

Michael Mattioli

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Academic Appointments

Indiana University Maurer School of Law Professor of Law and Louis F. Niezer Faculty Fellow (2023-Present) Professor (2018-Present) Associate Professor (2012-2018) Teaching Contracts and Intellectual Property Law Trustees' Teaching Award (2018)	May 2012-Present
UC Berkeley School of Law Microsoft Research Fellow Conducted research on the internal governance of patent licensing collectives	2011-2012
University of Michigan Law School Microsoft Fellow in Law, Economics, and Technology Conducted research on episodes of collective patent licensing	2010-2011

Education

University of Pennsylvania Law School Juris Doctor Awarded the Alvin S. Ackerman Prize for Academic Achievement Awarded Honors in Legal Writing Journal of Labor and Employment Law: Comments Editor; Associate Editor	May 2007
Tufts University Bachelor of Science, <i>cum laude</i> , Computer Engineering, May 2001 Guest engineering lecturer following graduation IEEE Member Host of community radio program, Station WMFO	May 2001

Books

ENVIRONMENTAL KNOWLEDGE AS A COMMONS
(IN PROGRESS; FORTHCOMING, 2024).
CAMBRIDGE UNIVERSITY PRESS
co-editor with profs. Angie Raymond, Jessica Steinberg, and Scott Shackelford

THE METAVERSE: WHAT EVERYONE NEEDS TO KNOW
(IN PROGRESS; FORTHCOMING, 2024).
OXFORD UNIVERSITY PRESS

co-author with profs. Scott Shackelford, Jeff Prince, and João Marinotti

BIG DATA IS NOT A MONOLITH (MIT PRESS, 2016).

co-editor with profs. Cassidy Sugimoto and Hamid Ekbia

Book Chapters

Mental Health Chatbots

IN KATHERINE STRANDBURG ET AL. (EDS.) GOVERNING PRIVACY IN KNOWLEDGE COMMONS (CAMBRIDGE UNIVERSITY PRESS, FORTHCOMING, 2021).

Balancing AI Bias

IN ANSELM KAMPERMAN SANDERS & CHRISTOPHER HEALTH (EDS.) INTELLECTUAL PROPERTY AND THE 4TH INDUSTRIAL REVOLUTION (KLUWER LAW, 2020).

Empirical Studies of Patent Pools

IN PETER MENELL ET AL. (EDS.) RESEARCH HANDBOOK ON THE ECONOMICS OF INTELLECTUAL PROPERTY LAW, VOL. II (EDWARD ELGAR, 2019).

Data and Intellectual Property

IN RESEARCH HANDBOOK ON DATA SCIENCE AND LAW (EDWARD ELGAR, 2018).

Data Policy in the United States

an invited essay in Intellectual Property Journal (IPJ) / Zeitschrift für Geistiges Eigentum (ZGE), published by Mohr Siebeck (Germany) (2018).

Cancer: From a Kingdom to a Commons

IN KATHERINE STRANDBURG ET AL. (EDS.) GOVERNING MEDICAL RESEARCH COMMONS (CAMBRIDGE UNIVERSITY PRESS, 2017).

Quasi-Patents & Semi-Patents in Biobanking

IN UMBERTO IZZO ET AL. (EDS.) COMPARATIVE ISSUES IN THE GOVERNANCE OF RESEARCH BIOBANKS (SPRINGER, 2013)
(with Gideon Parchomovsky).

Articles & Essays

Law Review Article on Collective Bargaining and Copyright

(in-progress and forthcoming)

Conjuring the Flag: The Problem of Implied Government Endorsements

83:3 Maryland Law Review (forthcoming, 2024)

Second Thoughts on FDA's Covid-Era Mental Health App Policy

21:1 Houston Journal of Health Law & Policy (2021).

Powerhouses: A Comparative Analysis of Blockchain-Enabled Smart Microgrids

(with Scott J. Shackelford) 46:4 Journal of Corporation Law (2021).

