

EDUCATION

HARVARD LAW SCHOOL, J.D., *Cum Laude*, June 1996

Honors: First Place, Williston Contracts Negotiations Competition
Activities: Teaching Assistant, Trial Advocacy Workshop
Member, Black Law Students Association
Member, Battered Women's Advocacy Project

UNIVERSITY OF FLORIDA, M.A. Sociology, May 1993

Honors: Highest Honors (GPA 4.0)
Research Fellowship
Thesis: *Understanding NIMBY: A Sociological Study of Landfill Siting*

UNIVERSITY OF FLORIDA, B.A. Criminal Justice, August 1992

Honors: Highest Honors (GPA 3.88)
Most Outstanding Four Year Scholar; Kay Bryan Scholarship Recipient
Florida Undergraduate Scholar and Anderson Scholar
Dean's List and President's Honor Roll, 1989-1992
Thesis: *Special Schools for Black Males: A Critical Analysis*

PUBLICATIONS

Striking a Balance: When Should Trade Secret Law Shield Disclosures to the Government? 96 **IOWA LAW REVIEW** 791 (2011) (Lead Article)

Patents, Genetically Modified Food, and IP Overreaching, 64 **SMU LAW REVIEW** – (forthcoming 2011) (invited)

Trade Secret Litigation and Free Speech: Is it Time to Restrain the Plaintiffs? 50 **BOSTON COLLEGE LAW REVIEW** 1425 (2009) (invited);

selected by West Publishing as one of the best intellectual property law articles published in 2009 and reprinted in an anthology, **INTELLECTUAL PROPERTY LAW REVIEW** 2010.

Contributory Negligence, Technology, and Trade Secrets, 17 **GEORGE MASON LAW REVIEW** 1 (2009) (Lead Article);

selected by Matthew Bender Co./LexisNexis to be reprinted at 59 **DEFENSE LAW JOURNAL** 103 (2010)

A Sociological Approach to Misappropriation, 58 **KANSAS LAW REVIEW** 1 (2009) (Lead Article)

Introducing A Take-Down for Trade Secrets on the Internet, 2007 **WISCONSIN LAW REVIEW** 1041 (2007);

cited in *Litigation Management, Inc. v. Bourgeois*, 2011 WL 2270553 (Ohio Ct. App. 2011)

Saving Trade Secret Disclosures on the Internet Through Sequential Preservation, 42 **WAKE FOREST LAW REVIEW** 1 (2007) (Lead Article);

reprinted in 2007 **BOSTON COLLEGE INTELLECTUAL PROPERTY & TECHNOLOGY FORUM** 249 (2007)

The Experimental Use Exception to Patent Infringement: Do Universities Deserve Special Treatment? 57 **HASTINGS LAW JOURNAL** 921 (2006) (Lead Article);
reprinted in 59 **MAINE LAW REVIEW** 283 (2007)

When Trade Secrets Become Shackles: Fairness and the Inevitable Disclosure Doctrine, 7 **TULANE J. TECH. & INTELL. PROP.** 167 (2005)

BOOKS/BOOK CHAPTERS

CASES AND MATERIALS ON TRADE SECRET LAW (West Publishing, forthcoming 2011) (with Sharon Sandeen) and accompanied by **TEACHER'S MANUAL**.

The Challenge of Protecting Trade Secret Information in a Digital World in **INTELLECTUAL PROPERTY PROTECTION OF FACT-BASED WORKS: COPYRIGHT AND ITS ALTERNATIVES** 269 (R. Brauneis, ed., Edward Elgar Press, 2009)

Dangers from the Inside: Employees as Threats to Trade Secrets in **HARBORING DATA: CORPORATIONS, LAW AND INFORMATION SECURITY** (A. Matwysn ed., Stanford University Press, 2009)

SHORTER ARTICLES

Employees, Data Security, and Trade Secret Protection, 84 **Chicago-Kent Law Review** 749 (2010)

Foreword: Technology and Intellectual Property: New Rules for an Old Game?, 14 **Journal of Technology Law and Policy** 1 (2009)

Proposing A Mechanism for Removing Trade Secrets from the Internet, 12 **Journal of Internet Law** 3 (Aspen Publishers, Sept. 2008)

Electronic Discovery: An Overview, **Tips from the Trenches**, American Bar Association, April 2001, at http://www.abanet.org/litigation/tips/apr_01_tactics.html (with Joan A. Lukey)

WORKS IN PROGRESS

If the Dress Fits, Hire Him: Exploring the Intersection of IP and Employment Discrimination Law

Corporate Espionage: at War with Intellectual Property

PRESENTATIONS

Panelist, Protecting Trade Secrets in the Cloud, ABA Business Section Annual Meeting, Boston, MA (April 15, 2011)

Lecturer, *Principles of Patent Law*, delivered to diplomats of the United Nations. Sponsored by the World Intellectual Property Organization and the United Nations Institute for Training and Research (February 23, 2011)

