

MARK A. GLICK

CURRENT AFFILIATIONS

1985 - Present Professor of Economics, Adjunct Professor of Law, University of Utah

Visitor, Harvard Business School, Summer 2012

EDUCATION

Columbia University School of Law, J.D., 1990 (Center for Law and Economics Fellowship)

New School for Social Research (Economics), Ph.D., 1985

University of California, Los Angeles, M.A., 1982

University of California, Los Angeles. B.A., 1978 (*summa cum laude*) (Phi Beta Kappa)

PROFESSIONAL CREDENTIALS

New York State Bar Association

Utah State Bar Association

Authorized to practice in the United States District Court for the District of Utah

PROFESSIONAL MEMBERSHIPS

American Bar Association

Antitrust Section

Utah State Bar Association

Antitrust Section

American Economics Association

The Industrial Organization Society

PUBLICATIONS

How Does Page Rank Affect User Choice in Online Search, REVIEW OF INDUSTRIAL ORGANIZATION, Accepted (2014)

Lost Profits in Trademark and Copyright Cases, in Nancy Fannon & Jonathan Dunitz, *The Comprehensive Guide to Lost Profits and Other Commercial Damages*, BVR Press (2014)

The Economics and Perplexing Utah Law of Prejudgment Interest, UTAH LAW REVIEW, vol. 2013, no. 1

“*Good Riddance to Market Definition*,” ANTITRUST BULLETIN: vol. 57, no. 4, Winter 2012

“*Comments on Market Definition Articles*,” ANTITRUST BULLETIN, vol. 57, no. 4, Winter 2012

Damages Resulting from a Lost Opportunity: The Proper Damage Date in Utah Contract and Tort Cases, UTAH BAR JOURNAL, July/August 2010

Market Definition and Concentration: One Size Doesn't Fit All, ANTITRUST BULLETIN, Summer 2007

The Utah Supreme Court's Opinion in Summit Water v. Summit County, UTAH BAR JOURNAL, September/October 2006

Intellectual Property Damages, Guidelines and Analysis, Wiley Press (2004 Supplement)

How to Value a Lost Opportunity: A Real Options Approach, GEORGE MASON LAW REVIEW, Summer 2003

The Law and Economics of Post-Employment Covenants: A Unified Framework, GEORGE MASON LAW REVIEW, April/May 2003

Measuring Damages in a Private Plaintiff Robinson-Patman Case: Applying Economics to Relieve the Pain of J. Truett Payne, ANTITRUST BULLETIN, Spring 2003

INTELLECTUAL PROPERTY DAMAGES, GUIDELINES AND ANALYSIS, Wiley Press (November 2002) (Book)

When Do Proprietary Aftermarkets Benefit Consumers with Duncan Cameron, ANTITRUST LAW JOURNAL, July 1999

The History of Competition Policy as Economic History, with G. Dumenil and D. Levy, ANTITRUST BULLETIN, Summer 1997

The Resurgence of Federalism: The Case for Tax-Exempt Bonds, with Maxwell Miller, TEXAS JOURNAL OF LAW AND POLITICS, Vol. 1, No. 1, Spring 1997

Cutting Edge Antitrust Issues Involving Utah Companies, UTAH BAR JOURNAL, Vol. 11, No. 7, September 1998

The Law and Economics of Patent Infringement Damages, UTAH BAR JOURNAL, Vol. 10, No. 2, March 1997

Mergers in Western Coal Markets: Conforming Antitrust Analysis to the New Reality, with D. Mangum and R. Etcheverry, WEST VIRGINIA LAW REVIEW, THE NATIONAL COAL ISSUE, Vol. 99, No. 3, Spring 1997

Pragmatists Can Cure the Failure of Affirmative Action, SALT LAKE TRIBUNE, October 26, 1997

Importing the Merger Guidelines Market Test in Section 2 Cases: Potential Benefits and Limitations, with D. Cameron and D. Mangum, ANTITRUST BULLETIN, Spring 1997

Market Share and Market Power in Merger and Monopolization Cases, with D. Cameron, JOURNAL OF MANAGERIAL AND DECISION ECONOMICS, Vol. 17, 1996, *reprinted in* ECONOMIC INPUTS, LEGAL OUTPUTS: THE ROLE OF ECONOMISTS IN MODERN ANTITRUST, John Wiley & Sons 1997

The Law and Economics of Tort Damages, UTAH BAR JOURNAL, Vol. 9, No. 7, August/September 1996

