

ROGER ALLAN FORD

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OVERVIEW

I teach and write about intellectual property, privacy, and other ways the law regulates information.

EDUCATION

University of Chicago Law School, J.D., with honors, Order of the Coif, 2005
Editor, *The University of Chicago Law Review*
Research assistant, Professor William M. Landes and Judge Richard A. Posner
Massachusetts Institute of Technology, S.B. in Chemistry, 2002

ACADEMIC APPOINTMENTS

University of New Hampshire School of Law, Associate Professor of Law, 2016–
Faculty Fellow, Franklin Pierce Center for Intellectual Property, 2015–
Assistant Professor of Law, 2014–2016
Yale Law School, Information Society Project, Visiting Fellow, 2017–
University of Chicago Law School, Harry A. Bigelow Teaching Fellow and Lecturer in Law, 2012–2014
New York University School of Law, Information Law Institute, Microsoft Research Fellow, 2011–2012
George Mason University School of Law, adjunct professor, Federal Courts, 2011
Massachusetts Institute of Technology, Experimental Study Group, chemistry instructor, 2000–2002

PROFESSIONAL EXPERIENCE

Covington & Burling LLP, associate, IP litigation and privacy law, 2007–2012 & 2005–2006 (on leave 2011–2012); summer associate, 2004
Chief Judge Frank H. Easterbrook, United States Court of Appeals for the Seventh Circuit, law clerk, 2006–2007

ACADEMIC PUBLICATIONS (SSRN)

Trade Secrets and Information Security in the Age of Sports Analytics, in *The Oxford Handbook of American Sports Law* (2018)
The Uneasy Case for Patent Federalism, 2017 *Wisconsin Law Review* 551 ©
Privacy and Accountability in Black-Box Medicine, 23 *Michigan Telecommunications and Technology Law Review* 1 (2016) (with W. Nicholson Price II) ©
· Response: Carl E. Schneider, **A Comment on Privacy and Accountability in Black-Box Medicine**, 23 *Michigan Telecommunications and Technology Law Review* 321 (2017)
The Patent Spiral, 164 *University of Pennsylvania Law Review* 827 (2016) ©
Unilateral Invasions of Privacy, 91 *Notre Dame Law Review* 1075 (2016) ©
Patent Invalidity Versus Noninfringement, 99 *Cornell Law Review* 71 (2013)

Modeling the Effects of Peremptory Challenges on Jury Selection and Jury Verdicts, 17 *George Mason Law Review* 377 (2010)

Preemption of State Spam Laws by the Federal CAN-SPAM Act, Comment, 72 *University of Chicago Law Review* 355 (2005)

WORKING PAPERS AND WORKS IN PROGRESS

Data Scams (working paper)

· Junior Scholar Award (best paper by a pre-tenure scholar), Privacy Law Scholars Conference, 2017

Which Practicing Entities Assert Patents? (in progress)

Second-Order Damages (in progress)

Artificial Intelligence and Limits of Optimization (in progress)

SHORTER AND PROFESSIONAL WRITING

How the Supreme Court Ignored the Lesson of *Zeran* and Screwed Up Copyright Law on the Internet, Law.com, 2017 

Comments to the Federal Trade Commission on the CAN-SPAM Rule, 2017 

White Paper: Location Technologies and Privacy, New York University School of Law, Information Law Institute, 2012

Trademark & Copyright E-Alert: Second Circuit Rules that Use of Trademarks in Internet Keyword Advertising Constitutes Actionable Trademark Use, Covington & Burling LLP, 2009

Engagement Letters in Patent Practice, AIPLA Mid-Winter Institute, 2008

PANELS, CONFERENCES, AND INVITED PRESENTATIONS

Commenter, *Criminal Justice, Democratic Equality, and the "Human Element"* by Kiel Brennan-Marquez and Stephen Henderson

Privacy Law Scholars Conference, May 2018

Participant, Roundtable on *Privacy's Blueprint: The Battle to Control the Design of New Technologies* by Woodrow Hartzog

Notre Dame Law School, April 2018

Commenter, *The Loyalty and Transparency of Algorithms in French Law* by Céline Castets-Renard

Fordham Information Law Faculty Workshop, April 2018

Artificial Intelligence and Limits of Optimization

South Brooklyn: Learning Algorithms, Artificial Intelligence, and the Law, February 2018

Data Scams

University of Maine School of Law Faculty Workshop, February 2018

University of New Hampshire School of Law Faculty Workshop, November 2017

Northwestern University Legal Scholarship Workshop, October 2017

University of Chicago Legal Scholarship Workshop, October 2017

Yale Information Society Project Ideas Lunch, September 2017

Junior Intellectual Property Scholars Association, June 2017

Privacy Law Scholars Conference, June 2017

Participant, Symposium on Artificial Intelligence and Ethics in Higher Education

Blackboard Inc., January 2018

Which Practicing Entities Assert Patents?

