

## Dmitry Karshedt

Associate Professor of Law, The George Washington University Law School  
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<http://ssrn.com/author=1544643>

### ACADEMIC APPOINTMENTS

*The George Washington University Law School*, Washington, DC

Associate Professor of Law, August 2015 – present (tenured September 2020)

- Teaching: Patent Law, Torts, Intellectual Property, Advanced Patent Law Seminar
- Committees: Academic Integrity, Admissions, Appointments (2020-2021), Clerkship, Intellectual Property Program Strategic Planning (Spring 2021), Student Placement

*Center for Law and the Biosciences, Stanford Law School*, Stanford, CA

Fellow, August 2014 – July 2015

### EDUCATION

*Stanford Law School*, Stanford, CA, J.D., June 2011

- *Stanford Law Review*, Senior Symposium Editor
- Center for Law and the Biosciences Student Fellow

*U.C. Berkeley*, Berkeley, CA, Ph.D. (Chemistry), December 2005

- Dissertation: *Catalytic Applications of Late Transition Metal Complexes: The Activation of C–H, Si–H, and C=C Bonds as a Route to Functionalized Organic Molecules*

*Harvard College*, Cambridge, MA, A.B. (Chemistry, *summa cum laude*), June 1999

- Phi Beta Kappa

### CLERKSHIP

*The United States Court of Appeals for the Federal Circuit*, Washington, DC

Law Clerk to the Hon. Kimberly A. Moore, October 2012 – July 2014

### ARTICLES

*Nonobviousness: Before and After*, 106 *Iowa Law Review* (forthcoming 2021)

*The Death of the Genus Claim* (with Mark A. Lemley and Sean B. Seymore), 35 *Harvard Journal of Law & Technology* (forthcoming 2021), <https://ssrn.com/abstract=3668014>

- Cited *passim* in Petition for a Writ of Certiorari, *Idenix Pharm. LLC v. Gilead Scis., Inc.* (No. 20-380), 2020 WL 5751271 (Sept. 21, 2020)

*The More Things Change: Improvement Patents, Drug Modifications, and the FDA*, 104 *Iowa Law Review* 1029–1222 (2019)

- Cited in Erin H. Ward *et al.*, Cong. Res. Serv. R46679, *Drug Prices: The Role of Patents and Regulatory Exclusivities* (Feb. 10, 2021); Kevin T. Richards *et al.*, Cong. Res. Serv. R46211, *Drug Pricing and Pharmaceutical Patenting Practices* (Feb. 11, 2020)

*Enhancing Patent Damages*, 51 U.C. Davis Law Review 1427–1541 (2018)

- Cited in Linda L. Schlueter, 2 *Punitive Damages* § 21.55 (8th ed. 2020); Kenneth R. Adamo, 3 *Business Torts* § 30.09 (Joseph D. Zamore ed., Rel. no. 61, 2020); and Janice M. Mueller, 2 *Mueller on Patent Law: Patent Enforcement* § 20.05 (2020 ed.)

*Causal Responsibility and Patent Infringement*, 70 Vanderbilt Law Review 565–649 (2017)

*The Completeness Requirement in Patent Law*, 56 Boston College Law Review 949–1029 (2015)

- Cited in Robert P. Merges & John F. Duffy, *Patent Law and Policy: Cases and Materials* 301–02 (7th ed. 2017)

*Damages for Indirect Patent Infringement*, 91 Washington University Law Review 911–978 (2014)

- Cited in two merits stage amicus briefs in *Commil USA, LLC v. Cisco Sys., Inc.*, 575 U.S. 632 (2015)

*Did Learned Hand Get It Wrong?: The Questionable Patent Forfeiture Rule of Metallizing Engineering*, 57 Villanova Law Review 261–358 (2012)

- Cited in the principal brief of plaintiff-appellee and several amicus briefs (including brief for the United States) in *Helsinn Healthcare S.A. v. Teva Pharm. USA, Inc.*, 855 F.3d 1356 (Fed. Cir. 2017), and in the follow-on petition for a writ of certiorari and several Supreme Court merits stage amicus briefs, 139 S. Ct. 628 (2019)
- Cited in Martin J. Adelman, Randall R. Rader & John R. Thomas, *Cases and Materials on Patent Law* 207 (5th ed. 2019); Craig Allen Nard, *The Law of Patents* 491 (5th ed. 2020); and Craig Allen Nard, Michael J. Madison & Mark P. McKenna, *The Law of Intellectual Property* 228 (5th ed. 2017)

