

Deborah R. Gerhardt

Paul B. Eaton Distinguished Professor of Law
UNC School of Law
The University of North Carolina at Chapel Hill
160 Ridge Road, CB# 3380
Chapel Hill, North Carolina 27599-3380
(919) 357-4316
dgerhardt@unc.edu

EDUCATION

Case Western Reserve University School of Law, Cleveland, Ohio
J.D. *cum laude*, May 1990

Duke University, Durham, North Carolina A.B.
May 1987

PROFESSIONAL EXPERIENCE

UNC School of Law, Chapel Hill, North Carolina

Paul B. Eaton Distinguished Professor of Law	2024 – present
Reef C. Ivey II Excellence Fund Term Professor of Law	2019 – 2024
Associate Professor of Law	2015 – 2020
Assistant Professor of Law	2009 – 2015
Director of Intellectual Property Initiative and Adjunct Professor of Law	2005 – 2009

United States Patent and Trademark Office Member of the Trademark Public Advisory Committee	2022 - present
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Eligon IP , Partner	2024 - present
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Michael Best & Friedrich, LLP Counsel	2021– 2024
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William & Mary Law School, Williamsburg, Virginia

Senior Lecturer	2004 – 2005
Adjunct Professor	2002 – 2004
Hunton & Williams , Richmond, Virginia	
Associate	1998 – 2000
Jones Day Reavis & Pogue , Cleveland, Ohio	
Associate	1992 – 1998
United States District for the Northern District of Ohio , Cleveland, Ohio	
Law Clerk, Honorable Judge John M. Manos	1990 – 1992

BAR AND COURT ADMISSIONS

United States Supreme Court	2023
North Carolina	2006
Virginia (currently inactive)	1999
Ohio (currently inactive)	1990
United States Court of Appeals for the Sixth Circuit	1996
United States District for the Eastern District of Michigan	1995
United States District for the Northern District of Ohio	1992

HONORS AND AWARDS

Named as a “Best Lawyer 2024” in Copyright and Trademark Law by bestlawyers.com

Selected by the USPTO to participate in the Trademark Public Advisory Committee from 2023-2026

Named as a “Best Lawyer 2023” by bestlawyers.com

Elected to the American Law Institute, 2021

Selected for the Professor S. Elizabeth Gibson Award for Faculty Excellence, 2020

Named the Reef C. Ivey II Excellence Fund Term Professor of Law, 2019

Selected to Serve as Chair for the American Association of Law Schools Art Law Section, 2018

Selected to Serve on the Board for the American Association of Law Schools Intellectual Property Section for 2017-2018

University Teaching Award for Post-Baccalaureate Instruction at UNC, 2017

Institute of Arts and Humanities Faculty Fellows Program for the Spring of 2017
University of North Carolina

Selected to Participate in West Academic Publishing's Innovation Summit
St. Paul, Minnesota, July 2016

Selected to be one of 16 scholars in the U.S. to participate in the Advertising Educational Foundation's 2015 Visiting Professor Program and the first to be hosted by J. Thompson in Atlanta, Georgia, June 2015

Winner of the Pitch Competition at the Chancellors' Faculty Entrepreneurship Bootcamp, May 14, 2015

Selected to be a Founding Member of the Trademark Law Reform Project, 2014

Featured in Chapel Hill Magazine's First Women's Issue, November 2014

Awarded Second Prize in the 2013 Ladas Memorial Competition for trademark scholars

Selected to participate in the Junior Scholar's in Intellectual Property conference at Michigan State University in Lansing Michigan in 2011 and 2012

Selected to participate as one of three fellows in IPIL/HOUSTON (the Institute for Intellectual Property & Information Law at the University of Houston Law Center) 2011 National Conference on "Trademarks: Today and Tomorrow" in Santa Fe, New Mexico

Recipient of the 2007 Outstanding Achievement Pro Bono Award for the Intellectual Property Section of the North Carolina Bar Association

BIBLIOGRAPHY:

Works in Progress

Monuments, Memory and Change

Sound Marks, 108 Minn. L. Rev. 101 (2024)(with Jon J. Lee)

