

MICHAEL B. LANDAU
PROFESSOR OF LAW
GEORGIA STATE UNIVERSITY
COLLEGE OF LAW
140 DECATUR ST.
ATLANTA, GA 30303

telephone: + 404.651.2084
fax: + 404.651.2092

e-mail: mlandau@gsu.edu
ml@professorlandau.com

Current Title & Affiliation:

1993 - present

Georgia State University
College of Law, Atlanta, GA
Professor of Law (1999 –present)
Associate Professor (1993 – 1999) (tenure granted in 1998)
Founder & Director, Intellectual Property Law Program
GSU Intellectual Property Advisory Committee
Faculty Advisor, Georgia State University Law Review (1997-2001)
Faculty Advisor, Intellectual Property Law Society (1997-2006)

Courses:

Advanced Intellectual Property Seminar
Antitrust
Art & Entertainment Law
Computers and the Law Seminar
Computer Law (Survey)
Copyrights
Intellectual Property Survey
International Intellectual Property Seminar
Patents
Torts I
Torts II
Trademarks & Unfair Competition

Supervisory Academic Work:

Supervised Students' Independent Research Projects in Copyright Law, Patent Law,
Trademark Law and Torts (see pages 19 – 21)

2005 – present

Georgia State University
College of Arts & Sciences
Department of Communication - Graduate Faculty, Senior Lecturer
Digital Arts Entertainment Laboratory (“DEAL”)
Courses: Copyright Law for the New Media (Ph.D. Seminar)

Aug. 2005 - May 2006

University of Helsinki, Helsinki, Finland
Faculty of Law, Intellectual Property Rights University Center
Fulbright Scholar & Lecturer
PhD Dissertation Committee –Mikko Huuskonen

Aug. – Dec. 2005 **Swedish School of Economics and Business Administration**, Helsinki, Finland
Department of Commercial Law
Fulbright Scholar and Lecturer
Advanced Intellectual Property (LLM Course)
IP Law in Context: Methodological and Theoretical Foundations (PhD Seminar)

Feb. 2005 **Warsaw University Law School**, Warsaw, Poland
Institute for American Law Studies
Visiting Professor of Intellectual Property

Jan.-May 2002 **Louisiana State University**, Baton Rouge, LA
Visiting Professor

July – Aug. 2000 **University of Amsterdam**, Amsterdam, The Netherlands
Institute for Information Law
Visiting Scholar and Lecturer

Aug – Dec. 1998 **University of Georgia Law School**, Athens, GA
Visiting Professor of Law

May-June
(1994-1997, 1999) **Johannes Kepler University of Linz**, Linz, Austria
Institute for Civil Procedure
Comparative Dispute Resolution Program
Visiting Lecturer

1992-1993 **The Pennsylvania State University**,
Dickinson School of Law, Carlisle, PA
Visiting Professor of Law

Professional Experience:

Law Firm : Associate

1988-1990 **Cravath, Swaine & Moore**, NY, NY
Associate, Litigation Dept.

1990-1992 **Skadden, Arps, Slate, Meagher & Flom**, NY, NY
Associate, Intellectual Property Dept.

Law Firm : Summer Associate

June-Aug. 1987 **Weil, Gotshal & Manges**, NY, NY
Summer associate

May-June 1987 **Ballard, Spahr, Andrews & Ingersoll**, Philadelphia, PA
Summer Associate

Summer 1986 **Hoyle, Morris & Kerr**, Philadelphia, PA
Summer associate

Education:

University of Pennsylvania Law School – J.D. 1988

Moot Court: Moot Court - Cardozo/BMI Entertainment and Communications Law Competition

Awards: ASCAP Nathan Burkan Memorial Copyright Award - 1988
Research Assistant for Prof. G. Francione (Patents)
Institute for Law & Economics
Entertainment & Sports Law Society
Contributing Editor - *Penn Law Forum*

Pennsylvania State University, B.A. (Economics) 1975 (with distinction)

Teaching Assistant – Dept . of History (Dr. A. Goldschmidt)
Omicron Delta Epsilon (Economics Honor Society)
Phi Kappa Phi (National Honor Society)

Additional Education

2000 University of Amsterdam Law School

Eggens Institute for Post-Graduate Legal Education, Amsterdam, The Netherlands
Certificate in International Copyright Law

1996 Institute de Français, Villefranche-Sur-Mer, France

Certificate in French Language (Intermediate II Level)

1994 Johannes Kepler University of Linz, Linz, Austria

Certificate in Transnational Dispute Resolution

1977 University of Pennsylvania, Annenberg School of Communications

Graduate Studies in Communications.

Editorial Boards:

GigaLaw.com (On-Line IP & Technology Journal) - Editorial Board (2000 – 2004)

Journal of Digital Contents – Editorial Board (2003 – 2004)

Committee Memberships:

National

Copyright Society of the USA (Southeast Chapter), Board of Advisors (2000 – 2005)

National Endowment for the Arts/Arts International - The Fund for U.S. Artists at International Festivals and Exhibitions, Grant Review Panelist (1999-2004)

National Endowment for the Arts /ArtsLink Performing Arts, Grant Review Panelist (1998, 2000, 2003)

Georgia State University College of Law:

Dean's Advisory Committee (1997-2004)

Continuing Education/Long Distance Committee (Chair)(2000-2001)

Curriculum Committee (1996-2006)

Faculty Development Committee (2000 – 2006)
Educational and Information Technology Committee (1994, 1998-2001)
Faculty Recruitment Committee (1994-97)
Lectures/Speakers Committee (1996-99, 2003-2006)
Student Affairs Committee (1994-96)
Library Committee (2000-2003)

Georgia State University:

President's Society (2005 – 2006)
Intellectual Property Committee (2005 – 2006)
Committee to Evaluate the Provost (2002 – 2003)
University Senate (1998 through 2001)
Advisory Committee to Vice President for Research and Intellectual Property (2001-2002)
Graduate Council – Academic Programs and Continuing Education Subcommittee (“APACE”) (1997-99)
Library Advisory Committee (1998 - 2001)
Planning & Development Committee (1998 through 2001)
Teaching & Learning With Technology Subcommittee (1998-2001)
University Admissions and Standards Committee (2000–2001)

Publications

Books:

Alexander Lindey & Michael Landau, LINDEY ON ENTERTAINMENT, PUBLISHING & THE ARTS: AGREEMENTS AND THE LAW (THIRD EDITION)(WEST 2006)(Nine - Volume Treatise)

2004 - 2006 SUPPLEMENTS TO LINDEY ON ENTERTAINMENT, PUBLISHING & THE ARTS (3D ED.)

