

MEGAN MAUREEN LA BELLE
3600 John McCormack Rd. NE
Washington, D.C. 20064
(202) 319-6615 [office]; (202) 329-8441 [mobile]
labellemm@gmail.com; labelle@law.edu

EDUCATION

UNIVERSITY OF CALIFORNIA, DAVIS, SCHOOL OF LAW

Juris Doctor, 1999, Order of the Coif
Senior Notes & Comments Editor, *U.C. Davis Law Review*, 1998-1999; Member 1997-1998
Awards: American Jurisprudence Award, Civil Procedure; King Hall Pro Bono Certificate

UNIVERSITY OF CALIFORNIA, LOS ANGELES

Bachelor of Arts, History, 1996, *summa cum laude*

ACADEMIC APPOINTMENTS

THE CATHOLIC UNIVERSITY OF AMERICA, COLUMBUS SCHOOL OF LAW,
Washington, D.C.

Professor	2017-present
Associate Professor	2012-2017
Assistant Professor	2009-2012
Visiting Assistant Professor/Scholar-in-Residence	2008-2009

- Courses: Administrative Law, Advanced Patent Law, Civil Procedure, Federal Courts, Global Issues in Intellectual Property; Introduction to Intellectual Property, Intellectual Property Capstone
- Academic Service: Co-Director, Law & Technology Institute; Co-Director, Master of Legal Studies Program; Faculty Advisor, *Catholic University Law Review*; Member, Committee on Appointments and Promotion; Concentration Coordinator, Intellectual Property; Faculty Advisor, Law & Technology Students Association; Member, Member, Law School Budget Committee; Member, University Senate;

JUDICIAL CLERKSHIPS & EXTERNSHIPS

U.S. DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA
Los Angeles, California

Law Clerk to the Honorable Margaret M. Morrow 2001-2002

- Researched and wrote orders on civil and criminal motions. Drafted memoranda and minute orders regarding status conferences and pretrial conferences. Assisted Judge Morrow at hearings, status conferences, and trial.

U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT
Boise, Idaho

Law Clerk to the Honorable Stephen S. Trott

1999-2000

- Researched and wrote bench memoranda. Orally presented all assigned cases for calendar to Judge Trott. Drafted opinions and memoranda dispositions to be filed with the court. Reviewed and edited opinions and memoranda submitted by other chambers to prepare for filing with the court.

U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA Sacramento,
California

Judicial Extern to the Honorable Garland E. Burrell

1997

- Prepared bench memoranda and tentative orders to assist Judge Burrell and his law clerks. Conducted research relating to the *United States v. Theodore Kaczynski* case. Attended hearings and trials.

LAW PRACTICE

MUNGER, TOLLES & OLSON LLP, Los Angeles, California

Litigation Associate

2002-2009

- Represented clients primarily in intellectual property matters, but also in consumer class action, unfair competition, breach of contract, antitrust, securities, white collar criminal, and *pro bono* cases. Researched and wrote appellate briefs, claim construction briefs, summary judgment motions, and other dispositive motions. Argued motions before the court. Negotiated and drafted settlement agreements. Counseled clients. Took and defended depositions, interviewed witnesses, and drafted discovery requests and responses.

O'MELVENY & MYERS LLP, Los Angeles, California

Litigation Associate

2000-2001

Summer Associate

1998

- Represented clients in two large class action lawsuits. Researched and drafted motions and legal memoranda. Participated in various aspects of discovery, including conducting client and witness interviews, preparing and responding to discovery requests, and reviewing documents.

LAW REVIEW ARTICLES AND ESSAYS

Fintech: New Battle Lines in the Patent Wars?, 42 CARDOZO L. REV. 277 (2020) (co-authored with Heidi M. Schooner)

Influencing Juries in Litigation “Hot Spots,” 94 IND. L. J. 901 (2019)

An Erie Approach to Privilege Doctrine, 10 CONLAWNOW 205 (2019) (invited symposium contribution)

The Past, Present, and Future of the U.S. Patent System, an Introduction to Transcripts of the International IP Commercialization Council’s Annual Conference, 67 CATH. U. L. REV. 607 (2018)

