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EXPERIENCE

Stanford University, Stanford CA, George E. Osborne Professor of Law; on faculty since 1969; subjects include Law and High Technology, Technology as a Business Asset, Law and Biotechnology, International Institutions, International Business, International Environmental Law; International Antitrust Law; Co-director of International Center for Law and Technology; student award for excellence in teaching, 1980.

International Technology Management, co-founder of consulting firm in mid-1980's; projects included studies of trade in services, agricultural trade, technology transfer, and biotechnology in agriculture.

Visiting Professorships including Harvard University, Winter, 1988; University of San Francisco Dublin Program, Summer, 1987; University of Michigan, Fall, 1981.

International Institute for Strategic Studies, London, Research Associate 1976-77 as Rockefeller Foundation Conflict in International Relations Fellow.

Wilmer, Cutler & Pickering, Washington, D.C., July 1968 to June, 1969, associate in law firm.

Sylvania Electronic Defense Laboratories, Mountain View, CA, July 1961 to June 1968, engineer in operations research area, administrative duties to acting department head.

U.S. Navy, June 1958 to June 1961, junior officer analyzing and translating foreign technical materials.

EDUCATION

Stanford University, J.D. 1968, member of Law Review, Order of the Coif.

Marquette University, B.S. (magna cum laude) 1958, majors in philosophy and physics.

Phillips Exeter Academy, 1954 (cum laude).

PROFESSIONAL POSITIONS AND CAPABILITIES

Fellow, American Association for the Advancement of Science, 1992; Fellow, Chartered Institute of Arbitrators, 1998.

Commission, panel, and board memberships include: Commission on Intellectual Property Rights and Developing Countries (for U.K. Department for International Development), Chair, 2001-02; Vice-Chair, Board of Trustees, Management of Intellectual Property in Health Research (MIHR), 2002-04; Committee on Intellectual Property Rights (NRC) 2001-02; Nuffield Council on Bioethics Round Table on Patenting DNA, 2000-02; Commission on Macroeconomics and Health, Working Groups on International Public Goods and on International Trade, 2000-01; National Institute of Health Working Group on Research Tools, 1997-98; Department of Agriculture, National Genetic Resources Advisory Council, 1992 (Chair, 1994-96); Food and Agriculture Organization Panel on Animal Biodiversity Conservation (Chair), 1994; National Research Council Committee on Sharing Laboratory Resources in Biological Research, 1992-93; National Institutes of Health Recombinant DNA Advisory Committee, 1990-92.

Organized international intellectual property workshop at Bellagio, 2000; intellectual property and industry structure workshop at Stanford, 1998; rice biosafety conference in Thailand, September 1992, for Rockefeller Foundation, U.S. Department of Agriculture, and World Bank. Also prepared study and organized biosafety conference and panel for Stockholm Environment Institute, 1990-91.

Member, roster of trade experts for NAFTA dispute settlement (1990s), panelist in two U.S.-Canada antidumping reviews, one as member and one as chair and in two U.S.-Mexico reviews, one under Chapter 19 and one under Chapter 20; panelist for American Arbitration Association, have served as chair of panel in pharmaceutical area and as member in medical device area.

Recent consulting assignments: Contract and licensing expert in international arbitration case in pharmaceutical area, 2000-01; Assistance to the Federal Trade Commission in the Intel antitrust settlement, 1999; Analysis of trade secret law, 1999; International trade patterns in genetically modified agriculture for FAO, 1999; Assistance in negotiating international research agreement, 1998-99; Intellectual property study for World Bank, 1998.; Brazilian biotechnology study for World Bank 1996; teaching international law in Malaysian institute for foreign service officers, June, 1994; intellectual property and technology transfer assistance in Indonesia, Egypt, and Morocco for AID/Michigan State biotechnology program, 1992-1999; regulatory and patent components of World Bank study of Mexican agricultural supply sector, 1990 and 1993.