University of New Hampshire IP Scholars' Roundtable, October 2017

Intellectual Property Scholars Conference, August 2017

Junior Intellectual Property Scholars Association, June 2017 (on preliminary results)

Stanford Patent Litigation Symposium, May 2017

Junior Intellectual Property Scholars Association, January 2017 (on study design)

Commenter, *Privacy and Power in New Contractual Forms* by Mark Verstraete

Northeast Privacy Scholars Workshop, October 2017

Moderator, Panel on Opposing Angles: Trademark Law and the First Amendment

University of New Hampshire Sports & Entertainment Law Society, April 2017

Panelist on FCC Privacy Regulations and the Congressional Review Act

University of New Hampshire Fremont Society, April 2017

Commenter, *Life, Liberty, and Trade Secrets: Intellectual Property in the Criminal Justice System* by Rebecca Wexler

We Robot, March 2017

The Uneasy Case for Patent Federalism

University of New Hampshire IP Scholars' Roundtable, October 2016

Junior Intellectual Property Scholars Association, January 2016

University of Chicago Legal Scholarship Workshop, November 2015

Patent Conference, April 2015

Works in Progress in Intellectual Property (WIPIP) Conference, February 2015

The Social Cost of Cheap Trade Secrets

Junior Intellectual Property Scholars Association, June 2016

Privacy and Accountability in Black-Box Medicine (with W. Nicholson Price II)

Privacy Law Scholars Conference, June 2016

Yale Information Society Project Conference on Unlocking the Black Box, April 2016

Works in Progress in Intellectual Property (WIPIP) Conference, February 2016

Monopsonistic Patent Pools

Patent Conference, April 2016

Trade Secrets and Information Security in the Age of Sports Analytics

MIT Sloan Sports Analytics Conference, March 2016

University of New Hampshire IP Scholars' Roundtable, November 2015

Commenter, *Regulating Software When Everything Has Software* by Paul Ohm and Blake Reid

Internet Law Works-in-Progress Conference, March 2016

Moderator, Panel on Protecting Secrets in Sports & Entertainment

University of New Hampshire Sports & Entertainment Law Society, October 2015

Participant, Discussion Forum on Privacy and Technology in the Granite State

ACLU of New Hampshire, May 2015

Panelist on *Citizenfour*, Privacy, and Government Surveillance

Red River Theaters and New Hampshire State Council on the Arts, January 2015

The Patent Spiral

Michigan State University Junior Scholars in Intellectual Property Workshop, October 2014

University of Chicago Legal Scholarship Workshop, September 2014

Munich Conference on Innovation and Competition, June 2014

Junior Intellectual Property Scholars Association, June 2014

Stanford Conference on Patent Trolls and Patent Reform, March 2014

Creation Costs

Junior Intellectual Property Scholars Association, June 2014

Commenter, *Public-Private Partnerships as Innovation Strategies* by Liza Vertinsky and *Business Structures for Innovation* by Dan L. Burk

Yale Information Society Project Conference on Innovation Law Beyond IP, March 2014

Patent Invalidity Versus Noninfringement

University of Chicago Law School Work-in-Progress Workshop, August 2013

Intellectual Property Scholars Conference, August 2013

Patent Conference, April 2013

Works in Progress in Intellectual Property (WIPIP) Conference, February 2013

University of Chicago Law School Research Colloquium, February 2013

Commenter, *Expired Patents* by Saurabh Vishnubhakat

Intellectual Property Scholars Conference, August 2013

Unilateral Invasions of Privacy

Privacy Law Scholars Conference, June 2013

NYU Privacy Research Group, March 2012

Participant, Conference on Differential Privacy and Law and Policy

Benjamin N. Cardozo School of Law, March 2013

Introductory Remarks, Conference on Mobile and Location Privacy

New York University School of Law, April 2012

Location Technologies and Privacy

Consumer Dialogue Retreat, November 2011

NYU Privacy Research Group, October 2011

CONFERENCES ORGANIZED

Third Junior IP Scholars Association Workshop, Franklin Pierce Center for Intellectual Property, University of New Hampshire School of Law, June 2016

Fifth IP Scholars' Roundtable, Franklin Pierce Center for Intellectual Property, University of New Hampshire School of Law, November 2015

