

*the improvement of the legal profession
through legal education*

Association of American Law Schools

2012 MidYear Meeting

Workshop on Torts, Environment and Disaster

**Workshop on When Technology Disrupts Law:
How Do IP, Internet and Bio Law Adapt?**

www.aals.org/midyear2012/

**June 8 -12, 2012
Berkeley, California**



Association of American
Law Schools



Association of American Law Schools 2012 MidYear Meeting

June 8 – 12, 2012

The MidYear Meeting consists of the following professional development programs:

- **Workshop on Torts, Environment and Disaster**
- **Workshop on When Technology Disrupts Law: How Do IP, Internet and Bio Law Adapt?**

You can register for the **Workshop on Torts, Environment and Disaster** or the **Workshop on When Technology Disrupts Law: How Do IP, Internet and Bio Law Adapt?**, or the entire **MidYear Meeting** which includes both workshops. Registering for the entire MidYear Meeting results in a lower registration fee for both workshops.

Committee on Professional Development

STEVEN BENDER, Seattle University School of Law

SUSAN D. CARLE, American University, Washington College of Law

VICKI C. JACKSON, Harvard Law School

AUDREY MCFARLANE, University of Baltimore School of Law

ELIZABETH E. MERTZ, University of Wisconsin Law School

DONNA M. NAGY, Indiana University Maurer School of Law, **Chair**

CAROL A. NEEDHAM, Saint Louis University School of Law

EDUARDO MOISES PENALVER, Cornell Law School

RONNA G. SCHNEIDER, University of Cincinnati College of Law

AALS WORKSHOP ON TORTS, ENVIRONMENT AND DISASTER

Friday, June 8 to Sunday, June 10, 2012

Why Torts Law Teachers Would Attend?

Tort scholarship and tort practice has been concerned with large-scale losses since the advent of the class action. Recent events, such as the attacks of 9/11 and the BP oil spill, have illustrated that the tools of aggregate litigation may not be enough to handle the job of ascertaining both responsibility and compensation after a disaster. The Torts and Compensation Law Section will take advantage of its joint meeting with the Environmental Law Section to provide a fresh look at the special problem that disasters pose for tort law in the 21st Century.

The topics covered by the torts portion of the joint meeting will include whether tort law should be limited in times of disasters, the role (if any) of tort principles in the design of public compensation and private settlement funds, and the relationship between tort and insurance law in times of disaster. At the end of the program there will be a session on the incorporation of issues relating to disaster in the torts curriculum. The program will provide torts and insurance scholars of all levels of seniority with new insights into their own research and teaching.

Why Environmental Law and Natural Resources Law Teachers Would Attend?

Rather than a singular catastrophic event, Hurricane Katrina seems more and more like the opening act in what will become known as an age of disaster. Since Katrina, not only hurricanes, but also oil spills, earthquakes, floods, tornadoes, terrorist attacks, volcanoes, heat waves, blizzards, and all manner of other disasters seem to be occurring in the United States and across the globe with increasing regularity and destructiveness. The sober predictions of climate models suggest that the frequency and scale of weather-related events will continue to increase. The implications of this age of disaster for environmental law are profound, including the rise of vulnerability assessment and adaptation planning as new areas of expertise, the renewal of debate over scientific uncertainty and worst case scenarios as key drivers of policy, and the challenge of defining and achieving justice for disaster victims.

Disaster takes center stage for this MidYear Meeting, the first in Environmental Law since 2004 and the first to be organized concurrently with a Tort Law event. This Workshop – Torts, Environment and Disaster – will bring together scholars and teachers for two days of intensive presentations and discussions on disaster.

Plenary sessions for both Environmental Law and Tort Law attendees will consider such topics as the history and psychology of disaster and perspectives on the precautionary principle. Environmental Law sessions will include such topics as disaster planning and prevention, federalism and disaster, and climate change adaptation. Engaging lunchtime speakers, professional development and teaching sessions, and breakout group discussions will round out the program.

Who Should Attend?

Law teachers interested in Environmental and Natural Resources Law, Insurance Law, Oil & Gas, Energy Law, Ocean Resources, Regulated Industries, Remedies and Torts.

When?

