# Richmond Journal of Law & Technology



at the University of Richmond School of Law

# TABLE OF CONTENTS

## LETTER FROM THE EDITOR

## **MASTHEAD**

## **ARTICLES**

- 1. AN ANALYSIS OF THE FACTORS THAT DETERMINE WHEN AND HOW TO RESOLVE A TRADEMARK DISPUTE By: Thomas J. Speiss & Stephen M. Levine
- 2. AN INTRODUCTION TO ARTIFICIAL INTELLIGENCE AND LEGAL REASONING: USING XTALK TO MODEL THE ALIEN TORT CLAIMS ACT AND TORTURE VICTIM PROTECTION ACT By: Eric Allen Engle
- 3. ARRGH! HOLLYWOOD TARGETS INTERNET PIRACY By: Anna E. Engleman & Dale A. Scott
- 4. LEARNING FROM THE MISTAKES OF THE PAST: DISCLOSURE OF FINANCIAL CONFLICTS OF INTEREST AND GENETIC RESEARCH By: Christopher Jackson

Dear Readers,

On behalf of the Editorial Board and Staff, I would like to welcome you to Volume XI of the *Richmond Journal of Law & Technology*. As we look ahead to the coming year, and particularly to our tenth anniversary this April, we would like to thank you for your continued support. The *Richmond Journal of Law & Technology* would not be what it is today without quality submissions from practitioners, positive feedback from our readers, and the diligent efforts of so many who have worked to make the *Journal* a success over the past ten years. In this first issue, we proudly present you with several timely articles. In addition we are pleased to include the winning submission from our 2004 Writing Competition.

Thomas J. Speiss and Stephen M. Levine, members of Kazaa's litigation team; have submitted "An Analysis of the Factors that Determine When and How to Resolve a Trademark Dispute." The article explores the factors involved in the resolution of a trademark dispute, including ideas on strategy and negotiation designed to aid practitioners in the planning necessary to achieve positive outcomes for their clients.

In his second article published by the *Journal*, "An Introduction to Artificial Intelligence and Legal Reasoning: Using xTalk to Model the Alien Tort Claims Act and Torture Victim Protection Act," Eric Allen Engle introduces artificial intelligence and legal reasoning as they relate to the law, as well as an interactive computer program that assists the user with the resolution of a problem under the Alien Tort Claims Act and the Torture Victims Protection Act. Anna E. Engelman and Dale A. Scott have co-authored an article which details the case law on Internet file sharing and evaluates Hollywood's efforts to combat Internet piracy and growing revenue losses in their article, "Arrgh! Hollywood Targets Internet Piracy." Christopher Jackson, a third-year student at the University of North Carolina School of Law, is the winner of our national student writing competition. This entry was selected from a competitive field of almost 100 submissions. The article, "Learning from the Mistakes of the Past: Disclosure of Financial Conflicts of Interest and Genetic Research," investigates recent legal and ethical developments as related to informed consent and conflicts of interests in genetic research.

This year, in addition to publishing two more regular issues and our Second Annual Survey on Electronic Discovery, we will host our biennial symposium early next semester. We are also looking forward to the celebration of our Tenth Anniversary this spring. We thank you for your support, and look forward to another decade of publishing quality articles at the expanding intersection of law and technology.

Sincerely,

Sean Sullivan Kumar Editor-in-Chief

#### RICHMOND JOURNAL OF LAW & TECHNOLOGY 2004 – 2005 EDITORIAL BOARD

SEAN SULLIVAN KUMAR REBECCA A. YOUNG
EDITOR-IN-CHIEF MANAGING EDITOR

MATTHEW S. REINAKER EMILY MUNRO SCOTT\*

EXECUTIVE EDITOR ARTICLES EDITOR

JEANNE SNYDER

ARTICLES EDITOR

KELLY A. BRYANT

MANUSCRIPTS EDITOR

LAUREN BRADY
MANUSCRIPTS EDITOR
JEREMY J. SARNOVSKY
TECHNICAL EDITOR

LEAH NELSON D. CABELL VEST

NOTES & COMMENTS EDITOR SOLICITATIONS EDITOR

GREGORY D. GRONINGER
ANNUAL SURVEY EDITOR

#### ASSOCIATE EDITOR

STACIE A. CASS

ASSOCIATE MARKETING EDITOR

#### **SENIOR STAFF**

SUSAN S. BLAUERT

RYAN E. BURLEIGH

SARAH CONE

SARAH G. LEPERE

THOMAS MORAN

DENIS RIVA

JAMES P. SHARP

KEVIN R. SNYDER

SHANNON M. TWOHIG

RITU VERMA

#### ASSOCIATE STAFF

**BROOKE ALEXANDER** JAY KHOSLA E. BRANDON BAILEY KAITY KRANSDORF **JAY BURKHOLDER NEAL LEWIS CATHY CARSWELL** STEPHANIE MARCUS **JOSH CLOWERS** MEGAN G. MARTZ **JASON COOPER** STACEY McDonough **CAMILLE DIILIO** ANTOINETTE MORGAN **TRACEY DOWNS** MATT OSBORNE **BETH EAGAN** SUSAN PIASCIK **JOHN FARNUM JASON REED** ANNE HAITH **BECKY SIGNER ALLISON HAYWOOD COREY SIMPSON ELENA HERASME** AMANDA SUNDQUIST

FACULTY ADVISOR
PROFESSOR TIMOTHY L. COGGINS

ANNUAL SURVEY ADVISOR
PROFESSOR JAMES GIBSON

<sup>\*</sup> DENOTES PUBLICATION WITH THE JOURNAL

Copyright 1995-2004 Richmond Journal of Law & Technology. Except as otherwise provided, permission is granted for copies of each article to be made for classroom use, provided that (1) the author and The Journal are identified, (2) proper notice of copyright is attached to each copy, (3) proper notice that the work was originally published in The Richmond Journal of Law & Technology is included with the copies, and (4) The Journal is notified of the use.