## Table of Contents

Follow this and additional works at: [https://via.library.depaul.edu/jatip](https://via.library.depaul.edu/jatip)

Part of the [Computer Law Commons](https://via.library.depaul.edu/jatip), [Cultural Heritage Law Commons](https://via.library.depaul.edu/jatip), [Entertainment, Arts, and Sports Law Commons](https://via.library.depaul.edu/jatip), [Intellectual Property Law Commons](https://via.library.depaul.edu/jatip), [Internet Law Commons](https://via.library.depaul.edu/jatip), and the [Science and Technology Law Commons](https://via.library.depaul.edu/jatip)

---

**Recommended Citation**


*Available at: [https://via.library.depaul.edu/jatip/vol27/iss2/1](https://via.library.depaul.edu/jatip/vol27/iss2/1)*

---

This Front Matter is brought to you for free and open access by the College of Law at Via Sapientiae. It has been accepted for inclusion in DePaul Journal of Art, Technology & Intellectual Property Law by an authorized editor of Via Sapientiae. For more information, please contact wsulliv6@depaul.edu, c.mcclure@depaul.edu.
LEAD ARTICLE

Reading Jane Austen through the Lens of the Law: Legal Issues in Austen’s Life and Novels .............................. Maureen B. Collins 115

BRIEF

National Cultural Heritage Law Moot Court Competition
Best Brief 2017 ........... …Holden Benon, Nicholas Keats, Andrea Swanson 167

CASE NOTES AND COMMENTS

“It’s Dead Jim!” – Fair Use in Fanworks Without Precedent ................................................. Morgan Drake 199

VMG Salsoul, LLC v. Ciccone,
824 F.3d 871 (9th Cir. 2016) ................................................... Victoria Campbell 231

CASE SUMMARIES

Halo Elecs., Inc. v. Pulse Elecs., Inc.,
136 S. Ct. 1923 (2016) ....................................................... Subarna Bhattacharya 255

Foster v. Svenson,
128 A.D.3d 150 (2015) ....................................................... Mary Bessone 271

Samsung Electronics Co. v. Apple Inc.,
137 S. Ct. 429 (2016) ....................................................... Thomas DaMario 285

LEGISLATIVE UPDATE

Daily Fantasy Sports and the Clash of Internet Gambling Regulation ........................................... Joshua Shancer 295
DEPAUL UNIVERSITY

GENERAL ADMINISTRATION

Rev. Dennis H. Holtschneider, C.M., Ed.D. ........................................... President
Marten L. denBoer, Ph.D. ................................................................. Provost
Jeffrey Bethke .................................................................Executive Vice President
Rev. Edward R. Udovic, C.M., Ph.D. ........................................................ Secretary of the University

Vice President for Teaching & Learning Resources
Senior Executive for University Mission

Jay Braatz ........................................... Vice President for Planning and Presidential Administration
Gene Zdziarski, Ph.D. ...............................................................Vice President for Student Affairs
Erin Minné ................................................................. Senior Vice President for Advancement
Sherri Sidler ............................................................... Controller
Robert Janis ............................................................. Vice President for Facilities Operations
David H. Kalsbeek, Ph.D. .................................................. Sen. V. P. for Enrollment Management & Marketing
Bob McCormick ............................................................... Vice President for Information Services
Elizabeth F. Ortiz, Ed.D. ..................................................... Vice President for Institutional Diversity and Equity
José D. Padilla, J.D. ............................................................... Vice President and General Counsel
Linda Blakley ................................................................. Vice President of Public Relations and Communications
Stephanie Smith ................................................................. Vice President for Human Resources

COLLEGE OF LAW ADMINISTRATION

Jennifer Rosato Perea ................................................................. Dean
Professor of Law

Allison Brownell Tirres ........................................ Associate Dean for Academic Affairs
Associate Professor of Law

Barbara B. Bressler ........................................... Associate Dean for Experiential Education
Associate Professor of Law

Sumi Cho ................................................................. Associate Dean for Non-JD Programs
Professor of Law

Margit Livingston .......................................................... Associate Dean for Faculty Development
Professor of Law

Allen Moye ............................................................. Associate Dean for Information Technology and Library Services
Director, Rinn Law Library
Associate Professor of Law

Michael S. Burns ................................................................. Associate Dean for Student Affairs

William Chamberlain .................................................. Assistant Dean for Law Career Services

Deborah Howard ............ Assistant Dean for Institutional Planning, Strategy and Research

