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EMPLOYMENT

Professor, University of New Brunswick Faculty of Law, July 2006- Present
Associate Professor, University of New Brunswick Faculty of Law, July 1999 - June 2006
Assistant Professor, University of New Brunswick Faculty of Law, July 1993 - July 1999
Olin Fellow in Law and Economics, University of Toronto, January - June 1997
Supreme Court of Canada, Law Clerk to Madam Justice Beverley McLachlin, 1991-1992
Schlumberger Oil Field Services, Field Engineer Trainee, October 1985 - April 1986
Bell Northern Research, Hardware Design Engineer, May 1983 - March 1985

EDUCATION

LL.M. 1993, The University of Chicago Law School
LL.B. 1991, Queen's University, Faculty of Law
B.Sc.(Eng. Physics) 1982, Queen's University, Faculty of Engineering
Philosophy/ Physics (part time), 1987-88, Queen's University, Faculty of Arts and Science
Economics/ Politics, 1982-83, Queen's University, Faculty of Arts and Science

PUBLICATIONS

— & Thomas F Cotter, The Value of the Standard, (2017) [101 Minnesota Law Review 1159-1246](#)
— & Thomas F Cotter, A New Framework for Determining Reasonable Royalties in Patent Litigation, (2016) [68 Florida Law Review 929-999](#)
— & Anthony Duggan, Intellectual Property Dealings and the PPSA: *Contech Enterprises Ltd v. Vegherb, LLC.*, (2015) 28(1) Intellectual Property Journal 21-31 (invited publication)
—, Form and Function in the Law of Utility: A Reply to Gold & Shortt, (2015) 30(2) Canadian Intellectual Property Review 109-66
— & Anthony Duggan, Protection of Creators' Rights in Insolvency, (2014) 26(3) Intellectual Property Journal 269-85
Duggan, A & —, Disclaimer, Affirmation and Assignment of Intellectual Property Licences, (2014) 3 Journal of the Insolvency Institute of Canada 163-87.
Duggan A & —, The Protection of Intellectual Property Licences in Insolvency:

- Lessons from the Nortel Case, (2015) [4 Penn St J L & Int'l Aff 2](#) & Annual Review of Insolvency Law 2014
- , Evidentiary Problems of Multidisciplinarity in the Litigation of Business Method Patents, Ch 21, pp 440-55, in Doagoo, Goudreau, Saginur & Scassa (eds), *Intellectual Property Law for the 21st Century: Interdisciplinary Approaches to IP* (Irwin Law, Toronto, 2014)
 - , The Duty to Disclose “The Invention”: The Wrong Tool for the Job, (2013) 25 *Intellectual Property Journal* 269-301
 - , The False Doctrine of False Promise, (2013) 29(1) *Canadian Intellectual Property Review* 3-561
 - , Business Method Patents and Patent Trolls, (2013) 54(1) *Canadian Business Law Journal* 38-57
 - , “Secondary” Evidence of Obviousness is Not Secondary, (2012) 28 *Canadian Intellectual Property Review* 279-87
 - , Must the Factual Basis for Sound Prediction Be Disclosed in the Patent?, (2012) 28 *Canadian Intellectual Property Review* 39-80
 - , 2011 in Review: Patent Law, (2012) 24 *Intellectual Property Journal* 119-32
 - , Restricted application of ‘obvious to try’ (case note) (2012) 7(5) *Journal of Intellectual Property Law & Practice* 304-06
 - , What is the State of the Art for the Purpose of an Obviousness Attack?, (2012) 27 *Canadian Intellectual Property Review* 385-94
 - , *HGS v Lilly*: How Soon Is Too Soon to Patent? (2011) 24 *Intellectual Property Journal* 41-52
 - , The Rule Against Abstract Claims: A Critical Perspective on US Jurisprudence, (2011) 27 *Canadian Intellectual Property Review* 3 - 30
 - , The Rule Against Abstract Claims: History and Principles, (2011) 26 *Canadian Intellectual Property Review* 205 - 229
 - , The Structure of the Law of Patentable Subject Matter, (2011) 23 *Intellectual Property Journal* 169 - 204
 - , The Essential Elements Doctrine in Patent Infringement: Free World and Whirlpool in Light of *Kirin-Amgen*, (2011) 22 *Intellectual Property Journal* 223 - 250
 - , Intellectual Property Protection for Higher Life Forms: Current Law and Policy Issues, (2010) 10 *Integrated Assessment Journal* 23 - 39
 - , Interlocutory Injunctions and Irreparable Harm in the Federal Courts, (2010) 88 *Canadian Bar Review* 517 - 543
 - , et al, Damages Calculations in Intellectual Property Cases in Canada, 24 *Canadian Intellectual Property Review* 153 - 188 (2008)
 - , Alexander J Stack, and the Cole & Partners IP Litigation Support Group (Andrew Harington, Scott Davidson, William Dovey, and Stephen Cole), Accounting of Profits in Intellectual Property Cases in Canada, 24 *Canadian Intellectual Property Review* 83-136 (2008)
 - , Liability of Public Authorities and Duties of Affirmative Action, 57 *University of New Brunswick Law Review*, 84-101 (2007)