Intellectual Property textbook for the West Learning Series (with Sharon Sandeen)

Published Works

“It’s How You Made Us Feel”: Consumer Investment Theory Explains the Toppling of Racist Brands, Book Chapter for Research Handbook on the Law and Economics of Trademark Law (Glynn Lunney, ed. 2023)

“The Story of USPTO Trademark Data” Research Handbook on Empirical Studies in Intellectual Property Law (Edward Elg. Publishing 2023)(invited chapter for an international text coauthored with Jon J. Lee)

A Tale of Four Decades: Lessons from USPTO Trademark Prosecution Data, 112 Trademark Reporter 6 (November–December 2022)(with Jon J. Lee)

The Gender Gap in Academic Patenting (with Miriam Marcowitz-Bitton and William Michael Schuster), 56 U. C. Davis L. Rev. 759 (2022).

An Empirical Study of Gender and Race in Trademark Prosecution, 94 S. Cal. L. Rev. 6 (2022) (with Miriam Marcowitz-Bitton and William Michael Schuster).

The Last Breakfast with Aunt Jemima and its Impact on Trademark Theory, 45 Columbia J. of Law and the Arts 231 (2022).

The Last Breakfast with Aunt Jemima, Landslide Magazine (January 12, 2022)

Law in the Shadows of Confederate Monuments, 27 Mich. J. Race and Law 1 (2021)

Bot Contracts, 67 Ariz. L. Rev. 877 (2020) (with David Thaw)

Copyright Publication on the Internet, 60 IDEA UNH L. Rev.1, 1-44 (2020)

Owning Colors, 40 Cardozo L. Rev. 101-159 (2019) (with Jon J. Lee)

A Masterclass in Trademark’s Descriptive Fair Use Defense, 52 Akron Law J. 739-761 (2019)

A Behavioral Economics View of Judge Posner’s Contracts Legacy, 50 Univ. of Pac. L. Rev. 349-362 (2019)

Beware the Trademark Echo Chamber: Why Federal Courts Should Not Defer to USPTO Decisions, 33 Berkeley Tech. L.J. 643-688 (2019)

Featured in World Trademark Review: Victoria Arnold, “Don't be afraid to challenge USPTO registration decisions” urges US academic.” April 4, 2019

Trademarks as Entrepreneurial Change Agents for Legal Reform, 95 N.C.L. Rev 1519-1560 (2017)

Consumer Investment in University Brands, 29 LOYOLA CONSUMER L. REV. 95-120 (2016)
Selected for republication in the IHELG monograph series

BRIDGE TO PRACTICE: CONTRACTS SIMULATIONS (with Michael Malloy) for Thomson Reuters (2015) (151 pages)

Lexmark and the Death of Initial Interest Confusion 7 Landslide Magazine 1, 22-28 (2014)
Cited in ADT, LLC v. Capital Connect, Inc., 145 F. Supp. 3d 671 (N.D. Tex. 2015)

Copyright at the Museum: Using the Publication Doctrine to Free Art and History, 61 Journal, Copyright Society of the U.S.A. 393-451 (2014)

Do Trademark Attorneys Make a Difference? ITMA Review 22-24 (October/November 2013) (with Jon J. Lee)

Do Trademark Lawyers Matter? 16 Stanford Tech. L. Rev. 583-622 (2013) (with Jon J. Lee)

Social Media Amplify Consumer Investment in Trademarks, 90 N.C.L. Rev 1491-1530 (2012)

Awarded Second Prize in the 2013 Ladas Memorial Competition

Reprinted in the 2013 edition of the Intellectual Property Law Review, an anthology published annually by Thomson Reuters (West) after having been selected as “one of the best law review articles related to intellectual property law published within the last year.”

Copyright Publication: An Empirical Study, 87 Notre Dame L. Rev. 135-204 (2011)

Reprinted in 2012 edition of the ENTERTAINMENT, PUBLISHING AND THE ARTS HANDBOOK (West) after being selected as one of “the best law review articles published within the last year in the fields of entertainment, publishing and the arts.”

