

CURRICULUM VITAE

**CRAIG ALLEN NARD**

Galen J. Roush Professor of Law  
Director, Spangenberg Center for Law, Technology & the Arts  
Case Western Reserve University School of Law

**PUBLICATIONS - ARTICLES**

*Brexit and the Legal Legitimacy of the Unitary Patent Court* (with Nicolas Binctin), LA SEMAINE JURIDIQUE: ENTREPRISE ET AFFAIRES, (Oct. 26, 2023)

*Patent Law's Purposeful Ambiguity*, 87 TENNESSEE LAW REVIEW 187 (2019)

*Legal Fictions and the Role of Information in Patent Law*, 69 VANDERBILT LAW REVIEW 101 (2016)

*Patent Law's Institutional Players*, 69-81 in RETHINKING INTERNATIONAL INTELLECTUAL PROPERTY LAW (CEIPI-ICTSD 2016)

*Intellectual Property's Delicate Relationship with the Marketplace*, ANNALI ITALIANI DEL DIRITTO D'AUTORE DELLA CULTURA E DELLO SPETTACOLO, XXII (2013)

*Institutional Choice and Interest Groups in the Development of American Patent Law: 1790-1870*, 19 SUPREME COURT ECONOMIC REVIEW 143 (2011) (w/ A. Morriss) (Peer-Reviewed)

*Legal Forms and the Common Law of Patents*, 90 BOSTON UNIVERSITY LAW REVIEW 101 (2010)

*Rethinking Patent Law's Uniformity Principle*, 101 NORTHWESTERN LAW REVIEW 1619 (2007) (with J. Duffy)

*Constitutionalizing Patents: From Venice to Philadelphia*, 2 REVIEW OF LAW & ECONOMICS 223 (2006) (with A. Morriss) (Peer-Reviewed)

*Invention, Refinement, and Patent Claim Scope: A New Perspective on the Doctrine of Equivalents*, 93 GEORGETOWN LAW JOURNAL 1947 (2005) (with M. Meurer)

**PUBLICATIONS - ARTICLES, cont.**

*Patent Policy Adrift in a Sea of Anecdote: A Reply to Lichtman*, 93 GEORGETOWN LAW JOURNAL 2033 (2005) (with M. Meurer)

*In Defense of Geographic Disparity*, 88 MINNESOTA LAW REVIEW 221 (2003); reprinted in 34 INTERNATIONAL REVIEW OF INDUSTRIAL PROPERTY AND COPYRIGHT LAW 907 (2003)

*Toward a Cautious Approach to Obeisance: The Role of Scholarship in the Federal Circuit's Patent Law Jurisprudence*, 39 HOUSTON LAW REVIEW 667 (2002) (Solicited)

*Process Considerations in the Age of Markman and Mantras*, 2001 ILLINOIS LAW REVIEW 355 (Solicited)

*A Theory of Claim Interpretation*, 14 HARVARD JOURNAL OF LAW & TECHNOLOGY 1 (2000); reprinted in FOUNDATIONS OF INTELLECTUAL PROPERTY LAW (Foundation Press 2004 — R. Merges & J. Ginsburg, eds.)

*Certainty, Fence Building, and the Useful Arts*, 74 INDIANA LAW JOURNAL 759 (1999)

*Legitimacy and the Useful Arts*, 10 HARVARD JOURNAL OF LAW & TECHNOLOGY 515 (1997)

*Deference, Defiance, and the Useful Arts*, 56 OHIO STATE LAW JOURNAL 1415 (1995)

*Empirical Legal Scholarship: Reestablishing a Dialogue Between the Academy and Profession*, 30 WAKE FOREST LAW REVIEW 347 (1995)

*Conception and the "On-Sale" Bar*, 34 WILLIAM & MARY LAW REVIEW 393 (1993) (with D. Carstens)

*The Patent Process Amendments Act: The Labyrinth*, 3 FORDHAM INTELLECTUAL PROPERTY LAW JOURNAL 441 (1993) (with D. Hitchcock)

## **PUBLICATIONS - BOOKS AND CHAPTERS**

THE LAW OF PATENTS (Wolters Kluwer Publishing 6<sup>th</sup> ed - 2023)

INTELLECTUAL PROPERTY AND THE JUDICIARY (ELGAR 2018) (w/ Geiger and Seuba)

