

BARBARA LAURIAT

Texas Tech University School of Law
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Professor of Law & Dean's Scholar in Intellectual Property, Texas Tech University School of Law
September 2025-Present; *Associate Professor*, August 2023–September 2025
Director: Intellectual Property Concentration; *Faculty Advisor:* IP Students Association
Courses Taught: Torts, Introduction to IP, Patent Law, Trademarks & Unfair Competition, Copyright Law

EDUCATION:

University of Oxford, D.Phil. in Law, 2013

Dissertation: *The 1878 Royal Commission on Copyright: Understanding an Attempt at Victorian Copyright Reform*; *General Editor (Editor-in-Chief)*, OXFORD UNIVERSITY COMMONWEALTH LAW JOURNAL

Boston University School of Law, J.D., *cum laude*, 2004

Editor, BOSTON UNIVERSITY LAW REVIEW

Boston University, B.A., *magna cum laude* in History and Classical Civilizations *with Distinction*, 2001
Trustee Scholar (full tuition merit scholarship)

Mount Wachusett Community College, A.A., *with Highest Honours*, 1998

ACADEMIC APPOINTMENTS AND HONORS:

University of California Berkeley, Berkeley Center for Law & Technology, Berkeley, CA

Fellow, The Berkeley Fellowship Program on The Impact of IP Policy on Innovation, Economic Growth, and National Competitiveness, Jan. 2025–Present(*non-residential*)

Fulbright U.S. Scholar Award (Italy), LUISS Guido Carli, Rome, Italy

Fulbright-LUISS Research Lecturer; Visiting Researcher, Innovation, Law, and Ethics Observatory, Sept. 2025-Dec. 2025

George Washington University Law School, Washington, DC

Visiting Associate Professor and Frank H. Marks Fellow, Nov. 2021–Jul. 2023

King's College London, The Dickson Poon School of Law, London, UK

Senior Lecturer (Associate Professor), Sept. 2015–Aug.2022; *Lecturer*, Jan. 2011–Sept. 2015

The Honourable Society of the Inner Temple, London, UK

Associate Academic Fellow, Jan. 2017–Jan. 2021; *Academic Fellow*, Nov. 2013–Dec. 2016

University of Notre Dame, Notre Dame Institute for Advanced Study, South Bend, IN

Faculty Fellow, Aug. 2020–May 2021

Harvard University, Berkman Klein Center for Internet & Society, Cambridge, MA

Faculty Associate, Aug. 2020–Aug. 2021(*non-residential*)

Oxford Intellectual Property Research Centre (OIPRC), Oxford, UK

Research Fellow, Jun. 2014–Dec. 2019

Victoria University of Wellington, New Zealand Centre of International Economic Law, Wellington, NZ

Visiting Senior Research Fellow, Jan.–Feb. 2017; Jul.–Aug. 2019

University of Notre Dame, London Law Center, London, UK
Adjunct Professor, Jan. 2016–Aug. 2017; *Adjunct Associate Professor*, Jan. 2015–Dec. 2015

New York University School of Law, New York, NY
Hauser Global Research Fellow, August 2013–December 2013

University of Oxford, Oxford, UK
Career Development Fellow in Intellectual Property Law, Faculty of Law
Fellow by Special Election, St. Catherine’s College, Aug. 2008–Oct. 2010

University of British Columbia, Vancouver, BC, Canada
Visiting Scholar, Faculty of Law, Dec. 2006–Dec. 2007

SELECTED PUBLICATIONS:

Edited Collection

IMPROVING INTELLECTUAL PROPERTY: A GLOBAL PROJECT (eds. Susy Frankel, Margaret Chon, Graeme Dinwoodie, Barbara Lauriat & Jens Schovsbo 2023).

Articles

Name, Image, Likeness, and The Great American Pastime, 130 DICK. L. REV. 857 (2026).

Borrowing Goodwill, 67 B.C. L. REV. 1127(2026).

With Robert Brauneis, *Cancelling Copyrights*, 49 COLUM. J. L. & ARTS 435 (2026). Judged “one of the best law review articles related to intellectual property law published within the last year” and selected for inclusion in the 2026 edition of INTELLECTUAL PROPERTY LAW REVIEW.

Unfair Competition in the United Kingdom: Passing Off as a Chimeric Tort, 4(1) TSINGHUA IP REV. 342 (2024) (translated into Chinese by Guanhong Li).

FRAND Arbitration Will Destroy FRAND, 30 MICH. TECH. L. REV. 1 (2024).

