Science and Technology Law Review

Volume 21 | Number 1

Article 1

January 2018

Front Matter

Recommended Citation

Front Matter, 21 SMU Sci. & TECH. L. Rev. i (2018) https://scholar.smu.edu/scitech/vol21/iss1/1

This Front Matter is brought to you for free and open access by the Law Journals at SMU Scholar. It has been accepted for inclusion in Science and Technology Law Review by an authorized administrator of SMU Scholar. For more information, please visit http://digitalrepository.smu.edu.

SMU Science and Technology Law Review

VOLUME XXI, No. 1 Spring/Summer 2018

Table of Contents

Articles

Gaming the Law: Adolescents and the Harmful Digital Communication Act—Employing an Educational Approach Dr. Nachshon (Sean) Goltz Dr. Giulia Dondoli	3
Predatory Innovation: The Definite Need for Legal Recognition <i>Thibault Schrepel</i>	19
Case Notes	
Scraping the Bottom of the Barrel: Why It is No Surprise that Data Scrapers Can Have Access to Public Profiles on LinkedIn Marissa Boulanger	77
Telemedicine is the New Narcotics Candy Store: <i>Teladoc</i> Opens the Floodgates for the Unrestricted Sale of	
DANGEROUS DRUGS Madeleine Rosuck	89

Germline Editing: Two Steps Forward, One Step Back?	
Kristina M. Smith	101

SMU SCIENCE AND TECHNOLOGY LAW REVIEW

AN OFFICIAL PUBLICATION OF SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW

2017-2018 BOARD OF EDITORS

Editor-in-Chief GRACE DICKSON

Managing Editor HENRY "HANK" WALDEN

> **Executive** Editors DALLAS FLICK JACOB QUINN BRADLEY L. HART

Associate Managing Editor Alexander Morovitz

Senior Notes Editor LONDON RYYNANEN ENGLAND

ZACHARY FAULKNER

HAYDEN BAKER

MAVISH BANA

ROBERT BANOWSKY

CHARLES CARTER

Senior Articles Editors CHAOXUAN "CHARLES" LIU Pin Wu

> Articles Editors BEN BONNEY $S_{\text{AMUEL}} \; G_{\text{EE}}$

Notes Editors CHRISTOPHER MORRIS

MARY ELIZABETH TIPTON

MERISSA SABOL

ALEXA NAUMOVICH

JOEY GUGGENHEIM

MACKENZI WORTLEY

KELLY WRAY

Technology Director IAN SALZER

Topics Editor

EMMA PERSSON

ALEXANDRA SAGER

Projects Coordinator Alexandra Romeo

Assistant Projects Coordinator GRACE GLOVER

Staff Editors

Events Coordinator

Adam Ahnhut TAHILA M. GRASSIE JOSHUA MEYERS Mikah Rasmussen JOSEPH STEUERT

MADISON ALEXANDER MARISSA BOULANGER DANIEL CLEMENT BRICKER JAMES B. HARPER VICTORIA NGUYEN MADELEINE ROSUCK KATHLEEN THOMPSON

RICARDO ALVARADO Dominic Cruciani BRYAN KELLY COLLEEN PAGNOTTA Spenser Schwabe

Amanda "Shay" Andrew Gerard Faulkner JEREMY B. KUSTOFF BRANDON PIERATT KRISTINA SMITH

Faculty Advisors Meghan Ryan DAVID O. TAYLOR

Administrative Assistant LISA BROWNING

SMU SCIENCE AND TECHNOLOGY LAW REVIEW

AN OFFICIAL PUBLICATION OF SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW

2018-2019 BOARD OF EDITORS

Editor-in-Chief Tahlia Clement

Managing Editor Marissa Boulanger

Executive Editor RICKY ALVARADO Associate Managing Editor VICTORIA NGUYEN

> Senior Notes Editor MADELEINE ROSUCK

SHAY ANDREW

Senior Articles Editors Dominic Cruciani Spenser Schwabe

Articles Editors

MADISON ALEXANDER

Mikah Rasmussen

KATHLEEN THOMPSON

BRYAN KELLY

Adam Ahnhut Collleen Pagnotta

JAMES HARPER

Notes Editors Joshua Meyers Kristina Smith

Symposium and Events Coordinator GERARD FAULKNER

Staff Editors

Stephen Antalis Andrew "Tucker" Davison Andrew Klopfer Kristin Meeks Connor Saenz Katherine Whitlock Claire Cahoon Emma Eichelbaum Suzanne Knuppel James Peacock Bronté Story Krista Williams Elizabeth Chung Gabrielle Girling Nan Lan Michael Pipkin Austin Taylor Morgan Crider Matthew Green Hamilton Leiser Morgan Reinhardt Jacqueline Tran

