

ACADEMIC CURRICULUM VITAE

BEN DEPOORTER

Home Address: 971 Clark Way, Palo Alto, CA 94304, USA.

Phone : 203-415 2039

Email: depoorter@uchastings.edu

EDUCATION

- LL.M. Yale Law School, 2004
Belgian American Education Foundation (BAEF) Fellow
Fulbright Scholar
Fellow, Olin Center in Law, Economics and Public Policy, Yale Law School
Editor, Yale Journal on Regulation
- J.S.D. Yale Law School (June 2011)
Oscar Cox Scholarship
- Ph.D. ‘Fragmentation of Property Rights: The Law and Economics of the
Anticommons’ Ghent University (Belgium), 2003
Course Work at Harvard University, Department of Economics,
New York University, Stern
Awarded Santander Group, Junior Faculty Scholarship for Exchange with
UC Berkeley, Fall 2001.
- M.A. University of Hamburg (Germany), 1999
European Master in Law and Economics
Awarded Prize of Academic Excellence for best Master Thesis: “Servitude
Policy and Conceptions of Property.”
Summa Cum Laude (1st)
- J.D. Ghent University, School of Law (Belgium), 1998
Economic Law Track
Fellow at the Centre for Information Technology and Law
Magna Cum Laude

Additional training includes: New York University, Department of Economics, Micro-Economic Theory (Summer 1998); George Mason University, Center for the Study of Public Choice, Introduction to Public Choice Theory (June, 2000); Harvard University, Department of Economics, Quantitative Methods in Economics (Summer 2000); Statistics, Department of Applied Statistics, Ghent University (Fall 2000).

TEACHING INTERESTS

- Property Law
- Tort Law
- Antitrust Law
- Copyright Law
- Law & Economics
- Law & Technology

- Intellectual Property Law survey

ACADEMIC POSITIONS

FALL 2010	Visiting Professor, Duke Law School.
SUMMER 2010-CURRENT	Professor of Law, U.C. Hastings College of Law.
FALL 2009	Visiting Scholar, Stanford Law School.
SPRING 2009	Visiting Professor, Boston University, School of Law.
MAY 2007	Visiting Professor, Haifa University, School of Law.
2006-2010 (tenured in June 2010)	Associate Professor, University of Miami, School of Law.
FALL 2005	Visiting Associate Professor, George Mason Law School.
2004-	Lecturer, Ghent University.
2003	Olin Fellow, Yale Law School.
FALL 2001	Visiting Scholar, U.C. Berkeley.

RECENT PROFESSIONAL SERVICE

OFFICER of Quality Assurance and Curriculum <i>Erasmus Mundus Master Program in Law and Economics</i>	2007-PRESENT
CO-EDITOR (w/ Robert Cooter, Lewis Kornhauser & Francesco Parisi) <i>The Review of Law and Economics, BEPRESS</i>	2003-2011
REFEREE <i>Journal of Law, Economics & Organization, International Review of Law and Economics, European Journal of Law and Economics, Review of Law & Economics, Jurimetrics.</i>	2002-PRESENT
ACADEMIC SECRETARY <i>European Association of Law and Economics</i>	1999 -2004

UNIVERSITY SERVICE

Appointments Committee <i>U.C. Hastings College of Law</i>	2011-12
Law School Faculty Visitors & Laterals Appointments Committee <i>University of Miami Law School</i>	2008-09
Law School Faculty Entry-level Appointments Committee <i>University of Miami Law School</i>	2007-08
Law School Dean Search Committee <i>University of Miami Law School</i>	2007-08

FELLOWSHIPS, SCHOLARSHIPS AND AWARDS

NATIONAL SCIENCE GRANT <i>Federal Institute for Science (be)</i>	2004
OSCAR COX scholarship <i>Yale Law School</i>	2003
OLIN FELLOW in Law, Economics & Public Policy <i>Yale Law School</i>	2003
BEAF FELLOW to Yale Law School <i>Belgian American Educational Foundation</i>	2002
FELLOWSHIP <i>Fulbright Association</i>	2002
OLIN FELLOW in Law & Economics <i>UC Berkeley (Boalt Hall)</i>	2001
JUNIOR FACULTY SCHOLARSHIP <i>Santander Group</i>	2000
PRIZE FOR BEST MASTER THESIS <i>EMLE Master Program in Law and Economics</i>	1999

SELECTED PUBLICATIONS

1. *Passive Courts, Active Litigants*, 110 MICHIGAN LAW REVIEW (2011, forthcoming).
2. *Copyright Backlash*, 84(6) SOUTHERN CALIFORNIA LAW REVIEW (2011, forthcoming).
3. *Fair Trespass*, 111 (5) COLUMBIA LAW REVIEW (2011, forthcoming).
4. *Law in the Shadow of Bargaining: The Feedback Effect of Civil Settlements*, 95(5) CORNELL LAW REVIEW 957 (2010).
5. *Probabilistic Litigation & Negative Value Suits*, 30 INT. REV. OF LAW & ECON 236 (2010) (w/Jef De Mot).
6. *Technology & Uncertainty: The Shaping Effect on Copyright Law*, 157 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1830 (2009).
7. *Horizontal Political Externalities: the Supply and Demand of Disaster Management*, 56 DUKE LAW JOURNAL 101 (2006).

