectual Property Scholars Conference, DePaul University School of Law, Chicago, IL, August 9-10, 2007.

*Equivalency and Patent Law's Possession Paradox*, II Conference on High-Technology Law, University of Gdansk, Gdansk, Poland, May 11-12, 2007.

*What if US Patents and Applications Were Not Published?*, What Ifs and Other Alternative Intellectual Property and Cyberlaw Stories, Fourth Annual Intellectual Property & Communications Law Program Symposium, Michigan State University College of Law, March 30-31, 2007.

*Extraterritoriality in U.S. Patent Law*, Patents and Progress: Reflections in the Midst of Change, 7<sup>th</sup> Annual CIPLIT Symposium, DePaul College of Law, Chicago, IL, March 15-16, 2007.

Commentator on *Revising TRIPS Art. 30: Clarifying the Scope of Exceptions to Patent Rights in WTO Countries* by Toshiko Takenaka, *Modest Proposals 3.0*, Benjamin N. Cardozo School of Law, Yeshiva University, New York, NY, Feb. 20, 2007.

Panelist, *Academics and the Courts*, Richard Linn Inn of Court, Chicago, IL, February 15, 2007.

Moderator, *IP Day in Chicago – The Supreme Court and Intellectual Property*, Chicago Intellectual Property Alliance, Loyola University Chicago School of Law, Chicago, IL, February 7, 2007.

2006: *A Year of Supreme Court Action and Federal Circuit Inaction*, American Intellectual Property Law Association (AIPLA) Mid-Winter Meeting, New Orleans, LA, January 25, 2007.

*Patents, Identity, and the Specter of Privatized Eugenics*, Patenting People, Conference at Benjamin N. Cardozo School of Law, Yeshiva University, New York, NY, November 12-13, 2006.

*Contrasting the Extraterritorial Enforcement of Trademark and Patent Rights*, American Intellectual Property Law Association (AIPLA) Annual Meeting, Washington, DC, October 20, 2006.

*The Failed Promise of Phillips*, presented at *Phillips v. AWH Corp.: Are We Still Baffled?*, Chicago Bar Association, Chicago, IL, September 20, 2006.

*Extraterritoriality in Patent Law*, Graduate Seminar in International Intellectual Property Law, Chicago-Kent College of Law, Chicago, IL, September 12, 2006.

*Making Infringers Pay: IP Roundtable Discussion of eBay Inc. v. MercExchange L.L.C.*, Chicago-Kent College of Law, Chicago, IL, September 5, 2006.

*Panel on Access to Patented Toxicogenomics Applications*, Intellectual Property Concerns for Toxicogenomics, The National Academies, Committee on Emerging Issues and Data on Environmental Contaminants, Washington, DC, June 29, 2006.

*Laboratory Corp. v. Metabolite Laboratories: Implications for Gene Patents, Patients, and Beyond*, Teleconference for National Constitution Center, June 27, 2006.

*The Return of the Supreme Court to Patent Law: 2005 in Review and 2006 in Preview*, the Richard C. Sughrue Symposium on Intellectual Property Law and Policy, Akron, OH, March 13, 2006.

*Panel Discussion on Patent Reform*, Panelist, the Richard C. Sughrue Symposium on Intellectual Property Law and Policy, Akron, OH, March 13, 2006.

*Moral Signals and the Potential for Expressive Impacts in Patent Law*, Forum for Research on Law, Politics, and the Humanities, University of Illinois at Chicago, Chicago, IL, November 16, 2005.

*The Enablement/Written Description Debate of Patent Law*, Panelist, John Marshall Law School, November 7, 2006 (in conjunction with the Federal Circuit's sitting in Chicago; panel included Chief Judge Michel and Judge Linn of the Federal Circuit and Judges Kennelly and Holderman of the Northern District of Illinois).

*Possession in Patent Law*, Faculty Workshop, Marquette University Law School, Milwaukee, WI, October 18, 2005.

*Patent Trolls and International Compulsory License Obligations*, the Markey Symposium, *Innovation and its Discontents: Patents and Innovation Policy in the 21<sup>st</sup> Century*, John Marshall Law School, Chicago, IL, October 14, 2005.

Commentator on Charles W. Adams, *A Brief History of Indirect Liability for Patent Infringement*, Third-Party Liability in Intellectual Property Law, Santa Clara University School of Law, October 7, 2005.

*Possession in Patent Law*, Faculty Workshop, Santa Clara University School of Law, October 6, 2005.

*Possession in Patent Law*, Chicago-Kent Junior Faculty Workshop, Chicago-Kent College of Law, September 30, 2005.

*Implications of MGM v. Grokster*, Chicago-Kent IP Roundtable, Chicago-Kent College of Law, August 30, 2005.

*Enabling Enablement in Patent Law*, Fifth Annual Intellectual Property Scholars Conference, Cardozo School of Law, Yeshiva University, New York, NY, August 11, 2005.

*In the Shadow of Phillips: the Year in Patent Law*, Twentieth Annual Intellectual Property Law Conference, American Bar Association Section of Intellectual Property Law, Washington, DC, April 14, 2005.

