

ERIC E. JOHNSON

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CURRICULUM VITAE

ACADEMIC EMPLOYMENT & AFFILIATIONS

UNIVERSITY OF OKLAHOMA COLLEGE OF LAW – 2018 to present

Professor of Law, 2020 to present; awarded tenure in 2020

Associate Professor of Law, 2018 to 2020

Courses: Torts; Science & Law seminar; Antitrust; Intellectual Property

Honors: Order of the Coif, 2019

Service: External: Mini-Conferences on Coronavirus and Law (organizer), Central States Law Schools Association (vice president); 2018 Kentucky Law Journal Symposium: *Intermeddlers or Innovators? States and Federal Copyright Law* (co-organizer); peer review for *Northwestern University Law Review*

College of Law: Committee A; Faculty Appointments Committee; Strategic Planning Committee; Probation & Readmission Committee; Renewable Term Faculty Tenure/Promotion Drafting Committee; Academic Appeals Board (unconvened); Competition Teams Committee; Library Committee

UNIVERSITY OF NORTH DAKOTA SCHOOL OF LAW – 2007 to 2018

Associate Professor of Law, 2010 to 2018, on leave 2012 to 2014; awarded tenure in 2016

Assistant Professor of Law, 2007 to 2010

Courses: Torts I; Torts II; Sales; Intellectual Property; Oil & Gas Law; Antitrust, Bankruptcy & Consumer Law; Professional Writing & Communication; Sports Law; Media & Entertainment Law; Entertainment Law

Honors: Delivered Commencement Address (with Kit Johnson), May 5, 2018 (selected by students); Webb Professorship, 2017-2018 (in recognition of productivity and dedication related to teaching); Builders of the Law Profession Professorship, 2016-2017; Webb Faculty Achievement Award, 2015 (in recognition of outstanding scholarly productivity); Graduation Banquet keynote speaker, 2010 & 2014 (selected by students); Robert Johnson Research Fellow Award, 2011

Service: External: AALS Section on Internet and Computer Law Executive Committee; peer review for *Yale Law Journal*, *Stanford Law Review*, and Cambridge University Press
University: Senate Online & Distance Education Committee (vice chair); University Promotion & Tenure Committee; Presidential Ad Hoc Committee on Promotions; Outstanding Faculty Awards Committee (co-chair); University Assessment Committee; Higher Learning Commission Steering Committee; Chester Fritz Distinguished Professorship Committee; SKI UND (an effort I initiated to put cross-country ski trails on campus, named in 2014 by *Alumni Review* magazine as one of the “125 things we love about UND”)

School of Law: Academic & Student Affairs (chair); Law Library Director Search Committee (chair); Technology Committee (chair); Library & Technology Committee; Admissions Committee; Promotion Tenure & Evaluation Committee; Teaching & Learning Enhancement (adjunct mentor); faculty advisor to Sports Law Students Association; Health Law Society, and Multicultural Students Association

STANFORD LAW SCHOOL CENTER FOR INTERNET AND SOCIETY – 2011 to 2014

Affiliate Scholar. Project: Konomark, encouraging informal person-to-person licensing of copyrighted works

TEXAS TECH UNIVERSITY SCHOOL OF LAW – 2012 to 2013

Visiting Associate Professor of Law. Courses: Mass Media Law; Introduction to Intellectual Property; Entertainment Law; Employment Law

PEPPERDINE UNIVERSITY SCHOOL OF LAW – 2006

Adjunct Professor of Law. Course: Trademarks, Unfair Competition, and Unfair Trade Practices

WHITTIER LAW SCHOOL – 2005 to 2006

Adjunct Professor of Law. Courses: Entertainment Law; Patent Law

HARVARD LAW SCHOOL – 1998 to 2000

Instructor of Legal Reasoning and Argument. Led one of four teaching sections in 1999–2000 and helped design section syllabus with Professor Charles Nesson.

