

# SEPEHR SHAHSHAHANI

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<https://sshahshahani.github.io>

## EMPLOYMENT

### **Fordham University School of Law**

Associate Professor, 2019–present (with tenure as of September 2024)

### **The Honorable Ronald Lee Gilman**, United States Court of Appeals for the Sixth Circuit

Law Clerk, 2012–2013

### **The Honorable William E. Smith**, United States District Court for the District of Rhode Island

Law Clerk, 2010–2011

### **Paul, Weiss, Rifkind, Wharton & Garrison LLP**, New York, NY

Litigation Associate, 2008–2010, 2011–2012

## EDUCATION

### **Princeton University**, Ph.D. in Politics, 2019, M.A. in Politics, 2016

Fields: American Politics, Formal & Quantitative Methods, Public Law

Charlotte Elizabeth Procter Honorific Fellowship (for “the highest scholarly excellence in graduate work”)

### **New York University School of Law**, LL.M., 2014

Mamdouha Bobst Global Scholarship

### **Boston University School of Law**, J.D., *magna cum laude*, 2008

Edward F. Hennessey Scholar, 2007–2008

Paul J. Liacos Distinguished Scholar, 2006–2007

Editor in Chief, Boston University International Law Journal, 2007–2008

President, International Law Society, 2006–2007

School of Law Scholarship, 2005–2008

### **University of Chicago**, B.A. in Political Science, with honors, Phi Beta Kappa, 2004

## PUBLICATIONS

*When Hard Cases Make Bad Law: A Theory of How Case Facts Affect Judge-Made Law*, 110 CORNELL LAW REVIEW (forthcoming 2025)

Selected for presentation at the Harvard/Yale/Stanford Junior Faculty Forum 2022

*Against the Abstract-Ideas Exclusion*, 40 BERKELEY TECHNOLOGY LAW JOURNAL (forthcoming 2025)

*The Missing Element in Trademark Infringement* (with Maggie Wittlin), 110 IOWA LAW REVIEW 1247 (2025)

*Testing Political Antitrust* (with Nolan McCarty), 98 N.Y.U. LAW REVIEW 1169 (2023)

Nominated, Antitrust Writing Awards, best academic article in General Antitrust, 2024

[Featured](#) on Marginal Revolution (Apr. 22, 2023)

*Measuring Follow-On Innovation* (with Janet Freilich), 52 RESEARCH POLICY 104854 (2023)

Reviewed by Laura Pedraza-Fariña, [How Do Patents Influence Cumulative Innovation?](#), JOTWELL (Jan. 24, 2023)

*Hard Cases Make Bad Law? A Theoretical Investigation*, 51 JOURNAL OF LEGAL STUDIES 133 (2022)

*Coordination and Innovation in Judiciaries: Correct Law vs. Consistent Law* (with Charles Cameron and Mehdi Shadmehr), 17 QUARTERLY JOURNAL OF POLITICAL SCIENCE 61 (2022)

*The Fact-Law Distinction: Strategic Factfinding and Lawmaking in a Judicial Hierarchy*, 37 JOURNAL OF LAW, ECONOMICS, & ORGANIZATION 440 (2021)

Honorable Mention, Best Graduate Student Paper Award, American Political Science Association, Law and Courts Section, 2020

*The Role of Courts in Technology Policy*, 61 JOURNAL OF LAW & ECONOMICS 37 (2018)

*Religion and Judging on the Federal Courts of Appeals* (with Lawrence Liu), 14 JOURNAL OF EMPIRICAL LEGAL STUDIES 716 (2017)

*The Nirvana Fallacy in Fair Use Reform*, 16 MINNESOTA JOURNAL OF LAW, SCIENCE & TECHNOLOGY 273 (2015)

*The Design of Useful Article Exclusion: A Way Out of the Mess*, 57 JOURNAL OF THE COPYRIGHT SOCIETY OF THE U.S.A. 859 (2010)

First Prize, Nathan Burkan Memorial Competition for papers on copyright law, Boston University, 2008

Note, *Politics Under the Cover of Law: Can International Law Help Resolve the Iran Nuclear Crisis?*, 25 BOSTON UNIVERSITY INTERNATIONAL LAW JOURNAL 369 (2007)

## WORKING PAPERS

*Judges, Lawyers, and Legal Innovation* (with Deborah Beim)

*Fact-Law Confusion*

## SHORTER WRITING

[\*The Problem with Political Antitrust\*](#), ProMarket, Aug. 7, 2023 (with Nolan McCarty)