Alexander Lindey & Michael Landau, LINDEY ON ENTERTAINMENT, PUBLISHING & THE ARTS: AGREEMENTS AND THE LAW (SECOND EDITION)(CLARK BOARDMAN CALLAGHAN 1992 - 1996)(WEST 1996 – 2004)(SIX-VOLUME TREATISE)

1992 - 2005 SUPPLEMENTS TO LINDEY ON ENTERTAINMENT, PUBLISHING & THE ARTS (2D ED.)

Robert Fremlin & Michael Landau, ENTERTAINMENT LAW (THOMSON-WEST 2006)

Landau, 1992 - 2005 CUMULATIVE SUPPLEMENTS TO ENTERTAINMENT LAW (Clark Boardman Callaghan 1992 through 1996)(WEST 1996 - 2005)

Charles McManis, Michael Landau, *et al*, WEST'S FEDERAL ADMINISTRATIVE PRACTICE MANUAL (3D. ED)

2000 – 2005 ANNUAL SUPPLEMENTS TO WEST'S FEDERAL ADMINISTRATIVE PRACTICE MANUAL

Michael Landau, LICENSING LAW HANDBOOK: MOTION PICTURES, TELEVISION & RADIO (1997-1998 EDITION)(WEST 1997)

Book Chapters:

Dastar Corp. v. Twentieth Century Fox Corp: The Need for Stronger Protection for Attribution Rights in the United States, in Robert Thorne, ENTERTAINMENT, PUBLISHING AND THE ARTS HANDBOOK (2006) (REPRINT OF 60 N.Y.U. ANNUAL SURVEY OF AMERICAN LAW 273 (2005).

Censorship, Art & the Law : The Judicial Recent Trend of Protecting Free Expression, in POTENTIALLY HARMFUL : THE ART OF AMERICAN CENSORSHIP (C. Byrd, editor)(2006)

The Digital Millennium Copyright Act : Protection for Creative Content or Tool for Restraining Trade, in Niklas Brunn, INTELLECTUAL PROPERTY BEYOND RIGHTS (SYOS HELSINKI 2005)

Questions and Answers About the Napster Case (Chapter 16) in
John Fodor, UNDERSTANDING COMPUTER ETHICS (Pearson Education UK 2004)
(Paperback version UK) (Hardcover Version - Prentice Hall 2003)

Theatrical Agreements, in Jarvis, et al, THEATER LAW (Carolina Press 2004)

Copyright, The First Amendment, and the Right of Publicity: The Expansion of "Transformative Use." In
LEGAL PROBLEMS OF MUSEUM ADMINISTRATION (ALI-ABA 2003)

The DMCA and Access Rights (Chapter 8)
in Askew & Jacobs, 2002 WILEY INTELLECTUAL PROPERTY LAW UPDATE (Aspen 2002)

Digital Downloads, Copy Codes, and Other New Developments in U.S. Copyright Law,
in Hugh Hansen, INTERNATIONAL INTELLECTUAL PROPERTY LAW & POLICY (VOLUME 7) (Juris 2002)

Electronic Rights, "Revisions," and Copyright Law (Chapter 10)
in Askew & Jacobs, 2001 WILEY INTELLECTUAL PROPERTY LAW UPDATE (Aspen 2001)

It's Yours, It's Mine, It's Ours?: Problems With Recent Determinations of Joint Work (Chapter 3)
in Askew & Jacobs, 2000 WILEY INTELLECTUAL PROPERTY LAW UPDATE (Aspen 2000)

Copyright, Sound Recordings, and Musical Compositions (Chapter 10)
in Askew & Jacobs, 1998 WILEY INTELLECTUAL PROPERTY LAW UPDATE (Aspen 1998)

Trademark Protection for Color After the Supreme Court's Qualitex Co. v. Jacobson Products Co. Decision (Chapter 2) in Askew & Jacobs, 1996 WILEY INTELLECTUAL PROPERTY LAW UPDATE (John Wiley 1996)

Articles: Full-Length Articles in Academic and Peer-Reviewed Journals

Dastar Corp. v. Twentieth Century Fox Corp: The Need for Stronger Protection for Attribution Rights in the United States,
60 N.Y.U. ANNUAL SURVEY OF AMERICAN LAW 273 (2005)

Copyrights, Moral Rights, and the End of the Right of Attribution Rights Under U. S. Trademark Law,
19 INTERNATIONAL REVIEW OF LAW, COMPUTERS & TECHNOLOGY 39 (2005)(UK).**

Two Pesos, Inc. v. Taco Cabana, Inc. ; It's Still More Interesting for What it Did Not Decide.
94 TRADEMARK REPORTER 944 (2004) (w/ J. Dillon). **

Digital Downloads, Access Codes, and United States Copyright Law,
16 INTERNATIONAL REVIEW OF LAW, COMPUTERS & TECHNOLOGY 149 (July 2002)(UK)**
(reprinted in 758 PLI/PAT 405 (Practising Law Institute 2003))

Silencing Content Providers : They're Coming From Everywhere And Under Every Theory.
17 INTERNATIONAL REVIEW OF LAW, COMPUTERS & TECHNOLOGY 285 (November 2003)(UK)**

Has the DMCA Really Created a New Exclusive Right of Access: Attempting to Achieve a Balance Between Balancing Users' and Content Providers' Rights?,
48 JNL. COPYRIGHT SOCIETY 401 (Fall 2001)**

** Peer-reviewed

"Publication," Musical Compositions, and the Copyright Act of 1909: Still Crazy After All These Years,
2 VANDERBILT JOURNAL OF ENTERTAINMENT LAW AND PRACTICE 28 (2000)

The Case for a Specialized Copyright Court: Eliminating the Jurisdictional Advantage,
21 HASTINGS COMMUNICATIONS & ENTERTAINMENT LAW JNL. 717 (1999)(w/ D. Biederman)

Problems Arising out of the Use of www.trademark.com : The Application of Principles of Trademark Law to Internet Domain Name Disputes,
13 GEORGIA STATE LAW REV. 455 (1997)

Reconciling Qualitex with Two Pesos : Ambiguity and Inconsistency From the Supreme Court,
3 U.C.L.A. ENTERTAINMENT LAW REV. 219 (1996)

Trademark Protection for Color Per Se After Qualitex Co. v. Jacobson Products, Inc.: Another Grey Area in the Law,
2 U.C.L.A. ENTERTAINMENT LAW REV. 1 (1995) (lead article).