EDUCATION

Degrees

HARVARD LAW SCHOOL – J.D., 2000

Honors: *Cum Laude*

Activities: Board of Student Advisers

The Backbencher – co-founder and editor-in-chief

Harvard Law Record – writer, editor, humor columnist

HLS Parody (a musical production)

Volunteer head coach of debate, Cambridge Rindge & Latin (public high school)

UNIVERSITY OF TEXAS AT AUSTIN – B.A., 1994

Major: Plan II Honors Program

Honors: Highest Honors (*Summa Cum Laude*)

Special Honors in Plan II

Phi Beta Kappa

Rhodes Scholarship semi-finalist

Senior thesis, *The Evolved Philosopher*, selected as a model thesis

Willis W. Pratt Endowed Scholarship in Plan II

Activities: *Daily Texan* – humor columnist

Volunteer assistant coach of debate, Anderson High School (public high school)

Other

HARVARD BUSINESS SCHOOL – Cross-registered studies, 1999

Course: Managing Innovation

UNIVERSITY OF CALIFORNIA, BERKELEY – Summer language program, 1992

Course: German

NORTHWESTERN UNIVERSITY – B.S.J. candidate, 1990 to 1991

Major: Journalism, Medill School of Journalism

Honors: Dean's List

Activities: *Daily Northwestern* – reporter
WNUR – news anchor
Student Senate – senator

UNIVERSITY OF NEVADA, RENO – Non-matriculated studies, 1989 to 1990

Courses: Ethics, Comparative Politics, Archaeology

RENO HIGH SCHOOL, Reno Nevada – High school diploma, 1990

Activities: Speech & Debate Team – Nationals in Lincoln-Douglas Debate 1990; Nationals in Original Oratory 1989 and 1990 (top 24 in 1990); Tournament of Champions Lincoln-Douglas Debate (3rd place speaker); 1990 Stanford Round Robin Lincoln-Douglas Debate (first place); Red & Blue (student newspaper) – humor columnist

WRITING

ORCID: <http://orcid.org/0000-0002-8782-4744>

SSRN: <http://ssrn.com/author=1102238>

Law Review Publications

Uncertain Risk, Science Experiments, and the Courts

__ FLORIDA STATE UNIVERSITY LAW REVIEW __ (forthcoming)

Urgent Legal Lessons From a Very Fast Problem: COVID-19 (with Theodore C. Bailey)

73 STANFORD LAW REVIEW ONLINE __ (forthcoming 2020)

The Misadventure of Copyrighting State Law

107 KENTUCKY LAW JOURNAL 593 (2019) (symposium contribution)
(pp. 593–628; 36 pages)

Disentangling the Right of Publicity

111 NORTHWESTERN UNIVERSITY LAW REVIEW 891 (2017)
(pp. 891–944; 54 pages)

The Case for Eliminating Patent Law's Inequitable Conduct Defense

117 COLUMBIA LAW REVIEW ONLINE 1 (2017)
(pp. 1–21; 21 pages)

Agencies and Science-Experiment Risk

2016 UNIVERSITY OF ILLINOIS LAW REVIEW 527 (2016)
(pp. 527–587; 61 pages)

The Economics and Sociality of Sharing Intellectual Property Rights
94 BOSTON UNIVERSITY LAW REVIEW 1935 (2014)
(pp. 1935–1995; 61 pages)

- Selected for the 2013 Yale/Stanford/Harvard Junior Faculty Forum.

Intellectual Property and the Incentive Fallacy
39 FLORIDA STATE UNIVERSITY LAW REVIEW 623 (2012)
(pp. 623–679; 57 pages)

Negligence's X Factor
2012 CARDOZO LAW REVIEW DE NOVO 318 (2012)
(pp. 318–321; 4 pages)

A Populist Manifesto for Learning the Law
60 JOURNAL OF LEGAL EDUCATION 41 (2010) (peer reviewed)
(pp. 41–64; 24 pages)

Intellectual Property's Need for a Disability Perspective
20 GEORGE MASON UNIVERSITY CIVIL RIGHTS LAW JOURNAL 181 (2010)
(pp. 181–208; 28 pages)

Trade Secret Subject Matter
33 HAMLINE LAW REVIEW 545 (2010) (symposium contribution)
(pp. 545–581; 37 pages)

- Reprinted in TRADE SECRETS AND UNDISCLOSED INFORMATION (Sharon K. Sandeen & Elizabeth A. Rowe, eds., Edward Elgar Press 2014); reprinted in part in CASES AND MATERIALS ON TRADE SECRET LAW, Elizabeth A. Rowe & Sharon K. Sandeen (West 2012).

