

JEFFREY A. LEFSTIN

University of California, Hastings College of the Law
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PROFESSIONAL EXPERIENCE

University of California, Hastings College of the Law

Professor of Law 2003 – present
Associate Academic Dean 2016 – 2019

United States Court of Appeals for the Federal Circuit

Law clerk to Raymond C. Clevenger III, Circuit Judge 2001-2003

Townsend and Townsend and Crew, San Francisco

Associate & Summer Associate, Biotechnology and Litigation Groups 1999-2001

Heller, Ehrman, White & McAuliffe, Palo Alto

Summer Associate, Biotechnology Group 1998

EDUCATION

J.D., Stanford Law School, 2000

Order of the Coif
Conferred with Distinction
Stanford Technology Law Review

Ph.D., Biochemistry, University of California San Francisco, 1997

Dissertation: *Allosteric modulation of transcriptional activation functions by the DNA-binding domain of the glucocorticoid receptor*

Sc.B., Biology, Brown University, 1989

Conferred *magna cum laude*

ADMISSIONS

State Bar of California
United States Court of Appeals for the Ninth Circuit
United States Court of Appeals for the Federal Circuit

PUBLICATIONS

Jeffrey A. Lefstin, Peter S. Menell & David O. Taylor, *Final Report of the Berkeley Center for Law & Technology Section 101 Workshop: Addressing Patent Eligibility Challenges*, 33 BERKELEY TECH. L. J. 551 (2018).

Jeffrey A. Lefstin, *The Three Faces of Prometheus: A Post-Alice Jurisprudence of Abstractions*, 16 N.C. J.L. & TECH. 647 (2015).

Jeffrey A. Lefstin, *Inventive Application: A History*, 67 FLA. L. REV. 565 (2015).

Jeffrey A. Lefstin, *In re Roslin Institute: Products of Nature and Source Limitations*, 3 NTUT J. OF INTELL. PROP. L. & MGMT. 95 (2014).

Jeffrey A. Lefstin, *The Hot-Blast Cases Revisited*, 43 CHARTERED INST. PAT. ATTY'S (UK) J. 400 (2014).

Jeffrey A. Lefstin, *The Constitution of Patent Law: The Court of Customs and Patent Appeals and the Shape of the Federal Circuit's Jurisprudence*, 43 LOY. L.A. L. REV. 843 (2010).

Jeffrey A. Lefstin, *Patent Failure: How Judges, Bureaucrats, and Lawyers Put Innovators at Risk*, 1 IP L. BOOK REV. 16 (2010) (book review).

Jeffrey A. Lefstin, *The Formal Structure of Patent Law and the Limits of Enablement*, 23 BERKELEY TECH. L. J. 1141 (2008).

Jeffrey A. Lefstin, *Claim Construction, Appeal, and the Predictability of Interpretive Regimes*, 61 U. MIAMI L. REV. 1033 (2007).

Jeffrey A. Lefstin, *The Measure of the Doubt: Dissent, Indeterminacy, and Interpretation at the Federal Circuit*, 58 HASTINGS L. REV. 1025 (2007).

Jeffrey A. Lefstin, Note, *Does the First Amendment Bar Cancellation of REDSKINS?*, 52 STAN. L. REV. 665 (2000).

van Tilborg, M.A.A., Lefstin, J.A., Kruiskamp, M.J., Teuben, J.M., Boelens, R., Yamamoto, K.R., and Kaptein, R, *Mutations in the Glucocorticoid Receptor DNA-binding Domain Mimic an Allosteric Effect of DNA*, 301 JOURNAL OF MOLECULAR BIOLOGY 947 (2000).

Lefstin, J.A., and Yamamoto, K.R., *Allosteric Effects of DNA on Transcriptional Regulators*, 392 NATURE 885 (1998).

Lefstin, J.A., Thomas, J.R., and Yamamoto, K.R., *Influence of a Steroid Receptor DNA-binding Domain on Transcriptional Activation Functions*, 8 GENES AND DEVELOPMENT 2842 (1994).

Hiraoka, Y., Rykowski, M.C., Lefstin, J.A., Agard, D.A., and Sedat, J.W., *Three-dimensional Organization of Chromosomes Studied by in situ Hybridization and Optical Sectioning Microscopy*, 1205 PROCEEDINGS OF THE SOCIETY OF PHOTO OPTICAL INSTRUMENTATION ENGINEERS 11 (1990).

