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THIRTY-FIFTH SELECTED BIBLIOGRAPHY ON COMPUTERS, TECHNOLOGY AND THE LAW (January 2002 through December 2002)

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INTRODUCTION

Each year, the Journal provides a compilation of the most important and timely articles on computers, technology, and the law. The Bibliography, indexed by subject matter, is designed to be a research guide to assist our readers in searching for recent articles on computer and technology law. This year's annual Bibliography contains nearly 1000 articles, found through the examination of over 1000 periodicals.

The Bibliography aims to include topics on every legal aspect of computers and technology. However, as new issues in this field emerge, we welcome your suggestions for additional topics and sources, as well as your commentary on the Bibliography.

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***509 BIBLIOGRAPHY**

1. COMPUTERS AND TECHNOLOGY IN LAW PRACTICE

1.0 General

Hugh Calkins, Gwendelyn A. Daniels & Richard Zorza, Can Technology Transform Legal Services from a 100-Pound Weakling into a Comprehensive and Integrated 3,000-Attorney Force for the Poor?, *CLEARINGHOUSE REV.* (2002).

Caroline Christiansen, [Electronic Law Journals, 30 INT'L J. LEGAL INFO. 337 \(2002\).](#)

Louise L. Hill, Symposium Online Activities & Their Impact on the Legal Profession: [Electronic Communications and the 2002 Revisions of the Model Rules, 16 ST. JOHN'S J. LEGAL COMMENT. 529 \(2002\).](#)

Mark Pruner, Symposium Online Activities & Their Impact on the Legal Profession: The [Clash of 20th Century Regulation with 21st Century Technology, 16 ST. JOHN'S J. LEGAL COMMENT. 587 \(2002\).](#)

Michelle L. Rice, International Business Law: E-Commerce and the Impact of Globalization on the Law: Panel Remarks: Basics of Starting a Virtual Law Practice, *8 NEW ENG. INT'L & COMP. L. ANN.* 73 (2002).

Kevin Lee Thomason, The NETigator: The Netigator Answers Your Questions on Computers and Cyberspace, *28 SAN FRANCISCO ATT'Y* 14 (2002).

Kevin Lee Thomason, The NETigator: Computers and Cyberspace Q & A, *28 SAN FRANCISCO ATT'Y* 16 (2002).

***510** Michael Whiteman, The Impact of the Internet and Other Electronic Sources on an Attorney's Duty of Competence Under the Rules of Professional Conduct, *51 DEF. L.J.* 175 (2002).

1.1 Computerized Legal Research

1.1.0 General

Allan Hanson, [From Key Numbers to Keywords: How Automation Has Transformed the Law, 94 LAW LIBR. J. 563 \(2002\).](#)

1.1.1 Online Legal Research

Nicola Y. Whiteman & Michael C. Zisa, Researching Bankruptcy Law on the Internet, *22 CONSTR. LAW.* 10 (2002).

Matt Wimberley, Transactions' Selection of Web Sites for Business Lawyers, *3 TRANSACTIONS* 61 (2002).

1.1.2 Legal Research Using CD-ROM

1.2 Law Office Management

1.2.0 General

1.2.1 Office Automation

1.2.2 Case Management

1.2.3 Case File Security

John Christopher Anderson, Transmitting Legal Documents Over the Internet: How to Protect Your Client and Yourself, 51 DEF. L.J. 307 (2002).

1.2.4 Internet Access

1.3 Selected Uses in the Law Practice

1.3.0 General

*511 Daniel Backer, Note, [Choice of Law in Online Legal Ethics: Changing A Vague Standard for Attorney Advertising on the Internet](#), 70 FORDHAM L. REV. 2409 (2002).

Coleen M. Barger, Accessing the Law: On the Internet, Nobody Knows You're a Judge: Appellate Courts' Use of Internet Material, 4 J. APP. PROC. & PROCESS 417 (2002).

Louise L. Hill, Allen Chair Symposium 2001: Change is in the Air: Lawyer Advertising and the Internet, 36 U. RICH. L. REV. 341 (2002).

Catherine J. Lanctot, Symposium Online Activities & Their Impact on the Legal Profession: [Regulating Legal Advice in Cyberspace](#), 16 ST. JOHN'S J. LEGAL COMMENT. 569 (2002).

1.3.1 Tax Filing

LaVerne Woods & Michele Osborne, Healthcare Organizations and the Internet: Impact on Federal Tax Exemption, 35 J. HEALTH L. 1 (2002).

Samuel Chan Yin-Sum & Simon Lueng Tak-Wing, Development of an Online Taxation Course: From Design to Evaluation, 28 INT'L TAX J. 23 (2002).

1.3.2 Bankruptcy

1.3.3 Estate Planning

Christopher J. Caldwell, Comment, [Should "E-Wills" Be Wills: Will Advances in Technology Be Recognized for Will Execution?](#), 63 U. PITTS. L. REV. 467 (2002).

Sam Stonefield, [Electronic Real Estate Documents: Context, Unresolved Cost-Benefit Issues and a Recommended Decisional Process](#), 24 W. NEW ENG. L. REV. 205 (2002).

1.3.4 Real Estate

*512 Dale A. Whitman, The Use and Recording of Electronic Real Estate Instruments: Are [We There Yet? The Case For A Uniform Electronic Recording Act](#), 24 W. NEW ENG. L. REV. 245 (2002).

Derek Witte, Comment, [Avoiding the Un-Real Estate Deal: Has the Uniform Electronic Transactions Act Gone Too Far?](#), 35 J. MARSHALL L. REV. 311 (2002).

2. COMPUTERS AND TECHNOLOGY IN LITIGATION

2.0 General

Douglas Adkins, The Supreme Court Announces a Fourth Amendment "General Public Use" Standard for Emerging Technologies but Fails to Define It: *Kyllo v. United States*, 27 DAYTON L. REV. 245 (2002).

Theodore F. Claypoole & Rebecca S. Kell, Coping with Electronic Data Discovery Issues, 14 ENVTL. CLAIMS J. 399 (2002).

Laura DiBiase & Jeanne Finegan, The Future of Electronic Legal Noticing, 2002 ABI JNL. LEXIS 39.

Symposium, [Managing Caseload in State Intermediate Appellate Courts](#), 35 IND. L. REV. 467 (2002).

David G. Post, [Against "Against Cyberanarchy"](#), 17 BERKELEY TECH. L.J. 1365 (2002).

Daniel I. Prywes, Discovery of Electronic Records: Preparing for the Inevitable, 31-SUM BRIEF 33 (2002).

Quin M. Sorenson, [Losing a Plain View of Katz: The Loss of a Reasonable Expectation of Privacy Under the Readily Available Standard](#), 107 DICK. L. REV. 179 (2002).

Gregory J. Wrenn, [Cyberspace Is Real, National Borders Are Fiction: The Protection of Expressive Rights Online Through Recognition of National Borders in Cyberspace](#), 38 STAN. J. INT'L L. 97 (2002).

2.1 Scientific Evidence

*513 2.1.0 General

Kenneth H. Ryesky, Accessing the Law: From Pens to Pixels: Text-Media Issues in Promulgating, Archiving, and Using Judicial Opinions, 4 J. APP. PROC. & PROCESS 353 (2002).

2.1.1 Expert Testimony

2.1.2 DNA Typing

Mary R. Anderlik & Mark A. Rothstein, The Genetics Revolution: Conflicts, Challenges and Conundra: [DNA-Based Identity Testing and the Future of the Family: A Research Agenda](#), 28 AM. J.L. & MED. 215 (2002).

Meredith A. Bieber, Comment, [Meeting the Statute or Beating it: Using "John Doe" Indictments Based on DNA to Meet the Statute of Limitations](#), 150 U. PENN. L. REV. 1079 (2002).

Diana L. Kanon, Note, [Will the Truth Set Them Free? No, But the Lab Might: Statutory Responses to Advancements in DNA Technology](#), 44 ARIZ. L. REV. 467 (2002).

Seth F. Kreimer & David Rudovsky, [Double Helix, Double Bind: Factual Innocence and Post-conviction DNA Testing](#), 151 U. PENN. L. REV. 547 (2002).

Anne-Marie Moyes, Note, [Assessing the Risk of Executing the Innocent: A Case for Allowing Access to Physical Evidence for Posthumous DNA Testing](#), 55 VAND. L. REV. 953 (2002).

Heidi C. Schmitt, [Post-Conviction Remedies Involving the Use of DNA Evidence to Exonerate Wrongfully Convicted Prisoners: Various Approaches Under Federal and State Law](#), 70 UMKC L. REV. 1001 (2002).

Ellen Yankiver Suni, [Introduction to the Symposium on Wrongful Convictions: Issues of Science, Evidence, and Innocence](#), 70 UMKC L. REV. 797 (2002).

2.1.3 Fingerprint

*514 2.1.4 Polygraph

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2.2 Demonstrative Evidence

2.2.0 General

Amber Harding, Tiffany Shatz & Brad Samuels, [Procedural Issues](#), 39 AM. CRIM. L. REV. 923 (2002).

Mark R. Kravitz & Daniel J. Klau, [Developments in the Second Circuit: 2000-2001](#), 34 CONN. L. REV. 833 (2002).

Andre A. Moenssens, [Brain Fingerprinting -- Can it be Used to Detect the Innocence of Persons Charged with a Crime?](#), 70 UMKC L. REV. 891 (2002).

Marcus C. Thomas, [Workshops Bring It Industry and Law Enforcement Together](#), 36 PROSECUTOR 35 (2002).

2.2.1 Computer-Generated Evidence

Michael Marron, Note, [Discoverability of "Deleted" E-Mail: Time For a Closer Examination](#), 25 SEATTLE U. L. REV. 895 (2002).

2.2.2 Audio/Visual Evidence

Richard D. Friedman, [Remote Testimony](#), 35 U. MICH. J.L. REF. 695 (2002).

Lynn Helland, [Remote Testimony -- a Prosecutor's Perspective](#), 35 U. MICH. J.L. REF. 719 (2002).

Gregory P. Joseph, [Internet and Email Evidence](#), 19 COMPUTER & INTERNET LAW. 17 (Apr. 2002).

Mary Lehman, Comment, [Are Red Light Cameras Snapping Privacy Rights?](#), 33 U. TOL. L. REV. 815 (2002).

Richard D. Shoop, Constitutional Law: [Bartnicki v. Vopper](#), 17 BERKELEY TECH. L.J. 449 (2002).

*515 Jill Witkowski, Comment, [Can Juries Really Believe What They See? New Foundational Requirements for the Authentication of Digital Images](#), 10 WASH. U. J.L. & POL'Y 267 (2002).

2.3 Courtroom

Jonathan B. Ealy & Aaron M. Schutt, Comment, [What - If Anything - Is An E-Mail? Applying Alaska's Civil Discovery Rules To E-Mail Production](#), 19 ALASKA L. REV. (2002).

Michael S. Elkin & Alexandra Khlyavich, [Napster Near and Far: Will the Ninth Circuit's Ruling Affect Secondary Infringement in the Outer Reaches of Cyberspace](#), 27 BROOK. J. INT'L L. 381 (2002).

Susan Nauss Exon, The [Internet Meets Obi-Wan Kenobi in the Court of Next Resort](#), 8 B.U. J. SCI & TECH. L. 1 (2002).

Margaret B. Flaherty, Note, [How Courts Help You Help Yourself: The Internet and the Pro Se Litigant](#), 40 FAM. CT. REV. 91 (2002).

Michael E. Heintz, Note, The [Digital Divide and Courtroom Technology: Can David Keep Up With Goliath?](#), 54 FED. COMM. L.J. 567 (2002).

LeRoy L. Kondo, [Untangling the Tangled Web: Federal Court Reform Through Specialization for Internet Law and Other High Technology Cases](#), 2002 UCLA J. L. TECH. 1 (2002).

Sonal N. Mehta, Cyberlaw: [Pavlovich v. Superior Court of Santa Clara County](#), 17 BERKELEY TECH. L.J. 337 (2002).

Kathryn L. Ossian, [U.S. Bancorp Obtains Transfer of Domain Names Through Dispute Resolution Procedure](#), 119 BANK-ING L.J. 828 (2002).

Jian Xiao, Intellectual Property: The [First Wave of Cases Under the ACPA](#), 17 BERKELEY TECH. L.J. 159 (2002).

*516 2.4 Dispute Resolution

Benjamin G. Davis, et al., The First International Competition for Online Dispute Resolution: Is this Big, Different and New? 19 J. INT'L ARB. 379 (2002).

A. Michael Froomkin, [ICANN'S Uniform Dispute Resolution Policy Causes and \(Partial\) Cures](#), 67 BROOK. L. REV. 605 (2002).

Cheri M. Ganeles, Comment, [Cybermediation: A New Twist On An Old Concept](#), 12 ALB. L.J. SCI. & TECH. 715 (2002).

Orna Rabinovich-Einy, [Going Public: Diminishing Privacy in Dispute Resolution in the Internet Age](#), 7 VA. J.L. & TECH. 4 (2002).

Elizabeth G. Thornburg, Fast, Cheap, and Out of Control: Lessons from the ICANN Dispute Resolution Process, 6 COMP. L. REV. & TECH. J. 89 (2002).

3. COMPUTERS AND TECHNOLOGY IN THE GOVERNMENT

3.0 General

Duncan Aldrich, John Carlo Bertot & Charles R. McClure, E-Government: Initiatives, Developments, and Issues, 19 GOV'T INF. Q. 349 (2002).

Stacy Blasberg, Legal Update: [Law and Technology of Security Measures in the Wake of Terrorism](#), 8 B.U. J. SCI & TECH. L. 721 (2002).

Anthony N. Cabot & Robert D. Faiss, Symposium, [Sports Gambling in the Cyberspace Era](#), 5 CHAP. L. REV. 1 (2002).

Brendan Durrett, Legal Reference Books Review: Privacy and the Digital State: Balancing Public Information and Personal Privacy, 94 LAW LIBR. J. 654 (2002).

*517 Stephen Gidere & Jason Forrester, Balancing Homeland Security and Freedom of Information, 16 NAT. RESOURCES & ENV'T 139 (2002).

Paul S. Herrnson, Part II: Electoral/Judicial Reform: Improving Election Technology and Administration: Toward a Larger Federal Role in Elections?, 37 STAN. L. & POL'Y REV. 147 (2002).

Paul T. Jaeger, Constitutional Principles and E-Government: An Opinion About Possible Effects of Federalism and the Separation of Powers on E-Government Policies, 19 GOV'T INF. Q. 357 (2002).

Robert A. Pikowsky, An Overview of the Law of Electronic Surveillance Post September 11, 2001, 94 LAW LIBR. J. 601 (2002).

Sharon H. Rackow, Comment, How the United States of America Patriot Act Will Permit Governmental Infringement Upon the Privacy of Americans, in the Name of "Intelligence" Investigations, 150 U. PENN. L. REV. 1651 (2002).

Harold C. Relyea, E-Government: Introduction and Overview, 19 GOV'T INF. Q. 9 (2002).

Michael P. Scharf & Melanie K. Corrin, International Business Law: E-commerce and the Impact of Globalization on the Law: Panel Remarks: On Dangerous Ground: Passive personality Jurisdiction and the Prohibition of Internet Gambling, 8 NEW ENG. INT'L & COMP. L. ANN. 19 (2002).

Paul M. Schwartz, Voting Technology and Democracy, 77 N.Y.U. L. Rev. 625 (2002).

Raymond Shih Ray Ku, Modern Statues in Privacy Law: Searching for the Meaning of the Fourth Amendment Privacy after Kyllo v. United States: The Founders' Privacy: The Fourth Amendment and the Power of Technological Surveillance, 86 MINN. L. REV. 1325 (2002).

*518 Christopher Slobogin, Modern Statues in Privacy Law: Searching for the Meaning of the Fourth Amendment Privacy after Kyllo v. United States: Peeping Techno-Toms and the Fourth Amendment: Seeing Through Kyllo's Rules Governing Technological Surveillance, 86 MINN. L. REV. 1393 (2002).

Daniel J. Solove, Modern Studies in Privacy Law: Notice, Autonomy and Enforcement of Data Privacy Legislation: Access and Aggregation: Public Records, Privacy and the Constitution, 86 MINN. L. REV. 1137 (2002).

Kieran Tranter, Terror in the Texts: Technology-Law-Future, 13 LAW & CRITIQUE 75 (2002).

Gina Tufaro, Note, Will Carnivore Devour the Fourth? An Exploration of the Constitutionality of the FBI Created Software, 18 N.Y.L. SCH. J. HUM. RTS. 305 (2002).

3.1 Computers and Technology in Law Enforcement

Sheryl Rakestraw, ACLU v. RENO, 217 F.3D 162 (3D CIR. 2000), 10 AM. U.J. GENDER SOC. POL'Y & L. 521 (2002).

3.1.0 General

Luke J. Albrecht, Comment, Constitutional Law -- The Use of a Thermal Imaging Device Constitutes a Search Under the Forth Amendment -- [Kyllo v. United States, 533 U.S. 27 \(2001\), 36 SUFFOLK U. L. REV. 249 \(2002\).](#)

Susan Bandes, Modern Statues in Privacy Law: Searching for the Meaning of the Fourth Amendment Privacy after *Kyllo v. United States*: [Power, Privacy and Thermal Imaging, 86 MINN. L. REV. 1379 \(2002\).](#)

Christopher Benjamin, [Shot Spotter and FaceIt: The Tools of Mass Monitoring, 2002 UCLA J. L. TECH. 2 \(2002\).](#)

Susan W. Brenner & Barbara A. Frederiksen, [Computer Searches and Seizures: Some Unresolved Issues, 8 MICH. TELE-COMM. TECH. L. REV. 39 \(2002\).](#)

*519 Nathan E. Carrell, [Spying on the Mob: United States v. Scarfo -- A Constitutional Analysis, 2002 U. ILL. J.L. TECH. & POLY 193 \(2002\).](#)

Jack H. Daniel III, Comment, [Reform in Airport Security: Panic or Precaution?, 53 MERCER L. REV. 1623 \(2002\).](#)

Deborah J. Daniels, [Prosecution in the Post-9/11 Era, 36 PROSECUTOR 28 \(2002\).](#)

Kimberly A. Horn, Note, [Privacy versus Protection: Exploring the Boundaries of Electronic Surveillance in the Internet Age, 29 FORDHAM URB. L.J. 2233 \(2002\).](#)

Mary Lehman, Comment, Are [Red Light Cameras Snapping Privacy Rights, 33 U. TOL. L. REV. 815 \(2002\).](#)

Amy Miller, [Kyllo v. United States: New Law Enforcement Technologies and the Fourth Amendment, 51 KAN. L. REV. 181 \(2002\).](#)

Rosemary Missisian, Note, The True Need of the Special Needs Doctrine: Individual Rights -- [Ferguson v. City of Charleston, 33 U. TOL. L. REV. 815 \(2002\).](#)

Aaron Nance, Note, [Taking the Fear Out of Electronic Surveillance in the New Age of Terror, 70 UMKC L. REV. 751 \(2002\).](#)

Jessica M. Natale, Note, [Exploring Virtual Legal Presence: The Present and the Promise, 1 J. HIGH TECH. L. 157 \(2002\).](#)

Greg Star, Comment, [Airport Security Technology: Is the use of Biometric Technology Valid Under the Fourth Amendment?, 20 TEMP. ENVTL. L. & TECH. J. 251 \(2002\).](#)

Raya Tahan, Note, [Should Criminal Case Filings Be Available Online?, 43 JURIMETRICS J. 43 \(2002\).](#)

3.1.1 Computers and Technology in Police Operation

*520 Catherine M. Barrett, Note, FBI Internet Surveillance: The Need for a Natural Rights Application of the Fourth Amendment to Insure Internet Privacy, 8 RICH. J.L. & TECH. 16 (2002), at <http://www.law.richmond.edu/jolt/v8i3/article16.html>.

Troy J. LeFevre, Search and Seizure: Supreme Court Addresses Advances in Technology and Rules that Thermal Imaging Devices May Not Be Used Without a Search Warrant, 78 N. DAK. L. REV. 99 (2002).

Gregory T. Neugebauer, Alcohol Ignition Interlocks: Magic Bullet or Poison Pill, 2 PGH. J. TECH. L. & POL'Y 2 (2002).

Geoffrey A. North, Note, [Carnivore in Cyberspace: Extending the Electronic Communications Privacy Act's Framework to Carnivore Surveillance](#), 28 RUTGERS COMPUTER & TECH. L.J. 155 (2002).

Stacy E. Roberts, Note, [Bond and Beyond: A Shift in the Understanding of What Constitutes a Fourth Amendment Search](#), 33 U. TOL. L. REV. 457 (2002).

Jennifer Hinson Shephard, Case Note, *Kyllo v. United States*:¹ The Fourth Amendment² and Thermal Imaging-Is It In or Out?, 19 T.M. COOLEY L. REV. 37 (2002).

Justin H. Smith, Note, [Press One for Warrant: Reinventing the Fourth Amendment's Search Warrant Requirement Through Electronic Procedures](#), 55 VAND. L. REV. 1591 (2002).

Andrew W.J. Tarr, [Picture It: Red Light Cameras Abide by the Law of the Land](#), 80 N.C. L. REV. 1879 (2002).

Sean D. Thueson, Comment, Fourth Amendment Search-Fuzzy Shades of Gray: The New "Bright-Line" Rule in Determining When The Use of Technology Constitutes a Search. [Kyllo v. United States](#), 121 S. Ct. 2038 (2001), 2 WYO. L. REV. 169 (2002).

*521 3.1.2 Computers and Technology in Correctional Institutions

3.2 Use of Computers and Technology by Federal Departments and Agencies

3.2.0 General

Michelle Armond, Cyberlaw: State Internet Regulation and the Dormant Commerce Clause, 17 BERKELEY TECH. L.J. 379 (2002).

Alison A. Bradley, [Extremism in the Defense of Liberty?: The Foreign Intelligence Surveillance Act and the Significance of the USA PATRIOT ACT](#), 77 TUL. L. REV. 465 (2002).

Charles E. Frayer, Article: [Employee Privacy and Internet Monitoring: Balancing Workers' Rights and Dignity with Legitimate Management Interests](#), 57 BUS. LAW. 857 (2002).

A. Michael Froomkin, [Form & Substance in Cyberspace](#), 6 J. SMALL & EMERGING BUS. L. 93 (2002).

Neal Hartzog, Comment, The "Magic Lantern" Revealed: A Report of the FBI's New "Key Logging" Trojan and Analysis of its Possible Treatment in a Dynamic Legal Landscape, 20 J. MARSHALL J. COMPUTER & INFO. L. 287 (2002).

Kimberly A. Horn, Note, [Privacy Versus Protection: Exploring the Boundaries of Electronic Surveillance in the Internet Age](#), 29 FORDHAM URB. L.J. 2233 (2002).

Giovanna Patterson & J. Tim Sprehe, Principal Challenges Facing Electronic Records Management in Federal Agencies Today, 19 GOV'T INF. Q. 307 (2002).

Joe Sims & Cynthia L. Bauerly, A Reply to Professor Froomkin's Form and Substance in Cyberspace, 6 J. SMALL & EMERGING BUS. L. 165 (2002).