*Limits on Hard-To-Reproduce Inventions: Process Elements and Biotechnology's Compliance with the Enablement Requirement*, 3 Hastings Science & Technology Law Journal 109–156 (2011)

## ESSAYS

*Divided Infringement, Economics, and the Common Law*, 67 Florida Law Review Forum 329–347 (2018) (solicited response to W. Keith Robinson, *Economic Theory, Divided Infringement, and Enforcing Interactive Patents*, 67 Florida Law Review 1691 (2015))

*Acceptance Instead of Denial: Pro-Applicant Positions at the PTO*, 23 Boston University Journal of Science & Technology Law 319–349 (2017) (invited symposium contribution)

*Photocopies, Patents, and Knowledge Transfer: The “Uneasy Case” of Justice Breyer’s Patentable Subject Matter Jurisprudence*, 69 Vanderbilt Law Review 1739–1784 (2016) (invited symposium contribution)

*The Riddle of Secret Public Use: A Response to Professor Lemley*, 93 Texas Law Review See Also 159–172 (2015) (solicited response to Mark A. Lemley, *Does “Public Use” Mean the Same Thing It Did Last Year?*, 93 Texas Law Review 1119 (2015))

*Contracting for a Return to the USPTO: Inter Partes Reexaminations as the Exclusive Outlet for Licensee Challenges to Patent Validity*, 51 IDEA: Intellectual Property Law Review 309–356 (2011)

- Cited in Donald S. Chisum, 4-11 *Chisum on Patents* § 11.07[4] (2020)

## ARTICLES IN PROGRESS

*Pharmaceutical Patents and Adversarial Examination*

*Once Is Enough: Rediscovering Issue Preclusion at the PTO*

*Volition and Intent in the Law of Direct Copyright Infringement* (with Sean A. Pager)

## BOOK CHAPTER

Chapter 8, “Defenses to Infringement,” in *Patent Law: An Open-Source Casebook* (Mark D. Janis & Ted Sichelman eds., forthcoming 2021)

## AMICUS BRIEFS, CONGRESSIONAL TESTIMONY, PUBLIC COMMENTS, AND OTHER WRITING

Alan B. Morrison, Robert L. Glicksman, Dmitry Karshedt, Mark A. Lemley & Joshua D. Sarnoff, *Who Is an Inferior Officer, and Why Does It Matter?*, YALE J. ON REG. NOTICE AND COMMENT (Feb. 18, 2021), [yalejreg.com/nc/who-is-an-inferior-office-and-why-does-it-matter-by-alan-b-morrison-robert-l-glicksman-dmitry-karshedt-mark-a-lemley-joshua-d-sarnoff/](https://yalejreg.com/nc/who-is-an-inferior-office-and-why-does-it-matter-by-alan-b-morrison-robert-l-glicksman-dmitry-karshedt-mark-a-lemley-joshua-d-sarnoff/)

Brief of Amici Curiae Administrative, Constitutional, and Intellectual Property Law Professors Urging Reversal and Supporting Petitioners in 19-1434 & 19-1452, *United States v. Arthrex, Inc.* (Nos. 19-1434 & 19-1452), 2020 WL 7229793 (Dec. 2, 2020)

Brief of Intellectual Property Professors as *Amici Curiae* in Support of Petitioners, *Idenix Pharm. LLC v. Gilead Scis., Inc.* (No. 20-380), 2020 WL 6814723 (Nov. 16, 2020)

Brief of *Amici Curiae* Professors of Patent and Administrative Law in Support of Respondent Click-To-Call Technologies, LP, *Thryv, Inc. v. Click-To-Call Techs., LP*, 140 S. Ct. 1367 (2020) (No. 18-916), 2019 WL 5855809 (Nov. 4, 2019)

Statement of Dr. Dmitry Karshedt, Associate Professor of Law, The George Washington University Law School: United States Senate, Committee on the Judiciary, Subcommittee on Intellectual Property—Hearings on the State of Patent Eligibility in America (June 11, 2019)

Brief of Seven Law Professors as *Amici Curiae* in Support of Petitioner, *Return Mail, Inc. v. United States Postal Serv.*, 139 S. Ct. 1853 (2019) (No. 17-1594), 2018 WL 6716161 (Dec. 17, 2018)

