

GARY PULSINELLI

University of Tennessee College of Law
1505 W. Cumberland Ave.
Knoxville, TN 37996
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gpulsine@utk.edu

EDUCATION

Boalt Hall School of Law, University of California-Berkeley

J.D., Order of the Coif, June 1997

Senior Articles Editor, *Berkeley Technology Law Journal* (1996-97)

Article Editor, *High Technology Law Journal* (1995-96)

Member, *High Technology Law Journal* (1994-95)

University of Wisconsin-Madison

Ph.D., Molecular Biology, June 1994

Thesis Adviser: Dr. Howard M. Temin

Thesis Title: *Mismatch Extension and Premature Plus-strand Primer DNA Transfer during Spleen Necrosis Virus Replication*

Harvard University

A.B. *magna cum laude*, Biochemical Sciences, June 1985

BAR

California, December 1997

ADMISSIONS

United States Patent & Trademark Office, December 1998

CLERKSHIP

Honorable S. Jay Plager

United States Court of Appeals for the Federal Circuit

Washington, DC

Law Clerk September 1999-July 2001

EMPLOYMENT

TEACHING

University of Tennessee College of Law

Knoxville, Tennessee

Associate Professor August 1, 2001-present

Subjects Taught: Intellectual Property Law; Patent Law; Law, Science and Technology Seminar; International Intellectual Property Law; Copyright Law; Property Law; Introduction to Intellectual Property Law for MLS Students; Trademark Law

LEGAL

Pennie & Edmonds LLP

Palo Alto, California

Associate September 1997-August 1999

Summer Law Clerk May 1996-August 1996

Biotechnology patent prosecution and litigation and related legal research

Flehr, Hohbach, Test, Albritton & Herbert

San Francisco, California

Law Clerk (part time) September 1995-May 1996

Summer Law Clerk May 1995-August 1995

Biotechnology patent prosecution and related legal research

SCIENTIFIC

Department of Oncology, University of Wisconsin-Madison

Madison, Wisconsin

Post-doctoral Fellow January 1994-August 1994

Continuation of doctoral research in the laboratory of Dr. Howard Temin

I.G.B. Products, Ltd.

San Leandro, California

Research Associate December 1985-August 1987

Biotechnology research, primarily on the human parasite *Leishmania donovani*

PUBLICATIONS

Gary A. Pulsinelli, *Marching Backward to Move Forward: Speeding Emergency Access to Patented Drugs under the Bayh-Dole Act* (manuscript in preparation).

Gary A. Pulsinelli, *Geographicide* (manuscript in preparation).

Gary A. Pulsinelli, *Commentary on Trading in the Clouds*, 24 TRANSACTIONS: TENN. J. BUS. L. 379 (2023).

Gary A. Pulsinelli, *Antitrust Implications of Protecting Software Interfaces*, 2 VIT UNIVERSITY L. REV. 1, 29 (2020) (Special Conference Issue) (invited symposium paper).

Gary A. Pulsinelli, *Commentary to Professor Baker's Presentation*, 21 TRANSACTIONS: TENN. J. BUS. L. 403 (2020).

Becky Jacobs & Gary Pulsinelli, *A "Case" Study in Legal Writing Pedagogy: Connecting Doctrine and Skills to Authentic Client Voices*, 51 U. TOLEDO L. REV. 1 (2019).

Joshua Ehrenfeld, Ryan Gallagher, Matthew Lyon, Thomas Potter, Josh Rosenblatt, & Gary Pulsinelli, *Legal Issues Surrounding Blockchain, Cryptocurrency, & Bitcoin*, 20 TRANSACTIONS: TENN. J. BUS. L. 1135 (2019).

Gary A. Pulsinelli, *Integrating and Managing Intellectual Property in an International Merger*, in MAKING THE PIECES FIT: AN ANALYSIS OF THE DAIMLER-CHRYSLER MERGER (Joan Heminway and Maurice Stucke eds., Carolina Academic Press, forthcoming).

Gary A. Pulsinelli, *Happy Together? The Uneasy Coexistence of Federal and State Law Protection for Sound Recordings*, 82 TENN. L. REV. 167 (2014).

