

Guy Pessach – CURRICULUM VITAE

Professor of Law, Faculty of Law, Hebrew University of Jerusalem;

Affiliate Fellow, Information Society Project, Yale Law School;

Head, the Intellectual Property, law & Technology Forum, Faculty of Law, Hebrew University of Jerusalem;

Academic Appointments outside the Hebrew University

1. 2017 (Spring) Visiting Professor, University of British Columbia, Faculty of Law;
2. 2017 (Spring) Visiting Professor, the Center for Transnational Legal Studies (London), Spearheaded by Georgetown University Law School;
3. 2016 (Fall) – Visiting Professor, City University of Hong Kong, School of Law, Hong Kong;
4. 2012-2013 (Fall) – Visiting Professor, New York School of Law;
5. 2011-2012 (Fall) – Visiting Professor, Columbia Law School;
6. 2010 (Summer) – Visiting Professor, Georgetown University Law School, Summer Program (London);
7. 2010 (Summer) - Erasmus Mundus, Visiting Scholar, Center for Law, Society and Pop Culture, University of Westminster;
8. 2008/2009 – Visiting Professor, Center for Transnational Legal Studies (London), Spearheaded by Georgetown University Law School;
9. 2002/2003 – Post-doctoral Associate – Yale Law School;
10. 2002/2003 – Residential Fellow, The Information Society Project, Yale Law School;
11. 2003 to present – Affiliate Fellow, The Information Society Project, Yale Law School;
12. 2003 to present – Professional Fellow, Queen Mary Intellectual Property Research Institute, University of London.

Master, Doctoral and Post-Doctoral Students:

1. 2013 – Current - Omri Alter – Doctoral Student – “Reconsidering Registration as a Prerequisite for Copyright Protection”;
2. 2015- Current – Yaniv Gal – MA thesis – “Patenting Genetic Engineering”;
3. 2015 – Current – Assaf Gilo – MA thesis – “The impact of China’s Patent Legislation Reform on Courts’ Rulings in China”;
4. 2005-2006 – Dr. Katya Assaf (Zakharov) – Post Doctoral Research in Cultural Aspects of Trademark Law.

Awards and Fellowships (selected)

1. Alon Fellowship, Israel Council for Higher Education and the Hebrew University of Jerusalem (2004-2007);
2. Birk Prize for Distinguished Research in the Field of Law (2006);
3. Golda Meir Fellowship, the Hebrew University of Jerusalem (2003-2004);
4. Fulbright Grant for Postdoctoral Studies (2002-2003);
5. Duchan Prize for Young Scholars (in the Field of Intellectual Property) (2000) (awarded for the article “Justifying Copyright Law”).

Research Grants (selected)

1. 2016-2017, the Barak Center for Interdisciplinary Legal Research at the Hebrew University of Jerusalem (2,000\$);
2. 2015-2016, the Barak Center for Interdisciplinary Legal Research at the Hebrew University of Jerusalem (2,000\$);
3. 2008-2009, Grant from GIF – German-Israeli Foundation for Scientific Research and Development, Young Scientists' Program, Research Grant No. 2195-1843.4/2007, "The Privatization of [Networked] Memory Institutions", 27,4000 EURO;
4. 2003-2007, Grant from Burda Center for Innovative Communications Scholarship, "Digital Art Museums", 4000\$;
5. 2001-2002, Grant from Burda Center for Innovative Communications Scholarship, "The Author's Moral Right in Cyberspace, 4000\$;
6. 1998-1999, Grant from the Fund of the Second Broadcasting Authority for the Encouragement of Communications Research, "Copyright and Freedom of the Press", 2500\$.