Privilege for Patent Agents, 23 B.U. J. SCI. & TECH. L. 359 (2017) (invited symposium contribution), *selected for republication in* 67 DEFENSE L.J. No. 3, 1 (2018)

The Patently Unexceptional Venue Statute, 66 AM. U. L. REV. 1027 (2017) (co-authored with Paul Gugliuzza) (invited symposium contribution)

Public Enforcement of Patent Law, 96 B.U. L. REV. 1865 (2016)

Fee Shifting for PTAB Proceedings, 24 TEX. INTELL. PROP. L.J. 367 (2016) (invited symposium contribution)

The Local Rules of Patent Procedure, 47 AZ. ST. L.J. 63 (2015)

Against Settlement of (Some) Patent Cases, 67 VAND. L. REV. 375 (2014)

Big Banks and Business Method Patents, 16 U. PA. J. BUS. L. 431 (2014) (co-authored with Heidi Mandanis Schooner)

“Reverse” Patent Declaratory Judgment Actions: A Proposed Solution for Medtronic, 162 U. PA. L. REV. ONLINE 43 (2013)

Patent Law as Public Law, 20 GEO. MASON L. REV. 41 (2012)

Standing to Sue in the Myriad Genetics Case, 2 CAL. L. REV. CIRCUIT 68 (2011)

Patent Litigation, Personal Jurisdiction, and the Public Good, 18 GEO. MASON L. REV. 43 (2010)

The “Rootkit Debacle”: The Latest Chapter in the Story of the Recording Industry and the War on Music Piracy, 84 DENV. U. L. REV. 79 (2006)

OTHER WRITINGS

Guest Blogger, ScotusBlog (January 2020)

Amicus Brief in *TC Heartland LLC v. Kraft Foods Prods. Corp.* (U.S. Supreme Court 2017) (author/signatory)

Amicus Brief in *Ambac Assurance Corp. v. Countrywide Home Loans, Inc.* (Wisc. Sup. Ct. 2016) (co-author/signatory)

Amicus Brief in *Xilinx v. Papst Licensing GmbH* (Fed. Cir. 2015) (co-author/signatory)

Amicus Brief in *Acorda Therapeutics, Inc. v. Mylan Pharmaceuticals, Inc. and AstraZeneca AB v. Mylan Pharmaceuticals, Inc.* (Fed. Cir. July 2015) (co-author/signatory)

Guest Blogger, *PrawfsBlawg* (June 2015, May 2016, March 2017, January 2018)

Comments from the WILE New Law Teacher's Breakfast 2014: Tips for New Law Professors, AALS SECTION ON WOMEN IN LEGAL EDUCATION NEWSLETTER (Dec. 2014)

Amicus Brief in *Organic Seed Growers & Trade Ass'n v. Monsanto Co.* (Fed. Cir. 2013) (co-author/signatory)

The Future of Internet-Related Personal Jurisdiction After Goodyear Dunlap Tires v. Brown and J. McIntyre v. Nicastro, 15 No. 7 J. INTERNET L. 3 (2012)

"Virtual" Contacts and Patent Cases: How Should Internet-Related Contacts Affect the Personal Jurisdiction Analysis?, 13 No. 12 J. INTERNET L. 25 (2010)