Much Ado About Nothing: Recent Criticism of the Federal Trade Commission Decision to Order Columbia/HTI to Divest Three Hospitals, UTAH'S HEALTH: AN ANNUAL REVIEW, Vol. III, 1995

Healthcare Provider Refusals to Deal Under Eastman Kodak Co. v. Image Technical Services, UTAH LAW REVIEW, Vol. 1995, No. 2, 1995

Is Monopoly Rent Seeking Compatible with Wealth Maximization, BYU L. Rev., Vol. 1994, No. 3

Post Keynesian and Classical Theories of Competition, with A.D. Campbell, COMPETITION, TECHNOLOGY AND MONEY, Edward Elgar Press, 1994

Classical Competition and the Compatibility of Market Power with Uniform Rates of Profit with A.D. Campbell, REVIEW OF RADICAL POLITICAL ECONOMICS, Fall 1994

Competition, Antitrust and Beyond, in HANDBOOK OF RADICAL POLITICAL ECONOMY, Edward Elgar Press, 1994

The Rise of the Rate of Profit During World War II, with G. Duménil and D. Lévy, REVIEW OF ECONOMICS AND STATISTICS, Vol. 65, No. 2, May 1993

Competing Microeconomic Theories of Industrial Profit: An Empirical Approach, in THE MEGACORP & MACRODYNAMICS: ESSAYS IN MEMORY OF ALFRED EICHNER, M.E. Sharp Publishers, 1992

An Introduction to the Antitrust Law of International Mergers, with A. Zaloon and S. Axinn, M & A REVIEW, Vol. 5, No. 4, April 1991

The Rate of Profit in World War II: The Great Leap Forward, with G. Dumenil and D. Levy in INTERNATIONAL PERSPECTIVES ON PROFITABILITY AND ACCUMULATION, Edward Elgar Press, U.K. 1991

Mergers and Acquisitions in the Age of Wall Street: An Assessment, with Andrew Abere, NEW YORK LAW REVIEW, Vol. XXXV, No. 4, 1990

Dual Enforcement of Merger Law in the EEC: Lessons From the American Experience, with Stephen M. Axinn in 1992 and EEC/U.S. COMPETITION AND TRADE LAW, FORDHAM CORPORATE LAW INSTITUTE, 1990

Classical and Neoclassical Elements in Industrial Organization, with Edward Ochoa. EASTERN ECONOMIC JOURNAL, Vol. 16, No. 3, pp. 197-207, July-September, 1990

Long-Run Equilibrium in the Empirical Study of Monopoly and Competition, with Hans Ehrbar, ECONOMIC INQUIRY, Vol. 28, No. 1, January 1990

Law on Interlocking Directorates Is Amended, NEW YORK LAW JOURNAL, November 20, 1990

Profit Rate Equalization in the U.S. and Europe: An Econometric Investigation, with Hans Ehrbar, EUROPEAN JOURNAL OF POLITICAL ECONOMY, Vol. 4, No. 1, 1988

Structural Change in Profit Rate Differentials: The Post World War II U.S. Economy, with Hans Ehrbar, BRITISH JOURNAL OF ECONOMIC ISSUES, Vol. 10, No. 22, Spring 1988

The Rate of Profit in the United States: From the Turn of the Century to the Nineteen Eighties, with G. Dumenil and J. Rangel, CAMBRIDGE JOURNAL OF ECONOMICS, Vol. 11, No. 4, December 1987

CONFERENCE AND SEMINAR PRESENTATIONS

Law and Economics of Vertical Integration, Utah State Bar Convention, Sun Valley, Idaho, July 2012

Utah Law and the Proper Damage Date, Federal Bar Association, Park City, Utah, August 2010

Using Economics for the Theory of the Case, Utah State Bar Convention, Sun Valley, Idaho, July 2009

Utah Trial Academy, Fall Forum, November 2008

Anatomy of an Economic Crisis, webinar, Chief Marketing Officers Association, November 2008

Expert Discovery, with Judge David Nuffer, Utah Bar Association, July and November 2007

Interesting Issues in Economics and IP, Utah IP Summit, Utah Bar Association, February 2006

Discounts and Exclusion, University of Utah Antitrust Law Symposium, February 2006

Experts and Damages, Young Lawyers Seminar, Utah Bar Association, November 2005

What Federal Judges Really Think about Daubert, Utah Bar, November 2004

Intellectual Property, Law and Economics, Mann, Frankford, Stein & Lipp, Houston, Texas, February 2, 2001

