Clean Technology and the Law: The Legal Infrastructure for Promoting the Development and Dissemination of Clean Technologies

Participant Biographies

Robert Collier

Visiting Scholar, Center for Environmental Public Policy, Goldman School of Public Policy, University of California, Berkeley

Robert Collier is a visiting scholar at the Center for Environmental Public Policy at UC Berkeley's Goldman School of Public Policy, where he researches and writes about the international politics of climate change. In 2009, he was lead coordinator of an inter-departmental project on the debate over intellectual property rights at the UNFCCC . Before taking his position at Berkeley in August 2007, he was a foreign-affairs staff reporter for 16 years for the San Francisco Chronicle, specializing most recently on global energy trends and climate change.

Jorge L. Contreras

Acting Director of the Intellectual Property Program and Senior Lecturer in Law, Washington University School of Law

Jorge L. Contreras is Senior Lecturer in Law at the Washington University School of Law. His current research focuses on the intersection of law and science. In particular, he studies the patenting of human genetic material, policies surrounding the public release of genomic data, the creation of "science commons" and ethical issues connected with research use of human tissue. Jorge teaches various courses covering intellectual property as well as the Law and Regulation of Science (in which we address public health issues such as quarantine, environmental contamination, vaccination, public health interventions and medical research ethics).

Prior to joining the faculty Jorge spent 17 years as a practicing attorney in Boston, London and Washington, DC. In his law practice he helped to establish a number of public-private consortia engaged in biomedical and genomics research. He currently serves on the National Advisory Council for Human Genome Research of NIH, where he provides input on ethical, legal and social issues (ELSI) affecting genomics research and is Chair of the Committee on Technical Standardization of the ABA Section of Science & Technology Law. He edited the ABA's 2007 Standards Development Patent Policy Manual, and has published numerous articles relating to standards and technology law. Professor Contreras is associated with the Washington University Institute for Public Health.

He is a graduate of Harvard Law School, with undergraduate degrees in English and electrical engineering from Rice University. He clerked for Chief Justice Thomas R. Philips of the Texas Supreme Court.

Paul Douglas

Manager of Renewable Procurement and Resource Planning at the California Public Utilities Commission (CPUC).

Paul is responsible for the design and implementation of the CPUC's Renewables Portfolio Standard (RPS) program, the largest program of its kind in the nation. Since the program's inception, Paul has taken the lead on a wide range of RPS implementation challenges, ranging from feed-in tariffs and utility procurement to renewable energy credit (RECs) trading and renewable transmission policy.

Paul also directs the CPUC's efforts regarding long-term resource planning for renewables. He is currently overseeing the assessment of California's goal to achieve 33% renewables by 2020.

Matthew Dunne

Chief Counsel (Acting), Advanced Research Projects Agency – Energy (ARPA-E)

Matthew Dunne is the Chief Counsel (Acting) for the Advanced Research Projects Agency – Energy (ARPA-E), a new agency within the U.S. Department of Energy that funds the development and deployment of transformational energy technologies in the United States.

Prior to joining ARPA-E, Mr. Dunne focused his practice on complex intellectual property litigation, international trade litigation, and international arbitration. He has substantial patent litigation experience, including several cases before the U.S. International Trade Commission. In addition, Mr. Dunne has substantial experience litigating complex issues before appellate courts and arbitral tribunals. He also advised his clients on Federal laws and regulations governing imports, exports, and investments.

Mr. Dunne held clerkships at the U.S. Court of Appeals for the Fifth Circuit (New Orleans, Louisiana), the U.S. Court of Appeals for the Armed Forces (Washington, DC), and the World Trade Organization Appellate Body (Geneva, Switzerland).

Mr. Dunne graduated with a B.A., *summa cum laude*, and M.A. from Emory University. Subsequently, he received a J.D. and M.S., with Distinction, from Georgetown University.

