

Hannibal Travis

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Professor of Law
Florida International University College of Law
11200 S.W. 8th Street, Miami, FL 33199

Education

- J.D., 1999 **Harvard Law School, Cambridge, MA**
* *magna cum laude* (conferred for Class Rank in top 10% of class)
* *Harvard Human Rights Journal* (line editor)
- B.A., 1996 **Washington University, St. Louis, MO**
* *summa cum laude* in Philosophy, Phi Beta Kappa

Professional Experience

- 2005- (Associate) Professor of Law, **Florida International University College of Law**, Miami, FL
* Taught Antitrust Law, Computer & Internet Law, Copyright Law, Entertainment Law, Intellectual Property Law, International Law, Business Law, and Advanced Copyright seminar
* Served as Interim Associate Dean for Information Resources and Director of the Law Library (2010-2011)
* Served on University Faculty Senate Technology Committee (2006-2017) and Textbook Affordability Committee (2009-2017), Appointments Committee--Law (2010-2011, Chair, 2013-2015), Promotion & Tenure Committee--Law (2010-2017), and Technology Committee--Law (Chair, 2018)
- 2009 Visiting Fellow, Oxford Internet Institute, **University of Oxford**, Oxford, United Kingdom
- 2008 (Fall) PA Visiting Associate Professor, **Villanova Univ. School of Law**, Villanova, PA
- 2001-2004 Associate (Litigation Group), **Debevoise & Plimpton**, New York, NY
- 2000-2001 Law Clerk, **Honorable Wm. Matthew Byrne, Jr., United States District Court for the Central District of California**, Los Angeles, CA
- 1999-2000 Associate (Litigation), **O'Melveny & Myers**, San Francisco, CA

- 1997-1998 Teaching Fellow, **Harvard College**, Cambridge, MA
- 1999 Graduate Student Instructor, **University of California, Berkeley**, Berkeley, CA

Selected Publications

Books

- 2018 Copyright Class Struggle: Creative Economies in the Social Media Age
(Cambridge University Press, forthcoming) (monograph)
- 2013 Cyberspace Law: Censorship and Regulation of the Internet (Routledge)
(edited volume)
- 2012 Genocide, Ethnonationalism, and the United Nations: Exploring The Causes of Mass Killing Since 1945 (Routledge) (monograph)
- 2010 Genocide in the Middle East: The Ottoman Empire, Iraq, and Sudan
(Carolina Academic Press) (monograph)

Articles and Book Chapters

Cyberlaw, Intellectual Property, and Software Contracts

- 2017 *Counter-IP Conspiracies: Patent Alienability and the Sherman Antitrust Act*, 71 Miami L. Rev. 758-858
- 2016 *The Economics of Mass Digitization and the Google Books Litigation*, in Research Handbook on Electronic Commerce Law 117-137 (John Rothchild ed., Cheltenham, UK: Elgar) (invited)
- 2016 *Free Speech Institutions and Fair Use of Copyrighted Work: A New Agenda for Copyright Reform*, 33 Cardozo Arts & Entertainment L.J. 673-737
- 2015 *Myths of the Internet as the Death of Old Media*, 43 AIPLA Quarterly J. 1-68
- 2014 *Patent Alienability and Its Discontents*, 17 Tulane J. Tech. & Intell. Prop. 109 (2014)
- 2013 *WIPO and the American Constitution: Thoughts on a New Theory Relating to Actors and Musicians*, 26 Vanderbilt J. of Entertainment &

Tech. Law 45 (symposium)