Commentator, *Contract and Privacy* by Andrea Matwyshyn, Law & Entrepreneurship Retreat 2011, University of Florida Levin College of Law (February 17, 2011)

Presenter, *Striking a Balance: When Should Trade Secret Law Shield Disclosures to the Government?* 2010 Intellectual Property Scholars Conference, University of California Berkeley, Boalt Hall School of Law (August 12, 2010)

Presenter, *Digital Misappropriation and the UTSA: Is There Value in Requiring Reasonable Efforts?*, at The Evolution of Trade Secret Law symposium, Hamline University School of Law (April 16, 2010)

Lecturer, *Principles of Patent Law*, delivered to diplomats of the United Nations. Sponsored by the World Intellectual Property Organization and the United Nations Institute for Training and Research (February 23, 2010)

Presenter, *None of your Business: When Should Trade Secret Law Shield Disclosures to the Government?* MAPOC 2010, University of Virginia School of Law (January 29, 2010)

Presenter, *Contributory Negligence, Technology, and Trade Secrets*, 2009 Intellectual Property Scholars Conference, Cardozo School of Law (August 6, 2009)

Presenter, *Property, Privacy, and Secrecy: Justifications for the Power of Trade Secret Litigation?*, at Publicity, Privacy, and Intellectual Property Meet the First Amendment Symposium, Boston College Law School (April 3, 2009)

Lecturer, *Principles of Patent Law*, delivered to United Nations Diplomats from forty developing countries. Sponsored by the World Intellectual Property Organization and the United Nations Institute for Training and Research (February 18, 2009)

Presenter, *The Human Players in the Data Security Game*, Information Security Best Practices: Interactive Media, Consumer Behavior and the Law Conference. The Wharton School of Business, University of Pennsylvania (January 30, 2008)

Presenter, *Who Are These People? New Generation Employees and Trade Secrets*, 2008 Intellectual Property Scholars Conference, Stanford Law School (August 8, 2008)

Presenter, *Rethinking 'Reasonable Efforts' to Protect Trade Secrets in the Digital Age*, Case Western University Reserve Law School, Center for Law, Technology & The Arts Faculty Workshop (April 23, 2008)

Program Presenter, *You Have Made a Difference*, Honoring Judge Stephan P. Mickle, CSRRL Spring Lecture 2008, University of Florida, Levin College of Law, Gainesville, Florida (March 28, 2008)

Moderator, Commercial Markets Panel, Music Law Conference, University of Florida, Levin College of Law, Gainesville, Florida (February 16, 2008)

Panelist, Teaching Trademark Law, International Trademark Association Meeting, Orlando, Florida (Nov. 9, 2007)

Presenter, *The Challenge of Protecting Trade Secret Information in a Digital World*, Symposium on IP Protection for Fact-Based Works, George Washington University Law School (Sept. 28, 2007)

Presenter, *Exploring a Take-Down Provision for Trade Secrets on the Internet*, 2007 Intellectual Property Scholars Conference, hosted by DePaul University College of Law (August 10-11, 2007)

Presenter, *Exploring a Take-Down Provision for Trade Secrets on the Internet*, SEALS New Scholars Workshop (July 29, 2007)

Presenter, *Exploring a Take-Down Provision for Trade Secrets on the Internet*, Jurisgenesis 2007 Conference, hosted by Washington University and St. Louis University Schools of Law (June 19, 2007)

Roundtable Panelist, "Off the Record," discussing issues of race and gender in the legal profession, sponsored by Harvard Law School BLSA (March 17, 2007).

Roundtable Panelist, Current Issues in Trade Secret Law Workshop sponsored by The Berkeley Center for Law & Technology, Boalt Hall School of Law (Oct. 13, 2006)

Presenter, *Saving Trade Secret Disclosures On the Internet Through Sequential Preservation*, University of California Berkeley, Boalt Hall School of Law, Intellectual Property Scholarship Seminar (Oct. 12, 2006)

Presenter, *Foreshadowing Litigation: Emphasis on Patenting Could Mean New Intellectual Property Related Employment Disputes for Universities*, Closing in On Open Science: Trends in Intellectual Property and Scientific Research Symposium, University of Maine School of Law (Sept. 29, 2006)

Plenary Presenter, *Rethinking Trade Secret Disclosure in the Internet Age*, 6th Annual Intellectual Property Scholars Conference, hosted by The Berkeley Center for Law & Technology and the Stanford Program in Law, Science and Technology (August 10-11, 2006)

Presenter, *Do Universities Deserve Special Treatment for Patent Infringement?* Mercer Law School Faculty Presentation (April 12, 2006)

Presenter, *Data Security and Intellectual Property*, conference on Data Devolution: Corporate Information Security, Consumers and the Future of Regulation," University of Florida, Levin College of Law (Feb. 3, 2006)

Presenter, *Misappropriation Made Easy: How Computers Threaten Employers' Trade Secrets*, Florida Bar Computer Law Committee, Orlando, FL (Nov. 2005)

Presenter, *Do Universities Deserve Special Treatment for Patent Infringement?* Southeast/Southwest People of Color Legal Scholarship Conference (April 2005)

