

KRISTELIA GARCÍA

ANNE FLEMING RESEARCH PROFESSOR OF LAW

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ACADEMIC APPOINTMENTS

GEORGETOWN UNIVERSITY LAW CENTER

Anne Fleming Research Professor of Law, 2004-Present
Professor of Law, 2023-Present

UNIVERSITY OF COLORADO LAW SCHOOL

Dean's Faculty Fellow, 2022-2023
Associate Professor of Law with Tenure, 2020-2023
Associate Professor of Law, 2014-2020
Faculty Director at the Silicon Flatirons Center for Law,
Technology, and Entrepreneurship, 2014-2023

YALE LAW SCHOOL

Affiliated Fellow at the Information Society Project, 2012-
Present

GEORGE WASHINGTON UNIVERSITY LAW SCHOOL

Frank H. Marks Fellow in Intellectual Property & Visiting
Associate Professor, 2012-2014

EDUCATION

YALE LAW SCHOOL, J.D. 2003

Yale Journal of Law & Technology, Editor-in-Chief
John M. Olin Fellow in Law, Economics and Public Policy

COLUMBIA UNIVERSITY, B.A. ECONOMICS, 2000

Cum Laude
Kluge Scholar
Dean's List
King's Crown Award

PUBLICATIONS

ARTICLES

The Emperor's New Copyright, 301 B.U. L. Rev. 837 (2023)

Authoring Prior Art, 75 Vand. L. Rev. 1159 (2022)(with Joseph Fishman)

Pay-to-Playlist: The Commerce of Music Streaming, 12 U.C. Irvine L. Rev. 805 (2022)(with Christopher Buccafusco)

Copyright and Economic Viability: Evidence from the Music Industry, 17 J. Empirical Legal Stud. 4 (2020)(with James Hicks and Justin McCrary)

Super-Statutory Contracting, 95 Washington L. Rev. 1783 (2020)

Monetizing Infringement, 54 UC Davis L. Rev. 265 (2020)

A Reconsideration of Copyright's Term, 54 71 Alabama L. Rev. 351 (2019)

Copyright Arbitrage, 107 Calif. L. Rev. 199 (2019)

Facilitating Competition by Remedial Regulation, 31 Berkeley Tech. L. Rev. 183 (2016)

Penalty Default Licenses: A Case for Uncertainty, 89 N.Y.U. L. Rev. 1117 (2014)

CONGRESSIONAL TESTIMONY

Statement of Kristelia García, House Subcommittee on the Courts, Intellectual Property and the Internet, Committee on the Judiciary, "Artificial Intelligence and Intellectual Property: Part III – IP Protection for AI-Assisted Inventions and Creative Works," (Apr. 10, 2024)

Kristelia García's Response to Question for the Record, House Subcommittee on the Courts, Intellectual Property and the Internet, Committee on the Judiciary, "Artificial Intelligence and Intellectual Property: Part III – IP Protection for AI-Assisted Inventions and Creative Works," (May 1, 2024)

CHAPTERS, SHORTER PUBLICATIONS & OTHER WRITINGS

Taxing Collusion, JOTWELL (Feb. 28, 2024)(reviewing Rachel Landy, *Downstreaming*, 65 B.C. L. Rev. 1251 (forthcoming 2024))

Contracts & Copyright: Contemporary Musician Income Streams, Chapter in *The Oxford Handbook of Music Law & Policy* (Sean O'Connor, ed., 2020)

Technological Rights Accretion, 36 Yale J. on Reg.: Notice & Comment (Sept. 19, 2018)

Improving the Quality & Consistency of Copyright Infringement Analysis in Music, Berkeley Tech. L.J. Commentaries (Jan. 23, 2018)

Royalty Securitization, Harvard J. Law & Tech. Digest (Oct. 23, 2017)

TEACHING

GEORGETOWN LAW

Copyright

Property

Technology Law & Policy Colloquium: Content & Platforms

COLORADO LAW

Copyright

Property

Trademark & Unfair Competition

Seminar: The Law & Economics of Copyright

Seminar: Content & Platforms

GEORGE WASHINGTON LAW

Trademark & Unfair Competition

Seminar: Artistic Freedom & Control in Copyright

Seminar: Opportunities & Challenges in Digital Copyright

SERVICE & AFFILIATIONS

BAR MEMBERSHIPS

California

New York

PEER REVIEWER

Journal for Empirical Legal Studies

PROFESSIONAL AFFILIATIONS

American Law and Economics Association (Member)

Society for Empirical Legal Studies (Member & Referee)

Society for Economic Research on Copyright Issues (2nd VP)

Copyright Society of the United States (Member)

INSTITUTIONAL SERVICE

AT GEORGETOWN LAW

Rank & Tenure Committee (Member)
Institute for Technology Law & Policy (Associated Faculty)
Pre-Tenure Faculty Advisor Program (Mentor)

