

## **GRAEME B. DINWOODIE**

### **CURRENT ACADEMIC APPOINTMENTS**

#### **Northwestern University School of Law**

Visiting Professor of Law (Spring 2024, Spring 2025)

#### **IIT Chicago-Kent College of Law**

University Distinguished Professor (2022-present)

Global Professor of Intellectual Property Law (2018-present)

Co-Director, Center for Design, Law and Technology (2018-present)

Co-Director, Program in Intellectual Property Law (2019-present)

### **PRIOR ACADEMIC APPOINTMENTS**

#### **New York University School of Law**

Visiting Professor of Law (Fall 2019)

Global Visiting Professor of Law (Spring 2015)

#### **University of Oxford**

Professor of Intellectual Property and Information Technology Law (2009-2018)

Director, Oxford Intellectual Property Research Centre (2009-2018)

Professorial Fellow, St. Peter's College (2009-2018)

Visiting Professor of Law (2018-2023)

#### **National University of Singapore**

Yong Shook Lin Professor in Intellectual Property Law (2016)

#### **IIT Chicago-Kent College of Law**

University Professor (2016-2018)

Professor of Law (2000-2009)

Norman & Edna Freehling Scholar (2001-2004)

Director, Program in Intellectual Property Law (2002-2009)

Associate Dean (2003-2009)

#### **University of London, Queen Mary College**

Chair in Intellectual Property Law (2005-2009)

#### **University of Pennsylvania Law School**

Visiting Associate Professor of Law (1999-2000)

#### **University of Cincinnati College of Law**

Professor of Law (1999-2000)

Associate Professor of Law (1997-1999)

Assistant Professor of Law (1994-1997)

### *Awards*

Intellectual Property Hall of Fame (inducted 2020)

Pattishall Medal for Teaching Excellence in Trademark Law, International Trademark Association (2008)

Ladas Award for Best Article on Trademark Law in 2007, International Trademark Association

Goldman Prize for Excellence in Teaching, University of Cincinnati College of Law (1996, 1998 & 1999)

Distinguished Faculty Achievement Award, Chicago-Kent Intellectual Property Law Society (2009)

### *Courses Taught*

Intellectual Property Law, International Intellectual Property Law, Trademark Law, Design Law, Copyright Law, Intellectual Property and International Trade, International Intellectual Property Litigation, International & Comparative Copyright Law, International & Comparative Trademark Law, European Intellectual Property Law, Trademarks and Cyberspace, Conflict of Laws, Civil Procedure

## **LAW PRACTICE EXPERIENCE**

**Sullivan & Cromwell**, New York City  
Associate (1989-1994)

## **EDUCATION**

### **Columbia Law School**

Degree: J.S.D.

Burton Fellow in Intellectual Property Law (1988-1989)

### **Harvard Law School**

Degree: LL.M.

John F. Kennedy Scholar (1987-1988)

Associate Editor, Harvard International Law Journal

### **University of Glasgow**, Glasgow, Scotland

Degree: LL.B. (Hons.)

Honors: First Class

MacCormick Prize as Top Law Graduate of 1987

## PUBLICATIONS

### *Articles, Substantial Book Chapters and Major Studies*

*Ensuring Consumers “Get What They Want” and The Role of Trademark Law*, 83 *CAMB. L.J.* 36-61 (2024)

*International Copyright: The Introduction in INTERNATIONAL COPYRIGHT LAW AND PRACTICE* 1-169 (Bently, Geller & Nimmer eds. Lexis Nexis 2023)

*Trademark Law as a Normative Project*, 2023 *SING. J. LEG. S.* 305-341 (2023)

*Universalism in International Copyright Law as Seen Through the Lens of Marrakesh*, in *INTELLECTUAL PROPERTY ORDERING BEYOND BORDERS* (Khan and Metzger eds, Cambridge Univ. Press 2022)

*Injunctive Relief in Patent Law Under TRIPS*, in *INJUNCTIONS AND PATENT LAW* (Husovec and Contreras eds., Cambridge Univ. Press 2022) (with Dreyfuss)

*International Copyright: The Introduction in INTERNATIONAL COPYRIGHT LAW AND PRACTICE* 1-167 (Bently, Geller & Nimmer eds. Lexis Nexis 2021)

*International Copyright: The Introduction in INTERNATIONAL COPYRIGHT LAW AND PRACTICE* 1-159 (Bently, Geller & Nimmer eds. Lexis Nexis 2020)

*Non-Conventional Marks and the Obstacle of Functionality: WIPO’s Role in Fleshing Out the Telle Quelle Rule*, in *RESEARCH HANDBOOK ON THE WORLD INTELLECTUAL PROPERTY ORGANIZATION* (Ricketson ed. Edward Elgar Press 2020) (with Kur)

*International Copyright: The Introduction in INTERNATIONAL COPYRIGHT LAW AND PRACTICE* 1-159 (Bently, Geller & Nimmer eds. Lexis Nexis 2019)

*Pluralism and Universalism in International Copyright Law: The Role of an International Acquis* in *UNIVERSALISM OR PLURALISM IN INTERNATIONAL COPYRIGHT LAW* (Synodinou ed., Kluwer Law International 2019)

*Brexit and IP: The Great Unraveling?*, 39 *CARD. L. REV.* 967-995 (2018) (with Dreyfuss)

*Design Protection for Products that are “Dictated by Function”* in *THE EU DESIGN APPROACH – A GLOBAL APPRAISAL* 142-171 (Kur, M. Levin and J. Schovsbo (eds) 2018) (with Schovsbo)

*Territorial Overlaps in Trademark Law: The Evolving European Model*, 92 *NOTRE DAME L. REV.* 1669-1743 (2017)

*A Comparative Analysis of the Secondary Liability of Online Service Providers* in *SECONDARY LIABILITY OF INTERNET SERVICE PROVIDERS* 1-72 (Dinwoodie ed. Springer 2017)

*The Image of the Consumer in European Trade Mark Law*, in *THE IMAGE(S) OF THE CONSUMER IN EU LAW* 339-379 (Leczykiewicz and Weatherill eds. Hart Publishing 2015) (with Gangjee)

*Secondary Liability for Online Trademark Infringement: The International Landscape*, 36 COLUMBIA J. L. & ARTS 463-501 (2014)

*Dilution as Unfair Competition: European Echoes* in INTELLECTUAL PROPERTY AT THE EDGE: THE CONTESTED CONTOURS OF IP 81-102 (Dreyfuss and Ginsburg eds., Cambridge University Press 2014)

*An International Acquis: Integrating Regimes and Restoring Balance* IN INTERNATIONAL INTELLECTUAL PROPERTY: A HANDBOOK OF CONTEMPORARY RESEARCH 121-164 (Gervais ed. Edward Elgar Press 2014) (with Dreyfuss)

*Intellectual Property* in ENGLISH PRIVATE LAW (Andrew Burrows ed. 3d ed) (Oxford University Press 2013) (with Cornish)

*The Europeanisation of Trade Mark Law*, in THE EUROPEANISATION OF INTELLECTUAL PROPERTY LAW 75-100 (Ohly and Pila eds. Oxford Univ. Press 2013)

EUROPEAN MAX PLANCK GROUP ON CONFLICT OF LAWS, CONFLICT OF LAWS IN INTELLECTUAL PROPERTY: THE CLIP PRINCIPLES AND COMMENTARY (Oxford University Press 2013) (with CLIP group)

*The Common Law and Trade Marks in an Age of Statutes*, in THE COMMON LAW OF INTELLECTUAL PROPERTY: ESSAYS IN HONOUR OF PROFESSOR DAVID VAVER 331-352 (2010) (Bently, Ng & D'Agostino eds.)

