

Christopher M. Newman

Associate Professor
George Mason University School of Law
3301 Fairfax Drive
Arlington, VA 22201
(703) 993-8131
cnewman2@gmu.edu

Employment:

George Mason University School of Law

Associate Professor without term (August 2014 to present)
Assistant Professor (Aug. 2008 to July 2014)
Courses: Copyright, Civil Procedure, Entertainment Law

Irell & Manella, LLP, Los Angeles CA

Associate in litigation, intellectual property and appellate workgroups
(2000-2007)

U.S. Court of Appeals for the Ninth Circuit, Pasadena CA

Law Clerk to Hon. Alex Kozinski (1999-2000).

Academic Fellowships/Appointments:

American Law Institute

Associate Reporter for the Restatement (Fourth) of Property, 2014-present
Elected Member, 2014-present

Chair of Executive Committee for Intellectual Property Section, AALS

2020-2021 Term

Copyright Alliance

Academic Advisory Board Member, 2012-present

UCLA Intellectual Property Project

Research fellowship (Jan.-June 2008)

Olin/Searle Fellow in Law, UCLA School of Law

Research fellowship (Jan.-Dec. 2007)

Research:

Restatement (Fourth) of Property (sections on bailment, licenses).

Against Weighing: Toward A Coherent Approach to the Fair Use Inquiry (in progress).

Isn't Infringement Ever Apparent?: Toward a Balanced Reading of §512 of the Digital Millennium Copyright Act (in progress).

Hohfeld and the Theory of in Rem Rights: An Attempted Mediation (book chapter), THE LEGACY OF WESLEY HOHFELD: EDITED MAJOR WORKS, SELECT PERSONAL PAPERS, AND ORIGINAL COMMENTARIES, Shyam Balganesh, Ted Sichelman & Henry Smith eds., Cambridge University Press (2021).

Using Things, Defining Property (book chapter), PROPERTY THEORY, James Penner & Michael Otsuka, eds., Cambridge University Press (2018).

Vested Use Privileges in Property and Copyright, 30 Harvard Journal of Law & Technology 75 (2017).

Bailment and the Property/Contract Interface, George Mason Legal Studies Research Paper No. LS 15-12 (2015), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2654988

What Exactly Are You Implying?: The Elusive Nature of the Implied Copyright License, 32 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL (2014).

An Exclusive License is Not An Assignment: Disentangling Divisibility and Transferability of Ownership in Copyright, 74 LOUISIANA L. REV. 59 (2013) (selected as one of year's best by Intellectual Property Law Review).

A License Is Not A "Contract Not To Sue": Disentangling Property and Contract in the Law of Copyright Licenses, 98 IOWA L. REV. 1101 (2013).

Transformation in Property and Copyright, 56 VILLANOVA L. REV. 251 (2011) (reprinted in ADAM MOSSOFF, INTELLECTUAL PROPERTY AND PROPERTY RIGHTS (Edward Elgar 2013)).

Patent Infringement As Nuisance, 59 CATHOLIC UNIVERSITY L. REV. 61 (2009).

What's So Fair About Fair Use?, 46 J. COPYRIGHT SOC'Y 513 (1999) (co-authored with Alex Kozinski) (excerpted in ROBERT P. MERGES & JANE C. GINSBURG, FOUNDATIONS OF INTELLECTUAL PROPERTY (Matthew Bender 2006)).

Selected Presentations/Media:

Post-sale restrictions post-Quanta

2008 Advanced Patent Law Institute—Alexandria VA, December 2008

Google Book Search, Fair Use, and Gridlock (panel moderator)

Tragedies of the Gridlock Economy Conference, George Mason, 2009

Infringement as Nuisance

Virginia Junior Faculty Program, University of Richmond School of Law, 2009

Junior Scholars in IP Workshop at Michigan State (peer-selected), 2009
Works In Progress IP Conference, Seton Hall, 2009
Whittier School of Law Center for Intellectual Property (invited), 2010

Transformation in Law and Property

Henry Manne Faculty Forum, 2010
Levy Workshop, 2010
Virginia Junior Faculty Program, University of Richmond School of Law, 2010
Intellectual Property Scholars Conference, UC Berkeley, 2010

Copyright Compromises: Creators' Rights, ISP Efficiency & Consumer Welfare

Information Economy Project, George Mason (presenter/moderator), 2011

A License is Not A Contract Not To Sue

Henry Manne Faculty Forum, 2011
Levy Workshop, 2011
Junior Scholars in IP Workshop at Michigan State (peer-selected), 2012
Intellectual Property Scholars Conference, DePaul, 2011

Golan v. Holder - Federalist Society SCOTUSCast (podcast commentary)

Post-Argument, October 2011
Post-Decision, January 2012

The Supreme Court Rules on Congress's Power to Grant Copyrights to Public Domain Works (podcast commentary)

Federalist Society Intellectual Property Practice Group Podcast, February 2012

Robert Merges's Justifying Intellectual Property (roundtable participant)

Notre Dame Law School, April 2012

An Exclusive License Is Not An Assignment

Henry Manne Faculty Forum, 2012
Levy Workshop, 2012
Intellectual Property Scholars Conference, Stanford, 2012
Berkeley Intellectual Property Scholarship Seminar (invited), 2012

Already, LLC v. Nike, Inc. - Federalist Society SCOTUSCast (podcast commentary)

Post-Decision, January 2013

The New Deal Constitution at 75: Erie v. Tompkins (roundtable participant)

American Enterprise Institute, March 2013

Copyright Revision (roundtable participant)

Center for Protection of Intellectual Property, May 2013

Copyright and Commercialization after Kirtsaeng (podcast roundtable)

Federalist Society IP Practice Group /CPIP, May 2013

Copyright, Creativity and Commercialization (roundtable participant)
Center for Protection of Intellectual Property, June 2013

Software Bailments and the Property/Contract Interface
Henry Manne Faculty Forum 2013

What Exactly Are You Implying?: The Elusive Nature of the Implied Copyright License
Levy Workshop, November 2013

Petrella v. MGM, Inc. (moot court judge in preparation for Supreme Court argument)
Heritage Foundation, January 2014

Intellectual Privilege (featured commentator at book forum)
CATO Institute, May 2014

Copyright Originalism (featured discussant)
Federalist Society Teleforum, September 2014

Bailment and the Property/Contract Interface
Federalist Society Young Legal Scholars Paper Presentation, January 2015

Objects of Authorship: Resuscitating Fair Use's Neglected Factor Two
Fair Use in the Digital Age, University of Washington Law School, April 2015

Vested Use Privileges in Property and Copyright
Harvard Project on Private Law and IP, March 2016

Letting Nature Run Its Course: How (and why) to Resuscitate Fair Use's Moribund Second Factor
IP in the Trees Workshop, Lewis & Clark School of Law, March 2016

Education:

University of Michigan Law School, Ann Arbor, Michigan:

- J.D. 1999, *magna cum laude*.
- *Michigan Law Review*, Book Review Editor, Volume 97.
- Henry M. Bates Memorial Scholarship (highest law school award).
- Clarence Darrow Merit Scholar (1996-1999).

St. John's College, Annapolis, Maryland:

- Bachelor of Arts in Interdisciplinary Classical Liberal Arts, 1991.
- Honors for Oral Examination on Senior Essay.
- Senior Class Award for Excellence in Speaking.