*522 Michael J. Wolf, Jon Numair & Jack Yoedt, [Essential Collaborative Technology Tools for the 21st Century: FMCS](#)

[TAGS System, 2 PEPP. DISP. RESOL. L.J. 327 \(2002\).](#)

3.2.1 Military Technology

Robert A. Borich Jr., [Globalization of the U.S. Defense Industrial Base: Developing Procurement Sources Abroad Through Exporting Advanced Military Technology](#), 31 PUB. CONT. L.J. 623 (2002).

Mitsuru Kurosawa, Nuclear Non-Proliferation and Export Control, 49 OSAKA. U. L. REV. 1 (2002).

Philip R. Principe, [Secret Codes, Military Hospitals, and the Law of Armed Conflict: Could Military Medical Facilities' Use of Encrypted Communications Subject Them to Attack Under International Law?](#), 24 U. ARK. LITTLE ROCK L. REV. 727 (2002).

3.2.2 Internal Revenue Service

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David D. Bird, Where to Go to Be in the Know: Court Web Sites, ABI JNL. LEXIS 76 (2002).

3.4 Use of Computers and Technology by State and Federal Legislatures

George Barnum, Availability, Access, Authenticity, and Persistence: Creating the Environment for Permanent Public Access to Electronic Government Information, 19 GOVT INF. Q. 37 (2002).

4. LEGAL ISSUES OF COMPUTER AND TECHNOLOGY SALES, USAGE, AND SERVICES

4.0 General

*523 Barbara H. Brandon & Robert D. Carlitz, [Online Rulemaking and Other Tools For Strengthening Our Civil Infrastructure](#), 54 ADMIN. L. REV. 1421 (2002).

Stuart Buck, [Replacing Spectrum Auctions with a Spectrum Commons](#), 2002 STAN. TECH. L. REV. 2 (2002).

Cyndie Chang, Comment, [Exploring Internet Privacy Through Cable Broadband Struggles: ISPs Walk a Fine Line Between Privacy and Security](#), 22 LOY. L.A. ENT. L. REV. 491 (2002).

Arthur R. Gaudio, [Electronic Real Estate Records: A Model for Action](#), 24 W. NEW ENG. L. REV. 271 (2002).

Gary Richard Hattal & Cynthia Morrow Hattal, [Battling School Violence with Mediation Technology](#), 2 PEPP. DISP. RESOL. L.J. 357 (2002).

Anne Keaty, J.D., Roger J. Johns, J.D., LL.M. & Lucy L. Henke, Ph.D., Survey: [Can Internet Service Providers and Other Secondary Parties be Held Liable for Deceptive Online Advertising?](#), 58 BUS. LAW. 479 (2002).

H. Maura Lendon, The Linux Revolution, 15 INTELL. PROP. J. 143 (2002).

Richard J. Peltz, Use "The Filter You Were Born With": The Unconstitutionality of Mandatory Internet Filtering for The Adult Patrons of Public Libraries, 77 WASH. L. REV. 397 (2002).

Ethan Preston & John Lofton, Computer Security Publications: Information Economics, Shifting Liability and the First Amendment, 24 WHITTIER L. REV. 71 (2002).

Charles B. Rosenberg, Suing Anonymous Defendants for Internet Defamation, 19 COMPUTER & INTERNET LAW. 9 (Feb. 2002).

Bradford L. Smith, The Third Industrial Revolution: Policymaking for the Internet, 3 COLUM. SCI. & TECH. L. REV. 1 (2002).

*524 4.1 Contracting for Hardware, Software, and Computer Services

4.1.0 General

Marc T. Shivers & Andre J. Brunel, Contractual Limitations of Liability (a/k/a "LOLs," or Why the Other Party Is Laughing Out Loud), 19 COMPUTER & INTERNET LAW. 6 (May 2002).

4.1.1 Purchase, Lease and License Considerations

Duncan E. Alford, Negotiating and Analyzing Electronic License Agreements, 94 LAW LIBR. J. 621 (2002).

David E. Case, Common Mistakes Made by Licensors in Administering Clickwrap Agreements, 19 COMPUTER & INTERNET LAW. 16 (Aug. 2002).

Sean F. Crotty, Note, The How and Why of Shrinkwrap License Validation Under the Uniform Computer Information Transactions Act, 33 RUTGERS L.J. 745 (2002).

John J. Dieffenbach, Reviewing Technology Agreements, 19 COMPUTER & INTERNET LAW. 14 (Feb. 2002).

Christian H. Nadan, Open Source Licensing: Virus or Virtue?, 10 TEX. INTELL. PROP. L.J. 349 (2002).

Raymond T. Nimmer, Licensing in the Contemporary Information Economy, 8 WASH. U. J.L. & POL'Y 99, (2002).

Edwin E. Richards, Drafting Licenses to Guide Whether Potential Disputes Lie in Contract or Infringement, 7 COMP. L. REV. & TECH. J. 45 (2002).

4.1.2 Limitations of Limited Warranties

4.2 Government Regulation of Computer-Related Industry

4.2.0 General

*525 Steven Amchen, Jessica Cordova & Paul Cicero, Securities Fraud, 39 AM. CRIM. L. REV. 1037 (2002).

Paul D. Callister, The Internet, Regulation and the Market for Loyalties: An Economic Analysis of Transborder Information Flow, 2002 U. ILL. J.L. TECH. & POL'Y 59 (2002).

Jennifer C. Chang, Note, In [Search of Fair Housing in Cyberspace: The Implications of the Communications Decency Act for Fair Housing on the Internet](#), 55 STAN. L. REV. 969 (2002).

Elizabeth Delaney, Symposium Online Activities & Their Impact on the Legal Profession: The [Children's Online Privacy Protection Act and Rule: An Overview](#), 16 ST. JOHN'S J. LEGAL COMMENT. 641 (2002).

Mary L. Dispenza, Note, [Overcoming a New Digital Divide: Technology Accommodations and the Undue Hardship Defense Under the Americans with Disabilities Act](#), 52 SYRACUSE L. REV. 159 (2002).

Amy J. Dunn, Survey of Legislation: [Uniform Electronic Transactions Act](#), 24 U. ARK. LITTLE ROCK L. REV. 603 (2002).

Edward H. Fleischman, [Remarks on the Regulation of Securities and Security Exchanges in the Age of the Internet](#), 5 N.Y.U. J. LEGIS. & PUB. POL'Y 1 (2002).

Susanna Frederick Fischer, [Crusading Against the Dinosaurs: A Review of The Future of Ideas](#), 10 COMMLAW CON-
SPECTUS 251 (2002) (book review).

Adam Goldstein, Note, [Like A Sieve: The Child Internet Protection Act and Ineffective Filters in Libraries](#), 12 FORDHAM INTELL. PROP. MEDIA & ENT. L.J. 1187 (2002).

Ivette P. Gomez, Note, [Beyond the Neighborhood Drugstore: U.S. Regulation of Online Prescription Drugs Sales by Foreign Businesses](#), 28 RUTGERS COMPUTER & TECH. L.J. 431 (2002).

*526 Kara E. Harchuck, Note & Comment, [Microsoft IV: The Dangers to Innovation Posed by the Irresponsible Application of a Rule of Reason Analysis to Product Design Claims](#), 97 NW. U. L. REV. 395 (2002).

Anton L. Janik, Jr., [Combating the Illicit Internet: Decisions by the Tenth Circuit to Apply Harsher Sentences and Lessened Search Requirements to Child Pornographers Using Computers](#), 79 DENV. U.L. REV. 379 (2002).

Jack E. Kerrigan & Christopher J. Bracco, The [Technology Transfer Revolution: Legislative History and Future Proposals](#), 31 PUB. CONT. L.J. 277 (2002).

Andrew D. Ketter, Comment, The [Narrow Choice of Broadband Providers for Consumers: Competition and Local Regulation](#), 2002 WIS. L. REV. 211 (2002).

David H. Lantzer, Comment, [Internet Gaming Tax Regulation: Can Old Laws Learn New Tricks?](#) 5 CHAP. L. REV. 281 (2002).

Scott Maravilla, The [Feasibility of a Law to Regulate Pornographic, Unsolicited, Commercial E-Mail](#), 4 TUL. J. TECH. & INTELL. PROP. 117 (2002).

Lance Myers, [Regulation FD And Private Trading On The Internet: Keeping Pace With Constant Change](#), 5 N.Y.U. J. LEGIS. & PUB. POL'Y 15 (2002).

Christine Neylon O'Brien, The [Impact of Employer E-Mail Policies on Employee Rights to Engage in Concerted Activities Protected by the National Labor Relations Act](#), 106 DICK. L. REV. 573 (2002).

Stephanie E. Niehaus, Note, [Bridging the \(Significant\) Gap: To What Extent Does the Telecommunications Act of 1996 Contemplate Seamless Service?](#), 77 NOTRE DAME L. REV. 641 (2002).

*527 Devon Ishii Peterson, Child Pornography on the Internet: The Effect of Section 230 of the Communications Decency Act of 1996 on Tort Recovery for Victims Against Internet Service Providers, 24 HAWAII L. REV. 763 (2002).

Negin Salimipour, Comment, The [Challenge of Regulating Hate and Offensive Speech on the Internet](#), 8 SW. J. L. & TRADE AM. 395 (2002).

Paul M. Schoenhard, Disclosure of Government Information Online: A New Approach from an Existing Framework, 15 Harv. J. Law & Tec 497 (2002).

Suzanna Sherry, [Haste makes Waste: Congress and the Common Law in Cyberspace](#), 55 VAND. L. REV. 309 (2002).

Rikki Solowey, [A Question of Equivalence: Expanding the Definition of Child Pornography to Encompass "Virtual" Computer-Generated Images](#), 4 TUL. J. TECH. & INTELL. PROP. 161 (2002).

Brett Stohs, [Protecting the Homeland by Exemption: Why the Critical Infrastructure Information Act of 2002 Will Degrade the Freedom of Information Act](#), 2002 DUKE L. & TECH. REV. 18 (2002).

Jonathan P. Straub, Note, The [Prevention of E-Money Laundering: Tracking the Elusive Audit Trail](#), 25 SUFFOLK TRANSNATL L. REV. 515 (2002).

4.2.1 First Amendment Issues

Daniel S. Armagh, Symposium, The Fate of the Child Pornography Act of 1996: [Virtual Child Pornography: Criminal Conduct or Protected Speech](#) 23 CARDOZO L. REV. 1993 (2002).

Laura Bates, Note, [Ashcroft v. ACLU: Coping with Online Community Standards](#), 43 JURIMETRICS J. 29 (2002).

Jonathan Bloom, [High Court Rejects Focus on Effects of Speech as Basis for Regulating Virtual Child Pornography](#), 20 COMM. LAW. 1 (2002).

*528 Brian R. Chase, Legal Update: The [First Amendment and DECSS](#), 8 B.U. J. SCI & TECH. L. 729 (2002).

Dannielle Cisneros, ["Virtual Child" Pornography on the Internet: A "Virtual" Victim?](#), 2002 DUKE L. & TECH. REV. 19 (2002).

John P. Cronan, The [Next Challenge for the First Amendment: The Framework for an Internet Incitement Standard](#), 51 CATH. U. L. REV. 425 (2002).

Farzad Damania, The [Internet: Equalizer of Freedom of Speech? A Discussion on Freedom of Speech on the Internet in the United States and India](#), 12 IND. INT'L & COMP. L. REV. 243 (2002).

Walter C. Dauterman, Jr., Comment, [Internet Regulation: Foreign Actors and Local Harms - at the Crossroads of Pornography, Hate Speech, and Freedom of Expression](#), 28 N.C. J. INT'L L. & COM. REG. 177 (2002).

Christine Duh, Cyberlaw: Yahoo! Inc. v. LICRA, 17 BERKELEY TECH. L.J. 359 (2002).

Paul Ehrlich, Note, Cyberlaw: [Communications Decency Act § 230, 17 BERKELEY TECH. L.J. 401 \(2002\)](#).

Ryan Christopher Fox, [Old Law and New Technology: The Problem of Computer Code and the First Amendment, 49 UCLA L. REV. 871 \(2002\)](#).

Eric M. Freedman, Symposium, The Fate of the Child Pornography Act of 1996: [Digitized Pornography Meets the First Amendment, 23 CARDZOZO L. REV. 2011 \(2002\)](#).

Aimee G. Hamoy, Comment, The [Constitutionality of Virtual Child Pornography: Why Reality and Fantasy Are Still Different Under the First Amendment, 12 SETON HALL CONST. L.J. 471 \(2002\)](#).

John Harper III, Traditional Free-Speech Law: Does It Apply on the Internet?, 6 COMP. L. REV. & TECH. J. 265 (2002).

*529 Tieffra Harper, Much Ado About the First Amendment--Does the Digital Millennium Copyright Act Impede the Right to Scientific Expression?: *Felton v. Recording Industry Assoc. of America*, 22 J. ART & ENT. L. 3 (2002).

Tiffany Komasara, Comment, [Planting the Seed of Hatred: Why Imminence Should No Longer Be Required to Impose Liability on Internet Communications, 29 CAP. U. L. REV. 835 \(2002\)](#).

Amy E. McCall, Note, The DMCA and Researchers' First Amendments Rights, 3 PGH. J. TECH. L. & POL'Y 2 (2002).

Lora Saltarelli, Note, The [Digital Millennium Copyright Act and the Functionality Fallacy, 77 NOTRE DAME L. REV. 1647 \(2002\)](#).

Karyl Alderman Sparks, Note, Constitutional Law -- Freedom of Speech -- Child Pornography Prevention Act Violates First Amendment's Freedom of Speech Protections: [Ashcroft v. Free Speech Coalition, 122 S. Ct. 1389 \(2002\), 33 CUMB. L. REV. 165 \(2002\)](#).

Bruce V. Spiva, [Copyrighted Digital Works and the First Amendment, 19 COMM. LAW. 8 \(2002\)](#).

Allison Stiles, [Everyone's a Critic: Defamation and Anonymity on the Internet, 2002 DUKE L. & TECH. REV. 4 \(2002\)](#).

Alexander Tsesis, [Prohibiting Incitement on the Internet, 7 VA. J.L. & TECH. 5 \(2002\)](#).

Paul A. Werner III, e-Pluribus Unum?: The Problem of Anonymous Election-Related Communications on the Internet: A Conceptual Methodology for Evaluating Regulatory Interferences with Anonymous Speech, 4 VAND. J. ENT. L. & PRAC. 47 (2002).

Charles H. Whitebread, Recent Civil Decisions of the United States Supreme Court: The 2001-2002 Term, 39 CT. REV. 34 (2002).

*530 Matthew A. Whitlow, The Electronic Communications Privacy Act Protects Individual Privacy But Not at the Expense of the Media's Free Press Right, 27 DAYTON L. REV. 339 (2002).

Kate Williams, Note, [Loss of Academic Freedom on the Internet: The Fourth Circuit's Decision in *Urofsky v. Gilmore*, 21 REV. LITIG. 493 \(2002\)](#).

4.2.2 Antitrust

Peter M. Boyle, Penelope M. Lister & J. Clayton Everett, Jr., [The Federal Circuit and Antitrust: Antitrust Law at the Federal Circuit: Red Light or Green Light at the Antitrust Intersection?](#), 69 ANTITRUST L.J. 739 (2002).

Kerin E. Coughlin, Note, [ATM Surcharges Violate the Public Policies that Underlie the Antitrust Laws](#), 35 COLUM. J.L. & SOC. PROBS. 217 (2002).

Gabriel Hertzberg, Note, [Antitrust Enforcement in Electronic B2B Marketplaces: An Application of Oligopoly Theory and Modern Evidence Law](#), 28 RUTGERS COMPUTER & TECH. L.J. 463 (2002).

Valentine Korah, The Federal Circuit and Antitrust: The [Interface Between Intellectual Property and Antitrust: The European Experience](#), 69 ANTITRUST L.J. 801 (2002).

Melonie McKenzie, Note, [How Should Competing Software Programs Marry? The Antitrust Ramifications of Private Standard-Setting Consortia in the Software Industry](#), 52 SYRACUSE L. REV. 139 (2002).

Tim Meade, In re: [Buspirone Patent and Antitrust Litigation](#), 9 RICH. J.L. & TECH. 1 (2002), at <http://law.richmond.edu/jolt/v9i1/article1.html>.

Thomas A. Piraino, Jr., [A Proposed Antitrust Approach to High Technology Competition](#), 44 WM. & MARY L. REV. 65 (2002).

*531 Chris Raybeck, Antitrust: Tying Arrangements: Effect of Technical Innovation on an Antitrust Claim. [Logic Corp. v. Bell & Howell Publ'n Sys. Co.](#), 162 F. Supp. 2d 533 (N.D. Tex. 2001), 3 TRANSACTIONS 52 (2002).

Stuart M. Reynolds, Jr., The [Relationship of Antitrust Laws to Regulated Industries and Intellectual Property in the New Marketplace](#), 4 TUL. J. TECH. & INTELL. PROP. 1 (2002).

Glen O. Robinson, On [Refusing to Deal with Rivals](#), 87 CORNELL L. REV. 1177 (2002).

Max Schanzenbach, [Network Effects and Antitrust Law: Predation, Affirmative Defenses, and the Case of U.S. v. Microsoft](#), 2002 STAN. TECH. L. REV. 4 (2002).

4.2.3 FCC Regulation

Stuart Buck, [Replacing Spectrum Auctions with a Spectrum Commons](#), 2002 STAN. TECH. L. REV. 2.

S. Robert Carter, III, Note, The [Sound of Silence: Why and How the FCC Should Permit Private Property Owners to Jam Cell Phones](#), 28 RUTGERS COMPUTER & TECH. L.J. 343 (2002).

Robert W. Crandall, Hal J. Singer & J. Gregory Sidak, The [Empirical Case Against Asymmetric Regulation of Broadband Internet Access](#), 17 BERKELEY TECH. L.J. 953 (2002).

Jason Roy Flaherty, Comment, [Reallocating the Instructional Television Fixed Service Electromagnetic Spectrum at 2.5 GHZ](#), 96 NW. U. L. REV. 1177 (2002).

Jeffrey I. Ryen, The [Battle Over Reciprocal Compensation: The FCC's Ongoing Struggle to Regulate Intercarrier Compensation Fees for ISP-Bound Traffic](#), 8 B.U. J. SCI & TECH. L. 614 (2002).

*532 Jonathan Weinberg, Symposium, Copyright Law as Communications Policy: Convergence of Paradigms and Cultures: [Digital TV, Copy Control and Public Policy](#), 20 CARDOZO ARTS & ENT. L.J. 277 (2002).

Frances E. Zollers, Peter Sheors & Sandra N. Hurd, [Fighting Internet Fraud: Old Scams, Old Laws, New Context](#), 20 TEMP. ENVTL. L. & TECH. J. 169 (2002).

4.2.4 SEC Regulation

Philip J. Bezanson, [Online Brokers and the Sec: Still Working Out the Glitches](#), 2002 DUKE L. & TECH. REV. 22 (2002).

Thad A. Davis, [A New Model of Securities Law Enforcement](#), 32 CUMB. L. REV. 69 (2002).

Roberta S. Karmel, [Regulatory Initiatives and the Internet: A New Era of Oversight for the Securities and Exchange Commission](#), 5 N.Y.U. J. LEGIS. & PUB. POL'Y 33 (2002).

Jacob J. Kramer, Comment, [Waive Goodbye: Choice Clauses, the Internet, Consumer Protection, and Other Issues Concerning the Unwary Investor](#), 16 EMORY INT'L L. REV. 227 (2002).

Jorge Pozo, Lost in Cyberspace: The Antiquated Anti-Fraud Provisions of the Federal Securities Laws in the Age of the Internet, 2002 SYRACUSE L. & TECH. J. 4 (2002).

Linda J. Yi, Comment, [Road Shows on the Internet: Taking Individual Investors for a Ride on the Information Highway](#), 52 DUKE L.J. 243 (2002).

4.2.5 Tariff and Trade Control

4.3 Substantive Law Aspects

4.3.0 General

*533 Mark R. Colombell, Note, The Legislative Response to the Evolution of Computer Viruses, 8 RICH. J.L. & TECH. 18 (2002), at <http://www.law.richmond.edu/jolt/v8i3/article18.html>.

Jeffrey Hines, Symposium on Living Independently: Impact of Science And Technology on the Elderly: [Telemarketing Fraud Upon the Elderly: Minimizing Its Effects Through Legislation, Law Enforcement and Education](#), 12 ALB. L.J. SCI. & TECH. 839 (2002).

Noriko Kawawa, [Comparative Studies on the Law of Tort Relating to Liability for Injury Caused by Information in Traditional and in Electronic Form: England and the United States](#), 12 ALB. L.J. SCI. & TECH. 493 (2002).

4.3.1 Computer Crime

Jason W. Callen, [Asserting In Personam Jurisdiction Over Foreign Cybersquatters](#), 69 U. CHI. L. REV. 1837 (2002).

Erin M. Davis, Comment, The [Doctrine of Respondeat Superior: An Application to Employers' Liability for the Computer or Internet Crimes Committed by Their Employees](#), 12 ALB. L.J. SCI. & TECH. 683 (2002).

Marlene C. Gebauer, Legal Reference Books Review: Electronic Theft: Unlawful Acquisition in Cyberspace, 94 LAW LIBR.

J. 522 (2002).

Sarah Holthusen, Book Note, *Election Theft: Unlawful Acquisition in Cyberspace*, 21 U. QUEENSLAND L.J. 251 (2002).

4.3.2 Computer-Related Product Liability

4.3.3 Computer Security

Kevin R. Pinkney, [Putting Blame Where Blame is Due: Software Manufacturer and Customer Liability for Security-Related Software Failure](#), 13 ALB. L.J. SCI. & TECH. 43 (2002).

*534 Gary M. Schober, TRANSCRIPT: [Colloquium on Privacy & Security](#), 50 BUFF. L. REV. 703 (2002).

4.3.4 Taxation of Software

Arthur J. Cockfield, [Designing Tax Policy for the Digital Biosphere: How the Internet is Changing Tax Laws](#), 34 CONN. L. REV. 333 (2002).

4.4 Problems of Privacy and Computers

4.4.0 General

Albert I. Aldesco, Comment, [The Demise of Anonymity: A Constitutional Challenge to the Convention on Cybercrime](#), 23 LOY. L.A. ENT. L. REV. 81 (2002).

Grace J. Bergen, [Beyond Napster -- The Future of the Digital Commons: The Napster Case: The Whole World is Listening](#), 15 TRANSNAT'L LAW. 259 (2002).

Marjory S. Blumenthal, [End-To-End and Subsequent Paradigms](#), 2002 L. REV. M.S.U.-D.C.L. 709 (2002).

Susan W. Brenner & Barbara A. Frederiksen, [Computer Searches and Seizures: Some Unresolved Issues](#), 8 MICH. TELE-COMM. & TECH. L. REV. 39 (2002).

Christopher P. Couch Winter, Comment, [Forcing the Choice Between Commerce and Consumers: Application of the FCRA to Identity Theft](#), 53 ALA. L. REV. 583 (2002).

Brendan Durrett, [Legal Reference Books Review: Privacy and the Digital State: Balancing Public Information and Personal Privacy](#), 94 LAW LIBR. J. 654 (2002).

Lawrence O. Gostin, James G. Hodge, Jr. & Mira S. Burghardt, [Balancing Communal Goods and Personal Privacy Under a National Health Information Privacy Rule](#), 46 ST. LOUIS U. L.J. 5 (2002).