Kevin Fox

Co-founder, Keyes & Fox LLP

Kevin T. Fox, co-founder of Keyes & Fox LLP, has developed a highly specialized practice that focuses on assisting clients with achieving regulatory goals and objectives, in particular energy market transformation efforts that facilitate growth in distributed energy resources. Mr. Fox's firm has represented clients before over 35 state public utility commissions and the FERC. During 2010, Mr. Fox has published articles and reports for Solar Today, Natural Gas &

Electricity Journal and the Solar America Board of Codes and Standards. He has also appeared on panels at the American Solar Energy Society Annual Conference, the Department of Energy's Solar America City Annual Meeting, the National Association of Regulatory Utility Commissioners' Summer Meetings, and SolarTech's Leadership Summit. In a forthcoming report for the Solar America Board of Codes and Standards, Mr. Fox will address Sustainable, Multi-segment Market Design for Distributed Solar PV. Mr. Fox received a J.D. from the University of California, Berkeley and a B.S. from the University of California, Davis where he graduated with highest honors.

David Franklyn

Professor, Director of the LLM program in IP and Technology Law, and Director of the McCarthy Institute for IP and Technology Law, USF School of Law

Professor Franklyn spent five years in private practice as a litigator for Mayer, Brown & Platt in Chicago before he joined the law faculty at Northern Kentucky University Salmon P. Chase College of Law. At Salmon P. Chase College of Law, he received the Outstanding Professor of the Year Award. Franklyn has authored several articles on trademark and liability issues and collaborates with Senior Professor J. Thomas McCarthy on numerous projects.

Matthew Freedman

Staff Attorney, The Utility Reform Network (TURN)

Matt has served as a staff attorney for The Utility Reform Network (TURN) since January 2000 focusing on a variety of electric utility ratemaking issues, legislative activities, and the development of policies to promote the deployment of renewable energy technologies.

Prior to working for TURN, Matt served as a policy analyst for the Massachusetts Public Interest Research Group and spent five years as a senior energy policy analyst and consultant with Public Citizen's Critical Mass Energy Project in Washington, DC. Matt received a BA from Columbia University and a JD from Harvard Law School. He originally hails from the historic town of Marblehead, MA and the dense urban core of New York City.

Mei Gechlik

Lecturer in Law and Microsoft Rule of Law Fellow, Stanford Law School Distinguished Expert, China Rule of Law Research Institute

Dr. Mei Gechlik is a Visiting Fellow at the Hoover Institution and a Distinguished Expert at the China Rule of Law Research Institute. At Stanford Law School, she teaches such courses as "Introduction to the Chinese Legal System" and "Chinese Law and Business" and is the

Microsoft Rule of Law Fellow. Prior to teaching at Stanford, Dr. Gechlik worked as an associate of the Carnegie Endowment for International Peace, a Washington-based think tank, where she focused on legal and political reform in China. In that capacity, she testified before the U.S. Congress on various topics about China, advised the United Nations on implementing rule of law programs in China, and trained legislative affairs officials from China's provinces and the State Council—the country's highest executive organ—on "China: WTO and Judicial Review." She also organized meetings and conferences to feature distinguished speakers, including the Hon. Sandra Day O'Connor, Associate Justice of the U.S. Supreme Court, and the Hon. Zhou Wenzhong, Ambassador of China to the United States.

Dr. Gechlik is admitted as a barrister in England, Wales, and Hong Kong and is a member of the Bar in New York and the District of Columbia. She has worked at the law firms Freshfields in Beijing and Hong Kong, and O'Melveny and Myers in Los Angeles. She was a visiting faculty member at the People's University in Beijing and the University of Vienna and a guest lecturer at Harvard University, New York University, and U.S. National Defense University. Dr. Gechlik was an assistant professor of Law at the City University of Hong Kong. She was also a legal associate for Asia at the International Human Rights Law Group.

Dr. Gechlik received her J.S.D. from Stanford Law School and her M.B.A. in Finance from Wharton School at the University of Pennsylvania. Her articles have been published in such publications as the *American Journal of Comparative Law*, *Columbia Journal of Transnational Law*, *Columbia Journal of Asian Law*, *Foreign Policy*, *China Business Review*, and the *Financial Times*. She is writing her book titled *China's Innovation Challenge to the United States: Competition and Leadership in Science and Technology*.

