

Module Two – Subject Matter

Question 5. Airport Corp. sells the service of allowing pilots to fly drones for recreational use when the drones are less than 25 pounds in size. In order to not interfere with the regular aircraft: (i) the drone pilots are made to launch from the west side of the airport, directing the drones out over Paul's land upon takeoff; and (ii) the drones must skim across Paul's land at less than seventy feet altitude. Paul has several chicken houses under these flights where chickens live and lay eggs. Which of the following statements is most correct regarding any legal action by Paul to stop the drone flights.

- a.* Paul will win because the buzz and noise of the drones reduces the egg output from the chickens by half.
- b.* Paul will win under the *ad coelum* doctrine.
- c.* Paul will win because although his chickens cannot fly, he asserts that someday he will genetically modify them so that they can fly and then the drones will interfere with the flight of his chickens; Paul has no skill or capability with genetic engineering, nor is he likely to ever have such capability.
- d.* Paul will win under the *numerus clausus* principle.
- e.* Paul will win because his exclusive rights to his land include the right to exclude others from any airspace over his land at any height.

Question 6. Recalling the excerpt of Professor Radin's article, "Market-Inalienability," choose the answer selection that most correctly characterizes Professor Radin's discussion of the difficulties with affording a "property entitlement" to bodily integrity.

- a.* Such an entitlement creates a "risk of error" by unsophisticated attorneys, judges, and policy makers because they might take the concept too far and make alienable personal attributes that other values would suggest should be inalienable.
- b.* With the example of rape, unsophisticated practitioners of cost-benefit thinking might tend to undervalue the "costs" of rape to the victims of rape.
- c.* We have a society-wide intuition that personal attributes should not be equated to fungible objects.
- d.* Alienability oftentimes leads to market-based exchange of the resource covered by the property rights; if my bodily integrity can be valued in money that might lead to valuing me in money, which is inappropriate treatment of a person.
- e.* All of selections *a* through *d* are accurate characterizations.

Question 7. Ken discovers that Charlie, in the mid-1990s, fraudulently induced Network Solutions to transfer Ken’s domain name registration for “RockAndRoll.com” to Charlie. Charlie cannot be found, so Ken sues Network Solutions. Which of the following statements is most correct regarding the law applicable to this legal action by Ken.

- a.* A domain name registration is not a type of property subject to the tort of conversion.
- b.* Ken has an assertable claim for conversion because the domain name registration does not need to be strictly merged into a document, and to some extent it is merged into the electronic document that is the Domain Name System (DNS).
- c.* A domain name registration is not a type of personal property.
- d.* Ken has an assertable claim for conversion because the domain name registration is a form of intangible property that indisputably does not need to be merged into a document for conversion to apply.
- e.* All of selections *a* through *d* are accurate characterizations.

Question 8. Which of the following statements about the source of law for intellectual property in the United States is correct?

- a.* Patent law, copyright law, and trademark law are all exclusively federal law.
- b.* Copyright law, trademark law, and trade secrecy law are all mixed, some state law and some federal law.
- c.* Trade secrecy law and patent law are both exclusively state law.
- d.* Patent law and copyright law are both exclusively federal law.
- e.* All of selections *a* through *d* are accurate characterizations.

Module Two – Subject Matter – Answer Key

Question Number	Correct Answer
5	a
6	e
7	b
8	d