- Craik, N, K Culver, and —, Genetically Modified Crops and Nuisance: Exploring the Role of Precaution in Private Law, 27(3) *Bulletin of Science, Technology & Society* 202-214 (June 2007)
- and K Culver, The Experimental Use Defence to Patent Infringement: A Comparative Assessment 56 *University of Toronto Law Journal* 333-369 (2006)
- , Patent Use, Intent and Remedy in Light of *Monsanto v Schmeiser* 22(1) *Canadian Intellectual Property Review* 453-494 (2005)
- , Comment on *Monsanto Canada Inc v Schmeiser*, 83(3) *Canadian Bar Review* 967-992 (2005)
- , The Innocent Bystander Problem in the Patenting of Higher Life Forms, 49(2) *McGill Law Journal* 349 - 392 (2004)
- , A Remedial Benefit-Based Approach to the Innocent User Problem in the Patenting of Higher Life Forms, 20(1) *Canadian Intellectual Property Review* 79-134 (2004)
- , Comparative Advertising, Dilution, and Section 22 of the *Trade-marks Act*, 18(1) *Canadian Intellectual Property Review* 277-335 (2001)
- , A Property Rights Theory of the Limits of Copyright, 51(1) *University of Toronto Law Journal* 1-61 (2001)
- , The Insurance Challenge of Mandatory Home Warranties: Comment on Mary Anne Waldron's Article, 31 *Canadian Business Law Journal* 380 (1999)
- , Damages in Lieu of Specific Performance: *Semelhago v Paramadevan*, 76 *Canadian Bar Review* 551-568 (1998)
- , The Choice between Implied Warranty and Tort Liability for Recovery of Pure Economic Loss in "Contract-Torts": A Comparison of Judicial and Private Ordering in the Real Property Market, 19 *Dalhousie Law Journal* 247-305 (1996)
- , The Doctrine of Conventional Lines, 44 *University of New Brunswick Law Journal* 229-262 (1995)
- , Third-party Beneficiaries in the Supreme Court: Categorization and the Interpretation of Ambiguous Contracts, 45 *University of Toronto Law Journal* 47-75 (1995)
- , Copyright in Facts and Information: *Feist Publications* is Not and Should Not be the Law in Canada, 11 *Canadian Intellectual Property Review* 191-202 (1994)
- , Economic Analysis of Economic Loss: Fault, Deterrence and Channelling of Losses in *CNR v Norsk Pacific Railway*, 20 *Queen's Law Journal* 1-56 (1994)
- , The Doctrinal Origin of Judicial Review in Canada and the Colonial Laws Validity Act, 1 *Review of Constitutional Studies/ Revue d'études constitutionnelles* 75-119 (1993)
- , The *Oakes* Test: An Old Ghost Impeding Bold New Initiatives, 23 *Ottawa Law Review* 99-137 (1991)
- , *Malette v Shulman*: The Requirement of Consent in Medical Emergencies, 34

