

## GREGORY N. MANDEL

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ACADEMIC *Temple University—Beasley School of Law* **2007-present**  
EMPLOYMENT *Philadelphia, PA*

Peter J. Liacouras Professor of Law, 2011-present  
Associate Dean for Research, 2009-present  
Professor of Law, 2007-present

Specialize in intellectual property and the interface among technology, science, and the law, with a particular focus on patent law and emerging technologies.

Teaching Areas: Intellectual Property, Patent & Advanced Patent Law, Property.

*Albany Law School at Union University* **2001-2007**  
*Albany, NY*

Associate Dean for Research, 2006-07  
Professor of Law, 2006-07  
Associate Professor of Law, 2004-06  
Assistant Professor of Law, 2001-04

Highest rated Professor in student evaluations (2004); second highest (2006).  
Teaching: Patents & Trade Secrets; Technology, Science, & Law; Natural Resources; Property II.

*University of Canterbury School of Law* **Jan.-Apr. 2009**  
*Christchurch, New Zealand*  
Visiting Professor of Law.

*University of Paris--Nanterre* **May 2007**  
*Paris, France*  
Visiting Professor of Law. Fulbright Senior Specialist Grant. Taught U.S. Intellectual Property Law to students in a specialized French/Anglo Law program.

SCHOLARLY *Association of American Law Schools Intellectual Property Section* **2010-2011**  
ACTIVITIES Executive Committee.

*American Bar Association Nanotechnology Task Force* **2006**  
Member of task force that developed white papers and briefed Environmental Protection Agency on arising environmental law nanotechnology issues.

*Legislative Consulting* **various dates**  
Consulted by members of Congress concerning patent, technology, pharmaceutical, and immigration legislation.

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	<i>Science and Technology Law Center, Albany Law School</i> Advisory Board member.	<i>2004-2007</i>
	<i>Alden March Bioethics Institute, Albany Medical College</i> Member of the Faculty.	<i>2005-2007</i>
EDUCATION	<i>Stanford Law School</i> <i>Stanford, CA</i> J.D. 1996, Graduation with Distinction Editor-in-Chief (Co), <i>Stanford Environmental Law Journal</i> Founding Member, Stanford Environmental Law Clinic	<i>1993-1996</i>
	<i>Wesleyan University</i> <i>Middletown, CT</i> B.A. 1991, double major in Physics and Astronomy Phi Beta Kappa; High Honors; Top 5% of class; Sigma Xi speaker	<i>1987-1991</i>
LEGAL & SCIENTIFIC EMPLOYMENT	<i>Skadden, Arps, Slate, Meagher &amp; Flom LLP</i> <i>San Francisco, CA</i> Associate. Advised and represented clients on a broad range of domestic and international environmental transactional and corporate matters, litigation, and regulatory matters. Pro bono work included prominent asylum case before Attorney General of the United States and Ninth Circuit Court of Appeals.	<i>1997-2001</i> <i>&amp; Sum. 1995</i>
	<i>Hon. Jerome Farris, Ninth Circuit Court of Appeals</i> <i>Seattle, WA</i> Law clerk. Drafted and edited opinions, and prepared bench and court-wide memoranda, on wide variety of federal civil and criminal appeals.	<i>1996-1997</i>
	<i>Hon. Anthony J. Scirica, Third Circuit Court of Appeals</i> <i>Philadelphia, PA</i> Law intern. Drafted and edited opinions and bench memoranda.	<i>Sum. 1994</i>
	<i>NASA's Hubble Space Telescope Science Institute</i> <i>Baltimore, MD</i> Managed team reprocessing Hubble Space Telescope images. 1992 Individual Achievement Award; 1993 Group Achievement Award.	<i>1991-1993</i>

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### PUBLICATIONS

Author of over twenty-five law review articles and book chapters. “*Another Missed Opportunity*” was selected as one of the top patent articles of 2008, and “*Patently Non-Obvious*” was selected as one of the top intellectual property articles of 2006. Experimental studies have been cited in multiple briefs filed with the United States Supreme Court. Ranked as one of the top 75 most downloaded authors for the past year on SSRN.

### BOOK CHAPTERS

- *Regulating Nanotechnology through Intellectual Property Rights*, in INTERNATIONAL HANDBOOK ON REGULATING NANOTECHNOLOGIES (G. Hodge, D. Bowman, & A. Maynard eds. 2010)
- *California*, in BROWNFIELDS: A COMPREHENSIVE GUIDE TO REDEVELOPING CONTAMINATED PROPERTY (Todd S. Davis & Scott Sherman ed., Am. Bar Assoc. 3d ed. 2010) (with S. Kray & J. Kroesche).
- *Thomas Edison’s Patent Application for the Incandescent Light Bulb*, in MILESTONE DOCUMENTS IN AMERICAN HISTORY (Paul Finkelman ed., 2008).
- *Limits of Agricultural Economics for Agricultural Biotechnology*, in FOCUS ON AGRICULTURAL ECONOMICS (Ami R. Bellows ed., 2006).
- *California*, in BROWNFIELDS: A COMPREHENSIVE GUIDE TO REDEVELOPING CONTAMINATED PROPERTY (Todd S. Davis ed., Am. Bar Assoc. 2d ed. 2002) (with J. Kroesche).

