

# Laura E. Dolbow

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## ACADEMIC APPOINTMENTS

### University of Colorado Law School, Boulder, CO

*Associate Professor of Law* (untenured)

2024–present

*Dean's Faculty Fellow*

2024–present

Courses: Property (Spring 2025)  
Seminar: Pharmaceutical Innovation and Regulation (Fall 2024)

### University of Pennsylvania Carey Law School, Philadelphia, PA

*Sbarswood Fellow*

2022–2024

Courses: Intro to Intellectual Property Law (Spring 2024, co-taught with Polk Wagner)  
Seminar: Drug Prices, Patents, and Politics (Spring 2023, Fall 2024)

## PROFESSIONAL EXPERIENCE

### Covington & Burling, LLP, Washington, D.C.

*Associate*

2019–2022

### U.S. Court of Appeals for the D.C. Circuit, Washington, D.C.

*Law Clerk to Hon. Judith W. Rogers*

2018–2019

### U.S. Court of Appeals for the Federal Circuit, Washington, D.C.

*Law Clerk to Hon. Timothy B. Dyk*

2017–2018

### Teach For America, Nashville, TN

*Cameron Middle School, Math Teacher*

2012–2014

## EDUCATION

### Vanderbilt Law School, J.D.

May 2017

Honors: Founder's Medalist (valedictorian); Robert F. Jackson Memorial Prize (highest second-year GPA); Archie B. Martin Memorial Prize (highest first-year GPA); Order of the Coif; Thomas R. McCoy Scholarship; Scholastic Excellence Awards (for highest grade) in Administrative Law, Civil Procedure, Contracts, Constitutional Law I, Constitutional Law II, Criminal Law, Federal Courts and the Federal System, Patent Law, Property, and Torts

Activities: VANDERBILT LAW REVIEW, Senior Articles Editor; Vanderbilt Legal Academy Scholars Program; Legal Writing Program, Teaching Assistant; Legal Aid Society, Street Law Program Director; Research Assistant to Professors Ganesh Sitaraman, Rebecca Allensworth, Suzanna Sherry, and James Blumstein

### Lipscomb University, M.Ed. (Instructional Practice)

August 2013

### Vanderbilt University, B.A. (Chemistry & Spanish)

May 2012

## PUBLICATIONS

### Law Review Publications

*Public Patent Powers*, 123 MICH. L. REV. \_\_ (forthcoming 2025) ([link](#))

*Barring Judicial Review*, 77 VAND. L. REV. 307 (2024) ([link](#))

*Agency Adherence to Legislative History*, 70 ADMIN. L. REV. 569 (2018) ([link](#))

- Received Weldon B. White Prize
- Won Gellhorn-Sargentich Law Student Essay Competition (sponsored by ABA Section of Administrative Law & Regulatory Practice)

Note, *A Distinction Without a Difference: Convergence in Claim Construction Standards*, 70 VAND. L. REV. 1071 (2017) ([link](#))

- Received Morgan Prize
- Received Law360 Distinguished Legal Writing Award (sponsored by The Burton Awards)
- Cited by the Patent Office in the *Federal Register* (83 Fed. Reg. 51,340, 51,342 (Oct. 11, 2018))

### Working Papers

*The Public Franchise Tradition as a Limit on Patent Takings*

*The Price of Publicly Funded Pharma*

### Blog Posts, Op-eds, and Shorter Works

*Federal Circuit Invalidates VA Rule on Ground Not Raised During Notice-and-Comment*, ADMIN. & REG. L. NEWS (forthcoming Spring 2025)

*Federal Circuit Allows Takings Suit Based on CDC Eviction Moratorium to Proceed*, ADMIN. & REG. L. NEWS (forthcoming Winter 2024)

*Access Barriers Remain After Abortion Pill Decision*, THE REGULATORY REVIEW (July 17, 2024)

*How Patents Contribute to High Drug Prices*, THE REGULATORY REVIEW (October 16, 2023)

*Patents Do Not Bar Public Pharma Policies*, THE REGULATORY REVIEW (July 10, 2023)

*Merck Price Negotiation Lawsuit May Face Same Obstacles as 340B Takings Claims*, BILL OF HEALTH (June 15, 2023)