The workshop will begin on Friday, June 8, with registration at 4:00 p.m. followed by a reception at 6:00 p.m. and the documentary film, "Out of the Ashes: 9/11" at 8:00 p.m. The program will include two full days of plenary sessions and concurrent sessions specific to Torts and Environment and small group discussions. The workshop will conclude at 5:00 p.m. on Sunday, June 10, 2012. In addition to the program sessions, there will be luncheons on Saturday and Sunday and another reception on Saturday evening.

Planning Committee for AALS Workshop on Torts, Environment and Disaster

Robin K. Craig, Florida State University College of Law
Eileen Gauna, University of New Mexico School of Law
Laura Hines, University of Kansas School of Law, **Chair**
Douglas A. Kysar, Yale Law School
Robert L. Rabin, Stanford Law School
Anthony J. Sebok, Benjamin N. Cardozo School of Law, Yeshiva University
Lisa Grow Sun, Brigham Young University,
J. Reuben Clark Law School

AALS WORKSHOP ON TORTS, ENVIRONMENT AND DISASTER

Friday, June 8, 2012

4:00 – 8:00 p.m.

AALS Registration

6:00 – 8:00 p.m.

AALS Reception

8:00 p.m.

Documentary Film - "Out of the Ashes: 9/11"

Marilyn Berger, Seattle University School of Law

Saturday, June 9, 2012

8:45 – 9:00 a.m.

Welcome

Susan Westerberg Prager, AALS Executive Director, Chief Executive Officer

Introduction

Laura Hines, Chair, Planning Committee for AALS Conference on Torts, Environment and Disaster and University of Kansas School of Law

9:00 – 9:20 a.m.

History of Disaster

Jed H. Shugerman, Harvard Law School

Environmental disasters have transformed American tort law. This talk will focus on a few episodes in which American state courts have been remarkably responsive to disasters in expanding the doctrines of strict liability and pure economic loss. In 1889, the largest reservoir in the world, owned by Andrew Carnegie's and Andrew Mellon's recreational club, collapsed and wiped out the town of Johnstown, Pennsylvania. The Johnstown Flood killed two thousand people, and state courts responded by adopting Rylands and strict liability for hazardous or "unnatural" activities. In 1969, a massive oil spill in California led to an expansion of liability for pure economic losses for fishermen in *Oppen v. Union Oil*. Now the BP spill in 2010 has again changed the pure economic loss rule, starting with an unrelated fertilizer case in Florida, *Curd v. Mosaic Fertilizer*, decided while the Deepwater Horizon leak was still gushing into the Gulf. This talk will trace the effects of the BP spill on tort doctrine over the past two years.

9:20 – 10:30 a.m.

Psychology of Disaster

Gregg P. Macey, Brooklyn Law School

Jaime Napier, Assistant Professor, Department of Psychology, Yale University, New Haven, CT

Moderator and Speaker: Lisa Grow Sun, Brigham Young University, J. Reuben Clark Law School

Research from a number of different academic disciplines suggests that individual and collective response to disasters and disaster risk may be skewed by reliance on heuristics, our (mis)perceptions of disaster, the need to justify existing societal and governmental systems, and the difficulties of organizational behavior. This panel will consider these influences on the choices we make before, during, and after disasters and consider what, if any, steps should be taken to counter these effects.

10:30 – 10:45 a.m.

Refreshment Break

10:45 a.m. – 12:00 p.m.

Precautionary Principle: Regulatory and Tort Perspectives

Daniel H. Cole, Indiana University Maurer School of Law

David A. Dana, Northwestern University School of Law

Gregory C. Keating, University of Southern California Gould School of Law

Moderator: Rebecca M. Bratspies, City University of New York School of Law

An extensive literature evaluates the normative desirability and practical usefulness of the precautionary principle for environmental, health, and safety law. Tort law discussions of the precautionary principle are much fewer in number. This panel will bring together experts from both tort and regulatory law in order to examine the precautionary principle in an age of disaster.

12:00 – 1:30 p.m.

AALS Luncheon

Introduction: Eileen Gauna, University of New Mexico School of Law

Joonhong Ahn, Ph.D., D. Eng., Professor, Department of Nuclear Engineering, University of California Berkeley, Berkeley, CA

Professor Ahn, a prominent nuclear engineering scholar, will address the etiology and consequences of the Fukushima disaster, including risk management and regulatory failures, and the limits of traditional risk-benefit approaches (both with respect to prevention and to cleanup).

1:45 – 3:00 p.m.