### LAW REVIEW ARTICLES

- *To Promote the Creative Progress: Intellectual Property Law and Psychology of Creativity*, 86 NOTRE DAME L. REV. \_\_ (forthcoming 2011). Presented at Penn and Notre Dame law schools and the American Psychology-Law Society annual meeting. Ranked as a Top Ten SSRN download for the Intellectual Property, Patent Law, Copyright Law, Law & Psychology, and other lists.
- *Left Brain v. Right Brain: Competing Conceptions of Creativity in Intellectual Property Law*, 44 UC DAVIS L. REV. 283 (2010). Presented at Stanford, Georgetown, Minnesota, and other law schools. Ranked as a Top Ten SSRN download for the Intellectual Property, Law & Psychology, and Cognition & Culture lists.
- *Regulating Emerging Technologies*, 1 LAW, INNOVATION, & TECH. 75 (2009) (peer reviewed). Selected through peer review for inaugural issue of new European law and technology journal. Ranked as a Top Ten SSRN download for the Public Administration and Environmental & Natural Resources lists.
- *Nanotechnology Governance*, 59 ALA. L. REV. 1323 (2008). Presented at multiple law schools and to multiple bar associations. Ranked as a Top Ten SSRN download for the Risk, Regulation, & Governance; Public Policy; and Bureaucracies & Public Administration lists.
- *The Non-Obvious Problem: How the Indeterminate Non-Obvious Standard Produces Excessive Patent Grants*, 42 UC DAVIS L. REV. 57 (2008). Presented at

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American University Washington College of Law and Microsoft—Lewis & Clark Law School Business Forum.

- *Another Missed Opportunity: The Supreme Court's Failure to Define Non-Obvious or Combat Hindsight Bias in KSR v. Teleflex*, 12 LEWIS & CLARK L. REV. 323 (2008) (symposium). Invited symposium contribution. Selected as one of the top Patent articles of 2008 by Thompson-West.
  - Reprinted in 1 PATENT L. REV. 17 (2009).
- *When to Open Infrastructure Access*, 35 ECOLOGY L.Q. 205 (2008). Presented at Law and Society in the 21<sup>st</sup> Century, Humboldt University, Berlin, Germany. Ranked as a Top Ten SSRN download for the Information Systems list.
- *Patently Non-Obvious II: Experimental Study on the Hindsight Bias Issue before the Supreme Court in KSR v. Teleflex*, 9 YALE J. L. & TECH. 1 (2007). Presented at numerous law schools, including Berkeley, University of Texas, and University of Arizona.
- *History Lessons for a General Theory of Law and Technology*, 8 MINN. J.L., SCI., & TECH. 551 (2007) (symposium). Solicited symposium article. Ranked as a Top Ten SSRN download for the Law, Politics & Courts and Political Institutions lists.
  - Reprinted in LAW AND TECHNOLOGY: AN INTERFACE (K.P. Rani ed. 2008).
- *Cost-Benefit Analysis versus the Precautionary Principle: Beyond Cass Sunstein's Laws of Fear*, 2006 UNIV. OF ILL. L. REV. 1037 (2006) (essay) (lead author, with J. Gathii).
- *Patently Non-Obvious: Empirical Demonstration that the Hindsight Bias Renders Patent Decisions Irrational*, 67 OHIO ST. L.J. 1391 (2006). Presented at numerous law schools and selected as one of the top Intellectual Property articles of 2006 by Thompson-West.
  - Reprinted in 39 INTELL. PROP. L. REV. 27 (2007).
- *The Generic Biologics Debate: Industry's Unintended Admission that Biotech Patents Fail Enablement*, 11 VA. J. L. & TECH. 8 (2006). Presented at multiple law schools. Ranked as a Top Ten SSRN download for the Patent Law list.
- *New Frontiers: The Future of Biotechnology Litigation and Adjudication*, 23 PACE ENV'T'L L. REV. 83 (2005/2006) (symposium). Symposium contribution based on invited presentation at United Nations Environmental Programme Symposium: The Judiciary and Environmental Law.
  - Reprinted in BIOTECHNOLOGY: A LEGAL APPROACH (N. Sudarshan ed. 2008).
- *Toward Rational Regulation of Genetically Modified Food*, 4 SANTA CLARA J. INT'L L. 21 (2006) (symposium). Symposium contribution based on invited presentation at The Future of Food: Legal and Ethical Challenges, High Tech Law Institute, Santa Clara University School of Law.
- *Technology Wars: The Failure of Democratic Discourse*, 11 MICH. TELECOMM. TECH. L. REV. 117 (2005). Presented at Cornell Law School and other law schools.
- *Promoting Environmental Innovation with Intellectual Property Innovation: A New Basis for Patent Rewards*, 24 TEMP. ENV'T'L L. & TECH. J. 51 (2005) (symposium). Symposium contribution based on invited presentation at Environmental Technology and Innovation, Temple Law School; also presented at Cardozo School of Law and Syracuse Law School.

