LRC Research Training

Corporate Innovation & Legal Policy Seminar (Prof. Lobel)

Liz Parker
Publication Services Librarian
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What we will cover

- Picking a paper topic
- Practice Centers
- Literature review
  - Evaluating sources
  - Finding books & journal articles
    - From law and other academic disciplines
    - At USD and other libraries

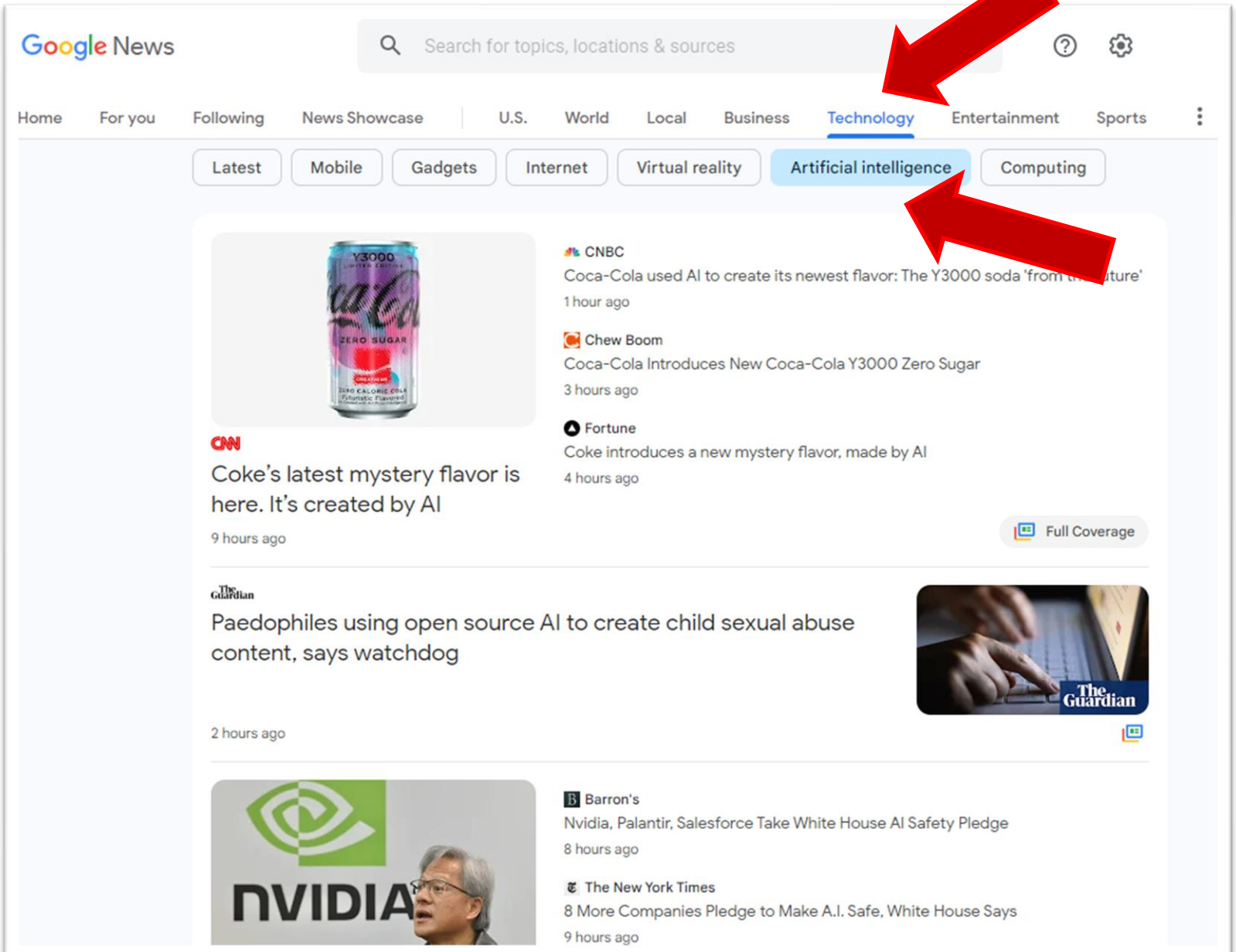
LRC's Paper Writing Guide

- Topic Selection
- Preemption Checking
- Research & Note Taking
- Writing & Citation
- Plagiarism
- Getting Published