Erika Roditis ............................................................. Director of Business Administration and Operations

Kortney Moore ................................................................. Director of Communications

iv
COLLEGE OF LAW FACULTY

Benjamin E. Alba ............................................ Director, Academic Support, Student Advising & Bar Passage
B.S., DePaul University | J.D., Loyola University of Chicago

Sioban Albiol .......................................................... Clinical Instructor
B.A., University of Texas at Austin | J.D., Loyola University of Chicago

Susan A. Bandes .................................................. Centennial Distinguished Research Professor of Law
B.A., State University of New York (Buffalo) | J.D., University of Michigan

M. Cherif Bassiouni ........................................... Distinguished Research Professor of Law
J.D., Indiana University | LL.M., John Marshall Law School

Monu Bedi .......................................................... Assistant Professor of Law
A.B., Dartmouth University | J.D., Harvard University

Barbara B. Bressler ............................................ Associate Dean for Experiential Education
M.Phil., University of Cambridge

Patrick F. Cassidy ............................................. Clinical Instructor
B.A., University of Minnesota | J.D., DePaul University

Emily Cauble ...................................................... Assistant Professor of Law
B.A., University of Notre Dame | J.D., University of Michigan Law School

Leonard F. Cavise ................................................ Emeritus Professor of Law
B.A., Hamilton College | J.D., Georgetown University

Sumi K. Cho ......................................................... Professor of Law
B.A., University of California-Berkeley | J.D., University of California-Berkeley

Alberto R. Coll .................................................... Professor of Law
B.A., Princeton University | J.D., University of Virginia

Michelle Cue ........................................................ Legal Writing Instructor
B.A., University of Illinois | J.D., University of Illinois

John F. Decker ........................................................ Emeritus Professor of Law
B.A., University of Iowa | J.D., Creighton University

Katheryn M. Dutenhaver ..................................... Associate Professor of Law
B.A., North Central College | J.D., DePaul University

Wendy Netter Epstein ........................................... Assistant Professor of Law
B.A., University of Illinois | J.D., Harvard Law School

Rebecca Feinberg ................................................ Lecturer in Law
B.A., Yeshiva University | J.D., University of Pennsylvania Law School

David L. Franklin ................................................ Associate Dean for Institutional Compliance
B.A., Yale College | J.D., University of Chicago

Jerold A. Friedland ............................................... Professor of Law

Director, Master of Laws in International Law: International Business, Commercial & Trade Law
Director, Master of Laws in Taxation
Director, Vienna University of Economics Exchange Program

V
<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Affiliation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Margit Livingston</td>
<td>Associate Dean for Faculty Development Professor of Law</td>
<td>B.A., Augsburg College</td>
</tr>
<tr>
<td></td>
<td>Director, Center for Intellectual Property Law &amp; Information Technology</td>
<td>J.D., University of Minnesota</td>
</tr>
<tr>
<td>Angelica Lopez</td>
<td>Clinical Instructor</td>
<td>B.S. &amp; B.S., Missouri State University</td>
</tr>
<tr>
<td></td>
<td></td>
<td>J.D., Northwestern University</td>
</tr>
<tr>
<td>Scott F. Main</td>
<td>Clinical Instructor</td>
<td>A.B., University of Chicago</td>
</tr>
<tr>
<td>Jody Marcucci</td>
<td>Legal Writing Instructor</td>
<td>B.A., University of Wisconsin</td>
</tr>
<tr>
<td>Gregory Mark</td>
<td>Professor of Law</td>
<td>B.A., Butler University</td>
</tr>
<tr>
<td>Cary Martin Shelby</td>
<td>Assistant Professor of Law</td>
<td>B.S., University of Illinois</td>
</tr>
<tr>
<td>Joey L. Mogul</td>
<td>Director, Civil Rights Clinic</td>
<td>B.S., Oberlin College</td>
</tr>
<tr>
<td>Mark Moller</td>
<td>Assistant Professor of Law</td>
<td>B.A., Duke University</td>
</tr>
<tr>
<td></td>
<td></td>
<td>L.L.M., University of Cambridge</td>
</tr>
<tr>
<td>Daniel I. Morales</td>
<td>Assistant Professor of Law</td>
<td>B.A., Williams College</td>
</tr>
<tr>
<td>Allen Moye</td>
<td>Associate Dean for Information Technology and Library Services Professor of Law</td>
<td>B.A., Howard University</td>
</tr>
<tr>
<td></td>
<td></td>
<td>M.L.S., Catholic University</td>
</tr>
<tr>
<td>John Q. Mulligan</td>
<td>FedEx/United Airlines Resident Research Fellow</td>
<td>B.A., University of Wisconsin-Madison</td>
</tr>
<tr>
<td>Martha Pagliari</td>
<td>Emeritus Professor of Law</td>
<td>B.A., University of California, Los Angeles</td>
</tr>
<tr>
<td>Allison I. Ortlieb</td>
<td>Legal Writing Instructor</td>
<td>B.A., University of Chicago</td>
</tr>
<tr>
<td>Bruce L. Ottley</td>
<td>Professor of Law</td>
<td>B.A., University of Missouri-Kansas City</td>
</tr>
<tr>
<td></td>
<td></td>
<td>J.D., University of Iowa</td>
</tr>
<tr>
<td>Martha Pagliari</td>
<td>Associate Director of Legal Analysis, Research &amp; Communication</td>
<td>B.A., University of Notre Dame</td>
</tr>
<tr>
<td>Jody Raphael</td>
<td>Visiting Professor of Law Senior Research Fellow</td>
<td>Schiller DuCanto &amp; Fleck Family Law Center</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A.B., Bryn Mawr College</td>
</tr>
<tr>
<td>Steven Resnicoff</td>
<td>Professor of Law</td>
<td>B.A., Princeton University</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rabbinic, Beth Medrash Govoha</td>
</tr>
<tr>
<td>John C. Roberts</td>
<td>Dean Emeritus Professor of Law</td>
<td>B.S., Northwestern University</td>
</tr>
<tr>
<td>Zoe Robinson</td>
<td>Assistant Professor of Law</td>
<td>B.Mus., Griffith University</td>
</tr>
<tr>
<td></td>
<td></td>
<td>LL.B., Australian National University</td>
</tr>
<tr>
<td>David Rodriguez</td>
<td>Director, Third year in Practice Visiting Professor of Law</td>
<td>B.S., University of Illinois</td>
</tr>
</tbody>
</table>

