

# JAY P. KESAN

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kesan@law.uiuc.edu

## ACADEMIC WORK EXPERIENCE:

### University of Illinois at Urbana-Champaign

Associate Professor, College of Law and the Institute of Government & Public Affairs (IGPA)	2002-Present
Assistant Professor, College of Law	1998-Present
Assistant Professor, Institute of Government & Public Affairs (IGPA)	1999-Present
Department Affiliate, Department of Electrical & Computer Engineering	1999-Present

Subjects Taught: Patent Law; Law & Regulation of Cyberspace; Theoretical Foundations of Intellectual Property; Law & Economics; Legal Issues in Technology Entrepreneurship

Areas of Interest: Intellectual Property; Patent Law; Internet Law & E-Commerce; Agricultural Biotechnology; Law & Economics; Quantitative & Analytical Methods in the Law; Science, Technology and the Law.

### University of Illinois, USA – Oxford University, UK – University of Victoria, BC

Summer Study Abroad Program in International & Comparative Intellectual Property	Summer 2002-03
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Subjects Taught: Int'l & Comparative Patent Law; IP Issues in Emerging Technologies

### DePaul University College of Law

<b>Jerold Hosier Distinguished Visiting Chair in Intellectual Property</b>	Spring 2004
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### Georgetown University Law Center

Visiting Assistant Professor	Fall 2001
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Subjects Taught: Patent Law; Theoretical Foundations of Intellectual Property

### University of Illinois at Urbana-Champaign

Resident Associate, Center for Advanced Study (CAS)	2000-2001
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Co-organizer of year-long seminar series on “The University-s Changing Role: Defining Values for Research & Technology”

### University of Tokyo, Japan

JSPS Invited Fellow and Visiting Associate Professor	Dec. 2000-Jan. 2001
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### University of Washington, Seattle

Fellow, CASRIP Intellectual Property Summer Institute	July 2000
Invited Faculty	July 2001-03

## LEGAL & SCIENTIFIC WORK EXPERIENCE:

### Legal and/or Technical Expert & Consultant

Served as Technical Expert and/or Patent Law Expert in numerous patent litigations; Technical expert in microelectronics, optoelectronics, VLSI, and software; Appointed by U.S. federal judges as Special Master in patent litigations; Served on the Board of Directors/Advisors of numerous technology start-ups.	1998-Present
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<p><b>Pennie &amp; Edmonds LLP</b>, Washington, DC  Associate Attorney (1996-97); Patent Agent &amp; Law Clerk (1993-96)  Patent and Trademark Litigation: Oral hearings; preparation of memoranda/motions and discovery requests; depositions; preparation of infringement and validity opinions.  Patent Prosecution: Preparation and prosecution of several hundred U.S. and PCT patent applications in a variety of technologies, including computer software and hardware.</p>	<p>1993-1997</p>
<p><b>Law Clerk to the Hon. Patrick E. Higginbotham</b>, Dallas, TX  U.S. Circuit Judge, U.S. Court of Appeals for the Fifth Circuit</p>	<p>1997-1998</p>
<p><b>IBM T.J. Watson Research Center</b>, Yorktown Heights, NY  Research Staff Scientist</p>	<p>1989-1993</p>
<p><b>Massachusetts Institute of Technology</b>, Cambridge, MA (concurrent with IBM)  Visiting Scientist, National Magnet Laboratory</p>	<p>1990-1993</p>
<p><b>Columbia University</b>, New York, NY (concurrent with IBM)  Thesis Supervisor of Doctoral Students</p>	<p>1989-1993</p>

**EDUCATION:**

**Georgetown University Law Center**, Washington, DC  
**J.D.**, December 1996, *summa cum laude* (2 conferred out of 623 graduates)  
GPA: 11.59/12.0  
Honors: Charles A. Keigwin Award for Academic Excellence  
Order of the Coif; Dean's List All Years  
Best Paper Awards in Criminal Justice, Constitutional Law and Commercial Law  
Law Review: *The Georgetown Law Journal*, Associate Editor

**Hebrew University, Faculty of Law**, Jerusalem, Israel  
Tulane/Cardozo Uri & Caroline Bauer Program, August 1996  
Studied religious, international and comparative law  
GPA: 3.89/4.0

