

PAUL OHM

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ACADEMIC EXPERIENCE

University of Colorado Law School
Associate Professor (tenured 2011) and LL.M Co-Director
Spring 2006 – present

Courtesy Joint Appointments / Other Affiliations:

Silicon Flatirons Center for Law and Technology, Director of
Information Technology and Intellectual Property Initiative,
Executive Board Member

Interdisciplinary Telecommunications Program, Associate Professor
Alliance for Learning, Technology, and Society, ATLAS Fellow
Center for Science and Technology Policy Research, Faculty Affiliate

ARTICLES

Broken Promises of Privacy: Responding to the Surprising Failure of
Anonymization, 57 *UCLA LAW REVIEW* 1701-1777 (2010).

The Rise and Fall of Invasive ISP Surveillance, 2009 *UNIVERSITY OF
ILLINOIS LAW REVIEW* 1417-1496 (2009).

The Myth of the Superuser: Fear, Risk, and Harm Online, 41 *U.C. DAVIS
LAW REVIEW* 1327-1402 (2008).

ESSAYS, SYMPOSIA CONTRIBUTIONS AND TECHNICAL PAPERS

The Argument Against Technology Neutral Surveillance Laws, 87 *TEXAS
LAW REVIEW* 1685-1713 (2010).

Probably Probable Cause: The Diminishing Importance of Justification
Standards, 93 *MINNESOTA LAW REVIEW* 1514-1560 (2010).

Computer Programming and the Law: A New Research Agenda, 54
VILLANOVA LAW REVIEW 117-153 (2009).

Good Enough Privacy, 2008 *UNIVERSITY OF CHICAGO LEGAL FORUM* 1-
63.

The Olmsteadian Seizure Clause, 2008 *STANFORD TECHNOLOGY LAW
REVIEW* 2 (online journal) (approximately twenty pages).

Doug Sicker, Paul Ohm, and Shannon Gunaji, The Analog Hole and the

Price of Music: An Empirical Study, 5 JOURNAL ON TELECOMMUNICATIONS & HIGH TECHNOLOGY LAW 573-587 (2007).

Paul Ohm, Doug Sicker, and Dirk Grunwald, Legal Issues Surrounding Network Monitoring Research, 2007 PROCEEDINGS OF THE INTERNET MEASUREMENT CONFERENCE 141-148 (invited paper).

SHORT WORKS

Article Response, Massive Hard Drives, General Warrants, and the Power of Magistrate Judges, 97 VIRGINIA LAW REVIEW IN BRIEF 1 (responding to Orin S. Kerr, Ex Ante Regulation of Computer Search and Seizure) (online journal) (2011).

Article Review, Cybersecurity Through Information Theory, JOTWELL, May 19, 2011 (reviewing Derek E. Bambauer, Conundrum) (online journal).

Article Review, I Always Feel Like Somebody's Watching Me, JOTWELL, April 29, 2010 (reviewing Ryan Calo, People Can Be So Fake: A New Dimension to Privacy and Technology Scholarship) (online journal).

Breaking Felten's Third Law: How Not to Fix the Internet, 87 DENVER UNIVERSITY LAW REVIEW DU PROCESS 50-54 (online journal) (2010).

When Network Neutrality Met Privacy, 53 COMMUNICATIONS OF THE ACM 30-32 (2010) (peer reviewed).

The Greatest Threat to Privacy, invited contribution to Deep Packet Inspection, A Collection of Essays from Industry Experts, Office of the Privacy Commissioner of Canada (2009) (online publication).

Forum Commentary, The Fourth Amendment Right to Delete, 119 HARVARD LAW REVIEW FORUM 10 (2005) (online journal).

PUBLISHED
PRIOR TO
ACADEMIC
POSITION

Parallel-Effect Statutes and E-Mail "Warrants": Reframing the Internet Surveillance Debate, 72 GEORGE WASHINGTON LAW REVIEW 1599 (2004).

Comment: On Regulating the Internet: Usenet, a Case Study, 46 UCLA LAW REVIEW 1941 (1999).

WORKS IN
PROGRESS

Big Data and Privacy (expected 2012).

A Surveillance Society But Not a Surveillance State, MISSISSIPPI LAW JOURNAL (forthcoming 2011) (symposium).

