

NEEL U. SUKHATME

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EDUCATION

Princeton University, Princeton, NJ

- Ph.D. in Economics (Advisors: Orley Ashenfelter, Henry Farber) 2015
- M.A. in Economics 2011

Awards and Activities

- Princeton University Fellowship • Towbes Prize for Outstanding Teaching (2014)
- Clarence J. Hicks Memorial Fellowship in Industrial Relations (2014–15)
- Richard A. Lester Fellowship for Industrial Relations (2012–13)
- Field Exams: Finance, Labor Economics, Development Economics

Harvard Law School, Cambridge, MA

- J.D., *cum laude* 2005

Awards and Activities

- *Harvard Law Review*, Notes Editor
- John M. Olin Fellow in Law and Economics • Ames Moot Court Competition, Semifinalist

University of Illinois, Champaign, IL

- B.S. in Computer Engineering, Highest Honors; Minor in Mathematics 2001

Awards and Activities

- National Merit Scholar • Chancellor's Scholar • James Scholar • Leung Scholar • Byrd Scholar
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PROFESSIONAL EXPERIENCE

Georgetown University Law Center, Washington, DC 2015–Now
Associate Professor of Law

NYU School of Law, Engelberg Center on Innovation Law & Policy, New York, NY 2014–15
Visiting Fellow

Spindrop.com, Princeton, NJ 2010–Now
Co-Founder, Patent Counsel, iPhone Programmer

- Co-founder and co-inventor for patented music technology company
- Designed and programmed novel iPhone application implementing this technology
- Prosecuted and manage Spindrop's patent portfolio

Latham & Watkins LLP, San Francisco, CA; Chicago, IL 2006–07; 2008–09
Associate

- Authored briefs and advocated in patent, trademark, securities, class action, and tax cases
- Represented Illinois prisoner in parole hearing
- Generated new business from fast-growing technology company and managed its restructuring

Law Clerk to Hon. Ann Claire Williams, Seventh Circuit Court of Appeals, Chicago, IL 2007–08

Law Clerk to Hon. Vaughn R. Walker, U.S. Dist. Court for N.D. Cal., San Francisco, CA 2005–06

Covington & Burling LLP, Washington, DC Summer 2004

McDonnell Boehnen Hulbert & Berghoff LLP, Chicago, IL 2001–02
Patent Agent, Technical Advisor

SELECTED IN-PROGRESS RESEARCH

“Loser Pays” in Patent Examination

- The current system of patent fees improperly rewards rejected patent applicants at the expense of successful ones, thereby exacerbating the problem of “weak patents”—those that should not have issued but somehow get approved by the U.S. Patent and Trademark Office. This paper proposes a novel remedy: import “loser pays” concepts from litigation into patent examination. Such a system would efficiently weed out weak patents, as it would disincentivize bad applications, improve application quality, and discourage continuation applications.
- Upcoming presentations
 - Works-in-Progress Intellectual Property Colloquium, Univ. of Washington School of Law (2016)
 - George Mason Law and Economics Colloquium (2016)
 - Georgetown Law Faculty Research Seminar (2016)

Patents as Quality Signals to Consumers

- The most direct benefit a patent provides is the limited-term monopoly it bestows upon its owner. But there might be other indirect benefits that are also important to patentees. I use a natural field experiment to measure one such benefit: an improved perception of patented products by consumers. In particular, I study whether a product marked as “patented” is more desirable to consumers, apart from any technological advantage inherent in the patented invention itself.
- Grants
 - National Bureau of Economic Research (NBER) Innovation Policy Working Group (\$20,000)

Who Cares About Patent Term? Cross-Industry Differences in Term Sensitivity (w/Judd Cramer)

- We use a natural experiment—passage of the TRIPS agreement—to measure how industries differentially value patent term. Some of our results support conventional wisdom (patent term is important for pharmaceuticals) and some do not (it also matters for software). Term sensitivity is also highly correlated with patent renewal rates, corroborating an intuitive prediction we formalize in a model: industries that care more about patent term tend to have higher late-term profits.
- Selected presentations
 - U.S. Patent and Trademark Office, Brown Bag Luncheon (2015)
 - American Law and Economics Assoc. Annual Meeting, Univ. of Chicago Law School (2014)
 - Seventh Annual Conference on Innovation Economics, Northwestern Law School (2014)
 - Law and Economics Colloquium, Northwestern Law School (2014)
 - Conference on Empirical Legal Studies, Univ. of Pennsylvania Law School (2013)

The Monetary Value of Patent Term (w/Judd Cramer)

- This paper measures late-term patent value via equity markets. We perform an event study using TRIPS, which retroactively extended term for already-issued patents obtained in less than three years. We find stock prices increased more for firms who received longer term extensions and confirm our results using an empirical technique known as regression kink design.
- Presentations: Numerous conferences (joint with other patent term paper)

Forum Shopping in Diversity Cases: A Theoretical and Empirical Study

- I develop a formal forum shopping model, which I test on 532,097 federal diversity cases terminating between 1988 and 2011. Confirming one of the model’s predictions, I find that parties who litigate outside of their home state settle more often than parties who litigate at home. My results are robust to the inclusion of various fixed effects and other controls.
- Presentations
 - American Law and Economics Assoc. Annual Meeting, Univ. of Chicago Law School (2014)
 - Law-Engaged Graduate Student Seminar, Princeton University (2013)

PUBLICATIONS

Regulatory Monopoly and Differential Pricing in the Market for Patents,
71 WASH. & LEE L. REV. 1855 (2014)

• Presentations:

- Law and Economics Seminar, Harvard Law School (2014)
- IP Scholars Conference, UC Berkeley School of Law (2014)

Self-Realizing Inventions and the Utilitarian Foundation of Patent Law,
51 WM. & MARY L. REV. 897 (2009) (w/Alan Devlin)

- Presentation: IP Scholars Conference, Cardozo School of Law (2009)

***Note, Making Sense of Hybrid Speech: A New Model for Commercial Speech
and Expressive Conduct,*** 118 HARV. L. REV. 2836 (2005)

Recent Case, Thornton v. United States, 118 HARV. L. REV. 268 (2004)

Recent Case, Summerlin v. Stewart, 117 HARV. L. REV. 1291 (2004)

Book Note, 44 HARV. INT'L L.J. 607 (2003) (reviewing Lisa Conant, *Justice Contained: Law and
Politics in the European Union* (2002))

TEACHING EXPERIENCE

- Georgetown University Law Center – Associate Professor, Corporate Finance (Spring 2016)
- Georgetown University Law Center – Associate Professor, Empirical Analysis for Lawyers and Policymakers (Fall 2015)
- Princeton University – Assistant in Instruction, The Great Recession (Paul Krugman, Spring 2014)
- Princeton University – Assistant in Instruction, Law and Economics (Tim Leonard, Fall 2010)
- DePaul University College of Law – Adjunct Professor, Law and Economics (Summer 2010)
- Minority Legal Education Resources (Chicago, IL) – Illinois Bar Exam Tutor (Summer 2008)

MISCELLANEOUS

- Referee for American Law and Economics Review and Supreme Court Economic Review • Climbed Mt. Kilimanjaro • Ran Chicago Marathon • Published on SCOTUSblog • Performed in Harvard-Radcliffe Chorus • Program in C, STATA, and Objective-C (for iPhone) • Admitted to practice law in California and Illinois and before the U.S. Patent & Trademark Office