

Brian L. Frye
Spears-Gilbert Professor of Law
University of Kentucky J. David Rosenberg College of Law
838 Pacific Avenue
New Orleans, LA 70114
(917) 273-2382
brianlfrye@gmail.com

Academic Appointments:

University of Kentucky College of Law, Lexington, KY

- Spears-Gilbert Professor of Law, July 2020 - present
- Spears-Gilbert Associate Professor of Law, July 2016 - June 2020
- Assistant Professor of Law, July 2012 - June 2016
- Courses: civil procedure, intellectual property, copyright, trademark, nonprofit organizations, law & popular culture, intellectual property theory, professional responsibility, media law

Tulane University School of Law, New Orleans, LA

- Visiting Professor, January 2023 - May 2024
- Courses: constitutional law, intellectual property, property, property theory, professional responsibility

Southern University Law Center, Baton Rouge, LA

- Visiting Professor, January 2021 - April 2021, August 2022 - December 2022
- Courses: contracts, copyright

Jilin University Law School, Changchun, Jilin Province, China

- Visiting Professor, May - June 2017 & 2018
- Course: introduction to United States intellectual property

Hofstra University School of Law, Hempstead, NY

- Visiting Assistant Professor of Law, January 2010 - June 2012
- Courses: civil procedure, art law, nonprofit organizations, law & popular culture

Professional Experience:

Sullivan & Cromwell LLP

- Associate, October 2007 - January 2010

Honorable Andrew J. Kleinfeld, United States Court of Appeals for the Ninth Circuit

- Law Clerk, June 2006 - June 2007

Honorable Richard B. Sanders, Washington Supreme Court

- Law Clerk, June 2005 - June 2006

Education:

New York University School of Law, New York, NY

- Juris Doctor, *cum laude*, May 2005

San Francisco Art Institute, San Francisco, CA

- Master of Fine Arts in Filmmaking, May 1997

University of California at Berkeley, Berkeley, CA

- Bachelor of Arts in Cinema Studies, High Honors, December 1994

Casebooks:

Brian L. Frye, Elizabeth Schiller & Maybell Romero, *Professional Responsibility: An Open-Access Casebook* (2019)

Brian L. Frye, *Media Law* (2019)

Legal Publications:

Brian L. Frye, *Are (Some) University Plagiarism Rules Unconstitutional?* (forthcoming)

Brian L. Frye, *The Path of the Law by Mark A. Lemley* (forthcoming)

Brian L. Frye, *The Gray Lady's Guide to Legal Education* (forthcoming)

Brian L. Frye, *Art Law & the Law of the Horse*, Seattle Journal for Social Justice (forthcoming)

Brian L. Frye, *Reflections on Uncreativity*, Maryland Law Review (forthcoming)

Brian L. Frye, *Interview with Christopher Jon Sprigman, Reporter of the American Law Institute Restatement of Copyright*, The Journal of the Copyright Society of the USA (forthcoming)

Brian L. Frye, *Robot Regulators*, SMU Science & Technology Law Review (forthcoming)

Brian L. Frye, *Dark Orgs*, Albany Law Review (forthcoming)

Brian L. Frye & C.J. Ryan, *The Decline & Fall of the U.S. News Rankings*, Ind. L.J. Supp. (forthcoming)

Barrett Block & Brian L. Frye, *Buribunkean Copyright: The Obligation to Record*, Capital University Law Review (forthcoming)

Brian L. Frye, *The Value of Art*, in *The Cultural History of Collecting* (Bloomsbury forthcoming)

Brian L. Frye, *The Uncanny Token*, in *NFTs, Metaverse and Law* (Springer forthcoming)

Brian L. Frye, *Hipster Antiplagiarism*, in *The Inframarginal Revolution: Markets as Wealth Distributors* (R. Woodcock, ed. Cambridge Univ. Press forthcoming)

Brian L. Frye, *Apologia Pro Plagio Suo*, 71 *J. Copyright Soc’y* 528 (2025)

Megan E. Boyd & Brian L. Frye, *The Duty of Efficiency & Generative AI Pedagogy*, 77 *Washington University Journal of Law & Policy* 96 (2025)

Brian L. Frye, *Art Wants to be Free*, 32 *Journal of Intellectual Property Law* 1 (2025)

Brian L. Frye, *Luxury Tokens* in *The Handbook of Fashion Law* (Eleonora Rosati & Irene Calboli eds. 2025)

Brian L. Frye, *The Artist’s Posthumous License*, 17 *ABA Landslide Magazine* 51 (2024)

Brian L. Frye, *A Brief History of NFTs*, in *The Cambridge Handbook on Law and Policy for NFTs* (Nizan Geslevich Packin ed. 2024)

Brian L. Frye, *A Legal Scholarship Jubilee*, 1 *Northwestern Law Journal des Refusés* 61 (2024)