Organizing the Following Scientific Conferences and Seminars, at Hebrew University (Since Last Appointment):

1. "Permitted Uses in Copyright Law" – an event organized together with University College, London University (London, 19th December, 2016).
2. Hebrew University of Jerusalem in Collaboration the World Intellectual Property Organization (Geneva), Advanced I.P seminar on "The Theory and Practice of Intellectual Property – Taking Stock and Looking Ahead (May, 2016).
3. IP, Pharmaceuticals and Medical Devices – Perspectives from Theory and Practice, Faculty of Law, Hebrew University of Jerusalem (March 6th 2016).
4. Hebrew University of Jerusalem in Collaboration with the World Intellectual Property Organization (Geneva), Advanced I.P seminar on "The Form and Structure of I.P Law" (May, 2015).
5. Guest Lecture Series on "IP & Human Rights", Hebrew University of Jerusalem (academic year 2014-2015).
6. "Copyright Policy and Law Making – International and Domestic Challenges", Conference, Hebrew University of Jerusalem (25 November, 2014).
7. Hebrew University of Jerusalem in Collaboration with the World Intellectual Property Organization (Geneva), Advanced I.P seminar on "I.P Law & Institutions – New Perspectives and Dimensions" (May, 2014).
8. "Alternative Dispute Resolution and IP – Taking Stock and Looking Ahead", Conference, Hebrew University of Jerusalem (June 10th, 2013).
9. Hebrew University of Jerusalem in Collaboration with the World Intellectual Property Organization (Geneva), Advanced I.P seminar on "Harmonization in Intellectual Property Law - New Perspectives and Dimensions" (May 2013).
10. Guest Lecture Series on "Cybersecurity and Human Rights", Hebrew University of Jerusalem (academic year 2012-2013).
11. Hebrew University of Jerusalem in Collaboration with the World Intellectual Property Organization (Geneva), Advanced I.P seminar on "Harmonization & Pluralism in I.P Law" (May 2012).
12. Book Symposium, Configuring the Networked Self. By Julie Cohen (Yale University Press, 2012), Jerusalem Review of Book (Oxford University Press), Hebrew University (May 16th, 2012).
13. A Joint Israeli-Canadian Workshop on Copyright Law Reforms in Canada and Israel – A Comparative Perspective, February 2012, The Helbert Center for Canadian Studies, Hebrew University Jerusalem.

14. Hebrew University of Jerusalem in Collaboration with the World Intellectual Property Organization (Geneva), Advanced I.P seminar on " Selected Topics on Cultural and Legal Pluralism in IP Law, (May, 2011).
15. An Event in Memory of Meir Gabay, Hebrew University of Jerusalem, Faculty of Law (February 28th, 2011).
16. "The Legal Protection of Databases", A Roundtable Event, ALAI & Hebrew University of Jerusalem, Faculty of Law (October 25th, 2010).
17. "Net Neutrality", Conference, Faculty of Law, Hebrew University of Jerusalem (June, 8th, 2010).
18. Hebrew University of Jerusalem in Collaboration with the World Intellectual Property Organization (Geneva), Advanced I.P seminar on "I.P Law Reforms – International and Comparative Aspects" (May, 2010).

Guest Lectures and Participation in Academic Conferences (last five years, selected list)

1. Invited Guest Lecture, University of British Columbia, Faculty of Law, "Who Owns the Past? Law, the Politics of Memory and the Israeli Supreme Court" (March 17th, 2017).
2. Invited Guest Lecture, the Center for Law and Popular Culture, Westminster University, London - "Beyond IP – the Cost of Free – Informational Capitalism in a Post-IP Era" (March 1st, 2017).
3. Lecture, "The Form and Structure of Permitted Uses in Copyright Law – A Behavioral-Jurisprudential Perspective", University College, London University (December 19th, 2016).
4. Lecture at the World Intellectual Property Organization (Geneva), within the framework of an advanced I.P seminar on "The Theory and Practice of Intellectual Property – Taking Stock and Looking Ahead", on the topic of "Users' Endowments – A Preliminary Exploration" (May 24, 2016).
5. Invited Guest Lecture, McGill University, Faculty of Law, "Beyond IP – the Cost of Free" (March 17, 2016).
6. Presentation, City University of Hong Kong, Faculty of Law, "Beyond IP – the Cost of Free" (July 21, 2015).
7. Lecture at the World Intellectual Property Organization (Geneva), within the framework of an advanced I.P seminar on "The Form and Structure of I.P Law", on the topic of "Beyond IP – The cost of Free" (May 25, 2015).
8. Lecture at the "Innovation Law Beyond IP (2)" Conference at Yale Law School (March 28-29, 2015).
9. Lecture at the World Intellectual Property Organization (Geneva), within the framework of an advanced I.P seminar on "I.P Law & Institutions – New Perspectives and Dimensions", on the topic of "The Form and Structure of Copyright Exceptions" (May 26, 2014).
10. Invited Guest Lecture, Yale Law School, Thomson Reuters Speaker Series, "Copyright and Media Policy – Configuring the Unforeseen" (April 4, 2013).
11. Invited Guest Lecture, the Max Planck Institute for Intellectual Property and Competition Law, Munich - The MIPLC Lecture Series - "Disintermediation in Copyright Law – A Skeptical View" – (18 November 2012).
12. Lecturer, IP for Creative Upstarts, Michigan-State University (November 9-10, 2012).
13. Invited Guest Lecture, on "The Audio-Visual Performers Treaty", Center for International Intellectual Property Studies (CEIPI), Université de Strasbourg, 6 July 2012).
14. Lecture at the World Intellectual Property Organization (Geneva), within the framework of an advanced I.P seminar on "Harmonization & Pluralism in I.P Law", on the topic of "Harmonization & Complexity in Copyright Law", May 29, 2012.
15. Organizer, Book Symposium, Configuring the Networked Self. By Julie Cohen (Yale University Press, 2012), Jerusalem Review of Book (Oxford University Press), Hebrew University, May 16th, 2012.