“Pay No Attention to the Comparable Behind the Curtain!”—*The Harms of Opacity in Standard Essential Patent Licensing*, 38 BERK. TECH. L. J. 463 (2023).

Literary and Dramatic Disputes in Shakespeare’s Time, 9 J. INT’L DISP. SETTLEMENT 45 (2018).

Free Trade in Books: The 1878 Royal Commission on Copyright, 61(4) J. COPYR. SOC. U.S.A. 635 (2014). Winner of Seton Award (2015).

Revisiting the Royal Commission on Copyright, 17 J. WORLD IP 47 (2014).

Semi-Formal Copyright? The Past and Future of Orphan Works, 17 ART, ANTIQ. & L. 293 (2012).

The “Shilly-Shally” Affair, 72 PRINCETON U. LIB. CHRON. 713-732 (2011).

“*The Examination of Everything*”: *Royal Commissions in British Legal History*, 31 STATUTE L. REV. 24 (2010).

Charles Reade’s Roles in the Drama of Victorian Dramatic Copyright, 33 COLUM. J. L. & ARTS 1 (2009).

Book Chapters

Apple v. Samsung: *Standards Essential Patents at the U.S. International Trade Commission*, in FRAND CASES IN CONTEXT 200 (ed. Jorge Contreras 2026).

Navigating Public, Private, National, and Global: International Commercial Arbitration of Patent Disputes, in IMPROVING INTELLECTUAL PROPERTY: A GLOBAL PROJECT (eds. Susy Frankel, Margaret Chon, Graeme Dinwoodie, Barbara Lauriat & Jens Schovsbo) (2023).

Walter v. Lane [1900], in LANDMARKS IN INTELLECTUAL PROPERTY LAW 149 (2017).

Passing Off, the Internet, and the Global Marketplace, in THE INTERNET AND THE EMERGING IMPORTANCE OF NEW FORMS OF INTELLECTUAL PROPERTY 59 (2016).

Copyright History in the Advocate's Arsenal, in HISTORY OF COPYRIGHT LAW: A HANDBOOK OF CONTEMPORARY RESEARCH 7 (2015).

Book Reviews and Shorter Pieces

Editorial: The Global Politics of Standards Essential Patents, 57 IIC (2026).

Robinson and Roberts v. Wheble: A New "First" Trademark Case at Common Law, THE DOCKET (blog associated with LAW AND HISTORY REVIEW) (2024).

Review: Circulation and Control: Artistic Culture and Intellectual Property in the Nineteenth Century, (Marie-Stéphanie Delamaire and Will Slauter, eds) (2021), 66 VICTORIAN STUDIES 154 (2023).

Review: Law in Politics, Politics in Law, 16 KING'S L. J. 330 (2015).

Opinion: Copyright for Art's Sake? [2014] E.U.I.P. REV. 275.

A Design Change: Copyright Law in the UK Enterprise and Regulatory Reform Act, THE COMMONWEALTH LAWYER (Summer 2013).

Review: Mortar of Morals, STONES OF LAW, BRICKS OF SHAME, NARRATING IMPRISONMENT IN THE VICTORIAN AGE, 60(4) ESSAYS IN CRITICISM 361 (2010).

Journalism and Media

Interviewed by Lucy Greenberg for "Barbara Lauriat on Intellectual Property, English Muffins, and Cabbage Patch Dolls," *Rise and Research*, TEXAS TECH UNIVERSITY, Nov. 4, 2025.

"The First Amendment in Trademark Law After *Vidal v. Elster*," Federalist Society Webinar, Aug. 14, 2024.

Barbara Lauriat, *IP Disputes Key to Sino-American Trade Clash*, THE AMERICAN JOURNAL OF TRANSPORTATION, Feb. 11, 2019.

Appeared as a guest on *Fortnite and the Floss*, for CHIPS WITH EVERYTHING tech podcast, THE GUARDIAN, Jan. 11, 2019.

Appeared on ITV News discussing "Happy Birthday" copyright case, Jun. 14, 2013.

Guest on BBC London Radio Breakfast Show discussing trademark case, Jun. 12, 2013.

Barbara Lauriat, *Copyright Law Changes 'Hinder Free Competition'* THE TIMES, London, May 2, 2013

Barbara Lauriat, *Unpublished Manuscripts May Soon Enter Public Domain*, THE TIMES, London, Dec. 1, 2012.

Barbara Lauriat, *European Directive on Orphan Works*, THE TIMES, London, Nov. 6, 2012.

Barbara Lauriat, *Rewriting Copyright*, THE TIMES, London, Dec. 19, 2011.

