

PANELIST BIOGRAPHIES

Michael Antalics

Mike Antalics is a partner at O'Melveny & Myers LLP. Before that, he spent 23 years at the FTC, most recently as Deputy Director in the Bureau of Competition from 2000-01. Antalics was an Assistant Director for Mergers from 1997-99 and, before that, Assistant Director for Non-Merger Litigation from 1991-97. Along with more traditional cases like *Ticor Title Insurance* and *Cardinal Health*, he was involved in the Commission's first invitation-to-collude cases and the first standard-setting cases.

David Balto

David Balto is an antitrust attorney and Senior Fellow at the Center for American Progress, focusing on competition policy, intellectual property law, and health care. He has over twenty years of experience as an antitrust attorney in the private sector, the Antitrust Division of the Department of Justice, and the Federal Trade Commission. He is nationally known for his expertise in competition policy in high tech industries, health care, pharmaceuticals, medical devices, media, and financial services. From 1995-2001 he was the policy director of the FTC's Bureau of Competition, and attorney advisor to Chairman Robert Pitofsky.

Stephen Calkins

Stephen Calkins is Associate Vice President for Academic Personnel and Professor of Law at 33,000-student Wayne State University, where he teaches or has recently taught courses and seminars on antitrust and trade regulation, consumer law, and torts. Professor Calkins also serves of counsel to Covington & Burling, the Washington, D.C., firm with which he practiced before entering academia. He has taught at the Universities of Michigan, Pennsylvania, and Utrecht (The Netherlands), and served as Wayne Law's interim dean. During 1995-97, Professor Calkins served as General Counsel of the Federal Trade Commission, a position to which he was nominated by FTC Chairman Robert Pitofsky. Professor Calkins lectures widely throughout the U.S. and abroad (most recently in Europe and Australia), has authored many publications on competition and consumer law and policy and related subjects (including the co-authored 4th edition of the *Antitrust Law: Policy and Practice* and the co-authored 5th edition of *ANTITRUST LAW AND ECONOMICS IN A NUTSHELL*), and is a journal editor. He is a member of the American Law Institute, a Fellow of the American Bar Foundation, and a Senior Fellow of the American Antitrust Institute. He is serving his third three-year term on the Council of the American Bar Association Section of Antitrust Law and is a former member of the Council of

the ABA Section of Administrative Law and Regulatory Practice. He is also a former chair of the Association of American Law School's Antitrust and Economic Regulation Committee. He holds degrees from Yale (B.A.) and Harvard (J.D.).

Dan Crane

Dan Crane is a professor at the Benjamin N. Cardozo School of Law, Yeshiva University, and counsel at Paul, Weiss, Rifkind, Wharton & Garrison LLP. He is the author of two recent articles touching on the history and institutional significance of the FTC: *Technocracy and Antitrust*, 86 Tex. L. Rev. 1159 (2008) and *Antitrust Anti-federalism*, 96 Cal. L. Rev. 1 (2008). He is also the co-editor (with Eleanor Fox) of the *Antitrust Stories* volume of Foundation Press's LAW STORIES series and has a book on the institutional structure of antitrust enforcement forthcoming with Oxford University Press. During the 2007-08 academic year, he visited at NYU Law School. He will visit at the University of Chicago Law School for the winter 2009 quarter and then teach antitrust on a Fulbright Scholarship at the Universidade Católica Portuguesa in Lisbon, Portugal, in the spring of 2009.

Susan A. Creighton

Susan Creighton is a partner at Wilson Sonsini Goodrich & Rosati, where she serves as co-chair of the firm's antitrust practice and is a member of the firm's board of directors. From 2001 through 2005, Susan served at the Federal Trade Commission, including two and a half years as director of the Bureau of Competition. As director, Susan oversaw all of the bureau's enforcement efforts, including merger review, litigation, and policy development. During her tenure, the bureau brought numerous merger challenges, including both consummated mergers and transactions subject to HSR review. She also oversaw many non-merger enforcement actions, and played a significant role in the FTC's amicus briefs and merger review reform initiatives. Before joining the FTC, Susan was a partner in Wilson Sonsini's Palo Alto office, where she represented numerous high technology companies in antitrust counseling and litigation. Prior to joining the firm, she was a law clerk to Justice Sandra Day O'Connor and to Judge Pamela Ann Rymer.

