David A. Simon

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d.simon@northeastern.edu | 617.373.7639

APPOINTMENTS

Northeastern University School of Law — 2023 –
Associate Professor of Law
Co-Director, Amy J. Reed Collaborative for Medical Device Safety — 2024 –

Harvard Law School
Visiting Associate Professor of Law — 2027
Lecturer on Law — 2023
Fellow, Petrie-Flom Center for Health Law Policy, Biotechnology, & Bioethics — 2021 – 2023

George Washington University Law School — 2020 – 2021
Visiting Associate Professor & Frank H. Marks Intellectual Property Fellow

University of Kansas School of Law — 2019 – 2020
Visiting Assistant Professor

Hanken School of Economics — 2019 – 2020
Fellow

EDUCATION

University of Cambridge, Trinity College
Ph.D., Law, Cambridge International Scholar (full merit scholarship & stipend)

Harvard Law School
LL.M.

Chicago-Kent College of Law
J.D., Order of the Coif, High Honors, Dean's Scholarship

University of Michigan
B.A., High Distinction, Political Science & Philosophy (minor)

INTERESTS

Primary Interests
Drug & Device Law, Health Law, Innovation, Intellectual Property, Torts
Secondary Interests
Administrative Law, Law & Philosophy, Legal Theory, Property

LAW REVIEW PUBLICATIONS

1. *Federal Device Regulation & the Standard of Care*
   __ Arizona Law Review __ (forthcoming 2027)

2. *Data Distortions*
   104 Texas Law Review 1499 (2026)

3. *Off-Label Inducement*
   111 IOWA LAW REVIEW 1181 (2026)

4. *Inadvertent Patent Signals* (with Michael Paasche-Orlow & Hooman Noorchashm)
   77 ALABAMA LAW REVIEW 771 (2026)

5. *IP Pluralism's Puzzle* (with Patrick Goold)
   103 TEXAS LAW REVIEW 1453 (2025)

6. *Gatekeeping Drugs*
   57 ARIZONA STATE LAW JOURNAL 289 (2025)

7. *Copyright's Missing Personality*
   62 HOUSTON LAW REVIEW 993 (2025)

8. *Innovating Preemption or Preempting Innovation?* (with I. Glenn Cohen & Carmel Shachar)
   NORTHWESTERN LAW REVIEW ONLINE (2024)
   - ↵ Cited in Plaintiff's Brief in Opposition to Motion to Dismiss, Dickson v. Dexcom, Inc., 2024 WL 4380445 (W. D. La. 2024)

9. *Off-Label Preemption*
   2024 WISCONSIN LAW REVIEW 1079 (2024)

10. *On Copyright Utilitarianism* (with Patrick Goold)
    99 INDIANA LAW JOURNAL 721 (2024)

11. *Copyright, Moral Rights, and the Social Self*
    34 YALE JOURNAL OF LAW & THE HUMANITIES 754 (2024)

12. *Off-Label Speech*
    72 EMORY LAW JOURNAL 549 (2023)

13. *Off-Label Innovation*
    56 GEORGIA LAW REVIEW 701 (2022)

14. *Trademark Law & Consumer Safety*
    72 FLORIDA LAW REVIEW 673 (2020)
    - ↵ covered by Camilla Hrdy, WRITTEN DESCRIPTION BLOG, July 30, 2020

15. *Analogies in IP: Moral Rights*
    21 YALE JOURNAL OF LAW & TECHNOLOGY 337 (2019)

16. *The Confusion Trap: Rethinking Parody in Trademark Law*
    88 WASHINGTON LAW REVIEW 1021 (2013)

- ↵ cited in Appellant's Brief in VIP Products LLC, Plaintiff-counter-defendant - Appellant, v. Jack Daniel's Properties, Inc., 2018 WL 5907101 (9th Cir. 2018)

17. *An Empirical Analysis of Fair Use Decisions Under the Uniform Domain-Name Dispute-Resolution Policy*
53 BOSTON COLLEGE LAW REVIEW 65 (2012)
    - ↵ cited in JAMES GRIMMELMANN, INTERNET LAW: CASES AND PROBLEMS (11th ed. 2021)

