

DR. BHAMATI VISWANATHAN, JD, LL.M., SJD
33 MELROSE STREET, BOSTON MA 02116
BHAMATI_VISWANATHAN@EMERSON.EDU
617-981-2707

EDUCATION

University of Pennsylvania Law School, Philadelphia, PA
Doctor of Science of Law (S.J.D.)

- Title: *Creative Copyright: Tailoring Intellectual Property Policies and Business Strategies for Creative Content Industries in the Digital Age*
- Advisor: R. Polk Wagner
- Defense Committee: R. Polk Wagner (Chair), Gideon Parchomovsky and Christopher Yoo

University of Pennsylvania Law School, Philadelphia, PA
Master of Laws (LL.M.)

- Legal Writing Instructor to LL.M. students

University of Michigan Law School, Ann Arbor, MA
Juris Doctor (J.D.)

- Research Assistant to Professor Joel Seligman on Treatise on Securities Regulation

Williams College, Williamstown, MA

Bachelor of Arts (B.A.), *cum laude*, in English and French Literature

- Diploma: Ecole Normale Supérieure and Université de Paris (Sorbonne IV/Jussieu VII), Paris, France

ACADEMIC EXPERIENCE

Emerson College, Boston MA

Fall 2020-present

Affiliate Faculty, Business of Creative Enterprise (BCE) Program

Currently teaching courses in the Business of Creative program. Also engaged in creating and launching original courses in the BCE as electives that are credited toward the BCE major.

- Current courses in the BCE program include :
 - Introduction to the Creative Economy
 - Creative Collaboration and Leadership
 - Introduction to Business Fundamentals
- Developing and teaching original courses in the BCE program, including :
 - Creativity and Copyright
 - Crossing Cultures : Appreciation, Accommodation, Appropriation
 - Race, Class, Caste : Rethinking America's Original Sin(s)
- Developing and teaching original course in forthcoming BCE Graduate Program (Summer 2023):
 - Legal Basics : Contracts, Employment and Intellectual Property Law

Awards and Grants :

- Recipient of Presidential Fund for Curricular Innovation
 - Award granted to support development of Crossing Cultures course in Fall 2021

Center for the Protection of Intellectual Property (CPIP), Arlington, VA 2016-2017
 Academic Fellow at Center affiliated with George Mason Antonin Scalia Law School

- Engaged in legal research and scholarship. Presented article on “The Importance of Intellectual Property Rights to Emerging Economies,” presented at CPIP Workshop (January 2017) and at Fordham Law School Intellectual Property Conference (April 2017)
- Prepared policy briefs on diverse topical issues in intellectual property. Wrote and presented “Open-Access Mandates and the Seductively False Promise of Free” to a distinguished panel of scholarly and academic publishers and publishing representatives (February 2017)
- Wrote and blogged actively diverse issues in intellectual property law, including copyright protection of furniture design, patenting of global health innovations, preserving patent rights in university innovation, licensing and technology transfer under the Bayh-Dole Act, and managing publication rights
- Participated in Trade Secrets Best Practices Group, a high-level coalition of industry, academic and other stakeholders to determine best trade secrets practices and policies in U.S. and abroad
- Assisted with Entertainment Law and Advocacy Clinic: instructed students engaging in notice and takedown activities on behalf of artist-clients pursuant to Section 512 of the Copyright Act

Creative and Innovative Economy Center, Washington, DC 2005-2010
 Associate at Institute affiliated with George Washington Law School

- Analyzed intellectual property rights and policy in international markets, focusing on education, arts and culture, telecommunications and technology. Representative works: analysis of U.S. music performing rights organizations presented at panel held by George Washington Law School and Broadcast Music Inc. at the Library of Congress
- Performed empirical studies of international markets through extensive research, local fact gathering, and interviews with intellectual property stakeholders. Representative works: study of Egyptian film industry presented to World Intellectual Property Organization; study of Indian (Bollywood) film industry; and white paper on broadcasting in developing countries
- Presented findings at educational interchanges in the U.S. and abroad. Representative works: comparative study of creative industries in the European Union, Egypt and India, presented at conference sponsored by Organization of American States in Quito, Ecuador

