



**Prof. Orit Fischman Afori**  
College of Management Academic Studies

Date: **October 2024**

## **CURRICULUM VITAE**

### **1. Personal Details**

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### **2. Higher Education**

#### **A. Undergraduate and Graduate Studies**

<b>Period of Study</b>	<b>Name of Institution and Department</b>	<b>Degree</b>	<b>Year of Approval of Degree</b>
1999 -2003	Hebrew University of Jerusalem, Faculty of Law (Supervisor - Prof. J. Weisman)	L.L.D. Doctor of Philosophy	2003
1996- 1999	Hebrew University of Jerusalem, Faculty of Law	L.L.M. (direct course for doctoral degree <i>cum Laude</i> )	1999
1992-1996	Hebrew University of Jerusalem, Faculty of Law	L.L.B. ( <i>cum Laude</i> ).	1996

### **3. Academic Ranks and Tenure in Institutes of Higher Education**

<b>Dates</b>	<b>Institution and Department</b>	<b>Rank/Position</b>
2015 - Current	College of Management Academic Studies Law School	<b>Associate Professor</b>
2013	School of Law, Cambridge University, UK	<b>Visiting Researcher</b> (Faculty Visitor) at the Center of Intellectual Property and Information Law
2008 - 2015	College of Management Academic	<b>Senior Lecturer</b>



	Studies, Law School	
2007	School of Law, (Boalt Hall) University of California, Berkeley	<b>Visiting Scholar</b>
2003-2007	College of Management Academic Studies, Law School	<b>Lecturer</b>

#### **4. Offices in Academic Administration**

2024 - 2026	ATRIP - International Association for the Advancement of Teaching and Research in Intellectual Property	<b>President</b>
2022 - 2024	ATRIP - International Association for the Advancement of Teaching and Research in Intellectual Property	<b>President Elect</b>
2019- 2021	The Heth Academic Center for Research of Competition and Regulation	<b>Academic Director</b>
1/2016 – 10/2019	College of Management Academic Studies, Law School	<b>Dean</b>
2013-2015	College of Management Academic Studies, Law School	<b>Vice Dean</b>
2008 - 2013	College of Management Academic Studies, Law School	<b>Head and Academic Manager of the LLM program.</b>
2009-2020	College of Management Academic Studies, Law School	<b>Member of the Nomination Committee and the Teaching Committee (LLB and LLM).</b>
2003-2008	College of Management Academic Studies, Law School	<b>Member of the Library Committee</b>
2009-2012	College of Management Academic Studies	<b>Member of the institute's Academic Steering Committee</b>
2012	College of Management Academic Studies	<b>Member of the Board of Directors</b>
2010-2014	College of Management Academic Studies	<b>Chairperson of the institute's Copyright</b>



		<b>Committee</b>
2013-2020	College of Management Academic Studies	<b>Member of the Board of Trustees</b>

## **5. Scholarly Positions and Activities Outside the Institution**

### **Membership in Professional Societies:**

2009 -2024 ATRIP - International Association for the Advancement of Teaching and Research in Intellectual Property, member.

2024-2026: ATRIP – President.

2022-2024: ATRIP - President Elect.

2021-2024: ATRIP - Member of the Executive Committee.

2022-2023 Israeli Association of Private Law (Member of the Executive Committee).

2009-2023 Israeli Forum of Intellectual Property Scholars.

1997 - Israeli Lawyers' Bar.

### **Membership and Activity in Legal Journals:**

2012-2024 In-house reviewer (1-2 articles per year) - INTERNATIONAL REVIEW OF INTELLECTUAL PROPERTY AND COMPETITION LAW (Max Planck, IIC) .

2022-2024 LAW, ETHICS AND TECHNOLOGY JOURNAL, Member of the Advisory Board.

2007-2008 Member of the Advisory Board, "HAMISHPAT" Law Review, The College of Management.

2006-2007 Editor in Chief, "HAMISHPAT" Law Review, The College of Management.

### **Membership in Judicial Tribunals:**

2017-2020

2022-2025 Member (*on bench*) of the Anti-Trust Tribunal (District Court, Jerusalem), Israel.

### **Public Activities (selected)**

1. ISRAELI FORUM FOR ACCESSIBLE EDUCATION - the Higher Education Institutions' Forum for the Promotion of Access to Knowledge, co-founder and co-director (with Prof. Niva Elkin-Koren and Dr. Dalit Ken Dror Feldman) (2009-2024).
2. GLOBAL INTELLECTUAL PROPERTY ALLIANCE – Board member (2024 - ).



3. ACHVA ACADEMIC COLLEGE - Member of Higher Academic Committee; Chairperson of the Ethical and Disciplinary Committee (2021- ).
4. Member of the Nomination Board for the Patent Authority Commissioner, Israel, (March 2017, May 2023).
5. 'HAVEROT' - The Israeli Forum for Women Academics in The Field of Corporate and Business Law, member of the steering committee (2021- 2024).
6. SHAMGAR CENTER OF DIGITAL LAW AND INNOVATION, Tel-Aviv University, senior fellow (2022-2024).
7. Cegla Prize for Young Legal Scholars, Tel Aviv University, member of the prize committee (2023, 2024).
8. Member of the Nomination Board for Directors of the Israeli Consumer Council, (2022).
9. Frequent reviewer of articles for Israeli peer-reviewed journals, including Tel Aviv University Law Journal, Hebrew University Law Journal, Israel Law Review, Bar Ilan University Law Journal, Haifa University Law Journal, IDC Law Journal. Occasionally reviewer of articles for foreign journals (such as Stanford Law Review, Journal of World Intellectual Property, Journal of Computer Law & Security Review). In- house reviewer International Review of Intellectual Property and Competition Law (Max Planck, IIC) .
10. Member of promotion committees and evaluation of academics' achievements for promotion purposes in Israeli academic institutions (University of Haifa, Hebrew University, Bar-Ilan University, Reichman University, Natania Academic College, Sapir Academic College, Ono Academic College), as well as for academic institutions worldwide (UK, Netherlands, Singapore, South-Africa).
11. Reviewer of grant proposals for the Israeli Science Foundation (ISF).
12. Evaluation of papers submitted for the Excellent Work Competitions — The Patent Authority (2010, 2013).
13. Submission of comments on various bills issued by the Ministry of Justice concerning intellectual property topics (such as the Israeli Intellectual Property Scholars Letter, regarding the Copyright Bill — Protection of Technological Measures and Information Management, 2012; comments on the Industrial Design Bill).
14. The Israeli National Science Museum, Haifa, executive board member (2017).
15. Israeli Science Foundation (ISF), member of the evaluating committee (law) (2015).

