SMU Science and Technology Law Review

Volume 22 | Number 1

January 2019

Front Matter

Recommended Citation


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

Andrew Beckerman-Rodau .................................. 3

**Patent Eligibility of Predictive Algorithm in Second Generation Personalized Medicine**  
Jerry I-H Hsiao ............................................... 23

**Don’t Burn the Looms—Regulation of Uber and Other Gig Labor Markets**  
Henry H. Perritt, Jr. .......................................... 51

### Case Notes

**Corporate Genealogists: The New Homicide Detectives**  
Morgan Crider .................................................. 153

**Merging Sports Gambling and Technology: What’s Really Going to Happen?**  
Tucker Davison .................................................. 165

**Natural Cycles: When an Algorithm Digitally Mandates Your Sexual Health**  
Jacqueline Tran ................................................. 179
2018-2019 BOARD OF EDITORS

Editor-in-Chief
TAHLIA CLEMENT

Managing Editor
MARESIA 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

MADISON ALEXANDER

MIKAH RASMUSSEN

KATHLEEN THOMPSON

JEREMY KUSTOFF

JOSEPH STEUERT

COLLEEN PAGNOTTA

KATHLEEN THOMPSON

Notes Editors
JAMES HARPER

JOSHUA MEYERS

KRISTINA SMITH

BRANDON PIERATT

Symposium and Events Coordinator
GERARD FAULKNER

Staff Editors
STEPHEN ANTALIS

CLAIRE CAHOON

ELIZABETH CHUNG

MORGAN CRIDER

ANDREW “TUCKER” DAVISON

EMMA EICHELBAUM

GABRIELLE GIRLING

MATTHEW GREEN

ANDREW KLOPFER

SUZANNE KNUPPEL

NAN LAN

HAMILTON LEISER

KRISTIN MEES

JAMES PEACOCK

MICHAEL PIPKIN

MORGAN REINHARDT

CONNOR SAENZ

BRONTE STORY

AUSTIN TAYLOR

JACQUELINE TRAN

KATHERINE WHITLOCK

KARISTA WILLIAMS

Faculty Advisors
MEGHAN RYAN

DAVID G. TAYLOR

Administrative Assistant
LISA BROWNING
2019-2020 Board of Editors

Editor-in-Chief
CLAIRE CAHOON

Managing Editor
ELIZABETH CHUNG

Associate Managing Editor
ANDREW “TUCKER” DAVISON

Executive Editor
KRISTIN MECKS

Senior Notes Editor
JACQUELINE TRAN

Senior Articles Editors
GABRIELLE GIRLING
NAN LAN

Notes Editors
MORGAN CRIDER
JAMES PEACOCK
BRONTÉ STORY

Articles Editors
STEPHEN ANTALIS
SUZANNE KNUPPEL
HAMILTON LEISER
MICHAEL PIPKIN
MORGAN REINHARDT
CONNOR SÄNZ
KRISTA WILLIAMS

Symposium and Events Coordinator
EMMA EICHELBAUM

Staff Editors
RAHEELA AHSAN
KATE BAILEY
REBECCA BRAZELTON
NICOLE COX

JOSHUA DOSSEY
ANDREW DROTT
WILLIAM FARMER
CLAIRE FIALCOWITZ

TUCKER FRAZER
KATHERINE FRIEBIE
ALEXANDRA HENRY
SYDNEY HOPE

KATHERINE LEJEUNE
CARSON LUDDECKE
ALANNA MAZA
RACHEL PAUERSTEIN

NATHAN RECK
MARY KATHRYN SAPP
ELIZABETH SMITH
MARISSA SPIWAK

CHRISTINA TA
CONOR WHITE
SHUYU ZHONG

Faculty Advisors
MEGHAN RYAN
DAVID O. TAYLOR

Administrative Assistant
LISA BROWNING

Faculty Advisors
MEGHAN RYAN
DAVID O. TAYLOR
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


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, and Latino Studies, and Gerald J. Ford Research Fellow
Mary B. Specter, 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 I. Camp, B.A., J.D., Assistant Dean for Graduate and J.D., Assistant Dean for Administration
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., 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 Emeritus
Beverly M. Carl, B.S.I., 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. Dorsacoo 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, B.A., B.S., J.D., 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., J.D., Gerald J. Ford Research Fellow and Professor of Law
Ndiva Kofele-Kale, B.A., M.A., J.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, J.D., D.Phil., LLD, LLD, 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. Ruben, 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. Summer, 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
James Iontcheva Turner, B.A., J.D., Amy Abbood 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