

# BIOS

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Alden F. Abbott is Associate Director for Policy and Coordination in the Federal Trade Commission's (FTC) Bureau of Competition. He directs the FTC office charged with evaluating potential antitrust cases, coordinating antitrust policy within the Bureau of Competition, and helping develop antitrust policy initiatives at the FTC. Prior to joining the FTC in June 2001, Mr. Abbott served in a variety of senior government positions at the Department of Commerce (DOC) and the Department of Justice (including Acting General Counsel, DOC, January – May 2001); as an associate with the Washington, D.C. law firm of Fried, Frank, Harris, Shriver, & Kampelman; and as an attorney-advisor in the Office of Policy Planning, FTC. Mr. Abbott has written and lectured extensively on antitrust, intellectual property law, communications law, international trade law, and regulation. He has also been an Adjunct Professor of Law at George Mason University Law School since 1990. Mr. Abbott was selected as a Wasserstein Public G n atim FTC. Mr. dan; a qgtm M M 2 ! getown University, a J.D. from Har

Beta Kappa, junior year). He is admitted to the Bars of the District of Columbia and the U.S. Supreme Court, is a member of the American Bar Association's Antitrust Section, and is listed in Who's Who in America.

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J. Gary Augustson is the Vice Provost for Information Technology at The Pennsylvania State University, which serves more than 83,000 students at 24 campuses throughout the Commonwealth of Pennsylvania. As Penn State's Chief Information Officer, Mr. Augustson is responsible for the University telecommunications and computing activities. His focus has been on facilitating and creating learning communities and supporting top-flight research which has required the construction of an information technology infrastructure that flexibly supports Penn State's varied academic and administrative activities. Mr. Augustson has played a key role in making Penn State a national leader in applying information technology to the challenges faced by higher education. He has been a leader in higher education's national networking efforts and has played a key role in shaping higher education's position on national information technology policy issues. He chaired the Internet2 Steering Committee, the group that launched the Internet2 project and created the University Corporation for Advanced Internet Development (UCAID). In 2001, he was awarded Educause's Excellence in Leadership Award for his extraordinary effectiveness, influence, statesmanship, and lifetime achievement both at Penn State and in the broader higher education community. Mr. Augustson holds a Master of Science from the University of Maryland in computer science and a Bachelor of Science in mathematics from the University of Michigan.

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Stanley M. Besen is a Vice President at Charles River Associates, Washington, D.C.. Dr. Besen has served as Co-editor, RAND Journal of Economics (1985-88); Senior Economist, RAND Corporation (1980-92); a member of the Office of Technology Assessment Advisory Panels on Communications Systems for an Information Age (1986-88) and Intellectual Property Rights in an Age of Electronics and Information (1984-85); and an Expert, World Intellectual Property Organization/UNESCO Meeting on Unauthorized Private Copying of Recordings, Broadcasts and Printed Matter, 1984. He currently serves as a member of the Editorial Board of Economics of Innovation and New Technology and of The National Academies Computer Science and Telecommunications Board Committee on Internet Searching and the Domain Name System. Dr. Besen has taught at Rice University (1965-1980) where he was the Allyn M. and Gladys R. Cline Professor of Economics and Finance (1979-1980), Columbia University (1988-1989) where he was the Visiting Henley Professor of Law and Business, and the Georgetown University Law Center (1990-1991) where he was Visiting Professor of Law and Economics. He holds a Ph.D. in Economics from Yale University (1964).

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Prior to becoming a physician, Jerald Block was trained as an industrial engineer and worked for Arthur Andersen as a system's analyst. He left business consulting to go to medical school and now works in private practice as a psychiatrist. He is a Diplomate of the American Board of Psychiatry and Neurology. Dr. Block also teaches medical students at Oregon Health Sciences University and is an Advanced Candidate at the Oregon Psychoanalytic Institute. He was motivated to create SmartGuard Software after treating numerous individuals with computer-related illnesses and finding a severe lack of technological solutions.

