

# JENNIFER E. STURIALE

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## CURRENT POSITION

**Widener University, Delaware Law School**, Wilmington, DE 2022-Present  
*Assistant Professor of Law*, Civil Procedure I, Civil Procedure II,  
Property I

## EDUCATION

**Georgetown University Law Center**, L.L.M. 2012  
*Law Research Fellow*, L.L.M. awarded for successful completion of Fellowship  
*Lecturer*, co-taught first-year Property with Professor David A. Super

**Georgetown University Law Center**, J.D., *magna cum laude* 2004  
Executive Articles Editor, *Georgetown Law Journal*  
Order of the Coif  
Dean's List, 2001-2004  
Raymund T. Yingling Scholarship  
*Research and Teaching Assistant to Steven C. Salop, Antitrust Law*, Fall 2002-Spring 2004  
*Research Assistant to Professor Gaurang Mitu Gulati*, Summer 2002

**Duke University**, B.A., *magna cum laude* 1996  
Phi Beta Kappa, elected as a Junior  
Student Marshal, 1995  
Dean's List with Distinction, 1993-1996

## TEACHING INTERESTS

*Primary:* Civil Procedure and related courses (Advanced Civil Procedure, Complex Litigation, Class Actions); Intellectual Property (Copyright, Patent, Trademark, a survey course, technology-focused courses); Antitrust; Property; Conflicts of Law; Federal Courts

*Additional:* Administrative Law, Evidence, Tax, Trusts and Estates, Privacy Law, Entertainment Law

## PUBLICATIONS

[\*The Other Shadow Docket: The JPML's Power to Steer Major Litigation\*](#),  
2023 U. ILL. L. REV. 105

[\*Fixing "Litigating the Fix"\*](#),  
85 ANTITRUST L. J. \_ (forthcoming 2023) (with Steven C. Salop)

[\*A Balanced Consideration of the Federal Circuit's Choice-of-Law Rule\*](#),  
2020 UTAH L. REV. 475

[\*Hatch-Waxman Patent Litigation and Inter Partes Review: A New Sort of Competition\*](#),  
69 ALA. L. REV. 59 (2017)

[\*Variety, Mergers, and Consumer Well-Being: Towards A Capability Approach to Merger Law\*](#),  
117 W. VA. L. REV. 135 (2014)

[\*Compulsory Licensing of Intellectual Property As Merger Remedy: A Decision-Theoretic Approach\*](#),  
72 LA. L. REV. 605 (2012)

[\*The Passage of Community Property Laws, 1939-1947: Was "More Than Money" Involved?\*](#),  
11 MICH. J. GENDER & L. 213 (2005)

## **WORKS-IN-PROGRESS**

INNOVATION AND COMPETITION, CASES AND MATERIALS (3d ed.) (forthcoming \_) (with Herbert Hovenkamp)

*Gendering Antitrust*

*An Empirical Analysis of the Assignment of MDL Judges* (with Margaret Williams)

*The Path Forward for Hatch-Waxman Patent Litigation*

## **OTHER PUBLICATIONS**

[\*Vertical Merger Enforcement in the Draft Merger Guidelines\*](#), ProMarket (July 28, 2023) (with Steven C. Salop)

[\*The FTC Should Quickly Issue New Section 5 Enforcement Guidelines\*](#), ProMarket (July 26, 2022) (with Steven C. Salop)

POVERTY AND INCOME TRENDS: 1995 (Center on Budget and Policy Priorities 1997)

STATE-BY-STATE CENSUS DATA FOR FISCAL YEAR 1993-94: STATE AND LOCAL GOVERNMENT FINANCES (with Elizabeth McNichol and Nicholas Johnson) (Center on Budget and Policy Priorities 1997)

IS CONNECTICUT A HIGH-TAX STATE? (with Nicholas Johnson) (Center on Budget and Policy Priorities 1997)

## **JUDICIAL CLERKSHIP**

**Hon. Robert A. Katzmann, U.S. Court of Appeals for the Second Circuit, New York, NY** 2004-2005

## ADDITIONAL TEACHING EXPERIENCE

<b>University of Maryland, Francis King Carey School of Law</b> , Baltimore, MD <i>Visiting Assistant Professor of Law</i> , Civil Procedure, Property, Complex Litigation	2021-2022
<b>Harvard Law School</b> , Cambridge, MA <i>Climenko Fellow and Lecturer on Law</i> , Legal Research and Writing and Procedural Law's Trans-substantivity Principle (reading group)	2018-2020
<b>Georgetown University Law Center</b> , Washington, DC <i>Director, Academic Programs</i> , Institute for Technology Law and Policy Designed curriculum for new Master of Law and Technology degree; designed and taught three courses related to technology, competition, and intellectual property law. Managed technology-related curriculum and academic programs. Advised JD, LL.M., and MLT students. Organized and moderated the Tech Speaker Series.	2020-2021
<i>Georgetown Law Scholar</i> <i>Adjunct Professor of Law</i> , Advanced Antitrust Economics and the Law	2016-2018
<b>George Mason University School of Law</b> , Arlington, VA <i>Visiting Assistant Professor of Law</i> , Civil Procedure and Intellectual Property	2012-2014