University of Pennsylvania Law School, Philadelphia, PA 2001-2002
 Legal Research and Writing Instructor

- Taught legal research and writing to Masters (L.L.M.) students

University of Michigan Law School, Ann Arbor, MI 1991-1993
 Research Assistant

- Research Assistant to Professor Joel Seligman: Loss & Seligman Treatise on Securities Regulation

Williams College, Williamstown, MA 1982-1984
 Teaching Assistant

- Taught French language and literature in Introductory French Literature (101-102) courses

LEGAL EXPERIENCE

Chaitime.com, Philadelphia, PA 2000-2001
(Internet portal) Legal Counsel and Director of Business Development

- Spearheaded intellectual property rights management and business development at large Internet portal
- Negotiated and secured intellectual property rights contracts with numerous content providers, including copyright in articles and co-branded news materials, and licensing rights in third-party resources
- Discovered, initiated and secured multiple strategic partnerships with major education providers, including educational institutions and distance learning providers, as well as news and media sources
- Participated in negotiations for \$15 million tranche funding with venture capital partner

Cain, Hibbard, Myers and Cook, Pittsfield, MA 1995-1996
(Regional law firm) Associate

- Counseled clients on real estate transactions, mergers and acquisitions, incorporation and management of newly-formed business ventures, and contracting and licensing arrangements
- Clients included largest medical chain in Berkshire County; family-held construction company; national center for American music; nationally recognized yoga center; local squash-growers cooperative

Anderson Kill Olick, New York, NY Summer 1992; 1993-1995
(Major New York law firm) Associate in Corporate Finance and Insurance Coverage

- Counseled clients on securities regulations, mergers and acquisitions, and transactions. Wrote memoranda of law on corporate governance issues, such as Directors and Officers liability, as well as transactional and regulatory issues, such as securities law filing requirements
- Represented large manufacturers as policyholders seeking insurance recovery in connection with environmental actions, product liability claims, and commercial and regulatory disputes

Sullivan & Cromwell, Paris, France and New York, NY 1988-1990
(Leading Wall Street law firm) Paralegal in Corporate Finance and Securities Regulation

- Participated in corporate negotiations, contractual drafting, and financial structuring spearheaded by counsel to lead underwriters in the creation of the Euro Disneyland resort
- Prepared memoranda of law regarding various provisions in contracts; translated key contracts and legal agreements into French and English
- Prepared securities registration filings; wrote memoranda of law on various issues, e.g., conformity of proposed actions with conditions set forth in Securities and Exchange Commission "no action" letters

OTHER PROFESSIONAL EXPERIENCE

Yale University, New Haven, CT 1999-2000
Assistant Director, Major Gifts

- Identified, cultivated and solicited major gifts, at an individual donor level of \$250,000+
- Initiated prospect solicitation sessions, including Yale Women of Wall Street and Yale Women of Color

Amherst College, Amherst, MA 1996-1999
Associate Director, Major Gifts and Planned Giving

- Identified, cultivated and solicited major gifts and planned gifts, at donor level of \$100,000+
- Created trust, estate and bequest vehicles at donor level of \$250,000 to \$5 million

- Cultivated and solicited prospective donors alongside the President, Trustees, and faculty

Chase Manhattan Bank, New York, NY

1986-1987

Financial and Credit Analyst in Professional Executive Development Program

- Analyzed annual performance, financial valuations, and corporate strategies of portfolio companies with a market capitalization of \$50 to \$100 million
- Completed intensive and selective business training program emphasizing corporate strategy, credit management; integrated financial models designed to forecast financial profitability and growth

RESEARCH AND SCHOLARSHIP

Books:

- **CULTIVATING COPYRIGHT: HOW CREATORS AND CREATIVE INDUSTRIES CAN HARNESS INTELLECTUAL PROPERTY TO SURVIVE THE DIGITAL AGE** (Routledge/Taylor & Francis Press: London 2019)

Articles:

- Empowering Creators of Color Through IP Rights and Protections (forthcoming 2022)
- Women’s Work: Originality and Authorship in the Eye of the (Female) Beholder (forthcoming 2022)

SELECTED SPEAKING ENGAGEMENTS AND ACTIVITIES

Panelist, Center for Intellectual Property x Innovation Policy (C-IP2) Conference – April 2022
“Diversity In Copyright”

Panelist, Fordham Law School 29th Annual Intellectual Property Law & Policy Conference – April 2022
“Fair Use”

Panel Speaker, Moderator, and Organizer, Copyright Society of the USA – April 2022
“Whose Dish Is It Anyway?: Copyrightability of Cookbooks, Recipes, and Your Nonna’s Secret Marinara”

Panel Speaker, Copyright Society of the USA – March 2022
“Kraftwerk, Hip-Hop, Prince & Warhol: European and US Approaches to Sound Sampling and Appropriation Art

Moderator, ABA Emerging Technologies Committee Session – October 2021
“A Chat with Facebook Reality Labs”

Organizer and Speaker, Copyright and Technology Conference – September 2021
“NFTs and Inclusiveness in the Art Market”
Panel was part of the organization’s Diversity & Inclusion Committee initiatives

Speaker, Breaking News Series, Copyright Society of the USA – April 2021
“Second Circuit Transforms Transformative Use in *Warhol Foundation v. Goldsmith*”

Organizer and Moderator, ABA Emerging Technologies Committee Session – March 2021
“NFTS with James Gatto”

Co-Sponsor of Panel at Roger Williams University School of Law -- March 2021

“Conversation on Cultural Appropriation” (featuring Presidential Medal of Freedom recipient Susan Harjo)

Panel Organizer and Moderator, Copyright Society of the USA – October 2020
“Sneaker Law: Not Just For Sneakerheads Anymore”

Speaker, US Patent and Trademark Office (USPTO)/Department of Justice (DOJ) – September 2020
“COVID and Life Sciences”
Panel was part of a two-day series co-sponsored by USPTO and DOJ on intellectual property in life sciences

Panel Organizer and Moderator, Annual Meeting of the Copyright Society of the USA – June 2020
“Digital Libraries During and After a Crisis”

Panel Speaker, Copyright & Technology Conference – January 2020
“Digital Libraries and the Future of E-Lending”

Panel Moderator, Annual Meeting of Copyright Society of USA – June 2019
“First Sale, Right of Reproduction and *ReDigi*: Where Are We Now? And Where Do We Go From Here?”

Speaker, Fordham Law School Annual IP Law Conference – April 2017
“Multilateralism”

Guest Lectures Include:

Roger Williams Law School: Copyright Law (2021)
Boston University: Graduate Program in Arts Administration (2021 and 2022)
Berklee School of Music: Business of Music Program (2022)
Rhode Island School of Design: Business of Art Program (2022)

AFFILIATIONS

Trustee, Chair of New England Section, and Co-Chair of Diversity Equity and Inclusivity Steering Committee, The Copyright Society of the USA

Co-Chair of Emerging Technologies Committee, American Bar Association, Intellectual Property Law Section

Faculty Advisor, Copyright Alliance Academic Advisory Board

Educational Advisor, Volunteer Lawyers for the Arts (under the aegis of the Massachusetts Arts and Business Council)

Trustee, Williams College Asian and Asian American Alumni Network

Admitted to New York State Bar and Commonwealth of Massachusetts Bar

LANGUAGES AND INTERESTS

- Fluent in French; proficient in Italian and German
- Competitive figure skater (USFS Adult Gold level)

- Violin and voice (graduated from Manhattan School of Music Preparatory Division; studied at Interlochen Music Academy; and played in Berkshire Symphony)