# Hannibal Travis

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Professor of Law Florida International University College of Law 11200 S.W. 8th Street, Miami, FL 33199

## **EDUCATION**

- J.D., 1999 Harvard Law School, Cambridge, MA
  - magna cum laude

## **PROFESSIONAL EXPERIENCE**

2005- (Associate) Professor of Law, Florida International University College of Law, Miami, FL

> \* Taught Antitrust Law, Copyright Law, Intellectual Property Law, Computer and Internet Law, Business Law for Engineers & Entrepreneurs, Sports and Entertainment Law, Special Topics in International and Comparative Copyright (summer 2024), and seminars including Entertainment Law, Advanced Copyright, and Internet Law

> \* Served as Interim Director of the Law Library, Interim Associate Dean for Information Resources, and on College of Law Appointments and Promotion and Tenure Committees (2010-2011)

\* Served on Bylaws Revision Committee (2023-), University Faculty Senate Technology Committee and Textbook Affordability Committee (2009-2017); University Graduate Council (2021-2023); Cyber@FIU Working Group (2018); Cybersecurity (Cyber 9/12) Simulation Coach (2020-2022); Jessup International Law Moot Coach (2007-2011); and FIU Southern Association of Colleges and Schools (SACS) Quality Enhancement Plan AI Steering Committee (2020-2021, 2022-2023)

- 2017 Irving Cypen Visiting Professor of Law, University of Florida, Gainesville, FL (Fall)
- 2009 Visiting Fellow, Oxford Internet Institute, University of Oxford, Oxford, United Kingdom
- 2008 Visiting Associate Professor, Villanova Univ. School of Law, Villanova, PA (Fall)
- 2001-2004 Associate (Litigation Group), Debevoise & Plimpton, New York, NY
- 2000-2001 Law Clerk, Honorable Wm. Matthew Byrne, Jr., **United States District Court for the Central District of California,** Los Angeles, CA

1999-2000	Associate (Litigation), O'Melveny & Myers, San Francisco, CA
1997-1998	Teaching Fellow (Law and Philosophy), Harvard College, Cambridge, MA
1999	Graduate Student Instructor (Philosophy), University of California, Berkeley, Berkeley, CA

#### **SELECTED PUBLICATIONS**

## Selected Books

- PLATFORM NEUTRALITY RIGHTS: AI CENSORS AND THE FUTURE OF FREEDOM (Routledge) 2024 (forthcoming)
- 2018 COPYRIGHT CLASS STRUGGLE: CREATIVE ECONOMIES IN A SOCIAL MEDIA AGE (Cambridge University Press)
- CYBERSPACE LAW: CENSORSHIP AND REGULATION OF THE INTERNET (London: 2013 Routledge) (edited volume)
- GENOCIDE IN THE MIDDLE EAST: THE OTTOMAN EMPIRE, IRAQ AND SUDAN (Carolina 2010 Academic Press)

## Articles and Chapters on Internet Law and Intellectual Property

## Cyberlaw

2024	Augmented Creativity in a Harmonized Trans-Atlantic Knowledge Economy, in HARMONIZING INTELLECTUAL PROPERTY LAW FOR A TRANS-ATLANTIC KNOWLEDGE ECONOMY, Ch. 2 (Peter Mezei, Hannibal Travis, & Anett Pogacsas eds., Brill) (forthcoming)
2023	The Freedom of Influencing, 77 MIAMI L. REV. 388 (invited contribution)
2023	<i>Trademarks, Legal Remedies, and Social Injustices, in</i> CAMBRIDGE HANDBOOK OF INTELLECTUAL PROPERTY SOCIAL JUSTICE (Lateef Mtima & Steven Jamar eds., Cambridge University Press)
2022	Patents, the Private Property Ideal, and the Public Interest in Seamless Global Public Health Regime, 31 FEDERAL CIRCUIT BAR J. 1-40
2022	State of Florida Appeals Ruling Against Anti-deplatforming Law: Initial Conclusion Is That Law Violates Freedoms of Speech and of the Press, 3/21 MEDIEN UND RECHT INT'L 126-129
2021	Crypto Coin Offerings and the Freedom of Expression, 24 CHAPMAN LAW REV. 401-485
2021	Injury, Inequality, and Remedies: Developments in Injunctive Relief and Damages in Intellectual Property Cases, 21 J. OF HIGH TECHNOLOGY LAW 34-69