AT COLORADO LAW

Silicon Flatirons Center for Law, Technology & Entrepreneurship (Director of the IP Initiative)
Faculty Salary Peer Review Committee (Member)
LILAC (Diversity) Committee (Member)
Appointments Committee (Member)
Silicon Flatirons Executive Director Search Committee (Member)
Admissions Committee (Member)
Faculty Colloquium Committee (Member)
Law & Economics Program Advisory Subcommittee (Member)
IP LLM Program (Faculty Advisor)
ATLAS Faculty Advisory Board (Board Member)
Promotion & Tenure Committee (Peer Evaluator)
Latino Law Students Association (Faculty Advisor)
Sports & Entertainment Law Student Association (Faculty Advisor)
Dean Search Committee (Member)
1L Faculty Advisor Program (Mentor)
Technology Committee (Member)
Student Animal Legal Defense Fund (Faculty Advisor)
Silicon Flatirons Student Group (Faculty Advisor)

AWARDS, GRANTS & FELLOWSHIPS

Fritz Family Fellowship, 2024-2025
Anne Fleming Research Professorship, 2024
Gilbert Goldstein Faculty Research Fellowship, 2022-2023
Provost's Faculty Achievement Award (for Super-Statutory Contracting), 2021
Jules Milstein Scholarship Award (for Copyright Arbitrage), 2020
The Honorable Nancy F. Atlas IP Inn of Court Sponsored Scholarship Grant (for Copyright Arbitrage), 2018

Fellow, Institute for Intellectual Property & Information Law
Institute, 2015

Mark Twain Copyright Fellowship (for Facilitating
Competition by Remedial Regulation), 2015

Leonardo da Vinci Fellowship Research Grant, 2013

OTHER EMPLOYMENT

LEX LUMINA PLLC

Of Counsel, 2022-Present

UNIVERSAL MUSIC GROUP

Director, 2009-2012

MYSPLACE MUSIC, LLC

Director of Business Development, 2008-2009

QUINN EMANUEL URQUHART & SULLIVAN, LLP

Associate, 2006-2008

WACHTELL, LIPTON, ROSEN & KATZ

Associate, 2003-2006

SELECTION OF RECENT PRESENTATIONS & MEDIA

CONGRESSIONAL TESTIMONY

Witness Before the House Subcommittee on the Courts,
Intellectual Property and the Internet, Committee on the
Judiciary, "Artificial Intelligence and Intellectual Property:
Part III – IP Protection for AI-Assisted Inventions and
Creative Works," (Apr. 10, 2024)

SCHOLARLY PRESENTATIONS

"Selective Enforcement in Copyright," Ohio State Moritz
School of Law Faculty Workshop, March 2024

"Selective Enforcement in Copyright," North Carolina Law
School Faculty Workshop, February 2024

"Imperfect Enforcement," Intellectual Property Scholar's
Conference, August 2023

"Imperfect Enforcement," Intellectual Property Scholar's
Conference, August 2023

“The Emperor’s New Copyright,” Vanderbilt Law School IP Colloquium, April 2023

“The Emperor’s New Copyright,” SCOTLIN Conference, University of Aberdeen Law School, March 2023

“Authoring Prior Art,” University of Birmingham Law School, March 2023

PANELS, COMMENTARY & MODERATION

“Doctrinal Mapping of AI – Infringement,” Mapping Copyright’s Application to Generative AI, AU Washington College of Law, September 2023

“The Role of Competition Policy in Mediating the Crisis,” Silicon Flatiron’s Annual Conference on The Internet’s Midlife Crisis, Colorado Law School, February 2023

“Comedy Writers’ Battle for Royalties,” Fordham Media & Entertainment Society’s Eighth Annual Symposium, Fordham Law School, January 2023

MEDIA

Kyndall Cunningham, “How ‘industry plants’ became the internet’s hottest conspiracy,” Vox (Apr. 11, 2024)

Chris Stokel-Walker, “The Willy Wonka experience’s generative AI debacle is just the start of our nightmarish new advertising reality,” Fast Company (Mar. 1, 2024)

Ivan Moreno, “Justices to Hear IP Case That Could Cap Copyright Payouts,” Law 360 (Feb. 15, 2024)

Annelise Gilbert, AI Fight Complicates TikTok, Universal Music Licensing Standoff (Feb. 6, 2024)

Kate Knibbs, “Scammy AI-Generated Book Rewrites Are Flooding Amazon,” Wired (Jan. 10, 2024)

Scott Nover, “Is ChatGPT stealing from The New York Times?,” G Zero Media (Jan. 9, 2024)

Isaiah Poritz, “OpenAI Faces Existential Threat in New York Times Copyright Suit,” Bloomberg (Dec. 29, 2023)