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2022-2023 STANLEY H. MERVIS LECTURE IN INTELLECTUAL PROPERTY

"AGAINST PROGRESS: INTELLECTUAL PROPERTY AND FUNDAMENTAL VALUES IN THE INTERNET AGE"

PROFESSOR JESSICA SILBEY, BOSTON UNIVERSITY SCHOOL OF LAW

COMMENTARY BY PROFESSOR PATRICIA A. BANKS, MOUNT HOLYOKE COLLEGE

When first written into the Constitution, intellectual property aimed to facilitate the "progress of science and the useful arts" by granting limited rights to authors and inventors.

Today, when rapid technological evolution accompanies growing wealth inequality and political and social divisiveness, the constitutional goal of "progress" may suggest more fundamental human values such as equality, privacy, and distributive justice, redirecting IP's emphasis to the commonweal instead of private interests.

Professor Silbey will highlight key themes and disputes to examine the experience of everyday creators and innovators navigating IP laws in the current internet eco-system and will encourage a refiguring of the substance of "progress" and the purpose of IP in terms that demonstrate the urgency of art and science to social justice today.



Jessica Silbey is a Professor of Law and Yanakakis Faculty Research Scholar at Boston University School of Law, where she teaches and writes in the areas of intellectual property, constitutional law, and law and the humanities. In addition to a law degree, she has a Ph.D. in comparative literature and draws on her literature and film studies to better account for law's force, both its effectiveness and failure as socio-political regulation. A 2018 Guggenheim Fellow, Professor Silbey is the author of *Against Progress: Intellectual Property and Fundamental Values in the Internet Age* (Stanford University Press 2022) and *The Eureka Myth: Creators, Innovators and Everyday Intellectual Property* (Stanford University Press 2015).



Patricia A. Banks is a sociologist whose research program lies at the intersection of culture, consumption, and markets. A graduate of Harvard University (Ph.D. & A.M.) and Spelman College (B.A.), she has been a Sheila Biddle Ford Foundation Fellow and Non-Resident Fellow at the W.E.B. Du Bois Institute for African and African American Research (now the Hutchins Center) at Harvard University. Professor Banks is the author of four books, including *Black Culture Inc: How Ethnic Community Support Pays for Corporate America* (Stanford University Press 2022).

Friday, February 10, 2023, 12:50 p.m., Room 127, Law School