The NFL, Intellectual Property, and the Conquest of Sports Media
86 NORTH DAKOTA LAW REVIEW 759 (2010) (symposium contribution)
(pp. 759–787; 29 pages)

The Black Hole Case: The Injunction Against the End of the World
76 TENNESSEE LAW REVIEW 819 (2009)
(pp. 819–908; 90 pages)

Rethinking Sharing Licenses for the Entertainment Media
26 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 318 (2008)
(pp. 391–440; 50 pages)

Calibrating Patent Lifetimes
22 SANTA CLARA COMPUTER & HIGH TECHNOLOGY LAW JOURNAL 269 (2006)
(pp. 269–314; 46 pages)

Book Review

Book review of *The Right of Publicity: Privacy Reimagined for a Public World* by Jennifer E. Rothman
9 IP LAW BOOK REVIEW 6 (2019) (peer reviewed)
(pp. 6–12; 7 pages)

Book Chapter

Judicial Review of Uncertain Risks in Scientific Research
Chapter 6 in *THE ILLUSION OF RISK CONTROL: WHAT DOES IT TAKE TO LIVE WITH UNCERTAINTY?*, edited by Gilles Motet & Corinne Bieder (SpringerOpen 2017)
(pp. 67–85; 19 pages)

Casebook

TORTS: CASES AND CONTEXT, VOLUME ONE (CALI/eLangdell Press 2015)
(147,160 words; 454 pages)
<http://www.cali.org/books/torts-cases-and-contexts-volume-1>

- New edition released August 2019 (<http://ericejohnson.com/projects/tcc>).

TORTS: CASES AND CONTEXT, VOLUME TWO (CALI/eLangdell Press 2016)
(213,049 words; 658 pages)
<http://www.cali.org/books/torts-cases-and-contexts-volume-2>

Selected Other Writing

“Speed up the FDA’s vaccine-approval process,” opinion (with Theodore C. Bailey),
WASHINGTON POST (April 8, 2020)

“New U.S. Science Commission Should Look At Experiment’s Risk Of Destroying The Earth,”
opinion (with Michael Baram), INTERNATIONAL BUSINESS TIMES (February 10, 2014)

“CERN on Trial: Could a Lawsuit Shut the LHC Down?”, comment and analysis,
NEW SCIENTIST 24-25 (February 17, 2010)

“Acknowledge What Harvard Law School Owes to Slaves,” opinion, HARVARD LAW RECORD
(April 30, 2009)

“Avoid ‘Tropic Thunder,’ a Cruel Comedy,” op-ed, GRAND FORKS HERALD (September 19,
2008)

“Reporter’s Privilege” (co-author), COMMUNICATIONS LAW 1999, Practising Law Institute,
580 PLI/Pat 27 (1999)

Blogging

Lawgarithmic, started 2020, <http://lawgarithmic.com>

Founder and primary author. Focused on science and law.

Blog Law Blog, 2010 to 2017, <http://ericejohnson.com/bloglawblog/>

Founder and primary author. Focused on the law relating to blogging. Selected as one of the nation's top 100 law blogs by the ABA Journal in 2011.

Pixelization, 2008 to 2012, <http://www.pixelization.org> (not active)

Sole author.

PrawfsBlawg, 2008 to 2011, <http://prawfsblawg.blogs.com>

Occasional guest author, more than 100 posts.