Robert W. Hahn & Anne Layne-Farrar, The [Benefits and Costs of Online Privacy Legislation](#), 54 ADMIN. L. REV. 85 (2002).

*535 James A. Harvey & Karen M. Sanzaro, [P3P and IE 6: Good Privacy Medicine or Mere Placebo?](#), 19 COMPUTER & INTERNET LAW. 1 (Apr. 2002).

Matthew C. Keck, [Cookies, The Constitution, And The Common Law: A Framework For The Right Of Privacy On The Internet, 13 ALB. L.J. SCI. & TECH. 83 \(2002\)](#).

Pauline T. Kim, [Genetic Discrimination, Genetic Privacy: Rethinking Employee Protections for a Brave New Workplace, 96 NW. U. L. REV. 1497 \(2002\)](#).

Yvenne M. King, [From Subway Stations to the Information Superhighway: Compliance Strategies for Musicians to Avoid the Worldwide Entanglement of Privacy Laws, 4 VAND. J. ENT. L. & PRAC. 129 \(2002\)](#).

Matthew Kohel, Note, [The Privacy Amendment \(Private Sector\) Bill 2000: The Australian Government's Substandard Attempt to Allay Privacy Concerns and Regulate Internet Privacy in the Private Sector, 27 BROOK. J. INT'L L. 703 \(2002\)](#).

Elizabeth L. Lascoutx, Symposium Online Activities & Their Impact on the Legal Profession: [Children's Advertising Review Unit, 16 ST. JOHN'S J. LEGAL COMMENT. 649 \(2002\)](#).

Michael R. Levinson & Christopher E. Paetsch, The [Computer Fraud and Abuse Act: A Powerful New Way to Protect Information, 19 COMPUTER & INTERNET LAW. 11 \(Sept. 2002\)](#).

Elbert Lin, [Prioritizing Privacy: A Constitutional Response to the Internet, 17 BERKELEY TECH. L.J. 1085 \(2002\)](#).

Rachael Malkin, Note, [How the Children's Online Privacy Act Affects Online Businesses and Consumers of Today and Tomorrow, 14 LOY. CONSUMER L. REV. 153 \(2002\)](#).

***536** Bryan T. McKinney & Dwayne Whitten, [Arkansas Surfers and Their Privacy, or Lack Thereof: Does the Common Law Invasion of Privacy Tort Prohibit E-tailers' Use of "Cookies"?, 24 U. ARK. LITTLE ROCK L. REV. 751 \(2002\)](#).

Jessica H. Munyon, Comment, Constitutional Law -- Individual Privacy Interests in Personal Electronic Communications Must Yield to Freedom of the Press -- [Barnicki v. Vopper, 532 U.S. 514 \(2001\), 36 SUFFOLK U. L. REV. 257 \(2002\)](#).

Hazel Oliver, Email and Internet Monitoring in the Workplace, 3 IND. L.J. 321 (2002).

Panel Discussion, [Internet Privacy Law, Policy, and Practice: State, Federal, and International Perspectives, 54 ME. L. REV. 95 \(2002\)](#).

John D. Penn, Mobile Computing: Wireless Computer Networks' Convenience and (In) Security, 2002 ABI JNL. LEXIS 100 (2002).

Marc-Alexandre Poirier, Employer Monitoring of the Corporate E-mail System: How Much Privacy Can Employees Reasonably Expect?, 60 U.T. FAC. L. REV. 85 (2002).

Monique Redford, Note, The [Indecency of Unsolicited Sexually Explicit Email: A Comment on the Protection of Free Speech v. The Protection of Children, 26 SEATTLE U. L. REV. 125 \(2002\)](#).

Christopher K. Sandberg, Intellectual Property in an Information Economy: [Privacy and Customer Relationship Management: Can They Peacefully Coexist?, 28 WM. MITCHELL L. REV. 1147 \(2002\)](#).

Nancy L. Savitt, Symposium Online Activities & Their Impact on the Legal Profession: [A Synopsis of the Children's Online Privacy Protection Act, 16 ST. JOHN'S J. LEGAL COMMENT. 631 \(2002\)](#).

*537 Symposium, [At the Crossroads of Law & Technology, 35 LOY. L.A. L. REV. 961 \(2002\)](#).

Timothy P. Terrell & Anne R. Jacobs, [Privacy, Technology, and Terrorism: Bartnicki, Kyllo, and the Normative Struggle Behind Competing Claims to Solitude and Security, 51 EMORY L.J. 1469 \(2002\)](#).

Mozelle Thompson, [Symposium Online Activities & Their Impact on the Legal Profession: Keynote Address: The Federal Trade Commission and Regulating E-Commerce, 16 ST. JOHN'S J. LEGAL COMMENT. 587 \(2002\)](#).

Kevin Wein, Note, [Dendrite v. Doe: A New Standard for Protecting Anonymity on Internet Message Boards, 42 JURIMETRICS J. 465 \(2002\)](#).

Peter A. Winn, [Confidentiality in Cyberspace: The HIPAA Privacy Rules and the Common Law, 33 RUTGERS L.J. 617 \(2002\)](#).

4.4.1 Data Privacy

Jennifer Barrett, [Customer Data Integration Technology: A Privacy Solution, 19 COMPUTER & INTERNET LAW. 8 \(July 2002\)](#).

James Dillon, Mary Hildebrand & Jacqueline Klosek, [Top Strategies for Minimizing the Risk of Privacy Lawsuits and Enforcement Actions, 19 COMPUTER & INTERNET LAW. 28 \(Oct. 2002\)](#).

Dean William Harvey & Amy White, Exploring Emerging Issues: New Intellectual Property, Information Technology, and Security in Borderless Commerce: The [Impact of Computer Security Regulation on American Companies, 8 TEX. WESLEYAN L. REV. 505 \(2002\)](#).

Lynn Chuang Kramer, Comment, [Private Eyes are Watching You: Consumer Online Privacy Protection -- Lessons from Home and Abroad, 37 TEX. INT'L L.J. 387 \(2002\)](#).

*538 Alan E. Littman, The [Technology Split in Customer List Interpretation, 69 U. CHI. L. REV. 1901 \(2002\)](#).

James D. Molenaar, The HIPAA Privacy Rule: It Helps Direct Marketers Who Help Themselves to Your Personal Health Information, 2002 L. REV. M.S.U.-D.C.L. 855 (2002).

Jeffrey M. Rosenfeld, [Spiders and Crawlers and Bots, Oh My: The Economic Efficiency and Public Policy of Online Contracts that Restrict Data Collection, 2002 STAN. TECH. L. REV. 3 \(2002\)](#).

Daniel J. Solove, Modern Studies in Privacy Law: Notice, Autonomy and Enforcement of Data Privacy Legislation: [Access and Aggregation: Public Records, Privacy and the Constitution, 86 MINN. L. REV. 1137 \(2002\)](#).

Julliana M. Spaeth, Mark J. Plotkin & Sandra C. Sheets, Privacy, Eh!: The Impact of Canada's Personal Information Protection and Electronic Documents Act on Transnational Business, 4 VAND. J. ENT. L. & PRAC. 28 (2002).

Tal Zarsky, [Cookie Viewers and the Undermining of Data-Mining: A Critical Review of the DoubleClick Settlement, 2002 STAN. TECH. L. REV. 1 \(2002\)](#).

4.4.2 Governmental Invasion of Privacy

Susan Bandes, Modern Statutes in Privacy Law: Searching for the Meaning of the Fourth Amendment Privacy after *Kyllo v. United States*: [Power, Privacy and Thermal Imaging](#), 86 MINN. L. REV. 1379 (2002).

Casper Bowden, [Closed Circuit Television for Inside Your Head: Blanket Traffic Data Retention and the Emergency Anti-Terrorism Legislation](#), 2002 DUKE L. & TECH. REV. 5 (2002).

Alan Davidson, Increasing Security Without Decreasing Privacy and Freedom, 2002 L. REV. M.S.U.-D.C.L. 783 (2002).

*539 Griffin S. Dunham, Note, [Carnivore, The FBI's E-mail Surveillance System: Devouring Criminals, Not Privacy](#), 54 FED. COMM. L.J. 543 (2002).

Rebecca Ebert, Note, [Mailer Daemon: Unable to Deliver Message Judicial Confusion in the Domain of E-Mail Monitoring in the Private Workplace](#), 1 J. HIGH TECH. L. 63 (2002).

Amitai Etzioni, [Implications of Select New Technologies for Individual Rights and Public Safety](#), 15 HARV. J. LAW & TECH. 257 (2002).

M. Todd Heflin, [Who's Afraid of the Big Bad Wolf: Why the Fear of Carnivore Is an Irrational Product of the Digital Age](#), 107 DICK. L. REV. 343 (2002).

Sandy D. Hellums, Comment, [Bits and Bytes: The Carnivore Initiative and the Search and Seizure of Electronic Mail](#), 10 WM. & MARY BILL RTS. J. 827 (2002).

Nathan C. Henderson, Comment, [The Patriot Act's Impact on The Government's Ability To Conduct Electronic Surveillance of Ongoing Domestic Communications](#), 52 DUKE L.J. 179 (2002).

Stan Karas, [Enhancing the Privacy Disclosure: Consumer Information Gathering as Surveillance](#), 7 J. TECH. L. & POL'Y 3 (2002).

D.C. Kennedy, In Search of a Balance Between Police Power and Privacy in the Cybercrime Treaty, 9 RICH. J.L. & TECH. 3 (2002), at <http://law.richmond.edu/jolt/v9i1/article3.html>.

Kimberly S. Kislig, Case Note, [Bartnicki v. Vopper](#), 532 U.S. 514 (2001): Is [Privacy Protected While Talking on a Cellular Phone?](#), 28 OHIO N.U. L. REV. 483 (2002).

*540 Raymond Shih Ray Ku, Modern Studies in Privacy Law: Searching for the Meaning of the Fourth Amendment Privacy after *Kyllo v. United States*: The [Founders' Privacy: The Fourth Amendment and the Power of Technological Surveillance](#), 86 MINN. L. REV. 1325 (2002).

Anna Belle Leiserson, [A User's Perspective on Privacy and the Web](#), 94 LAW LIBR. J. 539 (2002).

Angela Murphy, Cybercrime: [Cracking the Code to Privacy: How Far Can The FBI Go?](#), 2002 DUKE L. & TECH. REV. 2 (2002).

Peter Murphy, Comment, An [Examination of the United States Department of Justice's Attempt to Conduct Warrantless Monitoring of Computer Networks Through the Consent Exception to the Wiretap Act](#), 34 CONN. L. REV. 1317 (2002).

Steven A. Osher, [Privacy, Computers and The Patriot Act: The Fourth Amendment Isn't Dead, But No One Will Insure It](#), 54

FLA. L. REV. 521 (2002).

Matthew D. Patterson, Note, Constitutional Law: The Intersection of Title III and the First Amendment: A Diminishing Right to Privacy in an Expanding Technological Age, 54 FLA. L. REV. 543 (2002).

Robert A. Pikowsky, An Overview of the Law of Electronic Surveillance Post September 11, 2001, 94 LAW LIBR. J. 601 (2002).

Natalie L. Regoli, Comment, Indecent Exposures in an Electronic Regime, 54 FED. COMM. L.J. 365 (2002).

Aaron Renenger, Satellite Tracking and the Right to Privacy, 53 HASTINGS L.J. 549 (2002).

Ric Simmons, From Katz to Kyllo: A Blueprint for Adapting the Fourth Amendment to Twenty-First Century Technologies, 53 HASTINGS L.J. 1303 (2002).

***541** Christopher Slobogin, Modern Studies in Privacy Law: Searching for the Meaning of the Fourth Amendment Privacy after Kyllo v. United States: Peeping Techno-Toms and the Fourth Amendment: Seeing Through Kyllo's Rules Governing Technological Surveillance, 86 MINN. L. REV. 1393 (2002).

Richard Sobel, The Demeaning of Identity and Personhood in National Identification Systems, 15 HARV. J. LAW & TECH. 319 (2002).

Aaron Y. Strauss, Note, A Constitutional Crisis in the Digital Age: Why the FBI's "Carnivore" Does not Defy the Fourth Amendment, 20 CARDOZO ARTS & ENT. L.J. 231 (2002).

Gina Tufaro, Note, Will Carnivore Devour the Fourth? An Exploration of the Constitutionality of the FBI Created Software, 18 N.Y.L. SCH. J. HUM. RTS. 305 (2002).

Todd M. Wesche, Note, Reading Your Every Keystroke: Protecting Employee E-Mail Privacy, 1 J. HIGH. TECH. L. 101 (2002).

Christopher Woo & Miranda So, The Case for Magic Lantern: September 11 Highlights the Need for Increased Surveillance, 15 HARV. J. LAW & TECH. 521 (2002).

4.4.3 Credit Reference

Robert A. Cook & Nicole F. Munro, Survey: Giving Consumer Disclosures On-Line: Is Esign the Path to the Paperless Loan?, 57 BUS. LAW. 1187 (2002).

5. COMPUTERS AND TECHNOLOGY IN EDUCATION

5.0 General

Philip T. K. Daniel & Jason P. Nance, The Role of the Administrator in Instructional Technology Policy, 2002 BYU EDUC. & L.J. 211 (2002).

Peter A. Hook, Creating an Online Tutorial and Pathfinder, 94 Law LIBR. J. 243 (2002).

*542 Spencer L. Simons, Legal Reference Books Review: Toward a Cyberlegal Culture, 94 LAW LIBR. J. 656 (2002).

5.1 Legal Education

Tom Latrup-Pedersen, Trends in Legal Education in the Learning Society-The Challenge of Information Technology, 9 INT'L J. LEGAL PROF. 165 (2002).

Paul Maharg & Antoinette J Muntjewerff, Through a Screen Darkly: Electronic Legal Education in Europe, 36 L. TCHR. 307 (2002).

Kent Milunovich, Designing and Maintaining Law Library Websites: Some Practical Considerations, 94 LAW LIBR. J. 487 (2002).

Daniel J. Polden, Planning and Decision-Making for Law School Information Technology, 18 SANTA CLARA COMPUTER & HIGH TECH. L.J. 259 (2002).

6. COMPUTERS AND TECHNOLOGY IN BUSINESS

6.0 General

Alan Auckenthaler, Comment, Legal Issues of Expanding Global Satellite Communication Services and Global Navigation Satellite Services, with Special Emphasis on the Development of Telecommunications and E-Commerce in Asia, 5 SING. J. INT'L & COMP. LAW 247 (2002).

Hazel Glenn Beh, Physical Losses in Cyberspace, 8 CONN. INS. L.J. 55 (2002).

William W. Bratton, Venture Capital on the Downside: Preferred Stock and Corporate Control, 100 MICH. L. REV. 891 (2002).

Christopher P. Campbell, Note, Fit To Be Tied: How United States v. Microsoft Corp. Incorrectly Changed The Standard For Sherman Act Tying Violations Involving Software, 22 LOY. L.A. ENT. L. REV. 583 (2002).

*543 Angeline G. Chen, Technology Transfers in the Aerospace Industry: General Observations, 17 SUM AIR & SPACE LAW. 8 (2002).

Giovanni Dosi, Technology, Learning, and Innovation: Experiences of Newly Industrializing Economies, 40 J. ECON. LITERATURE 202 (2002) (book review).

Gerald R. Faulhaber, Access [not equal to] Access¹ + Access², 2002 L. REV. M.S.U.-D.C.L. 677 (2002).

Gerald J. Ferguson and Manuel Campos Galvan, Enforcing Electronic Contracts in the Americas, 15 INT'L L. PRACTICUM 42 (2002).

Dennis J. Gallitano, Trading Partner Agreements: Avoiding the Pitfalls, 19 COMPUTER & INTERNET LAW. 10 (Mar. 2002).

Robert A. Hillman & Jeffrey J. Rachlinski, Standard-Form Contracting in the Electronic Age, 77 N.Y.U. L. REV. 429 (2002).

Jinn-Yuh Hsu, Tiger Technology: The Creation of a Semiconductor Industry in East Asia, 40 J. ECON. LITERATURE 951 (2002) (book review).

Jay P. Kesan, [Cyber-Working or Cyber-Shirking?: A First Principles Examination of Electronic Privacy in the Workplace](#), 54 FLA. L. REV. 289 (2002).

Heather Killen, [Lessons from the Internet Revolution: Where Emerging Markets Go from Here](#), 26 FLETCHER F. WORLD AFF. 141 (2002).

Euysung Kim, Technology and Productivity: The Korean Way of Learning and Catching Up, 40 J. ECON. LITERATURE 203 (2002) (book review).

Theodore C. Ling, [Structuring Effective Strategic Online Alliances](#), 19 COMPUTER & INTERNET LAW. 1 (Sept. 2002).

*544 Rachael Malkin, Note, [How the Children's Online Privacy Act Affects Online Businesses and Consumers of Today and Tomorrow](#), 14 LOY. CONSUMER L. REV. 153 (2002).

Jennifer E. McCarthy, Note, [Commerce Business Daily is Dead: Long Live Fedbizopps](#), 31 PUB. CONT. L.J. 513 (2002).

Cynthia G. McDonald, Understanding the Digital Economy: Data, Tools and Research, 40 J. ECON. LITERATURE 563 (2002) (book review).

Nicole E. Musgrave-Burdette, [Putting Your Life Online: What is Keeping Life Insurance Companies from Transacting Business on the Internet](#), 37 TORT & INS. L.J. 1027 (2002).

Joshua A. Newberg & Richard L. Dunn, [Keeping Secrets in the Campus Lab: Law, Values and Rules of Engagement for Industry-University R&D Partnerships](#), 39 AM. BUS. L.J. 187 (2002).

Christine Neylon O'Brien, The Impact of Employer E-mail Policies on Employee Rights to Engage in Concerted Activities Protected by the National Labor Relations Act, 53 LAB. L.J. 69 (2002).

Jesse Parker, A New Era of Development?: The [Emergence of Technology Entrepreneurship in China and India](#), 26 FLETCHER F. WORLD AFF. 119 (2002).

Michelle L. Rice, International Business Law: E-Commerce and the Impact of globalization on the Law: panel Remarks: Basics of Starting a Virtual Law Practice, 8 NEW ENG. INT'L & COMP. L. ANN. 73 (2002).

James Riddle, [Ecommerce -- The Future is Now](#), 31 BRIEF 9 (2002).

Steven L. Schwarcz, [Private Ordering](#), 97 NW. U. L. REV. 319 (2002).

*545 Sara Stocky & Reuven R. Levary, [Windows XP: Another Court Battle for Microsoft?](#), 20 J. MARSHALL J. COMPUTER & INFO. L. 193 (2002).

Andrew Terry, The E-Business Challenge to Franchising, 30 AUSTRALIAN BUS. L. REV. 227 (2002).

William P. Weintraub, [Reorganizing High-Tech Businesses: "Find Me Some Lawyers Who Wear Suits," Part I](#), 19 COMPUTER & INTERNET LAW. 7 (June 2002).

William P. Weintraub, [Reorganizing High-Tech Businesses: "Find Me Some Lawyers Who Wear Suits," Part II](#), 19 COMPUTER & INTERNET LAW. 23 (July 2002).

Aaron M. Wigod, Comment, The [AOL-Time Warner Merger: An Analysis of the Broadband Internet Access Market](#), 6 J. SMALL & EMERGING BUS. L. 349 (2002).

6.1 Electronic Commerce

Miriam R. Albert, [E-Buyer Beware: Why Online Auction Fraud Should Be Regulated](#), 39 AM. BUS. L.J. 575 (2002).

Edward C. Anderson & Timothy S. Cole, The [UDRP -- A Model for Dispute Resolution in E-Commerce?](#) 6 J. SMALL & EMERGING BUS. L. 235 (2002).

Rosa Barcelo, [Seeking Suitable Options for Importing Data From the EU](#), 36 INT'L LAW. 985 (2002).

Robert Bejesky & Orlando Valle, [Consumer Welfare and the Sherman Antitrust Act: Reflecting on the Microsoft-Netscape Browser Competition](#), 19 T.M. COOLEY L. REV. 37 (2002).

Robert Berkowitz, Packet Sniffers and Privacy: Why the No-Suspicion-Required Standard in the USA Patriot Act is Unconstitutional, 7 COMP. L. REV. & TECH. J. 1 (2002).

Susan C. Borkowski, Electronic Commerce, Transnational Taxation, and Transfer Pricing: Issues and Practices, 29 INT'L TAX J. 1 (2002).

*546 Jean Braucher, [When Your Refrigerator Orders Groceries Online and Your Car Dials 911 After an Accident: Do We Really Need New Law for the World of Smart Goods?](#), 8 WASH. U. J.L. & POL'Y 241 (2002).

David J. Brenna, [Fair Price and Public Goods: A Theory of Value Applied to Retransmission](#), 22 INT'L REV. L. & ECON. 347 (2002).

Patrick J. Carleton, [Internet Activity and the Commerce Clause: Expansion of Federal Subject Matter Jurisdiction and Limitation of States' Police Power?](#), 79 U. DET. MERCY L. REV. 659 (2002).

Ryan J. Casamiquela, Business Law: [Contractual Assent and Enforceability in Cyberspace](#), 17 BERKELEY TECH. L.J. 475 (2002).

Warren B. Chik, [U.S. Jurisdictional Rules of Adjudication over Business Conducted via the Internet - Guidelines and a Checklist for the E-Commerce Merchant](#), 10 TUL. J. INT'L & COMP. L. 243 (2002).

Karen Clay, Internet Economy: Access, Taxes, and Market Structure, 40 J. ECON. LITERATURE 953 (2002) (book review).

Douglas Cuthbertson & Glen L. Gross, [Technology Law](#), 37 U. RICH. L. REV. 341 (2002).

Larry A. DiMatteo, The [New "Problem" of Business Method Patents: The Convergence of National Patent Laws and International Internet Transactions](#), 28 RUTGERS COMPUTER & TECH. L.J. 1 (2002).

Michael Geist, When Dot-Coms Die: The E-Commerce Challenge to Canada's Bankruptcy Law, 37 CAN. BUS. L.J. 34 (2002).

Seth B. Goldstein, Reflection on Compaq and the Sham Transaction Doctrine, 31 TAX MGMT. INT'L. J. 195 (2002).

***547** Symposium, International Business Law: E-Commerce and the Impact of Globalization on the Law: Introduction: E-Commerce in the New Century, 8 NEW ENG. INT'L & COMP. L. ANN. 1 (2002).

Thomas M. Laudise, Esq. & Leonard T. Nuara, Esq., Survey: How to Contract for a Successful E-Commerce Development Project: Beating the Odds, 58 BUS. LAW. 299 (2002).

Gail F. Levine, B2Bs, E-Commerce & The All-or-Nothing Deal, 28 RUTGERS COMPUTER & TECH. L.J. 383 (2002).

Catherine L. Mann, Balancing Issues and Overlapping Jurisdictions in the Global Electronic Marketplace: The UCITA Example, 8 Wash. U. J.L. & Pol'y 215 (2002).

Jennifer Maree, Banking in the 21st Century: Cyberspace and Internet Banks--Redefining Compliance With the Community Reinvestment Act, 119 BANKING L.J. 795 (2002).

Mary Shannon Martin, Note, Keep it Online: The Hague Convention and the Need for Online Alternative Dispute Resolution in International Business-to Consumer E-Commerce, 20 B.U. INT'L L.J. 125 (2002).

