

CURRICULUM VITAE

OF

RICHARD F. DOLE, JR.

PROFESSIONAL AFFILIATION

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EDUCATION

University of Michigan Law School, 1962-64; S.J.D., 1966.  
Cornell Law School, LL.B. (With Distinction), 1961; LL.M.,  
1963.  
Bates College, B.A. (Magna Cum Laude), 1958.

PRINCIPAL PUBLICATIONS

Books

Chapter 7 "The Article 9 Security Interest" pp. 891-1183 in  
A Transactional Guide to the Uniform Commercial Code (2d ed.  
1983) (292 pages).

The Fundamentals of Article 9 of the Uniform Commercial Code  
(University of Iowa College of Law 1982) (412 pages) (Appendix II  
by Edgar F. Hansell).

Monograph

Territorial Trademark Rights and the Antitrust Laws  
(Michigan Legal Publications 1965) (150 pages).

Reviewed in: 44 Texas L. Rev. 1636 (1966); 56 Trademark  
Rep. 446 (1966); Revue Internationale de La Propriete  
Industrielle et Artistique; and Revue Internationale de La  
Concurrence.

## Articles

"Provisional Injunctive Relief under the UTSA and the DTSA in Federal Court New Product Cases," 22 SMU Science & Technology L. Rev. \_\_\_ (2020).

"Limitations Upon the Enforceability of an Employee's Covenant Not to Disclose and Not to Use Confidential Business Information Without Authorization," 34 UCLA Journal of Law & Technology 1 (2019) (21 pages).

"The Contract Exception to the Uniform Trade Secrets Act and its Implications for the Federal Defend Trade Secrets Act," 34 Santa Clara High Tech. L.J. 362 (2018) (30 pages).

"Identifying the Trade Secrets at Issue in Litigation Under the Uniform Trade Secrets Act and the Federal Defend Trade Secrets Act," 33 Santa Clara High Tech L.J. 470 (2017) (35 pages).

"Punitive Damage and Attorney Fee Awards in Trade Secret Cases," 20 Marquette University Intellectual Property L. Rev. 1 (2016) (32 pages).

"The Contours of American Trade Secret Law: What Is and What Isn't Protectable as a Trade Secret," 19 SMU Science & Technology L. Rev. 89 (2016) (34 pages); Listed on a SSRN Top Ten Download List for 12/9/16; Judged One of the Best 2016 Law Review Articles Related to Intellectual Property Law and Selected for Inclusion in the anthology Intellectual Property L. Rev. (2017).

"Preemption of Other State Law by the Uniform Trade Secrets Act," 17 SMU Science & Technology L. Rev. 95 (2014) (29 pages); Listed on SSRN Ten Top Download Lists for 2/22/17, 3/4/17, 3/18/17, & 3/31/17.

"Statutory Royalty Damages under the Uniform Trade Secrets Act and the Federal Patent Code,"

16 Vanderbilt J. of Entertainment & Technology Law 101 (2014) (27 pages).

"Permanent Injunctive Relief for Trade Secret Misappropriation Without an Express Limit Upon its Duration: The Uniform Trade Secrets Act Reconsidered," 17 Boston University J. of Science & Technology Law 173 (2011) (29 pages).

"The Uniform Trade Secrets Act-Trends and Prospects," 33 Hamline L. Rev. 409 (2010) (36 pages).

"The Effect of UCP 600 Upon U.C.C. Article 5 with Respect to Negotiation Credits and the Immunity of Negotiating Banks from Letter-of-Credit Fraud," 54 Wayne L. Rev. 735 (2008) (55 pages).  
"Applicant Ad Hoc Waiver of Discrepancies in the Documents Presented Under Letters of Credit," 58 SMU L. Rev. 1453 (2005) (40 pages); reprinted in The 2006 Annual Survey of Letter of Credit Law & Practice pp.71-100 (Institute Internat'l Banking Law & Practice 2006).

"Warranties by Beneficiaries of Letters of Credit under Revised Article 5 of the UCC: The Truth and Nothing But the Truth," 39 Houston L. Rev. 375 (2002) (38 pages); reprinted in The 2003 Annual Survey of Letter of Credit Law & Practice 39-61 (Institute Internat'l Banking Law & Practice 2003); cited in Nissho Iwai Europe PLC v. Korea First Bank, 99 N.Y.2d 115, 782 N.E.2d 55, 752 N.Y.S.2d 259 (N.Y. Ct. App. 2002).

"The Essence of a Letter of Credit Under Revised U.C.C. Article 5: Permissible and Impermissible Nondocumentary Conditions Affecting Honor," 35 Houston L. Rev. 1079 (1998) (38 pages); excerpted in 3 Documentary Credit World 44-45 (No. 8 1999); reprinted in The 2000 Annual Survey of Letter of Credit Law & Practice 86-112 (Institute Internat'l Banking Law & Practice 2000).