## **6. Participation in Scholarly Conferences**

a. **Active Participation** (the list refers to selected conferences only, as from 2003, all of them as invited speaker or moderator)

### **Participation in Scholarly Conferences and Key Lectures in Israel**



<b>Date</b>	<b>Name of Conference</b>	<b>Place</b>	<b>Subject of Lecture/Discussion</b>	<b>Role</b>
October 2024	Annual Conference of the Israeli Intellectual Property Forum	Sapir Academic College	Fair Enforcement Procedures as a Mean to Enhance Substantive Flexibility in Copyright Law  Use of Copyrighted Works at Time of War	speaker
May 2024	IP at Time of War	Ramat-Gan College, online	Use of Copyrighted Works at Time of War	speaker
April 2024	Computer Science Meets Law: Emerging Challenges	Tel-Aviv University	AI and Copyright – The Challenge	speaker
March 2024	Annual Conference of the Israeli Intellectual Property Forum	University of Haifa	Technology Transfer at Crossroads	speaker and moderator
February 2024	Shamgar Center for Digital Law and Innovation: The AI Revolutions - Legal Perspectives	Tel-Aviv University	Challenges and Barriers to Access to Data in the Age of Artificial Intelligence	speaker and commentator
November 2023	MEITAL Conference: Artificial Intelligence and Higher Education	Online	Generative AI and Copyrights	speaker
June 2023	International Conference – ISHTIP 14th Annual Workshop	Tel-Aviv University		moderator
May 2023	Scholars Workshop – Israeli Association of Private Law Annual Conference	Bar-Ilan University		organizer and moderator
May 2023	International Conference - Freedom of Expression on Digital Platforms: The Next Generation	Tel-Aviv University Chief Justice Meir Shamgar Center for Digital Law and Innovation	Regulating Online Content -Moderation: Introduction of Due Process Standards	speaker
May 2023	International Conference - IP and the Sustainable Development Goals (SDGs) in Honor of Rochelle C. Dreyfuss	Haifa University	IP Law and Sustainability	speaker



May 2023	AI, Copyright Law and Fair Use	Bar-Ilan University	AI and Copyright Law	speaker
March 2023	Intellectual Property and the Climate Crisis	Tel-Aviv University	Injunctions in IP Law, Sustainability, and the Climate Change	speaker
January 2023	"Chaverot" Women in the Israeli Business Sector – Third Annual Conference	College of Management	The Use of AI Systems in the Financial Sector	organizer, moderator and commentator
December 2022	Emerging Technologies – Developments in Israeli Law	Reichman University	Digital Governance in Israel	speaker
October 2022	Annual Conference of the Israeli Intellectual Property Forum	Online – Hosted by the Hebrew University Jerusalem	Reconceptualizing Open Access to Theses and Dissertations	speaker
July 2022	The Israel Layers Bar	Rishon Lezion	Remedies in Copyright Law	speaker
June 2022	The Launch of Aviv Gaon's Book: The Future of Copyright in the Age of Artificial Intelligence	Reichman University	Access to Data in the Age of AI	speaker
June 2022	Scholars Workshop – Israeli Association of Private Law Annual Conference	Achva College	Global Digital Governance by Local Corporate Regulation	speaker
June 2022	The Institute for Qualification of State Attorneys	Neve-Illan	Remedies in Copyright Law	speaker
June 2022	The Institute for Qualification of Judges	Jerusalem	Injunctions in Copyright Law	speaker
June 2022	ALAI – Israel Annual conference	Tel Aviv University	Damages in Copyright Law	speaker
March 2021	"Chaverot" Women in the Israeli Business Sector	Reichman University	Women in Israeli Boards	speaker and concluding remarks
March 2021	Ministry of Science AI Academic Forum- AI Regulation in Israel	Ministry of Science Venue, Tel-Aviv	Digital Governance in Israel	key-note speaker
December 2021	Law and Medicine	Tel-Aviv University	Medical Innovation in the Age of Big Data	speaker
October 2021	Scholars Workshop- Higher Education in	College of Management	Participation of Women in Israeli Academy-Industry	speaker

	Israel		Technology Transfer – An Empirical Study	
October 2021	Annual Conference of the Israeli Intellectual Property Forum	Bar-Ilan University		Organizing committee and moderator
July 2021	The Institute for Qualification of Judges	Online	Remedies in Copyright Law	speaker
June 2021	The Launch of The Israeli Women Forum on Business Law – "Chaverot"	IDC	Participation of Women in Israeli Academy-Industry Technology Transfer – An Empirical Study	speaker
June 2021	Scholars Workshop – Israeli Association of Private Law Annual Conference	Tel Aviv University	A Global Pandemic Remedy to Vaccine Nationalism	speaker
October 2020	Scholars Workshop – Intellectual Property and Competition Law	Online	Israeli Patent Prosecution Process – An Empirical Study	speaker
May 2020	The Institute for Qualification of Judges	Online	Force Majeure and Contract Conflicts in an Era of Pandemic	speaker
December 2019	The Institute for Qualification of Judges	Neve Ilan	Developments in Israeli Copyright and Design Laws	speaker
October 2019	Annual Conference of the Israeli Intellectual Property Forum	Tel Aviv University	Comments on the Nespresso Case Holding	speaker
April 2019	The Institute for Qualification of Judges	Neve Ilan	Blocking Orders – New Developments	speaker
February 2019	AI and IP	Tel Aviv University	"AI and IP – The broad Picture"	speaker
October 2018	Annual Conference of the Israeli Intellectual Property Forum	Interdisciplinary Center Law School, Herzeliya	"Copyright Court Decisions in 2017-2018".	speaker
April 2018	3D Printing	Tel Aviv University	Copyright and Industrial Design Implications of 3D printing	speaker
December 2017	Educational Copyright	Tel Aviv University	"Fair Use Best Practices – The Israeli Experience"	speaker
November 2017	Intellectual Property and Morality –	Tel Aviv University	"Copyright Protection for Pornographic Works".	speaker
October 2017	Annual Conference of the Israeli Intellectual Property Forum	Haifa University		moderator
October 2016	Annual Conference of the Israeli Intellectual Property Forum	Hebrew University Jerusalem		moderator
October	The Institute for	Neve Ilan	"Injunctions and Blockings	speaker

2015	Qualification of Judges		Orders in Copyright Cases"	
June 2015	Conference on Open Textbooks: Challenges for Policy	Haifa University, School of Law	"Licensing Barriers to Access"	speaker
October 2014	Israel, Annual workshop of the Israeli Forum of IP Scholars	College of Management Academic Studies	"Developments in Israeli Intellectual Property Law"	speaker
July 2014	Israeli Lawyers Bar Conference on IP	Tel Aviv	"Developments in Israeli Copyright Law".	speaker
June 2014	MEITAL Annual Conference, Israel, key note	Tel Aviv	"The Battle over Accessibility to Copyrighted Works"	speaker
March 2014	Conference on The Measure of Intellectual Property New Principles, Future Dilemmas	Interdisciplinary Center Law School, Herzeliya, Israel	"Towards a Paradigm Shift in Design Law"	speaker
January 2014	Israeli-British Roundtable Conference on Fair Copyright	Tel-Aviv University	"Taking Users' Rights to the Next Level: The Role of Fair Use Best Practices in Legal Analysis".	speaker
November 2012	The Institute for Qualification of Judges	Neve Ilan	"Civil Remedies in Copyright Cases".	speaker
May 2012	Internet Intermediaries Liability	Haifa University	"Indirect Liability in Copyright Law and the Missing Element of Intention"	speaker
December 2011	Conference on Internet Intermediaries and Copyright	The College of Management Academic Studies Law School	"Policy Making for Internet Intermediaries in Israel"	speaker
October 2011	Israel, Conference on Intellectual Property Law and Development – Traditional Knowledge and Access to Knowledge	Ono Academic College	"Cultural Expression and the International Arena"	speaker



June 2011	Conference on the Interdisciplinary Dimensions of Intellectual Property	Bar-Ilan University	"Intellectual Property and Human Rights – "Diversity of Cultural Expression and Cultural Governance	speaker
May 2011	A New Era of Law, Business and Society	Haifa University	"E- Libraries and Restrictive Contracts"	speaker
June 2010	MEITAL Annual Conference	Open University, Israel	" Fair Use Best Practices for Higher Education Institutions: The Israeli Experience"	speaker
September 2009	The 5 <sup>th</sup> Annual Conference of the Israeli Society for Law and History	Yad Ben Zvi, Jerusalem	"Copyright Law in Historical Perspectives: Old Wine in New Bottles"	speaker
January 2008	Conference on the New Copyright Law	University of Haifa Law School	"Judicial Discretion to Deny Injunctive Relief "	speaker
December 2007	Conference on the New Copyright Law	Interdisciplinary Center Law School, Herzeliya	"Judicial Discretion in Designing the Rights and the Remedies in the New Copyright Law"	speaker
December 2007	MELI – ExLibris Forum in Israel - Annual Conference	Ben-Gurion University of the Negev	"The Fair Use Doctrine in the New Copyright Law – Implications for Libraries".	speaker
May 2006	Conference on Law and Medicine	Interdisciplinary Center Law School, Herzeliya,	"Intellectual Property and Human Rights: The Right to Enjoy the Benefits of Scientific Progress and its Applications".	speaker
December 2005	Conference on Intellectual Property and The Working Place	Interdisciplinary Center Law School, Herzeliya	"Employees' Moral Rights: The Ongoing Dilemma".	speaker
June 2005	20 <sup>th</sup> Annual Conference on Information	Tel-Aviv	"Fair Use and Libraries"	speaker
March 2004	Conference on the Copyright Bill	The College of Management Academic Studies Law	"Exemptions to Copyrights and the Fair Use Doctrine".	speaker