Faculty Advisors

Meghan Ryan David O. Taylor Administrative Assistant LISA BROWNING

Jeremy Kustoff Joseph Steuert

BRANDON PIERATT

SMU SCIENCE AND TECHNOLOGY LAW REVIEW Publication and Subscription Information

The *SMU Science and Technology Law Review* (STLR) is published two times per year (Spring/Summer and Fall/Winter) and is an official publication of the SMU Dedman School of Law. The primary goal of the STLR is to provide timely articles on emerging developments in fields of science, intellectual property, and technology-related law that are of interest to attorneys, policymakers, judges, and the academic community. The articles published in the STLR are selected from submissions received from professors, students, and attorneys nationwide.

Subscriptions

You may obtain a subscription to the journal by filling out the form below and mailing it to the indicated address. Subscriptions are \$20.00 per year. All payments must be made in U.S. dollars and all checks must be drawn on U.S. banks. Subscribers outside the U.S. please add an additional \$5.00 per year for added shipping expenses. For questions, please call (214) 768-2570.

Change of Address

Subscribers to the journal may change their address by sending change of address to: SMU Science and Technology Law Review, SMU Dedman School of Law, P.O. Box 750116, Dallas, Texas 75275-0116.

Back Issues

Back issues of the journal may be purchased from William S. Hein and Company, Inc., 2350 North Forest Road, Getzville, New York 14068, (800) 828-7571, *http://www.wshein.com*.

SMU SCIENCE AND TECHNOLOGY LAW REVIEW Subscription Form

Name _____

Address _____

City _____ State _____ Zip Code _____

Please make checks payable to: SMU Science and Technology Law Review

SMU Science and Technology Law Review SMU Dedman School of Law P.O. Box 750116 Dallas, Texas 75275-0116

SMU DEDMAN SCHOOL OF LAW

OFFICERS OF THE UNIVERSITY

R. Gerald Turner, President

Steven C. Currall, Provost and Vice President for Academic Affairs

Harold W. Stanley, Vice President for Executive Affairs

Brad E. Cheves, Vice President for Development and External Affairs

Christine C. Regis, Vice President for Business and Finance

Paul J. Ward, Vice President for Legal Affairs and Government Relations, General Counsel, and Secretary

Kenechukwu (K.C.) Mmeje, Vice President for Student Affairs

Rakesh Dahiya, Chief Investment Officer and University Treasurer

DEDMAN SCHOOL OF LAW

FACULTY AND ADMINISTRATIVE STAFF

Jennifer Collins, B.A., J.D. Judge James Noel Dean and Professor of Law

Jeffrey M. Gaba, B.A., J.D., M.P.H., Senior Associate Dean for Academic Affairs and M.D. Anderson Foundation Endowed Professor in Health Law

Nathan Cortez, B.A., J.D., Associate Dean for Research, Adelfa Botello Callejo Endowed Professor of Law in Leadership and Latino Studies, and Gerald J. Ford Research Fellow

Mary B. Spector, B.A., J.D., Associate Dean for Clinics, Co-Director of the Civil Clinic, Director of Consumer Advocacy Project, and Professor of Law

Greg Ivy, B.B.A., M.A., J.D., Associate Dean for Library & Technology, Underwood Law Library

Martin L. Camp, B.A., J.D., Assistant Dean for Graduate and International Programs

Becca Henley, B.A., J.D., Assistant Dean for Administration

Jill Nikirk, B.A., J.D., Assistant Dean for Admissions

Karen C. Sargent, B.B.A., J.D., Assistant Dean and Executive Director for Career Services

Stephen B. Yeager, B.B.A., J.D., Assistant Dean for Student Affairs

Anne G. Beard, Director of Development

Laura G. Burstein, B.A., J.D., Director of Public Service and Director of Academic Success

Lynn McVicker Dempsey, B.B.A., Director of External Relations

Erica Fadel, Director of Career Services

Natalie Thompson Greco, Director of Programs and Operations, Tsai Center for Law, Science, and Innovation Kristy Offenburger, Director of Communications and Marketing

