



Robin Feldman  
Arthur J. Goldberg Distinguished Professor of Law  
Albert Abramson '54 Distinguished Professor of Law Chair  
Director, AI Law & Innovation Institute (ALLI)  
Director, Center for Innovation (C4i)

### ***Curriculum Vitae***

#### ***Education***

Stanford Law School, J.D.  
Urban A. Sontheimer Award (graduating second in class)  
Order of the Coif  
Articles Department, Stanford Law Review  
Hilmer Oehlmann Jr. Prize (legal research and writing)

Stanford University, B.A.  
Phi Beta Kappa  
Degree Awarded with Distinction  
Dean's Award for Community Service

Law Clerk, The Honorable Joseph T. Sneed, U. S. Court of Appeals, 9<sup>th</sup> Cir.

#### ***Honors***

Awarded the Leon I. Goldberg Prize from the University of Chicago Pritzker Medical School for her work on pharmaceutical innovation, pricing, and access; first non-medical professional to receive the award in its nearly 30-year history.

*Atomistic Antitrust* Awarded the Concurrences Antitrust Writing Award for General Antitrust

*Atomistic Antitrust* Awarded a Jerry S. Cohen Memorial Award for Best Antitrust Article on Burdens of Proof

Elected Member of the American Law Institute; appointed to Restatement of Copyright Law Project.

Named one of the Women Leaders in Law & Tech; the only academic to receive the honor in that year (American Lawyer Publications).

Awarded Visionary Prize by the UC Law Board of Directors.

Awarded William Rutter Prize for Excellence in Teaching, UC Law.

Awarded 1066 Foundation Prize for Scholarship, UC Law.

### **Books**

DRUGS, MONEY & SECRET HANDSHAKES: THE UNSTOPPABLE GROWTH OF PRESCRIPTION DRUG PRICES (**Cambridge**).

DRUG WARS: HOW BIG PHARMA RAISES PRICES AND KEEPS GENERICS OFF THE MARKET (**Cambridge**).

RETHINKING PATENT LAW (**Harvard**).

THE ROLE OF SCIENCE IN LAW (**Oxford**).

### **Book Chapters**

*Competition at the Dawn of Artificial Intelligence, in THE EFFECTS OF DIGITIZATION, GLOBALIZATION AND NATIONALISM* (**Edward Elgar**) (peer reviewed), with Nick Thieme.

*Coming to the Community, in Imagining New Legalities, Amherst Series in Law, Jurisprudence, and Social Thought* (Austin Sarat ed., **Stanford**).

*Barriers to Entry in Pharmaceutical Markets, (University of Chicago Booth School of Business)*, with Fiona Scott Morton and Nitzan Arad.

*Learning from Past Mistakes – The US Patent System and International Trade Agreements, in MEGAREGIONALISM: INNOVATION AND TRADE WITHIN GLOBAL NETWORKS* (**Imperial College**).

*Patent Misuse: From Inception to Modern Case Law, in INTELLECTUAL PROPERTY & INFORMATION WEALTH* (**Praeger**).

### **Key Articles**

*Dance of the Biologics, Berkeley Tech. L.J.* (forthcoming)

*Purple Is the New Orange, Illinois L. Rev.* (forthcoming)

*Paucity of intellectual property rights information in the US biologics system a decade after passage of the Biosimilars Act*, **PLoS Med.**

*NIH Licensing Would Benefit from Free-Market Provisions*, **Journal of Law, Medicine & Ethics**

*Leading with the Trailing Edge*, **Oxford J. Law & Biosciences** (peer review)

*Patent Term Extensions & the Last Man Standing*, **Yale J.L. & Policy**

*Atomistic Antitrust*, **William & Mary L. Rev.**, with Mark Lemley

*The Devil in the Tiers*, **Oxford J. Law & Biosciences**. (peer-review)

*Captive Generics: The Wolf in Sheep's Clothing*, **Harvard J. on Legis.**

*Patents as Property for the Takings*, **N.Y.U. J. IP & Ent.**

*Negative Innovation: When Patents are Bad for Patients*, **Nature Biotech.** (peer-review)

*Advertising Medicine: Selling the Cure*, **Stanford Technology Law Review**.

*Trade Secrets in Biologic Medicine: The Boundary with Patents*, **Columbia Sci. & Tech L.R.**

*Lochner Revenant: The Dormant Commerce Clause & Extraterritoriality*, **NYU J. of Law & Liberty**.

*The Price Tag of Pay-for-Delay*, **Columbia Sci. & Tech L.R.**

*Combination Therapy Patents – A New Front in Evergreening*, **Nature Biotech.** (peer-review), with Garth W. Strohbehn, MD, MPhil, Alec Kacew, BA, Daniel A Goldstein, MD, and Mark J Ratain, MD.

