

LARS STUART SMITH

Professor and Samuel J. Stallings Chair in Law
University of Louisville Louis D. Brandeis School of Law
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PERMANENT ACADEMIC APPOINTMENTS

University of Louisville Louis D. Brandeis School of Law, Louisville, KY 2000 – Present
Professor and Samuel J. Stallings Chair in Law (2007-Present)
Interim Dean (July to December 2017, June 2021- June 2022)
Associate Dean for Academic Affairs (2016-2021)
Associate Professor (2006-2007)
Assistant Professor (2000-2006)

LONG TERM VISITS

Fulbright Scholar - Zhongnan University of Economics and Law, Wuhan, P.R. China Spring 2011
Courses Taught: Survey of U.S. Intellectual Property Law, Trademark Moot Court Team

Franklin Pierce Law Center, Concord, NH 1999-2000
Courses Taught: Creativity and Innovation Clinic, Trademark Law,
Trademark Registration Practice

CONSULTING AND SHORT-TERM TEACHING

Zhongnan University of Economics and Law, Wuhan, P.R. China 2019, 2015, 2014
Courses Taught: Survey of U.S. Intellectual Property Law, Trademark Law

Northwest University of Economics and Law, Xi'an, China 2012
Project: Research Project on Intellectual Property and the Economic
Development of Cultural Industries in Western China
Sponsored by the China International Talent Exchange Foundation

Turku University, Turku, Finland 2003, 2007
Course: Selected Issues in the US Legal System
Topic: Issues in American Property Law

Franklin Pierce Law Center, Concord, NH 1997-2003
Courses: Trademark Registration Practice (Spring 1999, Summer 1999,
2000, 2002, 2003), Attorney Advisor to Innovation Clinic (Spring 1998)

LAW PRACTICE EXPERIENCE

Getman, Stacey, Tamposi, Schulthess & Steere, Bedford, NH 1998-1999
Associate, Corporate/Intellectual Property Department

Kassler & Feuer, Boston, MA 1994-1997
Associate, Business Group

Sheehan, Phinney, Bass + Green, Manchester, NH 1992 -1994
Associate, Corporate Division.

OTHER WORK EXPERIENCE

Security Pacific Financial Services, Manchester, CT 1987-1989

Branch Manager (1988-1989), Assistant Branch Manager (1987-1988)

BayBank, Waban, MA

1986-1987

Senior Customer Service Representative

EDUCATION

Franklin Pierce Law Center, Concord, NH

1999

LL.M. (Intellectual Property)

New England School of Law, Boston, MA

1992

J.D. *Summa Cum Laude*

Valedictorian

Senior Technical Coordinating Editor, NEW ENGLAND LAW REVIEW

Colby College, Waterville, ME

1986

A.B., Economics, *with Distinction*

COURSES TAUGHT

Business Planning

Law and Economics

Business Torts

Property I

Creativity and Innovation Clinic

Property II

Entrepreneurship Law Clinic (Advisor)

Right of Publicity

Federal Trademark Registration

Survey of Intellectual Property Law

Franchising Law

Secured Transactions

In-House Counsel Externship

Trademark and Unfair Competition Law

Intellectual Property Negotiation

University of Louisville Law Clinic

PUBLICATIONS

Legal Challenges Associated with Bitcoins, LOUISVILLE BAR ASSOC. BAR BRIEFS, Dec. 2015, at 8-9,14.

MASTERING TRADEMARK AND UNFAIR COMPETITION LAW (Carolina Academic Press, 2013) (with Llewellyn J. Gibbons)

Trademark Law and Trade Secret Law, in FRANCHISING: CASES, MATERIALS, AND PROBLEMS 27-88, 147-183 (American Bar Association, 2013) (Alexander Meiklejohn, ed.)

Trademark Law, in 3 THE HANDBOOK OF TECHNOLOGY MANAGEMENT 823-41 (John Wiley & Sons, Inc., 2010) (Hosein Bidgoli, ed.)

RFID in the Supply Chain: Panacea or Pandora's Box? 51 COMMUNICATIONS OF THE ACM 127-131 (2008) (co-authored with Dr. Brian L. Dos Santos).

Distinctive Designs and Functional Products: Limitations on the Protection of Trade Dress under Trademark Law, 3 INTELLECTUAL PROPERTY AND INFORMATION WEALTH 323-44 (Praeger, 2007) (Peter K. Yu, ed.)

