

**FTC Hearings on the Evolving IP Marketplace
December 5, 2008**

Participant Biographies

Thomas F. Cotter

Thomas F. Cotter joined the University of Minnesota Law School faculty in 2006. He received his bachelor's and master's degrees in economics from the University of Wisconsin-Madison, and in 1987 graduated magna cum laude from the University of Wisconsin Law School, where he served as Senior Articles Editor of the Wisconsin Law Review and was elected to the Order of the Coif. From 1987-89, Cotter clerked for the Honorable Lawrence W. Pierce, United States Court of Appeals for the Second Circuit. He practiced law at Cravath, Swaine & Moore in New York City from 1988-90, and at Jenner & Block in Chicago from 1990-94. From 1994-2005, he taught at the University of Florida College of Law, where he held a University of Florida Research Foundation Professorship and directed the school's Intellectual Property Law Program. From 2005-06, he was a Professor of Law at Washington and Lee University School of Law.

Professor Cotter's principal research and teaching interests are in the fields of domestic and international intellectual property law, antitrust, and law and economics. He is the coauthor, with Roger D. Blair, of *Intellectual Property: Economic and Legal Dimensions of Rights and Remedies*, published by Cambridge University Press in 2005. He has authored or coauthored over 30 other scholarly works, including articles in the *California Law Review*, the *Georgetown Law Journal*, the *Iowa Law Review*, the *Minnesota Law Review*, the *University of Illinois Law Review*, the *William & Mary Law Review*, the *North Carolina Law Review*, the *Notre Dame Law Review*, and the *Tulane Law Review*.

Peter N. Detkin

Peter N. Detkin is a founder and vice-chairman at Intellectual Ventures where he focuses on a variety of projects relating to intellectual property and invention.

Prior to joining Intellectual Ventures, Mr. Detkin spent 8 years at Intel Corporation where he was a vice president and assistant general counsel. As assistant general counsel, Mr. Detkin was responsible for managing the Intel patent and licensing departments, including all aspects of prosecution and claims management. In addition, Mr. Detkin managed the litigation and competition policy departments (including antitrust).

Before he joined Intel, Mr. Detkin was an intellectual property partner at the law firm of Wilson, Sonsini, Goodrich and Rosati in Palo Alto, Calif. Mr. Detkin was the first patent lawyer hired at this firm and formed the basis of their highly-successful intellectual property practice. While at Wilson Sonsini, he had lead or second chair responsibility for a number of high profile litigations, including the seminal computer copyright case *Lotus v. Borland*.

In addition to his work, Mr. Detkin is the immediate, past president of the Law Foundation of Silicon Valley, an organization dedicated to providing legal services to low-income children and families, people with mental and developmental disabilities, AIDS patients, and victims of discrimination. Through his extensive involvement with the Foundation over the years, he has worked with others to provide free legal services to nearly tens of thousands of low income and poor families and children through a variety of programs.

Mr. Detkin received his B.S.E.E. with honors in 1982 from the University of Pennsylvania's Moore School of Electrical Engineering and a J.D. in 1985 from the University of Pennsylvania Law School. He is a member of the State Bars of California and New York, and is registered to practice before the United States Patent and Trademark Office.

Q. Todd Dickinson

Q. Todd Dickinson is the Executive Director of the American Intellectual Property Law Association, a bar association of over 16,000 members and one of the world's leading policy and advocacy organizations in the field of intellectual property.

Mr. Dickinson previously served as Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office. He also served a Vice President and Chief Intellectual Property Counsel for the General Electric Company and was a partner in the Howrey law firm, where he was Co-Chair of its intellectual property practice.

With over 30 years of experience in the field, Mr. Dickinson has written and spoken extensively on intellectual property issues, including testifying before Congress, the Federal Trade Commission, and the National Academy of Sciences on intellectual property administration and policy, and led the U.S. delegation to the negotiations of the Patent Law Treaty and the Trademark Law Treaty.