Peter Menell

Professor of Law; Director Berkeley Center for Law and Technology, Berkeley Law

Peter S. Menell is Professor of Law at the University of California at Berkeley School of Law (Boalt Hall). Following law school, he clerked for the Honorable Jon O. Newman of the U.S. Court of Appeals for the Second Circuit. Professor Menell joined the law faculty at the University of California at Berkeley in 1990, where his research and teaching have focused on the fields of intellectual property, the digital technology and content industries, environmental law, property law, and law and economics. In 1995, he co-founded and serves as a Director of the Berkeley Center for Law and Technology. More recently, Professor Menell co-founded the Cleantech Program at Berkeley Law which bridges energy and environmental regulation, technological innovation, and new venture/finance law. He has written more than forty articles and numerous books, including Intellectual Property in the New Technological Age (with R. Merges and M. Lemley, now in its 5th edition, 2010), Environmental Law (edited volume, 2002), and Environmental Law and Policy (with R. Stewart 1994). Menell earned his S.B. from the Massachusetts Institute of Technology, his M.A. and Ph.D. (economics) from Stanford University, and J.D. from Harvard Law School.

Victor Menotti

Executive Director, International Forum on Globalization

Victor Menotti was the IFG's first employee upon its founding in 1994 and in 2009 became its Executive Director. Victor has written and spoken extensively about the impact of globalization on ecosystems, and he has helped build international networks among the traditional farming, forest, fishing, and indigenous communities whose survival depends on them. Since 2008, he has co-chaired the Technology Working Group for Climate Action Network International and helped lead efforts to get the US to contribute generously to a new UN mechanism for climate technology cooperation that increases access to clean energy in poor countries and communities. He is the author of the IFG report, "Free Trade, Free Logging: How the World Trade Organization Undermines Global Forest Conservation," "The Other Oil War: The Halliburton Agenda on WTO Energy Services," the chapter "WTO and Native Sovereignty" in *Paradigm Wars: Indigenous Peoples' Resistance to Economic Globalization*, and, "The WTO and Sustainable Fisheries" for the Institute for Fisheries Resources. Victor learned to speak Spanish, Portuguese, French, Italian, and some Slovak, after earning his degree in International Relations from UCLA.

Vern Norviel

Partner, Wilson Sonsini Goodrich & Rosati

Vern Norviel is a partner at Wilson Sonsini Goodrich & Rosati, where he leads the patents and innovation counseling practice. Vern has more than two decades of experience in formulating successful strategies for life science companies and the development of their IP programs. He represents a wide variety of companies, as well as venture capital firms, in areas such as therapeutics, diagnostics, nanotechnology, genomics, proteomics, and personalized medicine. Before joining the firm in 2003, Vern was the general counsel and corporate secretary of Perlegen Sciences, Inc., a start-up biotechnology company that scans the entire human genome for important therapeutic and diagnostic products. Previously, as senior vice president and general counsel, he was an early employee of Affymetrix, the biotechnology company that pioneered and developed DNA chip technology. He also had been a partner at Townsend and Townsend and Crew in Palo Alto.

During his career, Vern has authored or prosecuted more than 15 patents that have been litigated in the United States and abroad, and has overseen intellectual property lawsuits throughout the world.

Vern previously was a member of Wilson Sonsini Goodrich & Rosati's Policy Commmittee and currently serves as a member of its Nominating Committee.

Arthur J. O'Donnell

Executive Director, Center for Resources Solution

Arthur J. O'Donnell is the Executive Director for the Center for Resource Solutions. CRS is a nonprofit organization that creates policy and market solutions to advance sustainable energy.

CRS created and administers the Green-e certification programs for renewable energy and carbon offsets sold at the retail level.

Prior to joining CRS in January 2008, Arthur was an independent business, energy and environmental writer for more than 25 years, winning many national and regional awards for his energy reporting.

As the founding editor and associate publisher of the award-winning California Energy Markets newsletter from 1989 through 2002, O'Donnell documented the creation of modern

wholesale/retail power markets and the subsequent collapse of the state's regulatory restructuring effort.

He is the author of several books, including: 'Soul of the Grid: A Cultural Biography of the California Independent System Operator' and 'The Guilty Environmentalist.' He also has contributed a chapter on California's contributions to energy innovation to Peter Asmus' book 'Introduction to Energy in California' (University of California Press, 2009).