The Use of Genetic Testing by Employers and Insurance Companies
3 DICKINSON JNL. OF ENVIRONMENTAL LAW 105 (1994) (Symposium Issue)

Multicellular Vertebrate Mammals as Patentable Subject Matter Under 35 U.S.C.101: Promotion of Science and the Useful Arts or an Open Invitation for Abuse?
97 DICKINSON LAW REV. 203 (1993)(lead article)

Sovereign Immunity and United States Patent and Copyright Law
7 INTELLECTUAL PROPERTY JNL. 204 (1992)(CANADA)**

Works Made for Hire after Community for Creative Non-Violence v. James Earl Reid : The Need for Statutory Reform and the Importance of Contract, 9 Cardozo Art and Entertainment Law Jnl. 107 (1990)

Colourization, Copyright and Moral Rights: A U.S. Perspective,
5 INTELLECTUAL PROPERTY JNL. 215 (1990)(CANADA)**

The Colorization of Black and White Motion Pictures: A Grey Area in the Law,
19 JNL. OF ARTS MGT. & LAW 61 (1989) (republication of 22 LOYOLA L.A. LAW REV. 1161 (1989))**

The Colorization of Black and White Motion Pictures: A Grey Area in the Law,
22 LOYOLA L.A. LAW REV. 1161 (1989)

Articles in Professional and Trade Publications and Magazines

Fair Use Under U.S. Copyright Law : The Need for Clarity and Consistency,
3/2006 IPR Info ___ (2006)(forthcoming).

Constitutional Barriers to Protecting the Live Performance Right in the United States,
4/2005 IPR Info 16 (2005)(Finland).

Copyright, The First Amendment, and the Right of Publicity: The Expansion of "Transformative Use."
21 COMPUTER AND INTERNET LAWYER 13 (March 2004).

The Importance of Electronic Rights Revisited,
ABA INTELLECTUAL PROPERTY AND INTERNET LAW SECTION NEWSLETTER 3 (Winter 2001)
(updated reprint of online article from GigaLaw.com)

Internet Jurisdiction: Does World Wide Volkswagen Ride on the Information Superhighway?
(Part II), 20 LICENSING LAW & BUSINESS REPORT 9 (Mar.- Apr. 1998)

Internet Jurisdiction: Does World Wide Volkswagen Ride on the Information Superhighway? (Part I),
20 LICENSING LAW & BUSINESS REPORT 1 (Jan. - Feb. 1998)

For Now, States Have Immunity
Vol.14, No.4 NATIONAL LAW JOURNAL 23 (Oct. 7, 1991) (co-authored with C. Huttner)

The Patentability of Animals: Multicellular Vertebrate Mammals as Patentable Subject Matter
4 ABA ANIMAL LAW REPORT 2 (March 1991)

The Standing of Licensees to Prosecute in Trademark and Unfair Competition Lawsuits
2 JNL. OF PROPRIETARY RIGHTS 16 (Nov. 1990)(co-authored with S. Reiss)

First-to-File or First-to-Invent : The Unique Policy of the United States in Determining Priority of Patent Ownership,
43 VIRGINIA LAW WEEKLY 1 (Nov. 11, 1990)

The Growing Trend Toward Limiting the Capacity to Protect Compilations
Vol.12, No. 50 NATIONAL LAW JOURNAL 24 (Aug. 20, 1990) (Co-authored with K. Plevan)

Articles: On-Line

*Constitutional Impediments to Protecting the Live Musical Performance Right
in the United States*, IPRInfo (12/2005).
http://www.iprinfo.com/page.php?page_id=35&action=articleDetails&a_id=349&id=27

The Digital Millennium Copyright Act : Protection for Creative Content or A Tool Unfair Competition
IPRINFO.COM(October 2004) INTELLECTUAL PROPERTY RIGHTS UNIVERSITY CENTER, HELSINKI, FINLAND
http://www.iprinfo.com/tiedostot/folder_14/8tanQaJB.pdf

Roundtable Discussion: Pop-Up Ads and the Law
GIGILAW.COM – LEGAL INFORMATION FOR INTERNET PROFESSIONALS (March 2004)
<http://www.gigalaw.com/articles/2004/ip-2004-03.html>

Why Grokster Does Not Infringe Copyright and Napster Does.
GIGILAW.COM – LEGAL INFORMATION FOR INTERNET PROFESSIONALS (Aug. 2003)
<http://www.gigalaw.com/articles/2003/landau-2003-08.html>

Jurisdiction and Choice of Law in Internet Defamation Cases
GIGILAW.COM – LEGAL INFORMATION FOR INTERNET PROFESSIONALS (July 2003)
<http://www.gigalaw.com/articles/2003/landau-2003-07.html>

The First Amendment and “Virtual Child Pornography,
GIGILAW.COM – LEGAL INFORMATION FOR INTERNET PROFESSIONALS (July 2002)
<http://www.gigalaw.com/articles/landau-2002-07.html>

The DMCA's Chilling Effect on Encryption Research
GIGILAW.COM – LEGAL INFORMATION FOR INTERNET PROFESSIONALS (September 2001).
<http://www.gigalaw.com/articles/2001/landau-2001-09-p4.html>

The Importance of Electronic Rights Revisited
GIGILAW.COM – LEGAL INFORMATION FOR INTERNET PROFESSIONALS (August 2001)

