

## **Erika M. Douglas**

Temple University, Beasley School of Law

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### **PROFESSIONAL EXPERIENCE**

#### **Temple University, Beasley School of Law**

**Philadelphia, Pennsylvania**

*Assistant Professor of Law*

- Research and writing on the law of antitrust, data privacy and new technology (see publications, below).
- Teaching *New Technology Regulation, Patent Law* and *Contract Law*.

#### **Covington & Burling LLP**

**Redwood City, California**

*Associate, 2016-2018*

- Seconded to Facebook, Inc.'s in-house antitrust team.
- Internal investigation into culture, diversity and inclusion at Uber Technologies Inc. on team led by Mr. Eric Holder.
- Successfully represented the University of California in its challenge against the rescission of the Deferred Action for Childhood Arrivals (DACA) program; obtained a temporary injunction that enabled 700,000 young immigrants to remain in the United States.

#### **Davies Ward Phillips & Vineberg LLP**

**Toronto, Ontario**

*Associate, Competition and Foreign Investment, 2010-2015*

- Counselling Google Inc. (Alphabet Inc.) on various matters.
- Delivered competition and foreign investment clearance for Fortune 100 clients in high-profile transactions, such as: Google Inc. in its \$12.5 billion acquisition of Motorola Mobility Holdings, Inc.; Covidien Plc. in its \$42.9 billion acquisition by Medtronic Inc.; and Burger King Worldwide, Inc. in its \$12.5 billion acquisition of Tim Hortons Inc. (awarded Global M&A Deal of the Year by *The American Lawyer*).

### **EDUCATION**

#### **Stanford Law School**

**Stanford, California**

*LL.M., Law, Science and Technology, June 2016*

*Awards:* John Hart Ely Prize for Outstanding Performance in Intermediary Liability with Professor Mark Lemley

#### **Western University**

**London, Ontario**

*J.D., May 2010*

#### **Western University**

**London, Ontario**

*Richard Ivey School of Business, B.A., Business Administration (Honors) (with distinction), May 2007*

*B.Sc., Medical Sciences (Honors) (with distinction), May 2007*

## **SCHOLARLY PUBLICATIONS AND WORKS IN PROGRESS**

*The New Antitrust/Data Privacy Interface*, Yale L. J. Forum (work in progress, 2021)

*The Predatory Innovation Paradox*, Santa Clara L.R. (forthcoming, 2021)

Fundamentals of Canadian Competition Law (4th Edition), *Civil Conspiracy and Other Economic Torts* (with Charles Tingley) (forthcoming, 2021)

International Investigations and Mergers Review (1<sup>st</sup> Edition), American Bar Association, *Pervasive Issues of Protection of Attorney-Client Communications and Data Security* (with Mark Krotoski and Jeffrey Schomig) (forthcoming 2021)

*Monopolization Remedies and Data Privacy*, 24 Vir. J. L. & Tech. 1 (2020)

*Online Payment Processors: Safe Harbors and the Risk of Secondary Copyright Infringement*, 22 J. of Internet L. 1 (2018)

*PayPal is New Money: Extending Secondary Copyright Liability Safe Harbors to Online Payment Processors*, (24 Michigan Telecommunications & Technology Law Review 45 (2017))

Fundamentals of Canadian Competition Law (3rd Edition), Carswell, *Abuse of Dominance* (with Mark Katz) and *Civil Conspiracy and Other Economic Torts* (with Adam Fanaki) (2015)

Joint Ventures: Antitrust Analysis of Collaborations Among Competitors (2nd Edition), *Joint Ventures What and Why*, American Bar Association (with Mark Katz) (2014)

## **POLICY REPORTS AND SELECTED OTHER PUBLICATIONS**

Global Privacy Assembly, *Academic Review of Agency Practice: The Intersection of Data Privacy and Competition Law* (work in progress, forthcoming, 2021)

Biden/Harris Electoral Campaign Policy Committee Member (Summer/Fall 2020)

*Retaining and Advancing Women in National Law Firms*, White Paper, Stanford Law School (with Anna Jaffe et. al.) (2016)

