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## Works-in-Progress Intellectual Property Colloquium Preliminary Program

**Friday, September 10**

**2:00 – 2:30 p.m.** Registration, Ground Floor Lobby, BU School of Law, 765 Commonwealth Ave.

**2:30 – 2:40 p.m.** Welcome, Dean Maureen O'Rourke and Michael Meurer  
Room 520

Each speaker gets 35 minutes. The first presenter in each panel should serve as moderator.

**2:40 – 4:25 p.m. Session 1**

**Room 520** **Alan Cunningham**, QMIPRI, University of London, Regulating "Digital Rights Management": The requirement for, and Rôle of, Equity

**Sonia K. Katyal**, Fordham University, Fair Use as Constitutional Prism

**Room 570** **Brett M. Frischmann**, Loyola University of Chicago, An Economic Theory of Infrastructure and Sustainable Infrastructure Commons

**Michael Meurer**, Boston University, Entrepreneurs and Intellectual Property Law

**Jonathan Zittrain**, Harvard University, Democratic Platforms

**Room 620** **Robert Plotkin**, Boston University, Program-Created Inventions: Software Patentability and Beyond

**Noam Shemtov**, QMIPRI, University of London, Reverse engineering, Roman law, and the "Public

Trust” doctrine

**4:25 – 4:40 p.m. Break**

**4:40 – 5:50 p.m. Session 2**

**Room 520** **Michael Carroll**, Villanova University, **Owning Music: From Publisher’s Privilege to Composer’s Copyright**

**Deborah Tussey**, OCU Law School, **Digital Music: Emergent Solutions**

**Room 570** **Stacey Dogan**, Northeastern University, and **Joseph Liu**, Boston College, **Copyright Law and Subject Matter Specificity: The Case of Computer Software**

**Jacqueline Lipton**, Case Western Reserve University, **The Law of Unintended Consequences: The Digital Millennium Copyright Act and Interoperability**

**Room 620** **Christopher A. Cotropia**, Tulane University, **“After Arising” Technologies and Patent Scope**

**Gerard N. Magliocca**, Indiana University – Indianapolis, **Trademark Regulation in Secondary Markets**

**5:50 – 6:30 p.m. Cocktails, Barristers’ Hall, Ground Floor**

**6:30 p.m. Dinner, Barristers’ Hall**

## **Saturday, September 11**

**8:15 – 8:45 a.m. Continental Breakfast, Barristers’ Hall**

**8:45 – 10:30 a.m. Session 3**

**Room 520** **Ann Bartow**, University of South Carolina, **The Hegemony of the Copyright Treatise**

**Bhamati Viswanathan**, University of

Pennsylvania, The Open Source Movement and Academic Copyright

**Margaret Ann Wilkinson**, University of Western Ontario, Allocating power over attribution and integrity in copyright

**Room 570**

**Adam Mossoff**, Michigan State University, Who Cares What Thomas Jefferson Thought About Patents? Reconstructing the Origins of American Patent Doctrine

**Thomas B. Nachbar**, University of Virginia, Monopoly, Mercantilism, and Intellectual Property

**Craig Allen Nard**, Case Western Reserve University, Constitutionalizing Patents: From Venice to Philadelphia (Andrew P. Morriss co-author)

**Room 620**

**Assaf Jacob**, Radzyner School of Law, Global v. Local - The story of a well-known mark

**Cédric Manara**, Temple University, Trademarks, languages, and the web

**Xuan-Thao Nguyen**, SMU, Nationalizing Trademarks: A New International Trademark Jurisprudence?

**10:30 – 10:45 a.m. Break**

**10:45 – 12:30 p.m. Session 4**

**Room 520**

**Llew Gibbons**, University of Toledo, Entrepreneurial Copyright Fair Use: Let the Independent Contractor Stand in the Shoes of the User

**Laura A. Heymann**, George Washington University, The Birth of the Authornym: Authorship, Pseudonymity, and Trademark Law

**Alfred C. Yen**, Boston College Law School, Liability With and Without Fault: Applying Tort Law to the Problem of Secondary Copyright Liability in the Internet Age

- Room 570**      **Olufunmilayo B. Arewa**, Case Western Reserve University, Cultural Autonomy and Cultural Hierarchies: Sacred Spaces, Intellectual Property and Local Knowledge.
- Peter Yu**, Michigan State University, Currents and Crosscurrents in the International Intellectual Property Regime
- Room 620**      **Robert Bone**, Boston University, Trademark Goodwill
- Irene Calboli**, Marquette University, The Case for Trademark Assignment in Gross? A Question of Goodwill
- Mark P. McKenna**, St. Louis University, Trademark Inefficiency: How Expanding Trademark Protection Distorts Incentives and Encourages Waste
- 12:30– 1:30 p.m.**      **Lunch, Barristers' Hall**
- 1:30– 3:15 p.m.**      **Session 5**
- Room 520**      **Ben Depoorter**, Ghent University, Optimal Copyright Enforcement: Gentle Nudges vs. Hard Shoves?
- Wendy Gordon**, Boston University, Even NonExtremists Get the Blues: Copyright Adrift on Rhetoric Seas
- Scott Kieff**, Washington University, The Case against Copyright: A Comparative Institutional Analysis of Intellectual Property Regimes
- Room 570**      **Michael Madison**, University of Pittsburgh, Information Markets, Humanism, and the Intellectual Property Apocalypse
- Dotan Oliar**, Harvard University, The Origins and Meaning of the Intellectual Property Clause of the Constitution
- Lior Zemer**, University of Leicester, The Making of Lockean Copyright, How Wrong Can We Go?

- Room 620**      **Adam Candeub**, Michigan State University,  
Common Carriage at the Crossroads
- Christine Galbraith**, University of Maine,  
Striking a More Appropriate Balance: A Website  
Owner's Right to Exclude and the Public's  
Interest in Obtaining Information.
- Katherine J. Strandburg**, DePaul College of  
Law, Too Much Information! Privacy,  
Rationality, Temptation and the Implications of  
"Willpower Norms"
- 3:15– 3:30 p.m.**      **Break**
- 3:30– 5:15 p.m.**      **Session 6**
- Room 520**      **Carys Craig**, York University, Resisting  
"Sweat" and Refusing Feist — Rethinking  
Originality after CCH
- Dan Hunter**, University of Pennsylvania,  
Amateur to Amateur
- Siva Vaidhyanathan**, NYU, Technopoly and  
Top-Down Culture: U.S. Copyright Trends and  
the Failure of the DMCA
- Room 570**      **Nadine Farid**, Harvard University, Gene  
Patenting and the Right to Health under  
International Human Rights Laws
- Marcelin Tonye Mahop**, QMIPRI, University of  
London, Sui generis access and benefit sharing  
laws for the protection of the biodiversity rights  
of rural communities in Cameroon and South  
Africa: the contexts and key elements
- Joshua D. Sarnoff**, American University,  
Consistency with Patent Law Treaties of  
Application Disclosure Requirements Regarding  
Origins of Genetic Resources and Traditional  
Knowledge
- Room 620**      **James Bessen**, Boston University, The Patent  
Litigation Explosion (Michael J. Meurer co-  
author)
- Glynn S. Lunney, Jr.**, Tulane University, Direct

and Indirect Stock Price Reactions to Appellate Patent Decisions

**Jay P. Kesan**, University of Illinois,  
Adjudication and Settlement of Patent Disputes  
— An Empirical Study (Gwendolyn G. Ball co-author)

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September 9, 2004

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