RFID and Embedded Technology: Who Owns the Data? 22 SANTA CLARA COMPUTER & HIGH TECH. L. J. 695-757 (2006)

Trade Distinctiveness: Solving Scalia's Tertium Quid Trade Dress Conundrum, 2005 MICHIGAN STATE LAW REVIEW 243-308

General Intangible or Commercial Tort: Moral Rights and State Based Intellectual Property as Collateral Under UCC Revised Article 9, 22 EMORY BANKRUPTCY DEVELOPMENTS JOURNAL 95-156 (2005)

Some Comments to Professor Port's Response, 94 TRADEMARK REPORTER 893-98 (2004)

Developing a Registration System for Famous Trademarks, 93 TRADEMARK REPORTER 1097-1152 (2003)

Trade Secrets in Commercial Transactions and Bankruptcy, 40 IDEA 549-80 (2000)

Has New Jersey Cleared the Air for More Smokers' Litigation? A Review of Dewey v. R.J. Reynolds Tobacco Co.,
26 NEW ENGLAND LAW REVIEW 611-35 (1991)

PUBLICATIONS –WORKS IN PROGRESS

Bitcoins and UCC Article 9

Mastering Licensing of Intellectual Property

HONORS

| | |
|---|------|
| University of Louisville Distinguished Faculty Award in Teaching | 2012 |
| Fulbright Scholar Award, Distinguished Lectureship Zhongnan University of Economics and Law, Wuhan, China | 2011 |
| Excellence in Teaching Award, Louis D. Brandeis School of Law | 2008 |
| Article <i>Trade Distinctiveness: Solving Scalia's Tertium Quid Trade Dress Conundrum</i> , selected as one of the leading articles on intellectual property published in 2005, republished at 38 INTELLECTUAL PROPERTY LAW REVIEW 305-370 (West 2006) (Karen Tripp, Ed.) | 2006 |
| The Yacos Prize for Excellence in Commercial Law, Franklin Pierce Law Center | 1998 |
| Amos L. Taylor Award for Excellence in Scholarship, New England School of Law | 1992 |

SERVICE (SELECTED)

University

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|---|---------|
| Budget Model Workgroup | 2019-21 |
| UofL Digital Transformation Team | 2019-21 |
| Provost's Covid Academic Response Committee | 2020-21 |
| Advisory Board to Delphi Center for Teaching and Learning | 2013-20 |
| Provost Search Committee | 2019-20 |
| University of Louisville Athletic Association, Faculty Board Member (Elected) | 2016-19 |
| Committee on Academic Performance (ULAA Board Subcommittee) | 2016-19 |
| Task Force on Tuition and Fee Setting | 2016-17 |
| University Faculty Grievance Committee | 2012-16 |
| Provost's Budget Advisory Committee | 2008-16 |

Law School

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|---|------------------|
| Admissions Committee | 2015-2021 |
| Chair, Personnel Committee | 2016-2021 |
| Chair, Curriculum Committee (Co-Chair, 2019-20) | 2016-2021 |
| Chair, Hiring Committee | 2008, 2021 |
| Co-Chair, Law School Strategic Planning Committee | 2006-07, 2016-17 |
| Chair, Law School Student Grievance Committee | 2012-13 |

Community

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| Leadership Louisville, Class of 2017 | 2016-2017 |
| Fellow, The Brandeis Partners for Justice Fellowship, Legal Aid Society of Louisville | 2010 |

Professional

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| ACC Academic Leadership Network | 2018-19 |
| Association of American Law Schools, Privacy and Defamation Section Chair | 2005 |