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Mark Bohannon is the General Counsel and Senior Vice President, Public Policy for the Software & Information Industry Association (SIIA). SIIA represents more than 1,000 companies in 33 countries around the world that develop and market software and digital content for business, education, consumers, and the Internet. In this position, Mr. Bohannon is responsible for the legal and public policy agenda of the principal trade association of the digital code and content industry. His work in areas such as intellectual property, e-commerce, and the Internet, includes not only North America, but also Europe and the Pacific Rim. Prior to joining SIIA, Mr. Bohannon was a senior official of the U.S. Department of Commerce where he served as Chief Counsel for Technology and Counsellor to the Under Secretary. During his tenure, he was integrally involved in a wide range of technology development, intellectual property, trade, global legal framework, e-commerce, and domain name policy areas. Mr. Bohannon was a member of the U.S. Delegation to the proposed Hague Convention, a Vice-Chair of the OECD Working Party on Information Security and Privacy, and the U.S. Delegation to the UN Committee on International Trade Law, as well as a leader in the transition of the domain name system to the private sector and in the transatlantic agenda affecting e-commerce. A native of Austin, Texas, Mark Bohannon is a graduate of the Edmund A. Walsh School of Foreign Service at Georgetown University and of the George Washington University Law School in Washington, D.C.

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Michael Bracy is a partner in the government affairs firm Bracy Tucker Brown. He also co-founded the Future of Music Coalition and currently serves as a board member and Policy Director and co-owns Misra, an independent record label based in Austin, Texas. Michael is known for his policy work in front of Congress and the FCC, including media consolidation, radio regulation (including Low Power FM), and ensuring public interest principles are at the heart of the legal structures that will help dictate new technological frameworks. Michael is a recognized public advocate both for the music community and

for the need for increased citizen participation in the policy process. He speaks often on these issues at conferences and in the media, including CNN, MSNBC, New York Times, Billboard and elsewhere.

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David O. Carson is General Counsel of the U.S. Copyright Office at the Library of Congress in Washington, D.C. As General Counsel, Mr. Carson is a principal legal officer of the Office, with responsibility for the Office's regulatory activities (including administration of the copyright statutory licenses), litigation, administration of the copyright law, and providing liaison on legal and policy matters between the Office and Congress, the Department of Justice and other agencies of Government, the courts, the legal community, and other interests affected by the copyright law. Prior to joining the Copyright Office in 1997, he was in private practice, representing publishers, authors, motion picture and television production companies, recording artists, composers, record companies, computer software publishers, and others in areas including copyrights, trademarks, defamation, rights of privacy and publicity, and publishing and entertainment contracts. He has written articles and lectured on issues in these fields of law. He is a former trustee of the Copyright Society of the USA, a former director of the American Intellectual Property Law Association and former chair of its Committee on Copyright Law. He is a graduate of Harvard Law School and received bachelor of arts and master of arts degrees in history at Stanford University.

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Andrew Chin has a B.S. from the University of Texas and a D.Phil. from the University of Oxford, both in mathematics, and a J.D. from Yale Law School. Between 1991 and 1995, he taught mathematics at Texas A&M University, computer science at King's College, University of London, and public policy at the University of Texas at Austin. After graduating law school in 1998, he clerked for Judge Henry H. Kennedy, Jr. of the United States District Court for the District of Columbia, and assisted Judge Thomas Penfield Jackson and his law clerks in the drafting of the findings of fact in *United States v. Microsoft Corporation*. Chin then practiced in the corporate and intellectual property departments in the Washington, D.C. office of Skadden, Arps, Slate, Meagher & Flom, LLP. Since 2001, Chin has been on the faculty of the University of North Carolina School of Law, where he teaches antitrust, intellectual property, and patent law.

## A]WY`Y`?"`7c``]bg

Michelle Collins is the Director of the Exploited Child Unit (ECU) at the National Center for Missing & Exploited Children (NCMEC) in Alexandria, Virginia. She directly oversees the CyberTipline, the congressionally mandated recipient of reports on child sexual exploitation for the public and all U.S. based Internet Service Providers. In NCMEC's effort to further assist the law enforcement community, Ms. Collins spearheaded the creation of the Child Victim Identification Program and worked with programmers to create the Child Recognition & Identification System (CRIS). This program allows NCMEC to locate and identify unknown child victims featured in sexually abusive images as well as assist with child pornography prosecutions across the country. Her extensive technical assistance to law enforcement during Operation Hamlet resulted in her being awarded the U.S. Customs Commissioner's Unit Citation. In addition, she assisted in the coordination of twenty-five international law enforcement agencies for Operation WebSweep, a worldwide child pornography sting conducted by the New Jersey Division of Criminal Justice. Ms. Collins received a B.A. in Psychology from George Mason University and an M.A. in Criminology from the University of Maryland at College Park.