Aristotle G. Mirzaian, Esq., Electronic Commerce: This is not your Father's Oldsmobile, 26 RUTGERS L. REC. 7 (2002), at <http://pegasus.rutgers.edu/~record/>.

Leda Mouallem, Comment, Oh No, Grandma Has A Computer: How Internet Fraud Will Take the Place of Telemarketing Fraud Targeting the Elderly, 42 SANTA CLARA L. REV. 659 (2002).

Lucille M. Ponte, Boosting Consumer Confidence in E-Business: Recommendations For Establishing Fair and Effective Dispute Resolution Programs for B2C Online Transactions, 12 ALB. L.J. SCI. & TECH. 441 (2002).

Joel R. Reidenberg, Yahoo and Democracy on the Internet, 42 JURIMETRICS J. 261 (2002).

***548** Sarah W. Salter, International Business Law: E-Commerce and the Impact of Globalization on the Law: Panel Remarks: E-commerce and International Taxation, 8 NEW ENG. INT'L & COMP. L. ANN. 5 (2002).

Andrew Shen, Symposium Online Activities & Their Impact on the Legal Profession: Keynote Address: The Federal Trade Commission and Regulating E-Commerce, 16 ST. JOHN'S J. LEGAL COMMENT. 621 (2002).

Karen Stewart & Joseph Matthews, Comment, Online Arbitration of Cross-Border, Business to Consumer Disputes, 56 U. MIAMI L. REV. 1111 (2002).

H. Wesley Sunu et al., Recent Developments in E-Commerce, 37 TORT & INS. L.J. 345 (2002).

Alfred Villoch III, Comment, Europe's Mobile Opportunity: Can the European Union Legislate Consumer Trust and Compete in the E-Commerce Market with the United States?, 20 PENN ST. INT'L L. REV. 439 (2002).

Christopher J. Volkmer, HyperLinks to and from Commercial Websites, 7 COMP. L. REV. & TECH. J. 65 (2002).

Joseph A. Zavaletta, Using E-Dispute Technology to Facilitate the Resolution of E-Contract Disputes: A Modest Proposal, 7 J. TECH. L. & POL'Y 2 (2002).

Joseph A. Zavaletta & Edward B. Hymson, Widgets to Windows: The "Webolution" of Commercial Sales, 6 COMP. L. REV. & TECH. J. 243 (2002).

6.2 Computers in Banking and Finance

Larry E. Ribstein & Bruce H. Kobayashi, [State Regulation of Electronic Commerce](#), 51 EMORY L.J. 1 (2002).

6.2.0 General

Lee S. Adams and David J. Martz, Survey: [Developments in Cyberbanking](#), 57 BUS. LAW. 1257 (2002).

*549 James F. Bauerle, ["Beam Me Up, Scotty": Business Method Patents as a Transformational Device in Financial Services](#), 119 BANKING L.J. 376 (2002).

James F. Bauerle, [New Occasions Teach New Duties: Revisiting Technology and Operational Risk](#), 119 BANKING L.J. 566 (2002).

James F. Bauerle, [Solid Rock or Sinking Sand: Redefining Banking Through Electronic Activities Under Proposed Subpart E](#), 119 BANKING L.J. 190 (2002).

James F. Bauerle, [Unfinished Symphony: Technology-Based Financial Services Three Years After Gramm-Leach Bliley](#), 119 BANKING L.J. 863 (2002).

Larry Bick, Is Electronic Filing in Your Future?, ABI JNL. LEXIS 52 (2002).

Mark E. Budnitz, [Consumer Payment Systems: New Products and Services, New Laws and New Problems](#), 56 CONSUMER FIN. L.Q. REP. 52 (2002).

Andrea M. Corcoran & Terry L. Hart, The [Regulation of Cross-Border Financial Services in the EU Internal Market](#), 8 COLUM. J. EUR. L. 221 (2002).

Eric Dinallo, Regulation of Securities & Security Exchanges in the Age of the Internet: [Prosecuting Securities Fraud From a New York Perspective](#), 5 N.Y.U. J. LEGIS. & PUB. POL'Y 41 (2002).

Roberta S. Karmel, Regulation of Securities & Security Exchanges in the Age of the Internet: [Regulatory Initiatives and the Internet: A New Era of Oversight for the Security and Exchange Commission](#), 5 N.Y.U. J. LEGIS. & PUB. POL'Y 33 (2002).

Cedric J. Magnin, The [Telebanking Contract in Swiss Law](#), 8 ILSA J. INT'L & COMP. L. 61 (2002).

*550 Lance Meyers, Regulation of Securities & Security Exchanges in the Age of the Internet: [Keeping Pace with Constant Change](#), 5 N.Y.U. J. LEGIS. & PUB. POL'Y 15 (2002).

Judith Rinearson, Survey: [Regulation of Electronic Stored Value Payment Products Issued by Non-Banks Under State "Money Transmitter" Licensing Laws](#), 58 BUS. LAW. 317 (2002).

Kenneth J. Rojc & Gregory Eidukas, Survey: The [Electronic Approach to Motor Vehicle Financing: An Emerging Road Map](#), 57 BUS. LAW. 1175 (2002).

Mark D. Schopper, Comment, [Internet Gambling, Electronic Cash & Money Laundering: The Unintended Consequences of a Monetary Control Scheme](#), 5 CHAP. L. REV. 303 (2002).

Jeffrey P. Taft, [Internet-Based Payment Systems: An Overview of the Regulatory and Compliance Issues](#), 56 CONSUMER FIN. L.Q. REP. 42 (2002).

6.2.1 On-line Securities Trading

Randolph James Amaro, Jr., Comment, [European Union Regulation of Electronic Communication Networks: Stifling Global Integration of Securities Markets](#), 20 WIS. INT'L L.J. 397 (2002).

James B. Carleson, Regulation of Securities & Security Exchanges in the Age of the Internet: [Remarks on the Movement of Capital Markets to the Internet](#), 5 N.Y.U. J. LEGIS. & PUB. POL'Y 9 (2002).

Mark S. Crandall, Regulation of Securities & Security Exchanges in the Age of the Internet: [State Securities Regulation and the Internet](#), 5 N.Y.U. J. LEGIS. & PUB. POL'Y 23 (2002).

Edward H. Fleischman, [Regulation of Securities & Security Exchanges in the Age of the Internet: Remarks](#), 5 N.Y.U. J. LEGIS. & PUB. POL'Y 1 (2002).

*551 Alexander F.H. Loke, Note, The Internet and Antifraud Regulation of Securities Markets, 5 SING. J. INT'L & COMP. LAW 647 (2002).

6.3 Computers and Technology in the Transportation Industry

Kriss E. Brown, Comment, The [International Civil Aviation Organization is the Appropriate Jurisdiction to Settle Hushkit Dispute Between the United States and the European Union](#), 20 PENN ST. INT'L. L. REV. 465 (2002).

Andres Rueda, The [Warsaw Convention and Electronic Ticketing](#), 67 J. AIR L. & COM. 401 (2002).

Michael Stajer, [Anticompetitive Concerns of Internet Based B2B Marketplaces: Information Sharing, Collusion and Monopsony Power](#), 53 HASTINGS L.J. 965 (2002).

6.4 Computers and Technology in the Publishing Industry

Lee Pinkowitz, Research Dissemination and Impact: Evidence from Web Site Downloads, 57 J. FIN. 485 (2002).

Nancy B. Vermulen, [Book Publishing in the Age of the e-Book](#), 4 VAND. J. ENT. L. & PRAC. 190 (2002).

6.5 Computers and Technology in Advertising

Craig J. Ackermann, [E-Issues Take Center Stage: The 2000 SGA/AFTRA Strike](#), 8 VILL. SPORTS & ENT. L.J. 293 (2002).

Vanessa S. Browne-Barbour, [Lawyer and Law Firm Web Pages as Advertising: Proposed Guidelines](#), 28 RUTGERS COMPUTER & TECH. L.J. 275 (2002).

Sonia Cortes, [Promoting Your Products in the EU: Free Drawings, Prize Competitions and Unfair Competition](#), 11 CURRENTS: INT'L TRADE L.J. 3 (2002).

Evan Cramer, The [Future of Wireless Spam](#), 2002 DUKE L. & TECH. REV. 21 (2002).

*552 Douglas A. Galbi, Preliminary Draft-Communications Policy, Media Development, and Convergence, 7 INT'L J. COMM. L. & POL'Y 1 (2002).

Lawrence M. Hertz, [Advertising Regulation on the Internet](#), 19 COMPUTER & INTERNET LAW. 18 (June 2002).

Lawrence M. Hertz, [Advertising Transactions on the Internet](#), 19 COMPUTER & INTERNET LAW. 26 (May 2002).

Shanto Iyengar, Comment, The [Effects of Media-Based Campaigns on Candidate and Voter Behavior](#), 35 IND. L. REV. 691 (2002).

Audiey C. Kao & Erica Ozanne Linden, [Direct-to-Consumer Advertising and the Internet: Informational Privacy, Product Liability and Organizational Responsibility](#), 46 ST. LOUIS U. L.J. 157 (2002).

7. INTELLECTUAL PROPERTY PROTECTION OF COMPUTER AND TECHNOLOGY

7.0 General

David S. Bloch & James G. McEwen, ["Other Transactions" with Uncle Sam: A Solution to the High-Tech Government Contracting Crisis](#), 10 TEX. INTELL. PROP. L.J. 195 (2002).

Benjamin G. Davis, Exploring Emerging Issues: New Intellectual Property, Information Technology, and Security in Borderless Commerce: [Building the Seamless Dispute Resolution Web: A Status Report on the American Bar Association Task Force on E-Commerce and Alternative Dispute Resolution](#), 8 TEX. WESLEYAN L. REV. 529 (2002).

Eric Douma, Fair Use and Misuse: Two Guards at the Intersection of Copyrights and Trade Secret Rights Held in Software and Firmware, 42 J. L. & TECH. 37 (2002).

Jane C. Ginsburg, [Essay, How Copyright Got a Bad Name For Itself](#), 26 COLUM.-VLA J.L. & ARTS 61 (2002).

*553 David L. Hayes, [Copyright Liability of Online Service Providers](#), 19 COMPUTER & INTERNET LAW. 1 (Oct. 2002).

Brian P. Heneghan, The [NET Act, Fair Use, and Willfulness -- Is Congress Making a Scarecrow of the Law?](#) 1 J. HIGH TECH. L. 27 (2002).

Sara Anne Hook, [Battling for Control of Intellectual Property: A Review of Corynne McSherry's Who Owns Academic Work?](#), 29 J.C. & U.L. 201 (2002) (book review).

Matthew G. Jacobs & Michael S. Mireles, Beyond Napster -- The Future of the Digital Commons: The [Intersection of Intellectual Property and Antitrust Law: In re Independent Service Organizations Antitrust Litigation](#), 15 TRANSNAT'L LAW. 293 (2002).

Wei Wei Jeang, Esq. & Robin A. Brooks, Esq., Exploring Emerging Issues: New Intellectual Property, Information Technology, and Security in Borderless Commerce: [Current On-Line Issues](#), 8 TEX. WESLEYAN L. REV. 615 (2002).

Daniel N. Kassabian, [Researching Remedies in Intellectual Property Actions Involving Computer Technology: A Research Guide](#), 9 MICH. TELECOMM. TECH. L. REV. 65 (2002).

Sonia K. Katyal, [Ending the Revolution: The Future of Ideas. The Fate of the Commons in a Connected World & Copyrights and Copywrongs: The Rise of Intellectual Property and How it Threatens Creativity](#), 80 TEX. L. REV. 1465 (2002) (book review).

Kimberly Kerry, Comment, [Music On The Internet: Is Technology Moving Faster Than Copyright Law?](#), 42 SAN DIEGO L. REV. 967 (2002).

Megan K. Maher & Jon Michael Thompson, [Intellectual Property Crimes](#), 39 AM. CRIM. L. REV. 763 (2002).

*554 Robert S. McNamara, [Interview with Professor Edward Samuels Author of the Illustrated Story of Copyright and Professor at New York Law School](#), 1 J. HIGH TECH. L. 1 (2002).

Jennifer C. Moore, [Copyright Protection or Fan Loyalty--Must Entertainment Companies Choose? Alternate Solutions for Addressing Internet Fan Sites](#), 3 N.C. J.L. & TECH. 273 (2002).

Dawn C. Nunziato, [Justice Between Authors](#), 9 J. INTELL. PROP. L. 219 (2002).

Ashley Packard, [Copyright Term Extensions, The Public Domain and Intertextuality Intertwined](#), 10 J. INTELL. PROP. L. 1 (2002).

Michael J. Remington, The [Ever-Whirling Cycle of Change: Copyright and Cyberspace](#), 3 N.C. J.L. & TECH. 213 (2002).

Mike Rodenbaugh, Alan N. Herda & Mari Stewart, Emerging Issues: New Intellectual Property, Information Technology, and Security in Borderless Commerce: [Cobranding on the World Wide Web](#), 8 TEX. WESLEYAN L. REV. 665 (2002).

Colby B. Springer, Comment, [Ownership of Electronic Publishing Rights in Collective Works: New York Times Co. v. Tasini](#), 18 SANTA CLARA COMPUTER & HIGH TECH. L.J. 341 (2002).

Jeffrey W. Warren & Carrie Beth Baris, Proper Perfection Procedures For Intellectual Property, 2002 ABI JNL. LEXIS 75 (2002).

Stephen R. Wilson, The [Illustrated Story of Copyright](#), 1 J. HIGH TECH. L. 1 (2002).

Lisa M. Zepeda, Intellectual Property: [A&M Records, Inc. v. Napster, Inc.](#), 17 BERKELEY TECH. L.J. 71 (2002).

7.1 Patent

*555 7.1.0 General

John R. Allison & Mark A. Lemley, The [Growing Complexity of the United States Patent System](#), 82 B.U. L. REV. 77 (2002).

Symposium, [At the Crossroads of Law & Technology](#), 35 LOY. L.A. L. REV. 961 (2002).

Michael S. Connor & Frank W. Leak, Jr., [Challenges of Business Method Patent Enforcement -- Extraterritoriality](#), 19 COMPUTER & INTERNET LAW. 1 (Aug. 2002).

Ron Corbett, Emerging Issues: New Intellectual Property, Information Technology, and Security in Borderless Commerce: [IP](#)

Strategies for Start-Up Ecommerce Companies in the Post-Dot-Bomb Era, 8 TEX. WESLEYAN L. REV. 643 (2002).

Michael G. Cowie & Joseph P. Lavelle, Patents Covering Industry Standards: The Risks To Enforceability Due to Conduct Before Standard-Setting Organizations, 30 AIPLA Q.J. 95 (2002).

Joseph Ferraro, 2001 Patent Law Decisions Of The Federal Circuit, 51 AM. U. L. REV. 639 (2002).

Michael Scott Fuller, Note, An IP Conundrum: Can Patent Policy and Trade Dress Law Be Reconciled?, 6 COMP. L. REV. & TECH. J. 303 (2002).

Julia Alpert Gladstone, Why Patenting Information Technology and Business Methods Is Not Sound Policy: Lessons from History and Prophecies for the Future, 25 HAMLINE L. REV. 217 (2002).

Richard S. Gruner, Intangible Inventions: Patentable Subject Matter For An Information Age, 35 LOY. L.A. L. REV. 355 (2002).

Sam S. Han, Analyzing the Patentability of "Intangible" Yet "Physical" Subject Matter, 3 COLUM. SCI. & TECH. L. REV. 2 (2002).

*556 Robert J. Hoerner, The Federal Circuit And Antitrust: The Decline (And Fall?) Of The Patent Misuse Doctrine In The Federal Circuit, 69 ANTITRUST L.J. 669 (2002).

David H. Hollander, Jr., The First Inventor Defense: A Limited Prior User Right Finds Its Way Into US Patent Law, 30 AIPLA Q.J. 37 (2002).

Orin S. Kerr, Computers and the Patent System: The Problem of the Second Step, 28 RUTGERS COMPUTER & TECH. L.J. 47 (2002).

Chris Morton, Note, Business-Method Patents: Of Questionable Validity?, 6 COMP. L. REV. & TECH. J. 321 (2002).

Sue Ann Mota, The Doctrine of Equivalents and Prosecution History Estoppel: The Supreme Court Supports Flexibility Over Certainty in Patent Cases in Festo v. SMC, 9 RICH. J.L. & TECH. 2 (2002), at <http://law.richmond.edu/jolt/v9i2/article2.html>.

Craig Allen Nard, The DMCA's Anti-Device Provisions: Impeding the Progress of the Useful Arts?, 8 WASH. U. J.L. & POL'Y 19 (2002).

Ashley N. Parker, Comment, Problem Patents: Is Reexamination Truly a Viable Alternative to Litigation?, 3 N.C. J.L. & TECH. 305 (2002).

Gregory N. Pate, Analysis of the Experimental Use Exception, 3 N.C. J.L. & TECH. 253 (2002).

Chris Pennisi, Anti-Circumvention Law May Circumvent Fairness, 19 COMPUTER & INTERNET LAW. 5 (Aug. 2002).

Malla Pollack, The Multiple Unconstitutionality of Business Method Patents: Common Sense, Congressional Consideration, and Constitutional History, 28 RUTGERS COMPUTER & TECH. L.J. 61 (2002).

*557 Eugene R. Quinn, Jr., Intellectual Property in an Information Economy: Abusing Intellectual Property Rights in Cyber-

space: Patent Misuse Revisited, 28 WM. MITCHELL L. REV. 955 (2002).

Eugene R. Quinn, Jr., The Proliferation of Electronic Commerce Patents: Don't Blame the PTO, 28 RUTGERS COMPUTER & TECH. L.J. 121 (2002).

Kurt M. Saunders, Patent Nonuse and the Role of Public Interest as a Deterrent to Technology Suppression, 15 HARV. J.L. & TECH. 389 (2002).

George H. Singer, Security Interests in Patents: Ninth Circuit Holds that Article 9 (Not the Patent Act) Governs Perfection, 2002 ABI JNL. LEXIS 33 (2002).

Greg L. Smith, Note, Issue Management: A Safety Net for Custom Software Development Projects, 3 MINN. INTELL. PROP. REV. 251 (2002).

Gerald Sobel, Patent Scope and Competition: Is the Federal Circuit's Approach Correct?, 7 VA. J.L. & TECH. 3 (2002).

Johan Verbruggen & Anna Lorincz, Patents and Technical Standards, 33 INT'L REV. OF INDUS. PROP. & COPYRIGHT L. 125 (2002).

Liza Vertinsky & Todd M. Rice, Thinking About Thinking Machines: Implications of Machine Inventors for Patent Law, 8 B.U. J. SCI. & TECH. L. 574 (2002).

Donald R. Ware, Research Tool Patents: Judicial Remedies, 30 AIPLA Q.J. 267 (2002).

Brandon White, Comment, Protecting Patent Owners From Infringement by the States, 35 AKRON L. REV. 531 (2002).

7.1.1 Software Patent

***558** Michael Guntersdorfer, Software Patents: What One-Click Buy and Safe Air Travel Have in Common, 2002 DUKE L. & TECH. REV. 13 (2002).

William F. Heinze, A Risk Balancing Approach to Best Mode Disclosure in Software Patent Applications, 84 J. PAT. & TRADEMARK OFF. SOC'Y 40 (2002).

Steven B. Winters & John A. Blomgren, How the US Government Controls Technology, 19 COMPUTER & INTERNET LAW. 1 (Jan. 2002).

7.1.2 Biotech Patent

Lori B. Andrews, The Gene Patent Dilemma: Balancing Commercial Incentives With Health Needs, 2002 HOUS. J. HEALTH L. & POL'Y 65 (2002).

Sheila J. Arriola, Note, Biotechnology Patents After Festo: Rethinking the Heightened Enablement and Written Description Requirements, 11 FED. CIR. B.J. 919 (2002).

Dan L. Burk & Mark A. Lemley, Is Patent Law Technology- Specific? 17 BERKELEY TECH. L.J. 1155 (2002).

Jasemine Chambers, Patent Eligibility of Biotechnology Inventions in the United States, Europe, and Japan: How Much Pat-

ent Policy is Public Policy?, 34 GEO. WASH. INT'L. L. REV. 223 (2002).

Julian David Forman, Comment, A Timing Perspective On The Utility Requirement In Biotechnology Patent Applications, 12 ALB. L.J. SCI. & TECH. 647 (2002).

Cynthia M. Ho, Who Deserves the Patent Pot of Gold?: An Inquiry into the Proper Inventorship of Patient-Based Discoveries, 2002 HOUS. J. HEALTH L. & POL'Y 107 (2002).

Lawrence T. Kass & Michael N. Nitabach, A Roadmap For Biotechnology Patents? Federal Circuit Precedent and the PTO'S New Examination Guidelines, 30 AIPLA Q.J. 233 (2002).

*559 David Kelly, Comment, The Federal Circuit Transforms The Written Description Requirement Into A Biotech-Specific Hurdle To Obtaining Patent Protection For Biotechnology Patents, 13 ALB. L.J. SCI. & TECH. 249 (2002).

Duane Nash, Recommended Responses for Human Cloning Patent Application, 42 J.L. & TECH. 279 (2002).

Shashank Upadhye, To Use or Not to Use: Reforming Patent Infringement, the Public Use Bar, and the Experimental Use Doctrine as Applied to Clinical Testing of Pharmaceutical and Medical Device Inventions, 4 MINN. INTELL. PROP. REV. 1 (2002).

Charles Vorndran, Bioinformatics: Patenting the Bridge between Information Technology and the Life Sciences, 42 J.L. & TECH. 93 (2002).

7.2 Software Copyright

7.2.0 General

Bruce Abramson, Promoting Innovation in the Software Industry: A First Principle Approach to Intellectual Property Reform, 8 B.U. J. SCI. & TECH. L. 75 (2002).

Catherine Bate, O What a Tangled World Wide Web We Weave: An Analysis of Linking Under Canadian Copyright Law, 60 U. TORONTO FAC. L. REV. 21 (2002).

Christopher Fazekas, Vigilantes v. Pirates: The Rumble Over Peer-to-Peer Technology Hits the House Floor, 2002 DUKE L. & TECH. REV. 20 (2002).

Robert W. Gomulkiewicz, Exploring Emerging Issues: New Intellectual Property, Information Technology, and Security in Borderless Commerce: Legal Protection for Software: Still a Work in Progress, 8 TEX. WESLEYAN L. REV. 445 (2002).

Allen S. Hammond, Bridging the Digital Divide: Equality in the Information Age: The Digital Divide in the New Millennium, 20 CARDOZO ARTS & ENT. L.J. 135 (2002).

*560 Eric D. Hayes, Note, (It's All in a Parenthetical) An Analysis of the FSC Provisions as Applied in Microsoft v. Commissioner, 55 TAX LAW. 985 (2002).

Douglas R. Johnson, Exploring Emerging Issues: New Intellectual Property, Information Technology, and Security in Borderless Commerce: Introduction: Beginning a New Tradition ... Intellectual Property, A Components Approach to Intellectual Property in a Dynamic Technology Environment, 8 TEX. WESLEYAN L. REV. 455 (2002).

Theodore C. McCullough, [Understanding the Impact of the Digital Millennium Copyright Act on the Open Source Model of Software Development](#), 6 MARQ. INTELL. PROP. L. REV. 91 (2002).