Fair Use and Fairness on Campus, 11 N.C. J.L. & Tech. 461-530 (2010) (co-authored with Madelyn F. Wessel)

Consumer Investment In Trademarks, 88 N.C.L. Rev 427-500 (2010)

Protect Your Right to Write Again: Tips for Assuring That Your Publication Agreement is A Comfortable Fit, with Diane K. Kjervik, JD, RN, FAAN, 12 Journal of Nursing Law No. 3, 124-126 (2009)

The 2006 Trademark Dilution Revision Act Rolls out a Luxury Claim and a Parody Exemption, 8 UNC. J.L. & Tech. 205-230 (2007)

The Rules of Attribution, The Chronicle of Higher Education, May 26, 2006, at B20.

Reprinted in Fred White and Simone J. Billings, The Well-Crafted Argument, A Guide and Reader, 3rd ed. (Houghton Mifflin 2008) p. 347

Reprinted in John Alberti, Text Messaging: Reading and Writing About Popular Culture (Houghton Mifflin 2009) p. 69

Plagiarism in Cyberspace: Learning the Rules of Recycling Content with a View Towards Nurturing Academic Trust in an Electronic World, 12 Rich. J.L. & Tech. 1-29 (2006)

Note, A First Amendment Justification for Regulation of Racist Speech on Campus, 40 Case W. Res. L. Rev. 733-779 (1990)

Selected Blogs, Podcasts and Op Ed Pieces

Monumental Questions on Art and National Identity

Blogpost for a roundtable on [Public Memory and Public Monuments](#), convened for LevinsonFest 2022 to reflect on Sandy Levinson's influential work in constitutional law May 22, 2022

<https://balkin.blogspot.com/2022/05/monumental-questions-on-artand.html?m=0&version=meter+at+null>

Copyright and Choreography

New York City Bar Association Podcast

May 11, 2021

<https://open.spotify.com/episode/6Uc0dXwnukdLFCLT7qzwW7?si=6bfwddRRRyWNGTtbz1UxHA&nd=1>

Abandoning Disparaging Marks Patently-O

June 27, 2020

<https://patentlyo.com/patent/2020/06/abandoning-disparaging-marks.html>

Deborah Gerhardt and Jon McClanahan Lee on Owning Colors

Ipsix Dixit Podcast May

9, 2019

<https://shows.acast.com/ipse-dixit/episodes/deborah-gerhardt-and-john-mcclanahan-leon-owning-colors>

Seeing Red: Can a Brand Trademark a Signature Color?

Knowledge@Wharton

SiriusXM Business Radio Powered by The Wharton School

University of Pennsylvania

Philadelphia, Pennsylvania February

21, 2018 <http://knowledge.wharton.upenn.edu/article/louboutin-red-soles/>

“UNC Needs to Join Duke on the Right Side of Civil Rights”

August 23, 2017 <http://www.charlotteobserver.com/opinion/op-ed/article168968782.html>

“Offensive Speech and Trademarks at the Supreme Court”

Podcast for the National Constitution Center with Rebecca Tushnet and Ilya Shapiro,

January 17, 2017

<https://constitutioncenter.org/experience/programs-initiatives/podcasts/P40>

“To Honor Orlando’s Dead, NC Must Repeal HB-2”

The Raleigh News & Observer

June 13, 2016 <http://www.newsobserver.com/opinion/op-ed/article83552312.html>

Pay our Teachers or Lose Your Job, Slate

January 5, 2014

http://www.slate.com/articles/life/education/2014/01/north_carolina_s_assault_on_teachers_has_to_stop.html (generating more than 35,000 “likes” on fb)

A Thanksgiving Prayer for North Carolina, The Raleigh News & Observer

November 27, 2013 <http://www.newsobserver.com/2013/11/27/3413201/gifting-ncteachers-with-more.html>

The Battle of Our Time August 21, 2013

<http://www.ncpolicywatch.com/2013/08/21/the-battle-of-our-time/>

University of Alabama Can’t Stop Paintings of Famous Crimson Tide Football Moments—

