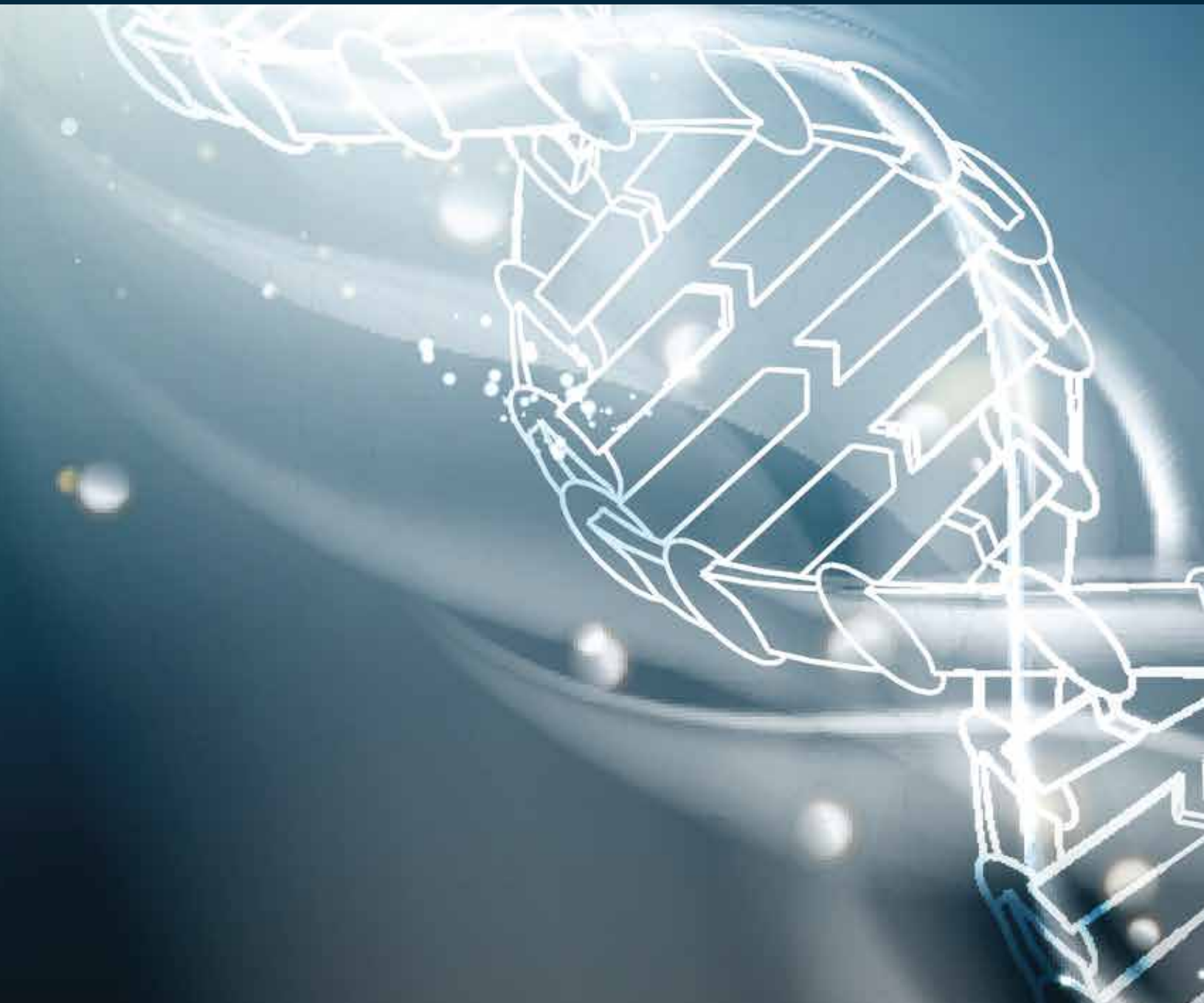


9th Annual Governance of Emerging Technologies and Science Conference

May 19 - 20, 2022

Beus Center for Law & Society, Arizona State University | Phoenix, Arizona



**Scan for Digital
Program**



DAY 1: Thursday, May 19, 2022

8:00 - 8:30 AM

Breakfast

Great Hall, Beus Center for Law & Society

8:30 - 8:45 AM

Welcome and Logistics

8:45 - 10:15 AM

Plenary Session 1: Intellectual Property Protection of Emerging Technologies: The New Frontier

Great Hall, Beus Center for Law & Society

Moderator: James Weinstein, Sandra Day O'Connor College of Law, Arizona State University

Panelists: Carolyn Blankenship, General Counsel of BigBear.ai.