*The Law Applicable to Secondary Liability In Intellectual Property Cases*, 42 N.Y.U. J. INTL. L. & POL. 201-235 (2010) (with Dreyfuss and Kur)

*Enhancing Global Innovation Policy: The Role of WIPO and its Conventions in Interpreting the TRIPS Agreement*, in RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY AND TRADE (Correa ed. 2010) (with Dreyfuss)

*Designing a Global Intellectual Property System Responsive to Change: the WTO, WIPO and Beyond*, 46 HOUS. L. REV. 1187-1234 (2009) (with Dreyfuss)

*Developing a Private International Intellectual Property Law: The Demise of Territoriality*, 51 WM. & MARY LAW REV. 711-800 (2009)

*Lewis & Clark College of Law Ninth Distinguished IP Lecture: Developing Defenses in Trademark Law*, 13 LEWIS & CLARK L. REV. 99-149 (2009)

*A Reverse Notice and Takedown Regime To Enable Fair Uses of Technically Protected Copyrighted Works*, 22 BERK. TECH. L.J. 981-1060 (2007) (with Reichman and Samuelson), reprinted in PEER TO PEER FILE SHARING AND SECONDARY LIABILITY (Strowel ed. 2009)

*The WIPO Copyright Treaties: A Transition to the Future of International Copyright Lawmaking?* 57 CASE WESTERN LAW REVIEW 751-766 (2007)

*Copyright Lawmaking Authority: An (Inter)nationalist Perspective on The Treaty Clause*, 30 COLUMBIA JOURNAL OF LAW AND THE ARTS 355-395 (2007) (symposium issue)

*Lessons From the Trademark Use Debate*, 92 IOWA LAW REVIEW 1703-1721 (2007) (with Janis)

*Confusion Over Use: Contextualism in Trademark Law*, 92 IOWA LAW REVIEW 1597-1667 (2007) (with Janis), *reprinted in* 98 TRADEMARK REPORTER 1086 (2008)

*The International Intellectual Property System: Treaties, Norms, National Courts and Private Ordering* in INTELLECTUAL PROPERTY, TRADE AND DEVELOPMENT: NORMATIVE AND INSTITUTIONAL ASPECTS 61-114 (Gervais ed. 2007) (Oxford Univ. Press)

*Patenting Science: Protecting the Domain of Accessible Knowledge*, in THE FUTURE OF THE PUBLIC DOMAIN 191-221 (Guibault and Hugenholtz eds. 2006) (with Dreyfuss)

*The Story of Kellogg v. National Biscuit Company: Breakfast with Brandeis*, in INTELLECTUAL PROPERTY STORIES 220-257 (Dreyfuss and Ginsburg eds. 2005)

*WTO Dispute Resolution and The Preservation of The Public Domain of Science Under International Law*, in INTERNATIONAL PUBLIC GOODS AND TRANSFER OF TECHNOLOGY UNDER A GLOBALIZED INTELLECTUAL PROPERTY REGIME 861-883 (Maskus and Reichman eds. 2005) (Cambridge Univ. Press) (with Dreyfuss)

*TRIPS and the Dynamics of Intellectual Property Lawmaking*, 36 CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW 95-122 (2004) (with Dreyfuss) (symposium issue)

*Trademarks and Territory: Detaching Trademark Law From the Nation-State*, 41 HOUSTON LAW REVIEW 885-973 (2004) (symposium issue)

*International Intellectual Property Law and the Public Domain of Science*, 7 JOURNAL OF INTERNATIONAL ECONOMIC LAW 431-448 (2004) (with Dreyfuss)

*Private Ordering and the Creation of International Copyright Norms: The Role of Public Structuring*, 160 JOURNAL OF INSTITUTIONAL AND THEORETICAL ECONOMICS 161-180 (2004) (symposium issue)

*The Architecture of the International Intellectual Property System*, 77 CHICAGO-KENT LAW REVIEW 993-1014 (2002) (symposium issue)

*Designing Non-National Systems: The Case of the Uniform Domain Name Dispute Resolution Policy*, 43 WILLIAM & MARY LAW REVIEW 141-273 (2001) (with Helfer)

*Incorporating International Norms in the Development of Contemporary Copyright Law*, 62 OHIO STATE LAW JOURNAL 733-782 (2001) (symposium issue), *reprinted in* THE GLOBALIZATION OF INTERNATIONAL LAW 733 (Berman ed.2006)

*International Intellectual Property Litigation: A Vehicle for Resurgent Comparativist Thought?*, 49 AMERICAN JOURNAL OF COMPARATIVE LAW 429-453 (2001) (symposium issue)

*Private International Aspects of the Protection of Trademarks* (Jan. 2001) (study commissioned by the World Intellectual Property Organization), WIPO Doc. No. WIPO/PIL/01/4

*A New Copyright Order: Why National Courts Should Create Global Norms*, 149 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 469-580 (2000)

*The Death of Ontology: A Teleological Approach to Trademark Law*, 84 IOWA LAW REVIEW 611-752 (1999)

*Reconceptualizing the Inherent Distinctiveness of Product Design Trade Dress*, 75 NORTH CAROLINA LAW REVIEW 471-606 (1997)

*Federalized Functionalism: The Future of Design Protection in the European Union*, 24 AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION QUARTERLY JOURNAL 611-723 (1996) (symposium issue)

### ***Monographs***

A NEOFEDERALIST VISION OF TRIPS: THE RESILIENCE OF THE INTERNATIONAL INTELLECTUAL PROPERTY REGIME (with Dreyfuss) (Oxford University Press) (2012)

### ***Casebooks***

TRADE DRESS AND DESIGN LAW (2d ed.) (with Janis and DuMont) (Aspen Law Publishing) (2024)

TRADEMARKS AND UNFAIR COMPETITION: LAW AND POLICY (with Janis) (Aspen Law Publishing) (6th ed. 2022)

TRADEMARKS AND UNFAIR COMPETITION: LAW AND POLICY (with Janis) (Aspen Law Publishing) (5th ed. 2018)

TRADEMARKS AND UNFAIR COMPETITION: LAW AND POLICY (with Janis) (Aspen Law Publishing) (4th ed. 2014)

TRADEMARKS AND UNFAIR COMPETITION: LAW AND POLICY (with Janis) (Aspen Law Publishing) (3d ed. 2010)

TRADE DRESS AND DESIGN LAW (with Janis) (Aspen Law Publishing) (2010)

INTERNATIONAL INTELLECTUAL PROPERTY LAW AND POLICY (with Perlmutter, Hennessey and Austin) (LexisNexis Publishing) (2d ed. 2008)

TRADEMARKS AND UNFAIR COMPETITION: LAW AND POLICY (with Janis) (Aspen Law Publishing) (2d ed. 2007)

E-COMMERCE, THE INTERNET, AND THE LAW (with Warner, Krent and Stewart) (West Publishing) (2006)

TRADEMARKS AND UNFAIR COMPETITION: LAW AND POLICY (with Janis) (Aspen Law Publishing) (2004)

INTERNATIONAL AND COMPARATIVE PATENT LAW (with Perlmutter and Hennessey) (LexisNexis Publishing) (2002)

INTERNATIONAL INTELLECTUAL PROPERTY LAW AND POLICY (with Perlmutter and Hennessey) (LexisNexis Publishing) (2001)

***Edited Books***

IMPROVING INTELLECTUAL PROPERTY LAW: A GLOBAL PROJECT (Edward Elgar Press 2023) (with Frankel, Chon, Lauriat and Schovsbo)

RESEARCH HANDBOOK ON TRADEMARK LAW REFORM (Edward Elgar Press 2021) (with Janis)

TRANSITION AND COHERENCE IN INTELLECTUAL PROPERTY LAW (Cambridge Univ. Press 2020) (with Ohly)

SECONDARY LIABILITY OF INTERNET SERVICE PROVIDERS, 25 Global Studies in Comparative Law (Springer 2017)

INTELLECTUAL PROPERTY AND GENERAL LEGAL PRINCIPLES: IS IP A *LEX SPECIALIS*? (ATRIP CONGRESS SERIES) (Edward Elgar Press 2015)

TRADEMARK AND UNFAIR COMPETITION LAW: THEMES AND THEORIES (CRITICAL CONCEPTS IN INTELLECTUAL PROPERTY SERIES) (with Janis) (Edward Elgar Press 2014)

TRADEMARK AND UNFAIR COMPETITION LAW: DOCTRINAL DEBATES (CRITICAL CONCEPTS IN INTELLECTUAL PROPERTY SERIES) (with Janis) (Edward Elgar Press 2014)

METHODS AND PERSPECTIVES IN INTELLECTUAL PROPERTY (ATRIP CONGRESS SERIES) (Edward Elgar Press 2013)

A HANDBOOK ON CONTEMPORARY RESEARCH: TRADEMARK LAW AND THEORY (ed. with Janis) (Edward Elgar Press) (2008)

***Essays and Shorter Works***

*Reading Trademark Tea-Leaves at the Supreme Court*, 23 CHI.-KENT J. INTELL. PROP. 99-115 (2023)

*The Function of Trademarks in The United States* in THE CAMBRIDGE HANDBOOK ON INTERNATIONAL AND COMPARATIVE TRADEMARK LAW 178-192 (Ginsburg & Calboli eds. Cambridge Univ. Press 2021)

*Who Are Internet Intermediaries?* in THE OXFORD HANDBOOK OF ONLINE INTERMEDIARY LIABILITY 37-56 (Frosio ed. Oxford Univ. Press 2021)

*The Drivers of Trademark Law Reform: Perspectives From the Academy* in RESEARCH HANDBOOK ON TRADEMARK LAW REFORM 1-15 (Edward Elgar Press 2021) (with Janis)

*Transition and Coherence in Intellectual Property Law* in TRANSITION AND COHERENCE IN INTELLECTUAL PROPERTY LAW: ESSAYS IN HONOUR OF ANNETTE KUR 489-512 (Cambridge Univ. Press 2020) (with Ohly)

*Overlap & Redundancy in The IP System: Trademark Always Loses?* in INTERCONNECTED INTELLECTUAL PROPERTY: ESSAYS IN HONOUR OF SAM RICKETSON (Richardson et al eds. 2019) (Cambridge Univ. Press)