2020	Intelligent Entertainment: Shaping Policies on the Algorithmic Generation and Regulation of Creative Works, 14 FIU L. REV. 179-199 (invited contribution)
2019	<i>Enjoining the Cloud: Equity, Irreparability, and Remedies,</i> 64 VILLANOVA L. REV. 393-457, <i>later published in</i> INTELLECTUAL PROPERTY LAW REVIEW 2019 (Karen Tripp ed., Thomson Reuters/West Group, 2020)
2017	Counter-IP Conspiracies: Patent Alienability and the Sherman Antitrust Act, 71 MIAMI L. REV. 758-858
2016	The Economics of Mass Digitization and the Google Books Litigation, in RESEARCH HANDBOOK ON E-COMMERCE LAW 117-137 (John Rothchild ed., Edward Elgar Publishing) (invited contribution)
2016	Free Speech Institutions and Fair Use: A New Agenda for Copyright Reform, 33 CARDOZO ARTS & ENTERTAINMENT LAW J. 673
2015	Myths of the Internet as the Death of Old Media, 43 AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION QUARTERLY J. 1-68 (peer-reviewed)
2015	Patent Alienability and Its Discontents, 17 TULANE J. OF TECHNOLOGY & INTELLECTUAL PROPERTY 109-162
2014	WIPO and the American Constitution: Thoughts on a New Treaty Relating to Actors and Musicians, 16 VANDERBILT J. OF ENTERTAINMENT AND TECHNOLOGY LAW 45
2012	YouTube from Afghanistan to Zimbabwe: Tyrannize Locally, Censor Globally, in TRANSNATIONAL CULTURE IN THE INTERNET AGE (Sean Pager and Adam Candeub eds., Edward Elgar)
2011	The FCC's New Theory of the First Amendment, 51 SANTA CLARA LAW REV. 417-515
2010	The Principles of the Law of Software Contracts: At Odds with Copyright, Consumers, and European Law?, 83 TULANE LAW REV. 1557-94, later published in INTELLECTUAL PROPERTY LAW REVIEW 2010 (Karen Tripp ed., Thomson Reuters/West Group)
2010	<i>Estimating the Economic Impact of Mass Digitization Projects on Copyright Holders:</i> <i>Evidence from the Google Book Search Litigation</i> , 57 J. OF THE COPYRIGHT SOCIETY OF THE USA 907-49 (peer-reviewed)
2009	The Future According to Google: Technology Policy from the Standpoint of America's Fastest-Growing Technology Company, 11 YALE J. OF LAW & TECHNOLOGY 209-27 (2009) (invited symposium), later published in INTELLECTUAL PROPERTY LAW REVIEW 2008 (Karen Tripp ed., Thomson Reuters/West Group)
2008	Opting Out of the Internet in the United States and European Union: Copyright, Safe Harbors, and International Law, 83 NOTRE DAME LAW REV. 331-409 (2008), excerpted in GOOGLE ET LES NOUVEAUX SERVICES EN LIGNE (Alain Strowel ed., Editions Larcier).

2007	<i>Of Blogs, eBooks, and Broadband: Access to Digital Media as a First Amendment Right,</i> 35 HOFSTRA LAW REV. 1519-82 (symposium)
2006	Google Book Search and Fair Use: iTunes for Authors, or Napster for Books?, 61 MIAMI LAW REV. 87-167
2006	Wi-Fi Everywhere: Universal Broadband Access as Antitrust and Telecommunications Policy, 55 AMERICAN UNIVERSITY LAW REV. 1697-1799
2006	Building Universal Digital Libraries: An Agenda for Copyright Reform, 33 PEPPERDINE LAW REV. 761-832
2005	The Battle for Mindshare: The Emerging Consensus that the First Amendment Protects Corporate Criticism and Parody on the Internet, 10 VIRGINIA J. OF LAW & TECH. 3-74
2000	Pirates of the Information Infrastructure: Blackstonian Copyright and the First Amendment, 15 BERKELEY TECH. LAW J. 777 (winner, Comment Competition)