Torts Plenary: Tort Principles in the Context of Disaster

Keith Norman Hylton, Boston University School of Law

Peter H. Schuck, Yale Law School

Jason M. Solomon, William & Mary Law School

Moderator: Anthony J. Sebok, Benjamin N. Cardozo School of Law, Yeshiva University

This session will provide an overview of the critical issues in determining the role of tort, if any, in the context of disasters. Assuming that we can define a disaster (not clear, but handled by other sessions), should tort law be restricted to accidents that fall below the "disaster" threshold? The natural lines of debates in this session might be something like: "Can our theory of duty handle disasters (yes/no)?" "Can our theories of causation handle disasters (yes/no)?" "Does strict liability or negligence theory make a difference?" and, "Does the traditional tort approach to damages need to be reconstituted in the disaster context?"

AALS WORKSHOP ON TORTS, ENVIRONMENT AND DISASTER

Saturday, June 9, 2012 (continued)

1:45 – 3:00 p.m.

Environmental Law Plenary: Climate Change, Cost-Benefit Analysis and the Social Cost of Carbon

Daniel H. Cole, Indiana University Maurer School of Law
Daniel A. Farber, University of California, Berkeley School of Law
Jonathan Masur, The University of Chicago The Law School
Moderator: Douglas A. Kysar, Yale Law School

The debate over cost-benefit analysis in the environmental, health, and safety arena takes on special significance in the context of climate change. With the recent formulation by the Obama Administration of an official “social cost of carbon,” agencies will be required to quantify the benefits of regulatory proposals to abate greenhouse gas emissions or otherwise address the causes and consequences of climate change. Yet even defenders of the cost-benefit methodology have noted its limitations in the face of a vastly complex and geographically and temporally extended problem like climate change. This panel will feature three leading participants in the scholarly literature on cost-benefit analysis and climate change.

3:00 – 3:15 p.m.

Refreshment Break

3:15 – 5:45 p.m.

Torts Plenary - Principles for Compensation Programs and Mass Settlements: Public and Private

Howard M. Erichson, Fordham University School of Law
Myriam Elizabeth Gilles, Benjamin N. Cardozo School of Law,
Yeshiva University
Stephen D. Sugarman, University of California, Berkeley School of Law
Moderator: Laura Hines, University of Kansas School of Law

The assumption behind this session is that disasters will sometimes end up either being handled under a public compensation scheme (9/11, Price Anderson) or a private regime of mass deal-making (Vioxx, BP). Should anything be decided ex ante or will every plan/settlement be sui generis? A governing assumption seems to be that a program will operate in the shadow of tort law, so that the kind of loss and the scale of loss will have some sort of genetic connection to the tort suits that “could have been brought.” But this may be a mere fig leaf for a very different kind of ordering – one based, for example on parallel principles of distributive justice or maybe even independent social needs, such as national and economic security.

3:15 – 4:30 p.m.

Environmental Law Plenary: Generations of Environmental Law

Daniel A. Farber, University of California, Berkeley School of Law
Bruce R. Huber, Notre Dame Law School
John C. Nagle, Notre Dame Law School
Hari Michele Osofsky, University of Minnesota Law School
Jessica Owley, University at Buffalo Law School
Melissa A. Powers, Lewis and Clark Law School
Kalyani Robbins, University of Akron, C. Blake McDowell Law Center

4:30 – 5:45 p.m.

Environmental Law Plenary Discussion

6:00 – 7:00 p.m.

AALS Reception

Sunday, June 10, 2012

9:00 – 10:15 a.m.

Torts Plenary: Interaction of Tort and Insurance Law

Tom Baker, University of Pennsylvania Law School
Christian Lahnstein, former head of Department of Risk, Liability and Insurance, Munich Re, Munich, Germany
Adam F. Scales, Rutgers School of Law - Camden
Moderator: Anthony J. Sebok, Benjamin N. Cardozo School of Law,
Yeshiva University

If first party insurance remains the main form of response to disaster (as it was in Katrina), does tort law exercise influence over the administration of insurance? The role tort doctrine and theory plays in insurance may not be different in times of disaster than upon the occurrence of “normal” accidents, but it may be more salient, given the scale.

