

Professor Mary LaFrance
IGT Professor of Intellectual Property Law
William S. Boyd School of Law, University of Nevada, Las Vegas
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Employment

1999-present	IGT Professor of Intellectual Property Law (2011-present) William S. Boyd Professor of Law (2003-2011) Associate Dean for Academic Affairs (2001-2004) Professor of Law (1999-2003) William S. Boyd School of Law, University of Nevada, Las Vegas
Summer 2017	Visiting Professor, Hokkaido University School of Law, Sapporo
Winters 2014-2018	Visiting Professor, East China University of Political Science and Law, Shanghai
Summers 2007-2012	Visiting Professor, Tokai University School of Law, Tokyo
Summers 2003, 2007-2012	Visiting Professor, Intellectual Property Summer Institute, University of New Hampshire School of Law (formerly Franklin Pierce Law Center)
Summers 1996-2010	Visiting Professor, University of San Diego School of Law, Institute on International & Comparative Law (Paris 1996; London 1998, 2005, 2008, 2010; Florence 1999 & 2001)
Summers 2009, 2018	Visiting Professor, Southwestern Law School, London Program in International Entertainment and Media Law
Fall 2009	Visiting Professor, University of Washington School of Law
Fall 2006	Visiting Professor, William S. Richardson School of Law, University of Hawaii
2001-2004	Associate Dean for Academic Affairs William S. Boyd School of Law, University of Nevada, Las Vegas
1990-99	Associate Professor of Law (tenured), 1995-99 Assistant Professor of Law, 1990-95 Florida State University College of Law

Associate Professor, 1995-99
Assistant Professor, 1994-95
Florida State University School of Motion Pictures, Television and
Recording Arts (courtesy appointment)

1987-90 Associate
Fried, Frank, Harris, Shriver & Jacobson, Washington, D.C.

1986-87 Law Clerk
The Honorable Harry T. Edwards
United States Court of Appeals for the District of Columbia Circuit

Education

1986 J.D. with High Honors, Duke University School of Law;
Order of the Coif; Executive Editor, *Duke Law Journal*;
Full Merit Scholarship; Fuller-Purdue Research Fellowship

1986 M.A. (Philosophy), Duke University School of Graduate Studies;
Full Merit Scholarship

1981 A.B. (English Literature) *summa cum laude*, Bryn Mawr College;
Departmental Honors; Gertrude Slaughter Fellowship

Books

Music Law in a Nutshell (West, work-in-progress, forthcoming 2020)

Understanding Intellectual Property Law (with Donald Chisum, Tyler Ochoa, and Shubha Ghosh)
(Carolina Academic Press, 4th ed. forthcoming December 2019)

Current edition: Matthew Bender/LexisNexis 3d ed. 2015

Understanding Trademark Law (Carolina Academic Press, 4th ed. forthcoming 2019)

-- 3 prior editions

Intellectual Property Cases and Materials (West 5th ed. 2018) (with Gary Myers, Lee Ann
Lockridge, and David Lange) (with Teacher's Manual 2018)

-- 4 prior editions

Copyright Law in a Nutshell (West, 3d ed. 2017)

-- 2 prior editions

Entertainment Law on a Global Stage (with Lon Sobel and Geoffrey Scott) (West 2015)

Global Issues in Copyright Law (West 2009)

Book Chapters and Monographs

Streaming of Music and Audiovisual Works, in World Trade Organization (ed.), Trade in Knowledge (Cambridge University Press, forthcoming 2019)

Using Trademark Law to Override Copyright's First Sale Rule for Imported Copies, in Irene Calboli and Edward Lee, eds., Research Handbook on Intellectual Property Exhaustion and Parallel Imports (Edward Elgar 2016)

Avoiding Mutant Trademarks: A Statutory Exclusion for Copyrighted Accessories to Parallel Imports, in Irene Calboli and Edward Lee, eds., Trademark Protection and Territoriality Challenges in a Global Economy (Edward Elgar 2014)

Passing Off and Unfair Competition Regimes Compared (book chapter), in Toshiko Takenaka, ed., Common Law and Civil Law Systems in Intellectual Property (Edward Elgar) (Japanese edition, 2012; U.S. edition, 2013)

Who is an Author? (book chapter) in Peter Yu, ed., Intellectual Property and Information Wealth (Praeger 2007)

A Comparative Study of United States and Japanese Laws on Collaborative Inventions, and the Impact of those Laws on Technology Transfers (Institute of Intellectual Property, Tokyo, 2005) (monograph, published in English and Japanese)

Law Review Articles

An Ocean Apart: Transatlantic Approaches to Unlicensed Streaming and the "Value Gap," 47 American Intellectual Property Law Association Quarterly Journal __ (forthcoming 2019)

