

JASON A. RANTANEN

Professor of Law and Fergusson-Carlson Fellow in Law
Director, Innovation Business & Law Program
University of Iowa College of Law
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CURRENT ACADEMIC AND PROFESSIONAL POSITIONS

University of Iowa College of Law, Iowa City, IA *2011–present*
*Professor and Fergusson-Carlson Fellow in Law; Director, Innovation,
Business & Law Program (Associate Professor 2011-2016)*

Courses taught: Patent Law; Introduction to Intellectual Property;
Trademarks and Unfair Competition; Iowa Medical Innovation
Group; Recent Developments in Patent Law; Innovation, Business
& Law Colloquium; Capstone Course; Administrative Law.

Patently-O Law Blog, www.patentlyo.com *2010–present*
Co-author

EDUCATION

The University of Chicago Law School, Chicago, IL *2003*
J.D., with Honors, Order of the Coif

The University of Chicago, Chicago, IL *2000*
M.A., History

Fellow, Morris Fishbein Center for the History of Science and
Medicine

Master's Thesis: *A Picture is Worth a Thousand Words: The Role of
William Playfair in the Evolution of the Graph*

Brown University, Providence, RI *1999*
A.B., Biology and History with High Honors (double major)

ACADEMIC AND PROFESSIONAL HISTORY

University of California, Hastings College of the Law, San Francisco, CA *2010-2011*
Visiting Researcher (unpaid position)

Munger, Tolles & Olson LLP, San Francisco, CA
Attorney

2004-2010

United States Court of Appeals for the Federal Circuit, Washington, D.C.
Law Clerk to Hon. William C. Bryson, Circuit Judge

2003-2004

PUBLICATIONS

Rantanen, J., *The Landscape of Modern Patent Appeals*, AM. U. L. REV. (forthcoming 2018)

Rantanen, J. & Petherbridge, L., *Inequitable Conduct & Patent Misuse*, in Peter S. Menell & David L. Schwartz (eds.), RESEARCH HANDBOOK ON THE ECONOMICS OF INTELLECTUAL PROPERTY LAW (VOL. II -- ANALYTICAL METHODS) (Edward Elgar Publishing, forthcoming 2018).

Petherbridge, L. & Rantanen, J., *Infringement*, in Peter S. Menell & David L. Schwartz (eds.), RESEARCH HANDBOOK ON THE ECONOMICS OF INTELLECTUAL PROPERTY LAW (VOL. II -- ANALYTICAL METHODS) (Edward Elgar Publishing, forthcoming 2018).

Rantanen, J., *The Exceptional Nature of Method Claims: A Response to Professor Holbrook*, 102 IOWA L. REV. ONLINE 293 (2017).

Rantanen, J., *The Doctrinal Structure of Patent Law's Enablement Requirement*, 69 VAND. L. REV. 1679 (2016).

Rantanen, J., *Empirical Analyses of Judicial Opinions: Methodology, Metrics and the Federal Circuit*, 49 CONN. L. REV. 227 (2016).

Rantanen, J., *How Malleability Matters*, 6 IP THEORY 1 (2016).

Rantanen, J., *The Malleability of Patent Rights*, 2015 MICH. STATE L. REV. 895 (2015).

Rantanen, J., *Teva, Nautilus, and Change without Change*, 18 STAN. TECH. L. REV. 375 (2015).

Rantanen, J. and Petherbridge, L., *Disuniformity*, 66 FLORIDA L. REV. 2007 (2014).

Rantanen, J., *Patent Law's Disclosure Requirement*, 45 LOYOLA UNIV. CHI. L. J. 369 (2013).

Rantanen, J., *Reading Patent Law: A Review of Reading Law: The Interpretation of Legal Texts by Justice Antonin Scalia and Professor Bryan A. Garner*, 6 LANDSLIDE 50 (2013).

Petherbridge, L., Rantanen, J., and Wagner, R.P., *Unenforceability*, 70 WASH. & LEE L. REV. 1751 (2013).

