

## JESSICA M. KISER

Gonzaga University School of Law  
721 N. Cincinnati Street, PO Box 3528, Spokane, WA 99220  
Phone: (509) 313-3709, Email: kiser@gonzaga.edu

### ***EDUCATION***

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#### **Columbia Law School**

**New York, NY**

Juris Doctor, May 2007

- Harlan Fiske Stone Scholar
- Senior Editor, *Columbia Journal of Law and the Arts*
- Kirkland & Ellis Diversity Fellowship
- Fred E. & Claire R. Strine Scholar
- Kernochan Center Arts Law Summer Fellowship

#### **Boston University**

**Boston, MA**

B.A., Cultural Anthropology, *Summa Cum Laude* with distinction, May 2003

B.S., Communication (Advertising), *Summa Cum Laude*, May 2003

- Phi Beta Kappa
- Trustee Scholarship
- Scarlet Key Award (for service to Boston University)
- College Prize for Excellence in Anthropology (top graduate in Anthropology)
- Distinguished Student Award (top graduate in Communication)

### ***ACADEMIC EXPERIENCE***

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#### **Gonzaga University School of Law, Spokane, WA**

***Associate Professor***

2018 - Present

***Assistant Professor***

2012 - 2018

- Rita G. and Norman L. Roberts Faculty Scholar, 2015 – 2018
- Primary Courses: Property Law, Intellectual Property Law, Advanced Trademark and Unfair Competition Law, International and Comparative Intellectual Property Law, Business Associations, Agency and Unincorporated Entities, and Negotiation
- Additional Courses: Bar Exam Strategies and Techniques and Externship Seminar

***Director***, Gonzaga University Wine Institute

2019 – Present

- Founded academic institute and created online certificate program intended to educate professionals about the legal and business needs of wine-related businesses.
- Successfully raised funds to cover initial costs of the new certificate program.
- Manage all participant contact, track course completion, and grade all assessments.

***Co-Director***, Gonzaga Center for Law, Ethics, and Commerce (CLEC)

2023-Present

***Acting Director***, Career Services Office

July 2024-September 2024

***Interim Director of Academic Support and Bar Programs***

2021 - 2022

***Associate Dean for Faculty Research & Development***

2018-2020

**Loyola University New Orleans College of Law**  
**Westerfield Fellow**

2010 - 2012

- Courses: Legal Research and Writing I, Legal Research and Writing II, and Contract Drafting

## **LEGAL PRACTICE EXPERIENCE**

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**Associate, Kirkland & Ellis LLP**

September 2007 – June 2010

*Transactional Intellectual Property Group*

Assisted clients with the management of intellectual property portfolios including the filing of copyright and trademark applications, responding to office actions from the United States Patent and Trademark Office, and the monitoring of third party trademarks. Coordinated the intellectual property due diligence and negotiations for venture capital financings and mergers and acquisitions involving pharmaceutical, biotechnology, software, manufacturing, consumer product and communications companies. Negotiated and drafted a wide range of corporate agreements, including stock and note purchase agreements, merger agreements, trademark and patent licenses, development and supply agreements, and web hosting agreements.

**Intern, Thirteen/WNET-New York**

Summer 2005

Researched and drafted memoranda on sweepstakes law, defamation, copyright law, and FCC broadcast regulations. Informed client of complex New York registration requirements, which led to the complete revision of an annual promotional sweepstakes.

## **HONORS AND AWARDS**

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Fellow, American Bar Foundation, 2023 – Present

Rita G. and Norman L. Roberts Faculty Scholar, 2015 – 2018

Ladas Memorial Award – Professional Category, International Trademark Association, 2018

Professor of the Year, Gonzaga University School of Law, 2018

## ***PUBLICATIONS & WORKS IN PROGRESS***

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### **Books and Monographs:**

FUNDAMENTALS OF U.S. INTELLECTUAL PROPERTY LAW: COPYRIGHT, PATENT, AND TRADEMARK (8th ed. 2024)(co-authored with Amanda Reid & Sean Tu).

- Kluwer Law International book for a domestic audience
- Invited reviser of trademark law component

FUNDAMENTALS OF U.S. INTELLECTUAL PROPERTY LAW: COPYRIGHT, PATENT, AND TRADEMARK (7th ed. 2021)(co-authored with Amanda Reid & Sean Tu).

- Kluwer Law International book for a domestic audience
- Invited reviser of trademark law component

*United States of America*, in INTERNATIONAL ENCYCLOPEDIA OF LAWS: INTELLECTUAL PROPERTY (November 2021)(co-authored with Amanda Reid & Sean Tu).

- Kluwer Law International monograph for an international audience
- Invited reviser of U.S. trademark law component

*Commentary on Donahue v. Rodd Electrottype*, FEMINIST JUDGMENTS: REWRITTEN CORPORATE LAW (Cambridge University Press, January 2023).