18. *Explaining the Supreme Court's Shrinking Docket* (with Ryan J. Owens)
53 WILLIAM & MARY LAW REVIEW 1219 (2012)

19. *Culture, Creativity, & Copyright*
28 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 279 (2011)

20. *Reasonable Perception and Parody in Copyright Law*
2010 UTAH LAW REVIEW 779 (2010)
    - ↵ cited in AIPLA Amicus Curiae Brief in Supp. of Neither Party on Writ of Cert. to the U.S. Supreme Court, Andy Warhol Found. for the Visual Arts, Inc., v. Goldsmith, 2022 WL 2288959 (U.S.)

21. *In Search of (Maintaining) the Truth: The Use of Copyright Law by Religious Organizations*
16 MICHIGAN TELECOMMUNICATIONS & TECHNOLOGY LAW REVIEW 355 (2010)

22. *Teaching Without Infringement: A New Model for Educational Fair Use*
20 FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL 453 (2010)

23. *Mo' Money, Mo' Problems: Should Appellate Courts Have Nonparty Jurisdiction Over Lawyers' Appeals From Nonmonetary Sanctions?*
78 UNIVERSITY OF CINCINNATI LAW REVIEW 183 (2009)

24. *Register Trademarks and Keep the Faith: Trademarks, Religion, and Identity*
49 IDEA 233 (2009)
    - ↵ 1st Place, IDEA Student Writing Competition
    - ↵ cited in Sovereign Military Hospitaller v. Florida Priory of Knights Hospitallers, 816 F. Supp. 1290 (S.D. Fla. 2011)
    - ↵ cited in Brief in Support of Petition for Certiorari to the U.S. Supreme Court, *Universal Church, Inc. v. Toellner*, 2019 WL 1556321 (U.S.)

OTHER LAW REVIEW PUBLICATIONS

25. *Patients Versus Profits*
28 VANDERBILT JOURNAL OF ENT. & TECHNOLOGY LAW 93 (2025) (invited symposium)

26. *Taxing the Poor Through Real Estate Transfers*

2020 ILLINOIS LAW REVIEW ONLINE 29 (2020)

27. *A Legal Stimulus*
NORTHWESTERN UNIVERSITY LAW REVIEW OF NOTE (2020)

28. *Legal Realism Now?*
107 KENTUCKY LAW JOURNAL ONLINE 1 (2019) (invited response)

PEER-REVIEWED PUBLICATIONS

29. *The RAPID Pathway for Medical Devices: Evaluating the Attempt to Align FDA Authorization and Medicare Coverage* (with Michael Paasche-Orlow & Hooman Noorchashm)
HEALTH AFFAIRS (2026)

30. *FDA Clearance of Robotic Nipple-Sparing Mastectomy Undermines Investigational Device Exemption (IDE) Regulation, Patient Safety, and Public Trust*
ANNALS OF SURGERY OPEN (2026) (with Michael Paasche-Orlow & Hooman Noorchashm)

31. *A Yellow Book for Medical Device Patents: A Proposal for Public Health*
JAMA (2026) (with Michael Paasche-Orlow & Hooman Noorchashm)

32. *Toward Public Predicate Disclosures: Increasing Reliability and Availability of Information About Devices Used to Support 510(k) Clearance* (with Michael Paasche-Orlow & Hooman Noorchashm)
HEALTH AFFAIRS FOREFRONT (2026)

33. *How FDA Device Regulation Shapes Medical (Mal)Practice*
10 ANNALS OF SURGERY __ (forthcoming 2026)

34. *The Clinician's Role in Safeguarding Brain Data* (with Michael J. Young & Barbara Evans)
106 NEUROLOGY e214942 (2026)

35. *Privacy Considerations of Artificial Intelligence Scribes* (with Sara Gerke)
NEW ENGLAND JOURNAL OF MEDICINE AI (2026)

36. *Establishing Medical Device Transparency at the FDA: A Public Database for Device Labels*
JAMA (2025) (with Michael Paasche-Orlow & Hooman Noorchashm)

