

PAUL R. GUGLIUZZA

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ACADEMIC APPOINTMENTS

Temple University Beasley School of Law

James E. Beasley Professor of Law, 2024-present
Professor of Law, 2020-24

Boston University School of Law

Professor of Law, 2019-20
Associate Professor of Law, 2013-19

University of Florida Levin College of Law

Visiting Assistant Professor, 2011-13
Visiting Legal Skills Professor, 2010-11

EDUCATION

Tulane University School of Law, J.D. *summa cum laude*, 2006

Managing Editor, Tulane Law Review
George Dewey Nelson Memorial Award (highest three-year GPA in common law courses)
Order of the Coif

University of Oklahoma, B.A., Economics; B.B.A., Finance, 2003

National Merit Scholar

CLERKSHIP

U.S. Court of Appeals for the Ninth Circuit, Judge Ronald M. Gould, Seattle, WA, 2006-07

LAW REVIEW ARTICLES

Why Do Judges Compete for Cases?, 104 B.U. L. REV. (forthcoming 2024) (with Anderson)

Inequality on Appeal: The Intersection of Race and Gender in Patent Litigation, 58 U.C. DAVIS L. REV. (forthcoming 2024) (with Goodman & Rebouché)

Myths and Reality of Patent Law at the Supreme Court, 103 B.U. L. REV. 891 (2024) (with Lemley)

Certifying Questions in Patent Cases, 109 IOWA L. REV. 791 (2024) (with Sohn)

Stepping Out of the Solicitor General's Shadow: The Federal Circuit and the Supreme Court in a New Era of Patent Law, 64 B.C. L. REV. 459 (2023) (with Koivula)

Extraordinary Writ or Ordinary Remedy? Mandamus at the Federal Circuit, 100 WASH. U. L. REV. 327 (2022) (with Anderson & Rantanen)

Overqualified and Underrepresented: Gender Inequality in Pharmaceutical Patent Law, 48 BYU L. REV. 137 (2022) (with Tu & Semet)

Gender Inequality in Patent Litigation, 100 N.C. L. REV. 1683 (2022) (with Rebouché)

Patent Law's Deference Paradox, 106 MINN. L. REV. 1397 (2022)

Federal Judge Seeks Patent Cases, 71 DUKE L.J. 419 (2021) (with Anderson)

Law, Fact, and Patent Validity, 106 IOWA L. REV. 607 (2021)

The Supreme Court Bar at the Bar of Patents, 95 NOTRE DAME L. REV. 1233 (2020)
Rising Confusion About “Arising Under” Jurisdiction in Patent Cases, 69 EMORY L.J. 459 (2019)
The Procedure of Patent Eligibility, 97 TEX. L. REV. 571 (2019)
Quick Decisions in Patent Cases, 106 GEO. L.J. 619 (2018)
Can a Court Change the Law By Saying Nothing?, 71 VAND. L. REV. 765 (2018) (with Lemley)
(In)valid Patents, 92 NOTRE DAME L. REV. 271 (2016)
Patent Trolls and Preemption, 101 VA. L. REV. 1579 (2015)
Patent Law Federalism, 2014 WIS. L. REV. 11
The Federal Circuit as a Federal Court, 54 WM. & MARY L. REV. 1791 (2013) (winner of annual best article award from the Association of American Law Schools’ Federal Courts Section)
Rethinking Federal Circuit Jurisdiction, 100 GEO. L.J. 1437 (2012)
The New Federal Circuit Mandamus, 45 IND. L. REV. 343 (2012)