University of Alabama v. New Life Art, Technology and Marketing Law Blog

June 14, 2012

http://blog.ericgoldman.org/archives/2012/06/university_of_a.htm

Selected Presentations and Workshops

Trade Dress Edges

IPSC

Cardozo Law School
New York, New York
August 3, 2023

Addressing Harm in the Public Landscape
Conference on Undue Harm: Undoing the Legacy of Confederate Monuments
Shaw University
Raleigh, North Carolina
April 13, 2023

Sound Marks
University of New Hampshire School of Law
February 24, 2023

Sound Marks
Chicago IP Colloquium
February 21, 2023

The Gender Gap in Academic Patenting
Selected for IPSC Plenary Session at Stanford University
August 11, 2022

Sound Marks
Art Law Work in Progress Conference
May 9, 2022

The Last Breakfast with Aunt Jemima
CLE Course at the University of North Carolina Festival of Learning
February 1, 2022

The Last Breakfast with Aunt Jemima and its Impact on Trademark Theory
International Trademark Association Academic Day
January 14, 2022

Intellectual Property Issues in Name, Image and Likeness Contracts
Panel on The Socio-Economics of Contract Law: Impact on Freedom and Equality
AALS
January 5, 2022

Trademarks and Race
Texas A&M School of Law
November 12, 2021

The Last Breakfast with Aunt Jemima and its Impact on Trademark Theory

Mosaic IP 2021 Conference
October 22, 2021

Hostile Environments in the Shadows of Confederate Monuments
Art Law Works-in-Progress Colloquium
April 3, 2020

Beware the Trademark Echo Chamber
International Trademark Association Academic Day
Boston, Massachusetts
May 21, 2019

Contemporary Copyright Publication, 2nd Annual IP Scholarship Redux Conference
University of New Hampshire,
Concord, New Hampshire
April 12, 2019

Owning Colors, IP Lecture Series
John Marshall Law School
Chicago, Illinois
March 20, 2019 (1.5 hours of CLE credit)

A Masterclass in Trademark Fair Use
Akron Law IP Scholars Forum
Akron, Ohio
October 5, 2018

Beware the Trademark Echo Chamber
The Administrative Law of Intellectual Property
Berkeley Center for Law & Technology
University of California, Berkeley, School of Law
Berkeley, California
April 13, 2018

Legacies of Slavery: Monuments and Monumental Histories
American Universities, Monuments and the Legacies of Slavery
Duke University
Durham, North Carolina
March 30, 2018

Judge Posner and Irrationality
13th Annual International Conference on Contracts
Orlando, Florida
February 24, 2018

Owning Colors
Intellectual Property Scholars Conference
Cardozo Law School
New York, New York
August 10, 2017

Trademarks as Entrepreneurial Change Agents for Legal Reform
Symposium for the North Carolina Law Review
Chapel Hill, North Carolina October
7, 2016

Teaching Intellectual Property Topics to Arts Entrepreneurs, Expanding the Ensemble, the
2016 Society for Arts Entrepreneurship Education (SAEE)
Millikin University, Decatur, Illinois
October 14-15, 2016

The Mystery of the NCMA Cranach
LOOT: Looted Art, Cultural Property and Repatriation
Texas A&M University
Fort Worth, Texas September
9, 2016

Cultural Leadership Through Branding
Intellectual Property Law Scholars Conference
Stanford University
Stanford, California
August 10-11, 2016

Innovation in Branding and Social Entrepreneurship
Advertising in Digital Media: Disclosures and Transparency in Social Media
Consumer Law Review Symposium
Loyola University Chicago School of Law
March 18, 2016

Thought Leadership Through Branding
International Conference: The Many Faces of Innovation
Bar-Ilan University, Faculty of Law & Ono Academic College Faculty of Law Tel
Aviv, Israel
January 5, 2016

The Carolina Way (With Michael Ingersoll)
Ethics Around the Table
Parr Center

University of North Carolina
Chapel Hill, North Carolina
November 17, 2015

Legal Methods Junior/Senior Faculty Workshop
What's In vs. What's Out: How IP's Boundary Rules Shape Innovation
(with Christopher Sprigman)
University of Washington
Seattle, Washington
October 22, 2015

