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FACULTY EMPLOYMENT

MITCHELL HAMLINE SCHOOL OF LAW

Visiting Professor (July 2001-July 2002)

Professor since July 2002

-Founding and former *Director, Intellectual Property Institute*

- *Qualified Dispute Resolution Panelist* (Actively hearing cases under the UDRP for the National Arbitration Forum)

Courses:

- ▶ Trademark Law
- ▶ Comparative Law (Japanese Law)
- ▶ International and Comparative Copyright and Trademark Law
- ▶ Copyrights
- ▶ Property
- ▶ Foundations of Intellectual Property Law
- ▶ Advanced Copyright Law
- ▶ Advanced Trademark Law

CHUO UNIVERSITY, TOKYO, JAPAN

Summer Visiting Professor, 2004 to 2007

AICHI UNIVERSITY, NAGOYA, JAPAN

Summer Visiting Professor, 2004 to 2010

MARQUETTE UNIVERSITY LAW SCHOOL

Assistant Professor of Law (July 1994- July 1997)

Associate Professor of Law with Tenure (July 1997-July 1999)

Professor of Law (1999-2001)

TOKYO UNIVERSITY FACULTY OF LAW

Visiting Professor of Law (Fulbright Research Grant) (April 1995- September 1995))

Visiting Fulbright Researcher (August 2000-July 2001)

Visiting Research Fellow (July 2005 - January 2006)

IIT CHICAGO-KENT COLLEGE OF LAW

Visiting Assistant Professor of Law (July 1991-July 94).

HONORS/AWARDS

- US AID SPECIAL CONSULTANT-GOVERNMENT OF JORDAN**
(Drafting unfair competition and trade secret legislation, Fall 1999 to 2003).
- LAW CASEBOOK ADVISORY BOARD**, Carolina Academic Press
- FULBRIGHT SCHOLAR**, Tokyo University, Tokyo Japan, 1995 & 2000-2001.
- LADAS MEMORIAL AWARD WINNER**, 1995.

PUBLICATIONS

Books

- ◆**International Trademark Dilution**, Chapter 14: Japan, (Dan Bereskin, ed., 2015)
- ◆**Deciphering the History of Japanese War Atrocities: the Story of Doctor and General Shiro Ishii** (Carolina Academic Press 2014)
- ◆**Transcending Law: The Unintended Life of Article 9 of the Japanese Constitution** (Carolina Academic Press 2009)
- ◆**TRADEMARK LAW AND POLICY** (Carolina Academic Press 2016)(With teacher's Manual)
- ◆**Trademark and Unfair Competition Law and Policy in Japan** (Carolina Academic Press 2007)
- ◆**FUNDAMENTALS OF UNITED STATES INTELLECTUAL PROPERTY LAW: COPYRIGHT, PATENT, TRADEMARK** (Kluwer Law International 1999)(with Halpern & Seymore); (2nd Edition 2006); (3rd Edition 2012); (4rd Edition 2013); (5th Edition 2015), also published as Encyclopedia of Laws: UNITED STATES INTELLECTUAL PROPERTY LAW: COPYRIGHT, PATENT, TRADEMARK (Kluwer Law International, 2014)(Trademark Chapter)(with annual updates).
- ◆**LICENSING INTELLECTUAL PROPERTY IN THE DIGITAL AGE** (Carolina Academic Press)(J. Dratler, et al.)(Lead Editor)(2nd Edition 2005)
- ◆**COMPARATIVE LAW: THE ROLE OF LAW AND THE LEGAL PROCESS IN JAPAN 3RD EDITION** (Carolina Academic Press 2015) (With Teacher's Manual)
- ◆**JAPANESE TRADEMARK JURISPRUDENCE** (Kluwer Law International 1998).

Chapters

- ◆**Trademark Dilution in Japan**, in International Trademark Dilution (D. Bereskin ed., 2015)
- ◆**The Myth of Trademark Harmonization**, in INTELLECTUAL PROPERTY AND INFORMATION WEALTH 329 (Peter K. Yu ed., 2006).
- ◆**United States Trademark Law** in INTERNATIONAL ENCYCLOPEDIA OF LAW (Kluwer Law International 2006)
- ◆**ACPA no tekiyo to sono mondaiten** (Application of the ACPA and Related Issues) in DOMAINNAMU FUNSO (Domain Name Disputes) (Kazuko Matsuo and Keita Sato eds. 2002).