### **Law Review Articles:**

*Library Lobbying: Libraries as Power Players in the Development of Intellectual Property Law* (Work in Progress)

*The Reasonably Prudent Consumer of Alcohol* (Work in Progress).

*Tradition is a Trap*, 85 U. PITT. L. REV. 817 (2024).

*Of Marks and Markets: An Empirical Study of Trademark Litigation*, 75 S. C. L. REV. 1 (2023) (co-authored with Benjamin Edwards and Sean Wright).

*Wallpaper By Any Other Name*, 68 SYRACUSE L. REV. 117 (2018).

*Brandright*, 70 ARK. L. REV. 489 (2017).

- This article won the International Trademark Association's 2018 Ladas Memorial Award, which is granted annually to the best law review article on the topic of trademark law.

*Brands as Copyright*, 61 VILL. L. REV. 1 (2016).

*To Bully or Not to Bully: Understanding the Role of Uncertainty in Trademark Enforcement Decisions*, 37 COLUM. J. L. & ARTS 211 (2014).

*How Dykes on Bikes Got It Right: Procedural Inequities Inherent in the Trademark Office's Review of Disparaging Trademarks*, 46 U.S.F.L. REV. 1 (2011).

## **Other Publications:**

*Beware of the Blog*, COPYRIGHT WORLD, February 2010, at 22 (with Rita Berardino).

*The Burden of Proof: Perceptions of Native Americans as an Example of Ethnic Ambiguity* (May 2003) (unpublished Honors Thesis, Boston University).

## ***PRESENTATIONS***

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Presenter, *Tradition is a Trap*, Food for Thought Faculty Series, Gonzaga University School of Law, Spokane, WA, April 15, 2025.

Presenter, *From Whom? From Where? A Trademark Damages Update*, Patent and Trademark Law Developments Conference, Global Center for Business & Development, University of the Pacific McGeorge School of Law, Sacramento, CA, April 4, 2025.

Invited Speaker, *Tradition is a Trap*, Trademark Law with Professor Andrew Gilden, Willamette University College of Law, Virtual, February 19, 2025.

Presenter, *Tradition is a Trap*, Gonzaga University School of Law, Spokane, WA, March 21, 2024.

Presenter, *Problems on the Path to Trademark Litigation*, Intellectual Property Overview: Liquor, Cannabis, and Psychedelics CLE, Washington State Bar Association – Liquor, Cannabis, and Psychedelics Law Section, Virtual, June 29, 2023.

Moderator and Emcee, *Judicial Theater: An Ethics CLE*, Spokane County Bar Association – Young Lawyers Division, Barrister Winery, Spokane, WA, May 18, 2023.

Presenter, *Trademark Imperialism*, Race & IP 2023, University of Pittsburgh School of Law, Pittsburgh, PA, April 14, 2023.

Presenter, *Trademark Bullying Goes Public?*, International Trademark Association's 2023 Trademark Scholarship Symposium, Virtual, January 25, 2023.

Presenter, *Spirits Law: Brand Building in the Alcoholic Beverage Industry*, Beverage & Hospitality Law CLE, Spokane County Bar Association, Dry Fly Distilling, Spokane, WA, September 29, 2022.

Moderator and Narrator, *Judicial Theater: An Ethics CLE*, Spokane County Bar Association – Young Lawyers Division, Barrister Winery, Spokane, WA, June 23, 2022.

Presenter, *Wine Brand Development*, Gonzaga in Walla Walla, Gonzaga University Wine Institute, College Cellars, Walla Walla, WA, April 29, 2022.

Presenter, *Collaboration and Creativity Forged in Fire*, Gonzaga in Napa, Gonzaga University Wine Institute, Napa, CA, November 6, 2021.

Presenter, *The Reasonably Prudent Consumer of Alcohol*, 2021 Works-in-Progress Intellectual Property Colloquium, co-hosted online by American University Washington College of Law, Texas A&M School of Law, and The University of Utah, S.J. Quinney College of Law, February 19, 2021.

Presenter, *Commentary on Donahue v. Rodd Electrottype*, Feminist Judgments: Rewritten Corporate Law Workshop, hosted online by Florida State University College of Law, November 13, 2020.

Presenter and Conference Organizer, *Using Trademark and Copyright Law to Build a Strong Wine Brand*, Gonzaga University's Women Lead – Napa Valley Conference, St. Helena, CA, February 22, 2020.

Presenter, *Trademark Ownership and Value Co-Creation*, Faculty Workshop Series, at The Pennsylvania State University Law School at University Park, March 14, 2019.

Presenter, *Spirits Law: Brand Building in the Alcoholic Beverage Industry*, Gonzaga University School of Law's Sports & Spirits CLE, Las Vegas, NV, March 11, 2019.

