

DEVEN R. DESAI
CURRICULUM VITAE

Georgia Institute of Technology
Scheller College of Business
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EDUCATION

Yale Law School, New Haven, CT
Juris Doctor, 1997
Yale Journal of Law & Humanities, Co-Editor-in-Chief and Articles Editor

University of California at Berkeley, Berkeley, CA
B.A., Rhetoric, *summa cum laude*, 1993; G.P.A., 3.85; 4.0 in the major with honors
Honors: Phi Beta Kappa, 1992; Departmental Citation as Top Student, 1993; Moore Scholarship and Grossmith Scholarship (both for academic excellence)
Rhetoric in Oral Argument and Presentation, *Teaching Assistant as undergraduate*
Honors Thesis: *To Read or Not To Read: An Analysis of the Rhetoric of Genius*

RESEARCH AND FACULTY EXPERIENCE

Georgia Institute of Technology, August 2014-present
Scheller College of Business, Atlanta, GA
Associate Professor

Thomas Jefferson School of Law, San Diego, CA August 2012-July
Associate Professor 2014
(on leave 2010-2012)
2005 – 2010

Courses: Business Associations, Trademark, Information Privacy, Intellectual Property and Information Theory, Professional Responsibility

Stanford Law School, Stanford, CA March, 2012 –
Center for Internet and Society August, 2012
Guest Researcher

Conducting research on information and network theory as applied to a range of intellectual property and privacy questions

Google, Inc., Mountain View, CA May, 2010 –
Academic Research Counsel March, 2012

Initial holder of position formally responsible for conducting and growing company's research from legal, sociological, economic, and other social science perspectives. Duties included conducting own research; maintaining and growing portfolio of research activities; establishing and expanding speaker series to increase company's knowledge of and exchange with academics working on the intersection of technology and social sciences; developing the company's capacity to research, present, and write about technology policy matters.

Princeton University, Princeton, NJ 2009 – 2010
Center for Information Technology Policy
Visiting Fellow

Conducted research for series of papers on brands; organized conference on Intergenerational Equity and Intellectual Property; participated in weekly security and policy workshops

OTHER EXPERIENCE

Desai Consulting, Santa Monica, CA 2002 – 2005
Principal 1999 – 2001

Operated consulting company providing strategic law and policy analysis and advice regarding evolving domestic and international Internet legal rules covering areas such as online privacy, ecommerce, and protection of copyrighted material and local government and policy issues such as good government, crime, housing, and education

Representative clients: Mattel, Inc., Cory Booker for Mayor campaign, and Jumpstart for Young Children, Inc.

New.net, Inc., an idealab! company, Sherman Oaks, CA 2001
Director Business/Legal Affairs

Directed business/legal affairs and government relations for Internet infrastructure company including establishing best practices regarding online privacy and ecommerce, researching and preparing policy material to advise government bodies regarding the infrastructure industry, handling transactions, protecting intellectual property, and creating business entities

Quinn Emanuel Urquhart Oliver & Hedges, LLP, Los Angeles, CA 1997 – 1999
Associate

Handled a range of business litigation with an emphasis on Internet and intellectual property matters including preparation of brief materials in appellate case *Lockheed v NSI*, 194 F.3d 980 (9th Cir. 1999), advised clients regarding impact of Internet on their copyright and trademark interests, prepared best practice guidelines regarding how to work within changing privacy and ecommerce laws

PUBLICATIONS

Constitutional Limits on Surveillance: Associational Freedom in the Age of Data Hoarding __ NOTRE DAME LAW REVIEW __ (2014) (forthcoming)

Custom Copyright: Understanding Software Protection at All Layers of 3D Printing, 65 HASTINGS LAW JOURNAL 1469 (2014)

Patents, Meet Napster: The Disruptive Power of 3D Printing, 102 GEORGETOWN LAW JOURNAL 1691 (2014) (with Gerard Magliocca)

Bounded by Brands: An Information Network Approach to Brands, 47 U.C. DAVIS LAW REVIEW 821 (2014)