Mr. Dickinson previously served on the Executive Committee of the Intellectual Property Owners Association and as Vice-Chair of the Intellectual Property Law Section of the American Bar Association. A member of the Intellectual Property Hall of Fame Academy, he has also been named as one of the "50 Most Influential People in Intellectual Property" three times by Managing Intellectual Property magazine.

He earned his B.S. from Allegheny College in 1974 and his J.D. from the University of Pittsburgh in 1977.

John Fitzgerald Duffy

Professor Duffy is the Oswald Symister Colclough Research Professor of Law at The George Washington University Law School. He joined the faculty in 2003. After receiving an undergraduate degree in physics, Professor Duffy served as articles editor on the University of Chicago Law Review and was awarded an Olin Fellowship in Law and

Economics. Professor Duffy clerked for Judge Stephen Williams on the U.S. Court of Appeals for the D.C. Circuit and for Justice Antonin Scalia on the U.S. Supreme Court, served as an attorney adviser in the Department of Justice's Office of Legal Counsel, and practiced law with the Washington firm of Covington & Burling. Since entering academia in 1996, Professor Duffy has been on the faculty of the Benjamin N. Cardozo School of Law and the William and Mary School of Law, and has also served as a visiting professor at the University of Chicago. He has published articles in the *University of Chicago Law Review*, *Columbia Law Review*, *Texas Law Review*, and *Supreme Court Review*, and he is the co-author of a casebook on patent law. Professor Duffy teaches torts, administrative law, patent law, and international intellectual property law.

Brian Kahin

Brian Kahin is Senior Fellow at the Computer & Communications Industry Association and author of the CCIA white paper *Patent Reform for a Digital Economy*, which examines the problems faced by the IT sector. He is also Research Investigator and Adjunct Professor at the University of Michigan School of Information. From 1989 to 1997, Kahin was founding Director of the Information Infrastructure Project at Harvard's John F. Kennedy School of Government, the first academic program to address the social, economic, and policy implications of the Internet. He subsequently served three years as Senior Policy Analyst in the White House Office of Science and Technology Policy, where he was responsible for issues in intellectual property, Internet policy, and electronic commerce. He has edited ten books on Internet-related policy, most recently *Advancing Knowledge and the Knowledge Economy* (with Dominique Foray; MIT Press 2006). Other recent projects resulting in publications include *Patents and Diversity in Innovation* and *Designing Cyberinfrastructure for Collaboration and Innovation*. His blog in the Huffington Post is the only patent policy blog written for the public rather than patent specialists.

Jeffrey P. Kushan

Mr. Kushan is a partner at Sidley Austin LLP in Washington, DC. He counsels and represents companies and trade associations on a diverse range of intellectual property matters, including patent procurement and licensing, patent portfolio assessment incidental to investments and acquisitions, domestic and international patent policy and reform, and patent enforcement. He represents companies in Hatch-Waxman and other types of patent litigation, has served as a patent expert in administrative and legal proceedings in the United States and abroad, testified before the United States Congress and various administrative agencies, and served as lead counsel in *amicus* filings by companies and trade associations in significant patent law appeals. In 2003, he was named one of the top 45 lawyers in the United States under the age of 45 by *American Lawyer* magazine.

Daniel P. McCurdy

In August 2008, Mr. McCurdy was named Chief Executive Officer of Allied Security Trust I, where he is responsible for management of the Trust with particular attention to patent acquisition and global expansion of the Trust's membership.

In addition to his responsibilities at the Trust, Mr. McCurdy is Chairman of PatentFreedom, an on-line, subscription-based service providing product companies worldwide with extensive information about Non-Practicing Entities (NPEs) (sometimes called "patent trolls"), and a forum to identify and communicate with other companies defending themselves against patent assertions from NPEs.

From June 2001 through May 2008, Mr. McCurdy was a founder and Chief Executive Officer of ThinkFire, which provides intellectual property advisory services to many of the world's leading technology companies and private equity firms. From March, 2000 to June 2001, Mr. McCurdy was president of Lucent Technologies' Intellectual Property Business. There, he managed 300 employees who generated more than \$500 million in annual revenues from the licensing of 26,000 worldwide patents.