Architectural Internet Law: defining a new subspecialty of cyberlaw (with James Grimmelman).

TEACHING

University of Colorado Law School
Computer Crime (S07, F09, F11)
Copyright (S07, S08, S10, S11)
Criminal Procedure (Investigative) (S08)
Information Privacy (F08, F10)
Introduction to Intellectual Property (S06, F06, F07, F08, F10, F11)
Quantitative Methods for Lawyers (S10)
Frequent guest lecturer for colleagues in Law School, Business School,
ATLAS and ITP

George Washington University School of Law (Adjunct)
Computer Crime (F04)

American University, Washington College of Law (Adjunct)
Computer Crime (S03, S04)

UCLA (Collegium of University Fellows)
Cyberlaw: The Bill of Rights and the Internet (S99)

U.S. Department of Justice, Office of Legal Education
Basic Computer Crime (repeatedly)
Computer and Telecommunications Coordinators Seminar (repeatedly)

RELEVANT
SERVICE

Center for Democracy and Technology, Non-Resident Fellow (Inaugural
Class), 2009 – Present

Future of Privacy Forum, Advisory Board Member, 2009 – Present)
(invited)

ABA Criminal Justice Standards Task Force on Transaction Surveillance,
Member, 2007-10 (National task force)

AALS Internet & Computer Law Section, Officer, 2009-10.

Social Science Research Network, Information Privacy Law eJournal
Advisory Board, 2008 - Present (invited board member)

Colorado Bar Intellectual Property Advisory Board, Member, 2010 –
Present.

Colorado Bar Intellectual Property Section Task Force, Member, 2008.

Pro Bono Legal Representation, Attorney Advisor, Hepting v. AT&T (EFF
litigation relating to NSA Wiretapping), 2006 – 2007

University Service
Member, School of Information Task Force (2009 – 2010)
Advisory Board Member, Alliance for Technology, Learning & Society

(ATLAS) (2009 – present)

Member, University of Colorado, Committee on University Discoveries
(2006 – present)

Member, Interdisciplinary Telecommunications Program Faculty
Search Committee (2008-09, 2009-10)

Law School Service

Member, Law School Dean Search Committee (2010-11)

Chairperson, Faculty Appointments Committee (2011-12)

Member, Faculty Appointments Committee (2008; 2009-10, 2010-11)

Chairperson, Technology Committee (2006-10)

Member, Publicity and Outreach Ad Hoc Committee (2010)

Member, Student Fee Committee (2007 – 2009)

Member, Law School Website Redesign Committee (2006 – 2008)

Member, Law School Search Committees:

 Law Library Director (2010-11)

 Information Technology Director (2006)

 Director of Communications and Alumni Support (2006)

Faculty Advisor, Journal on Telecommunications & High Technology
Law, (2006 – present)

Faculty Advisor, Asian and Pacific American Law Students
Association, University of Colorado Chapter (2007 – present)

HONORS

University of Colorado Provost's Faculty Achievement Award, October
2010.

Deiter Meurer Prize for Law and Informatics, Awarded by the German
Association for Computing and the Judiciary and Juris, September 2010.

Excellence in Teaching Award, University of Colorado Law School, 2009-
10.

Outstanding New Faculty Member, University of Colorado Law School
Class of 2008.

PROFESSIONAL EXPERIENCE

United States Department of Justice, Computer Crime and Intellectual
Property Section, Honors Program Trial Attorney, 2001 – 2005

Hon. Betty Binns Fletcher, U.S. Court of Appeals for the Ninth Circuit,
Law Clerk, 2000 – 2001

Hon. Mariana Pfaelzer, U.S. District Court for the Central District of
California, Law Clerk, 1999 – 2000

RAND Corporation, Computer Programmer, 1994 – 1996

EDUCATION

UCLA School of Law, J.D., 1999; UCLA Law Review, Articles Editor;

Benjamin Aaron Award; Jerry Pacht Prize

Yale University, B.S., Computer Science, B.A., Electrical Engineering, 1994

NOTABLE
PRESENTATIONS

Panelist, Electronic Privacy Revisited, American Constitution Society for Law & Policy (ACS) 2011 National Convention, Washington DC, June 18, 2011.

