Table of Contents

Follow this and additional works at: https://via.library.depaul.edu/jatip

Part of the Computer Law Commons, Cultural Heritage Law Commons, Entertainment, Arts, and Sports Law Commons, Intellectual Property Law Commons, Internet Law Commons, and the Science and Technology Law Commons

Recommended Citation

Available at: 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 digitalservices@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


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


LEGISLATIVE UPDATE

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

Cite as 27 DEPAUL J. ART, TECH. & INTELL. PROP. L.

Copyright 2017 by DePaul University
All Rights Reserved

Price: $40.00 annual subscription; $20.00 single issue.
Subscriptions are accepted only on a per volume basis, are payable in advance and will be renewed automatically unless notification to the contrary is received in writing.
Change of address should be mailed to the Journal at least thirty days before the next issue is to be distributed. Please send the old and new address, including ZIP codes.
Rates for advertising quoted upon request.

Comments and suggestions regarding the content of this publication are invited.

DePaul Journal of Art, Technology & Intellectual Property Law
DePaul University College of Law
25 East Jackson Boulevard
Chicago, Illinois 60604-2287

E-mail: depaul.jatip@gmail.com

Web Site:
http://law.depaul.edu/student-resources/student-activities/journals/Pages/default.aspx

Printed in U.S.A.

Cover Design by
The 2007-2008 Editorial Board
The moral right of the 2007-2008 Editorial Board has been asserted.
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
COLLEGE OF LAW FACULTY

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

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

Susan A. Bande ............................................. 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
President Emeritus, International Human Rights Law Institute
J.D., Indiana University | LL.M., John Marshall Law School
S.J.D., George Washington University | LL.B., University of Cairo

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

Barbara B. Bressler ........................................... Associate Dean for Experiential Education
Associate Professor of Law
Director Emeritus, Center for Intellectual Property and Information Technology
B.S., University of Minnesota | J.D., DePaul University

Patrick F. Cassidy ........................................... Clinical Instructor
B.A., University of Illinois | J.D., Chicago-Kent College of Law

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

Leonard F. Caside ........................................... 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
Ph.D., University of California-Berkeley

Alberto R. Coll .............................................. Professor of Law
Director, European and Latin American Legal Studies Program
Director, International Law LL.M. Program
Director, International Human Rights Law & Policy
B.A., Princeton University | J.D., University of Virginia
Ph.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
LL.M., New York University | J.S.D., New York University

Katheryn M. Dutenhaver .................................. Associate Professor of Law
Director, Center for Dispute Resolution
B.A., North Central College | J.D., DePaul University
M.A., University of Chicago

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
M.B.E., University of Pennsylvania Medical School | M.S., Johns Hopkins University

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

Jerold A. Friedland ......................................... Professor of Law
Director, Asian Legal Studies Program
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
J.D., Brooklyn Law School | LL.M., Georgetown University
Margit Livingston .................................................. Associate Dean for Faculty Development
Professor of Law
Director, Center for Animal Law
B.A., Augsburg College | M.A., University of Minnesota
J.D., University of Minnesota | LL.M., University of Illinois

Angelica Lopez .................................................. Clinical Instructor
B.W.S. & B.S. Missouri State University | M.S.W., University of Kansas
J.D., Northwestern University

Scott F. Main .................................................. Clinical Instructor
A.B., University of Chicago | J.D., Loyola University of Chicago

Jody Marcucci .................................................. Legal Writing Instructor
B.A., University of Wisconsin | J.D., DePaul University

Gregory Mark .................................................. Professor of Law
B.A., Butler University | M.A., Harvard University
J.D., University of Chicago

Cary Martin Shelby ........................................... Assistant Professor of Law
B.S., University of Illinois | J.D., Northwestern University

Joey L. Mogul .................................................. Director, Civil Rights Clinic
B.S., Oberlin College | J.D., City University of New York School of Law