From February 1999 to March 2000, Mr. McCurdy was vice president of IBM Corporation responsible for the creation of the IBM Life Sciences business unit. Prior to re-joining IBM in 1999, Mr. McCurdy was vice president of corporate development for CIENA Corporation, serving on CIENA's senior management committee and directing overall corporate acquisitions strategy. From 1982 – 1997 Mr. McCurdy served in a variety of business and intellectual property management roles in IBM, including director of business development for IBM Research and IBM's corporate manager of technology and intellectual property policy worldwide.

Mr. McCurdy received his B.A. *summa cum laude* from the University of North Carolina. Previously, he served on the Intellectual Property Policy committee of the United States' National Academies.

Roderick McKelvie

Roderick McKelvie is Co-Chair of Covington & Burling's Intellectual Property Litigation Practice. From 1991 to 2002, he served as a United States District Court Judge for the District of Delaware and presided over a number of patent infringement cases.

Since stepping down from the bench, Mr. McKelvie has advised and represented clients in commercial and intellectual property disputes at the trial and appellate level. He has worked on matters in a wide range of technologies, including pharmaceuticals, computer and software, transportation, communications and food services.

While on the bench, and since then in private practice, he has worked to improve the procedures for presenting complex cases to juries, including having developed Delaware's model jury instructions for patent infringement cases, and the Federal

Judicial Center's video for jurors, *An Introduction to the Patent System*. He has served as President of the Giles S. Rich American Inn of Court and Co-Chair of the National Academies' Committee on Intellectual Property Rights in Genomic and Protein Related Inventions.

Mr. McKelvie teaches Patent Enforcement at George Washington University Law School. He has a degree in economics from Harvard University and a JD from the University of Pennsylvania, and has been named one of the top intellectual property lawyers by *The Best Lawyers in America*, and the *International Who's Who of Business Lawyers*.

Michael Meurer

Professor Meurer is Michaels Faculty Research Scholar and Professor of Law at Boston University School of Law. An S.B., J.D. and Ph.D., he became an economics professor at Duke University and later a law professor at the University of Buffalo. He went to Boston University School of Law in 1999, where he has taught courses in patents, intellectual property and public policy toward the high-tech industry. Professor Meurer has received several grants and fellowships, including two grants from the Pew Charitable Trust, a Ford Foundation grant, an Olin Faculty Fellowship at Yale Law School and a postdoctoral fellowship at AT&T Bell Labs. He has served as an expert witness for the Federal Trade Commission on a merger case presenting issues related to patent licensing. He also has consulted with government officials from developing countries about antitrust law, and taught short courses in American intellectual property law at the law faculties of the University of Victoria and the National University of Singapore.

Chief Judge Paul R. Michel

Paul R. Michel was appointed as a Circuit Judge to the United States Court of Appeals for the Federal Circuit by President Ronald Reagan in 1988. On December 25, 2004, after 16 years on the court, he assumed the duties of Chief Judge. Chief Judge Michel has written over 300 opinions in patent, trademark, takings, contract, tax, veterans' rights, international trade and government personnel cases. He is the recipient of the Eli Whitney Prize, the Katz-Kiley Prize, and the Jefferson Medal for "outstanding contribution ... to the progress of science and useful arts." In 2003, he was named by *Managing Intellectual Property* magazine as one of the 50 most influential people in the world in intellectual property.

Prior to his appointment to the court, Chief Judge Michel served in the executive and legislative branches of government for 22 years. Following graduation from Williams College in 1963 and the University of Virginia Law School in 1966, he served as Assistant District Attorney and Deputy District Attorney for Investigations in Philadelphia under Arlen Specter; as Assistant Special Watergate Prosecutor under Leon Jaworski responsible for the Howard Hughes-Bebe Rebozo investigation; and under Dick Thornburgh as Deputy Chief of the Justice Department's Public Integrity Section

directing the "Koreagate" investigation. In 1978 he was appointed by Benjamin Civiletti as Associate Deputy Attorney General, helping to supervise United States Attorneys, the FBI, and the Marshals Service. From April 1981 until his appointment to the court in March of 1988, he served on Senator Arlen Specter's staff, including as Chief of Staff. Since October 2005, he has been a member of the Executive Committee of the Judicial Conference of the United States, the governing body of the Judicial Branch. He has taught at George Washington and other law schools, made many presentations to various city, state, national and international bar associations and participated in the training of judges of other nations. With two co-authors, he helped produce a casebook for law students, entitled, Modern Patent Litigation and Strategy. He has published many articles on appellate advocacy.