Moderator and Discussant, *Best Practices in Teaching Sensitive and Controversial Topics*, Faculty Speaker Series, at Gonzaga University School of Law, Spokane, WA, February 14, 2019.

Presenter, *Trademark Ownership and Value Co-Creation*, Ninth Annual INTA Trademark Scholarship Symposium, at International Trademark Association's 2018 Annual Meeting, May 22, 2018.

Presenter, *Trademark Ownership and Value Co-Creation*, at 2018 Works-in-Progress Intellectual Property Colloquium, Case Western Reserve University School of Law, February 16-17, 2018.

Presenter, *Brandright*, Pacific Intellectual Property Scholars Conference IV, co-hosted by the University of Washington School of Law and Seattle University School of Law, Seattle, WA, September 30, 2017.

Panelist, *Trademark Morality: The Cultural and Expressive Implications of Regulating Immoral and Offensive Trademarks*, at the Southeastern Association of Law Schools 2017 Annual Meeting, Boca Raton, FL, August 4, 2017.

Discussant, Discussion Group: *Digital Pressures in Intellectual Property Law*, at the Southeastern Association of Law Schools 2017 Annual Meeting, Boca Raton, FL, August 4, 2017.

Presenter, *Wallpaper by any Other Name*, Syracuse Law Review's Forgotten IP Cases Symposium, Washington, D.C., April 22, 2017.

Presenter, *Brandright*, at Gonzaga University School of Law, Spokane, WA, April 5, 2017.

Presenter, *Brandright*, Junior Intellectual Property Scholars Workshop, at The Ohio State University Moritz College of Law, January 20-21, 2017.

Presenter, *Brandright: Finding a Place for Brands*, Junior Scholars Virtual Colloquium, hosted by the University of Toledo College of Law, August 12, 2016.

Presenter, *Brandright: Finding a Place for Brands*, Inland Northwest Scholars Workshop, at Gonzaga University School of Law, August 1, 2016.

Presenter, *Finding a Place for Brands*, Seventh Annual INTA Trademark Scholarship Symposium, at International Trademark Association's 2016 Annual Meeting, May 25, 2016.

Presenter, *Market Responsiveness to Trademark Litigation: Designing an Empirical Study*, at Gonzaga University School of Law, April 14, 2016.

Presenter, *Market Responsiveness to Trademark Litigation*, at 2016 Works-in-Progress Intellectual Property Colloquium, University of Washington School of Law, February 19, 2016.

Presenter, *Brands as Copyright*, at Inaugural Texas A&M Intellectual Property Scholars Roundtable, Texas A&M University School of Law, October 10, 2015.

Presenter, *Growing Your IP Business: Ethical Risks Posed by Prospective, Current and Former Clients*, at Inaugural Gonzaga Intellectual Property Merit Scholarship CLE, Gonzaga University School of Law, September 25, 2015.

Presenter, *Undercover Copyright: Brand Theory and the Evolution of Trademarks*, at Inland Northwest Scholars Workshop, University of Idaho School of Law, July 31, 2015.

Presenter, *Undercover Copyright: Brand Theory and the Evolution of Trademarks*, Junior Scholars Virtual Colloquium, hosted by the Louis D. Brandeis School of Law at the University of Louisville, July 22, 2015.

Presenter, *Quality Control, Naked Licensing, and Consumer Trademark Use*, Rocky Mountain Junior Scholars Forum, hosted by University of Utah S. J. Quinney College of Law, November 13-14, 2014.

Presenter, *Naked Licensing*, Junior Scholars Virtual Colloquium, hosted by Michigan State University College of Law, August 8, 2014.

Presenter, *Trademark's Fans*, Inland Northwest Scholars Workshop, Gonzaga University School of Law, July 14, 2014.

Participant, *Law and Economics Center's Workshop for Law Professors on Empirical Methods*, George Mason University School of Law, Arlington, VA, May 19-23, 2014.

Panelist and Guest Lecturer, *Racial Mascotting and Trademark Law*, University of Washington School of Law, Seattle, WA, May 8, 2014.

Presenter, *Trademark Law as Corporate Law*, at 2014 Works-in-Progress Intellectual Property, Santa Clara University School of Law, February 7-8, 2014.

Founder and Presenter, *Trademark Bullying and the Duty to Police Infringement*, at the Junior Scholars Virtual Colloquium, hosted by Gonzaga University School of Law, July 17, 2013.

Commenter, at the Drake Intellectual Property Scholars Roundtable, Drake University Law School, Des Moines, IA, March 12-13, 2013.

Invited participant for the inaugural University of New Hampshire IP Academics Bootcamp, Holderness, NH, June 6-8, 2013.

