

SMU Science and Technology Law Review

Volume 22 | Number 1

Article 1

January 2019

Front Matter

Recommended Citation

Front Matter, 22 SMU SCI. & TECH. L. REV. (2019)

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 SMU 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 XXII, No. 1
SPRING/SUMMER 2019

Table of Contents

Articles

THE INTERACTION OF PATENT EXHAUSTION AND TRANSACTIONS IN PATENTED GOODS AFTER <i>IMPRESSION PRODUCTS v. LEXMARK</i> <i>INTERNATIONAL</i> <i>Andrew Beckerman-Rodau</i>	3
PATENT ELIGIBILITY OF PREDICTIVE ALGORITHM IN SECOND GENERATION PERSONALIZED MEDICINE <i>Jerry I-H Hsiao</i>	23
DON'T BURN THE LOOMS—REGULATION OF UBER AND OTHER GIG LABOR MARKETS <i>Henry H. Perritt, Jr.</i>	51

Case Notes

CORPORATE GENEALOGISTS: THE NEW HOMICIDE DETECTIVES <i>Morgan Crider</i>	153
MERGING SPORTS GAMBLING AND TECHNOLOGY: WHAT'S REALLY GOING TO HAPPEN? <i>Tucker Davison</i>	165
NATURAL CYCLES: WHEN AN ALGORITHM DIGITALLY MANDATES YOUR SEXUAL HEALTH <i>Jacqueline Tran</i>	179

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

Associate Managing Editor

VICTORIA NGUYEN

Executive Editor

RICKY ALVARADO

Senior Notes Editor

MADELEINE ROSUCK

Senior Articles Editors

SHAY ANDREW

DOMINIC CRUCIANI
SPENSER SCHWABE

BRYAN KELLY

Articles Editors

ADAM AHNHUT
COLLLEEN PAGNOTTA

MADISON ALEXANDER
MIKAH RASMUSSEN
KATHLEEN THOMPSON

JEREMY KUSTOFF
JOSEPH STEUERT

Notes Editors

JAMES HARPER

JOSHUA MEYERS
KRISTINA SMITH

BRANDON PIERATT

Symposium and Events Coordinator

GERARD FAULKNER

Staff Editors

STEPHEN ANTALIS
ANDREW "TUCKER" DAVISON
ANDREW KLOPPER
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

SMU SCIENCE AND TECHNOLOGY LAW REVIEW

AN OFFICIAL PUBLICATION OF SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW

2019-2020 BOARD OF EDITORS

Editor-in-Chief

CLAIRE CAHOON

Managing Editor

ELIZABETH CHUNG

Associate Managing Editor

ANDREW "TUCKER" DAVISON

Executive Editor

KRISTIN MEEKS

Senior Notes Editor

JACQUELINE TRAN

Senior Articles Editors

GABRIELLE GIRLING
NAN LAN

ANDREW KLOPPER
KATHERINE WHITLOCK

Notes Editors

MORGAN CRIDER

JAMES PEACOCK

BRONTÉ STORY

Articles Editors

STEPHEN ANTALIS
MICHAEL PIPKIN

SUZANNE KNUPPEL
MORGAN REINHARDT
KRISTA WILLIAMS

HAMILTON LEISER
CONNOR SAENZ

Symposium and Events Coordinator

EMMA EICHELBAUM

Staff Editors

RAHEELA AHSAN
JOSHUA DOSSEY
TUCKER FRAZER
KATHERINE LEJEUNE
NATHAN RECK
CHRISTINA TA

KATE BAILEY
ANDREW DROTT
KATHERINE FRISBIE
CARSON LUDDECKE
MARY KATHRYN SAPP
CONOR WHITE

REBECCA BRAZELTON
WILLIAM FARMER
ALEXANDRA HENRY
ALANNA MAZA
ELIZABETH SMITH
SHUYU ZHONG

NICOLE COX
CLAIRE FIALCOWITZ
SYDNEY HOPE
RACHEL PAUERSTEIN
MARISSA SPIWAK

Faculty Advisors

MEGHAN RYAN
DAVID O. TAYLOR

Administrative Assistant

LISA BROWNING

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*
Brad E. Cheves, *Vice President for Development and External Affairs*
Christine C. Regis, *Vice President for Business and Finance and Treasurer*
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*
Rick Hart, *Director for Athletics*

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*
Jerchel Anderson, E.M.B.A., *Director of Financial Services*
Laura Amberson, B.S., *Registrar*

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*
Chanté Brantley, B.S., M.S.S.W., J.D., *Director of the VanSickle Family Law Clinic and Assistant Clinical Professor*
William J. Bridge, B.S.F.S., J.D., *Professor Emeritus of Law*
Brook Busbee, B.A.S., 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 Carpenter, 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*
 Jeffrey M. Gaba, B.A., J.D., M.P.H., *Senior Associate Dean for Academic Affairs, 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., *Sr. Associate Dean for Academic Affairs and 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., LL.M., *Adjunct 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 Against Women and Assistant Professor of Law*
 Joseph Jude Norton, A.B., LL.B., LL.M, S.J.D., D.Phil., LL.D., LL.D., *James L. Walsh Distinguished Faculty Fellow and Professor in Financial Institutions Law*
 Anna Offit, A.B., M.Phil, J.D., Ph.D, *Assistant Professor of Law*
 Victoria Palacios, J.D., *Professor Emeritus of Law*
 Kenneth L. Penegar, A.B., J.D., LL.M., *Professor Emeritus of Law*
 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*
 Julia P. Rogers, B.S.E.E., J.D., *Professor of Law*
 Eric M. Rubin, B.A., J.D., *Assistant Professor of Law*
 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., *Professor Emeritus of Law*