*Challenges with Defining Pharmaceutical Markets and Potential Remedies to Screen for Industry Consolidation*, **Journal of Health Politics, Policy, & Law** (peer-reviewed), with Brent Fulton, Phd, Jamie Godwin, Phd, and Richard Scheffle, Phd.

*Naked Price and Pharmaceutical Trade Secret Overreach*, **Yale J. of Law & Tech.**

*The Cancer Curse: Regulatory Failure by Success*, **Columbia Science and Tech. Law Rev.**

*Perverse Incentives: Why Everyone Prefers High Drug Prices—Except for Those Who Pay the Bills*, **Harvard J. on Legis.**

*A Price Guide for Prescription Drug Medicine*, **Annals of Internal Medicine** (peer-review), with Natalie Feldman, MD, and Enrique Saone-Vazquez, PhD.

*Artificial Intelligence in the Health Care Space: How We Can Trust What We Cannot Know*, **Stanford Law & Pol. Rev.**, with Kara Stein and Ehrik Aldana.

*The Sound & Fury of Patent Activity*, **Minnesota L. Rev.**, with Mark A. Lemley.

*May Your Drug Price Be Evergreen*, **Oxford J. Law & Biosciences** (peer-review).

*Is Patent Enforcement Efficient*, **Boston Univ. L. Rev.**, with Mark A. Lemley.

*Artificial Intelligence: The Importance of Trust & Distrust*, **Green Bag 2d** (peer-review).

*A Citizen's Pathway Gone Astray*, **New England Journal of Medicine** (peer-review), with Connie Wang.

*Empirical Evidence of Drug Pricing Games*, **Stanford Tech. L. Rev.**, with Evan Frondorf, Andrew Cordova, and Connie Wang.

*Regulatory Property: The New IP*, **Columbia J. Law & Arts.**

*Patent Licensing, Technology Transfer and Innovation*, **Am. Econ. Rev.**, with Mark A. Lemley.

*Drug Wars: A New Generation of Generic Pharmaceutical Delay*, **Harvard J. on Legis.**, with Evan Frondorf.

*The CRISPR Revolution: What Editing Human DNA Reveals About the Patent System's DNA*, **UCLA L. Rev.**

*Coming of Age for the Federal Circuit*, **Green Bag** (peer-review).

*Do Patent Licensing Demands Mean Innovation*, **Iowa L. Rev.**, with Mark A. Lemley.

*Federalism, First Amendment & Patents: The Fraud Fallacy*, **Columbia Sci. & Tech. L. Rev.**

*Patent Demands and Initial Public Offerings*, **Stanford Tech. L. Rev.**, with Evan Frondorf.

*Patent Demands & Startup Companies: The View from the Venture Capital Community*, **Yale J. Law & Tech.**

*Transparency*, **Virginia. J. Law & Tech.**

*Patent Trolling: Why Bio & Pharmaceuticals Are at Risk*, **Stanford Tech. L. Rev.**, with W. Nicholson Price.

*Human Cells & Cultural Property*, **Int'l J. Cultural Prop.**

*The America Invents Act 500 Expanded: Effects of Patent Monetization Entities*, **UCLA J. Law & Tech.**, with Tom Ewing & Sara Jeruss.

*Intellectual Property Wrongs*, **Stanford J. of Law, Bus. & Fin.**

*Copyright at the Bedside: Should We Stop the Spread*, **Stanford Tech. L. Rev.**, with John Newman.

*The Giants Among Us*, **Stanford Tech. L. Rev.**, with Tom Ewing.

*The America Invents Act 500: Effects of Patent Monetization Entities on US Litigation*, **Duke Law & Tech. Rev.**, with Sara Jeruss & Joshua Walker.

*Whose Body Is It Anyway? Human Cells and the Strange Effects of Property and Intellectual Property Law*, **Stanford L. Rev.**

*Rethinking Rights in Biospace*, **S. Cal. L. Rev.**

*Defensive Leveraging in Antitrust*, **Georgetown L. J.**

*Plain Language Patents*, **Texas I.P. Law J.**

*Patent and Antitrust: Differing Shades of Meaning*, **Virginia J. Law & Tech.**

### **Academic Presentations** (prior nine academic years)

More than 100 academic presentations in the last decade including at Harvard, Yale, Stanford, Berkeley, NYU, Georgetown, University of Chicago, UCLA, USC, the Oxford Union, and the Ronald Reagan Presidential Library.