Choice of Law and the Right of Publicity: Rethinking the Domicile Rule, 37 Cardozo Arts & Ent. L.J. 1 (2019)

Music Modernization and the Labyrinth of Streaming, 2 Business, Entrepreneurship and Tax L. Rev. 310 (2018)

Are We Serious About Performers' Rights?, 5 IP Theory 81 (2015)

A Material World: Using Trademark Law to Override Copyright's First Sale Rule for Imported

Copies, 21 Michigan Telecommunications & Technology Law Review 43 (2014), *reprinted in* Intellectual Property Law Review 2015 (Thomson/West) (collecting “the best intellectual property law review articles published last year”)

Wag the Dog: Using Incidental Intellectual Property Rights to Block Parallel Imports, 20 Michigan Telecommunications & Technology Law Review 45 (2013)

Using Incidental Copyrights to Block Parallel Imports: A Comparative Perspective, 25 Intellectual Property Journal 149 (2013)

The Disappearing Fourth Wall: Law, Ethics, and Experiential Theatre, 15 Vanderbilt Journal of Entertainment & Technology Law 507 (2013)

The Case for a Legislative Amendment Against “Accessory Copyright” for Gray Market Products: What Can the United States Learn from Singapore and Australia? (with Irene Calboli), 2013 Singapore Journal of Legal Studies 253 (December 2013).

Graduated Response by Industry Compact: Piercing the Black Box, 30 Cardozo Arts & Entertainment Law Journal 165 (2012)

Passing Off and Unfair Competition: Conflict and Convergence in Competition Law, 2011 Michigan State Law Review 1413, *republished in* The Trademark Reporter, vol. 102, no. 5 (Sept.-Oct. 2012). This article received the 2012 Ladas Memorial Award from the International Trademark Association.

[Japanese translation] *Passing Off and Unfair Competition: Conflict and Convergence in Competition Law*, 37 Intellectual Property Law and Policy Journal 1 (2012) (published by Hokkaido University School of Law)

Initial Impressions: Trademark Protection for Abbreviations of Generic or Descriptive Terms, 45 Akron Law Review 201 (2012)

From Whether to How: The Challenge of Implementing a Full Public Performance Right in Sound Recordings, 2 Harvard Journal of Sports and Entertainment Law 221 (2011) (lead article) (This article was awarded a 2011 Sponsored Scholarship Grant from the University of Houston Law Center.)

Identical Cousins? On the Road with Dilution and the Right of Publicity, 24 Santa Clara Computer & High Technology Law Journal 641 (2008) (with Gail H. Cline)

No Reason to Live: Dilution Laws as Unconstitutional Restrictions on Commercial Speech, 58 South Carolina Law Review 709 (2007)

Steam Shovels and Lipstick: Trademarks, Greed, and the Public Domain, 6 Nevada Law Journal 447 (2006)

When You Wish Upon Dastar: Creative Provenance and the Lanham Act, 23 *Cardozo Arts & Entertainment Law Review* 197 (2005), *reprinted in* *Intellectual Property Law Review* 2006 (Thomson/West) (collecting “the best intellectual property law review articles published last year”)

Innovations Palpitations: The Confusing Status of Geographically Misdescriptive Trademarks, 12 *Journal of Intellectual Property Law* 125 (2004)

Something Borrowed, Something New: The Changing Role of Novelty in Idea Protection Law, 34 *Seton Hall Law Review* 485 (2004), *reprinted in* *Intellectual Property Law Review* 2005 (Thomson/West) (collecting “the best intellectual property law review articles published last year”)

Nevada’s Employee Inventions Statute: Novel, Nonobvious, and Patently Wrong, 3 *Nevada Law Journal* 88 (2002)

Authorship and Termination Rights in Sound Recordings, 75 *Southern California Law Review* 375 (2002)

Congress TRIPs over International Law: WTO Finds Unfairness in Music Licensing Act, 11 *DePaul-LCA Journal of Art & Entertainment Law* 397 (2002)

Politics, Gay Rights, and the Light at the End of the Rainbow (Review Essay: Wilcox, Wald & Rimmerman, eds., *The Politics of Gay Rights*), 1 *Nevada Law Journal* 441 (2001)

Authorship, Dominance, and the Captive Collaborator: Preserving the Rights of Joint Authors, 50 *Emory Law Journal* 193 (2001)

Trouble in Transamerica: Deferred Compensation, Contingent Debt, and Overstated Basis, 15 *Virginia Tax Review* 685 (1996), *reprinted in condensed form in* *The Monthly Digest of Tax Articles*, vol. 47, no. 11, at 37 (August 1997)

Days of Our Lives: The Impact of Section 197 on the Depreciation of Copyrights, Patents and Related Property, 24 *Hofstra Law Review* 317 (1995)