Rantanen, J., *The Federal Circuit's New Obviousness Jurisprudence: An Empirical Study*, 16 STAN. TECH. L. REV. 709 (2013).

Rantanen, J., *Recalibrating Our Empirical Understanding of Inequitable Conduct*, 3 IP THEORY 98 (2013).

Rantanen, J., *Peripheral Disclosure*, 74 U. PITT. LAW REV. 1 (2012) (reprinted in 45 INTEL. PROP. L. REV. (2013)).

Rantanen, J. and Petherbridge, L., *The Pseudo-Elimination of Best Mode: Worst Possible Choice?*, 59 UCLA L. REV. DISC. 170 (2012).

Petherbridge, L. and Rantanen, J., *In Memoriam Best Mode*, 64 STAN. L. REV. ONLINE 125 (2012).

Rantanen, J. and Petherbridge, L., *Therasense v. Becton Dickinson: A First Impression*, 14 YALE J.L. & TECH. 226 (2012) (reprinted in 45 INTEL. PROP. L. REV. 99 (2013)).

Rantanen, J. and Petherbridge, L., *The America Invents Act Jeopardizes American Innovation*, 160 U. PENN. L. REV. PENNUMBRA 229 (2012).

Rantanen, J. and Petherbridge, L., *Toward a System of Invention Registration: The Leahy-Smith America Invents Act*, 110 MICH. L. REV. FIRST IMPRESSIONS 24 (2011) (available at <http://www.michiganlawreview.org/assets/fi/110/rantanenpetherbridge.pdf>) (reprinted in 44 INTEL. PROP. L. REV. 33 (2012)).

Rantanen, J., *An Objective View of Fault in Patent Infringement*, 60 AM. UNIV. L. REV. 1575 (2011).

Petherbridge, L., Rantanen, J., and Mojibi, A., *The Federal Circuit and Inequitable Conduct: An Empirical Analysis*, 84 S. CAL. L. REV. 1293 (2011).

Chowdhury, A. and Rantanen, J. *The Doctrine of Reverse Confusion Outside the United States*, 19 INTEL. PROP. LITIG. 16 (2008).

Rantanen, J., *Slaying the Troll: Litigation as an Effective Strategy Against Patent Threats*, 23 SANTA CLARA COMPUTER & HIGH TECH. L.J. 159 (2006) (reprinted in 39 INTEL. PROP. L. REV. (2007)).

Numerous weblog postings on www.patentlyO.com discussing recent Federal Circuit patent opinions and other cutting-edge issues of patent law.

WORKING PAPERS

Rantanen, J. and Jack, Sarah E., *Patents as Credentials* (available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3013780)

Rantanen, J., *Recent Developments in Patent Law – 2015* (available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2658737)

Rantanen, J., *Why Priest-Klein Cannot Apply to Individual Issues in Patent Cases* (available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2132810).

Wagner, R.P., Rantanen, J., and Petherbridge, L., *Unenforceability: Research Report* (available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2176775).

Rantanen, J., ed., *Intellectual Property and Competition Law Statutory Supplement* (2013, 2014).

Rantanen, J., ed., *Introduction to Intellectual Property: Cases and Questions* (2015, 2016, 2017, 2018).

AMICUS BRIEFS

Seaman, Christopher B. and Rantanen, J., *Brief Amicus Curiae of Intellectual Property Professors in Support of Neither Party*, No. 14-1513, *Halo Elecs. Inc. v. Pulse Elecs. Inc.*; No. 14-1520, *Stryker Corp. v. Zimmer, Inc.* (U.S. Supreme Court) (2015) (available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2704575).

WORKS IN PROGRESS

Rantanen, J., *When the Government Changes the Patent Law, Does it Have to Pay?*

ACADEMIC PRESENTATIONS AND PANELS

Panelist, *The Power of PTAB: The New Authority in Patent Law*, Chicago-Kent College of Law, Chicago, IL (October 20, 2017)

Commentator, *Junior Scholars in Intellectual Property Workshop*, Michigan State University College of Law, East Lansing, MI (May 17-18, 2017).

