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ACADEMIC APPOINTMENTS

	Vanderbilt Law School
2023–present	<i>Robert S. and Theresa L. Reder Faculty Fellow</i>
2020–present	<i>Professor of Law</i>
2018–2020	<i>Associate Professor of Law</i>
2015–2018	<i>Assistant Professor of Law</i>

	Vanderbilt University Blair School of Music
2024–present	<i>Professor</i> (secondary appointment)

2013–2015	Harvard Law School
	<i>Climenko Fellow and Lecturer on Law</i>

EDUCATION

2009	Harvard Law School, J.D., <i>cum laude</i> Laylin Prize (best paper in the field of public international law) <i>Harvard International Law Journal</i> , Executive Online Editor
2006	University of Cambridge, M.Phil., Musicology Thesis: <i>A Monument Stands Over Babi Yar: Dmitri Shostakovich's Thirteenth Symphony as Holocaust Memorial</i>
2005	Harvard College, A.B., <i>magna cum laude</i> with highest honors, Music and Religion Thesis: <i>The Collective Memory of a Memorial: The American Reception of Dmitri Shostakovich's Second Piano Trio in E Minor, Op. 67</i> (awarded the Thomas T. Hoopes Prize)

PUBLICATIONS

Earning Trade Secrets (with Deepa Varadarajan)

109 CORNELL LAW REVIEW ____ (forthcoming 2024) [[ssrn](#)]

Authoring Prior Art (with Kristelia Garcia)

75 VANDERBILT LAW REVIEW 1159 (2022) [[ssrn](#)]

Reviewed in Lisa Larrimore Ouellette, *Prior Art in Copyright*, JOTWELL (February 17, 2022)

Selected as one of the year's best entertainment law articles and reprinted in the ENTERTAINMENT, PUBLISHING AND THE ARTS HANDBOOK (Thomson Reuters 2023)

Originality's Other Path

109 CALIFORNIA LAW REVIEW 861 (2021) [[ssrn](#)]

Reviewed in Laura Pedraza-Fariña, *Rediscovering Patents' and Copyrights' Common Origin Story*, JOTWELL (October 20, 2020)

Tonal Concept and Feel (invited symposium contribution)

38 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 655 (2021) [[ssrn](#)]

Derivable Works

67 UCLA LAW REVIEW 122 (2020) [[ssrn](#)]

The Future of Music Trademarks Under Dastar

Chapter in THE OXFORD HANDBOOK OF MUSIC LAW AND POLICY (Sean O'Connor, ed., 2020) [[ssrn](#)]

Similar Secrets (with Deepa Varadarajan)

167 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1051 (2019) [[ssrn](#)]

Reviewed in Pamela Samuelson, *What Copyright Might Teach Trade Secrecy*, JOTWELL (February 5, 2019)

Selected as one of the year's best intellectual property articles and reprinted in the INTELLECTUAL PROPERTY LAW REVIEW (Thomson Reuters 2020)

Music as a Matter of Law

131 HARVARD LAW REVIEW 1861 (2018) [[ssrn](#)]

Discussed by the High Court of New Zealand in *Eight Mile Style, LLC v. N.Z. Nat'l Party*, [2017] HC (N.Z.), CIV-2014-485-11220

Selected for the Stanford/Yale/Harvard Junior Faculty Forum

Selected as one of the year's best intellectual property articles and reprinted in the INTELLECTUAL PROPERTY LAW REVIEW (Thomson Reuters 2019)

Honest Copying Practices

93 NOTRE DAME LAW REVIEW 267 (2017) [[ssrn](#)]

The Copy Process

91 NEW YORK UNIVERSITY LAW REVIEW 855 (2016) [[ssrn](#)]

Creating Around Copyright

128 HARVARD LAW REVIEW 1333 (2015) [[ssrn](#)]

Copyright Infringement and the Separated Powers of Moral Entrepreneurship

51 AMERICAN CRIMINAL LAW REVIEW 359 (2014) [[ssrn](#)]

Locating the International Interest in Intranational Cultural Property Disputes

35 YALE JOURNAL OF INTERNATIONAL LAW 347 (2010) [[ssrn](#)]

COMMENTARY

Could Elvis Impersonators and Tribute Bands be Sued in Tennessee? Possibly Under AI Bill,
THE TENNESSEAN, Mar. 1, 2024