PRESENTATIONS

Thinking About the Legal Dimension of the Pandemic, First Mini-Conference on Coronavirus and Law, University of Oklahoma College of Law, online, April 10, 2020

The Macroeconomics of Intellectual Property, Fifth Annual Texas A&M IP Scholars Roundtable, Texas A&M University School of Law, Fort Worth, Texas, September 27, 2019

Law and Unknown Unknowns on the Scientific Frontier, Seventh Annual Conference on Governance of Emerging Technologies & Science, Arizona State University Sandra Day O'Connor College of Law, Phoenix, Arizona, May 23, 2019

The Misadventure of Copyrighting State Law, 2018 Kentucky Law Journal Symposium: *Intermeddlers or Innovators? States and Federal Copyright Law*, University of Kentucky College of Law, Lexington, Kentucky, October 22, 2018

Panelist: *Creative Commons Licenses: In Theory and In Practice*, 2018 Kentucky Law Journal Symposium: *Intermeddlers or Innovators? States and Federal Copyright Law*, University of Kentucky College of Law, Lexington, Kentucky, October 22, 2018

The Biological Destruction of Jurisprudence, 2018 Central States Law Schools Association Annual Conference, Texas A&M University School of Law, Fort Worth, Texas, October 13, 2018

The Misadventure of Copyrighting State Law, Fourth Annual Texas A&M IP Scholars Roundtable, Texas A&M University School of Law, Fort Worth, Texas, October 5, 2018

Trade Secret Subject Matter: Still Secret Since 2010, The Intellectual Property Scholarship Redux Conference at the University of New Hampshire School of Law, Concord, New Hampshire, April 7, 2018

Economic Value in Federal Trade Secrets, Third Annual Texas A&M IP Scholars Roundtable, Texas A&M University School of Law, Fort Worth, Texas, October 13, 2017

Panelist: *Frankenstein: Controversies surrounding scientific advances and the effect on the human community*, University of North Dakota School of Medicine and Health Science, Grand Forks, North Dakota, February 23, 2017

- Intellectual Property and Growth Economics*, Works-in-Progress Intellectual Property Colloquium, Boston University School of Law, Boston, Massachusetts, February 10, 2017
- Intellectual Property and Growth Economics*, Second Annual Texas A&M IP Scholars Roundtable, Texas A&M University School of Law, Fort Worth, Texas, October 7, 2016
- The Rule of Law vs. the Scienceopolis*, Central States Law School Association Annual Scholarship Conference, University of North Dakota, Grand Forks, North Dakota, September 24, 2016
- Teaching Doctrine Directly: Inverting the Casebook Method*, Conference on Teaching and Learning in Law: Directions in Legal Education, Chinese University of Hong Kong, Hong Kong, June 4, 2016
- Brambleberry Jam: Advice for New Legal Academics*, Research Roundtable Workshop with PhD Students, Chinese University of Hong Kong, Hong Kong, June 1, 2016 (invited)
- Science, Risk, and Unknown Unknowns*, Centre for Rights and Justice, Chinese University of Hong Kong, Hong Kong, May 31, 2016 (invited)
- Disentangling the Right of Publicity*, Notre Dame Law School Intellectual Property Speakers Series, Notre Dame University, South Bend, Indiana, April 19, 2016 (invited)
- The Problem with Solutions in Intellectual Property*, Works-in-Progress Intellectual Property Colloquium, University of Washington, Seattle, Washington, February 19, 2016
- Disentangling the Right of Publicity*, Inaugural Texas A&M IP Scholars Roundtable, Texas A&M University School of Law, Fort Worth, Texas, October 10, 2015
- Science-Experiment Catastrophe and the Administrative Law Gap*, 2014 Central States Law Schools Association Annual Conference, Louisiana State University Paul M. Herbert Law Center, Baton Rouge, Louisiana, October 10, 2014
- Science-Experiment Catastrophe and the Administrative Law Gap*, Second Annual Junior Faculty Works-in-Progress Conference, Marquette University Law School, Milwaukee, Wisconsin, September 12, 2014 (invited)
- Judicial Review of Uncertain Risks in Scientific Research*, 2014 Oklahoma Junior Scholars Conference, University of Oklahoma College of Law, Norman, Oklahoma, July 11, 2014
- Judicial Review of Uncertain Risks in Scientific Research*, NeTWork Workshop 2013, sponsored by FONCSI (Fondation pour une culture de sécurité industrielle), Toulouse/Sorèze, France, November 22, 2013 (invited to submit, selected)
- Problems with the Positive Scope of the Right of Publicity*, 2013 Central States Law Schools Association Annual Conference, University of Arkansas School of Law, Fayetteville, Arkansas, October 5, 2013
- The Economics and Sociality of Sharing Intellectual Property*, 2013 Oklahoma Junior Scholars Conference, University of Oklahoma College of Law, Norman, Oklahoma, July 19, 2013
- Publication Agreements for Legal Scholarship: Issues of Access, Integrity, and Academic Freedom*, 2013 Oklahoma Junior Scholars Conference, University of Oklahoma College of Law, Norman, Oklahoma, July 18, 2013

