

# Aman K. Gebru

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## ACADEMIC APPOINTMENTS

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<b>UNIVERSITY OF HOUSTON LAW CENTER</b>	2022 – Present
Assistant Professor of Law	
Member, Institute for Intellectual Property and Information Law	
Faculty Advisor, Intellectual Property and Information Law LL.M. Program	
Member, Strategic Opportunity and Community Engagement Committee	
Member, Graduate Legal Studies Committee	
Chair, Africa Section, Association of American Law Schools (2022-2023)	
<b>DUQUESNE UNIVERSITY SCHOOL OF LAW</b>	2019 – 2022
Assistant Professor of Law	
Primary law school representative, Institutional Review Board	
Member, Faculty Development Grant, Selection Committee	
Member, Faculty Senate's Racial and Ethnic Diversity, Equity, and Inclusion Committee	
Member, Dean's Diversity Action Council	
Member, Admissions Committee	
Faculty Advisor, Duquesne Intellectual Property Law Association	
<b>YESHIVA UNIVERSITY BENJAMIN N. CARDOZO SCHOOL OF LAW</b>	2017 – 2019
Visiting Assistant Professor	
<b>NEW YORK UNIVERSITY SCHOOL OF LAW</b>	Spring 2017
Post-Doctoral Global Fellow	
Affiliate, Engelberg Center on Innovation Law and Policy	
<b>HARAMAYA UNIVERSITY COLLEGE OF LAW</b>	2008 – 2011
Instructor (teaching and research)	
Director, Social Justice Center	

## COURSES TAUGHT/TEACHING INTEREST

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Contracts (Houston, Cardozo)  
Property Law I & II (Duquesne)  
Intellectual Property Law (Houston, Duquesne, Ontario)  
Copyright Law, Trademark Law, or Patent Law (Cardozo, Duquesne, Houston, Haramaya)  
International Intellectual Property Law (Cardozo)  
Public International law (Haramaya)

## EDUCATION

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<b>UNIVERSITY OF TORONTO FACULTY OF LAW, Doctor of Juridical Sciences (S.J.D)</b>	2012 – 2017
Dissertation: <i>Intellectual Property, Traditional Knowledge, and Bioprospecting: Searching for Efficient Balance of Rights</i>	
Committee: Ariel Katz, Michael Trebilcock, Mariana Prado, Ruth Okediji, Kerry Rittich	
Honors: Graduate Fellow in Innovation Law and Policy, Nathan Strauss Graduate Fellow	

Doctoral Scholarship Recipient, Center for International Governance Innovation

UNIVERSITY OF WASHINGTON SCHOOL OF LAW, Master of Laws (LL.M.) 2011 – 2012  
Honors: Spirit of Excellence Award, given for academic success and leadership excellence

HARAMAYA UNIVERSITY COLLEGE OF LAW, Bachelor of Laws (LL.B.), *with honors* 2003 – 2008  
Honors: Runner-up Award (national round), Phillip C. Jessup Int. Moot Court Competition  
Runner-up Award, International Humanitarian Law Moot Court Competition (International Committee of the Red Cross)

## SCHOLARSHIP

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## CURRENT RESEARCH

*Cultural Appropriation as Passing Off*: This article explores the complex question of whether there should be a legal claim against cultural appropriation. It begins by outlining the absence of a current legal framework addressing cultural appropriation, then provides a taxonomy of four types of cultural appropriation, categorizing them along a spectrum based on how diffused the symbol is and the nature of its use by the defendant—commercial versus personal. Subsequently, the article develops a theory of 'cultural passing off' as a new, narrow cause of action, applicable specifically in scenarios of commercial cultural appropriation of cultural symbols from an identifiable indigenous community. It examines the tort of passing off, misappropriation, unjust enrichment, and trademark law as potential foundations for such a claim. While the article presents a justification for this narrowly defined claim, it also acknowledges the challenge of formulating legal claims against most other forms of cultural appropriation.