**University of Texas at Austin**, Austin, TX  
**Ph.D.** in Electrical & Computer Engineering, 1989  
**M.S.** in Electrical & Computer Engineering, 1986  
GPA: 3.86/4.0  
Honors: Commendation from the Dean of the Graduate School for Outstanding Doctoral Dissertation

**University of Mysore**, India  
**B.S.** in Electrical Engineering, Highest Honors, 1984

**BAR AND COURT ADMISSIONS:**

U.S. Patent & Trademark Office (1993 - Reg. No. 37,488); Virginia (1997); District of Columbia (1998); Fourth Circuit; Fifth Circuit; Federal Circuit; U.S. Dist. Court, Eastern Dist. of VA; Sup. Ct. of VA

**LAW REVIEW PUBLICATIONS:** (all publications can be found on the Social Science Research Network at <http://www.ssrn.com>)

1. *Prisoners' Substantive Rights* (revised and updated), 24th Annual Review of Criminal Procedure, 83 GEO. L.J. 1461 (1995) (with S.L. Teicher).
2. *An Autopsy of Scientific Evidence in a Post-Daubert World*, 84 GEO. L.J. 1985 (1996).  
Cited extensively in the law reviews and by several State Supreme Courts including Alabama, Alaska, Connecticut, Nebraska and Oregon when deciding the admissibility of scientific evidence.
3. *A Critical Examination of the Post-Daubert Scientific Evidence Landscape*, 52 FOOD & DRUG L.J. 225 (1997) (Winner of the 1995-96 H. Thomas Austern National Legal Writing Competition).
4. *Encouraging Firms to Police Themselves: Strategic Prescriptions to Promote Corporate Self-Auditing*, 2000 U. ILL. L. REV. 155 (2000) (solicited symposium article).  
Listed in the Top 10 Most Read Articles in the Environmental Law & Policy database in the Social Science Research Network between Mar. and May 2001.
5. *Patents As Incomplete Contracts: Aligning Incentives for R&D Investment with Incentives to Disclose Prior Art*, with M. Banik, 2 WASH. U. J. OF L. & POL'Y 23 (2000) (solicited Patent Law symposium article).  
Listed in the Top 10 Most Read Articles in the Intellectual Property database in the Social Science Research Network between Mar. and May 2001.
6. *Fool Us Once Shame On You - Fool Us Twice Same On Us: What We Can Learn from the Privatizations of the Internet Backbone Network and the Domain Name System*, with R. Shah, 79 WASH. UNIV. L.Q. 89 (2001) .  
Listed in the Top 10 Most Read Articles in the Legal Scholarship Network in the Social Science Research Network; The Most Read Article in the Law & Economics database and the Cyberspace Law database between Mar. and May 2001.
7. *Foreword to the Symposium: Intellectual Property Challenges in the Next Century*, with T. Ulen, 2001 U. ILL. L. REV. 57 (2001).
8. *Cyber-Working or Cyber-Shirking? A First Principles Examination of Electronic Privacy in the Workplace*, 54 FLA. L. REV. 289 (2002).
9. *Carrots and Sticks to Create a Better Patent System*, 17 BERKELEY TECH. L.J. 763 (2002) (Invited contribution to Symposium on Patent System Reform).
10. *U.S. Plant Variety Protection: Sound and Fury...*, with M. Janis, 39 HOUS. L. REV. 727 (2002) (Invited contribution to Symposium on The Future of Patent Law).
11. *Optimizing Internet Regulation*, with A. Gallo, submitted to the law reviews (2003).
12. *Shaping Code*, with R. Shah, submitted to the law reviews (2003).
13. *What Do Patents Purchase?: In Search of Optimal Ignorance in the Patent Office*, with Shubha Ghosh, submitted to the law reviews (2003).
14. *Private Internet Governance*, to be published in the LOYOLA UNIV. CHICAGO L.J. (2003) (Invited contribution to Symposium on Technology and Governance: How the Internet has Changed Our Conception of Governance and Institutions).
15. *Weed-Free I.P.: The Supreme Court, Intellectual Property Interfaces and the Problem of Plants*, with M. Janis, draft available, work-in-progress.