Owning Colors
Intellectual Property and Information Law Colloquium
Benjamin N. Cardozo School of Law
New York, New York
April 27, 2015

Colors (with Jon McClanahan)
Work in Progress Intellectual Property Conference
United States Patent and Trademark Office
Alexandria, Virginia
February 6, 2015

Lexmark, Pom and the Death of Initial Interest Confusion
ABA Cyberspace Law Meeting
Charlotte, North Carolina
January 23, 2015
Panelist on Teacher Compensation for Harvard Law School's Advocates for Education
Conference
Harvard Law School
Cambridge, Massachusetts
April 7, 2014

Freeing Art and History From Copyright's Bondage
NE IP Colloquium
Suffolk University Law School
Boston, Massachusetts
March 21, 2014

An Empirical Study of False Advertising Claims
Works in Progress Intellectual Property Conference
Santa Clara University School of Law
Santa Clara, California
February 8, 2014

How to Succeed in Trademark Prosecution
(with Jon McClanahan)
Empirical IP Roundtable at Chicago-Kent
Chicago, Illinois
October 11, 2013

Do Trademark Lawyers Matter?
(with Jon McClanahan)
Empirical Studies of Trademark Data (sponsored
by NYU Law School and the USPTO)
Washington, D.C.
September 26, 2013

An Empirical Study of False Advertising Cases
Faculty Workshop
Duke Law School
Durham, North Carolina
June 5, 2013

Do Trademark Lawyers Matter?
INTA Trademark Scholarship Symposium
Dallas, Texas
May 6, 2013

Intellectual Property for Entrepreneurs
Small Business Center
Vance Granville Tech
Louisburg, North Carolina
April 30, 2013

An Artist Meets The Crimson Tide
UNC School of Law
CLE Course at the University of North Carolina Festival of Learning
Chapel Hill, North Carolina
February 8, 2013

Do Trademark Lawyers Matter?
Faculty Workshop
UNC School of Law
Chapel Hill, North Carolina
February 7, 2013

Copyright and Trademark Law for Entrepreneurs
Social Innovation Incubator

Campus Y
University of North Carolina
Chapel Hill, North Carolina
December 4, 2012

Freeing History From Copyright's Bondage
Faculty Workshop
University of Illinois College of Law
Champaign, Illinois
September 14, 2012

Saving Archived Works from a Copyright No Man's Land
Junior Scholars in Intellectual Property (JSIP) Workshop
Michigan State University College of Law
Lansing, Michigan
May 30-31, 2012

Saving Archived Works from a Copyright No Man's Land
Duke-UNC Junior Scholars Workshop Series
Chapel Hill, North Carolina
May 14, 2012

Copyright Publication and Visual Works
Works in Progress Intellectual Property Conference
University of Houston Law Center
Houston, Texas
February 11, 2012

Social Media Amplify Consumer Investment in Trademarks
North Carolina Law Review Symposium, "Social Networks and the Law"
Chapel Hill, North Carolina
November 18, 2011

Intellectual Property: What Artists Need to Know
A Free Workshop for Artists and Artisans about the Intersection of Creativity and Law
hosted by NC LEAP YMI Cultural Center
Asheville, North Carolina
August 18, 2011

Copyright Publication: An Empirical Study
Junior Scholars in Intellectual Property (JSIP) Workshop
Michigan State University College of Law
Lansing, Michigan
April 15-16, 2011

Copyright Fair Use: A Look at How Common Myths Hold Up Next To Recent Precedent
CLE Course at the University of North Carolina Festival of Learning
Chapel Hill, North Carolina
February 11, 2011

Copyright Publication: An Empirical Study
Chicago-Kent College of Law
Chicago, Illinois
January 25, 2011

Searching for the Public Domain in a Copyright Publication Maze
University of North Carolina School of Journalism and Mass Communication
Chapel Hill, North Carolina
November 18, 2010