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John Delacourt is currently Chief Antitrust Counsel in the Federal Trade Commission's Office of Policy Planning. Prior to assuming that position, he served as the office's Assistant Director. During his tenure with the Office of Policy Planning, John has served as a member of both the Commission's State Action and Noerr-Pennington Task Forces. He has also played a substantial role in the Commission's e-commerce

competition and class action reform efforts. Prior to joining the FTC, John was an attorney with the law firm of Covington & Burling, where he specialized in antitrust and intellectual property issues. John received his J.D., cum laude, from Harvard Law School and his B.A., summa cum laude, from Georgetown University. His recent publications include: "Protecting Competition by Narrowing Noerr: A Reply," 18 Antitrust 77 (2003); "The FTC's Noerr-Pennington Task Force: Restoring Rationality to Petitioning Immunity," 17 Antitrust 36.

### **9]nUYh 5" 8Y\UbYm**

Elizabeth A. Delaney is an attorney in the Division of Advertising Practices of the Federal Trade Commission's Bureau of Consumer Protection. In addition to issues related to peer-to-peer file-sharing, Ms. Delaney also works on matters related to spyware, the Children's Online Privacy Protection Act, and the Commission's studies on the marketing of violent entertainment to children. Prior to joining the Federal Trade Commission, Ms. Delaney was an associate at the Washington, D.C. office of O'Melveny & Myers LLP, where she represented a variety of clients in matters involving federal, state and regulatory enforcement actions, internal investigations, and corporate compliance issues. She received her law degree from the University of California, Hastings College of the Law.

### **A]WUY 5" 9]b\cfb**

Michael A. Einhorn is a leading economic expert active in the areas of intellectual property, media, entertainment, licensing, valuation, and antitrust. He is a Senior Advisor to CONSOR Intellectual Asset Management and the author of the book *Media, Technology, and Copyright: Integrating Law and Economics* (Edward Elgar Publishers, 2004); he will serve as an Adjunct Professor of Law at Rutgers University in Spring 2005. Dr. Einhorn has designed and applied innovative techniques related to damage estimation, valuation, licensing, and strategy in transactional and litigation matters involving patents, copyrights, trademarks, trade secrets, and publicity rights. He has also consulted to inventors, songwriters, composers, cartoonists, sculptors, photographers, movie producers, architects, and performing artists. Professional matters have included music rights, fair use, data mining, reasonable royalties, commercial damages, hyperlinking, file-sharing, and digital rights management. He received a B.A. in economics from Dartmouth College and a Ph.D. from Yale University.

### **5XUa 9]g[ fU**

A leading Washington expert in intellectual property issues born of the Internet revolution, Adam Eisgrau offers two decades of wide-ranging experience in the private, public, and government sectors. Currently with Flanagan Consulting LLC, he represents diverse companies and organizations concerned with e-commerce and digital media, including most visibly P2P United: a trade association of five leading "peer-to-peer" file-sharing software developers formed in July of 2003. Adam serves as P2P United's Executive Director, principal lobbyist and spokesperson. Between 1995 and 1999, Adam served as the American Library Association's first Legislative Counsel and from 1993 to 1995, as Judiciary Committee Counsel to Senator Dianne Feinstein (D-CA). He also was a primary organizer and media spokesperson for the more than 40 public and private sector members of the Digital Future Coalition, representing the Coalition in Geneva at the WIPO's historic 1996 treaty conference and before Congress in subsequent debate over the treaty's implementation. Adam began his Washington career in 1984 practicing communications law with a focus on then-emerging technologies on the leading edge of the communications revolution, such as high definition television, satellite radio and TV, and electronic device testing regulation. A native New Yorker, Adam is an Adjunct Professor with Georgetown University's Masters Program on Communication, Culture & Technology. He received his J.D. from Harvard Law School in 1984 and graduated magna cum laude from Dartmouth College in 1980.