*The Solomon Amendment: Must Law Schools Welcome Military Recruiters Despite DoD's "Don't Ask, Don't Tell" Policy?*, a debate sponsored by Chicago-Kent Chapters of the Federalist Society and the National Lawyers Guild, Chicago, IL, April 7, 2005.

*Moral Signals and the Potential for Expressive Impacts in Patent Law*, Loyola University Chicago School of Law, IP Brown Bag Lunch Series, March 22, 2005.

Commentator on *Constitutionalizing Patents* by Craig Allen Nard and Andrew P. Morriss, Where IP Meets IT: Technology and the Law Symposium, University of Pittsburgh School of Law, Pittsburgh, PA, March 18, 2005

*The Calm Before the Storm—A Quiet Year in Patent Law . . . or Not?*, University of Akron Law School, the Richard C. Sughrue Symposium on Intellectual Property Law and Policy, Akron, OH, March 7, 2005.

*Panel Discussion on Claim Construction and Phillips v. AWH Corp.*, University of Akron Law School, Panel Member, the Richard C. Sughrue Symposium on Intellectual Property Law and Policy, Akron, OH, March 7, 2005.

*Moral Signals and the Potential for Expressive Impacts in Patent Law*, University of Houston Law Center, Colloquium: Reenvisioning Law, January 27, 2005.

*Google, Key Words and Pop-Up Ads: The Future of Trademarks on the Internet*, discussion with Professor G. Dinwoodie, DC-area Chicago-Kent Alumni Luncheon, Washington, DC, October 15, 2004.

*Procedural versus Substantive Formalism in Claim Construction*, presented at the Tenth Annual Lewis & Clark Law School Fall Business Law Forum, entitled *Markman v. Westview Instruments: Lessons from a Decade of Experience*, Portland, OR, October 8, 2004.

*Does the Patent System Need Fixing? Panel Discussion on the Federal Trade Commission Report "To Promote Innovation: The Proper Balance of Competition and Patent Law and Policy,"* Panel Member, Federal Bar Association, Chicago, IL, September 15, 2004.

*Moral Signals and the Potential for Expressive Impacts in Patent Law*, DePaul University College of Law, Edward Manzo Patent Seminar, August 30, 2004.

*P2P File Sharing and Copyright Law: Implications of the Grokster Decision*, Chicago-Kent IP Program Roundtable, Chicago-Kent College of Law, August 25, 2004.

*Patent Law and Its Potential Impact on Research Labor Markets*, National Research Council, National Materials Advisory Board Committee on Globalization of Materials Research and Development, Chicago, IL, May 12, 2004.

*Moral Signals and the Potential for Expressive Impacts in Patent Law*, Washington University (St. Louis) School of Law Faculty Workshop, April 21, 2004.

*Moral Signals and the Potential for Expressive Impacts in Patent Law*, University of San Francisco, McCarthy Institute for Intellectual Property and Technology Law Scholarship Workshop Series, March 17, 2004.

*Of Mice and Sprouts...and Other Things: The 2002 Review of Patent Cases*, The Federal Circuit Bar Association's Fifth Bench and Bar Conference, Amelia Island, FL, May 22, 2003.

*Give and Take - Implications of Patent Rights in Developing Countries*, Northwestern University School of Law, Northwestern University School of Law Intellectual Property Society, April 2003.

*Moral Signals and the Potential for Expressive Impacts in Patent Law*, University of Cincinnati College of Law Faculty Workshop, February 10, 2003.

*Moral Signals and the Potential for Expressive Impacts in Patent Law*, Chicago-Kent College of Law Faculty Workshop, November 26, 2002.

*The Treaty Power and the Patent Clause: Are There Limits on the United States' Ability to Harmonize?*, Symposium: Patent Law, Social Policy, and Public Interest: The Search for a Balanced Global System, Cardozo Law School, November 7, 2002.

*The Impact of the Supreme Court's Decision in Festo*, Chicago Bar Association, Patent, Copyright and Trademark Committee, Sept. 24, 2002.

*International Implications of Patent Infringement via Offers to Sell*, Second Annual Intellectual Property Scholars Conference, Benjamin N. Cardozo School of Law/Yeshiva University, August 8-9, 2003.

*Equivalents After Festo II: Point/Counterpoint*, Seminar at IIT-Rice Campus, July 18, 2002.

*Why Can Genes Be Patented, and Who Owns Them?*, Chicago Bar Association, Young Lawyers Section, Committee on Intellectual Property, Feb. 6, 2002.

*Issues in Gene Patenting*, University of Chicago Hillel Shabbat Dinner in conjunction with the Chicago Center for Jewish Genetic Disorders, May 2001.

*Patenting Genes: Pros and Cons*, discussion with Professor F. Scott Kieff at Northwestern University School of Law for the Northwestern Intellectual Property Society, April 5, 2001.

*Equivalents After Festo: Point/Counterpoint*, Seminar at IIT-Rice Campus, March 1, 2001.

*The State of American Patent Law With Respect to Patenting Genes*, presented at International Symposium on Ethics, Intellectual Property and Genomics, UNESCO Headquarters, Paris, January 30, 2001.

#### **INTERESTS AND HOBBIES**

Hungarian language and culture; linguistics; long-distance cycling; swimming.