- The Economics and Sociality of Sharing Intellectual Property*, 2013 Yale/Stanford/Harvard Junior Faculty Forum, Yale Law School, New Haven, Connecticut, June 15, 2013 (selected)
- Publication Agreements for Legal Scholarship: Issues of Access, Integrity, and Academic Freedom*, faculty workshop, Texas Tech University School of Law, Lubbock, Texas, April 29, 2013
- Beyond the Traditional Economic Paradigm of Intellectual Property*, faculty workshop, University of Kentucky College of Law, Lexington, Kentucky, March 22, 2013 (invited)
- Problems with the Positive Scope of the Right of Publicity*, 2013 Works-in-Progress Intellectual Property Colloquium, Seton Hall University School of Law, Newark, New Jersey, February 23, 2013
- Intellectual Property and the Incentive Fallacy*, poster at AALS Annual Meeting, sponsored by Committee on Sections and Annual Meeting, New Orleans, Louisiana, January 5-6, 2013 (selected)
- Intellectual Property and Behavioral Economics* (paper with Bruce L. Hay), 2012 Central States Law Schools Association Annual Conference, Cleveland, Ohio, October 19-20, 2012
- The Konomark Project*, 2012 Works-in-Progress Intellectual Property Colloquium, University of Houston Law Center, Houston, Texas, February 11, 2012
- Intellectual Property and the Incentive Fallacy*, 2011 Intellectual Property Scholars Conference, DePaul University College of Law, Chicago, Illinois, August 12, 2011
- Moderator, Panel Discussion, Owners and Agents in Professional Sports, North Dakota Law Review Sports Law Symposium, Grand Forks, North Dakota, April 8, 2011 (invited)
- Sports, Photography, Television and Intellectual Property*, North Dakota Law Review Sports Law Symposium, Grand Forks, North Dakota, April 8, 2011 (invited)
- International Ultrahazards*, poster at the 10th Annual Graduate School Scholarly Forum, University of North Dakota, Grand Forks, North Dakota, March 8-9, 2011
- Debate on Constitutional Interpretation, Originalism vs. Living Constitutionalism (debater, versus Lee J. Strang), University of North Dakota School of Law, Grand Forks, North Dakota, March 8, 2011
- The Internet and the Central Fallacy of the Economic Theory of Intellectual Property*, Internet Law Work-in-Progress Series, High Tech Law Institute at Santa Clara University School of Law, Santa Clara, California, March 5, 2011
- Hiding the Ball*, poster at AALS Annual Meeting, Section on Teaching Methods, San Francisco, California, January 5-8, 2011 (selected)
- The Economics and Sociality of Sharing Copyrighted Works*, 2010 Central States Law Schools Association Annual Conference, University of North Dakota, Grand Forks, September 25, 2010
- Signaling Intent to Share Intellectual Property*, 2010 Intellectual Property Scholars Conference, University of California, Berkeley, California, August 12-13, 2010
- The Covert Life of Trade Secrets*, in *The Evolution of Trade Secret Law: Reflecting on 30 Years of the Uniform Trade Secrets Act*, Hamline Law Review Symposium, St. Paul, Minnesota, April 16, 2010 (selected)