Arti K. Rai, Elvin R. Latty Professor of Law, Duke University School of Law

Jacob S. Sherkow, Professor of Law, University of Illinois College of Law

Tyson Winarski, Sandra Day O'Connor College of Law, Arizona State University

10:15 - 10:45 AM

Coffee Break

10:45 AM - 12:15 PM

Concurrent Session #1

Concurrent Session 1.1: Smart Devices and Privacy (Room 140)

Chris Barton, School for the Future of Innovation in Society, Arizona State University, *The Fourth Industrial Revolution: Promise or Peril?*

Sharon Bassan, DePaul University College of Law, *A Proportionality-Based Framework for Government Regulation of Digital Tracing Apps in Time of Emergency*

Paul Flanagan, Drexel Law School, *Your Fridge Knows What You Ate: Legal & Risk Management Solutions to Malware and the Internet of Things*

Elma Hajric, Arizona State University, *Regulatory Gaps in Data Protection on Smart Campuses in the United States: IoT Poles as a Sociotechnical Case Study*

Concurrent Session 1.2: Food, Drugs & Devices (Room 243)

Khara Grieger, North Carolina State University, *Governance through Responsible innovation: Case of Nanotechnology in Food and Agriculture*

Danielle Kabella, School for the Future of Innovation in Society, Arizona State University, *The Pursuit of Responsible Opioid Overdose Prevention Technologies: Divergent Pasts and Managed Futures*

Richard Williams, Center for Truth in Science, *Precision Fermentation – The Future of Food*

James Arrowood, Arrowood Helbert Attorneys PLLC, *Wearable and Implantable Medicine*

Concurrent Session 1.3: AI and Healthcare (Room 150)

Aykut Dengi, RadiusAI, Inc., *Can Human-Centric AI Overcome Substantial Challenges to Realize Its Potential in Healthcare?*

Heather Ross, School for the Future of Innovation in Society, Arizona State University, *Algorithmic Bias in Atrial Fibrillation Therapies*

Richard Sharp, Mayo Clinic, *A Governance Framework for Artificial Intelligence Tools in Medicine*

Concurrent Session 1.4: Governing Bots (Room 240)

Ronald Arkin, Georgia Tech, *Misdirection and Counter-deception in Robot Teams: Methods and Ethical Considerations*

Helen A. F. Gould, Tech Strategizers, LLC (Intel, retired), *Fostering Trust in Technology through Trust Relationships, Competency, and Trust Mechanisms*

David Sidi, University of Arizona School of Information, *Beneficial Bots*

Gary Marchant, Sandra Day O'Connor College of Law, Arizona State University, *Professional Codes of Conduct as a Governance Mechanism*

Concurrent Session 1.5: National Security (Room 250)

Artur Lukaszczyk, University of Waterloo, *Digitizing 'Use of Force': Problems with the Analogy Approach to Evaluating Harms Within Cyberspace*

Lawrence Trautman, Prairie View A&M University, *Tik Toc! Tik Toc: Escalating Tension Between U.S. Privacy Rights and National Security Vulnerabilities*

Braden Allenby, Arizona State University, *Reflexive Control and the Sunset of Enlightenment Pluralism*

Joshua Abbott, Sandra Day O'Connor College of Law, Arizona State University, *Guerrilla Tactics for Technology Governance*

12:15 - 1:00 PM

Lunch

Concurrent Session 2.1: Big Data (Room 140)

Amanda Courtright-Lim, Translational Genomic Research Institute, *Identifiability: Qualitative Analysis of the Ethical Issue of Data Sharing*

Beckett Sterner and Ute Brady, Arizona State University, *Governance and the Social Epistemology of Data Integration for Global Biodiversity Loss*