Comment, *Administering the Hatch-Waxman Amendments: Ensuring a Balance Between Innovation and Access*, Docket FDA-2017-N-3615 (with Ameet Sarpatwari, Aaron S. Kesselheim & Michael A. Carrier), <https://www.regulations.gov/document?D=FDA-2017-N-3615-0064> (Sept. 18, 2017)

Brief of Professor Dmitry Karshedt as *Amicus Curiae* Supporting Petitioner, *Oil States Energy Servs. LLC v. Greene’s Energy Grp., LLC*, 138 S. Ct. 1365 (No. 16-712), 2017 WL 3888204 (Aug. 31, 2017)

Brief of *Amici Curiae* 42 Intellectual Property Law Professors in Support of Appellant, *Helsinn Healthcare S.A. v. Teva Pharm. USA, Inc.*, 855 F.3d 1356 (Fed. Cir. 2017) (Nos. 16-1284, 16-1787), <https://patentlyo.com/media/2016/03/TevaProfAmicusBrief.pdf> (Mar. 14, 2016)

Contributor to *Patently-O*, *Stanford CLB*, and *Written Description* blogs

## **AWARDS**

Thomas Edison Innovation Fellowship from the Center for the Protection of Intellectual Property at the Antonin Scalia Law School, George Mason University (2017 – 2018)

University of Houston Law Center's Institute for Intellectual Property and Information Law's sponsored scholarship grant for judicial clerks

Samsung-Stanford Patent Prize

## **ACADEMIC PRESENTATIONS**

*Volition and Intent in the Law of Direct Copyright Infringement* (with Sean A. Pager), Works-in-Progress Intellectual Property Colloquium, Virtual (February 19, 2021)

*The Death of the Genus Claim* (with Mark A. Lemley and Sean B. Seymore), Patent Scholars Roundtable VI, Virtual (January 15, 2021)

*The Death of the Genus Claim* (with Mark A. Lemley and Sean B. Seymore), 20th Annual Intellectual Property Scholars Conference, Virtual (August 12, 2020)

*Pharmaceutical Patents and Adversarial Prosecution*, 20th Annual Intellectual Property Scholars Conference, Virtual (July 15, 2020)

*The Death of the Genus Claim*, Junior IP Scholars Association Workshop, Virtual (June 2020)

*Pharmaceutical Patents and Adversarial Examination*, Regulation and Innovation in the Biosciences Workshop, Virtual (May 2020)

*Nonobviousness: Before and After*, Patent Scholars Roundtable V, Nashville, TN (January 24, 2020)

*Nonobviousness: Before and After*, The George Washington Law School Wednesday Lunch Series, Washington, DC (January 22, 2020)

*Obviousness: Before and After*, UM/UB Junior Faculty Workshop, Baltimore, MD (October 30, 2019)

*Obviousness: Before and After*, Fifth Annual Texas A&M Intellectual Property Scholars Roundtable, Fort Worth, TX (September 28, 2019)

*Obviousness: Before and After*, Eighth Annual Mid-Atlantic Patent Works-in-Progress, Washington, DC (September 13, 2019)

*Obviousness: Before and After*, 19th Annual Intellectual Property Scholars Conference, Chicago, IL (August 8, 2019)

*Obviousness: Before and After*, Junior IP Scholars Association Workshop, Washington, DC (May 29, 2019)

*Obviousness: Before and After*, Stanford Center for Law and the Biosciences Workshop, Stanford, CA (May 20, 2019)

*Once Is Enough: Rediscovering Issue Preclusion at the PTO*, Michigan State University College of Law Faculty Workshop, Lansing, MI (April 15, 2019)

*Obviousness: Before and After*, Changing Regulation of Pharmaceuticals: Pricing, Intellectual Property, Trade and Ethics, Sacramento, CA (April 6, 2019)

*Obviousness: Before and After*, Ninth Annual Patent Conference, Lawrence, KS (April 5, 2019)

*The More Things Change: Improvement Patents, Drug Modifications, and the FDA*, Fourth Annual Naples Roundtable Conference, Naples FL (February 18, 2019)

*Obviousness: Before and After*, Junior IP Scholars Association Workshop, Williamsburg, VA (January 26, 2019)