Barbara Lauriat, *Librarians Seeking Orphans*, THE TIMES, London, Sept. 19, 2011.

Editorial Activities

ARBITRATION INTERNATIONAL, *Editor*, 2018-Present

KING'S LAW JOURNAL, *Analysis Editor*, 2012-2019

COPINGER & SKONE JAMES ON COPYRIGHT, *Academic Consultant*, 2017-2019

OXFORD UNIVERSITY STANDARD FOR THE CITATION OF LEGAL AUTHORITIES, (OSCOLA), 2010- 2012

OXFORD UNIVERSITY COMMONWEALTH LAW JOURNAL, *General Editor* 2007–2008

BOSTON UNIVERSITY LAW REVIEW, 2002-2004

SELECTED GRANTS AND AWARDS:

Fulbright U.S. Scholar Award, 2025 (*see above*)
Texas Tech Scholarship of Teaching and Learning Mini-Grant, 2024
King's Partnership Fund Grant, 2017
Seton Award, Copyright Society of the USA, 2015
First Prize, ATRIP Essay Competition, 2013
Research Grant, Princeton University Library, 2008
Project Grant, Brackenbury Fund, Balliol College, 2007, 2008
Nathan Burkan Memorial Competition, First Prize, BU School of Law 2004
Harold C. Case Scholarship (*for academic achievement and contributions to the university Community*), Boston University, 2000
Alice M. Brennan Humanities Award, Boston University Center for the Humanities, 1999
Trustee Scholarship, Boston University, 1998-2001 (*see above*)
Presidents Key Award (*highest GPA among graduating full-time students*), Mount Wachusett Community College, 1998

OTHER LEGAL EXPERIENCE:

Law Practice and Consulting, The Law Office of Dr Barbara Lauriat, New Salem, MA, November 2020–May 2025
Scholar-in-Residence, WilmerHale, London, UK, March–April 2017; May–June 2022
Law Clerk, New Hampshire Superior Court, New Hampshire, August 2004–August 2006

BAR ADMISSIONS:

Massachusetts (2004)
New Hampshire (2005)
Called to the Bar of England and Wales (Inner Temple) (2018)

SELECTED PRESENTATIONS AND PANELS:

“Baseball’s Role in the History of NIL,” *Dickinson Law Review* Symposium 2026, Carlisle, PA, Apr.10, 2026
“William Robert Grove: The First Modern Patent Judge,” at Works in Progress in Intellectual Property Scholars Conference at Boston Univ. School of Law, Feb. 27, 2026
“The Ethics of Copyright Registration,” Innovation Law and Ethics Observatory, LUISS Guido Carli, Rome, Italy, Oct. 6, 2025
“Justice and Injustice in Intellectual Property Registration Systems,” 43rd Annual ATRIP Congress, Univ. of Copenhagen, Denmark, Jun. 23, 2025
“Baseball’s Role in the Development of Personality Protection and Unfair Competition Laws in the United States,” Cooperstown Symposium on Baseball and American Culture, NY, May 29, 2025
“*Fama Volat*: Protecting Well-Known Marks in Structurally Disparate Trademark Regimes,” *Change and Continuity in the Global Intellectual Property Order* Symposium, Texas A&M School of Law, Mar. 29, 2025
“Trademark History in *Vidal v. Elster*,” 8th Annual Texas A&M Intellectual Property Scholars Roundtable, November 8, 2024; also delivered at Central States Law Schools Association 2024 Annual Conference, Texas Tech, Lubbock, TX, Sept. 6, 2024
Invited participant: “Borrowing Goodwill: The True History of American Trademark Law,” 2024 Trademark and Unfair Competition Scholarship Roundtable, co-hosted by Harvard, NYU, and the Univ. of Pennsylvania, Harvard Law School, Cambridge, MA, Oct. 18-19, 2024

“Two Nations Divided by a Common Trademark Law,” Intellectual Property Scholars Conference, Berkeley, CA, Aug. 8, 2024

“Historical Tort Doctrines and Ethical Innovation in the Age of Generative AI,” 42nd Annual ATRIP Congress, LUISS Guido Carli, Rome, Italy, Jul. 2, 2024

“The First Trademark Case at Common Law: *Robinson & Roberts v. Wheble* (1771),” *A Decade of Growth and Innovation in Intellectual Property Law* Symposium, Texas A&M University School of Law, Feb. 24, 2024

“Cancelling Copyrights,” (with Robert Brauneis), Presentation at Intellectual Property Scholars Conference (IPSC), Cardozo Law School, NY, Aug. 4, 2023

