

MARK F. SCHULTZ

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APPOINTMENTS & EMPLOYMENT

Southern Illinois University School of Law, Carbondale, Illinois

Assistant Professor, 2003 to present (Associate as of July 1, 2009)

- Awarded *Outstanding Scholar of the Year, 2007 – 2008* (competitive award determined by panel of external reviewers)
- Courses taught: Intellectual Property; Trademarks & Unfair Competition; Copyright; Independent Research; Legal Profession (Legal Ethics); Cyberlaw; Advanced Copyright

DePaul University College of Law, Chicago, Illinois

Visiting Assistant Professor, 2007 to 2008

Baker & McKenzie, Chicago, Illinois

Associate Attorney, Information Technology/E-Commerce Group, 1998 to 2003

Commercial and corporate transactional practice focused on U.S. and international intellectual property and technology licensing, distribution, acquisition, and development. Also acted as outside general counsel for several early stage technology companies.

Pattishall, McAuliffe, et al., Chicago, Illinois

Associate Attorney, 1995 to 1998

Litigated trademark, copyright, and Internet related matters for a number of major consumer products companies.

The Hon. Daniel Friedman, U.S. Court of Appeals for the Federal Circuit, Washington, D.C.

Judicial Clerk, 1994 to 1995

The Hon. Eric Bruggink, U.S. Court of Federal Claims, Washington, D.C.

Judicial Clerk, 1993 to 1994

Civil Division Appellate Staff, U.S. Department of Justice

Legal Intern, 1993

Admitted in Illinois, 1996 (active); Maryland, 1993 (inactive)

EDUCATION

The George Washington University, The National Law Center, Washington, D.C.

J.D., with honors, 1993

Articles Editor, THE GEORGE WASHINGTON UNIVERSITY LAW REVIEW

The George Washington University, Elliot School of International Affairs, Washington, D.C.

B.A., with honors, International Economics, 1989

ACADEMIC ARTICLES & REVIEW ESSAYS

Copyright, Live Performance, and the Future of Music, 43 U. OF RICHMOND LAW REVIEW 101 (2009).

Creative Development: Helping Poor Countries by Building Creative Industries, 97 KENTUCKY LAW JOURNAL 79 (2008) (with Alec van Gelder); also published in part and revised as *Nashville in Africa: Culture, Institutions, Entrepreneurship and Development* (International Policy Network, London, U.K. 2009) (monograph) (with Alec van Gelder).

Copynorms: Copyright and Social Norms, in INTELLECTUAL PROPERTY AND INFORMATION WEALTH (Peter Yu, ed. 2007) (chapter)

Selected by the faculty of the Berkeley Center for Law and Technology at the Boalt Hall School of Law (UC Berkeley) for inclusion in Selected Law and Technology Papers series.

Fear and Norms and Rock & Roll: What Jambands Can Teach About Persuading People to Comply With Copyright Law, 21 BERKELEY TECHNOLOGY LAW JOURNAL 651 (2006)

Selected "as one of the best law review articles published" in 2006 in "the fields of entertainment and communications" and reprinted in ENTERTAINMENT, PUBLISHING AND THE ARTS HANDBOOK (West 2007).

Reprinted in LAWRENCE FRIEDMAN, ET AL., LAW IN ACTION: A SOCIO-LEGAL READER (2007).

The New International Intellectual Property Agenda (with David Walker) in ARE INTELLECTUAL PROPERTY RIGHTS HUMAN RIGHTS? (Federalist Society Monograph 2006) ; also translated and published as *Le Nouveau Programme International sur la Propriete Intellectuelle* and *La Nueva Agenda De La Propiedad Intelectual Internacional*.

