

Zvi S. Rosen

Home: 404 S. Orchard Dr, Carbondale, IL 62901
(917) 974-1131 ▪ zvi@zvirozen.com

Work: 1150 Douglas Dr., Carbondale, IL 62901
(618) 453-8648 ▪ zvi.rosen@siu.edu

Experience

Southern Illinois University School of Law

Carbondale, IL

Assistant Professor

August 2020-Present

- Taught Property I&II, Business Associations, Bankruptcy, IP Survey, and Copyright Law.
- Advised students on journal notes and independent writing projects.
- Served on numerous Committees and as Faculty Advisor to SIU Law Journal.
- Chaired annual Gene and Katy Simonds Lectureship in Democracy.

Small Business Administration, Office of Advocacy

Washington, DC

Assistant Chief Counsel

January 2017 – July 2020

- Worked with small businesses on numerous regulatory and related issues.
- Helped develop reports on small business impacts of trade negotiations.
- Served *ex officio* on SBA Regulatory Reform Task Force.

George Washington University School of Law

Washington, DC

Visiting Scholar & Professorial Lecturer in Law

August 2016 – August 2020

- Taught Trademark Law
- Completed project to catalog pre-1870 copyright records and creation of web resource.
- Organized and facilitated donation of ASCAP legal papers to law library.

United States Copyright Office

Washington, DC

Abraham L. Kaminstein Scholar in Residence

August 2015 – July 2016

- Researched copyright practices of registration and recordation under current and past laws.
- Developed statistics and analysis of copyright trends through the 20th Century.
- Worked with staff to identify and preserve materials on the history of copyright.

Maurice A. Deane School of Law at Hofstra University

Hempstead, NY

Visiting Scholar

August 2015 – July 2016

Visiting Assistant Professor

August 2014 – July 2015

- Taught Legal Research & Writing for the year to 1L students.

University of New Hampshire

Concord, NH

Adjunct Assistant Professor

2015, 2017

- Taught 1-Credit Film & TV Law Course.

New York Law School

New York, NY

Adjunct Assistant Professor

August 2012 – June 2014

- Taught Copyright Law and Tech Law Lab.

Zvi S. Rosen, P.C.

New York, NY

Solo Practice

April 2012 – August 2014

- Represented creditors in complex matters in Bankruptcy Court, conducted commercial litigation in District Court, and handled matters in other areas including advising on intellectual property issues.

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Cohen Tauber Spievack & Wagner P.C.

Attorney in the Bankruptcy and Restructuring Department

New York, NY

December 2009 – March 2012

- Drafted motions, objections, petitions, and other documents in adversary proceedings, bankruptcy cases, and general District Court litigation.

Fried, Frank, Harris, Shriver & Jacobson LLP

Associate in the Bankruptcy and Restructuring Department

New York, NY

September 2007 – March 2009

- Bankruptcy practice focused on creditors and equity holders in large-scale bankruptcies.
- Researched, tracked, and practiced through 2008 Financial Crisis.

U.S. Bankruptcy Court for the Northern District of Alabama

Law Clerk to the Hon. Thomas B. Bennett

Birmingham, AL

June 2006 – August 2007

Publications / Forthcoming

- *Who Framed Mickey Mouse?*, forthcoming, Kansas Law Review.
- *The Mickey Mouse Smokescreen*, forthcoming, UIC Review of Intellectual Property Law.
- *Some Thoughts on Warhol & The Future of Transformative Works*, 23 CHI.-KENT J. INTELL. PROP. 127 (2023).
- *Examining Copyright*, 69 J. COPYRIGHT SOC'Y U.S.A. 481 (2023).
- *The Purloined Debtor: Edgar Allan Poe's Bankruptcy in Law and Letters*, 34 YALE J. L. & HUM. 433 (with Erin Sheley) (2023).
- *Copyright's Promise of Dignity in the 19th Century* in HANDBOOK OF INTELLECTUAL PROPERTY & SOCIAL JUSTICE: ACCESS, INCLUSION, EMPOWERMENT (Cambridge University Press, 2024).
- *Early American Federal Trademark Law and the Law of Nations* in INTELLECTUAL PROPERTY AND THE LAW OF NATIONS, 1860 – 1920, Brill Studies in the History of Private Law (2022).
- *In the Shadow of the Trade-Mark Cases*, in FORGOTTEN INTELLECTUAL PROPERTY LORE at 256 (Shubha Ghosh, Ed., Edward Elgar Publishing 2020).
- *An Empirical Study of 225 Years of U.S. Copyright Registrations*, 94 TULANE L. REV. 1003 (2020).
- *Man, Mod, and Law: Revisiting the Law of Computer Game Modifications*, 59 IDEA 269 (2018).
- *How Perris v. Hexamer Was Lost in the Shadow of Baker v. Selden*, 68 SYR. L. REV. 231 (2018).
- *Common Law Copyright*, 85 U. CINN. L. REV. 1055 (2018).
- *Treaty Power Justifications for Early Federal Trademark Laws*, 16 U. PA. J. CONST. L. HEIGHT. SCRUTINY. 1 (2013).
- *Discharging Fiduciary Debts*, 87 AM. BANKR. L. J. 51 (2013).
- *Reimagining Bleistein: Copyright for Advertisements in Historical Perspective*, 59 J. COPYRIGHT SOC'Y USA 347 (2012).
- *In Search of the Trade-Mark Cases: The Nascent Treaty Power and the Turbulent Origins of Federal Trademark Law*, 83 ST. JOHN'S L. REV. 827 (2009).
- *The Twilight of the Opera Pirates: A Prehistory of the Exclusive Right of Public Performance for Musical Compositions*, 24 CARDOZO ARTS & ENT. L.J. 1157 (2007).
- *The Irony of Populism: The Republican Shift and the Inevitability of American Aristocracy*, 18 REGENT U. L. REV. 271 (2006).