Articles

- ◆ ***Patent Jobs and the Myth of the Employment Hypothesis***, 9 *Cybaris* 130(2018)(with Lucas Hjelle and Molly Littman), at <https://open.mitchellhamline.edu/cgi/viewcontent.cgi?article=1080&context=cybaris>
- ◆ ***Commodification of Trademarks: Some Final Thoughts on Trademark Dilution***, 46 *Hofstra L. Rev.* 669 (2017)
- ◆ ***Overruled Sub Silentio: Revisiting Park ‘N Fly***, 16 *Wake Forest J. of Bus. & IP* 135 (2016)
- ◆ ***In Pursuit of Patent Quality (and Reflections on Reification)***, 20 *Marq. Int. Prop. L. Rev.* 79 (2016)(with Lucas Hjelle and Molly Littman)
- ◆ ***Where Have All The Patent Attorneys Gone? Long time passing. . .***, 197 *J. Patent and Trademark Office Society* 193 (2015)(with Lucas Hjelle and Molly Littman)
- ◆ ***Regionally Based Collective Trademark System in Japan: Geographical Indicators by a Different Name or a Political Misdirection?*** 6 *Cybaris* 1 (2015)
- ◆ ***Trademark Extortion Revisited***, 14 *Chicago-Kent Journal of Intellectual Property* 217 (2015)
- ◆ ***Copyright Law Basics for the Nursing Professional: Part 1: Using the Work of Others***, 31 *Journal for Nurses in Professional Development* 252 (2015)(peer reviewed)
- ◆ ***Copyright Law Basics for the Nursing Professional: Part 2: Fair Use***, 31 *Journal for Nurses in Professional Development* 252 (2016)(peer reviewed)
- ◆ ***A Case Against ACTA***, 33 *Cardozo Law Review* 1131 (2012)
- ◆ ***The Expansion Trajectory***, 92 *Journal of the Patent, Copyright and Trademark Society* 474 (2011)
- ◆ ***On Nontraditional Trademarks***, 38 *Northern Kentucky Law Review* 1 (2011).
- ◆ ***Eighth Circuit Trademarks Opinions***, 39 *William Mitchell Law Review* 1657 (2010).
- ◆ ***On Balance: General Casualty Co. v. Wozinak Travel, Inc.***, *William Mitchell Journal of Law and Practice* <http://lawandpractice.wordpress.com/2010/02/25/on-balance-general-casualty-co-v-wozinak-travel-inc/> (2010).
- ◆ ***Judging Dilution in the United States and Japan***, 17 *Transnational Law and Contemporary Problems* 667 (2008).
- ◆ ***Trademark Extortion: The End of Trademark Law***, 65 *Washington & Lee Law Review* 865 (2008).
- ◆ ***“Dead Copies” Under Japanese Unfair Competition Prevention Act: The New Moral Right***, 51 *St. Louis University Law Review* 93 (2006).
- ◆ ***Trademark Dilution in Japan***, 4 *Northwestern Journal of Technology and Intellectual Property* 228 (2006).
- ◆ ***Essay on Intellectual Property Curricula in the United States***, 46 *IDEA* 165 (2005).
- ◆ ***The Straight Skinny on the Madrid Protocol***, *NEW MATTER* 22 (2005).
- ◆ ***Article 9 of the Japanese Constitution and the Rule of Law***, 13 *Cardozo International and Comparative Law Rev.* 701 (2005).
- ◆ ***Trademark Super Registry***, 94 *Trademark Reporter* 881 (2004).
- ◆ ***Will Victoria’s Secret Chill Dilution Litigation***, 4 *IPC Legal Browser* 8 (2004).
- ◆ ***Trademark Monopolies in the Blue Nowhere***, 28 *William Mitchell L. Rev.* 1091 (2002).
- ◆ ***On red haired waitresses, Shakespeare, and product configuration: A response to Justice***

Stevens, 1 John Marshall IP Law Rev. 220 (2002)

◆ *Japanese Intellectual Property Law in Translation: Representative cases and commentary*, 34 Vanderbilt Int'l L. Rev. 847 (2001).