The Separate Tax Status of Loan-Out Corporations, 48 *Vanderbilt Law Review* 879 (1995), *reprinted in condensed form in* *The Monthly Digest of Tax Articles*, vol. 46, no. 6, at 1 (March 1996)

Constitutional Implications of Acquisition-Value Real Property Taxation: Assessing the Burdens on Travel and Commerce, 1994 *Utah Law Review* 1027 (1994)

Constitutional Implications of Acquisition-Value Real Property Taxation: The Elusive Rational Basis, 1994 *Utah Law Review* 817 (1994)

Book Review: Producing, Financing and Distributing Film, 15 Hastings Communications and Entertainment Law Journal (Comm/Ent) 199 (1992)

Installment Method Asset Sales by S Corporations, 39 American University Law Review 915 (1990) (with Alan S. Kaden), *reprinted in condensed form in Tax Notes* (May 13, 1991) and *The Monthly Digest of Tax Articles*, vol. 42, no. 5, at 15 (February 1992)

Note, *Developments Under the Freedom of Information Act -- 1984*, 1985 Duke Law Journal 742 (with Lisa A. Krupicka)

Other Law-Related Publications

Clearing Rights for Entertainment Projects, Nevada Lawyer (2015)

LexisNexis Emerging Issues Analyses (56 commentaries published 2008-2014, available at LEXIS online):

Infringing Internet Transmissions of Television Broadcasts, 2014 Emerging Issues 7221.

The Supreme Court's Treatment of Computer-Implemented Method Claims as Abstract Ideas, 2014 Emerging Issues 7214.

Federal False Advertising Claims Arising From FDA-Compliant Labels, 2014 Emerging Issues 7211.

Inducement Liability for Divided Patent Infringement, 2014 Emerging Issues 7198.

The Supreme Court's Standard for Indefiniteness in Patent Claims, 2014 Emerging Issues 7196.

The Supreme Court's Rejection of Laches as a Defense to Copyright Infringement, 2014 Emerging Issues 7190.

The Supreme Court's Upcoming Decision on Indefiniteness in Patent Claims: Nautilus, Inc. v. Biosig Instruments, Inc., 2014 Emerging Issues 7187.

The Supreme Court's Upcoming Decision on Divided Patent Infringement: Limelight Networks, Inc. v. Akamai Techs., Inc., 2014 Emerging Issues 7186.

The Supreme Court's Upcoming Decision on FDCA Preemption of Federal False Advertising Claims: POM Wonderful LLC v. Coca-Cola Co., 2014 Emerging Issues 7181.

Unauthorized Retransmissions of Television Broadcasts: A Preview of the Supreme Court's Upcoming Decision in ABC, Inc. v. Aereo, Inc., 2014 Emerging Issues 7175.

Standing to Bring False Advertising Claims under Section 43(a) of the Lanham Act, 2014 Emerging Issues 7172.

A Screen Actor's Claim to Copyright in her Performance, 2014 Emerging Issues 7161.

Laches as a Defense to Copyright Infringement: The Supreme Court's Upcoming Decision in Petrella v. Metro-Goldwyn-Mayer, Inc., 2014 Emerging Issues 7153.

Placing the Burden of Proof Where it Belongs in a Patent Licensee's Action for Declaratory Judgment of Non-Infringement, 2014 Emerging Issues 7147.

Standing to Bring False Advertising Claims under Section 43(a) of the Lanham Act: A Preview of the Supreme Court's Upcoming Decision in Lexmark Int'l Inc. v. Static Control Components, Inc., 2014 Emerging Issues 7141.

The Patent Eligibility of Computer-Implemented Inventions: CLS Bank International v. Alice Corp., 2014 Emerging Issues 7138.

The Burden of Proof in a Declaratory Judgment Action by a Patent Licensee in Good Standing: Medtronic, Inc. v. Boston Scientific Corp., 2013 Emerging Issues 7091.

International Exhaustion of Copyright: The Supreme Court's Decision in Kirtsaeng v. John Wiley & Sons, 2013 Emerging Issues 6994.

Trademark Use and Functionality, 2012 Emerging Issues 6866.

Whether the First Sale Rule is Limited to Domestically-Made Copies: The Supreme Court's Upcoming Decision in Kirtsaeng v. John Wiley & Sons, Inc., 2012 Emerging Issues 6675.

First Amendment Protection for Expressive Works Depicting Trademarks, 2012 Emerging Issues 6548.

The Unauthorized Use of Trademarks in Keyword Advertising, 2012 Emerging Issues 6487.

The Ninth Circuit's Interpretation of the DMCA Safe Harbor for User-Generated Content, 2012 Emerging Issues 6470.