BOOK CHAPTERS

- & Thomas F Cotter, Reasonable Royalty Rates, in Jorge L. Contreas (ed), *The Cambridge Handbook of Technical Standardization Law* (forthcoming, Cambridge University Press)
- Duff & Phelps Canada Ltd Financial Litigation Support Group, — & Alexander J Stack, “Monetary Relief—Quantum,” in Dimock, *Intellectual Property Disputes: Resolutions and Remedies* (Toronto: Thomson Reuters, 2016), Chapter 19
- , Canada Chapter, in Wolk & Szkalej (eds), *The AIPPI Guide to Employees’ Intellectual Property Rights* (2015, Kluwer Law International)
- , Canadian Patent Law Related to Marker-Assisted Breeding, pp 109-27 in Culver & O’Doherty (eds) *Fishing and Farming Iconic Species: Cod and Salmon and Social Issues in Genomic Science*, (2013, Captus University Publications, Concord, Ontario)

JUDICIAL CITATIONS

Primary citations

Supreme Court of Canada

- AstraZeneca Canada Inc. v. Apotex Inc.* [2017 SCC 36](#) at ¶ 33, 34, 35
The False Doctrine of False Promise
- Southcott Estates Inc v Toronto Catholic District School Board*, [2012 SCC 51](#) at ¶ 36
Damages in Lieu of Specific Performance: *Semelhago v Paramadevan*
- Monsanto Canada Inc v Schmeiser*, [2004 SCC 34](#), [2004] 1 SCR 902 at ¶ 102
A Remedial Benefit-Based Approach to the Innocent User Problem

Appellate Courts

- Apotex Inc v Servier Canada Inc* [2017 FCA 23](#) at ¶ 26, 27
A Remedial Benefit-Based Approach to the Innocent User Problem
- Mylan Pharmaceuticals ULC v Eli Lilly Canada Inc* [2016 FCA 119](#) at ¶ 44, 50
Sufficient Description blog (“Disagreement on Date for Assessing Obviousness-type Double Patenting,” 14 August 2015)
- Gallagher v Gallagher* [2016 NSCA 2](#) at ¶ 26
The Doctrine of Conventional Lines
- Bayer Inc v Cobalt Pharmaceuticals Co [YAZ]* [2015 FCA 116](#) at ¶ 101
Sufficient Description blog
- Paradis Honey Ltd v Canada* [2015 FCA 89](#) at ¶ 145
Liability of Public Authorities and Duties of Affirmative Action
- Sanofi-Aventis v Apotex Inc [PLAVIX]* [2013 FCA 186](#) concurring reasons

of Gauthier JA at ¶ 132

Must the Factual Basis for Sound Prediction be Disclosed in the Patent?

Potash Corp of Saskatchewan Inc v Mosaic Potash Esterhazy Limited Partnership, [2011 SKCA 120](#) at ¶ 58

Interlocutory Injunctions and Irreparable Harm in the Federal Courts

Monsanto Canada Inc v Rivett, [2010 FCA 207](#), 325 DLR(4th) 107, 87 CPR(4th) 444 (CA) at ¶ 28 (derivative of *Schmeiser* SCC), 41

A Remedial Benefit-Based Approach to the Innocent User Problem

New Brunswick (Department of Natural Resources) v Aiken, [2009 NBCA 54](#), 348 NBR (2d) 169, 311 DLR (4th) 248 (CA) at ¶ 37

McKinney v Tobias 'Now you Own It, Now You Don't'

Fullowka v Royal Oak Ventures Inc, 2008 NWTCA 4 at ¶ 127, fn 209

Liability of Public Authorities and Duties of Affirmative Action

Durepos v Desjardins, 2006 NBCA 86, 303 NBR (2d) 224 at ¶ 21

The Doctrine of Conventional Lines

Inmet Mining Corp v Homestake Canada Inc, 2003 BCCA 610, 24 BCLR (4th) 1 at ¶ 189

Damages in Lieu of Specific Performance: *Semelhago v Paramadevan*

CCH Canadian Ltd v Law Society of Upper Canada, 2002 FCA 187, 18 CPR (4th) 161 at ¶ 52

Copyright in Facts and Information

Parlee v McFarlane, (1999) 171 DLR (4th) 292, 210 NBR (2d) 284, 23 RPR (3d) 205 (CA) at ¶ 32

The Doctrine of Conventional Lines

Rosenberg v Canada (Attorney General), (1998) 38 OR (3d) 577, 158 DLR (4th) 664 at ¶ 21

The Oakes Test: An Old Ghost Impeding Bold New Initiatives

Tele-Direct (Publications) Inc v American Business Information, Inc, [1998] 2 FC 22, 154 DLR (4th) 328, 76 CPR (3d) 296 (CA) at ¶ 32