Commentator, Stephen Yelderman, *The Value of Accuracy*, The Patent Conference, Northwestern Law School, Chicago, IL (April 7, 2017).

Presenter, *Patent Credentials*, The Patent Conference, Northwestern Law School, Chicago, IL (April 7, 2017).

Presenter, *When the Government Changes the Patent Law, Does it Have to Pay?*, IP Scholars Conference, Stanford Law School, Palo Alto, CA (August 12, 2016).

Presenter, *When the Government Changes the Patent Law, Does it Have to Pay?*, Washington & Lee School of Law, Lexington, VA (March 21, 2016).

Presenter, *The Doctrinal Structure of Patent Law's Enablement Requirement*, VANDERBILT LAW REVIEW "The Disclosure Function of the Patent System" symposium, Vanderbilt University Law School, Nashville, TN (November 6, 2015).

Presenter, *Infringement; Inequitable Conduct & Misuse*, Research Handbook on the Economics of Intellectual Property Law, Northwestern University School of Law, Chicago, IL (August 5, 2015).

Presenter, *The Malleability of Patent Rights*, Second Annual Vanderbilt IP Scholars Roundtable, Vanderbilt University Law School, Nashville, TN (April 23, 2015).

Presenter, *A Multi-Study Approach to the Federal Circuit*, The Patent Conference 5, University of Kansas School of Law, Lawrence, KS (April 11, 2015).

Presenter, *Teva, Nautilus, and Change without Change*, 2015 Intellectual Property Scholars Roundtable, Drake University Law School (March 27, 2015).

Presenter, *A Systematic Peek at the Federal Circuit's Patent Law Decisions*, 3rd Annual Empirical Patent Law Conference, Northwestern University School of Law, Chicago, IL (September 26, 2014).

Presenter, *A Law and Economics Approach to Emerging Patent Monetization Strategies*, The Patent Conference 4, University of San Diego School of Law (April 5, 2014).

Presenter, *A Law and Economics Approach to Emerging Patent Monetization Strategies*, 2014 Intellectual Property Scholars Roundtable, Drake University Law School (March 29, 2014).

Presenter, *Population Biases and Selection Effects*, Big Ten Junior Scholars' Conference (August 10, 2013).

Presenter, *Why Priest-Klein Cannot Apply to Individual Issues in Patent Cases*, The Patent Conference 3, IIT Chicago-Kent College of Law (April 13, 2013).

Presenter, *Patent Law's Disclosure Requirement*, Loyola University Chicago Law Journal Symposium on Patents, Innovation, and Freedom to Use Ideas, Loyola University Chicago School of Law (April 11, 2013).

Presenter, *Introduction to International Intellectual Property*, University of Iowa College of Law International Studies Colloquium (March 8, 2013).

Panelist, *New Doctrine, New Process, The America Invents Act: One Year Later*, Indiana University Maurer School of Law (September 14, 2012).

Presenter, *In Memoriam Best Mode*, 2012 Intellectual Property Scholars Roundtable, Drake University Law School (March 31, 2012).

Presenter, *Toward an Understanding of Self-Disclosing Inventions*, University of Iowa College of Law *Food for Thought* series (March 5, 2012).

Panelist, *Patent Law Reform*, University of Iowa (February 16, 2012).

Presenter, *Self-Disclosing Inventions: An Empirical Analysis*, Statistics Consulting Class, University of Iowa (February 10, 2012).

Presenter, *An Empirical Look at the Disclosures of Patented Inventions*, Chicago Intellectual Property Colloquium, Chicago-Kent College of Law (January 24, 2012).

Presenter, *Peripheral Disclosure*, Intellectual Property Scholars' Conference 2011, DePaul College of Law (August 2011).

Presenter, *The Federal Circuit and Inequitable Conduct: An Empirical Analysis*, University of California Hastings College of the Law (April 2011).

Presenter, *An Objective View of Fault in Patent Infringement*, University of Iowa Law School (November 2010).