Prosecuting Patent Applications in District Court after Kappos v. Hyatt, 2012 Emerging Issues 6308.

The Supreme Court's Decision to Uphold the Constitutionality of Copyright Restoration, 2012 Emerging Issues 6197.

District Court Review of PTO Decisions: A Preview of Kappos v. Hyatt, 2011 Emerging Issues 6044.

The Ninth Circuit's Revised Opinion on Character Merchandising, 2011 Emerging Issues 5898.

The Constitutionality of Copyright Restoration, 2011 Emerging Issues 5890.

Character Copyrights and the Public Domain, 2011 Emerging Issues 5815.

Copyright and Trademark Protection for Cartoon Characters, 2011 Emerging Issues 5754.

Copyright Preemption of Contract Claims Involving Copyrightable Works, 2011 Emerging Issues 5739.

Patent Rights in Federally-Funded Inventions by University Employees, 2011 Emerging Issues 5710.

The Supreme Court's Definition of Active Inducement in Patent Infringement, 2011 Emerging Issues 5695.

The First Sale Rule and Ownership versus Licensing of Music CDs, 2011 Emerging Issues 5508.

Copyright and Circumvention Claims Arising From Use of Third Party Software to "Cheat" in Online Games, 2010 Emerging Issues 5461.

Personal Names as Inherently Distinctive Marks, 2010 Emerging Issues 5421.

Music Downloads as Reproductions Rather than Public Performances, 2010 Emerging Issues 5365.

Distinguishing Between Sales and Licenses of Software in Vernor v. Autodesk, 2010 Emerging Issues 5350.

Whether the Federal Government is an Owner or an Infringer of the Copyright in a War Memorial, 2010 Emerging Issues 5337.

The Construction of Design Patents and the Application of the Ordinary Observer Test, 2010 Emerging Issues 5293.

The Demise of the Point-of-Novelty Test for Anticipation of Design Patents: The Federal Circuit Drops the Other Shoe, 2010 Emerging Issues 5287.

The Registration of Sound Marks on the Principal Register, 2010 Emerging Issues 4818.

Employee Ownership of Federally-Funded Inventions under Stanford University v. Roche Molecular Systems, 2010 Emerging Issues 4809.

Right of Publicity and False Endorsement Claims Relating to Artistic Works, 2009 Emerging Issues 4771.

The Seventh Circuit's Approach to Joint Authorship in Copyright Law, 2009 Emerging Issues 4520.

The Removal of Product Codes from Packaging as a Form of Trademark Infringement, 2009 Emerging Issues 4502.

The Unlicensed Merchandising of University Trademarks, 2009 Emerging Issues 3609.

Abandonment of the Point-of-Novelty Test for Design Patent Infringement, 2009 Emerging Issues 3516.

The Availability of Injunctive Relief for Intellectual Property Infringement after eBay, Inc. v. MercExchange, 2008 Emerging Issues 1596.

Software as a "Component" of a Patented Invention under Section 271(f), 2008 Emerging Issues 1299.

Identifying the Ordinary Observer for Purposes of Determining Design Patent Infringement, 2008 Emerging Issues 1616.

The TTAB's Precedential Ruling on the 1993 "Grandfather Clause" for Registration of Primarily Geographically Deceptively Misdescriptive Marks, 2008 Emerging Issues 1298.

Enforcement of Contractual Royalty Obligations After Patent Expiration, 2008 Emerging Issues 1758.

The Supreme Court's Broad Interpretation of Patent Exhaustion in Quanta Computer, Inc. v. LG Electronics, Inc., 2008 Emerging Issues 2401.

The Copyright Owner's Privilege to Reproduce Collective Works, 2008

Emerging Issues 2838.

Trademark Protection for Abbreviations of Generic Terms, 2008 Emerging Issues 2826.

Intellectual Property at the Boyd School of Law, Nevada Lawyer (November 2011)

U.S. Performance Rights in Sound Recordings, The Music Business Journal, Berklee College of Music (November 2011)

Book Review, *Patent Medicine: "Innovation & Its Discontents" Diagnoses a Broken System*, Mobile Press-Register (January 7, 2007) (reviewing Jaffe & Lerner, *Innovation and Its Discontents*)

The Study of Intellectual Property at the William S. Boyd School of Law, 65 Chizaiken Forum 71 (Spring 2006) (published in Japanese and English by the Institute of Intellectual Property, Tokyo)

Recent Developments in Copyright Law: Technology and International Trade Play Starring Roles, The Federal Lawyer, vol. 49, no. 4, at 42 (May 2002)

New Laws, New Technology: Copyright Law Struggles with Change, Nevada Lawyer, vol. 9, no. 1, at 15 (Jan. 2001)