*The More Things Change: Improvement Patents, Drug Modifications, and the FDA*, “New Perspectives on IP and Health: Conversations About Law and Society,” Scholars’ Roundtable at the Jindal Global Law School, Sonipat, India (December 21, 2018)

*Once Is Enough: Rediscovering Collateral Estoppel at the PTO*, Vanderbilt Law School Intellectual Property Program Speaker Series, Nashville, TN (November 9, 2018)

*The More Things Change: Improvement Patents, Drug Modifications, and the FDA*, Florida International University College of Law Faculty Workshop Series, Miami, FL (October 30, 2018)

*The More Things Change: Improvement Patents, Drug Modifications, and the FDA*, FDA: Past Present, and Future, Washington, DC (October 19, 2018)

*Once Is Enough: Rediscovering Collateral Estoppel at the PTO*, “Administering Patent Law,” Iowa Law Review Symposium, Iowa City, IA (October 5, 2018)

*Once Is Enough: Rediscovering Collateral Estoppel at the PTO*, UM/UB Junior Faculty Workshop, Baltimore, MD (October 2, 2018)

*Once Is Enough: Rediscovering Collateral Estoppel at the PTO*, Seventh Annual Mid-Atlantic Patent Works-in-Progress, Washington, DC (September 28, 2018)

*Once Is Enough: Rediscovering Collateral Estoppel at the PTO*, 18th Annual Intellectual Property Scholars Conference, Berkeley, CA (August 10, 2018)

*Once Is Enough: Rediscovering Collateral Estoppel at the PTO*, Junior IP Scholars Association Workshop, Chicago, IL (July 25, 2018)

*For Better or Worse: Empowering the FDA to Counter Patent Law’s Push for Questionable Drug Modifications*, 41st Annual Health Law Professors Conference, Cleveland, OH (June 9, 2018)

*For Better or Worse: Empowering the FDA to Counter Patent Law’s Push for Questionable Drug Modifications*, Tenth Annual Junior Scholars in Intellectual Property Workshop, Lansing, MI (May 24, 2018) (selected junior paper)

*For Better or Worse: Empowering the FDA to Counter Patent Law’s Push for Questionable Drug Modifications*, Mid-Atlantic Junior Faculty Forum, Richmond, VA (May 17, 2018)

*For Better or Worse: Empowering the FDA to Counter Patent Law's Push for Questionable Drug Modifications*, Regulation and Innovation in the Biosciences Workshop, St. Louis, MO (April 27, 2018)

*For Better or Worse: Empowering the FDA to Counter Patent Law's Push for Questionable Drug Modifications*, BioLawPalooza 2.0, Stanford, CA (March 23, 2018)

*For Better or Worse: The FDA's Role in Regulating Pharmaceutical Improvements*, Marquette University Law School Intellectual Property Colloquium, Milwaukee, WI (March 19, 2018)

*For Better or Worse: The FDA's Role in Regulating Pharmaceutical Improvements*, Eighth Annual Patent Conference, San Diego, CA (March 3, 2018)

*Regulating Evergreening: The FDA's Role in the Creation of Balanced Rights for Pharmaceutical Improvements*, Patent Scholars Roundtable III (November 3, 2017)

*Regulating Evergreening: The FDA's Role in the Creation of Balanced Rights for Pharmaceutical Improvements*, UM/UB Junior Faculty Workshop, Baltimore, MD (October 31, 2017)

*Regulating Evergreening: The FDA's Role in the Creation of Balanced Rights for Pharmaceutical Improvements*, Wiet Life Science Law Scholars Conference, Chicago, IL (October 13, 2017)

*Regulating Evergreening: The FDA's Role in the Creation of Balanced Rights for Pharmaceutical Improvements*, American Chemical Society Conference, Division of Chemistry & Law, Washington, DC (August 23, 2017)

*Regulating Evergreening: The FDA's Role in the Creation of Balanced Rights for Pharmaceutical Improvements*, 17th Annual Intellectual Property Scholars Conference, New York, NY (August 10, 2017)

*Regulating Evergreening: The FDA's Role in the Creation of Balanced Rights for Pharmaceutical Improvements*, Southeastern Association of Law Schools Conference, Boca Raton, FL (August 1, 2017)