Experts and Intellectual Property, November 2000, NACVA, Las Vegas, Nevada

Seminar on Cross Examination of Expert Witnesses, June 2000, NACVA Seminar

Patent Infringement Damages, National CLE Conference on Intellectual Property, March 1999, Deer Valley, Utah

Can Protecting a Proprietary Aftermarket Benefit Consumers?, July 3, 1998, Presentation to the Utah Bar Association

Calculating Damages in a Civil Case, November 12, 1997, Presentation to Young Lawyers Division, Utah State Bar Association

Market Power and Electric Utility Deregulation, August 1997, Presentation to the Task Force on Electrical Deregulation of the Utah Legislature

The Economics of Patent Infringement Damages, July 1997, Presentation to the Utah Bar Association Meeting

Antitrust Issues Raised by Mergers and Acquisitions, Utah State Bar, Corporate Counsel Section, Introduction to Mergers and Acquisitions, December 5, 1996

“Making Proper Use of Economists in Litigation” Utah Trial Lawyers Association Seminar, November 20, 1996, Utah Law and Justice Center

Analysis of Hospital Mergers in Utah, June 21, 1996, Presentation for Seminar on Medical Finance and Economics, University of Utah School of Business

Health Care Antitrust in Utah, November, 1995, round table discussion for FHP Center for Health Care Studies, University of Utah

New Developments in Antitrust Law, July, 1995, Presentation to the Utah Bar Association Meeting

Vertical Restraints in High Tech Industries, December, 1994, CLE International Seminar on antitrust in high tech industries

Refusals to Deal in Health Care After Kodak, August, 1994, Utah Law Review Symposium on Health Care Antitrust in Utah

A Dual Approach to the Empirical Comparison of Industrial Pricing Theories, American Economic Association, December 1987, Chicago

Degree of Monopoly in the U.S. Economy, American Economic Association, December 1986, New Orleans

EXPERT TESTIMONY/REPORTS

John Braun v. Medtronic (Damages) (Report, Deposition, Trial Testimony) 2014

Western Convenience v. Suncor (Antitrust) (Report, Deposition, Trial Testimony) 2014

M.B. Signal v. AT&T/Cingular (Antitrust) (Report, Deposition, Trial Testimony) 2014

Cellular Cellutions, Inc. v. AT&T/Cingular (Antitrust) (Report, Deposition) 2014

Cook Slurry v. State of Utah (Damages) (Report) 2011

SIRQ v. Layton Construction (Antitrust) (Report) 2011

Judd v. EnergySolutions (Antitrust) (Report) 2010

T3 v. IBM (Antitrust) (Report) 2008

Mytee v. Harris Research (Antitrust) (Report, Deposition) 2008

Brown vs. Kinross Gold USA Inc. (Damages) (Report) 2008

Connor Sport Court, Inc. v. Rhino Sports (Antitrust) (Report) 2008

Snake River Sugar Company v. BYBEE Farms (Antitrust) (Report) 2007

Kimray, Inc. v. Advanced Flo-Systems (Antitrust) (Report) 2005

Vantage Controls v. Lutron Electronics (Antitrust) (Report, Deposition) 2005

Flying J v. Truck Stops of America (Damages) (Report) 2005

Solutions IE v. Aloe Commodities International (Damages) (Report, Deposition) 2005

Mountain West Surgical Center v. HCA (Antitrust) (Report) 2004

EFI Electronics v. Thomson Electronics (Damages) (Report) 2004

Tri-River Chemical v. Darol Forsythe (Intellectual Property/Antitrust) (Report) 2004

Summit Water v. Mountain Regional Water Co. (Antitrust) (Report) 2004

State of Utah v. Old Castle (Merger analysis for Utah Attorney General) (Report) 2004

Iasis v. St. Mark's Hospital (Antitrust) (Report) 2003

Imagraph v. Paul Scardino (Contract Damages) (Report, Deposition) 2001

Center for Family Development v. PAST (Copyright Damages) (Report, Deposition) 2000

US WEST v. Public Service Commission of Montana (Antitrust) (Report, Deposition) 1999

MCI v. US WEST (Elasticity Analysis) (Report, Deposition, Trial Testimony) 1997

Stuart v. US WEST (Calculate Lodestar Attorney Fees) (Report, Deposition, Trial Testimony) 1995

Stanley v. Stanley (Healthcare Economics) (Report, Deposition, Trial Testimony) 1995

Elasticity of Demand for Long Distance Telephone Use in Utah, before the Public Service Commission of Utah, August 11, 1994

JOURNAL REFEREE

Antitrust Bulletin (Economics Editor)

Journal of Forensic Economics

Journal of the Licensing Executive Society