

**SELECTED PUBLICATIONS**

H-Index Citation Score: 23, i10-index: 38

1,886 citations, top 10 % SSRN downloads

---

**PEER REVIEW**

1. Filtering Tort Accidents, 22(2) AMERICAN LAW & ECONOMICS REVIEW 1 (2020). ([HTTPS://PAPERS.SSRN.COM/SOL3/PAPERS.CFM?ABSTRACT\\_ID=3636457](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3636457))
2. The Moral-Hazard Effect of Liquidated Damages: An Experiment on Contract Remedies, 173 JOURNAL OF INSTITUTIONAL AND THEORETICAL ECONOMICS 1 (2017). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2876856](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2876856))
3. Technology & Torts: A Theory on Non-Durable Precautions, 31 (4) INTERNATIONAL REVIEW OF LAW & ECON 284 (2011). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1162106](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1162106))
4. Probabilistic Litigation & Negative Value Suits, 30 INTERNATIONAL REVIEW OF LAW & ECONOMICS 236 (2010). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1162268](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1162268))
5. Never Two Without Three: Commons, Anticommons and Semicommons, 5 REVIEW OF LAW & ECONOMICS (1) (2009). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1162189](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1162189))
6. Whistle Blowing: An Economic Analysis of the Federal Claims Act, 14 SUPREME COURT ECONOMIC REVIEW 135 (2006). ([HTTPS://PAPERS.SSRN.COM/SOL3/PAPERS.CFM?ABSTRACT\\_ID=622723](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=622723))
7. From 'Tragedy' to 'Disaster': Welfare Effects of Commons and Anticommons Dilemmas, 26(1) INTERNATIONAL REVIEW OF LAW & ECONOMICS 104 (2006). ([HTTPS://PAPERS.SSRN.COM/SOL3/PAPERS.CFM?ABSTRACT\\_ID=548622](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=548622))
8. Duality in Property: Commons and Anticommons, 25 (4) INTERNATIONAL REVIEW OF LAW & ECONOMICS 578 (2006). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=224844](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=224844))
9. Litigation, Judicial Path-Dependence, and Legal Change, 20(1) EUROPEAN JOURNAL OF LAW AND ECONOMICS 76 (2005). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=339460](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=339460))
10. Fragmentation of Property Rights: A Functional Explanation of Servitude Law, 3 (1) GLOBAL JURIST FRONTIERS Article 2 (2003). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=409380](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=409380))
11. Fragmentation in Property: Towards a General Model, 159 JOURNAL OF INSTITUTIONAL AND THEORETICAL ECONOMICS 594 (2003). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=300681](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=300681))
12. Fair Use and Copyright Protection: A Price Theory Explanation, 21 (4) INTERNATIONAL REVIEW OF LAW & ECONOMICS 453 (2003). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=259298](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=259298))

**LAW REVIEW**

1. Statutory Damages in Copyright Law: When the Remedy is the Wrong, 66 (2) UCLA LAW REVIEW 402 (2019). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3374048](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3374048))
2. The Dangerous Undertaking: How Courts Should Approach Aesthetic Judgments in Copyright Law, 109 (2) NORTHWESTERN UNIVERSITY LAW REVIEW 343 (2015). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2728019](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2728019))

3. Copyright False Positives, 89 NOTRE DAME LAW REVIEW 319 (2014). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2337684](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2337684))
4. Using Fee Shifting to Promote Fair Use and Fair Licensing, 102 CALIFORNIA LAW REVIEW 53 (2014). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2159325](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2159325))
5. The Upside of Losing, 113 COLUMBIA LAW REVIEW 817 (2013). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2263498](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2263498))
6. The Expressive Effect of Specific Performance: How Law Frames Moral Intuitions, 54 (3) ARIZONA LAW REVIEW 673 (2012). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2264134](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2264134))
7. Fair Trespass, 111 (5) COLUMBIA LAW REVIEW 1090 (2011). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1883952](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1883952))
8. Copyright Backlash, 84(6) SOUTHERN CALIFORNIA LAW REVIEW 1251 (2011). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=740184](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=740184))
9. Law in the Shadow of Bargaining: The Feedback Effect of Civil Settlements, 95(5) CORNELL LAW REVIEW 957 (2010). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1589964](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1589964))
10. Technology & Uncertainty: The Shaping Effect on Copyright Law, 157 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1830 (2009). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1420059](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1420059))
11. Horizontal Political Externalities: The Supply and Demand of Disaster Management, 56 DUKE LAW JOURNAL 101 (2006). ([https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=938888](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=938888))

### **BOOKS**

1. COOTER, ULEN & DEPOORTER, LAW & ECONOMICS, 7<sup>th</sup> edition (2020).
2. RESEARCH HANDBOOK ON THE ECONOMICS OF INTELLECTUAL PROPERTY, Edward Elgar (2019).
3. THE LAW AND ECONOMICS OF EUROPEAN UNION LAW, Matthew Bender (2003).
4. TELECOM & INTERNET: LAW IN MOVEMENT (2001).

### **WORK IN PROGRESS**

1. COOTER, ULEN, DEPOORTER, LAW & ECONOMICS (7th ed.)
2. So Sue Me... Please? Litigation as Publicity
3. Unfair Use (w/ Gideon Parchomovsky)
4. Optimistic Settlements (under review)
5. The Hidden Costs of Symbolic Laws: A Field Experiment (under review)

Full list of publication can be found [here](#)

Full CV is [here](#)