<http://www.gigalaw.com/articles/2001/landau-2001-08-p1.html>

Interview: Michael Landau on Copyright (discussing NYT v Tasini)
WEBREFERENCE.COM - THE WEBMASTER'S REFERENCE SOURCE (June 28, 2001)
<http://www.webreference.com/new/010628.html>

Questions and Answers About the Napster Case.
GIGALAW.COM – LEGAL INFORMATION FOR INTERNET PROFESSIONALS (May 2001)
<http://www.gigalaw.com/articles/2001/landau-2001-05-p1.html>

“Statutory Damages” in Copyright Law and the MP3.com Case,
GIGALAW.COM – LEGAL INFORMATION FOR INTERNET PROFESSIONALS (October 2000)
<http://www.gigalaw.com/articles/landau-2000-10-p1.html>

Trademark Law and Hi-Tech Product Design
GIGALAW.COM – LEGAL INFORMATION FOR INTERNET PROFESSIONALS (July 2000)
<http://www.gigalaw.com/articles/landau-2000-07-p1.html>

Ownership Issues in Copyright Law
GIGALAW.COM – LEGAL INFORMATION FOR INTERNET PROFESSIONALS (April 2000)
<http://www.gigalaw.com/articles/landau-2000-04-p1.html>

The Importance of Obtaining “Electronic Publishing Rights”,
GIGALAW.COM – LEGAL INFORMATION FOR INTERNET PROFESSIONALS (January 2000)
<http://www.gigalaw.com/articles/landau-2000-01-p1.html>

Published Transcripts of Copyright Roundtable Discussions

Dancers & Superheroes Meet Copyright Law, VOL. 116, NO. 41 FULTON COUNTY DAILY REPORT B1 (Feb 28, 2005)(w/ J. Trigg, L. Nodine).

The End of Free Music, VOL. 115, NO. 203, FULTON COUNTY DAILY REPORT B1 (OCTOBER 18, 2004)
(with J.Beck, G. Kirsch)

Trademark Tensions: Where To Draw The Line On Whether Pop-Up Advertisements Are Actionable -- Or Just Annoying, VOL. 115, NO. 31, FULTON COUNTY DAILY REPORT B1(February 16, 2004)
(with J.Dillon, D.Isenberg, M. Hobbs, J. Kuester.)

Video :

Ten Tough Times: Advice to Associates on Handling Some Hairy Situations (Practising Law Institute 1991) (co-written with J. Freud, R. Paul, B. Graifman, S. Samuels, and Y. Francus) (Broadcast Nationally several times on COURT TV).

CD-ROM and Computer Diskettes:

LINDEY ENTERTAINMENT LAW FORMS ON CD-ROM (WEST 200-2006).

LINDEY ENTERTAINMENT LAW FORMS ON DISK (5 disk set) (WEST 1996, 1997, 1998, 1999).

Personal Jurisdiction on the Internet: Does World Wide Volkswagen Ride on the Information Superhighway?
ABA INTELLECTUAL PROPERTY LAW SECTION WORKING PAPERS ON CD (BNA 1998).

Conferences, Symposia, and Guest Lectureships

- November 2-6, 2006 State Bar of Georgia
Annual Intellectual Property Institute
Cancun, Mexico
New Developments in Copyright Law
- October 17, 2006 State Bar of Georgia
Technology Law Institute, Atlanta, GA
New Technologies, New Markets, New Legal Issues
- October 6, 2006 University of Pittsburgh Law School, Pittsburgh, PA
6th Annual Intellectual Property Conference
Intellectual Property and The End of Exclusivity
- August 11, 2006 University of California, Berkeley, CA
Boalt Hall Law School
6th Annual Intellectual Property Scholars Conference
What's the Use?: Commerce, The Lanham Act, and Internet Keyword Advertising
- May 19, 2006 State Bar of Georgia Entertainment Law Institute
King Plow Art Center, Atlanta, GA
New Developments in Copyright Law.
- May 13, 2006 University of Helsinki, Helsinki, FI
IPR University Center
Copyright, Mass Use, and Exclusivity
- April 13, 2006 Georgia State University
“Hot Topics in Intellectual Property Law”
Digital Content Distribution : The Importance of Contract
- April 6, 2006 Michigan State University, East Lansing, MI
The International Intellectual Property Regime Complex Conference
Constitutional Challenges to the Anti-bootlegging Statutes
- March 6, 2006 52nd Annual Fulbright Kommission Berlin Seminar, Berlin, Germany
The International Harmonization of Copyright Law
- March 4, 2006 Fulbright Academy of Science & Technology Annual Meeting, Berlin, Germany
Liability, Licenses, or Levies : Comparative Approaches to the Media File Sharing Problem
- January 25, 2006 Michigan State University, East Lansing Michigan
“Intellectual Property Scholars’ Roundtable”
Copyright and the Creative Process: Reexamining the Copyright Clause from A Different Perspective.
- December 12, 2005 The London School of Economics, London, UK
Department of Law – Guest Lecturer
The Supreme Court, The Common Law, and the U.S. Copyright Act : Why The Active Inducement Theory of Copyright Liability Creates More Problems Than It Solves.
- November 15, 2005 The Fulbright Center, Helsinki, Finland
Fulbright Board of Directors and Alumni Meeting