*Framing the International Intellectual Property System* in FRAMING INTELLECTUAL PROPERTY LAW IN THE 21ST CENTURY: INTEGRATING INCENTIVES, TRADE, DEVELOPMENT, CULTURE AND HUMAN RIGHTS 290-303 (Dreyfuss and Ng eds., Cambridge Univ. Press 2018) (with Kur)

*The Legal Consequences of Brexit Through the Lens of IP Law*, 101 *Judicature* 64-71 (2017) (with Arnold, Bently and Derclaye)

*Publicity Right, Personality Right, or Just Confusion?* in RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY IN MEDIA AND ENTERTAINMENT 425-445 (Richardson and Ricketson eds. Elgar Publishing 2016) (with Richardson)

*Diversifying Perspectives of the International Intellectual Property System*, in THE INTELLECTUAL PROPERTY SYSTEM IN A TIME OF CHANGE: EUROPEAN AND INTERNATIONAL PERSPECTIVES 222-230 (Geiger ed. 2016)

*A Century of Trademark Law Scholarship*, in TRADEMARK AND UNFAIR COMPETITION LAW: THEMES AND THEORIES (CRITICAL CONCEPTS IN INTELLECTUAL PROPERTY SERIES) (Dinwoodie and Janis eds. Edward Elgar Press 2014) (with Janis)

*Remarks -- "One Size Fits All": Consolidation and Difference in Intellectual Property Law* in THE STRUCTURE OF INTELLECTUAL PROPERTY LAW: CAN ONE SIZE FIT ALL? (A. Kur and V. Mizaras eds. 2011)

*Opinion: Trade Mark Harmonisation: National Courts and the European Court of Justice*, 41 INT'L REVIEW OF INDUSTRIAL PROPERTY AND COPYRIGHT LAW 1-4 (2010)

*Refining Notions of Idea and Expression Through Linguistic Analysis* in COPYRIGHT AND PIRACY: AN INTERDISCIPLINARY CRITIQUE 194-205 (Bently, Davis and Ginsburg eds.) (Cambridge Univ. Press 2010)

*What Linguistics Can Do for Trademark Law*, in INTERDISCIPLINARY PERSPECTIVES ON TRADE MARKS 140-156 (Bently, Davis and Ginsburg, eds.) (Cambridge Univ. Press 2008)

*Diversifying Without Discriminating: Complying with the Mandates of the TRIPS Agreement*, 13 MICHIGAN TELECOMMUNICATIONS AND TECHNOLOGY LAW REVIEW 445 (2007) (with Dreyfuss) (symposium issue)

*Foreign and International Influences on National Copyright Policy: a Surprisingly Rich Picture*, in 6 NEW DIRECTIONS IN COPYRIGHT LAW (McMillan ed.) (Elgar 2007)

*Dilution's (Still) Uncertain Future*, 105 MICH. L. REV. FIRST IMPRESSIONS 98 (2006), [http://students.law.umich.edu/mlr/first impressions/vol1105/dinwoodie.pdf](http://students.law.umich.edu/mlr/first%20impressions/vol1105/dinwoodie.pdf) (with Janis)

*The Rational Limits of Trademark Law (2000) (plus 2005 Postscript)*, in U.S. INTELLECTUAL PROPERTY: LAW AND POLICY 59 (Hansen ed. 2006)

*Concurrence and Convergence of Rights: The Concerns of the U.S. Supreme Court*, in CROSSING BORDERS: BETWEEN TRADITIONAL AND ACTUAL 5 (Groshiede and Brinkhof eds. 2005)

*Towards an International Framework for the Protection of Traditional Knowledge* (2004) (study commissioned by United Nations Conference on Trade and Development)

*Use, Intent to Use, and Registration in the United States*, in TRADEMARK USE 313 (Philips and Simon eds., 2005) (with Janis)

*Conflicts and International Copyright Litigation: the Role of International Norms*, in INTELLECTUAL PROPERTY IN THE CONFLICT OF LAWS 195 (Basedow, Drexl, Kur and Metzger eds. 2005)

*The Institutions of International Intellectual Property Law: New Actors, New Institutions, and New Sources*, in PROCEEDINGS OF THE 98TH ANNUAL MEETING OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 213 (2004), *reprinted in* 10 MARQUETTE INTELLECTUAL PROPERTY LAW REVIEW 187 (2006)

*The Seventh Annual Honorable Helen Wilson Nies Memorial Lecture on Intellectual Property Law: The Trademark Jurisprudence of the Rehnquist Court*, 8 MARQUETTE INTELLECTUAL PROPERTY LAW REVIEW 205 (2004)

*Trademark and Copyright: Complements or Competitors?*, in ADJUNCTS AND ALTERNATIVES TO COPYRIGHT (Jane Ginsburg and June Besek eds. 2002) (General Report to ALAI Congress)

*Report of the United States*, in ADJUNCTS AND ALTERNATIVES TO COPYRIGHT (2001), at [www.alai.org](http://www.alai.org) (National Report to ALAI Congress)

*(National) Trademark Laws and the (Non-National) Domain Name System*, 21 UNIVERSITY OF PENNSYLVANIA JOURNAL OF INTERNATIONAL ECONOMIC LAW 495 (2000) (symposium)

*The Integration of International and Domestic Intellectual Property Lawmaking* 23 COLUMBIA-V.L.A. JOURNAL OF LAW & THE ARTS 307 (2000)

*Introduction: Intellectual Property Law for The Twenty-First Century* 66 UNIVERSITY OF CINCINNATI LAW REVIEW 1 (1997) (symposium introduction)

### **WORKS IN PROGRESS**

INTERNATIONAL INTELLECTUAL PROPERTY LAW AND POLICY (with Perlmutter, Austin and Dreyfuss) (LexisNexis Publishing) (3d ed. 2025)

INTERNATIONAL TRADEMARK PROTECTION: TERRITORIALITY IN A POST-NATIONAL AGE (Oxford University Press) (2026)

*Rogers and the Structure of Trademark Law*

*Trademarks and Commercial Reality: A Real American Law of Unfair Competition*

*Non-Traditional Marks in Europe: Conceptual Lessons from Their Apparent Demise?*

AN ADVANCED INTRODUCTION TO DESIGN LAW (Edward Elgar Press 2025) (with Janis)

RESEARCH HANDBOOK ON UNFAIR COMPETITION (Edward Elgar Press 2026) (editor, with Ohly)

TRADEMARK VALUES (Cambridge University Press) (2027)

### **LECTURES, PAPERS AND PRESENTATIONS**

#### ***Major Public Lectures***

*Trademark Law as a Normative Project*, Third Annual E.W. Barker Distinguished Visitor in Intellectual Property Lecture, National University of Singapore (April 2022)

*2018 Shidler Lecture: Trademarks and Commercial Reality: Reviving A Real Law of Unfair Competition?* University of Washington School of Law, Seattle (March 2018)

*Global Marks in Local Markets: Territoriality in EU and US Trademark Law*, George P. Smith II Distinguished Lecture, University of Indiana Maurer School of Law (April 2011)

*The Role of the Courts in the Development of U.S. Trademark Law*, Beverly W. Pattishall Distinguished Lecture in Intellectual Property, John Marshall School of Law, Chicago (October 2010)

*Third Annual Herchel Smith Lecture on International Intellectual Property Law: Ensuring Consumers “Get What They Want” – The Role of Trademark Law*, Emmanuel College, Cambridge University, Cambridge, England (May 2008)

*Ninth Distinguished Intellectual Property Law Lecture: Developing Defenses in Trademark Law*, Lewis and Clark Law School, Portland (April 2008)

*The Trademark Jurisprudence of the Rehnquist Court*, The Honorable Helen Wilson Nies Memorial Lecture on Intellectual Property Law, Marquette Law School, Wisconsin (April 2004)

*TRIPS Myopia: The Need for A Broader Vision of the International Intellectual Property System*, 2004 Distinguished Lecture in Intellectual Property Law, Whittier Law School, California (April 2004)

#### ***Public Lectures and Academic Presentations***

*Trademark Law as a Normative Project*, Trademark and Unfair Competition Scholarship Roundtable, New York University School of Law (October 2023)

*Keynote: Reading Trademark Tea-Leaves at the Supreme Court*, Supreme Court IP Review, Chicago-Kent College of Law, Chicago (September 2023)

*Constraints on, and Drivers of, a Unitary Conception of IP in the United States*, Conference on Intellectual Property Rights as Allied Rights: Bill Cornish and the Making of Today’s Intellectual Property System, Cambridge University (March 2023)

*Trademark Law as a Normative Project*, Intellectual Property Colloquium, Vanderbilt Law School (March 2023)

*Well-Known Marks and Mark Ownership*, Conference Honoring Marshall Leaffer, Indiana University, Bloomington, Indiana (October 2021)

*Universalism in International Copyright Law Through the Lens of Marrakesh*, Windsor-EIPN Lecture Series on Transnational Intellectual Property Law, Windsor, Canada (January 2021)

*Universalism in International Copyright Law Through the Lens of Marrakesh*, Information Technology & Law Workshop, Tel-Aviv University, Israel (January 2021)