*Regulating Evergreening: The FDA's Role in the Creation of Balanced Rights for Pharmaceutical Improvements*, 40th Annual Health Law Professors Conference, Atlanta, GA (June 9, 2017)

*Acceptance Instead of Denial: Pro-Applicant Positions at the PTO*, Junior IP Scholars Association Workshop, Spokane, WA (June 3, 2017)

*Regulating Evergreening: The FDA's Role in the Creation of Balanced Rights for Pharmaceutical Improvements*, The Gruter Conference, Olympic Valley, CA (May 23, 2017)

*The Modern Pirate: Toward a New Standard for Enhanced Damages in Patent Law*, Ninth Annual Junior Scholars in Intellectual Property Workshop, Lansing, MI (May 17, 2017) (selected junior paper)

*Regulating Evergreening: The FDA's Role in the Creation of Balanced Rights for Pharmaceutical Improvements*, Seventh Annual Patent Conference, Chicago, IL (April 7, 2017)

*The Modern Pirate: Toward a New Standard for Enhanced Damages in Patent Law*, The George Washington Law School Wednesday Lunch Series (March 22, 2017)

*The Modern Pirate: Toward a New Standard for Enhanced Damages in Patent Law*, UM/UB Junior Faculty Workshop, Baltimore, MD (March 7, 2017)

*Acceptance Instead of Denial: Pro-Applicant Positions at the PTO*, Bridging the Gap Between the Federal Courts and the U.S. Patent & Trademark Office, Boston, MA (February 24, 2017)

*The Modern Pirate: Toward a New Standard for Enhanced Damages in Patent Law*, Works-in-Progress Intellectual Property Colloquium, Boston, MA (February 11, 2017)

*The Modern Pirate: Toward a New Standard for Enhanced Damages in Patent Law*, Patent Scholars Roundtable II, Atlanta, GA (February 3, 2017)

*Rational Willfulness: Toward a New Standard for Enhanced Damages in Patent Law*, Junior IP Scholars Association Workshop, Columbus, OH (January 21, 2017)

*Rational Willfulness: Toward a New Standard for Enhanced Damages in Patent Law*, Hofstra Intellectual Property Colloquium, Hempstead, NY (December 5, 2016)

*Rational Willfulness: Toward a New Standard for Enhanced Damages in Patent Law*, Fifth Annual Mid-Atlantic Patent Works-in-Progress, Washington, DC (October 7, 2016)

*Rational Willfulness: Toward a New Standard for Enhanced Damages in Patent Law*, University of Kentucky College of Law Faculty Colloquium, Lexington, KY (September 23, 2016)

*Rational Willfulness: Toward a New Standard for Enhanced Damages in Patent Law*, 16th Annual Intellectual Property Scholars Conference, Stanford, CA (August 11, 2016)

*Rational Willfulness: Toward a New Standard for Enhanced Damages in Patent Law*, Southeastern Association of Law Schools Conference, Fernandina Beach, FL (August 7, 2016)

*Rational Willfulness: Toward a New Standard for Enhanced Damages in Patent Law*, Junior IP Scholars Association Workshop, Concord, NH (June 10, 2016)

*Causal Responsibility and Patent Infringement*, Eighth Annual Junior Scholars in Intellectual Property Workshop, Lansing, MI (May 26, 2016) (selected junior paper)

*Photocopies, Patents, and Knowledge Transfer: The Uneasy Case of Justice Breyer's Patentable Subject Matter Jurisprudence*, Sixth Annual Patent Conference, Newton, MA (April 8, 2016) (selected for the plenary session)

*Causal Responsibility and Patent Infringement*, ABA-IPL Scholarship Symposium, Bethesda, MD (April 6, 2016) (selected patent law article)

*Causal Responsibility and Patent Infringement*, Junior Patent Roundtable, South Bend, IN (April 1, 2016)

*Causal Responsibility and Patent Infringement*, UM/UB Junior Faculty Workshop, Baltimore, MD (March 1, 2016)

*Photocopies, Patents, and Knowledge Transfer: The Uneasy Case of Justice Breyer's Patentable Subject Matter Jurisprudence*, Fourth Annual Mid-Atlantic Patent Works-in-Progress, Washington, DC (November 13, 2015)

*Photocopies, Patents, and Knowledge Transfer: The Uneasy Case of Justice Breyer's Patentable Subject Matter Jurisprudence*, "The Disclosure Function of the Patent System," *Vanderbilt Law Review Symposium*, Nashville, TN (November 6, 2015)

