

# Rex D. Glensy

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## Curriculum Vitae

Earle Mack School of Law at Drexel University  
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## Current Position

**Earle Mack School of Law at Drexel University, Philadelphia, PA (2006-Present)**

- Associate Professor of Law
- Director, Intellectual Property Program (since 2/2008)
  - In charge of creating and implementing a program focus on Intellectual Property for the students (akin to a college “minor”)
  - Designing the curriculum for the IP Program
  - Recruiting and hiring adjuncts
  - Meeting with various representatives of the legal community to place student externs (to satisfy the program’s practical component)
  - Formed Advisory Board to IP Program
- Committees served on: Professional Development (formerly Chair), Recruiting, Curriculum, Minority Fellowship
- Teaching Property, Public International Law, Copyright, Trademarks, Entertainment Law, Practicum in Intellectual Property, Transactional Lawyering
- Taught Introduction to Law & Legal Methods; Legal Methods I, II, III

**Rutgers School of Law, Camden, NJ (2010-present)**

- Adjunct Professor of Law
- Teaching Intellectual Property Survey Course

## Education

**University of Southern California Law School, Los Angeles, CA (J.D. 1998)**

- Class Rank 2/206
- Order of the Coif
- Judge Barry Russell Award (highest grade in Federal Courts class)
- Judge Warren Ferguson Award (best essay on social justice)
- American Jurisprudence Awards (highest grade in class)
  - Criminal Law
  - Constitutional Law II

Federal Courts

Real Estate Transactions

- Notes Editor, *Southern California Law Review* (1997-98)
- Staff, *Southern California Law Review* (1996-97)
- Legal Writing Instructor (1996-98)

**Indiana University**, Bloomington, IN (Master of Music, Orchestral Conducting, 1995)

- GPA 3.91
- Associate Instructor (1993-95)

**University of London (King's College)**, London, England

(Bachelor of Music (with Honors), Musicology and Composition, 1991)

- Jelf Medal in the Humanities (outstanding achievement prize)
- Sambrooke Exhibition Prize (highest GPA in the year)
- President and Founder, King's College Opera Group

## **Publications**

### **Books/Casebooks**

*Entertainment Law* (provisional title)

ASPEN PUBLISHERS (forthcoming 2012-2013)

- Writing a law school casebook on Entertainment Law.

### **Articles**

*Constitutional Interpretation Through a Global Lens*

XX MISSOURI LAW REVIEW XX (forthcoming Oct. 2010)

- This Article seeks to clarify the current debate swirling in the academy concerning the use of foreign persuasive authority within the context of constitutional interpretation. It begins by noting that often commentary on constitutional comparativism fails to make any distinction between foreign domestic sources and international law used comparatively, and thus risks evoking parallels between different systems of law which lack context and plausibility. It then draws on various normative theories and underpinnings of both domestic and international legal regimes to show that a proper comparative enterprise must take this distinction into account. The Article concludes by explaining that only when those policy goals of international law and domestic law coincide, should international law materials be called upon as sources of persuasive authority for domestic constitutional interpretation.

*The Use of International Law in U.S. Constitutional Adjudication*  
Submitted August 2010

- This Article seeks to untangle part of the debate concerning the use of international law as persuasive authority within the context of constitutional interpretation. It begins by noting that international law is being used comparatively within the framework of constitutional analysis but such usage lacks structure and context. It then posits that U.S. courts should only use international law as persuasive authority when this fits within the goals of the comparative enterprise. By combining comparative theory and historical practice, the Article concludes by proposing a methodology for employing international law as persuasive authority by U.S. Courts.

*The Protection of Gay Rights in the U.S.: Recent Developments* (with forward by Judge Anthony Scirica, Chief Judge of the U.S. Court of Appeals for the Third Circuit)  
UNIVERSITA' DEGLI STUDI DI FIRENZE (UNIVERSITY OF FLORENCE, ITALY) (2008)

- This Article examines the recent trends in judicial actions around the country concerning the protection (or lack thereof) of gay rights. In particular, the Article focuses on the same-sex marriage cases decided in different jurisdictions in the last couple of years and illustrates the competing analytical approaches that the various courts have to the same issue. The Article also scrutinizes various cases which deal with the interstate recognition of rights granted to the GLBT community outside the forum and the complex tapestry that is being currently woven all over the country as a result of conflicting rulings in the matter. The Article is a print version of a lecture delivered at the University of Florence, Italy, as part of a series covering gay rights around the world.

*Quasi-Global Social Norms*  
38 CONNECTICUT LAW REVIEW 79 (2005)

- This Article describes the emergence and operation of a sub-category of social norm, termed “quasi-global social norm.” It argues that these norms arise slowly through an evolutionary process governed by natural instinct, and that such norms develop by reaching an ever increasing number of adherents who apply these norms to an ever increasing number of situations. It then describes how quasi-global social norms, in light of their hold on society, permeate the legal system and function as a normative force in determining the outcome of many legal decisions, and concludes by drawing upon the quasi-global social norms of liberty and fairness to illustrate this process.

*Which Countries Count?: Lawrence v. Texas and the Selection of Foreign Persuasive Authority*  
45 VIRGINIA JOURNAL OF INTERNATIONAL LAW 357 (2005)

- This Article provides a selection process for foreign persuasive authority within the context of comparative analysis by combining the results of an historical analysis of the use of foreign authority with modern trends in social sciences and legal scholarship. It argues that the ethos of comparative law is one of informed nation selection, and that its proponents should not shy away from this reality but tackle it head on. It describes an approach to such selection process, one which combines historical fact, normative

desirability, and contemporary understanding of judicial interpretative techniques, and shows how courts can integrate this approach within their opinions when they deem comparative analysis to be appropriate.