Recent invited presentations and expert consultations include: international trade issues for Graduate Institute of International Studies (Geneva) 2000 and for Berne World Trade Forum 1999; intellectual property in genomics for Wellcome Foundation (Cambridge) 2000, scientific conference at Cold Spring Harbor 1999, and Gordon Conference 1999; high technology antitrust to OECD (Paris) 1997; OECD/SPRU Seminars (London) 1997; assistance to Andean Pact on implementation of Biodiversity Convention (Lima), Summer 1994; patents and biotechnology for Rockefeller Foundation Rice Biotechnology program (1992-95); evaluation of ability of intellectual property system to deal with technological change for National Research Council, January 1992 (including biotechnology, software, and data bases).

Admitted to District of Columbia Bar, 1969.

SELECTED BOOKS

Words over War: Mediation and Arbitration to Prevent Deadly Conflict (Carnegie Commission on Preventing Deadly Conflict) (co-editor), 2000

The Regulation of International Business (with Bart Fisher) (law school casebook), Little, Brown and Co., 1986.

Law in Radically Different Cultures (with James Gibbs, Victor Li, and John Merryman) (Undergraduate and law school text on law of Botswana, California, China, and Egypt) (author of Egyptian section). West Publishing Co., 1983. Recipient of 1984 American Society of International Law prize.

The Politics of Peace, Stanford University Press, 1981.

International Arms Control: Issues and Agreements (co-editor with Lawrence D. Weiler), Stanford University Press, 1976 (also major contributor to second edition, edited by Coit Blacker and Gloria Duffy, published 1984).

SELECTED ARTICLES AND REPORTS

“Patents, Genomics, Research and Diagnostics,” *Academic Medicine*, **77**: 2039-47 (December 2002).

“Intellectual Property, Biotechnology, and International Trade: Two Examples,” forthcoming *World Trade Forum* (2002).

“Antitrust Treatment of Oligopolies with Mutually Blocking Patent Portfolios,” *69 Antitrust Law Journal* 851 (2002).

“Research-tool patents: issues for health in the developing world,” *Bulletin of the World Health Organization* **80**: 121 (2002).

“Environmental Regulation for Agriculture: Towards a Framework to Support Sustainable Intensive Agriculture,” *21 Stanford Environmental Law Journal* 3 (2002) (with David Adelman).

“The Economics of TRIPS: International Trade in Information-Intensive Products,” *33 George Washington Int’l Law. Rev.* 473 (2001).

“Rational Limits on Genomic Patents,” *Nature Biotechnology* **18**: 805 (2000).

“Financing of Vaccines,” *The Lancet* **355**: 1269 (2000).

“Reforming the Patent System,” *Science* **287**: 1933 (2000).

“Intellectual Property Rights and Innovation” in *Capital for our Time: The Economic, Legal and Management Challenges of Intellectual Capital*, Nicholas Imparato, Editor, Hoover Institution (1999).

- “The Balance between Intellectual Property Rights and Competition: Paradigms in the Information Section” in *European Competition Law Review*, Vol. 18, Issue 7, (1997).
- “The Biodiversity Convention and the Flow of Scientific Information” in *Global Genetic Resources: Access, Ownership and Intellectual Property Rights* (Beltsville Symposium in Agricultural Research, 1997).
- “Patents and Antitrust: A Rethinking in Light of Patent Breadth and Sequential Innovation,” 65 Antitrust Law Journal 449 (1997).
- “The Economic and Legal Context of Contemporary Technology Transfer,” in Buscaglia, et al, (Eds.), The Law and Economics of Development 83 (1997).
- “The Impact of Contemporary Patent Law on Plant Biotechnology Research,” Intellectual Property Rights III Global Genetic Resources: Access and Property Rights 1998.
- “Biotechnology, the Environment, and International Agricultural Trade,” 9 Georgetown International Environmental Law Review 95 (1996).
- “Patent Scope in Biotechnology,” 26 International Review of Industrial Property 605 (1995).
- “Sharing the Wealth; Venture Capital in Russia,” (with S. Shaheen) (Law and Policy in International Business, (1995).
- “Material Transfer Agreements in Genetic Resources Exchange—the Case of the International Agricultural Research Centres,” (with W. Siebeck), Issues in Plant Genetic Resources, No. 1, (May 1994).
- “Ethnobotany and Intellectual Property Rights,” in Ethnobotany and the Search for New Drugs (CIBA Foundation Symposium 185) p. 214 (1994).
- “International Law and Institutions for a New Age,” (with Barry Carter), Georgetown Law Journal (1993).
- “Adapting the Intellectual Property System to New Technologies,” in Global Dimensions of Intellectual Property Rights in Science and Technology (National Academy of Sciences, 1993).
- “Intellectual Property Issues for the International Agricultural Research Centers, What are the Options,” (with W. Siebeck), Issues in Agriculture, No. 4, (1992).
- “Conditionality and Development: The Technology Context,” 46 Internationale Spectator 652 (Netherlands) (1992).
- “Biodiversity at Rio,” Biosciences (November 1992).
- "Catch-up Strategies for Technologically Proficient Developing Nations," presented at XVI Simposio Nacional de Pesquisa de Administracao em Ciencia e Tecnologia, Rio de Janeiro, October, 1991.