### **Other Articles**

\* *Evergreening Through Minor Modifications of Existing Medications*, **Health Affairs** (peer-review) (invited commentary)

- \* *Physicians Treating Alzheimer’s Disease Patients Should Be Aware that Televised Direct-to-Consumer Advertising Links More Strongly to Drug Utilization in Older Patients*, **Journal of Alzheimer’s Disease** (peer-review).
- \* *Patent Games in the Global South* by Amaka Vanni, **Law & Society Review** (book review).
- \* *Pharma: Greed, Lies and the Poisoning of America* by Gerald Posner, **Governance** (book review).
- \* *Pharmaceutical “Pay-for-Delay” Reexamined: A Dwindling Practice or a Persistent Problem*, **Hastings L. J.**, with Laura Karas and Gerard Anderson.
- \* *Viral Licensing: Ensuring the Public Interest When Taxpayers Fund Pharmaceutical Research*, **Santa Clara L. Rev.**
- \* *The Fatal Attraction of Pay-for-Delay*, **Chicago Kent J. of IP**, with Prianka Misra.
- \* *Identifying Extensions of Protection in Prescription Drugs: Navigating the Data Landscape for Large-Scale Analysis*, **The Inter-University Consortium for Political and Social Research**, with Connie Wang & Nick Thieme.
- \* *Pharmaceutical Industry Funding to Patient Advocacy Organizations*, **Hastings Int’l & Comparative L. Rev.**, with Laura Karas et al.
- \* *The Arc of History in Patent Subject Matter*, **Hastings Sci. & Tech. L.J.**
- \* *Federalism, Patents, and the Constitutionality of State Pharmaceutical Regulation*, **Rutgers Computer & Tech. L.J.**, with Betty Rowe et. al.
- \* *The Gender Gap in Startup Catalyst Organizations: Bridging the Divide Between Narrative and Reality*, **Oregon Law Rev.**, with Alice Armitage and Connie Wang.
- \* *Exceptions to the Rule: Considering the Impact of Non-Practicing Entities and Cooperative Regulatory Processes in the Update to the Antitrust Guidelines for the Licensing of Intellectual Property*, **J. of the Antitrust, UCL, and Privacy Section of the State Bar of Cal.**
- \* *The FTC Report on Patent Assertion Entities: Lifting the veil*, **ABA Public Domain**.
- \* *Open Letter on Ethical Norms in Intellectual Property Scholarship*, **Harvard J. Law & Tech.**, with Mark A. Lemley et al.
- \* *Dolly the Sheep: A Cautionary Tale*, **Yale J. Law & Tech.**
- \* *A More Practical Model for Law Schools*, **Harvard Bus. Rev.**, with Alice Armitage.
- \* *Universities and Patent Demands*, **Oxford J. Law & Biosciences** (peer-review), with Andrew Cordova.
- \* *Startups and Unmet Legal Needs*, **Utah L. Rev.**, with Alice Armitage et al.
- \* *The Pace of Change*, **Chap. L. Rev.**
- \* *Gene Patenting After the U.S. Supreme Court Decision – Does Myriad Matter*, **Stanford L. & Policy Rev.**
- \* *Ending Patent Exceptionalism & Structuring the Rule of Reason: The Supreme Court Opens the Door for Both*, **Minn. J. Law, Sci. & Tech.**
- \* *A Conversation in Judicial Decision-Making*, **Hastings Sci. & Tech. Law J.**
- \* *For the Love of Licensing*, **Virginia J. Law & Tech.** 178.
- \* *Understanding and Incentivizing Biosimilars*, **Hastings L. J.**, with Jason Kanter.

- \* *Copyright and Open Access at the Bedside*, **New England Journal of Medicine** (peer-review), with John Newman.
- \* *The Intellectual Property Landscape for iPS Cells*, **Stanford J. Law, Sci. & Policy** (peer-review), with Deborah Furth.
- \* *The Role of the Subconscious in Intellectual Property Law*, **Hastings Sci. & Tech. Law J.**
- \* *Historic Perspectives on Law and Science*, **Stanford Tech. L. Rev.**
- \* *Law's Misguided Love Affair with Science*, **Minn. J. Law, Sci. & Tech.**
- \* *Open Source, Open Access, and Open Transfer: Market Approaches to Research Bottlenecks*, **Northwest. J. Tech. & Intellectual Prop.**, with Kris Nelson.
- \* *The Inventor's Contribution*, **UCLA J. Law & Tech.**
- \* *The Open Source Biotechnology Movement: Is It Patent Misuse*, **Minn. J. Law, Sci. & Tech.** (peer-review).
- \* *The Insufficiency of Antitrust Analysis for Patent Misuse*, **Hastings L. J.**
- \* *Considerations on the Emerging Implementation of Biometric Technology*, **Hastings Comm. & Ent. L. J.**
- \* *Consumption Taxes and the Theory of General and Individual Taxation*, **Virginia Tax Rev.**

### **Selected Op/Ed Commentaries**

**STAT**, Cutting-edge insulin is good. But it's the 'trailing edge' of older versions that can keep it affordable (2024).