Invited Speaker, IP Polycentrism Panel, DreyFEST, NYU School of Law, New York, NY Mar. 24, 2023

Invited Panelist, NYU-Berkeley Symposium on the Impact of the Patent System on Markets for Technology, Berkeley, CA, Feb. 23, 2023

“FRAND Arbitration Will Destroy FRAND,” Intellectual Property Scholars Conference 2022, Stanford Law School, Palo Alto, CA, Aug. 11, 2022

Invited Panelist for “Thinking Internationally About IP and Dispute Resolution: What Every Lawyer & Corporate Counsel Should Know,” Webinar Organized by UIC Law, Intellectual Property Office of Singapore, and WIPO Arbitration & Mediation Center, Aug. 11, 2022

Invited Discussant for Panel: “Competition, IP and Innovation Debates in the Digital Markets” at Competition and IP in the Digital Markets: A Comparative and Interdisciplinary Perspective, Maastricht University Campus Brussels, Belgium, Jun. 24, 2022

“FRAND Arbitration Will Destroy FRAND” Centre for IP and Information Law, University of Cambridge, UK, May 12, 2022

“William Robert Grove: The First Modern Patent Judge,” Association of American Patent Judges [Virtual], May 6, 2022

“Examining the Unintended Consequences of Arbitrating FRAND Licensing Disputes on a Global Scale” PatCon 10, Boston College Law School, Apr. 1, 2022. Also delivered: Works in Progress in IP Conference, St. Louis University School of Law, Feb. 17, 2022; 39th ATRIP Congress [Virtual] Nov. 8, 2021

“Historical Approaches to Copyright Reform—Lessons from the Past” as part of the NZCIEL Copyright in Review Lecture Series, Victoria University Wellington, NZ, Jul. 17, 2019

Presentation: “Historical Research in Copyright” for European IP Institutes Network Interdisciplinary Research Week, CEIPI, University of Strasbourg, France, Jun. 28, 2019

“Overlapping Incentives and the Persistent Conundrum of Free Trade in Intangibles – ISDS and International IP” at the 36th ATRIP Congress, Wellington, NZ, Oct. 25, 2017

“Arbitrating FRAND Disputes” WilmerHale, London, UK, May 17, 2017

Public Lecture, “The Origins of Originality: The True Story of *Walter v Lane*” delivered at Jindal Global Law School, India, Feb. 23, 2017, The Centre for Law and Business, National University of Singapore, Feb. 17, 2017, and New Zealand Centre of International Economic Law, Victoria University Wellington, Feb. 2, 2017

Seminar on the history of copyright law for the New Zealand Ministry of Business, Innovation and Employment, Wellington, NZ, Feb. 9, 2017

“International IP Arbitration and Legal Pluralism—Infinite Variety?” 35th ATRIP Congress, Jagiellonian University, Krakow, Poland, Jun. 27, 2016

Invited talk “Passing Off, the Internet, and the Global Marketplace” at NZCIEL Conference “Intellectual Property on the Internet: Is There Life Outside the Big Three,” Wellington, NZ, Nov. 17, 2014

“Free Trade and the 1878 Royal Commission on Copyright,” Engelberg Center, NYU Law, Oct. 25, 2013

“Recent Developments in Copyright in Artistic Works,” at Institute of Art and Law Study Forum, London, UK, Jun. 29, 2013

Chair, Panel on “Information, Privacy, and Wikileaks,” at the Commonwealth Law Conference, Cape Town, South Africa, Apr. 16, 2013

Guest lecture on Copyright and Digital Humanities, for the Masters in Digital Culture and Society, King’s College London, UK, Mar. 5, 2013

“Pirates at the Tea Party: Copyright’s Strange Bedfellows,” Oxford IP Discussion Group, Oxford, UK, Feb. 5, 2013. Also delivered at Copyright History Roundtable, George Washington University Law School, Washington, DC, Mar. 30, 2012; the London Legal History Seminar, Institute for Advanced Legal Studies, London, UK, November 25, 2011

“Cobdenism and Copyright,” Cambridge Legal History Colloquium, Cambridge, UK, Jul. 10, 2010

“‘The Examination of Everything’: Royal Commissions in British Legal History,” British Legal History Conference, Exeter, UK, Jul. 11, 2009

“The Drama of Victorian Dramatic Copyright,” Oxford Intellectual Property Research Centre Seminar, Oxford, UK, May 20, 2008. Also delivered: Univ. of Auckland Faculty of Law Seminar, NZ, Aug. 1, 2007