Speech Citizenry and the Market: A Corporate Public Figure Doctrine 98 MINNESOTA LAW REVIEW 455 (2013)

Beyond Location: Data Security in the 21st Century, COMMUNICATIONS OF THE ACM (January, 2013)

Response: An Information Approach to Trademarks, 100 GEORGETOWN LAW JOURNAL 2119 (2012) (invited piece for 100th Anniversary issue of the Georgetown Law Journal)

From Trademarks to Brands, 46 FLORIDA LAW REVIEW 981 (2012)

The Life and Death of Copyright, 2011 WISCONSIN LAW REVIEW 219 (2011)

Brands, Competition, and the Law, 2010 BRIGHAM YOUNG LAW REVIEW 1425 (2010) (with Spencer Waller)

Privacy? Property?: Reflections on the Implications of a Post-Human World, 18 KANSAS JOURNAL OF LAW & PUBLIC POLICY 174 (2009)

Property, Persona, and Preservation, 81 TEMPLE LAW REVIEW 67 (2008)

Confronting the Genericism Conundrum 28 CARDOZO LAW REVIEW 1789 (2007) (with Sandra L. Rierson)

Have Your Cake and Eat It Too: A Proposal For A Layered Approach to Regulating Private Military Companies 39 UNIVERSITY OF SAN FRANCISCO LAW REVIEW 825 (Summer 2005) (lead article)

Commercial Symbols (work-in-progress) (examining the range of commercial symbols and the difference between public and private ordering systems as assurances of high quality information in the marketplace)

Body of Information (work-in-progress) (investigating whether information derived from one's body necessitates a different understanding for property and privacy and questioning the theoretical grounds of approaches that argue for privacy to be treated as a property right)

Trademark, The Most Dangerous Branch (work-in-progress) (examining the expansion of the application of trademark rights and interests and finding that unlike patent and copyright which have inherent limits on their reach, trademark law of its nature has few limits and presents potentially unlimited control to a trademark claimant such that expressive and productive uses of trademarked material are limited if not eliminated)

BOOK CHAPTERS and EDITORSHIPS

BRANDS, COMPETITION, AND THE LAW (Deven R. Desai, Ioannis Lianos, and Spencer Waller, eds.) (Cambridge, 2014)

Individual Branding: How the Rise of Individual Creation and Distribution of Cultural Products Confuses the Intellectual Property System

CREATIVITY, LAW, AND ENTREPRENEURSHIP (Shubha Ghosh and Robin Malloy eds.)
(2009)

LAW OF INTERNET DISPUTES, (Aspen, 1999-2003) (sole contributing editor)

Authored chapters of and edited treatise on Internet law and policy including protection of copyrighted material, e-commerce, Internet jurisdiction, and privacy

OTHER WRITING

Concurring Opinions, www.concurringopinions.com, Author, (regular contributor to general law-related blog read by law professors, students, and professionals (approx. 100,000 unique visitors a month)) (summer 2007-present) (previously invited to be a guest blogger three times)

Madisonian, www.madisonian.net, Author, (regular contributor to technology-related blog read by law professors, students, and professionals) (summer 2007-present)

A Proposal to Introduce Market Based Principles into Domain Name Governance (2000) (white-paper submitted to ICANN, the entity that manages the Internet's Domain Name System)

PRESENTATIONS AND ACADEMIC ACTIVITIES

Invited Commenter, "The Value of Deviance," 7th Annual GW Law School-Berkeley Law Privacy Law Scholars Conference, George Washington University, Washington D.C., June 5-6, 2014.

Invited Speaker and Moderator, "The New Business Paradigm Shift and Impact on Traditional Models", Fujitsu Laboratories of America Technology Symposium, Computer History Museum, Mountain View, CA, June 4, 2014.

Invited Commenter, "Product Redesign as Commercial Expression: Antitrust Treatment of Speech and Innovation," 2nd Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT, May 3-4, 2014

Invited Speaker, "Patents, Meet Napster: The Disruptive Power of 3D Printing," Florida State Bar IP Section, Tampa, Florida, March 21, 2014.