## GREGORY N. MANDEL

- Reprinted in 5 ICFAI J. OF INTELL. PROP. RIGHTS 12 (2006).
- *Gaps, Inexperience, Inconsistencies, and Overlaps: Crisis in the Regulation of Genetically Modified Plants and Animals*, 45 WM. & MARY L. REV. 2167 (2004). Ranked as a Top Ten SSRN download for the Administrative Law, Environmental Economics, Environmental Law & Policy, Health Law & Policy, and Regulation lists.
  - Excerpt reprinted in Roger Findley et al., CASES AND MATERIALS ON ENVIRONMENTAL LAW 962-68 (7th ed. 2006).
- *Confidence-Building Measures for Genetically Modified Products: Stakeholder Teamwork on Regulatory Proposals*, 44 JURIMETRICS J. 41 (2003) (symposium). Peer reviewed publication. Selected presentation at the Confidence Building Measures for Genetically Modified Foods, Arizona State University.
- *Toward a Better Decisionmaking Process: Finding the Truth in Policy and Removing False Science*, 15 TEMP. ENV'T L. & TECH. J. 65 (1996) (comment).

### BAR AND PRACTITIONER PUBLICATIONS

- *Intellectual Property and the Biological Sciences*, in 2007 JUDICIAL CONFERENCE OF THE SECOND CIRCUIT OF THE UNITED STATES, \_\_\_ F.R.D. \_\_\_ (forthcoming 2011).
- *Petition for a Writ of Certiorari in Line Rothman & Glamourmom LLC v. Target Corp. et al.*, U.S. Supreme Court, No. 09-\_\_\_ (of counsel)
- *Does Hindsight Bias Affect Obviousness Rulings?*, Feature Article, NAT'L L. J., Aug. 18, 2008.
- *Brief of Business and Law Professors as Amici Curiae in Support of the Respondents*, in *KSR Int'l Co. v. Teleflex Inc.*, U.S. Supreme Court, No. 04-1350 (with M. Lemley, R.P. Wagner, F.S. Kieff, & C. Cotropia).
- *EMS/Innovative Regulatory Approaches*, in AMERICAN BAR ASSOCIATION, SECTION OF ENVIRONMENT, ENERGY, AND RESOURCES, NANOTECHNOLOGY PROJECT (2006) (co-author).
- *Patent Primer—Patent Law for the Non-patent Attorney*, in BRIDGING-THE-GAP: INTELLECTUAL PROPERTY, New York State Bar Association (2004).

### WORKS IN PROGRESS

- *Proxy Signals: Towards a New Theory of Public Choice* (manuscript available). Presented at Penn Law School, the Boston IP Colloquium, and the Philadelphia Cyberlaw Colloquium.
- *The Tragedy of the Risk-Perception Commons: Culture Conflict, Rationality Conflict, and Climate Change*, and (co-author) (manuscript available). Ranked as the second most downloaded article on SSRN for a two month period.
- *Cultural Cognition and Synthetic Biology Risk Perceptions: A Preliminary Analysis* (lead author, with D. Kahan & D. Braman) (manuscript available)
- *Risk and Culture: Is Synthetic Biology Different?* (with D. Kahan & D. Braman) (manuscript available). Ranked as a Top Ten SSRN download for the Risk, Regulation, & Governance; Environmental & Natural Resources Law; Health Law; Political Psychology; and General Cognitive Social Science lists.

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### SCIENTIFIC SCHOLARSHIP

- *Rotation Periods for Seven Stars in the Trapezium Cluster*, 383 THE ASTRONOMICAL JOURNAL, L75-L78 (1991) (lead author, with W. Herbst).
- *Rotation Periods for Seven Stars in the Trapezium Cluster*, 24 BULLETIN AMERICAN ASTRONOMICAL SOCIETY 688 (1992) (lead author, with W. Herbst).
- *CCD Photometry at Wesleyan College*, 21 J. AMERICAN ASSOCIATION OF VARIABLE STAR OBSERVERS 15 (1992) (co-author).
- STAR VARIATION IN THE ORION NEBULA, Undergraduate Honors Thesis, Wesleyan University, May 1991.

### SHORT WORKS AND OP-EDS

- *Will America Reinvent Itself? The Patent Pendulum and Patent Reform in 2011*, TEMP. L. REV. ONLINE F. (Jul 13, 2011)
- *Substantial Equivalence*, in ENCYCLOPEDIA OF ENVIRONMENTAL ETHICS AND PHILOSOPHY (J. Baird Callicott & Robert Frodeman eds. 2009).
- *Identity Theft Prevention Needed*, Albany Times Union, Feb. 27, 2005 (lead author, with A. Harrington).
- *Sustainable Development is Our Duty to Future Generations*, Albany Times Union, Nov. 17, 2002.
- *Environmental Progress in State Must Continue*, Albany Times Union, Apr. 7, 2002 (with D. Markell).
- *Genetically Modified Food and Drugs*, Albany Law School Magazine, Fall/Winter 2001.
- *A Giant Step Backward For Asylum Law*, St. Petersburg Times, July 22, 1999 (with J. Kroesche).