Awards

2012 Ladas Memorial Award (International Trademark Association)

2011 Sponsored Scholarship Grant, Houston Law Center Institute for Intellectual Property & Information Law

Other Professional Activities

Speaker, *Streaming of Music and Audio-Visual Works*, Seminar on IP and Knowledge Flows in a Digital Era (World Trade Organization, Geneva, Nov. 5-6, 2018)

Speaker, *An Ocean Apart: Transatlantic Approaches to Unlicensed Streaming and the "Value Gap,"* BYU Copyright and Trademark Symposium (Brigham Young University, Oct. 18-19, 2018)

Speaker, *The Music Modernization Act and Issues Related to Streaming*, Annual Intellectual Property Law Conference, Intellectual Property Section of the State Bar of Nevada (William S. Boyd School of Law, UNLV, Oct. 5, 2018)

Panel Chair, *Intellectual Property Rights and Claims Before a Trade Show*, Intellectual Property Rights Enforcement at Trade Shows: International Perspectives and Best Practices (Boyd School of Law, Oct. 4, 2018)

Speaker, *Bad Bargains by Authors and Performers: What's Fair, and Who Cares?*, 37th Annual Association for Teaching and Research in Intellectual Property (ATRIP) Conference (Hanken School of Economics, Helsinki, Finland, Aug. 6-8, 2018)

Speaker, *The Music Streaming Labyrinth*, 2018 Conference on Innovation and Communications Law (CICL) (Bocconi University, Milan, May 3-4, 2018)

Speaker, *The Music Streaming Labyrinth*, 7th International Intellectual Property Roundtable (Duke University School of Law, Apr. 26-27, 2018)

Speaker, *DMCA Safe Harbors and Pre-1972 Sound Recordings*, Digital Millennium Copyright Act at 20 Symposium (Texas A&M University School of Law, Mar. 23-24, 2018)

Panelist, *Copyright and Its Discontents: What Should (or Might) the Future of Copyright in Theatre Be?*, Yale Conference on Copyright and Collaboration in the Theater (Yale Law School, Mar. 9-10, 2018)

Speaker, *The Music Streaming Labyrinth*, BETR Symposium -- Scene Change: Innovation in Media and Entertainment Law (University of Missouri School of Law, Columbia, MO, Mar. 1, 2018)

Panelist, *New York Right of Publicity Law*, Cardozo Arts and Entertainment Law Journal Spring Symposium (Cardozo School of Law, Feb. 22, 2018)

Speaker, *Choice of Law and the Right of Publicity* (University of New Hampshire School of Law, Feb 21, 2018)

Speaker, "The Right of Publicity and Choice of Law," *Intellectual Property Scholars Roundtable*, Texas A&M University School of Law (Oct. 14, 2017)

Speaker, "Trademarks: Year in Review," *Intellectual Property Section of the State Bar of Nevada*, Williams S. Boyd School of Law (Oct. 13, 2017)

Distinguished Speaker, "The Right of Publicity and Cross-Border Infringements," McKinney School of Law, University of Indiana – Indianapolis (Oct. 4, 2017)

Speaker, "The Right of Publicity and Choice of Law," *Intellectual Property Scholars Conference*, Cardozo School of Law (Aug. 10-11, 2017)

Speaker, "Joint Authorship in Dramatic Works from the Nineteenth Century to the Present,"

Law & Society, Mexico City (June 21, 2017)

Speaker, “The Right of Publicity and Choice of Law,” *Conference on Innovation and Communications Law (CICL)*, Szeged, Hungary (May 3-4, 2017)

Speaker, “The Right of Publicity and Choice of Law,” *Asia-Pacific Intellectual Property Conference*, Kanazawa University Graduate School of Law, Kanazawa, Japan (March 18-19, 2017)

Speaker, “International Choice of Law and the Right of Publicity,” *6th International Intellectual Property Roundtable*, NYU School of Law (April 7-8, 2017)

Speaker, “Right of Publicity Laws in the U.S.,” *Fifth Annual US-China IP Conference: Intellectual Property and Economic Transformation*, Shenzhen, China (Nov. 14-15, 2016)

Speaker, “Copyright Law Update,” *32nd Annual Institute on Intellectual Property Law*, Houston Intellectual Property Law Association/University of Houston Law Center – Intellectual Property and Information Law, Galveston, TX (Oct. 6-8, 2016)

Speaker, “U.S. Protection for Marks Used Exclusively Outside the U.S.,” *Intellectual Property in All the New Places*, Texas A&M University School of Law (April 15-16, 2016)

Speaker, “U.S. Protection for Marks Used Exclusively Outside the U.S.,” *5th International Intellectual Property Roundtable*, William S. Boyd School of Law, UNLV (April 8-9, 2016)

Speaker, “U.S. Protection for Marks Used Exclusively Outside the U.S.,” *4th Asia-Pacific IP Forum*, University of Washington School of Law (Feb. 18, 2016)

Visiting Lecturer, East China University of Political Science & Law, Shanghai (November 21-28, 2015) (teaching intensive course on U.S. Trademark Law).