Gary A. Pulsinelli, *New Matter Isn't Always Bad: Overcoming the International Best Mode Problem by Liberalizing Amendment Practice* (manuscript in preparation).

Gary A. Pulsinelli, *Fixing Festo: How the Foreseeability Test for the Doctrine of Equivalents Punishes Innovation (and What to Do about It)* (manuscript in preparation).

Gary A. Pulsinelli, *Harry Potter and the (Re)Order of the Artists: Are We Muggles or Goblins?*, 87 OR. L. REV. 1101 (2008).

GARY PULSINELLI

Page 3

Gary A. Pulsinelli, *Freedom to Explore: Using the Eleventh Amendment to Liberate Researchers at State Universities from Liability for Intellectual Property Infringements*, 82 WASH. L. REV. 275 (2007).

Gary A. Pulsinelli, *Share and Share Alike: Increasing Access to Government-Funded Inventions under the Bayh-Dole Act*, 7 MINN. J. L. SCI. & TECH. 393 (2006).

Gary A. Pulsinelli, *The Orphan Drug Act: What's Right With It*, 15 SANTA CLARA COMPUTER & HIGH TECH. L.J. 299 (1999).

Gary A. Pulsinelli & Howard M. Temin, *High Rate of Mismatch Extension During Reverse Transcription in a Single Round of Retrovirus Replication*, 91 PROC. NAT'L ACAD. SCI. U.S.A. 9490 (1994).

Gary A. Pulsinelli & Howard M. Temin, *Characterization of Large Deletions Occurring during a Single Round of Retrovirus Replication: Novel Deletion Mechanism Involving Errors in Strand Transfer*, 65 J. VIROLOGY 4786 (1991).

AMICUS BRIEFS

Brief of Copyright Scholars Gary Pulsinelli, Julie Ross, Peter Jaszi, & Brandon Butler as *Amici Curiae* in Support of Defendant-Petitioner Pandora Media, Inc., Flo & Eddie, Inc. v. Pandora Media, Inc., Case No. S240649 (S. Ct. Cal. Jan. 11, 2018).

Brief of Law Professors Gary Pulsinelli, Julie Ross, Peter Jaszi, & Brandon Butler as *Amici Curiae* in Support of Defendant-Appellee Sirius XM Radio, Inc., Flo & Eddie, Inc. v. Sirius XM Radio, Inc., No. 15-13100-AA (11th Cir. Oct. 13, 2015).

Brief of Law Professors Gary Pulsinelli, Julie Ross, Peter Jaszi, & Brandon Butler as *Amici Curiae* in Support of Defendant-Appellant Pandora Media, Inc., Flo & Eddie, Inc. v. Pandora Media, Inc., No. 15-55287 (9th Cir. Sep. 8, 2015).

Brief of Law Professors Gary Pulsinelli, Julie Ross, & Peter Jaszi as *Amici Curiae* in Support of Defendant-Appellant Sirius XM Radio, Inc., Flo & Eddie, Inc. v. Sirius XM Radio, Inc., No. 15-1164-cv (2d Cir. Aug. 4, 2015).

PRESENTATIONS

Presenter, *Basics of Intellectual Property* (University of Tennessee Entrepreneur's Club, March 27, 2023)

Invited Commentor, *Trading in the Clouds* (presentation by Colleen Baker) (Business Law: 6th Annual Connecting the Threads Conference, University of Tennessee College of Law, September 30, 2022).

Presenter, *Marching Backward to Move Forward: Speeding Emergency Access to Drugs under the Bayh-Dole Act* (Intellectual Property Scholars Conference 2022, Stanford Law, August 2022)

Invited Presenter, Oracle v. Google: *Antitrust vs. Copyright* (Conference on Competition Law and Intellectual Property in the Age of Platforms and New Technology, Vellore Institute of Technology (VIT), Chennai, India, February 7, 2020) (virtual presentation).

Invited Commentor, *Banking on the Cloud* (presentation by Colleen Baker) (Business Law: 3rd Annual Connecting the Threads Conference, University of Tennessee College of Law, September 27, 2019).

GARY PULSINELLI

Page 4

Presenter, *Marching Backward to Move Forward: Speeding Emergency Access to Drugs under the Bayh-Dole Act* (Half-Baked Ideas Workshop, University of Tennessee College of Law, February 20, 2019).

