

## **Kylie Pappalardo**

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### **EDUCATION**

- Current**                      **PhD, Australian Catholic University and ARC Centre of Excellence for Creative Industries and Innovation**
- Topic: Restructuring the authorisation doctrine for copyright infringement through a tort law framework
  - Supervisors: Professor Brian Fitzgerald (ACU), Professor Julie Cohen (Georgetown University)
  - **Expected completion: October 2014**
- 2010 – 2011**                      **Master of Laws, Georgetown University Law Center**
- Graduated with Distinction and on the Dean's List; 3.97 (out of 4.0) GPA – Awarded the Thomas B. Chetwood S.J. Prize for the student with the best GPA in the LLM General Program; Awarded the CALI Certificate for the student with the best research paper in the course, Communication Law: Law, Policy and Politics in the Internet Age (Fall 2010)
- 2009**                              **Master of Laws, Queensland University of Technology**
- Finished first in class for units: 'Intellectual Property' and 'Cyberlaw and Policy' (Semester 1, 2009) and 'Patent Law and Commercialisation' and 'Restrictive Trade Practices Law' (Semester 2, 2009) – Awarded the LESANZ prize for the student with the best performance in LWN147 Patent Law and Commercialisation in the 2009 academic year
  - Graduated with a GPA of 7 out of 7 (High Distinction)
- 2007**                              **Graduate Diploma in Legal Practice, Queensland University of Technology**
- 2002 – 2006**                      **Bachelor of Laws / Bachelor of Creative Industries (Creative Writing), Queensland University of Technology**
- Graduated with First Class Honours in Law (LLB) degree
  - Graduated from the Bachelor of Creative Industries (BCI) with Distinction

## TEACHING

<b>September 2013</b>	Guest lecturer, Commercial Law, Australian Catholic University
<b>Semester 2, 2012</b>	Sessional Tutor, Open Licensing: New Models for Intellectual Property (postgraduate course), Queensland University of Technology
<b>2009 – July 2010</b>	Coordinator, Intellectual Property and Technology Law Clinic, Queensland University of Technology (with Queensland Public Interest Law Clearing House)
<b>Semester 1, 2009</b>	Sessional Tutor, Theories of Law, Queensland University of Technology
<b>Semester 2, 2007</b>	Sessional Lecturer, Creative Industries Legal Issues, Queensland University of Technology

## RESEARCH

<b>March – May 2013</b>	<b>Visiting Researcher, Georgetown University Law Center</b>
<b>July 2012 – 2013</b>	<b>Research Assistant, Australian Catholic University</b> <ul style="list-style-type: none"><li>• Research assistant to Professor Brian Fitzgerald</li></ul>
<b>July 2011 – July 2012</b>	<b>Research Assistant, Queensland University of Technology</b> <ul style="list-style-type: none"><li>• Research assistant to Professor Brian Fitzgerald</li><li>• Main research areas: copyright law and digital technologies, open access, open content licensing</li></ul>
<b>Jan – May 2011</b>	<b>Research Assistant, Georgetown University Law Center</b> <ul style="list-style-type: none"><li>• Research assistant to Professor Julie Cohen</li></ul>
<b>2006 – July 2010</b>	<b>Research Officer, Queensland University of Technology and ARC Centre of Excellence for Creative Industries and Innovation</b> <ul style="list-style-type: none"><li>• Senior research officer on the Open Access to Knowledge (OAK) Law Project</li><li>• Research assistant for Creative Commons Australia</li></ul>
<b>March – May 2008</b>	<b>Research Assistant, University of Western Ontario</b> <ul style="list-style-type: none"><li>• Research assistant to Professor Mark Perry</li></ul>
<b>May – July 2007</b>	<b>Bolam Legal (Brisbane-based law practice)</b> <ul style="list-style-type: none"><li>• Research on defamation, copyright, trademarks, media law</li></ul>

## **PROFESSIONAL**

Admitted as a legal practitioner of the Supreme Court of Queensland – September 2008