## **AUfm?"`9b[`Y**

As Associate Director for Advertising Practices, Mary K. Engle heads the Federal Trade Commission's Division of Advertising Practices. The Division is responsible for regulating national advertising matters, including claims about food, OTC drugs, dietary supplements, alcohol, tobacco, and Internet services. The Division also enforces the Children's Online Privacy Protection Act, a statute regulating the online collection of personal information from children. Ms. Engle joined the FTC as a staff attorney in 1990 and has served as Assistant to the Director of the Bureau of Consumer Protection, attorney advisor to a Commissioner, and Assistant Director of the Divisions of Enforcement and Advertising Practices. She also served as the Project Director of the FTC's Study of the Marketing of Violent Entertainment to Children. Before joining the FTC, Ms. Engle practiced law with a firm in Washington, D.C. Ms. Engle is a frequent speaker on the FTC's advertising law enforcement actions and public policy agenda. She is a graduate of Harvard University (A.B. 1983) and the University of Virginia School of Law (J.D. 1986).

## **AUfw: fYYXa Ub**

Marc Freedman is Founder and CEO of RazorPop, which develops technology and marketing programs that enable entertainment companies to directly market their offerings through P2P file-sharing networks. RazorPop is also the developer of TrustyFiles software, which allows users to access and share files simultaneously across multiple P2P networks. Mr. Freedman has experience with a variety of advanced software and systems technologies, including unified messaging, interactive TV, wireless, artificial intelligence, and robotics. His entertainment background ranges from film and dance to multimedia and interactive TV. He holds a B.S. in Computer Science from MIT and an MPPM from the Yale School of Management, where he also trained in the screenwriting program at the Yale School of Drama.

## **8YUb`7"; UFUY`X**

Dean Garfield is Vice President and Director, Legal Affairs, Worldwide Anti-Piracy at the Motion Picture Association of America (MPAA). He began his tenure with the MPAA on June 1, 2004. As Chief Legal Officer, Mr. Garfield's duties include overseeing litigation and all other legal matters in various anti-piracy programs that MPAA runs around the world. Prior to joining the MPAA, Mr. Garfield was Vice President of Legal Affairs at the Recording Industry of America Association (RIAA) where he managed several intellectual property cases, including litigation against AudioGalaxy, Grokster, Kazaa, Launch, and MusicCity. He was also responsible for the management and execution of the Parental Advisory Board. Mr. Garfield received a joint degree in 1994 from New York University School of Law and the Woodrow Wilson School of Public Administration and International Affairs at Princeton University. In addition to his responsibilities at the RIAA, Mr. Garfield serves on the boards of several public interest entities, and devotes his spare time to pro bono matters, including death penalty litigation.

## **BUhUb`; ccX**

Nathan Good is a PhD student at the University of California's School of Information Management and Systems. Prior to pursuing his PhD at Berkeley, Nathan interned at HP Labs and PARC, and graduated with a B.S. in Computer Science from the University of Minnesota. Nathan's research interest is in human-computer interaction with a special emphasis on privacy, usability and mobile devices. A fundamental goal of his research is to make networked systems of sharing and communication usable, convenient and respectful of people's privacy. He has published academic research papers on display technology, privacy and usability, task management systems, recommender systems, and mediation techniques for multimedia systems. Nathan also has five pending patent applications. Nathan has testified before the House and Senate on P2P systems and privacy. He has also been interviewed on CNN, ABC news and in various magazines and newspapers such as the New York Times for his work on P2P systems and privacy.

### <U]a Y' <UXY]g\]

Hajime Hadeishi is an economist in the Federal Trade Commission's Bureau of Economics. Within the Bureau of Economics Mr. Hadeishi has seven years experience in Antitrust matters and has recently switched to the Division of Consumer Protection. He has acquired industry expertise handling merger reviews and other investigations in the pharmaceutical, branded retail goods, manufacturing, and music industries during his tenure in Antitrust. Mr. Hadeishi currently works on matters related to financial practices, spyware and fraud. He received his Ph.D in economics from UCLA in 1997.