C.J. Ryan, W. Michael Schuster & Brian L. Frye, *The Hidden Cost of University Patents*, 21 *Berkeley Business Law Journal* 203 (2024)

Brian L. Frye, *The Authors’ Petition*, 73 *American University Law Review Forum* 101 (2024)

Brian L. Frye, *What is Called Legal Scholarship?*, *The Hoosac Institute Journal* No. 13 (2023)

Brian L. Frye, *A Moveable Brownbag*, in *Teaching Methods in Intellectual Property Law* (Edward Elgar 2023)

Brian L. Frye, *Should Using an AI Text Generator to Produce Academic Writing Be Plagiarism?*, 33 *Fordham Intellectual Property, Media & Entertainment Law Journal* 947 (2023)

Brian L. Frye, *Tokenized Brands*, 9 *St. Thomas Journal of Complex Litigation* 31 (2023)

Brian L. Frye, *After Andy Warhol?*, 63 *IDEA* 280 (2023)

Brian L. Frye, *Are CryptoPunks Copyrightable?*, 2022 *Pepperdine Law Review* 105 (2022)

Brian L. Frye, *NFTmarks*, *Amsterdam Law & Technology Institute Forum* (2022)

Brian L. Frye, *After Copyright: Pwning NFTs in a Clout Economy*, 45 *Colum. J.L.& Arts* 341 (2022)

Brian L. Frye, *A Cento on Plagiarism*, 11 Social Epistemology Review and Reply Collective 58 (2022)

Brian L. Frye, *The Art of the Token*, 5.2 Stanford Journal of Blockchain Law & Policy 238 (2022)

Brian L. Frye, *Image Reproduction Rights in a Nutshell for Art Historians*, 62 IDEA 175 (2022)

Brian L. Frye, *Review of Anjali Vats, The Color of Creatorship: Intellectual Property, Race, and the Making of Americans*, 11 The IP Law Book Review 1 (2022)

Brian L. Frye, *How to Sell NFTs Without Really Trying*, 13 Harvard Journal of Sports & Entertainment Law 113 (2022)

Brian L. Frye, *Karl Marx, Literary Landlord*, 25 Virginia Journal of Law and Technology 279 (2022)

Brian L. Frye, *NFTs & the Death of Art*, in *Posthumous Art, Law and the Art Market* (Sharon Hecker & Peter J. Karol eds. Routledge 2022)

Brian L. Frye, *Review of: Hanoch Dagan, A Liberal Theory of Property* (Cambridge University Press 2021), 6 Journal of Law, Property, and Society 219 (2021)

Brian L. Frye, *Toxic Public Goods*, 74 Maine Law Review 2 (2021)

Brian L. Frye, *The Plagiarism Trilogy*, 1 Banja Luka Criminal Law Review 111 (2021)

Brian L. Frye, *Commentary on White v. Samsung*, in *Feminist Judgements: Rewritten Property Opinions* (Eloisa C. Rodriguez-Dod & Elena Maria Marty-Nelson eds. 2021)

Brian L. Frye, *SEC No-Action Letter Request*, 54 Creighton Law Review 537 (2021)

Megan Boyd & Brian L. Frye, *Plagiarism Pedagogy: Why Teaching Plagiarism Should be a Fundamental Part of Legal Education*, 99 Washington University Law Review Online 1 (2021)

Brian L. Frye, *Conceptual Copyright*, 66 South Dakota Law Review 183 (2021)

Brian L. Frye, *The Illusory "Public Trust" in Art*, *Deaccessioning in a Post-Pandemic World* (MuseumsEtc 2021)

Brian L. Frye, *The Right of Reattribution*, 5 The Business, Entrepreneurship & Tax Law Review 22 (2021)

Brian L. Frye, *Deodand*, 44 Seattle University Law Review SUPRA 55 (2021)

Brian L. Frye, *Everything You Always Wanted to Know About Price Gouging (But Were Afraid to Ask): A Response to Ramsi Woodcock*, *The Efficient Queue and the Case Against Dynamic Pricing*, 105 *Iowa L. Rev. Online* 33 (2021)

Brian L. Frye, *Court Packing Is a Chimera*, 42 *Cardozo Law Review* 329 (2021)

Brian L. Frye, *Literary Landlords in Plaguetime*, 10 *N.Y.U. J. Intell. Prop. & Ent. Law* 225 (2021)

Brian L. Frye, *A Textualist Interpretation of the Visual Artists Rights Act of 1990*, 19 *Colorado Technology Law Journal* 365 (2021)

Brian L. Frye, *A License to Plagiarize*, 43 *UALR L. Rev.* 51 (2020-2021)

Akshat Agrawal & Brian L. Frye, *Who Watches the Plagiarism Police?*, *The Contemporary Law Forum* (Nov. 27, 2020)