Finding a Paper Topic

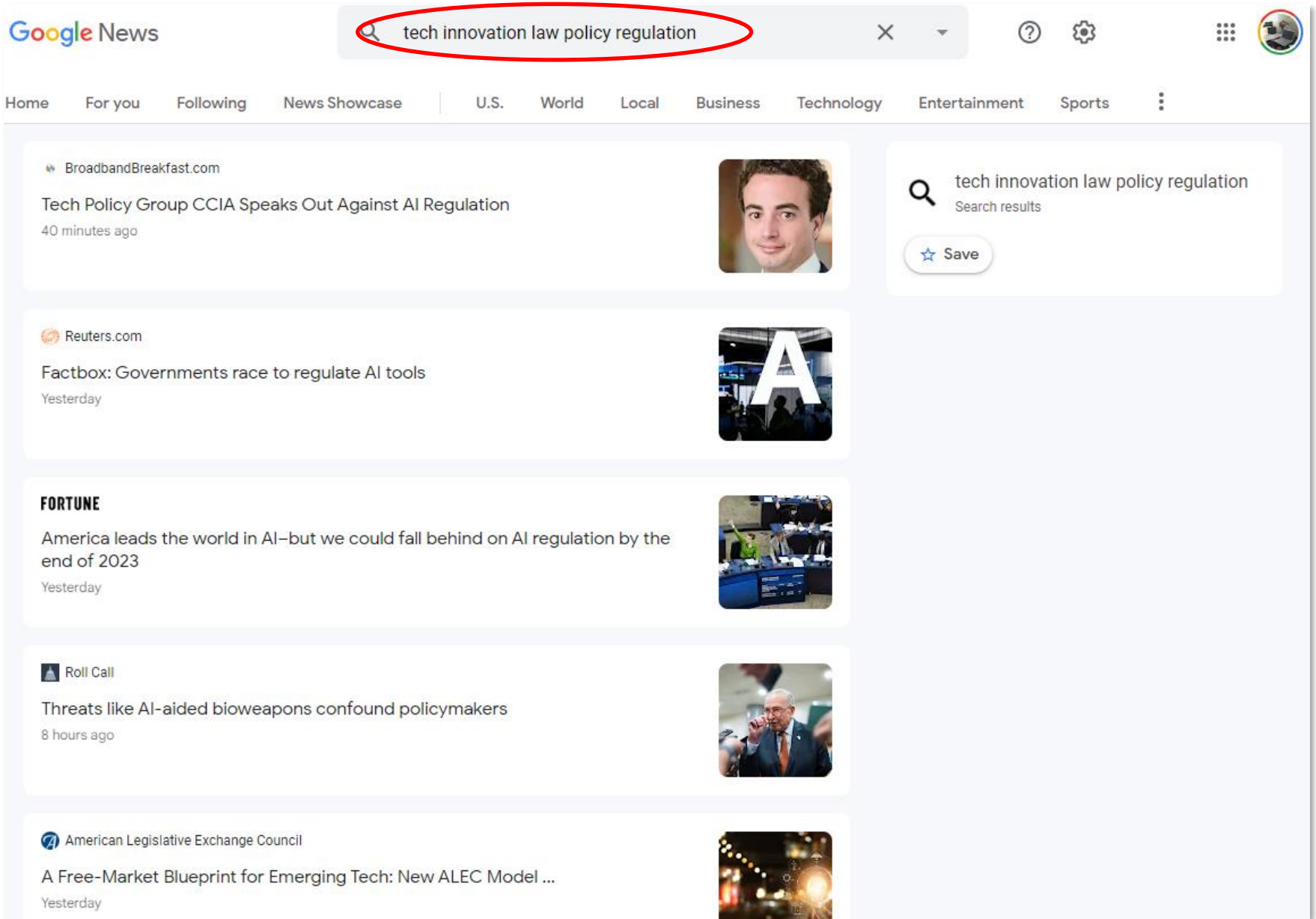
News & industry blogs

news.google.com



Google News search

news.google.com



Reliable sources

- Evaluate sources for:
  - **Authority** – author is identified, reputable, credentialed
  - **Objectivity** – fairness and lack of bias
  - **Accuracy** – provides references to sources, verifiable
  - **Scope** – relevant to your topic and argument
  - **Currency** – may vary by topic, but make sure you know the current state of thinking in your field (even if it's rooted in older writings)

AI Litigation Database

This database presents information about ongoing and completed litigation involving artificial intelligence, including machine learning. It covers cases from complaint forward – as soon as we learn of them – whether or not they generate published decisions. It is intended to be broad in scope, covering everything from algorithms used in hiring and credit and criminal sentencing decisions to liability for accidents involving autonomous vehicles. It also includes some cases concerning statistical analysis and data protection that may not directly involve artificial intelligence, but that are of particular relevance to AI projects. It includes cases addressing whether AIs can be authors of works protected by copyright law, or inventors of inventions protected by patent law, but it does not include litigation concerning patents that may involve artificial intelligence or machine learning.