16. Organizer and Lecturer – A Joint Israeli-Canadian Workshop on Copyright Law Reforms in Canada and Israel – A Comparative Perspective, February 2012, The Helbert Center for Canadian Studies, Hebrew University Jerusalem.
17. Invited Guest Lecture, on "Copyright and A2K: Opportunities under International Conventions", Center for International Intellectual Property Studies (CEIPI), Université de Strasbourg, 24 June 2011.
18. Lecture at the World Intellectual Property Organization (Geneva), within the framework of an advanced I.P seminar on "The Balance of I.P Law", on the topic of "Reverse Exclusion in Copyright Law – Reconfiguring Users' Rights", May 25, 2011.
19. New York University, Information Law Institute Information Technology and Society Colloquium, April 28th, 2011, Guest Talk: "Reverse Exclusion in Copyright Law – Reconfiguring Users' Rights".
20. Lecture at the World Intellectual Property Organization (Geneva), within the framework of an advanced I.P seminar on "I.P Law Reforms – International and Comparative Aspects", on the topic of "Reverse Comparative Law – The New Israeli Copyright Act as a Case-study", May 26, 2010.
21. Lecture at the Karlsruhe Institute of Technology, Germany on the topic: "Networked Memory Institutions – Privatization and its Discontents", 13 October, 2009.
22. "Library 2.0 Symposium", Information Society Project, Yale Law School, April 4th, 2009, Panel Speaker.
23. WIPO (World Intellectual Property Organization) International Academic Seminar on I.P in the Digital Environment, Organizer and Lecturer (Geneva, May 20 to 22, 2008) (in collaboration with: School of Law, University of Connecticut, Georg-August-University of Goettingen, Faculty of Law, VU University Amsterdam, Faculty of Law).
24. Guest Lecture, Yale Law School, Cyber-scholars' Presentations Series, "Reciprocal Share-Alike Exemptions in Copyright Law" (22 April 2008).
25. "Copyright Law & Digital Media Markets – Taking Stock and Looking Ahead", International Colloquium, The Faculty of Law, Hebrew University of Jerusalem, Organizer and Lecturer (4 March 2008).
26. "The New Copyright's Legislation: The Day After", The Haifa Center of Law and Technology, 15 January, 2008, Panel Speaker.
27. Workshop on Commons Theory for Young Scholars, the Max Planck Institute for Research on Collective Goods, in collaboration with the Center for Internet and Society at Stanford Law School (May 7-9, 2007). Paper presented: "The Political Economy of Digitized Cultural. Preservation – A Case Study for a Unified Commons Theory".
28. A2K2 – Access to Knowledge Conference 2007, Yale Law School, 27-28 April 2007, Panel speaker and organizer: "The Political Economy of Digital Archives".
29. "Digitized Cultural Preservation", Yale Law School, 6 November 2006, a guest lecture in "Knowledge and Information Policy" a research seminar directed by Professor Jack Balkin.
30. Museums Computer Network (Annual Conference, 2006), "Searching for Fair Use: How Google's Copyright Battles Will Affect Access to Assets", 11 November 2006, Panel Speaker.
31. A2K Conference, Yale Law School, 21-23 April 2006, Panel Speaker: "A2K and Libraries".
32. Third Annual Intellectual Property & Communications Law Conference-: The International Intellectual Property Regime Complex, Michigan-State University, 7-8 April 2006, Panel Speaker: "Global Citizenship & Global Justice".
33. Third-Party Liability in I.P Law, Santa-Clara University School of Law, 7 October 2005, Panel Speaker: "International Aspects of Third-Party Liability".