Some possible topics include:

- The role of the collateral source rule.
- Definition of “discharge” and “release” in pollution exclusion clauses and its connection to nuisance and trespass.
- Interpretation of concurrent causation clauses and its connection to causation in tort law.
- Definition of “expected” or “intended” in intentional act exclusion clauses and its connection to intentional torts.

9:00 – 10:15 a.m.

Environmental Law Plenary: Disaster Prevention

Rebecca M. Bratspies, City University of New York School of Law
James Ming Chen, University of Louisville, Louis D. Brandeis School of Law
Rena I. Steinzor, University of Maryland Francis King Carey School of Law
Moderator: Douglas A. Kysar, Yale Law School

Especially in the context of disaster, an ounce of regulatory prevention seems to be worth a pound of compensation and recovery. This panel will consider the practices and policies of agencies that are charged with preventing disaster. Relevant topics might include: lessons to be learned from recent disasters such as Deepwater Horizon; worst case scenario analysis in environmental impact assessment; political oversight of agency decision making; scientific challenges in disaster prediction; or the role of equity in disaster prevention.

AALS WORKSHOP ON TORTS, ENVIRONMENT AND DISASTER

Sunday, June 10, 2012 (continued)

10:15 – 10:30 a.m.
Refreshment Break

10:30 a.m. – 11:30 a.m.

Torts Plenary - How to Teach Disaster as Part of a Torts Curriculum

Michael Green, Wake Forest University School of Law
Susan S. Kuo, University of South Carolina School of Law
Michael L. Rustad, Suffolk University Law School
Moderator: Laura Hines, University of Kansas School of Law

Integrating materials relating to disasters can engage and enrich students' understanding on a wide range of topics in the first year and upper level Torts courses. The 9/11 Victim Compensation Fund and other mass compensation schemes may be enlisted in the study of damages or alternatives to litigation. The special setting of disasters presents opportunities to consider challenging causation and duty issues. The Bhopal or recent BP oil spill disasters can spark provocative discourse on the social consequences of mass disasters. The panel speakers will offer their perspectives and insights on how to incorporate disasters into the Torts curriculum. Small group breakout sessions will follow this panel, allowing participants to discuss and share their own ideas about teaching disasters.

11:30 a.m. – 12:15 p.m.

Torts Small Group Discussions

10:30 – 11:30 a.m.

Environmental Law Plenary: Climate Adaptation

Victor B. Flatt, University of North Carolina School of Law
Carolyn Kousky, Kennedy School of Government, Harvard University, Cambridge, MA
J. B. Ruhl, Vanderbilt University Law School
Moderator: Robin K. Craig, Florida State University College of Law

Climate change threatens to become the most global and most dangerous of human-caused disasters, although individual communities, nations, and regions are most likely to experience climate change as increasingly continual "natural" disasters – increased numbers of hurricanes and cyclones, rising sea levels, droughts, floods, loss of key crops, invasions of pests, and increasing outbreaks of various kinds of diseases – typhoid, cholera, malaria – once thought to be more-or-less under human control. This panel explores the concept of climate change adaptation as disaster preparedness and will examine climate change impacts to both humans and other species, the status of climate change as a disaster, and potential adaptation responses.

11:30 a.m. – 12: 15 p.m.

Environmental Law Small Group Discussions

12:15 – 1:45 p.m.

AALS Luncheon

2:00 – 3:15 p.m.

Disaster Federalism

Ann E. Carlson, University of California, Los Angeles School of Law
Mary J. Davis, University of Kentucky College of Law
Blake Hudson, Stetson University College of Law
Catherine M. Sharkey, New York University School of Law
Moderator: Lisa Grow Sun, Brigham Young University, J. Reuben Clark Law School

Our divided system of government creates both unique strengths and substantial obstacles for effective disaster mitigation, response, and redress. This panel will explore the role of federalism in each of these phases of disaster management, including the respective roles of federal, state, and local governments in mitigating disaster risks and federal preemption of state tort remedies for disaster redress.

3:15 – 3:30 p.m.

Refreshment Break

3:30 – 5:00 p.m.