Guest, *Infringing on Musical Feel*, TALKS ON LAW

WORKS IN PROGRESS

That's My Song: How Nashville Songwriters Work (book)

Infringement as Betrayal

AWARDS

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|------|--|
| 2023 | Robert S. and Theresa L. Reder Faculty Fellowship |
| 2017 | Vanderbilt University Provost Research Studios Award |
| 2010 | Sponsored Scholarship Grant from the University of Houston Law Center, Institute for Intellectual Property & Information Law |

OTHER EXPERIENCE

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| 2011–2013 | Jenner & Block, New York, NY
<i>Associate</i> |
| 2010–2011 | U.S. District Court for the Southern District of New York, New York, NY
<i>Law clerk</i> , Judge Miriam Goldman Cedarbaum |
| 2009–2010 | U.S. Court of Appeals for the First Circuit, Concord, NH
<i>Law clerk</i> , Judge Jeffrey R. Howard |

Summer 2008 Gibson, Dunn & Crutcher, Washington, DC
Summer associate

Summer 2007 Citizens' Watch, Saint Petersburg, Russia
Legal intern

PRESENTATIONS

Apr. 2024 Moderator, *Use of Existing Music for Machine Learning*, Vanderbilt Music Law Summit, Vanderbilt Law School

Mar. 2024 *The Past, Present, and Future Law of Music Copyright Infringement in the United States*, UNCLC Research Seminar Series, University of Nottingham School of Law

Mar. 2024 *The Past, Present, and Future Law of Music Copyright Infringement in the United States*, Institute of Brand and Innovation Law, University College London

Feb. 2024 Panelist, *Music, Law, and AI: Exploring Generative AI for Music*, Eastman School of Music

Jan. 2024 Moderator, *Generative AI and Music: A Creative Collaboration or the New Threat to the Music Industry?*, Copyright Society Midwinter Meeting

Aug. 2023 *Earning Trade Secrets*, Faculty Workshop, Vanderbilt Law School

Aug. 2023 *Earning Trade Secrets*, 23rd Annual Intellectual Property Scholars Conference, Cardozo Law School

July 2023 *Earning Trade Secrets*, 41st Annual Congress of the Association for the Advancement of Teaching and Research in Intellectual Property, University of Tokyo

May 2023 Commentator on *Learned Hand's Copyright Law* (Shyamkrishna Balganesh), Eighth Copyright Scholarship Roundtable, University of Pennsylvania Law School

Apr. 2023 Panelist, *Don't Fence Me In! The Metes and Bounds of Copyrightable Musical Expression*, The George Washington University Law School

Apr. 2023 *Earning Trade Secrets*, Chicago IP Colloquium, Chicago-Kent College of Law

Mar. 2023 *Earning Trade Secrets*, IP Workshop, Boston University School of Law

Mar. 2023 *Earning Trade Secrets*, Intellectual Property and Information Law Colloquium, Cardozo Law School

Aug. 2022 *Copyright and Nashville Songwriters: A Qualitative Study*, 22nd Annual Intellectual Property Scholars Conference, Stanford Law School

June 2022 Commentator on *Fair Use and Fair Price* (Gideon Parchomovsky and Roy Baharad), Seventh Copyright Scholarship Roundtable, Columbia Law School

Apr. 2022 Panelist, *Creating and Protecting Music: Finding the Right Balance Between New and Old*, Eastman School of Music