		School		
June 2004	19 <sup>th</sup> Annual Conference on Information,	Tel-Aviv	“Cultural Rights and Copyright”.	speaker
November 2004	The Institute for Qualification of Lawyers	Court System, Jerusalem	“Introduction to Copyrights Law”.	speaker
December 2003	Tel-Aviv Bar Winter Conference	Tel-Aviv	“The Derivative Right and Protection of Ideas in Copyright Law”.	speaker
June 2003	The Institute for Qualification of Lawyers in the Public Service System	Jerusalem	“Protection of Ideas In Copyright Law”	speaker

### **Participation in Scholarly Conferences and Key Lectures Abroad**

<b>Date</b>	<b>Name of Conference</b>	<b>Place</b>	<b>Subject of Lecture/Discussion</b>	<b>Role</b>
November 2024	IP and Gender	WIPO – Geneva (online)	Where The Gender Gaps Meets Academic Patenting: An Empirical Study	speaker
October 2024	DIGI-U 2d conference	University of Cyprus	Content Moderation By AI Systems – From The Product Liability Model To Individual Rights	speaker
September 2024	European Policy Intellectual Property (EPIP) Annual Conference	University Sant’Anna, Pisa Italy	Unlocking Data - A Matrix of Data Regulation in the Age of AI	speaker
June 2024	ATRIP 42th Conference	University of Luiss, Rome, Italy	Intellectual Property PhD Students Competition	speaker, organizer, moderator and commentator
May 2024	User Rights 2024	American University, Washington US - online	Fair Enforcement Procedures as a Means to Enhance Substantive Flexibility in Copyright Law	speaker
December 2023	Comparative Data	Max Planck Institute,	A Matrix of Data Regulation in the Age of	speaker



	Law	Munich/Online	AI: From Exclusivity to Open Access	
September 2023	European Policy Intellectual Property (EPIP) Annual Conference	Jagiellonian University, Krakow	The Impact of Data-Driven Research on Academy-Industry-Government Interrelations	speaker
July 2023	ATRIP 41th Conference	University of Tokyo, Japan	Intellectual Property PhD Students Competition	speaker, organizer, moderator and commentator
July 2023	Private Law and Intellectual Property	Cambridge University, UK	Data and the Proprietary Regime Impulse	speaker
June 2023	Data Economy Law – ERASMUS and Strategic Partnership "DDM4SME"	University for Continuing Education Krems, Austria	Global Digital Governance Through the Back Door of Corporate Regulation	keynote speaker
May 2023	7th annual Workshop on Intellectual Property Rights	Szeged University, Hungary	A Matrix of Data Regulation in the Age of AI: From Exclusivity to Open Access	speaker and panel moderator
May 2023	13th Annual Conference on Innovation and Communications Law (CICL)	Poznan University, Poland	A Matrix of Data Regulation in the Age of AI: From Exclusivity to Open Access	speaker
March 2023	Fifth IP & Innovation Researchers of Asia (IPIRA) Conference	Online	Reconceptualizing Access to Theses and Dissertations	speaker
February 2023	Copyright and Open Norms from Around the World (with the International Federation of Library Associations and Institutions)	Online - Bournemouth University, UK	Fair Use in Israeli Law – Achievements and Developments	speaker
February 2023	Work-in-Progress Intellectual Property	Online-Suffolk	A Matrix of Data Regulation in the Age of	speaker



	(WIPIP) 15th Annual Conference	University Law School, Boston	AI: From Exclusivity to Open Access	
November 2022	IDEA- the Franklin Pierce Center for Intellectual Property Annual Symposium, "IP in the Metaverse: Protecting IP Rights in the Virtual World"	Online - The Franklin Pierce Center for Intellectual Property -	Global Digital Governance Through the Back Door of Corporate Regulation	speaker
October 2022	IP MOSAIC 2022	Online – Hosted by Howard University, USA	Where The Gender Gap Meets Academic Patenting: An Empirical Study	speaker
October 2022	Rethinking Copyright Flexibilities	University of Cyprus, Cyprus	Regulating Online Content Moderation: Introduction of Due Process Standards	speaker
September 2022	George Mason Center for Intellectual Property x Innovation Policy Annual Conference	George Mason University, Virginia, USA	The Future of Criminal Enforcement of Copyrights	speaker
June 2022	40 <sup>th</sup> ATRIP Conference	Online- Hosted by Copenhagen University, Denmark	PhD Students Competition - Moderator and Chair	moderator
May 2022	12th Annual Conference on Innovation and Communications Law (CICL)	Austria, Krems University	The Impact of Data-Driven Research on Academy-Industry-Government Interrelations	speaker
April 2022	Right to Research Workshop	American University Washington College of Law (online)	Reconceptualizing Access to Theses and Dissertations	speaker



March 2022	Second Digital Day – University of Florence	Online - University of Florence	Intellectual Property Rights and Sustainability: In Search of (Lost) Balance	speaker
November 2021	39 <sup>th</sup> ATRIP Conference	Online - Hosted by South Korea University	Online Platforms and Content Monitoring	speaker
October 2021	Program on Information Justice & Intellectual Property – Right to Research Project	Online - American University Washington College of Law	Open Access to Theses and Dissertations	speaker
August 2021	Annual IP Scholars Conference	Online (hosted by Cardozo University, NY)	A Global Pandemic Remedy to Vaccine Nationalism	speaker
March 2021	Third IP & Innovation Researchers of Asia (IPIRA) Conference	Online	Online Platforms and Content Monitoring	speaker
September 2019	European Law Institute Annual Conference	Vienna University	Injunctions in Israeli Patent Cases - speaker Harmonization of Patent Remedies - panelist	speaker and panelist
October 2018	Exploring Remedies – Impulses for a German and European ‘Law of Remedies’	Friedrich-Alexander-Universität Erlangen-Nürnberg, Germany	The Principle of Proportionality – Balancing Interests in Private Law Via Remedies	speaker
September 2018	ALAI Annual Conference	University of Montreal, Canada	Remedies and Fairness in Copyright Law	speaker
August 2018	37 <sup>th</sup> ATRIP Conference	University of Helsinki, Finland	Remedies and Fairness in Copyright Law – speaker Panel Discussion: Education and Methodology - panelist	speaker and panelist
May 2018	Pluralism or Universalism in International Copyright Law	University of Cyprus, Cyprus	Proportionality – An International Copyright Norm?	speaker
April 2018	Copyright and	University	Best Practices and Fair Use	speaker