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- *Mod, Man, and Law: A Reexamination of the Law of Computer Game Modifications*, 4 CHI.-KENT J. INTELL. PROP. 196 (2005).

Education

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| The George Washington University Law School <i>Master of Laws in Intellectual Property</i> | Washington, DC May 2006 |
| Northwestern University School of Law <i>Juris Doctor</i> | Chicago, IL May 2005 |
| Yeshiva University – Yeshiva College Honors Program <i>Bachelor of Arts in History</i> | New York, NY May 2002 |

Select Presentations / Conferences

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- Session Chair: Int’l Society for the History and Theory of Intellectual Property (2024)
 - IP and Traditional Culture Workshop at ASU Law (2024)
 - Works in Progress in IP Conference (2024): Groundhog Day of AI & Copyright
 - Chicago-Kent Supreme Court IP Review (2023)
 - Who Framed Mickey Mouse
 - Junior IP Scholars Workshop (2024)
 - SIU Law Faculty Workshop (2024)
 - IP Scholars Roundtable (2023)
 - IP Scholars Conference (2023)
 - Int’l Society for the History and Theory of Intellectual Property (2023)
 - Society for Economic Research on Copyright Issues (2023)
 - Works in Progress in IP Conference (2023)
 - Administering Copyright (in progress project)
 - IP Scholars Conference 2022
 - Works in Progress in IP Conference 2022
 - Association for the Study of Law, Culture, and The Humanities 2022: The Purloined Debtor
 - The International Society for The Study of Early Cinema (DOMITOR) (2022): Presenter
 - Library of Congress – A Celebration of American Creativity: The Early Copyright Records Collection (2021): Panelist
 - Examining Copyright
 - Society for Economic Research on Copyright Issues (2022)
 - Southeastern Association of Law Schools Conference 2021
 - Works in Progress in IP Conference 2021
 - Univ. of Kentucky School of Law IP Colloquium (2021)
 - Int’l Society for the History and Theory of Intellectual Property (2021)
 - University of Chicago Legal Scholarship Workshop (2021)
 - SIU Law Faculty Workshop (2021)
 - IP Scholars Conference (2020)

- IP Scholars Roundtable 2019
- University of Michigan IP Workshop (Fall 2019)
- Society for the History of Authorship, Reading and Publishing (SHARP) Conference 2019: The First 80 Years of Federal Copyright in America
- CPIP Copyright Symposium 2019: Commentator
- Works in Progress in IP Conference 2017: The Lost (and Found) Copyright Records
- SHARP Conference 2016: Trends in American Copyright Filings 1909-1977
- Hofstra Law Intellectual Property Colloquium (Fall 2016): Common-Law Copyright
- Junior IP Scholars Association Biannual Workshop Spring 2016: Human Copyright
- Library of Congress Packard Campus – Motion Picture and Recorded Sound Division (2016): The Lingering Legacy of Common Law Copyright
- Works in Progress in IP Conference 2016: An Empirical View of Copyright Registrations and Renewals under the 1909 Copyright Act (with Saurabh Vishnubhakat)
- IP Scholars Conference 2015: The Scope of Common-Law Copyright for Sound Recordings
- IP Scholars Roundtable 2013: Survey of Copyright Law for Pre-1972 Sound Recordings
- Copyright History Roundtable at GW Law (2012): Reimagining Bleistein: Copyright for Advertisements in Historical Perspective