Disaster Justice: The Advocacy of Redress

Robert D. Bullard, Ph.D., Dean, Barbara Jordan-Mickey Leland School of Public Affairs, Texas Southern University, Houston, TX
Sheila R. Foster, Fordham University School of Law
Rachel Morello-Frosch, Department of Environmental Science, Policy and Management, College of Natural Resources, University of California Berkeley, Berkeley, CA
May Nguyen, Oil Spill Social Justice Strategist, Los Angeles, CA, Formerly Vietnamese Community Group
Moderator: Eileen Gauna, University of New Mexico School of Law

In the wake of a disaster, vulnerable communities stand to be affected by a variety of harms, some obvious and some not, in disproportionate ways. While insurance or compensation schemes can at times provide remedy for some economic harm, some populations may face significant barriers in accessing these funds. In addition, there are other types of harm, such as physical injury, increased risk of illness, and the emotional turmoil stemming from displacement, that have noneconomic components not amenable to redress by traditional compensatory measures. A panel of experts will address these issues from diverse disciplines and will examine the role of community advocacy in post-disaster relief.

AALS WORKSHOP ON WHEN TECHNOLOGY DISRUPTS LAW: HOW DO IP, INTERNET AND BIO LAW ADAPT?

Sunday, June 10 to Tuesday, June 12, 2012

Why Attend?

Synthetic biology, regenerative stem cells, chimera, fMRI, nanotechnology, cloud computing, social networks, and web 2.0 are just a few of the many technological advances of the first decade of the twenty-first century to which intellectual property (IP), internet, and bio law professionals are having to help the law adapt. This workshop will bring together leading thinkers not only from the legal academy, but also from fields of economics, business, biology, and computer science, to share insights about these technologies and how the law and lawyers can best adapt to these new phenomena.

The conventional wisdom in the IP field has long been that the grant of exclusive rights such as patents and copyrights is essential to foster innovation in virtually all fields of endeavor. This wisdom has been called into question to some degree by the rise of peer production processes, such as open source development, and by other modes of open innovation. How has and how should the law respond to open innovation? If users are innovating by tinkering with products that are patented or copyrighted, should special rules privilege this tinkering? The internet and other advances in information technology have made it possible for people to collaborate at a distance to construct significant information resources such as Wikipedia. Who owns what has been created collaboratively? What role do commons play in promoting innovation and progress? The rise of amateur creations such as remixes and mashups of copyrighted content, which are widely available on sites such as YouTube, have generated more legal questions than answers.

Social networks allow sharing of information beyond anything that could have been imagined a decade ago. What responsibilities do the operators of these networks have toward their users, particularly as to data mining with personal data about the users? Data mining has also become extremely important with large data sets, and bioinformatics is a new field of research that does not fit within standard models of disciplinary fields. Among the challenging questions that have arisen in the biological sciences have been whether products of synthetic biology can be copyrighted or subject to Creative Commons licenses. Thickets of patents on stem cell innovations and genetic materials are said by some to pose threats to the ongoing progress of research in these fields, and law professors, among others, are offering suggestions about how to overcome obstacles of this sort.

Beyond IP, advances in biology and biotechnology increasingly challenge not just the margins, but the core of the law as well. Functional brain scanning can now provide a detailed picture of the living, thinking human brain, complicating our understanding of such legal concepts as scienter,

responsibility, guilt, and punishment. Rapid, inexpensive genome sequencing allows patients intimate knowledge of their genetic heritages, with consequences for employment, insurance, health, and family law. Embryonic stem cells raise myriad bioethical issues, renewing legal debates over property rights in human body parts and abortion rights. And, synthetic biology raises concerns biosafety, biosecurity, and the democratization of biotechnology.

This workshop will not only consider these types of questions, but also what kinds of changes to legal institutions might be necessary or desirable to render the institutions better able to adapt to the rapidly changing technological environment in which we live. Should the Federal Communications Commission have more regulatory authority over the internet? Do we need to recreate the Office of Technology Assessment inside the U.S. Congress? Is the Patent & Trademark Office able to handle the influx of applications in new fields of technology? How might the Copyright Office be revamped to make better use of information technologies and the internet? Does the Food & Drug Administration need to be redesigned? Because so many of the technology challenges today are not just national, but global in character, how does or should the regulatory infrastructure on an international scale need to be reconfigured to respond to these changes? To what extent do technologies themselves express policy and even regulatory choices?

This two and a half day workshop will feature three keynote speakers, several plenary panels on substantive issues such as those mentioned above, a debate about the patenting of genetic information by lawyers who have been involved in active litigation on these matters, an opportunity to converse with a remarkable group of senior women in the IP field, and breakout sessions to discuss open innovation in various fields, creative ways to teach difficult subjects with and about technology, and influences from other fields of knowledge that have a bearing on the work of IP, internet, and bio law professionals.