Patent Pool Outsiders

33:1 Berkeley Technology Law Journal 233 (2018).

Autonomy in the Age of Autonomous Vehicles
24 Boston University Journal of Science & Technology Law 277 (2018).

Securing the Internet of Healthcare
(with Scott J. Shackelford and Steve Myers) 19 Minnesota Journal of Law,
Science & Technology 405 (2018)

The Data-Pooling Problem
32 Berkeley Technology Law Journal 179 (2018).

Measuring the Costs and Benefits of Patent Pools
(with Robert Merges) 78 Ohio State Law Journal 281 (2017).

Disclosing Big Data
99 Minnesota Law Review 525 (2014).

Power and Governance in Patent Pools
27 Harvard Journal of Law & Technology 421 (2014).

Big Data, Bigger Dilemmas
(with Hamid Ekbia, Cassidy Sugimoto, et al.). Journal of the American
Society for Information Science and Technology (2014).

Communities of Innovation
106 Northwestern University Law Review 103 (2012).

Partial Patents
(with Gideon Parchomovsky) 111 Columbia Law Review 207 (2011).

Cooling-Off & Secondary Markets
15 Virginia Journal of Law & Technology 227 (2010).

Opting Out: Procedural Fair Use
11 Virginia Journal of Law & Technology 3 (2007).

The Impact of Open Source on Preinvention Assignment Agreements
9 University of Pennsylvania Journal of Labor & Empl. Law 207 (2006).

Media Commentary & Coverage of My Work

Name-Dropping Government Agencies in Advertising (commentary on my work)
By Alexandra Roberts, Jotwell, September 20, 2023

AG Todd Rokita's office requires an NDA. It might threaten free speech
The Indianapolis Star, July 19, 2023

Inside a Louisville council member's defense against ethics violation allegations
by Jacob Ryan, Louisville Public Media, April 27, 2023

Jefferson Shreve accused of using copyrighted photos
The Indianapolis Star, April 12, 2023

Can the Clever Use of Old Legal Strategies Thwart Psychedelic Monopolies?
by Shayla Love, Vice, April 14, 2022

Is 5G Being Weaponized?
by Marshall Phelps, Forbes, February 25, 2019.

Michael Mattioli Discusses the Benefits of Outsiders as They Relate to Patent Pools
(commentary on my work)
Technology/Policy/Academics (Microsoft), August 4, 2017.

A new (old) way for product makers to defeat patent roadblocks
TechCrunch, February 8, 2017.

Merges and Mattioli on the Costs and (Enormous) Benefits of Patent Pools
(commentary on my work)
Written Description (IP academic blog), July 22, 2016.

Big Business, Big Government, and Big Legal Questions
Managing Intellectual Property, October, 2014 (Print).

Sharing Healthcare Data Not as Easy as it Sounds
Los Angeles Times, October 14, 2014 (op-ed letter).

What Does Big Data Mean for Intellectual Property Protection?
Technology/Policy/Academics (Microsoft), October 10, 2014.

Hoosier's Startup Ditto Fights for its Life Against Surprising Foe: WellPoint
The Indianapolis Star, Sep. 22, 2013: B4. Print. (quoted).

Farmers Fight Big Ag Firms Over Patents (audio)
Noon Edition (Indiana Public Radio), Feb. 22, 2013.

Biofuels Startup Gevo Must Win Patent War With BP, DuPont First
Forbes, August 18, 2012 (quoted).

Why Do Patent Holders Cooperate? (essay)
The Legal Workshop (Online Journal), July 1, 2012.

Producers Should Trump Aggregators
Wall Street Journal, July 6, 2011 (op-ed letter).