Tierry M. Laforce, Université de Montréal, *Using an Implementation Research Tool to Guide the Implementation of Non-Invasive Prenatal Screening*

Liza Vertinsky and Yaniv Heled, Emory Law School & Georgia State University, *A Theory of Genetic Interests*

Concurrent Session 2.2: Technology and the Courts (Room 150)

Robert Cople, Cople & Associates, *Legal Ethics in the Age of Digital Law*

Tyler Hughes, Sandra Day O'Connor College of Law, Arizona State University, *Why Immigration Judges Should Use AI Technology for Bond Hearings*

Michael Rolland, Engelman Berger, PC, *Remote Legal Services During the Pandemic: A Survey*

Amy Schmitz, The Ohio State University Michael E. Moritz College of Law, *AI, Data Analytics and the Courts: Advancing, or Hindering, Justice?*

Concurrent Session 2.3: IP Rights and Technology (Room 240)

Jennifer Carter-Johnson, Michigan State University College of Law, *Biohacking Patent Law*

Amanda Levendowski, Georgetown Law, *Resisting Face Surveillance with Copyright Law*

Gary Myers, University of Missouri, *Copyright Protection for Works Created by AI: A Comparative Analysis*

Martin Perez Comisso, School for the Future of Innovation in Society, Arizona State University, *Travels, Trajectories and Transformations of SolarSPELL in Fiji*

Concurrent Session 2.4: Technology Risk Governance (Room 250)

Matthew Grellette, McMaster University Institute on Ethics and Policy for Innovation, *How the Precautionary Principle Hinders Regulatory Engagement: The Problem of Implicit Judgments*

Eric E. Johnson, University of Oklahoma College of Law, *The Black Hole Case: The Law Against the End of the World (book proposal)*

Ronit Justo-Hanani, Tel Aviv University Department of Public Policy, *Risk Regulation and Governance of Artificial Intelligence in the EU*

Joanna Sax, California Western School of Law, *Covid-19 and Perceptions of Risk*

Concurrent Session 2.5: Environmental Governance (Room 243)

Benjamin Hofbauer, TU Delft, *Putting Cats Back into Bags. On the Reversibility of Solar Geoengineering*

Victoria Sutton, Texas Tech University, *Unintended Consequences of Environmental Policy*

Behnam Taebi, Delft University of Technology, *Governance of Geoengineering in the Face of Normative Uncertainties*

Nynke van Uffelen, Delft University of Technology, *The Role of Ideals in the Recent Resurgence of the Hydrogen Hype in the Netherlands, Germany, and Belgium*

2:30-2:50

Coffee Break

2:50-4:20

Concurrent Session #3

Concurrent Session 3.1: Surveillance Technology (Room 140)

Stuart Brotman, University of Tennessee, *Third-Way Approaches to Facial Recognition Technology Regulation*

Albert (Buzz) Scherr, UNH Franklin Pierce School of Law, *21st Century Emerging Technologies: A Constitutional Right to Information Privacy*

Jessica Wani, Arizona State University, *Voluntary Dementia Registries and Policing*

James Arrowood, Arrowood Helbert Attorneys PLLC, *Surveillance States and the State of Surveillance*

Concurrent Session 3.2: Innovative Governance Approaches (Room 243)

Lauren A. Fahy, Utrecht University, *Regulatory Sandboxes and Innovation in Practice: Lessons from The UK's Regulatory Sandbox for Fintech*

Anat Lior, Yale Law School Information Society Project, *'Like A Good Neighbor, Insurance Is There' – Insurance as A Facilitator of Emerging Technologies*

Melanie McPhail, University of British Columbia, *Flexible Regulation of Health Technologies: Insights from Financial and Environmental Regulation*

David Colby Reed, MIT Media Lab, *Finding Voice in the Vacuum: Technology Design Principles for the Extreme, Complex Environments of Space*

Concurrent Session 3.3: AI Governance (Room 150)

Jieshu Wang, Arizona State University, *Empirical Evidence of the Increasing Diversity in Artificial Intelligence Knowledge*

Helen A.F. Gould, Tech Strategizers LLC (Intel, retired), *Foreseeing the Unforeseen: Considering Intended and Unintended Behaviors with Rule Abiding and Rule Breaking Results*