Who Should Attend?

Law teachers interested in intellectual property, internet and bio law.

When?

The workshop will begin on Sunday, June 10 with registration at 10:00 a.m., followed by two and a half days of plenary sessions and concurrent sessions. In addition to the program sessions, there will be luncheons on Monday and Tuesday and evening receptions on Sunday and Monday. The workshop will conclude at 5:00 p.m. on Tuesday, June 12, 2012.

AALS WORKSHOP ON WHEN TECHNOLOGY DISRUPTS LAW: HOW DO IP, INTERNET AND BIO LAW ADAPT?

Sunday, June 10, 2012

10:00 a.m. – 5:00 p.m.

AALS Registration

1:30 – 2:00 p.m.

Welcome

Susan Westerberg Prager, AALS Executive Director, Chief Executive Officer

Introduction

Pamela Samuelson, Chair, Planning Committee for AALS Workshop on Intellectual Property, Internet and Bio Law, University of California, Berkeley School of Law

2:00 – 2:30 p.m.

Keynote: User Innovation as a Challenge to Intellectual Property Paradigms

Eric Von Hippel, Professor of Management of Innovation and Engineering Systems, Sloan School of Management, Massachusetts Institute of Technology, Cambridge, MA

2:30 – 3:45 p.m.

Open Innovation Panel

Carliss Y. Baldwin, William L. White, Professor of Business Administration, Harvard Business School, Boston, MA
Andrew Endy, Assistant Professor of Bioengineering, Stanford University School of Medicine, Stanford, CA
William W. "Terry" Fisher III, Harvard Law School
Brett Frischmann, Benjamin N. Cardozo School of Law, Yeshiva University

3:45 – 4:00 p.m.

Refreshment Break

4:00 – 5:15 p.m.

Concurrent Sessions

Commercializing Open Innovations

Stuart Graham, Assistant Professor, College of Management, Georgia Institute of Technology, Atlanta, GA
Greg R. Vetter, University of Houston Law Center

Open Biology

Joseph P. Jackson III, Founder, Open Science Summit, Mountain View, CA
Dave Opderbeck, Seton Hall University School of Law

Social Networks and Privacy

Chris Hoofnagle, University of California, Berkeley School of Law
Frank A. Pasquale, Seton Hall University School of Law

User-Generated Content on Social Networks and Other Collaborative Websites

Edward Lee, Illinois Institute of Technology, Chicago-Kent College of Law
Rebecca L. Tushnet, Georgetown University Law Center

6:00 – 8:00 p.m.

AALS Reception

Monday, June 11, 2012

9:00 – 10:15 a.m.

Updating the Regulatory Infrastructure: Domestic Regulatory

Christopher M. Holman, University of Missouri-Kansas City, School of Law
Arti K. Rai, Duke University School of Law
Fred von Lohmann, Senior Copyright Counsel, Google Inc., Mountain View, CA
Philip J. Weiser, University of Colorado Law School

10:15 – 10:30 a.m.

Refreshment Break

10:30 a.m. – 12:00 p.m.

Challenges of Updating International Regulatory Infrastructure

Daniel J. Gervais, Vanderbilt University Law School
Amy N. Kapczynski, University of California, Berkeley School of Law
Ruth Okediji, University of Minnesota Law School
Christopher S. Yoo, University of Pennsylvania Law School

12:00 – 1:45 p.m.

AALS Luncheon

Technology Policy: Challenges at the Federal Trade Commission

Edward W. Felten, Chief Technology Officer, Federal Trade Commission, Washington, D.C.

2:00 – 3:15 p.m.

Concurrent Sessions: Pedagogy

Clinical Education

Victoria Phillips, American University, Washington College of Law

Teaching Biotech

Sean O'Connor, University of Washington School of Law

Teaching Cyber Law

Ira S. Nathenson, St. Thomas University School of Law

AALS WORKSHOP ON WHEN TECHNOLOGY DISRUPTS LAW: HOW DO IP, INTERNET AND BIO LAW ADAPT?

Monday, June 11, 2012 (continued)

Teaching with Digital Technology

Lydia P. Loren, Lewis and Clark Law School

3:15 – 3:30 p.m.