37. *Recent Caselaw and Liability Risks for Developers of Medical AI* (with Sara Gerke)
SCIENCE (2025)

38. *How Should We Think About Ambient Listening and Transcription Technologies' Influences on EHR Documentation and Clinician-patient Conversations?* (with Sara Gerke)
27 AMERICAN MEDICAL ASSOCIATION JOURNAL OF ETHICS E787 (2025)

39. *Liability Risks of Clinical Notetaking with Artificial Intelligence for Clinicians, Hospitals, and Manufacturers* (with Sara Gerke & Benjamin Roman)

JCO ONCOLOGY PRACTICE (2025)

40. *The Case of Snickerwood Soup* (with Patrick Goold)
3 INTELLECTUAL PROPERTY QUARTERLY 180 (2025)

41. Chevron*'s Fall and Its Impact on Medical Artificial Intelligence* (with Sara Gerke)
HEALTH AFFAIRS FOREFRONT (2024)

42. *The Effect of* Loper Bright *on FDA's Regulation of Lab-Developed-Tests* (with Michael Young)
JAMA (2024)

43. *Developing Drugs for a Developing Climate* (with I. Glenn Cohen)
HEALTH AFFAIRS FOREFRONT (2024)

44. *New Drug Development Paradigms? Opportunities and Uncertainties with New Government Drug Repurposing Programmes* (with Johnathan Liddicoat, Ashleigh Hamidzadeh, Kathy Liddell, Marco Schito, Mateo Aboy, & Timo Minssen)
753 SCIENCE TRANSLATIONAL MEDICINE eadl0998 (2024)

45. *Doctors as Device Manufacturers? FDA Regulation of Clinician-Generated Innovation in the ICU* (with Michael Young)
52 CRITICAL CARE MEDICINE 1 (2024)

46. *Using Digital Technologies to Diagnose in the Home: Recommendations From a Delphi Panel* (with Sara Raza, Carmel Shachar, & I. Glenn Cohen)
18 NPJ DIGITAL MEDICINE 1 (2024)

47. *Lucky IP* (with Patrick Goold)
42 OXFORD JOURNAL OF LEGAL STUDIES 843 (2022)

48. *Skating the Line Between Wellness Products and Regulated Devices: Strategies and Implications* (with I. Glenn Cohen & Carmel Shachar)
9 JOURNAL OF LAW & BIOSCIENCES 1 (2022)
    - ↵ covered in MEDTECH INSIGHT, *JAMA: 'General Wellness' Apps Could Pose Patient Safety Quandary*

49. *Should Alexa Diagnose Alzheimer's?: Legal and Ethical Issues With At-Home Consumer Devices* (with Barbara Evans, Carmel Shachar, and I. Glenn Cohen)
3 CELL REPORTS MEDICINE 1 (2022)
    - ↵ covered in INVERSE, *Alexa Could Diagnose Alzheimer's and Other Brain Conditions – Should It?*

50. *Unsettled Liability Issues for "Pre-diagnostic" Wearables and Health-Related Products* (with I. Glenn Cohen & Carmel Shachar), JAMA (2022)

51. *At-Home Diagnostics and the Device vs Wellness Line* (with I. Glenn Cohen & Carmel Shachar), 327 JAMA 523 (2022)

52. *The Hospital-at-Home Presents Novel Liabilities for Physicians, Hospitals, Caregivers, and Patients* (with I. Glenn Cohen, Anaeze Offodile, & Celynne Balatbat)
NATURE MEDICINE (2022)

53. *Patient Data Ownership: Who Owns Your Health?* (with Kathleen Liddell & Anneke Lucassen)
8 JOURNAL OF LAW & BIOSCIENCES 1 (2021)
    - ↵ received the Hanken Foundation (Stiftelsen Svenska handelshögskolan) Scholarly Award

54. *Telehealth to Address Health Disparities: Potential, Pitfalls, and Paths Ahead* (with Carmel Shachar)
49 JOURNAL OF LAW, MEDICINE & ETHICS 415 (2021)

