



THE TWENTY-NINTH ANNUAL FALL LECTURE

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UNCOUPLING TRADEMARK & REPUTATION

JAMES GIBSON

Sesquicentennial Professor of Law
University of Richmond School of Law

THURSDAY, NOVEMBER 17, 2022

2022 VENUE:

The Houston Club
910 Louisiana, Suite 4900, Houston, Texas

RECEPTION 5:30 P.M. • LECTURE 6:15 P.M.
One Hour of CLE Credit

Kindly RSVP to ipil@uh.edu. For more information, call 713.743.2180.

The Fall Lecture

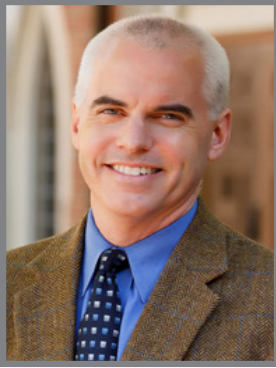
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James Gibson is the Sesquicentennial Professor of Law at the University of Richmond School of Law. He is also founder and former director of the School of Law's Intellectual Property Institute. His scholarship has appeared in the *Yale Law Journal*, *Virginia Law Review*, *Georgetown Law Journal*, *Texas Law Review*, and *UCLA Law Review*, among other venues.

Professor Gibson is also a frequent commentator in the media and has been quoted in the *New York Times*, *Wall Street Journal*, *National Law Journal*, *Slate*, and *Chronicle of Higher Education*. He has been a visiting professor at the University of Virginia School of Law and is a recipient of the University of Richmond's 2007 Distinguished Educator Award.

Prior to becoming a law professor, Professor Gibson served as attorney-adviser to Commissioner Michael Goldsmith for the U.S. Sentencing Commission and clerked for the Hon. Karen Nelson Moore, U.S. Court of Appeals for the Sixth Circuit. He received a B.A. from Yale University and his J.D. from the University of Virginia.

Selected Publications Include: *Convergence and Conflation in Online Copyright*, 105 IOWA LAW REVIEW 1027 (with Chris Cotropia) (2020); *Rights Accretion Redux*, 60 IDEA 45 (2019); *Boilerplate's False Dichotomy*, 106 GEORGETOWN LAW JOURNAL 249 (2018).

Uncoupling Trademark & Reputation

Reputation is sacrosanct in trademark law. If not for trademark's exclusive rights, a company's competitors could use its mark on their inferior products—and there goes both the company's good reputation and the incentive to produce high-quality products in the first place. That's the theory. In reality, however, the quality of a business's goods and services is only one input into its reputation. And the other inputs, such as crowdsourced product ratings, advertising, lifestyle marketing, and disinterested-but-not-really influencers, are both widely used and rife with distortions. This talk catalogs the effects of these distortions and examines the consequences for trademark law of the uncoupling of reputation and quality.

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2021 FALL LECTURE

AMELIA SMITH RINEHART (LECTURER)
AND GREG R. VETTER



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