Bert Foer

Albert A. ("Bert") Foer is President of the American Antitrust Institute. His career has included private law practice in Washington, DC (Hogan & Hartson, Jackson & Campbell); the Federal Senior Executive Service (as Assistant Director and Acting Deputy Director of the Federal Trade Commission's Bureau of Competition); CEO of a mid-sized chain of retail jewelry stores for twelve years; trade association and non-profit leadership; and teaching antitrust to undergraduate and graduate business school students. He has published numerous articles, book chapters, and reviews relating to competition policy. He is a graduate of the University of Chicago Law

School, with an A.B. (magna cum laude) from Brandeis University, and an M.A. in political science from Washington University.

Robert Lande

Robert H. Lande is the Venable Professor of Law at the University of Baltimore School of Law. He previously worked at Jones, Day, Reavis and Pogue and at the Federal Trade Commission. He has authored or co-authored more than 70 U.S. and nine foreign publications, seven of which have been re-published in books or collections of articles. Professor Lande has been quoted in the media hundreds of times about antitrust issues and has appeared on TV in the United States, France, the United Kingdom and China. He has spoken at national events sponsored by the American Bar Association, Association of American Law Schools, National Association of Attorneys General, American Antitrust Institute, American Economic Association and INCECOPI (Peru). He has testified before the US House of Representatives Judiciary Committee and the US Senate Commerce Committee. He has given competition advice to enforcement officials from four foreign nations. He is a co-founder and Director of the American Antitrust Institute, a past chair of the AALS Antitrust Section and has held many positions in the ABA Antitrust Section. He is an elected member of the American Law Institute and a member of the District of Columbia Bar.

Thomas Leary

Thomas Leary rejoined Hogan & Hartson in February 2006 after six years as a Commissioner at the Federal Trade Commission. As an FTC Commissioner, Leary's opinions, articles, and speeches made original contributions on a variety of issues, such as the application of the antitrust laws to the health care industry, the antitrust/intellectual property interface, the consistent enforcement of the merger laws, and the common roots of competition and consumer protection law. He also represented the FTC in policy discussions with competition authorities from a number of countries, including China and Russia. Commissioner Leary testified before Congress several times on privacy and security issues. He has received both the Miles W. Kirkpatrick Award for Lifetime FTC Achievement and an award for Lifetime Contributions to Antitrust and Regulatory Policy from the American Antitrust Institute. Before he joined the FTC, he was a partner with Hogan & Hartson from 1983 to 1999. Earlier, he was a partner in a major New York law firm and Assistant General Counsel of General Motors with overall responsibility for antitrust, consumer protection, and commercial law matters. He gave more than 100 speeches while at the FTC and has published extensively about antitrust law, attorney client privilege, corporate compliance programs, and other problems of corporate practice in various trade publications. While in law school, he was an editor and an officer of the Harvard Law Review. He also served as an air intelligence officer in the U.S. Navy during the Korean War.

Michael Lindsay

Michael Lindsay is a partner in the law firm of Dorsey & Whitney LLP, where he has practiced for over 20 years. He is the co-chair of Dorsey's Antitrust Practice Group. He is a 1983 graduate of the University of Chicago Law School (cum laude, Order of the Coif), where he served as Managing Editor of the law review, and a 1980 graduate of Marquette University (B.A. in history, summa cum laude, Phi Beta Kappa), and he also studied at the London School of Economics. He served as law clerk for Judge Richard Posner at the U.S. Court of Appeals for the Seventh Circuit. Mr. Lindsay's practice focuses on antitrust matters, both in litigation and in client counseling, including counseling of standards-development organizations. His antitrust practice has spanned numerous industries, including airlines, food retailing, medical devices and medical equipment, electronic devices, home security, agricultural products, energy, and electricity. His broad litigation experience includes patent and trademarks, securities, product liability, insurance coverage, and general commercial litigation. Mr. Lindsay has taught antitrust as an adjunct professor at the University of St. Thomas Law School and Hamline Law School, and he is a frequent lecturer at continuing legal education programs on antitrust issues. He was the Chair (2005-06) of the Minnesota State Bar Association's Antitrust Section and Vice-Chair of the ABA Antitrust Section's Trial Practice Committee (2004-2008), and he is Associate Editor of Antitrust Magazine.

