

BARTON BEEBE

Benjamin N. Cardozo School of Law
Yeshiva University
55 Fifth Avenue
New York, NY 10003
Tel: 212-790-0489
Fax: 212-790-0205
Email: barton@bartonbeebe.com
Website: www.bartonbeebe.com

EDUCATION

Yale Law School, J.D., 2001

Senior Editor, Yale Law Journal

Articles Editor, Yale Journal of Law & the Humanities

Princeton University, Ph.D. in English, 1998

Whiting Fellow in the Humanities, 1994-1995

Deutsche Akademische Austausch Dienst Scholar 1993, Universität Regensburg, Regensburg, Germany

University of Chicago, B.A. with Honors, Phi Beta Kappa, 1992

David Blair McLaughlin Prize 1989 for Essay in Literary Criticism

John Rogers Snowday Prizes 1989 & 1990 for Essays in Literary Criticism

Trinity College, Cambridge University, 1990-1991

WORK EXPERIENCE

Stanford Law School, Stanford University, Palo Alto, CA

Visiting Professor of Law, Spring 2009

New York University School of Law, New York University, New York, NY

Visiting Professor of Law, Fall 2008

Benjamin N. Cardozo School of Law, Yeshiva University, New York, NY

Associate Professor of Law (6/2006-present; Assistant Professor, 8/2003-5/2006; Visiting Professor, 6/2000-12/2001, 1/2003-5/2003)

Class of 2007 Award for Best Professor

Courses: Trademark Law
Advanced Trademark Law
Copyright Law
Advanced Copyright Law
Intellectual Property and Globalization

Committees: Appointments Committee (2006-07, 2007-08)

Visiting Professor of Law, Munich Intellectual Property Center, Munich, Germany (7/2006)

Instructor, State Intellectual Property Office, People's Republic of China, Beijing, China (6/2007)

Judge Denise Cote, U.S. District Court, Southern District of New York, New York, NY

Law Clerk (1/2002-12/2002)

Debevoise & Plimpton, New York, NY

Summer Associate (6/1999-8/1999)

Katz, Friedman, Schur & Eagle, Chicago, IL
Law Clerk (4/1998-8/1998)

Jerome N. Frank Legal Services Organization, Yale Law School, New Haven, CT
Student Intern (6/1997-8/1997)

Coudert Brothers, New York, NY
Legal Assistant (5/1995-8/1996)

Department of English, Princeton University, Princeton, NJ
Preceptor (12/1994-6/1995)

PROFESSIONAL ACTIVITIES

Special Master, *Louis Vuitton Malletier v. Dooney & Bourke, Inc.*, No. 04 Civ. 2990 (SAS) (S.D.N.Y.) (5/2007-6/2007) (with Prof. Daniel J. Capra), *Report and Recommendation of the Special Masters* included in *Malletier v. Dooney & Bourke, Inc.*, 525 F.Supp.2d 558 (S.D.N.Y. 2007)

PUBLICATIONS

Articles

An Empirical Study of U.S. Copyright Fair Use Opinions, 1978-2005, 156 PENNSYLVANIA LAW REVIEW 549 (2008)

An Empirical Study of the Multifactor Tests for Trademark Infringement, 95 CALIFORNIA LAW REVIEW 1581 (2006)

- Second Place, International Trademark Association 2006-07 Ladas Memorial Award

Search and Persuasion in Trademark Law, 103 MICHIGAN LAW REVIEW 2020 (2005)

- Selected for presentation at the Stanford/Yale Junior Faculty Forum 2005
- Recommended Reading, Long Articles, Exemplary Legal Writing 2005, THE GREEN BAG ALMANAC & READER 2006
- Reprinted in INTELLECTUAL PROPERTY AND INFORMATION WEALTH (Peter K. Yu ed., 2006)

The Semiotic Analysis of Trademark Law, 51 UCLA LAW REVIEW 621 (2004)

- Selected for presentation at the Stanford/Yale Junior Faculty Forum 2003

Chapters

The Semiotic Account of Trademark Doctrine and Trademark Culture, in TRADEMARK LAW AND THEORY: A HANDBOOK OF CONTEMPORARY RESEARCH 42 (Graeme B. Dinwoodie & Mark D. Janis eds.) (Edward Elgar Publishers, 2008) (adapted from *The Semiotic Analysis of Trademark Law*, 51 UCLA L. REV. 621 (2004))

Invited Symposium Contributions

Does Judicial Ideology Affect Copyright Fair Use Outcomes?: Evidence From the Fair Use Case Law, __ COLUMBIA JOURNAL OF LAW & THE ARTS __ (2008) (forthcoming)