*Universalism in International Copyright Law Through the Lens of Marrakesh*, Workshop on Intellectual Property Ordering Beyond Borders, Cambridge University (May 2020)

*Universalism in International Copyright Law Through the Lens of Marrakesh*, Chicago-Kent Faculty Workshop (March 2020)

*Trademark Law and a Return to Unfair Competition Principles?*, Conference Honoring Jerome H. Reichman, Harvard Law School (September 2019)

*Re-setting the Relationship Between Trademark and Unfair Competition Law*, Annual Congress of ATRIP (Nashville, August 2019)

*Universalism in International Copyright Law Through the Lens of Marrakesh*, Workshop on Intellectual Property Ordering Beyond Borders, Weizenbaum Institute, Berlin (June 2019)

*Proving Consumer Confusion: A Comparative Perspective*, Conference on Proving IP, New York University School of Law (May 2019)

*Territoriality in U.S. Trademark Law: Lessons for Europe?*, Trade Mark Law Institute Conference, Groningen University Faculty of Law, Netherlands (March 2019)

*Non-Traditional Marks in Europe: Conceptual Lessons From Their Apparent Demise?* Colloquium on Innovation Law, New York University School of Law (February 2019)

*Geoblocking and U.S. Copyright Law*, Conference on Intellectual Property in a Globalized Economy: United States Extraterritoriality in International Business, Boston University School of Law (February 2019)

*Article 13 of the Proposed EU Directive on Copyright in The Digital Single Market*, Conference on Comparative Internet Regulation, Loyola Law School, Chicago (February 2019)

*Rogers and the Structure of Trademark Defenses (or Artistic Expression: Does the Ninth Circuit Give a S\*\*t?)*, Conference on Trademark Exceptions and Limitations, Hong Kong University (January 2019)

*Injunctive Relief in Patent Law under TRIPS*, Workshop on Patent Injunctions, University of Tilburg, Netherlands (June 2018)

*Pluralism and Universalism in International Copyright Law: The Role of an International Acquis*, Conference on Pluralism or Universalism in International Copyright Law, University of Cyprus, Nicosia, Cyprus (May 2018)

The Treatment of Online Platforms, European Copyright Society Conference on *EU copyright, Quo Vadis?*, Brussels (May 2018)

*Non-Traditional Marks in Europe: Conceptual Lessons From Their Apparent Demise?* Speaker Series, Centre for Intellectual Property and Information Law, University of Cambridge (May 2018)

*The Design of the European Union IP Office*, Symposium on The Administrative Law of Intellectual Property, UC Berkeley School of Law, Berkeley (April 2018)

*The IP Provisions in the Comprehensive Economic and Trade Agreement*, Conference on Innovating at the International Level, McGill University Faculty of Law, Montreal, Canada (February 2018)

*Lessons For Brexit From The CETA Ratification Process*, Conference on Innovating at the International Level, McGill University Faculty of Law, Montreal, Canada (February 2018)

*The Future of Design Copyright after Star Athletica?*, Launch of Center for Design, Law and Technology, Chicago-Kent College of Law (February 2018)

*Brexit and IP: The Great Unraveling?*, Annual Meeting of the Association of American Law Schools, San Diego (January 2018)

*Too Much Of The Same: Overlap & Redundancy In The IP System*, Symposium In Honour Of David Vaver – Intellectual Property: Fuel For The Fire Or Shelf Life Of A Banana?, Osgoode Hall Law School, Toronto, Canada (November 2017)

*Brexit: Creating A New IP Landscape?*, CIPP/Lallemand Seminar, McGill University, Montreal (November 2017)

*Brexit and IP: The Great Unraveling?*, Annual Meeting of the Association of Teachers and Researchers in Intellectual Property Law, Wellington, New Zealand (October 2017) (with Dreyfuss)

*Cumulation of Copyright, Designs and Trade Marks in the EU*, Workshop on Festschrift for Sam Ricketson, Melbourne, Australia (October 2017)

*Recent Design Cases*, Supreme Court IP Review, Chicago-Kent College of Law, Chicago (September 2017)

*A Cosmopolitan Approach: The Scholarly Contribution of Rochelle Dreyfuss*, IP Scholars Conference, Cardozo Law School, New York (August 2017)

*Cumulation or Substitution of National Copyright with EU Copyright*, Conference on Building an EU Unitary Copyright, European Copyright Society, Paris (May 2017)

*Brexit and IP: The Great Unraveling?*, Conference on Brexit: Origins and Prospects, Classical Liberal Institute, New York (April 2017) (with Dreyfuss)

*Scope of Jurisdiction*, Workshop on Jurisdiction in European Community Rights Cases, Max Planck Institute for Innovation, Berlin (March 2017)

*Territorial Overlaps in Trademark Law: The Evolving European Model*, Chicago-Kent Faculty Workshop (February 2017)

*Misrepresentation: Principles and Issues*, FAIR IP International Workshop, Helsinki (November 2016)

*Territorial Overlaps in Trademark Law: The Evolving European Model*, Conference on Negotiating IP's Boundaries in an Evolving World, Notre Dame Law School (November 2016)

*Justice Scalia and Trademark Law*, Supreme Court IP Review, Chicago-Kent College of Law, Chicago (September 2016)

*Judicial Resistance to the Unitary Nature of EU Trade Marks*, Annual Meeting of the Society of Legal Scholars (SLS), Oxford (September 2016)

*Brexit and Intellectual Property*, Annual Meeting of the Society of Legal Scholars (SLS), Oxford (September 2016)

*European Trade Mark Law Through a British Unfair Competition and Passing Off Lens*, Conference on Unfair Competition In and Beyond Intellectual Property, IPR University Centre, Helsinki (June 2016)

*Trade Mark Enforcement in New Territorial Spaces*, Conference on Intellectual Property In All The New Places, Texas A&M University, Dallas (April 2016)

*The Enduring Pull of Territoriality in European Trade Mark Law*, Pharmaceutical Trade Marks Group, 92nd Conference, London (March 2016)

*Territoriality and Trademarks: Lessons From (and For?) The European Union*, Notre Dame Faculty Workshop, South Bend (February 2016)

*Publicity Right, Personality Right, or Just Confusion*, Workshop on Intellectual Property in Media & Entertainment, Singapore Management University (January 2016) (with Richardson)

*Trademarks and Commercial Reality*, Chicago-Kent College of Law Faculty Workshop, Chicago (December 2015)

*Territoriality and Trademarks: Lessons From (and For?) The European Union*, Temple University Faculty Colloquium, Philadelphia (December 2015)

*The Impact of Non-Distinctive or Weak Elements on the Assessment of the Likelihood of Confusion: Trends in EU Jurisprudence*, OHIM Judges Symposium, Alicante (November 2015)

*Conflicts Between Trademarks and Geographical Indications*, Max Planck Workshop on Geographical Indications, Berlin (October 2015)

*Trademarks and Commercial Reality*, Symposium on Notice Failure in Intellectual Property Law, Boston University (September 2015)

*The Territorial Character of Trade Mark Law in a Post National Era*, New IP Lawyers Network Inaugural Conference, University of Exeter (June 2015)

*Assessing the Consumer in Trade Mark Law*, Engleberg Centre on Innovation Law and Policy, New York University School of Law (February 2015)

*Trade Marks Should (Not) Be Kept in their Place*, Oxford-Melbourne IP Debate, University of Melbourne (December 2015) (with Austin)

*What Developments for the International Intellectual Property System?*, Conference Celebrating the 50th Anniversary of CEIPI, Strasbourg (November 2014)

*Territoriality and Trade Marks*, 5th Trade Mark Law Institute Symposium on Territoriality in Trade Mark Law, Erasmus University Rotterdam (October 2014)

*Territoriality of Trade Marks in a Post-National Era*, IP Osgoode Speaks, Osgoode Hall Law School, Toronto (September 2014)

*Private Lawmaking in IP: Threat or Possibility*, Oxford-Stockholm Law Symposium, Christ Church College (September 2014)

*Reform of EU Trade Mark Law*, EPIP Annual Conference, Brussels (September 2014)

*Intellectual Property and Pluralism*, Conference on Framing Intellectual Property Law in the 21st Century: Integrating Incentives, Trade, Development, Culture and Human Rights (National University of Singapore) (August 2014)

*Adjusting the Trade Framework*, Conference on Framing Intellectual Property Law in the 21st Century: Integrating Incentives, Trade, Development, Culture and Human Rights (National University of Singapore) (August 2014)

*General Report: Secondary Liability of Intermediaries*, Congress of the International Academy of Comparative Law, Vienna (July 2014)

*FIFA's Brand Strategy and Trade Mark Law*, Information Influx, Institute for Information Law, University of Amsterdam (July 2014)

*A Comparative Analysis of The Liability of Intermediaries for Facilitating Trade Mark Infringement*, Centre d'Études Internationales de la Propriété Intellectuelle Université de Strasbourg (May 2014)