Moderator, Cap and Trade Panel Discussion, University of North Dakota School of Law, Grand Forks, North Dakota, April 6, 2010

International Super Torts: The End of the World and the Rule of Law, workshop presentation, Washburn University School of Law, Topeka, Kansas, April 5, 2010

Konomark and Copysquare: New Approaches to Sharing and Copyright, Intellectual Property Colloquium, Whittier Law School's Center for Intellectual Property Law, Costa Mesa, California, March 16, 2010

Intellectual Property & Disability, poster at AALS Annual Meeting, Section on Disability Law, New Orleans, Louisiana, January 7-10, 2010 (selected)

The Wypadki: Facilitating a Class-wide Group Outline, poster at AALS Annual Meeting, Section on Teaching Methods, New Orleans, Louisiana, January 7-10, 2010 (selected)

Copysquare: Rethinking Sharing Licenses in the Entertainment Media
Held at Cardozo Law School, sponsored by the Squadron Program in Law, Media and Society and the Cardozo Arts & Entertainment Law Journal; featured presenter; with panelists Professor James Grimmelmann, Fred Benenson, and Professor Jonathan Askin, New York, New York, September 25, 2008

Copysquare and Konomark: New Ways to Be Friendly With Your Intellectual Property
Academic Research Programme, First Interdisciplinary Research Workshop on Free Culture, iSummit '08, Sapporo, Japan, July 30, 2008 (selected)

PROJECTS

ONLINE TEACHING & LEARNING MATERIALS

I have posted online, and made freely-available, a large collection of materials for various subjects, including an extensive exam archive. Website: <http://ericejohnson.com>.

MUSEUM OF INTELLECTUAL PROPERTY

I have collected for display more than 100 tangible artifacts from leading cases that define the law of copyright, patent, trademark, and other IP fields. Website: <http://www.museumofintellectualproperty.org>.

KONOMARK

The Konomark Project introduces a standardized symbol and name to be used by the owners of copyrighted works displayed on the internet to signal the owners' general willingness to license the marked works to others without compensation. As a beta test, I posted more than 10,000 photos on Flickr to support the project. Website: <http://www.konomark.org>.

SELECTED MEDIA APPEARANCES

The End of the World with Josh Clark podcast

Episode 7, "Physics Experiments," November 22, 2018, and Episode 8, "Embracing Catastrophe," November 27, 2018, <http://www.iheart.com/podcast/105-the-end-of-the-world-with-30006093/>

"Researchers in the dock: Apocalypse later? Putting a legal brake on the end of days"
Julia Richter, *Horizons – The Swiss Research Magazine*, November 29, 2017, <http://www.horizons-mag.ch/2017/11/29/researchers-in-the-dock/>

