

WILLIAM W. FISHER III

EDUCATION

Ph.D., Harvard University (History of American Civilization), 1991
J.D., magna cum laude, Harvard Law School, 1982
B.A., summa cum laude, Amherst College (American Studies), 1976

HONORS

Postdoctoral Fellowship, Center for Advanced Study in the
Behavioral Sciences, Stanford, California (1992-1993)
Danforth Postbaccalaureate Fellowship (1978-1982)
Sears Prize, Harvard Law School (1977)

PROFESSIONAL EXPERIENCE

Wilmer Hale Professor of Intellectual Property Law, Harvard Law
School, 2003-present
Director, Berkman Center for Internet & Society, 2002-present
Professor of Law, Harvard Law School, 1990-2003
Director, Harvard Program on Legal History, 1988-2002
Assistant Professor, Harvard Law School, 1984-1990
Law clerk to Justice Thurgood Marshall, United States Supreme
Court, 1983-1984
Law clerk to Judge Harry T. Edwards, United States Court of
Appeals, D.C. Circuit, 1982-1983
Teaching Fellow, History and Literature Department, Harvard
College, 1978-1982

BOOKS

The Canon of American Legal Thought (with David Kennedy) (Princeton
University Press 2006)
Promises to Keep: Technology, Law, and the Future of Entertainment
(Stanford University Press 2004)
Legal Reform in Central America: Dispute Resolution and Property Systems
(with Martha A. Field) (Kennedy School of Government 2001)
American Legal Realism (with Morton J. Horwitz and Thomas A.
Reed) (Oxford University Press 1993)

- “American Legal Education and Legal Theory in the Twentieth Century,” in Christopher Tomlins, ed., *The Cambridge History of Law in America* (Cambridge University Press, 2008)
- “When Should We Permit Differential Pricing of Information?” *UCLA Law Review* 55 (2007): 1
- “Global Justice in Health Care: Developing Drugs for the Developing World” (with Talha Syed), *U.C. Davis Law Review* 40 (2007): 581
- “Film and Media Studies and the Law of the DVD” (with Jacqueline Harlow), *Cinema Journal* 45:3 (Spring 2006)
- “Copyright,” “Patent,” and “Intellectual Property,” *Encyclopædia Britannica* (2004)
- “The Impact of Terminator Gene Technologies on Developing Countries,” in Timothy Swanson, ed., *Biotechnology, Agriculture, and the Developing World* (Edward Elgar Publishing 2002)
- “Property and Power in American Legal History,” in Ron Harris et al., eds., *The History of Law in a Multi-Cultural Society* (Ashgate 2002)
- “Intellectual Property and Innovation: Theoretical, Empirical, and Historical Perspectives,” in *Industrial Property, Innovation, and the Knowledge-based Economy*, *Beleidsstudies Technologie Economie*, Vol. 37 (2001)
- “Property and Contract on the Internet,” *Chicago-Kent Law Review* 73 (1999): 1203
- “Theories of Intellectual Property,” in *New Essays in the Legal and Political Theory of Property* (S. Munzer ed., Cambridge University Press, 2001)
- “Geistiges Eigentum – ein ausufernder Rechtsbereich: Die Geschichte des Ideenschutzes in den Vereinigten Staaten,” in *Eigentum im internationalen Vergleich* (Vandenhoeck & Ruprecht, 1999), 265-91
- “Texts and Contexts: The Application to American Legal History of the Methodologies of Intellectual History” *Stanford Law Review* 49 (1997): 1065 (also published in *History and European Private Law: Development of Common Methods and Principles* (Stockholm: Nerenius & Santérus, 1997), 29-66)
- “Interpreting Holmes,” *Harvard Law Review* 110 (1997): 1010
- “Critical Legal Studies” and “Law and Economics,” in Richard Fox and James Kloppenberg, eds., *A Companion to American Thought* (Blackwell, 1995)
- “Ideology and Imagery in the Law of Slavery,” *Chicago-Kent Law Review* 68 (1993): 1051 (revised and expanded version published in Paul Finkelman, ed., *Slavery and the Law* (Madison House 1997), 43-85)
- “The Trouble with Lucas,” *Stanford Law Review* 45 (1993): 1393
- “The Development of Twentieth-Century American Legal Theory

- and the Judicial Interpretation of the Bill of Rights,” in Michael Lacey & Knud Haakonssen, eds., *A Culture of Rights* (Cambridge University Press, 1991), 266-365
- “Ideology, Religion, and the Constitutional Protection of Private Property, 1760-1860,” *Emory Law Journal* 39 (1990): 65
- “The Jurisprudence of Justice Marshall,” *Harvard Blackletter Journal* 6 (1989): 132
- “The Significance of Public Perceptions of the Takings Doctrine,” *Columbia Law Review* 88 (1988): 601
- “Reconstructing the Fair Use Doctrine,” *Harvard Law Review* 101 (1988): 1659

INTERNET PUBLICATIONS

- “The Digital Learning Challenge: Obstacles to Educational Uses of Copyrighted Material in the Digital Age” (with William McGeeveran) (August 2006), <http://cyber.law.harvard.edu/media/files/copyrightandeducation.html>
- “The South Africa AIDS Controversy: A Case Study in Patent Law and Policy” (with Cyril P. Rigamonti) (February 10, 2005) <http://cyber.law.harvard.edu/people/tfisher/South%20Africa.pdf>
- “Digital Music: Problems and Possibilities” (October 10, 2000), http://www.law.harvard.edu/Academic_Affairs/coursepages/tfisher/Music.html
- The Bridge* (with Abram Chayes, Morton Horwitz, Frank Michelman, Martha Minow, Charles Nesson, & Todd Rakoff) (1999), <http://con.law.harvard.edu/bridge/>

REVIEWS

- “Stories about Property,” *Michigan Law Review* 94 (1996): 1776
- “Making Sense of Madison,” *Journal of Law and Social Inquiry* 18 (1993): 547
- “The Defects of Dualism,” *University of Chicago Law Review* 59 (1992): 955
- Review of *Liberty, Property, and the Future of Constitutional Development*, by Ellen Paul and Howard Dickman, *Business History Review* (Spring 1991): 161
- “Webster's Legal Legacy,” *Reviews in American History* 18 (1990): 44

WORKS IN PROGRESS

- Drugs, Law, and the Global Health Crisis* (with Talha Syed) (forthcoming, Stanford University Press, 2009)

Internet Law (with Jonathan Zittrain, Charles Nesson, Lawrence Lessig, and Yochai Benkler) (forthcoming, Foundation Press, 2008)

The Law of the Land: An Intellectual History of American Real Property Doctrine, 1776-1940 (forthcoming, Oxford Univ. Press)

CONSULTING AND TESTIMONY

Testimony on “The Internet and the College Campus: How the Entertainment Industry and Higher Education are Working to Combat Illegal Piracy,” before the Subcommittee on Twenty-First Century Competitiveness of the Committee on Education and the Workforce, United States House of Representatives (Sept. 26, 2006)

Expert Witness on behalf of American webcasters and broadcasters concerning the digital performance right in sound recordings, Copyright Arbitration Royalty Panel, No. 2000-9

Adviser to Gotuit Media (<http://www.gotuit.com/>), 2000-present

Adviser to the United Kingdom Department for International Development concerning the impact of “terminator-gene” technology on developing countries, 1999

Adviser to the Presidents of Guatemala, Honduras, El Salvador, Nicaragua, and Costa Rica concerning the reform of property and intellectual-property systems in those countries, 1997-2001

Consultant to many private clients concerning copyright, patent, and trademark law