Human Rights, Legal History, and International Law

2023	<i>Recognizing and Repairing the Harm to Iraq's Minority Communities,</i> MIDDLE EAST REVIEW OF INT'L POLITICS no. 306 (invited contribution)
2023	Missions, Millets, and the Motherland: Xenophobic Narratives of an Ottoman Christian "Stab in the Back", 54 INT'L J. OF MIDDLE EAST STUDIES 559 (invited contribution)
2023	<i>The Long Genocide in Sudan: Famine, Slavery, and Depopulation, in</i> GENOCIDE TODAY (Ezat Mossallanejad ed., Toronto: Zagros Editions) (invited contribution)
2021	Ethnic Cleansing and Genocidal Intent: Conceptualizing Destruction of Local Populations, 20 WASHINGTON UNIVERSITY GLOBAL STUDIES L. REV. 803-861
2021	Medieval Violence or Demographic Surgery? Genocide and the Dialectics of Enlightenment (Responses to Genocide), in A CULTURAL HISTORY OF GENOCIDE 111-132 (Elisa von Joeden-Forgey ed., Bloomsbury) (invited contribution)
2020	The Long Genocide in Upper Mesopotamia: Minority Population Destruction amidst Nation-building and "International Security," 13 GENOCIDE STUDIES INTERNATIONAL 92-131 (invited contribution)
2020	Sobre la clasificación retroactiva de los acontecimientos históricos como genocidios [On the Retroactive Classification of Historical Events as Genocides], ISTOR: REVISTA DE HISTORIA INTERNACTIONAL [a publication of the Division de Historia del Centro de Investigacion y Docencia Economicas (CIDE), Mexico City] (invited contribution)
2019	The Right of Return in Iraq: Conceptualizing Insecurity, State Fragility, and Forced Displacement, in TRANSITIONAL JUSTICE AND FORCED MIGRATION: PERSPECTIVES FROM THE GLOBAL SOUTH 158-190 (Nergis Canefe ed., Cambridge Univ. Press) (with Shamiran Mako)

2019	Genocide and Other International Crimes by Unincorporated Groups: Will There Be Loopholes for Them in the African Court?, in THE AFRICAN COURT OF JUSTICE AND HUMAN AND PEOPLES' RIGHTS IN CONTEXT: DEVELOPMENT AND CHALLENGES 285-313 (Charles Jalloh, Kamari Clarke, & Vincent Nmehielle eds., Cambridge Univ. Press) (invited contribution)
2018	Genocide by Deportation into Poverty: Western Diplomats on Ottoman Christian Killings and Expulsions, 1914—24, in GENOCIDE IN THE OTTOMAN EMPIRE: ARMENIANS, ASSYRIANS, AND GREEKS 354-402 (George Shirinian ed., Berghahn Books)
2018	<i>Exile or Extinction: The Assyrian Genocide, 1915 to 2015, in</i> THE ASSYRIAN GENOCIDE: CULTURAL AND POLITICAL LEGACIES (Hannibal Travis ed., Routledge)
2017	Why Was Benghazi "Saved," But Sinjar Allowed to Be Lost? New Failures of Genocide Prevention, 2007-2015, 10 GENOCIDE STUDIES INT'L 139
2017	Sobre la comprehension original del crimen de genocidio [On the Original Understanding of the Crime of Genocide], 12 REVISTA DE ESTUDIOS SOBRE GENOCIDIO 101 [Universidad Nacional de Tres de Febrero (Argentina)], https://revistas.untref.edu.ar
2016	Counterinsurgency as Genocidal Intent: From the Ottoman Christians to the Bosnian Muslims, in THE ARMENIAN GENOCIDE LEGACY 149-164 (Alexis Demirjian ed., New York: Palgrave Macmillan) (invited contribution)
2016	Genocide, Counterinsurgency, and the Self-Defense of UN Member States Before the International Criminal Court, 22 UC DAVIS JOURNAL OF INT'L L. & POLICY 139-202
2016	When the UN Refuses to Prevent Genocide: Legal, Political, and Religious Factors, in THE UNITED NATIONS AND GENOCIDE 146-185 (Deborah Mayersen ed., New York: Palgrave Macmillan) (invited contribution)
2015	Reparations for Mass Atrocities as a Path to Peace: After Kiobel v. Royal Dutch Petroleum, Can Victims Seek Relief at the International Criminal Court?, 40 BROOKLYN INTERNATIONAL LAW J. 547-617
2013	Wargaming the Arab Spring: Predicting Likely Outcomes and Planning U.N. Responses, 46 Cornell International Law J. 75-143
2013	Constructing the "Armenian Genocide": How Genocide Scholars Unremembered the Ottoman Assyrians and Greeks, in HIDDEN GENOCIDES: POWER, KNOWLEDGE, AND MEMORY (Alex Hinton et al eds., Rutgers University Press)
2013	Did the Armenian Genocide Inspire Hitler?, MIDDLE EAST QUARTERLY, Winter 2013, at 27-35
2012	On the Original Understanding of the Crime of Genocide, 7 GENOCIDE STUDIES AND PREVENTION: AN INTERNATIONAL J. 37 (invited contribution)
2011	The Assyrian Genocide: A Tale of Oblivion and Denial, in FORGOTTEN GENOCIDES: OBLIVION, DENIAL, AND MEMORY (René Lemarchand ed., U. of Pennsylvania Press) (invited contribution)