## LAW REVIEW ARTICLES

*Communal Authorship*, UNIVERSITY OF RICHMOND LAW REVIEW (Forthcoming 2024)

*The Piracy Paradox and Indigenous Fashion*, 39 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 607 (2021) (invited)

*Patents, Disclosure, & Biopiracy*, 96 DENVER LAW REVIEW 535 (2019).

- Reviewed by Professor Sarah Burstein, How to Thwart Biopiracy, JOTWELL (Journal of Things We Like Lots) (January 2021); Assigned reading in Professor Burstein's patent law class
- Reviewed by Professor Camilla Hrdy, Compelling Disclosure of Traditional Knowledge in Patents, Written Description Blog (September 2018)

*Intellectual Property Law and Bioprospecting: A Model Legal Framework*, 19 NORTH CAROLINA JOURNAL OF LAW & TECHNOLOGY 257 (2017).

*The Global Protection of Traditional Knowledge: Searching for the Minimum Consensus*, 17 JOHN MARSHALL REVIEW OF INTELLECTUAL PROPERTY LAW 42 (2017).

*Intellectual Property Law and the Protection of Traditional Knowledge: From Cultural Conservation to Knowledge Codification*, 15 ASPER REVIEW OF INTERNATIONAL BUSINESS & TRADE LAW 293 (2015) (peer reviewed).

- Reviewed by Slaw Magazine, *Gebru on Protecting Traditional Knowledge Through Sui Generis I.P. Law* (March 3, 2016)
- Quoted by Canadian Lawyer Magazine, *I.P. Back to the Future* (June 6, 2016)

*Environmental Permitting in Ethiopia: No restraint on "Unstoppable Growth?"*, 1 HARAMAYA LAW REVIEW 73 (2012) (with James Krueger & Inqu Asnake) (peer reviewed).

#### **BOOK CHAPTER**

*Biopiracy as an Abuse of the Patent System* in INTELLECTUAL PROPERTY EXCESSES (Enrico Bonadio and Aislinn O'Connell, eds.) (Hart Publishing, Oxford, 2022)

#### **OTHER SELECTED WRITINGS**

*COVID-19: Are we really in this together?* The Africa Report (2021).

*Toward Legal Recognition of Traditional Knowledge as Intellectual Property*, 7 Intellectual Property Issues in Cultural Heritage, 7 Desired Futures Newsletter 12 (2016).

*Analyzing the Controversial Claim for Contributory Trademark Dilution*, Seattle Trademark Lawyer (2012).

*Large Scale Acquisitions of Land in Ethiopia*, Focus on Land in Africa, World Resource Institute and Landesa (2012) (with Darryl Vhugen).

#### **MEDIA**

*Interviewed*, *Texas Monthly*, about an intellectual property dispute between the inventor of the world's first cosmetic penile implant and other urologists who allegedly stole the idea. (June 08, 2023)

*Interviewed*, *BloombergLaw*, regarding a novel claim of "cultural appropriation" among other intellectual property claims made by the plaintiff, former teen pop group OMG Girls, against MGA Entertainment regarding the latter's OMG Dolls product. (May 9, 2023)

*Interviewed*, *ESPN*, on the NFL's aggressive enforcement of its trademarks including the "Super Bowl" mark. (Feb. 03, 2023)

*Interviewed*, *Bloomberg TV Bulgaria*, on legal issues in bioprospecting and biopiracy. (November 9, 2021)

*Interviewed*, *The Scientist* journal about balancing restrictions on access to biodiversity and traditional (indigenous) knowledge with scientific research. (December 17, 2020)

*Interviewed*, *WESA 90.5* (NPR news station) on a dispute involving the destruction of a community mural and potential violation of the Federal Visual Artists Rights Act. (July 25, 2020)

*Interviewed (in Amharic)*, *Adebabay Media* about international legal issues related to the Nile dam dispute between the governments of Egypt, Sudan, and Ethiopia. (July 23, 2020)

*Interviewed*, Brian L. Frye, *Aman Gebru on Traditional Knowledge as Prior Art*, *Ipse Dixit* podcast, Season 1, Ep. 155. (February 17, 2019)