Jess Miers & Brian L. Frye, *Combating Internet Trolls: The Right of Publicity and Section 230*, *Landslide Magazine* 13:1 (September/October 2020)

Maybell Romero & Brian L. Frye, *The Right to Unmarry: A Proposal*, 69 *Clev. St. L. Rev.* 89 (2020)

Brian L. Frye, *In re Patentability of the Peltzer Inventions*, 11 *Case Western Reserve Journal of Law, Technology & the Internet* 111 (2020)

Christopher J. Ryan, Jr. & Brian L. Frye, *Patents & Legal Expenditures*, 51 *U. Pac. L. Rev.* 577 (2020)

Brian L. Frye, *The Stolen Poem of St. Moling: The Concept of Literary Ownership in Medieval Ireland*, in *Forgotten Intellectual Property Lore* (Shubha Ghosh ed. Edward Elgar 2020)

Brian L. Frye, *Plagiarize This Paper*, 60 *IDEA: The IP Law Review* 294 (2020)

Brian L. Frye, *Against Deaccessioning Rules*, 53 *Creighton Law Review* 461 (2020)

Christopher J. Ryan, Jr. & Brian L. Frye, *The 2019 Revealed-Preferences Ranking of Law Schools*, 7 *Belmont L. Rev.* 86, 113 (2019)

Brian L. Frye, *The Visible Hand?*, 36 *Yale J. on Reg.: Notice & Comment* (Oct. 8, 2019), <http://yalejreg.com/nc/the-visible-hand-by-brian-l-frye/>.

Christopher G. Bradley & Brian L. Frye, *Art in the Age of Contractual Negotiation*, 107 *Kentucky Law Journal* 547 (2019)

Brian L. Frye, *The Ballad of Harry James Tompkins*, 52 *Akron L. Rev.* 355 (2019)

Christopher J. Ryan, Jr. & Brian L. Frye, *University Technology Transfer & the Public Good*, in Research Handbook on Intellectual Property and Technology Transfer (Jacob Rooksby, ed. 2019)

Nicole E. Pottinger & Brian L. Frye, *Registration is Fundamental*, 8 IP Theory 1 (2018)

Brian L. Frye, *The Zapruder Film*, in A History of Intellectual Property in 50 Objects (Daniel Hunter & Claudy Op den Kamp, eds. Cambridge University Press 2018)

Brian L. Frye, *"It's Your Right...": A Legal History of the Bacardi Cocktail*, 27 U. Miami Bus. L. Rev. 1 (2018)

Brian L. Frye, *Metaphors on Trademark: A Response to Adam Mossoff, "Trademark as a Property Right"*, Kentucky Law Journal Online (2018).

Brian L. Frye, *Christmas in July: A Response to David Fagundes, Why Less Property Is More*, 103 Iowa L. Rev. Online 14 (2018)

Brian L. Frye, *The Lion, the Bat & the Thermostat: Metaphors on Consciousness*, 5 Savannah L. Rev. 13 (2018)

Brian L. Frye, *Invention of a Slave*, 68 Syracuse L. Rev. 181 (2018)

Brian L. Frye, *Art in the Shadow of the Law*, Kentucky Bench & Bar Magazine 8 (March/April 2018)

Christopher J. Ryan, Jr. & Brian L. Frye, *An Empirical Study of University Patent Activity*, 7 N.Y.U. J. I.P. & Ent. L. 51 (2017)

Brian L. Frye, *New Art for the People: Art Funds & Financial Technology*, 93 Chicago-Kent L. Rev. 113 (2017)

Christopher J. Ryan, Jr. & Brian L. Frye, *A Revealed Preferences Approach to Ranking Law Schools*, 69 Ala. L. Rev. 495 (2017)

Brian L. Frye, *The Possible Redundancy of §230*, The Recorder (Nov. 10, 2017), <http://perma.cc/FUW5-UHFB>

Brian L. Frye, *Equitable Resale Royalties*, 24 J. Intell. Prop. L. 1 (2017)

Brian L. Frye, *Against Creativity*, 11 N.Y.U. J.L. & Liberty 426 (2017)

Brian L. Frye & Christopher J. Ryan, Jr., *Fixing Forum Selling*, 25 U. Miami Bus. L. Rev. 1 (2017)

Brian L. Frye, *Incidental Intellectual Property*, 33 Ent. & Sports Lawyer (2017)

Brian L. Frye, Christopher J. Ryan, Jr. & Franklin L. Runge, *An Empirical Study of the Copyright Practices of American Law Journals*, 16 John Marshall Rev. I.P.L. 207 (2017)

Brian L. Frye, *Art & the "Public Trust" in Municipal Bankruptcy*, 93 U. Detroit Mercy L. Rev. 629 (2016)

Brian L. Frye, *Aesthetic Nondiscrimination & Fair Use*, 3 Belmont L. Rev. 29 (2016)