16. *From Informational Privacy to Biomedical Research: Touting Verifiable Self-Enforcement (VSE) as a New Form of Governance*, draft available, presented at Faculty Workshops in Georgetown, Duke, Illinois, and DePaul.

17. *Getting It Right At the Outset: Granting Patents Commensurate with Innovation*, manuscript under preparation.

**PEER-REVIEWED LEGAL PUBLICATIONS:** (all publications can be found on the Social Science Research Network at <http://www.ssrn.com>)

1. *The Relationship Between Intellectual Property Protection and Biotechnology B A Multi-Disciplinary Perspective*, 44 AMERICAN BEHAVIORAL SCIENTIST 464 (Nov. 2000) (Invited paper).

2. *Intellectual Property Protection for Plant Innovation: Unresolved Issues After J.E.M. v. Pioneer*, with M. Janis, 20 NATURE BIOTECHNOLOGY 1161 (2002).

3. *Designing an Optimal Intellectual Property System for Plants: A U.S. Supreme Court Debate*, with M. Janis, 19 NATURE BIOTECHNOLOGY 981 (2001).

4. *Incorporating Societal Concerns into Communication Technologies*, with R. Shah, IEEE TECHNOLOGY & SOCIETY, to be published (2003).

5. *Do We Need the Corporate Self-Evaluative Privilege?*, with B. Mishra, under review at J. OF LAW, ECON. & ORG. (2003).

6. *Producing Code: A Political Economy of Communication Technologies*, with R. Shah, submitted to CRITICAL STUDIES IN MEDIA COMMUNICATION, (2003).

7. *Nurturing Software: How Societal Institutions Shape the Development of Software*, with R. Shah, submitted to the COMMUNICATIONS OF THE ACM, (2003).

#### **CASEBOOKS & TREATISES:**

1. Boss, Fitzgerald, Kesan, and Spanogle, **CASES AND MATERIALS ON ELECTRONIC COMMERCE**,<sup>®</sup> West Publishing Co., forthcoming, Dec. 2003.

2. **THE COMMERCIAL LAW OF INTELLECTUAL PROPERTY**, Aspen Publishing Co., 2003 Cum. Supp. (with P. Alces, D. Frisch and H. See)

#### **BOOK CHAPTERS:**

1. *Internet Service Provider Liability in the Digital Millennium Copyright Act*, in **TRANSNATIONAL CYBERSPACE LAW** (Makoto Ibusuki, ed., Japanese edition -- Nippon Hyoron-sha 2000; English edition -- Hart Publishing 2001).

2. *Personal Jurisdiction in Cyberspace*, in Online Casebook on Cyberspace Law at <http://www.cyberspacelaw.org>.

3. *History of Civil Rights in Ohio*, in **CIVIL RIGHTS IN THE UNITED STATES** (Waldo E. Martin, Jr. & Patricia Sullivan eds., Macmillan 2000) (encyclopedia article).

4. *A First Principles Examination of Electronic Privacy in the Workplace*, in **ON-LINE RIGHTS FOR EMPLOYEES IN THE INFORMATION SOCIETY** (Roger Blanpain ed., Kluwer Int'l 2002).

**SCIENTIFIC PUBLICATIONS:** (complete list of publications available upon request)

- Book Chapter: *Elemental Semiconductor Heterostructures-Growth, Properties and Applications*, in MOLECULAR BEAM EPITAXY: APPLICATIONS TO KEY MATERIALS, (R.F.C. Farrow ed., Noyce Publications, NJ 1995)
- Published over 40 papers in several peer-reviewed scientific journals
- Scientific contributions featured in *The Wall Street Journal*, *Electronic Engineering Times*, *Lasers and Optronics*, and other technical publications
- Presented over 15 invited talks and 40 contributed talks at international conferences and universities world-wide

**GOVERNMENT TESTIMONY:**

AToward a Better Informed Patent Office,A Presented testimony and participated twice in panels at the FTC & DOJ Hearings on the Implications of Competition and Patent Law and Policy, <http://www.ftc.gov/opp/intellect/index.htm>, April 10, 2002, & October 25, 2002, Washington, D.C.

**CONFERENCES & SYMPOSIA PRESENTATIONS:**

AMaking the Regulated Regulate: Prescriptions to Cultivate Environmental Self-Auditing,@Symposium on Innovations in Environmental Policy, April 16, 1999, University of Illinois at Urbana-Champaign, Champaign, Illinois (symposium article published in the U. ILL. L. REV.).