Because some search engines have a difficult time indexing pages that incorporate dynamic content served from another server, the table displayed below is static, and represents the database contents as of October 10, 2022. The dynamic database, complete with search form, can be accessed here. If you know of AI litigation that you don't see documented in the database, or if you have other suggestions, please tell us, using this contact form. Research and writing: GW Law students Jenna Fattah, Allie Schiele, Junhao Chen, Sydney Huppert, Zoe Kim, and Molly Brown, and Prof. Robert Brauneis. Implementation of the database on the Caspio platform: GW Law students Ji Wang, Sean Zhao, and Sydney Huppert, and Prof. Robert Brauneis. This database is based on work supported in part by the Institute for Trustworthy AI in Law and Society (TRAILS), which is supported by the National Science Foundation under Award No. 2229885. Any opinions, findings, and conclusions or recommendations expressed in this database are those of the author(s) and do not necessarily reflect the views of the National Science Foundation.

About Us

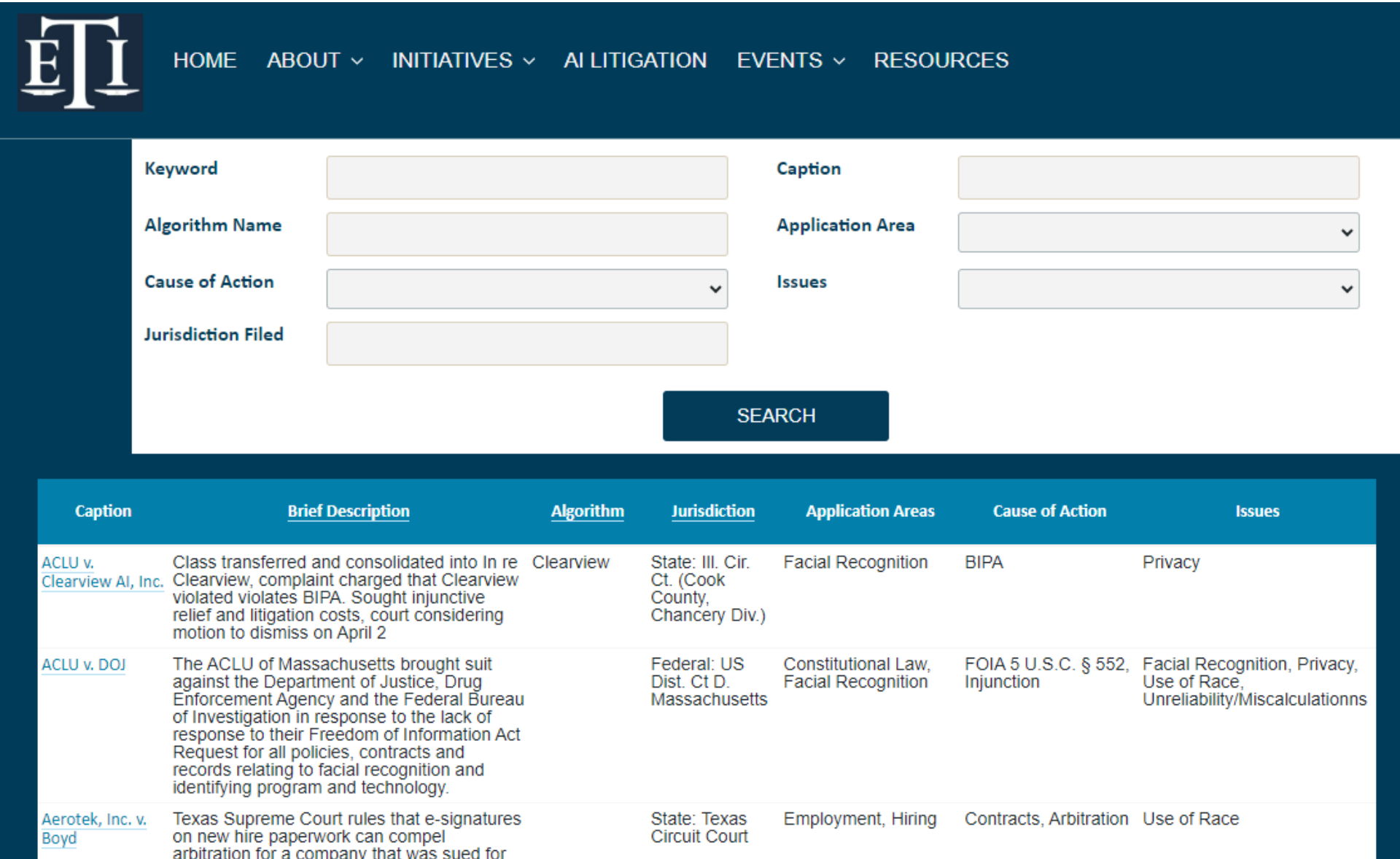
GW Law has received grants from New America's Public Interest Technology program to advance the public good in digital technology.