ESSAYS, BOOK REVIEWS, SYMPOSIUM CONTRIBUTIONS

Expertise, Ideology, and Dissent, 74 AM. U. L. REV. (forthcoming 2025) (with Nash & Rantanen)
State Anti-Troll Statutes at the Federal Circuit. Or Not., 51 AIPLA Q.J. 395 (2023)
Law, Fact, and Deference in Patent Validity Disputes, PRACTICAL LAWYER, April 2023
Court Competition and Its Harmful Effects on Patent Law, IP LITIGATOR, May/June 2021 (with Anderson)
Death of a Copyright, 99 B.U. L. REV. 2581 (2019)
Elite Patent Law, 104 IOWA L. REV. 2481 (2019)
The Patently Unexceptional Venue Statute, 66 AM. U. L. REV. 1027 (2017) (with La Belle)
How Much Has the Supreme Court Changed Patent Law?, 16 CHI.-KENT. J. INTELL. PROP. 330 (2017)
Early Filing and Functional Claiming, 96 B.U. L. REV. 1223 (2016)
Patent Litigation Reform: The Courts, Congress, and the Federal Rules of Civil Procedure, 95 B.U. L. REV. 279 (2015)
Saving the Federal Circuit, 13 CHI.-KENT J. INTELL. PROP. 350 (2014)
IP Injury and the Institutions of Patent Law, 98 IOWA L. REV. 747 (2013)
Pluralism on Appeal, 100 GEO L.J. ONLINE 36 (2012)
Veterans Benefits in 2010: A New Dialogue Between the Supreme Court and the Federal Circuit, 60 AM. U. L. REV. 1201 (2011)
Ten Federal Circuit Cases From 2009 That Veterans Benefits Attorneys Should Know, 59 AM. U. L. REV. 1155 (2010) (with Eaton & Dantiki)

BOOK CHAPTERS

Gender Inequality in U.S. Patent Appeals, in A RESEARCH AGENDA FOR INTELLECTUAL PROPERTY AND GENDER (Edward Elgar Publishing forthcoming 2024) (with Rebouché)

Regulating Patent Assertions, in PATENT ASSERTION ENTITIES AND COMPETITION POLICY (Cambridge University Press 2017)

Patent Trolls and Patent Litigation Reform, in OXFORD HANDBOOKS IN LAW ONLINE (Oxford University Press 2017)

CONGRESSIONAL TESTIMONY

Hearing on *Patent Eligibility in America*, U.S. Senate, Committee on the Judiciary, Subcommittee on Intellectual Property, June 2019 (written and oral testimony)

Hearing on *Patent Demand Letter Practices and Solutions*, U.S. House of Representatives, Committee on Energy and Commerce, Subcommittee on Commerce, Manufacturing, and Trade, February 2015 (written and oral testimony)

RECENT SHORT FORM WRITING

Judge Shopping Is Destroying the Courts' Credibility. Judges Shrug, GOP Senators Cheer., TALKING POINTS MEMO (Apr. 8, 2024) (with Anderson) [[link](#)]

Where Are the Patent Judge Shoppers Going?, PATENTLYO (Apr. 4, 2024) (with Anderson) [[link](#)]

The New Judge Shopping Fix Has Two Huge Loopholes, SLATE (Mar. 20, 2024) (with Anderson) [[link](#)]

The Judicial Conference and Its Random Assignment "Policy," PATENTLYO (Mar. 17, 2024) (with Anderson) [[link](#)]

Inequality and Intersectionality at the Federal Circuit, PATENTLYO (Dec. 20, 2023) (with Goodman & Rebouché) [[link](#)]

Stumbling in the Dark: Regional Circuit Law at the Federal Circuit, PATENTLYO (July 2, 2023) (with Sohn) [[link](#)]

Judicial Disability and the "Great Dissenter", PATENTLYO (May 11, 2023) [[link](#)]

Nonprecedential Precedent in Patent Venue Disputes, PATENTLYO (Oct. 19, 2022) [[link](#)]

The Federal Circuit's Precedent/Outcomes Mismatch, PATENTLYO (July 5, 2022) (with Anderson & Rantanen) [[link](#)]

Who Escapes Texas? And Where Do They Go? Mandamus Petitioners and Transferee Courts in Patent Venue Disputes, PATENTLYO (June 17, 2022) (with Anderson & Rantanen) [[link](#)]

Opinions Without Law: Federal Circuit Mandamus Decisions on Transfer of Venue, PATENTLYO (June 15, 2022) (with Anderson & Rantanen) [[link](#)]

The Federal Circuit: A Failed Experiment in Specialization? FEDCIRCUITBLOG (Feb. 28, 2022) [[link](#)]

Community Ties in Patent Litigation, PATENTLYO (Jan. 24, 2022) (with Anderson) [[link](#)]

How It Started...How It's Going: Venue Transfers in the Western District of Texas, PATENTLYO (Oct. 28, 2021) (with Anderson) [[link](#)]