Brian L. Frye, *Machiavellian Intellectual Property*, 78 Univ. of Pittsburgh L. Rev. 1 (2016)

Brian L. Frye, *Copyright in Pantomime*, 34 Cardozo Arts & Ent. L. Rev. 307 (2016)

Brian L. Frye, *Social Technology & the Origins of Popular Philanthropy*, 32 Ga. State. L. Rev. 413 (2016)

Brian L. Frye, *Plagiarism is Not a Crime*, 54 Duquesne L. Rev. 133 (2016)

Brian L. Frye, *Scenes from the Copyright Office*, 32 Touro L. Rev. 83 (2016)

Brian L. Frye, *The Most Scholarly Justices*, 18 Green Bag 2d 435 (2015)

Brian L. Frye, *Copyright as Charity*, 39 Nova L. Rev. 343 (2015)

Brian L. Frye, *IP as Metaphor*, 18 Chapman L. Rev. 735 (2015)

Brian L. Frye, *Eldred & the New Rationality*, 104 Ky. L.J. Online 1 (2015)

Brian L. Frye, *Andy Warhol's Pantry*, 8 Akron I.P. J. 17 (2015)

Brian L. Frye, *Solving Charity Failures*, 93 Or. L. Rev. 155 (2014)

Brian L. Frye, *Justifying Academic Freedom*, 9 FIU L. Rev. 45 (2013)

Brian L. Frye, Josh Blackman & Michael McCloskey, *Justice John Marshall Harlan: Lectures on Constitutional Law, 1897–98*, 81 Geo. Wash. L. Rev. Arguendo (2013)

Josh Blackman, Brian L. Frye & Michael McCloskey, *Justice John Marshall Harlan: Professor of Law*, 81 Geo. Wash. L. Rev. 1063 (2013)

Brian L. Frye, *The Dialectic of Obscenity*, 35 Hamline L. Rev. 229 (2012)

Brian L. Frye, *The Peculiar Story of United States v. Miller*, 3 N.Y.U. J.L. & Liberty 48 (2008)

Professional Activities:

Amicus Brief in Support of Appellant-Defendant's Petition for Certification Under s 1292(c) in *Thomson Reuters v. ROSS Intelligence* (3d Cir. 2025)

Amicus Brief in Support of Appellant in *The Florida Bar v. Jerry Girley & Brooke Girley* (Fla. 2024) (co-authored with the ACLU of Florida)

Martin v. New American Cinema Group, Inc. (S.D.N.Y. 2023) (representing defendant)

Amicus Brief in Support of Appellant in *Valancourt v. Garland* (D.C. Cir. 2022) (co-authored with Zvi Rosen)

Amicus Brief in Support of Petition for Writ of Certiorari in *Columbia House of Brokers v. Designworks Homes* (2022) (co-authored with Michael Kwun)

Other Selected Publications:

Brian L. Frye, *The Mummy 3: Dream Plumbers*, in Annette Michelson and the Radical Aspiration in American Avant-Garde Cinema: A Critical Anthology (Luis Recoder & Kenneth White eds. Palgrave forthcoming)

Brian L. Frye, *Why I Sued the SEC*, Sept. 11, 2024, at <https://www.rightclicksave.com/article/why-i-sued-the-sec-law-regulate-art-nft>

Brian L. Frye, *Art Is Not a Security*, CoinDesk, August 29, 2024, at <https://www.coindesk.com/opinion/2024/08/29/art-is-not-a-security/>

Brian L. Frye, *Why Not Donate Dead Wallets?*, CoinDesk, March 1, 2023, at <https://www.coindesk.com/consensus-magazine/2023/02/28/why-not-donate-dead-nft-wallets/>

Brian L. Frye, *Royalties and the New Collector Economy*, Right Click Save, February 27, 2023, at <https://www.rightclicksave.com/article/royalties-and-the-new-collector-economy>

Brian L. Frye, *NFTs & the New Creative Economy*, Bankless, January 12, 2023, at <https://newsletter.banklesshq.com/p/how-nfts-could-upend-copyright-law>

Brian L. Frye, *Should Art Museums Collect NFTs?*, Right Click Save, January 9, 2023, at <https://www.rightclicksave.com/article/should-art-museums-collect-nfts>

Brian L. Frye, *NFTs Are Securities and It's Great*, CoinDesk, December 28, 2022, at <https://www.coindesk.com/consensus-magazine/2022/12/28/nfts-are-securities-and-its-great/>

Brian L. Frye, *NFT Art Museum Donations? The Pros and Cons for Your Tax Bill*, CoinDesk, November 14, 2022, at <https://www.coindesk.com/layer2/2022/11/14/nft-taxes-art-museum-donation/>

Brian L. Frye, *Making Sense of the \$40B NFT Market*, Right Click Save, January 31, 2022, at <https://www.rightclicksave.com/article/making-sense-of-the-40b-nft-market>