AThe Relationship Between Patents and R&D Investment: Biotechnology Patents as Incomplete Contracts,@NE-165 Conference Proceedings on Transitions in AgBiotech: Economics of Strategy and Policy, June 24-25, 1999, Washington DC.

APatents As Incomplete Contracts: Aligning Incentives for R&D Investment with Incentives to Disclose Prior Art,@2000 Heart of America Patent Law and Policy Conference, Re-engineering Patent Law: The Challenge of New Technologies, Mar. 31 - Apr. 1, 2000, Washington University School of Law, St. Louis, MO (symposium article published by the WASH. UNIV. J. OF L. & POL=Y).

APatently Appropriate or Patently Absurd: The Patenting of Software Implementations of Business Methods on the Internet,@2000 Patent and Intellectual Property Summer Institute, University of Washington, July 24-28, 2000, Seattle, Washington.

Commentator, GWU-Oracle Conference on E-Commerce & E-Quivalence: Defining the Proper Scope of Internet Patents, George Washington University Law School, Oct. 27, 2000, Washington, DC.

AA First Principles Examination of Electronic Privacy in the Workplace,@Conference on Online Rights for Online Workers in the Information Society B Use of E-mail and Internet at Work, Nov. 13, 2000, Brussels, Belgium.

ABusiness Method Patents: Current Status and Future Recommendations,@2000 Tokyo Internet Law Forum, Dec. 18, 2000, Tokyo, Japan.

AA Bird's Eye View of Intellectual Property Protection for IT and E-Commerce Developments in India,@Symposium on Information Technology in South Asia, the Middle East and Latin America: Progress, Problems, and Prospects, University of Illinois, April 28, 2000, Urbana, Illinois.

AGetting it Right at the Outset: Granting Patents Commensurate with Innovation,@First Annual IP Scholars

Conference, DePaul University College of Law, Aug. 9-10, 2001, Chicago, Illinois.

"The Role of Institutions in the Design of Communication Technologies," with R. Shah, Internet Research 2.0, Second Int'l Conf. of the Assoc. of Internet Researchers (AoIR), Oct. 10-14, 2001, Minnesota, Minneapolis.

"The Role of Institutions in the Design of Communication Technologies," with R. Shah, 29th Research Conference on Communication, Information and Internet Policy (TPRC), Oct. 27-29, 2001, Alexandria, Virginia.

"Culture Clash or Marriage Made in Heaven: Information Technology and Legal Education in the U.S.," Kagoshima Conference on Information Technology and Legal Education, Nov. 3, 2001, Kagoshima, Japan (invited keynote address).

Speaker and Panelist, Conference on Biotechnology R&D Policy, Food & Agriculture Committee, National Policy Association (NPA), Nov. 28, 2001, Washington, DC.

"Carrots and Sticks to Create a Better Patent System," Conference on Patent System Reform, Feb. 28-Mar. 2, 2002, UC-Berkeley, California (symposium article published in the BERKELEY TECH. L.J.).

Commentator, GWU-Oracle-ANSI Conference on Patents and Standards-Setting, George Washington University Law School, Apr. 19, 2002, Washington, DC.

"U.S. Plant Variety Protection: Sound and Fury..." with M. Janis, Symposium on the Future of Patent Law, University of Houston, May 31, 2002, Santa Fe, New Mexico (symposium article published in the Hous. L. REV.).

"Incorporating Societal Concerns into Communication Technologies," with R. Shah, Int'l Symposium on Technology and Society, June 6-8, 2002, Raleigh, North Carolina.

Speaker and Panelist, Panel on the Implications of *Festo v. Shoketsu*, Fourth Federal Circuit Bench and Bar Conference, June 29, 2002, San Diego, California.

"Intellectual Property and Plant Innovation," National Academy of Sciences, Board on Science, Technology and Economic Policy, Sept. 27, 2002, Washington, DC.

"Governance Characteristics of "Code": The Role of Transparency, Defaults and Standards," with R. Shah, 30th Research Conference on Communication, Information and Internet Policy (TPRC), Sept. 27-29, 2002, Alexandria, Virginia.