Presentations (last updated Oct. 2023)

M3 IP Scholars Workshop
University of Miami School of Law (remote)
May 19, 2023

FDA's Privacy Halo
Innovation Policy Colloquium (invited presentation)
NYU Law
New York, NY, March 24, 2022

The Ostrom Workshop
Research Series
Indiana University
Bloomington IN, November, 2021

Examining FDA's Covid-Era Mental Health App Policies
Houston Journal of Health Law & Policy Annual Symposium
University of Houston Law Center
Houston TX, (October 2020)

FDA's Privacy Halo
Michigan Law (October 2020)

Blockchains and Microgrids for a More Reliable Electrical Grid
Journal of Corporation Law Annual Symposium
University of Iowa College of Law
Iowa City, Iowa (October 2020)

Electricity as a Common Pool Resource
Governing Knowledge Commons Smart Cities Conference
Villanova Law (October 2020)

Mental Health Chatbots
Workshop on the Ostrom Workshop (WOW) Conference
The Vincent and Elinor Ostrom Workshop
Indiana University
Bloomington IN, June 20, 2019

Recent Data Policy Challenges
Invited Lecture (presented remotely)
BASF Corporation
Florham Park, NJ, March 20, 2019

Policy Implications of AI Bias
Invited Lecture (presented remotely)
Maastricht University IP Seminar 2018
Intellectual Property and the 4th Industrial Revolution - A Data-driven
Economy
Macau, China - November 5, 2018.

IP Scholarship Then and Now - Rebecca Eisenberg
(Plenary Session, Invited Panelist)
18th Annual Intellectual Property Scholars Conference
Berkeley Law, August, 2018.

The Body Electric
18th Annual Intellectual Property Scholars Conference
Berkeley Law, August, 2018.

Patent Pool Outsiders (invited remote presentation)
University of Illinois College of Law, December, 2017.

Patent Pool Outsiders (presenter and moderator)
The Big Ten Junior Law Faculty Conference
Indiana University Maurer School of Law, August, 2017.

Patent Pool Outsiders
PatCon 7: The Patent Conference
Indiana University Maurer School of Law, August, 2016.

Data Law and Policy in the United States

An invited talk presented at “Rechte an Daten in der Industrie 4.0,” a conference hosted by the University of Siegen and held on February 9, 2017 in Dusseldorf, Germany.

Measuring the Costs and Benefits of Patent Pools (presenter and moderator)
The Big Ten Junior Law Faculty Conference
Indiana University Maurer School of Law, August, 2016.

Measuring the Costs and Benefits of Patent Pools (with Prof. Robert P. Merges of Berkeley Law)
16th Annual Intellectual Property Scholars Conference
Stanford Law School, August, 2016.

Aggregating Health Data: A Policy Challenge (presenter and moderator)
The Big Ten Junior Law Faculty Conference
Indiana University Maurer School of Law, August, 2015.

Aggregating Health Data: A Policy Challenge
15th Annual Intellectual Property Scholars Conference
Berkeley Law, August, 2015.

Presentation on Big Data Pools in Healthcare
Creativity Without Law (Conference)
Case Western Reserve University School of Law, November, 2014.

Big Data is Not a Monolith (Co-organizer and Moderator)
Workshop for MIT Press Book on Big Data
IU Maurer School of Law, October 10, 2014.

Data Pools
The Second Thematic Conference on Knowledge Commons:
Governing Pooled Knowledge Resources.
NYU School of Law, September 5-6, 2014.

Data Pools (presenter and moderator)
The Big Ten Junior Law Faculty Conference
Indiana University Maurer School of Law, August, 2014.

Data Pools
14th Annual Intellectual Property Scholars Conference
Berkeley Law, August, 2014.

Implementing “Big Data” Issues (panelist)
Conference on Big Data in the Life Sciences
Government Center, Indianapolis, IN, May, 2014.

Disclosing Big Data
Vanderbilt IP Scholars Roundtable
Vanderbilt Law School, Nashville, TN, April, 2014.

Policymaking for Big Data Pools
The Vincent and Elinor Ostrom Workshop
Indiana University, Bloomington, April, 2014.

Disclosing Big Data
Notre Dame Law School, March, 2014.

Disclosing Big Data
Michigan Intellectual Property Workshop
University of Michigan Law School, February, 2014.