SELECTED ACADEMIC & PROFESSIONAL PRESENTATIONS

- *The Rise of the Western District of Texas: Forum Selling and Forum Shopping in Patent Trial Courts*, 18th Annual Symposium on Emerging Intellectual Property Issues: Patent Law and Institutional Choice, Southern Methodist University School of Law (Oct. 29, 2021) (panelist)
- *(Im)Partial Patent Judges*, 2021 Works-in-Progress Intellectual Property Colloquium, Texas A&M University School of Law (Feb. 20, 2021) (presented paper)
- *American Law: Computer Programs, Databases, and AI*, IT/AI Winter Law School, Kozminski University (Feb. 14, 2021)
- Sixth Annual Patent Scholars Roundtable, Vanderbilt University School of Law (Jan. 15, 2021) (commentator)
- *Artificial Intelligence and Intellectual Property*, Contemporary Challenges in American & Global Law, Jagiellonian University & Catholic University of America (Dec. 9, 2020) (panelist)
- *Advising Law Reviews and Journals*, Southeastern Association of Law Schools, Annual Meeting, (Aug. 3, 2020) (discussant)
- *COVID-19 and Rescuing Small Businesses*, COVID-19 and the Law Series, Catholic University of America (June 30, 2020) (moderator)
- *The Future is Fintech*, Journal of Law & Technology Symposium, Catholic University, Columbus School of Law, Washington, D.C. (Feb. 14, 2020) (panelist)
- *Fintech Innovations*, American Association of Law Schools Annual Meeting, Washington, D.C. (Jan. 5, 2020) (presented paper)
- *Patent Developments*, Federal Circuit Symposium, American University, Washington College of Law, Washington, D.C. (Nov. 1, 2019) (panelist)
- *IPRs at the PTAB*, Second Annual Intellectual Property and Innovation Conference, Suffolk University School of Law, Boston, MA (Oct. 29, 2019) (panelist)

- *Fintech: New Battle in the Patent Wars?*, Mid-Atlantic Patent Works-in-Progress Colloquium, American University, Washington College of Law, Washington, D.C. (Sept. 13, 2019) (paper presented)
- *Personal Jurisdiction in Patent Declaratory Judgment Actions*, Second Annual Intellectual Property Scholarship Redux Conference, University of New Hampshire School of Law, Concord, NH (Apr. 12, 2019) (paper presented)
- *The Administrative State Wars Yet to Come*, NYU Journal of Law & Liberty Annual Symposium, NYU School of Law, New York, NY (Mar. 28, 2019) (panelist)
- *Influencing Juries in Litigation “Hot Spots,”* Intellectual Property Colloquium, Marquette University School of Law, Milwaukee, WI (Mar. 25, 2019) (paper presented)
- *The Intersection of Administrative and IP Law*, Texas Intellectual Property Law Journal Annual Symposium, University of Texas School of Law, Austin, TX (Feb. 22, 2019) (panelist)
- *Fintech: New Battle Lines in the Patent Wars?*, 2019 Works-in-Progress Intellectual Property Colloquium, University of Houston Law Center, Houston, TX (Feb. 8-9, 2019)
- *Future Challenges Facing Our Federal Courts*, Catholic University Law Review’s Annual Symposium, Catholic University, Washington, DC (Feb. 1, 2019) (moderator)
- *Public Rights and Private Rights After Oil States*, George Mason Law Review’s First Annual Conference on Administrative Law, Antonin Scalia Law School, George Mason University, Arlington, VA (Sept. 26, 2018) (panelist)
- *An Erie Approach to Privilege Doctrine*, Sixth Annual Constitutional Law Conference, *Erie at Eighty: Choice of Law Across Disciplines*, University of Akron School of Law, Akron, OH (Sept. 14, 2018) (paper presented)
- *The Administrative-Private Law Interface in IP*, Harvard Law School, Cambridge, MA (Mar. 29, 2018) (panelist)
- *Influencing Juries in Litigation “Hot Spots,”* Intellectual Property + Information Law Colloquium, Cardozo Law School, New York, NY (Mar. 5, 2018) (paper presented)
- *Procedure as Technology/Technology as Procedure*, American Association of Law Schools, Annual Conference, San Diego, CA (Jan. 5, 2018) (panelist)
- *The Power of PTAB: The New Authority in Patent Law*, Chicago-Kent College of Law, Chicago, IL (Oct. 20, 2017) (panelist)
- *IP and the Administrative State*, Southeastern Association of Law Schools, Annual Meeting, Boca Raton, FL (Aug. 5, 2017) (moderator)
- *Digital Pressures*, Southeastern Association of Law Schools, Annual Meeting, Boca Raton, FL (Aug. 4, 2017) (discussant)
- *Becoming a Productive Scholar*, Association of Law Schools, Annual Meeting, Boca Raton, FL (Aug. 1, 2017) (discussant)
- *Privilege for Patent Agents*, Boston University School of Law, Boston Journal of Science & Technology Law Symposium (Feb. 24, 2017) (paper presented)
- *The Supreme Court, the Federal Circuit, or the Patent Office: Who Owns the Controlling Stake in Patent Law?*, American University Law Review Symposium, American University, Washington College of Law, Washington, D.C. (Jan. 27, 2017) (panelist)
- *Supreme Court Series: SCA Hygiene Prods. v. First Quality Baby Prods.*, American University, Washington College of Law, Washington, D.C. (Nov. 1, 2016) (panelist)
- *Influencing Juries in Litigation “Hot Spots,”* Fifth Annual Mid-Atlantic Patent Works-in-Progress, American University, Washington College of Law, Washington, D.C. (Oct. 7, 2016) (paper selected for presentation)
- *Influencing Juries in Litigation “Hot Spots,”* Southeastern Association of Law Schools, Annual Meeting, Amelia Island, FL (Aug. 8, 2016) (paper selected for workshop)