THE LAW OF INTELLECTUAL PROPERTY (Wolters Kluwer Publishing 5<sup>th</sup> ed - 2017) (with McKenna & Madison)

NARD & WAGNER'S PATENT LAW, CONCEPTS AND INSIGHTS (Foundation Press 2007) (w/ R.P. Wagner) (2d ed. in draft form)

FOUNDATIONS OF INTELLECTUAL PROPERTY LAW (Kluwer Law International 2011 – 3d) (with S. Halpern and K. Port)

*United States: Patents*, chapter in ENCYCLOPEDIA OF THE LAWS OF THE WORLD (Kluwer Law International 1999)

## **ESSAYS**

*Intellectual Property (IP) Management: Organizational Processes and Structures, and the Role of IP Donations*, 33 J. TECH. TRANSFER 549 (2008) (with B. Carlsson, J. Glass, M. Dumitriu, and R. Barrett)

*In Memoriam — Howard B. Eisenberg*, 86 MARQUETTE LAW REVIEW 359 (2002)

*The DMCA's Anti-Device Provisions: Impeding the Progress of the Useful Arts?* 8 WASHINGTON UNIVERSITY JOURNAL OF LAW & POLICY 19 (2001) (Solicited)

### **JUDICIAL CLERKSHIPS**

- 1996            Hon. Giles S. Rich, United States Court of Appeals for the Federal Circuit,  
                         Washington, D.C.
- 1995-96        Hon. Helen W. Nies, United States Court of Appeals for the Federal Circuit,  
                         Washington, D.C.

### **EDUCATION**

#### **Columbia University School of Law, New York, NY**

J.S.D., May 1999

LL.M., May 1995

Julius Silver Fellow in Law, Science, & Technology, 1994-95

#### **Capital University Law and Graduate Center, Columbus, OH**

J.D., May 1990

*Law Review*, Articles Editor

#### **Washington & Jefferson College, Washington, PA**

B.S., Chemistry, 1987

### **EMPLOYMENT**

- 2014-Present   Galen J. Roush Professor of Law, Director, Spangenberg Center for Law,  
                         Technology & the Arts, Case Western Reserve University School of Law
- 2017-Present   Visiting Professor of Law, Bocconi University School of Law, Milan, Italy
- 2014-2017      Visiting Professor, Centre d'Études Internationales de la Propriété Intellectuelle,  
                         University of Strasbourg
- 2003-2017      Senior Lecturer, World Intellectual Property Organization Academy, University  
                         of Torino, Italy
- 2005-2014      Tom J.E. and Bette Lou Walker Professor Law, Case Western Reserve University  
                         School of Law

**EMPLOYMENT, cont.**

- 2009 Visiting Professor of Law, Ohio State University College of Law
- 2002-2005 Professor of Law and Director, Center for Law, Technology and the Arts, Case Western Reserve University School of Law, Cleveland, OH
- 2000-2002 Associate Professor, Marquette University Law School, Milwaukee, WI
- 1997-2000 Assistant Professor, Marquette University Law School, Milwaukee, WI
- 1996-97 Visiting Associate Professor, Rutgers University School of Law, Camden, NJ (3 semesters)
- 1996 Judicial Clerk, Hon. Giles S. Rich, United States Court of Appeals for the Federal Circuit, Washington, D.C.
- 1995-1996 Judicial Clerk, Hon. Helen W. Nies, United States Court of Appeals for the Federal Circuit, Washington, D.C.
- 1993-94 Visiting Associate Professor, Texas A & M School of Law (formerly Texas Wesleyan University School of Law), Ft. Worth, TX (5 semesters)
- 1990-92 Associate Attorney, Richards, Medlock, & Andrews (now Sidley & Austin), Dallas, TX

**NATIONAL AND REGIONAL COMMITTEES**

Principal Advisor, Center for Studies and Research in Intellectual Property, Calcutta, India

Vice-Chair, IP Section of Administrative Law Section, American Bar Association (2006-07)

**NATIONAL AND REGIONAL COMMITTEES, cont.**

Member, Northern District of California Advisory Committee on Model Patent Jury Instructions  
Appointed by Judge Ronald M. Whyte, Northern District of California (2005)

National Institutes of Health review committee for RFA regarding patent law and genomics  
research (invited by National Human Genome Research Institute) (2004)

**BAR MEMBERSHIPS**

State Bar of Texas

Licensed to practice before the United States Patent & Trademark Office