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## Symposium: Introductory Remarks to Panel 2

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## INTRODUCTORY REMARKS TO PANEL 2

PETER JASZI

Looking over today's program, I decided that there is one thing our wonderful panels lack—not great papers, not talented authors—but titles! So this second panel now has been officially christened as “Embodied Discriminations.” I'll come back to that title later. But first, it is my pleasure to introduce the first of the speakers from whom you will hear today: Professor Rebecca Tushnet from our cross-town rival Georgetown Law, which is very well represented here today, it must be said! In a few brief years, Rebecca has become a major presence on the intellectual property teaching and scholarship scene. Time constraints prevent me from describing all her contributions, but I do want to note that, through her publications and speaking, Rebecca has become one of the most widely respected critics of the general situation that now exists with respect to the copyright fair use doctrine. In particular, she has crafted a powerful critique of recent trends and tendencies in that doctrine, including our obsession with that mysterious thing called “transformativeness.” The paper Rebecca is going to give for us can be considered a continuation of that important project. So, it's a delight to welcome Rebecca Tushnet.

Our next presenter is Professor Eileen Kane, who comes to legal academia by way of doctoral studies in molecular biology, an impressive scientific career, and (more recently), an active law practice in patent and other science-related areas. At Penn State- Dickinson, she is teaching a wide range of IP and law-technology courses. And she is emerging as a powerful critic of contemporary patent developments, including the trend toward over-patenting. I am, personally, looking forward very much to her forthcoming article on “Patent Ineligibility: Maintaining a Scientific Public Domain.” Please welcome Eileen Kane.