Invited Speaker, "Patents and the Gun Red Herring in 3D Printing," University of California, Hastings College of Law, San Francisco, CA, January 31, 2014.

Invited Speaker, "Data Hoarding: Privacy in the Age of Artificial Intelligence," University of Arizona, James E. Rogers School of Law, Tucson, AZ, February 13, 2014.

Invited Speaker, "Patents, Meet Napster: The Disruptive Power of 3D Printing," Yale Information Society Project, Yale Law School, New Haven, CT, November 21, 2013.

Invited Speaker, “Bounded by Brands: An Information Network Approach to Trademarks,” Florida State University School of Law, Tallahassee, FL November 14, 2013

Invited Speaker, “Patents, Meet Napster: The Disruptive Power of 3D Printing,” Georgetown Law Journal Conference on Disruptive Technology, Washington, D.C., November 8, 2013.

Invited Speaker, “Patents, Meet Napster: The Disruptive Power of 3D Printing,” Drexel University Earle Macke School of Law, Philadelphia, PA, November 1, 2013

Invited Speaker, “Patents, Meet Napster: The Disruptive Power of 3D Printing,” Boston IP Colloquium Series, Boston College School of Law, Newton, MA, October 25, 2013

Invited Speaker, “Technological Disruption of the Practice of Law,” District of Oregon Conference Innovations in the Law: Science & Technology, Portland, OR, September 20, 2013.

Invited Speaker, “Patents, Meet Napster: The Disruptive Power of 3D Printing,” Lewis and Clark Law School, Portland, OR, October 24, 2013

Speaker, (elected to encore session by peers) and Invited Commenter, “Data Hoarding: Privacy in the Age of Artificial Intelligence,” 6th Annual GW Law School-Berkeley Law Privacy Law Scholars Conference, University of California, Berkeley, CA, June 8-9, 2013

Invited Speaker and Commenter, “Speech, Citizenry, and the Market,” 1st Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT, May 3-4, 2013

Invited Speaker, “Patents, Meet Napster: The Disruptive Power of 3D Printing,” Microsoft Research, Cambridge, MA, May 2, 2013

Member, International Scientific Advisory Board, Living Inside Social Information, Boston University, Boston, MA, April 29-20, 2013

Invited Speaker, “Patents, Meet Napster: The Disruptive Power of 3D Printing,” Design Patents in the Modern World, Stanford Law School, Stanford, CA, April 5-6, 2013

Peer Reviewer, *Legal Hybrids, A Theoretical Model of Self-Regulation of the Private Military Industry*, for MILLENIUM, March 18, 2013

Invited Speaker, ReInvent Law Silicon Valley, “Technological Disruption of the Practice of Law,” March 8, 2013

Invited Speaker, “Information Opportunities and Failures in the Law of Disclosure,” Failure of Mandated Disclosure Symposium, University of Washington, Seattle, WA, February 28, 2012

Selected Speaker, “Patents, Meet Napster: The Disruptive Power of 3D Printing,” Works in Progress, Intellectual Property, Seton Hall University, School of Law, February 22-23, 2013

Invited Speaker, "Patents, Meet Napster: The Disruptive Power of 3D Printing," American Law Institute Young Scholars Medal Conference on Copyright and Patent Law, Bringing Together Copyright and Patent Law in Court; Panel: The Coming Wave of Copyright Issues in Patent Law: Divorcing Manufacture from Content, Georgetown University Law Center, Washington, D.C., February 21, 2013

Invited Speaker, The Future of Law, Business, and Legal Education: How to Prepare Students to Meet Corporate Needs Symposium, Chapman University School of Law, Orange, CA January 31-February 1, 2013

Invited Speaker, "The Trademark Copyright Divide," Brands, Competition Law and IP Conference, Loyola Law School, Chicago, IL, October 19, 2012

Invited Speaker, "An Network Theory Approach to Brands," Brand New World Conference, U.C. Davis, Davis, CA, October 4-5, 2012

Selected Speaker, "Speech, Citizenry, and the Market" IP Scholars Conference, Stanford Law School, August 9-10, 2012.

