

DR. HIRAM A. MELÉNDEZ-JUARBE

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Hiram Meléndez-Juarbe is Professor at the University of Puerto Rico Law School where he teaches (or has taught) constitutional law, copyright law, jurisprudence, cyberlaw, privacy and technology, administrative law and advanced legal research and methodology. He is founder of the UPR New Technologies, Intellectual Property and Society Clinic and was co-legal lead of Creative Commons Puerto Rico. Dr. Meléndez-Juarbe is a leading copyright and constitutional law scholar in Puerto Rico. His research explores interconnections between constitutional law and intellectual property. He was also a Member and President of the Puerto Rico Civil Rights Commission and has served as Associate Dean of the Law School and as Special Advisor to the UPR-RP Chancellor. He is currently Member of the Puerto Rico Board of Bar Examiners and President of the Board of Ayuda Legal Puerto Rico.

EDUCATION

2013

New York University, *JSD*

Doctoral Dissertation: *Copyright Law, Personal Use and the First Amendment: A Public Discourse Perspective*

Dissertation explores the place to the user in the copyright system from a First Amendment perspective. *JSD Supervisor*: Diane Zimmerman

2008

New York University, *LL.M.*

Intellectual Property, Innovation Policy, Art Law, Entertainment Law, Cyberlaw

2002

Harvard Law School, *LL.M.*

Constitutional law, civil rights litigation, legal theory and history

2000

University of Puerto Rico Law School, *Juris Doctor*

1997

**University of Puerto Rico, Faculty of Social Sciences, Río Piedras Campus, *B.A.*,
(Political Science)**

RESEARCH INTERESTS AND PUBLICATIONS

Research areas: Constitutional law, copyright law, free speech, law and technology.

Books

Derecho al Derecho: Intersticios y grietas del poder judicial en Puerto Rico (with Érika Fontáñez Torres) (Editora Educación Emergente, 2012)

For a review see: Pedro Reina Pérez, *Citizen Voices and the Law*, at ReVista: the Harvard Review of Latin America (Spring 2014), at <https://revista.drclas.harvard.edu/book/citizen-voices-and-law>

Book Chapters

Intermediarios y Libertad de Expresión: Apuntes para una conversación (2012), Centro de Estudios en libertad de Expresión y Acceso a la Información, Universidad de Palermo, Buenos Aires (Title in English: *Intermediaries and Freedom of Speech*)

Tecnopolítica y Derechos de Autor, at *El Constitucionalismo en Transición* (YALE 2011) (Title in English: *Technopolitics and Copyright Law*)

Peer Reviewed Publications

In the Red: Puerto Rico's Fiscal and Democratic Deficits Laid Bare, in *Quaderni costituzionali*, Rivista italiana di diritto costituzionale, 3/2017, pp. 645-650, doi: 10.1439/87427

Vida privada, reputación y libertad de expresión en un entorno digital: Los intermediarios desde el marco normativo de Estados Unidos, *Revista Derecho, Comunicaciones y Nuevas Tecnologías*, No. 16, julio – diciembre de 2017 (Universidad de Los Andes, Colombia). (Title in English: *Private Life, Reputation and Freedom of Speech in a Digital Environment: Intermediaries in the US Legal System*)

Mercados, Propiedad, Expresión y Uso Personal: El sistema de derechos de autor, en *Derecho*, y *Crítica Social* 1(1) 109-138. ISSN 0719-5680 (2015) (Title in English: *Markets, Property, Expression and Personal Use: The Copyright System*)

El menosprecio como objetivo constitucionalmente ilegítimo: La constitucionalidad de la Ley 54 después de Pueblo v. Leandro Ruiz Martínez; 1.09 InDret Constitucional 594 (2009) (Barcelona) (Title in English: *Disparagement as a constitutionally illegitimate objective*)

Law Reviews

Los derechos morales en Puerto Rico, 90 Rev. Jur. UPR. ____ (2021)
(forthcoming)

El Derecho a la Intimidación, Nuevas Tecnologías y la Jurisprudencia del Juez Hernández Denton: Lo Público de lo Público, 83 Revista Jurídica UPR 1035 (2014) (Title in English: *Privacy, New Technologies and the Jurisprudence of Justice Hernández Denton*)