Mar. 2022	Panelist, <i>Music Copyright Infringement in the United States</i> , Music Copyright Infringement: Global Perspectives, The George Washington University Law School
Feb. 2022	Moderator, <i>Music Panel</i> , Symposium: Perspectives on Equity in Entertainment, Vanderbilt Law School
Oct. 2021	<i>Authoring Prior Art</i> , Sixth Copyright Scholarship Roundtable, University of Pennsylvania Law School
Sept. 2020	Panelist, <i>What Is the Scope of a Musical Composition?</i> , The Evolving Music Ecosystem Conference, Antonin Scalia Law School
Mar. 2020	Moderator, <i>Music Panel</i> , Symposium: Lay Listeners, Sheet Music, & Chord Progressions: The Future of Copyright Infringement Analysis in Music, University of Colorado Law School
Feb. 2020	Panelist, Symposium: <i>The Roles of Technology Expertise in Law and Policy</i> , UC Berkeley School of Law
Nov. 2019	<i>Originality's Other Path</i> , Intellectual Property Workshop, University of Michigan Law School
Nov. 2019	<i>Originality's Other Path</i> , IP Speaker Series, The George Washington University Law School
Aug. 2019	<i>The Derivative Right: Lessons from the Film Industry</i> , 38th Annual Congress of the Association for the Advancement of Teaching and Research in Intellectual Property, Vanderbilt Law School
June 2019	<i>Derivable Works</i> , Fourth Copyright Scholarship Roundtable, University of Pennsylvania Law School
May 2019	Moderator, <i>Proving Similarity</i> , Proving IP Symposium, New York University School of Law
Mar. 2019	<i>Similar Secrets</i> , Innovation Policy Colloquium, New York University School of Law
Nov. 2018	<i>Music as a Matter of Law</i> , Faculty Workshop, Maurice A. Deane School of Law at Hofstra University
Oct. 2018	Discussant, Roundtable on Glynn Lunney's <i>Copyright's Excess</i> , Notre Dame Law School
Aug. 2018	<i>Similar Secrets</i> , 18th Annual Intellectual Property Scholars Conference, UC Berkeley School of Law (plenary presentation)
May 2018	<i>Similar Secrets</i> , Junior Scholars in Intellectual Property Workshop, Michigan State University College of Law
May 2018	Panelist, <i>New Frontiers in Branding</i> , The New Music Ecosystem Conference, University of Washington School of Law
Apr. 2018	<i>Similar Secrets</i> , Faculty Workshop, University of Virginia Law School
Mar. 2018	<i>Similar Secrets</i> , Faculty Speaker Series, University of Houston Law Center

Sept. 2017	<i>Music as a Matter of Law</i> , Law & Technology Faculty Workshop, University of Pennsylvania Law School
Aug. 2017	<i>The Sequel Subsidy</i> , 17th Annual Intellectual Property Scholars Conference, Cardozo Law School
June 2017	<i>Music as a Matter of Law</i> , Stanford/Harvard/Yale Junior Faculty Forum, Stanford Law School
May 2017	<i>Music as a Matter of Law</i> , Junior Scholars in Intellectual Property Workshop, Michigan State University College of Law
Apr. 2017	<i>The Sequel Subsidy</i> , Fourth Annual Vanderbilt Intellectual Property Scholars Roundtable, Vanderbilt Law School
Mar. 2017	Distinguished Hosier Lecture, DePaul University College of Law
Dec. 2016	<i>The Sequel Subsidy</i> , 7th Emerging Markets Finance Conference, Mumbai
Sept. 2016	<i>Music as a Matter of Law</i> , Intellectual Property Law Colloquium, BYU Law School
Aug. 2016	<i>Music as a Matter of Law</i> , 16th Annual Intellectual Property Scholars Conference, Stanford Law School
July 2016	Discussant, Neil Netanel, <i>From Maimonides to Microsoft</i> , 19th International Conference of the Jewish Law Association, Tel Aviv University
June 2016	<i>Honest Copying Practices</i> , 35th Annual Congress of the Association for the Advancement of Teaching and Research in Intellectual Property, Jagiellonian University
May 2016	<i>Music as a Matter of Law</i> , Intellectual Property Committee Meeting, Nashville Bar Association
Apr. 2016	<i>Music as a Matter of Law</i> , 3rd Annual Vanderbilt Intellectual Property Scholars Roundtable, Vanderbilt Law School
Mar. 2016	<i>The Copy Process</i> , Illinois IP Colloquium, University of Illinois College of Law
Nov. 2015	<i>The Copy Process</i> , 1st Annual Copyright Scholarship Roundtable, University of Pennsylvania Law School
Aug. 2015	<i>The Copy Process</i> , 15th Annual Intellectual Property Scholars Conference, DePaul University College of Law
Nov. 2014	<i>Creating Around Copyright</i> , Media, Entertainment, and Intellectual Property Law Colloquium, UCLA School of Law
Aug. 2014	<i>Creating Around Copyright</i> , 14th Annual Intellectual Property Scholars Conference, UC Berkeley School of Law
June 2014	<i>Creating Around Copyright</i> , Munich Conference on Innovation and Competition, The Max Planck Institute for Innovation and Competition and ETH Zurich (plenary presentation)