How Intellectual Property Became Controversial: NGOs and the New International IP Agenda, 6 ENGAGE 82 (2005) (with David Walker)

Rethinking Rights & Regulations: Institutional Responses to New Communications Technologies, 45 JURIMETICS 103 (2004) (review essay)

Attorneys Fees Under the Independent Counsel Act, 60 GEO. WASH. L. REV. 1311 (1992) (student note)

OTHER PUBLICATIONS

Music's Own Rags-To-Riches Story Has Roots in Law, Enforcement (with Alec van Gelder), The Tennessean, March 23, 2009

African Music Needs to Listen to Early Nashville (with Alec van Gelder), Business Day (South Africa), Nov. 25, 2008

Unchain Africa's Melodies (with Alec van Gelder), The Statesman (Ghana), Nov. 20, 2008; Accra Daily Mail (Ghana); Nov. 20, 2008; Daily Times (Malawi), Nov. 21, 2008; Korea Times, Nov. 28, 2008

African Melodies Under Siege, Business Daily (Kenya), Nov. 20, 2008

Nashville in Africa, ZIPPA Journal (Zambia), October 2008

Will BitTorrent Go the Way of Grokster? Filesharing After MGM v. Grokster, ABA SciTECH LAWYER (Winter 2005)

U.S. Supreme Court Says Filesharing Software Distributors May Be Liable for Inducing Infringement, IRIS: LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY (July 2005)

Family Entertainment and Copyright Act of 2005, IRIS: LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY (June 2005)

U.S. Court of Appeals Overturns Broadcast Flag Regulations, IRIS: LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY (June 2005)

Open Source NGOs Mount Strong Challenge to EU Directive On Computer-Implemented Inventions, NGOWATCH (March 2005)

WIPO and the Development Agenda, NGOWATCH (March 2005)

Development and Customization in Outsourcing, THE OUTSOURCING JOURNAL (September 2002).

Chapter on *Protecting Rights in Databases*, in UNDERSTANDING THE INTELLECTUAL PROPERTY LICENSE (Practising Law Institute, annual ed., 1999-2003).

Brief of the American Intellectual Property Law Association as amicus curiae, *Feltner v. Columbia Pictures Television, Inc.*, U.S. S.Ct. No. 96-1768 (principal author).

ACADEMIC PRESENTATIONS

"Free" Business Models and Copyright Protection, West Virginia University College of Law Digital Entrepreneurship Symposium, Morgantown, West Virginia, March 2009

Nashville in Africa, Leadership Music Digital Summit, Nashville, Tennessee, March 2009

Nashville in Africa, Vanderbilt University School of Law, Nashville, Tennessee, March 2009

Acceptable Uses in Copyright, Drake University IP Scholars Roundtable, Des Moines, Iowa, February 2009

Nashville in Africa, Culture, Institutions and Development, Intellectual Property Rights Indaba, Johannesburg, South Africa, November 2008

User Generated Content, Social Networking, and Virtual Worlds, Discussant, Vanderbilt University Law School, Nashville, TN, November 2008

Creative Development: Helping Poor Countries by Building Creative Industries, Central States Law School Association, SIU School of Law, Carbondale, IL, October 2008

Creative Development: Helping Poor Countries by Building Creative Industries, Society for Economic Research on Copyright Issues Annual Congress, Geneva, Switzerland, July 2008

Copyright, Live Performance, and the Future of Music, Faculty Workshop, Case Western Reserve College of Law, Cleveland, OH, October 2007

Copyright, Live Performance, and the Future of Music, Telecommunications Policy Research Conference, George Mason University, Washington DC, October 2007

Copyright, Live Performance, and the Future of Music, WPIP Conference 2007, American University Washington College of Law, Washington DC, September 2007

Copyright, Live Performance, and the Future of Music, Faculty Workshop, Cumberland School of Law, Samford University, Birmingham, AL, September 2007

Copyright, Live Performance, and the Future of Music, IP Scholars Conference 2007, DePaul University, Chicago, IL, August 2007

Liberty, Property, & Intellectual Property, Fourth Annual IP Scholars Roundtable, Michigan State University, January 2007