"Receiving Bank Liability for Errors in Wholesale Wire Transfers," 69 Tulane L. Rev. 877 (1995) (56 pages).

"A Japanese Insight with Respect to the Finality of Wholesale Wire Transfers," 12 U. Penn. J. Internat'l Bus. L. 661 (1991) (50 pages).

"The Nonuniform Texas 'Uniform' Fraudulent Transfer Act," 42 Southwestern L.J. 1029 (1989) (with Vernon Teofan) (18 pages).

"Preserving Rights in a Home Through A Chapter 11 Unimpairing Plan," 1988 Annual Survey of Bankruptcy Law 225. (30 pages).

"Making Due Allowances for Undercollateralized Residential Mortgagees Under Chapter 13 of the Bankruptcy Code," 1987 Annual Survey of Bankruptcy Law 179 (25 pages).

"Selective Chapter 13 Plans: A Permissible Use or A Prohibited Abuse of the Bankruptcy Code Following the 1984 Amendments?" 3 Bankr. Dev. J. 511 (1986) (32 pages).

"The Availability and Utility of Chapter 13 of the Bankruptcy Code to Farmers Under the 1984 Bankruptcy Amendments," 16 Texas Tech L. Rev. 433 (1985) (41 pages); designated Best Lead Article in Volume 16 by the Texas Tech Law Review Board of Editors.

"The Settlement of Class Actions for Damages," 71 Colum. L. Rev. 971 (1971) (36 pages).

"Consumer Class Actions Under Recent Consumer Credit Legislation," 44 N.Y.U. L. Rev. 80 (1969) (35 pages).

"Consumer Class Actions Under the Uniform Deceptive Trade Practices Act," 1968 Duke L.J. 1101 (35 pages).

"Merchant and Consumer Protection: The New York Approach to the Regulation of Deceptive Trade Practices," 53 Cornell L. Rev. 749 (1968) (36 pages).

"The Emergence of Deceptive Advertising as a Group Tort: A Possible Consequence of the 1966 Federal Rule Amendment with Respect to Class Actions," 62 Nw. U.L. Rev. 661 (1967) (40 pages).

"The Uniform Deceptive Trade Practices Act: Another Step Toward a National Law of Unfair Trade Practices," 51 Minn. L. Rev. 1005 (1967) (48 pages).

"Merchant and Consumer Protection: The Uniform Deceptive Trade Practices Act," 76 Yale L.J. 485 (1967) (22 pages).

Reprinted in: C. Katz ed., The Law and the Low Income Consumer 83 (N.Y.U. Project on Social Welfare Law 1968); and 7 Publishing, Entertainment, Advertising & Allied Fields L.Q. 458 (1968).

"Notice Requirements of Guaranty Contracts," 62 Mich. L.

Rev. 57 (1963) (48 pages). Cited in: 2 R. Schlesinger, Formulation of Contracts--A Study of the Common Core of Legal Systems 1305-07, 1313 (Oceana 1968).

## PROFESSIONAL EXPERIENCE

### Teaching Experience

United States Fulbright Scholar, Tsinghua University School of Law; Beijing, People's Republic of China (August, 1999 to January, 2000)

University of Houston Law Center (August, 1978, to present).

University of Iowa College of Law (July, 1964, to August, 1978).

### Subject Matter

Representing Energy Borrowers; Bankruptcy; Commercial Law; International Sales & Leases; Payment Systems; Security Interests in Personal Property and Fixtures; Consumer Protection; Contracts; Creditors' Rights and Debtors' Protections; Labor Law; Legislation; Unfair Competition.

### Research Experience

Visiting Research Scholar, University of Tokyo Faculty of Law, 1991.

Visiting Scholar, Research Division II of the Institute for Monetary Studies, Bank of Japan, 1989-90.

Legislative Research Fellow, University of Michigan Law School, 1962-64.

Ford Foundation Fellow, Cornell Law School, 1961-62.

### Consultantships

Jones McClure Publishing, Inc. with respect to O'Connor's Annotated Business & Commerce Code.

Bankruptcy Revision Project of the Subcommittee on Judicial Improvements of the United States Senate Judiciary Committee,

1974-75.

Commission on the Bankruptcy Laws of the United States,  
1972-73.

National Commission on Product Safety, 1969-70.

National Institute on Education in Law and Poverty, 1969-70.

#### Memberships

American Law Institute.

International House of Japan.

National Conference of Commissioners on Uniform State Laws  
1969-79, 1981-89.

Chair, Texas Commission on Uniform State Laws, 1985-88.

#### Honors

Order of the Coif; Phi Beta Kappa; Phi Kappa Phi.

Listed in: Directory of American Scholars; Who's Who in  
America.

#### Court Admissions

United States Supreme Court; Iowa; Maine; New York; Texas.