The Continuing Debacle of U.S. Antidilution Law: Evidence from One Year of Trademark Dilution Revision Act Case Law, 24 SANTA CLARA COMPUTER & HIGH TECHNOLOGY LAW JOURNAL 449 (2008)

A Defense of the New Federal Trademark Antidilution Law, 17 FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL 1143 (2006)

- Reprinted as *A Defense of the Trademark Dilution Revision Act of 2006* in TRADE MARK: CONCEPT AND CONTEXT (A.V. Narsimha Rao ed. (forthcoming))

Shorter Works

Practitioner's Summary of Results Reported in An Empirical Study of U.S. Fair Use Opinions, 1978-2005, in PRACTISING LAW INSTITUTE, ADVANCED SEMINAR ON COPYRIGHT LAW 2008, at 11, PLI Order No. 14793 (2008)

Reply to Alan Audi, A Semiotics of Cultural Property Argument, 14 INTERNATIONAL JOURNAL OF CULTURAL PROPERTY 156 (2007)

Parental Initiative in the Age of Signal Bleed, 109 YALE LAW JOURNAL 627 (1999)

Law's Empire and the Final Frontier: Legalizing the Future in the Early Corpus Juris Spatialis, 108 YALE LAW JOURNAL 1737 (1999)

PRESENTATIONS

2008

Practitioner's Summary of Results Reported in An Empirical Study of U.S. Fair Use Opinions, 1978-2005, Practising Law Institute, Advanced Seminar on Copyright Law 2008, New York, NY, May 12, 2008

Trademark Use and Dilution: Introduction, Trademark Scholars' Roundtable, University of Iowa College of Law, Iowa City, IA, April 12, 2008

Panelist, *Protection for Famous and Well-Known Marks*, Intellectual Law & Policy Sixteenth Annual Conference, Fordham University School of Law, New York, NY, March 28, 2008

Basic Principles of International Copyright Law, WIPO/UNITAR Series on Intellectual Property, WIPO Coordination Office, New York, NY, March 25, 2008

Intellectual Property Law and the Sumptuary Code, Léger Robic Richard Seminar Series in Intellectual Property, Faculty of Law, McGill University, Montreal, Quebec, March 7, 2008

Does Judicial Ideology Affect Fair Use Outcomes?, Fair Use: Incredibly Shrinking or Extraordinarily Expanding Symposium, Columbia Law School, New York, NY, February 8, 2008

2007

The TDRA Case Law So Far, Trademark Dilution: Theoretical and Empirical Inquiries, Santa Clara University School of Law, Santa Clara, CA, Oct. 5, 2007

Intellectual Property Law in an Age of Dilution, Trademark Workshop, University of Minnesota Law School, Minneapolis, MN, Sept. 14, 2007

The Trademark Dilution Revision Act of 2006, Fifteenth Annual Conference on International Intellectual Property Law & Policy, Fordham University School of Law, New York, NY, April 13, 2007

An Empirical Study of U.S. Copyright Fair Use Opinions, 1978-2005, Fifteenth Annual Conference on International Intellectual Property Law & Policy, Fordham University School of Law, April 13, 2007

What if the Supreme Court Had Affirmed in Dastar?, What Ifs Conference, Michigan State University College of Law, East Lansing, MI, March 31, 2007

Basic Principles of International Copyright Law, WIPO/UNITAR Series on Intellectual Property, WIPO Coordination Office, New York, NY, March 28, 2007

An Empirical Study of U.S. Copyright Fair Use Opinions, 1978-2005, Copyright Society of U.S.A. – New York Chapter, New York, NY, March 28, 2007

An Empirical Study of U.S. Copyright Fair Use Opinions, 1978-2005, London School of Economics and Political Science, London, England, January 25, 2007

2006

The Imperative of Geographical Indications Protection, International Conference on Impact of TRIPS: Indo-U.S. Experience, NALSAR University of Law, Hyderabad, India, December 16, 2006

An Empirical Study of U.S. Copyright Fair Use Opinions, 1978-2005, Intellectual Property Scholarship Colloquium, Boalt Hall School of Law, University of California, Berkeley, California, October 19, 2006

An Empirical Study of the U.S. Copyright Fair Use Opinions, 6th Annual Intellectual Property Scholars Conference, Boalt Hall School of Law, University of California, Berkeley, California, August 10, 2006

U.S. Contextual Advertising Law, Fourteenth Annual Conference on International Intellectual Property Law & Policy, Fordham University School of Law, April 21, 2006