*Causal Responsibility and Patent Infringement*, IP Junior Scholars Workshop, New York, NY (October 23, 2015)

*Photocopies, Patents, and Knowledge Transfer: The Uneasy Case of Justice Breyer's Patentable Subject Matter Jurisprudence*, The Inaugural Texas A&M Intellectual Property Scholars Roundtable, Fort Worth, TX (October 10, 2015)

*Causal Responsibility and Patent Infringement*, BYU Law and Innovation Colloquium, Provo, UT (October 2, 2015)

*Causal Responsibility and Patent Infringement*, 15th Annual Intellectual Property Scholars Conference, Chicago, IL (August 6, 2015)

*Causal Responsibility and Patent Infringement*, Second Annual International IP Workshop for Junior Researchers at Waseda University School of Law, Tokyo, Japan (June 26, 2015)

*Causal Responsibility and Patent Infringement*, Bay Area IP Profs Works-in-Progress Workshop, Berkeley, CA (May 29, 2015)

*Causal Responsibility and Patent Infringement*, Second Annual Junior IP Scholars Roundtable, Nashville, TN (April 23, 2015)

*Causal Responsibility and Patent Infringement*, Fifth Annual Patent Conference, Lawrence, KS (April 10, 2015)

*The Completeness Requirement in Patent Law*, Works-in-Progress Intellectual Property Colloquium, Alexandria, VA (February 6, 2015)

*The Completeness Requirement in Patent Law*, Seventh Annual Junior Scholars in Intellectual Property Workshop, Lansing, MI (October 18, 2014) (selected junior paper)

*The New Law of Indefiniteness: What Does Nautilus Mean for Chemistry Patents?*, American Chemical Society Conference, Division of Chemistry & Law, San Francisco, CA (August 14, 2014)

*Upstream Patents*, 14th Annual Intellectual Property Scholars Conference, Berkeley, CA (August 8, 2014)

*Did Learned Hand Get It Wrong?: The Questionable Patent Forfeiture Rule of Metallizing Engineering*, Works-in-Progress Intellectual Property Colloquium, Houston, TX (February 11, 2012)

*Did Learned Hand Get It Wrong?: The Questionable Patent Forfeiture Rule of Metallizing Engineering*, 11th Annual Intellectual Property Scholars Conference, Chicago, IL (August 12, 2011)



*Demonstrated Instances of Direct Infringement in Calculating Reasonable Royalty Damages for Indirect Infringement*, The Inaugural Patent Conference, Lawrence, KS (April 8, 2011)

*Demonstrated Instances of Direct Infringement in Calculating Reasonable Royalty Damages for Indirect Infringement*, The Inaugural Samsung-Stanford Conference on Patent Remedies, Stanford, CA (February 18, 2011)

#### **PANEL DISCUSSIONS AND ACADEMIC COMMENTARY**

Discussant, Fourth Annual Three Rivers IP & Technology Law Colloquium, Virtual (January 29, 2021)

Commentator on Andrew Gilden & Sarah R. Wasserman Rajec & Andrew Gilden, *Patenting Pleasure*, Patent Scholars Roundtable VI, Virtual (January 15, 2021)

Discussant, 2020 University of Akron IP Scholars Forum, Virtual (December 3-4, 2020)

Discussant, North American Workshop on Private Law Theory VIII, Virtual (November 13, 2020)

Panelist, Cross-Border Issues in IP Infringement, 6th International IP Court Conference, Patent Court of Korea, Virtual (November 11, 2020)

Panelist, American University Law Review Federal Circuit Fridays Series: Patent Law Panel Discussion, Virtual (October 9, 2020)

Panelist, Take a Recess with GW Law with Professor Dmitry Karshedt and Brian Abramson LLM '09 (Discussion topic: intellectual property, vaccines, and COVID-19), Virtual (September 25, 2020)

Panelist, "International Experience in Resolving Disputes Related to the Protection of IP Rights," ABA Rule of Law Initiative Seminar on the Protection of Intellectual Property Rights, Introduction of the Administrative Code, and Protection of Inventors' Rights, Supreme Court of the Republic of Kazakhstan, Virtual (August 26, 2020)