Presenter, *Slaying the Troll: Litigation as an Effective Strategy Against Patent Threats*, George Mason University School of Law (December 2007).

Presenter, *Death and Patents: An Empirical Analysis of The Relationship Between Disease-Based Mortalities and Patent Activity*, Pennsylvania State University Dickinson College of Law (December 2007).

Presenter, *Death and Patents: An Empirical Analysis of The Relationship Between Disease-Based Mortalities and Patent Activity*, University of Indiana at Indianapolis Law School (December 2007).

Presenter, *Death and Patents: An Empirical Analysis of The Relationship Between Disease-Based Mortalities and Patent Activity*, University of Dayton School of Law (December 2007).

PROFESSIONAL AND MEDIA APPEARANCES

Panelist, Commercializing university research, Iowa Ideas Conference, Cedar Rapids, IA (September 22, 2017)

Presenter, *What is Intellectual Property?*, Iowa Project Lead the Way STEM Conference, Cedar Rapids, IA (November 15, 2016)

Presenter, *What is Doctrine*, Iowa Intellectual Property Association 2016 Annual Meeting, Riverside, IA (October 7, 2016).

Panelist, Supreme Court Intellectual Property Review, IIT Chicago-Kent College of Law, Chicago, IL (September 22, 2016).

Presenter, *Patent Law Year in Review*, State bar of Wisconsin Eleventh Annual Door County Intellectual Property Academy, Sturgeon Bay, WI (July 15, 2016).

Presenter, *Recent Developments in Patent Law – 2016*, Salishan Patent Conference, Glenden Beach, OR (April 16, 2016).

Presenter, *Recent Developments in Patent Law – 2015*, AIPLA Annual Meeting (plenary session), Washington, D.C. (October 24, 2015).

Presenter, *Patent Law Year in Review*, State bar of Wisconsin Tenth Annual Door County Intellectual Property Academy, Sturgeon Bay, WI (July 18, 2015).

Panelist, *Ethical Perspectives on the News*, KCRG (November 23, 2014).

Moderator, District Judge Panel, Iowa Intellectual Property Lawyer's Association Annual Conference, Des Moines, IA (October 3, 2014).

Presenter, *Patent Law Year in Review*, State Bar of Wisconsin Ninth Annual Door County Intellectual Property Academy, Sturgeon Bay, WI (July 18, 2014).

Presenter, *Intellectual Property Law*, University of Iowa Molecular & Cellular Biology 'Scientists' Survival Skills' Series (March 5, 2014).

Presenter, *Disuniformity*, Naples Midwinter Patent Institute (February 11, 2014).

Guest panelist, *This Week in Law* (January 25, 2013) (available at <http://twit.tv/show/this-week-in-law/195>).

FORMAL SERVICE

Service to the College of Law:

Student Affairs Committee (2011–2012)

Faculty Judicial Clerkship Committee (2012–2017) (chair fall 2013, 2014-15 & 2016-17)

Iowa Innovation, Business and Law Center (member, 2011-present; Director, 2017-present)

Intellectual Property Law Society, faculty advisor (2013-present)

Faculty Speakers Committee (2014-15)

Faculty Curriculum Committee (2016-2017)

Internal Procedures Committee (chair 2017-present).

2017-18 College of Law Dean Search Committee

Presenter, Iowa College of Law *Explore Iowa* series (2014, 2015, 2016, 2017)

Special assignments:

In 2017, Dean Agrawal tasked me with collecting and assembling all existing faculty policies into a codification. I completed this project in 2017.

Service to the University:

Iowa Institute of Human Genetics, Internal Advisory Board Member (2012–2014)

Faculty Engagement Corps (2013)

Parking and Transportation Charter Committee (2014-2017)

Research Council (2017-present)

Faculty Policies and Compensation Committee (2017-present)

Brand Development Advisory Group (2017-present)

Intellectual Property Policy Strategy Implementation Team (2016-present)

Intellectual Property Evaluation Council (2016-present)

Service to the Profession:

Iowa Intellectual Property Law Association, Board Member (2016-present)