	Documentary and other Non-Fictional Audiovisual Works	Pompeu Fabra, Barcelona, Spain	Rulification	
March 2017	– Copyright Balance in International Trade Law	American University, Washington College of Law	Rulifying Fair Use — The Israeli Experience	speaker and webcasted panelist
June 2016	35 <sup>th</sup> ATRIP Conference	Jagiellonian University, Krakow	“Rulifying Fair Use”	speaker
November 2015		University of Cyprus, Cyprus	"Proportionality - A New Mega Standard in European Copyright Law	speaker
September 2015	ATRIP Conference 2015	Cape Town University, South Africa	“The Participation of Society in IP Rule-making	speaker
August 2015	Annual IP Scholars Conference	DePaul University, Chicago USA	"Rulifying Fair Use"	speaker
July 2014	ATRIP Conference 2014	Montpellier University, Scholl of Law, France	"Accommodating Copyright Exceptions to Technological Developments through Bottom-Up Norms".	speaker
June 2013	ATRIP Conference 2013	Oxford University, UK, Scholl of Law,	"Flexible Remedies as a Means to Counteract Failures in Copyright Law".	speaker
February 2013	Cambridge University, UK, School of Law	Intellectual Property Seminar Series	" Fair Use Best Practices for Higher Education Institutions: The Israeli Experience"	speaker
March 2012	Conference on the Future of Intellectual Property Law in the Next Decade	Georgia University, Athens, USA	"The Future of Copyright Law"	speaker
October 2010	Free Culture Research Conference 2010	Free University of Berlin, Germany	"Facilitating Access to Knowledge in Education via Fair Use Best Practices"	speaker



November 2009	The Fordham Intellectual Property, Media & Entertainment Law Journal's 20th Anniversary Symposium - "Functionality: At the Crossroads of IP"	Fordham University Law School, New York, USA	"The Non-Functionality Requirement in Industrial Design Law".	speaker
September 2009	ATRIP Conference 2009	Vilnius University, Lithuania	"A General "Fair Use" Clause – A Workable Concept in Copyright Law"	speaker
February 2009	Intellectual Property Scholars Roundtable	Drake University, Iowa, U.S.A	"Judicial Discretion in Granting Injunctive Relief in Cases of Copyright Infringement: A Call for Action"	speaker
July 2008	International Conference on Innovation and Communications law	University of Turku Faculty of Law, Finland	"The Implied License Doctrine and Copyright Conflicts in the Digital Age"	speaker
April 2007	Fordham's 15th Annual Conference on International Intellectual Property Law and Policy	Fordham University Law School, New York, USA	"Intellectual Property and Human Rights"	speaker
June 2006	Symposium on Questions of Comparative Private Law, Law of Conflicts, and the Protection of Relevant Human Rights	University of Saarlands, Saarbruecken, Germany	"Employees' Moral Rights: The Ongoing Dilemma"	speaker

**b. Organization of Conferences or Sessions**

<b>Date</b>	<b>Name of Conference</b>	<b>Place</b>	<b>Subject/Role of Conference, Comments</b>	<b>Role</b>
June 2024	"Haverot", Israeli Forum of Women Academics in Corporate and Business Law	Reichman University	Annual meeting, conducting empirical research	Organizer and moderator
June 2024	ATRIP Annual Congress, Italy	University of Luiss, Rome	ATRIP annual conference	Organizer of PhD students' session and best



				presentation contest
July 2023	ATRIP Annual Congress, Japan	University of Tokyo, Japan	ATRIP annual conference	Organizer of PhD students' session and best presentation contest
May 2023	Scholars Workshop – Israeli Association of Private Law Annual Conference	Bar-Ilan University	Annual conference	Organizing committee
January 2023	"Haverot", Israeli Forum of Women Academics in Corporate and Business Law	College of Management	Annual meeting, on the emerging technologies and the financial sector, and on women in Israeli academy.	Organizer
June 2022	ATRIP Annual Conference, Copenhagen, Denmark	University of Copenhagen, Denmark (online)	ATRIP annual conference	Organizer of PhD students' session and best video contest
March 2022	"Haverot", Israeli Forum of Women Academics in Corporate and Business Law	Reichman University	Annual meeting – women on boards	Organizing committee
June 2021	"Haverot", Israeli Forum of Women Academics in Corporate and Business Law	Reichman University	Launching event – women in Israeli academy	Organizer and presenter
2009-2021 (2009- four meetings, 6/2011 11/2012 10/2013 2/2018 3/2021)	Israeli Forum for Accessible Education	College of Management and University of Haifa	Conferences of the Forum discussing policy regarding use of copyrighted material for teaching	Organization of a series conferences as the Forum's founder and director



October 2020	Israel, Annual workshop of the Israeli Forum of IP Scholars	College of Management	Annual conference	Organizer and presenter
June 2017- June 2018	Israeli Students Workshop, WIPO, Geneva	WIPO, Geneva	Students workshop	Organizer and coordinator
October 2014	Israel, Annual workshop of the Israeli Forum of IP Scholars	College of Management	Annual conference	Organizer and presenter
2008-2012	Year Opening Lecture, for LLM Students	College of Management	Annual opening event	Organizer of four events
2011	Conference on Internet Intermediaries and Copyright	College of Management	Internet Intermediaries and Copyright Law	Organizer and presenter
2007	Conference for the Launch of a special issue on Children's Rights – "Hamishpat" Law Journal	College of Management Academic Studies	Children's Rights	Organization of the conference as the Editor in Chief

## 8. Research Grants

### a. Grants Awarded

<b>Role in Research</b>	<b>Co-Researchers</b>	<b>Topic</b>	<b>Funded by/ Amount</b>	<b>Year</b>
PI	PI – Prof. Hagit Messer Yaron PI – Dr. Sharon Bar-Ziv	The Impact of Data-Driven Research on Academy-Industry-Government Interrelations	The Center for Cyber, Law & Policy, University of Haifa, with the Israeli National Cyber Directorate/ (60,000 NIS +	2023

			60,000 NIS matching from Tel-Aviv University)	
PI	PI - Prof. Miriam Markowitz Biton  PI - Dr. Sharon Bar-Ziv	The Gender Gap in Israeli Technology Transfer	The Forum of Gender, Law and Social Policy, Law Faculty, Haifa University / (5000 NIS)	2022
PI	PI - Dr. Sharon Bar-Ziv	Matrix of Data Regulation	College of Management Research Authority/ (4000 NIS)	2022
PI	PI - Dr. Dalit Ken-Dror Feldman	Reconceptualizing Access to Theses and Dissertations	American University, Washington College of Law, Program on Information Justice & Intellectual Property/ (2000 \$)	2021
PI	PI - Prof. Miriam Markowitz Biton  PI - Dr. Sharon Bar-Ziv	Technology Transfer from the Academy to Industry	The Eli Horowitz Institute for Strategic Management, Tel Aviv University/ (25,000 NIS)	2021
PI		Designing Good Digital Governance in the AI Era	College of Management Research Authority/ (12,000 NIS)	2021
PI	PI - Prof. Miriam Markowitz Biton  PI - Dr. Sharon Bar-Ziv	Participation of Women in University-Industry Technology Transfer Practices	The Heth Academic Center for Research of Competition and Regulation/ (30,000 NIS)	2020
PI	PI – Dr. Yifat Nahmias	Patent Prosecution in Israel	The Heth Academic Center for	2020

			Research of Competition and Regulation/ (30,000 NIS)	
PI		Extending GAL to Online Giants	College of Management Research Authority/ (8000 NIS)	2020

**b. Submission of Research Proposals – Pending**

Role in Research	Co-Researchers	Topic	Funded by/ Amount	Year

**c. Submission of Research Proposals – Not Funded**

Role in Research	Co-Researchers	Topic	Funded by	Year	Score
PI	PI – Prof. Hagit Messer Yaron PI – Dr. Sharon Bar-Ziv	Industry Data Sharing with Academia in the Age of Data-Driven Research	Israel Science Foundation	2023-2024	
PI	PI - Prof. Miriam Markowitz Biton PI - Dr. Sharon Bar-Ziv PI – Dr. Avishalom Almalech	Development of guidelines and artificial intelligence-based monitoring tools to identify patents' proximity and to mitigate the gender gap in the innovation ecosystem in Israel	Ministry of Science, Technology and Space	2023	
PI	PI – Prof. Hagit Messer Yaron PI – Dr. Sharon Bar-Ziv	The Impact of Data-Driven Research on Academy-	Israel Science Foundation	2021-2022	