**OTHER ACADEMIC & PROFESSIONAL EXPERIENCE**

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- UNIVERSITY OF CAPE TOWN** Fall 2023  
Doctoral Thesis – External Reviewer
- ADDIS LAW GROUP LLP** Spring 2019  
Consultant – provided legal consultation on international patent law issues
- UNIVERSITY OF TORONTO, FACULTY OF LAW** 2012 – 2016  
Instructor, teaching assistant (Fall 2016)  
Advisor for LL.M. thesis  
Researcher, Center for Innovation Law and Policy (2013 – 2016)
- CENTER FOR INTERNATIONAL GOVERNANCE INNOVATION, INTERNATIONAL LAW RESEARCH PROGRAM** Fall 2016  
Researcher – wrote intellectual property policy briefs
- UNIVERSITY OF ONTARIO INSTITUTE OF TECHNOLOGY, FACULTY OF SOCIAL SCIENCES & HUMANITIES** Fall 2013  
Adjunct Professor, Intellectual Property Law and Policy
- INTELLECTUAL PROPERTY RIGHTS INITIATIVE – AFRICA** Summers 2012 – 17  
Lecturer, Current Issues in Intellectual Property Law
- UNITED NATIONS INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA** Fall 2008  
Legal assistant, Office of the Prosecutor – researched international criminal law issues including genocide, war crimes, and crimes against humanity

**SELECTED CONFERENCES AND PRESENTATIONS**

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- Panelist, *Community Authors and Cultural Property*, The Second Annual Los Angeles Copyright Symposium, University of California Los Angeles, and Arizona State University, Sandra Day O'Connor College of Law (March 2024)
- Panelist, *Trademarking Tradition: Cultural Appropriation as Passing-Off*  
Southeastern Association of Law Schools Conference Annual Conference (July 2023)  
Texas A&M School of Law, 7th Annual Intellectual Property Scholars Roundtable (November 2023)  
Works In Progress in Intellectual Property Conference, Santa Clara University, School of Law (February 2024)  
Arizona State University, Workshop on Intellectual Property and Traditional Culture (February 2024)  
University of Houston Law Center, Junior Intellectual Property Scholars Association Workshop (February 2024)  
Creative Commons Copyright Platform Guest Speaker Series (March 2024)  
University of Houston Law Center, Works-In-Progress Workshop (March 2024)
- Panelist, *Engaging the USPTO on Our Terms: Advancing Indigenous Interests in Genetic Resources, Traditional Knowledge and Beyond*, Arizona State University (virtual webinar, January 2024)

Moderator, *Redefining Investment Dynamics: Africa's Influence on the Evolving Landscape of ISDS and the AfCFTA Investment Protocol*, Association of American Law Schools Annual Conference, Washington D.C. (January 2024)

Panelist, *The Common Denominator between Intellectual Property, and Traditional Knowledge*  
American Branch of the International Law Association, Annual Conference (October 2023)

Panelist, *Consensus Creating Rules for Intellectual Property, Traditional Knowledge and Genetic Resources*, The Future of the Global IP System, University of British Columbia, Peter A. Allard School of Law (June 29, 2023)

Panelist, *Social Media and Section 230*  
Houston Bar Association, President's Speaker Series, University of Houston Law Center (May 2023)

Panelist, *Communal Authorship*  
Intellectual Property Scholars Conference (August 2023)  
NOVA School of Law (May 2023)  
University of Washington Faculty Colloquium (May 2023)  
University of Pittsburgh, Race and IP Law Conference (April 2023)  
Texas A&M University School of Law, Innovation is Local Symposium (April 2023)  
South Texas College of Law Houston, (March 2023)  
Chicago-Kent Intellectual Property Colloquium (February 2023)  
Works-In-Progress in IP Annual Conference (February 2023)  
University of Houston Faculty Speaker Series (January 2023)  
Three Rivers Intellectual Property and Technology Law Colloquium (January 2023)  
Texas A&M University School of Law, Sixth Annual Intellectual Property Scholars Roundtable (November 2022)  
Suffolk University School of Law, Fourth Annual Intellectual Property, and Innovation Conference (October 2022)  
Southeastern Association of Law School, Annual Conference (August 2022)