Derecho al Derecho: una apuesta por la democratización radical de lo jurídico, 83 Revista Jurídica Digital UPR 230 (2014) (with Érika Fontánez Torres) (Title in English: *Derecho al Derecho: towards a radical democratization of the juridical field*)

Creative Copyright for Creative Business, 1 UPR Business L. J. 137 (2010)

DRM Interoperability, XV B.U. J. Sci. Tech. L 181 (2009)

Privacy in Puerto Rico and The Madman's Plight: Decisions, 9 Georgetown J. Gen. & L. 1 (2008)

La Constitución en Ceros y Unos: Un Acercamiento Digital al Derecho a la Intimidación y la Seguridad Pública, 77 Rev. Jur. UPR 45 (2008) (Title in English: *The Constitution in Zeros and Ones: A Digital Approach to Privacy and Security*)

Creative Commons Puerto Rico y la Agenda de Contenido Libre, 69 Revista Colegio Abogados de PR 151 (2008) (Title in English: *Creative Commons and the Free Content Movement*)

Notes and Other Publications

Nota—Vacíos Jurídicos: Derecho y Tecnología, 87 Rev. Jur. UPR 1318 (2018)
(Title in English: *Note—Legal Vacuums: Law and Technology*)

Estado, Religión y Derecho: Una Reflexión Multidisciplinaria, 84 Revista Jurídica UPR 531 (2015) (Title in English: *The State, Religion and the Law: A Multidisciplinary Reflection*)

Derecho Constitucional, 75 Rev. Jur. UPR 29 (2006) (Title in English: *PR Supreme Court Review—Constitutional Law*)

Derecho Administrativo, 74 Rev. Jur. UPR 531 (2005) (Title in English: *PR Supreme Court Review—Administrative Law*)

Derecho Administrativo, 73 Rev. Jur. UPR 509 (2004) (Title in English: *PR Supreme Court Review—Administrative Law*)

Books in Progress

Copyright Law, Personal Use and the First Amendment: A Public Discourse Perspective

Significant Institutional Writings

Chief Researcher and Author of Puerto Rico Civil Rights Commission Report: *Government Surveillance and Public Protest in Puerto Rico*, April, 2019 (173 pages), available at <http://www.cdc.pr.gov/>

Chief Researcher and Author of University of Puerto Rico Law School Task Force Report: *Academic Support Programs at the University of Puerto Rico Law School: Evaluation and Recommendations*, December 2018 (61 pages)

Co Author, University of Puerto Rico Law School Self Assessment for ABA Accreditation Reaffirmation, December 2016 (112 pages)

PROFESSIONAL EXPERIENCE

Academic Appointments

University of Puerto Rico School of Law

Professor 2017-present

*Associate Professor 2007-2017 **

Assistant Professor 2003-2007

**on leave Fall 2007 - Spring 2011 (graduate studies).*

Courses:

Copyright Law, Constitutional Law, Cyber Law, Jurisprudence, Privacy Law, Foundations of Intellectual Property, Administrative Law, Legal Clinic: New Technologies, IP and Information Society; Advanced Legal Research Seminar; Legal Writing Workshop for LL.Ms

University of Ottawa

Visiting Professor (January 2014, 2015, 2017, 2018, 2020)

Course:

Foundations of Intellectual Property (See: http://elplandehiram.org/?page_id=715)

University of Florida Levin College of Law

Visiting Professor (March 2014)

Course:

Speech and Copyright in a Digital Environment: Theoretical and Practical Aspects

University Leadership Appointments

University of Puerto Rico, Río Piedras Campus

2021-2024

Law School Senator, UPRRP Academic Senate

March 2017 – May 2017

Special Assistant on Legal Affairs to Interim Chancellor Carmen H. Rivera Vega

Advisor to the Chancellor on myriad policy and legal issues, during a University student strike period.

