

Robin Feldman
Professor of Law and Harry & Lillian Hastings Chair
Director, Institute for Innovation Law
University of California Hastings College of the Law

Education:

Stanford Law School, J.D.

Urban A. Sontheimer Award (graduating second in class)

Order of the Coif

Articles Department, Stanford Law Review

Hilmer Oehlmann Jr. Prize (legal research and writing)

Stanford University, B.A.

Phi Beta Kappa

Degree Awarded with Distinction

Dean's Award for Community Service

Law Clerk, The Honorable Joseph T. Sneed, U. S. Court of Appeals, 9th Cir.

Honors:

Visionary Award (presented in 2012 by the UC Hastings Board of Directors for founding the Innovation Law Clinics and the Law & Bioscience Project)

Elected Member of the American Law Institute (2012)

William Rutter Award for Excellence in Teaching, UC Hastings (2009)

Patent and Antitrust: Differing Shades of Meaning, 13 VIRGINIA J.L. & TECH. 5, judged one of the best Intellectual Property articles of 2008 and thereby selected for inclusion in the anthology, THE INTELLECTUAL PROPERTY LAW REVIEW (2009)

1066 Foundation Award for Scholarship, UC Hastings (2004)

Tisconia Summer Stipend Chair, UC Hastings (2013)

Institute for Innovation Law--Startup Legal Garage named one of the most

innovative law school programs in the country (2012)

Books:

RETHINKING PATENT LAW (**Harvard** 2012)

THE ROLE OF SCIENCE IN LAW (**Oxford** 2009)

Book Chapters:

Coming to the Community, *in* IMAGINING NEW LEGALITIES, AMHERST SERIES IN LAW, JURISPRUDENCE, AND SOCIAL THOUGHT (Austin Sarat ed., **Stanford** 2012)

Patent Misuse: From Inception to Modern Case Law, *in* INTELLECTUAL PROPERTY & INFORMATION WEALTH (Peter K. Yu ed., **Praeger** Publishers, 2007)

Articles:

Patent Demands & Startup Companies: The View from the Venture Capital Community, (forthcoming, **YALE J.L. & TECH.** 2014)

Patent Trolling—Why Bio & Pharmaceuticals Are at Risk, (forthcoming **STANFORD TECH. L. REV.** 2014)

Transparency, (forthcoming **VIRGINIA J.L. & TECH.** 2014)

Ending Patent Exceptionalism & Structuring the Rule of Reason: The Supreme Court Opens the Door for Both, 15 **MINN. J.L. SCI. & TECH.** 61 (2014)

The America Invents Act 500 Expanded: Effects of Patent Monetization Entities, 17 **UCLA J. L. & TECH.** 1 (2013), with Tom Ewing & Sara Jeruss

Intellectual Property Wrongs, 18 **STANFORD JOURNAL OF LAW, BUS. & FINANCE** 250 (2013)

Copyright at the Bedside: Should We Stop the Spread? 16 **STANFORD TECH. L. REV.** 623 (2013), with John Newman

A Conversation in Judicial Decision-Making, 5 **HASTINGS SCI. & TECH. L.J.** 1 (2013)

The Giants Among Us, 2012 **STANFORD TECH. L. REV.** 1, with Tom Ewing (2012)

The America Invents Act 500: Effects of Patent Monetization Entities on US Litigation, 11 **DUKE L & TECH. REV.** 357 (2012), with Sara Jeruss & Joshua Walker

Understanding and Incentivizing Biosimilars, 64 **HASTINGS L.J.** 57 (2012), with Jason Kanter

Copyright and Open Access at the Bedside, 365(26) **NEW ENGLAND JOURNAL OF MEDICINE** 2449 (Dec. 29, 2011), with John Newman

Whose Body Is It Anyway? Human Cells and the Strange Effects of Property and Intellectual Property Law, 63 **STANFORD L. REV.** 1377 (2011)

The Intellectual Property Landscape for iPS Cells, 3 **STANFORD J.L. SCI. & POLICY** 16 (2010) (peer review), with Deborah Furth

The Role of the Subconscious in Intellectual Property Law, 2 **HASTINGS SCI. & TECH. L.J.** 2 (2010)

Historic Perspectives on Law and Science, 2009 **STANFORD TECH. L. REV.** 1 (2009)

Law's Misguided Love Affair with Science, 10 **MINN. J.L. SCI. & TECH.** 95 (2009) (peer review)

Plain Language Patents, 17 **TEXAS I.P.L.J.** 289 (2009)

Patent and Antitrust: Differing Shades of Meaning, 13 **VIRGINIA J.L. & TECH.** 5 (2008)

