

MATTHEW G. SIPE

Assistant Professor | University of Baltimore School of Law
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EDUCATION

YALE LAW SCHOOL

J.D., 2015

Yale Law Journal, Senior Editor

Yale Journal on Regulation, Senior Editor

OutLaws LGBT Association, Board Member

Constitutional Litigation Practicum: Judges John Walker, Jr. and Jeffrey Meyer

Research Assistant: Professors Amy Chua & Abbe Gluck

UNIVERSITY OF VIRGINIA

B.A., Mathematics and Economics, 2012

Lawn Resident (54 fourth-year students honored for their service and academics)

Raven Society (highest academic honor available to UVA undergraduates)

Phi Beta Kappa

William M. Hill, Jr. Memorial Scholarship in Economics

Kenneth G. Elzinga Scholarship in Economics

TEACHING AND RESEARCH INTERESTS

Primary Interests: Intellectual Property (Patent, Trademark), Antitrust, Property, Civil Procedure, Privacy

Additional Interests: Intellectual Property (Copyright), Law & Economics, Trusts & Estates, Law & Technology

EXPERIENCE

UNIVERSITY OF BALTIMORE SCHOOL OF LAW

2020-Present

Assistant Professor of Law

GEORGE WASHINGTON UNIVERSITY LAW SCHOOL

2018-2020

Frank H. Marks Visiting Associate Professor of Intellectual Property Law

UNITED STATES SUPREME COURT

2017-2018

Supreme Court Fellow

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

2016-2017

Judge Kathleen M. O'Malley, *Law Clerk*

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE

2015-2016

Judge Samuel H. Mays, Jr., *Law Clerk*

PUBLICATIONS

Articles:

Patent Law 101: I Know It When I See It (forthcoming, HARV. J.L. & TECH. 2024)

<https://ssrn.com/abstract=4524529>

Covering Prying Eyes with an Invisible Hand: Privacy, Antitrust, and the New Brandeis Movement

36 HARV. J.L. & TECH. 359 (2023), <https://ssrn.com/abstract=4124372>

A Fragility Theory of Trademark Functionality, 169 U. PA. L. REV. 1825 (2021)

<https://ssrn.com/abstract=3623386>

Cited in: 4 CALLMANN ON UNFAIR COMP., TR. & MONO. § 19:20 (4th ed.)

Patent Law's Philosophical Fault Line, 2019 WIS. L. REV. 1033 (2019)

<https://ssrn.com/abstract=3322703>

Experts, Generalists, Laypeople—and the Federal Circuit, 32 HARV. J.L. & TECH. 575 (2019)

<https://ssrn.com/abstract=3228585>

The Sherman Act and Avoiding Void-for-Vagueness, 45 FLA. ST. U. L. REV. 709 (2018)

<https://ssrn.com/abstract=2968933>

Cited in: 1 CALLMANN ON UNFAIR COMP., TR. & MONO. § 4:19 (4th ed.)

Patents v. Antitrust: Preempting Conflict, 66 AM. U. L. REV. 415 (2017)

<https://ssrn.com/abstract=2743701>

Patent Privateers and Antitrust Fears, 22 MICH. TELECOMM. & TECH. L. REV. 191 (2016)

<https://ssrn.com/abstract=2959575>

Essays and Comments:

Patent Law 101: The View from the Bench, 88 GEO. WASH. L. REV. ARGUENDO 21 (2020)

<https://www.gwlr.org/patent-law-101-the-view-from-the-bench/>

Cited in: *e-Numerate Solutions, Inc. v. United States*, 149 Fed. Cl. 563 (Aug. 2020) and

Ubiquitous Connectivity, LP v. Cent. Sec. Grp., 2021 WL 1970664 (N.D. Okla. May 17, 2021)

Storage Wars: Greater Protection for Messages in Memory, 124 YALE L.J.F. 29 (2014)

<http://www.yalelawjournal.org/forum/storage-wars-greater-protection-for-messages-in-memory>

