

FOUNDATIONS OF INTELLECTUAL PROPERTY REFORM

Symposium sponsored by the *University of Pennsylvania Law Review*
and the Penn Center for Technology, Innovation, and Competition

Friday, January 16 & Saturday, January 17, 2009



Friday, January 16

9:00 AM - 9:15 AM

Welcome

Michael A. Fitts, Dean (Penn)

9:30 AM - 12:00 AM

Intellectual Property Meets Administrative Law: Institutional Reform at the Patent and Trademark Office

Michael Abramowicz (GW) and John Duffy (GW), *Ending the Patent Monopoly*
Clarisa Long (Columbia), *Interest Groups in Patent and Copyright Law Reform*
Adam Mossoff (George Mason), *The Use and Abuse of IP at the Birth of the
Administrative State*

Arti Rai (Duke), *An Administrative Approach to Patent Reform*

Commentator: Jonathan Masur (UChicago)

12:00 PM - 1:30 PM

Lunch

1:30 PM - 3:30 PM

Addressing Patent Quality: The Theory, Practice, and Implications of the Way Patents Are Granted

Dan L. Burk (UC Irvine) and Mark Lemley (Stanford), *The Perils of Claim Construction*

F. Scott Kieff (Washington University), *The Case for Preferring Patent Validity Litigation over
Second Window Review and Gold Plated Patents*

R. Polk Wagner (Penn), *Understanding Patent Quality Mechanisms*

Commentator: Lee Petherbridge (Loyola, LA)

3:45 PM - 5:45 PM

Intellectual Property and the New Institutional Economics

Oren Bar-Gill (NYU) and Gideon Parchomovsky (Penn), *Law and the Boundaries of
Technology Intensive Firms*

Jonathan Barnett (USC), *Is Intellectual Property Trivial?*

Henry Smith (Yale), *Indirectness and Institutions in Intellectual Property*

Commentator: Philip Weiser (Colorado)

6:00 PM

Cocktail Reception (location TBD)

Saturday, January 17

9:00 AM - 10:30 AM

Rethinking the Monopoly Model of Intellectual Property

David Abrams (Penn), *An Empirical Investigation of the Welfare Implications of Patent Protection*

John Conley (Vanderbilt) and Christopher S. Yoo (Penn), *Copyright and Impure Public
Goods: A Formal Model*

Commentator: Joel Waldfoegel (Wharton)

10:45 AM - 12:15 PM

Intellectual Property and Social Norms

Ben Depoorter (BU/UMiami), *Explaining Copyright Disobedience: Technology,
Norms and the Timing of Law Making*

Steven Hetcher (Vanderbilt), *Regulating User-Generated Content with Social Norms*

Commentator: Peter Siegelman (UConn)

12:15 PM

Conference Adjournment

The growing importance of innovation and knowledge in our society has made intellectual property a critical issue for both scholars and policymakers alike. At the same time that Congress is considering major proposals to reform both the patent and copyright laws, scholars are just beginning to explore the policy implications of such emerging disciplines as positive political theory, new institutional economics, imperfect competition, and social norms. The conference on "Foundations of Intellectual Property Reform," co-sponsored by the *University of Pennsylvania Law Review* and the Penn Center for Technology, Innovation, and Competition, will explore how these new theoretical approaches provide new insights into how best to foster the innovation and creativity that have become such important pillars for our economy and society.

CLE & REGISTRATION INFORMATION

This program has been approved for substantive CLE credit of 6.5 hours on Friday and 3.5 hours on Saturday for Pennsylvania lawyers. Credit is available in other jurisdictions upon request. If you are interested in CLE credit for this event, you must bring a check in the amount of \$100 for both days, or \$65 for Friday and \$35 for Saturday (\$50 for both days or \$25 for each day for public interest attorneys) to the event. The check should be payable to the *Trustees of the University of Pennsylvania* and must be exclusively for CLE.

More information is also available at www.pennumbra.com/symposia

Last Name _____ First Name _____ M.I. _____

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City _____ State _____ Zip _____

Fees include admission to all Symposium programs, lunch and a wine and cheese reception on Friday and continental breakfast and lunch on Saturday. **Please make checks payable to the *University of Pennsylvania Law Review*.**

- \$200 Practicing Attorneys and Business Professionals
- \$100 Professors and Government and Non-Profit Employees
- \$25 Students
- Free for University of Pennsylvania faculty, staff, and students

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