Copynorms: Copyright and Social Norms, George Washington University School of Law, November 2006

Patents and the Independence of Innovators, IP Scholars Conference 2006, U.C. Berkeley, California, August 2006

Co-organizer, Panel on *Property and Intellectual Property: Marriage or Misfit*, presenting *Patents and the Independence of Innovators*, AALS Midyear Meeting, Vancouver, B.C., Canada, June 2006

Organizer and panelist, Panel on *Property and Intellectual Property*, Federalist Society IP Back to Basics Conference, Washington, D.C., May 2006

Copyright and Freedom of Expression: A Second Order Problem, Third Annual IP Scholars Roundtable, January 2006

Calling the Tune: Compulsory Licensing and the Music Industry as a Ward of the State, Seventh Annual Federalist Society Faculty Conference, Washington, D.C., January 2006

Commentator, *Telecommunications Law and Economics under the Bush Administration: A Washington Insider's View*, SIU School of Law, November 2005

Calling the Tune: Compulsory Licensing and the Music Industry as a Ward of the State, St. Louis University School of Law, St. Louis, November 2005

Calling the Tune: Compulsory Licensing and the Music Industry as a Ward of the State, WPIP Conference, Washington University School of Law, St. Louis, October 2005

Calling the Tune: Compulsory Licensing and the Music Industry as a Ward of the State, SIU Law School Faculty Forum, October 2005

Intellectual Property and Social Norms, Law and Society Association Annual Meeting, Las Vegas, June 2005

Conference Fellow and Commentator, "W(h)ither the Middleman: The Role and Future of Intermediaries in the Information Age," Michigan State University College of Law, April 2005.

Fear and Norms and Rock & Roll: What Jam Bands Can Teach About Persuading People to Comply With Copyright Law, Intellectual Property & Communications Law and Policy Scholars Roundtable, Michigan State University College of Law, East Lansing, February 2005

Copyright & Social Norms, Southern Illinois University School of Law Faculty Forum, February 2005

Copyright & Social Norms, Intellectual Property Scholars Conference, DePaul University College of Law, Chicago, August 2004

OTHER SELECTED PRESENTATIONS

Protecting Creations of the Mind International IP Issues, Presentation to Senior Congressional Staff, The Mercatus Center, George Mason University, Capitol Hill Campus, June 2006

Intellectual Property & Information Technology Law for Engineers, SIU School of Engineering, December 2005

Organizer, *Copyright, Creativity and Commerce After MGM v. Grokster*, Showcase Panel, Federalist Society National Convention, November 2006

Filesharing After MGM v. Grokster, St. Louis University School of Law, October 2005

Life, Liberty, and Intellectual Property, The Federalist Society Intellectual Property Practice Group, Indianapolis, Indiana, October 2005 (organizer, moderator, and commentator)

Legal Careers for Engineers, SIU Minority Engineers Program, September 2005

Legal Issues for Startups, Southern Illinois Entrepreneurship Center Camp CEO Youth Camp, July 2005

Legal Issues for Business Formation, SouthernTECH / Southern Illinois Entrepreneurship Center, April 2005

Fear and Norms and Rock & Roll: What Jam Bands Can Teach About Persuading People to Comply With Copyright Law, Scholarship Presentation, SIU Law School Board of Visitors, April 2005

Using Blogs in Teaching, Southern Illinois University School of Law Teaching Lunch, February 2005

Demystifying the Legal Jungle: Choosing Between Licensing IP and Starting Your Own Business, SouthernTECH / Southern Illinois Entrepreneurship Center, November 2004

Copyright & Social Norms, Arts, Humanities and Social Sciences Study Team, Southern Illinois University, August 2004 (invited presentation to university-wide, outside study team)

Panelist, *The Power of Angel Investing*, Kauffmann Foundation / Southern Illinois Entrepreneurship Center Angel Investing Seminar, May 2004