Harmonization of US Intellectual Property Law with EU Law

- November 11, 2005 Stockholm University, Stockholm, Sweden
“Intellectual Property in Transition Conference”
Should TRIPS Be Amended to Account for Users’ Rights
- November 4, 2005 University of Turku, Turku, Finland
Department of Law – Guest Lecturer
Fair Use and File Sharing
- October 22, 2005 University of Turku, Turku, Finland
Department of North American Studies “American Voices” Seminar
*Politics, Populations, and Regional Differences in the United States : “Melting Pot”
“Patchwork Quilt,” or “Pepperoni Pizza.”*
- October 6, 2005 Open Source Software Seminar
University of Helsinki, Helsinki, Finland
“Open Source” Software and the Potential Copyright and Patent Time-Bombs.
- Sept. 6, 2005 IPR University Center Peer-to-Peer File Sharing Conference
SAS Radisson Royal Hotel, Helsinki, Finland
Analysis of the U.S. Supreme Court’s MGM v. Grokster Decision.
- Sept. 5, 2005 University of Edinburgh, Edinburgh, Scotland
International Privacy Law Conference
The Right of Privacy in the United States After September 11, 2001.
- August 11, 2005 Benjamin Cardozo School of Law - Yeshiva University,
5th Annual Intellectual Property Scholars’ Conference
*Copyright and the First Amendment: The Need for Reasonable Royalties to Balance Users’
and Owners’ Rights.*
- June 27, 2005 University of Cambridge, Cambridge, UK
UK Intellectual Property Teachers’ Conference
*Personal Copying, File Sharing, and US Copyright Law: Is Sony v. Universal Studios Still
Applicable in the Digital Age?*
- June 4, 2005 Law and Society Association Annual Meeting
J.W. Marriot, Las Vegas, NV
*Copyright and New Technologies: Balancing Property Rights with Access to Information
and Innovation*
- April 9, 2005 Danish Entertainment Law Society, Copenhagen, Denmark
Legal Issues for the Film Industry : Licensing and Merchandising Conference
Keynote Speaker: *The Right of Publicity, Merchandising, and Trademark Law: Different
Markets, Different Territories, Different Laws*
- March 11-12, 2005 American Society of Law, Culture, and Humanities
University of Texas, Austin Texas
*The Use of Reasonable Royalties and Attribution Rights to Promote the Progress of Science
and the Useful Arts and Maintain Cultural Heritage*
- February 18, 2005 University of Warsaw, Warsaw, Poland
Institute of American Law
Hot Topics in U.S. Intellectual Property Law

January 12, 2005 Fulton County Daily Report
Intellectual Property Roundtable – Moderator and Panelist
Unresolved Ownership and Termination Issues in Copyright Law

December 7, 2004 State Bar of Georgia
Intellectual Property Section CLE
Internet Pop-Up Ads and Trademark Law

November 15, 2004 Southeastern Entertainment & Sports Law Institute
(Sponsored by the Bars of FLA, GA, and TENN)
Cabo San Lucas, MEXICO
New Developments in Copyright Law – 2004

November 14, 2004 State Bar of Georgia, Intellectual Property Section
Annual Intellectual Property Institute
Technology and Intellectual Property : New Uses or New Abuses?

November 3, 2004 Law Seminars International Annual Trademark Seminar
Georgian Terrace Hotel, Atlanta, GA
New Developments in Trademark Litigation - 2004

October 25, 2004 Copyright and Competition Symposium
IPR Rights University Center,
University of Helsinki, Helsinki, Finland
*Technological Tie-Ins : The Use of the Anticircumvention Provisions
of the DMCA to Circumvent U.S. Antitrust Law*

October 26, 2004 Intellectual Property Beyond Rights Conference
Hanasaari, The Swedish-Finnish Cultural Center, Helsinki Finland
Intellectual Property Rights and Digitization

October 11, 2004 Fulton County Daily Report, Atlanta GA
Intellectual Property Roundtable
The Future of Peer-to-Peer File Sharing

September 16, 2004 Society of Legal Scholars Annual Conference
University of Sheffield, UK
Moral Rights, Plagiarism, and the Supreme Court

August 3, 2004 4th Annual Intellectual Property Scholars Conference
DePaul Univ. Law School, Chicago, IL
(also sponsored by Univ. Cal. at Berkeley and Cardozo Law School)
Moral Rights, Copyrights, and Attribution Rights.

May 27, 2004 Law and Society Ass'n Annual Meeting
Renaissance Hotel, Chicago, IL
Are Copyright and Trademark Protection Mutually Exclusive?

March 25, 2004 University of Durham, Durham, UK
British and Irish Law, Education, and Technology Ass'n Annual Meeting
*Dastar v 20th Century Fox: Has the United States Supreme Court Granted a License to
Plagiarize?*

February 27, 2004 Goizueta Graduate School of Business
Emory University, Atlanta, GA

- Intellectual Property and Antitrust Seminar
Are the Anti-circumvention Provisions of the DMCA and the Antitrust Laws Compatible?
- February 26, 2004 Emory University School of Law
Guest Lecturer, Entertainment Law
Are Copyright and Trademark Protection Mutually Exclusive?
- February 26, 2004 World Research Group Trademark Seminar
Optimizing Trademark Protection and Positioning Seminar
Georgia Terrace Hotel, Atlanta, GA
Is Trademark Protection as Strong as it Used to Be?
- February 21, 2004 Michigan State University
College of Law, East Lansing MI
Intellectual Property and Communications Law Conference
The Supreme Court and the Lanham Act.
- February 4, 2004 State Bar of Georgia Intellectual Property Section
Copyright Seminar
Offices of the State Bar of Georgia, Atlanta, GA
The Most Important Copyright Cases of 2003
- January 23, 2004 Fulton County Daily Report
Intellectual Property Roundtable
Fulton County Daily Report, Atlanta, GA
Trademark Law and the Internet: Pop-Ups, Banner Ads, and Cybersquatting
- December 8, 2003 Law Seminars International
Trademarks: Transactions and Litigation Seminar
Renaissance Atlanta Downtown Hotel, Atlanta, GA
Recent Developments in Trademark Litigation
- November 14, 2003 Southern Regional Sports & Entertainment Law Conference
State Bars of Georgia, Florida, and Tennessee
Ritz Carlton Rose Hall
Montego Bay, Jamaica
New Developments in Copyright Law
- November 15, 2003 State Bar of Georgia
Intellectual Property Section's Annual IP Institute
Trends in Intellectual Property and Technology
- October 18, 2003 Tulane Law School, New Orleans. LA
2003 Tulane Intellectual Property Colloquium
The Supreme Court and the Lanham Act: Now You See It, Now You Don't!
- October 9, 2003 Practicing Law Institute (PLI)
Understanding Basic Copyright Law 2003
Crowne Plaza Ravinia, Atlanta, GA
Copyright and Digital Music Downloading
- May 28, 2003 State Bar of Georgia
Intellectual Property Law Section Spring Copyright CLE
Atlanta, GA
Copyright Renewal, Termination, and Derivative Works