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Courts of First Instance

Dow Chemical Co v NOVA Chemicals Corp [2017 FC 350](#) Fothergill J J
Monetary Relief—Quantum, at ¶ 138

Airbus Helicopters S.A.S. v. Bell Helicopter Textron Canada Limitée
[2017 FC 170](#) Martineau J

Damages Calculations in Intellectual Property Cases in Canada, at
¶ 147, 235, 287

A Remedial Benefit-Based Approach to the Innocent-User
Problem, at ¶ 172, 283, 286, 287

A New Framework for Determining Reasonable Royalties in

Patent Litigation, at ¶ 281, 290, 304, 365

Eli Lilly Canada Inc v Apotex Inc [2015 FC 875](#) Gleason J at ¶ 127
Sufficient Description blog (“Date for Assessing Obviousness-Type Double Patenting Is Priority Date of Earlier Patent,” 23 January 2015)

Astrazeneca Canada Inc v Apotex Inc [NEXIUM] [2014 FC 638](#) Rennie J at ¶ 158 - 59
Must the Factual Basis for Sound Prediction be Disclosed in the Patent?

Merck & Co Inc v Apotex Inc [2013 FC 751](#) Snider J at ¶ 98 - 106
A Remedial Benefit-Based Approach to the Innocent-User Problem
Damages Calculations in Intellectual Property Cases in Canada

Re IGT Patent Application No 2,237,438 [Decision 1346](#) (Com’r of Patents and Patent Appeal Board)
The Essential Elements Doctrine in Patent Infringement: Free World and Whirlpool in Light of Kirin-Amgen

Apotex Inc v H Lundbeck A/S (CIPRALEX) [2013 FC 192](#), 111 CPR(4th) 171 at ¶ 281
A Remedial Benefit-Based Approach to the Innocent-User Problem

Black v Norris [2012 NBBR 346](#) at ¶ 367, 419
McKinney v Tobias: Now You Own It, Now You Don't

Robichaud v Ellis, 2011 NSSC 86, 300 NSR (2d) 350 at ¶ 27, 36
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Monsanto Canada Inc v Rivett, [2009 FC 317](#) at ¶ 41 (derivative of *Schmeiser SCC*), 43, 45, 46, 48, 55
A Remedial Benefit-Based Approach to the Innocent-User Problem

McKinney v Tobias, 2006 NBQB 290, 306 NBR (2d) 282, 47 RPR (4th) 110 (QB) at ¶ 49, 50, 51, 55 - 57
Boundary Law under the New Brunswick Land Titles Act

Spraggs v Coldstream Court Resort (1966) Ltd, 2006 BCSC 37, 39 RPR (4th) 141 at ¶ 13
The Doctrine of Conventional Lines

John E Dodge Holdings Ltd v 805062 Ontario Ltd, (2001) 56 OR (3d) 341, 46 RPR (3d) 239 (SC) at ¶ 49, fn 9
Damages in Lieu of Specific Performance: *Semelhago v Paramadevan*

Robertson v Alberta (South Alberta Land Registration District), 2000 ABQB 1020 at ¶ 6
The Doctrine of Conventional Lines

Bérubé v Levesque, (1999) 211 NBR (2d) 373 (QB)
Forced Sales Price in Dispositions Under a Power of Sale

Hager v ECW Press Ltd, [1999] 2 FC 287, 85 CPR (3d) 289 (FC) at ¶ 43, fn 9
Copyright in Facts and Information

Derivative citations

Appellate Courts

France Animation, sa c Robinson 2011 QCCA 1361 at ¶ 197, quoting *Schmeiser*

Court of First Instance

Catalyst Capital Group Inc v Dundee Kilmer Developments Limited Partnership [2016 ONSC 7365](#) [Commercial List] at ¶ 96, quoting *Paradis Honey v Canada*

Groves v Onda 2016 NSSC 51, at ¶ 18 quoting *Robichaud v Ellis ADIR v Apotex Inc* [2015 FC 721](#), at ¶ 103 quoting *Schmeiser SCC*, at ¶ 110 quoting *CIPRALEX*, at ¶ 120 quoting *Rivett FC*