PUBLICATIONS / AREA

A. LITIGATION THEORY

1. *Passive Courts, Active Litigants*, 110 MICHIGAN LAW REVIEW (2011, forthcoming).
2. *Law in the Shadow of Bargaining: The Feedback Effect of Civil Settlements*, 95(5) CORNELL L. REV. 957 (2010).
3. *Probabilistic Litigation & Negative Value Suits* (w/Jef De Mot), 30 INT. REV. OF LAW & ECON 236 (2010).

4. *Horizontal Political Externalities: the Supply and Demand of Disaster Management*, 56 DUKE. L.J. 101 (2006).
5. *Whistle Blowing: An Economic Analysis of the Federal Claims Act* (w/ J. De Mot), 14 SUPREME COURT ECON. REV. 135 (2006).
6. *The Modernization of European Competition Law: Implications from the Economics of Regulatory Competition* (with F. Parisi), 13(2) GEO. MASON L. REV. 309 (2005).
7. *Litigation, Judicial Path-Dependence, and Legal Change* (w/ V. Fon & F. Parisi), EUROPEAN 20(1) JOURNAL OF LAW AND ECONOMICS 76 (2005).

B. PROPERTY LAW

8. *Fair Trespass*, 111 COLUMBIA LAW REVIEW (2011, forthcoming).
9. *Never Two Without Three: Commons, Anticommons and Semicommons*, 5 REVIEW OF LAW & ECONOMICS, issue 1 (2009) (w/Jef De Mot and Enrico Bertachinni)
10. *Adverse Possession*, in ENCYCLOPEDIA OF LAW & ECONOMICS, PROPERTY LAW (ED. G. DE GEEST) (2010).
11. *Putting Humpty Dumpty Back Together: Pricing in Anticommons Property Arrangements*, 13 JOURNAL OF LAW, ECONOMICS AND PUBLIC POLICY 59 (2007) (w/ S. Vanneste) [Cited in NEW YORKER MAGAZINE, 11 Aug. 2008 [http://www.newyorker.com/talk/financial/2008/08/11/080811ta_talk_surowiecki]; reprinted in Heller M, *The Law and Economics of the Anticommons*, 2009, Edward Elgar]
12. *From 'Tragedy' to 'Disaster': Welfare Effects of Commons and Anticommons Dilemmas* (with S. Vanneste & A. Van Hiel), 26(1) INT. REV. OF LAW & ECON. 104 (2006).
13. *Duality in Property: Commons and Anticommons* (with F. Parisi & N. Schulz), 25 (4) INT. REV. OF LAW & ECON 578 (2006).
14. *Fragmentation of Property Rights: A Functional Explanation of Servitude Law* (with F. Parisi), 3 (1) GLOBAL JURIST FRONTIERS Article 2 (2003).
15. *Fragmentation in Property: Towards a General Model* (with F. Parisi and N. Schulz), 159 JOURNAL OF INSTITUTIONAL AND THEORETICAL ECONOMICS 594 (2003).
16. *Simultaneous and Sequential Anticommons* (with F. Parisi and N. Schulz), 17(2) EUROPEAN JOURNAL OF LAW AND ECONOMICS 52 (2003).
17. THE LAW AND ECONOMICS OF THE ANTICOMMONS: ISSUES IN PROPERTY LAW, (co-authored with F. Parisi) Edward Elgar Publishing (forthcoming, 2009).

C. TECHNOLOGY & LAW

18. *Copyright Backlash*, 84(6) SOUTHERN CALIFORNIA LAW REVIEW (2011, forthcoming).
19. *Technology & Uncertainty: The Shaping Effect on Copyright Law*, 157 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1830 (2009).
20. *Norms and Enforcement: The Case against Copyright Litigation*, 84 (4) OREGON L. REV. 1127 (2006) (w/ Sven Vanneste).
21. *The Several Lives of Mickey Mouse: The Expanding Boundaries of Intellectual Property Law*, 9 (2) VA. J. OF L. & TECH. 1 (2004).
22. *Fair Use and Copyright Protection: A Price Theory Explanation* (with F. Parisi), 21 (4) INT. REV. OF LAW & ECON. 453 (2003).