## PRESENTATIONS (PAST AND FORTHCOMING)

Political Economy of Public Law (PEPL) Conference	2025, 2024
Emerging Scholars Conference in Public Law	2024
Haverford Economics Colloquium	2024
Texas A&M Law and Economics Conference	2024
American Law and Economics Association Annual Meeting	2024, 2022, 2020, 2019, 2017, 2016
American Political Science Association Annual Meeting	2024, 2021, 2020, 2019, 2016
NYU Tri-State Region IP Workshop	2024, 2023, 2022
AALS Annual Meeting	2024, 2023
Junior Intellectual Property Scholars Association (JIPSA) Workshop	2024, 2023, 2022
Intellectual Property Scholars Conference (IPSC)	2023, 2022, 2021
Midwest Political Science Association Annual Conference	2023, 2018
Georgetown Law & Economics Workshop	2023
George Mason Law & Economics Workshop	2023
The Patent Conference (PatCon)	2023
Cardozo Intellectual Property Colloquium	2023
Works in Progress for Intellectual Property (WIPIP) Scholars Colloquium	2023
SMU Dedman School of Law Faculty Forum	2023
Harvard/Yale/Stanford Junior Faculty Forum	2022
Conference on Empirical Legal Studies	2022, 2016
NYU/ABA Next Generation of Antitrust Scholars Conference	2022
Copenhagen Money in Politics Conference	2022
Harvard/NYU/Penn Trademark and Unfair Competition Scholarship Roundtable	2022
Northwestern/Penn/Stanford Junior Faculty Forum on Law and STEM	2022

University of Virginia Law & Economics Workshop	2022
Boston University Law & Economics Workshop	2022
Annual Fordham Intellectual Property Conference	2022, 2021
Society for Institutional & Organizational Economics Annual Conference	2021, 2020
Law and Economic Theory Conference	2021, 2019
Michigan-USC-Virginia Law & Economics Workshop	2021
Strategy and the Business Environment Conference	2021
Cambridge-USC Virtual Antitrust Workshop	2021
Northwestern University Colloquium on Law and Economics	2020
NYU Colloquium on Law, Economics, and Politics	2019
University of Texas at Austin Law and Economics Seminar	2019
Emory Conference on Institutions and Law-Making (poster)	2019, 2018
Society for Political Methodology Annual Meeting (poster)	2016

## HONORS, AWARDS, GRANTS, AND ACTIVITIES

Selection for Harvard/Yale/Stanford Junior Faculty Forum, Harvard Law School, 2022  
 Recognized as “Distinguished Referee” for “Outstanding Reports,” Journal of Legal Studies, 2022  
 Honorable Mention, Best Graduate Student Paper Award, American Political Science Association, Law and Courts Section, 2020 (for *The Fact-Law Distinction*)  
 Charlotte Elizabeth Procter Honorific Fellowship (awarded across all departments for “the highest scholarly excellence in graduate work”), Princeton University, 2018  
 National Science Foundation Conference Grant for *Strategic Abstention* (with Asya Magazinnik), 2016  
 Center for Information Technology Policy Graduate Scholarship Award, Princeton University, 2014  
 Mamdouha Bobst Global Scholarship, New York University School of Law, 2013  
 First Prize, Nathan Burkan Memorial Competition (for papers on copyright law), Boston University, 2008  
 Editor in Chief, Boston University International Law Journal, 2007–2008  
 Edward F. Hennessey Scholar (top ten percent in class), Boston University School of Law, 2007–2008  
 President, Boston University School of Law International Law Society, 2006–2007  
 Paul J. Liacos Distinguished Scholar (top four percent in class), Boston University School of Law, 2006–2007  
 School of Law Scholarship, Boston University School of Law, 2005–2008

## TEACHING EXPERIENCE

Civil Procedure (Fordham, 2020–present); Intellectual Property (Fordham, 2019–present); Math for Political Science (preceptor, graduate course, Princeton, 2017); American Politics (preceptor, undergraduate course, Princeton, 2016)

## SERVICE

Lead Organizer, Junior Intellectual Property Scholars Association Summer Workshop (2023)  
 Area Organizer, American Law and Economics Association Annual Meeting (2023)  
 Cofounder, Juniors’ Roundtable, Fordham Law School (2019–present)  
 Member, Program Selection Committee, Law and Economic Theory Conference (2022)  
 Member, Scholarship & Colloquia Committee, Fordham Law School (2019–2023)  
 Member, U.S. News Working Group, Fordham Law School (2021–present)  
 Member, Admissions Working Group, Fordham Law School (2022–present)  
 Member, Teaching Committee, Fordham Law School (2023–2024)  
 Chair, Data Analytics Committee, Fordham Law School (2024–present)  
 Faculty Advisor, Fordham Muslim Law Students Association (2020–present)  
 Faculty Advisor, Fordham Middle Eastern and North African Law Student Association (2024–present)

## REFeree SERVICE

American Law and Economics Review; Antitrust Bulletin; International Review of Law and Economics; Journal of Empirical Legal Studies; Journal of Law and Courts; Journal of Law, Economics, & Organization; Journal of Legal Studies; Quarterly Journal of Political Science; Yale Law Journal

**BAR AND COURT ADMISSIONS**

New York (2009), Massachusetts (2009), S.D.N.Y. (2010), Sixth Circuit (2013)

**MEMBERSHIPS (SOMETIMES LAPSING)**

American Bar Association; American Law and Economics Association; American Political Science Association; Junior Intellectual Property Scholars Association; Midwest Political Science Association; Society for Empirical Legal Studies; Society for Political Methodology