Brian L. Frye, *Clout and Control*, Outland, December 23, 2021, at <https://outland.art/cryptopunks-bored-apes-copyright/>

Brian L. Frye, *Pity the Poor Plagiarist*, PopLaw 2021, Nov. 24, 2021, at https://www.americanbar.org/groups/young_lawyers/publications/tyl/topics/poplaw/pity-poor-plagiarist/

Brian L. Frye, *Nevermind the Bollocks, Here's a Lawsuit*, ABA: The Young Lawyer, August 30, 2021, at https://www.americanbar.org/groups/young_lawyers/publications/tyl/topics/poplaw/nevermind-the-bollocks-heres-a-lawsuit-nirvana-spencer-elden/

Brian L. Frye, *Money for Nothing and Art for Free: What Are NFTs and Are They Illegal?*, ABA: The Young Lawyer, August 19, 2021, at https://www.americanbar.org/groups/young_lawyers/publications/tyl/topics/poplaw/money-for-nothing-art-for-free-are-nfts-illegal/

Brian L. Frye, *It's The End Of Citation As We Know It & I Feel Fine*, TechDirt, March 22, 2021, at <https://www.techdirt.com/articles/20210318/22393446451/end-citation-as-we-know-it-i-feel-fine.shtml>

Brian L. Frye, *The Baltimore Museum Wants to Diversify Its Collection; It Should Be Allowed to*, Hyperallergic, November 25, 2020, at <https://hyperallergic.com/600604/the-baltimore-museum-wants-to-diversify-its-collection-it-should-be-allowed-to/>

Brian L. Frye, *What Is Justice Amy Coney Barrett's Record on Arts Funding?*, Hyperallergic, October 29, 2020, at <https://hyperallergic.com/597958/what-is-justice-amy-coney-barretts-record-on-arts-funding/>

Brian L. Frye & Maybell Romero, *TVTV's America*, BAM/PFA, August 14, 2020, at https://guerrillatv.bampfa.berkeley.edu/essays/2020-08-10_brian-frye-and-maybell-romero-tvts-america.html

Brian L. Frye, *The NCBE is a Joke, Give "Judge Judy" the Boot*, Jurist, August 5, 2020, at <https://www.jurist.org/commentary/2020/08/brian-frye-ncbe-judith-gundersen/>

Brian L. Frye, *Libraries Are Not a Crime*, Jurist, August 5, 2020, at <https://www.jurist.org/commentary/2020/08/brian-frye-libraries-not-a-crime/>

Brian L. Frye, *My House, My Rules: A Brief History of the Third Amendment*, I Taught the Law, June 6, 2020, at <https://medium.com/i-taught-the-law/my-house-my-rules-a-brief-history-of-the-third-amendment-3f57569b758>

Brian L. Frye, *The King of Tragicomedy*, Jurist, May 9, 2020, at <https://www.jurist.org/commentary/2020/05/brian-frye-tiger-king/>

Brian L. Frye, *All's Fair in a Grudge Match*, Docalogue, May 2020, at <https://docalogue.com/tiger-king-murder-mayhem-and-madness/>

Brian L. Frye, *All Your Books Are Belong to Us*, Jurist, April 11, 2020, <https://www.jurist.org/commentary/2020/04/brian-frye-emergency-library/>

Brian L. Frye, *The CASE Act Is for Trolls*, Jurist, April 10, 2020, at <https://www.jurist.org/commentary/2020/04/brian-frye-case-act/>

Brian L. Frye, *OK, Landlord: Copyright Profits Are Just Rent*, Jurist, April 8, 2020, at <https://www.jurist.org/commentary/2020/04/brian-frye-copyright-profits/>

Brian L. Frye, *It's Time for Universal Diploma Privilege*, Jurist, April 6, 2020, <https://www.jurist.org/commentary/2020/04/brian-frye-diploma-privilege/>

Brian L. Frye, *Plagiarism in Plaguetime*, Jurist, March 28, 2020, at <https://www.jurist.org/commentary/2020/03/brian-frye-plagiarism-in-plaguetime/>

Brian L. Frye, *Arts Foundations Must Do More Right Now*, Jurist, March 26, 2020, at <https://www.jurist.org/commentary/2020/03/brian-frye-arts-foundations/>

Brian L. Frye, *Grades Are for Cops; Get Rid of Them*, Jurist, March 22, 2020, at <https://www.jurist.org/commentary/2020/03/brian-frye-grades-are-for-cops/>

Lucille E. Nguyen & Brian L. Frye, *Court-Packing and its Discontents*, Jurist, November 17, 2019, at <https://www.jurist.org/commentary/2019/11/nguyen-frye-court-packing/>