- “Snow piles blocking views at GF intersections”
Report about automobile accidents and liability, Ken Chase, *WDAZ News @ 6*, January 17, 2017, <http://www.wdaz.com/news/north-dakota/4200903-snow-piles-blocking-views-gf-intersections>
- “What a Slave-Reparations Claim Has to Do With Harvard Law School”
Henry Louis Gates, Jr. and Julie Wolf, *TheRoot.com*, March 9, 2015, http://www.theroot.com/articles/history/2015/03/what_a_slave_reparations_claim_has_to_do_with_harvard_law_school.html
- “What are the Chances that a Particle Collider’s Strangelets Will Destroy the Earth?”
Lisa Zyga, *PsyOrg.com*, February 12, 2014, <http://phys.org/news/2014-02-chances-particle-collider-strangelets-earth.html>
- “Polaris alleges ATV patent infringement by Arctic Cat”
John Hageman, *Grand Forks Herald*, January 2, 2014, <http://www.grandforksherald.com/event/article/id/281407/>
- “Brian Michaels Show featuring Denny Johnson”
KNOX Radio AM 1310, Grand Forks, North Dakota, various appearances, 2012-2013
- “The 5th Annual ABA Journal Blawg 100”
Molly McDonough, Sarah Randag, & Lee Rawles, *ABA Journal*, December 2011, p. 29, http://www.abajournal.com/magazine/article/the_5th_annual_aba_journal_blawg_100/
- “Legal Blogging, Ethics and First Amendment Rights”
hosted by Bob Ambrogi. *Lawyer2Lawyer* podcast on the Legal Talk Network, October 27, 2011, <http://legaltalknetwork.com/podcasts/lawyer-2-lawyer/2011/10/legal-blogging-ethics-and-first-amendment-rights/>
- “Righthaven says it might have to file for bankruptcy”
Steve Green, *Vegas Inc.*, September 9, 2011, <http://www.vegasin.com/news/2011/sep/09/righthaven-says-it-might-have-file-bankruptcy/>
- This WEEK in LAW with Denise Howell, Episodes 86, 92, & 96
The TWiT Netcast Network, 2010-2011, <http://twit.tv/>
- “Law Reviews and ‘Cite Pimping’”
Christopher Shea, *Wall Street Journal Ideas Market*, July 18, 2011, <http://blogs.wsj.com/ideas-market/2011/07/18/law-reviews-and-cite-pimping/>
- “New round of Righthaven suits over ‘TSA pat-down’ photo prompts surprise”
Steve Green, *Las Vegas Sun*, February 8, 2011, <http://www.lasvegassun.com/news/2011/feb/08/new-round-righthaven-suits-over-tsa-pat-down-photo/>
- “Free Speech Group Fights Lawsuits vs. News Sharers”
Cristina Silva, Associated Press, September 30, 2010, <http://www.washingtonpost.com/wp-dyn/content/article/2010/09/30/AR2010093006199.html>
- “Are Newspaper Copyright Lawsuits Fair Enforcement or ‘Legal Extortion’?”
Adam Hochberg, *Poynter*, August 30, 2010, <http://www.poynter.org/latest-news/making-sense-of-news/105309/are-newspaper-copyright-lawsuits-fair-enforcement-or-legal-extortion/>

- “Website operators use new defenses to fight R-J copyright suits”
Steve Green, *Las Vegas Sun*, August 18, 2010,
<http://www.lasvegassun.com/news/2010/aug/18/website-operators-use-new-defenses-fight-r-j-copyr/>
- “Blogger Sued By Copyright Troll Argues He Had ‘Implied License’”
Wendy Davis, MediaPost News, *Online Media Daily*, August 18, 2010,
http://www.mediapost.com/publications/?fa=Articles.showArticle&art_aid=133992
- “Mr. Know-It-All: Hunting Small Fossils, Sharing YouTube Revenue, Ratting Out the Boss”
Brendan I. Koerner, *Wired* magazine, August 2010, p. 36,
http://www.wired.com/magazine/2010/07/st_kia_fossils/
- “The Swamp and the Swamp Creature: Is the Law Too Complex?”
Ashby Jones, *Wall Street Journal Law Blog*, July 29, 2010, <http://blogs.wsj.com/law/2010/07/29/the-swamp-and-the-swamp-creature-is-the-law-too-complex/>
- “When Can You Sue a Filmmaker for Defamation? A real-life soldier says The Hurt Locker is based on his life and makes him look bad, too.”
Brian Palmer, *Slate.com*, Explainer, March 4, 2010, <http://www.slate.com/id/2246906>
- “Report: New Legal Solutions Needed for Experiments Like CERN’s”
Radio interview of Eric E. Johnson by Alex Helmick, *World Radio Switzerland*,
February 26, 2010, <http://www.worldradio.ch/wrs/news/switzerland/new-legal-solutions-needed-for-experiments-like-ce.shtml?18077>
- “Schwarze Löcher: Ob sie wissen, was sie tun?”
Marcel Hänggi, *WOZ Die Wochenzeitung* (Swiss news weekly), February 18, 2010,
<http://www.woz.ch/artikel/2010/nr07/wissen/18950.html>
- “Law and the End of the World”
Edwin Cartlidge, *Physics World* magazine, February 2010, pp. 12-13,
<http://physicsworld.com/cws/article/indepth/41564>
- “Atom Smasher Exposes Hole in Earth’s Defenses”
Kevin Hassett, *Bloomberg*, January 11, 2010,
<http://www.bloomberg.com/apps/news?pid=newsarchive&sid=acnHtIDcdERA>
- “A Lawyer’s View of the Risk of Black Hole Catastrophe at the LHC”
Lisa Zyga, *PsyOrg.com*, January 22, 2010,
<http://www.physorg.com/news183380986.html>
- “The Case of the Collider and the Great Black Hole”
MIT Technology Review, physics arXiv blog, January 5, 2010,
<http://www.technologyreview.com/blog/arxiv/24611/>