Refreshment Break

3:30 – 5:00 p.m.

Gene Patenting Debate

Kevin E. Noonan, Partner, McDonnell, Boehnen, Hulbert & Berghoff LLP,
Chicago, IL

Daniel Ravicher, Benjamin N. Cardozo School of Law, Yeshiva University

5:15 – 7:00 p.m.

AALS Reception

Tuesday, June 12, 2012

9:00 – 10:15 a.m.

Conversation with Senior Women in the Intellectual Property Field

Rochelle C. Dreyfuss, New York University School of Law

Rebecca S. Eisenberg, The University of Michigan Law School

Wendy Jane Gordon, Boston University School of Law

Jessica Litman, The University of Michigan Law School

Moderator: Pamela Samuelson, University of California, Berkeley
School of Law

10:15 – 10:30 a.m.

Refreshment Break

10:30 a.m. – 12:00 p.m.

Concurrent Sessions: Influences from Other Fields

Behavioral Economics

Christine Jolls, Yale Law School

Experimental

Christopher Sprigman, University of Virginia School of Law

Neuroscience/Cognitive Psychology/Marketing Behavior

Teneille Brown, University of Utah, S. J. Quinney College of Law

New Institutional Economics

Paul Heald, University of Illinois College of Law

12:00 – 1:45 p.m.

AALS luncheon

Biotech Patents: A Perspective from a Biotech Executive Who Has Been a Venture Captailist

Michael Goldberg, Professor of Genetics, Department of Molecular Biology
and Genetics, Cornell University, Ithaca, NY

2:00 – 3:15 p.m.

Big Data / Evolutionary / Genomics

Jeff Jonas, Chief Scientist, IBM Entity Analytics and IBM Distinguished
Engineer, IBM Research, Yorktown Heights, NY

Daniel Katz, Michigan State University College of Law

Peter Lee, University of California, Davis School of Law

Victoria C. Stodden, Assistant Professor, Department of Statistics,
Columbia University, New York, NY

3:15 – 3:30 p.m.

Refreshment Break

3:30 – 5:00 p.m.

Technology as Policy

Dan L. Burk, University of California, Irvine Law School

Henry T. Greely, Stanford Law School

Orin S. Kerr, The George Washington University Law School

Deirdre K. Mulligan, University of California, Berkeley School of Law

Planning Committee for 2012 AALS Workshop on When Technology Disrupts Law: How Do IP, Internet and Bio Law Adapt?

Margo A. Bagley, University of Virginia School of Law

Mark P. McKenna, Notre Dame Law School

Paul Ohm, University of Colorado Law School

Pamela Samuelson, University of California, Berkeley School of Law, **Chair**

Andrew W. Torrance, University of Kansas School of Law

2012 MIDYEAR MEETING

Where?

The MidYear Meeting will take place at the Claremont Hotel in Berkeley, California. Situated overlooking the San Francisco Bay and set amid palm trees and rose gardens, this historic Berkeley Hills property is 2 miles from the University of California at Berkeley and 12 miles from downtown San Francisco.

Single/double occupancy is \$189 plus 14.065% sales tax. Children staying in the room with their parent(s) are free of charge. There is an additional charge of \$20 per person for more than two adults sharing a room. Check in time is 4:00 p.m., check out time is 12:00 p.m. Reservations are available online or by phone.

Online: Go to www.aals.org/midyear2012/ and click "hotel."

Phone: Call 800-551-7266 and specify the AALS MidYear Meeting to receive the special rate.

The cut-off date for making a room reservation is May 17, 2012. Making a reservation prior to the cut-off date does not guarantee availability of the AALS rate. To ensure accommodations, please make your reservation early.

The Claremont Hotel will not hold your reservation after 6:00 p.m. on the day of arrival without guaranteeing the reservation with one of following credit cards (Visa, Mastercard, American Express, EuroCard, JCB, Diner's Club, Discover). AALS encourages you to guarantee your rooms because an unexpected arrival after 6:00 p.m. will result in cancellation of the reservation. If cancellation is required, the credit card will be charged one night's room and tax unless cancelled by 6:00 p.m. on the day of arrival.

Local Transportation

The Claremont Hotel, located at 41 Tunnel Road, Berkeley, California, is situated overlooking the San Francisco Bay, 12 miles from downtown San Francisco. The nearest major airport, Oakland International Airport, is about 11 miles from the center of Berkeley. San Francisco International Airport is 18 miles from Berkeley.