*Territoriality and Trademarks: Lessons From (and For?) The European Union*, University of Michigan Intellectual Property Colloquium (April 2014)

*Territoriality and Trademarks: Lessons From (and For?) The European Union*, Boston University IP Workshop (March 2014)

*Territoriality and Trademark Law: A Transatlantic Comparison*, McCarthy Institute Symposium: Trademark Law and Its Challenges 2014 (British Library, London, March 2014)

*Territoriality and Trademarks: Lessons From (and For?) The European Union*, University of California at Davis Faculty Workshop (February 2014)

*Revisiting Territoriality in Trademark Law*, Conference on Law in the Global Marketplace: Intellectual Property and Related Issues, University of California, Hastings College of Law (January 2014)

*Territoriality in an Era of Unitary Trade Marks*, Free University of Amsterdam Centre for Law and Governance, Intellectual Property Law International Lecture Series (November 2013)

*Keynote: Secondary Liability for Online Trademark Infringement: The International Landscape*, Kernochan Centre Symposium on Who's Left Holding the [Brand Name] Bag? Secondary Liability for Trademark Infringement on the Internet, Columbia Law School (November 2013)

*The Consumer in European Trademark Law*, Workshop on the Consumer in Trademark Law, University of Sydney (August 2013)

*Visions of Trade Marks (and of Europe) in European Trade Mark Law*, University of Oxford EU Discussion Group (May 2013)

*Comment on Rights, Remedies, and the Doctrine of Election*, Stanford Law School (April 2013)

*The Unitary Nature of the Community Trade Mark*, Centre d'Études Internationales de la Propriété Intellectuelle, Université de Strasbourg (February 2013)

*Mapping Marks and Markets: Lessons from Challenges to the Unitary Nature of the CTM*, University of Cambridge (February 2013)

*TRIPS and Governance*, Workshop on Governing Ideas and Technologies: Tensions, Fragmentation and Resilience in the International Intellectual Property Regime, Global Economic Governance Programme, University of Oxford (October 2012)

*Trade Mark Law and Innovation Policy: The Role Of Online Intermediaries In Bringing The Two Together*, Brand New World: Distinguishing Oneself in the Global Flow, UC Davis School of Law (October 2012)

*Twenty Years of European Trade Mark Law*, Twentieth Annual Fordham Conference on International Intellectual Property Law and Policy, New York (April 2012)

*The Europeanisation of Trade Mark Law*, Conference on European Methods and Interactions in the Field of Intellectual Property Law, University of Oxford (January 2012)

*The Functions of a Community Trade Mark*, (Re)Thinking IP Lecture Series, Centre for International Intellectual Property Studies, Strasbourg (November 2011)

*Where Next for European Trade Mark Law?*, Competition Law Association (London, November 2011)

*International Trademark Protection: Territoriality in a Post-National Age*, Chicago IP Colloquium, Chicago-Kent College of Law, Chicago (April 2011)

*TRIPS Deliberations and Negotiations: A Review of Main Claims and Concerns* (with Dreyfuss), TRIPS@10 Conference, Mailman School of Public Health, Columbia University, New York (November 2010)

*How the History of TRIPS Shaped Contemporary Debate*, (with Dreyfuss), IPR Centre, Helsinki (November 2010)

*The Rationale for Dilution Protection and Function Theory*, Trademark Law Institute Conference on Marks with a Reputation, Amsterdam (October 2010)

*Challenges for The International Copyright System: Under-Appreciated Lawmaking Institutions?*, Seminar on IP and Cultural Property, London School of Economics, School of Law (May 2010)

*Limitations in U.S. Copyright Law*, Conference on Trademark Law and Freedom of Expression, University of Amsterdam (April 2010)

*The Google Books Settlement and International Copyright Law*, DePaul University Faculty Workshop, Chicago (April 2010)

*International Copyright, the Modern Library of Alexandria and Other Digital Dreams*, The LexisNexis—Cardozo Intellectual Property Rights Symposium, Cardozo Law School, New York (April 2010)

*Liability for Keyword Advertising*, Conference on Signifiers in Cyberspace: Domain Names & Online Trademarks, Case Western Reserve University School of Law (November 2009)

*Liability for Keyword Advertising: A Comparative Perspective*, University of Oxford Intellectual Property Speaker Series (November 2009)

*Different Notions of Territoriality in Trademark Law*, Debate on Reshaping Territoriality: The Reach of Trademarks in Global Digital Networks, Bucerius Law School, Hamburg, Germany (November 2009)

*A Comparative Analysis of Liability for Keyword Advertising*, IP Osgoode Speaker Series, Osgoode Hall Law School, Toronto, Canada (October 2009)

*Conflict of Laws and Ownership of Intellectual Property Rights*, Annual Meeting of the Association of Teachers and Researchers in Intellectual Property Law, Vilnius, Lithuania (September 2009)

*International Limits on Trademark Rights*, Enough is Enough!: Ceilings on Intellectual Property Rights, Workshop of the Engelberg Center on Innovation Law & Policy, New York University School of Law (May 2009)

*The Law Applicable To Secondary Liability In Intellectual Property Cases*, Journal of Private International Law Conference, New York University School of Law (April 2009) (with Dreyfuss and Kur)

*Trademarks as Keywords*, Albert and Vern Oldham Intellectual Property Law Lecture, University of Akron (April 2009)

*Forms of Protection for Superstar Marks*, Scholarly Symposium on Superstar Marks: Extra Protection for Famous and Well-Known Marks, University of Dayton School of Law (March 2009)

*Developing a Private International Intellectual Property Law: The Demise of Territoriality*, Conference on The Boundaries of Intellectual Property, William & Mary College of Law, Williamsburg (February 2009)

*The Protection of Well-Known Marks under U.S. And International Law*, INTA Academic Forum on Protecting Well-Known Marks: At the Crossroads of International and Domestic Legal Reform, San Diego (January 2009)

*Versions of a "One Right System"*, Conference on One Right System for IP – Vision Impossible?, Helsinki, Finland (October 2008)

*Copyright Contracts and Works Made for Hire in U.S. Law*, Copyright Society of Sweden, Stockholm, Sweden (August 2008)

*The Future of Exclusive Rights*, Centennial Symposium of the Swedish Association for the Protection of Industrial Property, Stockholm, Sweden (August 2008)

*One Size Fits All: Consolidation and Difference in Intellectual Property Law*, Congress of the Association of Teaching and Research in Intellectual Property Law, Munich (July 2008)

*Linguistic Analysis and Dissecting Works of Authorship*, Conference on Inspiration, Innovation, or Infringement: Multidisciplinary Perspectives on Piracy and Copyright, University of Cambridge, Cambridge (July 2008)

*Extraterritoriality of Intellectual Property Laws: An American View*, Conference on Intellectual Property and Private International Law, University of Bayreuth, Germany (April 2008)

*Protection of Product Design Under U.S. Intellectual Property Law*, Annual Meeting of the Board of the IPR University Center, Helsinki (March 2008)

*Trademark Law and New Uses of Trademarks*, University of London, Queen Mary College (March 2008)

*Recent Developments in U.S. Dilution Law*, Conference on Trade Mark Dilution: Putting an End to (All the) Confusion, University of Cambridge (March 2008)

*Key Concepts: Exceptions and Limitations*, Conference on Trade Mark Dilution: Putting an End to (All the) Confusion, University of Cambridge (March 2008)

*The Limits of Trademark Law: Proscriptive Principles and Permissive Principles*, Intellectual Property Lecture Series, Max-Planck-Institute for Intellectual Property, Tax and Competition Law, Munich, Germany (November 2007)

*Developing a Private International Intellectual Property Law: Transnational Dialogue as a Lawmaking Institution*, Intellectual Property Colloquium, Northwestern University School of Law (October 2007)

*The Role of Theoretical Justification: Dilution and Unfair Competition Law*, Symposium on Trademark Dilution: Theoretical and Empirical Inquiries, Santa Clara University School of Law (October 2007)

*Trademark Law and Social Norms*, Faculty Workshop, Chicago-Kent College of Law (October 2007)

*Recent Trends in U.S. Trade Dress Protection*, Symposium on International and Comparative Intellectual Property Law, University of Tokyo (July 2007)

*Trademark Law and Social Norms*, Intellectual Property Seminar Series, Oxford University, St. Peter's College (May 2007)

*Trademarks and the Freedom of Ideas*, Saint Louis University, Brussels (May 2007)

*The Future of International Copyright Lawmaking*, ALAI Belgium, Brussels (May 2007)

*Trademark Law and Social Norms*, AHRC Research Center for Studies in IP Law, University of Edinburgh, College of Law, Edinburgh (March 2007)

*Reverse Notice and Takedown Under EU Law*, Berkeley Center for Law & Technology Conference on Copyright, Digital Rights Management Technologies, and Consumer Protection, Boalt Hall School of Law, Berkeley (March 2007)

*Developing a Private International Intellectual Property Law: Transnational Dialogue as a Lawmaking Institution*, Colloquium on Innovation Policy, New York University School of Law/Columbia Law School (February 2007)