### PRESENTATIONS

Over one hundred presentations internationally, including for the United Nations, Second Circuit, Environmental Protection Agency, American Bar Association, American Psychology Association, and National Academy of Science, as well as at Stanford, Penn, and Berkeley law schools.

### SELECTED PRESENTATIONS

1. *Patent Law in the 21<sup>st</sup> Century*, Southeastern Association of Law Schools Annual Conference, Hilton Head, Jul. 2011
2. *To Promote the Creative Progress: Intellectual Property Law and Psychology of Creativity*, Innovation and Economic Growth Conference, Gruter Institute for Law and Behavior Research, Squaw Valley, May 2011
3. *To Promote the Creative Progress: Intellectual Property Law and Psychology of Creativity*, American Psychological Association's Psychology-Law Annual Meeting, Miami, Mar. 2011

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4. *To Promote the Creative Progress: Intellectual Property Law and Psychology of Creativity*, Law and the Brain Lecture Series, University of Pennsylvania Law School, Jan. 2011
5. *Creativity and Creation in Intellectual Property Law*, Panel Moderator, American Association of Law Schools Annual Meeting, San Francisco, Jan. 2011
6. *To Promote the Creative Progress: Intellectual Property Law and Psychology of Creativity*, Creativity and the Law Symposium, University of Notre Dame Law School, Nov. 2010
7. *Left Brain v. Right Brain: Competing Conceptions of Creativity in Intellectual Property Law*, China University of Politics and Law, Oct. 2010
8. *Private Signals: A New Law and Economics Approach to Optimizing Intellectual Property Rights*, Center for Technology, Innovation, and Competition Workshop Series, University of Pennsylvania Law School, Oct. 2010
9. *Optimizing Intellectual Property Rights: A New View of the Law and Economics Cathedral*, Intellectual Property Scholars Conference, Berkeley School of Law, Aug. 2010
10. *Innovative Governance of Nanotechnologies: A Legal Perspective*, Regulation in the Age of Crisis, European Consortium for Political Research, Dublin, Ireland, June 2010
11. *Left Brain v. Right Brain: Competing Conceptions of Creativity in Intellectual Property Law*, Chicago Intellectual Property Colloquium, Chicago-Kent Law School, Apr. 2010
12. *International Issues in Generic Pharmaceuticals*, Patent Law, Globalization, and Changing Technology, University of Pennsylvania Law School, Mar. 2010
13. *Left Brain v. Right Brain: Competing Conceptions of Creativity in Intellectual Property Law*, Association for Law, Property, & Society Annual Meeting, Georgetown Law School, Mar. 2010
14. *Left Brain v. Right Brain: Competing Conceptions of Creativity in Intellectual Property Law*, William and Mary Law School, Nov. 2009
15. *Regulating Emerging Technologies*, Committee on Science, Technology, and Law, National Academy of Science, Oct. 2009
16. *Left Brain v. Right Brain: Competing Conceptions of Creativity in Intellectual Property Law*, University of Iowa Law School, Oct. 2009
17. *Left Brain v. Right Brain: Competing Conceptions of Creativity in Intellectual Property Law*, University of Minnesota Law School, Oct. 2009
18. *Patently Nonobvious: The Impact of Hindsight Bias on Patent Decisions*, The Katz Foundation Lecture, IPIL, University of Houston Law Center, Oct. 2009
19. *Left Brain v. Right Brain: Competing Conceptions of Creativity in Intellectual Property Law*, Center for Law, Science, & Technology, Arizona State Law School, Oct. 2009
20. *Should Genes be Patented?*, Panelist, Intellectual Property Research Institute of Australia, University of Melbourne Law School, Apr. 2009
21. *Patently Non-Obvious: Empirical Studies on the Hindsight Bias and KSR v. Teleflex*, University of Canterbury Faculty of Law, Apr. 2009
22. *Patently Non-Obvious: Empirical Studies on the Hindsight Bias and KSR v. Teleflex*, Victoria University Faculty of Law, Mar. 2009