PRESENTATIONS

Professional Presentations

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|---|----------------|
| <i>Copyright Law Issues in Online Teaching</i> Delphi U – Delphi Center for Teaching and Learning, University of Louisville | July 2020 |
| <i>Copyright Law Issues in Online Teaching</i> Delphi U – Delphi Center for Teaching and Learning, University of Louisville | May 2018 |
| <i>Copyright Law Issues in Online Teaching</i> Delphi U – Delphi Center for Teaching and Learning, University of Louisville | May 2017 |
| <i>Cryptocurrency, Blockchain, and the Law</i> The Business Law Network CLE University of Mississippi School of Law, Oxford, MS | October 2017 |
| <i>U.S. Regulation of New Technologies: The Bitcoin Example</i> 8 th Annual Conference on Innovation and Communications Law University of Eastern Finland, Joensuu, Finland | May 2016 |
| <i>Copyright Law Issues in Online Teaching</i> Delphi U – Delphi Center for Teaching and Learning, University of Louisville | April 2016 |
| <i>U.S. Patent and Trade Secret Law Update</i> China University of Political Science and Law, Beijing, P.R. China | April 2016 |
| <i>U.S. Regulation of New Technologies: The Bitcoin Example</i> 2016 IPR Nanhu Forum: International Conference on “Judicial Protection of IPR and Construction of a Power Country,” Beijing, P.R. China | April 2016 |
| <i>U.S. Regulation of New Technologies: The Bitcoin Example</i> 7 th Annual Innovation & Communications Law Conference Xiamen University, Xiamen, P.R. China | July 2015 |
| <i>Three Dimensional Marks Under U.S. Law</i> China University of Political Science and Law, Beijing, P.R. China | April 2015 |
| <i>U.S. Regulation of New Technologies: The Bitcoin Example</i> 2015 IPR Nanhu Forum: International Conference on “Building a Powerful IPR Country” Nanjing, P.R. China | April 2015 |
| <i>Bitcoins in Secured Transactions: There Is No Spoon</i> 2015 Intellectual Property Scholars Roundtable, Drake University Law School, Des Moines, IA | March 2015 |
| <i>IP, Commerce Clause and The Affordable Care Act Case</i> Fifth Annual Conference on Innovation and Communications Law, Glen Arbor, Michigan | May 2013 |
| <i>Boundaries of Patent Liability and Cloud Computing, Searching for the</i> Boundaries of Intellectual Property Law Conference Hong Kong University, Hong Kong | December 2012 |
| <i>IP, Commerce Clause and The Affordable Care Act Case</i> University of New Hampshire School of Law, Concord, NH | September 2012 |
| <i>SOPA and PIPA: What’s All the Fuss?</i> Government Issues & Access to Information Program Special Library Association, Kentucky Chapter Louis D. Brandeis School of Law, University of Louisville, Louisville, KY | August 2012 |

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| <i>Patents and Cloud Computing</i> 4th Annual Conference on Innovation and Communications Law, Turku, Finland | May 2012 |
| <i>Patents and Cloud Computing</i> 2012 IPR Nanhu Forum: International Conference on “Intellectual Property Rights: System Improvement and Industrial Development” Shenzhen, P.R. China | May 2012 |
| <i>Patents and Cloud Computing</i> 2012 Intellectual Property Scholars Roundtable, Drake University Law School, Des Moines, IA | March 2012 |
| <i>Patents and Cloud Computing</i> UNH Law School, Concord, NH | September 2011 |
| <i>IP and Cloud Computing</i> Louisville Bar Association Intellectual Property Section, Louisville, KY | September 2011 |
| <i>Intellectual Property and US/China Relations,</i> University of Science and Technology of China, Hefei, P.R. China | June 2011 |
| <i>Intellectual Property and US Foreign Policy,</i> Wuhan University, Wuhan, P.R. China | April 2011 |
| <i>Intellectual Property and US/China Relations</i> United International College, Zhuhai, P.R. China | April 2011 |
| <i>Updating the Remedies Sections of the Lanham Act</i> The University of Louisville Law Review Symposium on Intellectual Property Law, Louis D. Brandeis School of Law, Louisville, KY | November 2010 |
| <i>The Role of Exclusive IP Rights in Research</i> Climate Change and Intellectual Property Rights Conference, Sønderborg, Denmark | May 2010 |
| <i>The Role of Exclusive IP Rights in Research,</i> 2010 Intellectual Property Scholars Roundtable, Drake University Law School, Des Moines, IA | March 2010 |
| <i>Basic Property Law Issues</i> Legal Aid Society of Louisville, Louisville, KY | March 2010 |
| <i>Trade Secrets as a Method of Information Dissemination,</i> Association of Teachers and Researchers in Intellectual Property Annual Meeting University of Vilnius, Vilnius, Lithuania | September 2009 |
| Moderator, <i>Panel on Trademarks and Geographical Indications,</i> Second Annual Conference in Innovation and Communications Law, Louisville, KY | August 2009 |
| <i>RFID: Who Owns the Data?</i> 2009 IPR Nanhu Forum, South China University of Technology, Guangzhou, P.R. China | May 2009 |
| <i>Are Dilution Laws Necessary or Beneficial in Developing Nations?</i> Presentation at Branding the Land: Trademarks, Geographical Indicators and the Advancement of Third World Development Conference, John Marshall Law School, Chicago, IL | April 2008 |
| <i>How the Internet Helps Preserve Lesser Spoken Languages</i> Cultural Rights in the Internet Age, Law and Society Annual Meeting, Berlin, Germany | July 2007 |