Panelist, "Tensions in Patent Law," Southeastern Association of Law Schools Conference, Virtual (July 31, 2020)

Discussant, Third Annual Three Rivers IP & Technology Law Colloquium, Pittsburgh, PA (January 31, 2020)

Commentator on Sean B. Seymore, *The Research Patent*, Patent Scholars Roundtable V, Nashville, TN (January 24, 2020)

Panelist, "Are Intellectual Property Rights Still Torts?," AALS Conference—Intellectual Property Section, Washington, DC (January 4, 2020)

Panelist, "Case Law & Policy Year in Review," Eleventh Annual Berkeley-Georgetown Conference on Patent Law & Policy, Washington, DC (November 15, 2019)

Commentator on Mark A. Lemley, *Without Preamble*, Patent Scholars Roundtable IV, Atlanta, GA (February 22, 2019)

Panelist, “The litigation climate in 2018 and beyond,” IAM Patent Law and Policy, Washington, DC (November 13, 2018)

Co-presenter, *Oil States Energy Services v. Greene’s Energy Group* (with Renée Lerner), The George Washington Law School Summer Wednesday Lunch Series (August 1, 2018)

Panelist, “Will the Supreme Court step in again on *Helsinn v. Teva*?”, Federal Circuit Bar Association Bench & Bar Series, Washington, DC (May 10, 2018)

Moderator, *WesternGeco LLC v. ION Geophysical Corp.*, American University Washington College of Law IP at the Supreme Court Series, Washington, DC (April 16, 2018)

Moderator, “Patents and personalized medicine: Connecting patent portfolio to individual health,” *AIPLA Quarterly Journal* Spring 2018 Symposium, Washington, DC (February 23, 2018)

Debate, “Is the PTAB constitutional?” (with Brian Matsui), 18th Annual Berkeley-Stanford Advanced Patent Law Institute, Mountain View, CA (December 15, 2017)

Moderator, “The newsworthiness doctrine in the age of internet scandals,” A Discussion with Professor Irina Manta, Washington, DC (November 28, 2017)

Discussant, North American Workshop on Private Law Theory V, Los Angeles, CA (December 1-2, 2017)

Commentator on Sean B. Seymore, *Patenting the Unexplained*, Patent Scholars Roundtable III, Washington, DC (November 3, 2017)

Panelist and discussant, “The power of the PTAB: The new authority in patent law,” Chicago, IL (October 20-21, 2017)

Panelist, “Crowdsourcing arguments: Academia’s role in IP litigation,” Giles S. Rich Inn of Court Meeting, Washington, DC (September 21, 2017)

Discussion group, “Digital pressures in intellectual property law,” Southeastern Association of Law Schools Conference, Boca Raton, FL (August 3, 2017)

Discussion group, “The law of equity,” Southeastern Association of Law Schools Conference, Boca Raton, FL (August 1, 2017)

Co-presenter, *Packingham v. North Carolina* and *Matal v. Tam* (with Dawn Nunziato), The George Washington Law School Summer Wednesday Lunch Series (July 26, 2017)

Presentations on the Intellectual Property Laws of the United States to the students and faculty at Universidad del Salvador and to members of Argentina’s Patent and Trademark Office (El Instituto Nacional de la Propiedad Industrial), Buenos Aires, Argentina (June 29-30, 2017)

Discussant, Philosophical Approaches to IP, Arlington, VA (May 18-19, 2017)

Panelist, “Section 101: Latest jurisprudence and can it be fixed?”, 2017 GW Law Symposium on Intellectual Property, Washington, DC (May 16, 2017)

Commentator on Andres Sawicki, *The Central Claiming Renaissance*, Fourth Annual Junior IP Scholars Roundtable, Nashville, TN (April 27, 2017)

Speaker, “The Supreme Court on patents: Where is it going?”, The Institute for Policy Innovation World IP Day Celebration, Washington, DC (April 25, 2017)

Moderator, “*Lexmark* and intellectual property exhaustion in patents and copyrights,” *AIPLA Quarterly Journal* Spring 2017 Symposium, Washington, DC (March 17, 2017)

Panelist, “Infringement and defenses,” Intellectual Property, Private Law & the Supreme Court, Washington, DC (March 10, 2017)

Discussant, “How government regulation can spur or deter innovation,” A Discussion with FTC Commissioner Maureen Ohlhausen, Washington, DC (October 3, 2016)