		Industry-Government Interrelations			
PI	PI - Prof. Miriam Markowitz Biton PI - Dr. Sharon Bar-Ziv PI – Dr. Avishalom Almalech	The Gender Gap in Israeli Patenting	Ministry of Science, Technology and Space	2022	
PI	PI - Prof. Miriam Markowitz Biton PI – Prof. Franz Hoffman	A Global Compulsory Patent Licensing Scheme for Pandemics	Volkswagen Foundation	2020	

## **9. Scholarships, Awards and Prizes**

- 2021 The College of Management Academic Studies, Prize for Excellent Researcher.
- 2020 The College of Management Academic Studies, Law School - The Haim Striks Fund, excellence research grant.
- 2015 The College of Management Academic Studies. Prize for Excellent Lecturer (according to students' feedbacks).
- 2013 The College of Management Academic Studies, Law School - The Haim Striks Fund Excellence Research Grant.
- 2012 Hebrew University of Jerusalem, Faculty of Law. Excellent Lecturer (according to students' feedbacks).
- 2012 The College of Management Academic Studies. Prize for the Law School's Excellent Faculty Member.
- 2010-2011 The College of Management Academic Studies. Prize for Excellent Lecturer (according to students' feedbacks).
- 2009-2011 The College of Management Academic Studies. Research Scholarship for Excellent Researcher.
- 2008 The College of Management Academic Studies. Prize for the Law School's Excellent Lecturer.
- 2007 The College of Management Academic Studies, Law School. Research Scholarship.
- 2004 University of Tel- Aviv Law School. Excellent Lecturer (according to students'



feedbacks).

## 10. Teaching

### a. Courses Taught in Recent Years

<b>Year</b>	<b>Course Name</b>	<b>Type: Lecture/Seminar/Workshop/ High Learn Course/Introduction</b>	<b>Institution</b>
2019- 2024	Law, Information and Internet/ Law and Technology	Seminar	College of Management/ Reichman University
2003-2024	Corporate Law	Compulsory for L.L.B students/ Compulsory for MA students	College of Management
2003-2024	Introduction to Intellectual Property Law	Compulsory for L.L.M. students;	College of Management;
2021	Introduction to Intellectual Property Law	Online micro course for undergraduate students	University of Florence, Faculty of Law
2003-2016	Copyright Law	Elective course	College of Management; Hebrew University of Jerusalem, Faculty of Law; Tel-Aviv University, Faculty of Law
2003-2018	"Copyright Law in the Technological Age"	Seminar	College of Management; Hebrew University of Jerusalem, Faculty of Law
2007-2009	Trademark Law	Seminar	College of Management
2009-2010	Intellectual Property and Law and Technology	Clinical Seminar	College of Management
2011 - 2013	"Selected Topics in Intellectual Property	Seminar	Hebrew University of



	Law”		Jerusalem, Faculty of Law
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**b. Supervision of Graduate Students**

1. (The College of Management does not have a doctoral degree program; the LLM program with thesis was approved in 2018).

<b>Name of Student</b>	<b>Title of Thesis</b>	<b>Degree</b>	<b>Date of Completion / in Progress</b>	<b>Students' Achievements</b>
Yuval Reina	Political Biases in LLMs	LLM with Thesis, Reichman University	2024	In-progress
Jossef Tal	Means to Mitigating Money Laundering and the Privacy Protection Barrier	LLM with Thesis, College of Management	2024	In-progress
Ronen Peled	Artificial Intelligence Systems and Explainability	LLM with Thesis, College of Management	2022-2023	In-progress
Shmuel Garziani	The Copyright Infringement Tests of Musical Works	LLM (Research Seminary) College of Management	2013	Graduated
Rachel Alkalie	Indirect/ Secondary Liability for Copyright Infringements	PhD, Tel-Aviv University (With Prof. M. Deutch and Prof. E. Lederman)	2011-2012	Dropped out
Yael Nissan-Alon	The Fault Consideration in Copyright Infringements	LLM (Research Seminary) College of Management	2009	Graduated
Roi Aiz	The Doctrine of Subordination in Corporate Law	LLM (Research Seminary) College of Management	2007	Graduated



2. Evaluation of PhD dissertations and proposals for PhD dissertations, as well as LLM theses in Israeli Universities (selected list):

Sharon Bar-Ziv (University of Haifa, PhD dissertation);

Michal Lavi (University of Haifa, PhD dissertation);

Noa Mor (University of Haifa, PhD dissertation);

Rachel Aridor-Hershkowitz (University of Haifa, PhD Proposal);

Yair David (University of Haifa, PhD Proposal);

Omri Rhum-Tweig (Tel-Aviv University, PhD Proposal);

Yifat Nahmias (Bar-Ilan University, PhD Proposal);

Tal Itkin (Bar-Ilan University, PhD Proposal);

Joseph Cohen (Bar-Ilan University, PhD Proposal);

Gilad Nave (Reichman University, LLM Thesis).

## **11. Professional Experience**

- 1995-1996 State Attorney's Office – Administrative Law Department, Internship.
- 1996-1997 Calderon Attorneys at Law, Internship.
- 1997-1999 Gilat & Co. Attorneys at Law/Reinhold Cohn & Co., Patent Attorneys' Firm, Lawyer.
- 2017-2020
- 2022-2025 Member (*on bench*) of the Anti-Trust Tribunal (District Court, Jerusalem), Israel.

## **PUBLICATIONS**

(\* - Publications since last promotion)

### **A. Ph.D. Dissertation**

1. **ORIT FISCHMAN AFORI**, THE DERIVATIVE WORK IN THE LAW OF COPYRIGHT (Nevo Pub., 2005). [Hebrew]

### **B. Scientific Books (Refereed)**

1. **ORIT FISCHMAN AFORI**, DAVID GILAT, ERAN BAREKET & TAMIR AFORI, *INTELLECTUAL PROPERTY LAW IN ISRAEL*, *KLUWER LAW INTERNATIONAL*, (International Encyclopedia of Laws, Prof. H. Vanhees, Editor, 2013, updated publication 2016). (Published as a monograph and as a book) (Equal Contribution).

## **Monographs**



1. \* **ORIT FISCHMAN AFORI** (as of 2023), ISRAEL (Chapter on Israeli copyright law, updated annually), in *INTERNATIONAL COPYRIGHT LAW AND PRACTICE* (Paul Edward Geller & Lionel Bently eds., as of 2022 Burton Ong Chief Editor, Matthew Bender/ LexisNexis).

### **C. Edited Journal Issues**

1. Hamishpat Law Review, 22 Issue, March 2006 [Hebrew].
2. Hamishpat Law Review, 23 Issue, July 2006, on "Children Rights" (Co-edited with Dr. Tamar Morag) [Hebrew].
3. Hamishpat Law Review, Volume 9 (Partial Editing) [Hebrew].

### **D. Articles in Journals**

#### **Abbreviations - Publication Rankings:**

"**Ranking**" - Ranking Committee of Universities in Israel.

"**W&L**" - Washington and Lee.

"**IF W&L**" - Impact Factor according to the Washington and Lee Law Reviews Ranking System.

"**IF JCR**" - Impact Factor according to the Journal Citation Report (Clarivate).