Extraordinary Writ or Ordinary Remedy? Mandamus at the Federal Circuit, PATENTLYO (Oct. 19-21, 2021) (with Anderson & Rantanen) [[Part 1](#), [Part 2](#), [Part 3](#)]

No Escape from the Western District of Texas, PATENTLYO (May 28, 2021) [[link](#)] (with Anderson)

The Federal Circuit, Judge Shopping, and the Western District of Texas, PATENTLYO (Sept. 22, 2020) [[link](#)]

How the West Became the East: The Patent Litigation Explosion in the Western District of Texas,
PATENTLYO (Sept. 15, 2020) (with Anderson) [[link](#)]

RECENT PRESENTATIONS

Paper Presentations

Inequality on Appeal: The Intersection of Race and Gender in Patent Litigation

Innovation Law Seminar, Cleveland-Marshall College of Law, February 2024

IP & Innovation Researchers of Asia Conference, Foreign Trade University, Hanoi, Vietnam,
January 2024

Canadian Law & Economics Association Annual Conference, University of Toronto Faculty of
Law, October 2023

Faculty Workshop, Temple University School of Law, October 2023

Intellectual Property Scholars Conference, Cardozo Law School, August 2023

Gender Inequality in U.S. Patent Appeals

Research Agenda for IP and Gender Workshop, Victoria University, Wellington, New Zealand,
January 2024

Expertise, Ideology, and Dissent

American Law and Economics Association Annual Meeting, May 2024, University of Michigan
School of Law

The Patent Conference, University of San Diego School of Law, April 2024

Canadian Law & Economics Association Annual Conference, University of Toronto Faculty of
Law, October 2023

Certifying Questions in Patent Cases

The Patent Conference, Northwestern University School of Law, April 2023

Myths and Reality of Patent Law at the Supreme Court

Mid-Atlantic Patent Works-in-Progress Conference, Georgetown University Law Center, October
2023

Patent Law Seminar, University of Utah College of Law, April 2023

Tri-State Region IP Workshop, New York University School of Law, January 2023

Why Do Judges Compete for Cases?

IP Workshop, Vanderbilt University School of Law, February 2024

IP Roundtable, University of Texas School of Law, May 2023

Civil Procedure Workshop, Northwestern University School of Law, May 2023

Innovation Law Seminar, Cleveland-Marshall College of Law, February 2023

Intellectual Property Scholars Conference, Stanford Law School, August 2022

*Stepping Out of the Solicitor General's Shadow: The Federal Circuit and the Supreme Court in a
New Era of Patent Law*

Mid-Atlantic Patent Works-in-Progress Conference, Georgetown University Law Center,
September 2022

Writer's Workshop, Temple University School of Law, July 2022

Extraordinary Writ or Ordinary Remedy? Mandamus at the Federal Circuit

Colloquium on Courts and Judicial Process, UC Berkeley School of Law, January 2022

Intellectual Property Scholars Conference, Cardozo Law School, August 2021

Gender Inequality in Patent Litigation

Intellectual Property Colloquium, Hofstra University School of Law, April 2022

Regulation of Family, Sex, and Gender Workshop, University of Chicago Law School, January 2022

Innovation, Business, and Law Speaker Series, University of Iowa College of Law, October 2021

Intellectual Property Scholars Conference, Cardozo Law School, August 2021

Patent Colloquium, Notre Dame Law School, November 2020

Patent Law's Deference Paradox

Faculty Workshop, Vanderbilt Law School, February 2021

Intellectual Property Scholars Conference, Stanford Law School, August 2020

Federal Judge Seeks Patent Cases

Intellectual Property Law Institute and Technology Commercialization Law Program, Syracuse University College of Law, March 2021

Innovation Law Seminar, Cleveland-Marshall College of Law, February 2021

Works-in-Progress Intellectual Property Colloquium, American University Washington College of Law, Texas A&M University School of Law, University of Utah College of Law, February 2021

Business Law Faculty Workshop, American University Washington College of Law, October 2020

Lectures, Panel Discussions, Podcasts

"Judge Shopping" – How Our Court System Gets Manipulated, KYW Newsradio In Depth, April 2024

Academic Spotlight: Judicial Competition for Patent Cases, Silicon Valley IP Forum, Stanford Law School, March 2024