- 2012 *YouTube from Afghanistan to Zimbabwe: Tyrannize Locally, Censor Globally*, in Transnational Culture in the Internet Age 76-106 (Sean Pager and Adam Candeub eds., Cheltenham, UK: Elgar) (invited)
- 2011 *The FCC's New Theory of the First Amendment*, 51 Santa Clara L. Rev. 417-515, http://ssrn.com/abstract_id=1698091
- 2010 *The Principles of the Law of Software Contracts: At Odds with Copyright, Consumers, and European Law?*, 83 Tulane L. Rev. 1557-94 (symposium), later published in Intellectual Property Law Review 2010 (Karen Tripp ed., St. Paul, MI: Thomson Reuters/West Group)
- 2010 *Estimating the Economic Impact of Mass Digitization Projects on Copyright Holders: Evidence from the Google Book Search Litigation*, 57 Journal of the Copyright Society of the USA 907-49 (peer-reviewed), <http://ssrn.com/abstract=1634126>
- 2009 *The Future According to Google: Technology Policy from the Standpoint of America's Fastest-Growing Technology Company*, 11 Yale J. of L. & Tech. 209-27 (sympos.), later published in Intellectual Property Law Review 2008 (Karen Tripp ed., St. Paul, MN: Thomson Reuters/West Group), http://ssrn.com/abstract_id=1337167 (symposium)
- 2008 *Opting Out of the Internet in the United States and European Union: Copyright, Safe Harbors, and International Law*, 83 Notre Dame L. Rev. 331-409 (2008), <http://ssrn.com/abstract=1221642>, excerpted in Google et les Nouveaux Services en Ligne (Alain Strowel ed., Brussels: Editions Larcier, 2008)
- 2007 *Of Blogs, eBooks, and Broadband: Access to Digital Media as a First Amendment Right*, 35 Hofstra L. Rev. 1519-82 (symposium), <http://ssrn.com/abstract=1025474>
- 2006 *Google Book Search and Fair Use: iTunes for Authors, or Napster for Books?*, 61 Miami L. Rev. 87-167, <http://ssrn.com/abstract=944048>
- 2006 *Wi-Fi Everywhere: Universal Broadband Access as Antitrust and Telecommunications Policy*, 55 American University L. Rev. 1697-1799, http://ssrn.com/abstract_id=903425
- 2006 *Building Universal Digital Libraries: An Agenda for Copyright Reform*, 33 Pepperdine L. Rev. 761-832, http://ssrn.com/abstract_id=860784
- 2005 *The Battle for Mindshare: The Emerging Consensus that the First*

Amendment Protects Corporate Criticism and Parody on the Internet, 10 Virginia J.L. & Tech. 3-74

- 2000 *Pirates of the Information Infrastructure: Blackstonian Copyright and the First Amendment*, 15 Berkeley Tech. L.J. 777 (winner, Comment Competition)

Cultural Survival, Genocide, and Human Rights Law

- 2018 *Genocide and Other International Crimes by Unincorporated Groups: Will There Be Loopholes for Them in the African Charter on Human and People's Rights?*, in The African Court of Human and People's Rights in Context (Charles Jalloh and Kamari Clarke et al., eds., Cambridge: Cambridge University Press, forthcoming)
- 2017 *The Plight of Refugees in the Mediterranean Basin as Evidence of Genocidal Intent: Interpreting Forced Migration from Bosnia, Cyprus, Iraq, Libya, and Syria*, 2 Middle East J. of Refugee Stud. 225 (peer-reviewed) (invited)
- 2017 *Why Was Benghazi "Saved," But Sinjar Allowed to Be Lost? New Failures of Genocide Prevention, 2007-2015*, 10 Genocide Studies Int'l 139-182 (peer-reviewed) (symposium/conference), <https://muse.jhu.edu/issue/36179>
- 2017 *Genocide by Deportation into Poverty: Western Diplomats on Ottoman Christian Killings and Expulsions, 1914—24*, in Genocide in the Ottoman Empire: Armenians, Assyrians, and Greeks 354-402 (George Shirinian ed., New York: Berghahn Books) (symposium/conference)
- 2016 *When the UN Refuses to Prevent Genocide: Legal, Political, and Religious Factors*, in The United Nations and Genocide 146-185 (Deborah Mayersen ed., New York: Palgrave Macmillan) (invited), <http://www.palgrave.com/us/book/9781137484482>
- 2016 *Genocide, Counterinsurgency, and the Self-Defense of UN Member States Before the International Criminal Court*, 22 U.C. Davis J. of Int'l Law & Policy 139-202
- 2015 *Reparations for Mass Atrocities as a Path to Peace: After Kiobel v. Royal Dutch Petroleum, Can Victims Seek Relief at the International Criminal Court?*, 40 Brooklyn Int'l L.J. 547-617
- 2015 *Counterinsurgency as Genocidal Intent: From the Ottoman Christians to the Bosnian Muslims*, in The Armenian Genocide Legacy 149-164 (Alexis Demirjian ed., New York: Palgrave Macmillan) (symposium/conference)