"Neither Bottom-Up Nor Top-Down: A Tacit Public-Private Cooperative Solution for Internet Regulation," with A. Gallo, 30th Research Conference on Communication, Information and Internet Policy (TPRC), Sept. 27-29, 2002, Alexandria, Virginia.

"Privatization of the Internet's Backbone Network," with R. Shah, Internet Research 3.0, Third Int'l Conf. of the Assoc. of Internet Researchers (AoIR), Oct. 14-16, 2002, Maastricht, Netherlands.

"Shaping the Development of Information Technologies to Address Societal Concerns," with R. Shah, Internet Research 3.0, Third Int'l Conf. of the Assoc. of Internet Researchers (AoIR), Oct. 14-16, 2002, Maastricht, Netherlands.

"Intellectual Property and Plant Innovation," 2002 ATRIP (International Association for the Advancement of Teaching and Research in Intellectual Property Teaching) Congress, October 6-8, 2002, New Delhi, India.

"The Role of the Open Source Movement in the Development of Communication Technologies," with R. Shah, presented at the National Communication Association Conference, Nov. 21, 2002, New Orleans.

"Internet Markets: Promises and Pitfalls," EU's GoDigital Conference: Chance for Business, Challenge for Law, Nov. 22-24, Salerno, Italy.

Speaker and Panelist, Conference on E-Rulemaking: New Directions for Technology and Regulation, Harvard University Kennedy School of Government, Jan. 21-22, 2003, Cambridge, Massachusetts.

Speaker and Panelist, "Never Take Away a Man's Rice Bowl: The Ethics of Acquiring Patent or Trade Secret Ownership of Staple Food Genomes," ABA Mid-Year Meeting, Feb. 7, 2003, Seattle, Washington.

"IP Protection for Plant Innovation: What *J.E.M. v. Pioneer* Did Not Resolve," NC-1003 Conference on Intellectual Property and Agricultural Research: Implications for Public and Private Sectors, Feb. 28-Mar. 1, 2003, New Brunswick, New Jersey.

## **ACADEMIC SEMINARS & LECTURES:**

ACreating Incentives for Self-Policing,@Program of Environmental and Resource Economics (PERE) Seminar Series, UIUC, Jan. 28, 1999.

ACreating Incentives for Self-Policing,@UIUC, College of Law, Faculty Seminar Series, Feb. 5, 1999.

Participated in IEEE Panel on Engineering Ethics, Intellectual Property and the New Information Technologies, Case Western Reserve University, Mar. 24, 1999, published in IEEE Spectrum Magazine, pp. 29-37, Aug. 1999.

ACreating Incentives for Self-Policing,@Duke University School of Law, Faculty Seminar, Mar. 26, 1999.

AIternet Service Provider (ISP) Liability in the Digital Millennium Copyright Act (DMCA),@UIUC Graduate School of Library and Information Sciences (GSLIS) Faculty Seminar Series, Sept. 20, 1999.

AIntellectual Property Issues in Developing Countries,@UIUC Program on South Asian and Middle Eastern Studies (PSAMES) Seminar, Sept. 28, 1999.

AHate Speech on the Internet: Must We Turn the Other Cheek?@UIUC Department of African American Studies Faculty Seminar Series, Oct. 4, 1999.

AIAn Economic Analysis of Patents as Incomplete Contracts,@UIUC College of Law Faculty Seminar Series, Oct. 12, 1999.

ARegulation of the Internet and Electronic Commerce,@UIUC Graduate School of Business, MBA Faculty Seminar, Oct. 20, 1999.

ARealigning Patent Law with R&D Investment B Patents as Incomplete Contracts,@University of Illinois Institute of Government and Public Affairs (IGPA) Faculty Seminar Series, Mar. 2, 2000.

AFrom Internet Regulation to Law Firm Ethics: Verifiable Self-Enforcement (VSE) as a New Regulatory Paradigm,@College of William & Mary School of Law, Faculty Enrichment Series, Mar. 15, 2000.

AFrom Internet Regulation to Law Firm Ethics: Verifiable Self-Enforcement (VSE) as a New Regulatory Paradigm,@University of Illinois at Chicago, Institute of Government and Public Affairs (IGPA) Faculty Seminar Series, Mar. 23, 2000.

