

Yochai Benkler

Employment

2007-present Jack N. and Lillian R. Berkman Professor of Entrepreneurial Legal Studies, Harvard Law School

faculty co-director, Berkman Center for Internet and Society

2003-2007 Professor of Law, Yale Law School; Joseph M. Field '55 Professor of Law

2002-03 Visiting Professor of Law, Harvard Law School

2001-02 Visiting Professor of Law, Yale Law School

2001-03 Professor of Law, New York University School of Law.

Director, Engleberg Center for Innovation Law and Policy

Director, Information Law Institute (2000-03)

1999-2001 Associate Professor of Law, 1999-2000, New York University School of Law.

1996-99 Assistant Professor of Law, New York University School of Law. Faculty co-director, JSD Program.(1997-2001).

1995-96 Law Clerk to Justice Stephen Breyer, United States Supreme Court

1994-95 Associate, Ropes & Gray, Boston, MA.

1992-94 Teaching Fellow, Harvard College

1984-87 Member & Treasurer, Kibbutz Shizafon, Israel

1982-86 Military Service, Israel Defense Force.

Education

1994 Harvard Law School, J.D.

1991 Tel-Aviv University, Faculty of Law, LL.B.

Civil society awards

2007 EFF Pioneer Award

2006 Public Knowledge IP3 award

Affiliations

Board of Advisors: Public Knowledge, BIOS, IP Watch, Sunlight Foundation
Massachusetts Bar, admitted 1995

Select Publications

Books

The Wealth of Networks: How Social Production Transforms Markets and Freedom
(Yale University Press 2006)

2008 CITASA Book Award from the American Sociological Association:
outstanding book related to the

sociology of communications or information technology

2007 Don K. Price award from the American Political Science Association:
best book on science, technology,
and politics in last three years

2006 Donald McGannon award: best book on social and ethical relevance in
communications policy
research

2006 Strategy & Business: best business book about the future

Translations: Italian (complete); French, Chinese, Korean, Polish (in
progress).

Rules of the Road for the Information Superhighway : Electronic Communications
and the Law (West Publishing, 1996 & 1997 supp.)

Articles

Dynamic Remodeling of in-group bias during the 2008 Presidential Election, PNAS,
106 March 31, 2009. with David Rand, Thomas Pfeiffer, Anna Dreber, Rachel
Sheketoff, and Nils Wernerfelt

Law, Policy and Cooperation, in Government and Markets: Toward A New Theory
of Regulation (E. Balleisen and D. Moss eds forthcoming 2009).

Information, Structures, and the Constitution of American Society, in The
Constitution in 2020, Jack Balkin and Reva Siegel eds., (OUP 2009), 187-195.

Educating for Participation in the Networked Environment, Symposium: The Wealth of Networks 6(2) Policy Futures in Education 152-175 (2008)

The Idea of Access to Knowledge and the Information Commons in From Intellectual Property Rights to Access to Knowledge (G. Krikorian and A. Kapczynski eds forthcoming 2009).

Technology policy, cooperation, and human systems design, in The Economics of Technology Policy (D. Foray, ed. forthcoming 2009)

The Networked Public Librarian (American Library Association 2007)

The University in the Networked Economy and Society: Challenges and Opportunities (Educause, forthcoming 2008)

Commons-Based Peer Production and Virtue. *Journal of Political Philosophy*, 14 (4), 2006: 394-419; with Helen Nissenbaum

Addressing Global Health Inequities: An Open Licensing Approach for University Innovations, 20 *Berkeley Tech. L.J.* 1031 (2005), with Amy Kapczynski, Samantha Chaifetz, and Zachary Katz

Peer Production of Survivable Critical Infrastructures, *in* M. F. Grady & F. Parisi (Eds.), *The Law and Economics of Cybersecurity* (pp. 73-114) (Cambridge University Press 2005)

Common Wisdom: Peer Production of Educational Materials, Center for Open and Sustainable Learning (2005)

"Sharing Nicely": On shareable goods and the emergence of sharing as a modality of economic production, 114 *Yale L. J.* 273 (2004)

Commons-Based Strategies and the Problems of Patents, 305 *Science* 1110 (Aug. 20, 2004)

Freedom in the Commons, 52 *Duke L.J.* 1245 (2003)

Through the Looking Glass: Alice and Constitutional Foundations of the Public Domain, 66 *J. Law & Contemp. Probs.* 173 (Winter/Spring 2003)

Coase's Penguin, or Linux and the Nature of the Firm, 112 *Yale L.J.* (2002)

Some Economics of Wireless Communications, 16 Harvard Journal of Law & Technology 25 (Fall 2002)

Intellectual Property and the Organization of Information Production, 22 Int'l Rev. of L. & Ec. 81 (2002).

A Speakers Corner Under the Sun, *in* The Commodification of Information: Political, Social, and Cultural Ramifications (N. Elkin-Koren, N. Netanel, eds.) (Kluwer, 2002).

Siren Songs and Amish Children: Autonomy, Information, and Law, 76 N.Y.U. L. Rev. 23 (2001)

The Battle Over the Institutional Ecosystem in the Digital Environment, 44 Communications of the ACM No.2 84 (2001)

Property, Commons, and the First Amendment: Towards a Core Common Infrastructure (White Paper for the Brennan Center for Justice) (March, 2001)

A Political Economy of the Public Domain: Markets in Information Goods vs. The Marketplace of Ideas, *in* Expanding the Boundaries of Intellectual Property: Innovation Policy for the Knowledge Society (Rochelle Dreyfuss, Diane L Zimmerman, and Harry First, eds. 2001)

From Consumers to Users: Shifting the Deeper Structures of Regulation Towards Sustainable Commons and User Access, 52 Fed. Comm. L.J. 561 (2000)

An Unhurried View of Private Ordering in Information Transactions, 53 Vanderbilt Law Rev. 2063 (2000)

Constitutional Bounds of Database Protection: The Role of Judicial Review in the Creation and Definition of Private Rights in Information, 15 Berkeley L. & Tech. J. 535 (2000)

Net Regulation: Taking Stock and Looking Forward, 71 Colorado Law Rev. 331 (2000)

Free Markets vs. Free Speech: A Resilient Red Lion and its Critics, Reviewing Rationales and Rationalizations, Regulating the Electronic Media (Robert Corn-Revere, ed.) 11 European J. Int'l L. 171 (2000)

Internet Regulation: A Case Study in the Problem of Unilateralism, 11 European J. of Int'l L. 167 (2000)

Free as the Air to Common Use: First Amendment Constraints on Enclosure of the Public Domain, 74 N.Y.U. Law Review 354 (1999)

The Commons As A Neglected Factor of Information Policy (TPRC September 98)

Communications Infrastructure Regulation and the Distribution of Control Over Content, 22(3) Telecommunications Policy 183 (1998)

Overcoming Agoraphobia: Building the Commons of the Digitally Networked Environment, 11 Harvard Journal of Law & Technology 287 (Winter 1997-98)