BOOK CHAPTERS

55. *Physician & Manufacturer Liability for Remote Patient Monitoring* (with Aaron S. Kesselheim) *in*
DIGITAL AT HOME DIAGNOSTICS: ETHICAL, LEGAL, AND REGULATORY ISSUES (I. Glenn Cohen, Daniel Kramer, Julia Adler-Milstein, and Carmel Shachar eds., 2024)

56. *Assessing Public and Private Rights of Action to Regulate Health Data*, (with I. Glenn Cohen & Carmel Shachar) *in*
DATA SHARING IN HEALTH SCIENCES AND LAW (Marcelo Companucci & Timo Missen, eds., Springer 2023)

57. *Information Capacity, Regulation, & Certification Marks in*
CAMBRIDGE HANDBOOK ON THE LAW & ECONOMICS OF TRADEMARKS (Glynn Lunney ed., 2023)

OTHER PUBLICATIONS

58. DIAGNOSING IN THE HOME: THE ETHICAL, LEGAL, AND REGULATORY CHALLENGES AND OPPORTUNITIES OF DIGITAL HOME HEALTH
Petrie-Flom Center White Paper (2023)

59. *Regulatory Roadmap for Digital Diagnostics*, Petrie-Flom Center Policy Paper (2023)

60. *The Devil is in the Details with Biden's Free COVID Testing Plan*
BILL OF HEALTH, (Dec. 3, 2021)

61. *Pandemic Diagnostics: Present and Future Implications of Self-Testing Reimbursement*
BILL OF HEALTH, (July 14, 2021)

62. *Legal Scholarship Highlight: An Empirical Analysis of the Court's Shrinking Docket* (with Ryan Owens)
SCOTUSBLOG (June 20, 2012)

63. *Application of Deterrence Assessment Methodologies to Commercial Ferry Attack Scenario* (contributor)
CENTER FOR ADVANCED DEFENSE STUDIES (2005)

OP-EDS

64. *FDA's Breakthrough Devices Program is bad policy*, WASHINGTON TIMES, Mar. 2026

CITIZEN PETITIONS

65. *Request that the Commissioner of Food and Drugs Require Postmarket Surveillance, Mandate IDE and PMA Applications, Investigate Potential Misbranding, and Order a Labeling Change to Restrict enVast (K253407) to Guideline-Directed Selective/Bailout Use Only in STEMI with Persistent Large Thrombus Burden* (Mar. 24, 2026)

66. *Request that the Commissioner of Food and Drugs Investigate Mayo Clinic Promotion and Use of Robotic Nipple-Sparing Mastectomy Using the da Vinci SP Surgical System Outside the Ongoing Investigational Device Exemption; Investigate Intuitive Surgical's Role in this Promotion; Reevaluate Clearance of da Vinci SP Surgical System for Robotic Nipple-Sparing Mastectomy (K252675); Require Post-Market Surveillance/Labeling Changes; and Communicate with CMS to Clarify IDE Status of Robotic Mastectomy and Reimbursement Implications* (Mar. 2, 2026)

67. *Request that the Commissioner of Food and Drugs Immediately Request Intuitive Issue a Class I Recall of All Model 5 da Vinci Surgical Systems Due to a Serious Intraoperative Power Failure Defect Causing Prolonged Reboot Delay, Loss of Visualization and Control, and Potential Insufflation Loss in da Vinci 5 Models, Publish an Urgent Medical Device Safety Communication, and send a Warning Letter to Intuitive* (Feb. 5, 2026)

68. *Request that The Commissioner of Food and Drugs Create a Public Database of Device Labels* (Jan. 27, 2026).

69. *Citizen Petition Request that the FDA Revise Labeling, Issue a Public Communication to Employers and Law Enforcement, and Provide Transparency Regarding 510(k) Clearance of Psychemedics Corporation's Cannabinoid Hair Testing Device (K111929)* (Oct. 17, 2025)

70. *Request that The Commissioner of Food and Drugs Reclassify the VariTrax Sternal CircumFixation System (K232986) from Class II to Class III, Require the Manufacturer to Apply for an Investigational Device Exemption (IDE) and Pre-Market Approval (PMA) Prior to Continued Clinical Use, and/or Require Postmarket Surveillance of Implanted Patients* (July 3, 2025)