Arthur holds a Masters Degree in Communications from the University of Washington, where he was a Graduate Fellow in Business and Economics Reporting in 1981-82. He also graduated from Rutgers College in 1975 with a BA in Human Communications.

Roger Ross

Vice President of Legal Affairs, Via Licensing

Roger Ross is Vice President of Legal Affairs of Via Licensing Corporation, a wholly-owned subsidiary of Dolby Laboratories. Roger Ross is responsible for oversight of all legal matters affecting Via and its various licensing programs as well as managing Via's legal and compliance teams. Prior to joining Via, Roger was a partner in the Intellectual Property, Media & Technology Department of the Silicon Valley office of McDermott, Will and Emery.

He has spent more than 15 years representing technology and media companies such as Panasonic, Netscape, Cisco, Broadcom, General Electric, Applied Materials, Intel, MovieLabs, RealNetworks, Yahoo, and Universal Studios. Roger served as the founding General Counsel of Liberate Technologies.

Roger has frequently advised clients with respect to their participation in various industry standards-related activities and the licensing of patent and other intellectual property through patent pools and industry consortia. Recently, he has advised clients in their participation in standardizing and licensing the following technologies: Blu-ray Disc; BD+; AACS; OCAP; MHP; MPEG-4 Audio; DVD; DRM and G.729.1.

Roger is a frequent speaker on the topics of monetizing intellectual property, licensing of patents in standards-based environments and patent pools. He earned his J.D. from the University of Kentucky College of Law and his bachelor's degree in information systems from the University of Colorado. During law school he was managing editor of the *Kentucky Law Journal*. Roger is admitted to practice in California.

David Rubin

Director of Service Analysis, PG&E

David Rubin is presently the Director of Service Analysis at Pacific Gas and Electric Company in San Francisco, where he has responsibility for economic development and distributed generation.

From 1982-1985, David was responsible for energy efficiency, cogeneration and district heating with the City and County of San Francisco. He joined PG&E in 1985, and spent seven years in the marketing and rates areas. He left PG&E in 1992 to join the International Energy Agency in Paris, France. While at the IEA, he had responsibility for electricity restructuring, energy efficiency and demand side management. During this period he participated in a number of energy sector studies throughout Europe and the former Soviet Union.

He returned to PG&E in 1995, and assumed his current job responsibilities in 1997. David is currently on the boards of the Solar Electric Power Association and SolarTech. His educational background includes a Bachelor of Science degree in civil engineering from the University of Maryland, and a Master of Science degree in engineering from MIT. David is a registered mechanical engineer in California.

Steven Weissman

Lecturer in Residence; Associate Director for the Center for Law, Energy, and the Environment

Steve Weissman came to Berkeley Law from the California Public Utilities Commission where he was an administrative law judge. He also served as policy and legal advisor to three different commissioners at the PUC. He is an energy and environmental attorney, and an environmental mediator. Prior to his appointment as an administrative law judge in 1988, he was a staff attorney at the PUC, working on renewable energy and energy efficiency proceedings, as well as cases involving implementation of the California Environmental Quality Act. He has taught energy law and policy classes at Berkeley Law since 2006.

He is a former Principal Consultant to the California State Assembly's Committee on Natural Resources, where he wrote and reviewed legislation concerning energy, air quality, and solid waste management. He is a member of the mediation panel for the U.S. District Court, Northern District of California, and creator of the California PUC's alternative dispute resolution program. In addition, he served as Legal Director for the Local Government Commission, an

environmental and social policy think tank providing assistance to local governments. At the Local Government Commission, he wrote policy guidebooks concerning toxic air pollutants, recycling, and land use. He drafted the Ahwahnee Principles, a description of important elements of transit-oriented and pedestrian-oriented development, prepared in collaboration with some of today's most influential architects and planners.

Steve Weissman has been active in Berkeley governance, where he has chaired the Parks and Recreation Commission, and the Solid Waste Commission. In addition, he was a member of the Downtown Area Plan Advisory Committee, which worked with the university to create a now development plan for downtown Berkeley. He is Vice Chair of the American Bar Association's Publication Committee for the Section of Environment, Energy, and Resources. He also teaches energy courses at the nationally-respected Environmental Law Center at Vermont Law School.