◆ *Protection of Trade Dress before the US Supreme Court*, [rittashouhyoukenga mitomerarerujokenni kansuru renposaikosai hanketsu][In Japanese], 1201 Jurist 116 (2001).

◆ *The Congressional Expansion of American Trademark Law: A Civil Law System in the Making*, 35 Wake Forest L. Rev. 827 (2000).

◆ *Foreign Legal Consultants in Wisconsin*, 82 Marq. L. Rev. 827 (1999).

◆ *International Trademark Harmonization: Norms, Names and Nonsense*, 2 Marq. Intell. Prop. L. Rev. 33 (1998).

◆ *Protection of Famous Trademarks in Japan and the United States*, 15 Wis. Int'l L. J. 259 (1997).

◆ *Learned Hand's Trademark Jurisprudence: Legal Positivism and the Myth of The Prophet*, 27 Pacific L. J. 221 (1996).

◆ *A Comparison of Japanese and American Trademark Jurisprudence*, 29 Chuo U. Comparative L. Rev. 23 (1995).

◆ *Sports Trademarks in the International Forum*, 6 For the Record 6 (1995).

◆ *The Unnatural Expansion of Trademark Rights: Is a Federal Dilution Statute Necessary?*, 18 Seton Hall Leg. J. 433 (1994), *reprinted in*, Intellectual Property Law Review 271 (1995); *reprinted in*, 85 Trademark Reporter 525 (1995). Winner 1995 Ladas Memorial Award.

◆ *The Case for Teaching Japanese Law in American Law Schools*, 43 DePaul L. Rev. 643 (1994).

◆ *The United States' Legal System as a Bargaining Chip?* Milwaukee Business Journal, Oct. 1, 1994.

◆ *The Illegitimacy of Trademark Incontestability*, 26 Ind. L. Rev. 519 (1993).

◆ *Foreword: Symposium on Intellectual Property Law Theory*, 68 Chi.-Kent L. Rev. 581 (1993).

◆ *The Japanese International Law "Revolution": International Human Rights Law and Its Impact in Japan*, 28 Stanford J. Int'l L. 139 (1991).

◆ *Copyright Protection of Fictional Characters in Japan*, 7 Wis. Int'l L. J. 205 (1988).

Book Reviews

◆ Book Review: John Owen Haley, **The Spirit of Japanese Law** (1998), 1 Wash. L. Q.573 (2002).

◆ Book Review: Richard Rabinowitz, **The Genesis of the Japanese Foreign Investment Law of 1950**, Japan Times, May 20, 2001, at 15, *reprinted in*, 3 Asian-Pacific Law & Policy Journal 233 (2002).

◆ Book Review: David M. O'Brien, **TO DREAM OF DREAMS** (1996), 51:4 Monumenta Nipponica 494 (1996).

◆ Book Review: Hiroshi Oda, **JAPANESE LAW** (1992), 42 Am. J. Comp. L. 452 (1994).

Op Eds

Rising Sun? Amending the Japanese Pacifist Constitution, JURIST at

<http://jurist.law.pitt.edu/forumy/2007/02/rising-sun-amending-pacifist-japanese.php>

EXPERIENCE IN JAPAN

Foreign Exchange Student, Waseda University, June 1981-August 1982.

Translator, Center for Organizational Research and Education (*Soshiki chosa kenkyujo*), 1983-1985.

Santa Clara Study Abroad Program, Summer 1987. Santa Clara University's study abroad program.

Fulbright Scholar, Tokyo University, Tokyo, Japan, 1995.

Visiting Researcher, Chuo University, Tokyo, Japan, 1996.

Visiting Lecturer, Doshisha University (Loyola University Study Abroad Program) Kyoto, Japan (June 1995; June 1997; June 1998).