Open Source, Open Access, and Open Transfer: Market Approaches to Research Bottlenecks, 7 **NW. J. TECH. & INTELLECTUAL PROP.** 14 (2008); *reprinted as a book chapter in OPEN SOURCE SOFTWARE-LAW AND PHILOSOPHY (forthcoming Amicus Books 2009)*, with Kris Nelson

Rethinking Rights in Biospace, 79 **S. CAL. L REV.** 1 (2005)

The Inventor's Contribution, 2005 **UCLA J.L. & TECH.** 6 (2005)

The Open Source Biotechnology Movement: Is it Patent Misuse? 6 **MINN. J. LAW SCIENCE & TECH.** 1 (2004) (peer review)

The Insufficiency of Antitrust Analysis for Patent Misuse, **55 HASTINGS L. J.** 399 (2003)

Considerations on the Emerging Implementation of Biometric Technology, **2003 HASTINGS COMM. & ENT. L. J.** 653 (2003)

Defensive Leveraging in Antitrust, 87 **GEORGETOWN L.J.** 2079 (1999)

Consumption Taxes and the Theory of General and Individual Taxation, 21 **VIRGINIA TAX REV.** 293 (2002)

Op/Ed Commentaries in 2013-2014:

New York Times, “Slowing the Patent Trolls” (2014)

The Hill, “Next Patent Troll Victims: Pharma & Bio?” (2014)

Daily Journal, “Decision May Turn Patent Trolls to Stone” (2014)

Recorder, “Science Shouldn’t Shoulder Law Aside” (2014)

Boston Globe, “To Liberate American Innovation, We Need to Rethink Patents” (2013)

SCOTUSBlog, “A Conversation Between the Supreme Court and the Federal Circuit” (symposium on the Myriad gene patenting case) (2013)

San Francisco Chronicle, “FTC Must Take on Trolls” (2013)

Washington Legal Foundation, “Conversation with the Honorable Dick Thornburgh on Trolling, Licensing & Litigation: A 21st Century Patent Paradigm” (2013)

Antitrust & Competition Policy Blog, “Antitrust & Sham Litigation as a Response to Inappropriate Patent Monetization Behavior,” (2013)

Other Activities:

Herman Phleger Visiting Professor of Law, Stanford Law School (2007)

Chair, Executive Committee of the Antitrust Section of the AALS (2009-2010);
Committee Member (2005-2009)

Life Sciences Working Group, Stanford Law School Litigation IP Clearing House
(2008-2009)

Committee Member, Stanford University Hospital Ethics Committee (1997-2001)

Key Reviews of Published Work: (prior 2 academic years)

The Giants Among Us, 2012 STANFORD TECH. L. REV. 1, has received considerable praise including the following:

--George Dyson, a historian of science and technology was asked by the Chronicle of Higher Education to name the single best article he has read recently. He choose "Giants Among Us"

--One reviewer called *Giants Among Us*, "one of the most important contributions to the debate about NPEs, patent aggregators and the state of the US patent marketplace" another called it "an absolutely remarkable study," and another called it "superb."

Professor Stephen Morse of the University of Pennsylvania, in his book review of *THE ROLE OF SCIENCE IN LAW*, called it, "a splendid and wise book" noting further that the book's "diagnosis and malignant prognosis are inevitably and precisely right."

A study of the 1.4 million academic biomedical peer-reviewed articles in 2010-2012 showed that *Copyright and Open Access at the Bedside*, *New England Journal of Medicine* (2011), was the 8th most tweeted article and the only one in the top 15 that was law-related.

Press: (prior 2 academic years)

More than 180 press interviews with print news outlets—including multiple interviews with the New York Times, Wall Street Journal, Fortune Magazine, Boston Globe, Reuters, BBC, American Lawyer, Nature Magazine, Chronicle of Higher

Education, Law360, Daily Journal, Wired Magazine, San Jose Mercury News, San Francisco Chronicle, Orange County Register, The Register (UK), Motherboard, and others.

Dozens of live or recorded interviews with the following radio or television outlets: NPR Marketplace, NPR Science Friday, AP TV, KQED, KGO, local affiliates of CBS, ABC, FOX, Yale University Radio, and radio or TV stations in Russia, South Korea, Mexico, Australia, Canada, UK, and Japan.

