SMU
SCIENCE AND TECHNOLOGY LAW REVIEW
VOLUME XIX, NO. 1
SPRING 2016

Table of Contents

Article

YES, YOUR PERSONAL DATA IS AT RISK: GET OVER IT!
Marian K. Riedy ............................................ 3
Bartlomiej Hanus .................................................. 3

Case Notes

IF IT SMELLS FUNNY, DON’T EAT IT: AN EXAMPLE OF THE CONTROVERSY SURROUNDING GENETICALLY ENGINEERED FOOD LABELING LAWS
Diana Milbourn ................................................. 53

THE FUTURE OF SPACE EXPLORATION: SPACEX’S PETITIONS FOR INTER PARTES REVIEW AGAINST BLUE ORIGIN’S ROCKET-LANDING TECHNOLOGY
Joshua T. Smith .................................................... 65

IMMUNITY FOR CHILD SEX TRAFFICKING EXTENDED TO BACKPAGE.COM: DOE EX REL. ROE V. BACKPAGE.COM, LLC
Steven B. Taylor ..................................................... 79
2015-2016 BOARD OF EDITORS

Editor-in-Chief
RACHEL HATTEN

Managing Editor
AUDREY LEEDER

Associate Managing Editor
ANDREW NELSON

Executive Editors
DORLIN ARMUO
SAM COLE
AARON DILBECK

Senior Notes Editor
KINSEY FREEMAN

Senior Articles Editors
PAUL DOLLAHITE
KATYA LONG
ALEXA NICHOLS

Articles Editors
WILL BRASLEY
FRANKLIN HILL
MIA KIM
MATTHEW VINSON
STEPPANIE SWEET
AUBRY TALKINGTON

Notes Editors
MA JNANA ANANDA
KEVIN ANDERS
MIRANDA EBERSOLE
ROBERT NICHOLS
VICTORIA SPICKLER

Technology Director
ROBERT FREY

Events Coordinator
TRAVIS JONES

Projects Coordinator
VICTORIA VIS

Assistant Technology Director
ANDREW POLCHINSKI

Topics Editor
MEGAN MCKENNON

Assistant Projects Coordinator
CAMILE POWELL
POOJA VASUDEV

Staff Editors
EVAN ATKINSON
KESHA CROMER
VIRGINIA EPSTEIN
CHANCE HINER
DIANA MILBOURN
ZOE PAPATHANASSIOU
JOSHUA T. SMITH
KIMBERLY WILSON
LIANNE BALDRIDGE
MAY CROCKETT
SAMUEL GENOVESE
CRYSTAL MANN
RACHAEL MOZELEWSKI
MACKINLEY PHELPS
RODEEN TALEH
CATHERINE BARBAREE
SHANNA DEAN
PAIGE GREMILLION
FARSHAD MARZBAN
MARY L. NICHOLAS
CAMERON SALEHI
STEVE TAYLOR

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 four times per year (Spring, Summer, Fall, and 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 $40.00 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 $10.00 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
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
Dr. Pamela D. Anthony, Vice President for Student Affairs
Michael A. Condon, University Treasurer