Fulbright Scholar, Tokyo University, Tokyo, Japan 2000-2001.

Visiting Professor, Aoyama Gakuin University, Tokyo, Japan, June 2002.

Visiting Professor, Aichi University, Summer 2004-2010.

Visiting Professor, Chuo University, Summer 2004-2008.

Foreign Research Fellow, University of Tokyo, Fall semester 2005.

Visiting Distinguished Professor, Keio University Law School, Summer 2012.

LEGAL EDUCATION

University of Wisconsin-Madison, J.D., June 1989.

Editor-in-Chief, Wisconsin International Law Journal 1988-89.

Judicial Intern, Wisconsin Supreme Court--Justice Callow.

COLLEGE EDUCATION

Macalester College, St. Paul, Minnesota.

Bachelor of Arts *cum laude*: East Asian Studies, December 1982.

International exchange program: Waseda University, Tokyo, 1981-1982.

Honors:

Alexander International Scholarship

1981 Macalester College Japanese Language Award

**PRACTICAL
LEGAL EXPERIENCE**

Attorney, Masuda, Funai, Eifert & Mitchell, Chicago. Practice concentrated in the areas of trademarks, copyrights and general corporate law for Japanese corporations and individuals worldwide. (June 1989 - July 1991)

Of Counsel, Michael, Best & Friedrich, Milwaukee. (November 1999- November 2001)

Panelist, National Arbitration Forum, St. Paul, MN. (April 1, 1013 – present)

**OTHER
PUBLICATION
EXPERIENCE**

◆Eric Barnouw, Iwasasaki and the Occupied Screen, 2 Film History 337 (K. Port, trans., 1988).

Translator of the following books published in Japan and East Asia:

◆Cross Cultural Comparison of Work Values and Behavior, Mitsuyo Hanada, Tokyo: Human Resources Development Center, 1984.

◆Training Course for Small Group Leaders, Vol. 1 and 2, Tokyo: SANNO Institute of Business Administration: 1985.

◆Introduction to QC Circles, Vols. 1-4, Tokyo: SANNO Institute of Business Administration: 1985.

◆Seven Steps in QC Circles, Tokyo: SANNO Institute of Business Administration, 1984.

◆12 Questions Regarding Japanese-style Management, Mitsuyo Hanada, Tokyo: SANNO Institute of Business Administration, 1984.

Professor Kenneth Gergen Psychology Department Swarthmore College 500 College Avenue Swarthmore, PA 19081-1397 Phone: 610-328-8434 Fax: 610-328-7814 Email: kgergen1@swarthmore.edu. Department Social Links. Curriculum Vitae. Biographical Information. Name: Kenneth J. Gergen. Degrees: B.A. Yale University, 1953-57 Ph.D. Duke University, 1959-62 DSS (Hon.) Curriculum Vitae. Kenneth A. Shepsle. November 2018. PERSONAL. Reprinted in Professor Claude MÃ©nard (ed.), THE INTERNATIONAL LIBRARY OF THE NEW INSTITUTIONAL ECONOMICS (Cheltenham, England: Edward Elgar Publishing, 2004). "Economic Growth and National Energy Policy: Some Political Facts of Life," in Robert G. Sachs, ed., National Energy Issues: How Do We Decide? (Cambridge: Ballinger): 53-62, 306-08. Curriculum vitae 3/1/17. Wendy jane gordon. WILLIAM FAIRFIELD WARREN DISTINGUISHED PROFESSOR, Boston University, and PROFESSOR OF LAW, Boston University School of Law. A WILLIAM FAIRFIELD WARREN DISTINGUISHED PROFESSORSHIP is a university-wide endowed chair, and constitutes the "highest honor bestowed on senior faculty members." Georgetown University Law Center, 600 New Jersey Avenue, NW, Washington, DC 20001 Visiting Associate Professor of Law, academic year 1983 - 1984. Weil, Gotshal & Manges, 767 Fifth Avenue, New York, NY 10153 Visiting in Literary Property practice, Sept. 7, 1982 - June 30, 1983. Western New England College School of Law, Springfield, MA 01119 Associate Professor of Law, Sept.