*Dilution as International Unfair Competition Law*, Conference on Anti-Dilution: The Theory and the Reality of Extended Trade Mark Protection in the US and EU, New York University School of Law (December 2006)

*Do Intellectual Property Rights Harm or Help Developing Countries?*, Federalist Society National Lawyers Convention, Washington D.C. (November 2006)

*Copyright Lawmaking Authority: An Internationalist Perspective on The Treaty Clause*, Faculty Workshop, Chicago-Kent College of Law (November 2006)

*The WIPO Copyright Treaties: A Transition to the Future of International Copyright Lawmaking?*, Conference on The 1996 WIPO Copyright Treaties: 10 Years Later, Case Western Reserve University School of Law, Cleveland (November 2006)

*Copyright Lawmaking Authority: An Internationalist Perspective on The Treaty Clause*, Symposium on Copyright and the Constitution, Columbia Law School (October 2006)

*Developing a Private International Intellectual Property Law: Transnational Dialogue as a Lawmaking Institution*, Seminar on Transformations of the State, Loyola Chicago University School of Law (October 2006)

*Diversifying Without Discriminating: Complying with the Mandates of the TRIPS Agreement*, Conference on Patents and Diversity in Innovation, University of Michigan School of Law (September 2006)

*Trademark Law and Social Norms*, Colloquium on Intellectual Property Law, University of Arizona School of Law (September 2006)

*Trademark Law and Linguistics: A Comment on Durant*, Interdisciplinary Conference on Trademarks, University of Cambridge (July 2006)

*Foreign and International Influences on National Copyright Policy: a Surprisingly Rich Picture*, Conference of the Arts and Humanities Council on the Future of Copyright, London, England (June 2006)

*Copyright and Free Expression*, Association Littéraire et Artistique Internationale, Study Days, Barcelona, Spain (June 2006)

*The Global Politics of Intellectual Property*, Association of American Law Schools Mid-Year Meeting on Intellectual Property, Vancouver, Canada (June 2006)

*The Limits of Harmonization*, Conference on the Role of the United States in International Intellectual Property Law, John Marshall School of Law, Chicago (May 2006)

*Sources of Copyright Law: Key Influences in Formulating International Copyright Policy and Adjudicating Copyright Internationally*, Toronto Luncheon Meeting, Association Littéraire et Artistique Internationale – Canada (April 2006)

*Developing a Private International Intellectual Property Law: Transnational Dialogue as a Lawmaking Institution*, Seminar on Innovation Law and Policy, University of Washington School of Law (April 2006)

*Looking for Balance in TRIPS After Ten Years*, Keynote Address, Conference on the Intellectual Property Regime Complex, Michigan State University School of Law (with Dreyfuss) (April 2006)

*Litigating Patent Cases in a More Interconnected World*, Annual Meeting of the Intellectual Property Rights Center, Helsinki, Finland (April 2006)

*Developing a Private International Intellectual Property Law: Transnational Dialogue as a Lawmaking Institution*, Spring 2006 International Law Roundtable on Private International Law and Intellectual Property Law, Vanderbilt University Law School, Nashville (March 2006)

*Trademark Use*, Faculty Workshop, Southern Methodist University, Dedman School of Law, Dallas (February 2006)

*Internationalizing Copyright Law*, Seminar on Copyright Law, DePaul University College of Law, Chicago (February 2006)

*An Institutional Analysis of Private International Intellectual Property Law*, University of Toronto Centre for Innovation and Policy, Toronto, Canada (February 2006)

*Trademark Law and Social Norms*, University of Toronto Centre for Innovation and Policy, Toronto, Canada (January 2006)

*Intelligent Design and Trademark Law: A Bit More than Evolution, but Please Tell Us Why*, Section on Intellectual Property Law Program on Trademarks and the Supreme Court, Association of American Law Schools, Annual Meeting, Washington, D.C. (January 2006)

*Trademark Law and Social Norms*, Intellectual Property Lecture Series, Max-Planck Institute for Intellectual Property, Tax and Competition Law, Munich, Germany (November 2005)

*Trademark and Territory: Two Dimensions to Territoriality*, Seminar Series on the Impact of Globalization on Trademark Law and Policy, Queen Mary Intellectual Property Research Institute, University of London, London, England (November 2005)

*Trademark Use: An Historical and International Overview*, Annual Meeting of the American Intellectual Property Law Association, Washington, D.C. (October 2005)

*Trademark Law and Social Norms*, Intellectual Property Speaker Series, Boston College Law School, Boston, Massachusetts (October 2005)

*The Competition Values Internal to Intellectual Property Law: The Protection of Product Design*, Conference on High-Technology Law, University of Gdansk, Gdansk, Poland (October 2005)

*Selecting and Protecting Marks for International Product Distribution*, Conference on High-Technology Law, University of Gdansk, Gdansk, Poland (October 2005)

*Relations Between the “New Interpreters” of Copyright Law*, Congress of the Association Littéraire et Artistique Internationale: Exploring the Sources of Copyright, Paris, France (September 2005)

*U.S. Product Design Trade Dress Law: a New Era of Limits on Protection?* World Intellectual Property Organization/International Trademark Association Worldwide Forum on Marks and Designs, Vancouver Canada (September 2005)

*Reconciling Intellectual Property and Competition: The Protection of Spare Parts in the United States and the European Union*, Conference on Free Trade, Competition, and the Enforcement of Intellectual Property in a Global Economy, University of Maastricht, The Netherlands (May 2005)

*TRIPS and the Larger International Intellectual Property System*, Conference on the First Ten Years of the TRIPS Agreement, Marquette Law School, Wisconsin (April 2005)

*Undue Formalism: The Trademark Law of The European Court of Justice*, Thirteenth Annual Fordham Conference on International Intellectual Property Law and Policy, New York (March 2005)

*Regionalism and Intellectual Property in the European Union*, International Intellectual Property Working Day, Victoria University of Wellington School of Law, Wellington, New Zealand (March 2005)

*Trademark Law and Social Norms*, Faculty Workshop, Northwestern University School of Law (February 2005)

*Trademark Law and Social Norms*, Faculty Workshop, University of Cincinnati College of Law (February 2005)

*Trademark Law and Social Norms*, Intellectual Property Scholarship Seminar, University of California at Berkeley, Boalt Hall School of Law (December 2004)

*Trademarks and Territory: Detaching Trademark Law From the Nation-State*, Seminar on High Technology Law, Stanford Law School (December 2004)

*Trademarks and Territory: Detaching Trademark Law From the Nation-State*, Faculty Workshop, University of Indiana at Bloomington School of Law, Bloomington (November 2004)

*International Distribution of Informational Products: The Legal Framework*, Seminar on International Marketing of Informational Products, University of Arizona College of Law, Tucson (November 2004)

*Tripping Up Patent Reform*, Intellectual Property Workshop, George Washington University School of Law, Washington, D.C. (October 2004) (with Dreyfuss)

*Achieving Balance in Intellectual Property Law: The Role and Effect of the World Trade Organization*, Advanced Patent Law Workshop, DePaul University School of Law, Chicago (October 2004) (with Dreyfuss)

*IP Conflict of Laws: A Common Law Perspective*, Conference on Intellectual Property Online: The Challenge of Multi-territorial Disputes, Brooklyn Law School, New York (October 2004)

*Convergence of Rights: The Concerns of the U.S. Supreme Court*, Congress of the Association of Teachers and Researchers in Intellectual Property, Utrecht, The Netherlands (July 2004)

*Patents and the Public Domain*, Workshop on Commodification of Information: The Future of the Public Domain, Institute for Information Law, University of Amsterdam (July 2004) (with Dreyfuss)

*Trademarks and Territory: Detaching Trademark Law From the Nation-State*, University of Houston Santa Fe Conference on Trademark in Transition, Santa Fe (June 2004)

*Kellogg v. Nabisco: Dual Uses of Trademarks*, Intellectual Property Stories Conference, Napa Valley (May 2004)

*Developing International Intellectual Property Law: Achieving the Right Mix of Substance and Process*, Intellectual Property Scholarship Workshop, University of San Francisco School of Law (April 2004)

*TRIPS and the Dynamics of Intellectual Property Lawmaking*, Faculty Workshop, Whittier Law School, California (April 2004)

*The Institutions of International Intellectual Property Law: New Actors, New Sources and New Structures*, Annual Meeting of the American Society of International Law, Washington (April 2004)

*TRIPS and the Dynamics of Intellectual Property Lawmaking*, Conference on the Future of International Intellectual Property: International Relations in Information Products, Case Western Reserve University School of Law, Cleveland (March 2004) (with Dreyfuss)

*Conflicts and International Copyright Litigation: the Role of International Norms*, Max Planck Institute for Foreign Private Law and Private International Law, Symposium on Intellectual Property in the Conflict of Laws, Hamburg, Germany (March 2004)

