


Stanford



Lisa Ouellette

Deane F. Johnson Professor of Law and Senior Fellow at the Stanford Institute for Economic Policy Research

Stanford Law School

 Curriculum Vitae available Online

Bio

BIO

Lisa Larrimore Ouellette is the Deane F. Johnson Professor of Law at Stanford Law School, as well as a Senior Fellow at the Stanford Institute for Economic Policy Research. Her scholarship addresses empirical and theoretical problems in intellectual property and innovation law. She takes advantage of her training in physics to explore policy issues such as how scientists use the technical information in patents, how scientific expertise might improve patent examination, the patenting of publicly funded research under the Bayh–Dole Act, and the integration of IP with other levers of innovation policy. She has applied these ideas to biomedical innovation challenges including the opioid epidemic, the COVID-19 pandemic, and pharmaceutical prices. She has also written about multiple legal issues in trademark law, about the evidentiary value of online surveys, and about the potential for different standards of review to create what she terms “deference mistakes” in numerous areas of law.

Professor Ouellette is also an acclaimed teacher and nationally recognized intellectual property law expert. She has coauthored a free patent law casebook, *Patent Law: Cases, Problems, and Materials*. She has written over 350 posts for her blog, *Written Description*, and her commentary has appeared in publications including the *New York Times*, *Wall Street Journal*, *TIME Magazine*, and *Slate*. She has been selected to design and lead pedagogy training for other Stanford Law faculty. In 2018, she received the law school’s John Bingham Hurlbut Award for Excellence in Teaching.

Prior to her appointment at Stanford Law School in 2014, Professor Ouellette was a Postdoctoral Fellow at the Information Society Project at Yale Law School. She also clerked for Judge Timothy B. Dyk of the U.S. Court of Appeals for the Federal Circuit and Judge John M. Walker, Jr. of the U.S. Court of Appeals for the Second Circuit. She holds a J.D. from Yale Law School, where she was an Articles Editor of the *Yale Law Journal* and a Coker Fellow in Contract Law. She earned a Ph.D. in physics from Cornell University as well as a B.A. in physics from Swarthmore College, and she has conducted scientific research at the Max Planck Institute, CERN, and NIST.

ACADEMIC APPOINTMENTS

- Professor, Stanford Law School
- Senior Fellow, Stanford Institute for Economic Policy Research (SIEPR)
- Faculty Affiliate, Institute for Human-Centered Artificial Intelligence (HAI)

PROFESSIONAL EDUCATION

- J.D., Yale Law School , Law (2011)
- Ph.D., Cornell University , Physics (2008)
- B.A., Swarthmore College , Physics (Major) and Mathematics (Minor) (2002)

LINKS

- Stanford Law School Profile: <https://law.stanford.edu/directory/lisa-larrimore-ouellette/>
- Google Scholar: <https://scholar.google.com/citations?user=3KbHS4gAAAAJ&hl=en>
- SSRN: https://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=1231602

Teaching

COURSES

2024-25

- Biomedical Innovation Law and Policy: LAW 3011 (Spr)
- Intellectual Property: Patents: LAW 4010 (Spr)

2023-24

- Intellectual Property: International and Comparative Patent Law: LAW 4009 (Spr)
- Intellectual Property: Patents: LAW 4010 (Spr)
- Introduction to Intellectual Property: LAW 4005 (Win)

2022-23

- Biomedical Innovation Law and Policy: LAW 3011 (Spr)
- Intellectual Property: Patents: LAW 4010 (Spr)
- Introduction to Intellectual Property: LAW 4005 (Aut)

2021-22

- Intellectual Property: Patents: LAW 4010 (Spr)
- Introduction to Intellectual Property: LAW 4005 (Aut)