Publications

Doctoral Dissertation

2001 – Doctor of Laws (LL.D). The Hebrew University of Jerusalem. Israel.
Thesis: "Copyright and Freedom of the Press", under the supervision of Prof. Joshua Weisman.

Edited Books

1. **AUTHORING RIGHTS: READING THE COPYRIGHT ACT 2007** (Co-Edited with Michael Dan Birnhack) (Nevo, 2009) (approximately 500 pages) (in Hebrew).

Chapters in Collections:

2. "Intellectual Property Law" (with Katya Assaf & Ofer Tur-Sinai,) in **THE LAW OF ISRAEL** (Barak Medina, Christian alter, Lothar Scholtz & Heinz-Bernd Wabnitz, eds.) Hart Publishing (in English) and in C.H Beck publishing house (in German) (forthcoming, 2017) (approximately 10 pages).
3. "The Political Economy of Digital Cultural Preservation", in **DIGITAL ARCHIVES MANAGEMENT, USE AND ACCESS** (Milena Dobрева and Gabriellas Ivacs, Editors, Facet, London, forthcoming 2017) (approximately 30 pages).
4. "A Note on Law, Technology and Copyright", **SHLOMO LEVIN BOOK**, 579-624 (The Harry and Michael Sacher Institute for Legislative Research and Comparative Law, Jerusalem, 2013) (in Hebrew).
5. "The Balance of Copyright", **The Israeli Report on Intellectual Property law to the XVIIIth International Congress of Comparative Law, BALANCING COPYRIGHT - A SURVEY OF NATIONAL APPROACHES**, 523-540 (Max Planck Institute Studies on Intellectual Property and Competition Law, Reto M. Hilty, Sylvie Nérisson, Editors) (2012).
6. "The Laws of Remembering and Forgetting in the Age of Digital Reproduction", **LEGAL NETWORK: LAW AND INFORMATION TECHNOLOGY**, 361-430 (Michael Birnhack & Niva Elkin-Koren eds., 2011).
7. "Communications Policy of the Copyright Act, 2007" in **AUTHORING RIGHTS: READING THE COPYRIGHT ACT 2007**, 135-165 (Co-Edited with Michael Dan Birnhack) (Nevo, 2009) (in Hebrew).
8. "Allocating Speech Resources – Toward a Distributive Paradigm of Free Speech", **THE LEGAL CULTURE OF FREE SPEECH** (Ramot, Tel-Aviv University, Editor Michael D. Birnhack), 299-353 (2006) (in Hebrew).
9. "The Author's Moral Right and Freedom of Speech", **ESSAYS IN HONOUR OF JOSHUA WEISMAN** (S. Lerner & D. Lewinsohn-Zamir eds., The Harry and Michael Sacher Institute for Legislative Research and Comparative Law, Jerusalem), 463-556 (2002) (in Hebrew).