Speaker, “Trademarks Year in Review,” *Intellectual Property Law Conference 2015*, Nevada Bar Association Intellectual Property Section (Oct. 23, 2015).

Speaker, “Rights and Revenues in the U.S. Recorded Music Industry,” *4th U.S.-China IP Conference*, University of California, Berkeley, School of Law (Oct. 8-9, 2015).

Interviewed by Jennifer Kane, “Does Burning Man Have a Case Against Quiznos?,” *Reno Gazette-Journal* (Sept. 17, 2015), available at <http://www.rgj.com/story/life/arts/burning-man/2015/09/16/does-burning-man-have-case-against-quiznos/72344354/>.

Speaker, “False Advertising Claims against Product Names and Labels,” *Intellectual Property Scholars Conference*, DePaul University College of Law (August 6-7, 2015).

Speaker, “The First Sale Rule in U.S. Trademark Law,” 3rd Asia Pacific IP Forum, National

Taiwan University, Taipei (June 8-9, 2015).

Speaker, "Panorama Rights," *International Intellectual Property Scholars Roundtable*, Duke University School of Law (April 30 - May 1, 2015).

Interviewed by Brian Sodoma, "Inside the Battle over Illegal Streaming Sites: How the Film Industry Fights Back," *Forbes* (May 7, 2015), available at <http://www.forbes.com/sites/cit/2015/05/07/inside-the-battle-over-illegal-streaming-sites-how-the-film-industry-fights-back>

Visiting Lecturer, East China University of Political Science & Law, Shanghai, November 22-28, 2014 (teaching intensive course on the common law of unfair competition).

Speaker, "Trademarks Year in Review," *Intellectual Property Law Conference 2014*, Nevada Bar Association Intellectual Property Section, November 14, 2014.

Speaker, "The Future of Performers' Rights," *Third Annual US-China Intellectual Property Summit*, Loyola of Los Angeles School of Law, November 7, 2014.

Speaker, "Panorama Rights in the United States," *Art Meets Law: The Intersection of Art and Intellectual Property: Sixth Annual John Marshall Review of Intellectual Property Law Symposium*, John Marshall School of Law, Chicago, October 24, 2014.

Speaker, "False Advertising Claims Against Product Names and Labels," *Third Annual Trademark Works-in-Progress Colloquium*, Washington College of Law, American University, Washington, D.C., Oct. 10-11, 2014.

Speaker, "Trade Dress in the United States," *Second Asia-Pacific Intellectual Property Forum*, Seoul National University Law School, Seoul, Korea, Oct. 3-4, 2014.

Speaker, "The Authorship Rights of Performers," *Intellectual Property Scholars Conference*, UC Berkeley School of Law, August 7-8, 2014.

Interviewed by Nathan Baca, "Trademark Bullying," KLAS-TV Channel 8 News Now, July 18, 2014.

Speaker, "Wikileaks," *Nevada Bar Association Annual Meeting*, Newport Beach, California, July 11, 2014.

Speaker, "Performers as Authors?," *Leveraging Creativity: Artists, Entrepreneurship, and Intellectual Property Law*, Maurer School of Law, University of Indiana-Bloomington, Indianapolis, May 16, 2014.

Speaker, "Can Trademark Law Circumvent Copyright's First Sale Rule for Imported Copies?," *International Trademark Association Annual Meeting*, Hong Kong, May 12, 2014.

Speaker, "The Impact of *Kirtsaeng* on the United States' Negotiating Position on Parallel Imports of Copyrighted Works," *First Asia-Pacific Intellectual Property Forum*, Renmin University of China, Suzhou, China, Nov. 16-17, 2013.

Speaker, "Year in Review: Copyright and Trademark," *Intellectual Property Law Conference 2013*, Nevada Bar Association Intellectual Property Section, William S. Boyd School of Law, University of Nevada, Las Vegas, Nov. 1, 2013.

Speaker, "Curbing Abusive Intellectual Property Litigation Through Mandatory Public Arbitration," *Intellectual Property Scholars Conference*, Benjamin N. Cardozo School of Law, Aug. 8-9, 2013.

Interviewed by Richard N. Velotta, "Protecting Bright Ideas: How to Safeguard Your Company's Intellectual Property," *Las Vegas Inc./Las Vegas Sun* (July 8, 2013), available at <http://www.vegasinc.com/news/2013/jul/08/protecting-bright-ideas-how-safeguard-your-company/>.