DEDMAN SCHOOL OF LAW
FACULTY AND ADMINISTRATIVE STAFF
Jennifer Collins, Judge James Noel Dean and Professor of Law
Elizabeth G. Thornburg, B.A., J.D., Senior Associate Dean for Academic Affairs and Richard R. Lee Endowed 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
Lynn Switzer Bozalis, B.A., J.D., Associate Dean for Development and Alumni Affairs
Mary B. Spector, B.A., J.D., Associate Dean for Clinics and Professor of Law, Director of Consumer Advocacy Project, and Co-Director of the Civil Clinic
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
Laura G. Burstein, B.A., J.D., Director of Public Service and Director of Academic Support
Lynn McVicker Dempsey, B.B.A., Director of External Relations
Linda A. Hale, B.A., J.D., Director of Career Services
Kristy Offenburger, Director of Communications and Marketing
Abby N. Ruth, B.S., J.D., Director of Alumni Relations
Rey Rodriguez, B.B.A., J.D., Director of Career Services and Diversity and Inclusion Initiatives
Roland C. Webb, B.S., 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
Maureen N. Armour, B.A., M.S.W., J.D., Co-Director of Civil Clinic and Associate Professor of Law
Misty Birdsong, B.A., J.D., Adjunct Professor of Legal Research, Writing and Advocacy
Lackland H. Bloom, Jr., B.A., J.D., Professor of Law
William J. Bridge, B.S.F.S., J.D., Associate Professor of Law
Cheryl Nelson Butler, B.A., J.D., Assistant Professor of Law
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 Emerita of Law
Michaela E. Cashen, B.A., J.D., Senior Lecturer in Law
Eric Cedillo, B.S., J.D., Adjunct Clinical Professor of Law, Coordinator of Consumer Advocacy Project, Supervisor of Summer Civil Clinic
Anthony J. Colangelo, B.A., J.D., LL.M., J.S.D., Gerald J. Ford Research Fellow 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., Professor of Law
Ruth A. Cross, B.A., J.D., Director of Legal Research, Writing, and Advocacy Program and Senior Lecturer in Law
Greg Ivy, B.B.A., M.A., J.D., Associate Dean for Library & Technology Underwood Law Library
David E. DePinto, B.A., J.D., Ph.D., Assistant Professor 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. Durdus, B.A., J.D., Th.M., Senior Lecturer in Law
Linda S. Eads, B.A., J.D., Associate Provost and Associate Professor of Law
Julia P. Forrester, B.S.E.E., J.D., Associate Provost, Former Dean ad interim, and Professor of Law
Jeffrey M. Gaba, B.A., J.D., M.P.H., M.D., Anderson Foundation Endowed Professor in Health Law
Christopher H. Hanna, B.S., J.D., LL.M. (in Taxation), Alan D. Feld Endowed Professor of Law and Altshuler University Distinguished Teaching Professor
Patricia S. Heard, B.A., J.D., Senior Lecturer in Law
Linda S. Eads, B.A., J.D., Associate Provost and Associate Professor of Law
Julia P. Forrester, B.S.E.E., J.D., Associate Provost, Former Dean ad interim, and Professor of Law
Jeffrey M. Gaba, B.A., J.D., M.P.H., M.D., Anderson Foundation Endowed Professor in Health Law
Christopher H. Hanna, B.S., J.D., LL.M. (in Taxation), Alan D. Feld Endowed Professor of Law and Altshuler University Distinguished Teaching Professor
Patricia S. Heard, B.A., J.D., Senior Lecturer in Law
Marc A. Hubbard, B.S., J.D., Adjunct Clinical Professor of Law, Patent Law Clinic
JoAnn A. Hubbard, B.S., J.D., Senior Lecturer in Law
Christopher M. Jenks, B.S., J.D., LL.M., LL.M., Ph.D. Candidate, Director of the Criminal Justice Clinic and Assistant Professor of Law
Larry Jones, B.A., B.J., LL.M. (Taxation), Adjunct Clinical Professor of Law, Federal Tax Clinic
Jeffrey Kahn, B.A., M.Phil., D.Phil., J.D., Professor of Law
Ndvia Kofele-Kale, B.A., M.A., Ph.D., J.D., University Distinguished Professor and Professor of Law
Henry J. Lischer Jr., B.B.A., J.D., LL.M. (Taxation), Professor Emeritus of Law
John S. Lowe, B.A., LL.B., George W. Hutchison Professor of Energy 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 Associate Professor of Law
Orly Salami Mazur, B.A., M.P.A., J.D., LL.M. (Taxation), Assistant Professor of Law
Mike McCollum, B.A., J.D., Adjunct Clinical Professor of Law, Criminal Justice Clinic
Joseph W. McKnight, B.A., B.A., B.C.L., M.A., LL.M., Larry and Jane Harlan Faculty Fellow Emeritus and Professor Emeritus of Law
Charles J. Morris, B.A., B.B., Professor Emeritus of Law
Frederick C. Moss, B.A., 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 Lecturer in 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
Victoria Palacios, J.D., Associate Professor of Law
Kenneth L. Penegar, A.B., J.D., LL.M., Professor Emeritus of Law
Chante Prox, B.S., M.S., J.D., Director of the VanSickle Family Law Clinic and Lecturer of Law
Roark M. Reed, B.S., B.A., J.D., Professor Emeritus of Law
W. Keith Robinson, B.S., J.D., Co-Director of the Tsai Center for Law, Science and Innovation and Assistant Professor of Law
C. Paul Rogers III, B.A., J.D., LL.M., Professor of Law and Former Dean
Meghan Ryan, A.B., J.D., Associate 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 and Professor of Law, Director of Consumer Advocacy Project, and Co-Director of the Civil Clinic
Walter W. Steele Jr., B.B.A., J.D., Professor Emeritus of Law
Marc I. Steinberg, A.B., J.D., LL.M., Rupert and Lillian Radford Chair in Law
Heather L. Stobaugh, B.A., M.A., J.D., Senior Lecturer in Law
Diane M. Sumoski, B.A., J.D., Director of the W.W. Caruth, Jr. Child Advocacy Clinic and Lecturer in Law
Joshua C. Tate, B.A., M.A., M.Phil. J.D., Ph.D., Associate Professor of Law
David O. Taylor, B.S., J.D., Co-Director of the Tsai Center for Law, Science and Innovation and Assistant Professor of Law
Walter Theiss, M.B.A., J.D., Adjunct Clinical Professor of Law, Small Business & Trademark Clinic
Elizabeth G. Thornburg, B.A., J.D., Senior Associate Dean for Academic Affairs and Richard R. Lee Endowed Professor of Law
Jenia Iontcheva Turner, B.A., J.D., Professor of Law
Jonni Walls, B.A., J.D., Senior Lecturer in Law
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., Trustee Professor of Law

*d. Nov. 30, 2015*
Articles