- *Intellectual Property Exceptionalism*, Southeastern Association of Law Schools, Annual Meeting, Amelia Island, FL (Aug. 5, 2016) (discussant)
- *Public Enforcement of Patent Law*, Southeastern Association of Law Schools, Annual Meeting, Call for Papers Luncheon, Amelia Island, FL (Aug. 4, 2016) (paper selected for presentation)
- *Towards “Speedy, Fair, and Efficient Justice”: Assessing the New Federal Rules*, Southeastern Association of Law Schools, Annual Meeting, Amelia Island, FL (Aug. 3, 2016) (discussant)
- *Public Enforcement of Patent Law*, 8th Annual Junior Scholars in Intellectual Property Workshop, Michigan State University College of Law, Lansing, MI (May 25-26, 2016) (paper selected for presentation)
- *Fee Shifting at the PTAB*, Texas Intellectual Property Law Journal Symposium, University of Texas at Austin School of Law, Austin, TX (March 4, 2016)
- *Public Enforcement of Patent Law*, Fourth Annual Mid-Atlantic Patent Works-in-Progress, American University, Washington College of Law, Washington, D.C. (Nov. 13, 2015) (paper selected for presentation)
- *Public Enforcement of Patent Law*, Eighth Annual Junior Faculty Federal Courts Workshop, University of California, Irvine, School of Law, Irvine, CA (Sept. 11-12, 2015) (paper selected for presentation)
- *21st Century American Civil Procedure: What is the New Model?*, Southeastern Association of Law Schools, Annual Meeting, Boca Raton, FL (Aug. 1, 2015) (discussant)
- *Public Enforcement of Patent Law*, Administrative Law and Intellectual Property Workshop, University of Houston Law Center, Houston, TX (Apr. 17, 2015) (presenter)
- *Increasing Author Diversity in Legal Scholarship: Individual and Institutional Strategies*, University of Maryland School of Law, Baltimore, MD (Apr. 10, 2015) (panelist)
- *The Local Rules of Patent Procedure*, Boston University School of Law, Boston, MA (Apr. 1, 2015) (speaker)
- *Public Enforcement of Patent Law*, Works-in-Progress Intellectual Property Colloquium, United States Patent & Trademark Office, Washington, D.C. (Feb. 8, 2015) (presenter)
- *Public Enforcement of Patent Law*, Patent Law Workshop, University of San Diego School of Law, San Diego, CA (Jan. 17, 2015) (presenter)
- *Patent Eligibility After Alice v. CLS Bank*, University of San Diego School of Law 5th Annual Patent Law Conference, San Diego, CA (Jan. 16, 2015) (panelist)
- *Discovery in Patent Litigation*, Annual Conference on Intellectual Property Law, The Center for American and International Law, Plano, TX (Nov. 11, 2014) (speaker)
- *Standard Essential Patents*, Brookings Institution Roundtable, Washington, DC (Oct. 16, 2014) (discussant)
- *The Local Rules of Patent Procedure*, Seventh Annual Junior Faculty Federal Courts Workshop, University of Georgia, Athens, GA (Oct. 10-11, 2014) (paper selected for presentation)
- *50 Shades of IP: Navigating the World of Registrations, Depositions, and Appeals from Start to Finish*, ABA Fall Leadership Summit, Washington, DC (Oct. 4, 2014) (panelist)
- *Procedural Hurdles and the Day in Court*, Southeastern Association of Law Schools, Annual Meeting, Amelia Island, FL (Aug. 3, 2014) (discussant)
- *Economic, Ethical and Neo-Tech Theories of Intellectual Property*, Southeastern Association of Law Schools, Annual Meeting, Amelia Island, FL (Aug. 2, 2014) (discussant)

