The Gibbons Institute Mission

• Support faculty research, investigation, analysis, discussion and scholarship that identify and resolve societal tensions in the private and public sectors generated by technological innovation in the life sciences and technology industries.

• Educate and train law students, practicing attorneys and industry professionals to recognize and effectively address the complex legal issues they will encounter as practitioners and policy makers at the cross-section of law, technology and innovation.

• Provide continuing legal education to the bench and bar regarding emerging issues and developments in intellectual property.

• Collaborate with leading health care and technology providers, and the life sciences industry, both public institutions and private businesses, to address these emerging challenges.

The Gibbons Institute collaborates frequently with the Seton Hall Law Center for Health & Pharmaceutical Law & Policy on innovative programs and policy papers addressing the intersection of technology and health.

Established in 2007 thanks to a $1 million endowment from Gibbons P.C., the Gibbons Institute is a center of excellence at Seton Hall Law School.
Welcome to the Seton Hall Law Gibbons Institute of Law, Science & Technology, a leading center of learning – educating and training the next generation of attorneys and professionals for the complex issues they will face as scientific and technological advances change our laws, our businesses and our society as a whole.

Professors in the Gibbons Institute prepare and challenge students not only to develop legal skills with a focus on intellectual property law, but to anticipate the myriad ways in which our laws may evolve to respond to an ever-changing technological environment.

Through faculty scholarship, symposia and continuing legal education events, the Gibbons Institute also provides a forum for practicing attorneys, judges, scientists and government officials to explore the legal, political and social implications and emerging opportunities within these critical and rapidly evolving fields. Seton Hall Law’s location in northern New Jersey gives the Institute unique access to the headquarters of the world’s leading telecommunications and pharmaceutical companies, as well as the premier law firms that populate the metropolitan area. As a result, the Gibbons Institute draws on the expertise of global industry leaders and the top intellectual property law practitioners, combining their practical experience with the scholarly expertise of Seton Hall Law’s faculty.

All work of the Gibbons Institute begins with dialogue and we invite you to join us. Attend Gibbons Institute symposia and continuing education programs, and take advantage of our extensive curriculum to further expand your legal knowledge, as technology transforms our lives and our livelihood.

Erik Lillquist
Vice Dean and Professor of Law, Seton Hall University School of Law

David E. De Lorenzi
Chair, Intellectual Property Department, Gibbons P.C.
Erik Lillquist | Co-Chair, Gibbons Institute Advisory Board and Vice Dean and Professor of Law

Dean Erik Lillquist was the Founding Director of the Gibbons Institute. He teaches Intellectual Property, Evidence, and Criminal Law and focuses his scholarship on intersection with science and technology. His current research explores the interaction of theories of human decision-making and the legal process, and the implications of biology, medicine and psychology for law. Most recently, Dean Lillquist has published on the effects of government regulation on networked technologies.

David W. Opderbeck | Director of the Gibbons Institute and Professor of Law

Professor David Opderbeck’s scholarship focuses on the regulation of access to scientific and technological information. His published work has employed the tools of game theory, classical microeconomics and statistical analysis to address issues such as intellectual property restrictions on essential medicines in developing countries, open-source biotechnology, patent damages reform and the interaction of law and social norms concerning music file sharing. Professor Opderbeck’s recent work has also examined the problem of cybersecurity including issues surrounding electronic surveillance, national security and executive powers in the event of a cyber emergency. In addition to his traditional legal scholarship, Professor Opderbeck
is interested in the philosophical and moral foundations of information policy and other aspects of the law. He is one of the founders of the “Religious Legal Theory” movement. He has written on a virtue ethics approach to biotechnology law, and has explored the philosophical aspects of information policy in an essay that seeks to apply a critical realist approach to the ontology of information. Presently he is working on a book dealing with “neurolaw” neurobiological perspectives on law in light of theology.