- April 21, 2003 Emory University School of Public Health, Atlanta, GA
Masters in Clinical Research Program: Ethics and Medicine Seminar
Patent Inventorship and Ownership Issues for Academics
- April 15, 2003 18th Annual British & Irish Law, Education, and Technology Association Conference
("BILETA") "Controlling Information in the Online Environment"
University of London, Institute of Computer and Communications Law,
Center for Commercial Law Studies, Queen Mary College, LONDON, UK
Silencing Content Providers: They're Coming From Everywhere and Under Every Theory
- March 28, 2003 Smithsonian Institution/ American Bar Association Conference on
Legal Issues in Museum Administration
Astor Crown Plaza Hotel
New Orleans, LA
*The Expansion of Transformative Use: First Amendment, Copyright, and Right of Publicity
Issues for Museums*
- February 20, 2003 Emory University Law School, Atlanta, GA
Guest Lecturer – Entertainment Law
The Distinction Between Agents, Managers, and Attorneys
- Oct. – Nov. 2002 Turner Broadcasting Systems, Atlanta, GA
Six-Week Advanced Copyright Law Seminar¹
- September 18, 2002 George Washington University, Washington, DC
Judicial Conference on Court Reform
Sponsored by the U.S.P.T.O., George Washington Univ., and the IPI.
The Need for a Specialized Copyright Court.
- May 1, 2002 Emory University, Atlanta, GA
Rollins School of Public Health
Intellectual Property Protection for the Health Sciences
- April 5, 2002 Fordham University School of Law
10th Annual International Intellectual Property Conference
Copyright and the First Amendment: Conflict or Peaceful Co-Existence
- October 13, 2001 Georgia Lawyers for the Arts
"Atlanta Celebrates Photography"
Copyright Issues for Photographers
- September 19, 2001 Georgia State University
College of Education - Guest Lecturer
Copyright Issues for Distance Learning
- April 27, 2001 Fordham University Law School, NY, NY
9th Annual International Intellectual Property Conference
New Developments in U.S. Copyright Law
- April 9, 2001 University of Edinburgh, Edinburgh, Scotland, UK
British and Irish Law, Education & Technology Assn. (BILETA)

¹ TBS General Counsel's Office hired me to teach their in-house legal staff an Advanced Copyright Law Course.

- 2001 Intellectual Property and Technology Conference
Digital Music Downloads and US Copyright Law.
- March 29, 2001 Emory University College of Law
Guest Lecturer – Entertainment Law
Digital Music Downloads after Napster.
- March 9, 2001 Ohio State University, Columbus OH
2nd Annual Intellectual Property Conference
Has the DMCA Created a New Exclusive Right of Access?
- February 23, 2001 Emory University Law School, Atlanta, GA
GVLA “Art Law for the New Millennium” Symposium
Digital Distribution and Copyright Law
- January 12, 2001 State Bar of Georgia
Annual Entertainment Law Seminar
Swisshotel, Atlanta, GA
Digital Distribution and Copyright Law
- November 10, 2000 Georgetown University Law School, Washington, DC
Copyright and the First Amendment Symposium (WALA)
The Conflict Between Transformative Uses and Derivative Works
- October 21, 2000 Atlanta Center for Contemporary Art, Atlanta, GA
2000 Photography and the Law Seminar
Copyright Issues for Photographers
- October 6, 2000 Emory University
Goizueta School of Business
Trends in Intellectual Property Seminar
Digital Distribution and Copyright Law
- August 11, 2000 University of Amsterdam, Amsterdam, The Netherlands
Institute for Information Law
Patenting Software and Methods of Doing Business.
- July 28, 2000 University of Amsterdam, Amsterdam, The Netherlands
Amsterdam Law School
The Microsoft Case: Government Intervention or Abuse of Market Power?
- July 5, 2000 University of Maastricht, Maastricht, The Netherlands
Seminar in Global Competition Law
The Microsoft Case: Balancing Copyright and Antitrust
- April 13, 2000 Georgia Volunteer Lawyers for the Arts Seminar
North Fulton Cultural Center, Roswell, GA
Copyright and Trademark Issues for Artists
- March 30, 2000 Emory Law School
Entertainment Law- Guest Lecturer
Music and Sound Recordings
- March 21, 2000 Vanderbilt Law School, Nashville, TN

- Vanderbilt Cyberspace Law Symposium
The Internet and Copyright: Do Content Providers Have Protection?
- February 3, 2000 Association of Computing Machinery Seminar (“ACM”)
Georgia State University, Atlanta, GA
Intellectual Property and Antitrust Issues for the New Millennium
- November 19, 1999 Georgetown University Law Center, Washington, DC
Globalization and Technology Seminar
Merger Mania : Antitrust and Copyrights Concerns Related to Concentration of Media Ownership
- November 14, 1999 Georgia State University
Graduate School of Business - Guest Lecturer
LGLS 8389A - Legal & Policy Issues in Electronic Commerce
Copyright and Trademark Issues for E-Commerce
- November 5, 1999 State Bar of Georgia
Annual Intellectual Property Conference
Brasstown Valley Inn, GA
New Developments in Copyright Law
- October 28, 1999 Southeastern Regional Entertainment & Sports Law Conference
State Bars of Georgia, Florida & Tennessee
Curaçao Marriot, Curaçao
Trademark Issues in Cyberspace
- April 6, 1999 Georgia Volunteer Lawyers for the Arts
Seminar on Copyright Law and the Theatre
14th Street Playhouse, Atlanta, GA
Ownership Issues for Playwrights and Actors.
- March 18, 1999 Emory Law School
Entertainment Law - Guest Lecturer
Music and Sound Recordings
- February 20, 1999 Copyright Society of the U.S.A.
Annual Mid-Winter Meeting
Four Seasons Hotel, Atlanta, GA
The Thinning of Copyright: Fabric Designs
- November 20, 1998 American Society for Theatre Research
THEATRE, PERFORMANCE, AND THE RULE OF LAW SEMINAR
OMNI Shoreham Hotel
Washington, D.C.
Copyright Law and Performance
- September 24, 1998 Georgia Volunteer Lawyers for the Arts
Atlanta College of Art, Atlanta, GA
Copyright and Trademark Basics for Artists
- June 4, 1998 Johannes Kepler University of Linz, Austria
International Patent Arbitration