ONLINE COMMENTARY

Jeffrey A. Lefstin and Peter Menell, *Patent Protection for Scientific Discoveries*, Patently-O, Apr. 22, 2016

Jeffrey A. Lefstin and Peter Menell, *Don't Throw Out Fetal-Diagnostic Innovation with the Bathwater*, Patently-O, Aug. 31, 2015

Jeffrey A. Lefstin, *Ariosa v. Sequenom and the Path Ahead for Subject Matter Eligibility*, Patently-O, Jun. 14, 2015

Jeffrey A. Lefstin, *Are Specific Information-Processing Claims Abstract Ideas?*, Patently-O, May 5, 2015

Jeffrey A. Lefstin, *Alice and the Three Faces of Prometheus*, Patently-O, Jun. 24, 2014

Jeffrey A. Lefstin, *Claiming Clones: In re Roslin Institute*, Patently-O, May 9, 2014

Jeffrey A. Lefstin, *"Inventive Concept" and the Hot-Blast Cases*, Patently-O, Feb. 21, 2014

Jeffrey A. Lefstin, *What's Really at Stake in Myriad*, Patently-O, Mar. 23, 2013

Jeffrey A. Lefstin, *Myriad's Pre-History*, Patently-O, Feb. 24, 2013

Jeffrey A. Lefstin, *The USPTO's Proposed First-to-File Rules*, Patently-O, Jul. 26, 2012

Jeffrey A. Lefstin, *Preclusive Inventor Disclosure under Leahy-Smith*, Patently-O, Sept. 22, 2011

SELECTED SPEECHES & PRESENTATIONS

PatCon 2018 Panel on Patentability of Medical Diagnostics (San Diego, Mar. 2018)

Microsoft IP Academic Roundtable (New York, Sept. 2017)

International IP Commercialization Council program: *Promoting Innovation, Investment and Job Growth by Fixing America's Patent System* (Washington, DC, May 2017)

Convener (with Peter Menell, Berkeley; David Taylor, SMU) and speaker, Berkeley Center for Law & Technology Workshop on Patent Eligibility (Berkeley, Mar. 2017)

Biotechnology Innovation Organization's IP Counsels Committee Conference (Newport Beach, Mar. 2017)

Inventing America Conference, *The Supreme Court's Section 101 Jurisprudence: Dangers for the Innovation Economy* (Washington DC, Dec. 2016)

Microsoft IP Academic Roundtable (Seattle, Oct. 2016)

International IP Commercialization Council program: *Entrepreneurship, Innovation, and Patenting in the U.S.* (Palo Alto, Oct. 2016)

Intellectual Property Scholars' Conference (Stanford, Aug. 2016)

ACI Life Sciences Patents Conference, *Survey of the new § 101 Landscape* (New York, Feb. 2016).

White & Case conference, *Digital Health: Rethinking Healthcare in the Digital World* (Palo Alto, Nov. 2015)

Edward D. Manzo Scholar & Lecture, De Paul College of Law (Chicago, Mar. 2015)

North Carolina Journal of Law & Technology Symposium: *Software Patent Eligibility after Alice Corp.* (Chapel Hill, Feb. 2015)

Patent Law Conference of the Oregon Patent Law Association (Salishan, Sept. 2014)

Personalized Medicine and Intellectual Property Conference, Boston University (Boston, Aug. 2014)

KQED Forum Broadcast, *Who Owns Your Genes?* (San Francisco, Apr. 2013)

KUCI The Docket Broadcast, *Will the Supreme Court Invalidate Gene Patents?* (Irvine, Apr. 2013)

State Bar of California, Intellectual Property Section Institute (San Diego, Nov. 2012)

Recent Developments in Patent Law, Annual Meeting of the California State Bar (Monterey, Oct. 2012)

Recent Developments in Patent Law, Annual Meeting of the California State Bar (Long Beach, Sept. 2011)

Inaugural Dean William Callyhan Robinson Lecture in Intellectual Property, Catholic University, (Washington, DC, Mar. 2011)

Recent Developments in Patent-Eligible Subject Matter, Practising Law Institute's 5th Annual Patent Law Institute (San Francisco, Mar. 2011)

China Ministry of Science & Technology, Conference on Intellectual Property Management of Government-funded Scientific Research Projects (Beijing, Dec. 2010)

Intellectual Property Scholars Conference (Berkeley, Aug. 2010)

Symposium on the Federal Circuit as an Institution, Loyola Law School (Los Angeles, Oct. 2009)

Intellectual Property Scholars Conference (Stanford, Aug. 2008)

MSU Intellectual Property & Telecommunications Workshop (East Lansing, Feb. 2008)

9th Annual Intellectual Property Symposium, University of Texas School of Law (Austin, Feb. 2008)

Intellectual Property Scholars Conference (Chicago, Aug. 2007)

COURSES

Advanced Topics in Patent Law

Contracts

Patents and Trade Secrets

Food and Drug Law (Patent unit)

Intellectual Property

Intellectual Property Concentration Seminar

UC Hastings – Bucerius Law School Summer Institute on International IP Licensing
(Lecturer and Co-Director)

Advances in Biotechnology (Stanford University, Department of Chemical Engineering)

Seminar on Intellectual Property & Social Justice (UC Berkeley School of Law)

Patent Bar Review Course (BARBRI)

OTHER

Expert Witness for Koninklijke Philips Electronics N.V. in wireless technology patent litigation (Netherlands, 2012 & United Kingdom, 2016)

Expert Witness for Rambus, Inc., in *Rambus v. Micron Tech., Hynix Semiconductor & Nanya Tech.* (N.D. Cal. 2008)