Carlos Ignacio Gutierrez, Future of Life Institute, *AI Soft Law: What Does the Empirical Evidence Show?*

Gary Marchant, Arizona State University, Sandra Day O'Connor College of Law, *Indirect Enforcement Mechanisms for AI Soft Law*

Concurrent Session 3.4: Fintech (Room 240)

Emily Girkins, Sandra Day O'Connor College of Law, Arizona State University, *F-NFTs and Securities Law for the Sofa Investor*

Doron Goldbarsht, Macquarie University, *Artificial Intelligence and Financial Integrity: The Case of Anti-Money Laundering*

David Thaw, University of Pittsburgh, *Bot Contracts*

Vladimir Troitskiy, Lex International Law Firm, *Blockchain Regulating Social Behavior: Adjusting Traditional Law Practices*

Concurrent Session 3.5: Technology Governance and Democracy (Room 250)

Gaia Bernstein, Seton Hall University School of Law, *Unwired: Regaining Control over Addictive Technologies*

James Hughes, UMass Boston, *Science, Politics and the Professional-Managerial Class*

Emily LaRosa, UC San Diego, *AI Systems and Continuous Social Impact: The Case for Forethought and Active Maintenance*

A.J. Gilman, Arizona State University, *Transnational Jurisdiction and Online Technologies*

4:30-6:00

Plenary Session 2: AI Soft Law

Great Hall, Beus Center for Law & Society

Moderator: **Wendell Wallach**, The Hastings Center

Panelists: **Carlos Ignacio Gutierrez**, Future of Life Institute

Emile Loza de Siles, Assistant Professor of Law, University of Hawai'i

Craig Shank, Independent Advisor, Consultant, and Speaker

Adam Thierer, Senior Research Fellow, Mercatus Center at George Mason University

Lee Tiedrich, Distinguished Faculty Fellow in Ethical Technology, Duke University

6:00-8:00

Reception and Student Poster Session (Room 544)

8:00 - 8:30 AM

Breakfast

Great Hall, Beus Center for Law & Society

8:30 - 10:00 AM

Plenary Session 3: Smart Cities

Great Hall, Beus Center for Law & Society

Moderator: **Diana Bowman**, Associate Dean, Sandra Day O'Connor College of Law, Arizona State University

Panelists: **Steve Hamilton**, Senior Manager, Risk & Financial Advisory, Deloitte
Bianca Lochner, Chief Information Officer, City of Scottsdale
Jason Whittet, Amazon Web Services (AWS)

10:00 - 10:30 AM

Coffee Break

10:30 AM - 12:00 PM

Concurrent Session #4

Concurrent Session 4.1: Gene Editing (Room 243)

Paul Enriquez, United States Courts of Appeals for Federal Circuit, *Defining Genome Editing*

Gary Marchant, Sandra Day O'Connor College of Law, Arizona State University, *International Governance of Human Genome Editing*

John Nelson, Arizona State University, *Preparing for Genome Editing Technologies: Results from Deliberative Public Engagements*

Mariam Elgabry, Yale Law School, *Soft Law Governance Using a Hybrid Hackathon Delphi Model for Biosecurity*

Concurrent Session 4.2: Genomics Across Borders (Room 140)

Ronit Langer, iGEM Foundation, *Governing Emerging Biotechnology: The iGem Experience*

Kevin Doxzen, Sandra Day O'Connor College of Law, Arizona State University, *A Framework for Delivering a Globally Accessible Gene Therapy*

Vardit Ravitsky, Université de Montréal, *The Emergence and Global Spread of Non-Invasive Prenatal Testing: A Comparative Study*

Leslie Wolf, Georgia State University College of Law, *When State Laws Conflict: Choice of Law Challenges in Multi-Site Research*

Concurrent Session 4.3: Privacy Governance (Room 150)

K Royal, Outschool, *State of the States: Navigating Unfamiliar Privacy Waters*

Remy Hellstern, University of British Columbia, *Old Policy, New Tech: Reconciling Private Blockchain Systems with International Privacy Frameworks*

Shane Morris, Pharmala Biotech Inc., *Next Generation Policy for MDMA in Canada: A Regulatory Roadmap for Medical-Use Ecstasy*