APatents As Incomplete Contracts: Aligning Incentives for R&D Investment with Incentives to Disclose Prior Art,@Berkeley Center for Law & Technology Speaker Series, University of California, Berkeley, Apr. 20, 2000.

APatents As Incomplete Contracts,@Strategy Group, College of Business, University of Illinois, Faculty

Seminar Series, April 28, 2000.

AVerifiable Self-Enforcement (VSE) as a New Form of Governance,@Conference of Asian & Pacific American Law Faculty, University of Hawaii, Works-In-Progress Series, June 2-4, 2000.

AFool Us Once Shame On You - Fool Us Twice Same On Us: What We Can Learn from the Privatizations of the Internet Backbone Network and the Domain Name System,@UIUC College of Law Faculty Seminar Series, Oct. 24, 2000.

AIntellectual Property Issues in Distance Education,@Luncheon Speaker, Faculty Retreat, Center for Educational Technologies (CET), University of Illinois, Nov. 3, 2000.

AFrom Internet Regulation to Law Firm Ethics: Verifiable Self-Enforcement (VSE) as a New Form of Governance,@DePaul University College of Law, Faculty Seminar Series, Nov. 29, 2000.

APatently Appropriate or Patently Absurd: The Patenting of Software Implementations of Business Methods on the Internet,@Presentation to Research Center for Advanced Science & Technology (RCAST) Intellectual Property Group and Industry, University of Tokyo, Dec. 14, 2000, Tokyo, Japan.

AA First Principles Examination of Electronic Privacy in the Workplace,@Japan Institute of Labour (JIL), Dec. 19, 2000, Tokyo, Japan.

ABusiness Method Patents: Current Status and Future Recommendations,@Institute of Intellectual Property (IIP), Dec. 20, 2000, Tokyo, Japan.

AFool Us Once Shame On You - Fool Us Twice Same On Us: What We Can Learn from the Privatizations of the Internet Backbone Network and the Domain Name System,@IGPA Faculty Retreat, University of Illinois, May 15, 2001, Utica, Illinois.

ABusiness Method Patents and Technology Commercialization,@Speaker and Panelist, High Technology Protection Summit, University of Washington Summer Institute on Intellectual Property, July 20, 2001, Seattle, Washington.

AFrom Informational Privacy to Biomedical Research: Verifiable Self-Enforcement as a New Form of Governance,@Georgetown University Law Center Faculty Workshop Series, Sept. 25, 2001, Washington, DC.

AGetting it Right at the Outset: Granting Patent Rights Commensurate with Innovation,@University of San Diego College of Law Faculty Seminar, Sept. 28, 2001, San Diego, California.

AGetting it Right at the Outset: Granting Patent Rights Commensurate with Innovation,@Presentation to Research Center for Advanced Science & Technology (RCAST) Intellectual Property Group and Industry, University of Tokyo, Nov. 5, 2001, Tokyo, Japan.

ACulture Clash or Marriage Made in Heaven: Information Technology and Legal Education in the U.S.,@Presentation to Research Center for Advanced Science & Technology (RCAST) Intellectual Property Group and Industry, University of Tokyo, Nov. 5, 2001, Tokyo, Japan.

ALaw and Economics of New Technology,@Panel Presentation, AALS Section on Law and Economics, AALS Annual Meeting, Jan. 2-6, 2002, New Orleans, Louisiana.

AHow To Technology,@Panel Presentation in AALS Workshop on ADo You Know Where Your Students Are? Langdell Logs on to the 21st Century,@AALS Annual Meeting, Jan. 2-6, 2002, New Orleans, Louisiana.

APatented Technologies, World Health and World Hunger,@Mid-Atlantic Conf. of People of Color, Jan. 31-Feb. 2, 2002, Georgetown University Law Center, Washington, DC.



Intellectual Property Law Global Challenges, The 2002 Distinguished Faculty and Alumni International Lecture Series, Europe in the 21st Century New Fears, New Alliances, EU Center of UIUC, University Club, Feb. 27, 2002, Chicago, Illinois.

Intellectual Property and Agricultural Biotechnology, Meeting of North Central Agricultural Experimental Station Directors, Mar. 13, 2002, Baltimore, Maryland.

