

## **JESSICA M. KISER**

Gonzaga University School of Law  
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### ***ACADEMIC EXPERIENCE***

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- Gonzaga University School of Law, Spokane, WA**  
*Associate Professor* 2018 - Present  
*Director, Gonzaga University Wine Institute* 2019 - Present  
*Associate Dean for Faculty Research & Development* 2018-2020  
*Assistant Professor* 2012 - 2018
- Rita G. and Norman L. Roberts Faculty Scholar, 2015 – 2018
  - Courses: Property Law, Business Associations, Intellectual Property Law, Advanced Trademark and Unfair Competition Law, Agency and Unincorporated Entities, Corporations, and International and Comparative Intellectual Property Law
- Loyola University New Orleans College of Law** 2010 - 2012  
*Westerfield Fellow*
- Courses: Legal Research and Writing I, Legal Research and Writing II, and Contract Drafting

### ***EDUCATION***

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#### **Columbia Law School**

Juris Doctor

- Harlan Fiske Stone Scholar
- Senior Editor, *Columbia Journal of Law and the Arts*
- Kirkland & Ellis Diversity Fellowship
- Fred E. & Claire R. Strine Scholar
- Kernochan Center Arts Law Summer Fellowship

#### **Boston University**

B.A., Cultural Anthropology, *Summa Cum Laude* with distinction

B.S., Communication (Advertising), *Summa Cum Laude*

- Phi Beta Kappa
- Trustee Scholarship
- Scarlet Key Award (for service to Boston University)
- College Prize for Excellence in Anthropology (top graduate in Anthropology)
- Distinguished Student Award (top graduate in Communication)

### ***HONORS AND AWARDS***

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Rita G. and Norman L. Roberts Faculty Scholar, 2015 – 2018

Ladas Memorial Award – Professional Category, International Trademark Association, 2018

Professor of the Year, Gonzaga University School of Law, 2018

## ***PUBLICATIONS & WORKS IN PROGRESS***

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*Wallpaper By Any Other Name*, 68 SYRACUSE L. REV. 117 (2018).

*Brandright*, 70 ARK. L. REV. 489 (2017).

- This article won the International Trademark Association's 2018 Ladas Memorial Award, which is granted annually to the best law review article on the topic of trademark law.

*Brands as Copyright*, 61 VILL. L. REV. 1 (2016).

*To Bully or Not to Bully: Understanding the Role of Uncertainty in Trademark Enforcement Decisions*, 37 COLUM. J. L. & ARTS 211 (2014).

*How Dykes on Bikes Got It Right: Procedural Inequities Inherent in the Trademark Office's Review of Disparaging Trademarks*, 46 U.S.F.L. REV. 1 (2011).

*Beware of the Blog*, COPYRIGHT WORLD, February 2010, at 22 (with Rita Berardino).

*The Burden of Proof: Perceptions of Native Americans as an Example of Ethnic Ambiguity* (May 2003) (unpublished Honors Thesis, Boston University).

*An Empirical Study of How Market Incentives Impact Trademark Bullying* (Work in Progress).

*You Don't Own Me: Reframing Trademark Ownership in the Modern Collaborative Economy* (Work in Progress).

## ***SCHOLARLY PRESENTATIONS***

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Presenter and Conference Organizer, *Using Trademark and Copyright Law to Build a Strong Wine Brand*, Gonzaga University's Women Lead – Napa Valley Conference, St. Helena, CA, February 22, 2020.

Presenter, *Trademark Ownership and Value Co-Creation*, Faculty Workshop Series, at The Pennsylvania State University Law School at University Park, March 14, 2019.

Presenter, *Spirits Law: Brand Building in the Alcoholic Beverage Industry*, Gonzaga University School of Law's Sports & Spirits CLE, Las Vegas, NV, March 11, 2019.

Moderator and Discussant, *Best Practices in Teaching Sensitive and Controversial Topics*, Faculty Speaker Series, at Gonzaga University School of Law, Spokane, WA, February 14, 2019.

Presenter, *Trademark Ownership and Value Co-Creation*, Ninth Annual INTA Trademark Scholarship Symposium, at International Trademark Association's 2018 Annual Meeting, May 22, 2018.

Presenter, *Trademark Ownership and Value Co-Creation*, at 2018 Works-in-Progress Intellectual Property Colloquium, Case Western Reserve University School of Law, February 16-17, 2018.