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23. *Regulating Emerging Technologies*, Sociology and Anthropology Colloquium, University of Canterbury, Mar. 2009
24. *Regulating Emerging Technologies*, Tilting Perspectives on Regulating Technologies, Tilburg University, Netherlands, Dec. 2008
25. *Disclosure and Financial Patents: Revealing the Invisible Hand*, Discussant, Innovation and Intellectual Property in Financial Services, Bank of Finland and Federal Reserve Bank of Philadelphia, Helsinki, Finland, Oct. 2008
26. *Left Brain v. Right Brain: Competing Conceptions of Creativity in Intellectual Property Law*, Intellectual Property Speaker Series, George Washington Law School, Sept. 2008
27. *Left Brain v. Right Brain: Competing Conceptions of Creativity in Intellectual Property Law*, Intellectual Property Scholars Conference, Stanford Law School, Aug. 2008
28. Conference Co-Chair, 4<sup>th</sup> Annual Forum on Polymorphism and Patenting, International Quality and Productivity Center, Frankfurt, May 2008
29. *U.S. Non-Obvious Decisions and their Impact on Pharmaceutical Patenting*, 4<sup>th</sup> Annual Forum on Polymorphism and Patenting, International Quality and Productivity Center, Frankfurt, May 2008
30. *Left Brain v. Right Brain: Competing Conceptions of Creativity in Intellectual Property Law*, Law and Society Association Annual Meeting, Montreal, May 2008
31. *Towards Reconciliation in Technology Wars*, Law and Society Association Annual Meeting, Montreal, May 2008
32. *Cultural Cognition of Genetically Modified Organisms*, Intellectual Property, Biotechnology, and Agricultural Sciences, Intellectual Property Law Center at Drake University, May 2008
33. *Patent Trolls: Are they Down for the Count*, Panel Moderator, 23<sup>rd</sup> Annual Intellectual Property Law Conference, American Bar Association, Apr. 2008
34. *The Future of Patent Law*, Panelist, 23<sup>rd</sup> Annual Intellectual Property Law Conference, American Bar Association, Apr. 2008
35. *Conference Fellow Comments*, Symposium on Patent Failure: How Judges, Bureaucrats, and Lawyers Put Innovation at Risk, University of Georgia Law School, Mar. 2008
36. *The Non-Obvious Problem: How the Indeterminate Non-Obvious Standard Produces Excessive Patent Grants*, Nonobviousness—The Shape of Things to Come, Lewis & Clark Law School Business Forum, Oct. 2007.
37. *Nanotechnology Governance*, Law, Ethics, and Life Sciences, University of Louisville—Brandeis School of Law, Oct. 2007
38. *The Non-Obvious Problem*, Works in Progress Intellectual Property, American University Washington College of Law, Sept. 2007.
39. *When to Open Infrastructure Access*, Law and Society in the 21<sup>st</sup> Century, Humboldt University, Berlin, July 2007
40. *Intellectual Property and the Biological Sciences*, Judicial Conference of the Second Circuit of the United States, Jun. 2007
41. *KSR v. Teleflex and the Hindsight Bias*, Special IP Focus Series, Loyola Law School, Jun. 2007

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42. *Patently Non-Obvious: KSR v. Teleflex and Empirical Studies on the Hindsight Bias*, Current and Future Trends in Patent Law, Suffolk University Law School, Apr. 2007
43. *Patently Non-Obvious: KSR v. Teleflex and Empirical Studies on the Hindsight Bias in Patent Law*, 7th Annual Center for Intellectual Property Law & Information Technology Symposium: Patents and Progress, DePaul University College of Law, Mar. 2007
44. *The Generic Biologics Debate*, Follow-On Biologics: Scientific, Legal, & Policy Issues, Albany Law School, Mar. 2007
45. *Patently Non-Obvious: Empirical Studies on the Hindsight Bias in Patent Law*, University of Connecticut School of Law, Dec. 2006
46. *Patently Non-Obvious: Empirical Studies on the Hindsight Bias in Patent Law*, Drexel University College of Law, Dec. 2006
47. *Patently Non-Obvious: Empirical Studies on the Hindsight Bias in Patent Law*, Temple Law School, Dec. 2006
48. *Patently Non-Obvious: Empirical Studies on the Hindsight Bias in Patent Law*, University of Arizona College of Law, Nov. 2006
49. *Patently Non-Obvious: Empirical Demonstration that the Hindsight Bias Renders Patent Decisions Irrational*, Conference on Empirical Legal Studies, University of Texas School of Law (co-sponsors: NYU School of Law and Cornell School of Law), Oct. 2006
50. *The Supreme Court Year in Preview: KSR v. Teleflex*, Patent Law: Recent Developments and Proposals for Reform, Santa Clara School of Law (co-sponsor: Berkeley School of Law), Oct. 2006
51. *Regulating Nanotechnology*, Nanotechnology 2006, Rensselaer Polytechnic Institute, Sept. 2006
52. *Patently Non-Obvious: Empirical Studies on the Hindsight Bias in Patent Law*, Intellectual Property Scholars Conference, Berkeley School of Law (co-sponsor: Stanford Law School), Aug. 2006
53. *Innovative Regulatory Approaches for Nanotechnology*, American Bar Association, Section of Environment, Energy, and Resources presentation to the Environmental Protection Agency, Office of General Counsel, Jun. 2006
54. *Promoting Environmental Innovation with Intellectual Property Innovation*, Syracuse Law School, Apr. 2006
55. *Biomedical Patents and Biologic Generics*, The Evolution & Reform of U.S. Patent Law, Center for Law, Technology, & Communications, Thomas Jefferson School of Law, Nov. 2005
56. *Biotechnology's Role in Food Security*, The Right to Food at the Nexus of Trade and Technology, University of Ottawa Law School, Oct. 2005
57. *Promoting Environmental Innovation with Intellectual Property Innovation*, Intellectual Property Scholars Conference, Cardozo Law School, Aug. 2005
58. *Regulating Genetically Modified Food*, The Future of Food: Legal and Ethical Challenges, High Tech Law Institute & Markkula Center for Applied Ethics, Santa Clara University School of Law, Apr. 2005
59. *The Giving Tree: Property Rights and Natural Resources*, High Tech Law Institute & Intellectual Property Association: Biotech, Santa Clara University School of Law, Apr. 2005