SuperShuttle: \$29 each way from Oakland International Airport; \$35 each way from San Francisco International Airport; make reservations 24 hours in advance at www.supershuttle.com or 1-800-BLUE-VAN.

Taxi: Approximately \$29 each way from Oakland International Airport and \$82 from San Francisco International Airport. Taxis are readily available at each airport's ground transportation area for convenient transport to the hotel.

Rail: The Bay Area Rapid Transit (BART) serves Berkeley and the entire Bay Area. BART operates as a subway through Berkeley and has 3 underground stations: Ashby (at Ashby Avenue and Adeline Street in South Berkeley), downtown Berkeley (at Shattuck Avenue and Center Street), and North Berkeley (at Sacramento and Delaware Streets, which is not actually in North Berkeley). BART offers convenient train service to many regional destinations, such as Union Square in San Francisco, as well as service to both local airports (Oakland and San Francisco).

Hotel Parking

Overnight valet parking is \$24 per night, per car; includes in-and-out privileges. Day parking fees are hourly and you may choose Self-Park or Valet. Maximum day parking fee is \$24. Valet fee for day parking is an additional \$9.

AALS 2012 MIDYEAR MEETING REGISTRATION FORM

How Do I Register?

You can choose to register for the MidYear Meeting by one of the methods below.

1) Register Online

For those in the AALS Directory of Law Teachers, go to www.aals.org/midyear2012/. You can pay the registration fee by using American Express, Visa or MasterCard.

2) Fax or Mail this form

You can register using the form in this brochure, or download the registration form at www.aals.org/midyear2012/. The registration form can be faxed if paying by American Express, MasterCard or Visa to (202) 872-1829 or mailed with payment directly to AALS at 1201 Connecticut Avenue, NW, Suite 800, Washington, DC 20036.

Please note that payment is necessary for admission to the MidYear Meeting. A confirmation for your paid registration will be e-mailed. If you have not received a confirmation e-mail, call AALS Registration at (202) 296-1662 or e-mail registration@aals.org to verify your registration. If your form with payment has not arrived at AALS by **May 29, 2012** it will be necessary for you to register on-site. **There is an additional charge of \$25.00 to register on-site.** AALS accepts cash, personal or school checks, American Express, MasterCard and Visa for on-site payment for the MidYear Meeting.

Refund Policy: The registration fee will be refunded in full for cancellations through April 24; a refund less \$50, which covers administrative costs, will be given for cancellations received April 25 through April 30; 50% of the registration fee will be refunded for cancellations received May 1 through May 7; and **no refunds will be given after May 7.** Contact AALS Registration at (202) 296-1662 or e-mail registration@aals.org.

Disability Related Accommodations: If you require disability-related assistance in attending sessions, please contact AALS by April 21, 2012 at (202) 296-8851 or by e-mail to disability@aals.org.

PAYMENT INFORMATION

Check (made payable to AALS in U.S. dollars).

Mail form and payment to:

Association of American Law Schools
1201 Connecticut Avenue, NW, Suite 800,
Washington, D.C. 20036

American Express MasterCard Visa (Fax to: 202-872-1829)

Print Name on Credit Card: _____

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Law School/Organization

Address

City

State

Zip

Telephone Number

Fax Number

Registrant's E-mail Address (required)

Years Teaching

Type of Registration	Received by May 3	Received after May 3	Amount
Workshop on Torts, Environment and Disaster			
Faculty of Member and Fee-Paid Schools	\$495	\$545	
Faculty of Non Fee-Paid Law Schools	\$585	\$645	
Workshop on When Technology Disrupts Law: How do IP, Internet and Bio Law Adapt?			
Faculty of Member and Fee-Paid Schools	\$495	\$545	
Faculty of Non Fee-Paid Law Schools	\$585	\$645	
Entire MidYear Meeting (includes both workshops)			
Faculty of Member and Fee-Paid Schools	\$780	\$865	
Faculty of Non Fee-Paid Law Schools	\$865	\$960	

Complete this section if registering for the Workshop on Torts, Environment and Disaster

Primary workshop attendance interest:

Torts Environmental Law

Vegan meal (no dairy; no animal products)



Association of American Law Schools

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