Panel Moderator, *Patent Exhaustion and Competition*, (Changing Regulation of Pharmaceuticals: Pricing, Intellectual Property, Trade, and Ethics Conference, University of the Pacific/McGeorge School of Law, April 2019)

Panelist, *Blockchain: Public Policy* (Business Law Forum 2018, Tennessee Bar Association, May 2018)

Presenter, *Geographicide* (Football CLE, University of Tennessee College of Law, November 2017)

Presenter, *General Overview of Intellectual Property Rights*, at the *Inventor Legal and Business Bootcamp* (Legal Assistance Volunteers for Patent Applicants/Tennessee Bar Association, September 2017)

Presenter, *Geographicide* (Intellectual Property Scholars Conference 2017, Cardozo Law, August 2017)

Presenter, *Branding or Belittling?: A Discussion on Disparaging Trademarks* (various Student Associations, University of Tennessee College of Law, November 2017)

Presenter, *Trademark and the First Amendment* (Intellectual Property Forum 2017, Tennessee Bar Association, April 2017)

Panelist, *Why Patent Trolls Are a Good Thing* (Federalist Society, University of Tennessee College of Law, March 2017)

Presenter, "Hey, that's my [photo][app][post]!": *Intellectual Property Issues in Disseminating Science in a Social-Media World* (Entomology 2012, Entomological Association of America, November 2012)

Panelist, *The Future of Casebooks, Publishing & Course Materials* (Southeastern Association of Law Schools Annual Conference, August 2010)

Invited Lecturer, *Harry Potter and the (Re)Order of the Artists: Are We Muggles or Goblins?* (Students for the Study of Law and Culture, University of Tennessee College of Law, November 2008)

Presenter, *New Matter Isn't Always Bad: Overcoming the International Best Mode Problem by Liberalizing Amendment Practice* (Intellectual Property Scholars Conference 2008, Stanford Law School, August 2008)

Faculty Exchange Presenter, *Harry Potter and the (Re)Order of the Artists: Are We Muggles or Goblins?* (Cumberland College of Law, Samford University, February 2008)

Invited Lecturer, *Harry Potter and the (Re)Order of the Artists: Are We Muggles or Goblins?* (Gordon Ford College of Business, Western Kentucky University, October 2007)

Presenter, *Fixing Festo: How the Foreseeability Test for the Doctrine of Equivalents Punishes Innovation (and What to Do about It)* (Intellectual Property Scholars Conference 2007, DePaul University College of Law, August 2007)

GARY PULSINELLI

Page 5

Panelist, *Arthur Miller Explores Privacy and Technology: Striking a Legal Balance* (Tennessee Bar Association, June 2007)

Invited Panelist, *Incentives and Invention* (Conference on Patent Policy in the Supreme Court and Congress, Santa Clara University School of Law, October 2006)

Invited Commentator, *Are Patents an Efficient and Internationally Fair Means of Funding R&D for New Medicines?* (Ethics and the Business of Biomedicine Conference, University of Tennessee-Knoxville, April 2006)

Invited Lecturer, *Intellectual Property and Digital Copyright Law* (Gordon Ford College of Business, Western Kentucky University, April 2005)

Young Scholar Presenter, *Intellectual Property Infringement: Liability of Researchers at State Universities* (Southeastern Association of Law Schools Annual Conference, July 2003)

SERVICE

Chair, Adjuncts & Visiting Faculty Committee (2009-present)

Executive Education & Non-JD Program Committee (2022-present)

Coach, Saul Lefkowitz Trademark Moot Court Competition (2003-present)

Academic Success Program Assistant Director Hiring Committee (2023)

Educational Technology Specialist Hiring Committee (2022-2023)

Bar Review Task Force (2021-2022)

University of Tennessee Faculty ChatGPT Policy Committee (2023-present)

University of Tennessee Student Conduct Board (2017-present)

University of Tennessee PPPR Committees (2021-2022) (served on five committees, including chairing two)

University of Tennessee External Tenure Review Committee (2018-2020)

University of Tennessee Faculty Senate (2007-2010)

University of Tennessee Faculty Senate Appeals Committee (2007-2010)