Publications

PUBLICATIONS

- **Real-World Prior Art** *STANFORD LAW REVIEW*
Masur, J. S., Ouellette, L.
2024; 76 (4): 703-769
- **IP and Access to Publicly Funded Research Results in Health Emergencies: US Policy, Law and Practice**
Ouellette, L. L.
World Intellectual Property Organization.
2024 ; WIPO Discussion Paper
- **The Feasibility of Using Bayh-Dole March-In Rights to Lower Drug Prices: An Update**
Ouellette, L. L., Sampat, B. N.
National Bureau of Economic Research.
2024 ; NBER Working Paper (32217):
- **Improving equity in patent inventorship.** *Science (New York, N.Y.)*
Chien, C. V., Ouellette, L. L.
2023; 382 (6675): 1128-1129
- **The NBER Orange Book Dataset: A user's guide.** *Research policy*
Durvasula, M., Hemphill, C. S., Ouellette, L. L., Sampat, B., Williams, H. L.
2023; 52 (7)

- **Valuing Medical Innovation** *Stanford Law Review*
Hemel, D. J., Ouellette, L. L.
2023; 75: 517-599
- **The Generic Drug Trilemma** *Entrepreneurship and Innovation Policy and the Economy*
Hemel, D. J., Ouellette, L. L.
2023; 2
- **Innovation Law and COVID-19: Promoting Incentives and Access for New Health Care Technologies** *COVID-19 and the Law: Disruption, Impact and Legacy*
Sachs, R. E., Ouellette, L. L., Price II, W., Sherkow, J. S.
Cambridge University Press.2023: 225-236
- **Patent Law: Cases, Problems, and Materials**
Masur, J. S., Ouellette, L. L.
<https://www.patentcasebook.org/>.2023
- **Responding to the opioid crisis in North America and beyond: recommendations of the Stanford-Lancet Commission.** *Lancet (London, England)*
Humphreys, K., Shover, C. L., Andrews, C. M., Bohnert, A. S., Brandeau, M. L., Caulkins, J. P., Chen, J. H., Cuellar, M., Hurd, Y. L., Juurlink, D. N., Koh, H. K., Krebs, E. E., Lembke, et al
2022; 399 (10324): 555-604
- **Trademark Law Pluralism** *UNIVERSITY OF CHICAGO LAW REVIEW*
Hemel, D. J., Ouellette, L.
2021; 88 (5): 1025-1080
- **Private and Public Investments in Biomedical Research.** *AEA papers and proceedings. American Economic Association*
Durvasula, M., Ouellette, L. L., Williams, H.
2021; 111: 341-345
- **Improving Scientific Judgments in Law and Government: A Field Experiment of Patent Peer Review** *JOURNAL OF EMPIRICAL LEGAL STUDIES*
Ho, D. E., Ouellette, L.
2020; 17 (2): 190–223
- **THE MEDICARE INNOVATION SUBSIDY** *NEW YORK UNIVERSITY LAW REVIEW*
Lemley, M. A., Ouellette, L., Sachs, R. E.
2020; 95 (1): 75–129
- **How do patent incentives affect university researchers?** *INTERNATIONAL REVIEW OF LAW AND ECONOMICS*
Ouellette, L., Tutt, A.
2020; 61
- **Innovation policy and the market for vaccines.** *Journal of law and the biosciences*
Xue, Q. C., Ouellette, L. L.
2020; 7 (1): lsa026
- **Reforming the Patent System**
Ouellette, L. L., Williams, H.
Brookings Institution.
2020 ; The Hamilton Project (2020-12): 1-23
- **University Patenting: Is Private Law Serving Public Values?** *Michigan State Law Review*
Ouellette, L. L., Weires, R.
2020; 2019: 1329-1387
- **Policy Experiments to Address Gender Inequality Among Innovators** *Houston Law Review*
Madl, A. C., Ouellette, L. L.
2020; 57: 813-841
- **Innovation institutions and the opioid crisis.** *Journal of law and the biosciences*