The Need for New Federal Anti-Spam Legislation, 31 YALE J. ON REG. ONLINE 55 (2014)

<http://yalejreg.com/the-need-for-new-federal-anti-spam-legislation/>

Jagged Edges: Boundary Irregularity and Adverse Possession, 124 YALE L.J. 853 (2014)

<http://www.yalelawjournal.org/comment/jagged-edges>

The Market for Privacy, YALE J.L. & TECH. ONLINE (Dec. 2013)

<https://yjolt.org/blog/market-privacy>

Current Works in Progress:

Descriptive Marks as Credible Threats (essay)

Trademark Law's Ambiguous Consumer Welfare Standard (article)

ACADEMIC PRESENTATIONS

Descriptive Marks as Credible Threats

- IPSC, Benjamin N. Cardozo School of Law (Aug. 2023)
- JIPSA, Fordham University School of Law (Aug. 2023)

Patent Law 101: I Know It When I See It

- Junior Faculty Forum, University of Richmond School of Law (May 2023)
- WIPIP Colloquium, Suffolk University Law School (Feb. 2023)
- AALS Annual Meeting, “Emerging Voices in Intellectual Property” (Jan. 2023)
- JIPSA, University of California, Berkeley School of Law (Aug. 2022)

Covering Prying Eyes with an Invisible Hand: Privacy, Antitrust, and the New Brandeis Movement

- Privacy Law Scholars Conference, Northeastern University School of Law (June 2022)
- Big Tech & Antitrust Conference, Seton Hall Law School (Feb. 2022)
- IP & Technology Scholars’ Workshop, Texas A&M University School of Law (Nov. 2021)
- JIPSA, University of New Hampshire Franklin Pierce School of Law (July 2021)

A Fragility Theory of Trademark Functionality

- IPSC, Stanford Law School (July 2020)
- JIPSA, University of Montana Blewitt School of Law (June 2020)
- WIPIP Colloquium, Santa Clara University School of Law (Feb. 2020)
- IP Scholars Roundtable, Texas A&M University School of Law (Sept. 2019)
- MATWIP, American University School of Law (Sept. 2019)

Patent Law's Philosophical Fault Line

- Workshop, Yale Law School (Sept. 2019)
- IPSC, DePaul College of Law (Aug. 2019)
- SEALS Annual Conference, Boca Raton (July 2019)
- PATCON 9, University of Kansas (Apr. 2019)
- Junior Faculty Workshop Series, University of Maryland (Feb. 2019)
- WIPIP Colloquium, University of Houston Law Center (Feb. 2019)

Experts, Generalists, Laypeople—and the Federal Circuit

- Lecture by Invitation, Harvard Law School (Mar. 2019)
- IP Scholars Roundtable, Texas A&M University School of Law (Oct. 2018)
- MAPWIP, American University Washington College of Law (Sept. 2018)
- Judicial Conference of the United States, CACM Committee (June 2018)
- PATCON 8, University of San Diego School of Law (Mar. 2018)

Moderator / Panelist / Discussant / Etc.

- Symposium Honoring Prof. Robert H. Lande, University of Baltimore School of Law (Mar. 2023)
- Regulatory Transparency Project, “The Implications of the FTC’s Proposed Ban on Noncompete Agreements” (Mar. 2023)
- AALS Workshop for New Law School Teachers, “Outside the Classroom” (June 2022)
- Colloquium on Philosophical Approaches to IP, Scalia Law School (June 2022, July 2020, May 2019)
- Federal Circuit Symposium, American University Washington College of Law (Nov. 2021)
- Empire State Legal Writing Conference, “Legal Writing Plus” (May 2021)
- AALS Annual Meeting, “Intellectual Property & Culture” (Jan. 2021)
- JIPSA, George Washington University Law School (May 2019)

BAR ADMISSIONS

Commonwealth of Virginia

United States District Court for the Western District of Tennessee

United States Court of Appeals for the Sixth Circuit

United States Court of Appeals for the Federal Circuit