- 2014 *Child Soldiers: Children's Rights in Time of War and Genocide*, in The Plight and Fate of Children During and Following Genocide (Samuel Totten ed., London and New Brunswick, NJ: Transaction) (invited)
- 2013 *Constructing the "Armenian Genocide": How Genocide Scholars Unremembered the Ottoman Assyrians and Greeks*, in Hidden Genocides: Knowledge, Power, and Memory (Alex Hinton, et al., eds., Newark, NJ: Rutgers University Press) (symposium/conference)
- 2012 *On the Original Understanding of the Crime of Genocide*, 6 *Genocide Studies and Prevention: An Int'l J.* 30-55 (peer-reviewed) (invited)
- 2012 *The International Arms Trade and the Prevention of Genocide*, in Impediments to the Prevention and Intervention of Genocide 195-222 (Samuel Totten & Robert Hitchcock, eds., New Brunswick, NJ: Transaction Publishers) (invited)
- 2012 *Wargaming the "Arab Spring": Predicting Likely Outcomes and Crafting U.N. Responses*, 46 *Cornell Int'l L.J.* 75-143 (symposium), http://ssrn.com/author_id=496059
- 2012 *On the Existence of National Identity Before "Imagined Communities": The Example of the Assyrians of Mesopotamia, Anatolia, and Persia*, in The Assyrian Heritage – Threads of Continuity and Influence (Aryo Makko, Sargon Donabed, & Onver Cetrez eds., Uppsala, Sweden: *Acta Upsaliensis*) (invited)
- 2011 *The Assyrian Genocide: A Tale of Oblivion and Denial*, in Forgotten Genocides: Oblivion, Denial, and Memory (Rene Lemarchand ed., Philadelphia: Univ. of Pennsylvania Press) (invited)
- 2009 *Genocide in Sudan: The Role of Oil Exploration and the Entitlement of the Victims to Reparations*, in Top Ten Global Justice Law Review Articles of 2008 at 107-161 (Amos Guiora ed., New York: Oxford University Press/Oceana Publications), *previously published in* 25 *Arizona J. Int'l & Comp. Law* 1-73 (2008)
- 2009 *United States Law and Policy Regarding Iraqi Refugees, 2003-2008*, 55 *Wayne L. Rev.* 1009-1062
- 2009 *The Cultural and Intellectual Property Interests of the Indigenous Peoples of Turkey and Iraq*, 13 *Texas Wesleyan L. Rev.* 415-94 (symposium)
- 2007 *Human Rights in Disaster Policy: Improving the Federal Response to Natural Disasters, Disease Pandemics, and Terrorist Attacks*, in Through

the Eye of Katrina: Social Justice in the United States (Kirsten Bates & Richelle Swan eds., Durham, NC: Carolina Academic Press) (updated, 2d ed. 2010)

- 2006 *“Native Christians Massacred”: The Ottoman Genocide of the Assyrians during World War I*, 1(3) *Genocide Studies And Prevention: An Int’l J.* 327-71 (peer-reviewed)
- 2005 *Freedom or Theocracy?: Constitutionalism in Afghanistan and Iraq*, 3 *Northwestern U. J. of International Human Rights* 4-52