Presenter, *Brandright*, Pacific Intellectual Property Scholars Conference IV, co-hosted by the University of Washington School of Law and Seattle University School of Law, Seattle, WA, September 30, 2017.

Panelist, *Trademark Morality: The Cultural and Expressive Implications of Regulating Immoral and Offensive Trademarks*, at the Southeastern Association of Law Schools 2017 Annual Meeting, Boca Raton, FL, August 4, 2017.

Discussant, Discussion Group: *Digital Pressures in Intellectual Property Law*, at the Southeastern Association of Law Schools 2017 Annual Meeting, Boca Raton, FL, August 4, 2017.

Presenter, *Wallpaper by any Other Name*, Syracuse Law Review's Forgotten IP Cases Symposium, Washington, D.C., April 22, 2017.

Presenter, *Brandright*, at Gonzaga University School of Law, Spokane, WA, April 5, 2017.

Presenter, *Brandright*, Junior Intellectual Property Scholars Workshop, at The Ohio State University Moritz College of Law, January 20-21, 2017.

Presenter, *Brandright: Finding a Place for Brands*, Junior Scholars Virtual Colloquium, hosted by the University of Toledo College of Law, August 12, 2016.

Presenter, *Brandright: Finding a Place for Brands*, Inland Northwest Scholars Workshop, at Gonzaga University School of Law, August 1, 2016.

Presenter, *Finding a Place for Brands*, Seventh Annual INTA Trademark Scholarship Symposium, at International Trademark Association's 2016 Annual Meeting, May 25, 2016.

Presenter, *Market Responsiveness to Trademark Litigation: Designing an Empirical Study*, at Gonzaga University School of Law, April 14, 2016.

Presenter, *Market Responsiveness to Trademark Litigation*, at 2016 Works-in-Progress Intellectual Property Colloquium, University of Washington School of Law, February 19, 2016.

Presenter, *Brands as Copyright*, at Inaugural Texas A&M Intellectual Property Scholars Roundtable, Texas A&M University School of Law, October 10, 2015.

Presenter, *Growing Your IP Business: Ethical Risks Posed by Prospective, Current and Former Clients*, at Inaugural Gonzaga Intellectual Property Merit Scholarship CLE, Gonzaga University School of Law, September 25, 2015.

Presenter, *Undercover Copyright: Brand Theory and the Evolution of Trademarks*, at Inland Northwest Scholars Workshop, University of Idaho School of Law, July 31, 2015.

Presenter, *Undercover Copyright: Brand Theory and the Evolution of Trademarks*, Junior Scholars Virtual Colloquium, hosted by the Louis D. Brandeis School of Law at the University of Louisville, July 22, 2015.

Presenter, *Quality Control, Naked Licensing, and Consumer Trademark Use*, Rocky Mountain Junior Scholars Forum, hosted by University of Utah S. J. Quinney College of Law, November 13-14, 2014.

Presenter, *Naked Licensing*, Junior Scholars Virtual Colloquium, hosted by Michigan State University College of Law, August 8, 2014.

Presenter, *Trademark's Fans*, Inland Northwest Scholars Workshop, Gonzaga University School of Law, July 14, 2014.

Participant, *Law and Economics Center's Workshop for Law Professors on Empirical Methods*, George Mason University School of Law, Arlington, VA, May 19-23, 2014.

Panelist and Guest Lecturer, *Racial Mascotting and Trademark Law*, University of Washington School of Law, Seattle, WA, May 8, 2014.

Presenter, *Trademark Law as Corporate Law*, at 2014 Works-in-Progress Intellectual Property, Santa Clara University School of Law, February 7-8, 2014.

Founder and Presenter, *Trademark Bullying and the Duty to Police Infringement*, at the Junior Scholars Virtual Colloquium, hosted by Gonzaga University School of Law, July 17, 2013.

Commenter, at the Drake Intellectual Property Scholars Roundtable, Drake University Law School, Des Moines, IA, March 12-13, 2013.

Invited participant for the inaugural University of New Hampshire IP Academics Bootcamp, Holderness, NH, June 6-8, 2013.

Moderator, *International Business & Trade: From Policy to Practice*, at the Gonzaga Journal of International Law 2013 Annual Spring Symposium, Gonzaga University School of Law, March 22, 2013.

Presenter, *Trademark Bullying and the Duty to Police Infringement*, at Seattle University School of Law, March 4, 2013.