LAW TEACHING

UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW, Gainesville, FL May 2005 to present
Professor of Law August 2011 to present
Director, Program in Intellectual Property August 2010 to present
Associate Professor of Law August 2008 to Aug. 2011
Assistant Professor of Law May 2005 – Aug. 2008

- Courses: Patent Law, Trademark Law, Trade Secret Law, and Corporate Espionage
- Awards: **Jack Wessel Research Excellence Award**, University of Florida, Office of the Provost
(April 2009)
- Service: Appointments Committee (2011-12; 2008-2010); Admissions Committee (2010-11);
Search Committee, Assistant Dean for Career Services (2010-11); Curriculum Committee
(2007-08); Academic Standards Committee (2006-07); Search Committee, Director of
Admissions (2006-07)

FLORIDA COASTAL SCHOOL OF LAW, Jacksonville, FL Jan. 2004 to May 2005
Assistant Professor of Law

- Courses: Employment Law, Constitutional Criminal Procedure, Federal Civil Procedure II &
Torts II
- Service: Appointments Committee

LEGAL PRACTICE EXPERIENCE

HALE AND DORR LLP, Boston, MA 1997 to Aug. 2003
(now WilmerHale LLP) 2001 to Aug. 2003
Partner

Represented clients in diverse array of complex commercial litigation matters including, intellectual property, employment, and securities litigation. Responsibilities included all facets of case preparation and management, investigations, discovery, trial preparation, and supervision of junior attorneys and paralegals. Conducted legal writing workshops, and assisted with deposition and trial skills training for junior attorneys. Selected and profiled by MASSACHUSETTS LAWYERS WEEKLY as one of the top five up-and-coming attorneys in the state.

SHERBURNE, POWERS & NEEDHAM, P.C., 1996 to 1997
(now HOLLAND & KNIGHT LLP) Boston, MA
Represented clients in diverse civil litigation matters including employment law, products liability, and intellectual property cases. Representation included preparation of pleadings, court appearances, negotiations, and management of heavy case load.

ADDITIONAL ACADEMIC EXPERIENCE

- BOSTON UNIVERSITY SCHOOL OF LAW, Boston, MA 1998 to 1999
Adjunct Instructor
Taught legal research and writing seminar to first year law students for full academic year. Seminar covered legal research and writing, moot court, advocacy, negotiation, drafting, and litigation practice.
- HARVARD UNIVERSITY, Cambridge, MA 1995 to 1996
Teaching Fellow
Taught multiple sections of undergraduate courses including Child Psychology, Caribbean Societies, and Aids, Health and Human Rights.
- HARVARD UNIVERSITY,
KENNEDY SCHOOL OF GOVERNMENT, Cambridge, MA Fall 1994
Assisted in developing graduate level seminar on public policy issues in the management of industrial waste.
- PROFESSOR CHARLES OGLETREE,
HARVARD LAW SCHOOL, Cambridge, MA 1993 to 1995
Researched and wrote on project regarding Charles Hamilton Houston, father of the modern civil rights movement.

PROFESSIONAL ACTIVITIES

SERVICE

Executive Committee, Intellectual Property Section, AALS (2011 to present)

Editorial Board, Journal of Technology, Law & Policy (2010 to present)

Member, American Bar Association (1996 to present); Massachusetts Bar Association (1997 to 2005)
Boston Bar Association (1997 to 2005); American Intellectual Property Law Association (2005 to present)

Editor, Boston Bar Journal, Board of Editors (2001-2003)

Chair, Public Policy Committee, Litigation Section of Boston Bar Association (2000-2002)

PRESS APPEARANCES

Quoted in "New York Company Wants to Trademark Daytona's Bike Week," Orlando Sentinel, Dec. 3, 2010.

Quoted in "UF Takes on High Schools to Protect Logo," Gainesville Sun, Sept. 22, 2010.

Interviewed for “Lost: One iPhone, Thousands of Trade Secrets,” by Brian Palmer, Slate.com, April. 20, 2010.

Quoted in “NCAA Trying to Block Fantasy Leagues’ Move into College Football,” Palm Beach Post, August 27, 2008 (front page,1A).

Guest Appearance on “Law Matters” Show WUFT-TV, discussing intellectual property rights, Gainesville, Florida, February 19, 2008.

Quoted in “UF Leads Way With Anti-Piracy Technology,” Gainesville Sun, Mar. 9, 2007.

Quoted in “Retailer Issues Wail Over Boutique Name,” Miami Herald, Feb. 13, 2006.

Interviewed by Mid Florida Public Radio, Classic 89, regarding copyright infringement suit by publishers against local copy center. (Feb. 10, 2006)

Quoted in “Serious Cereal,” The Independent Florida Alligator, Sept. 15, 2005

BAR ADMISSIONS

Commonwealth of Massachusetts; United States District Court for the District of Massachusetts; United States Court of Appeals First Circuit; United States Court of Appeals Federal Circuit.