Shorter Works

- 2017 *A Genocide Trial in Limbo: The Case of the Yezidis and Their Neighbors*, *Georgetown Journal of International Affairs Online*
- 2017 *United States of America [A Bank's Duty of Care in]*, in *A Bank's Duty of Care* 329-72 (Danny Busch & Cees van Dam eds., Oxford, UK: Hart Publishing) (with George Harris and Sabrina Larson)
- 2016 *Ecocide: A Brief History of an Explosive Concept [Book Review]*, *Columbia Journal of European Law Preliminary Reference [Blog]*
- 2016 *Poverty and Financial Regulation: Socioeconomic Human Rights in the Obama Era*, in *Poverty in America* (Max Skidmore ed., Westphalia Press), prior version published as *President Obama’s “Pivot” to Jobs: Lessons from Comparative Law and America’s Rivals*, 3 *Poverty and Public Policy* No. 3 (2012), www.psocommons.org
- 2013 *Did the Armenian Genocide Inspire Hitler?*, *Middle East Quarterly*, Winter 2013, at 27-35
- 2010 *An Uncomfortable Fit? Intellectual Property Policy and the Administrative State*, 14 *Marquette Intellectual Property L. Rev.* 441 (panel)
- 2007 *Are Issuers of and Dealers in Securities Immune from Lawsuits Arising under Federal and State Antitrust Laws?*, 34 *ABA Preview of United States Supreme Court Cases* 296 (case note on *Credit Suisse Securities (USA) v. Billing* (2007)) (invited)

Selected Presentations

- 2018 *The Path of Coinlaw: The Cost of Possibilities*, **ABA Section on Business Law mid-year meeting**, Orlando, FL

- 2018 *Strategic Considerations in Adopting Guidelines on Unobjectionable "Fanworks," Copyright Society of the USA Mid-Winter Meeting, Savannah, GA (moderator and panel organizer)*
- 2018 *Taming Cyber-Aggression: Lessons from the Era of Covert Warfare, University of Miami/FIU Jean Monnet Center for Excellence, Miami, FL*
- 2017 *Digital Pressures in IP, Southeast Association of Law Schools (SEALS) Annual Meeting roundtable, Boca Raton, FL*
- 2017 *Counter-IP Conspiracies, University of Miami Faculty Scholarship Series, Miami, FL*
- 2016 *Latin America Cybersecurity Symposium, Kroll Cyber Security & Investigations and Jones Day, Miami, FL*
- 2015 *Cybercrime for the Trademark Practitioner: Data Security and Privacy Issues, International Trademark Association Roundtable/FIU College of Law, Miami, FL*
- 2015 *Debunking Copyright Myths, Copyright Society of the USA, Miami FL*
- 2015 *Myths of the Internet as the Death of Old Media, Association for the Study of Law, Property, and Society, Athens, GA*
- 2015 *Cybersecurity: Rogue Nations/Hackers/Hollywood, FIU School of International and Public Affairs, Miami, FL*
- 2013 *WIPO and the American Constitution, Vanderbilt University Journal of Entertainment & Technology Law Conference, Nashville, TN*
- 2012 *Are Social Media Undermining Human Rights?, St. Thomas University School of Law, Intercultural Human Rights Law Review Symposium on Social Media, Broward County, FL*
- 2012 *Estimating the Economic Impact of Mass Digitization Projects on Copyright Holders: Evidence from the Google Book Search Litigation, Association of American Law Schools Annual Meeting, Washington, DC*
- 2012 *Cultural and Symbolic Reparations for the Ottoman Christian Genocide, Harvard University, Department of Near Eastern Languages and Literatures Naby Lecture Series (Cambridge, MA)*