1. \* **Orit Fischman Afori**, "Global Digital Governance Through the Back Door of Corporate Regulation", 33 *FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL*, 1 (2023).  
Ranking - A; W&L - #1 Intellectual Property; IF W&L - 0.54.
2. \* Miriam Markowitz-Bitton, **Orit Fischman Afori** & Hillel Billauer, "The Future of Criminal Enforcement of Copyright: The Promise of Civil Enforcement", 30 *GEORGE MASON LAW REVIEW*, 463 (2023). (Equal Contribution).  
Ranking - A; W&L - #64 General Law; IF W&L - 0.61.
3. \* **Orit Fischman Afori** & Dalit Ken-Dror Feldman, "Reconceptualizing Open Access to Theses and Dissertations", 34 *FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL*, 34 (2022). (Equal Contribution).  
Ranking - A; W&L - #1 Intellectual Property; IF W&L - 0.54.
4. \* **Orit Fischman Afori**, Yifat Nahmias & Iris Soroker, "Uncovering Patent Prosecution: An Obvious(ness) Negotiation", 40 *CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL*, 1 (2023). (Orit Fischman Afori and Yifat Nahmias Equal Contribution as PIs).  
Ranking - A; W&L - #4 Art and Entertainment; IF W&L - 0.37.
5. \* Sharon Bar-Ziv, **Orit Fischman Afori** & Miriam Markowitz-Bitton, "Where the Gender Gap Meets Academic Patenting: An Empirical Study", 18 *OHIO STATE TECHNOLOGY LAW*



*JOURNAL* 239 (2022) (Formerly - *I/S: A JOURNAL OF LAW AND POLICY FOR THE INFORMATION SOCIETY (OHIO)*). (Equal Contribution).

Ranking - B; W&L - #47 Science and Technology.

6. \* Sharon Bar-Ziv, Miriam Markowitz-Bitton & **Orit Fischman Afori**, "Participation of Women in Israeli Academy-Industry Technology Transfer – An Empirical Study", 6 *REGULATION STUDIES* 27 (2022). [Hebrew]. (Equal Contribution).  
Non-ranked.
7. \* **Orit Fischman Afori**, "Taking Global Administrative Law One Step Ahead: Online Giants and the Digital Democratic Sphere", *INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW (ICON)*, (2022).  
Ranking - A; W&L - #17 Constitutional Law; IF JCR - 1.419.
8. \* **Orit Fischman Afori**, Miriam Marcowitz-Bitton & Emily Michiko Morris, "A Global Pandemic Remedy to Vaccine Nationalism", 54 *CORNELL JOURNAL OF INTERNATIONAL LAW*, 101 (2022). (Equal Contribution).  
Ranking - A; W&L - #10 International-Law; IF W&L - 0.39.
9. \* **Orit Fischman Afori**, Yifat Nahmias & Iris Soroker, "Novelty and Non-Obviousness in Israeli Patent Prosecution – An Empirical Study", 4 *REGULATION STUDIES* 383 (2021) [HEBREW] (Orit Fischman Afori and Yifat Nahmias Equal Contribution as PIs).  
Non-ranked.
10. \* **Orit Fischman Afori**, "Online Rulers as Hybrid Bodies: The Case of Infringing Content Monitoring", 23 *UNIVERSITY OF PENNSYLVANIA JOURNAL OF CONSTITUTIONAL LAW*, 121 (2021).  
Ranking - A; W&L - #2 Constitutional Law; IF W&L - 0.8.
11. \* Niva Elkin-Koren & **Orit Fischman Afori**, "Rulifying Fair Use", 59 *ARIZONA LAW REVIEW* 161 (2017). (Equal Contribution).  
Ranking - A; W&L - #43 General Law; IF W&L - 1.09.
12. Niva Elkin-Koren & **Orit Fischman Afori**, "Taking Users' Rights to the Next Level: A Pragmatist Approach to Fair Use", 33 (1) *CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL*, 1 (2015). (Equal Contribution).
13. **Orit Fischman Afori**, "Proportionality - A New Mega Standard in European Copyright Law" 45 *INTERNATIONAL REVIEW OF INTELLECTUAL PROPERTY AND COMPETITION LAW*, 889-914 (Max Planck, IIC) (2014).
14. **Orit Fischman Afori**, "The Battle over Public E-Libraries: Taking Stock and Moving Ahead", 44 *INTERNATIONAL REVIEW OF INTELLECTUAL PROPERTY AND COMPETITION LAW*, 1 (Max Planck, IIC) (2013).
15. **Orit Fischman Afori**, "Contributory Infringement in Israeli Copyright Law", 52 *HAPRAKLIT LAW JOURNAL* (Lawyers Bar Law Journal), 3 (2012). [Hebrew]



16. **Orit Fischman Afori**, "The Evolution of Copyright Law and Inductive Speculations as to Its Future", 19 *JOURNAL OF INTELLECTUAL PROPERTY*, 231 (2012).
17. **Orit Fischman Afori**, "Flexible Remedies as a Means to Counteract Failures in Copyright Law", 29 *CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL*, 1 (2011).
18. Niva Elkin-Koren, **Orit Fischman Afori**, Ronit Haramati-Alpern & Amira Dotan, "Fair Use Best Practices for Higher Education Institutions: The Israeli Experience", *JOURNAL OF THE COPYRIGHT SOCIETY OF THE USA*, 501 (2010). (Equal Contribution).
19. **Orit Fischman Afori**, "The Role of the Non-Functionality Requirement in Design Law", 20 *FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL*, 841 (2010).
20. **Orit Fischman Afori**, "Implied License – An Emerging New Standard in Copyright Law", 25 *SANTA-CLARA COMPUTER AND HIGH TECHNOLOGY LAW JOURNAL*, 101 (2008).
21. **Orit Fischman Afori**, "Employees' Moral Rights: The Israeli Solution to an Ongoing Dilemma", 30 *EUROPEAN INTELLECTUAL PROPERTY REVIEW*, 521 [2008].
22. **Orit Fischman Afori**, "Reconceptualizing Property in Designs", 25 *CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL*, 1105 (2008).
23. **Orit Fischman Afori**, "Copyright Infringement without Copying – Reflections on the Theberge Case", 39 *OTTAWA LAW REVIEW*, 23(2008).
24. **Orit Fischman Afori**, "Cultural Rights and Human Rights: A Proposal for A Balanced Way to Develop Israeli Copyright Law", 37 *MISHPATIM* (Hebrew University Law Review), 499 (2007). [Hebrew]
25. **Orit Fischman Afori**, "Human Rights and Copyright: The Introduction of Natural Law Considerations into American Copyright Law", 14 *FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL*, 497 (2004).
26. **Orit Fischman Afori**, "The Right to Prepare Derivative Works and the Protection of Ideas in Copyright Law", 17 *HAMISHPAT*, (The College of Management Law Review) 34 (2004). [Hebrew]

#### **E. Articles or Chapters in Scientific Books (Refereed)**

1. \* **Orit Fischman Afori**, "The Evolving Concept of Minority Shareholders as Controllers – The Israeli Perspective", in *LAW IN TIMES OF CRISIS -FESTSCHRIFT FOR YORAM DANZIGER* (Eric Hilgendorf ed., Duncker & Humblot Pub., 2023). Non-Ranked.
2. \* **Orit Fischman Afori**, "Proceduralism Is Not Fetishism: International Intellectual Property Lawmaking and Global Administrative Law", in *IMPROVING INTELLECTUAL PROPERTY – A GLOBAL PROJECT*, 386 (Susy Frankel, Margaret Chon, Jens H. Schovsbo & Graeme



Dinwoodie eds. Edward Elgar, 2023).

Ranking – A.