Panelist, Cutting-Edge Issues in Privacy Regulation, Law and Society (LSA) Annual Meeting, San Francisco, CA, June 5, 2011.

Big Data and Privacy, Privacy Law Scholars Conference, Berkeley, California, June 3, 2011.

Seminar on Privacy and Data Anonymization, London, England, UK Information Commissioner's Office, March 30, 2011.

Rethinking the Fourth Amendment: Why the Coming Surveillance Society Need Not Lead to a Surveillance State, University of Mississippi School of Law National Center for Justice and the Rule of Law, Fourth Amendment Symposium, Oxford, Mississippi, March 9 - 11, 2011.

Bugs, Santa Clara Law School, Internet Law Scholars Conference, March 5, 2011.

Privacy and Intermediaries, Stanford Law School, Symposium of the Stanford Technology Law Review, March 3, 2011

Rethinking the Fourth Amendment, University of Pennsylvania School of Law, Symposium of the Pennsylvania Journal of Constitutional Law, January 28, 2011.

Privacy and Data Analytics, 32nd International Conference of Data Protection and Privacy Commissioners, Jerusalem, Israel, October 27-28, 2010

“Dieter Meurer Prize Lecture,” Conference for the German Association for Computing and the Judiciary, Saarbrücken, Germany, September 16, 2010 (awarded prize winner).

Appellate Judges Education Institute, Dallas, Texas, November 19, 2010 (invited panelist).

Centre for Information Policy Leadership, 2010 Annual Membership Retreat, July 22, 2010 (invited panelist).

“Privacy 3.0”, Conference of Western Attorneys General Annual Meeting, Santa Fe, New Mexico, July 18 - 21, 2010 (invited panelist).

“The Benefits of the Old Privacy: Restoring the Focus to Traditional Harm”, Privacy Law Scholars Conference, June 4, 2010 (accepted paper).

“What Do You Mean by Anonymization?”, International Association of Privacy Professionals Global Privacy Summit, April 20, 2010 (accepted speaker).

Symposium on Technology, Privacy, and National Security, Texas Law Review, February 5 – 7, 2010 (invited presenter and author).

“Broken Promises of Privacy,” Law and Information Society Faculty Workshop Series, Center on Law and Information Policy Fordham University Law School, January 22, 2010 (invited presenter).

“Fusion Centers and Beyond: New Challenges to Privacy”, 2010 AALS Annual Meeting, Section on Defamation and Privacy, January 8, 2010 (invited panelist).

Symposium on Cyber Civil Rights, Denver University Law Review, November 20, 2009 (invited presenter and author).

“Broken Promises of Privacy,” Joint Presentation to Information Technology and Society Colloquium Series and Distinguished Seminar Series on Security and Privacy, New York University School of Law, November 12, 2009 (invited speaker).

“Justice, Law Enforcement, and the Legal Profession in the Age of Social Networking,” U.C. Berkeley School of Law, Oct. 23, 2009 (invited panelist).

“Limitless Probable Cause: The Misguided Debate Over Justification Standards”, University of Minnesota Law School, Oct. 16, 2009 (invited presenter and author).

“Broken Promises of Privacy,” Center for Information Property Law and Information Technology, DePaul University College of Law, Oct. 15, 2009 (invited speaker).

“The Probability of Privacy,” Privacy Law Scholars Conference, Berkeley, CA, June 2009 (accepted abstract).

“The Probability of Privacy,” Princeton Center for Information Technology Policy, April 2009.

“The Probability of Privacy,” Harvard Center for Research on Computation and Society and Berkman Center, March 2009.