*Patent Law Could Also Limit Mifepristone Access*, THE REGULATORY REVIEW (April 22, 2023)

*FDA's Role in Access to Reproductive Health Care*, THE REGULATORY REVIEW (April 17, 2023)

*Judicial Review Bars in the Patent System, Medicare, and Beyond*, NOTICE & COMMENT BLOG (March 31, 2023)

*Congressional Appropriation of Administrative Guidance*, 43 ADMIN. & REG. L. NEWS 11 (Winter 2018)

*Introduction: The Power of New Data and Technology*, 70 VAND. L. REV. 1935 (2017) (invited contribution)

## **PRESENTATIONS**

### **Paper Presentations**

#### *The Price of Publicly Funded Pharma*

- Wiet Life Science Law Scholars Conference, Loyola Chicago Law School (September 2024)
- Junior Scholars Works-in-Progress Workshop, Colorado Law (November 2024)
- Patent Scholars Roundtable, Stanford Law School (January 2025)

#### *The Public Franchise Tradition as a Limit on Patent Takings*

- Chicago IP Colloquium (scheduled March 2025)
- Works-in-Progress Workshop, Colorado Law (scheduled February 2025)
- Rocky Mountain IP Workshop, University of Utah Law School (October 2024)
- Power in the Administrative State Workshop (September 2024)
- NPU Law Workshop (September 2024)
- Junior Scholars Works-in-Progress Workshop, Marquette University Law School (September 2024)
- Summer Ad Hoc Workshop, Penn Carey Law (July 2024)
- ABA Administrative Law Spring Conference, Washington, DC (May 2024)

#### *Public Patent Powers*

- Michigan Law Review Author Talk (November 2024)
- Health Law Professors Conference, Temple Beasley School of Law (June 2024)
- IP Workshop, Boston University Law School (April 2024)
- New Voices in Administrative Law Panel, AALS Conference (January 2024)
- Junior Scholars Workshop on Law and Industrial Policy, Yale Law School (December 2023)
- Drexel Law Faculty Workshop, Thomas R. Kline School of Law (September 2023)
- Intellectual Property Scholars Conference, Cardozo Law School (August 2023)
- Summer Ad Hoc Workshop, University of Pennsylvania Carey Law School (July 2023)
- Intellectual Property Roundtable, University of Texas Law School (May 2023)
- Law & Political Economy Emerging Scholars Workshop, Harvard Law School (April 2023)

#### *Barring Judicial Review*

- Works in Progress for IP Scholars Colloquium, Suffolk Law School (February 2023)
- Patent Scholars Roundtable VIII, Vanderbilt Law School (January 2023)
- Intellectual Property Colloquium, Vanderbilt Law School (January 2023)
- New Voices in Administrative Law Panel, AALS Conference (January 2023)
- Administrative Law New Scholarship Roundtable, Minnesota Law School (June 2022)

#### *Agency Adherence to Legislative History*

- ABA Administrative Law Conference, Washington, D.C. (October 2017)

## **Other Presentations**

*Our Living Rights – Understanding the US Constitution*, Democracy Speaker Series, Boulder Public Library (October 2024)

*The Future of Healthcare*, Mini Law School, Colorado Law (October 2024)

Supreme Court Review Panel, Colorado Law (September 2024)

Guest Lecture, Regulatory Law and Policy Seminar, Penn Carey Law (March 2024)

*How Patents Affect Drug Prices*, Keynote Speaker, Levy, Silverman, and Franklin Scholars Luncheon, Penn Carey Law (February 2024)

Guest Lecture, Health Law and Policy Fundamentals Class, Penn Carey Law (December 2023)

Health Policy Scholars Virtual Workshop, Generation Patient (September 2023)

Academia Workshop for Students, Penn Carey Law (April 2023)

Supreme Court Review Panel, Penn Carey Law Faculty Retreat (September 2022)

## **MEDIA**

Roxanne Nelson, *BMS, J&J Losses Not the End of IRA Legal Battle*, BIOSPACE (May 8, 2024) (quoted)

Nyah Phengsitthy, *PhRMA to Revive Medicare Drug Price Lawsuit Before Fifth Circuit*, BLOOMBERG LAW (Apr. 30, 2024) (quoted)

