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# ***THE RICHMOND JOURNAL OF LAW & TECHNOLOGY***

*at the University of Richmond School of Law*

*<http://law.richmond.edu/jolt>*

**Intellectual  
Property**

**Patent**

**Biotechnology**

**Fall 2003  
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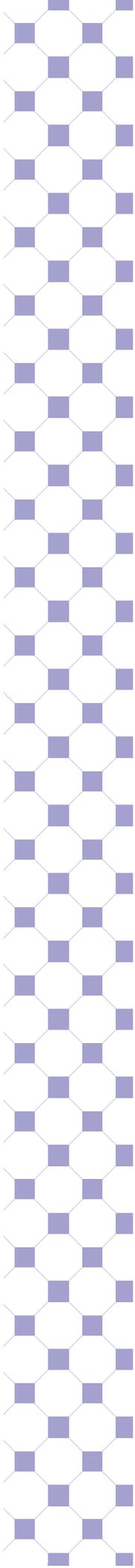
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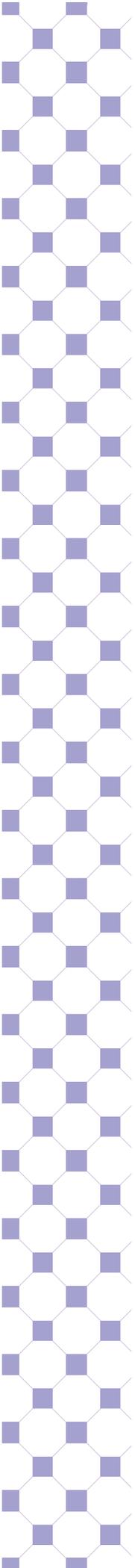
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Monday, October 27, 2003

*Richmond Journal of Law & Technology*  
University of Richmond School of Law  
University of Richmond, Virginia 23173

Dear Readers:

On behalf of the 2003-2004 Editorial Board, I would like to welcome you to the first issue of the *Richmond Journal of Law & Technology's* 2003-2004 publication term! During this publication term, the Journal plans on publishing two regular issues, in addition to an issue covering last year's symposium on food biotechnology and a special issue that focuses exclusively on electronic discovery law. The Journal will also be hosting a writing competition this spring.

Issue 1 contains four articles and one case note on a wide variety of topics ranging from patent law to food biotechnology. In our lead article, *California's Database Breach Notification Security Act: The First State Breach Notification Law Is Not Yet a Suitable Template for National Identity Theft Legislation*, Timothy H. Skinner begins with an analysis of California's Database Breach Notification Security Act, SB 1386. Mr. Skinner's article looks at computer security breaches in general and ultimately concludes that using SB 1386 as the template for federal legislation would be unwise.

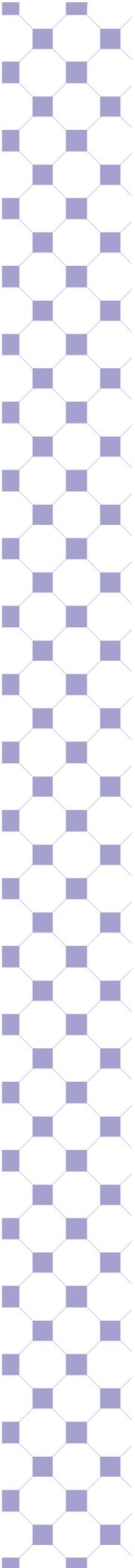
Professors Ronnie Cohen and Janine Hiller, in their article *Towards A Theory of CyberPlace: A Proposal for a New Legal Framework*, analyze whether the existing legal framework for property and places should apply to the electronic medium, or whether the uniqueness of the Internet requires a different characterization. Mr. Cohen and Ms. Hiller propose a new legal framework that could serve as a basis for legislative action to promote both of these policies in cyberspace.

In her article *Appealing a Rejection at the Patent Board of Appeals: Analysis of Recent Board Decisions and Non-Appeal Alternatives*, Ms. Susan Pering Pan discusses the merits of appealing rejections to the Board of Patent Appeals in comparison to continued ex parte prosecution before the Examiner. Taking into account recent appeal cases, Ms. Pan recommends methods to place claims in a better condition for appeal and recommends the types of arguments that should be made. In our last article, Dr. Henry I. Miller looks at the National Academy of Sciences and recent Academy studies that concern regulatory policy towards the testing and commercialization of gene-spliced plants, which are critical to American agriculture and food production. Dr. Miller ultimately concludes that the reports are damaging to U.S. agricultural research and development.

Our final piece is a student-written case note by Ms. Emily S. Munro, an Associate Staff Member at the Journal. Ms. Munro's review of the Virginia Supreme Court case of *Globe Newspaper Co. v. Commonwealth* focuses on whether third parties, and more specifically the media, are entitled to obtain and independently test DNA evidence collected from rape cases.

Thank you for visiting the *Richmond Journal of Law & Technology*. As always, we welcome your comments, suggestions, submissions and general feedback at [jolt@richmond.edu](mailto:jolt@richmond.edu). Thank you for your readership and your continued support of our publication.

Edwin E. Wallis III  
Editor-in-Chief



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