71. *Request that The Commissioner of Food and Drugs Recall all Symvess Products, Suspend Humacyte's Biologic License, Revoke the Food & Drug Administration's Approval of the Symvess Biologic License Application, Hold a Public Hearing on Symvess, and Disclose Humacyte/Symvess Data to the Department of Defense* (Aug. 29, 2025)

72. *Citizen Petition on Off-Label Use of the Da Vinci Robotic System and Video-Assisted Thoracoscopy (VATS) Devices to Perform the "Hybrid Convergent Cardiac Ablation" Protocol in Patients with Isolated Atrial Fibrillation* (May 1, 2025)

73. *Request that The Commissioner of Food and Drugs Evaluate New Studies and Publish Guidance or Public Information on Robotic Mastectomy for Treatment of Breast Cancer and Update and Make Publicly Available Previous Safety Communications* (Feb. 18, 2025)

BOOKS

74. A PATIENT'S GUIDE TO THORACIC OUTLET SYNDROME (2018)

WORKS IN PROGRESS

A Learning Theory of Informed Consent

Device Dysfunction

Copyright, Moral Rights, and Subjective Author Harm

Memoranda of Administration

Prescribing Liability for Black Box AI (with Sara Gerke)

Can Robots Have Law? (with Kevin Tobia)

GRANTS

Arnold Ventures (Principal Investigator) 2024 –
Project on Medical Device Safety, Northeastern University School of Law

Horizon Europe (European Union) 2024 –
CLASSICA Project, University of Illinois College of Law (Urbana-Champaign)

Gordon and Betty Moore Foundation 2021 – 2024
Diagnosing in the Home, Harvard Law School

Academy of Finland 2019 – 2020
FAirness, Morality and Equality in International and European Intellectual Property Law (FAME-IP), Hanken School of Economics

AWARDS

Health Law Scholar 2025
St. Louis University School of Law

Faculty Fellowship Award, Center for Health Policy & Law 2023 – 2024
Northeastern University School of Law

Edison Fellow 2023 – 2024

George Mason University Scalia Law School

Wiet Life Sciences Law Scholar — 2020
Loyola University Chicago School of Law

Cambridge International Scholar
University of Cambridge

Summer Academic Fellow — 2011
Harvard Law School

Member — 2010 – 2011
Harvard Journal of Law & Technology

COURSES TAUGHT

Northeastern University School of Law
Tort Law
Drug and Device Innovation
Administrative Law

Harvard Law School
Tort Law (Spring 2027)
Drug and Device Innovation (Spring 2023)

George Washington University Law School
Trademark Law

University of Kansas School of Law
Tort Law
Patent Law
Criminal Law

LEGAL EXPERIENCE

Simon Law Group LLC — 2016 –
Attorney and Managing Member

Harvard Law School — 2012
Visiting Researcher

University of Navarra Law School (Pamplona, Spain) — 2012
Visiting Professor of Intellectual Property Law

Harvard College, Department of Government — 2011 – 2012
Teaching Fellow

Harvard Law School — 2011
Summer Academic Fellow

Hon. Martin Ashman, U.S. District Court, Northern District of Illinois — 2008-2009
Judicial Law Clerk — (20 mo.)

Dahl & Bonadies — 2008
Associate Attorney

Brinks, Hofer, Gilson & Lione — 2007
Summer Associate

SERVICE

Peer Reviewer
Food & Drug Law Journal
JAMA
Journal of Intellectual Property Law & Practice
Journal of Law & the Biosciences
Journal of Law, Medicine & Ethics
Jurimetrics
New England Journal of Medicine
npj Digital Medicince
Oxford Journal of Legal Studies
Science

Mentorship
Faculty Advisor/Coach, Health Law Regulatory & Compliance Competition (2024, 2025)
Faculty Advisor, 2024 USPTO Patent Drafting Competition
Preceptor, Capstone of Joint JD-MPH Students at Northeastern University School of Law
Student Mentor, Petrie-Flom Center, Harvard Law School (2021 – 2024)
Coach, Saul Lefkowitz Trademark Moot Court Competition