Mark Moller .................................................. Assistant Professor of Law
B.A., Duke University | J.D., University of Chicago
L.L.M., University of Cambridge

Daniel I. Morales ........................................... Assistant Professor of Law
B.A., Williams College | J.D., Yale Law School

Allen Moye .................................................. Associate Dean for Information Technology and Library Services
Associate Professor of Law
Director, Rinn Law Library
B.A., Howard University | J.D., University of Richmond
M.L.S., Catholic University

John Q. Mulligan ........................................... FedEx/United Airlines Resident Research Fellow
B.A., University of Wisconsin-Madison | J.D., College of William & Mary

Mark R. Nicholson ......................................... Emeritus Professor of Law
B.A., University of California, Los Angeles | J.D., University of California, Los Angeles

Allison I. Ortlieb ........................................... Legal Writing Instructor
B.A., University of Chicago | J.D., University of Chicago

Bruce L. Ottley .................................................. Professor of Law
Director, DePaul University/University College Dublin Cooperative Program
Co-Director, International Aviation Law Institute
B.A., University of Missouri-Kansas City | M.A., University of Iowa
J.D., University of Iowa | LL.M., Columbia University

Martha Pagliari ............................................... Associate Director of Legal Analysis, Research & Communication
B.A., University of Notre Dame | J.D., DePaul University

Jody Raphael .................................................. Visiting Professor of Law
Senior Research Fellow
Schiller DuCanto & Fleck Family Law Center
A.B., Bryn Mawr College | J.D., University of Chicago

Steven Resnicoff ........................................... Professor of Law
Co-Director, Center for Jewish Law and Judaic Studies
B.A., Princeton University | J.D., Yale University
Rabbinic, Beth Medrash Govoha

John C. Roberts ........................................... Dean Emeritus
Professor of Law
B.S., Northwestern University | LL.B., Yale University

Zoë Robinson .................................................. Assistant Professor of Law
B.Mus., Griffith University | B.A., Australian National University
LL.B., Australian National University | J.D., University of Chicago

David Rodriguez ............................................... Director, Third year in Practice
Visiting Professor of Law
B.S., University of Illinois | J.D., University of Michigan
Jennifer Rosato Perea .................................................................................................................... Dean
Professor of Law
B.S., Cornell University | J.D., University of Pennsylvania

Howard M. Rubin .................................................................................................................. Associate Dean for Lawyering Skills
Associate Professor of Law
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
Faculty Director, Center for Public Interest Law
B.A., Pennsylvania State University | J.D., University of Southern California
LL.M., Georgetown University

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

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

Raia Stoicheva .................................................................................................................. Clinical Instructor

Susan Thrower .................................................................................................................. Associate Professor of Law
Director, Legal Analysis, Research and Communication
B.A., University of Virginia | J.D., Wake Forest University

Allison Brownell Tirres ................................................................................................ Associate Dean for Academic Affairs
Associate Professor of Law
B.A., Princeton University | M.A., Harvard University
J.D., Harvard University | Ph.D., Harvard University