Invited Participant, Youth, New Media, and Citizenship, Institute for Advanced Study, Princeton, NJ, June 14-15, 2012

Invited Commenter, 5th Annual GW Law School-Berkeley Law Privacy Law Scholars Conference, George Washington University Law School, June 7-8, 2012

Invited Speaker, "An Information Approach to Trademarks," Princeton University, Center for Information Technology Policy, March 8, 2012

Invited Speaker, "The Trademark Copyright Divide," Brands, Competition Law and IP Conference, University College London, December 2, 2011

Invited Guest Lecturer, "From Trademarks to Brands," UC Davis, School of Law, October 11, 2011

Invited Commenter, Brian Carver: MusicBrainz and Its Peers - Comparing Cultural Commons, Convening the Cultural Commons Conference, New York University Law School, September 23-24, 2011

Invited Speaker, "From Trademarks to Brands," Yeshiva University, Cardozo School of Law, September 19, 2011

Invited Commenter, 4th Annual GW Law School-Berkeley Law Privacy Law Scholars Conference, University of California, Berkeley, June 2011

Invited Moderator, Intellectual Property and the Common Law, Penn Center for Technology, Innovation, and Competition, University of Pennsylvania Law School, May 6-7, 2011

Invited Speaker, “A Brand Theory of Trademark Law,” Center for Science and Innovation Studies at UC Davis, Workshop Series, February 3, 2011

Invited Guest Lecturer, “A Brand Theory of Trademark Law,” UC Davis, School of Law, February 3, 2011

Co-Chair and Co-Organizer with Professor Shubha Ghosh and Speaker, Wisconsin Law Review Symposium: Intergenerational Equity and Intellectual Property, University of Wisconsin Law School, fall 2010

Invited Commenter, 3rd Annual GW Law School-Berkeley Law Privacy Law Scholars Conference, George Washington University Law School, June 2010

Invited Guest Speaker, Panel: “Cultural Aspects of Social Networking in the Middle East,” InfoWar Con 2010, Washington D.C., May 13, 2010

Invited Guest Lecturer, Progressive Muslims: Geostrategic Significance Seminar, “Understanding Open Information and Open Culture Systems,” U.S. Army War College, Carlisle, PA, April 21, 2010

Invited Speaker, Corporate Innovation and Legal Policy Seminar, “A Brand Theory of Trademarks,” University of California, San Diego, Rady School of Management and University of San Diego, School of Law, March 23, 2010

Invited Speaker, Session Chair, “Intellectual Property and Social Justice,” Joint Meeting of the Conference of Asian Pacific American Law Faculty and the Western Law Teachers of Color, University of Arizona, James E. Rogers College of Law, March 4-6, 2010

Invited Speaker, “Capturing Value in Benkler’s World: Individual Creators and The Rise of Attribution and Reputation as Property,” Princeton University, Center for Information Technology Policy, December 15, 2009

Invited Speaker, “The Law of the Brand,” Competition Workshop, Loyola University Chicago, School of Law, December 9, 2009

Speaker, “The Law of the Brand,” Works in Progress, Intellectual Property, Seton Hall University, School of Law, October 2-3, 2009

Guest Lecturer, “Copyright’s Foundations and the Future of Online Ownership,” Issues in IT Law—Legal and Policy Challenges of P2P Networks, Hong Kong University, June 19, 2009

Invited Speaker, 2009 International Workshop on the Copyright Industries and Intellectual Property (CIIP'09), South China University of Technology, Intellectual Property School & Law School, Guangzhou, PRC, June 15, 2009

Invited Speaker, "Capturing Value in Benkler's World: Individual Creators and The Rise of Attribution and Reputation as Property", In the Age of Digital Convergence: A East-West Dialogue on Law, Media, and Technology, University of Hong Kong, June 12-13, 2009

Invited Commenter, 2nd Annual Privacy Law Scholars Conference, University of California, Berkeley, June 4-5, 2009

Invited Speaker, "Individual Intellectual Property," Creativity, Law, and Entrepreneurship Workshop, University of Wisconsin Law School, April 24, 2009

Invited Speaker, "The Attention Economy," Digital Entrepreneurship: The Incentives and Legal Risks, West Virginia March 27, 2009.