- 2012 *Does the United Nations Protect All Peoples from Genocide?*, **Christian Solidarity International Middle East Minorities series**, Zurich
- 2011 *The Anticompetitive and Censorial Impact of Corporate-Drafted Norms Restricting Internet Content*, **Association of American Law Schools Annual Meeting, Section on the Computers and the Law**, San Francisco, CA
- 2010 *Cold War Genocides: Failures of Global Justice in Nigeria and Pakistan*, **University of Melbourne**, Melbourne, Australia
- 2010 *Estimating the Economic Impact of Mass Digitization Projects on Copyright Holders*, **University of the Pacific, McGeorge School of Law**, Sacramento, CA
- 2010 *Journalism in the World of Social Media, Twitter & Facebook*, **Florida Bar Media Law Conference**, Miami, FL
- 2010 *Copyright Basics and the Web*, **American Bar Association Conference on Legal Issues in Museum Administration**, Miami, FL
- 2009 *The Political Struggle for Mosul: Constitutionalism and Transitional Justice in the Shadow of War and Ethnosectarian Conflict*, **Middle East Studies Association 2009 Annual Meeting**, Boston, MA
- 2009 *The FCC's New Theory of the First Amendment*, **Florida Legal Scholarship Forum (Nov. 2009)**, St. Petersburg, FL
- 2009 *The FCC's Involvement in Copyright-Related Rulemakings: Administrative Expertise or in Excess of Jurisdiction?*, **SEALS Annual Meeting**, Palm Beach, FL
- 2009 *Opting Out of the Internet in the U.S. and E.U.: Copyright and Safe Harbors*, **Oxford University, Dept. of Social Sciences, Oxford Internet Institute**, Oxfordshire, UK
- 2009 *Broadcast and Internet Neutrality: Towards a Theory of Constitutional (Digital) Media Regulation*, **Univ. of North Carolina School of Law Cyberspeech Conference**, Chapel Hill, NC
- 2009 *The Bond that Divides: Transitional Justice and Human Rights in the Republic of Iraq*, **London School of Economics, "Civil Society and Reconciliation in Comparative Perspective"**, London

- 2008 *Opting Out of the Internet in the U.S. and the European Union: Copyright, Safe Harbors, and International Law* **Stanford Law School IP Scholars Conference**, Palo Alto, CA
- 2008 *The Future According to Google: Technology Policy from the Standpoint of America's Fastest-Growing Technology Company* **Yale Law School, Computers, Freedom, and Privacy**, New Haven, CT
- 2008 *The Google Book Project: Noble Pursuit or Exploitive Endeavor?*, **Association of American Law Schools 2008 Annual Meeting**, New York, NY
- 2008 *Genocide in Sudan: Should Reparations for the Victims Be Administered by the United Nations, or by U.S. Courts?*, **Yale Law School Symposium**, New Haven, CT
- 2008 *U.S. Law and Policy with Respect to Iraqi Refugees, 2003-2008*, **Middle East Studies Association 2008 Annual Meeting**, Washington, DC
- 2008 *The Intellectual Property Interests of the Indigenous Peoples of Turkey and Iraq* **Tulane Law School, Works-in-Progress in Intellectual Property Colloquium**, New Orleans, LA
- 2007 *Google Book Search, Exceptions to Copyright, and the Freedom of Information*, **Catholic University of Brussels**, Brussels, Belgium
- 2007 *Google Book Search and Fair Use: iTunes for Authors, or Napster for Books?*, **Wayne State University Law School**, Detroit, MI
- 2007 *Federalism, Autonomy and National Reconciliation in Iraq*, **Association of American Law Schools Annual Meeting**, Washington, DC
- 2006 *Toward Universal Broadband Access: Bridging the Digital Divide with Free Citywide Wi-Fi*, **Southeast Association of Law Schools Annual Meeting 2006**, Palm Beach, FL
- 2006 *iTunes for Authors, or Napster for Books?*, **AALS 2006 Mid-Year IP Workshop**, Vancouver, BC, Canada

Memberships

New York Bar
 California Bar
 American Bar Association Business Law Section
 American Law and Economics Association

Copyright Society of the USA (mid-winter meeting organizing committee, 2018)
Edinburgh University Press (middle eastern minorities book series editorial advisory
board, 2017-18)
Genocide Studies International (editorial advisory board, 2014-2018)
Assyrian Arts Institute (advisory board)