From Informational Privacy to Biomedical Research: Verifiable Self-Enforcement (VSE) as a New Form of Governance, University of Illinois at Urbana-Champaign, Institute of Government and Public Affairs (IGPA) Faculty Seminar Series, Apr. 30, 2002.

"*Festo v. Shoketsu*: Bonanza for Patent Litigators and Headaches for Litigants," Presentation to Research Center for Advanced Science & Technology (RCAST) Intellectual Property Group and Industry, University of Tokyo, June 18, 2002, Tokyo, Japan.

Carrots and Sticks to Create a Better Patent System," Northwestern University Law School Faculty Workshop, July 11, 2002, Chicago, Illinois.

"U.S. Plant Variety Protection: Sound and Fury..." UIUC College of Law Faculty Seminar Series, Sept. 26, 2002.

Speaker & Moderator of kick-off panel for year-long series on "Silicon Carbon, Culture: Combining Codes Through the Arts, Humanities and Technology," UIUC, Krannert Art Museum, Nov. 7, 2002, Champaign, Illinois.

"An Empirical Exploration of Patent and Plant Variety Protection for Plant Innovation," IP Colloquium, University of Washington School of Law, Feb. 10, 2003, Seattle Washington.

"The Private and Social Costs of Bad Patents: Why Bad Patents Survive in the Market and How Should We Change?" IP Colloquium, Boston University College of Law, Feb. 24, 2003, Boston, Massachusetts.

## **OTHER TALKS:**

Technology as Law in Cyberspace, Luncheon Address, UIUC College of Engineering Advisory Board Annual Meeting, Sept. 16, 1999.

Free Expression in Cyberspace, Focus 580 Featured Guest with Host David Inge, WILL-AM-FM, 10:00-11:00 a.m., Feb. 17, 1999.

Free Expression in Cyberspace, University YMCA Friday Forum: Spring 1999, From Frankenstein to Sliced Bread: Empowering the Human in a Technological Society, Feb. 19, 1999.

Moderator, Frank Wu vs. Dinesh D-Souza, Debate: Abolish Affirmative Action, Lincoln Hall Theater, University of Illinois, Mar. 8, 1999.

Speaker, IGPA Policy Sounding, The Internet: Can It Be Regulated? 1999 (with T. Ulen).

Patent Protection for Internet-Related Software Inventions, John Marshall School of Law, Lunch & Learn Series, Mar. 22, 2000.

The Internet & E-Commerce: Culture Clash or a Marriage Made in Heaven? 25th Anniversary, Executive-MBA Program, University of Illinois, May 5, 2000.

State Sales Taxation of E-Commerce, DuKane Valley Municipal Council, Illinois, June 14, 2000.

Personal Jurisdiction in Cyberspace, Illinois State Bar Association (ISBA) Presentation, Chicago, Sept. 15, 2000 & Bloomington, Sept. 19, 2000.

ASate Sales Taxation of E-Commerce,@ IGPA New Legislators= Workshop, Luncheon Speaker, Springfield, IL, Nov. 28, 2000.

Speaker, IGPA Policy Sounding, ASales Tax: How to Apply It to E-Commerce,@2001 (with F. Giertz).

Intellectual Property and the Internet,@ Focus 580 Featured Guest with Host David Inge, WILL-AM-FM, 11:00-12:00 a.m., Aug. 1, 2001.

Panel Presentations on Careers in Legal Academia and in Intellectual Property Law, National Conf. of South Asian Law Students Association, Feb. 16, 2002, Northwestern University, Chicago, Illinois.

## **HONORS AND AWARDS:**

- Invited Fellow, University of Washington, Seattle, Center for Advanced Study and Research in Intellectual Property (CASRIP), Summer 2000; Invited Instructor, July 2001-03
- METI/JSPS Invited Fellow and Visiting Professor, University of Tokyo, Japan, Dec. 2000 - Jan. 2001
- Resident Associate, Center for Advanced Study (CAS), University of Illinois, 2000-2001
- Appointed Special Master by federal judges in patent litigation cases
- Recipient of the 1995-96 H. Thomas Austern National Legal Writing Competition Award (\$1,000)
- Holder of 6 U.S. patents and several other patents world-wide
- Recipient of 2 IBM Invention Achievement Awards, 1990-1992
- Invited Editor of a special issue of the *Journal of Vacuum Science and Technology B* (published by the American Vacuum Society), Mar./Apr. 1992
- Microelectronics and Computer Technology Corporation (MCC) Award for Graduate Research Excellence, 1989
- Recipient of a Joint Services Electronics Program Assistantship for graduate study, 1985-1989
- Best Student Paper Award at the 1988 Electronic Materials Conference, Boulder, CO

