

2004

Front Matter

Follow this and additional works at: <https://scholar.smu.edu/jalc>

Recommended Citation

Front Matter, 69 J. AIR L. & COM. i (2004)
<https://scholar.smu.edu/jalc/vol69/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 Journal of Air Law and Commerce by an authorized administrator of SMU Scholar. For more information, please visit <http://digitalrepository.smu.edu>.

The Journal of Air Law and Commerce

VOLUME 69

WINTER 2004

NUMBER 1

TABLE OF CONTENTS

ARTICLES

- The 2001 Cape Town Convention
on International Interests in Mobile
Equipment and Aircraft Equipment Protocol:
Internationalising Asset-Based Financing
Principles for the Acquisition of
Aircraft and Engines *Lorne S. Clark* 3
- The Wright Patent Wars and Early
American Aviation.....*Herbert A. Johnson* 21
- The Warsaw Convention Liability Scheme:
What It Covers, Attempts to Waive It and
Why the Waivers Should Not Be Enforced
Until the Airlines Are Financially Stable..... *Jeffery C. Long* 65
- Let There Be Flight: It's Time
to Reform the Regulation of
Commercial Space Travel *Charity Trelease Ryabinkin* 101
- CAPPS II and the Fourth Amendment:
Does It Fly?..... *Deborah von Rochow-Leuschner* 139

CASENOTES

- Search and Seizure at Airport Customs Checkpoints —
Third Circuit Holds that a Search Involving
Inappropriate Contact with a Woman
Was Routine and Did Not Need to be
Justified by Reasonable Suspicion:
Bradley v. United States *Elizabeth M. Bedell* 177
- Treaties — “Accident” Under the Warsaw Convention—
Ninth Circuit Holds that a Pre-Existing Medical
Condition, Along with a Flight Attendant’s
Failure to Act, Characterizes an “Accident”
Under the Warsaw Convention:
Husain v. Olympic Airways..... *Melinda Scissors Conley* 185

Contract Law—Interpretation of “United States”—
Eighth Circuit Holds that Settlement Agreement
for “United States” Travel Agents Excludes
Affected Agents in Puerto Rico and the
U.S. Virgin Islands: *American Society of
Travel Agents v. United Airlines, Inc.* *Lindsay M. Germano* 195

Discrimination—Americans with Disabilities Act—
United States District Court for the Southern
District of Florida Holds that an Internet Website
Is Not a Place of Public Accommodation:
Access Now, Inc. v. Southwest Airlines, Co. *Kara Grimes* 203

INDEX

Volume 68 Index 213

The *Journal of Air Law and Commerce* (ISSN 0021-8642) is published four times a year, (1) Winter, (2) Spring, (3) Summer, and (4) Fall, by the SMU Law Review Association. Subscription rates are \$40.00 per year, domestic, and \$47.00 per year, foreign. Single issues are available at \$16.00 per copy. Add 8.25% tax on all single issue orders within the State of Texas. Tax exempt institutions must include a copy of their exemption certificate with orders. An additional charge will be made for postage and handling. Periodicals postage paid at Dallas, TX, and at additional mailing offices. Prior issues (vols. 1-65) available from William S. Hein & Co., 1285 Main St., Buffalo, New York 14209. Volumes 65-67 are available from the *Journal of Air Law and Commerce*, Southern Methodist University School of Law, P.O. Box 750116, Dallas, Texas 75275. POSTMASTER: Send address changes to *Journal of Air Law and Commerce*, School of Law, Southern Methodist University, P.O. Box 750116, Dallas, Texas 75275. Printed by Joe Christensen, Inc., P.O. Box 81269, Lincoln, NE 68501.

Citations conform with *The Bluebook: A Uniform System of Citation* (17th ed. 2000) and *Texas Rules of Form* (9th ed. 1997). Please note that due to the justification of the articles, citations to internet sources may contain an additional space between double back slashes.

Please address all manuscripts to the Editor in Chief, *Journal of Air Law and Commerce*, Southern Methodist University School of Law, P.O. Box 750116, Dallas, Texas 75275. Submitted manuscripts should be triple-spaced on letter-size paper. Footnotes rather than endnotes should be used and should also be triple-spaced. Word processing capabilities and requirements are available on request. A brief autobiographical statement should accompany the submission. Unsolicited manuscripts will not be returned unless return postage or a stamped, self-addressed envelope is enclosed.

Replacement copies are sent to subscribers upon prompt notification of non-receipt or defective copies. Subscriptions are renewed automatically upon expiration unless the subscriber sends timely notice of termination. All notifications of change of address should include old address, including zip code, and new address, including zip code. Please notify one month in advance to ensure prompt delivery.

Address inquiries to the *Journal of Air Law and Commerce*, Southern Methodist University School of Law, P.O. Box 750116, Dallas, Texas 75275.

Published quarterly by the SMU Law Review Association.

© Copyright 2004 by the Southern Methodist University Dedman School of Law.

ADVISORY BOARD

Gary W. Allen
Director, Torts Branch
Aviation/Admiralty Litigation
Department of Justice
Washington, DC

William C. Boston
William C. Boston & Associates
Oklahoma City, OK

Dr. P. Nikolai Ehlers
Ehlers, Ehlers & Partner
Munich, Germany

Elizabeth Freidenberg
Freidenberg, Freidenberg & Lifsic
Buenos Aires, Argentina

Eileen M. Gleimer
Crowell Moring
Washington, DC

Eugene Jericho
Attorney at Law
Dallas, TX

H. Norman Kinzy
Settle & Pou, P.C.
Dallas, TX

Robert N. Kohn
Vice President, Law & Business Ethics
Bell Helicopter Textron Inc.
Fort Worth, TX

Paul B. Larsen
Georgetown University
Law Center
Washington, DC

Robert Lawson
2 Essex Court Limited
London, England

Andreas F. Lowenfeld
Professor of Law
New York University
New York, NY

Richard A. Malahowski
Associate General Counsel
American Airlines
Fort Worth, TX

Allan I. Mendelsohn
Washington, DC

Dr. Pablo M.J. Mendes de Leon
Director, Int'l Institute of Air & Space
Law
University of Leiden
The Netherlands

Dr. Michael Milde
Professor of Law,
Institute of Air & Space Law
McGill University
Montreal, Canada

Marc S. Moller
Kreindler & Kreindler
New York, NY

John J. Nance
Aviation Author & Attorney at Law
Tacoma, WA

David Norton
Akin Gump Strass Hauer & Feld L.L.P.
Dallas, TX

John F. Pritchard
Haight, Gardner, Holland & Knight
New York, NY

Tony Pyne
Consultant in Aviation Law
Minter Ellison
Melbourne, Australia

Charles H. Smith
Smith & Moore
Dallas, TX

Charles A. Tarpley
Attorney at Law
Dallas, TX

William E. Thoms
Professor Emeritus of Law
University of North Dakota
Grand Forks, ND

George N. Tompkins, Jr.
Schnader Harrison Segal & Lewis L.L.P.
New York, NY

Windle Turley
Law Offices of Windle Turley, P.C.
Dallas, TX

William R. Wyatt
Sheppard, Mullin, Richter
& Hampton, LLP
San Francisco, CA