Profiled in a series on *Women Leaders in Law and Technology* by Law Technology News and also in a series on *People to Know* in The Recorder; featured on South Korean TV documentary, “The Trial of the Century,” and BBC radio documentary on patent trolling;

Academic Presentations & Testimony: (prior two academic years)

Senate Judiciary Committee panel for staff briefing on patent reform legislation pending before the Committee (2014)

Stanford University, presentation on the topic of What Inventors Should Know About Intellectual Property (2014);

BIO Conference; keynote address on *Patent Trolling—Why Bio & Pharmaceuticals Are at Risk* (2014);

Stanford Law School, Program in Law, Science, & Technology, presentation on two empirical works on patent demands (2014);

Stanford Law School, panel presentation on patent reform (2014);

San Francisco Bar Assoc., panel presentation on software patents and patentable subject matter; (2014);

UC Hastings, Law in the Global Marketplace Conference, presentation on two empirical works on patent demands (2014);

RightsCon, panel presentation on patent demands (2014);

Santa Clara Law School, presentation on *Patent Demands & Startup Companies* (2014);

Texas A&M, Innovation Summit; Shaping the Future of Law & Entrepreneurship, presentation on Startup Legal Garage; (2014);

In-House Corporate Counsel, panel presentation on patent reform; (2014);

University of Pennsylvania Law School Conference on Patent Reform, presentation on the topic of patent assertion entities (2013)

House Committee on Energy & Commerce Subcommittee on Oversight & Investigations, testified on the topic of pre-litigation patent demand letters (2013)

Stanford Law School, symposium in honor of Professor Emeritus John Merryman on the topic of human cells (2013)

20th Annual Corporate Counsel Symposium, SMU Law School, presentation on the topic of empirical data on patent assertion entities (2013)

California Assembly Select Committee on High Technology, testimony on patent assertion entities (2013)

Indiana University School of Law, Distinguished Speaker Series, on the topic of empirical data on patent assertion entities (2013)

University of California Hastings 25th Annual Women's Law Journal Symposium, moderated a panel on women advancing in the technology sector (2013)

California Assembly Select Committee on Privacy, testimony on status of federal, state, and European privacy law (2013)

Yale Law School, Information Society Project, presentation of *Intellectual Property Wrongs* (2013)

Stanford Law School, program in Law, Science & Technology, presentation of *Intellectual Property Wrongs* (2013)

Stanford Law School, Biolaw & Health Policy Society, presentation on Supreme Court *Myriad* gene patenting case (2013)

UC Hastings, moderated Q&A symposium for the Hastings Constitutional Law Quarterly on gene patenting, featuring Alex Kozinski, Chief Judge of the 9th Circuit (2013)

FTC/DOJ Workshop on antitrust issues and Patent Assertion Entities (2012)

Annual Intellectual Property Scholars Conference, presentation of *The Giants Among Us* (2012)

Stanford Law School, roundtable discussion with White House IP Enforcement Coordinator on five-year plan for enforcement (2012)

Stanford University, presentation on the topic of What Inventors Should Know About Intellectual Property (2012)

Federal District Court Judges of the Northern District of California conference, panelist on the topic of Non-Practicing Patent Entities (2012)

Berkeley Law School, panelist on the topic of Patentable Subject Matter in the Health Sciences: Diagnostics & DNA (2012)

Stanford Law School Conference on Law and the Biosciences, panelist and moderator on the topic of Patent Exhaustion & International Sales (2012)

Food & Drug Law Institute annual conference in Washington DC, panelist on the topic of Innovative Collaborations Between Industry & Academia (2012)

Stanford Law School, Law and the Biosciences Workshop, presentation of "*The Giants Among Us*." (2012)

San Francisco Veterans Administration, works-in-progress for medical faculty of the Department of Geriatrics, discussion of New England Journal of Medicine Piece, *Copyright & Open Access at the Bedside*." (2012)

Stanford Law School, presentation of *The Giants Among Us* (2011)

Stanford Law School program in Law, Science & Technology, presentation of *Whose Body Is It Anyway?* (2011)

Annual Intellectual Property Scholars Conference, presentation on *Whose Body Is It Anyway?* (2011)

Stanford University, presentation on Intellectual Property Principles for Biotechnology (2011)

Yale Law School, Information Society Project, presentation of RETHINKING PATENT LAW (2011)

Stanford Law School, Program in Law, Science, & Technology, moderator and discussant for prize-winning papers on Patent Remedies (2011)

Stanford Law School, Stanford Law Review Symposium, presentation of *Whose Body Is It Anyway? Human Cells and the Strange Effects of Property & Intellectual Property* (2011)

Stanford Law School, Program in Law, Science & Technology, presentation of RETHINKING PATENT LAW (2011)

Stanford Medical School, Interdisciplinary Program on Access & Delivery of Essential Medicines, presentation on the topic of Patent Principles for Life Science Inventions (2011)

AALS Annual Meeting in San Francisco, Section of Antitrust & Economic Regulation, moderating panel on the topic of Drug Wars: The Battle Over Generic Pharmaceuticals (2011)