An Empirical Study of the Multifactor Tests for Trademark Infringement, Hofstra University School of Law Faculty Workshop Series, Hempstead, New York, April 17, 2006

Basic Principles of International Trademark Law, WIPO/UNITAR Series on Intellectual Property, WIPO Coordination Office, New York, NY, March 21, 2006

An Empirical Study of the Multifactor Tests for Trademark Infringement, St. John's University School of Law Faculty Workshop Series, Jamaica, New York, March 20, 2006

Trademark Law and the Right of Celebrity, Rutgers University Center for the Critical Analysis of Contemporary Culture, New Brunswick, New Jersey, February 21, 2006

The Supreme Court Trademark Cases, Section on Intellectual Property, AALS Annual Conference, Washington, D.C., January 7, 2006

2005

First Do No Harm: The Trademark Dilution Revision Act of 2005, Fordham University Law School, New York, NY November 18, 2005

An Empirical and Doctrinal Analysis of the Multifactor Tests for Trademark Infringement, Intellectual Property Scholars Conference 2005, Cardozo Law School, New York, NY, August 12, 2005

Trademark Law and the Internet: A Comparative Review of Google Search Legal Issues and Liability of Auction Site Operators, Dai-Ni Tokyo Bar Association, Tokyo, Japan, July 8, 2005

Colors, Smells, Sounds, Shapes, and Textures: The Rise of Non-Traditional Subject Matter in U.S. and International Trademark Law, International Business Law Institute, Tokyo, Japan, July 7, 2005

The Market for Intellectual Property Specialists in the United States and Globally, Omiya Law School, Omiya, Japan, July 6, 2005

Search and Persuasion in Trademark Law, Stanford/Yale Junior Faculty Forum 2005, Stanford Law School, Palo Alto, CA, May 28, 2005

Basic Principles of International Copyright Law and Basic Principles of International Trademark Law, WIPO/UNITAR Series on Intellectual Property, WIPO Coordination Office, New York, NY, April 26, 2005

Trademark Law and the First Amendment, Graduate School of Journalism, Columbia University, New York, NY, April 26, 2005

Search and Persuasion in Trademark Law, Chicago IP Colloquium, Loyola School of Law, Chicago, IL, March 29, 2005

When Are Right of Publicity Claims Preempted?: Toney v. L'Oreal U.S.A., Inc., 384 F.3d 486 (7th Cir. 2004), The Copyright Society of the U.S.A., New York, NY, March 23, 2005

2004

Trademark Law and Parody, Fair Use and Parody: Misappropriation of Intellectual Property or Creative Expression for Arts' Sake?, New York County Lawyers' Association, New York, NY, November 18, 2004

Global Trademark Regulation, Trademark Regulation and Freedom of Expression, and *The International Debate Over Geographical Indications*, Intellectual Property in Comparative Perspective, Center for Media and Communication Studies, Central European University, Budapest, Hungary, August 5-10, 2004

Property Degree Zero, Law & Society Association Conference, Chicago, IL, May 28, 2004

Mattel, Inc. v. Walking Mountain Productions, The Copyright Society of the U.S.A., New York, NY, April 14, 2004

Commentator, *Creating a Research Use Exemption that Better Fulfills the Patent Bargain*, Some Modest Proposals: A Conference About Pouring Academic Ideas Into Legislative Bottles, Cardozo Law School, New York, NY, March 15, 2004

Property Degree Zero: Post-Scarcity and Performative Property and *The Semiotic Analysis of Trademark Law*, Cleveland-Marshall College of Law Faculty Workshop, Cleveland State University, Cleveland, OH, February 9, 2004

-2003

Search and Persuasion in Trademark Law, The George Washington University School of Law Fall 2003 Intellectual Property Workshop Series, Washington, D.C., November 6, 2003

Search and Persuasion in Trademark Law, University of Michigan Law School Intellectual Property Workshop 2003, Ann Arbor, MI, October 30, 2003

The Semiotic Analysis of Trademark Law, Tulane University School of Law Works-in-Progress
Intellectual Property Colloquium 2003, New Orleans, LA, October 17, 2003

The Semiotic Analysis of Trademark Law, Stanford/Yale Junior Faculty Forum, Stanford Law School,
Palo Alto, CA, June 7, 2003

Parental Control in a Converged Communications Environment, Conference on Media and the Protection
of Children, Fundação Luso-Americana, Lisbon, Portugal, October 10, 2000

Law's Empire and the Final Frontier, Law, Culture, History: Towards a Legal Cultural History, Law &
Society Conference 1998, Chicago, IL