## **OTHER EXPERIENCE**

**November 2007**      **Legal Practice Placement, Mallesons Stephen Jaques**

- Intellectual Property and Technology group

**2004 – 2008**      **Volunteer Legal Assistant, Arts Law Centre of Queensland**

## **PUBLICATIONS**

### **Academic articles and book chapters**

- **K Pappalardo**, “Duty and Control in Intermediary Copyright Liability: An Australian Perspective”, Vol. 4, *IP Theory* (forthcoming)
- B Fitzgerald, S Shi, C Foong and **K Pappalardo**, “Country of Origin and Internet Publication: Applying the Berne Convention in the Digital Age” (2011) *NAILS Journal of Intellectual Property* (Maiden Edition) 38.
- **K Pappalardo** and N Suzor, “Standardisation and patent ambush: Potential liability under Australian competition law” (2010-2011) 18 *Competition and Consumer Law Journal* 267.
- A Fitzgerald and **K Pappalardo**, “Information interoperability, government and open standards” in B Fitzgerald (ed.) (2010) *Access to Public Sector Information: Law, Technology and Policy*, Sydney University Press, pp303-328
- B Fitzgerald, A Fitzgerald, J Coates and **K Pappalardo**, “Digital Economy Future Directions” in B Fitzgerald (ed.) (2010) *Access to Public Sector Information: Law, Technology and Policy*, Sydney University Press, pp555-575
- A Fitzgerald, B Fitzgerald and **K Pappalardo**, “The Future of Data Policy” in T. Hey, S. Tansley and K. Tolle (eds) (2009) *The Fourth Paradigm: Data Intensive Scientific Discovery*, Microsoft Scholarly Communications, pp201-208.
- A Fitzgerald and **K Pappalardo**, “Moving Towards Open Standards” (2009) 6:2 *Script-ed* 467.
- A Fitzgerald, **K Pappalardo** and A Austin, “Understanding the Legal Implications of Data Sharing, Access and Reuse in the Australian Research Landscape” in B. Fitzgerald (ed) (2008) *Legal Framework for eResearch: Realising the Potential*, Sydney University Press, pp161-188.
- B Fitzgerald and **K Pappalardo**, “The Law as Cyberinfrastructure” (2007) *CT Watch Quarterly* 3(3): 51.

### Research reports

- **K Pappalardo**, *Understanding Open Access in the Academic Environment: A Guide for Authors* (2008) OAK Law Project (<http://eprints.qut.edu.au/archive/00014200/>) (over 4000 downloads from the QUT ePrints repository)
- A Fitzgerald, **K Pappalardo** and A Austin, *Practical Data Management: A Legal and Policy Guide* (2008) OAK Law Project (<http://eprints.qut.edu.au/14923/>) (over 5000 downloads from the QUT ePrints repository)
- **K Pappalardo** and A Fitzgerald, *A Guide to Developing Open Access Through Your Digital Repository* (2007) OAK Law Project (<http://eprints.qut.edu.au/9671/>) (over 5,800 downloads from the QUT ePrint repository)
- A Fitzgerald and **K Pappalardo**, *Building the Infrastructure for Data Access and Reuse in Collaborative Research: An Analysis of the Legal Context* (2007) OAK Law Project (<http://eprints.qut.edu.au/archive/00008865/>).

### Commissioned reports

- A Fitzgerald and **K Pappalardo**, Report to the Government 2.0 Taskforce: Project 4 - Copyright Law and Intellectual Property (2009)

### Other publications

- B Fitzgerald and **K Pappalardo**, “We Can Work It Out” in *The New York Times*, Opinion Pages (online), Room for Debate: Does the Law Support Inventors or Investors? (18 October 2012)

### RECENT CONFERENCE PRESENTATIONS

- “Rethinking ISP Liability” at the ARC Centre of Excellence for Creative Industries and Innovation (CCi) Symposium, 2 April 2014, Queensland University of Technology, Brisbane
- “The intersection between intermediary liability in copyright and principles of tort law” at 2013 Intellectual Property Scholars Roundtable, 12 – 13 April 2013, Drake University Law School, Des Moines, Iowa
- “A user-focused approach to intermediary liability in copyright law” at Internet Freedom and the Law in Asia Conference, 10 – 11 December 2012, Deakin University, Melbourne
- “Understanding the role of users in intermediary liability: theory rhetoric and practice” at the Australasian Intellectual Property Academics Conference, 13 – 14 July 2012, University of Adelaide, South Australia

## LAW REFORM SUBMISSIONS

- Brian Fitzgerald, **Kylie Pappalardo** and Cheryl Foong, Submission to the Australian Law Reform Commission (ALRC) Reference on Copyright: Are the exceptions in the *Copyright Act 1968* adequate and appropriate in the digital environment? (April 2012)
- Brian Fitzgerald, **Kylie Pappalardo** and Cheryl Foong, QUT Faculty of Law, Submission to the Australian Government Attorney General's Department consultation paper on Revising the Scope of the Copyright 'Safe Harbour Scheme' (November 2011)
- Brian Fitzgerald, Cheryl Foong and **Kylie Pappalardo**, Submission to the National Cultural Policy Review (November 2011) (two submissions made: "Digitisation of books in Australia for the public good" and "Free our cultural archives")
- Brian Fitzgerald and **Kylie Pappalardo**, QUT School of Law, Submission to the Australian Government Department of Broadband, Communications and the Digital Economy, Convergence Review (August 2011)
- Electronic Frontiers Australia (EFA) submission to the Australian Government Department of Broadband, Communications and the Digital Economy 'Mandatory internet service provider (ISP) filtering: Measures to increase accountability and transparency for Refused Classification material' consultation (February 2010), Nicolas Suzor, **Kylie Pappalardo** and Irene Graham on behalf of EFA

## AWARDS AND GRANTS

- Awarded an Australian Government Australia Postgraduate Award (APA) Scholarship for my Doctoral Studies.
- QUT Engagement Innovation Grant, awarded to establish the Intellectual Property and Technology Law Clinic, August 2009, Queensland University of Technology.
- Recipient of the Vice Chancellors Award for Excellence for work on the OAK Law Project, October 2007, Queensland University of Technology.

## MEMBERSHIPS

- Secretary of the Board, Youth Arts Queensland (YAQ) (joined September 2011)