## PRESENTATIONS

<i>Gendering Antitrust</i> (Invited Speaker) Antitrust Scholars Roundtable, University of California, Irvine School of Law	October 2023 (anticipated)
<i>Challenges to More Vigorous Enforcement: Agency Strategy, Guidance, and Authority</i> (Invited Panelist) 24th AAI Annual Policy Conference: Taking Stock of Antitrust's Pro-Enforcement Movement	May 2023
<i>Fixing "Litigating the Fix"</i> (Invited Speaker) 23rd Annual Loyola Antitrust Colloquium, Institute for Consumer Antitrust Studies Loyola University Chicago School of Law	April 2023
<i>Gendering Antitrust</i> Intellectual Property Scholars Conference, Stanford Law School	August 2022
<i>The Emergent Right to Repair</i> , Competition Issues (Moderator) Berkeley Center for Law & Technology & Spangenberg Center for Law, Technology and the Arts at Case Western	April 2022
<i>Antitrust and "Big Tech": Litigation or Regulation?</i> (with FTC Commissioners Noah Philips and Becca Slaughter) Anchor Event, University of Maryland Law School	March 2022
<i>Bruce Schneier, the Internet of Things</i> (Moderator) Tech Speaker Series, Institute for Technology Law & Policy, Georgetown University Law Center	March 2021

<i>Charlie Warzel, the Media and Technology</i> (Moderator) Tech Speaker Series, Institute for Technology Law & Policy, Georgetown University Law Center	March 2021
<i>Steve Salop, Mark Silverstein, Digital Platforms and Competition</i> (Moderator) Tech Speaker Series, Institute for Technology Law & Policy, Georgetown University Law Center	November 2020
<i>Jennifer D. Oliva, Surveillance, Mobile Applications, and Privacy</i> (Moderator) Tech Speaker Series, Institute for Technology Law & Policy, Georgetown University Law Center	September 2020
<i>The Unseen Force in Civil Litigation: The Chief Justice's Appointment of the Judicial Panel on Multidistrict Litigation</i> 5th Annual Civil Procedure Workshop, University of Texas School of Law	October 2019
<i>A Balanced Consideration of the Federal Circuit's Choice-of-Law Rule</i> Intellectual Property Scholars Conference, DePaul University College of Law	August 2019
Works-in-Progress Intellectual Property Colloquium, Case Western Reserve University School of Law	February 2018
Intellectual Property Scholars Conference, Cardozo Law School	August 2017
<i>Multidistrict Litigation of Intellectual Property Claims</i> Works-in-Progress Intellectual Property Colloquium, University of Houston Law Center	February 2019
<i>Hatch-Waxman Patent Litigation and Inter Partes Review: A New Sort of Competition</i> Intellectual Property Scholars Conference, Stanford Law School	August 2016
<i>Variety, Mergers, and Consumer Well-Being: Towards A Capability Approach to Merger Law</i> Munich Conference on Innovation and Competition, The Max Planck Institute for Innovation and Competition and the Center for Law & Economics at ETH Zurich	June 2014
George Mason University School of Law, Manne Faculty Forum	September 2013

## ADVOCACY

### [Amici Curiae Brief of Law Professors in Support of Appellant,](#)

*Federal Trade Commission v. Microsoft Corporation* (23-15992) (antitrust), *Counsel for Amici Curiae*

### [Amicus Curiae Brief of Law Professors as Amici Curiae in Support of Neither Party,](#)

*United States v. Assa Abloy AB* (22-CV-2791) (antitrust), *Attorney for Amici Curiae*

## MEDIA

[Microsoft Can Hurt Rivals in Different Ways, 9th Circuit Told](#)

Law360 (Aug. 17, 2023)

[Does DOJ's Assa Abloy Deal Encourage More Fix-It First?](#)

Law360 (May 9, 2023)

[FTC's Competition Policy Shift Paves Enforcement 'Shortcuts'](#)

Bloomberg (Nov. 11, 2022)

## SERVICE

Faculty Development Committee

Legal Education Committee

## PRACTICE EXPERIENCE

**Quinn Emanuel Urquhart & Sullivan, LLP**, Washington, DC

2015-2018

*Associate*

Practice focused primarily on patent and antitrust matters and issues at the intersection of the two disciplines.

**Cravath, Swaine & Moore LLP**, New York, NY

Summer 2003

*Associate, Summer Associate*

Practice involved all phases of complex commercial litigation, with a focus on intellectual property and antitrust matters.

2005-2010

## BAR AND COURT ADMISSIONS

U.S. Court of Appeals for the Ninth Circuit

2023

U.S. District Court for the District of Columbia

2023

District of Columbia

2016

U.S. District Court for the Eastern District of New York

2006

U.S. District Court for the Southern District of New York

2006

New York

2005

## OTHER EXPERIENCE

**The Atlantic Philanthropic Service Company, Inc.**, New York, NY

1999-2001

*Program Associate*

Assisted in the management of a portfolio of grants worth approximately \$50 million. Evaluated and recommended funding of not-for-profit organizations committed to social, economic, and legal justice.

**Duke University**, Durham, NC

*Research Assistant to Professor Philip J. Cook*

May 1999-Oct. 1999

Contributed to the book GUN VIOLENCE: THE REAL COSTS (2000).

**Andersen Consulting**, Chicago, IL

*Consultant/Analyst*

1997-1999

**Center on Budget and Policy Priorities**, Washington, DC

*Research Assistant*

1996-1997

Analyzed data on state and federal tax systems, employment, and poverty and income distribution trends. Co-authored papers advising state and local governments on strategies to ameliorate structural budget deficits.

## REFERENCES

Vicki C. Jackson  
Thurgood Marshall Professor of Constitutional  
Law  
Harvard Law School  
Areeda 327  
1563 Massachusetts Avenue  
Cambridge, MA 02138  
(617) 496-0555  
vjackson@law.harvard.edu

Steven C. Salop  
Professor Emeritus  
Georgetown University Law Center  
McDonough 586  
600 New Jersey Avenue, NW  
Washington, DC 20001  
(202) 662-9095  
salop@law.georgetown.edu

Robin L. West  
Frederick J. Haas Professor of Law and Philosophy  
Emeritus  
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