Panelist/Mentor, *IP Boot Camp*, Franklin Pierce Center for Intellectual Property Law, University of New Hampshire School of Law, June 6-8, 2013.

Speaker, "Performers' Intellectual Property Rights: Will Anything Change after the Beijing Treaty?," *International Intellectual Property Scholars Roundtable*, University of San Diego School of Law, Apr. 19-20, 2013.

Speaker, "Graduated Response by Industry Compact: Piercing the Black Box," *Conference on Copyright Enforcement in the Digital Age: The Copyright Alert System*, University of California, Hastings College of the Law, Mar. 29, 2013.

Speaker, "Performers' Intellectual Property Rights: Will Anything Change after the Beijing Treaty?," *PCA/ACA National Conference*, Mar. 27, 2013.

Speaker, "Curbing Abusive Intellectual Property Litigation Through Mandatory Public Arbitration," *Intellectual Property Works in Progress Colloquium*, Seton Hall University School of Law, Feb. 22-23, 2013.

Speaker, "Trademark Law: Year in Review," *Intellectual Property Law Conference 2012*, Nevada Bar Association Intellectual Property Section, William S. Boyd School of Law, University of Nevada, Las Vegas, Nov. 2, 2012.

Speaker, "Trademarks 101," *To Trademark or Not to Trademark: That is the Question*, ABA Webinar sponsored jointly by ABA Business Law Section, the Institute for the Young Business Lawyer, the Young Lawyers Division, the Section of Intellectual Property Law, and the Center for Professional Development, Nov. 2, 2012.

Speaker, “Distinctly Personal: Trademark Protection for Personal Names,” *International Trademarks Association Annual Meeting*, Washington, D.C., May 7, 2012.

Speaker, *To Trademark or Not to Trademark, That is the Question*, CLE Program at ABA Business Law Section Spring Meeting, March 22-24, 2012, Caesar’s Palace, Las Vegas.

Interviewed by Chris McAndrew, “Nike Sues as Reebok Jumps the Gun on Tebow-Mania,” *The Legal Blitz*, May 24, 2012, available at <http://thelegalblitz.com/blog/2012/05/24/nike-sues-as-reebok-jumps-the-gun-on-tebow-mania/>.

Speaker, “Wag the Dog: Copyright’s Incursion into Gray Market Doctrine,” *International Intellectual Property Scholars Roundtable*, Marquette University Law School, Apr. 27-28, 2012.

Speaker, “Graduated Response by Industry Compact: Piercing the Black Box,” *Piracy and the Politics of Policing: Legislating and Enforcing Copyright Law*, Benjamin N. Cardozo School of Law, Mar. 28, 2012.

Interviewee, KUNV Radio, *Nobody Knows Hollywood* (discussing state regulation of talent agencies), Mar. 6, 2012.

Speaker, “Passing Off and Unfair Competition: Conflict and Convergence in Competition Law,” Washington University School of Law, Mar. 5, 2012.

Speaker, “Distinctly Personal: Trademark Protection for Personal Names,” *Works in Progress Intellectual Property Colloquium*, University of Houston Law Center, Feb. 10-11, 2012.

Interviewee, KNPR Radio, *State of Nevada* (discussing Cavern Club trademark infringement suit against Hard Rock Café), Nov. 29, 2011.

Speaker, “Trademark Update,” at *Intellectual Property Conference 2011*, Nevada Bar Association Intellectual Property Section, Las Vegas, Oct. 21, 2011.

Speaker, “Trademark Update,” at *Intellectual Property Seminar: Assets, Licensing and Pooling*, William S. Boyd School of Law, University of Nevada, Las Vegas, Sept. 23, 2011.

Speaker, “Passing Off and Unfair Competition: Conflict and Convergence in Competition Law,” at *Conference on Law and Multi-Agential Governance: The Impact of Law on Market Competition and/or Innovation*, Hokkaido University School of Law, Sapporo, Aug.18-20, 2011.

Interviewee, Fox News, *Proposed Bill That Jails Copyright Infringers is Too Tough, Say Critics* (discussing S. 978, proposed legislation that would criminalize unauthorized Internet music streaming), June 9, 2011.

Speaker, “From Whether to How: The Challenge of Implementing a Full Public Performance

Right in Sound Recordings,” at *Rethink Music: Creativity, Commerce and Policy in the 21st Century*, Boston, April 26-27, 2011 (co-sponsored by the Berklee College of Music and the Berkman Center for Internet & Society, Harvard University) (This paper was selected as the best public policy paper submitted for the conference.).

Senior Scholar Reviewer/Discussant, *Junior Scholars in Intellectual Property Conference*, Michigan State University School of Law, April 15-16, 2011.