Organizer and Panelist, *Intellectual Property Law, Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources*, Association of American Law School (January 2023)

Guest lecturer, *The Law and Economics of Intellectual Property Law*, University of Toronto Faculty of Law and Addis Ababa University, joint Ph.D. in Law program (March 2023, and December 2021)

Organizer and panelist, *Intellectual Property, Race, and Culture*, Annual Meeting of Southeastern Association of Law Schools (July 2021)

Panelist, *The Piracy Paradox and Indigenous Fashion*, Yeshiva University Benjamin N. Cardozo Law School (April 2021)

Panelist, *COVID-19 Vaccines: Intellectual Property Challenges and Transnational Legal Opportunities*  
University of Victoria School of Law (April 2021)  
Allegheny County Bar Association, Intellectual Property Law Section (April 2021)

Panelist, *Intellectual Property and Liberation in the Context of Indigenous Communities*, University of St. Thomas School of Law (April 2021)

Guest lecturer, *Introduction to Intellectual Property Law*, University of Pittsburgh School of Law (February 2021)

Organizer and host, *Fourth Annual Three Rivers Intellectual Property and Technology Law Colloquium*, Duquesne University School of Law (January 2021)

Panelist, *Intellectual Property Ownership of Collectively Developed Innovation*  
Intellectual Property Scholars Conference, Stanford University School of Law (July 2020)  
Works-In-Progress in IP Conference, Santa Clara University School of Law (February 2020)  
8<sup>th</sup> Annual IP Scholars Roundtable, University of New Hampshire School of Law (October 2019)

Panelist (invited), *Racism, Justice, and Your Fall Classes*, Association of American Law Schools, Faculty Focus webinar series (June 2020)

Panelist, *Sports Contracts versus the Coronavirus: Force Majeure Provisions in N.B.A., MLB, & N.F.L. Sports Contracts*, Duquesne University School of Law (April 2020)

Panelist, *Norm Breakers: Intellectual Property in Hackathons*  
Third Annual Three Rivers Intellectual Property and Technology Law Workshop (January 2020)  
Association of American Law Schools Annual Conference (January 2020)  
Future Law Conference, Duquesne University School of Law (November 2019)

Panelist (invited), *The TRIPs Agreements and The Convention on Biological Diversity*, TRIPs Agreement at 25 Symposium, Texas A&M University School of Law (March 2019)

Panelist, *Inclusive Innovation: Rethinking Reward in Sequential Innovation*, 4th National People of Color Legal Scholarship Conference, American University Washington College of Law (March 2019)

**Keynote Speaker**, *The Legal Protection of Traditional Knowledge*, Cultural Appropriation and Traditional Knowledge Conference, University of Toronto Faculty of Law (March 2018)

Panelist, *Patents, Disclosure, and Biopiracy*  
St. John's University School of Law, Intellectual Property Law Center (invited, February 2019)  
George Washington University Intellectual Property Speaker Series (invited, September 2018)  
Law and Society Annual Meeting (June 2018)  
Intellectual Property Scholars Conference, University of Berkeley (August 2018)  
Southeastern Association of Law Schools Conference (August 2018)

Panelist, *A Knowledge Commons Framework for Governance of Bioprospecting*,  
Tri-state I.P. Law Workshop, New York University School of Law (January 2018)  
New York University Hauser Program Workshop (May 2017)

Panelist, *Intellectual Property, Bioprospecting, and Traditional Medicinal Knowledge: A Potential Framework for Protection*  
Intellectual Property Scholars Conference, Cardozo Law School (August 2017)  
Works-In-Progress in IP Conference, Boston University School of Law (February 2017)

Panelist, *From Common Goods to Public Goods: The Effects of Legal Intervention on Codification of Traditional Knowledge*  
Canadian Law and Economics Association Conference (2016)  
Canadian Law and Society Association Conference (2015)