Lucille E. Nguyen & Brian L. Frye, *On "No-No Boy," Penguin is Right*, Jurist, June 26, 2019, at <https://www.jurist.org/commentary/2019/06/nguyen-frye-no-no-boy-penguin/>

Brian L. Frye, *A Potted Legal History of the Bisbee Deportation of 1917*, Hedgehogs & Foxes (June 26, 2018)

Brian L. Frye, *The Athlete's Two Bodies: Reflections on the Ontology of Celebrity*, Incite! Journal of Experimental Media, Issue 7 (2018)

Brian L. Frye, *Reflections on Motion Picture Evidence*, World Picture 12 (2017)

Brian L. Frye, *Copyright in a Nutshell for Found Footage Filmmakers*, Found Footage Magazine No. 2 (2016)

Brian L. Frye, *A Revolution in Favor of Television*, in *Looking with Robert Gardner* (SUNY Press, 2016)

Brian L. Frye, *Three Great Phonographers: Warhol, Nixon & Kaufman*, Incite! Journal of Experimental Media, Issue 6 (2016)

Brian L. Frye, *Interview with Jonas Mekas*, in *13 Most Wanted Men: Andy Warhol and the 1964 World's Fair* (2015)

Brian L. Frye, *On the Origins of the Robert Beck Memorial Cinema*, Incite! Journal of Experimental Media (2013)

Brian L. Frye, *The Gray Lady's Guide to Avant-Garde Cinema*, Incite! Journal of Experimental Media (2011-12)

Brian L. Frye, *The Accidental Preservationist: An Interview With Bill Brand*, in *Results You Can't Refuse: Celebrating 30 Years of BB Optics* (Andrew Lampert ed., 2006).

Brian L. Frye, *Three Great Filmmakers: Haldeman, Ehrlichman & Chapin*, in *Results You Can't Refuse: Celebrating 30 Years of BB Optics* (Andrew Lampert ed., 2006).

Brian L. Frye, *Three Great Filmmakers: Haldeman, Ehrlichman & Chapin, or Nixon's Home Movies*, Cineaste, Summer 2006

Brian L. Frye, *Interview With Jonas Mekas*, in *Jonas Mekas: Conversations, Letters, Notes, Msc. Pieces Etc.* (Jonas Mekas & Liutauras Psibilski eds., 2005).

Other Experience:

Legal Journalist, 2018 - present

- Founded *Ipsa Dixit*, a podcast on legal scholarship
- Interviewed more than 500 legal scholars about their scholarship

Film & Art Critic, 2000 - present

- Wrote feature articles and reviews on art and film in *The New Republic*, *Civilization*, *University Business*, *Cineaste*, *Film Comment*, *IndieWire*, *Millennium Film Journal*, *Senses of Cinema*, *BOMB*, *Film History*, *The Brooklyn Rail*, *Incite!* and other publications

Filmmaker, 1995 - present

- Co-producer of *Our Nixon* (2013), which was broadcast by CNN, opened theatrically nationwide, and has shown internationally
- Creator of short films and videos included in the Whitney Biennial 2002 and shown at the New York Film Festival, Museum of Modern Art, San Francisco Museum of Modern Art, the Pompidou Center, and many other venues

Selected Legal Presentations:

The New Abnormal - NFT's for Dummies / Legal Professionals, Santa Clara University Law School High Tech Law Journal, March 25, 2022

NFT Panel, Intellectual Property Owners Spring Summit, March 24, 2022

The Art of the NFT, SXSW, March 11, 2022

After Copyright: Pwning NFTs in a Clout Economy, Three Rivers IP & Tech Law Colloquium, January 28, 2022

Bring The Noise: IP in Tumultuous Times, AALS Annual Meeting, January 6, 2022

Art Law, Co-Sponsored by Intellectual Property - Permissions Culture, AALS Annual Meeting, January 6, 2022

Cryptocurrency and IP - addressing the fundamentals of cryptocurrency and blockchain, what real problems it solves or could solve, and its intersection with IP rights, IPO Education Foundation, December 9, 2021

Ownership rights of NFTs, Art Basel, December 1-4, 2021

NFTS: Future or Fad?, Kernochan Center, Columbia Law School, November 19, 2021

Deodand, Law & Humanities Scholars Conference, June 28, 2021

Plagiarism Pedagogy: Why Teaching Plagiarism Should be a Fundamental Part of Legal Education, Federal Judicial Center Conference, May 19, 2021

The Illusory "Public Trust" in Art, Deaccessioning After 2020, Syracuse University College of Law, March 19, 2021

"Ask The Lawyers", Deaccessioning After 2020, Syracuse University College of Law, February 26, 2021

The Law of the Jungle: Hobo Justice in Pre-War America, Rural Legal Scholars Workshop, University of South Dakota School of Law, October 30, 2020

Portmanteaumarks, Intellectual Property Scholars Conference, Stanford Law, August 21, 2020

Literary Landlords in Plaguetime, BYU Copyright and Trademark Symposium, August 20, 2020

The Law of the Jungle, SEALS, July 31, 2020.