Wayne Unger, Gonzaga University School of Law, *The Privacy Theory of the First Amendment*

Concurrent Session 4.4: Technology and Innovation (Room 240)

Jay Carpenter, Desert Blockchain, *Federated Consumer Safeguards: Decentralized and Dynamic Governance of Web 3.0*

Erika M. Douglas, Temple University Beasley School of Law, *The Predatory Innovation Paradox: Analyzing Exclusionary Design Changes in Antitrust Law*

Bryant Walker Smith, University of South Carolina, *Espionage and Discrimination in Innovation*

Natasha Vita-More, Author, *Scientist & Innovator, Seeding Ideas Across Empathy Gaps*

Concurrent Session 4.5: Neuro Frontiers (Room 250)

Walter G. Johnson, Australian National University School of Regulation and Global Governance, *Regulatory Sandboxes for Novel Neurotechnologies: Innovative Reform or Hype?*

Lauren Withycombe Keeler, School for the Future of Innovation in Society, Arizona State University, *Future of Ageing in Smart Environments*

Consuelo Walss-Bass, University of Texas Health Science Center at Houston, *Human Postmortem-Derived Synthetic Neural Models: Identity after Life?*

Anna Wexler, University of Pennsylvania, *Direct-to-consumer Neurotechnology: Ethical and Regulatory Challenges*

12:00-12:45 **Lunch**

12:45-2:15 **Concurrent Session #5**

Concurrent Session 5.1: Cutting Edge Health Care Innovation (Room 140)

Crystal Gonzalez, Mountain Park Health Center, *The Sangre Por Salud Community Advisory Board: Enhancing Genomic Medicine Research within a Latino-serving Federally Qualified Health Center*

Jonathan Kahn, Northeastern University, *The Legal Weaponization of Racialized DNA*

Jennifer Preston, Banner Health, *Robotic and Implantable Medicine*

Toby Shulruff, School for the Future of Innovation in Society, Arizona State University, *I've Got You Under My Skin: Anticipating and Mitigating the Use of Connected Implantable Devices in Gender-Based Violence*

Concurrent Session 5.2: Big Data (Room 150)

Braden Allenby, Arizona State University, *China's Social Credit System: Fixing Soft Authoritarianism*

Steve Black, Texas Tech University, *Who Owns Your Data?*

Shauhin Talesh, University of California Irvine School of Law, *The Technologization of Insurance: An Empirical Analysis of Big Data and Artificial Intelligence's Impact on Cybersecurity and Privacy*

Jeremy Weissman, Nova Southeastern University, *Total Reputation Society*

Concurrent Session 5.3: Automated Transportation (Room 240)

Farah Najjar Arevalo, School for the Future of Innovation in Society, Arizona State University, *Emerging Technologies in Urban Mobility: A Qualitative Analysis of Regional Planning in the USA*

James Arrowood, Arrowood Helbert Attorneys PLLC, *Driverless Cars*

Tracy Pearl, University of Oklahoma, *The Fourth Amendment in the Age of Autonomous Vehicles*

Brent Skorup, Mercatus Center at George Mason University, *Drone Highways, Airspace Federalism, and Emerging Issues in Aerial Law*

Concurrent Session 5.4: Online Platforms (Room 250)

Hanim Astuti, Florida State University, *Governing Digital Identity from an Ethical Perspective: The Case of Indonesia*

Amir Dezfuli, Sierra Club, *Truth in Advertisement*

Nancy Kim, Illinois Institute of Technology Chicago-Kent College of Law, *Civil Liability for Facebook*

Zahra Takhshid, Denver Sturm College of Law, *Appropriation of Data-Driven Digital Persona*

2:15-2:30

Coffee Break

2:30-4:00

Plenary Session 4: Xenotransplantation Research Using Brain Dead Patients
Great Hall, Beus Center for Law & Society

Moderator: **Gary Marchant**, Professor of Law, Director of the Center for Law, Science and Innovation, Sandra Day O'Connor College of Law, Arizona State University

Panelists: **Lara Schaheen**, St. Joseph's Hospital
Jason Robert, School of Life Sciences, Arizona State University
Karen-Sue Taussig, University of Minnesota

4:00 PM

Conference Closing





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