*Trolls, Hopping, Ambush and Hold-up: Emerging International Approaches to the Intersection of Competition and Patent Law*, Policy Report, Consultant to Industry Canada (with George Addy) (2015)

*Canada Considers Hopping on Board with a Product Hopping Case*, Competition Policy International Antitrust Chronicle (with George Addy) (2014)

*Blowing the Whistle on Cartels in Canada*, Canadian Bar Association Practice Link 2013 (Spring) (with Mark Katz)

*Making the Case for an Antitrust Compliance Program*, The Antitrust Counselor, American Bar Association (with John Bodrug) (2013)

*Resale Price Maintenance in Canada: Where do we Stand After Visa/MasterCard?* Competition Policy International Antitrust Chronicle (with M. Katz) (2013)

*The Investment Canada Act: Is it Impeding Chinese Investment in Canada?*, North American Free Trade & Investment Report, Volume 22:15 (with Mark Katz) (2012)

*Mind the Gap: Economic Costs and Innovation Perils in the Space Between Patent and Competition Law*, Davies Ward Phillips and Vineberg LLP (with George Addy) (2012)

## **SELECTED SPEAKING ENGAGEMENTS**

Panelist, *The Future of U.S. Privacy Law*, ABA Antitrust Section Spring Meeting (upcoming, March 2021)

Speaker, The Thurman Arnold Project, *Global Privacy Assembly Academic Review: The Intersection of Data Privacy and Competition Law*, Yale Law School (upcoming, March 2021)

Speaker, *The New Antitrust/Data Privacy Interface*, Antitrust Virtual Workshop Series, University of Cambridge Centre for European Legal Studies/University of Florida Levin College of Law (upcoming, February 11, 2021)

Panelist, *When Regulatory Worlds Collide: The Intersection of Privacy, Competition and Consumer Protection*, International Computers, Privacy and Data Protection Conference (upcoming, January 28, 2021)

Speaker, *Antitrust, Meet Data Privacy*, Big Tech & Antitrust Conference, Yale Law School (October 3, 2020)

Speaker, Conference on the Governance of Emerging Technologies, Arizona State University's Sandra Day O'Connor College of Law (2020) (postponed due to COVID-19)

Speaker, *The Predatory Innovation Paradox*, Academic Society for Competition Law 2020 Conference (June 27, 2020)

Moderator, *Tech Innovations at the Privacy Edge*, ABA Antitrust Section Spring Meeting (May 2020)

Speaker, *Antitrust Remedies, Meet Data Privacy*, Richmond University (March, 2020)

Speaker, *Dangerous Beasts: Antitrust Remedies and Data Privacy*, Drexel University (2019)

Speaker, *Women in Competition Law Luncheon*, Canadian Bar Association Competition Law Fall Conference, Ottawa, Canada (2019)

Speaker, *Canada Wants Competition*, Canadian Bar Association Competition Law Fall Conference, Ottawa, Canada (2019)

Speaker, *Dangerous Beasts: Antitrust Remedies and Data Privacy*, Marquette University Law School Junior Faculty Conference (work-in-progress)

Moderator, *When Courts Weigh In: The Impact of Kokesb and LabMD on Agency Orders*, ABA Antitrust Section Spring Meeting, March 27, 2019

Moderator, *The Artificial Intelligence Revolution: AI, Privacy and Competition*, ABA Antitrust Section Webinar, February 22, 2019

Speaker, Conference on the Governance of Emerging Technologies, Arizona State University's Sandra Day O'Connor College of Law, May 23, 2019 (presenting *Antitrust and Data Privacy Law* work-in-progress)

Speaker, *Privacy and Property*, University of Richmond's Junior Faculty Forum, May 21, 2019

Speaker, *Introduction to Competition Law*, Rotman School of Management, University of Toronto, MBA Program (with George Addy, 2013 and 2014)

## PROFESSIONAL AFFILIATIONS

### Bar Admissions

- California (2017), Law Society of Upper Canada (2011)

### American Bar Association Leadership, Section of Antitrust Law (2014-present)

- Current Positions: Advisory Board, Women.Connected (2019-present), Vice Chair, Privacy and Information Security Committee (2018-present)