CanMar Contracting Ltd v Labourers International Union of North America, Local 615 [2015 NSSC 36](#) at ¶ 12, quoting *Potash Corp SKCA Le v Cowessess TLE Holdings Inc* [2013 SKQB 65](#) McMurtry J at ¶ 26, quoting *Potash Corp SKCA*

Roberge v 1102940 Alberta Ltd 2012 ABQB 717 at ¶ 93, quoting *Southcott SCC*

Mattress Mattress Inc v Mattress Mattress (Sask) Inc 2012 SKQB 159 at ¶ 13, quoting *Potash Corp SKCA*

Eurocopter v Bell Helicopter Textron Canada Limitée 2012 FC 113, 100 CPR(4th) 87 at ¶ 413, quoting *Schmeiser SCC*

Édutile Inc v Automobile Protection Assn, [2000] 4 FC 195, 188 DLR (4th) 132, 6 CPR (4th) 211 (CA) at ¶ 8, quoting *Tele-Direct FCA*

AWARDS AND RECOGNITION

University Research Professor, University of New Brunswick, July 2002 – June 2005

University of New Brunswick Merit Award, 2016-17

SELECTED REPORTS

Anthony Duggan and —, (2013) *The Treatment of Intellectual Property Rights in Insolvency*, for Industry Canada

Biotechnology Patents Committee, Intellectual Property Institute of Canada, Submission to Environment Canada responding to Discussion Document for the Further Development of a Federal Access and Benefit Sharing Policy, August 2014

Biotechnology Patents Committee, Intellectual Property Institute of Canada, Submission to CIPO regarding *Amazon.com* Practice Notice Public Consultation, April 2012

Biotechnology Patents Committee, Intellectual Property Institute of Canada, A Comparative Overview of Canadian, US and European Pharmaceutical Patent Systems, September 2012

Biotechnology Patents Committee, Intellectual Property Institute of Canada,

Submission to the Department of Foreign Affairs and International Trade regarding WIPO Negotiations on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, June 2012

Biotechnology Patents Committee, Intellectual Property Institute of Canada, Submission to Environment Canada regarding Canada's Possible Signature of the Nagoya Protocol, October 2011

Title Insurance and the Canadian Land Conveyancing System, (2004) 129 pages, for the Canada Mortgage and Housing Corporation

Fraud in Land Conveyancing, (2003) 102 pages, for the Canada Mortgage and Housing Corporation

— and Catherine Walsh, Leveraging Knowledge Assets: Reducing Uncertainty for Security Interests in Intellectual Property, (2004) 98 pages, for the Law Commission of Canada

The Legal Requirements for the Business Registry System including a Draft Business Registry Act, (2001) 68 pages, for Service New Brunswick

Electronic Registration for the Real Property Registry, (2001) 28 pages, for Service New Brunswick

Internet Filing of International Fuel Tax Agreement Returns, (2000) 13 pages, for Service New Brunswick

Reform of POPA Tickets & Fine Collection/Enforcement, (2000) 15 pages, for Service New Brunswick

— and Catherine Walsh, Amendments Consequential to the Proposed Land Security Act, (1999) 73 pages, for Service New Brunswick

Legal Aspects of the Land Gazette including a Draft Land Gazette Act, (1999) 40 pages, for Service New Brunswick

Government Liability with Respect to Property Boundary Descriptions and the Duty of the Registrar under the Registry and Land Titles Acts (1998) 39 pages, for the New Brunswick Geographic Information Corporation

R MacKenzie, W MacLauchlan, G Post, —, and C Walsh, Legislative Reform and Related Institutional Strengthening: Jamaican Land Administration and Management Program (1998) 77 pages, for the Inter-American Development Bank. Primary responsibility for drafting of Part IV: Land Titling, Tenure and Adjudication and Part VI: Government Land Information: Pricing, Data Protection & Freedom of Information

Building Code Liability and Administration (1998) 67 pages, for The Ontario Ministry of Municipal Affairs and Housing, Housing Development and Buildings Branch

A Review of Secured Lending Theory (1997) 73 pages, for The World Bank

— and Catherine Walsh, Proposed Amendments to the New Brunswick Land Titles Act Relating to the Establishment of a Parcel Identifier Databank and Conversion to Land Titles (1997) 36 pages, for the New Brunswick Geographic Information Corporation