- "Patenting Life," Scientific American **264**: 40 (March, 1991).
- "Regulatory Arrangements for Developing Nation Releases of Transgenic Organisms," Background paper for December, 1990 meeting at Stockholm Environment Institute.
- "Section 337 and the International Trading System," in Technology Trade & World Competition (1990).
- "Toward a Theory of Technology Licensing; Where We Are," (with R. Dellenbach & P. Kuruk), 25 Stanford Journal of Int'l Law 195 (1989).
- "Wine Trade with Canada: A Case Study in Trade Deregulation," 7 Int'l Tax & Business Lawyer 91 (1989) (coauthor with Richard Mendelson, Timothy Josling, and Scott Morse).
- California Service Exports: A Strategy for a Post-Industrial World, (co-author and co-editor), contract study prepared for California State World Trade Commission, June, 1987.
- California Agricultural Trade Barriers Study (contributor), subcontractor to study prepared for California State World Trade Commission, June, 1987.
- "The Semiconductor Chip Agreement," presentation at American Society of International Law annual meeting, April, 1987.
- The Role of Private Enterprise in Technology Transfer, for U.S. Agency for International Development, Contract PDC-0092-0-00-6033-00 (August 1986).
- "Negotiation Patterns for Liberalizing International Trade in Professional Services," University of Chicago Legal Forum, 1986, p. 97.
- International Institutional Frameworks for Maintaining Genetic Diversity, (with B. Lausche) for U.S. Office of Technology Assessment (November, 1985).
- "Coping with Technological Protectionism," Harvard Business Review, November/December, 1984, p. 91.
- The Effects of the New Biotechnologies on the International Agricultural Research System, for U.S. Agency for International Development, Contract DAN-1406-C-00-4027-00 (October 1984).
- "Technology Trade," Proceedings of the American Society of International Law, (77th Ann. Mtg., 1983), p. 130.
- "The International Breeder's Rights System and Crop Plant Innovation," Science **216**, 1071 (1982).
- "Civil Liberties Implications of a Nuclear Emergency," 10 New York University Review of Law and Social Change 299 (1982).
- "The Proscription of Nuclear Weapons: A Third Nuclear Regime," in David Gompert et al, Nuclear Weapons and World Politics: Alternatives for the Future (New York, 1977); republished as Armas Nucleares y Politica Mundial (Bixio trans.) (Buenos Aires, 1979).

"The Legal and Political Effects of the California Nuclear Initiative," (with C.J. Meyers) in The California Nuclear Initiative: Analysis for Intelligent Voters (1976).

"Intensified Nuclear Safeguards and Civil Liberties," for U.S. Nuclear Regulatory Commission (October, 1975).

"The Developing Nations and Arms Control," Studies in Comparative International Development **10**, 66 (Spring 1975).

"Behind the Legal Explosion," 27 Stanford Law Review 567 (1975).

"The Economic Basis of Damages for Breach of Contract," 1 The Journal of Legal Studies 277 (1972).