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| <i>The Benefits and Costs of Adopting the U.S. Form of Trade Secret Protection</i> Association of Teachers and Researchers in Intellectual Property Annual Meeting, Faculty of Law, University of Buenos Aires, Argentina | July 2007 |
| <i>The Effect of eBay Inc. v. MercExchange, L.L.C. on Obtaining Injunctions In Trademark Cases</i> Louisville Bar Association Intellectual Property Section, Louisville, KY | June 2007 |
| <i>What if eBay Inc. v. MercExchange, L.L.C. Had Been A Trademark Case?</i> The 4th Annual Intellectual Property Conference, MSU College of Law, East Lansing, MI | March 2007 |
| <i>RFID and The Supply Chain: Who Owns the Data?</i> Louisville Bar Association Intellectual Property Section, Louisville, KY | September 2006 |
| Panelist, "RFID and Surveillance" Symposium: Privacy in The Information Age: Databases, Digital Dossiers, and Surveillance, sponsored by the Santa Clara University School of Law Computer and High Technology Law Journal. Presented paper, <i>RFID Tags and Other Embedded Technologies: Who Owns the Data?</i> San José, CA | January 2006 |
| <i>Tracked, Profiled and Identified: Privacy and the Linkage of Data to Individuals</i> Moderator, Association of American Law Schools Annual Meeting, Washington, DC | January 2006 |
| <i>RFID - Intellectual Property and Tracking Devices</i> Louisville Bar Association Intellectual Property Section, Louisville, KY | September 2005 |
| <i>RFID - Intellectual Property and Tracking Devices</i> Law and Society Conference, Las Vegas, NV | June 2005 |
| <i>Brand: Comparison of Marketing Executive and Lawyer's view of Brands and Marks</i> IP Scholars Roundtable Discussion, MSU College of Law, East Lansing, MI | February 2005 |
| <i>How Intellectual Property Laws Designed to Encourage Innovation Can Limit Business Development</i> IP Scholars Roundtable Discussion, MSU College of Law, East Lansing, MI | February 2004 |
| <i>Should Everyone be a Criminal? A Debate on Downloading Music off the Internet</i> Louisville Bar Association Intellectual Property Section, Louisville, KY | November 2003 |
| <i>Security Interests in State Based Intellectual Property Rights under Revised Article 9</i> Central States Law School Association, University of Toledo, Toledo, OH | September 2003 |
| <i>Tertium Quid: Understanding Trade Dress Protection for Services in Light of the Wal-Mart Decision</i> Law and Society Association Annual Meeting, Pittsburgh, PA | June 2003 |
| <i>Tertium Quid: Trade Dress Protection for Services after Wal-Mart</i> Central States Law School Association, University of Kentucky, Lexington, KY | September 2002 |
| Panelist, "Teaching Law and Entrepreneurship" Southeastern Conference of Association of American Law Schools, Kiawah, SC | August 2002 |
| <i>Recent Developments in Intellectual Property Law</i> Righting Your IP Rights, and Recent Developments on Redressing IP Wrongs Louisville Bar Association, Louisville, KY | May 2002 |
| <i>Joint Ventures between Law and Other Departments</i> Legal Educators Meeting, Kauffman Center for Entrepreneurial Leadership Kansas City, MO | April 2002 |
| <i>Copyright Basics for Musicians and Performers</i> Southern Arts Foundation Conference, Louisville, KY | October 2001 |