Michelle A. Ray, Director of Admissions

Rey Rodriguez, B.B.A., J.D., Director of Career Services and Diversity and Inclusion Initiatives Abby N. Ruth, B.S., J.D., Director of Alumni Relations

Jerchel Anderson, E.M.B.A., Director of Financial Services

Laura Amberson, B.S., *Registrar*

Laura / Miloerson, D.S.,

FACULTY

Roy R. Anderson, B.A., J.D., LL.M., Vinson & Elkins Distinguished Teaching Fellow and Professor of Law

Hillel J. Bavli, B.A., J.D., LL.M., M.A., Ph.D., Assistant Professor of Law

Maureen N. Armour, B.A., M.S.W., J.D., Professor Emeritus of Law

Misty Birdsong, B.A., J.D., Adjunct Professor of Legal Research, Writing, and Advocacy

Lackland H. Bloom, Jr., B.A., J.D., Larry and Jane Harlan Senior Research Fellow and Professor of Law

William J. Bridge, B.S.F.S., J.D., Professor Emeritus of Law

Brook Busbee, B.AS., J.D., Adjunct Clinical Professor of Law, Criminal Justice Clinic

Regis W. Campfield, B.B.A., LL.B., Professor Emeritus of Law and Marilyn Jeanne Johnson Distinguished Law Faculty Fellow Emeritus

Beverly M. Carl, B.S.L., J.D., LL.M., Professor Emeritus of Law

Dale Čarpenter, B.A., J.D., Judge William Hawley Atwell Chair of Constitutional Law and Professor of Law

Michaela E. Cashen, B.A., J.D., Clinical Professor of Legal Research, Writing and Advocacy

Eric Cedillo, B.S., J.D., Adjunct Clinical Professor of Law, Consumer Advocacy Project

David J. Cho, B.A., J.D., Adjunct Clinical Professor of Law, Trademark Clinic

Anthony J. Colangelo, B.A., J.D., LL.M., J.S.D., Gerald J. Ford Research Fellow and Professor of Law

James W. Coleman, B.A., J.D., Associate Professor of Law

Jennifer Collins, B.A., J.D., Judge James Noel Dean and Professor of Law

Nathan Cortez, B.A., J.D., Associate Dean for Research and Adelfa Botello Callejo Endowed Professor of Law in Leadership and Latino Studies

Gregory S. Crespi, B.S., M.S., Ph.D., J.D., Homer R. Mitchell Endowed Professor of Law in Commercial and Insurance Law, and Professor of Law

Ruth A. Cross, B.A., J.D., Director of Legal Research, Writing, and Advocacy Program and Senior Lecturer in Law

Gail Daly, B.A., M.A., J.D., Professor Emeritus of Law

- William V. Dorsaneo III, B.A., J.D., Chief Justice John and Lena Hickman Distinguished Faculty Fellow and Professor of Law
- Beverly C. Duréus, B.A., J.D., Th.M., D. Min., Clinical Professor of Legal Research, Writing, and Advocacy

Linda S. Eads, B.A., J.D., Professor Emeritus of Law

Julia P. Forrester, B.S.E.E., J.D., Associate Provost and Professor of Law

Jeffrey M. Gaba, B.A., J.D., M.P.H., Senior Associate Dean for Academic Affaris, M.D. Anderson Foundation Endowed Professor in Health Law, and Professor of Law

Joanna L. Grossman, B.A., J.D., Ellen K. Solender Endowed Chair in Women and the Law and Professor of Law

- Christopher H. Hanna, B.S., J.D., LL.M. (in Taxation), Alan D. Feld Endowed Professor of Law, Altshuler University Distinguished Teaching Professor, and Professor of Law
- Grant M. Hayden, B.A., M.A., J.D., Professor of Law

Patricia S. Heard, B.A., J.D., Clinical Professor of Legal Research, Writing and Advocacy

JoAnn A. Hubbard, B.S., J.D., Clinical Professor of Legal Research, Writing and Advocacy

- Marc Hubbard, B.S., J.D., Adjunct Clinical Professor of Law, Patent Clinic
- Lolita Buckner Inniss, A.B., J.D., LL.M., Ph.D, Professor of Law
- Greg Ivy, B.B.A., M.A., J.D., Associate Dean for Library & Technology, Underwood Law Library and Senior Lecturer

Christopher M. Jenks, B.S., J.D., LL.M., LL.M., Ph.D. Candidate, Director of the Criminal Justice Clinic and Associate Professor of Law