Frank Pasquale | Associate Director, Center for Health & Pharmaceutical Law & Policy and Schering-Plough Professor of Health Care Regulation and Enforcement
Professor Pasquale's research agenda focuses on challenges posed to information law by rapidly changing technology, particularly in the health care, Internet and finance industries. Pasquale has been a Visiting Fellow at Princeton's Center for Information Technology and a Visiting Professor at Yale Law School. He was a Marshall Scholar at Oxford University. He has testified before the Judiciary Committee of the House of Representatives, appearing with the general counsels of Google, Microsoft and Yahoo. He has also presented before a Department of Health & Human Services/Federal Trade Commission Roundtable and panels of the National Academy of Sciences. Professor Pasquale is a member of the Harvard-Georgetown Working Group on Market Democracy, and an Affiliate Fellow of Yale Law School's Information Society Project. He has been named to the Advisory Board of the Electronic Privacy Information Center. He has published over 20 scholarly articles and is currently writing a book, *The Black Box Society: Technologies of Search, Reputation, and Finance* (under contract with Harvard University Press).

Gaia Bernstein | Professor of Law and Margaret Gilhooley Research Fellow
Professor Gaia Bernstein specializes in law and technology theory, intellectual property, law and genetics, information privacy, Internet law, reproductive technologies and family law. Her current scholarship focuses on the interrelations between technology, law and society, examining the diffusion processes of new technologies, including both medical and communications technologies. Professor Bernstein's scholarship has been published in leading law reviews including the *Vanderbilt Law Review*, *the Boston University Law Review*, the *Washington Law Review* and the *U.C. Davis Law Review*. Her work has been selected to the Stanford-Yale Junior Faculty Forum and has received extensive media coverage.

Jordan Paradise | Associate Professor of Law
Professor Jordan Paradise researches and publishes on the legal, ethical and social implications of emerging science and technologies such as genetics, nanotechnology and synthetic biology. In particular, she is interested in the intersection of patent law, health law, and pharmaceutical and medical device law, and the impact of regulation on innovation and access. She teaches courses in Food & Drug Law, Administrative Law, Law & the Life Sciences, and Law & Genetics. Prior to joining Seton Hall Law, Professor Paradise was the Associate Director of Research & Education for the Joint Degree Program in Law, Health & the Life Sciences and the Consortium on Law and Values in Health, Environment & the Life Sciences at the University of Minnesota Law School, as well as the Faculty Editor-In-Chief of the *Minnesota Journal of Law, Science & Technology*.

David W. Barnes | Seton Hall University Distinguished Research Professor of Law
Professor David “Jake” Barnes’ research and scholarship is multifaceted: he has published casebooks, treatises and articles in a wide array of legal disciplines, but often combines his doctoral study of economics with the law. Professor Barnes has authored a casebook on intellectual property and has also focused on economics and trademark, misappropriation of trademark, the defense of fair use in trademark and secondary copyright liability. He has also devoted
scholarship to statistical analyses in and of litigation, as well as general acceptance, versus scientific soundness, as criteria for admissibility.

E. Judson Jennings | Professor of Law
Professor Judson Jennings’ primary area of interest has been the impact of computer technology, the Internet, and the emergence of online social communities upon the development of law and dispute resolution procedure and upon the practice of law itself. He has also focused on the privacy implications of life in the cybersphere, including the FBI’s internet surveillance practices and the regulatory challenges that new media pose to existing categories as technologies converge. Professor Jennings has co-taught a joint seminar in which graduate business students formulated start-up plans for ventures in Second Life, Linden Labs’ online “multiverse,” while law students reviewed the plans, identified pertinent legal issues and provided legal advice.

Rosa M. Alves, J.D. | Assistant Dean
Dean Rosa Alves oversees the strategic development and resource management of the Gibbons Institute, international programs and continuing legal education at the Law School. She serves as the Law School’s administrative liaison for the American Bar Association and the Association of American Law Schools and is responsible for the Law School’s critical reporting requirements with the ABA and U.S. News & World Report. A Board Member of the Whitehead School of Diplomacy and International Relations, she chairs the International Partnerships Committee, directing Seton Hall University’s partnership with the Portuguese government through the Instituto Diplomático of Portugal and other foreign entities. She also serves as a member of the Board of Directors of the Portuguese American Leadership Council of the United States, chairing their Government Relations Committee.