Published by Via Sapientiae,
Jennifer Rosato Peread
B.S., Cornell University | J.D., University of Pennsylvania

Howard M. Rubin
Associate Dean for Lawyering Skills
Director, Field Placement Program
B.S., University of Illinois | J.D., DePaul University

Jane Rutherford
Professor of Law
A.B., University of Chicago | J.D., University of Michigan

Joshua D. Sarnoff
Professor of Law
B.S., Massachusetts Institute of Technology | J.D., Stanford University

Jeffrey M. Shaman
St. Vincent de Paul Professor of Law
B.A., Pennsylvania State University | J.D., University of Southern California

Stephen A. Siegel
Distinguished Research Professor of Law
B.A., Columbia University | J.D., Harvard University

Terry Smith
Distinguished Research Professor of Law
B.A., Brown University | J.D., New York University

Raia Stoicheva
Clinical Instructor
Director, Legal Analysis, Research and Communication

Susan Thrower
Associate Professor of Law
B.A., University of Virginia | J.D., Wake Forest University

Allison Brownell Tirres
Associate Dean for Academic Affairs
B.A., Princeton University | M.A., Harvard University

Vincent Vitullo
Emeritus Professor of Law
A.B., Loyola University of Chicago | J.D., Loyola University of Chicago

Anthony G. Volini
Senior Legal Writing Instructor
B.S., Benedictine University | J.D., Loyola University of Chicago

Mark C. Weber
St. Vincent de Paul Professor of Law
B.A., Columbia University | J.D., Yale University

Judge Warren D. Wolfson
Distinguished Visiting Professor of Law
B.S. University of Illinois at Chicago | LL.B., University of Illinois

viii
RINN LAW LIBRARY STAFF

Allen Moye ........................................... Associate Dean for Information Technology & Library Services
B.A., Howard University
M.L.S., Catholic University

Michael Schiffer .................................................. Associate Director for Computer Services
B.A., University of Chicago
M.L.S., Rosary College

James Brownridge .................................................. Stacks Manager/Circulation Assistant

Kim Gainey .................................................. Interlibrary Loan, Circulation Assistant

Mark Giangrande .................................................. Faculty Services, Reference Librarian
B.A., Northwestern University
M.L.S., University of Texas

Heather Hummons .................................................. Head of Access Services

Kristy Lueshen .................................................. Reserves Coordinator/Circulation Assistant

Maria Willmer .................................................. Librarian, Legal Research Specialist
B.A., University of Michigan
A.M.L.S., University of Michigan

