

Michael V. Risch

Education:

- 10/95-6/98 **The Law School, University of Chicago.** J.D. degree with high honors. Olin Fellow in Law and Economics. Bradley Fellow in Law and Economics. Order of the Coif.
- 9/88-6/92 **Stanford University.** A.B. degree with honors and distinction in Public Policy and with distinction in Quantitative Economics. Received Official National Merit Scholarship.

Experience:

- 6/07-present **Associate Professor of Law and Project Director - Entrepreneurship, Innovation and Law Program, West Virginia University College of Law**
- 7/06-7/07 **Olin Fellow in Law, Stanford Law School**
- 7/98-present **Russo & Hale LLP, Palo Alto, California.**
Of Counsel (June 2006-), Partner (2003-2006), Associate (1998-2002). Advanced practice in intellectual property and complex business litigation, including trial; arbitration; appeals; motion practice; mediation; discovery; ADR neutral; intellectual property protection, auditing, and risk analysis; licensing negotiation, drafting, and review. Taught weekly educational meetings as MCLE provider.
- 3/93-present **Owner/Consultant, Risch Consulting**
Maintain consulting business in computer software and hardware installation, support and design. Published and sold commercial encryption program for popular electronic mail program. Developed law firm world wide web portal. Provide technical support for other developers for Novell, Inc.

Publications:

Everything is Patentable, 75 Tenn. L. Rev. ____ (forthcoming 2008)

Available at <http://papers.ssrn.com/abstract=1085871>

The Failure of Public Notice in Patent Prosecution, 21 Harv. J. L. & Tech. 179 (2007)

Available at <http://papers.ssrn.com/abstract=931543>

Differential Incentives to Innovate, forthcoming chapter, RESEARCH HANDBOOK ON INTELLECTUAL PROPERTY AND TRADE SECRECY (Rochelle Dreyfuss and Katherine Strandburg, eds.).

Comments on Trade Secrets in High Velocity Labor Markets, forthcoming, Employee Rights and Employment Policy Journal (invited essay, peer reviewed).

Why Do We Have Trade Secrets?, 11 Marquette Int. Prop. L. Rev. 1 (2007)

Available at <http://papers.ssrn.com/abstract=885778>

How Can *Whelan v. Jaslow* and *Lotus v. Borland* Both be Right? Re-Examining the Economics of Computer Software Reuse, 17 J. Marshall J. Comp. & Info. Law 511 (1999)
Available at <http://papers.ssrn.com/abstract=885341>

Virtual Reality - A Legal Overview, with Jack Russo (chapter in Computer Software treatise by Clark Boardman Callaghan) (1995)
Available at <http://www.computerlaw.com/articles/vrlaw.php>

Other Writings:

“The Idea’s the Thing,” Legal Times (May 12, 2008) (Op-Ed re patentable subject matter).

Amicus Curiae Brief of 22 Law and Business Professors in Support of Appellants: In Re Bernard L. Bilski and Rand A. Warsaw, No. 08/833, 892 in the United States Court of Appeals for the Federal Circuit (April 7, 2008), with John Allison, Mark A. Lemley, R. Polk Wagner.

Advanced Programming for Novell Groupwise (technical manual), with three others, for Novell, Inc. (2002).

Law of the Internet in California, with Jack Russo and John Kelley, for National Business Institute seminar (2001).

“Copyright Protection for Virtual Realities: Brave New World Emerges,” with Jack Russo, National Law Journal (October 17, 1994).

Federal Anti-Poverty Job Training: Problems in the Past and Hope for the Future. Public Policy Departmental Honors Thesis (1992).

Juvenile Crime in San Mateo County: 1989 Report, for Criminal Justice Council of San Mateo County (1990).

Presentations and Conferences:

Everything is Patentable, presentation at Faculty Colloquia, WVU College of Law, Feb. 2008

Orientation Address, High School Minority Law Day, WVU College of Law, Feb. 2008

Trade Secrets in High Velocity Labor Markets, 2008 AALS Conferences, Section of Law & Economics, invited commentator, January 2008

Everything is Patentable, presentation at WIPIP Conference, American U. Law School, Sept. 2007

Everything is Patentable, presentation at IP Scholars Conference, DePaul Law School, August 2007

“*What If’s*” Conference – Michigan State University, conference fellow, March 2007

Trade Secret Roundtable, Berkeley Center for Law & Technology, invited participant, October 2006

Why Do We Have Trade Secrets?, Lunch presentation for Santa Clara University Law School, October 2006

American Inns of Court – Bay Area Intellectual Property chapter - several presentations, mock hearings, and panel discussions on intellectual property issues, 1998-2007

Law of the Internet - Seminar for National Business Institute, with others, 2001

New Legal Problems for the Internet Age - Alameda County Bar Association Intellectual Property & Computer Law Committee, 2001

Wireless Law Offices - TechLaw Institute, 2001

Economics of Copyright and Computer Software - Lunch presentation for Santa Clara University Law School, 2000

Cyberspace Law School - Co-presented trade secret session for Glasser Legal Works, 2000, 2001