Helen A. Cummings, J.D. | Assistant Dean of Graduate Programs and Online Learning
Dean Helen Cummings oversees the Law School’s LL.M. and M.S.J. graduate programs, the online Graduate Certificate Programs and the J.D. concentrations in Health Law and Intellectual Property Law. Dean Cummings also serves as an adjunct professor, teaching in both the M.S.J. degree program and online Graduate Certificate Programs. Prior to joining the Law School, Ms. Cummings was a managing partner in the law firm of Bross, Cummings & Pereira, LLC in Newark, New Jersey, where she represented clients in corporate transactions, commercial litigation and commercial real estate.

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Academic Programs

Seton Hall Law’s Gibbons Institute is nationally recognized as a leader in the field of intellectual property (IP) law, offering an array of degrees in these areas:

DEGREES

**J.D. Concentration in Intellectual Property**
Law students who seek an IP concentration, which comprises 13 credits, build a wider base of knowledge and gain a greater depth of understanding of patent, trademark and copyright law. Seton Hall Law boasts one of the most comprehensive curricula in the country in IP, telecommunications and life sciences law. The curriculum is designed to marry policy, doctrine, theory and practice. Seton Hall’s nationally known faculty teach IP fundamentals and advanced seminars, and senior IP attorneys teach an extensive offering of skills courses for the advanced student.

**Master of Laws (LL.M.) in Intellectual Property**
Seton Hall Law’s Master of Laws in Intellectual Property enables attorneys to acquire a greater depth in the dynamic field of IP law. There is strong, persistent demand for well-trained IP lawyers in law firms and in-house legal departments, both domestically and abroad, many of which have roots in New Jersey or Manhattan. The LL.M.-IP program capitalizes on the synergies between the respective curricula of the Gibbons Institute and the Center for Health & Pharmaceutical Law & Policy, as well as the Law School’s proximity to major life sciences and telecommunications companies. LL.M.-IP students may pursue a subspecialty in Patent Law & Policy; Trademark Law & Policy; Copyright Law & Policy; IP and the Life Sciences Industry; or IP and the Telecommunications Industry.

**Master of Science in Jurisprudence (M.S.J.) in Intellectual Property**
Seton Hall Law’s Master of Science in Jurisprudence provides professionals working in healthcare, the life sciences industry, information technology and telecommunications with a solid foundation in the legal and regulatory aspects of these industries. The 30-credit degree program provides a rigorous grounding in the law for students who do not want to become lawyers, but who instead want to use the law to enhance their effectiveness and marketability in a non-legal career in a highly regulated environment. Students may concentrate in Health and Pharmaceutical Law, IP Law, or both.

Study Abroad: Leuven-Geneva Program in Health, Intellectual Property and International Law

The Leuven-Geneva Program in Health, Intellectual Property and International Law is a five-week, six-credit program combining a broad-based introduction to the laws, policies and institutions of the European Union (EU) with a unique, interdisciplinary examination of cutting-edge issues in IP, pharmaceutical development and global public health. The program introduces students to the essential principles and institutions of the EU, and explores firsthand the challenges facing this unique confederation of different languages, cultures and laws. In addition, through classwork and on-site meetings, students examine the work of Geneva-based international organizations involved in health and IP law issues, including the World Health Organization, UNAIDS, the World Trade Organization and the World Intellectual Property Organization.
Joint B.A./J.D. Degree with Stevens Institute of Technology
Seton Hall Law and Stevens Institute of Technology, one of the nation's leading universities in the areas of engineering and technology, offer a combined degree program allowing students to earn both baccalaureate and law degrees in a timeframe of six or seven years. The degree includes three or four years of undergraduate study toward a B.E., B.S., or a B.A. degree at Stevens, and three years of study at Seton Hall Law toward a J.D.

PROGRAMS FOR PRACTICING ATTORNEYS
Executive Course in Intellectual Property, Diplomacy and Global Public Health – Geneva
The Gibbons Institute offers attorneys and senior-level executives practicing within the healthcare field an in-depth understanding of basic intellectual property concepts and their relationship to global public health. This Continuing Legal Education course, sponsored in conjunction with the Graduate Institute’s Global Health Program in Geneva, explores current debates about health-related aspects of intellectual property from a global public health perspective, with a goal toward developing concrete tools for implementing the World Health Organization’s Global Strategy and Plan of Action on Public Health, Innovation, and Intellectual Property. This course is especially timely and critical, as IP issues play an increasingly important role in discussions of national and global health problems.