Working Towards Clarity on Copyright Publication for Visual Works
Joint Annual Meeting of the Council of State Archivists, National Association of
Government Archives and Records Administrators, and Society of American Archivists
Washington, D.C.
August 14, 2010

An Empirical Study of U.S. Copyright Publication Cases
Intellectual Property Scholars Conference
Berkeley, California
August 12, 2010

The Importance of Copyright Publication to the Digital Library
The Dean Lolly Gasaway Tribute Symposium: Digital Publication and Libraries
Chapel Hill, North Carolina
March 19, 2010

Using Copyright Publication to Map the Public Domain
AALS Annual Meeting
New Orleans, Louisiana
January 8, 2010

Errand into the Maze: Results of an Empirical Study Designed to Clarify Whether Works
are in the Public Domain
Presentation to the North Carolina Library Association
Greenville, North Carolina
October 9, 2009

An Empirical Study of US Copyright Publication Cases
Works in Progress Intellectual Property Colloquium 2009

Seton Hall University School of Law
Newark, New Jersey
October 2, 2009

Consumer Investment in Trademarks
University of North Carolina School of Law
Chapel Hill, North Carolina
October 3, 2008

Consumer Investment in Trademarks
Indiana University School of Law – Bloomington
Bloomington, Indiana
September 25, 2008

The Two Sides of the YouTube Litigation (with Swain Wood)
Presentation to Intellectual Property Section of the North Carolina Bar Association
Cary, North Carolina
February 28, 2008

AMICUS BRIEFS

Viacom International, Inc. v. YouTube, Inc. and Google, Inc., Case Nos. 10-3270 and
103342 in the United States Court of Appeals for the Second Circuit, coauthored
(with Michael Barclay) for the Consumer Electronics Association

TEACHING

Courses Taught in the Past Three Years

Courses: Art Law, Arts Entrepreneurship, Copyright Law and Trademark Law

International Courses:

Art Law, Bar Ilan in Tel Aviv, Israel, May 2023

GRANTS

Principal Investigator for a \$150,000 grant from the Andrew W. Mellon Foundation to support empirical copyright research on the doctrine of publication in Copyright Law from 2008-2011

SERVICE

Professional Service Related to Law

UNC Law School Admissions Committee	2022 – present 2016 – 2017 2012 – 2013
Provide Bono Counsel for Artists, Low Wealth Entrepreneurs, Nonprofit Arts Organizations, Musicians and Museums	1992 – present
Coach, 2 INTA Moot Court Trademark Teams	2016 – present
UNC Center for Media Law & Policy Advisory Board Member	2009 – present
Advisor, Carolina Intellectual Property Law Association	2008 – present
UNC Arts Everywhere Committee Member	2021 – present
UNC School of Law Appointments Committee Member	2021 – 2022
Chair, American Association of Law Schools Art Law Section	2018 – 2020
UNC School of Law Diversity and Inclusion Committee, Member	2018 – 2021
UNC Entrepreneurship Task Force	2017 – 2019
Member, American Association of Law Schools Intellectual Property Section	2017 – 2018
UNC Law School Speakers' Committee	2013 – 2014
North Carolina Bar Association	
NC LEAP (provides pro bono legal services to low wealth entrepreneurs)	
Chair, Education Committee	2010 – 2012
Member of Steering Committee	2007 – 2012
Intellectual Property Section Liaison	2007 – 2012

Volunteer	2007 – 2012
Technology Committee, UNC School of Law	
Chair	2010 – 2011
Member	2005 – 2009
UNC Law School, Journal of Law and Technology	
Advisor	2006 – 2011

UNC SERVICE

UNC Arts Everywhere Committee	2021 – present
University Teaching Award Selection Committee	2018 – 2019
PlayMakers Advisory Council	
Founding Co-Chair of Women’s Point of View	2016 – present
Member of Artistic Director Search Committee	2015
Member	2011 – present
Copyright Committee	
Member	2006 – 2015
Ex Officio Member	2005 – 2006
Scholarly Communications Committee	
Co-chair	2006 – 2007
Member	2005 – 2006
Collection Development Council, University Library	
Member	2006 – 2008
Scholarly Communications & Digital Curation/Institutional Repository Steering Committee	
Member	2006 – 2008