Mar. 2006 *The Collective Memory of a Memorial: The American Reception of Dmitri Shostakovich's Second Piano Trio*, Trajectories of Memory: Intergenerational Representations of the Holocaust in History and the Arts, Bowling Green State University

MEDIA APPEARANCES (SELECTED)

Aruni Soni, *Spotify Royalty Drama Casts Shadow Over Songwriter Consensus*, BLOOMBERG LAW, June 25, 2024

Ben Sisario, *What Is a Song?*, NEW YORK TIMES, May 2, 2024

Bill Donahue & Kristin Robinson, *Will Tennessee's New AI Voice Law Have Unintended Consequences?*, BILLBOARD, Apr. 15, 2024

Tennessee Lawmakers Move to Regulate AI and Deepfakes, ALL THINGS CONSIDERED (NPR), Apr. 8, 2024

Emily Cochrane, *Tennessee Makes A.I. an Outlaw to Protect Its Country Music and More*, NEW YORK TIMES, Mar. 21, 2024

'ELVIS Act' Seeks to Protect TN musicians from AI, WKRN NEWS (ABC), Feb. 16, 2024

Annelise Gilbert, *AI Fight Complicates TikTok, Universal Music Licensing Standoff*, BLOOMBERG LAW, Feb. 6, 2024

Bryan West, *Could Selling Taylor Swift Merchandise Open You up to a Trademark Infringement Lawsuit?*, USA TODAY, Nov. 28, 2023

Sheeran Copyright Infringement Case Highlights 'Troubling' Trend for Artists, Expert Says, THE NATIONAL DESK (SINCLAIR), May 5, 2023

Isaiah Poritz, *Ed Sheeran Win Assuages Music Creators Fearing Litigation Frenzy*, BLOOMBERG LAW, May 5, 2023

AI-Generated Music Is On The Rise—How Will It Change The Recording Industry?, AIRTALK WITH LARRY MANTLE (NPR), May 2, 2023

Matthew Ismael Ruiz, *Songwriting at the Dawn of AI: When Machines Can Write, Who Is the Artist?*, PITCHFORK, Mar. 30, 2023

Ben Sisario, *When Songs Sound Similar, Courts Look for Musical DNA*, NEW YORK TIMES, Mar. 1, 2023

Bill Donahue & Andrew Unterberger, *Why Miley Cyrus' 'Flowers' Doesn't Need to Credit Bruno Mars*, BILLBOARD, Jan. 26, 2023

Isaiah Poritz, *TikTok Music Lawsuits Fire Warning Shots to Brands, Influencers*, BLOOMBERG LAW, Dec. 6, 2022

Ben Sisario, *The 'Blurred Lines' Case Scared Songwriters. But Its Time May Be Up*, NEW YORK TIMES, Mar. 24, 2020

Ben Sisario, *Original or Copied? 'Stairway to Heaven' Is Back in Court*, NEW YORK TIMES, Sept. 22, 2019

PROFESSIONAL ACTIVITIES

Coauthor, Written Comments in Response to U.S. Copyright Office's *Termination Rights and the Music Modernization Act's Blanket License: Notice of Proposed Rulemaking* (2022)

Coauthor, Brief Amici Curiae of 19 Intellectual Property Professors in Support of Petitioner Led Zeppelin, *Skidmore v. Led Zeppelin* (9th Cir. 2019) (en banc)

Refereed book manuscripts for Cambridge University Press, University of Chicago Press, and Routledge Books, as well as article manuscripts for *Jazz Perspectives*, *NYU Law Review*, *Stanford Law Review*, and *Yale Law Journal*

Member, International Association for the Advancement of Teaching and Research in Intellectual Property

Graduate of Leadership Music (yearlong program designed to further communications and understanding among different sectors of the music business)

BAR ADMISSIONS

2012	U.S. District Court for the Eastern District of New York
2012	U.S. District Court for the Southern District of New York
2010	New York