Edward Samuels, The [Importance of Preserving Copyright](#), 10 MEDIA L. & POL'Y 21 (2002).

Daniel Sullivan, Idea/Expression Dichotomy: Application to Architectural Plans & Computer Software, 76 AUST. L.J. 389 (2002).

7.2.1 User Interface

7.2.2 Fair Use

Brock Benson, Note, Copyright Act of 1976 - Copyright Infringement - Supreme Court Holds That the Selling of Freelance Authors' Articles by Print Publishers to Electronic Publishers Constitutes Copyright Infringement. [New York Times Co. v. Tasini](#), 533 U.S. 483 (2001), 7 COMP. L. REV. & TECH. J. 81 (2002).

Matthew W. Bower, Note, [Replaying the Betamax Case for the New Digital VCRs: Introducing Tivo to Fair Use](#), 20 CARDOZO ARTS & ENT. L.J. 417 (2002).

Cynthia M. Cimino, [Fair Use in the Digital Age: Are We Playing Fair?](#), 4 TUL. J. TECH. & INTELL. PROP. 203 (2002).

*561 Glynn S. Lunney, Jr., [Fair Use and Market Failure: Sony Revisited](#), 82 B.U. L. REV. 975 (2002).

Harry Mihet, [Universal City Studios, Inc. v. Corley: The Constitutional Underpinnings of Fair Use Remain an Open Question](#), 2002 DUKE L. & TECH. REV. 3 (2002).

Amir A. Naini, Intellectual Property: [New York Times Co. v. Tasini](#), 17 BERKELEY TECH. L.J. 9 (2002).

Kymberly Pierce, [Copyright Law: Authorial Rights v. Publisher Privileges: Greenberg v. National Geographic Society](#), 7 J. TECH. L. & POL'Y 5 (2002).

Derek Prestin, Comment, Where to [Draw the Line between Reverse Engineering and Infringement: Sony Computer Entertainment, Inc. v. Connectix Corp.](#), 3 MINN. INTELL. PROP. REV. 137 (2002).

7.2.3 Video Game

Kevin E. Barton, Note, [Game Over! Legal Responses to Video Game Violence](#), 16 NOTRE DAME J.L. ETHICS & PUB. POL'Y 133 (2002).

7.3 Digital Copyright

7.3.0 General

Jonathan Band & Matthew Schruers, Copyright Law as Communications Policy: Convergence of Paradigms and Cultures: [Safe Harbors Against the Liability Hurricane: The Communications Decency Act and the Digital Millennium Copyright Act](#), 20 CARDOZO ARTS & ENT. L.J. 295 (2002).

Joshua S. Bauchner, [Globalization and Democratization: The Reclaiming of Copyright](#), 4 TUL. J. TECH. & INTELL. PROP.

93 (2002).

Nate Brenneman, Note, G8's Dotforce Initiative: Bridging the Digital Divide or Widening It?, 11 MINN. J. GLOBAL TRADE 311 (2002).

***562** Denis T. Brogan, Comment, Fair Use No Longer: How the Digital Millennium Copyright Act Bars Fair Use of Digitally Stored Copyrighted Works, 16 ST. JOHN'S J. LEGAL COMMENT. 691 (2002).

Lee B. Burgunder, Comment, Reflections on Napster: The Ninth Circuit Takes a Walk On The Wild Side, 39 AM. BUS. L.J. 683 (2002).

Victor F. Calaba, Quibbles 'N Bits: Making a Digital First Sale Doctrine Feasible, 9 MICH. TELECOMM. & TECH. L. REV. 1 (2002).

Dexter M. Campbell III, Comment, Internet Law -- Surfing Without a Board? A Look at Copyright Infringement on the Internet and Article I of the Digital Millennium Copyright Act, 24 CAMPBELL L. REV. 279 (2002).

Michael W. Carroll, Napster: Innocent Innovation or Egregious Infringement? Distributive Technology and Common Law Lawmaking: A Brief Analysis of A&M Records, Inc. v. Napster, Inc., 9 VILL. SPORTS & ENT. L.J. 5 (2002).

Edward L. Carter, Note, Promoting Progress or Rewarding Authors? Copyright Law and Free Speech in Bonneville International Corp. v. Peters, 2002 BYU L. REV. 1155 (2002).

David L. Clark, Digital Millennium Copyright Act: Can It Take Down Internet Infringers?, 6 COMP. L. REV. & TECH. J. 193 (2002).

Ann Coale, Comment, Fair Use: Considerations in the Emerging World of E-books, 16 ST. JOHN'S J. LEGAL COMMENT. 727 (2002).

Alex Colangelo, Copyright Infringement in the Internet Era: The Challenge of MP3s, 39 ALBERTA L. REV. 891 (2002).

***563** Kelly Donohue, Court Gives Thumbs-Up for Use of Thumbnail Pictures Online, 2002 DUKE L. & TECH. REV. 6 (2002).

Matthew Fagin, Frank Pasquale & Kim Weatherall, Beyond Napster: Using Antitrust Law to Advance and Enhance Online Music Distribution, 8 B.U. J. SCI. & TECH. L. 451 (2002).

Mathew J. Fantaci, Digital Dilemma: Could the Digital Millennium Copyright Act Have Inadvertently Exempted Napster and its Progeny From Liability? 62 LA. L. REV. 643 (2002).

Vickie L. Freeman, et. al., Innocent Innovation or Egregious Infringement? Revenge of the Record Industry Association of America: The Rise and Fall of Napster, 9 VILL. SPORTS & ENT. L.J. 35 (2002).

Richard Galofaro, Is the Tasini Decision in Need of a "Revision"?: New York Times Co. v. Tasini, 4 TUL. J. TECH. & INTELL. PROP. 233 (2002).

Llewellyn Joseph Gibbons, Innocent Innovation or Egregious Infringement? The Case for the Need for a Missing Direct Infringer, 9 VILL. SPORTS & ENT. L. FORUM. 57 (2002).

Howard P. Goldberg, [A Proposal for an International Licensing Body to Combat File Sharing and Digital Copyright Infringement](#), 8 B.U. J. SCI & TECH. L. 272 (2002).

Justin Graham, [Preserving the Aftermarket in Copyrighted Works: Adapting the First Sale Doctrine to the Emerging Technological Landscape](#), 2002 STAN. TECH. L. REV. 1 (2002).

Herbert J. Hammond et al., Exploring Emerging Issues: New Intellectual Property, Information Technology, and Security in Borderless Commerce: The [Anti-Circumvention Provision of the Digital Millennium Copyright Act](#), 8 TEX. WESLEYAN L. REV. 593 (2002).

*564 Andrew Hartman & Lisa K. Koenig, [2001 Federal Circuit Trademark Roundup](#), 51 AM. U. L. REV. 747 (2002).

David L. Hitchcock & Kathy E. Needleman, Exploring Emerging Issues: New Intellectual Property, Information Technology, and Security in Borderless Commerce: [Current Status of Copyright Protection in the Digital Age and Related Topics](#), 8 TEX. WESLEYAN L. REV. 539 (2002).

Peter Jan Honigsberg, The [Evolution and Revolution of Napster](#), 36 U.S.F. L. REV. 473 (2002).

Elizabeth D. Kaiser, Note, The Legal Implications of Online Universities, 8 RICH. J.L. & TECH. 19 (2002), at <http://www.law.richmond.edu/jolt/v8i3/article19.html>.

Melissa A. Kern, Note, [Paradigm Shifts and Access Controls: An Economic Analysis of the Anticircumvention Provisions of the Digital Millennium Copyright Act](#), 35 U. MICH. J.L. REFORM 891 (2002).

Raymond Shih Ray Ku, The [Creative Destruction of Copyright: Napster and the New Economics of Digital Technology](#), 69 U. CHI. L. REV. 263 (2002).

Pearson Liddell, Jr. & William D. Eshee, Jr., [Substantial Notice Under the Digital Millennium Copyright Act](#), 8 TEX. WESLEYAN L. REV. 379 (2002).

Theodore C. McCullough, [Understanding the Impact of the Digital Millennium Copyright Act on the Open Source Model of Software Development](#), 6 MARQ. INTELL. PROP. L. REV. 91 (2002).

James T. Ota, New York Times Co. v. Tasini: Can Electronic Publications Ever Be Considered Revisions of Printed Media?, 24 HAWAII L. REV. 843 (2002).

Elizabeth Rindskopf Parker, [Beyond Napster -- The Future of the Digital Commons: Introduction](#), 15 TRANSNAT'L LAW. 257 (2002).

*565 L. Ray Patterson, The [DCMA: A Modern Version of The Licensing Act of 1662](#), 10 J. INTELL. PROP. L. 33 (2002).

Marilyn Phelan, [Digital Dissemination of Cultural Information: Copyright, Publicity, and Licensing Issues in Cyberspace](#), 8 SW. J. L. & TRADE AM. 177 (2002).

Scott W. Pink, Beyond Napster -- The Future of the Digital Commons: [Publishing in the Digital Age](#), 15 TRANSNAT'L LAW. 305 (2002).

Richard D. Rose, Connecting the Dots: Navigating the Laws and Licensing Requirements of the Internet Music Revolution,

42 J.L. & TECH. 313 (2002).

Edward Samuels, The [Importance of Preserving Copyright](#), 10 MEDIA L. & POL'Y 21 (2002).

Niels Schaumann, Intellectual Property in an Information Economy: [Copyright Infringement and Peer-to-Peer Technology](#), 28 WM. MITCHELL L. REV. 1001 (2002).

Jeff Sharp, [Coming Soon To Pay-Per-View: How The Digital Millennium Copyright Act Enables Digital Content Owners To Circumvent Educational Fair Use](#), 40 AM. BUS. L.J. 1 (2002).

Joseph A Sifferd, The Peer-to-Peer Revolution: A Post-Napster Analysis of the Rapidly Developing File-Sharing Technology, 4 VAND. J. ENT. L. & PRAC. 92 (2002).

Robert H. Thornburg, The [Presumption Against Implied Transfer of Electronic Rights in Licenses Under Section 201\(C\) of the 1976 Copyright Act: A New Right for the Bundle?](#), 2002 U. ILL. J.L. TECH. & POL'Y 235 (2002).

Vanessa van Copenhagen, Copyright and the WIPO Copyright Treaty, with Specific Reference to the Rights Applicable in a Digital Environment and the Protections of Technological Measures, 119 S. AFR. L.J. 429 (2002).

Stephen R. Wilson, Note, [Music Sampling Lawsuits: Does Looping Music Samples Defeat the De Minimis Defense?](#) 1 J. HIGH TECH. L. 179 (2002).

*566 Regis C. Worley, Jr., Note, The [MPEG LA Pool: A Rule of Reason Analysis and Suggestion to Improve Procompetitiveness](#), 24 T. JEFFERSON L. REV. 299 (2002).

7.3.1 Electronic Compilation

Alan Gruber, [Interpretation of "Revision" Under the Copyright Act Spells Trouble for Publishers: Greenberg v. National Geographic Society](#), 4 TUL. J. TECH. & INTELL. PROP. 223 (2002).

James T. Ota, New York Times Co. v. Tasini: Can Electronic Publications Ever Be Considered Revisions of Printed Media?, 24 HAWAII L. REV. 843 (2002).

7.3.2 Computer Database

Jordan M. Blanke & [Vincent Van Gogh, "Sweat of the Brow," and Database Protection](#), 39 AM. BUS. L.J. 645 (2002).

Victoria Smith Ekstrand, [Drawing Swords After Feist: Efforts to Legislate the Database Pirate](#), 7 COMM. L. & POL'Y 317 (2002).

C.D. Freedman, [Should Canada Enact a New Sui Generis Database Right?](#), 13 FORDHAM INTELL. PROP. MEDIA & ENT. L.J. 35 (2002).

Michele Montuore, Note, Article 1 -- Copyright Law -- A Publisher of Collective Works Is Not Shielded by the § 201(C) Privilege from Charges of Infringement When a Freelance Article Contributed to the Collection Is Placed in an Electronic Database Without the Consent of the Author, [New York Times Company, Inc. v. Tasini](#), 533 U.S. 483 (2001), 12 SETON HALL CONST. L.J. 743 (2002).

Xuqiong (Joanna) Wu, Foreign and International Law: [E.C. Database Directive, 17 BERKELEY TECH. L.J. 571 \(2002\)](#).

7.3.3 Multimedia

***567** Corey Field, Comment, Corporations and Copyright in [Cyberspace: "Hidden" Internet Regulation and the Corporate Director's Duty to Monitor-UMG Recordings v. MP3.com, Inc. Seen from the Perspective of In re Caremark Derivative Litigation, 27 DEL. J. CORP. L. 99 \(2002\)](#).

7.3.4 Computer-Generated Works

Molly Stephens, Note, [Sales of In-Game Assets: An Illustration of the Continuing Failure of Intellectual Property Law to Protect Digital-Content Creators, 80 TEX. L. REV. 1513 \(2002\)](#).

Gerald O. Sweeney, Jr. & John T. Williams, [Mortal Kombat: The Impact of Digital Technology on the Rights of Studios and Actors to Images and Derivative Works, 3 MINN. INTELL. PROP. REV. 95 \(2002\)](#).

7.4 Trademark

Jeffrey M. Becker & Timothy F. Bliss, Emerging Issues: New Intellectual Property, Information Technology, and Security in Borderless Commerce: [Suing an Electronic Address: In Rem Domain Name Actions Under the ACPA, 8 TEX. WESLEYAN L. REV. 629 \(2002\)](#).

Todd Carville, Trademark Law and the Internet-When Registering Domain Name, Bad Faith Use of Another's Name Leads to Severe Consequences, [2002 SYRACUSE L. & TECH. J. 3 \(2002\)](#).

M. Scott Donahey, The Uniform Domain Name Dispute Resolution Process and the Appearance of Partiality -- Panelists Impaled on the Horns of a Dilemma, [19 J. INT'L ARB. 33 \(2002\)](#).

Robert V. Donahoe, [Beyond.Com: What Risk Does the Explosive Growth of Top Level Domains Pose to Your Trademark: Can You Get Any Relief?, 4 TUL. J. TECH. & INTELL. PROP. 59 \(2002\)](#).

***568** Adam Goldstein, Note, [ICANNsucks.biz \(And Why You Can't Say That\): How Fair Use of Trademarks in Domain Names is Being Restrained, 12 FORDHAM INTELL. PROP. MEDIA & ENT. L.J. 1151 \(2002\)](#).

Ray K. Harris, [Surveying the Boundaries: Recent Developments in Trademark Surveys, 19 COMPUTER & INTERNET LAW. 17\(May 2002\)](#).

Christopher R. Hilberg, [Trademarks and Hyperlinks: A Policy Analysis, Part I, 19 COMPUTER & INTERNET LAW. 1 \(June 2002\)](#).

Christopher R. Hilberg, [Trademarks and Hyperlinks: A Policy Analysis, Part II, 19 COMPUTER & INTERNET LAW. 12 \(July 2002\)](#).

Sung In, Note, [Death of a Trademark: Genericide in the Digital Age, 21 REV. LITIG. 159 \(2002\)](#).

Brian D. Kaiser, Contributory Trademark Infringement by Internet Service Providers: An Argument for Limitation, [7 J. TECH. L. & POL'Y 66 \(2002\)](#).

Hal I. Kaplan, Trademark Law and the Internet-When Registering Domain Name, Bad Faith Use of Another's Name Leads to Severe Consequences, 2002 SYRACUSE L. & TECH. J. 3 (2002).

Martha Kelley, Note, Is [Liability Just a Link Away? Trademark Dilution by Tarnishment Under The Federal Trademark Dilution Act of 1995 and Hyperlinks on the World Wide Web](#), 9 J. INTELL. PROP. L. 361 (2002).

Christina M. Lemmon, Comment, [Internet Domain Names, Cybersquatting, and the Right of Publicity: Where Does the Right Belong in Cyberspace?](#), 24 WHITTIER L. REV. 291 (2002).

J. Kyle McCurry, Comment, [Cyberspace and Domain Name Disputes: A Look at the Forums and Remedies Available to Trademark Holders in Cyberspace](#), 2002 J. DISP. RESOL. 407 (2002).

*569 Jonathan O. Nilsen, Note, [Mixing Oil With Water: Resolving the Differences Between Domain Names and Trademark Law](#), 1 J. HIGH TECH. L. 47 (2002).

Kenneth L. Port, Intellectual Property in an Information Economy: [Trademark Monopolies in the Blue Nowhere](#), 28 WM. MITCHELL L. REV. 1091 (2002).

Natalia Ramirez, [Will the Anticybersquatting Consumer Protection Act Create More Problems Than It Solves?](#), 8 WASH. U. J.L. & POL'Y 395 (2002).

Lance D. Reich, [One Skill in the Art of Software Engineering: The Rising Tide](#), 84 J. PAT. & TRADEMARK OFF. SOC'Y 269 (2002).

Sheila D. Rizzo, Note, [Does The Lanham Act Lose Meaning for Companies That Operate Exclusively Over the Internet?](#) 10 J. INTELL. PROP. L. 211 (2002).

James A. Rossi, [Protection for Trademark Owners: The Ultimate System of Regulating Search Engine Results](#), 42 SANTA CLARA L. REV. 295 (2002).

Elizabeth A. Shaw, Note, Jumping the Distinctiveness Hurdle: Registrability of Trademarks with High Technology Word Compositions, 7 SUFFOLK J. TRIAL & APP. ADV. 69 (2002).

Yelena Simonyuk, The [Extraterritorial Reach of Trademarks on the Internet](#), 2002 DUKE L. & TECH. REV. 9 (2002).

Richard E. Speidel, [ICANN Domain Name Dispute Resolution, the Revised Uniform Arbitration Act, and the Limitations of Modern Arbitration Law](#), 6 J. SMALL & EMERGING BUS. L. 167 (2002).

Elizabeth G. Thornburg, [Fast, Cheap and Out of Control: Lessons from the ICANN Dispute Resolution Process](#), 6 J. SMALL & EMERGING BUS. L. 191 (2002).

*570 Gregory C. Walsh, [Internet Service Provider Liability for Contributory Trademark Infringement After GUCCI](#), 2002 DUKE L. & TECH. REV. 25 (2002).

David G. Wille et al., Exploring Emerging Issues: New Intellectual Property, Information Technology, and Security in Borderless Commerce: [Protection and Enforcement of Intellectual Property](#), 8 TEX. WESLEYAN L. REV. 467 (2002).

Regan Lane Williams, Note, Trademark Law on the Internet -- Mousetrapped, 6 COMP. L. REV. & TECH. J. 329 (2002).

7.5 Trade Secret

Andrew Beckerman-Rodau, [Trade Secrets - The New Risks to Trade Secrets Posed by Computerization](#), 28 RUTGERS COMPUTER & TECH. L.J. 227 (2002).

7.6 Semiconductor Chip Protection

7.7 Licensing

Caryn J. Adams, Intellectual Property: [Random House v. Rosetta Books](#), 17 BERKELEY TECH. L.J. 29 (2002).

Grace K. Avedissian, Note, [Global Implications of a Potential U.S. Policy Shift Toward Compulsory Licensing of Medical Inventions in a New Era of "Super-Terrorism"](#) 18 AM. U. INT'L L. REV. 237 (2002).

Ryan J. Casamiquela, Business Law: [Contractual Assent and Enforceability in Cyberspace](#), 17 BERKELEY TECH. L.J. 475 (2002).

Rob Schultz, Note, [Rolling Contract Formation Under the UN Convention on Contracts for the International Sale of Goods](#), 35 CORNELL INT'L L.J. 263 (2002).

John Venuti et al., Sourcing Royalties from the Licensing of Computer Software Rights: Does [FSA 200222011](#) Signal a Change of IRS Position?, 31 TAX MGMT. INT'L 443 (2002).

*571 Carolyn Wilton, Copyright and Computer Software: An International Analysis of Work for Hire and Ownership Issues, 15 INTELL. PROP. 271 (2002).

7.8 Intellectual Property Issues of the Internet

Brian Bolinger, Comment, Focusing on Infringement: Why Limitations on Decryption Technology Are Not the Solution to Policing Copyright, 52 CASE W. RES. 1091 (2002).

Elizabeth Brasser, Book Note, [Controlling Voices: Intellectual Property, Humanistic Studies and the Internet](#), 1 J. HIGH TECH. L. 1 (2002).

Alexander G. Comis, Note, [Copyright Killed the Internet Star: The Record Industry's Battle To Stop Copyright Infringement Online](#), 31 SW. U. L. REV. 753 (2002).

Carlos M. Correa, Fair Use in the Digital Era, 33 INT'L REV. OF INDUS. PROP. & COPYRIGHT L. 570 (2002).

Khoi D. Dang, Note, [Kelly v. Arriba Soft Corp.: Copyright Limitations on Technological Innovation on the Internet](#), 18 SANTA CLARA COMPUTER & HIGH TECH. L.J. 389 (2002).

Stacy L. Dogan, [Infringement Once Removed: The Perils of Hyperlinking to Infringing Content](#), 87 IOWA L. REV. 829 (2002).

Keith A. Dotseth & Johanna J. Hillard, Intellectual Property in an Information Economy: [Sailing Uncharted Waters: Insurance Coverage for Intellectual Property Disputes Arising from the Internet](#), 28 WM. MITCHELL L. REV. 1125 (2002).

Alexis Garcia, [Finding the Unobstructed Window for Internet Film Viewing](#), 9 UCLA ENT. L. REV. 243 (2002).

Ted Hagelin, [A New Method To Value Intellectual Property](#), 30 AIPLA Q.J. 353 (2002).

*572 Clovia Hamilton, Adequacy of the 1995 Antitrust Guidelines for the Licensing of Intellectual Property in Complex High-Tech Markets, 7 COMP. L. REV. & TECH. J. 23 (2002).

Cynthia M. Ho, [Attacking the Copyright Evildoers in Cyberspace](#), 55 SMU L. REV. 1561 (2002).

Aric Jacover, Note, [I Want My MP3! Creating a Legal and Practical Scheme to Combat Copyright Infringement on Peer-to-Peer Internet Applications](#), 90 GEO. L.J. 2207 (2002).

Adam W. Johnson, Note, [Injunctive Relief in the Internet Age: The Battle Between Free Speech and Trade Secrets](#), 54 FED. COMM. L.J. 517 (2002).

Kerry A. Kitchura, Would a Domain by any Other Name Still Smell as Sweet? The Use of Survey Evidence to Prove Trademark Infringement in Cyberspace, 15 INTELL. PROP. J. 35 (2002).

Steve Malin, The Protection of Intellectual-Property Rights in a Federalist Era, 6 COMP. L. REV. & TECH. J. 137 (2002).

Heather Nehila, Note, Is it [Music to American Ears?](#), 16 TEMP. INT'L COMP. L.J. 199 (2002).

Jennifer Newton, [Global Solutions to Prevent Copyright Infringement of Music Over the Internet: The Need to Supplement the WIPO Internet Treaties with Self-Imposed Mandates](#), 12 IND. INT'L & COMP. L. REV. 125 (2002).

Neal P. Pierotti, Does Internet Information Count as a Printed Publication?, 42 J.L. & TECH. 249 (2002).

Matthew V. Pietsch, [International Copyright Infringement and the Internet: An Analysis of the Existing Means of Enforcement](#), 24 HASTINGS COMM. & ENT. L.J. 273 (2002).