## **RESEARCH GRANTS:**

- University of Illinois Campus Research Board Grant, APatents As Incomplete Contracts,@ \$13,000 (1999)
- University of Illinois Campus Research Board Scholar-s Travel Grant (2000)
- National Science Foundation (NSF) Grant, AUnderstanding >Code= How Information Technologies Regulate Behavior,@ \$300,000 (2000-2003)
- U.S. Department of Agriculture, Illinois-Missouri Biotechnology Alliance, AThe Role and Function of the Patent System in Industrialized Agriculture: Innovation and Rent-sharing in Corn and Soybean Supply Chains,@ \$210,000 (2001-2004)
- Coleman Foundation Grant, ADevelopment of Online Course on Legal Issues in Technology Entrepreneurship,@ \$14,000 (2001-2002)

## **SCHOLARLY & PROFESSIONAL ACTIVITIES:**

- Faculty Editor-in-Chief, Journal of Law, Technology and Policy (JLTP), University of Illinois, <http://www.jltp.uiuc.edu>
- National Science Foundation (NSF) Panel Review Member, 2000-2001
- Symposium Co-organizer, University of Illinois Law Review Symposium on AIntellectual Property Challenges in the Next Century,@ April 2000
- Co-organizer, Center for Advanced Study (CAS), University of Illinois Seminar Series, AThe University-s Changing Role: Defining Values for Research & Technology,@ 2000-01
- Co-taught, Capstone Undergraduate Course, University of Illinois, Colloquium in South, Southeast and Southwest Asian Studies, ABasmati, Software and Pharmaceuticals: Trade, Technology and Intellectual Property in South Asia,@ Spring 2000

- Supervised law students enrolled in the Transactional Law Clinic at the University of Illinois and working on patent prosecution matters, 1998-Present
- Special Master, Appointed by U.S. federal judges in patent litigations
- Consultant, U.S. Department of Commerce, Technology Commercialization and Intellectual Property, 1999-Present
- Consultant, U.S. Civilian Research & Development Foundation (CRDF), Technology Commercialization and Intellectual Property, 1999-Present
- Lecturer, Patent Bar-Bri, Patent Bar Examination Preparation Course, 1999-Present
- Member, Litigation Committee & Member, IP Strike Force, American Association of University Professors (AAUP), 2000-Present
- Giles S. Rich American Inn of Court, Pupil-Student (1995-97)
- Referee for scientific publications in peer-reviewed scientific journals

#### **SERVICE ACTIVITIES:**

- Member, Provost Committee for Development of the Office of Technology Management (OTM) Business Plan, University of Illinois, 2000-2001 (business plan presented, approved and implemented)
- Member, Provost Committee on Campus IP Policy, 2001 (formulated and wrote first draft of IP policy for the university, with special emphasis on online education issues)
- College of Law Senator, University of Illinois Faculty Senate, 1999-2001
- Member, University of Illinois Faculty Senate, Statutes and Senate Procedures Committee, 2000-2001
- Member, University of Illinois Faculty Senate, Information Technology Committee, 2001-2002
- Member, Board of Advisors, iTEC (Illinois Technology Entrepreneur Center), University of Illinois, 2000-Present
- Member, Board of Advisors, OTM (Office of Technology Management), University of Illinois, 2000-Present
- University of Illinois College of Law B Placement & Clerkships Committee, 1998-99; Student Diversity Committee, 1999-2000; Technology Committee, Chairman, 2001-2003; Admissions Committee, 2001-2003
- Faculty Adviser, Asian American Law Students Association, University of Illinois College of Law, 1998-Present
- Conduct AOutlining@and AExam-Taking@Workshops for law students, University of Illinois College of Law, 1998-2000
- Member, University of Illinois College of Law Dean Search Committee, 2001-2002