Tad Lipsky

Tad Lipsky is a partner in the Washington, D.C. office of Latham & Watkins LLP. He is an internationally recognized expert on antitrust and competition law and policy and a veteran of numerous antitrust proceedings throughout the world. He served as Deputy Assistant Attorney General under William F. Baxter, playing central roles in preparation of the 1982 Justice Department Merger Guidelines, the review and ultimate dismissal of *United States v. IBM Corp.*, the amicus program that resulted in profound changes in Supreme Court interpretation of antitrust law, and the decisive realignment of the interface between antitrust enforcement policy and intellectual property law that occurred in the first Reagan Administration. After nine years of private practice in Washington D.C. he was appointed chief global antitrust lawyer for The Coca-Cola Company in 1992. After joining Latham & Watkins in 2002, he served as the inaugural International Officer of the ABA Section of Antitrust Law and since then has been closely associated with efforts to streamline antitrust enforcement around the world, advocating the reduction of compliance burdens and the harmonization of fundamental objectives of antitrust law.

Amy Marasco

Amy A. Marasco is the General Manager for Standards Strategy at Microsoft Corporation, where she leads a team that addresses strategic policy and engagement issues on a corporate-wide, global basis. She joined Microsoft after serving as the Vice President and General Counsel of the American National Standards Institute (ANSI) from 1994-2004. She regularly engages in standards-related intellectual property policy debates in many forums, and she serves on the Board of Directors of ANSI and TIA. Prior to joining ANSI, she was an attorney for ten years with the law firm of Cadwalader, Wickersham & Taft in its New York office.

Geoffrey Oliver

Geoffrey D. Oliver is a partner in the Washington, D.C. office of Jones Day. His practice focuses on antitrust matters, with particular emphasis on government investigations and issues involving antitrust and intellectual property law. He has substantial experience with many high-tech and manufacturing industries in the computer, semiconductor, consumer electronics, satellite, chemical, pharmaceutical, health care, and medical devices sectors. He has spoken on topics of antitrust enforcement in the United States and abroad. From 1998 to 2007, Geoff held various positions in the Federal Trade Commission's Bureau of Competition, including serving as the assistant director responsible for the Anti-competitive Practices Division from 2004 to 2007. During his tenure, he supervised numerous nonpublic investigations and litigated cases in both the FTC's Part III administrative proceedings and federal court. While at the Federal Trade Commission, he was frequently involved in litigation, investigations, and policy initiatives involving standard-setting.

William Page

William H. Page is Senior Associate Dean for Academic Affairs and Marshall M. Criser Eminent Scholar at the University of Florida College of Law. He has written extensively on issues of antitrust, intellectual property, and administrative law. He holds degrees from Tulane, the University of New Mexico, and the University of Chicago.

Scott Peterson

Scott K. Peterson is Senior Counsel at Hewlett-Packard Company. Mr. Peterson has practiced as an intellectual property attorney since 1983, focusing on information technologies. He joined HP in 1991. Mr. Peterson has provided legal advice concerning the development of standards since 1996, initially in the context of specific business activities and in recent years in development of

HP policy. He has testified several times (in 2002 and 2007) on issues at the intersection of standards, intellectual property, and antitrust. Mr. Peterson received bachelor's and master's degrees in electrical engineering from the Massachusetts Institute of Technology and a juris doctorate from the Franklin Pierce Law Center.

Robert Pitofsky

Robert Pitofsky is Sheehy Professor of Trade Regulation Law, Georgetown University Law Center; and of counsel, Arnold & Porter, Washington, D.C. He holds a BA from New York University (1951); and an LLB from Columbia Law School (1954). He formerly held positions as Director, Bureau of Consumer Protection, Federal Trade Commission; Commissioner, Federal Trade Commission; Dean at Georgetown University Law Center; Professor of Law at New York University School of Law and Visiting Professor of Law, Harvard Law School; and Chairman, Federal Trade Commission. He is co-author of *CASES AND MATERIALS ON TRADE REGULATION* (with Harvey Goldschmidt and Diane Wood), fifth edition 2003, and is the author of numerous books and articles on antitrust including *REVITALIZING ANTITRUST IN ITS SECOND CENTURY* (1991, co-editor); Chapter 1 of *ANTITRUST STORIES: A TURNING POINT IN MERGER ENFORCEMENT* (2007) (with Jon Baker); *Antitrust and Intellectual Property, Unresolved Issues at the Heart of the New Economy*, 16 *Berkeley Tech L.J.* 535 (2001); *Proposals for Revised U.S. Merger Enforcement in a Global Economy*, 81 *Geo. L. Rev.* 195 (1992); *New Definitions of Relevant Market and the Assault on Antitrust*, 90 *Colum. L.Rev.* 1805 (1990); *The Political Content of Antitrust*, 127 *U. Pa. L. Rev.* 1051 (1979). He is Member of the Council, Administrative Conference (1980–1981); Member of the Board of Governors, District of Columbia Bar Association (1981–1984); Member of the Council, Antitrust Section of the ABA (1986–1989); Chair, Defense Science Board Task Force on Antitrust Aspects of Defense Industry Downsizing, March 1994; and Fellow, American Academy of Arts and Sciences (2000–Present).