2009	United States Law and Policy Regarding Iraqi Refugees, 2003-2008, 55 WAYNE L. REV. 1009
2008	Genocide in Sudan: The Role of Oil Exploration and the Entitlement of the Victims to Reparations, 25 ARIZONA J. OF INTERNATIONAL AND COMPARATIVE LAW
2007	Human Rights in Disaster Policy: Improving the Federal Response to Natural Disasters, Disease Pandemics, and Terrorist Attacks, in THROUGH THE EYE OF KATRINA: SOCIAL JUSTICE IN THE UNITED STATES (Richelle Swan and Kristin Bates eds., Carolina Academic Press)
2007	The Cultural and Intellectual Property Interests of the Indigenous Peoples of Turkey and Iraq, 15 TEX. WESLEYAN L. REV. 415 (invited contribution)
2006	"Native Christians Massacred": The Ottoman Genocide of the Assyrians during World War I, 1(3) GENOCIDE STUDIES AND PREVENTION: AN INTERNATIONAL JOURNAL 327-371 (peerreviewed)
2005	<i>Freedom or Theocracy?: Constitutionalism in Afghanistan and Iraq,</i> 3 Northwestern U. J. of International Human Rights 4

## **SHORTER WORKS**

2022	<i>The Future of Creative Freedom Is on the Line, Starring Andy Warhol, Prince and 2 Live Crew,</i> THE CONVERSATION, Oct. 28, 2022
2020	Causes of the Darfur Genocide: Role of the Government of Sudan, in DARFUR GENOCIDE: THE ESSENTIAL REFERENCE GUIDE (Alexis Herr ed., ABC-CLIO), previously published in MODERN GENOCIDE: ANALYZING THE CONTROVERSIES AND ISSUES (Paul Bartrop ed., ABC-CLIO) (peer-reviewed)
2018	United States [Banks'Duty of Care], in ABANK'S DUTY OF CARE (Danny Busch and Cees van Dam eds., Hart Publishing) (with George Harris and Sabrina Larson)
2017	A Genocide Trial in Limbo: The Case of the Yezidis and Their Neighbors, GEORGETOWN Journal of International Affairs Online
2017	<i>To What Extent Has Intervention in Darfur Been Successful?, in</i> MODERN GENOCIDE. DATABASE (Paul Bartrop et al. eds., ABC-CLIO) (peer-reviewed)
2016	<i>Ecocide: A Brief History of an Explosive Concept,</i> Columbia Journal of European Law Preliminary Reference
2016	Poverty and Financial Regulation: Socioeconomic Human Rights in the Obama Era, in POVERTY IN AMERICA 344-368 (Max Skidmore ed., Westphalia Press), prior version published as President Obama's "Pivot" to Jobs: Lessons from Comparative Law and America's Rivals, 3 POVERTY AND PUBLIC POLICY No. 3 (2012), <u>www.psocommons.org</u>