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Dr. John Hale is an Associate Professor of Computer Science and Director of the Center for Information Security at the University of Tulsa. Dr. Hale is also a faculty mentor in the University of Tulsa's Cyber Corps Program and leads the Center's federal INFOSEC certification initiative. Dr. Hale has significant expertise in computer security, publishing approximately 50 refereed articles and one book (Research Advances in Database and Information Systems Security, Kluwer, 2000) in the area. In 2000, he received a NSF Early Faculty Career Development (CAREER) award for his research and educational contributions in the field of computer security. Security and privacy risks in P2P networks is an active area of research for Dr. Hale. He has one patent on digital rights management in peer-to-peer networks, and has given testimony on 3 separate occasions at Congressional Hearings on the subject.

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Vance Ikezoye co-founded Audible Magic in 1999. He has over twenty years of experience in high technology sales, marketing, and technical support including thirteen years at Hewlett-Packard Company. After HP, Ikezoye joined Trade Reporting and ? o



for wireless, mobile platforms. As a researcher, he has been involved in studying P2P network protocols and



the WIPO Performances and Phonograms Treaty. Mr. Lincoff also worked as a member of the coalition of intellectual property rights holders in the inter-industry negotiations that led to passage of much of the significant copyright legislation of the 1990s.

### **DYhYf`G`AYbY`**

Peter S. Menell is Professor of Law at the University of California at Berkeley School of Law (Boalt Hall) and co-founder and Executive Director of the Berkeley Center for Law & Technology. He holds an S.B. from MIT, a Ph.D. (economics) from Stanford, and a J.D. from Harvard Law School. Professor Menell has written extensively in the area of intellectual property law, with particular focus on legal protection for software and the opportunities and challenges posed by advances in digital technology. His recent publications include "Envisioning Copyright Law's Digital Future," 46 N.Y. L. School L. Rev. 63 (2003), Intellectual Property in the New Technological Age (co-authored with R. Merges and M. Lemley, 3d ed. 2003), Software and Internet Law (with M. Lemley, R. Merges, and P. Samuelson, 2d ed. 2003), and "The Rise of Internet Interest Group Politics," 19 Berkeley Tech. L.J. 1 (2004) (with A. Burstein and W. DeVries). Professor Menell founded and has since supervised the Annual Review of Law & Technology, a special issue of the Berkeley Technology Law Journal.

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Jim Miller is Chairman of The CapAnalysis Group (an affiliate of Howrey Simon Arnold & White), which is comprised of over 50 professional economists, accountants, and regulatory experts. Jim is also a Member of the Boards of Independence Air, Washington Mutual Investors Fund, the Tax-Exempt Fund of Maryland, the Tax-Exempt Fund of Virginia, and the JPMorgan Value Opportunities Fund. In addition, Jim serves on the Board of Governors of the U.S. Postal Service, having been appointed by President George W. Bush in 2002, and is a consultant to Freddie Mac. Jim's government service includes Director of the Office of Management and Budget (1985-1988) and Chairman of the Federal Trade Commission (1981-1985). A holder of a Ph.D. in economics from the University of Virginia, Jim is the author or coauthor of nine books and over 100 articles in professional journals.

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Andy Moss is Director of Technical Policy in the Windows Client Strategic Relations and Policy group. In this role, Andy leads the group which drives Microsoft's strategy where business and technical directions intersect public policy issues, such as Intellectual Property and Content Protection, Digital Broadcasting (TV and Radio), Cable Plug and Play, Security, IPv6, VoIP, and Broadband. With more than 23 years of technology experience, Andy Moss has spent the past fourteen as an internal entrepreneur within Microsoft developing, launching and managing new products and services. His many projects include Windows Media Center Edition, Windows XP Plus!, Microsoft Digital Broadcast Manager, Microsoft Visual Studio Enterprise Edition and Microsoft Consulting Services. Throughout his career, Andy has worked extensively to help customers adopt effective and creative uses for new innovations and advanced technologies. Andy is on the Board of Directors for the Digital Honesty Campaign, Westport Public Library Advisory Board, and was recently a Co-Chair for the Analog Re-conversion Discussion Group, a multi-industry organization established to review solutions to Intellectual Property concerns arising during the transition from analog to digital consumer technologies. He is an active public speaker on technology issues in a variety of forums, including Harvard Law School's Berkman Center for Internet and Society, the Rockefeller Foundation Study and Conference Center, The American Assembly (an affiliate of Columbia University), the U.S. Department of Commerce and a range of industry events and conferences.

