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## **Paul Grewal of Facebook Presents Annual Mervis Lecture in Intellectual Property**

By George J. Townsend J.D. '21

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On January 23, Vice President and Deputy General Counsel of Facebook Paul Grewal presented the 2018-19 Stanley H. Mervis Lecture in Intellectual Property at William & Mary Law School.

Prior to joining Facebook, Grewal served as a U.S. District Magistrate Judge for the U.S. District Court for the Northern District of California. He previously practiced intellectual property and patent litigation as a partner at Day Casebeer Madrid & Batchelder, and commercial litigation at Pillsbury Winthrop Shaw Pittman LLP. He obtained a J.D. from the University of Chicago and a B.S. in civil and environmental engineering from MIT.

Grewal's lecture challenged the framework of social media as a "public square," subject to the same First Amendment protections as communal public spaces. He pushed back on the notion by discussing the obligations social media companies like Facebook have to their users, especially in regard to topics like online bullying and hate speech.

"It's an attractive idea; it answers many questions that we are all struggling with as we try to figure out the role of social media in our society," Grewal said. "And yet, as attractive as this model is, as tempted as I am to embrace it and apply it, my personal and professional experience has led me to the conclusion that it's not very useful in the end."

He went on to discuss the importance of the ability of social media services to hold users to terms of service, and explored the increasingly common phenomenon of public officials creating accounts on social media platforms to engage with their constituents. He explored several decades of case law involving the public forum model in such contexts as privately run company towns and broadcast stations before differentiating those scenarios from modern social media technologies.

"I think it's fair to say that as not only courts but the technology industry itself grapples with these issues, we're going to be seeing a lot more conversation, not just



about whether or not to categorize or pigeonhole a social network into a particular doctrine, but about what type of relationship we want to have as citizens with these technologies,” Grewal concluded.

The lecture was followed by a conversation with the students and faculty in attendance. Grewal answered a wide range of questions on topics including the role of social media companies in countries without established free speech protections and the understanding ordinary social media users have of the legal questions posed by new technologies.

**About the Stanley H. Mervis Lecture**

The Stanley H. Mervis Lecture in Intellectual Property is a lecture series in memory of Stanley Mervis, an alumnus of the William & Mary Law School Class of 1950. Mervis was an avid patent and intellectual property attorney and spent most of his career as patent counsel for the Polaroid Corporation.

**About William & Mary Law School**

Thomas Jefferson founded William & Mary Law School in 1779 to train leaders for the new nation. Now in its third century, America's oldest law school continues its historic mission of educating citizen lawyers who are prepared both to lead and to serve.