— and Catherine Walsh, Proposal for a New Brunswick Land Security Act (1996) 179 pages, for the New Brunswick Geographic Information Corporation

— and R Dwight Hubley, A Marketable Title Act for New Brunswick (1996) 31 pages, for the New Brunswick Geographic Information Corporation
Proposed Amendments to the Assessment Act and Related Acts (1995) 26 pages, for the New Brunswick Geographic Information Corporation
Proposed Amendments to the Registry Act (1994) 33 pages, for the New Brunswick Geographic Information Corporation
Risk Management in the Conversion to Land Titles (1994) 60 pages, for the New Brunswick Geographic Information Corporation
Surveyor's Copyright in Plans of Survey: Law and Policy (1993) 60 pages, for the New Brunswick Geographic Information Corporation

BLOGGING

Primary Blog

Siebrasse, [Sufficient Description](#): blog on current Canadian cases in patent law – Jan 2011 - present

Guest Blogging

[IPKat](#) (*European Intellectual Property Law*): guest blogger Jan - Jun 2012

[Friday fantasies](#) (Introducing me)

[Double Recovery in Transnational Patent Litigation](#)

[Misleading Affidavits](#)

["Obvious to try" is obviously not obvious](#)

[A hint of a suggestion of a possibility of confusion](#)

[A Sweet Decision on Obviousness](#)

[Is overlooking a fact an error of principle?](#)

[A new battleground of innovative and generic drug manufacturers?](#)

[It is not always reasonable to pursue all reasonable points](#)

[Same sentence, different meaning](#)

["\[T\]he issue of principle . . . is that there is no issue of principle."](#)

[Zeus denies fire to Prometheus](#)

[Comity and ex turpi causa: Servier v Apotex \[2012\] EWCA Civ 593](#)

[What one hand gives, the other takes away? A deeper look at Myriad Monday,](#)

[Lilly, Regeneron and a puzzling point: can you help?](#)

[The wrong tool for the wrong job: time to keep the US courts away from patentable subject matter?](#)

[From Alice to Apple: patentable subject matter crosses the Atlantic](#)

[Wrongly excluded, rightly compensated: is "but for" the best solution?](#)

Comparative Patent Remedies

[A Critique](#) of the Federal Circuit's Recent Decision in *Aqua Shield v. Inter Pool Cover Team*

Judge Davis's [Damages Calculation in CSIRO v. Cisco](#)

[Astrazeneca AB v. Apotex Corp.](#): U.S. District Court Awards Drug

Company \$76 Million in Patent Infringement Damages

[Comments on Sidak, Part 4](#): Closing Thoughts (Cotter and Siebrasse)

[Comments on Sidak Part 2](#): The Ex Ante Contingent Incremental Value Approach (Siebrasse)

[Comments on Sidak, Part 1](#): The Ex Ante Incremental Approach (Siebrasse)

[Antitrust & Competition Policy Blog](#),

[Online Symposium](#) on Professor Thomas Cotter, “Comparative Patent Remedies: A Legal and Economic Analysis,” April 30 2013

OTHER PUBLICATIONS

- , *McKinney v Tobias: Now You Own It, Now You Don't* (2008) 24(2) Solicitor's Journal 32
- , *Boundary Law under the New Brunswick Land Titles Act: The Worst of All Possible Worlds*" (2005) 21(3) Solicitor's Journal 7
- , *Forced Sales Price in Dispositions Under a Power of Sale*, Solicitor's Journal, Fall 1996
- , *Educative Formalism: A Comparison of the Private Law Jurisprudence of Justices La Forest and McLachlin in Johnson, et al eds., Gerard V. LaForest at the Supreme Court of Canada 1985-1997* (University of Manitoba) (2000).
- and Catherine Walsh, *A Comparison of the Uniform Land Security Interests Act and the Proposed Land Security Act for the Province of New Brunswick*, 20 *Nova Law Review* 1133-1163 (invited) (1996).
- and John D. McLaughlin, *Contestable Markets and the Optimal Breadth of Copyright Protection for Works of Fact and Information*, in *Proceedings of the 1994 National Center for Geographic Information and Analysis Conference on Law and Information Policy for Spatial Databases* (NCGIA, University of Maine, 1995) 193-196.