Articles:

10. "Law and the Politics of Memory, 48 **HEBREW UNIVERSITY LAW REVIEW – MISHPATIM** (forthcoming, 2017) (in Hebrew) (approximately 30 pages).
11. "Beyond IP – The Cost of Free – Informational Capitalism in a Post IP Era", 54 **OSGOODE HALL LAW REVIEW**, 225-251 (2016).
12. "Some Realism about Copyright Skepticism", 57 **IDEA: THE INTELLECTUAL PROPERTY LAW REVIEW**, 225-278 (2017) (this is an extended version of item (publication) 11, which focuses on U.S copyright law and also expands the discussion on informational privacy).
13. "Toward a New Jurisprudence of Copyright Exemptions", 55 **IDEA: THE INTELLECTUAL PROPERTY LAW REVIEW**, 287-318 (2015).
14. "The Beijing Treaty on Audiovisual Performances – The Return of the North?" 55 **IDEA: THE INTELLECTUAL PROPERTY LAW REVIEW**, 79-104 (2014).
15. "Deconstructing Disintermediation – A Skeptical Copyright Perspective", 33 **CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL**, 101-141 (2013).

16. The New Israeli Copyright Act – A Case-Study in Reverse Comparative law", 41 **IIC - INTERNATIONAL REVIEW OF INDUSTRIAL PROPERTY AND COPYRIGHT LAW** (Max-Planck Institute Publications), 187-201 (2010).
17. "Reciprocal Share-Alike Exemptions in Copyright Law", 30 **CARDOZO LAW REVIEW**, 101-150 (2008).
18. "[Networked] Memory Institutions: Social Remembering, Privatization and its Discontents", 26 **CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL**, 71-149 (2008).
19. "Museums, Digitization and Copyright Law – Taking Stock and Looking Ahead", 1 **THE JOURNAL OF INTERNATIONAL MEDIA AND ENTERTAINMENT LAW**, 253-283 (2007).
20. "The Role of Libraries and A2K – Taking Stock and Looking Ahead" (Symposium comment) **MICHIGAN STATE LAW REVIEW**, 257-269 (2007).
21. "An International-Comparative Analysis of Peer to Peer File-Sharing – Framing Past-Present and Next Generation Questions", 40 **VANDERBILT JOURNAL OF TRANSNATIONAL LAW**, 88-133 (2007).
22. "Israeli Copyright Law – A Positive Economic Perspective", 39(3) **ISRAEL LAW REVIEW**, 35-91 (2006).
23. "Collective Administration of Copyright – The Role of Justice and Fairness Considerations", 2(2) **HAIFA UNIVERSITY LAW REVIEW - DIN UDVARIM**, 261-314 (2006) (in Hebrew).
24. "Broadcasting Rights", 10 **HAMISHPAT**, 131-155 (2005) (in Hebrew).
25. "Media, Markets, and Democracy: Revisiting an Eternal Triangle, Critical Notice: *Media, Markets and Democracy* by Edwin C. Baker", 17 **THE CANADIAN JOURNAL OF LAW AND JURISPRUDENCE**, 209-226 (2004).
26. "Copyright Law as a Silencing Restriction on Non-Infringing Materials – Unveiling the Scope of Copyright's Diversity Externalities", 76 **UNIVERSITY OF SOUTHERN CALIFORNIA LAW REVIEW**, 1067-1104 (2003).
27. "The Author's Moral Right of Integrity in Cyberspace - A Preliminary Normative Framework", 34 **IIC – INTERNATIONAL REVIEW OF INDUSTRIAL PROPERTY AND COPYRIGHT LAW (Max-Planck Institute Publications)**, 250-270 (2003).
28. "The Legacy of Feist Revisited—A Critical Analysis of the Creativity Requirement", 36 **ISRAEL LAW REVIEW**, 19-102 (2002).
29. "Copyright in the Mirror of Israeli Supreme Court Decisions – An Evaluation and a Glance toward the Information Age", 2 **ALEI MISHPAT – THE LAW REVIEW OF RAMAT GAN COLLEGE OF LAW**, 297-317 (2001) (in Hebrew).
30. "Freedom of Speech and the Legal Foundations of the Press", 31 **HEBREW UNIVERSITY LAW REVIEW – MISHPATIM**, 895-984 (2001) (in Hebrew).
31. "Justifying Copyright Law", 31 **HEBREW UNIVERSITY LAW REVIEW – MISHPATIM**, 359-413 (2000) (in Hebrew).
32. "The Failing Company Doctrine in Israel", 35 **QUARTERLY BANKING REVIEW**, 82-100 (1995) (In Hebrew).