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| <i>Publish, Perish or Patent: The Intersection of Medical Research, Public Disclosure and Patent Law</i> Research! Louisville, Louisville, KY | October 2001 |
| <i>Protecting and Litigating Intellectual Property Rights in Cyberspace</i> Panel Discussion, Kentucky Bar Association Annual Convention, Lexington, KY | June 2001 |
| <i>Intellectual Property Issues in Electronic Commerce</i> Small Business Development Center, Nashua, NH | September 1999 |
| <i>Copyright Protection for Photographs</i> New Hampshire Archives Group, Plymouth, NH | May 1999 |
| <i>How to Finance the Small Business</i> Course: Counseling the Small Business Client in New Hampshire National Business Institute, Nashua, NH | May 1999 |
| Guest Lectures | |
| <i>Basic Copyright and Trademark Law</i> Course: Portfolio Development in Graphic Design, Professor Leslie Friesen Allen R. Hite Art Institute, University of Louisville, Louisville, KY | March 2010 |
| <i>Copyright Law in the Digital Age</i> Course: Ethical Issues in Communications, Dr. Gail Henson Bellarmine University, Louisville, KY | April 2013 |
| <i>SOPA and PIPA: What's All the Fuss?</i> Zhongnan University of Economics and Law, Wuhan, China | December 2012 |
| <i>Intellectual Property and the Trans-Pacific Partnership Agreement</i> Zhongnan University of Economics and Law, Wuhan, P.R. China | December 2012 |
| <i>SOPA and PIPA: What's All the Fuss?</i> Northwest University of Politics and Law, Xi'an, P.R. China | December 2012 |
| <i>Intellectual Property and the Trans-Pacific Partnership Agreement</i> Northwest University of Politics and Law, Xi'an, China | December 2012 |
| <i>Lecture on Copyright Law</i> Course: Upper Level Drawing Course, Instructor Sharon Leightty Department of Fine Arts, University of Louisville, Louisville, KY | September 2011 |
| <i>Lecture on Copyright Law</i> Course: Upper Level Drawing Course, Instructor Sharon Leightty Department of Fine Arts, University of Louisville, Louisville, KY | January 2011 |
| <i>Copyright Law in the Digital Age</i> Course: Ethical Issues in Communications, Dr. Gail Henson Bellarmine University, Louisville, KY | April 2010 |
| <i>Basic Copyright and Trademark Law</i> Course: Portfolio Development in Graphic Design, Professor Leslie Friesen Allen R. Hite Art Institute, University of Louisville, Louisville, KY | March 2010 |
| <i>Lecture on Copyright Law and Legality Of Downloading</i> Course: Children and Media, Dr. Gail Henson Bellarmine University, Louisville, KY | April 2008 |

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| <i>Lecture on Copyright Law and Legality Of Downloading</i> Course: Children and Media, Dr. Gail Henson Bellarmine University, Louisville, KY | April 2008 |
| <i>Lecture on Copyright Law</i> Course: Portfolio Development in Graphic Design, Professor Leslie Friesen Allen R. Hite Art Institute, University of Louisville, Louisville, KY | March 2008 |
| <i>Issues in American Property Law</i> Course: Selected Issues in the US Legal System Turku University, Turku, Finland | December 2007 |
| <i>Lecture on Copyright Law and Legality Of Downloading Music</i> Course: Communication Ethics, Dr. Gail Henson Bellarmine University, Louisville, KY | Spring 2003-2007 |
| <i>RFID and Other Embedded Technologies: Who Owns the Data?</i> Course: InfoSec Seminar Series, Dr. S. Srinivasan College of Business, University of Louisville, Louisville, KY | February 2006 |
| <i>Lecture on Copyright Law</i> Course: Corporate Identity Systems, Professor Leslie Friesen Allen R. Hite Art Institute, University of Louisville, Louisville, KY | March 2003 |
| <i>Introduction to Intellectual Property</i> Course: Property Law, Professors Williams and Reed-Huff Louis D. Brandeis School of Law, University of Louisville, Louisville, KY | April 2002 |
| <i>Introduction to Patent Law</i> Course: Business Torts, Professor Cross Louis D. Brandeis School of Law, University of Louisville, Louisville, KY | April 2002 |
| <i>Invention and the Patent Law</i> Course: Chemical Engineering Seminar Series Speed Scientific School, University of Louisville | March 2002 |
| <i>Lecture on Intellectual Property</i> Course: Business Plan Development – Integrative MBA Program, Professor Clouse College of Business and Public Administration, University of Louisville | April 2001 |

PROFESSIONAL MEMBERSHIPS

Admitted to Practice – Massachusetts, New Hampshire (inactive status in both jurisdictions)

American Bar Association

Intellectual Property Section
Business Law Section

Association of Teachers and Researchers in Intellectual Property

American Intellectual Property Law Association

Louisville Bar Association
New Hampshire Bar Association