*573 Alisa Roberts, Congress' Latest Attempt to Abrogate States' Sovereign Immunity Defense Against Copyright Infringement Actions: Will IPPRA Help the Music Industry Combat Online Piracy on College Campuses?, 22 J. ART & ENT. L. 39 (2002).

Kurt M. Saunders, [Confusion is the Key: A Trademark Law Analysis of Keyword Banner Advertising](#), 71 FORDHAM L. REV. 543 (2002).

Jed Scully, [Beyond Napster-Is It Just Music? Or Are Judicial Resolutions Ineffective In Digital Commerce?](#), 15 TRANSNATL LAW. 313 (2002).

Scott A. Sher, Note, [In re Napster Inc. Copyright Litigation: Defining the Contours of the Copyright Misuse Doctrine](#), 18 SANTA CLARA COMPUTER & HIGH TECH. L.J. 325 (2002).

Robert M. Sherwood, Global Prospects for the Role of Intellectual Property in Technology Transfer, 42 J.L. & TECH. 27 (2002).

Kimberly Simon, Note, [Establishing Accountability on the Digital Frontier: Liability for Third Party Copyright Infringement to Manufacturers of Audio Compression Software](#), 52 SYRACUSE L. REV. 921 (2002).

Symposium, Napster: Innocent Innovation or Egregious Infringement? [9 VILL. SPORTS & ENT. L. J. 1 \(2002\)](#).

7.9 International Developments

7.9.0 General

Howard C. Anawalt, [Internet Distribution of Intellectual Property Protected Works in the United States, in Japan, and in the Future](#), [18 SANTA CLARA COMPUTER & HIGH TECH. L.J. 207 \(2002\)](#).

Ryan M.F. Baron, Comment, [A Critique of the International Cybercrime Treaty](#), [10 COMMLAW CONSPECTUS 263 \(2002\)](#).

***574** Elizabeth Brasser, Note, [Sharing the Burden of Proof in Parallel Importation Cases: A Proposal for a Synthesis of United States and European Union Trademark Law](#), [1 J. HIGH TECH. L. 119 \(2002\)](#).

Symposium, [Bridging the Digital Divide: Equality in the Information Age](#), [20 CARDOZO ARTS & ENT. L.J. 1 \(2002\)](#).

Steve Charnovitz, The New World Trade Organization Agreements: Globalising Law Through Services and Intellectual Property, [40 J. ECON. LITERATURE 933 \(2002\)](#) (book review).

Selena Kim, The Reinforcement of International Copyright for the Digital Age, [16 I.P.J. 93 \(2002\)](#).

Shaun P. Montana, Note, An [Approach to the International Regulatory Issues of IP Telephony](#), [8 B.U. J. SCI. & TECH. L. 682 \(2002\)](#).

7.9.1 GATT-TRIPS

7.9.2 NAFTA

7.9.3 Developments in Canada

Frank Catania, Internet Gaming Regulation: The [Kahnawake Experience](#), [5 CHAP. L. REV. 209 \(2002\)](#).

Teresa Scassa, Intellectual Property on the Cyber-Picket Line: A Comment on British Columbia Automobile Assn. v. Office and Professional Employees' International Union, Local 378, [39 ALBERTA L. REV. 934 \(2002\)](#).

7.9.4 Developments in Mexico and Latin America

Juan Martin Arocena, [Argentine Legislation on E-Commerce](#), [15 INT'L L. PRACTICUM 36 \(2002\)](#).

7.9.5 Developments in Australia and New Zealand

7.9.6 Developments in Africa

7.9.7 Developments in Asia

***575** Lillian Roe Gilmer, Note, [Japan's Communications Interception Act: Unconstitutional Invasion of Privacy or Necessary Tool?](#) [35 VAND. J. TRANSNAT'L L. 893 \(2002\)](#).

Sang Jo Jong & Junu Park, [Property Versus Misappropriation: Legal Protection for Databases in Korea](#), 8 WASH. U. J.L. & POL'Y 75 (2002).

Yahong Li, Essay, [Pushing For Greater Protection: The Trend Toward Greater Protection of Intellectual Property in the Chinese Software Industry and the Implications for Rule of Law in China](#), 23 U. PA. J. INT'L ECON. L. 637 (2002).

Jack Linchuan Qiu, Bridging the Digital Divide: Equality in the Information Age: [Coming to Terms With Informational Stratification in the People's Republic of China](#), 20 CARDOZO ARTS & ENT. L.J. 157 (2002).

Joy Y. Xiang, Comment, [How Wide Should the Gate of "Technology" Be? Patentability of Business Methods in China](#), 11 PAC. RIM L. & POL'Y J. 795 (2002).

7.9.8 Developments in Western Europe

Herbert Burkert, Panel I: Telecommunications Developments in the European Union: Principal Papers: The [Post-Deregulatory Landscape in International Telecommunications Law: A Unique European Union Approach?](#) 27 BROOK. J. INT'L L. 739 (2002).

Axel Casalonga, Is E-Commerce Patentable In Europe?, 33 INT'L REV. OF INDUS. PROP. & COPYRIGHT L. 261 (2002).

Markus Fallenböck, On the Technical Protection of Copyright: The Digital Millennium Copyright Act, the European Community Copyright Directive and Their Anticircumvention Provisions, 7 INT'L J. COMM. L. & POL'Y 4 (2002).

Matthias Leistner, Werbung im Internet, 33 INT'L REV. OF INDUS. PROP. & COPYRIGHT L. 382 (2002) (book review).

*576 Alan Ragueneau, [UCITA and the Impact of European Copyright Law- A Choice of Law Analysis](#), 49 J. COPYRIGHT SOC'Y U.S.A. 1057 (2002).

Daniele Schiuma, Book Review, 33 INT'L REV. OF INDUS. PROP. & COPYRIGHT L. 905 (2002).

7.9.9 Developments in Eastern Europe and Russia

Seagramm Smith, [Microsoft and the European Union Face Off Over Internet Privacy Concerns](#), 2002 DUKE L. & TECH. REV. 14 (2002).

Peter Wand, So the Knot Be Unknotted-Germany and the Legal Protection of Technology Measures, 33 INT'L REV. OF INDUS. PROP. & COPYRIGHT L. 305 (2002).

7.9.10 Developments in the European Union

F.W. Grosheide, Database Protection--The European Way, 8 WASH. U. J.L. & POL'Y (2002).

8. COMPUTERS AND LEGAL REASONING

8.0 General

Kevin D. Ashley, An AI Model of Case-Based Legal Argument From a Jurisprudential Viewpoint, 10 ARTIFICIAL INTELLIGENCE & L. 163 (2002).

Carole D. Hafner & Donald H. Berman, The Role of Context in Case-Based Legal Reasoning: Teleological, Temporal and Procedural, 10 ARTIFICIAL INTELLIGENCE & L. 19 (2002).

8.1 Artificial Intelligence

L. Thorne McCarty, Ownership: A Case Study in the Representation of Legal Concepts, 10 ARTIFICIAL INTELLIGENCE & L. 135 (2002).

9. LEGAL ISSUES OF THE INTERNET

9.0 General

*577 Albert I. Aldesco, Comment, [The Demise Of Anonymity: A Constitutional Challenge To The Convention On Cyber-crime](#), 23 LOY. L.A. ENT. L. REV. 81 (2002).

Jeffrey M. Aresty & Peter D. Lepsch, International Business Law: E-Commerce and the Impact of Globalization on the Law: Panel Remarks: Professional Responsibility in a Global World: A Lawyer's Role Redefined in the Age of the Virtual Practice, 8 NEW ENG. INT'L & COMP. L. ANN. 37 (2002).

Kristin Baczynski, Note, [Do You Know Who Your Physician Is? Placing Information on the Internet](#), 87 IOWA L. REV. 1303 (2002).

John W. Bagby, [Cyberlaw: A Forward](#), 39 AM. BUS. L.J. 521 (2002).

Drew Block, Note, [Caveat Surfer: Recent Developments in the Law Surrounding Browse-Wrap Agreements, and the Future of Consumer Interaction With Websites](#), 14 LOY. CONSUMER L. REV. 227 (2002).

Marjory S. Blumenthal, End-To-End and Subsequent Paradigms, 2002 L. REV. M.S.U.-D.C.L. 709 (2002).

Nate Brenneman, Note, [G8's Dotforce Initiative: Bridging the Digital Divide or Widening It?](#), 11 MINN. J. GLOBAL TRADE 311 (2002).

John Brogan, [Much Ado About Squatting: The Constitutionally Precarious Application of the Anticybersquatting Consumer Protection Act](#), 88 IOWA L. REV. 163 (2002).

Alexander H. Burke, Note, [Informational Harvesting on the Internet: A Consumer's Perspective On 2001 Proposed Legislation Restricting the Use of Cookies and Information Sharing](#), 14 LOY. CONSUMER L. REV. 125 (2002).

*578 Cyndie Chang, Comment, [Exploring Internet Privacy Through Cable Broadband Struggles: ISPs Walk a Fine Line Between Privacy and Security](#), 22 LOY. L.A. ENT. L. REV. 491 (2002).

Laura Chappelle, Michigan Hi-Speed Internet Plan: Balancing Interests, 2002 L. REV. M.S.U.-D.C.L. 743 (2002).

Mark Culbert, [Conflicts on the Web: Metatags, Linking, Framing, and Banner Advertising](#), 15 INT'L L. PRACTICUM 121 (2002).

Nicole Davidson, Comment, [Internet Gambling: Should Fantasy Sports Leagues Be Prohibited?](#), 39 SAN DIEGO L. REV. 201 (2002).

Philip Adam Davis, Note, The [Defamation of Choice of Law in Cyberspace: Countering the View that the Restatement \(Second\) of Conflict of Laws is Inadequate to Navigate the Borderless Reaches of the Intangible Frontier](#), 54 FED. COMM. L.J. 339 (2002).

Mark Deffner, Note, [Unlawful Linking: First Amendment Doctrinal Difficulties in Cyberspace](#), 3 MINN. INTELL. PROP. REV. 111 (2002).

Mathew J. Fantaci, [Digital Dilemma: Could the Digital Millennium Copyright Act Have Inadvertently Exempted Napster and its Progeny From Liability?](#), 62 LA. L. REV. 643 (2002).

Patricia F. First & Yolanda Y. Hart, [Access to Cyberspace: The New Issue in Educational Justice](#), 31 J. L. & EDUC. 385 (2002).

Kristen Frost, Note, The Constitutionality of an Internet Execution: Lappin v. Entertainment Network, Inc. 22 J. ART & ENT. L. 39 (2002).

***579** Llewellyn Joseph Gibbons, Robin M. Kennedy & Jon Michael Gibbs, [Frontiers of Law: The Internet and Cyberspace: Cyber-Mediation: Computer-Mediated Communications Medium Massaging the Message](#), 32 N.M. L. REV. 27 (2002).

Austan Goolsbee & Peter J. Klenow, [Evidence on Learning and Network Externalities in the Diffusion of Home Computers](#), 45 J. L. & ECON. 317 (2002).

F. William Grosheide, Is the Appropriate EU Legal Framework in Place for Music Online? (pts. 1 & 2), 33 INT'L REV. OF INDUS. PROP. & COPYRIGHT L. 586, 698 (2002).

Michelle Z. Hall, Note, [Internet Privacy or Information Piracy: Spinning Lies on the World Wide Web](#), 18 N.Y.L. SCH. J. HUM. RTS. 609 (2002).

Micalyn S. Harris, Symposium Online Activities & Their Impact on the Legal Profession: Is E-mail [Privacy an Oxymoron: Meeting the Challenge of Formulating a Company E-mail Policy](#), 16 ST. JOHN'S J. LEGAL COMMENT. 553 (2002).

Stephen E. Henderson & Matthew E. Yarbrough, [Frontiers of Law: The Internet and Cyberspace; Suing the Insecure?: A Duty of Care in Cyberspace](#), 32 N.M. L. REV. 11 (2002).

Scott Hervey, Beyond Napster -- The Future of the Digital Commons: The [Future of Online Music: Labels and Artists](#), 15 TRANSNATL LAW. 279 (2002).

Peter Holsen, Comment, I CAN'T Do it [Alone: The Internet Corporation for Assigned Names and Numbers and Content-based Problems on the Internet](#), 6 MARQ. INTELL. PROP. L. REV. 147 (2002).

Peter A. Hook, [Creating an Online Tutorial and Pathfinder](#), 94 LAW LIBR. J. 243 (2002).

***580** James D. Hornbuckle, The [Uniform Computer Information Transaction Act: State Legislatures Should Take a Critical Look Before Clicking Away Consumer Protections](#), 23 WHITTIER L. REV. 839 (2002).

Robert Howse, Book Review, [23 MICH. J. INT'L L. 425 \(2002\)](#) (reviewing NAOMI KLEIN, NO LOGO: TAKING AIM AT THE BRAND BULLIES (1999)).

Symposium, International Business Law: E-Commerce and the Impact of Globalization on the Law: Introduction: E-Commerce in the New Century, 8 NEW ENG. INT'L & COMP. L. ANN. 1 (2002).

Panel Discussion, [Internet Privacy Law, Policy, and Practice: State, Federal, and International Perspectives](#), 54 ME. L. REV. 95 (2002).

Carol Jones, Note, [E-Mail Solicitation: Will Opening a "Spam-Free" Mailbox Ever be a Reality?](#), 15 LOY. CONSUMER L. REV. 69 (2002).

John P. Joergensen, Legal Reference Books Review: The Invisible Web: Uncovering Information Sources Search Engines Can't See by Chris Sherman & Gary Price, 94 LAW LIBR. J. 330 (2002) (book review).

Brian D. Kaiser, Note, [Government Access to Transactional Information and the Lack of Subscriber Notice](#), 8 B.U. J. SCI. & TECH. L. 648 (2002).

Mark S. Kende, Frontiers of Law: The Internet and Cyberspace; [Yahoo!: National Borders in Cyberspace and Their Impact on International Lawyers](#), 32 N.M. L. REV. 1 (2002).

Mark S. Kende, The [Issues of E-mail Privacy and Cyberspace Personal Jurisdiction: What Clients Need to Know About Two Practical Constitutional Questions Regarding the Internet](#), 63 MONT. L. REV. 301 (2002).

*581 Susan King, Legal Reference Books Review: Surfing the Law and Technology Tsunami, 94 LAW LIBR. J. 528 (2002).

Edwin L. Klett & Rochelle L. Brightwell, Spam Mail: An Electronic Nuisance to Be Reckoned With, 4 LAW. J. 11, (2002).

Palitha T.B. Kohona, The [United Nations Treaty Collection on the Internet-Developments and Challenges](#), 30 INT'L J. LEG-AL INFO. 397 (2002).

Craig Lang, Comment, [Internet Gambling: Nevada Logs In](#), 22 LOY. L.A. ENT. L. REV. 525 (2002).

Anna Belle Leiserson, The Web Insider: [Web Wizards: Engineers, Artists, and Librarians](#), 94 LAW LIBR. J. 167 (2002).

Anna Belle Leiserson, The Web Insider: [A User's Perspective on Privacy and the Web](#), 94 LAW LIBR. J. 539 (2002).

Anna Belle Leiserson, The Web Insider: [Netscape, Standards and You](#), 94 LAW LIBR. J. 667 (2002).

Rachael Malkin, Note, [How the Children's Online Privacy Act Affects Online Businesses and Consumers of Today and Tomorrow](#), 14 LOY. CONSUMER L. REV. 153 (2002).

Timothy Marsh, Note, [Shields v. Zuccaring: The Role of the Anticybersquatting Consumer Protection Act in Fighting Typo-squatting](#), 33 U. TOL. L. REV. 683 (2002).

David McPhie, [Beyond Our Control? Confronting the Limits of Our Legal System in the Age of Cyberspace: By Stuart Biegel](#), 15 HARV. J.L. & TECH. 539 (2002).

R. Clifton Merrell, Comment, [Trespass to Chattels in the Age of the Internet](#), 80 WASH. U. L.Q. 675 (2002).

[Anonymous Employee Internet Posters](#), 8 MICH. TELECOMM. & TECH. L. REV. 195 (2002).

*582 Kent Milunovich, [Designing and Maintaining Law Library Websites: Some Practical Considerations](#), 94 LAW LIBR. J. 487 (2002).

Caitlin T. Murphy, [International Law and the Internet: An Ill-Suited Match: Case Note on UEJF & LICRA v. Yahoo! Inc.](#), 25 HASTINGS INT'L & COMP. L. REV. 405 (2002).

Jennifer S. Murray, The Essential Guide to the Best (and Worst) [Legal Sites on the Web](#), 94 LAW LIBR. J. 315 (2002).

Anthony J. Napolitano, Note, [Web Site Annotation: The Intersection of New Communication Technologies and the Rights of Web Site Owners](#), 36 LOY. L.A. L. REV. 493 (2002).

Elissa A. Okoniewski, Note, [Yahoo!, Inc. v. LICRA: The French Challenge to Free Expression on the Internet](#), 18 AM. U. INT'L L. REV. 295 (2002).

Christian John Pantages, [Ye, Hollywood! Digital Motion Picture Piracy Comes of Age](#), 15 TRANSNAT'L LAW. 155 (2002).

Jon Patterson, Note, [Internet Gambling and the Banking Industry: An Unsure Bet](#), 6 N.C. BANKING INST. 665 (2002).

Corrado Pellenati, [Integration of Grey Literature with Electronic Journals](#), 30 INT'L J. LEGAL INFO. 331 (2002).

Nicholas Pengelley, [The United Nations on the Web: Bogeyman No More](#), 30 INT'L J. LEGAL INFO. 324 (2002).

Ronald L. Plessner, James J. Halpert & Emilio W. Cividanes, USA Patriot Act for Internet and Communications Companies, COMPUTER & INTERNET LAW., Mar. 2002, at 1.

Marilyn J. Raisch, [Toward a Cyberlegal Culture](#), 30 INT'L J. LEGAL INFO. 369 (2002) (book review).

*583 Sheryl Rakestraw, [ACLU v. RENO](#), 217 F.3D 162 (3D CIR. 2000), 10 AM. U.J. GENDER SOC. POL'Y & L. 521 (2002).

Margo E. K. Reder & Christine Neylon O'Brien, Comment, [Corporate Cybersmear: Employers File John Doe Defamation Lawsuits Seeking the Identity of Anonymous Employee Internet Posters](#), 8 MICH. TELECOMM. & TECH. L. REV. 195 (2002).

David Rolph, BEFORE THE HIGH COURT: The Message, Not the Medium: Defamation, Publication and the Internet in Dow Jones & Co. Inc. v. Gutnick, 24 SYDNEY L. REV. 263 (2002).

John D. Saba Jr., Note, [Internet Property Rights: E-Trespass](#), 33 ST. MARY'S L.J. 367 (2002).

Michael P. Scharf & Melanie K. Corrin, International Business Law: E-commerce and the Impact of Globalization on the Law: Panel Remarks: On Dangerous Ground: Passive Personality Jurisdiction and the Prohibition of Internet Gambling, 8 NEW ENG. INT'L & COMP. L. ANN. 19 (2002).

Spencer L. Simons, Legal Reference Books Review: Toward a Cyberlegal Culture, 94 LAW LIBR. J. 656 (2002).

Kathryn Smetana, Note, [The "X Internet" and Pans: Technologies of the Future Connect Consumers and Possibly Their Identities](#), 14 LOY. CONSUMER L. REV. 245 (2002).

James B. Speta, [A Common Carrier Approach to Internet Interconnection](#), 54 FED. COMM. L.J. 225, (2002).

James B. Speta, [A Vision of Internet Openness By Government Fiat The Future of Ideas: The Fate of the Commons in a Connected World](#) by Lawrence Lessig, 96 NW. U. L. REV. 1553 (2002) (book review).

*584 Robyn Wagner, Comment, [Frontiers of law: The Internet Ad Cyberspace: Comment: Don't Shoot the Messenger: Limiting the Liability of Anonymous Remailer Operators](#), 32 N.M. L. REV. 99 (2002).

Kristen Weisse, Note, [Remedies for Internet Fraud: Consumers Need All the Help They Can Get](#), 14 LOY. CONSUMER L. REV. 205 (2002).

Scot Wilson, Comment, [Corporate Criticism on the Internet: The Fine Line Between Anonymous Speech and Cybersmear](#), 29 PEPP. L. REV. 533 (2002).

Glenn A. Woroch, [Open Access Rules and the Broadband Race](#), 2002 L. REV. M.S.U.-D.C.L. 719 (2002).

Itsuko Yamaguchi, [Beyond De Facto Freedom: Digital Transformation of Free Speech Theory in Japan](#), 38 STAN. J. INT'L L. 109 (2002).

Edward M. Yures, Note, [Gambling on the Internet: The States Risk Playing Economic Roulette as the Internet Gambling Industry Spins Onward](#), 28 RUTGERS COMPUTER & TECH. L.J. 193 (2002).

9.1 ISP and Internet Access

Xavier Amadei, Note, [Standards of Liability for Internet Service Providers: A Comparative Study of France and the United States with a Specific Focus on Copyright](#), 35 CORNELL INT'L L.J. 189 (2002).

Bernadette M. Broccolo, [Outline of Terms and Conditions of Typical Web Site Development Agreements](#), 35 J. HEALTH L. 171 (2002).

Robert W. Crandall, Hal J. Singer & J. Gregory Sidak, The [Empirical Case Against Asymmetric Regulation of Broadband Internet Access](#), 17 BERKELEY TECH. L.J. 953 (2002).

*585 Bryan J. Davis, Comment, [Frontiers of Law: The Internet Ad Cyberspace: Comment: Untangling the "Publisher" versus "Information Content Provider" Paradox of 47 U.S.C. § 230: Toward a Rational Application of the Communications Decency Act in Defamation Suits Against Internet Service Providers](#), 32 N.M. L. REV. 75 (2002).

B. Keith Fulton, [Bridging the Digital Divide: Equality in the Information Age: AOL Time Warner Foundation: Extending Internet Benefits to All](#), 20 CARDOZO ARTS & ENT. L.J. 181 (2002).

Assaf Hamdani, [Who's Liable for Cyberwrongs?](#), 87 CORNELL L. REV. 901 (2002).

Deckle McLean, [Internet Defamation](#), COMM. & L., Dec. 2002, at 21.

Jennifer O'Brien, Note, [Putting A Face to A \(Screen\) Name: The First Amendment Implications of Compelling ISPS to Reveal the Identities of Anonymous Internet Speakers in Online Defamation Cases](#), 70 FORDHAM L. REV. 2745 (2002).

Sewali K. Patel, Note, [Immunizing Internet Service Providers From Third-Party Internet Defamation Claims: How Far](#)

Should Courts Go?, 55 VAND. L. REV. 647 (2002).

Matthew Schruers, Note, The History and Economics of ISP Liability for Third Party Content, 88 VA. L. REV. 205 (2002).

Richard Warner, Border Disputes: Trespass to Chattels on the Internet, 47 VILL. L. REV. 117 (2002).

Bryan J. Yeazel, Note, Bomb-Making Manuals on the Internet: Maneuvering a Solution Through First Amendment Jurisprudence, 16 NOTRE DAME J.L. ETHICS & PUB. POL'Y 279 (2002).