2010	An Uncomfortable Fit? Intellectual Property Policy and the Administrative State, 14 MARQUETTE INTELLECTUAL PROPERTY L. REV. 441 (invited panel presentation)
2007	Are Issuers of and Dealers in Securities Immune from Lawsuits Arising under Federal and State Antitrust Laws?, 34 ABA PREVIEW OF UNITED STATES SUPREME COURT CASES 296 (case note on Credit Suisse Securities (USA) v. Billing (2007))
SELECTED PR	RESENTATIONS
2023	The Nexus Between Knowledge Preservation and Freedom of Expression in a Global Circular Economy, <b>IP Researchers of Asia, Singapore</b> (virtual)
2022	Docile Platforms and Networked Disciplinary Power, Law and Society Annual Meeting, Lisbon, Portugal (virtual)
2022	<i>Digital Rights</i> , Law and Society Annual Meeting, Lisbon, Portugal (virtual) (panel chair and discussant)
2022	<i>Tell Our Stories: Artifacts from the Assyrian Genocide Period</i> , <b>California Humanities</b> , California State University, Stanislaus
2021	<i>The Right to Upgrade: Multimedia Lessons for Mashups and Remixes,</i> <b>Tri-Continental Workshop on Intellectual Property,</b> S/C de Tenerife, Spain (virtual)
2021	The Right Not to Be Deplatformed in International and Comparative Perspective, American University Washington College of Law, Global Congress on Intellectual Property and the Public Interest, Tenleytown, MD (virtual)
2021	Institutionalizing Algorithmic Competition Law in the Shadow of the First Amendment, Society for Business Ethics Annual Meeting, Chicago, IL (virtual)
2021	The Browsing Subject, The New School, New York, NY (virtual)
2021	Bearing Witness and Learning the Lessons from the Halabja Genocide, Kurdistan Regional Government-Iraq Mission to the United States of America/Facebook/Kurdistan24 television (virtual)
2020	Transnational Interference with Privacy as a Crime Against Humanity, Global Congress on Intellectual Property and the Public Interest, American University, Washington, DC (virtual)
2020	Remedies across IP Lines: Developments in Injunctive Relief and Damages (Especially for Small and Medium-Sized Enterprises), <b>IP Summit</b> , Miami, FL
2020	Connections and Boundaries between Intellectual Property and Data Privacy, INTA/FIU College of Law, Miami, FL
2019	Intelligent Entertainment (Concluding Remarks), FIU Law Review 25th Annual

Symposium, Miami, FL

2019	<i>Enjoining Precisely: Intellectual Property Injunctions and</i> eBay v. Mercexchange, <b>AALS Annual Meeting</b> , Section on Remedies Panel, New Orleans, LA
2019	Trademarks, Legal Remedies, and Social Injustices, Mosaic Symposium on Intellectual Property, Howard University School of Law, Washington, DC
2018	<i>We're Gonna Need a Bigger Sandbox: Light Touch Regulation of AppCoins and ICOs,</i> <b>ABA Section of Business Law Annual Mtg.</b> , Teaching Banking Law panel, Austin, TX
2018	The Case of the Missing Consumer Surplus: The Complex Economics of Digital Music Royalties, Global Congress on Intellectual Property and the Public Interest, Tenleytown, MD
2018	How (Much) Artists Are Getting Paid in the Digital Age, Intellectual Property Institute of the California Lawyers Association, San Jose, CA
2017	Strategic Considerations in Issuing Guidelines for Unobjectionable Fanworks, Copyright Society of the USA 2017 Mid-Winter Meeting, Savannah, GA
2017	The Plight of Refugees from the Middle East as Evidence of Genocidal Intent, University of Chicago Center for Middle East Studies, Chicago, IL
2017	The Refugee Crisis, National Hellenic Museum, Chicago, IL
2016	Latin America Cybersecurity Symposium, Kroll, and Jones Day, Miami, FL
2016	Cybersecurity Summit (The Dark Web: Liberty, Privacy, and Security), School of International and Public Affairs, Miami, FL
2015	Cybercrime for the Trademark Practitioner: Data Security and Privacy Issues, International Trademark Association Roundtable/FIU College of Law, Miami, FL
2015	Debunking Copyright Myths, Copyright Society of the USA, Miami FL
2015	Myths of the Internet as the Death of Old Media, Association for the Study of Law, Property, and Society, Athens, GA
2015	Why Was Benghazi 'Saved', But Sinjar Allowed to Be Destroyed?, Austrian Academy of Sciences, Vienna, Austria
2015	Counterinsurgency as/and Genocidal Intent: From the Ottoman Christians to the Bosnian Muslims, Netherlands Institute for War Documentation/Hague Institute for Global Justice, The Hague, the Netherlands
2013	WIPO and the American Constitution, Vanderbilt Law School, Nashville, TN