Presenter, *Trademark Bullying and the Duty to Police Infringement*, at Gonzaga University School of Law, February 28, 2013.

Presenter, *Copyright: A Year in Review*, at the Washington State Bar Association's 5<sup>th</sup> Annual Inland Empire Intellectual Property Institute, Gonzaga University School of Law, October 12, 2012.

Presenter, *Registration of Disparaging Trademarks Under the Lanham Act*, at Emerging Legal Scholarship: Teaching Fellows Annual Conference, Loyola University New Orleans College of Law, March 25, 2011.

Presenter, *Facing Facebook: Potential Trademark Concerns*, at Kirkland & Ellis LLP KTECH Training, New York, July 2009.

Presenter, *Douglas v. Talk America*, at Kirkland & Ellis LLP KTECH Training, New York, January 2008.

## **LEGAL PRACTICE EXPERIENCE**

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### ***Associate, Kirkland & Ellis LLP***

September 2007 – June 2010

#### ***Transactional Intellectual Property Group***

Assisted clients with the management of intellectual property portfolios including the filing of copyright and trademark applications, responding to office actions from the United States Patent and Trademark Office, and the monitoring of third party trademarks. Coordinated the intellectual property due diligence and negotiations for venture capital financings and mergers and acquisitions involving pharmaceutical, biotechnology, software, manufacturing, consumer product and communications companies. Negotiated and drafted a wide range of corporate agreements, including stock and note purchase agreements, merger agreements, trademark and patent licenses, development and supply agreements, and web hosting agreements.

### ***Intern, Thirteen/WNET-New York***

Summer 2005

Researched and drafted memoranda on sweepstakes law, defamation, copyright law, and FCC broadcast regulations. Informed client of complex New York registration requirements, which led to the complete revision of an annual promotional sweepstakes.

## **ACADEMIC SERVICE**

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### **Gonzaga University School of Law**

- **Law School Pandemic Response Committee, Chair, 2020-2021**
- **Academic Committee of the Pandemic Response Task Force, 2020**
- **Ad Hoc Curriculum Reform Committee, 2020**
- **Budget Committee, Chair, 2018-2019, 2020-2021**
- **Assessment Committee, 2018-2019**
- **Building Audit Committee, Chair, 2018-2019**
- **Building Signage Audit Committee, 2018-2019**
- **Bar Exam Program Redesign Committee, 2018-2019**

- **ABA Site Visit Preparation Committee**, 2018-2019
- **Promotion, Retention and Tenure Committee**, 2018-2019, 2020-2021
- **Ad Hoc CLIPS-CCHR Merger Committee**, 2018-2019
- **CCHR 1<sup>st</sup> Annual Art Competition Selection Committee**, 2019
- **Cataldo Project Board of Advisors**, 2017-2019
- **Faculty Senate**, Law School Representative, 2014-2015 & 2017-2018
- **Academic Affairs Committee**, Member, 2016-2018
- **Dean's Advisory Committee**, Member, 2013-2014, Chair, 2015-2018
- **Innovation Committee**, Member, 2016-2017
- **Honor Code Committee**, Member, Tribunal Chair (several times), 2015-2016
- **Ad Hoc Clinic Review Committee**, Member, 2015-2016
- **Student Scholarship Committee**, Member, 2014-2015, 2020
- **Diversity Committee**, Member, 2014-2015
- **Admissions Committee**, Member, 2013-2015
- **Faculty Recruitment Committee**, 2012-2013
- **Cannabis Law Club**, Faculty Advisor, 2017-2019
- **Student Animal Legal Defense Fund**, Faculty Advisor, 2015-2019
- **Law Parenting Collective**, Co-organizer with Kim Pearson and Sarah Guzman, 2014-2018
- **DiversiTea**, Co-organizer with Kim Pearson and Inga Laurent, 2014-2018
- **Moot Court Honors Council**, Faculty Advisor, 2013-2018
- **Gonzaga Intellectual Property Law Association**, Faculty Advisor, 2012-Present

#### **Loyola New Orleans College of Law**

- **Vis International Arbitration Moot Court**, Faculty Advisor, 2010-2012
- **National Moot Court**, Faculty Advisor, 2010-2012

#### **PROFESSIONAL SERVICE**

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**Intellectual Property Section, The Association of American Law Schools**  
Board Member, 2016-2017

#### **BAR ADMISSIONS**

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New York  
District of Columbia  
Washington