***586** Eric M.D. Zion, Protecting the E-Marketplace of Ideas by Protecting Employers: Immunity for Employers Under Section 230 of the Communications Decency Act, 54 FED. COMM. L.J. 493 (2002).

9.2 Domain Names

Neil Batavia, That Which We Call a Domain by Any Other Name Would Smell as Sweet: The Overbroad Protection of Trademark Law as it Applies to Domain Names on the Internet, 53 S.C. L. REV. 461 (2002).

Tamarah Belczyk, Note, Domain Names: The Special Case of Personal Names, 82 B.U.L. REV. 485 (2002).

Benjamin B. Cotton, Comment, Prospecting or Cybersquatting: Registering Your Name Before Someone Else Does, 35 J. MARSHALL L. REV. 287 (2002).

Bernadette Dino, Comment, Passive Warehousing Under ICANN's Uniform Dispute Resolution Policy: A Utilitarian Perspective, 10 COMMLAW CONSPPECTUS 301 (2002).

Alexis Freeman, LL.M, Thesis, Internet Domain Name Security Interests: Why Debtors Can Grant them and Lenders Can Take them in this New Type of Hybrid Property, 10 AM. BANKR. INST. L. REV. 853 (2002).

Navin Katyal, The Domain Name Registration .BIZness: Are We Being "Pulled Over" on the Information Super Highway?, 24 HASTINGS COMM. & ENT. L.J. 241 (2002).

Patrick D. Kelley, Note, Intellectual Property: Emerging Pattern in Arbitration Under the Uniform Domain-Name Dispute Resolution Policy, 17 BERKELEY TECH. L.J. 181 (2002).

Katherine Meyers, Note, Domain Name Dispute Resolution in U.S. Courts: Should ICANN be Given Deference?, 43 B.C.L. REV. 1177 (2002).

Annelies Moens, Comment, Brisbane City Council v. Warren Botton Consulting Pty. Ltd. (case no. D2001-0047 WIPO), VII INT'L TRADE AND BUS. L. ANN. 199 (2002).

***587** Rodney A. Myer, Comment, Domains Without Borders: Reconciling Domain Name Dispute Resolution Policies and Trademark Rights Between the United States and the Nations of the European Union, 20 PENN ST. INT'L L. REV. 415 (2002).

Xuan-Thao N. Nguyen, Commercial Law Collides with Cyberspace: The Trouble with Perfection--Insecurity Interests in the New Corporate Asset, 59 WASH & LEE L. REV. 37 (2002).

Heather E. Nolan, Note, Protecting Consumers from Cybersquatters: Is the ACPA Standing Up?, 14 LOY. CONSUMER L.

REV. 175 (2002).

Adam Silberlight, Domain Name Disputes Under the ACPA in the New Millennium: When Is Bad Faith Intent to Profit Really Bad Faith and Has Anything Changed with the ACPA's Inception, 13 FORDHAM INTELL. PROP. MEDIA & ENT. L.J. 269 (2002).

Catherine T. Struve & R. Polk Wagner, Realspace Sovereigns in Cyberspace: Problems with the Anticybersquatting Consumer Protection Act, 17 BERKELEY TECH. L.J. (2002).

Kim G. von Arx & Gregory R. Hagen, Sovereign Domains A Declaration of Independence of ccTLDs from Foreign Control, 9 RICH. J.L. & TECH. 4 (2002), at <http://www.law.richmond.edu/jolt/v9il/article4.html>.

Stephen J. Ware, Domain Name Arbitration in the Arbitration Law Context: Consent to and Fairness in The UDRP, 6 J. SMALL & EMERGING BUS. L. 129 (2002).

9.3 Taxation of Electronic Commerce

Joseph R. Feehan, Comment, Surfing Around the Sales Tax Byte: The Internet Tax Freedom Act, Sales Tax Jurisdiction and the Role of Congress, 12 ALB. L.J. SCI. & TECH. 619 (2002).

*588 Jaime Klima, Mom & Pop V. Dot-Com: A Disparity in Taxation Based on How You Shop?, 2002 DUKE L. & TECH. REV. 28 (2002).

Sarah W. Salter, International Business Law: E-Commerce and the Impact of Globalization on the Law: Panel Remarks: E-commerce and International Taxation, 8 NEW ENG. INT'L & COMP. L. ANN. 5 (2002).

John E. Sununu, The Taxation of Internet Commerce, 39 HARV. J. ON LEGIS. 325 (2002).

John A. Swain, Cybertaxation and the Commerce Clause: Entity Isolation or Affiliate Nexus?, 75 S. CAL. L. REV. 419 (2002).

9.4 Encryption and Digital Signatures

Robin C. Capehart & Mark A. Starcher, "Wired, Wonderful West Virginia" - Electronic Signatures in the Mountain State, 104 W. VA L. REV. 303 (2002).

Michael H. Dessent, Digital Handshakes in Cyberspace under E-Sign: "There's a New Sheriff in Town!", 35 U. RICH. L. REV. 943 (2002).

Julian Epstein, Cleaning Up a Mess on the Web: A Comparison of Federal and State Digital Signature Laws, 5 N.Y.U. J. LEGIS. & PUB. POL'Y 491 (2002).

Konrad Gatien, Note, How Encryption and National Security Will Affect the Future of Digital Film Distribution, 8 SW. J. L. & TRADE AM. 229 (2002).

Anthony E. Orr, Note, Marking Carnivore's Territory: Rethinking Pen Registers on the Internet, 8 MICH. TELECOMM. TECH. L. REV. 219 (2002).

Ian A. Rambarran, Comment, [I Accept, But Do They? ... The Need for Electronic Signature Legislation on Mainland China](#), [15 TRANSNATL LAW. 405 \(2002\)](#).

***589** Benjamin Susomnil, An Analysis of the Electronic Signatures in Global and National Commerce Act and Its Effects on E-Commerce and the Online Consumer, [2002 SYRACUSE L. & TECH. J. 2 \(2002\)](#).

9.5 Internet Crime

Mark C. Alexander, The [First Amendment and Problems of Political Viability: The Case of Internet Pornography](#), [25 HARV. J.L. & PUB. POL'Y 977 \(2002\)](#).

Susan W. Brenner & Marc D. Goodman, In [Defense of Cyberterrorism: An Argument for Anticipating Cyber-Attacks](#), [2002 U. ILL. J.L. TECH. & POL'Y 1 \(2002\)](#).

Clay Calvert, [Opening Up an Academic Privilege and Shutting Down Child Modeling Sites: Revising Child Pornography Laws in the United States](#), [107 DICK. L. REV. 253 \(2002\)](#).

Rita Esen, Cyber Crime: A Growing Problem, [66 J. CRIM. L. 269 \(2002\)](#).

Gianluca Esposito, Workshop on Racist and Xenophobic Content on the Internet, [7 INT'L J. COMM. L. & POL'Y 9 \(2002\)](#).

Marc D. Goodman & Susan W. Brenner, The [Emerging Consensus on Criminal Conduct in Cyberspace](#), [2002 UCLA J. L. TECH. 3 \(2002\)](#).

L. Elaine Halchin, E-Government in an Age of Terrorism, [19 GOV'T INF. Q. 243 \(2002\)](#).

Donna M. Hughes, The Use of [New Communications and Information Technologies for Sexual Exploitation of Women and Children](#), [13 HASTINGS WOMEN'S L.J. 127 \(2002\)](#).

Doug Hyne, Note, NEJCCC Scribes Award Recipient: Examining the Legal Challenges to the Restriction of Computer Access as a Term of Probation or Supervised Release, [28 N.E. J. ON CRIM. & CIV. CON. 215 \(2002\)](#).

***590** Heather Jacobson & Rebecca Green, [Computer Crimes](#), [39 AM. CRIM. L. REV. 273 \(2002\)](#).

Edwin L. Klett & Rochelle L. Brightwell, Internet Crime-Modern-Day Piracy, [4 LAW. J. 6 \(2002\)](#).

Peter Lichtenbaum & Melanie Schneck, The [Response to Cyberattacks: Balancing the Security and Cost](#), [36 INT'L LAW. 39 \(2002\)](#).

Timothy Marsh, Note, [Shields v. Zuccharini: The Role of the Anticybersquatting Consumer Protection Act in Fighting Typo-squatting](#), [33 U. TOL. L. REV. 683 \(2002\)](#).

Richard H. Martin, Comment, [State Regulation of Pornographic Internet Transmissions: The Constitutional Questions Raised by Senate Bill 144](#), [29 FLA. ST. U. L. REV. 1109 \(2002\)](#).

Sue Ann Mota, The U.S. Supreme Court Addresses the Child Pornography Prevention Act in [Ashcroft v. Free Speech Coalition](#) and [Ashcroft v. American Civil Liberties Union](#), [55 FED. COMM. L.J. 85 \(2002\)](#).

Aaron Nance, [Taking the Fear Out of Electronic Surveillance in the New Age of Terror](#), 70 UMKC L. REV. 751 (2002).

Ellen S. Podgor, [Computer Crimes and the USA Patriot Act](#), 17 CRIM. JUST. 61 (2002).

Shannon C. Sprinkel, Note, [Global Internet Regulation: The Residual Effects of the "ILOVEYOU" Computer Virus and the Convention on Cyber-Crime](#), 25 SUFFOLK TRANSNATL L. REV. 491 (2002).

Karen Weiss, Note, ["But She Was Only a Child. That Is Obscene!" The Unconstitutionality of Past and Present Attempts to Ban Virtual Child Pornography and the Obscenity Alternative](#), 70 GEO. WASH. L. REV. 228 (2002).

Kristen Weisse, Note, [Remedies for Internet Fraud: Consumers Need All the Help They Can Get](#), 14 LOY. CONSUMER L. REV. 205 (2002).

*591 9.6 Civil Procedure in Cyberspace

Carole Aciman & Diane Vo-Verde, [Refining the Zippo Test: New Trends on Personal Jurisdiction for Internet Activities](#), 19 COMPUTER & INTERNET LAW. 16 (Jan. 2002).

Ray August, [International Cyber-Jurisdiction: A Comparative Analysis](#), 39 AM. BUS. L.J. 531 (2002).

Jessica C. Cobaugh, Note, [Bloom v. Commonwealth: Identifying The Face Behind The Instant Message](#), 8 RICH. J.L. & TECH. 17 (2002), at <http://www.law.richmond.edu/jolt/v8i3/article17.html>.

Edward Lee, [Rules and Standards for Cyberspace](#), 77 NOTRE DAME L. REV. 1275 (2002).

Tricia Leigh Gray, Note, [Minimum Contacts in Cyberspace: The Classic Jurisdiction Analysis in a New Setting](#), 1 J. HIGH TECH. L. 85 (2002).

Rinat Hadas, Case Comment, [Yahoo! Inc. v. La Ligue Contre le Racisme et L'Antisemitisme](#), 15 FLA. J. INT'L L. 299 (2002).

Uta Kohl, Eggs, Jurisdiction, and the Internet, ICLQ 51.3(55) (2002).

James McMillan, The Incounter E-Filing System, 41 NO. 4 JUDGES' J. 37 (2002).

Ellen S. Podgor, [International Computer Fraud: A Paradigm for Limiting National Jurisdiction](#), 35 U.C. DAVIS L. REV. 267 (2002).

James A. Snyder & Angela Morelock, Electronic Data Discovery: Litigation Goldmine or Nightmare?, 58 J. MO. B. 1 (2002).

Jamie Spataro, Note, Personal Jurisdiction Over the Internet: How International Is Today's Shoe, 3 PGH. J. TECH. L. & POL'Y 1 (2002).

*592 Raquel Xalabarder, [Copyright: Choice of Law and Jurisdiction in the Digital Age](#), 8 ANN. SURV. INT'L & COMP. L. 79 (2002).

10. LAW AND TECHNOLOGY

10.0 General

Daron Acemoglu, Technical Change, Inequality, and the Labor Market, 40 J. ECON. LITERATURE 7 (2002).

Peter S. Adler, Science, Politics, and Problem Solving: Principles and Practices for the Resolution of Environmental Disputes in the Midst of Advancing Technology, Uncertain or Changing Science, and Volatile Public Perceptions, 10 PENN ST. ENVTL. L. REV. 323 (2002).

Timothy J. Balts, Note, Substantial Utility, Technology Transfer, and Research Utility: It's Time for a Change, 52 SYRACUSE L. REV. 105 (2002).

Donovan Bezer, "Your Programmer Promised it Would Work!": How Software Engineers' Well-Intentioned Statements Can Hurt Their Employers When Customers Sue, 26 RUTGERS L. REC. 2 (2002), at <http://pegasus.rutgers.edu/~record/>.

David Card & John E. DiNardo, Skill-Based Technological Change and Rising Wage Inequality: Some Problems and Puzzles, 20 J. LAB. ECON. 733 (2002).

Graciela Chichilnisky, Technology, Growth and Development: An Induced Innovation Perceptive, 40 J. ECON. LITERATURE 963 (2002) (book review).

Justin Ferguson, Comment, The Constitutionality of Passive Alcohol Sensors Under the Fourth Amendment in the Wake of Kyllo v. United States, 34 TEX. TECH. L. REV. 129 (2002).

Lynn N. Hughes, Contracts, Custom, and Courts in Cyberspace, 96 NW. U. L. REV. 1599 (2002).

*593 Jeffrey K. Joyner, Future Technology Clauses: Would Their Lack of Compensation Have Discouraged Shakespeare's Creativity and Denied Society's Access to His Works In The Media?, 31 SW. U. L. REV. 575 (2002).

Bradley J. Martineau, Essay, The Future of Law Review and Legal Journals from a Student Editor's Perspective, 2 PGH. J. TECH. L. & POL'Y 1 (2002).

Thomas O. McGarity, Seeds of Distrust: Federal Regulation of Genetically Modified Foods, 35 U. MICH. J.L. REF. 403 (2002).

Michael J. McGuire, Survey: Survey of the Law of Cyberspace: Introduction, 58 BUS. LAW. 295 (2002).

Alexander T. Nguyen, Here's Looking at You, Kid: Has Face-Recognition Technology Completely Outflanked the Fourth Amendment?, 7 VA. J.L. & TECH. 2 (2002).

Laura H. Phillips & Jason E. Friedrich, Wireless: Can Regulatory "Business As Usual" Continue?, 20 COMM. LAW. 12 (2002).

Dr. Julie-Anne Tarr, Regulatory Approaches to Genetic Testing in Insurance, 24 SYDNEY L. REV. 189 (2002).

Robert H. Thornburg, Comment, Face Recognition Technology: The Potential Orwellian Implications and Constitutionality of Current Uses Under the Fourth Amendment, 20 J. MARSHALL J. COMPUTER & INFO. L. 321 (2002).

10.1 Technology Transfer

Timothy James Ryan, Note, [Infringement.com: RIAA v. Napster and the War Against Online Music Piracy](#), 44 ARIZ. L. REV. 495 (2002).

10.2 Audio/Video Recording

Elizabeth Adelman, [Video Surveillance In Nursing Homes](#), 12 ALB. L.J. SCI. & TECH. 821, (2002).

*594 Merritt A. Gardiner, The Music Online Competition Act of 2001, 22 J. ART & ENT. L. 25 (2002).

Owen Morgan, The Problem of the International Protections of Audiovisual Performances, 33 INT'L REV. OF INDUS. PROP. AND COPYRIGHT L. 810 (2002).

Jason C. Rahoy, Note, The [Picture Worth Ten Thousand Words: Non-Audio Surveillance Videotapes Now Statements Under Section 287.215 of Missouri's Workers' Compensation Law](#), 67 MO. L. REV. 907 (2002).

10.3 Space Law

Adrian Copiz, [Scarcity in Space: The International Regulation of Satellites](#), 10 COMMLAW CONSPECTUS 207 (2002).

Richard J. Johnson, Note, [Applying the Copyright Act to Extraterritorial Satellite Transmissions: Taking the Public out of a Public Performance](#), 87 IOWA L. REV. 1649 (2002).

Joel Stroud, [Space Law Provides Insights on How the Existing Liability Framework Responds to Damages Caused by Artificial Outer Space Objects](#), 37 REAL PROP. PROB. & TR. J. 363 (2002).

David S. Weitzel, Where [No Lawyer Has Gone Before? What A Cyberspace Attorney Can Learn from Space Law's Legacy](#), 10 COMMLAW CONSPECTUS 191 (2002).

10.4 Medical Technology

Mary R. Anderlik & Mark A. Rothstein, [DNA-Based Identity Testing and the Future of the Family: A Research Agenda](#), 28 AM. J.L. & MED. 215 (2002).

Gaia Bernstein, The [Socio-Legal Acceptance of New Technologies: A Close Look at Artificial Insemination](#), 77 WASH. L. REV. 1035 (2002).

Jessica W. Berg, [Ethics and E-medicine](#), 46 ST. LOUIS U. L.J. 61 (2002).

*595 Ashutosh Bhagwat, Symposium Transcript: [Cloning and Federalism](#), 53 HASTINGS L.J. 1133 (2002).

John D. Blum, The [Role of Law in Global E-health: A Tool for Development and Equity in a Digitally Divided World](#), 46 ST. LOUIS U. L.J. 85 (2002).

Craig M. Borowski, [Human Cloning Research in Japan: A Study in Science, Culture, Morality, and Patent Law](#), 9 IND. INT'L & COMP. L. REV. 505 (2002).

Alexander Morgan Capron, Symposium Transcript: [Placing a Moratorium on Research Cloning to Ensure Effective Control over Reproductive Cloning](#) 53 HASTINGS L.J. 1057 (2002).

Tina M. Champion, Comment, The [Elderly Suing Doctors: Reasons and Recovery](#), 12 ALB. L.J. SCI. & TECH. 895 (2002).

Richard L. Cleland, [Cross-Border Telemedicine: An Uncertain Future](#), 46 ST. LOUIS U. L.J. 149 (2002).

Symposium, [Cloning Californians? Report of the California Advisory Committee on Human Cloning](#), 53 HASTINGS L.J. 1143 (2002).

Anne Cote, Adequate Protection for the Autonomous Research Subject? The Disclosure of Sources of Funding and Commercialisation in Genetic Research, 28 MAN. L.J. 347 (2002).

Patti Dobbins, [Provision of Legal and Medical Services on the Internet: Licensure and Ethical Considerations](#), 3 N.C. J.L. & TECH. 353 (2002).

Sarah L. Dunn, Note, The "Art" of Procreation: Why Assisted Reproduction Technology Allows For the Preservation of Female Prisoners' Right to Procreate, 70 FORDHAM L. REV. 2561 (2002).

Mark D. Eibert, Symposium Transcript: [Human Cloning: Myths, Medical Benefits and Constitutional Rights](#), 53 HASTINGS L.J. 1097 (2002).

*596 Erin P. George, Comment, The [Stem Cell Debate: The Legal, Political and Ethical Issues Surrounding Federal Funding of Scientific Research on Human Embryos](#), 12 ALB. L.J. SCI. & TECH. 747 (2002).

Robert A. Gerberry, [Legal Ramifications of the Formation of Digital Hospitals](#), 14 HEALTH LAW. 27 (2002).

Hank Greely, Symposium Transcript: [Cloning and Government Regulation](#), 53 HASTINGS L.J. 1085 (2002).

P. Greg Gulick, [E-Health and the Future Of Medicine: The Economic, Legal, Regulatory, Cultural, and Organizational Obstacles Facing Telemedicine and Cybermedicine Programs](#), 12 ALB. L.J. SCI. & TECH. 351 (2002).

Kathy Hudson, Biotech in Northeast Conference: The [Human Genome Project: A Public Good](#), 12 HEALTH MATRIX 367 (2002).

William G. Kelly, Comment, [Ericka and Myron: Canaries in the Mines](#), 13 ALB. L.J. SCI. & TECH. 173 (2002).

Jennifer A. Marsh, Comment, Telefraud: The Inception of Fraud and Abuse Prosecutions Against Telemedicine Providers, 35 J. HEALTH L. 553 (2002).

Timothy McIntire, [Legal Issues of Stem Cell Transplantation and the Family](#), 32 U. MEM. L. REV. 727 (2002).

Margaret R. McLean, Conceiving a Code for Creation: The Legal Debate Surrounding Human Cloning: [What's in a Name? "Nuclear Transplantation" and the Ethics of Stem Cell Research](#), 53 HASTINGS L.J. 1017 (2002).

Margaret R. McLean, [Seeing Double: The Ethics of Human Cloning](#), 53 HASTINGS L.J. 1049 (2002).

Thomas R. McLean, Cybersurgery -- An Argument for Enterprise Liability, 23 LEGAL MED. 167 (2002).

*597 Maxwell J. Mehlman & Kirsten M. Rabe, The Genetics Revolution: Conflicts, Challenges and Conundra: Any [DNA to Declare? Regulating Offshore Access to Genetic Enhancement](#), 28 AM. J.L. & MED. 179 (2002).

Richard A. Merrill, Human Tissues and Reproductive Cloning: New Technologies Challenge FDA, 3 HOUS. J. HEALTH L. & POL'Y (2002).

Christopher J. Molzen, [The Changing Standard of Care in Medicine: E-Health, Medical Errors & Technology Add New Obstacles](#), 23 J. LEGAL MED. 449 (2002).

Sina A. Muscati, [Defining a New Ethical Standard for Human In Vitro Embryos in the Context of Stem Cell Research](#), 2002 DUKE L. & TECH. REV. 26 (2002).

Remigius N. Nwabueze, Spiritualising in the Godless Temple of Biotechnology: Ontological and Statutory Approaches to Dead Bodies in Nigeria, England, and the U.S.A., 29 MAN. L.J. 171 (2002).

Deborah Ortiz, Symposium Transcript: [Cloning, Science and Public Policy](#), 53 HASTINGS L.J. 1117 (2002).

Margaret Jane Radin, Symposium Transcript: [Cloning and Commodification](#), 53 HASTINGS L.J. 1123 (2002).

Radhika Rao, Conceiving a Code for Creation: The Legal Debate Surrounding Human Cloning: [What's So Strange About Human Cloning?](#), 53 HASTINGS L.J. 1007 (2002).

Jason Christopher Roberts, [Customizing Conception: A Survey of Preimplantation Genetic Diagnosis and the Resulting Social, Ethical, and Legal Dilemmas](#), 2002 DUKE L. & TECH. REV. 12 (2002).

Arnold J. Rosoff, On [Being a Physician in the Electronic Age: Peering into the Midst at Point-&-Click Medicine](#), 46 ST. LOUIS U. L.J. 111 (2002).

Nancy L. Segal, Symposium Transcript: [Human Cloning: Insights from Twins and Twin Research](#), 53 HASTINGS L.J. 1073 (2002).

*598 Lee Silver, Symposium Transcript: [Public Policy Crafted in Response to Public Ignorance is Bad Public Policy](#), 53 HASTINGS L.J. 1037 (2002).

Kimberly A. Smith, [Conceivable Sterilization: A Constitutional Analysis of Norplant/Depo-Provera Welfare Condition](#), 77 IND. L. J. 389 (2002).

J.M. Spectar, [Patent Necessity: Intellectual Property Dilemmas in the Biotech Domain & Treatment Equity for Developing Countries](#), 24 HOUS. J. INT'L L. 227 (2002).

Cass R. Sunstein, Conceiving a Code for Creation: The Legal Debate Surrounding Human Cloning: Is [There a Constitutional Right to Clone?](#) 53 HASTINGS L.J. 987 (2002).