*The Extent of Congress' Power Under the Full Faith and Credit Clause*  
71 SOUTHERN CALIFORNIA LAW REVIEW 137 (1997)

- This Note analyzes the enabling provision of the Full Faith and Credit Clause of the U.S. Constitution to determine the extent of Congress's power thereunder. It traces the meaning of the provision from that intended by the framers of the Constitution through the present day by describing the historical background of the provision's enactment as well as court decisions and statutes pertaining to it. The Note concludes by articulating a meaning for the enabling provision of the Full Faith and Credit Clause and shows that Congress exceeded its power pursuant thereto when it passed recent legislation limiting the full faith and credit of same-sex marriages.

## Lectures and Seminars

**Drexel University College of Law**, Philadelphia, PA (February 2010)  
Academic Workshop Series

- Delivered a lecture presentation of my new paper *Constitutional Interpretation Through a Global Lens*.

**University of London**, London, England (October 2009)  
International Lecture Series

- Delivered a lecture presentation of my new paper *Constitutional Interpretation Through a Global Lens*.

**University Statale of Milan**, Milan, Italy (June 2009)  
Gay Rights Conference

- Delivered lecture on recent developments pertaining to gay rights in the U.S. and around the world.

**Drexel University**, Philadelphia, PA (April 2009)  
Conference on Library Technology and IP

- Moderated panel that discussed various methodologies for delivering library content via new technologies.

**University of Lisbon**, Lisbon, Portugal (February 2009)  
Comparative IP Panel

- Participated in a panel on that highlighted salient differences between the IP protection regimes of different countries in Europe and in Asia.

**London2012 Olympic Committee**, London, England (January 2009)  
Trademark Enforcement Group

- Delivered lecture on the mechanisms available in the United States for the protection of foreign marks.

**European Conference on Trademarks**, Barcelona, Spain (August 2008)  
Integration of European Trademarks Panel

- Participated in a panel on the new European Commission rules on trademark integration and their compatibility with the Paris Convention.

**City University**, London, England (July 2008)  
Panel on Constitutional Comparativism

- Participated in a panel on the growing trend on constitutional comparativism focusing on the often lost distinction between the international versus the foreign (on which I am writing an article).

**Los Angeles Bar Association**, Los Angeles, California (May 2008)  
Entertainment Group

- Delivered a lecture on recent developments in Entertainment Law with particular focus on the Talent Agency Act and the newly-enacted writers' collective bargaining agreement.

**University of London**, London, England (January 2008)  
Comparative Law Series

- Delivered lecture on the portability of gay rights acquired in Europe to the United States, and the various international law aspects associated with this issue.

**Universita' degli Studi di Firenze**, Florence, Italy (June 2007)  
Series of seminars on Gay Rights Topics

- Delivered the first lecture in the series on the legal ramifications of gay rights in the United States and the areas of forthcoming litigation pertaining thereto. Lecture to be turned into an Article and printed in a bound volume with the other seminars in the series.

**Rutgers University**, New Brunswick, NJ (April 2007)  
Rutgers Model Congress

- Appeared on a panel on Comparative Law and delivered a talk on the use of foreign persuasive authority within the United States based on my article on the same topic.

**Drexel University College of Law**, Philadelphia, PA (March 2007)  
Symposium on Same-Sex Marriage

- Delivered lecture on the Full Faith and Credit Clause and its intersection with gay rights.

## **Legal Experience**

**Associate, Alschuler Grossman Stein & Kahan (firm no longer in existence)**  
Santa Monica, CA (2002-2006)

- Represented prominent entertainers and production companies in their actions against studios and others pertaining to contract, copyright, trademark, First Amendment, and privacy disputes, and represented pro bono indigent clients in their appellate needs before the California and Federal Courts of Appeal.

**Associate, Munger Tolles & Olson**, Los Angeles, CA (2000-2002)

- Represented a major utility company in its litigation against the State of California and in various contractual disputes with its suppliers, a major bank in a securities fraud action, and, pro bono, a federal detainee in an Eighth Amendment action against the U.S. Government.

**Law Clerk, The Honorable Cynthia Holcomb Hall**, Pasadena, CA (1999-2000)

- United States Court of Appeals for the Ninth Circuit

**Law Clerk, The Honorable William Matthew Byrne, Jr.**, Los Angeles, CA (1998-1999)

- United States District Court - Central District of California

## **Teaching Experience**

**Drexel University College of Law**, Philadelphia, PA (2006-present)

- Associate Professor
- Teaching Property, Copyright, Trademarks, Entertainment Law, IP Practicum, Transactional Lawyering, Public International Law
- Taught Introduction to Law & Legal Methods; Legal Methods I, II, III

**Rutgers School of Law, Camden, NJ (2010-present)**

- Teaching Intellectual Property Survey Course

**University of Southern California Law School, Los Angeles, CA (1996-1998)**

- Legal Writing Instructor (taught legal writing to first year law students)

**Indiana University, Bloomington, IN (1993-1995)**

- Associate Instructor (taught music theory to first, second year & honors students)

### **Languages**

- Fluent Italian
- Proficient French

### **Memberships And Affiliations**

Bar of the State of California (since 1998)

Bar of the Central District of California (since 1999)

Bar of the Ninth Circuit Court of Appeals (since 2000)

American Bar Association

Los Angeles Bar Association