- Larry Jones, B.B.A., J.D., ĽL.M., Ädjunt Clinical Professor of Law, Federal Tax Clinic
- Jeffrey Kahn, B.A., M.Phil., D.Phil., J.D., Gerald J. Ford Research Fellow and Professor of Law Ndiva Kofele-Kale, B.A., M.A., J.D., Ph.D., Professor Emeritus of Law
- Julie Lesser, B.A., J.D., Adjunct Clinical Professor of Law, Innocence Clinic
- Henry J. Lischer, Jr., B.B.A., J.D., LL.M. (in Taxation), Professor Emeritus of Law
- John S. Lowe, B.A., LL.B., George W. Hutchison Chair in Energy Law and Professor of Law George A. Martinez, B.A., M.A., J.D., Professor of Law
- Thomas Wm. Mayo, B.A., J.D., Altshuler University Distinguished Teaching Professor and Professor of Law
- Orly Sulami Mazur, B.B.A., M.P.A., J.D., LL.M. (Taxation), Assistant Professor of Law
- Michael McCollum, LL.B., Adjunct Clinical Professor of Law, Criminal Justice Clinic
- Pamela R. Metzger, B.A., J.D., Director of the Deason Family Criminal Law Reform Center and Professor of Law

Charles J. Morris, B.A., LL.B., Professor Emeritus of Law

Frederick C. Moss, A.B., J.D., LL.M., Professor Emeritus of Law

John J. Mylan, B.S., J.D., LL.M. (in Taxation), Professor Emeritus of Law

- Natalie Nanasi, B.A., J.D., Director of the Judge Elmo B. Hunter Legal Center for Victims of Crimes Againist Women and Assistant Professor of Law
- Joseph Jude Norton, A.B., LL.B., LL.M, S.J.D., D.Phil., LLD, LLD, James L. Walsh Distinguished Faculty Fellow and Professor in Financial Institutions Law
- Victoria Palacios, J.D., Professor Emeritus of Law
- Kenneth L. Penegar, A.B., J.D., LL.M., Professor Emeritus of Law
- Chante Prox, B.S., M.S.S.W., J.D., Director of the VanSickle Family Law Clinic and Assistant Clinical Professor
- W. Keith Robinson, B.S., J.D., Co-Director of the Tsai Center for Law, Science and Innovation and Associate Professor of Law

C. Paul Rogers III, B.A., J.D., LL.M., Marilyn Jeanne Johnson Distinguished Faculty Fellow, Professor of Law, and Former Dean

Meghan Ryan, A.B., J.D., Gerald J. Ford Research Fellow and Professor of Law

Eliot Shavin, B.A., J.D., Adjunct Clinical Professor of Law, Civil Clinic

- Mary B. Spector, B.A., J.D., Associate Dean for Clinics, Director of the Civil Clinic, Director of Consumer Advocacy Project, and Professor of Law
- Walter W. Steele Jr., LL.B., Professor Emeritus of Law
- Marc I. Steinberg, A.B., J.D., LL.M., Rupert and Lillian Radford Chair in Law and Professor of Law
- Heather L. Stobaugh, B.A., M.A., J.D., Clinical Professor of Legal Research, Writing and Advocacy Diane M. Sumoski, B.A., J.D., Director of the W.W. Caruth, Jr. Child Advocacy Clinic, Director of the W.W. Caruth, Jr. Institute for Children's Rights, and Lecturer in Law
- Joshua C. Tate, B.A., M.A., M.Phil. J.D., Ph.D., Professor of Law
- David O. Taylor, B.S., J.D., Co-Director of the Tsai Center for Law, Science and Innovation and Associate Professor of Law

Walther Theiss, A.B., M.B.A., J.D., Adjunct Clinical Professor of Law, Small Business Clinic Elizabeth G. Thornburg, B.A., J.D., Richard R. Lee Endowed Professor, Altshuler University

Distinguished Teaching Professor, and Professor of Law

Jenia Iontcheva Turner, B.A., J.D., Amy Abboud Ware Centennial Professor in Criminal Law Jonni Walls, B.A., J.D., Clinical Professor of Legal Research, Writing and Advocacy

- Jessica Dixon Weaver, B.A., J.D., Associate Professor of Law
- Harvey Wingo, B.A., M.A., J.D., Vinson & Elkins Distinguished Teaching Fellow Emeritus and Professor Emeritus of Law
- Peter Winship, B.A., LL.B., LL.M., J.S.D. Candidate, James Cleo Thompson, Sr., Law School Endowed Professor and Professor of Law