Implications of Copyright Law on Big Data
The Big Ten Junior Law Faculty Conference,
Indiana University Maurer School of Law, August, 2013.

Implications of Copyright Law on Big Data
13th Annual Intellectual Property Scholars Conference,
Cardozo School of Law, August, 2013.

A New Game is Underway: The America Invents Act (panelist)
AUTM Central Region Meeting
Hyatt Regency Indianapolis, July 17, 2013.

The Governance of Patent Pools
PatCon 3: The Annual Patent Conferences
Chicago-Kent College of Law, April 12-13, 2013.

Patent Republics Revisited
Indiana University McKinney School of Law, January 22, 2013.
Academic Perspectives on Patent Litigation (moderator)

A Conversation with the Federal Circuit (Conference),
Indiana University Maurer School of Law, September 24, 2012.

Patent Republics
12th Annual Intellectual Property Scholars Conference,
Stanford Law School, August 8-10, 2012.

Patent Licensing Collectives
Microsoft Corporation (Redmond, Washington), November 16, 2011.

Earlier Professional Experience

Creative Commons Corp., San Francisco, CA Outside Patent Counsel (Pro Bono)	Feb. 2010-2011
Ropes & Gray LLP, New York, NY Associate (Intellectual Property Practice Group)	Sept. 2007-Feb. 2010
Kelley Drye & Warren LLP, New York, NY Summer Associate	May 2006-Aug. 2006
United States Courthouse, Philadelphia, PA Clerk to Magistrate Judge Charles B. Smith	Jun. 2005-Aug. 2005
Sun Microsystems, INC., Burlington, MA Computer Engineer (Microchip Designer)	Jul. 2001 – Feb. 2004

Courses

IP Colloquium (Fall, 2023)
Contracts (Fall, 2023)
Trademarks (Spring, 2023)
Contracts (Fall, 2022)

IP Colloquium (Fall, 2022)
IP Transactions (Spring, 2022)
Data Law & Policy Seminar (Fall, 2021)
Contracts (Fall 2021)
IP Survey (Spring 2021)
Data Law & Policy Seminar (Fall, 2020)
Contracts (Fall 2020)
IP Survey (Spring 2020)
Contracts (Fall, 2019)
Data Law & Policy Seminar (Fall, 2019)
Trademark Law (Spring, 2019)
Data Law & Policy Seminar (Spring, 2019)
Contracts (Fall, 2018)
Data Law & Policy Seminar (Spring, 2018)
Intellectual Property Transactions (Spring, 2018)
Contracts (Fall, 2017)
Intellectual Property Survey (Spring, 2017).
Intellectual Property Seminar (Spring, 2017)
Contracts (Fall, 2016)
Intellectual Property Transactions (Spring, 2016).
Contracts (Fall, 2015).
Intellectual Property Seminar (Fall, 2015).
Intellectual Property Transactions (Spring, 2015).
Intellectual Property Survey (Spring, 2015).
Intellectual Property Survey (Spring, 2014).
Intellectual Property Colloquium (Fall, 2013).
Contracts (Fall, 2013).
Intellectual Property Survey (Spring, 2013).
Contracts (Fall, 2012).

University Service Highlights

SJD and LLM Advising

Zijin Yan (2020-present)
Sukchan Sim (2016-2020)
Attamongkol Tantratian (2020-present)
Zijin Yan (2020-present)
Faculty Advisor to IP Theory (student journal) (2015-present)

Recent Committee Work

Appointments Committee Chair (2022)
Appointments Committee Member (2019, 2020, 2021)
Chair of Faculty Affairs and Teaching Committee (2019, 2020, 2021)

Ostrom Workshop (IU)

Governance Committee Member (2019, 2020)
Workshop Affiliates Committee (2019, 2020)

Additional Info

Hobbies include piano, painting, and photography
Graduate of Hoff-Barthelson Music School (Scarsdale, NY)
Eagle Scout