SELECTED CONFERENCES, SEMINARS & PRESENTATIONS

- PatCon 7: The Annual Patent Conference, “Injunctive Relief and the Willing Licensor,” 7-8 April, 2017, Northwestern University Pritzker School of Law, Chicago, IL
- The International Patent Remedies for Complex Products (INPRECOMP) Project, 23-24 March, 2017 Phoenix, AZ, (Steering Committee Member)
- Fifth Annual University of Toronto Patent Colloquium, Panelist, “Non-infringing Alternatives in Patent Remedies,” 4 November 2016, Toronto
- The International Patent Remedies for Complex Products (INPRECOMP) Project, 27-28 October, 2016 London, UK (Steering Committee Member)
- American Law and Economics Association, Annual Meeting, “The Value of the Standard,” 20-21 May 2016, Boston, MA
- PatCon 6: The Annual Patent Conference, “Bottom-Up and Top-Down Approaches to FRAND Royalty Determinations,” 8-9 April, 2016, Boston,

MA

- Fordham IP Conference 2016, Speaker, “The Value of the Standard,” 30 March - 1 April, 2016, New York, NY
- IEEE-SIIT 2015, The 9th International Conference on Standardization and Innovation in Information Technology, “Ex Post Shapley Pricing as the Solution Concept for Reasonable and Non-Discriminatory Royalties,” and “Standard Value Holdup” (with Prof Thomas Cotter), 6-8 October 2015, Sunnyvale CA
- PatCon 5: The Annual Patent Conference, “Standard Value Hold-Up,” 10-11 April, 2015, University of Kansas School of Law, Lawrence, KS
- Security Interests over Intellectual Property Rights, “Challenges related to security interests over IP rights under the Canadian PPSA system,” 27 March 2015, London, UK
- Annual Review of Insolvency Law, 12th Conference, Panelist, “Intellectually Challenging: Dealing with IP in Insolvency Cases” 6 February 2015, Toronto
- Third Annual University of Toronto Patent Colloquium, Panelist, “Standards-Essential Patents: Enforcement Options with FRAND Terms,” 21 November 2014, Toronto
- Public Citizen & American University Washington College of Law, “Secondary Use Pharmaceutical Patents: Litigation and Trade Policy Briefing,” 5 June 2014, Washington DC
- PatCon 4: The Annual Patent Conference, “Compensation and Deterrence in Monetary Patent Remedies,” 4-5 April, 2014, University of San Diego School of Law, San Diego, CA
- Second Annual University of Toronto Patent Colloquium, Panelist, “Views from the Top,” 22 November 2013, Toronto
- IPIC Webinar, US Supreme Court Decision *Association for Molecular Pathology v Myriad Genetics*, Panelist, 9 July 2013
- International Economic Forum of the Americas, Conference of Montreal, 2013, Panelist, “Innovation: The Importance of Intellectual Property Protection,” 12 June 2013, Montreal
- United Nations Ad Hoc Open-ended Informal Working Group to Study Issues Relating to the Conservation and Sustainable Use of Marine Biological Diversity Beyond Areas of National Jurisdiction (ABNJ Working Group), General Assembly Workshop on Marine Genetic Resources, Presentation on Panel 5, Intellectual Property Rights Issues, 2 -3 May 2013, New York
- Patent Trolls, Canadian Bar Association, New Brunswick Branch, Continuing Legal Education, Saint John, NB, 25 April 2013
- 9th Shanghai International IP Forum, Keynote speaker, “The Capitalization and Commercialization of Intellectual Property Rights,” Shanghai, China, 9 November 2012
- Business Method Patents and Patent Trolls, Consumer and Commercial Law Workshop, Halifax, NS, November 2012

Current Issues in Construction of a Patent, Panelist, 11 October 2012, Vancouver, Intellectual Property Institute of Canada, Annual General Meeting

Presentation to Standing Committee on Industry, Science and Technology of the House of Commons regarding the Intellectual Property Regime in Canada, October 4, 2012.