Lenore Boehm .................................................. Acquisitions Manager
B.A., Northern Illinois University
M.L.S., Rosary College

Denise Glynn .................................................. Associate Director for Technical Services & Processing
B.A., Northern Illinois University
M.L.S., Rosary College

Jack Gorman .................................................. Government Documents & Information Librarian

David Labno .................................................. Cataloging Assistant

Elizabeth Shivers .................................................. Serials Assistant

Daniel Ursini .................................................. Acquisitions Assistant

ix
<table>
<thead>
<tr>
<th>Adjunct Faculty</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Gwendolyn Alexis</td>
<td>Jordan Labkon</td>
</tr>
<tr>
<td>Michael Bergmann</td>
<td>Era Laudermilk</td>
</tr>
<tr>
<td>Richard Boonstra</td>
<td>Eric Leafblad</td>
</tr>
<tr>
<td>Stephen Brandstedt</td>
<td>Gil Lenz</td>
</tr>
<tr>
<td>Chalet Braziel</td>
<td>Steven Levy</td>
</tr>
<tr>
<td>Mary M. Broshanan</td>
<td>John Lillig</td>
</tr>
<tr>
<td>Patrick Bruks</td>
<td>Lisa Lilly</td>
</tr>
<tr>
<td>Vince Browne</td>
<td>Robert Loeb</td>
</tr>
<tr>
<td>Michael Burns</td>
<td>Mary Luecke</td>
</tr>
<tr>
<td>John Callahan</td>
<td>Terrence MacCarthy</td>
</tr>
<tr>
<td>George Canellis</td>
<td>Anne MacMillan</td>
</tr>
<tr>
<td>Natalie Carlomango</td>
<td>Alfredo Maldonado</td>
</tr>
<tr>
<td>Patrick Cassidy</td>
<td>Mitchell Marinello</td>
</tr>
<tr>
<td>William Chamberlain</td>
<td>Peter Matejcak</td>
</tr>
<tr>
<td>Thomas Connolly</td>
<td>Robert Mauser</td>
</tr>
<tr>
<td>Karen Conti</td>
<td>Terry Miller</td>
</tr>
<tr>
<td>Daniel Cullen</td>
<td>VY'Shaey Mitchell</td>
</tr>
<tr>
<td>Jemelle Cunningham</td>
<td>Joey Mogul</td>
</tr>
<tr>
<td>Emily Czerniejewski</td>
<td>Ralph Morris</td>
</tr>
<tr>
<td>David D'Amato</td>
<td>Craig Mousin</td>
</tr>
<tr>
<td>Aaron Dozeman</td>
<td>Brian Nach</td>
</tr>
<tr>
<td>Kelli Dudley</td>
<td>Kevin Noonan</td>
</tr>
<tr>
<td>Katheryn Dutenhaver</td>
<td>Jack O'Malley</td>
</tr>
<tr>
<td>Maureen Egan</td>
<td>Ginder Odom</td>
</tr>
<tr>
<td>Katherine Faydash</td>
<td>Paul Olszowka</td>
</tr>
<tr>
<td>Rebecca Feinberg</td>
<td>John Paniaguas</td>
</tr>
<tr>
<td>David Ganfield</td>
<td>Christina Pannos</td>
</tr>
<tr>
<td>Sara Garber</td>
<td>Angela Petrone</td>
</tr>
<tr>
<td>Dean Gerber</td>
<td>Todd Pugh</td>
</tr>
<tr>
<td>Robert Gevirtz</td>
<td>Shankar Ramamurthy</td>
</tr>
<tr>
<td>Christopher Grohman</td>
<td>Timo Rehbock</td>
</tr>
<tr>
<td>Ellen Gutiontov</td>
<td>Steven Sandler</td>
</tr>
<tr>
<td>Susan Haddad</td>
<td>John Schmidt</td>
</tr>
<tr>
<td>Thomas Hennelly</td>
<td>Katherine Schostok</td>
</tr>
<tr>
<td>John Hynes</td>
<td>Stanley Sklar</td>
</tr>
<tr>
<td>Amy Jonaitis</td>
<td>Barry Spector</td>
</tr>
<tr>
<td>Thomas Judge</td>
<td>Meghan Stack</td>
</tr>
<tr>
<td>Susan Kennedy-Sullivan</td>
<td>Denise Streff</td>
</tr>
<tr>
<td>Brent Kidwell</td>
<td>Andrew Suszek</td>
</tr>
</tbody>
</table>

X