Speaker, “The Disappearing Fourth Wall: Ethics, Law and Experiential Theatre,” at *Association for the Study of Law, Culture and the Humanities*, William S. Boyd School of Law, University of Nevada, Las Vegas, Mar. 11-12, 2011.

Speaker, “From Whether to How: The Challenge of Implementing a Full Public Performance Right in Sound Recordings,” at *Works in Progress Intellectual Property Colloquium*, Boston University School of Law, Feb. 11-12, 2011.

Speaker, “Lost in Translation: Comparing the Trademark Status of Abbreviations and Foreign Words,” at *Works in Progress Intellectual Property Colloquium*, Tulane University School of Law, Oct. 3-4, 2008.

Speaker, “SHIVRRs: The Art of CALI Lessons,” at CALI Fellows Meeting, AALS, New York (January 3, 2008).

Speaker, “Identical Cousins? Dilution by Blurring and the Right of Publicity,” at *Trademark Dilution: Theoretical and Empirical Inquiries*, High Tech Law Institute, Santa Clara University School of Law, October 5, 2007.

Team Leader, CALI Patent Law Authoring Team, Computer Assisted Legal Instruction (CALI), February 2007 – January 2008.

Speaker, “Dilution Laws and the First Amendment,” at *Commercial Speech in an Age of Emerging Technology and Corporate Scandal*, South Carolina Law Review Symposium, February 16, 2007.

Speaker, “Authorship and Inventorship Determinations,” *Virtual Women: Emerging Issues in Gender and Intellectual Property Law*, Thomas Jefferson School of Law, Seventh Annual Women and the Law Conference, February 9, 2007.

Speaker, “Who is an Author?” *Ethics, Creativity and Copyright Conference*, Calgary/Banff, August 3-5, 2006.

Inaugural Boyd Lecture, William S. Boyd School of Law, “Steam Shovels and Lipstick: Trademarks, Greed, and the Public Domain,” February 24, 2006.

Speaker, “Working and Playing Well,” *Works in Progress Intellectual Property Colloquium* ,

Washington University School of Law and St. Louis University School of Law, October 7-8, 2005.

Speaker, "Copyright in Real Estate Appraisals," *A La Mode Annual Convention*, Las Vegas, February 2005.

Visiting Researcher, Institute of Intellectual Property, Tokyo (conducting research on joint inventions and joint patent ownership in the U.S. and Japan), Fall 2004.

Public Lecture, "A Comparative Study of United States and Japanese Laws on Collaborative Inventions, and the Impact of those Laws on Technology Transfers," Institute of Intellectual Property, Tokyo, December 2004.

Panelist, "Why Every Faculty Member Should Author a CALI Lesson," *Law School Technology: "There and Back Again,"* 14th Annual Conference for Law School Computing, Seattle, June 17, 2004.

Panelist, *IP/Gender: The Unmapped Connections*, Washington College of Law, American University (workshop paper: "Working and Playing Well: Do Girls Co-Author?"), April 1-2, 2004.

CALI Copyright Fellow, Computer Assisted Legal Instruction (CALI), 2004-05 (authored 5 interactive copyright lessons, published on CD-ROM by CALI in 2005).

CALI Trademark Fellow, Computer Assisted Legal Instruction (CALI), 2003-04 (authored 5 interactive trademark lessons, published on CD-ROM by CALI in 2004).

Keynote Address, "Trademarks and the Internet," *National Judicial College Conference*, Franklin Pierce Law Center, June 22, 2003.

Opening Remarks, *Conference on Valuation of Assets in Bankruptcy*, Las Vegas, February 6, 2003.

Speaker, "Perspectives on the Digital Music Library in your Future" (Plenary Session), *Music Library Association 71st Annual Meeting*, Las Vegas, February 21, 2002.

Speaker, *Recent Developments in Federal Intellectual Property Law*, Federal Bar Association CLE Program, Las Vegas, June 2001.

Speaker, *Current Developments in Law and Cyberspace*, CLE Program presented at Nevada State Bar 2000 Annual Meeting, San Francisco, June 22, 2000.

Professional Associations

Member, Association of American Law Schools (AALS), Section on Intellectual Property Law

Member, American Bar Association (ABA), Section on Intellectual Property

Member, American Intellectual Property Law Association (AIPLA)

Member, International Trademark Association (INTA)

Member, International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP)

Courses Taught: Intellectual Property Law (Copyright, Trademarks, Trade Secrets, Patents, Right of Publicity), International Intellectual Property Law, Intellectual Property Licensing, Entertainment Law, International Entertainment Law, Comparative Copyright Law, Taxation of Intellectual Property, Advanced Intellectual Property Seminar.