COMMUNITY SERVICE

School Improvement Teams, CHCCS Public Schools, Chapel Hill, North Carolina organized crowdfunding campaigns that raised over \$175,000 in cash bonuses for k-12 public school employees over a decade

<u>Carrboro High School</u>	
Parent Co-Chair	2016 – 2017
Member	2016 – 2018

<u>Culbreth Middle School</u>	
Parent Co-Chair	2013 – 2016
Member	2012 – 2017
<u>Mary Scroggs Elementary School</u>	
Member	2007 – 2009
	2011 – 2012
Founder, Pay Our Teachers First	2013 – 2018
Interfaith Community Council Chapel Hill, North Carolina	2007 – 2009

RESEARCH STATEMENT

My scholarship explores the intersection of law and creativity, with a particular focus on copyright, trademark, and art law. I write for diverse audiences of legal scholars, practicing attorneys, advertising professionals, museum and library professionals, writers, photographers, and artists. Much of my work is interdisciplinary. I have worked on several empirical projects to gain an evidence-based understanding on topics ranging from copyright publication doctrine and the extent to which women and minorities participate and succeed in prosecuting patents and trademarks.

I also have a deep interest in trademarks as repositories for meaningful community values. Relying on interdisciplinary research from law and economics, psychology, and behavioral economics, I have proposed a theoretical model that embraces the many ways that consumer communities contribute to trademark meaning and value. My copyright scholarship seeks to clarify the ambiguities about whether creative and historical works are in the public domain. In the last few years, I have been working on a series of projects on controversial public monuments. I am currently working on a trademark piece focused on sound marks, an intellectual property textbook, two papers on monuments, change and public memory, and a coauthored paper that uses AI to determine if linguistic patterns may explain why women inventors succeed less frequently in prosecuting patents before the USPTO.

TEACHING STATEMENT

I believe it is a privilege to help students launch their careers. I work to help them see that law can inspire passionate engagement and serve as a platform for a meaningful life in which they have the privilege of working with interesting people to solve complex problems. I strive to improve my students' sense of professionalism, critical thinking, self-confidence, oral and written advocacy skills, and a deep understanding of intellectual property law, its

technological challenges, and practical implications. I work to bolster student confidence to confront difficulties and to seek the joy of working through challenges they feared they might not overcome.

In every class I teach, I work to show my students that the issues we study are not just printed in books but involve real people with real disputes. I create opportunities for my students to engage with leading lawyers to inspire a sense of the exciting possibilities ahead of them. Before joining the academy, I practiced law for more than a decade, and I continue to work on intellectual property matters for museums, artists, and entrepreneurs. I frequently draw on my substantial practical experience in my teaching.

SERVICE AND ENGAGEMENT STATEMENT

I wholeheartedly embrace the proud public service tradition at UNC. I have nurtured a community of UNC students and alumni who are passionate about intellectual property law. I serve this community by coaching two trademark moot court teams, working as a faculty adviser to the Carolina Intellectual Property Association, organizing guest speakers, networking opportunities, arts excursions, and summer IP student/alumni lunches in different cities. I have served on various committees and working to make the law school's goal of inclusion a daily reality for all our students. I serve the broader University community by teaching arts entrepreneurship to undergraduates, teaching and lecturing across campus about intellectual property issues, and providing pro bono intellectual property counsel to Playmakers Repertory Company, artists, musicians, UNC faculty and low wealth entrepreneurs.

I am deeply committed to professional and public service outside the University as well. I am honored to serve on the USPTO's nine-person Trademark Public Advisory Committee. I am an active member of the IP scholarship community. I was selected to serve on the AALS IP committee and chaired the AALS Art Law Committee. I frequently attend IP conferences and am asked to speak and teach nationally and internationally.

I have provided substantial service to K-12 public education in our local community. For over a decade, I led efforts to raise more than \$175,000 in cash bonuses for K-12 public school teachers and have served as a member of the School Improvement Teams at Carrboro High School and Culbreth Middle School.

Date: January 19, 2024