Mark F. Tatelbaum, Checklist of Federal and State Privacy Issues, 35 J. HEALTH L. 283 (2002).

Nicolas P. Terry, [When the "Machine That Goes 'Ping'" Causes Harm: Default Torts Rules and Technologically-Mediated Health Care Injuries](#), 46 ST. LOUIS U. L.J. 37 (2002).

Shashank Upadhye, To Use or Not to Use: [Reforming Patent Infringement, the Public Use Bar, and the Experimental Use Doctrine as Applied to Clinical Testing of Pharmaceutical and Medical Device Inventions](#), 4 MINN. INTELL. PROP. REV. 1 (2002).

Shira D. Weiner, Note, [Mouse-to Mouse- Resuscitation: Cybermedicine and the Need for Federal Regulation](#), 23 CARDOZO L. REV. 1107 (2002).

Jennifer Wolfberg, Comment, [Two Kinds of Statistics, the Kind You Look Up and the Kind You Make Up: A Critical Analysis of Comparative Provider Statistics and the Doctrine of Informed Consent](#), 29 PEPP. L. REV. 585 (2002).

*599 Matthew S. Yeo, Distance Health Services Under the General Agreement on Trade in Services, 35 J. HEALTH L. 83 (2002).

Dana Ziker, [Appropriate Aims: Setting Boundaries for Reproductive Technology](#), 2002 DUKE L. & TECH. REV. 11 (2002).

10.5 Biotechnology and Pharmaceuticals

Mary R. Anderlik & Mark A. Rothstein, [DNA-Based Identity Testing and the Future of the Family: A Research Agenda](#), 28 AM. J.L. & MED. 215 (2002).

Symposium, [At the Crossroads of Law & Technology](#), 35 LOY. L.A. L. REV. 961 (2002).

David Blumenthal, Biotech in Northeast Ohio Conference: [Conflict of Interest in Biomedical Research](#), 12 HEALTH MATRIX 377 (2002).

Daniel Mark Cohen, [Cloning and the Constitution](#), [Cloning and the Constitution](#), [Cloning and the Constitution](#), [Cloning and the Constitution](#), ... 26 NOVA L. REV. 511 (2002).

Anne Cote, Adequate Protection for the Autonomous Research Subject? The Disclosure of Sources of Funding and Commercialisation in Genetic Research, 28 MAN. L.J. 347 (2002).

David Dudzinsk, Users of Pharmaceutical Websites, 305 J.L. MED & ETHICS 466 (2002).

Nathan W. Eckley, Comment, [Reaping the Benefits of Agricultural Biotechnology Through Uniform Regulations](#), 35 J. MARSHALL L. REV. 433 (2002).

Daniel Erskine, Book Note, [Biotechnology and the Creation of Ethics](#), 1 J. HIGH TECH. L. 1 (2002).

Lila Feisee, Biotech in Northeast Ohio Conference: Current Plans and Visions for the Future [Role of the Private Sector in Biotechnology: Research and Development](#), 12 HEALTH MATRIX 357 (2002).

*600 Samantha French, [Genetic Testing in the Workplace: The Employer's Coin Toss](#), 2002 DUKE L. & TECH. REV. 15 (2002).

Symposium, The Human Genome Project, DNA Science and the Law: The American Legal System's Response To Breakthroughs in Genetic Science: [Panel One: Intellectual Property and Genetic Science: The Legal Dilemmas](#), 51 AM. U. L. REV. 371 (2002).

Aynsley Kellow, [Risk Assessment and Decision-Making for Genetically Modified Foods](#), 13 RISK 115 (2002).

Stanley P. Kowalski & R. David Kryder, [Golden Rice: A Case Study in Intellectual Property Management and International Capacity Building](#), 13 RISK 47 (2002).

Joan H. Krause, Biotechnology Symposium: Foreword: The Promise and Peril of Biotechnology, 2002 HOUS. J. HEALTH L. & POL'Y 1 (2002).

Book Review, The Law of Human Experimentation by David T. Marshall, 33 OTTAWA L. REV. 255 (2002).

Michael J. Malinowski, Law, Policy, and Market Implications of Genetic Profiling in Drug Development, 2002 HOUS. J. HEALTH L. & POL'Y 31 (2002).

Maxwell J. Mehlman & Kirsten M. Rabe, The Genetics Revolution: Conflicts, Challenges and Conundra: Any DNA to Declare? Regulating Offshore Access to Genetic Enhancement, 28 AM. J.L. & MED. 179 (2002).

Ana Cristina Almeida Muller, Nei Pereira Jr. & Adelaide Maria de Souza Antunes, Protecting Biotechnological Inventions In Brazil and Abroad: Draft, Scope and Interpretation Of Claims, 13 ALB. L.J. SCI. & TECH. 145 (2002).

Remigius N. Nwabueze, Spiritualising in the Godless Temple of Biotechnology: Ontological and Statutory Approaches to Dead Bodies in Nigeria, England, and the U.S.A., 29 MAN. L.J. 171 (2002).

*601 E.D. Pellegrino, Balancing Science, Ethics and Politics: Stem Cell Research, A Paradigm Case, 18 J. CONTEMP. HEALTH L. & POL'Y 591 (2002).

M. Susan Ridgely & Michael D. Greenberg, Pharmacy, Facsimile, and Cyberspace: An Examination of Legal Frameworks for Electronic Prescribing, 13 ALB. L.J. SCI. & TECH. 1 (2002).

Ron Sepic & Kate Kase, The National Biological Information Infrastructure as E-Government Tool, 19 GOV'T INF. Q. 407 (2002).

James Sheehan, Address, Bio-Tech Fraud: Reality or Fantasy?, 2002 HOUS. J. HEALTH L. & POL'Y 11 (2002).

Charlotte Sprels, Recent Developments in Health Law: American Journal of Law & Medicine and Harvard Law & Health Care Society: Consumer Protection: Online Sale of Prescription Drugs to Minors Not Unconscionable, 30 J.L. MED. & ETH-ICS 315 (2002).

Sonia Mateu Suter, The Genetics Revolution: Conflicts, Challenges, and Conundra: The Routinization of Prenatal Testing, 28 AM. J.L. & MED. 233 (2002).

Shashank Upadhye, To Use or Not to Use: Reforming Patent Infringement, the Public Use Bar, and the Experimental Use Doctrine as Applied to Clinical Testing of Pharmaceutical and Medical Device Inventions, 4 MINN. INTELL. PROP. REV. 1 (2002).

Michael Woods, Food For Thought: The Biopiracy of Jasmine and Basmati Rice, 13 ALB. L.J. SCI. & TECH. 123 (2002).

Lynne G. Zucker, Michael R. Dary & Maximo Torero, Labor Mobility from Academe to Commerce, 20 J. LAB. ECON. 629 (2002).

10.6 Environmental Law

10.6.0 General

***602** Kenneth J. Markowitz, [Legal Challenges and Market Rewards to the Use and Acceptance of Remote Sensing and Digital Information as Evidence](#), 12 DUKE ENVTL. L. & POL'Y F. 219 (2002).

Carol M. Rose, [Scientific Innovation and Environmental Protection: Some Ethical Considerations](#), 32 ENVTL. L. 755 (2002).

Jukka Simil, [Pollution Regulation and Its Effects on Technological Innovations](#), 14 J. ENVTL. L. 143 (2002).

10.6.1 Pollution

10.6.2 Hazardous Substances

C.M. Williams, [CAFOs: Issues and Development of New Waste Treatment Technology](#), 10 PENN ST. ENVTL. L. REV. 217 (2002).

10.6.3 Electromagnetic Fields

10.6.4 Nuclear Technology

10.6.5 Energy and the Environment

Adrian Bradbrook, [Green Power Schemes: The Need for a Legislative Base](#), 26 MELBOURNE U. L.R. 15 (2002).

John A. Herrick, [Federal Financing of Green Energy: Developing Green Industry in a Changing Energy Marketplace](#), 31 PUB. CONT. L.J. 257 (2002).

William H. Shaw III, Book Note, [13 RISK 185 \(2002\)](#) (reviewing PETER HOFFMAN, TOMORROW'S ENERGY: HYDROGEN, FUEL CELLS, AND THE PROSPECTS FOR A CLEANER PLANET (2001)).

10.6.6 International Environmental Law Developments

10.7 Television

10.7.0 General

***603** Anthony Champagne, [Television Ads in Judicial Campaigns](#), 35 IND. L. REV. 669 (2002).

Michael A. Einhorn, [Copyright Law as Communications Policy: Convergence of Paradigms and Cultures: Internet Television and Copyright Licensing: Balancing Cents and Sensibility](#), 20 CARDOZO ARTS & ENT. L.J. 321 (2002).

Herman Galperin & Francois Bar, [The Regulation of Interactive Television in the United States and the European Union](#), 55 Fed. Cir. L.J. 61 (2002).

Dr. Sunny Handa, [Retransmission of Television Broadcasts on the Internet](#), 8 SW. J. L. & TRADE AM. 39 (2002).

Roni Mueller, [The "New" Series Co-Production Deal in Network Series Television](#), 31 SW. U. L. REV. 627 (2002).

Kimberianne Podlas, [Blame Judge Judy: The Effects of Syndicated Television Courtrooms on Jurors](#), 25 AM. J. TRIAL AD-VOC. 557 (2002).

10.7.1 Satellite Television

10.7.2 Cable Television

Daniel Brenner, Hits and Myths from "Cable Access," 2002 L. REV. M.S.U.- D.C.L.. 641 (2002).

10.8 Telecommunications

Tamar Frankel, Panel II: ICANN and WIPO at Work: Towards a Paradigm of International Telecommunications Governance? Principal Papers: The [Managing Lawmaker in Cyberspace: A Power Model](#), 27 BROOK. J. INT'L L. 859 (2002).

Colin M. Fritz & Angelique Hart, Virtual Faxing, 31-SPG BRIEF 6 (2002).

Stephanie Kahane, Depreciating Assets in the Telecommunications Industry, 28 INT'L TAX J. 37 (2002).

*604 Michelle F. Wilsey, Access, Openness, and Competition, 2002 L. REV. M.S.U.-D.C.L. 617 (2002).

10.8.0 General

Stephanie Chapman, Note, [MCI Telecommunications Corp. v. Public Service Commission: The Tenth Circuit Rebuffs the Supreme Court Trend Supporting State Immunity](#), 55 OKLA. L. REV. 175 (2002).

Megan Delany, Comment, The [Dominos of Goldwasser: Only Congress Can Stop the Toppling Effect Before the Game is Over](#), 10 COMMLAW CONSPPECTUS 279 (2002).

Rob Frieden, [Wither Convergence: Legal, Regulatory, and Trade Opportunism in Telecommunications](#), 18 SANTA CLARA COMPUTER & HIGH TECH. L.J. 171 (2002).

Michael Geist, Panel II: ICANN and WIPO at Work: Towards a Paradigm of International Telecommunications Governance? Fair.com?: An Examination of the Allegations of Systemic Unfairness in the ICANN UDRP, 27 BROOK. J. INT'L LAW 903 (2002).

Shani S. Kennedy & Rachel Price Flum, [Mail and Wire Fraud](#), 39 AM. CRIM. L. REV. 817 (2002).

Philipp Lust, Mobile Interconnection, 7 INT'L J. COMM. L. & POL'Y 7 (2002).

Wallace P. Mullin, Deregulation of Network Industries: What is Next?, 40 J. ECON. LITERATURE 199 (2002).

Kimberly R. Shefts, Note, [Virtual Visitation: The Next Generation of Options for Parent-Child Communication](#), 36 FAM. L.Q. 303 (2002).

Timothy J. Tryniecki, [Cellular Tower Siting Jurisprudence Under the Telecommunications Act of 1996 -- The First Five Years](#), 37 REAL PROP. PROB. & TR. J. 271 (2002).

Kurt Wimmer & Keith Lieberthal, [What Yankee Lawyers Need to Know About European Telecommunications](#), 20 COMM. LAW. 17 (2002).

*605 10.8.1 Telephone

Jaison R. Abel, [Entry Into Regulated Monopoly Markets: The Development of a Competitive Fringe in the Local Telephone Industry](#), 45 J. L. & ECON. 289 (2002).

Suzanne Capriotti, Is There a Future for Cell Phone Litigation? [19 J. CONTEMP. HEALTH L. & POL'Y 489 \(2002\)](#).

Jerry A. Hausman, Gregory K. Leonard & J. Gregory Sidak, [Does Bell Company Entry Into Long-Distance Telecommunications Benefit Consumers?](#), 70 ANTITRUST L.J. 463 (2002).

Deborah L. Lively, Note, Telecommunications Law: Open Access to Cable Broadband Transmission, 6 COMP. L. REV. & TECH. J. 313 (2002).

Leike Quanjel-Schreurs et al., A Digital Program for Advocacy, 36 L. TCHR. 15 (2002).

John F. Zulack, The [Role of the Small "Niche" Law Firm in the International Legal Business Market](#), 15 INT'L L. PRACTICUM 114 (2002).

10.8.2 Multimedia in Telecommunications

Rachael Abramson, [Catching Flies with Chopsticks: China's Strategic Leap into Wireless Telecommunications](#), 11 MINN. J. GLOBAL TRADE 1 (2002).

Herbert Burkert, Panel I: Telecommunications Developments in the European Union: Principal Papers: The [Post-Deregulatory Landscape in International Telecommunications Law: A Unique European Union Approach?](#) 27 BROOK. J. INT'L L. 739 (2002).

Christian DeFrancia, [Ownership Controls in the New Entertainment Economy: A Search for Direction](#), 7 VA. J.L. & TECH. 1 (2002).

***606** Toshio Kosuge, Comment, Legal Issues of Expanding Global Satellite Communication Services and Global Navigation Satellite Services, with Special Emphasis on the Development of Telecommunications and E-Commerce in Asia, 5 SING. J. INT'L & COMP. LAW 253 (2002).

David Lazer & Viktor Mayer-Schonberger, Panel I: Telecommunications [Developments in the European Union: Governing Networks: Telecommunication in Europe and the United States](#), 27 BROOK. J. INT'L L. 819 (2002).

Francis Lyall, Note, Legal Issues of Expanding Global Satellite Communication Services and Global Navigation Satellite Services, with Special Emphasis on the Development of Telecommunications and E-Commerce in Asia, 5 SING. J. INT'L & COMP. LAW 227 (2002).

Rachel Rosenthal, Comment, [United States v. Mexico: The First Telecommunications Challenge Confronting The World Trade Organization](#), 10 COMMLAW CONSPPECTUS 315 (2002).

Jens T. Werner, [US Telecommunication Companies in Europe - The Application of EC Competition Law in the Telecommunications Sector](#), 12 ALB. L.J. SCI. & TECH. 409 (2002).

10.8.3 International Telecommunications Developments

Lesha R. Chaifetz, Comment, The [Promised Land: An Examination of the Israeli High-Tech Industry](#), 23 U. PA. J. INT'L

ECON. L. 385 (2002).

Michael Geist, Panel II: ICANN and WIPO at Work: Towards a Paradigm of International Telecommunications Governance? Fair.com?: An Examination of the Allegations of Systemic Unfairness in the ICANN UDRP, 27 BROOK. J. INT'L LAW 903 (2002).

*607 Andrea L. Johnson, Preserving Privatization Of Telecommunications In Five Emerging Markets: Germany, Egypt, South Korea, Argentina And Mexico, 12 ALB. L.J. SCI. & TECH. 311 (2002).

Kathleen A. Lacey, Barbara Crutchfield George & Rajan George, International Telecommunications Mergers: U.S. National Security Threats Inherent in Foreign Government Ownership of Controlling Interests, 4 TUL. J. TECH. & INTELL. PROP. 29 (2002).

Luz Estella Ortiz Nagle, Antitrust in the International Telecommunications Sector: The United States Challenges Mexico's Telmex Monopoly, 33 U. MIAMI INTER-AM. L. REV. 183 (2002).

Martyn Taylor, Reforming China's Telecommunications Laws: Lessons from the Australian Experience?, 7 INT'L J. COMM. L. & POL'Y 3 (2002).

11. OTHERS

11.0 General

Lamberto O. Abeleda, Jr., Digital Compensation: Recording Artists' Collective Fight For True and Fair Compensation, 31 SW. U. L. REV. 701 (2002).

Shulamit Almog, From Sterne to Borges to Lost Storytellers: Cyberspace, Narrative, and Law, 13 FORDHAM INTELL. PROP. MEDIA & ENT. L.J. 1 (2002).

Jonathan Band, Closing the Interoperability Gap: NCCUSL's Adoption of a Reverse Engineering Exception in UCITA, 19 COMPUTER & INTERNET LAW. 1 (May 2002).

John A. Bargh, Beyond Simple Truths: The Human-Internet Interaction, 58 J. SOC. ISSUES 1 (2002).

Donald E. Biederman, Foreword: The Future: We Can Run, But We Can't Hide, 31 SW. U. L. REV. 571 (2002).

Mark Bovens, Information Rights: Citizenship in the Information Society, 10 J. POL. PHIL. 317 (2002).

*608 Clay Calvert, Violence, Video Games, and A Voice of Reason: Judge Posner to the Defense of Kids' Culture and the First Amendment, 39 SAN DIEGO L. REV. 1 (2002).

Andrew G. Celli, Jr. & Kenneth M. Dreifach, Bridging the Digital Divide: Equality in the Information Age: Postcards From the Edge: Surveying the Digital Divide, 20 CARDozo ARTS & ENT. L.J. 53 (2002).

Eben Colby, Note, What Did the Doctrine of Unconscionability Do to the Walker-Thomas Furniture Company?, 34 CONN. L. REV. 625 (2002).

John M. Cone, Cyberpiracy - The U.S. Legislative Response, 6 COMP. L. REV. & TECH. J. 221 (2002).

Mark N. Cooper, Bridging the Digital Divide: Equality in the Information Age: [Inequality in the Digital Society: Why the Digital Divide Deserves All the Attention it Gets](#), 20 CARDOZO ARTS & ENT. L.J. 73 (2002).

Daniel B. Evans, [Technology Probate](#), 16 PROB. & PROP. 55 (2002).

Colin M. Fritz, Who Hates Bates (Stamping That Is), 31-WTR BRIEF 6 (2002).

Colin M. Fritz & Angelique Hart, Wireless Networking, 31-SUM BRIEF 6 (2002).

Emily Frye, Survey: The [Tragedy of the Cybercommons: Overcoming Fundamental Vulnerabilities to Critical Infrastructures in a Networked World](#), 58 BUS. LAW. 349 (2002).

Martina Gillen, The Asexual Virus: Computer Viruses in Feminist Discourse, 13 LAW & CRITIQUE 151 (2002).

Joshua Gold, [Insurance Coverage for Internet and Computer Related Claims](#), 19 COMPUTER & INTERNET LAW. 8 (Apr. 2002).

*609 Julia R. Gordon, Impact Of Science And Technology On The Elderly: Article: [Legal Services And The Digital Divide](#), 12 ALB. L.J. SCI. & TECH. 809 (2002).

Matthew Green, Comment, [Sex on the Internet: A Legal Click or an Illicit Trick?](#), 38 CAL. W. L. REV. 527 (2002).

Allen S. Hammond, Bridging the Digital Divide: Equality in the Information Age: The [Digital Divide in the New Millennium](#), 20 CARDOZO ARTS & ENT L.J. 135 (2002).

Kieran Healy, Digital Technology and Cultural Goods, 10 J. POL. PHIL. 478 (2002).

Reed Hunt, The [Future of the Net -- Comments on Lawrence Lessig's Code and Other Laws of Cyberspace and the Future of Ideas](#), 68 BROOK. L. REV. 289 (2002).

Dan Hunter, Review Essay: [Phillipic.com Republic.com By Cass Sunstein](#), 90 CAL. L. REV. 611 (2002).

Robert H. Jerry, II & Michele L. Mekel, [Cybercoverage for Cyber-Risks: An Overview of Insurers' Responses to the Perils of E-Commerce](#), 8 CONN. INS. L.J. 7 (2002).

Daphne Keller, [A Gaudier Future That Almost Blinds The Eye: The Future of Ideas](#), 52 DUKE L.J. 273 (2002).

Patricia L. Martin, [Moving Toward an International Standard in Informed Consent: The Impact of Intersexuality and the Internet on the Standard of Care](#), 9 DUKE J. GENDER L. & POL'Y 135 (2002).

Leo P. Martinez, The [Marriage of Intellectual Property and Insurance Law: An Introduction](#), 8 CONN. INS. L.J. 1 (2001/2002).

Vikto Mayer-Schonberger, Emergency Communications: The Quest for Interoperability in the United States and Europe, 7 INT'L J. COMM. L. & POL'Y 2 (2002).

*610 Vincent McCarthy, The Fate of the Child Pornography Act of 1996: [Child Pornography in a Virtual World: The Continued Battle to Preserve the Child Pornography Protection Act of 1996](#), 23 CARDOZO L. REV. 2019 (2002).

Katelyn Y.A. McKenna, Relationship Formation in the Internet: What's the Attraction? 58 J. SOC. ISSUES 9 (2002).

Mark G. Milone, Survey: [Heckettivism: Securing the National Infrastructure](#), 58 BUS. LAW. 383 (2002).

David Milstein, [Buyer Oversight and Participation in a Fixed Price Software Development Project](#), 19 COMPUTER & INTERNET LAW. 10 (Aug. 2002).

Laura Quilter, Cyberlaw: The [Continuing Expansion of Cyberspace Trespass to Chattels](#), 17 BERKELEY TECH. L.J. 421 (2002).

Jeffrey Scott Ranen, Note, Was [Blind But Now I See: The Argument For ADA Applicability to the Internet](#), 22 B.C. THIRD WORLD L.J. 389 (2002).

Cindy M. Rice, A Justification for the Prohibition of Spam in 2002? Unsolicited Commercial E-mail: Why is it Such a Problem?, [3 N.C. J.L. & TECH. 375 \(2002\)](#).

Douglas R. Richmond, [A Practical Look At E-Commerce And Liability Insurance](#), 8 CONN. INS. L.J. 87 (2001/2002).

Jonathan M. Turner & Lawrence J. Song, Personnel Impact, COMPUTER & INTERNET LAW., Jan. 2002, at 8.

Ryan L. Van Den Elzen, Note, [Decrypting the DMCA: Fair Use as a Defense to the Distribution of DeCSS](#), 77 NOTRE DAME L. REV. 673 (2002).

Marc J. Ware & Joseph B. Kadane, [Chance and Skill in Games: Electronic Draw Poker](#), 43 JURIMETRICS J. 129 (2002).

*611 Martin G. Weinberg et al., Internet Sexual Entrapment: The Uses & Misuses of 18 U.S.C. 2423.-Part 2, 26 CHAMPION 26 (2002).

Samuel Noah Weinstein, Comment, [Bundles of Trouble: The Possibilities for a New Separate-Product Test in Technology Tying Cases](#), 90 CALIF. L. REV. 903 (2002).

Alfred C. Yen, [Western Frontier of Feudal Society: Metaphors and Perceptions of Cyberspace](#), 17 BERKELEY TECH. L.J. 1207 (2002).

Raffi Zerounian, Intellectual Property: [Bonneville International v. Peters](#), 17 BERKELEY TECH. L.J. 47 (2002).

11.1 Y2K Issues

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