Reflections on Deaccessioning, Art Law Works-in-Progress Colloquium, Northeastern Law, April 3, 2020

Reflections on Deaccessioning, Creighton Law, February 22, 2020

Plagiarize This Paper, Nebraska Law, February 21, 2020

Ken Zeran in How to Become Famous Without Really Trying, Works in Progress Intellectual Property Colloquium, Santa Clara Law, February 7, 2020

Toxic Public Goods, Three Rivers Tech and IP Colloquium, Pitt Law, January 31, 2020

The Trouble With Conceptual Art, Association of American Law Schools Annual Conference, January 5, 2020

Funding University Research or Patent Litigation?, Stanford NPE Database Symposium, November 15, 2019

Plagiarize This Paper, University of New Hampshire School of Law, November 8, 2019

Innovation as Charity, Medicine, Music, and Mascots: Furthering Social Justice in the Age of Intellectual Property, Gonzaga University School of Law, September 20, 2019

Against Deaccessioning Rules, Association for Law & Society Conference, Washington, DC, May 31, 2019

Toxic Public Goods, Association for Law, Property, and Society Conference, Syracuse University College of Law, May 18, 2019

Plagiarize This Paper, Intellectual Property Redux Conference, University of New Hampshire School of Law, April 13, 2019

Private Resale Royalties, St. John's University School of Law IP Colloquium, March 11, 2019

The Stolen Poem of St. Moling, Works in Progress IP, University of Houston Law Center, February 9, 2019

Private Resale Royalties, Three Rivers Tech and IP Colloquium, Duquesne University School of Law, January 25, 2019

The Ballad of Harry James Tompkins, University of Mississippi School of Law, October 15, 2018

The Ballad of Harry James Tompkins, Cleveland-Marshall College of Law, September 17, 2018

The Ballad of Harry James Tompkins, Erie at Eighty: Choice of Law Across the Disciplines Conference, University of Akron School of Law, Constitutional Law Center, September 14, 2018

Watergate & the Historiography of the Presidency, Southern Illinois University School of Law, September 4, 2018

Liberation Innovation: Antebellum African-American Intellectual Property, University of Louisville College of Law, August 28, 2018

Killing Time: Motion Picture Evidence & Capital Punishment, Visible Evidence, Indiana University, August 10, 2018

Intellectual Property Bullshit, SEALS, August 5, 2018

Hot Topics in Copyright Law, San Francisco Bar Association, April 25, 2018

Illegal Art, Alternative Cinema, Colgate University, April 3, 2018

Against Deaccessioning Rules, Harvard Law School, March 22, 2018

To Every Cow Its Calf: Saint Columcille & the Mythical Origins of Copyright, Works in Progress Intellectual Property Conference, Case Western Reserve University School of Law, Cleveland, OH, February 16, 2018

To Every Cow Its Calf: Saint Columcille & the Mythical Origins of Copyright, Marquette University Law School, Intellectual Property Colloquium, Milwaukee, WI, February 8, 2018

Privacy is Not Property, National and Global Perspectives on the Right to Privacy Conference, VIT Law School, Chennai, India, January 20, 2018

The Lion, the Bat & the Thermostat: Metaphors on Consciousness, American Association of Law Schools Annual Conference, January 6, 2018

The Athlete's Two Bodies: Reflections on the Ontology of Celebrity, Queen's University Faculty of Law, October 12, 2017

The Lion, the Bat & the Thermostat: Agnostic Reflections on Artificial Intelligence, Rise of the Automatons, Savannah Law School, September 15, 2017

Extremum as Metaphor, TEDxJLU talk, Jilin University, May 2017

The Law of the Jungle: Hobo Justice, 1865-1939, University of Toledo College of Law, March 27, 2017

Equitable Resale Royalties, Association of American Law Schools Annual Meeting, January 7, 2017

Against Creativity, IP Colloquium, Hofstra Center for Intellectual Property Law, November 7, 2016

Against Creativity, Conference on Law, Authorship, and Appropriation, Paul M. Hebert Law Center, Louisiana State University, October 29, 2016

Observations on Comparative Intellectual Property Law, International Symposium on Foreign Law and Comparative Law, Beijing International Studies University Law School, September 17, 2016

Observations on Comparative Intellectual Property Law, Zhejiang Gongshang University Law School, Hangzhou, September 21, 2016

The Law of the Jungle: Hobo Justice, 1865-1939, Law & Society Association Annual Meeting, New Orleans, LA, June 2, 2016

Against Creativity, American Bar Association Intellectual Property Law Symposium, April 6, 2016

Intellectual Property as Charity, University of West Virginia College of Law, April 4, 2016