2012	Estimating the Economic Impact of Mass Digitization Projects on Copyright Holders: Evidence from the Google Book Search Litigation, Association of American Law Schools Annual Meeting, Washington, DC
2012	Cultural and Symbolic Reparations for the Ottoman Christian Genocide, Harvard University Department for Near Eastern Languages and CivilizationsNaby Lecture Series, Cambridge, MA
2011	The Anticompetitive and Censorial Impact of Corporate-Drafted Norms Restricting Internet Content, Association of American Law Schools Annual Meeting, Section on the Computers and the Law, San Francisco, CA
2010	Cold War Genocides: Failures of Global Justice in Nigeria and Pakistan, University of Melbourne, Melbourne, Australia
2010	Journalism in the World of Social Media, Twitter & Facebook, Florida Bar Media Law Conference, Miami, FL
2010	<i>Copyright Basics and the Web,</i> <b>American Bar Association Conference on Legal Issues in Museum Administration</b> , Miami, FL
2009	<i>The FCC's New Theory of the First Amendment,</i> <b>Florida Legal Scholarship Forum,</b> St. Petersburg, FL
2009	The FCC's Involvement in Copyright-Related Rulemakings: Administrative Expertise or in Excess of Jurisdiction?, Southeast Association of Law Schools Annual Meeting (roundtable), Palm Beach, FL
2009	Opting Out of the Internet in the U.S. and E.U.: Copyright and Safe Harbors, Oxford University, Dept. of Social Sciences, Oxford Internet Institute, Oxfordshire, UK
2009	Broadcast and Internet Neutrality: Towards a Theory of Constitutional (Digital) Media Regulation, Univ. of North Carolina School of Law, Chapel Hill, NC
2009	The Political Struggle for Mosul: Constitutionalism and Transitional Justice in the Shadow of War and Ethnosectarian Conflict, Middle East Studies Association Annual Meeting, Boston, MA
2009	The Bond that Divides: Transitional Justice and Human Rights in the Republic of Iraq, London School of Economics, "Civil Society and Reconciliation in Comparative Perspective", London, United Kingdom
2008	The Intellectual Property Interests of the Indigenous Peoples of Turkey and Iraq, Tulane Law School, New Orleans, LA
2008	Opting Out of the Internet in the U.S. and the European Union: Copyright, Safe Harbors, and International Law Stanford Law School, Palo Alto, CA

2008	The Future According to Google: Technology Policy from the Standpoint of America's Fastest-Growing Technology Company Yale Law School, Computers, Freedom, and Privacy, New Haven, CT
2008	Genocide in Sudan: Should Reparations for the Victims Be Administered by the United Nations, or by U.S. Courts?, Yale Law School Symposium, New Haven, CT
2008	The Google Book Project: Noble Pursuit or Exploitive Endeavor?, Association of American Law Schools Annual Meeting, New York, NY
2007	<i>Of Blogs, eBooks, and Broadband: Access to Digital Media as a First Amendment Right,</i> <b>Brennan Center for Justice at NYU Law School, with Hofstra Law School,</b> NY
2007	Google Book Search, Exceptions to Copyright, and the Freedom of Information, Catholic University of Brussels, Brussels, Belgium
2007	Google Book Search and Fair Use: iTunes for Authors, or Napster for Books?, Wayne State University Law School, Detroit, MI
2006	Toward Universal Broadband Access: Bridging the Digital Divide with Free Citywide Wi-Fi, Southeast Association of Law Schools Annual Meeting, Palm Beach, FL
2006	iTunes for Authors, or Napster for Books? Copyright and Antitrust Implications of the Publishing Industry's Campaign against Google Book Search, AALS Mid-Year Meeting on Intellectual Property, Vancouver, Canada
2006	Federalism, Autonomy, and National Reconciliation in Iraq, Association of American Law Schools Annual Mtg., Washington, DC