Ethical Tech@GW is an interdisciplinary collaboration where law meets computer science and engineering, media and public affairs, and social entrepreneurship. This initiative aims to examine the values that digital technologies implicitly embody and reflect, and the values that they should be built or redesigned to support. Through the initiative, we bring in guest technologists and other experts to interact with faculty and students, lecture and participate in expert roundtables on issues such as access to justice for marginalized communities, reproductive data privacy post-*Dobbs*, social media manipulation through mis/disinformation, and the values implicit in algorithmic decision making. We have launched a research project with colleagues from the School of Engineering and Applied Sciences and the School of Media and Public Affairs on the efficacy of a variety of methods for combatting mis/disinformation. Student researchers from GW Law and other graduate-level programs are deeply engaged in this interdisciplinary work by organizing expert roundtables, studying and analyzing fact checking and labeling of mis/disinformation communications on social media, and studying algorithmic fairness and bias issues.

More description of the project is presented by Ms. Kristen Mitchell of GWToday.

AI Litigation Database

https://blogs.gwu.edu/law-eti/ai-litigation-database-search/



Caption	Brief Description	Algorithm	Jurisdiction	Application Areas	Cause of Action	Issues
ACLU v. Clearview AI, Inc.	Class transferred and consolidated into In re Clearview, complaint charged that Clearview violated violates BIPA. Sought injunctive relief and litigation costs, court considering motion to dismiss on April 2	Clearview	State: Ill. Cir. Ct. (Cook County, Chancery Div.)	Facial Recognition	BIPA	Privacy
ACLU v. DOJ	The ACLU of Massachusetts brought suit against the Department of Justice, Drug Enforcement Agency and the Federal Bureau of Investigation in response to the lack of response to their Freedom of Information Act Request for all policies, contracts and records relating to facial recognition and identifying program and technology.		Federal: US Dist. Ct D. Massachusetts	Constitutional Law, Facial Recognition	FOIA 5 U.S.C. § 552, Injunction	Facial Recognition, Privacy, Use of Race, Unreliability/Miscalculationns
Aerotek, Inc. v. Boyd	Texas Supreme Court rules that e-signatures on new hire paperwork can compel arbitration for a company that was sued for		State: Texas Circuit Court	Employment, Hiring	Contracts, Arbitration	Use of Race

AI Litigation Database (GWU)

https://blogs.gwu.edu/law-eti/ai-litigation-database-search/

Causes of Action / Defenses	FOIA 5 U.S.C. § 552; Injunction	**Published Opinions**	No
Issues	Facial Recognition; Use of Race; Unreliability/Miscalculation; Privacy	**Status / Disposition**	Active
Algorithm Name		**Date Added**	2/4/2021
Class Action		**Most Recent Activity**	Closed without entry of judgement (may be reopened upon motion of an party when their present cooperation on FBI's processing of responsive documents comes to an end).
Organizations Involved	ACLU	**Most Recent Activity Date**	10/13/2021
Jurisdiction Filed	Federal: US Dist. Ct D. Massachusetts		

Dockets

Court Federal: District Court of Massachusetts
Docket Number 1:19-cv-12242
Link https://www.courtlistener.com/docket/16407892/american-civil-liberties-union-v-united-states-department-of-justice/