The Law of the Jungle: Hobo Justice, 1865-1939, University of Mississippi College of Law, March 28, 2016

Art & the "Public Trust" in Municipal Bankruptcy, University of Detroit Mercy Law Review Centennial Symposium, March 4, 2016

Copyright & Cultural Production, Mega IP Fiesta, VIT Law School, Chennai, India, January 30, 2016

IP as Charity, AALS Annual Meeting, January 8, 2016

Intellectual Property Bullshit, Savannah Law School, November 6, 2015

Plagiarism is Not a Crime, Intellectual Property Junior Scholars Workshop, Fordham Law School, October 23, 2015

Aesthetic Nondiscrimination & Fair Use, Belmont Law Review 2015 Symposium, Entertainment Law and Music Business in Transition, Belmont Law School, October 16, 2015

IP as Charity & Plenary Speaker, Central States Law Schools Association 2015 Scholarship Conference, October 9, 2015

IP as Charity, Intellectual Property Scholars Conference, August 6, 2015

IP as Charity, Moritz College of Law, The Ohio State University, July 23, 2015

The National Security State: The NSA's Mass Surveillance and Meta-Data Collection, Kentucky Bar Association Annual Convention, June 19, 2015

Plagiarism is Not a Crime, Duquesne University School of Law, April 20, 2015

Scenes from the Copyright Office, Touro Law Center, March 23, 2015

The McKinley Memorial Chain Letter & the Origins of Popular Philanthropy, Ohio Northern University Claude W. Pettit College of Law, February 27, 2015

Copyright as Charity, 2015 Nova Law Review Symposium, New Media and Old Metaphors, Shepard Broad Law Center at Nova Southeastern University, February 12-13, 2015

IP as Metaphor, 2015 Chapman Law Review Symposium, Trolls or Toll-Takers: Do Intellectual Property Non-Practicing Entities Add Value to Society?, Chapman Law School, January 30, 2015

Trolls as Metaphor, 4th Annual Intellectual Property Scholars Roundtable, University of New Hampshire School of Law, November 2014

Charity as Innovation, Junior Intellectual Property Scholars Association Workshop, Washburn University School of Law, June 2014

Solving Charity Failures, Internet Law Works in Progress Symposium, March 2014

Epistemological Skepticism & Motion Picture Evidence, Association for the Study of Law, Culture & the Humanities Conference, March 2014

Watergate & the Historiography of the Presidency, Indiana University-Purdue University Indianapolis College of Law, January 2014

Discovering Constitutional Rights, Conference on The Question of Regulating Guns, Indiana Tech Law School, November 2013

Andy Warhol's Pantry, Akron Law IP Scholars Forum, October 2013

Nixon & the Historiography of the Presidency, Saint Louis University College of Law, September 2013

Charity as Innovation, Southeastern Association of Law Schools, August 2013

Charity as Innovation, Developing Ideas Conference, August 2013

Solving Charity Failures, Washington University in St. Louis Law School Regional Junior Faculty Forum, April 2013

Solving Charity Failures, Central States Law Schools Association Conference, October 2012

Other Presentations:

Copyrights & Copywrongs, Bastard Film Encounter, April 27, 2019

The Art of Appropriation: A Copyright/Fair Use Workshop, BRIC, Brooklyn, NY, Nov. 28, 2017

Copyright in a Nutshell for Archivists, Association of Moving Image Archivists Annual Conference, November 12, 2016

The Art Markets Are Present, White Box Gallery, New York, NY, August 25, 2016

Selections from the Kentucky Amateur Film Archive, Ephemeral Film Festival, Baltimore, MD, June 25, 2016

Jonathan Lee Riches: The Most Suingest Person in America, Bastard Film Encounter, April 24, 2015

Film and Filmmaking in Kentucky, University of Louisville, March 13, 2015

Collage Filmmaking, Antioch College, August 2014

Working in the "People's House": The Nixon Staff Super-8 Collection (with Katrina Dixon), Wunderkino 4: Visions of House and Home, Northeast Historic Film, July 2014

Documentary Filmmaking, Hampshire College, November 2013

Old Films, New Access: Partnerships in Production, Association of Moving Image Archivists Annual Conference, November 2013

Documentary Film in Kentucky, University of Louisville, October 2013

References:

Mark Lemley
William H. Neukom Professor of Law
Stanford Law School
(650) 723-4605
mlemley@law.stanford.edu

Naomi Mezey
Professor of Law
Georgetown University Law Center
(202) 662-9854
mezeyn@law.georgetown.edu

Eric J. Segall
Ashe Family Chair Professor of Law
Georgia State University College of Law
(404) 413-9225
esegall@gsu.edu

Christopher Jon Sprigman
Murray and Kathleen Bring Professor of Law
New York University School of Law
(212) 992-8162

christopher.sprigman@nyu.edu