*Towards an International Framework for the Protection of Traditional Knowledge*, United Nations Conference on Trade and Development – Commonwealth Secretariat Workshop on Elements of National Sui Generis Systems for the Preservation, Protection and Promotion of Traditional Knowledge, Geneva (February 2004)

*Internationalization of Intellectual Property Processes*, Section on Property Law Meeting on Property in a Global Arena, Association of American Law Schools, Annual Meeting, Atlanta (January 2004)

*EU Models for Use in Reforming the DMCA*, Joint Program of Sections on Intellectual Property Law and Law and Computers, Association of American Law Schools, Annual Meeting, Atlanta (January 2004)

*Private Ordering and the Creation of International Copyright Norms: the Role of Public Structuring*, Twentieth Seminar on the New Institutional Economics, Conference on The Generation and Distribution of Knowledge, Wienhausen, Germany (June 2003)

*The Extended Reach of the ACPA: The Domination of Trademark Rights or the Domination of U.S. Law*, Eleventh Annual Fordham Conference on International Intellectual Property Law and Policy, New York (April 2003)

*Internationalizing Intellectual Property Law: Soft Law, Soft Power and Other Mechanisms*, Colloquium on Re-Envisioning Law, University of Houston School of Law (April 2003)

*Technological Power and the International Intellectual Property System*, University of Connecticut School of Law (April 2003)

*WTO Dispute Resolution and The Preservation of The Public Domain Under International Law*, Conference on International Public Goods, the Public Domain, and the Transfer of Technology after TRIPS, Duke University School of Law (April 2003) (with Dreyfuss)

*The Role of the Internet in the International Intellectual Property System*, Conference on Technology and Governance: How the Internet has Changed our Conceptions of Governance and Institutions, Loyola Law School, Chicago (March 2003)

*Challenges to the UDRP as an Instrument of Transnational Lawmaking*, Symposium on ICANN, ccTLDs, and the Legacy Root: Domain Name Lawmaking and Governance in the New Millennium, Cardozo Law School, New York (March 2003)

*Internationalizing Intellectual Property Law: Soft Law, Soft Power and Other Mechanisms*, Colloquium on Intellectual Property and Technology Law, Georgetown University Law Center, Washington, D.C. (March 2003)

*Approaches to Anti-Circumvention in the European Union: Implementation of the EU Copyright Directive*, Conference on The Law and Technology of Digital Rights Management, Berkeley Center for Law and Technology, Berkeley (February 2003)

*Globalization and the Design of Non-National Dispute Resolution Systems*, Max Planck Institute Conference on European Research Networks, Elmau, Germany (November 2002)

*Developing National and International Rules Regarding Anticircumvention Measures*, University of Illinois at Champagne-Urbana, Chicago International IP Conference, Chicago (October 2002)

*Commitments to Territoriality in International Copyright Scholarship*, Private International Copyright Law, Copyright Law and the Internet World: National, International and Regional Challenges, Annual Study Days of Association Littéraire et Artistique Internationale, Neuchatel, Switzerland (September 2002)

*National and Non-National Regulation: The Lessons of the UDRP*, Seminar on High Technology Property and Contract, Stanford Law School, California (April 2002)

*Ten Years of International Trademark Law: Lessons for the Future?*, Tenth Annual Fordham Conference on International Intellectual Property Law & Policy, New York (April 2002)

*Adjectival Arrangements: The Role of Process in International Intellectual Property Law*, Cardozo Law School Intellectual Property Speaker Series, New York (March 2002)

*Traditional Knowledge: The Role of International Intellectual Property Institutions*, Conference on Traditional Knowledge, Intellectual Property and Indigenous Culture, Cardozo School of Law, New York (February 2002)

*Designing Non-National Systems: The Case of the Uniform Domain Name Dispute Resolution Policy*, Colloquium on Innovation Policy, New York University School of Law (February 2002)

*Cross-Border Copyright Infringement and Private International Law*, Annual Meeting of Association Littéraire et Artistique Internationale-Canada, Montreal (November 2001)

*The Architecture of the International Intellectual Property System*, Symposium on Constructing International Intellectual Property Law: The Role of National Courts, Chicago-Kent College of Law, Chicago (October 2001)

*The UDRP and International Intellectual Property Lawmaking*, First Annual Intellectual Property Scholars Works-in-Progress Conference, DePaul University, Chicago (August 2001)

*Trademark and Copyright: Complements or Competitors?*, General Report, 2001 Congress of Association Littéraire et Artistique Internationale, Columbia University (June 2001)

*Hybrid Anational Lawmaking*, 2001 Stanford/Yale Junior Faculty Forum, Stanford Law School (with Helfer) (June 2001)

*Product Configurations, Functionality and the Traffix Devices Case*, Ninth Annual Fordham Conference on International Intellectual Property Law & Policy, New York (April 2001)

*International Trademark and Domain Name Issues*, Symposium on Intellectual Property Law: Drawing New Boundaries, University of Akron, Ohio (March 2001)

*Private International Aspects of the Protection of Trademarks*, WIPO Forum on Private International Law and Intellectual Property, Geneva, Switzerland (January 2001)

*International Intellectual Property Litigation: A Vehicle for Resurgent Comparativist Thought?* Association of American Law Schools, Annual Meeting, San Francisco (January 2001)

*International Copyright Law: Public and Private Aspects*, University of Iowa College of Law, Faculty Workshop Series (November 2000)

*Defining the Rational Limits of Cutting-Edge Trademark Protection: Categorical or Purposive Approaches?*, Eighth Annual Fordham Conference on International Intellectual Property Law & Policy, New York (April 2000)

*Trademarks and Domain Names*, Journal of International Economic Law Symposium on Exploring Legal Boundaries Within Cyberspace: What Law Controls in a Global Marketplace?, University of Pennsylvania Law School (March 2000)

*The Role of Private Law Dispute Resolution in Developing Principles of International Copyright Law*, Colloquium on Innovation Policy: Remapping Intellectual Property Law For a Changing Business Environment, New York University School of Law (March 2000)

*Incorporating International Norms in the Development of Contemporary Copyright Law*, Interdisciplinary Conference on the Impact of Technological Change on the Creation, Dissemination and Protection of Intellectual Property, Ohio State University (February 2000)

*Trade Dress Protection for Designs*, Symposium on Intellectual Property Law 2000, Salmon P. Chase College of Law, Northern Kentucky University (February 2000)

*The Politico-Economic Challenges for Design Protection in a Global Community*, Amsterdam-Maastricht Seminar on Globalization of Intellectual Property Law: Piracy, Enforcement and Socio-Economic Challenges, Maastricht, The Netherlands (July 1999)

*Developments in International Intellectual Property Lawmaking and Policy That Bear on Domestic Law and Policy*, Association of American Law Schools Workshop on Intellectual Property, San Francisco (March 1999)

*How Intellectual Property Law is Made in the European Union*, Association of American Law Schools Workshop on Intellectual Property, San Francisco (March 1999)

*Global Marketing and Trademark Law*, Second Annual Conference on Intellectual Property in the Global Marketplace, Northwestern School of Law of Lewis & Clark College, Portland, Oregon (October 1998)

*Addressing Functionalism: The Lessons of the EC Proposals for Design Legislation*, Fifth Annual Fordham Conference on International Intellectual Property Law & Policy, New York (April 1997)

*Key Developments in U.S. Intellectual Property Law*, Fifth Annual Fordham Conference on International Intellectual Property Law & Policy, New York (April 1997)

*The Future of Design Protection In The European Union*, National Conference on Industrial Design, Washington, D.C. (October 1996)

### ***Practitioner and Professional Presentations***

*Expressive Trademark Use in the U.S and the E.U.*, AIPPI-US All Members Quarterly Meeting (April 2024)

*Methodology in Teaching*, 37th Annual Meeting of the International Association of Researchers and Teachers in Intellectual Property Law (ATRIP), Helsinki Finland (August 2018)

*The Oxford IP Diploma*, Conference on Global Legal Education, University of Washington School of Law, Seattle (March 2018)

*The Future of IP Research and the Teaching of IP Research*, 35th Annual Meeting of the International Association of Researchers and Teachers in Intellectual Property Law (ATRIP), Krakow, Poland (June 2016)

*A Brave New World: EU Trade Mark Reform Package*, AIPPI/OIPRC Seminar, London (May 2016)

*Developments In Trade Marks And Passing Off Law In The UK/EU*, Singapore IP Academy, Singapore (January 2016)

*The Importance of Works-In-Progress Conferences For (IP) Scholarship*, Inaugural IP Scholars Asia Conference, Singapore (January 2016)

*Recent Developments in Trademark Law*, Cravath IP Institute, New York (November 2015)

*Reflections on 15 Years of the IPSC*, Intellectual Property Scholars Conference, Chicago (August 2015)

*Evaluation of The Max Planck Trade Mark Study*, Seminar on New Trends for Trademarks, IPR University Center, Helsinki, Finland (April 2010)

*The Advocate-General's Opinion in Google*, Seminar on Recent Trademark Case Law in Finland, EU and USA, IPR University Center, Helsinki, Finland (October 2009)