SELECTED NON-ACADEMIC EMPLOYMENT

FOX CABLE NETWORKS Los Angeles, California – 2005 to 2007

In-house counsel

Drafted and negotiated agreements for FSN (Fox Sports Net) and Fox College Sports. Deals included talent agreements, programming distribution agreements, product-placement deals, production agreements, telecast rights, home video distribution rights, ad sales, footage license agreements, location agreements, syndication sublicenses under Major League Baseball telecast rights agreements, equipment leasing, trademark assignment and license-back, and a script-packager development deal. Re-designed various forms. Handled various unlitigated disputes. Provided legal advice to producers of “Best Damn Sports Show Period” and other original programming.

IRELL & MANELLA LLP Los Angeles, California – 2000 to 2004

Associate in litigation and intellectual-property litigation practices

Clients included Paramount Pictures, MTV Networks, CBS, Touchstone Television, Coats/American, Big Ticket Pictures, Immersion Corporation, and the bankruptcy estate of eToys.com. Matters included claims of patent infringement in the video game industry, trademark infringement, copyright infringement of a television series, breach of a television executive-producer contract, breach of a motion-picture director contract, breach of lease, theft of ideas, antitrust violations, and others. Work included lead or solo drafting of various motions, taking and defending depositions, settlement negotiation, managing associates and staff in large-scale discovery efforts and motion writing, and making oral argument, including a successful demurrer in L.A. Superior Court, Central Civil West.

DEBEVOISE & PLIMPTON New York, N.Y. – 1999

Summer associate in the litigation practice

Clients included the National Football League and Oxygen Media. Advised regarding right of publicity, antitrust, trademark, and design-patent issues. In a pro-bono matter, represented a patient of the Manhattan Psychiatric Center in a New York Supreme Court hearing in which the state sought an order to administer medication over the patient’s objection.

MACFARLANES London, U.K. – 1998

Visiting article clerk in the company, commercial, and banking practice

Matters included a leveraged buy-out and an initial public offering.

CYBERSOURCE CORPORATION Menlo Park, California – 1996

Worked on a consultant basis with a very early stage internet start-up in operations eventually spun off as publicly traded beyond.com, a software retailer. Work included designing marketing materials, web-page authoring, and sales to software producers.

COMMUNITY SERVICE

THE ARC UPPER VALLEY Grand Forks, ND – 2007 to 2012, 2016 to 2018

Member of the board of directors of this non-profit organization that serves persons with intellectual disabilities. Chair, Development Committee (2017 to 2018).

INNER CIRCLE FOSTER CARE AND ADOPTION SERVICES Los Angeles – 2004 to 2007

Drafted multiple grant applications. Helped redecorate parent-child visitation rooms.

OTHER

Admitted to practice, State Bar of California.

Inventor. “Portable Lateral-Support Headrest,” U.S. Pat. No. 6,942,297, issued September 13, 2005. Sole inventor; application prosecuted *pro se*.

Stand-up comic, late 1990s and early 2000s. Performed in many venues, including the Reno Hilton’s Comedy Comedy in Reno, Nevada, and the Icehouse in Pasadena, California.

Radio personality. Various on-air work as disc jockey or talk-show host at Reno, Nevada radio stations in 1990s: KOH (newstalk), KLKT FM (adult contemporary), KWNZ FM (hit music), KHIT FM (country), and KIRS (newstalk).