-
- Hemel, D. J., Ouellette, L. L.
2020; 7 (1): Isaa001
- **Science fiction: Fictitious experiments in patents.** *Science (New York, N.Y.)*
Freilich, J. n., Ouellette, L. L.
2019; 364 (6445): 1036–37
 - **Innovation Policy Pluralism** *YALE LAW JOURNAL*
Hemel, D. J., Ouellette, L.
2019; 128 (3): 544–614
 - **Selling Patents to Indian Tribes to Delay the Market Entry of Generic Drugs** *JAMA INTERNAL MEDICINE*
Ablavsky, G., Ouellette, L.
2018; 178 (2): 179–80
 - **PUBLIC PERCEPTIONS OF GOVERNMENT SPEECH** *SUPREME COURT REVIEW 2017*
Hemel, D. J., Ouellette, L., Hutchinson, D. J., Strauss, D. A., Stone, G. R.
2018: 33–92
 - **What Causes Polarization on IP Policy?** *UC Davis Law Review*
Wittlin, M., Ouellette, L. L., Mandel, G. N.
2018; 52: 1193-1241
 - **Adjusting Patent Damages for Nonpatent Incentives** *Texas Intellectual Property Law Journal*
Ouellette, L. L.
2018; 26: 187-213
 - **Bayh-Dole beyond borders** *JOURNAL OF LAW AND THE BIOSCIENCES*
Hemel, D. J., Ouellette, L.
2017; 4 (2): 282–310
 - **Who reads patents?** *Nature biotechnology*
Ouellette, L. L.
2017; 35 (5): 421-424
 - **A MARKET TEST FOR BAYH-DOLE PATENTS** *CORNELL LAW REVIEW*
Ayes, I., Ouellette, L. L.
2017; 102 (2): 271-334
 - **Knowledge Goods and Nation-States** *MINNESOTA LAW REVIEW*
Hemel, D. J., Ouellette, L. L.
2017; 101 (1): 167-243
 - **Pierson, Peer Review, and Patent Law** *VANDERBILT LAW REVIEW*
Ouellette, L. L.
2016; 69 (6): 1825-1848
 - **HOW COURTS ADJUDICATE PATENT DEFINITENESS AND DISCLOSURE** *DUKE LAW JOURNAL*
Allison, J. R., Ouellette, L. L.
2016; 65 (4): 609-695
 - **Trade and Tradeoffs: The Case of International Patent Exhaustion** *Columbia Law Review Sidebar*
Hemel, D. J., Ouellette, L. L.
2016; 116: 17-31
 - **Deference Mistakes** *UNIVERSITY OF CHICAGO LAW REVIEW*
Masur, J. S., Ouellette, L. L.
2015; 82 (2): 643-731
 - **PATENT EXPERIMENTALISM** *VIRGINIA LAW REVIEW*
Ouellette, L. L.

2015; 101 (1): 65-128

- **Patentable Subject Matter and Nonpatent Innovation Incentives** *UC Irvine Law Review*
Ouellette, L. L.
2015; 5: 1115-1145
- **Nanotechnology and Innovation Policy** *Harvard Journal of Law and Technology*
Ouellette, L. L.
2015; 29: 33-75
- **The Google Shortcut to Trademark Law** *California Law Review*
Ouellette, L. L.
2014; 102: 351-407
- **Cultural Cognition of Patents** *IP Theory*
Ouellette, L. L.
2014; 4: 28-36
- **Beyond the Patents–Prizes Debate** *Texas Law Review*
Hemel, D. J., Ouellette, L. L.
2013; 92: 303-382
- **The polarizing impact of science literacy and numeracy on perceived climate change risks** *NATURE CLIMATE CHANGE*
Kahan, D. M., Peters, E., Wittlin, M., Slovic, P., Ouellette, L., Braman, D., Mandel, G.
2012; 2 (10): 732-735
- **Do Patents Disclose Useful Information?** *Harvard Journal of Law and Technology*
Ouellette, L. L.
2012; 25: 545-607
- **What Are the Sources of Patent Inflation? An Analysis of Federal Circuit Patentability Rulings** *Yale Law Journal Online*
Ouellette, L. L.
2011; 121: 347-373
- **Addressing the Green Patent Global Deadlock Through Bayh-Dole Reform** *Yale Law Journal*
Ouellette, L. L.
2010; 119 (7): 1727-1738
- **How Many Patents Does It Take to Make a Drug? Follow-On Pharmaceutical Patents and University Licensing** *Michigan Telecommunications and Technology Law Review*
Ouellette, L. L.
2010; 17: 299-336
- **Access to Bio-Knowledge: From Gene Patents to Biomedical Materials** *Stanford Technology Law Review*
Ouellette, L. L.
2010; 2010