1. *The Return of the Dead Hand in Property Law*
2. *Normative Overdeterrence*
3. *The Legal Endowment Effect* (w/ Stephan Tontrup)
4. *Optimism & Settlements*
5. *Imperfect Courts & The Filtering Effect of Uncertainty* (w/ Jef De Mot)

CONFERENCE & WORKSHOP LECTURES

American Association of Law & Economics, San Diego, CA, May 16, 2009, “Law in the Shadow of Bargaining: The Feedback Effect of Civil Settlements”

American Association of Law & Economics, San Diego, CA, May 15, 2009, “Gentle Nudges v. Hard Shoves: An Empirical Study on the Conflict between Norms and Enforcement”

Boston University Law School, Boston, MA, April 11, 2009, “Law in the Shadow of Bargaining: The Feedback Effect of Civil Settlements”

Boston College School of Law, Philadelphia, MA, April 6, 2009, “Law in the Shadow of Bargaining: The Feedback Effect of Civil Settlements”

University of Connecticut Law School, Connecticut, CO, March 25, 2009, “Law in the Shadow of Bargaining: The Feedback Effect of Civil Settlements”

University of Pennsylvania Law School, Philadelphia, Pennsylvania, January 16, 2009, “The Shaping Effect of Copyright Law: Technology, Social Norms and the Optimal Timing of Law Making”

Stanford Law School, Palo Alto, California, August 16, 2008, “Technology, Social Norms and the Optimal Timing of Law Making”

Georgia University, Law School, Athens, Georgia, March 27, 2008, Roundtable: “The Costs of Patent Litigation”

Oslo University, Law School, Oslo, Norway, December 17, 2007, “Technology, Norms and Intellectual Property”

Environmental and Natural Resource Group Invited Lecture, Oslo, Norway, December 15, 2007, “Anticommons Property and Applications”

Law and Society Meeting, Berlin, Germany, July 21, 2007, “Means End Litigation”

International Society for New Institutional Economics, Reykjavik, Iceland, June 24, 2007, “Explaining Katrina: Horizontal Political Externalities”

Bar-Ilan University Law School, Israel, May 21, 2007, “Explaining the Expansion of Tort Awards: Technology and Tort Law”

Haiifa University School of Law, Israel, May 18, 2007, “Explaining the Expansion of Tort Awards: Technology and Tort Law”

Bologna University Economics Department, Italy, February 18, 2007, “Explaining the Expansion of Tort Awards: Technology and Tort Law”

Duke Law School, Durham, NC, March 24, 2006, “Political Externalities & the Response of Government to Disasters”

Miami University, School of Law, Coral Gables, FL, December 5, 2007, “Law in the Shadow of Bargaining”

Erasmus Workshop in Law and Economics, University of Hamburg, Germany, February 10, 2006, “Gentle Nudges v. Hard Shoves: An Empirical Study on the Conflict between Norms and Enforcement”

University of Illinois at U-C, College of Law, December 8, 2005, “Gentle Nudges v. Hard Shoves: An Empirical Study on the Conflict between Norms and Enforcement”

George Mason Law School, Arlington, VA, November 17, 2005, "Gentle Nudges v. Hard Shoves in Copyright Law: An Empirical Study on the Conflict between Norms and Enforcement"

Canadian Association of Law & Economics Annual Conference, Toronto, September 22, 2005, "Gentle Nudges v. Hard Shoves in Copyright Law: An Empirical Study on the Conflict between Norms and Enforcement"

Latin American Association of Law & Economics Annual Conference, U.C. at Berkeley, March 22, 2005, "Gentle Nudges v. Hard Shoves in Copyright Law: An Empirical Study on the Conflict between Norms and Enforcement"

George Mason Law School, Arlington, VA, December 4, 2004, "Copyright Litigation Impossibility"

Antitrust Symposium, Ronald Reagan Building and International Trade Center, Washington D.C. (Howrey L.L.P.), October 6, 2004, "The Modernization of European Competition Law: Implications from the Economics of Regulatory Competition"

Boston University School of Law, MA, WPIP Workshop, September 10, 2004, "Gentle Nudges v. Hard Shoves in Copyright Law: An Empirical Study on the Conflict between Norms and Enforcement"

University of Texas at Austin, TX, November 18, 2003, "The Expanding Boundaries of Intellectual Property"

Yale Law School, New Haven, CT, August 17, 2003, "Law in the Shadow of Bargaining"

Annual Erasmus Workshop in Law and Economics, Bologna University, Italy, February 17, 2003, "Copyright Inflation"

European Association of Law and Economics Annual Conference, Univ. of Athens, Greece, September 20, 2002, "Judicial Path-Dependence and Legal Change"

European Association of Law and Economics Annual Conference, Ghent University, Belgium, September 18, 2001, "Fair Use & the Price Theory of Copyright"

CONFERENCES ORGANIZED RECENTLY

Co-organizer, *Junior Faculty Conference/PrawfsBlawg Workshop*, University of Miami, Florida, December 8-10, 2008.

Organizer and Co-chair, *Midterm Workshop in Law & Economics*, Ghent University, Belgium, February 12-14, 2008.

Organizer and Chair, *Conference on Innovation*, Brussels, Belgium, November 18-19, 2006.

Co-organizer and Chair, *Midterm Workshop in Law & Economics*, Ghent University, Belgium, February 14-17, 2005.

Co-organizer, *European Association of Law and Economics Annual Conference*, Ghent University, Belgium, September 18-19, 2001.