Moderator, *International Business & Trade: From Policy to Practice*, at the Gonzaga Journal of International Law 2013 Annual Spring Symposium, Gonzaga University School of Law, March 22, 2013.

Presenter, *Trademark Bullying and the Duty to Police Infringement*, at Seattle University School of Law, March 4, 2013.

Presenter, *Trademark Bullying and the Duty to Police Infringement*, at Gonzaga University School of Law, February 28, 2013.

Presenter, *Copyright: A Year in Review*, at the Washington State Bar Association's 5<sup>th</sup> Annual Inland Empire Intellectual Property Institute, Gonzaga University School of Law, October 12, 2012.

Presenter, *Registration of Disparaging Trademarks Under the Lanham Act*, at Emerging Legal Scholarship: Teaching Fellows Annual Conference, Loyola University New Orleans College of Law, March 25, 2011.

Presenter, *Facing Facebook: Potential Trademark Concerns*, at Kirkland & Ellis LLP KTECH Training, New York, July 2009.

Presenter, *Douglas v. Talk America*, at Kirkland & Ellis LLP KTECH Training, New York, January 2008.

## **ACADEMIC SERVICE**

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### **Gonzaga University**

- **Gonzaga University, Faculty Awards Committee, Member, 2023-24, Chair, 2024-25**
- **Gonzaga University, Patent Committee, 2023-Present**
- **Gonzaga University, Ad Hoc Copyright Law Compliance Committee, 2024-Present**
- **Academic Committee of the Pandemic Response Task Force, 2020**
- **Cataldo Project Board of Advisors, 2017-2019**
- **Faculty Senate, Law School Representative, 2014-2015 & 2017-2018**

### **Gonzaga University School of Law**

- **Academic Affairs Committee, Member, 2016-2018, Chair, 2024-Present**
- **Curriculum Innovation Coordinating Committee, 2023-2024**
- **Diversity Committee, Member, 2014-2015, 2022-2023, Chair, 2023-2024**
- **Dean's Advisory Committee, Member, 2013-2014, 2022-2023, 2023-2024, Chair, 2015-2018**
- **Law School Pandemic Response Committee, Chair, 2020-2021**
- **Ad Hoc Curriculum Reform Committee, 2020**
- **Budget Committee, Chair, 2018-2019, 2020-2021**
- **Assessment Committee, 2018-2019**
- **Building Audit Committee, Chair, 2018-2019**
- **Building Signage Audit Committee, 2018-2019**
- **Bar Exam Program Redesign Committee, 2018-2019**
- **ABA Site Visit Preparation Committee, 2018-2019**
- **Promotion, Retention and Tenure Committee, 2018-2019, 2020-2021, Chair, 2021-2022**
- **Ad Hoc CLIPS-CCHR Merger Committee, 2018-2019**
- **CCHR 1<sup>st</sup> Annual Art Competition Selection Committee, 2019**
- **Innovation Committee, Member, 2016-2017**
- **Honor Code Committee, Member, Tribunal Chair (several times), 2015-2016**
- **Ad Hoc Clinic Review Committee, Member, 2015-2016**
- **Student Scholarship Committee, Member, 2014-2015, 2020**
- **Admissions Committee, Member, 2013-2015**
- **Faculty Recruitment Committee, 2012-2013, 2021-2022**

### **Gonzaga University School of Law, Student Clubs/Organizations**

- **Cannabis Law Club, Faculty Advisor, 2017-2019, 2023-2024**
- **Student Animal Legal Defense Fund, Faculty Advisor, 2015-2019**
- **Law Parenting Collective, Co-organizer with Kim Pearson and Sarah Guzman, 2014-2018**
- **DiversiTea, Co-organizer with Kim Pearson and Inga Laurent, 2014-2018**
- **Moot Court Honors Council, Faculty Advisor, 2013-2018**
- **Wine Law Society, Faculty Advisor, 2022-Present**
- **Gonzaga Intellectual Property Law Association, Faculty Advisor, 2012-Present**

## **Loyola New Orleans College of Law**

- **Vis International Arbitration Moot Court**, Faculty Advisor, 2010-2012
- **National Moot Court**, Faculty Advisor, 2010-2012

## **PROFESSIONAL SERVICE**

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### **Animal Law Section, The Association of American Law Schools**

Board Member, 2023-2026

### **American Bar Foundation**

Fellow, Elected Member, 2023-Present

### **Helix Bar Review**

Consultant and Instructor for Property Law content, 2021

### **Intellectual Property Section, The Association of American Law Schools**

Board Member, 2016-2017

### **Gonzaga Law School – Clinical Legal Programs**

Member, Board of Directors, 2020-2022

### **Gonzaga Law School Foundation**

Member, Board of Directors, 2019-2022

## **BAR ADMISSIONS**

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New York

District of Columbia

Washington