Comparative Intellectual Property Law Symposium – Utility Requirements: Converging and Diverging Approaches, 4 April 2012, Ottawa, Panel Moderator, “Canada and the World” (AIPLA / IPIC / AIPPI / FICPI accredited)

Comparative Multidisciplinary Approaches to Intellectual Property Law, 23-25 May 2012, Ottawa, Presenter, “Evidentiary Problems of Multidisciplinarity in Litigation” (SSHRC funded)

Osgoode Professional Development Critical Case Update, 2 Feb 2012, “Business Methods and Patentable Subject Matter: Canada (A.G) v. Amazon.com, Inc., Fed CA,” panelist (telephone seminar)

UNCITRAL [Working Group VI](#): Legislative Guide on Secured Transactions: [Supplement on Security Rights in Intellectual Property](#) (15th session, 27 April - 1 May 2009, New York; 16 th session, 2-6 November 2009, Vienna; 17 th session, 8-12 February 2010, New York), as member of Independent Film and Television Alliance delegation

Workshop on Marine Biodiversity Beyond National Jurisdiction, 28 March 2008, Ottawa, held by the Department of Foreign Affairs and International Trade

Roundtable on Human Genetic Materials, Intellectual Property and the Health Sector, held by the Canadian Biotechnology Advisory Committee, 12 January 2005, Toronto

Workshop on the Science and Technology-related Issues of the Development of a Canadian Policy for Access and Benefit Sharing of Genetic Resources, held by Biodiversity Convention Office of Environment Canada, 2 December 2004, Ottawa

Interlocutory Injunctions presented at the National Judicial Institute Federal Court Annual Education Seminar, 7-9 October 2009, Montreal, Quebec

Canadian Patent Law Related to Marker Assisted Breeding presented at Marine Iconic Species in the Genomics Era: Cod and Salmon, 28-29 May 2009, St Andrews, NB

An Agent-Based Computational Model of the Predatory State, CLEA 2008

The Implications of the Experimental Use Defence to Patent Infringement on Basic Research: A Comparative Perspective, presented at the Canadian Law and Economics Association Conference, 23-24 September 2005, Toronto, Ontario

Leveraging Knowledge Assets, presented at the Canadian Bar Association Intellectual Property Section Breakfast Meeting, 29 June, 2005

Farmers’ Privilege and the Patenting of Higher Life Forms, presented at the Genome Canada GE³LS Symposium 2004, 13-15 March 2005, Toronto

The Implications of the Experimental Use Defence to Patent Infringement on

Basic Research: A Comparative Perspective, presented at the Innogen Conference on the Evolution of the Life Science Industries, 23-25 February 2005, Edinburgh, Scotland

The Experimental Use Defence to Patent Infringement, presented at the University of Western Ontario Intellectual Property Workshop, January 2005, London, Ontario

Land Titles and Title Insurance: A Perfect Match? presented at the American Real Estate and Urban Economics Association 13th Annual International Conference, 29-31 July 2004

Obviousness in Biotechnology, presented at the Canadian Law and Economics Association Conference, September 19-20, 2003

Ideas and the Evolution of Efficient Behaviour, presented at the Canadian Law and Economics Association Conference, September 22-23, 2000

Are Legal Concepts Legal Fictions ? From Realism to Cognitive Psychology, presented at l'Université de Montréal as part of the Cycle de conférences 1999-2000, "Les fictions du droit" organized by the Centre de recherche en droit public et la Faculté de droit de l'Université de Montréal, November 1999

TEACHING RESPONSIBILITIES

Competition and Trade Regulation, 2014 – present

Intellectual Property Law, 1995-96 – present

Remedies, 2007 - present

Secured Transactions, 2003 – 2014

Commercial Law, 1997-98 – present

Real Estate Transactions, 1993-94 – 2001

Advanced Intellectual Property Law, 2000

Critical Approaches to Law, 1997-98 – 1998-1999

Legal Method, 1995-96, 1996-97

Municipal and Planning Law, 1993-94, 1994-95

PROFESSIONAL AND SCHOLARLY ACTIVITIES

Canadian Business Law Journal, Editorial Advisory Board Member – Sept 2014 - Present.

IPIC (Intellectual Property Institute of Canada), Life Sciences (Biotechnology) Patents Committee 2011 - Present

IPIC Patent Legislation Committee 2012 - Present

IPIC Information, Communication & Technology Committee, 2014

IPIC Competition Committee 2012 - 2013, 2014 - Present.

IPIC Licensing Committee 2011 - 12