“The Probability of Privacy,” University of Washington Computer Science & Engineering, Faculty Workshop, March 2009

“The Probability of Privacy,” University of Washington School of Law,

Rising Scholars Colloquia Series, March 2009

“The Rise and Fall of Invasive ISP Surveillance,” Information Security Best Practices Conference, Wharton School, University of Pennsylvania, January 2009

“The Rise and Fall of Invasive ISP Surveillance,” Faculty Colloquium Speaker Series, New York Law School, October 2008

“Twenty-Five Years of Mandatory Network Neutrality,” Telecommunications Privacy Research Conference, George Mason University Law School, September 2008

“Network Management and the Electronic Communications Privacy Act,” Invited Speaker at Privacy Law Scholars Conference, George Washington University Law School, June 2008

“Reasonable Network Management or Illegal Wiretapping?,” Invited Panelist at Computers, Freedom, and Privacy 2008, Yale Law School Information Society Project, May 22, 2008

“Good Enough Privacy,” Invited Speaker at University of Chicago Legal Forum Symposium on “Law and Networks,” October 28, 2007

“Legal Issues in Network Monitoring Research,” Invited Speaker at Internet Measurement Conference, San Diego October 26, 2007

“What Lies Between Privacy and Security: The Problem with Justification Standards,” Telecommunications Policy Research Conference, George Mason University Law School, September 29, 2007

“The Olmsteadian Seizure Clause,” Stanford Technology Law Review Symposium, Jan. 28, 2007

CONFERENCES
ORGANIZED

Privacy and the Press, December 3, 2010 (organizer, presenter, and moderator).

Patents and Free and Open Source Software, Silicon Flatirons, April 29, 2010 (organizer and moderator).

Putting the Law Online: A Law.gov Workshop, Silicon Flatirons, April 2, 2010 (organizer and presenter).

Reforming Internet Privacy Law, Silicon Flatirons, December 2, 2009 (organizer and moderator).

The Rise of Broadband Video and the Future of Digital Media, Silicon Flatirons, October 12, 2009 (moderator).

The Digital Broadband Migration 2009: Imagining the Internet's Future, Silicon Flatirons, Feb. 8, 2009 (moderated panel on Network Neutrality)

The Law and Ethics of Network Monitoring, Silicon Flatirons, December 5, 2008 (organizer and moderator)

The Digital Broadband Migration 2008: Technology Policy for the Next Administration, Silicon Flatirons, February 11, 2008 (moderated panel on Privacy and Security).

The Web and the West, Silicon Flatirons, March 20, 2007 (panelist on "The Democratic Impulse" panel)

Re-examining Open Source and Community Development, Silicon Flatirons, March 5, 2007 (organizer and moderator)

The Digital Broadband Migration 2007, Silicon Flatirons, Feb. 11, 2007 (moderated panel on Network Neutrality)

The Challenges of Information Management, Silicon Flatirons, March 13, 2006 (panelist on Data Security panel)

The Digital Broadband Migration 2006, Silicon Flatirons, Feb. 19, 2006 (moderated panel on DRM)

EMPIRICAL
PROJECTS

Software Regulation Clearing House, Silicon Flatirons 2005 – present (Director) Kauffman Foundation Grant (online repository of laws regulating software development, with submitted commentary memos)

Altlaw.org, 2006 – present, Co-Founder (with Tim Wu, Columbia Law) (free, publicly available database of federal court opinions)

Participant, University of Colorado Text Analysis Community (CTAC), 2006 – Present (interdisciplinary working group of researchers investigating text analysis)

OTHER
RELEVANT
EXPERIENCE

Brief and Comment Writing

Brief of Amici Curiae Law Professors and Instructors, *Rehberg v. Paulk* (11th Cir. 2010) (primary author) (helped convinced Federal appeals court to amend opinion to lessen negative impact on Fourth Amendment privacy interests).

Comment to Register of Copyrights and Librarian of Congress Seeking Exemption to DMCA for Security Research (2009) (on behalf of Alex Halderman) (with Blake Reid, Harry Surden, and Brad Bernthal) (convinced Department of Congress to impose new exception to federal anti-circumvention law).

Brief of Amicus Curiae Electronic Frontier Foundation, *Bunnell v. MPAA* (9th Cir. 2008) (with Marcia Hoffman and Kevin Bankston).

Brief of Amici Curiae Experts in Computer Forensics Computer Technology, *U.S. v. Andrus* (10th Cir. 2007) (with Jennifer Granick).

Blogging

Permanent Blogger, *Freedom to Tinker*, October 2008 – Present

Guest Blogger, *PrawfsBlawg*, March 2010.

Guest Blogger, *Concurring Opinions*, August 2008 and March 2007

Guest Blogger, *Volokh Conspiracy*, April 2007