- May 6, 1998 WXIA Television (Channel 11)
Local Evening News (6:00 PM broadcast)
Invasion of Privacy
- March 30, 1998 American Bar Association (ABA)
Section on Intellectual Property Law Annual Meeting
Omni Shoreham Hotel, Washington, D.C.
Internet Jurisdiction: Does World Wide Volkswagen Ride on the Information Superhighway?
- February 17, 1998 Atlanta College of Art
Principles of Gallery Management - Guest Lecturer
Copyright and Trademark Basics for Artists and Galleries
- November 23, 1997 Southern Economic Association 67th Annual Conference
Intellectual Property Rights and Economic Progress
Atlanta Hilton, Atlanta, GA
Intellectual Property Rights and the Internet
- November 4, 1997 9th Annual Southeastern Entertainment & Sports Law Seminar
State Bars of Georgia, Florida & Tennessee
Laguna Cliffs Hilton, Dana Point, CA
New Developments in Copyright Law
- September 25, 1997 FRDA Intellectual Property Conference
Ritz Carlton Buckhead, Atlanta, GA
Intellectual Property Rights and the Internet
- September 19, 1997 ICLE of Georgia -- State Bar of Georgia
12th Annual Computer Law Institute, Colony Square, Atlanta, GA
Personal Jurisdiction on the Internet Does World Wide Volkswagen Ride on the Information Superhighway?
- September 12, 1997 *Advanced Internet Law: The Next Frontier in Legal Practice*
Marriot Hotel, Nashville, TN
Internet Domain Name Disputes
- September 8, 1997 Atlanta Public Television (WPBA - 30)
The Layman's Lawyer
The Rights of Privacy and Publicity
- April 4, 1997 State Bar of Georgia Entertainment & Sports Law Section
ENTERTAINMENT LAW FOR THE NEXT MILLENNIUM:
LEGAL ISSUES IN NEW TECHNOLOGY (CLE)
Grand Hyatt Hotel, Atlanta, GA
Internet Domain Name Disputes
- March 11, 1997 Atlanta College of Art
Principles of Gallery Management - Guest Lecturer
Copyright and Trademark Basics for Gallery Owners
- February 25, 1997 Georgia State University College of Business
Entrepreneurship & New Venture Management - Guest Lecturer
Intellectual Property Protection for Start-Up Businesses

- January 25, 1997 Atlanta Lawyers for the Arts
NEXUS Center for Contemporary Arts
Copyright Basics for Artists, Authors, and Photographers
- Nov. 14, 1996 8th Annual Southern Regional Entertainment & Sports Law Seminar
San Juan, Puerto Rico
Advanced Copyright Breakout Session:
Interesting and/or Complicated Copyright Cases of 1996.
- May 28, 1996 Johannes Kepler University of Linz, Austria
Guest Lecturer
Intellectual Property Implications of the GATT
International Intellectual Property Alternative Dispute Resolution
- February 21, 1996 State Bar of Georgia
Section on Entertainment & Sports Law
Winter Meeting, Occidental Grand Hotel, Atlanta
Phonorecords, Musical Compositions, and Publication under the Copyright Act: The Immediate Need to Resolve an Age-Old Controversy.
- August 11, 1995 Georgia Institute for Continuing Legal Education Conference
Annual Intellectual Property Law Institute
St. Simons Island, GA
Protection for Color as a Trademark after the Supreme Court's Qualitex v. Jacobson Products Opinion.
- June 4, 1995 Johannes Kepler University of Linz, Austria
Guest Lecturer
Intellectual Property Implications of the GATT
International Intellectual Property Alternative Dispute Resolution
- June 2, 1994 Johannes Kepler University of Linz, Austria
Guest Lecturer
International Intellectual Property Alternative Dispute Resolution
- April 15-16, 1994 Dickinson School of Law Symposium:
Genetic Engineering: Prescription For Perfection or Roadmap for Disaster.
Use of Genetic Testing by Employers and Insurance Companies
Legal Issues Related to Genetic Patents and Genetic Engineering
- April 7, 1994 Georgia State University Symposium:
Lawyers and the Legal Profession in Cinema: Has Hollywood or Society Changed?
Moderator and Panelist
- March 10, 1994 State Bar of Georgia - Patent and Trademark Section Meeting
Colony Square Hotel, Atlanta.
Trademark and Trade Dress Protection for Color: Another Grey Area in the Law.
- January 25, 1994 Georgia State University College of Arts & Sciences
Law & Literature – Guest Lecturer
Copyright Law, Hypertext, and the New Technologies: Is Copyright Obsolete?

April 8, 1991 New York University Law School
Panelist: *Careers in Publishing Law*

February 21, 1991 John Marshall Law School 35th Annual Conference on Developments in Intellectual
Property Law (Chicago, IL)
Litigating Patent Cases: Looking at the Jury and the Federal Circuit

Moot Court Judge:

February 2002, 2003, 2004, 2006 Saul Lefkowitz National Moot Court Competition
Southern Competition
Moot Court Judge

November 15, 1997 Emory Law School, Judge - Trial Practice Program

March 15-16, 1992 Yeshiva Univ. Benjamin Cardozo Law School, NY, NY
March 14-15, 1992 Moot Court Judge - BMI/Cardozo Entertainment and Communications National Moot
Court Competition.

Bar Admissions:

New York State (1989) S.D.N.Y. (1989)
Court of Appeals for the Federal Circuit (1989) E.D.N.Y. (1989)

Community Service

Atlanta Contemporary Art Center ("The Contemporary")

Board of Directors (1997-2003)
Executive Committee (1997-2003)
Treasurer (1998-2001)
Chair, Finance Committee (1998-2001)

Southern Entertainment and Art Law Center

Board of Directors (2000-2001)

Atlanta Lawyers for the Arts

Board of Directors (1996 - 1999)
Seminar Lecturer

Georgia Volunteer Lawyers for the Arts (GLA)

Board of Directors (1998-2005)
Seminar Lecturer

Metropolitan Museum of Art, NY, NY

Pro-Bono Consultant to Associate General Counsel on Copyright Matters

PROFESSIONAL ASSOCIATIONS:

American Association of University Professors
American Bar Association

American Civil Liberties Union
American Intellectual Property Lawyers Association
American Society of Composers, Authors, and Publishers (ASCAP)
American Society of Writers on Legal Subjects (Scribes)
Association for Law and Economics
Association for Teaching and Research in Intellectual Property (ATRIP)
Association Littéraire et Artistique Internationale (ALAI)
Association of American Law Schools
Association of Internet Researchers
British and Irish Law, Education, and Technology Ass'n (BILETA)
British Institute of International and Comparative Law
Copyright Society of the USA
Fulbright Association
Fulbright Academy of Science & Technology
International Association of Jazz Educators
International Bar Association
Law and Society Association
Music Teachers National Association (MTNA)
New York State Bar Association
Society for Advanced Legal Studies
Society of Legal Scholars
State Bar of Georgia (Associate Member)

Biographical Listings:

Who's Who in the World
Who's Who in America
Who's Who in American Law
Who's Who in Entertainment
Who's Who in American Education
Who's Who in Industry and Finance
Who's Who in the South and Southwest

Independent Research Projects Supervised at Georgia State Univ. College of Law:

I often work closely with students supervising Independent Research Projects. I meet with them on a regular basis to discuss the progress of their work, and give comments on drafts in various stages of development. I believe that this one-to-one contact, resulting in an in-depth paper is an extremely valuable experience.

Spring 2005

“Infringement in Massively Multi-Player Online Games “MMO” Characters”
by Josh Traub

“Trademark Protection In Emerging Markets”
by Creighton Frommer

“Likelihood of Confusion: When Tax Meets Trademarks”
by Russell Tim

Spring 2004

“Dastar, the Public Domain, and Credit”
by Dawn Jones

Fall 2003

“The Anticircumvention Provisions of the DMCA and Product Monopolization”
by Heather Schaeffer

Fall 2001

“The Right of Publicity” by Kathryn Semansky

Fall 2000

“The Need for a Federal Right of Publicity Law” by Kim Jacobson

Fall 1998

“Is There a Proper Foundation for Genomic Based Patents? : The USPTO Giveth and the Courts Taketh Away.”
by Suzy Strickland

Spring 1998

“The Effect of Internet Technology on the Motion Picture Industry”
by Mary Rinaldi

“Increasing the Effectiveness of Products Liability Law Through the Imposition of Criminal Liability for Corporate Malfeasance Against Consumers”
by David Harris

“Caching In, Cashing Out: The Conflict of Web Caching and Copyright”
by David Kerven

Spring 1997

“The Doctrine of Equivalents after the Supreme Court’s *Hilton-Davis* Decision”
by Camilla Williams

“From *Graver Tank* to *Hilton-Davis* : The Supreme Court Continues to Endorse the Doctrine of Equivalents in Patent Law”
by Paul Knowleton

“Trends in Biotechnology Patents”
by Judy Jarecki-Black

“Copyright and Defamation Liability of BBS and On-Line Service Providers”
by Michael Arnold

Spring 1996

“And Now, the West of the Story: New Pages in the Saga to Undo *West Publishing Co. v. Mead Data Central*”
by Douglas Isenberg.

“Biotechnology Patents”
by Dinh X. Nguyen

Spring 1995

“Antitrust Relief For Health Care Providers”
by Loretta Patrick

Fall 1994

“The Trademark Licensor’s Dilemma: Facing Liability for the Licensee’s Products”

by Colin Flannery

“Statutory Equivalents of Claim Elements Expressed in Means-Plus-Function Terms”

by James A. Witherspoon (patents)

“Modern Application of the Doctrine of Equivalents”

by Gregory S. Smith

Spring 1994

“Reverse Engineering for Interoperability: A Comparative Analysis of U.S. Cases, the U.S. Semiconductor Act, the Berne Convention, and the European Community Software Directive”

by Rebecca Stone

“Intellectual Property Protection in Mexico”

by Jeanne Lonergan

Fall 1993

“Current Trends in the Tests for Determining the Copyrightability of Nonliteral Aspects of a Computer Program”

by Sandra Cuttler

“Patent & Copyright Protection for Computer Programs: A Historical Perspective”

by Scott M. Frank

“PIRACY! : Navigating the Seven Seas of Intellectual Property Rights in pre-1972 Sound Recordings”

by Michael Olsen

Additional Employment Experience:

1968-2006

Self-Employed Musician and Music Teacher, NY, PA., and GA

Played in various rock and blues bands throughout New York and Pennsylvania
Also gave private lessons in rock, blues, and jazz guitar technique. Financed
entire undergraduate education from earnings as a musician and guitar teacher.

1981-1985

New York Singing Telegrams, Inc.

Balloons-To-Go

President and Founder

President and founder of one of New York's first Singing Telegram and Helium-balloon delivery services. Company provided both small clusters of balloons for individuals, and also very large arrangements of decorative balloons for corporate promotions, as well as singing telegrams delivered by performers in various costumes. Personal responsibilities included all major administrative and creative activities, including songwriting, advertising writing, public relations, budgeting, etc. Corporate clients included Citibank, IBM, NBC, ABC, Studio 54, Columbia University, The City of New York, and the Circle Line.

(Sold company to a competitor while I was in law school. The company is still in business)

1979-1981

The Singing Telegram Company, Inc., NY, NY.

Manager and creative director. Responsible for the day to day operation of a small independently owned singing telegram company. Wrote songs, wrote advertisements, designed brochures and flyers. Also responsible for auditioning and hiring the singers who deliver and perform the singing telegrams.

1978 -1979

Western Onion Singing Telegrams, Philadelphia, PA

Manager of Operations and Promotions for the Mid-Atlantic Area for this San Francisco based singing telegram company. Western Onion was the first company to revive singing telegrams since the end of World War II. Appeared on the Mike Douglas Show, Mid-Day Live, and the NBC Nightly News.

June – July 1977

Camp Nagila, Idetown, Pennsylvania
Music Director

March -July 1976

The Bicentennial Wagon Train

Bass Player and Singer in National Bicentennial Musical Production Sponsored by the Commonwealth of Pennsylvania. Crossed the country performing every night in a different city. Last performance was on July 4, 1976 at the Bicentennial Celebration at Valley Forge, PA, attended by President Gerald Ford.