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

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
et al.: Table of Contents

Published by Via Sapientiae, 2019
<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gwendolyn Alexis</td>
<td>Jordan Labkon</td>
<td>Jerome Taylor</td>
</tr>
<tr>
<td>Michael Bergmann</td>
<td>Era Lauderimilk</td>
<td>Theodore Thomas</td>
</tr>
<tr>
<td>Richard Boonstra</td>
<td>Eric Leafblad</td>
<td>Mario Ventrelli</td>
</tr>
<tr>
<td>Stephen Brandstedt</td>
<td>Gil Lenz</td>
<td>Elisabeth Ward</td>
</tr>
<tr>
<td>Chalet Braziel</td>
<td>Steven Levy</td>
<td>Torrick Ward</td>
</tr>
<tr>
<td>Mary M. Broshanan</td>
<td>John Lillig</td>
<td>Destiny Woods</td>
</tr>
<tr>
<td>Patrick Bruks</td>
<td>Lisa Lilly</td>
<td>Lori Yokoyama</td>
</tr>
<tr>
<td>Vince Browne</td>
<td>Robert Loeb</td>
<td></td>
</tr>
<tr>
<td>Michael Burns</td>
<td>Mary Luecke</td>
<td></td>
</tr>
<tr>
<td>John Callahan</td>
<td>Terrence MacCarthy</td>
<td></td>
</tr>
<tr>
<td>George Canellis</td>
<td>Anne MacMillan</td>
<td></td>
</tr>
<tr>
<td>Natalie Carlomango</td>
<td>Alfredo Maldonado</td>
<td></td>
</tr>
<tr>
<td>Patrick Cassidy</td>
<td>Mitchell Marinello</td>
<td></td>
</tr>
<tr>
<td>William Chamberlain</td>
<td>Peter Matejek</td>
<td></td>
</tr>
<tr>
<td>Thomas Connolly</td>
<td>Robert Mauser</td>
<td></td>
</tr>
<tr>
<td>Karen Conti</td>
<td>Terry Miller</td>
<td></td>
</tr>
<tr>
<td>Daniel Cullen</td>
<td>VY'Shaey Mitchell</td>
<td></td>
</tr>
<tr>
<td>Jemelle Cunningham</td>
<td>Joey Mogul</td>
<td></td>
</tr>
<tr>
<td>Emily Czerniejevski</td>
<td>Ralph Morris</td>
<td></td>
</tr>
<tr>
<td>David D'Amato</td>
<td>Craig Mousin</td>
<td></td>
</tr>
<tr>
<td>Aaron Dozeman</td>
<td>Brian Nach</td>
<td></td>
</tr>
<tr>
<td>Kelli Dudley</td>
<td>Kevin Noonan</td>
<td></td>
</tr>
<tr>
<td>Katheryn Dutenhaver</td>
<td>Jack O'Malley</td>
<td></td>
</tr>
<tr>
<td>Maureen Egan</td>
<td>Ginder Odom</td>
<td></td>
</tr>
<tr>
<td>Katherine Faydash</td>
<td>Paul Olszowka</td>
<td></td>
</tr>
<tr>
<td>Rebecca Feinberg</td>
<td>John Paniaguas</td>
<td></td>
</tr>
<tr>
<td>David Ganfield</td>
<td>Christina Pannos</td>
<td></td>
</tr>
<tr>
<td>Sara Garber</td>
<td>Angela Petrone</td>
<td></td>
</tr>
<tr>
<td>Dean Gerber</td>
<td>Todd Pugh</td>
<td></td>
</tr>
<tr>
<td>Robert Gevirtz</td>
<td>Shankar Ramamurthy</td>
<td></td>
</tr>
<tr>
<td>Christopher Grohman</td>
<td>Timo Rehbock</td>
<td></td>
</tr>
<tr>
<td>Ellen Gutiontov</td>
<td>Steven Sandler</td>
<td></td>
</tr>
<tr>
<td>Susan Haddad</td>
<td>John Schmidt</td>
<td></td>
</tr>
<tr>
<td>Thomas Hennelly</td>
<td>Katherine Schostok</td>
<td></td>
</tr>
<tr>
<td>John Hynes</td>
<td>Stanley Sklar</td>
<td></td>
</tr>
<tr>
<td>Amy Jonaitis</td>
<td>Barry Spector</td>
<td></td>
</tr>
<tr>
<td>Thomas Judge</td>
<td>Meghan Stack</td>
<td></td>
</tr>
<tr>
<td>Susan Kennedy-Sullivan</td>
<td>Denise Streff</td>
<td></td>
</tr>
<tr>
<td>Brent Kidwell</td>
<td>Andrew Suszek</td>
<td></td>
</tr>
</tbody>
</table>

X