Media / Public Outreach

- Advisory Committee Member to the New York Public Library for IMLS Grant LG-36-19-0090-19 - "Unlocking the Record of American Creativity: The Catalog of Copyright Entries."
- Member of Academic Advisory Board, Copyright Alliance
- Scholar at the Center for Intellectual Property x Innovation Policy (C-IP²) at Antonin Scalia Law School at George Mason University.
- Helped to initiate Library of Congress project to digitize pre-1870 copyright records and consulted on best practices and history as well as writing section of project website.
- Co-author of forthcoming white paper on constitutionality of Copyright Claims Board.
- Authored and submitted amicus brief in *Andy Warhol Foundation for the Visual Arts, Inc. v. Goldsmith*, No. 21-869 (U.S. Supreme Court) in support of respondent.
- Co-authored amicus brief (with Brian L. Frye) in *Valancourt Books v. Perlmutter*, No. 21-5203 (D.C. Cir.), in support of appellant.
- Provided comments and signatory to initial and reply comments, Copyright Claims Board: Law Student and Business Entity Representation, Documents COLC-2021-0011-0010 & COLC-2021-0011-0016 (Feb. 3 & 20, 2022).
- Co-Author (with Robert Brauneis) of Comment, U.S. Copyright Office Deferred Registration Examination Study, Docket & Comment No. COLC-2021-0008-0006 (Jan. 24, 2022)
- Elgar Encyclopedia of Intellectual Property – asked to contribute entries on Copyright Registration, Mandatory Deposit, Copyright Notice, and Fixation. In process.
- Quoted in news media:
 - *Washington Post*, *Variety*, *Times of London*, et al on copyright term and Mickey Mouse.
 - *Variety* and *The Verge* on copyright in the Rolling Stones sound recordings.

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- *Communications Daily* on Copyright Claims Board / small claims in copyright.
- *Managing IP* on law school clinics practicing before the Copyright Claims Board, as well as on the Internet Archive “Great 78” archive and sound recordings.
- Host/Guest on Podcasts:
 - *AI Meets Copyright: Understanding New York Times v. OpenAI* (Panelist, March 12, 2024)
 - *Courthouse Steps Decision: Warhol v. Goldsmith* (Host, May 23, 2023)
 - *Courthouse Steps Argument: Warhol v. Goldsmith* (Host, Oct. 12, 2022)
 - *Courthouse Steps Decision: Unicolors v. H&M Hennes & Mauritz* (Host, Feb. 25, 2022)
 - *Courthouse Steps Decision: Google v. Oracle* (Host, Apr. 16, 2021)
 - *Courthouse Steps Decision: United States Patent and Trademark Office v. Booking.com* (Host, *B.V.* (Host, Jul. 20, 2020)
 - *Courthouse Steps Oral Argument Teleforum: United States Patent and Trademark Office v. Booking.com* (Host, May 4, 2020)
 - *Courthouse Steps Oral Argument Teleforum: Georgia v. Public Resource.org Inc.* (Host, Dec. 2, 2019)
 - *Courthouse Steps Oral Argument: Allen v. Cooper* (Host, Nov. 6 2019)
 - *Supreme Court Bankruptcy Round Up - October Term 2014* (Panelist, Jul. 27, 2015)
 - Guest on “Ipse Dixit” discussing history of copyright registration (Jan. 10, 2019).
- Shorter pieces / op eds:
 - *AI ‘Authorship’ Muddies the Waters of Copyright Law Claims*, Bloomberg Law, Aug. 3, 2023.
 - *Why a State-Based Overhaul of US Copyright Law is a Bad Idea*, Bloomberg Law, Mar. 14, 2023.
 - *Stronger Protections for Content Will Keep Streaming Pirates At Bay*, Real Clear Policy, Feb. 26, 2021.
 - *Federal Trademark Law: From Its Beginnings*, 11 ABA LANDSLIDE 4 (Mar./Apr. 2019).
- Blog: Since 2016, I have maintained a blog entitled “Mostly IP History.” The blog currently has over 70 posts, most fairly extensive, including:
 - *The Copyright in “Little Women”* (Over 5,000 views)
 - *Mazer and the Balinese Dancer* (correcting a famous myth about a copyright case; post is cited in both books and journals)
 - *The Librarian of Congress and the Register of Copyrights* (exploring the origins of the position of Register of Copyrights)
 - *Transcripts of Supreme Court Oral Arguments from Before OT1955 – They Exist!* (a concordance of all known transcripts– linked to by multiple law libraries.
 - *Case Files from New England* (multi-post series of materials digitized in cooperation with the National Archives at Waltham and Boston Public Library)
- Twitter –Since 2016 I’ve used Twitter to share information about copyright history, law, and policy, and have gained over 1,500 followers.

Honors / Certifications

- SIU School of Law Outstanding Scholar Award (2021-2022)
- Seton Award from the Copyright Society of USA for best article by an author under 40.

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- Otto Walter Award for best article by a member of the adjunct faculty at New York Law School.
- Finnegan Prize for best article written by a student at GW Law School.
- Member of bar of New York State, US Supreme Court, several lower federal courts.