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60. *Promoting Environmental Innovation with Intellectual Property Innovation*, Environmental Technology and Innovation: Partners for our Future, Temple Law School, Feb. 2005
61. *The Future of Biotechnology Litigation and Adjudication*, United Nations Environmental Programme Symposium: The Judiciary and Environmental Law, New York State Judicial Institute, Dec. 2004
62. *Technology Wars: The Failure of Democratic Discourse*, Nanotechnology Colloquium, Cornell Law School, Nov. 2004
63. *An Empirical Study of the Hindsight Bias in Patent Law*, Intellectual Property Scholars Conference, Center for Intellectual Property Law & Information Technology, DePaul University College of Law, Aug. 2004
64. *Confidence Building Measures to Defuse Polarized Regulatory Debates*, Center for Creative Problem Solving, California Western School of Law, Mar. 2004
65. *Confidence Building Measures for Genetically Modified Foods: Teamwork on Regulatory Proposals*, Center for the Study of Law, Science and Technology at Arizona State University, Dec. 2002
66. *United States Environmental and Natural Resources Law*, Tula Law Institute, Tula, Russia, Apr. 2002

### ADDITIONAL PRESENTATIONS

67. *Recent Legal Developments Impacting Biopharmaceutical Medicines*, Panel Moderator, Access to Essential Medicines, Biotechnology Patents, and Global Cooperation, Temple Law School, Apr. 2011
68. *Proxy Signals*, Cyberlaw Colloquium, Rutgers School of Law Camden, Feb. 2011
69. Keynote Address, *Scholarly Development*, Northeast Regional Scholarship and Teaching Development Workshop, Albany Law School, Feb. 2011
70. Keynote Address, *Industry Advocacy and Optimal Intellectual Property Law*, The Latest Developments in IP Law, Suffolk Law School, Feb. 2011
71. *Proxy Signals*, Boston Intellectual Property Colloquium, Suffolk Law School, Feb. 2011
72. Commencement Address, Temple-Tsinghua LL.M. Program Commencement, Tsinghua University, Beijing, China, Oct. 2010
73. Commentator, *Resisting New Technologies*, Queen's University Faculty of Law conference on Human Autonomy, Law, & Technology, in *Second Life*, Mar. 2010
74. *Intellectual Property Rights and Green Technology*, Presenter and Panel Moderator, The Greening of Intellectual Property, Temple Law School, Mar. 2010
75. Commentator, Gregory Mitchell, *Beyond Context: Social Facts as Case-Specific Evidence*, Temple Law School, Mar. 2010
76. Commentator, Brandon Bartels, *Awareness, Ideology, and Public Perceptions of the Supreme Court*, Temple Law School, Mar. 2010
77. *Nanotechnology Governance, Do Good Things Really Come in Small Packages?*, New York City Bar Association, June 2009
78. Commentator, Donald Braman, *The Self-Defensive Cognition of Self Defense*, Temple Law School, Oct. 2008
79. *Nanotechnology Governance*, Philadelphia Bar Association—Environmental and Toxic Tort Committee Speaker Series, Sept. 2008

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80. *Left Brain v. Right Brain: Conflicting Conceptions of Creativity in Intellectual Property Law*, Temple Law School Faculty Workshop, Apr. 2008
81. *Cultural Relics, Intellectual Property, and Intangible Heritage*, Panel Moderator, Temple Law School, Mar. 2008
82. *Nanotechnology Products*, From Pipeline to Product: Navigating the FDA Approval Process, Washington, D.C., Nov. 2007
83. Commentator, Michael Vandenberg, *Climate Change: The China Problem*, Temple Law School, Sept. 2007
84. *Catastrophic Climate Change Litigation*, Panel Moderator, Albany Law School, Apr. 2006
85. *Importing Pharmaceuticals from Canada and Other International Borders*, Panel Moderator, Albany Law School, Mar. 2006
86. *Additional Views on Environmental Justice and Land Use: Transportation, Public Health, and Available Resources*, Panel Moderator, National Academy of Public Administration & Government Law Center, Dec. 2005
87. *Legal Perspectives in Identity Theft and Privacy Interests*, Introductory Remarks, Albany Law School, Mar. 2005
88. *Sprawl: Emerging Issues and Successful Initiatives*, Panel Moderator, Albany Law School, Mar. 2005
89. *Patent Primer—Patent Law for the Non-patent Attorney*, Bridging-the-Gap: Intellectual Property, New York State Bar Association, Oct. 2004
90. *Regulating Pornography and the Internet: The First Amendment and Societal Perspectives*, Panel Moderator, Albany Law School, Mar. 2004
91. *The Role of Gender and Domestic Violence in Asylum Law*, Guest Lecturer, U.S. Refugee and Asylum Law, Albany Law School, Mar. 2004
92. *Environmental Justice: Theory and Practice, is it Working?*, Panel Moderator, Albany Law School, Feb. 2004
93. *Tensions Between Patent Law and Public Policy: The Medical Activity Exception & Computer-related Business Method Patenting*, Albany Law School, May 2003
94. *The Hudson River—Past, Present, Future: Current and Future Challenges*, Panel Moderator, Albany Law School, Feb. 2003
95. *Environmental Forum: Sustainable Development: From Rio to Johannesburg and Beyond*, Panel Moderator, Albany Law School, Nov. 2002
96. *Environmental Law and Regulation in the United States*, Speech to Governmental and Business Leaders, Tula, Russia, Apr. 2002
97. *United States Environmental and Natural Resources Law*, Tula State University, Tula, Russia, Apr. 2002
98. *United States Environmental and Natural Resources Law*, Tula Pedagogical University, Tula, Russia, Apr. 2002
99. *Environmental Forum: The State of New York State's Natural Resources*, Panel Moderator, Albany Law School, Apr. 2002
100. *Domestic Violence Issues in Asylum Law*, Guest Lecturer, Domestic Violence Seminar, Albany Law School, Oct. 2001
101. *Genetically Modified Food and Drugs*, Pennsylvania State University—Dickinson School of Law, Dec. 2000
102. *Genetically Modified Food and Drugs*, Albany Law School, Dec. 2000