Fourth IP Scholars' Roundtable: Intellectual Property on the Ground, Franklin Pierce Center for Intellectual Property, University of New Hampshire School of Law, November 2014

NYU / Princeton Conference on Mobile and Location Privacy, NYU Information Law Institute and Princeton Center for Information Technology Policy, April 2012

OTHER TRAINING

Conducting Empirical Legal Scholarship Workshop, University of Southern California, 2012

TEACHING

University of New Hampshire School of Law

Property (Spring 2018; Spring 2017)
Fundamentals of Intellectual Property (Spring 2016; Spring 2015)
Patent Law (Fall 2017; Fall 2016; Spring 2016; Spring 2015)
Privacy (Fall 2017; Fall 2016)
Internet Law (Spring 2018)

University of Chicago Law School

Privacy (Spring 2014)
Legal Research & Writing (2013–2014; 2012–2013)

George Mason University School of Law

Federal Courts (Spring 2011)

Massachusetts Institute of Technology

Organic Chemistry I (TA Spring 2002; TA Spring 2001)
Advanced Introductory Chemistry (Fall 2000)
Introductory Chemistry (Fall 1999)

PUBLIC, PROFESSIONAL, AND UNIVERSITY SERVICE

Referee, Cambridge University Press; *Columbia Law Review*; *SCRIPTed*; *Stanford Law Review*; *Stanford Technology Law Review*

University of New Hampshire School of Law

Law Review Faculty Advisor, 2017–
Curriculum Committee, 2017–
Faculty Appointments Committee, 2016–
Academic Administration Committee, 2014–2017
Faculty Senate Ad Hoc Committee on Calendar Options, 2015–2016

New Hampshire Supreme Court Committee on the Judiciary and the Media, 2015–

American Constitution Society, Constance Baker Motley National Moot Court Competition, volunteer judge, 2009

Washington Lawyers' Committee for Civil Rights and Urban Affairs, Introduction to Legal Reasoning for pre-law students, volunteer instructor, 2008

MIT Lecture Series Committee, chair, 2002; lecture director, 2001; publicity director, 2000

MIT Faculty Committee on Curricula, student member, 2000–2002

WIPIP TRIVIA PRIZES

WIPIP trivia champions (ex officio), team The Artistic Shovels, 2018

WIPIP trivia runners up, team Alex & the Juicy WIPs, 2017

WIPIP trivia champions, team #watchmeWIP, 2016

OTHER, LIKELY-MORE-MEANINGFUL PRIZES AND FELLOWSHIPS

Junior Scholar Award (best paper by a pre-tenure scholar), Privacy Law Scholars Conference, 2017

MVP² Fellow in Law and Technology, John M. Olin Program in Law and Economics, University of Chicago Law School, 2004–2005 & 2003–2004

Bell Boyd & Lloyd Writing Prize, University of Chicago Law School, 2003

Todd Anderson Award for Excellence in Teaching, MIT Experimental Study Group, 2002

PROFESSIONAL ACTIVITIES

Media and interviews, *Fortune*; NBC News; New Hampshire Public Radio; BostonInno

Pro-bono litigation, Covington & Burling LLP (selected)

Al-Warafi v. Obama, 409 F. App'x 360 (D.C. Cir. 2011) (briefed and argued)

Latif v. Obama, 666 F.3d 746 (D.C. Cir. 2011) (briefed)

Uthman v. Obama, 637 F.3d 400 (D.C. Cir. 2011) (briefed)

District of Columbia v. Straus, 590 F.3d 898 (D.C. Cir. 2010) (briefed and argued on behalf of amicus curiae American Civil Liberties Union of the Nation's Capital)

Black v. United States, 130 S. Ct. 2963 (2010) (filed brief on behalf of amici curiae)

Long v. Dep't of Homeland Security, 436 F. Supp. 2d 38 (D.D.C. 2006) (briefed)

Hillary for America / New Hampshire Democratic Party, Victory Counsel, 2016

City of Manchester, New Hampshire, deputy election registrar, 2016

Obama for America / Democratic Party of Virginia, volunteer attorney, 2008

Kerry-Edwards 2004 / Democratic Party of Wisconsin, volunteer law clerk, 2004

BAR ADMISSIONS

United States District Court for the District of Columbia, 2011

United States Court of Appeals for the District of Columbia Circuit, 2009

United States Court of Appeals for the Federal Circuit, 2007

United States Court of Appeals for the Seventh Circuit, 2007

District of Columbia Court of Appeals, 2006

Supreme Judicial Court of Massachusetts, 2006