3. \* **Orit Fischman Afori**, "Regulating Online Content Moderation – Taking Stock and Moving Ahead with Procedural Justice and Due Process Rights", in *THE EXPLOITATION OF IPR – FINDING THE RIGHT BALANCE* (Jens H. Schovsbo ed., Edward Elgar, 2023).  
Ranking – A.
4. \* **Orit Fischman Afori**, "Injunctive Relief in Israeli Patent Law", in *INJUNCTIONS IN PATENT LAW: TRANS-ATLANTIC DIALOGUE ON FLEXIBILITY AND TAILORING* (Jorge L. Contreras and Martin Husovec eds., Cambridge University Press, 2022).  
Ranking – A\*.
5. \* **Orit Fischman Afori & Or Sadan**, "Online Giants as Hybrid Bodies", in *EMERGING TECHNOLOGIES* (Lior Zemer and Aviv Gaon eds. Nevo, 2022). [Hebrew] (Equal Contribution).  
Non-Ranked.
6. \* **Orit Fischman Afori**, "Universal Measures in the Service of Global Challenges: Proportionality, Blocking Orders, and Online Intermediaries as Hybrid Bodies", in *PLURALISM OR UNIVERSALISM IN INTERNATIONAL COPYRIGHT LAW* (Tatiana Eleni Synodinou ed., Kluwer Law, 2020, 2ed edition 2024).  
Ranking – A.
7. \* **Orit Fischman Afori**, "A Manifesto on Proportionality and Copyright Law: 'Taking Remedies Seriously'", in *LAW OF REMEDIES* (Franz Hofmann and Franziska Kurz eds., Intersentia 2019).  
Non-Ranked.
8. **Orit Fischman Afori**, "Intellectual Property and Human Rights: UNESCO and the Protection and Promotion of the Diversity of Cultural Expression", in *INTERDISCIPLINARY VIEW OF INTELLECTUAL PROPERTY LAW* (Bar-Ilan University Press, 2015). [Hebrew]
9. **Orit Fischman Afori**, "Copyright Law in Historical Perspective: Old Wine in New Bottles", in *LAW AND INFORMATION TECHNOLOGY*, 321 (Michael Birnhack and Niva Elkin Koren eds., Ramot, 2011). [Hebrew]
10. **Orit Fischman Afori**, "The Silent Revolution: Judicial Discretion in Granting Injunctive Relief", in *CREATING RIGHTS – ESSAYS ON THE NEW COPYRIGHT ACT IN ISRAEL*, (Michael Birnhack and Guy Pessach eds., Nevo, 2009). [Hebrew]

## **F. Articles in Conference Proceedings**

1. \* **Orit Fischman Afori**, "Proportionality - A New European Standard for Calibrating Site Blocking Orders", *ALAI (The International Literary and Artistic Association) BOOK* (2019)



(Conference Lecture).

2. **Orit Fischman Afori**, "The Global Contours of IP Protection for Trade Dress, Industrial Design, Applied Art, and Product Configuration", 20 *FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL* 783 (2010). (Conference Lecture).
3. **Orit Fischman Afori**, "Copyright and Human Rights: External Balance for Internal Benefit", *FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL* (2008). (Conference Lecture).

## **G. Other Publications**

1. \***Orit Fischman-Afori**, Michael Birnhack, Dalit Ken-Dror Feldman, Noa Diamant, "Commemoration and Law: Legal Aspects of War-related Documentation Projects", 5 *REMEMBRANCE & RESEARCH* (2024).
2. \***Orit Fischman-Afori**, "Content Moderation by AI Systems – From The Product Liability Model To Individual Rights", *DIGITAL PLATFORMS UNDER THE SCOPE OF THE NEW ERA OF DIGITAL SERVICES (DIGI U)* (JEAN MONNET CENTRE OF EXCELLENCE, 2024).
3. \*Hagit Messer-Yaron, **Orit Fischman Afori** & Sharon Bar-Ziv, "Data Blindness Also Affects Academia-Industry-Technology Transfer", *E-LETTER SCIENCE FORUM*, (January 18, 2023).
4. \***Orit Fischman Afori**, Ido Baum, Iris Soroker & Yifat Nahmias, "Frustration of Contracts and Force Majeure in Contractual Disputes Resulting from the Covid-19 Pandemic", *HETH RESEARCH CENTER FOR COMPETITION AND REGULATION – COLLEGE OF MANAGEMENT, WORKING PAPER* (April 2020). [Hebrew]
5. **Orit Fischman Afori**, "Stop the Neglect of Industrial Design Law", *THE LAWYER – THE ISRAELI LAWYERS BAR JOURNAL*, (July 2010). [Hebrew]
6. **Orit Fischman Afori**, "Opinion - An Open Standard "Fair Use" Doctrine: A Welcome Israeli Initiative", 30 *EUROPEAN INTELLECTUAL PROPERTY REVIEW* 85 [2008].

## **H. Forthcoming**

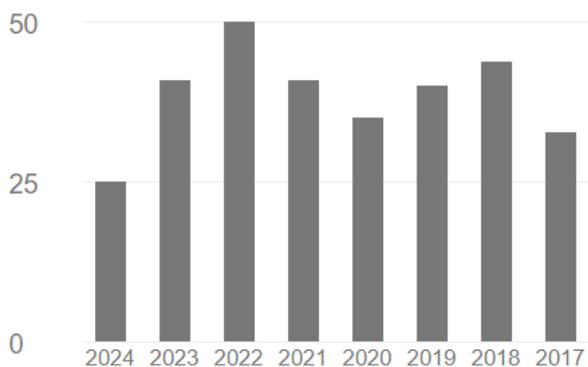
1. \* *Forthcoming* Sharon Bar-Ziv, Miriam Markowitz-Bitton & **Orit Fischman Afori**, "Technology Transfer at a Crossroads", 35 (3) *Bar-Ilan University Law Review (Mechkarei Mishpat)* (2024). [Hebrew]. (Equal Contribution).  
Ranking – A.
2. \* *Forthcoming* **Orit Fischman Afori** and Sharon Bar-Ziv, "Challenges and Barriers to Access to Data in the Age of Artificial Intelligence", in *ALGORITHMS, ARTIFICIAL INTELLIGENCE AND LAW* (Niva Elkin Koren and Mayan Pearl eds., Ramot, 2024). [Hebrew]. (Equal Contribution).  
Ranking – B.



3. \* *Forthcoming Orit Fischman Afori* and Sharon Bar-Ziv, "Data and the Proprietary Regime Impulse", in *INTELLECTUAL PROPERTY AND PRIVATE LAW* (Shyamkrishna Balganes and Poorna Mysoor eds., Cambridge University Press, 2024). [English] (Equal Contribution).  
Ranking – A\*.
4. \* *Forthcoming Orit Fischman Afori*, "Administrative Law Principles in the Service of Copyright Law", in *THE INTERFACE OF INTELLECTUAL PROPERTY LAW WITH OTHER LEGAL DISCIPLINES* (Christophe Geiger ed. Edward Elgar, 2024). [English]  
Ranking – A.
5. \**Forthcoming Orit Fischman Afori*, "Fair Enforcement Procedures as a Means to Introduce Flexibilities into Copyright Law", in *FLEXIBILITIES IN COPYRIGHT LAW* (Tatiana Eleni Synodinou and Caterina Sganga eds. Routledge, 2024). [English]  
Ranking – A.

### Citations (Google Scholar Citations, September 15, 2024)

הצג הכל		צוטט על ידי
מאז 2019	הכל	
238	612	ציטוטים ביבליוגרפיים
9	13	H-index
9	13	i10-index



### Research Agenda and Future Plans

My research fields are intellectual property (IP) and law and technology. My research involves a multi-dimensional examination of the various fields of study, with particular emphasis on the interface with human rights. The underlying theme of my research, which is identified with my scholarly works, is the advancement of the public interest in the realm of IP law in a balanced



way, that encourages economic growth and at the same time protects individual's fundamental rights. My research examines not only the theoretical aspects of IP law and law and technology but also develops practical legal tools for facilitating the promotion of the public good. To this end, I use a range of research methodologies, including theoretical and doctrinal analysis as well as various empirical qualitative and quantitative methods.