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103. *Genetically Modified Food and Drugs*, Thomas Jefferson School of Law, Dec. 2000
104. *NASA Space Telescope Science Institute: The Hubble Space Telescope*, Poster Presentation, American Astronomical Society Meeting, Jan. 1993
105. *Rotation Periods for Seven Stars in the Trapezium Cluster*, Poster Presentation, American Astronomical Society Meeting, Jan 1992
106. *Star Variation in the Orion Nebula*, Northeast Consortium of Universities for Science Education Conference, Apr. 1991
107. *The Beginning of the Universe*, Northeast Consortium of Universities for Science Education Conference, Nov. 1990

### SELECTED MEDIA INTERVIEWS, QUOTATION, AND CITATION

- *Supreme Court: When Do Ideas Deserve Patents?*, Adi Narayan, Time.com, Nov. 18, 2009
- *Justices Hear “Geek’s” Landmark Case*, Tony Mauro, Fulton County Daily Report, Nov. 10, 2009
- *A Math Geek’s Ride to the High Court: How Rand Warsaw and Partner Bilski Touched Off a Landmark Patent Fight*, Tony Mauro, The National Law Journal, Nov. 9, 2009
- *Bra-Maker Seeks Boost from Supreme Court*, Jocelyn Allison, Law360, Oct. 2, 2009
- *Nursing Garment Cited as “Flash of Genius” in Petition Challenging Obviousness Judgement*, BNA PATENT, TRADEMARK & COPYRIGHT DAILY, OCT. 1, 2009
- *Creativity for Patents and Copyrights Is Not So Different, Professor Says*, Tony Dutra, BNA PATENT, TRADEMARK & COPYRIGHT DAILY, Sept. 23, 2008
- *Surviving the Patent Shakeup*, Erik Sherman, CHIEF EXECUTIVE, Jul./Aug. 2008
- *Patently Non-Obvious: Professor Explores how Hindsight Bias affects Patent Law Decisions*, Thomas Durso, TEMPLE ESQ., Sum. 2008
- *FTC says Companies Team Up to Stall Generics*, Kerry Grens, WHYY, June 4, 2008
- *Getting a Handle on Nanobiotech Products*, Vicki Brower, GENETIC ENGINEERING & BIOTECHNOLOGY NEWS, Jan. 1, 2008
- Guest on *The Forum*, a half-hour political commentary radio program broadcast on six stations in the Northwest, discussing patent law, Dec. 8, 2007 (available at <http://www.isrlaw.com/radio/TheForum-ProfessorMandellonKSR.mp3>)
- *Patent Quest is Costly*, Larry Rulison, Times Union, Mar. 11, 2007
- *Vaunted Legal Scholar Switches Sides in Supreme Court Patent Case*, Xenia Kobylarz, IP News & Business, Nov. 27, 2006
- *Mandelian Proposition Holds for Patents*, Jeremy Phillips, IPKat, Nov. 16, 2006
- *Hindsight Bias*, Dennis Crouch, Patently-O, Nov. 13, 2006
- *Experimenting with KSR v. Teleflex—Can Hindsight be Mitigated (Parts I and II)*, Peter Zura’s Two-Seventy-One Patent Blog, Nov. 7 & 8, 2006
- *KSR: For the Respondent*, IPCentral, Progress and Freedom Foundation’s Center for the Study of Digital Property, Oct. 27, 2006
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- *Should Obviousness in Patent Cases be Bifurcated to Avoid Hindsight Bias* (Parts I and II), Peter Zura's Two-Seventy-One Patent Blog, Aug. 23 & 24, 2006
- *Empirical Evidence of Hindsight Bias*, William Heinze, I/P Updates, Aug. 30, 2006
- *Mandel on Saving Science from Politics*, Andrew Chin, Voiceless, Jul. 29, 2006
- *Mandel on Hindsight Bias and Obviousness*, Legal Theory Blog, Jan. 4, 2006
- *X-Ray Optical Investing in Ideas*, Larry Rulison, Albany Times Union, Sept. 9, 2005
- *The Laws of Technology: Center at Albany Law School aims to be legal resource for high-tech companies*, Schenectady Daily Gazette, Apr. 25, 2004
- *The new medicinals: Bio-engineered plants promise a new era of innovative medicine. If regulators don't muck things up*, Red Herring, Nov. 22, 2003
- *Technology Transfer News: U of R Cox-2 Patent Overturned*, Al Levin, Syracuse Business Record, Apr. 15, 2003
- *Mistrust of GMOs based on media stories of regulatory error, says law professor*, Soya & Oilseed Industry News, Apr. 29, 2003
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- *Scientists Scrutinize Biopharming*, Emma Hitt, The Scientist, Mar. 21, 2003
- *Experts Battle in High-Stakes Lead Paint Lawsuits*, Andrew Tilghman, Albany Times Union, Dec. 29, 2002
- *Critics Question AEP's Role in Bat Study*, Lois Caliri, The Roanoke Times, Nov. 3, 2002
- *Big Suits*, Dan McAllister et al., The American Lawyer, Mar. 2001
- *Lawyers on Major Transactions*, Bruce Balestier & Anna Snider, New York Law Journal, Feb. 10, 2000
- *Big Deals*, The American Lawyer, Dec. 1998
- *Why the Youngest Stars Get Into a Spin*, Ken Crosswell, New Scientist, vol. 133, no. 1803, Jan. 11, 1992