### **K ccX`BYk hcb**

A boy with small-town roots who made it BIG as a songwriter, Wood Newton was born and raised in Hampton, Arkansas (population 1600). Wood earned his degree in business administration from the







of all legitimate sound recordings sold in the United States. As the president, Mr. Sherman represents the interests of the \$12 billion U.S. sound recording industry — the largest market for prerecorded music in the world. He coordinates the industry’s legal, policy and business objectives and his responsibilities include technology, licensing, enforcement, and government affairs issues, among others. National Journal has described Mr. Sherman as an “intellectual property guru” and “one of the top copyright attorneys in the country.” Before joining the RIAA as General Counsel of the organization in 1997, Mr. Sherman was a senior partner at the Washington, D.C. firm of Arnold & Porter, where he was the head of the firm’s Intellectual Property and Technology Practice Group. One of his special areas of expertise during his 26 years at Arnold & Porter was reconciling developing technologies and intellectual property laws. Mr. Sherman graduated from Cornell University in 1968, and Harvard Law School in 1971.

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Clay Shirky divides his time between consulting, teaching, and writing on the social and economic effects of Internet technologies. His consulting practice is focused on the rise of decentralized technologies such as peer-to-peer, web services, and wireless networks that provide alternatives to the wired client/server infrastructure that characterizes the Web. In addition to his consulting work, Mr. Shirky is an adjunct professor in NYU’s graduate Interactive Telecommunications Program (ITP), where he teaches courses on the interrelated effects of social and technological network topology — how our networks shape culture and vice-versa. Mr. Shirky has written extensively about the internet since 1996. Over the years, he has had regular columns in Business 2.0, FEED, OpenP2P.com and ACM Net\_Worker, and his writings have appeared in the New York Times, the Wall Street Journal, the Harvard Business Review, Wired, Release 1.0, Computerworld, and IEEE Computer. He has been interviewed by Slashdot, Red Herring, Media Life, and the Economist’s Ebusiness Forum. He has written about biotechnology in his “After Darwin” column in FEED magazine, and serves as a technical reviewer for O’Reilly’s bioinformatics series. Mr. Shirky frequently speaks on emerging technologies at a variety of forums and organizations. Prior to his appointment at NYU, Mr. Shirky was a Partner at the investment firm The Accelerator Group. Mr. Shirky graduated from Yale College with a degree in art, and prior to falling in love with the internet, he worked as a theater director and designer in New York.

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Michael D. Smith is an Assistant Professor of Information Systems and Marketing at Carnegie Mellon University, with appointments at the H. John Heinz III School of Public Policy and Management and the Tepper School of Business. He received his Bachelors of Science in Electrical Engineering and his Masters of Science in Telecommunications Science from the University of Maryland, and received his Ph.D. in Management Science and Information Technology from the Sloan School of Management at MIT. Dr. Smith’s research relates to efficient information exchange and community formation in peer-to-peer networks, and the nature of structure and competition in electronic markets. His research in this area has been published in leading Management Science, Economics, and Marketing journals and covered by press outlets including The Economist, The Wall Street Journal, Sloan Management Review, The New York Times, Wired Magazine and Business Week. Prior to receiving his Ph.D., Dr. Smith worked extensively in the telecommunications and information systems industries, first with GTE in their laboratories, telecommunications, and satellite business units and subsequently with Booz Allen and Hamilton as a member of their telecommunications client service team. While with GTE, Dr. Smith was awarded a patent for research applying fuzzy logic and artificial intelligence techniques to the design and operation of telecommunications networks.

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Koleman Strumpf is an associate professor of economics at the University of North Carolina at Chapel Hill. While his research has spanned many topics, some of his more recent work considers the economics