**Washington Post**, The problem with direct-to-consumer pharmaceutical advertising (2023).

**Washington Post**, We Need a Labeling System for Pharmaceutical Prices (2022).

**Washington Post**, Drug Companies Keep Merging: Why That's Bad for Consumers and Innovation (2021).

**STAT**, Make List Price the Touchstone for Drug Pricing Across the Supply Chain (2020).

**Washington Post**, President Trump's Coronavirus Responses Highlights a Flawed Drug Pricing System (2020).

**Washington Post**, Why the Cancer "Moonshot" Has Been So Disappointing (2019).

**Washington Post**, The Perils of Value-Based Pricing for Prescription Drug (2019).

**Washington Post**, Why Prescription Drug Prices Have Skyrocketed (2018).

**STAT**, It's Time for a One-and-Done Approach for Prescription Drug Patents (2018).

**New York Times**, Slowing the Patent Trolls (2014).

**The Hill**, Next Patent Troll Victims: Pharma & Bio? (2014).

**Boston Globe**, To Liberate American Innovation, We Need to Rethink Patents (2013).

**SCOTUSBlog**, A Conversation Between the Supreme Court and the Federal Circuit (2013).

**Press** (prior ten academic years)

More than 850 press interviews with news outlets—including multiple interviews with the New York Times, Wall Street Journal, Fortune Magazine, Boston Globe, Reuters, BBC, The Economist, Politico, The Hill, American Lawyer, Nature Magazine, Chronicle of Higher Education, Law360, Daily Journal, Wired Magazine, San Jose Mercury News, San Francisco Chronicle, The Register (UK), Motherboard, and others, as well as dozens of live or recorded interviews with the following radio or television outlets: NPR Marketplace, NPR Science Friday, AP TV, KQED, KGO, local affiliates of CBS, ABC, FOX, Yale University Radio, and radio or TV stations in Russia, South Korea, Mexico, Australia, Canada, UK, and Japan.

**Appearances Before Legislative and Regulatory Bodies:** (since 2015)

- ◆ Senate Finance Committee Hearing on PBMs (2023)
- ◆ Joint USPTO-FDA Public Listening Session on Collaboration Initiatives (2023)
- ◆ USPTO Public Listening Session on Artificial Intelligence (2023)
- ◆ Federal Trade Commission’s workshop on The Future of Pharmaceuticals: Examining the Analysis of Pharmaceutical Mergers (2022)
- ◆ Senate Committee on the Judiciary, Subcommittee on Intellectual Property on Pride in Patent Ownership (2022)
- ◆ Senate Subcommittee on Consumer Protection, Product Safety and Data Security (2022)
- ◆ House Judiciary Antitrust Subcommittee, on consolidation and innovation in health care (2021)
- ◆ FTC Multilateral Pharmaceutical Merger Task Force (2021)
- ◆ Oregon State Legislature Health Care Committee, on pay-for-delay legislation (2021)
- ◆ National Association of Attorneys General on Advertising to Senior Citizens (2020)
- ◆ House Ways & Means Subcommittee on Health, on pharmaceutical pricing (2019)
- ◆ House Judiciary Committee, on pharmaceutical innovation (2019)
- ◆ California Assembly Judiciary Committee, on pharmaceutical pay-for-delay (2019)
- ◆ Federal Trade Commission, on artificial intelligence and competition (2018)
- ◆ National Attorneys General, on pharmaceutical rebates (2019)
- ◆ National Academies of Sciences, on pharmaceutical pricing (2019)
- ◆ Federal Trade Commission, on pharmaceutical pricing (2018)
- ◆ GAO, on artificial intelligence (2018)



- ◆ Army Cyber Institute Threatcasting Workshop, on weaponization of data (2018)
- ◆ National Academy of Sciences, on artificial intelligence (2017)
- ◆ US Patent & Trademark Office, on patent subject matter eligibility (2017)
- ◆ Federal Trade Commission, on pharmaceutical competition (2017)
- ◆ National Academy of Sciences, on artificial intelligence and government/industry relations (2016)
- ◆ House of Representatives Committee on Judiciary Subcommittee on Regulatory Reform, on the state of competition in the markets for addiction medicine (2016)
- ◆ Senate Committee on Judiciary Subcommittee on Antitrust, on drug price competition (2016)
- ◆ Industry Canada, Distinguished Expert presentation on strategic behavior in the patent system (2016)
- ◆ House Judiciary Committee closed door member briefing on patent reform and the America Invents Act (2015)

### ***Other Activities***

Visiting Professor, UCLA Law.

Herman Phleger Visiting Professor of Law, Stanford Law School.

Chair, Executive Committee of the Antitrust Section of the AALS.

Committee Member, Stanford University Hospital Ethics Committee.