Organizer
Symposium: *Law and the Politicization of Scientific Expertise: Governance, Misinformation, and Institutional Authority*, UNIVERSITY OF TEXAS LAW REVIEW (co-organizer) (2026)
Symposium: *The Politics of IP*, UNIVERSITY OF TEXAS LAW REVIEW (co-organizer) (2025)
Junior Scholars Conference, Northeastern University School of Law (2024, 2025)
Junior Scholars Workshop, Weekly Virtual Workshop (2020-2021)
Regulation, Innovation, & the Biosciences Workshop, Northeastern University School of Law (2024)

Member
CURE Drug Repurposing Collaboratory (CDRC) (2021 – 2024)
Direct-to-Consumer Microbiome-Based Tests Multidisciplinary Working Group (2022)

Other Service Positions
Founder & President, Project TCF20 (2024 – present)
Commentator, 6th Annual Seton Hall Health Law Works-in-Progress Retreat (2022)
Editorial Board, Food & Drug Law Journal (2022 – present)

Pro Bono Attorney, Lawyers for the Creative Arts (2016-2020)

PRESENTATIONS

Federal Malpractice — 2026
Junior Faculty Forum for Law and STEM (selected)
Stanford University School of Law

Innovation and Regulatory Shocks: Evidence from Medical Devices — 2026
Workshop on Empirical Methods in Intellectual Property
University of Texas School of Law

Device Dysfunction — 2026
Works-in-Progress Intellectual Property Scholars Workshop
Boston University School of Law

When What's Legal is Unsafe — 2026
International MedTech Safety Conference
Northeastern University

IP & Data Governance in Medical AI — 2026
Challenges in Regulation of Artificial Intelligence in Health Care in the US and EU
Harvard Law School, Petrie-Flom Center

Clinician Liability when Using AI: Malpractice, Regulation, and Best Practices — 2026
University of Southern California Arcadia Hospital

Copyright, Moral Rights, and Subjective Authorial Harm
IP Workshop — 2026
University of Cambridge (UK)
Faculty Workshop — 2026
City University London (UK)

2026

Data Distortions
Legal Theory Workshop — 2026
University of Miami School of Law (invited)
Information Society Project Workshop (invited) — 2026
Yale Law School
University of Texas School of Law (invited) — 2026
Health Law Scholars — 2025
St. Louis University School of Law (invited)

Malpractice by Regulation — 2006
Faculty Workshop
Touro Law Center (invited)

Postmarket Information on Medical Device Safety — 2025

St. Louis University School of Law (invited)

IP Pluralism's Puzzle 2025
University of Texas School of Law (invited)

Patients Versus Profits 2025
Vanderbilt University School of Law (invited)

Off-Label Drug Use: Global Trends & Lessons for Regulators 2025
Korean Health Review & Assessment Service, Seoul, Korea (invited keynote)

Liability for AI/ML Medical Products in the U.S. 2025
Life Sciences Summit, Brussels, Belgium

Inadvertent Patent Signals
Junior Faculty Forum for Law and STEM (selected) 2025
Northwestern University Pritzker School of Law
Intellectual Property Scholars Conference 2024
UC Berkeley School of Law

Off-Label Inducement
Faculty Workshop (invited) 2025
University of Illinois College of Law
Faculty Workshop (invited) 2025
University of Maryland Carey Law
Center for Health & Pharma Law - Health Law Works in Progress (selected) 2025
Seton Hall Law School
Junior Faculty Forum for Law and STEM (selected) 2024
University of Pennsylvania School of Law
IP Workshop (invited) 2024
Boston University School of Law
Faculty Workshop (invited) 2024
University of Massachusetts School of Law
Regulation and Innovation in the Biosciences (RIBS) Workshop 2024
Northeastern University School of Law

Developing Drugs for a Developing Climate 2024
Law & Biosciences Workshop
Stanford Law School

Copyright's Missing Personality
Law Review Symposium 2024
University of New Hampshire School of Law
Ninth Copyright Scholarship Roundtable (selected) 2024
University of Pennsylvania School of Law
IP Speaker Series (invited) 2024
George Washington University Law School