### AWARDS, HONORS, & GRANTS

*Another Missed Opportunity* selected as one of the top Patent articles of 2008  
Fulbright Senior Specialist Grant recipient, 2007  
*Patently Non-Obvious* selected as one of the top Intellectual Property articles of 2006  
Nominated as a "Best Law Teacher" for "What the Best Law Teachers Do" Project, 2010  
Highest rated Professor on student evaluations of faculty, Albany Law School, 2004  
Second highest Professor on student evaluations of faculty, Albany Law School, 2006  
Selected for the Fulbright Senior Specialist Roster, 2002  
NASA Space Telescope Science Institute Group Achievement Award, 1993  
NASA Space Telescope Science Institute Individual Achievement Award, 1992  
National Science Foundation Graduate Fellowship, Honorable Mention, 1991-1992

## GREGORY N. MANDEL

### BAR AND PROFESSIONAL MEMBERSHIP AND SERVICE

New York State Bar  
State Bar of California (inactive)  
United States Court of Appeals for the Ninth Circuit Bar  
American Bar Association  
Intellectual Property Section, American Bar Association  
American Intellectual Property Law Association  
Association of American Law Schools  
Reviewer for National Science Foundation proposal  
Referee of articles for *Science, Law and Policy*, and *Jurimetrics Journal*  
Reviewer of Oxford University Press and UBC Press book proposals

### LAW SCHOOL AND UNIVERSITY SERVICE

Temple University Invention and Patent Committee, 2010-present  
Faculty Recruitment Committee, 2008-present  
Faculty Union Compensation Committee, 2008-09  
Curriculum Committee, 2007-2010  
Intellectual Property Moot Court Faculty Advisor, 2007-present  
*Albany Law Journal of Science and Technology*, Faculty Advisor, 2004-07  
Dean's Communications Advisory Council, 2004-07  
Faculty Affairs Committee, 2004-07  
National Intellectual Property Moot Court Faculty Advisor, 2005-2007  
Intellectual Property Society Faculty Advisor, 2002-present  
Environmental Law Society Faculty Advisor, 2001-07  
Hon. Harold R. Tyler Distinguished Professorship in Law & Technology Search Committee, 2004 (Chair)  
Drafted Albany Law School Long-range Strategic Plan, 2004  
Drafted new Promotion and Tenure Standards and Procedures, 2006-07  
*Albany Environmental Outlook Journal*, Faculty Advisor, 2001-04  
Faculty Recruitment Committee, 2002-04  
International and Comparative Law Programs Committee, 2001-03  
Faculty Advisor to first-year group of students, 2002-2006  
National Environmental Moot Court, Faculty Advisor, 2001-03  
Intellectual Property LL.M., Faculty Advisor, 2002-present  
Russian–U.S. Young Leadership Fellows for Public Service, Faculty Advisor, 2002-03  
Science & Technology Law Center Coordinator Search Committee, 2004  
Ad Hoc Committee on Student Journals, 2004-05  
Student Affairs Committee, 2001-05  
Harassment Committee, 2004-2007  
Student Disciplinary Committee, 2003-04  
Enrichment Committee, 2001-02  
Glennon Fellowship Committee, 2001-2007 (Chair)  
Peck Scholarship Committee, 2001-2007  
Fulbright Campus Committee, 2002-2007

## **GREGORY N. MANDEL**

### COMMUNITY ACTIVITY

Vice-President and Secretary of the Board of The Miquon School, 2010-present

### PERSONAL

My wife, Alyson, has a doctorate in social psychology and conducts research in health and social psychology. We have two children, Evelyn (10 years old) and Isaac (8 years old). My personal interests include mountain climbing (I have climbed to the highest point in thirty-four states), biking, birding, and baseball.