Joseph S. Miller

Professor Miller is Associate Professor, Lewis & Clark Law School, and Visiting Associate Professor, University of Georgia Law School. He joined the Lewis & Clark Law School faculty in the summer of 2002. Professor Miller has focused on intellectual property law issues since graduating from Northwestern University Law School in 1994. His research examines patent law questions within the larger legal structures that govern the competitive process within a market economy. During the 2001-2002 academic year, Miller was a Visiting Assistant Professor at Northwestern University Law School. He arrived in that visiting post after one year in the Antitrust Division of the U.S. Justice Department, where he worked on a variety of investigations that included some intellectual property law component. From 1996 to 2000, Professor Miller practiced both patent and general appellate law at Sidley & Austin. From 1994 to 1996, he served as a law clerk to Judge Paul Michel of the U.S. Court of Appeals for the Federal Circuit, the court that hears all appeals arising under the patent laws.

Raymond Millien

Raymond Millien is the Founder and Chairman of The PCT Companies – a family of companies providing an intellectual-property focused legal, lobbying and advisory services for the knowledge economy.

Previously, he was General Counsel of Ocean Tomo, LLC – the country's leading investment bank focusing on IP assets. While there, he was responsible for overseeing all legal and regulatory affairs. During his tenure he oversaw all legal aspects of innovations such as the world's first live IP auctions and the launch of the Ocean Tomo 300® Patent Index on the American Stock Exchange.

Prior to Ocean Tomo, he was Vice President and IP Counsel at American Express Company where his responsibilities included managing the company's global patent portfolio and leading brand and technology outward-licensing deals. His previous experience includes practicing law in the Washington, DC offices of DLA Piper US LLP and Sterne, Kessler, Goldstein & Fox PLLC. Prior to attending law school, he was a software design engineer with General Electric and is a graduate of their GE Edison

Engineering Program.

Mr. Millien has presented at numerous IP-related conferences internationally, been quoted in major national publications and been interviewed on local television news. He is also a national lecturer for the BAR/BRI® Patent Bar Review course, and has served as an adjunct professor of legal writing and oral advocacy at the George Washington University Law School, and a professorial lecturer of IP Law at the George Washington University School of Engineering. He has coauthored two books, *Little Blues: How to Build a Culture of Intellectual Property within a Small Technology Company* (Euromoney/MIP, 2006), and *From Finals to the Firm: Top Ten Things New Law Firm Associates Should Know* (Matthew Bender, 2003).

Mr. Millien received a B.S. from Columbia University, and a J.D. from The George Washington University Law School. He is admitted to the Illinois, New York, Virginia, District of Columbia, U.S. Court of Appeals for the Federal Circuit and U.S. Supreme Court bars, and is registered to practice before the U.S. Patent and Trademark Office.

John A. Squires

Mr. Squires joined Goldman Sachs & Co. in March 2000 and is presently the firm's first chief intellectual property counsel, having global responsibility for intellectual property legal matters, including patents, trademarks and copyrights. He currently co-chairs the Securities Industry and Financial Markets Association ("SIFMA") IP Subcommittee, and recently provided Senate Judiciary Committee testimony on Patent Reform for the SIFMA, the Financial Services Roundtable and the American Bankers Association. Extensively engaged in innovation policy matters, he has authored and co-authored numerous articles and law review papers and appeared on several amicus briefs to both the Supreme Court and Federal Circuit. Most recently he appeared as co-counsel for RDC in *In Re Bilski*, accepted by the Federal Circuit for oral argument with the parties.