Panelist, “Patents and improved healthcare: incentive or obstacle?”, 13th Annual Symposium on Emerging Intellectual Property Issues: Intellectual Property and Social Justice, Dallas, TX (September 30, 2016)

Discussion group, “Intellectual property exceptionalism,” Southeastern Association of Law Schools Conference, Fernandina Beach, FL (August 5, 2016)

Discussant, Philosophical Approaches to IP, Jekyll Island, GA (May 19-20, 2016)

Commentator on Gregory Dolin & Irina Manta, *Taking Patents*, Sixth Annual Patent Conference, Newton, MA (April 8, 2016)

Commentator on Mark A. Lemley, *Expecting the Unexpected*, Patent Scholars Roundtable I, Atlanta, GA (February 12, 2016)

Panelist, “The changing composition of the Federal Circuit,” Fourth Annual Naples Patent Law Experts Conference, Naples, FL (February 8, 2016)

Panelist, “Coordinating cross-border enforcement,” Patent Litigation in the New Era, Washington, DC (November 12, 2015)

Panelist, “How much IP (and regulatory) protection do life sciences require? Legal developments and their rationale in different key countries,” Fourth Annual Waseda Global Patent Strategy Conference, Tokyo, Japan (June 27, 2015)

#### **ACADEMIC SERVICE**

Peer reviewer for *Applied Health Economics*, *The BMJ*, *The George Washington University Law Review*, *Journal of Law and the Biosciences*, *The Journal of World Intellectual Property*, *Stanford Law Review*, and *University of British Columbia Law Review*

Organizer, Junior IP Scholars Association Workshop, Washington, DC (May 28-29, 2019)

Prospective Law Teachers Workshop (mock interviews), Southeastern Association of Law Schools Conference, Boca Raton, FL (August 3, 2017)

Co-organizer, “Intellectual Property, Private Law & the Supreme Court,” Washington, DC (March 10, 2017)

Prospective Law Teachers Workshop (mock job talks), Southeastern Association of Law Schools Conference, Fernandina Beach, FL (August 5, 2016)

Organizer, *Stanford Law Review* Symposium: “The Future of Patents: *Bilski* and Beyond,” 63 *Stanford Law Review* 1245–1402 (2011)

- Symposium articles have been cited in numerous judicial opinions, including *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 566 U.S. 66 (2012) and *Athena Diagnostics, Inc. v. Mayo Collaborative Servs., LLC*, 927 F.3d 1333 (Fed. Cir. 2019)

## **EMPLOYMENT HISTORY**

*Wilson, Sonsini, Goodrich & Rosati*, Palo Alto, CA (IP counseling and innovation group)

Associate, September 2011 – August 2012

Scientific Advisor, August 2009 – May 2010; September 2010 – August 2011

Summer Associate, May 2009 – July 2009; August 2010

*Davis, Polk & Wardwell*, Menlo Park, CA (corporate and IP groups)

Summer Associate, June 2010 – July 2010

*Siluria, Inc.*, San Francisco, CA (chemical catalysis startup)

Scientific Consultant, August 2009 – August 2011

*Kovio, Inc.*, Sunnyvale, CA (semiconductor materials startup)

Staff Chemist, April 2006 – July 2008

## **COURT ADMISSIONS AND PROFESSIONAL MEMBERSHIPS**

Admitted to Practice in California (No. 280,542)

Supreme Court of the United States

The Court of Appeals for the Federal Circuit

Northern District of California

Giles S. Rich Inn of Court

American Chemical Society, Division of Chemistry and the Law

## **US PATENTS (AS INVENTOR)**

U.S. Patent Nos. 8,846,507, 8,461,284, and 8,092,867, “Silicon Polymers, Methods of Polymerizing Silicon Compounds, and Methods of Forming Thin Films from Such Silicon Polymers”

First named inventor on all three patents

U.S. Patent Nos. 10,195,603 and 9,718,054, “Production of Ethylene with Nanowire Catalysts”

U.S. Patent No. 9,670,113, “Natural Gas Processing and Systems”

U.S. Patent Nos. 9,556,086 and 9,469,577, “Oxidative Coupling of Methane Systems and Methods”

U.S. Patent Nos. 9,045,653 and 8,530,589, “Print Processing for Patterned Conductor, Semiconductor and Dielectric Materials”

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