Continuing Legal Education Programs
All Gibbons Institute programs provide Continuing Legal Education (CLE) credits for practicing attorneys. These seminars, symposia and roundtables present the latest development in regulations, litigation and legislation in areas from patent law to cybersecurity. Guest speakers at Gibbons Institute events include state and federal judges, business leaders, legal practitioners, government officials, members of law enforcement agencies and academicians. They join in panel discussions and presentations to share insights and information that help attorneys deepen their knowledge and enhance their legal practice.

Intellectual Property & Entertainment Law Curriculum

- Advanced Entertainment Law
- Advanced Topics in Sports Law
- Art Law
- Communications Law & Policy
- Copyright
- Current Issues in Intellectual Property Litigation
- Cybersecurity Law
- Entertainment Contract Negotiation and Drafting
- Film Law
- Information Privacy Law
- Intellectual Property
- Intellectual Property and Global Public Health
- Intellectual Property Licensing
- International and Comparative Intellectual Property Law Survey
- Internet Law
- Law and Genetics
- Law in the Music Industry
- Legal Issues in Online Communities
- Patent Application, Preparation and Prosecution
- Patent Claim Drafting
- Patent Law
- Sports Law
- Trademark and Unfair Competition
- Trademark Registration
Selected Scholarship


Frank Pasquale, *Practical Privacy: Rethinking the Collection, Analysis, and Use of Health-Inflected Social Network Data*, in Governance Of Social Media (J. Obar, ed., forthcoming, 2013)


SELECTED PRESENTATIONS

Gaia Bernstein, American Society of Law, Medicine & Ethics 35th Annual Health Law Professors Conference, Sandra Day O’Connor School of Law, Arizona State University, *The Impact of Prohibitions on Gamete Donor Anonymity on the Practice of Surrogacy* (June 2012)

Gaia Bernstein, Faculty Workshop, University of Virginia School of Law, *Patent Law, Technological Dissemination and the Forgotten Non-Creative User* (September 2011)
SELECTED PRESENTATIONS (continued)

David W. Opderbeck, U.S. Military Academy, West Point, *Cybersecurity, Cyberwar, and Civil Liberties* (April 2012)

David W. Opderbeck, Petrie-Flom Health Law Center Colloquium, Harvard School of Law, *From Transparency to Intelligibility, Health Information Technology’s Role in Health Reform* (March 2012)

Jordan Paradise, American Society of Law, Medicine & Ethics 35th Annual Health Law Professors Conference, Sandra Day O’Connor School of Law, Arizona State University, *Synthetic Biology: Does Re-Writing Nature Require Re-Writing Regulation?* (June 2012)

Frank Pasquale, George Mason Law School, *Antitrust in High Tech Network Industries: three different talks on privacy, remedies and market definition* (November 2011, and January and May 2012)

Frank Pasquale, Legal Theory Workshop, University of Miami School of Law, *Protecting Consumer Reputations in an Era of Pervasive Surveillance and Secret Analytics* (February 2012)

SELECTED GIBBONS INSTITUTE PROGRAMS

*Views from the Bench*, Tenth Annual Judges’ Fall Lecture Series, with guest speaker Hon. Kathleen O’Malley, of the U.S. Court of Appeals for the Federal Circuit, co-hosted with the New Jersey Intellectual Property Association (October 2012)

*Cybersecurity Insurance and Cybersecurity Risk Management*, co-hosted with the Bergen County Prosecutor’s Office and Rutgers University School of Law (June 2012)


*Cybersecurity Law and Policy: Changing Paradigms and New Challenges*, with keynote speaker Melissa Hathaway, Senior Advisor of Project Minerva at the Belfer Center for Science and International Affairs, John F. Kennedy School of Government, Harvard University, and former Acting Senior Director for Cyberspace at the National Security Council for both Presidents George W. Bush and Barack Obama; co-hosted with the Bergen County Prosecutor’s Office and Rutgers University School of Law (June 2011)


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Chair, Intellectual Property Department
Gibbons P.C.

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Professor of Law
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Seton Hall University School of Law

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Schering-Plough Professor in Health Care Regulation & Enforcement
Seton Hall University School of Law

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Senior Vice President and Assistant General Counsel, IP
Pfizer, Inc.

Loria B. Yeadon ’94
Executive Vice President
Intellectual Ventures