

David W. Opderbeck, *Professor of Law and Director, Gibbons Institute of Law, Science & Technology, Seton Hall University School of Law*



Professor Opderbeck's work 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 settlements in Hatch-Waxman litigation, cybersecurity policy, 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 interest in cybersecurity law and policy included a multi-year grant-funded project sponsored by the Bergen County, New Jersey Prosecutor's Office, which included new courses, continuing legal education programs, and the creation of a governmental working group on cybersecurity and cybercrime. The governmental working group recently worked on a new online child pornography bill that was signed into law by Governor Christie. Professor Opderbeck frequently lectures to law enforcement agencies and other groups on cybercrime, cyberterrorism, and civil liberties.

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 has written on ethical, philosophical and theological issues in law and jurisprudence, and currently is completing a doctorate in philosophical theology regarding the intersection of neuroscience and the law.

Professor Opderbeck maintains a website relating to his work at <http://www.davidopderbeck.com>.

Publications/Law Review Articles

Drone Courts, 44 RUTGERS L.J. ____ (forthcoming 2014)

Social Network Analysis of Patents and Trade Secrets as Social Relations, 41 AIPLA Q. ____ (forthcoming 2013)

Towards a Theology of Intellectual Property as Social Relations, 10 ST. THOMAS L.J. ____

SYMPOSIUM (forthcoming 2013)

The Problem With NeuroLaw, 58 ST. LOUIS U. L.J. ____ (forthcoming 2013)

Rational Competition Policy and Reverse Payment Patent Settlements Under the Hatch-Waxman Act, 98 GEORGETOWN L.J. 1303 (forthcoming 2010)

Does the Communications Act of 1934 Contain a Hidden Internet Kill Switch, 65 FEDERAL COMMUNICATIONS LAW J. 1(2013)

Cybersecurity and Executive Power, 89 WASHINGTON U. L. REV. 795 (2012)

Patent Damages and the Shape of Patent Law, 89 BOSTON UNIVERSITY LAW REVIEW 127 (2009)

Deconstructing Jefferson's Candle: Towards a Critical Realist Approach to Cultural Environmentalism and Information Policy, 49 JURIMETRICS 203 (2009)

The Penguin's Paradox: The Political Economy of International Intellectual Property and the Paradox of Open Source, 18 STANFORD LAW & POLICY REV. 101 (2007)

A Virtue Ethics Approach to the Biotechnology Commons (or, The Virtuous Penguin), 59 MAINE LAW REV. 316(2007)

Peer-to-Peer Networks, Technological Darwinism, and Intellectual Property Reverse Private Attorney General Litigation, 20 BERKELEY TECHNOLOGY LAW J. 1 (2005)

Patents, Essential Medicines, and the Innovation Game, 58 VANDERBILT LAW REVIEW 501 (2005)

Presentations

Cyber Threats and Network Security Countermeasures: Keeping Your Intellectual Property and Secret Safe, AMERICAN BAR ASSOCIATION WEBINAR (May 2013)

Law and the Human Person Roundtable, UNIVERSITY OF NOTRE DAME LAW SCHOOL, SOUTH BEND, IN, ORGANIZER AND MODERATOR (April 2013)

Towards a Theology of Intellectual Property as Social Relations, UNIVERSITY OF ST. THOMAS LAW SCHOOL, MINNEAPOLIS, MN, INTELLECTUAL PROPERTY AND RELIGIOUS THOUGHT CONFERENCE, (March 2013)

Cybersecurity Law Update, NEW JERSEY PROSECUTORS' COLLEGE, ATLANTIC CITY, NJ (September 2012)

Think Like a Lawyer, Talk Like a Geek: Dealing With Hackers, PRACTICING LAW INSTITUTE, NEW YORK, NY (November 2012)

Cybersecurity, Cyberwar, Cyberterrorism, and Civil Rights, U.S. MILITARY ACADEMY, WEST POINT, NY (April 2012)

Does the Communications Act of 1934 Provide an Internet Kill Switch?, INTERNET LAW WORKS IN PROGRESS CONFERENCE, NEW YORK LAW SCHOOL (March 2012)

International Intellectual Property and Access to Medicines, L'ÉCOLE SUPÉRIEURE CATHOLIQUE DE DROIT DE JÉRÉMIE, HAITI (March 2012)

Beyond Bits, Memes and Utility Machines: Intellectual Property, Theology, and Metaphysics, RELIGIOUS LEGAL THEORY CONFERENCE, PEPPERDINE LAW SCHOOL, CALIFORNIA (February 2012)

Computer Crimes Update, NEW JERSEY PROSECUTOR'S COLLEGE, ATLANTIC CITY, (September 2011)

Computer Crimes Update, NEW JERSEY PUBLIC DEFENDER'S CLE, TRENTON, (November 2011)

Computer Crimes and Cyber-Terrorism, NEW JERSEY MARINE CORPS RESERVE TERRORISM SYMPOSIUM, NEW JERSEY INSTITUTE OF TECHNOLOGY (October 2011)

Symposium, Preparing for a Pharmaceutical Response to Pandemic Flu, SETON HALL LAW SCHOOL, OCTOBER 2008: "STATE SOVEREIGNTY, FLU VIRUSES, AND INTELLECTUAL PROPERTY." (October 2008)

Symposium, The Evolution of Life-Saving Drugs: The Open Source Model and Beyond, TEMPLE JOURNAL OF SCIENCE, TECHNOLOGY AND ENVIRONMENTAL LAW, TEMPLE LAW SCHOOL, FEBRUARY 2006: "CHALLENGES FOR OPEN SOURCE BIOTECHNOLOGY." (February 2006)

Symposium, Peer-to-Peer Networking at the Crossroads, SETON HALL UNIVERSITY LAW SCHOOL, APRIL 2004: "COPYNORMS AND FILESHARING LITIGATION." (April 2004)