Ian Lopez, *Pharma Cries Procedural Foul in Next Front of Drug Price War*, BLOOMBERG LAW (Sept. 13, 2023) (quoted)

Ian Lopez & Nyah Phengsitthy, *Drugs Up for Medicare Price Cuts Fuel Drugmakers' Legal Strategy*, BLOOMBERG LAW (Sept. 5, 2023) (quoted)

Hailey Konnath, *Novartis Joins Legal Fray After Price Negotiation List Unveiled*, LAW360 (Sept. 1, 2023) (quoted)

Theresa Schliep & Jeff Overley, *HHS Fans Legal Flames With Medicare Drug Negotiation Picks*, LAW360 (Aug. 29, 2023) (quoted)

Ian Lopez, *Drugmakers Prep Medicare Pricing Suits for March to High Court*, BLOOMBERG LAW (Aug. 17, 2023) (quoted)

Julia Rock, *When John Roberts Tried To Take Power From The Courts*, THE LEVER (July 17, 2023) (quoted)

Fire of Genius Podcast, Vol. 12, Ep. 24 (April 14, 2023) (interviewed)

Avalon Zoppo, *SCOTUS Bound? After Appellate Ruling, What's Next in 340B Drug Discount Cases?*, THE NATIONAL LAW JOURNAL (Feb. 10, 2023) (quoted)

Kaustuv Basu, *Drug Price Law to Spur Creative Claims as Industry Readies Fight*, BLOOMBERG LAW (Sept. 29, 2022) (quoted)

Bob Egelko, *Ninth Circuit revives lawsuit brought by inmate who said he was targeted for violence by a prison guard*, SAN FRANCISCO CHRONICLE (Feb. 28, 2022) (quoted)

## **SELECTED LITIGATION BRIEFS**

### **Supreme Court Briefs**

*West Virginia v. EPA*, Docket No. 20-1530

- Brief for Power Company Respondents (Jan. 18, 2022)
- Brief in Opposition to Certiorari for Power Company Respondents (Aug. 5, 2021)

*Egbert v. Boule*, Docket No. 21-147

- Brief for Dee Farmer, et al., as *Amici Curiae* in Support of Neither Party (Dec. 27, 2021)

*Little Sisters of the Poor v. Pennsylvania*, Docket No. 19-431

- Brief for Administrative Law Scholars as *Amici Curiae* in Support of Respondents (Apr. 8, 2020)

*Tong v. Tweed-New Haven Airport Authority*, Docket No. 19-735 (certiorari denied)

- Brief of Respondents in Opposition to Certiorari (Feb. 10, 2020)

### **Circuit Court Briefs**

*Hoffman v. Preston*, Docket No. 20-15396 (9th Cir.) (argued appeal)

- Opening Brief for Plaintiff-Appellant Marcellas Hoffman (July 6, 2020) (principal author)
- Reply Brief for Plaintiff-Appellant Marcellas Hoffman (Oct. 26, 2020) (principal author)

*Cantero v. Bank of America, N.A.*, Docket No. 21-400 (2d Cir.)

- Response Brief for Bank of America, N.A. (June 4, 2021)

*Pharmacyclics LLC v. Alvogen, Inc.*, Docket No. 21-2270 (Fed. Cir.)

- Response Brief for Plaintiff-Appellee Pharmacyclics (Mar. 4, 2022)

*Uber Technologies, Inc. v. X One, Inc.*, Docket No. 20-1657 (Fed. Cir.)

- Response Brief for Defendant-Appellee Uber Technologies, Inc. (Jan. 25, 2021)

## **SERVICE**

Academic and Student Affairs Committee, Colorado Law (2024-2025)

Peer Reviewer, *University of Pennsylvania Law Review* (Spring 2024)

Co-Advisor, If/When/How: Lawyering for Reproductive Justice, Penn Law (Fall 2023, Spring 2024)

Moot Court Judge, 1L Oral Arguments, Penn Law (Spring 2023, Spring 2024)

Volunteer, Higher Achievement, Washington, DC (2018-2021)

## **BAR ADMISSIONS**

District of Columbia (inactive)

Tennessee (inactive)

U.S. Court of Appeals for the D.C. Circuit

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the District of Columbia

U.S. Patent & Trademark Office