In addition, Mr. Squires serves on the Board of Directors for the IIPi, a not-for-profit, international development organization which promotes global economic growth through intellectual property systems. He has recently become a sponsor of the Peer-to-Patent government pilot.

Prior to Goldman Sachs, Mr. Squires was general counsel to Honeywell's Advanced Technologies and Optical Devices business units. In private practice, Mr. Squires was a litigator at Rogers & Wells and Morgan & Finnegan. He received his J.D. degree *magna cum laude* from the University of Pittsburgh School of Law where he was a member of the *Law Review* and Order of the Coif.

Mr. Squires began his career with IBM in mid-range and large systems and software marketing. He holds a Bachelor of Science degree in Chemistry from Bucknell University, received a Union Camp Science Scholarship and was awarded the University Prize for Men in English. He played varsity football for the Bison and wrote for his college newspaper, *The Bucknellian*. He is a member of the New York Bar and

is licensed to practice in the United States Patent and Trademark Office.

John R. Thomas

Jay Thomas is Professor of Law at Georgetown University in Washington, DC. He recently received a grant from the John D. and Catherine T. MacArthur Foundation in order to continue his work as Visiting Scholar at the Congressional Research Service. In addition to journal articles concerning intellectual property law, his publications include a hornbook on intellectual property, a treatise on pharmaceutical patents, and both a textbook and casebook on patent law. He previously served as law clerk to Chief Judge Helen W. Nies of the U.S. Court of Appeals for the Federal Circuit, an instructor at the USPTO Patent Academy, and as a visiting fellow at the Institute of Intellectual Property (Tokyo) and the Max Planck Institute (Munich). Professor Thomas holds a B.S. in Computer Engineering from Carnegie Mellon, a J.D. *magna cum laude* from the University of Michigan, and an LL.M. with highest honors from George Washington University.

Duane Valz

Duane is presently VP & Associate General Counsel, Global Patents, at Yahoo! Inc. In that role, he leads a team of attorneys and engineers responsible for the company's worldwide invention harvesting, patent filings and portfolio management. Additionally, Duane advises on IP-related litigation, licensing, policy and strategic corporate development matters. Duane has counseled a wide variety of emerging growth, private and publicly held companies on intellectual property and technology matters.

Immediately prior to joining Yahoo! in May 2006, Duane served as Director of Intellectual Property for Quantum Corporation, a producer of high capacity data storage systems and devices. In that role he oversaw execution of the company's IP creation, management and exploitation strategies. Among other responsibilities, Duane chaired Quantum's Patent Review Committee; managed its patent and trademark portfolios; established IP-related policies and procedures for the company's business and engineering groups; negotiated complex transactional arrangements with Quantum's technology development and manufacturing partners; and advised on IP litigation strategies, including work around design engineering. Before joining Quantum (a former client) in February 2003, Duane maintained a private practice providing legal services and strategic business counseling to executives, emerging growth and public companies in the software, hardware, Internet and entertainment industries.

Duane began his career as an attorney with the law offices of Howard, Rice, Nemerovski, Canady, Falk & Rabkin in San Francisco, CA, where he was an organizer of the firm's Intellectual Property Practice Group. Duane received his J.D. from the University of California at Berkeley, School of Law (Boalt Hall), serving as Submissions Editor of the Berkeley Technology Law Journal. He also earned his B.A., with Honors & Distinction in General Scholarship, from the University of California at Berkeley.

Mallun Yen

Mallun Yen is Vice President of Worldwide Intellectual Property at Cisco Systems, the worldwide leader in networking that transforms how people connect, communicate and collaborate. Mallun started at Cisco as the company's second intellectual property attorney and went on to build a group that now consists of over two dozen professionals. Mallun and her team are responsible for the company's intellectual property strategy and policy as well as its patents, copyrights and trademarks, including patent development, IP disputes, licensing and acquisitions, standards IPR, IP due diligence and portfolio of over 10,000 issued and pending US patents.