- *Women in Legal Education Q&A*, AALS New Law Teachers Conference, Washington, DC (June 21, 2014) (panelist)
- *Supreme Court Series: Limelight v. Akamai Post-Argument Discussion*, American University, Washington College of Law (April 30, 2014) (moderator)
- *The Local Rules of Patent Procedure*, Works-in-Progress Intellectual Property Colloquium, Santa Clara University School of Law, Santa Clara, CA (Feb. 7, 2014) (presenter)
- *The Local Rules of Patent Procedure*, University of the Pacific, McGeorge School of Law, Sacramento, CA (Feb. 6, 2014) (speaker)
- *Patent and Policy Forum, Current Proposals to Amend U.S. Patent Law*, American University, Washington College of Law (Nov. 8, 2013) (moderator)
- *Supreme Court Series: Medtronic v. Boston Scientific Post-Argument Discussion*, American University, Washington College of Law (Nov. 5, 2013) (panelist)
- *Against Settlement of (Some) Patent Cases*, Mid-Atlantic Patent Works in Progress, American University, Washington College of Law, Washington, DC (Sept. 20, 2013) (presenter)
- *The Local Rules of Patent Procedure*, The Institutions of Patent Law, Southeastern Association of Law Schools, Annual Meeting, Palm Beach, FL (Aug. 5, 2013) (panelist)
- *IP Law and Reform – Same as Before, or a More Fundamental Transformation?*, Southeastern Association of Law Schools, Annual Meeting, Palm Beach, FL (Aug. 4, 2013) (discussant)
- *Against Settlement of (Some) Patent Cases*, Works-in-Progress Intellectual Property Colloquium, Seton Hall School of Law, Newark, NJ (Feb. 23, 2013) (presenter)
- *Against Settlement of (Some) Patent Cases*, Mid-Atlantic Law & Society Association, Annual Meeting, Drexel University School of Law, Philadelphia, PA (Oct. 19, 2012) (paper selected for presentation)
- *Patent Litigation Preview*, Catholic University of America, Columbus School of Law, Washington, DC (Sept. 19, 2012) (moderator)
- *Pedagogical Challenges and Choices in Civil Procedure*, Southeastern Association of Law Schools, Annual Meeting, Discussion Group, Amelia Island, FL (Aug. 2012) (discussant)
- *Patent Law as Public Law*, 5th Annual Junior Scholars in Intellectual Property Workshop, Michigan State University College of Law, East Lansing, MI (May 30-31, 2012) (paper selected for presentation)
- *Post-Grant Review Under the AIA*, Patent and Trademark Office Society, U.S. Patent & Trademark Office, Alexandria, VA (May 9, 2012) (speaker)
- *Patent Law As Public Law*, “Fortnightly IP” Program, University of Maryland School of Law, Baltimore, MD (Mar. 6, 2012) (speaker)
- *Patent Law as Public Law*, Faculty Development Workshop, Catholic University of America, Columbus School of Law, Washington, D.C. (Feb. 16, 2012) (presenter)
- *Patent Law As Public Law*, 2012 Works-in-Progress Intellectual Property Colloquium, University of Houston Law Center, Houston, TX (Feb. 11, 2012) (presenter)
- *The Past, Present, and Future of Declaratory Relief in Patent Cases*, Southeastern Association of Law Schools, Annual Meeting, New Scholars Workshop, Hilton Head, SC (July 29, 2011) (presenter)
- *Challenging Patent Validity After Microsoft v. i4i*, Tenth Annual Symposium on Hot Topics in Patent Law, George Mason University Law School, Arlington, VA (July 19, 2011) (speaker)