Junior Scholars Conference 2024
Northeastern University School of Law
Art Law Roundtable (selected) 2024
New England Law | Boston

Off-Label Preemption

AALS New Voices in Law, Medicine, & Health Care 2024
AALS New Voices in Litigation 2024
AALS New Voices in Administrative Law 2024
AALS Law Professors with Disabilities and Allies Works-in-Progress 2024
Health Law Roundtable 2023
Center for Health Policy & Law, Northeastern University School of Law
American Society of Law, Medicine, & Ethics Annual Law Professors Conference 2023
University of Maryland Francis King Carey School of Law
Law & Biosciences Workshop 2023
Stanford Law School
Regulatory, Innovation, & Biosciences Scholars Workshop 2023
Georgia State University College of Law

Law's Grammar

Junior Scholars Conference 2024
Northeastern University School of Law
AALS Jurisprudence Junior Scholars Workshop 2023

AI and Medicine in the Post-COVID Era 2023

Harvard Medical School, MGH, Mass General Brigham

Gatekeeping Drugs

American Society of Law, Medicine, & Ethics Annual Law Professors Conference 2022
Arizona State University Sandra Day O'Connor College of Law
6th Annual Regulation and Innovation in the Biosciences (RIBS) Workshop 2022
University of Iowa College of Law
Law & Biosciences Workshop 2022
Stanford Law School
Works-in-Progress Intellectual Property (WIPIP) Colloquium 2022
University of St. Louis School of Law
Northeastern University School of Law Faculty Colloquium (invited) 2021

On Copyright Utilitarianism

Eighth Copyright Scholarship Roundtable 2023
University of Pennsylvania Carey Law School (selected)
Works-in-Progress Intellectual Property (WIPIP) Colloquium 2023
Suffolk University Law School
Intellectual Property Scholars Conference 2022
Stanford Law School

Society for Empirical Research in Copyright Annual Congress 2022
University of Colorado Law School

Who Owns the Content of Generative AI? 2023
Weill Cornell Medicine-Qatar

Drug Reimbursement by Public Payors in the U.S. 2023
C-Path Institute CURE Drug Repurposing Collaboratory (invited)

Should Alexa Diagnose Alzheimer's?
Virtual Advanced Healthcare at Home Summit (invited) 2023
Digital Medicine Society (invited) 2022

Devices as Billboards 2022
Regulation and Innovation in the Biosciences (RIBS) Workshop (invited)
University of Iowa College of Law

The Legal and Policy Landscape of Drug Repurposing 2022
C-Path Institute CURE Drug Repurposing Collaboratory (invited)

Informational Capacity, Regulation, and Certification Marks
Trademark and Unfair Competition Scholarship Roundtable (selected) 2022
Harvard Law School, U. Pennsylvania Law School, NYU School of Law
International Trademark Association Scholarship Symposium 2022
The Law & Economics of Trademarks Conference (invited) 2021
Texas A&M U. School of Law

Emerging Trends in In-Home Digital Diagnostics 2021
Loyola University Chicago School of Law Seminar (invited)

Lucky IP
Intellectual Property Roundtable 2021
University of New Hampshire School of Law (selected)

Off-Label Speech
Wiet Life Science Law Scholars Workshop (selected) 2021
Loyola University Chicago School of Law
ASLME 44th Annual Health Law Professors Conference 2021
Northeastern University School of Law
Fifth Annual Health Law Works-in-Progress Retreat (selected) 2021
Seton Hall Law School

Off-Label Innovation
University of Cambridge, Faculty of Law (invited) 2021
18th Annual Works-in-Progress Intellectual Property Colloquium 2021
American University Washington College of Law,

University of Utah S.J. Quinney College of Law, & Texas A&M U. School of Law 2020

New Voices in IP, American Association of Law Schools
Junior Scholars Workshop 2020

Intellectual Property Scholars Conference
Stanford Law School
2020

Drug Reimbursement: On- and Off-Label
Critical Path Institute's CURE Drug Repurposing Collaboratory (invited)
2021

Provider-Based Solutions to Problems with Off-Label Prescriptions
Third Annual IP & Innovation Researchers of Asia Conference
2020