My research agenda extends in several scholarly directions that I developed over the years. A first line of studies focuses on the direct intersection of IP law and the regulation of technology with the human rights discourse (the "human rights" line). A second line of studies examines the role of various open legal standards in IP law in promoting the end goal of the public good (the "open standards" line). A third line of studies delves into the role of remedies in facilitating the implementation of social policy in various legal frameworks (the "remedies" line). A fourth line of studies focuses on innovation, examining various aspects of its operation and of its end goal of progress in science for the benefit of society (the "innovation" line). Many of my studies belong to more than one line. Over the years, each line of research has spawned a range of projects, some of which have practical implications.

Prominent examples of the "human rights" line are some early publications titled *"Human Rights and Copyright: The Introduction of Natural Law Considerations into American Copyright Law"* (2004), and *"Cultural Rights and Human Rights: A Proposal for A Balanced Way to Develop Israeli Copyright Law"* (2006), as well as the article *"Intellectual Property and Human Rights: UNESCO and the Protection and Promotion of the Diversity of Cultural Expression"* (2015). These studies explore various paths for introducing the human rights discourse and constitutional aspects of freedom of speech into copyright law to help balance it. A milestone in this line of studies is my article titled *"Proportionality - A New Mega Standard in European Copyright Law"* (2014), which embraces three of my lines of research, The article argues that the notion of proportionality, which is the open standard benchmark for remedies, can serve as a vehicle for promoting better protection of freedom of speech within the framework of copyright law. More recently, a cluster of my publications addresses the challenges raised to freedom of speech in the online digital environment, particularly in light of such practices of the online platforms as content moderation. This project includes the following publications: *Universal Measures in the Service of Global Challenges: Proportionality, Blocking Orders, and Online Intermediaries as Hybrid Bodies* (2019), *Online Rulers as Hybrid Bodies: The Case of Infringing Content Monitoring* (2021); *Taking Global Administrative Law One Step Ahead: Online Giants and the Digital Democratic Sphere* (2022); *Regulating Online Content Moderation – Taking Stock and Moving Ahead with Procedural Justice and Due Process Rights* (2022); and *Global Digital Governance Through the Back Door of Corporate Regulation* (2023). These studies reach beyond questions of IP law and cover core questions regarding the regulation of various technologies, including artificial intelligence, to protect human rights in the digital realm. These recent publications gained much academic attention, and I was invited to present them at many conferences in Israel and abroad. A few additional projects are expected to be published as part of this line of research in the near future, for example, an invited article titled *"Taking Digital Governance to the Next Level – Procedural Justice in the Online Sphere"* (Cambridge University Press).



The second line of studies concerning the development of open standards includes many articles that explore the fair use doctrine in copyright law, a significant framework for promoting the public interest. Examples of these publications are "*An Open Standard 'Fair Use' Doctrine: A Welcome Israeli Initiative*" (2007); "*Fair Use Best Practices for Higher Education Institutions: The Israeli Experience*" (2010); "*Taking Users' Rights to the Next Level: A Pragmatist Approach to Fair Use*" (2015); and "*Rulifying Fair Use*" (2017). Some of these publications are the culmination of a "hands-on" initiative I have been leading since 2009 concerning the promotion of access to knowledge in Israeli academia. The Israeli Forum for Accessible Education, under my co-directorship, has drafted a code of best practices for the use of copyrighted materials by higher education institutions, which has been serving as a guideline in Israel. My activist endeavors in the Israeli Forum for Accessible Education have also led to another project concerning open access publications of scholarly works, which has culminated in my article titled "*Reconceptualizing Open Access to Theses and Dissertations*" (2022). Other prominent publications belonging to the "open standards" line of research are "*Implied License – An Emerging New Standard in Copyright Law*" (2008), which is one of my most cited articles; "*The Role of the Non-Functionality Requirement in Design Law*" (2010); "*Contributory Infringement in Israeli Copyright Law*" (2012); and "*The Battle over Public E-Libraries: Taking Stock and Moving Ahead*" (2013). These studies have also brought me to look at the historical development of IP law to better understand how open standards evolved over the years. Two key publications illustrate this exploration: "*Copyright Law in Historical Perspective: Old Wine in New Bottles*" (2011) and "*The Evolution of Copyright Law and Inductive Speculations as to Its Future*" (2012).

The third line of research, concerning the potential use of "remedies" to introduce public interest considerations into IP law started with the publication of "*The Silent Revolution: Judicial Discretion in Granting Injunctive Relief*," in 2009. This research has opened the door to subsequent studies, including "*Flexible Remedies as a Means to Counteract Failures in Copyright Law*" (2011); the already mentioned article "*Proportionality - A New Mega Standard in European Copyright Law*" (2014); "*A Manifesto on Proportionality and Copyright Law: 'Taking Remedies Seriously'*" (2019); "*Injunctive Relief in Israeli Patent Law*" (2020); and the recent article titled "*The Future of Criminal Enforcement of Copyright: The Promise of Civil Enforcement*" (2023). I often stress this theme in lectures to practicing lawyers and judges in Israel, as it is not only a theoretical topic but also a highly practical one.

Last, my fourth line of research, which focuses on innovation, includes various themes traditionally addressed within the framework of industrial property law. A significant product of this line of research is my article titled "*Reconceptualizing Property in Designs*", from 2007, which was extensively cited and included in a leading textbook in the US (authored by Graeme Dinwoodie and Mark Jennis). My next exploration of this theme is reflected in a more recent line of publications about the patent system, from both a global perspective and an Israeli point of view. The article titled "*A Global Pandemic Remedy to Vaccine Nationalism*" (2022) investigates the function of various frameworks in patent law that may allow greater access to vaccines. Additional publications are based on empirical methodologies. The article "*Uncovering Patent Prosecution: An Obvious(ness) Negotiation*" uses quantitative research methods to explore the practices of the



Israeli Patent Office, and it aims to promote greater transparency in the patent examination process in Israel. The article titled "*Where the Gender Gap Meets Academic Patenting: An Empirical Study*" (2022) uses quantitative research methods to examine the participation of women in technology transfer practices between academia and industry in Israel. It has led to a follow-up study using qualitative methods, which aimed to explore current perceptions of technology transfer in Israel and has matured into an article to be published in Hebrew, titled "*Technology Transfer at a Crossroads*" (forthcoming 2023-2024). The research line focusing on innovation is at the heart of my current studies, with a significant project concerning the dependence of academia on business data, considering the rising importance of access to data in the data science field. This is ongoing work in progress conducted with two colleagues (Prof. Hagit Messer-Yaron and Dr. Sharon Bar-Ziv), which I expect to yield a few publications in the near future. This project has awarded recently with a significant grant by the Center for Cyber, Law & Policy, with the Israeli National Cyber Directorate (60,000 NIS with a 60,000 NIS matching from Tel-Aviv University). Another project in this category concerns data governance. An invited publication titled "*Data and the Proprietary Regime Impulse*" (Cambridge University Press) is expected to be published towards beginning of 2024, and a broader project, addressing the construction of a matrix of data regulation, is expected to be ready for publication towards the end of 2024.

Additional future plans concern my activity at the International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP). ATRIP is the central international professional organization of academic researchers in the field of IP law. It functions as a global scholarly platform and as a community for IP scholars. I was elected as the next president of ATRIP (I will be the first Israeli scholar to serve in this capacity). The main responsibility of the ATRIP president is the organization of the annual ATRIP congress, which attracts leading academics from all over the world. Besides the great honor of being elected to this prestigious position, it is an opportunity for me to exert influence on the global IP community by shaping the scientific program of at least two future ATRIP congresses. It will also be an opportunity to give greater international visibility to the growing Israeli academic IP community.