- *Developments at the Federal Circuit*, ABA Section of Litigation, Hot Topics in Intellectual Property Litigation, Washington, D.C. (June 10, 2011) (speaker)
- *Tax Strategy Patents*, ABA Tax Section, Annual Meeting, Washington, D.C. (May 6, 2011) (panelist)
- *False Patent Marking*, Pennsylvania Bar Institute's Fifth Annual Intellectual Property Law Forum, Philadelphia, PA (Mar. 30, 2011) (panelist)
- *The Past, Present, and Future of Declaratory Relief in Patent Cases*, 2011 Works-In-Progress Intellectual Property Colloquium, Boston University School of Law, Boston, MA (Feb. 12, 2011) (presenter)
- *The Ethical Ramifications of Therasense: Inequitable Conduct Before the Patent Office*, Critical Insights in the Law and Law Practice: Ethical and Moral Responsibility, Catholic University of America, Columbus School of Law, National Press Club, Washington, D.C. (Sept. 27, 2010) (moderator)
- *Patent Litigation, Personal Jurisdiction, and the Public Good*, Intellectual Property Round Table, Intellectual Property Law Center, Drake University School of Law, Des Moines, IA (Mar. 26, 2010) (presenter)

SELECTED COMMENTARY

- *Doubts Deepen if "Exceptional" Patent Case Fees Include PTAB Work*, BLOOMBERG LAW (Sept. 2, 2021)
- *Patent Jurisdiction Ruling Said to Clash with Precedent*, BLOOMBERG LAW (May 14, 2021)
- *Federal Circuit May Have Its Eye on West Texas Patent Hot Spot*, BLOOMBERG LAW (July 31, 2020)
- *Is There a Fintech Patent War on the Horizon?*, MACHINE LAWYERING (July 16, 2020)
- *The Week in Fintech: Patent Suit Targets Wells Fargo App's Mobile Check Deposit*, S&P CAPITAL (Sept. 4, 2018)
- *Is USAA v. Wells Fargo the Start of a Broader Patent War?*, AM. BANKER (June 11, 2018)
- *In Defense of the Federal Circuit: TC Heartland and Patent Venue*, PATENTLY-O (Feb. 16, 2017) (co-authored with Paul Gugliuzza)
- *What's Behind the Huge Increase In Bank Patent Filings?*, AM. BANKER (July 2, 2015)
- *Full Impact of Supreme Court's Alice Decision on Software Patents Remains Uncertain*, MLEX, MARKET INSIGHT (Sept. 16, 2014)
- *New Degree Offers Options for Legal Professionals*, WASH. POST (Sept. 10, 2014)
- *Delaware's Attractiveness as Venue for Patent Plaintiffs May Be Waning*, MLEX, MARKET INSIGHT (Aug. 27, 2014)
- *Demand Letters, DJ Actions, and Personal Jurisdiction*, PATENTLY-O (Apr. 2, 2014)
- *Summary of Oral Argument in Medtronic v. Boston Scientific*, PATENTLY-O (Nov. 6, 2013)
- *Patent Office Leader, David Kappos, Steps Down as Reforms Go Into Effect*, THE WASHINGTON POST, CAPITAL BUSINESS (Dec. 2, 2012)
- *Summary of Oral Argument in Already LLC d/b/a Yums v. Nike, Inc.*, PATENTLY-O (Nov. 8, 2012)
- *Cupcakes Collide With Tuscaloosa Trademarks*, THE CHRONICLE OF HIGHER EDUCATION (Aug. 27, 2012)
- *Standing to Sue in the Myriad Genetics Case*, PATENTLY-O (Dec. 12, 2011)
- *Antitrust Spat Tests D.C. Courts' Jurisdiction*, NAT'L LAW J. (Oct. 10, 2011)

- *Microsoft Loses Patent Case in the Supreme Court*, MARKETPLACE, AMERICAN PUBLIC MEDIA (June 9, 2011)
- *Microsoft v. i4i Case Could Ripple Through Tech Industry*, INT'L BUS. TIMES (Apr. 19, 2011)
- *Summary of Microsoft v. i4i Oral Argument*, PATENTLY-O (Apr. 18, 2011)

PROFESSIONAL MEMBERSHIPS

- California Bar
- District of Columbia Bar
- American Association of Law Schools
- American Intellectual Property Law Association