

ANDREW BLAIR-STANEK

University of Maryland Carey School of Law
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ACADEMIC APPOINTMENT

University of Maryland Francis King Carey School of Law

Professor of Law (with tenure), July 2017–Present

Associate Professor of Law, July 2015–June 2017

Assistant Professor of Law, July 2012–June 2015

Courses: Income Taxation, Corporate Taxation, Business and Financial Basics for Lawyers,
Taxation of Intellectual Property, Introduction to Taxation of Business Enterprise

Administrative Committee: Member, 2012–Present; Chairperson, 2017–18

EDUCATION

Yale Law School, J.D., 2008

Yale Law Journal, Senior Editor

Grades: 18 Honors, 1 Pass

Princeton University, A.B., *summa cum laude*, Mathematics, 2000

Phi Beta Kappa (G.P.A.: 4.04); Certificate (Minor) in Computer Science

LONGER PUBLICATIONS

Crises and Tax, 67 DUKE L.J. 1155 (2018).

Explaining the Enigmatic Expulsion: Northwest Wholesale v. Pacific Stationery, 53 WILLAMETTE L. REV. 335 (2017).

Just Compensation as Transfer Prices, 58 ARIZONA L. REV. 1077 (2016).

Intellectual Property Law Solutions to Tax Avoidance, 62 UCLA L. REV. 2 (2015).

Tax in the Cathedral: Property Rules, Liability Rules, and Tax, 99 VIRGINIA L. REV. 1169 (2013).

Twombly Is the Logical Extension of the Mathews v. Eldridge Test to Discovery, 62 FLORIDA L. REV. 1 (2010).

Increased Market Power as a New Secondary Consideration in Patent Law, 58 AMERICAN U. L. REV. 707 (2009).

Profits as Commercial Success, 117 YALE L.J. 642 (2008) (Note).

Using Insurance Law and Policy To Interpret the Tax Code's Loss and Medical Expense Provisions, 26 YALE L. & POL'Y REV. 309 (2007) (Note).

SHORTER PUBLICATIONS

The Untapped Gold Mine of Transfer-Price Evidence, IP LAW360 (July 25, 2014).

IP Law Solutions to Transfer Pricing Abuse, 143 TAX NOTES 1537 (June 30, 2014).

AMICUS BRIEF

In re *Berger*, Brief of *Amicus Curiae* Professor Andrew Blair-Stanek in Support of Neither Party, No. 2013-1473 (Fed. Cir. Sept. 23, 2013).

COMMENTS ON REGULATIONS

Comment from Andrew Blair-Stanek on Proposed Treasury Regulations, Eliminating Unnecessary Tax Regulations, IRS-2018-0005-0006 (May 14, 2018) (recommending repealing Treas. Reg. §§ 1.312-4 and 1.312-5).

Comment from Andrew Blair-Stanek on Proposed Treasury Regulations, Treatment of Certain Interests in Corporations as Stock or Indebtedness, IRS-2016-0014-0198 (July 7, 2016) (addressing regulations to bifurcate instruments into part-debt, part-equity).

WORKS-IN-PROGRESS

Contracting Into Tax Reform (with Michael Abramowicz).

Intellectual Property Investment Trusts.

Injunctions in Tax.

Transfer Pricing Disclosure During Patent and Trademark Prosecution.

The Constitutional Taxing Power Extends to Liability Rules but not Property Rules.

PRESENTATIONS

Contracting Into Tax Reform (co-authored with Michael Abramowicz)

Columbia Law School, Columbia Tax Workshop (May 18, 2018)

George Washington University Law School (Nov. 16, 2016)

University of Maryland Carey School of Law (Nov. 1, 2016)

Tulane University Law School, Critical Tax Conference (Apr. 1, 2016)

University of Texas, Junior Tax Scholars Workshop (June 7, 2014)

Crises and Tax

University of North Carolina School of Law (Sep. 20, 2017)

University of Pittsburgh School of Law (Sep. 29, 2016)

University of Maryland Carey School of Law (Nov. 4, 2014)

Michigan State College of Law (Sep. 25, 2014)

University of Washington School of Law, Tax Symposium (Oct. 3, 2014)

University of Maryland Carey School of Law (June 25, 2014)

University of Baltimore, Critical Tax Conference (Apr. 5, 2014)

University of Miami, Junior Tax Scholars Workshop (May 23, 2013)

Just Compensation as Transfer Prices

University of Oxford (U.K.), Oxford Internet Institute (Apr. 18, 2016)

Duke University School of Law, Tax Policy Workshop (Feb. 25, 2016)

University of Maryland Carey School of Law (Feb. 2, 2016)

University of Maryland Carey School of Law (July 1, 2015)

Northwestern School of Law, Critical Tax Conference (Apr. 3, 2015)

Intellectual Property Law Solutions to Tax Avoidance

University of Oxford (U.K.), Oxford Internet Institute (Apr. 18, 2016)

University of North Carolina School of Law (Nov. 14, 2013)
University of Florida College of Law, Tax Policy Colloquium (Oct. 18, 2013)
University of Maryland Carey School of Law (July 10, 2013)
University of California – Hastings, Critical Tax Conference (Apr. 12, 2013)

Intellectual Property Investment Trusts

St. Louis University School of Law, Critical Tax Conference (Apr. 1, 2017)

Injunctions in Tax

American University School of Law, Junior Tax Scholars Workshop, (June 7, 2014)

Explaining the Enigmatic Expulsion: *Northwest Wholesale v. Pacific Stationery*

University of Maryland Carey School of Law (Feb. 5, 2013)

Tax in the Cathedral: Property Rules, Liability Rules, and Tax

University of Virginia School of Law (Dec. 9, 2011)
University of Illinois College of Law (Dec. 5, 2011)
University of San Diego School of Law (Dec. 2, 2011)
George Washington University Law School (Nov. 28, 2011)
University of Texas School of Law (Nov. 14, 2011)
Wake Forest University School of Law (Nov. 9, 2011)
University of Maryland Carey School of Law (Nov. 7, 2011)
University of Alabama School of Law (Oct. 31, 2011)
Tulane University Law School (Sept. 26, 2011)

CLERKSHIP

Hon. Paul V. Niemeyer, U.S. Court of Appeals for the Fourth Circuit, 2008–2009

PROFESSIONAL EXPERIENCE

McDermott Will & Emery LLP, Washington, DC, 2009–2012

Associate, Tax Group. Drafted opinions and litigation risk assessments on the tax treatment of international transactions and structures. Researched questions relating to international, corporate, and bankruptcy taxation. Advised newly formed real estate investment trusts. Analyzed feasibility of transactional structures. Drafted private letter ruling requests to IRS. Authored brief before Fifth Circuit in tax case.

Microsoft Corporation, Redmond, WA, 2000–2005

Software Design Engineer. Designed and programmed multiple features in the products Microsoft Project and Microsoft Project Server. Received two patents.

BAR AND PROFESSIONAL MEMBERSHIPS

District of Columbia Bar
Fourth Circuit, District of Maryland
American Bar Association Section of Taxation

PATENTS

Conditional Navigation Through Hierarchical Lists, U.S. Patent No. 7,617,204.
User-Localizable Hierarchical Lists, U.S. Patent No. 7,580,951.