Innovation, Off-Label Prescribing, and Intellectual Property Regimes
Hanken School of Economics (invited)

The Syntactic Structure of Legal Rights 2020
Political Philosophy Workshop
University of Cambridge 2021

H.L.A. Hart Seminar
University of Surrey Faculty of Law

Copyright's Memory-Based Rights 2019
The Sixth Annual Intellectual Property Mosaic Conference
Marquette University Law School

Colloquium on Philosophical Approaches to Intellectual Property (invited) 2019
George Mason Law School

A Structural Analysis of Intellectual Property Law 2019
Seminar on Intellectual Property Theory
University of Kentucky College of Law (invited)

Problems in Theory: Intellectual Property
17th Annual Works-in-Progress IP Colloquium 2020
Santa Clara University School of Law

Hanken School of Economics, Helsinki, Finland (invited) 2019

The Fourth Annual Intellectual Property Mosaic Conference 2019
University of New Hampshire School of Law

Distributing IP 2019
Lecture on Intellectual Property (invited)
Hanken School of Economics

Trademark Law & Consumer Safety 2019
Intellectual Property Scholars Conference
DePaul College of Law
2018

Rx Marks
DePaul College of Law (invited)
2012

Early Moral Rights Theorists in Copyright Law
University of Cambridge, Faculty of Law
2012

Aspects of Intellectual Property Law and Licensing in the U.S. and Europe
European School of Economics (invited)
2011

The Confusion Trap: Rethinking a Defense for Parody in Trademark Law
Oxford Intellectual Property Discussion Group
Oxford University

An Empirical Analysis of Fair Use Decisions Under the Uniform Domain-Name Dispute-Resolution Policy 2011
Intellectual Property Scholars Conference
DePaul College of Law 2011
Empirical Analysis of Law Seminar
Harvard Law School
2010

Culture, Creativity, & Copyright
8th Annual Works in Progress Intellectual Property Colloquium
Boston University School of Law
2009

Reasonable Perception and Parody in Copyright Law
Intellectual Property Scholars Roundtable
Drake University Law School
2009

Teaching Without Infringement: A New Model for Educational Fair Use
7th Annual Works in Progress Intellectual Property Conference
Seton Hall Law School

In Search of (Maintaining) the Truth: The Use of Copyright Law by Religious Organizations 2009
Intellectual Property Scholars Conference
Cardozo Law School

MEDIA

AI could soon renew prescriptions without clinician help. Should the FDA make sure it's safe?, STATNEWS, FEB. 3, 2026

Health System Sued Over AI Scribe Technology, Patient Consent, MEDSCAPE NEWS, Jan. 2026

The new malpractice frontier: Who's liable when AI gets it wrong?, MEDICAL ECONOMICS, Oct. 2025

The Implants Were Supposed to Dissolve. They Didn't, BLOOMBERG, Sept. 2025

FDA should establish a public database of device labels, experts say, REGULATORY FOCUS, June 2025

FDA Faces Blowback Over Regulation of Lab-Developed Tests, MEDSCAPE, Sept. 2024

FDA hints at what Chevron's elimination means in new SCOTUS filing, ENDPOINTS NEWS, Aug. 2024

The Supreme Court: The most powerful, least busy people in Washington, VOX, May 2024

What Prenuvo Scans Won't Tell You, BUSTLE, February 2024

The Bruce Willis Deepfake Is Everyone's Problem, WIRED, October 2022

More At-Home Tests Are Heading Your Way, NEO.LIFE, September 2022

Alexa Could Diagnose Alzheimer's and Other Brain Conditions – Should It?, INVERSE, July 2022

FTC resurrects a decade-old rule as a guardrail on the health app explosion, THE VERGE, Sept. 22, 2021

Your Property Taxes Are Likely Still Due, But Your Lender Might Have You Covered, FORBES, April 15, 2020

The messy legal scrap to bring celebrities back from the dead, WIRED, Nov. 17, 2019

BAR ADMISSIONS

Illinois
Massachusetts
District of Columbia (retired/inactive)
U.S. District Court, District of Massachusetts