University of Puerto Rico School of Law

2020, 2021

Director

Law School Admission Council: Prelaw Undergraduate Scholars (PLUS)

Program at the UPR

2018-2021

Chair, Law School Admissions Committee

Faculty Committee in charge of admission policy and implementation, including ongoing assessment of admission standards and ABA compliance.

2018-present

Chair, Law School Hiring and Budget Committee

Faculty Committee in charge of recruitment and evaluation of tenure track and adjunct faculty, post tenure review and specific budgetary matters.

2018-2019

Chair, Law School Task Force on Academic Success

Working group convened to evaluate current Academic Support initiatives and develop recommendations for short, medium and long-term adoption, in light of ABA requirements.

2015-2017

Associate Dean

Boards and Commissions

Commonwealth of Puerto Rico Board of Bar Examiners

2021-2022

Member

Puerto Rico Civil Rights Commission

2015-2021

Member (President June 2019-2020)

Five-person independent government Commission tasked with investigating violations of citizens' human rights in Puerto Rico since 1965. The Commission also promotes human rights and recommends appropriate policies. Website: <http://www.cdc.pr.gov>

Ayuda Legal Puerto Rico, Inc.

2017-present

Board Member and President of the Board

ALPR is a non-profit organization that collaborates with the Pro Bono and Legal Help community in Puerto Rico, committed to access to justice through the development of strategies designed to empower underprivileged individuals and communities in the island. Website: <https://www.ayudalegalpuertorico.org>

Puerto Rico Commission for the Comprehensive Audit of the Public Credit

2016 – 2017

Member

Multi-sector Commission created under Puerto Rico Law Num. 97 of 2015 with the mandate of auditing the legality and constitutionality of the island's multibillion-dollar public debt. [SEP]

Puerto Rico Electoral Commission (CEE), Technical Advisory Board

July 2012 – December 2012

Member

Created by law, the TAB evaluates all technical projects and information services at the CEE from a technological and policy standpoint.

Other Professional Experience

Puerto Rico Telecommunications Board

2014–2015

Legal Advisor to the President

Advisor on special Internet policy projects.

Municipality of San Juan, Puerto Rico

2014–2015

Legal Advisor

Puerto Rico Institute of Statistics

2013–2014

Legal Advisor

Advisor to the Director on special projects relating to government open data policies.

Department of Justice of Puerto Rico

2005 - 2007

Special Advisor to the Secretary of Justice

Close advisor on public policy and constitutional law.

Governmental Advisory Committee, Internet Corporation for Assigned Names and Numbers

June 2006 – June 2007

Commonwealth of Puerto Rico Representative

The GAC provides advice to ICANN on issues of public policy, and especially where there may be an interaction between ICANN's activities or policies and national laws or international agreements.

Department of Justice, Office of the Solicitor General

2002-2003

Assistant Solicitor General

Appellate litigation on behalf of the Commonwealth of Puerto Rico.

Supreme Court of Puerto Rico

2000-2001

Clerk, Hon. Federico Hernández-Denton, Associate Judge.

OTHER PROFESSIONAL AND ACADEMIC ACTIVITIES

SELA

Member of Yale Law School's, Seminar in Latin America on Constitutional and Political Theory (SELA)

SELA is an annual academic gathering that brings together scholars from Argentina, Brazil, Chile, Colombia, Cuba, Ecuador, Jamaica, Mexico, Paraguay, Peru, Puerto Rico, Spain, and the United States. More information at <https://law.yale.edu/centers-workshops/yale-law-school-latin-american-legal-studies/sela/program-overview>

Creative Commons

Co-Lead of the *Creative Commons Puerto Rico Affiliate*

Association of American Law Schools

Executive Committee Member of the 2010 Internet and Computer Law Section (2010-2011)

University of Puerto Rico Law Review

Board of Advisors Member

University of Puerto Rico Business Law Journal

Board of Advisors Member

Puerto Rico Bar Association Committee on Intellectual Property

Member 2012-2013

Derecho al Derecho

Founder and Contributor of Puerto Rican Blawg www.derechoalderecho.org.

BAR ADMISSIONS

Commonwealth of Puerto Rico

United States Supreme Court

Federal Circuit Court for the First Circuit

Federal District Court, Puerto Rico