Invited Speaker, "The Attention Economy," Virtual Worlds, Social Networks, User-generated Content, Vanderbilt University Law School, November 14-15, 2008

Invited Speaker, (keynote panelist/commentator) "Body of Information," Biolaw 2.0 – Law at the Frontiers of Biology, University of Kansas School of Law, November 13, 2008

Speaker, "Who Cares About Heirs (In Copyright)?", 6th Annual Works in Progress Intellectual Property Colloquium 2008, Tulane University Law School, October 3-4, 2008

Invited Commentator, Inaugural Berkeley Law-GW Privacy Law Scholars Conference, George Washington University Law School, June 2008

Speaker, "Technological Mediation of Creative Rights," Law and Society Annual Meeting, Montreal, Canada, May 2008.

Speaker/Organizer, "Persona and Reputation Online," Law and Society Annual Meeting, Montreal, Canada, May 2008.

Invited Speaker, "GI Distress: Persona, Publicity, and Productivity and the Geographic Indicator Debate," Branding the Land: Trademarks, Geographic Indicators, and the Advancement of Third World Development, John Marshall Law School, April 2008.

Invited Speaker, "Who Cares About Heirs (In Copyright)?," IP Roundtable, Drake University Law School, February 2008.

Invited Speaker, "Theoretical Foundations and Contours of Ownership of Technologically Mediated Creations" Work, Welfare, and Justice Seminar, University of San Diego, School of Law, January 2008.

Speaker, "Property, Persona, Permission?" IP Scholars Conference, DePaul University, August 2007.

Invited Speaker, “Body of Information,” Law and Society Conference, Humboldt University, Berlin, Germany, July 2007.

Peer Reviewer, “Nomology, Ontology, and Phenomenology of Law and Technology,” Michigan Journal of Law Science and Technology, April, 2007

Conference Fellow and Moderator, What Ifs and Other Alternative Intellectual Property and Cyberlaw Stories Conference, Michigan State University College of Law, March 2007.

Speaker, “Property, Persona, Publicity,” IP Roundtable, Michigan State University College of Law, January 2007.

Invited Speaker, “Confronting the Genericism Conundrum,” Colloquium, Chapman University School of Law, October 2005.

Speaker, “Confronting the Genericism Conundrum,” Works-in-Progress Intellectual Property Colloquium, Washington University School of Law and Saint Louis University School of Law (co-hosts), October 2005.

Speaker, “Confronting the Genericism Conundrum,” IP Scholars Conference, Cardozo School of Law, August 2005.

SERVICE

University Relations Research Awards, 2010-2012, work with Vint Cerf to review law and policy research proposals eligible for research funding from Google

Policy Talk Series, 2010-2012, establish and maintain a workshop series at Google to host law and policy academics and increase the exchange of ideas between private and academic researchers

Advisory Committee, Privacy Law Salon, 2010-present, advise regarding topics, academic participation, and program to have academics attend as fellows to increase dialogue between privacy officers and academics

Executive Committee, 2010, AALS Section on Law and Computers, collaborate with section members and AALS Section on Intellectual Property to plan an AALS mid-year meeting (limited term because of leave of absence)

Colloquium Committee, Chair, 2008-2009 (co-chair 2006-2007 and 2007-2008), established and managed speaker series with between 10 to 12 speakers a year as a way to enhance faculty scholarship and connect specific faculty to colleagues with intersecting research interests; review and provide notes to speakers seeking detailed feedback regarding their work; shepherd speakers

Faculty Development Committee, 2007-2008 and 2008-2009 develop programs to support and improve faculty scholarship (e.g., research agendas, presentation skills) and pedagogy.

Appointments Committee, 2006-2007, reviewed candidates to join the faculty, interviewed candidates at AALS recruiting conference, shepherded candidates who visited the school