The Intersection of Race and Gender in Patent Litigation, Sidebars by Kilpatrick Townsend Podcast, March 2024

Newman v. Moore: Intra-Federal Circuit Dispute Raises Multiple Cross-Disciplinary Issues, Federalist Society Webinar, July 2023

Disclosure Under Section 112 in Policy and Practice, Engelberg Center on Innovation Law & Policy at NYU School of Law, April 2023

Women in Patent Law, Hansen IP Institute at Fordham Law School, Annual IP Conference, April 2023

Diversity at the PTAB, PTAB Bar Association Annual Conference, Washington, D.C., March 2023

Diversity at the Patent Office, Innovator Diversity Pilots Conference, Santa Clara University School of Law, November 2022

Persistent Barriers Facing Women First Chair Patent Trial Lawyers, Engelberg Center on Innovation Law & Policy at NYU School of Law, November 2022

Forum Shopping and Judge Shopping in Patent Litigation, New Jersey Intellectual Property Law Association Patent Litigation Seminar, September 2022

Gender Inequality in Patent Litigation, Sidebars by Kilpatrick Townsend Podcast, April 2022

Adjusting to the Western District of Texas, Practicalities of Modern Patent Litigation Conference, Stanford Law School, December 2021

Transformative Fair Use in Copyright, Advanced Intellectual Property Seminar, Bar-Ilan University Faculty of Law, February 2023, November 2021, December 2020

The Federal Circuit: Is Exclusive Jurisdiction Still Needed?, Patent Law and Institutional Choice Conference, Tsai Center for Law, Science, and Innovation, SMU School of Law, October 2021

Gender Inequality Among Federal Circuit Advocates, Federal Circuit Bar Association Webcast, September 2021

Judicial Perspectives on Patent Litigation, Works-in-Progress Intellectual Property Colloquium, American University Washington College of Law, Texas A&M University School of Law, University of Utah College of Law, February 2021

Innovation in Diagnostics and Patent Subject Matter Eligibility, Federalist Society Teleforum, July 2020

TEACHING

Courses: Civil Procedure, Intellectual Property, Patent Law, Patent Litigation, Evidence, Current Issues in Patent Law

Boston University School of Law Dean's Award for Teaching, 2015-16

ACADEMIC SERVICE

Coach, Giles Rich Patent Law Moot Court Team, 2016-18, 2020-22

Regional competition best briefs 2017-18, 2020-21; national competition qualifiers 2020-21, 2021-22; national competition best briefs 2021-22

Faculty Advisor, First Generation Law Owls, 2020-present

Organizing Board, Works-in-Progress Intellectual Property Colloquium, 2016-22

Faculty Advisor, Boston University Journal of Science and Technology Law, 2016-19

Faculty Representative, Boston Intellectual Property Inn of Court, 2016-20

Prospective Law Teachers Workshop, SEALS Annual Meeting, 2016, 2017

Keystone (Senior Thesis) Advisor, Kilachand Undergraduate Honors College, 2014-16

Faculty Advisor, Intellectual Property and Technology Law Association, 2012-13

COMMITTEE SERVICE

Faculty Selection Committee, 2021-22, 2023-24

Committee Chair, 2023-24

Graduation Prizes Committee, 2020-21

Committee on Faculty Voting Procedures, 2018-19

IP and Information Law Program Committee, 2015-16, 2016-17, 2017-18, 2018-19

Workshops Committee, 2016-17

First-Year Lawyering Program Implementation Committee, 2016-17

Civil Procedure faculty representative

Outcomes and Assessment Committee, 2015-16, 2016-17

J.D. Program Committee, 2014-15

Subcommittee on First-Year Curriculum

Subcommittee on Learning Outcomes

Clerkships Committee, 2014-15

Dean's Task Force on Student Advising, 2013-14

Student Life and Teaching Committee, 2013-14

PROFESSIONAL EXPERIENCE

Jones Day, Issues and Appeals Practice, Associate, Washington, D.C., 2007-10

U.S. Department of Justice, Antitrust Division, Summer Law Clerk, Washington, D.C., 2006

Federal Reserve Bank of Kansas City, Intern Analyst, Oklahoma City, OK, 2002-03

ADMITTED TO PRACTICE

New York, District of Columbia