Legal Issues for New Businesses, SouthernTECH / Southern Illinois Entrepreneurship Center, April 2004

Seminar on International Information Technology and E-Commerce Legal Issues, at in-house seminar for Foreign Commercial Service Officers, U.S. Department of Commerce, Washington, DC, September 2002

Prospects for Nanotechnology, at BigFrontier Leadership Briefing, Chicago, IL, August 2002

Protecting Rights in Databases, at Practising Law Institute, Chicago, IL, November 2002, 2001, 2000, 1999

Taking Your Technology Business Global, ACI Seminar, Chicago, IL, March 2002

Fight the Future? Does the Internet Make Speech More or Less Free?, Federalist Society for Law & Public Policy Studies, Washington, DC, 2001 (moderator)

MEDIA COVERAGE

Radio and television appearances including CNBC Africa and various South African radio stations. Quoted in numerous publications regarding intellectual property and technology issues, including *The Washington Post*, *The Wall Street Journal*, *Wired News*, *The MIT Technology Review*, *Reuters International*, and *Guitarist Magazine (UK)*. Research noted in various publications, including the *Chronicle of Higher Education* and *Legal Affairs* magazine.

DIRECTORSHIPS & ADVISORY BOARDS

Academic Advisory Board, The Project on Digital Property, The Progress and Freedom Foundation, Washington, D.C., 2005 - 2007

Board of Directors, Southern Illinois Entrepreneurship Center, Carbondale, IL, 2003 – 2007

Advisory Board, SouthernTECH, Carbondale, IL, 2003 – 2007

Advisory Board, Bureaucrash Project, Competitive Enterprise Institute, Washington, D.C., 2006 -

Board of Directors, Bureaucrash Foundation, Boston, MA, 2003 - 2006

Board of Advisors, NYCWireless Community Network, New York, NY, 2001 – 2003

Board of Directors, Henry Hazlitt Foundation / Free-Market.Net, Chicago, IL, 1998 – 2003

PROFESSIONAL ACTIVITIES

Southern Illinois University School of Law

- Chair, Technology Advisory Committee, 2008 -
- Appointments Committee, 2008 -
- Coordinator, Scholarship Workshops, 2005 - 2007
- Professional Development Committee, 2005 - 2007
- Rules Committee, 2003 – 2006
- Committee of the Future, 2006
- Faculty Advisor, Federalist Society, 2006 -
- Faculty Advisor, Intellectual Property & Technology Law Society, 2004 –
- Faculty Mentor Program, 2003 –

Southern Illinois University

- Campus Computer Advisory Committee, 2005 - 2007
- Judge, Southern Angels Business Plan Contest, 2005

Association of American Law Schools

- Section on Law and Computers
 - Chair Elect, 2009
 - Executive Committee, 2008

Federalist Society for Law & Public Policy Studies

- Chairman, Intellectual Property Practice Group, 2008 –
- Official NGO Delegate, World Intellectual Property Organization, Provisional Committee on the Development Agenda, Geneva, Switzerland, June 2006; June 2007; July 2008
- Co-Chair, Publications, Intellectual Property Practice Group, Lawyers Division, 2003 – 2007
- Executive Committee, Intellectual Property Practice Group, Lawyers Division, Federalist Society for Law & Public Policy Studies, 1996 –
- Chicago Lawyers Chapter, Lawyers Division, Federalist Society for Law & Public Policy Studies
 - Advisory Board, 2000 -
 - President, 1998 – 2000

Southern Illinois Entrepreneurship Center

- Judge, Illinois Innovate Business Plan Contest, 2006 –2007
- Illinois State Department of Commerce and Economic Opportunity Entrepreneurship Award Grant Committee, 2004 – 2007

Journal Referee, JURIMETRICS, 2006 –

Journal Referee, UNIVERSITY OF ILLINOIS JOURNAL OF LAW, TECHNOLOGY & POLICY, 2005 –