*The Nuts and Bolts of Teaching*, Association of American Law Schools, Workshop for New Law Teachers, Washington, D.C. (June 2009)

*News From the United States*, Seminar on Recent Trademark Case Law in Finland, EU and USA, IPR University Center, Helsinki, Finland (April 2009)

*Trademark Use and Keywords*, INTA Leadership Conference, Boca Raton, Florida (November 2008)

*Internet Advertising: Trademarks as Keywords*, Eighteenth All Ohio Annual Institute on Intellectual Property, Cleveland, Ohio (September 2008)

*The Nuts and Bolts of Teaching*, Association of American Law Schools, Workshop for New Law Teachers, Washington, D.C. (June 2008)

*Treatment of Keywords in the United States*, Annual Meeting of the International Trademark Association, Berlin, Germany (May 2008)

*How Well-Known Marks are Treated in the United States*, Seminar on Current Developments in Trademark Law, Helsinki (March 2008)

*Recent Developments in U.S. Trademark Law*, Seminar on From Mark to Brand, Helsinki (November 2007)

*Trademark Law and Social Norms*, University of Chicago IP Law Society (October 2007)

*The Nuts and Bolts of Teaching*, Association of American Law Schools, Workshop for New Law Teachers, Washington, D.C. (June 2007)

*Trademark Use and the Sale of Keywords*, Fifteenth Annual Fordham Conference on International Intellectual Property Law and Policy, New York (April 2007)

*Trademark Law 2017*, Queen Mary/Fordham Dialogue on Intellectual Property Law, London (February 2007)

*The Scope of Protection for Well-Known Marks Under U.S. and International Law*, Seminar on Well-Known Marks and Marks with a Reputation, IPR University Center, Helsinki, Finland (October 2006)

*Fair Use After KP Permanent*, Sixteenth All Ohio Annual Institute on Intellectual Property, Cleveland and Cincinnati, Ohio (September 2006)

*The Nuts and Bolts of Teaching*, Association of American Law Schools, Workshop for New Law Teachers, Washington, D.C. (June 2006)

*The Role of Courts in Intellectual Property Lawmaking*, Fourteenth Annual Fordham Conference on International Intellectual Property Law and Policy, New York (April 2006)

*Recent Developments in Trademark Law at the European Court of Justice*, Recent Developments Seminar, Intellectual Property Rights Center, Helsinki, Finland (April 2006)

*Trademark Use*, Annual Institute of the Houston Intellectual Property Law Association, Galveston, Texas (October 2005)

*Using U.S. Courts to Enforce IP Rights Abroad and in Cyberspace: Focus on Copyrights*, Midwest Intellectual Property Institute, Minneapolis (October 2004)

*Trademark Fair Use: Tolerating Confusion or Tolerating Freedom to Compete and Comment*, Fourteenth All Ohio Annual Institute on Intellectual Property, Cleveland and Cincinnati, Ohio (September 2004)

*Global Copyright Protection*, Chicago Bar Association, Young Lawyers Committee Seminar on Global Intellectual Property Protection, Chicago (February 2004)

*Recent Developments in Copyright Law*, Chicago Bar Association, Young Lawyers Committee Luncheon, Chicago (April 2003)

*Domain Names and Intellectual Property Lawmaking*, University of Georgia Law School, Athens, Georgia (April 2002)

*The Wind Done Gone: Parodies, Sequels, and Authorial Control in Copyright Law*, Chicago Bar Association, Chicago (November 2001)

*Choice of Law in International Intellectual Property Law: Where Are We Now?*, Ninth Annual Fordham Conference on International Intellectual Property Law & Policy, New York (April 2001)

*Recent Developments in Internet Law*, Tenth Annual All Ohio Institute on Intellectual Property Law, Cleveland and Cincinnati (September 2000)

*The Digital Millennium Copyright Act*, Ninth Annual All Ohio Institute on Intellectual Property Law, Cleveland and Cincinnati (September 1999)

*International Trademark Law*, Louisville Bar Association, Louisville, Kentucky (December 1998)

*Recent Developments in Copyright Law*, Iowa Intellectual Property Law Association, Des Moines, Iowa (October 1998)

*Cyberspace Law*, Greater Cincinnati Area Law Librarians Association, Cincinnati (October 1998)

*Trade Dress Protection And The Functionality Doctrine*, Sixth Annual Fordham Conference on International Intellectual Property Law & Policy, New York (April 1998)

*Copyright Issues In a Digital World*, Special Libraries Association Conference, Cincinnati (April 1998)

*The Predictive Inquiry*, United States Patent & Trademark Office Conference on Trade Dress: Common Constructs or Complete Confusion, Washington, D.C. (February 1998)

*Internet and Online Law*, Greater Cincinnati Area Law Librarians Association, Cincinnati (October 1997)

*Key Developments in U.S. Intellectual Property Law*, Fifth Annual Fordham Conference on International Intellectual Property Law & Policy, New York (April 1997)

### **PROFESSIONAL ASSOCIATIONS**

American Law Institute

(Member, elected 2003)

(Adviser, Project on Principles on Jurisdiction and Recognition of Judgments in Intellectual Property Matters, 2002-2007)

(Adviser, Project on Restatement of Copyright Law, 2015-present)

Association of American Law Schools

(Section on Intellectual Property Law, Chair, 2008-2009, Executive Committee, 2006-2009; Section on Conflict of Laws, Executive Committee, 2002-03)

American Society of International Law

(Co-Chair, Private International Law Interest Group, 2003-2005)

American Bar Association

(Chair, Committee on International Intellectual Property Rights, Section of International Law and Practice, 1995-1997; Liaison to Intellectual Property Law Section, Section of International Law and Practice, 1995-1996; Vice-Chair, Committee on International Intellectual Property Rights, Section of International Law and Practice, 1993-1995)

American Intellectual Property Law Association

(Vice-Chair, Committee on Industrial Designs, 1996-1997; Vice-Chair, Committee on International Trademark Law and Treaties, 2001-2003; Chair, Committee on International Trademark Law and Treaties, 2003-2005, Member, Amicus Committee, 2008-2010)

Association of the Bar of the City of New York

(Secretary, Committee on International Law, 1990-1992)

Chicago Intellectual Property Alliance (Executive Committee, 2003-2005)

International Association for the Advancement of Teaching and Research in Intellectual Property Law (President 2011-2013)

Member of the Board, Intellectual Property Institute (2011-2013)

European Copyright Society (2012-2018)

### **OTHER APPOINTMENTS, HONORS & ACTIVITIES**

Intellectual Property Hall of Fame (inducted 2020)

American Law Institute, elected as member (2003)

Door Tenant, 3 New Square Intellectual Property, London (2017-present)

American Law Institute, Adviser, Project on Principles on Jurisdiction and Recognition of Judgments in Intellectual Property Matters (2002-2007)

American Law Institute, Adviser, Project on Restatement of Copyright Law (2015-present)

World Intellectual Property Organization, Consultant on Matters of Private International Law (2000-01)

United Nations Conference on Trade and Development, Consultant on the Protection of Traditional Knowledge (2003-04)

Independent Academic Expert on the ICANN Task Force Established to Review the Uniform Domain Name Dispute Resolution Policy (2001-2002)

Member, Advisory Committee to Ohio Supreme Court on the Evaluation of Credentials of Foreign Law Graduates (1996-2000)

Served on Ad Hoc Committee to Advise the U.S. House of Representatives' Judiciary Committee, Sub-Committee on Courts and Intellectual Property, on Proposed Trade Dress Legislation (1997-1998)  
International Advisory Council, Osgoode Hall Intellectual Property Law & Technology Program (2007-present)  
Academic Advisory Council, Bucerius Law School Center for Transnational Intellectual Property, Media and Technology Law and Policy, Hamburg (2010-present)  
Advisory Board, International Business Law Masters' Program, Faculty of Law, Free University of Amsterdam (2013-2021)  
Administrative Council, Centre for International Intellectual Property Studies, Strasbourg (2011-2013)  
Series Editor, Cambridge Intellectual Property and Information Law (Cambridge Univ. Press) (with Bently) (2016-present)  
General Editor, Elgar Monographs in Intellectual Property Law (with Dreyfuss and Kur) (2016-present)  
Member, Advisory Board, SCRIPT-Ed (University of Edinburgh) (2003-2018)  
Editorial Board, Media & Arts Law Review (2010-present)  
Editorial Board, Journal of the Copyright Society of the USA (2011-2021)  
Editorial Board, European Intellectual Property Review (2011-present)  
International Advisory Board, Queen Mary Journal of Intellectual Property (2010-present)  
Member, Max Planck Institute Group on Conflicts of Laws in Intellectual Property (2006-2012)  
Thomas Edison Scholar, United States Patent & Trademark Office (2013-2014)

### **BAR ADMISSIONS**

New York  
U.S. Supreme Court  
U.S. Court of Appeals (Federal Circuit, Fifth Circuit)  
U.S. District Court (S.D.N.Y., E.D.N.Y.)  
U.S. Court of International Trade