Michael Salinger

Michael A Salinger is managing director in LECG's Cambridge office and a professor of economics at the Boston University School of Management, where he has served as chairman of the department of finance and economics. Prior to taking on those two positions, Dr Salinger served two years as director of the Bureau of Economics with the FTC, overseeing approximately 70 PhD economists and additional professional staff. Prior to his tenure at Boston University, he was an associate professor at Columbia University Business School and a staff economist in the Bureau of Economics, as well as serving on the editorial boards of the *Review of Industrial Organization* and the *Journal of Industrial Economics*. Dr Salinger has consulted for private organizations and a variety of worldwide government agencies including the EPA, the Federal Trade Commission, the Board of Governors of the Federal Reserve, and the Australian Competition and Consumer Commission. He has published articles on such issues as the

structural determinants of market power, the statistical properties of firm growth, and the competitive effects of tying and vertical mergers. Dr Salinger holds a Ph.D in economics from the Massachusetts Institute of Technology and an undergraduate degree from Yale University.

Robert Skitol

Robert A. Skitol is a senior partner in the Antitrust Practice Group of Drinker Biddle & Reath LLP. He has over thirty-five years of experience in all facets of antitrust practice. Over this period, he has litigated major antitrust cases throughout the United States; guided numerous mergers, acquisitions and joint ventures through intensive antitrust reviews at the FTC and the U.S. Department of Justice; represented clients across many industries in FTC and Department of Justice antitrust investigations; and provided in-depth counseling with regard to antitrust and related ramifications of proposed collaborations, distribution and pricing arrangements of many kinds. Of particular relevance to this afternoon's panel, he has in recent years published, lectured and represented clients on a broad array of antitrust issues relating to standards development processes. He was, for example, counsel for the VITA Standards Organization in connection with its 2006 request for a DOJ Business Review Letter on a new VITA patent policy.

Jack Slobod

Jack D. Slobod has been employed by Philips Intellectual Property & Standards for 20 years and is presently Senior Director, IP Licensing and Principal IP Counsel. Mr. Slobod is responsible within the Consumer Lifestyle Sector for licensing-out patents of Koninklijke Philips Electronics, N.V., for licensing-in patents of third parties, and for transactional matters. He is also responsible for IP and antitrust issues in standard setting participation. He has led numerous licensing negotiations and also managed IP litigations in U.S., Europe and Asia. Mr. Slobod has taught Intellectual Property Law at Fudan University, Shanghai, PRC. He was formerly lead IP counsel for various product divisions of Philips and participated in numerous merger and acquisition matters. He holds B.E.E. and M.E.E degrees from City College of New York, and a J.D. degree from George Washington University, where he was a member of Law Review and Order of the Coif. Mr. Slobod is admitted to the New York Bar and is a Registered Patent Attorney. He is a member of Electronic and Computer Law Committee, Standards and Open Source Sub-Committee, American Intellectual Property Law Association and Chairman of Standard Setting Committee, Intellectual Property Owners Association. He is a former member of the Board of Directors of New York Intellectual Property Law Association.

Richard Taffet

Richard Taffet is a partner at Bingham McCutchen LLP, and co-chair of its Intellectual Property practice group. He has represented clients in litigation and other matters involving intellectual property and antitrust issues, specifically in connection with standards development.

Richard has represented technology standards development organizations and standards development participants for more than 25 years. He has developed SDO patent and IPR policies, represented parties in connection with government and litigation proceedings involving standards related patent and antitrust matters, and has provided counseling regarding competitive and IPR issues in development of specific standards.

Marc Winerman

Marc Winerman is an adviser to FTC Chairman William E. Kovacic. He previously served in the Commission's Office of the General Counsel and Bureau of Consumer Protection, as well as the Antitrust Division. Marc is a cum laude graduate of Princeton and of Harvard Law School. He earned an M.A. in the History of Science at Yale, and spent the 2004-05 academic year as the Victor H. Kramer Fellow at the University of Chicago Law School. Marc has earned the FTC's Outstanding Scholarship Award and the Dixon Award for Outstanding Service, and has shared in three team awards. His publications include *The Origins of the FTC: Combination, Cooperation, Control and Competition*, 71 *Antitrust Law Journal* 1 (2003), and *The FTC at 90: History Through Headlines*, 72 *Antitrust Law Journal* 871 (2005).