Documents

Document Complaint
Date 10/31/2019
Link https://www.aclu.org/legal-document/aclu-v-doj-face-recognition-surveillance-complaint

Secondary Resources

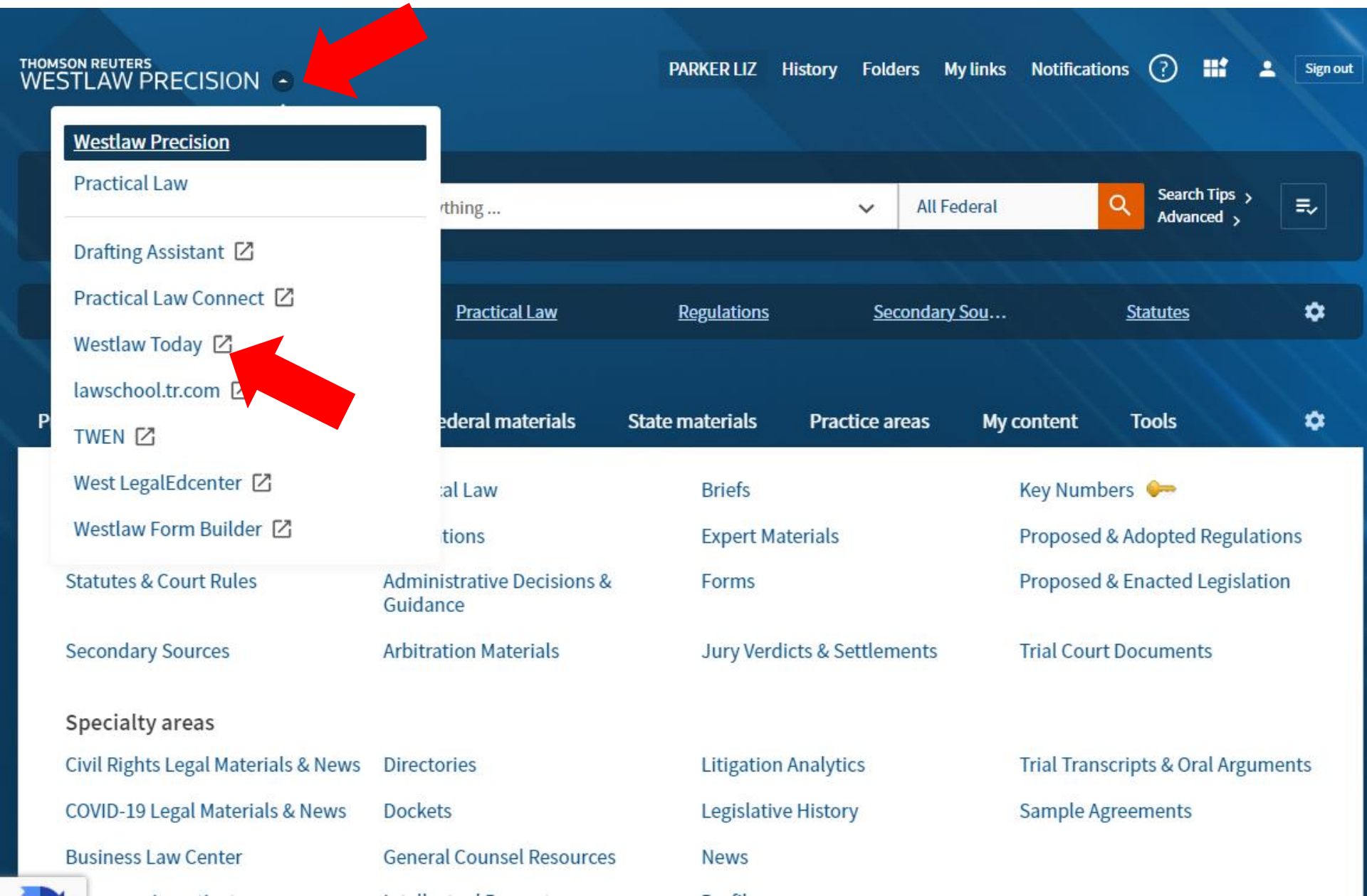
— https://www.zdnet.com/article/the-aclu-sues-the-doj-for-details-on-its-use-of-facial-recognition-technology/

Current Awareness Tools for Law

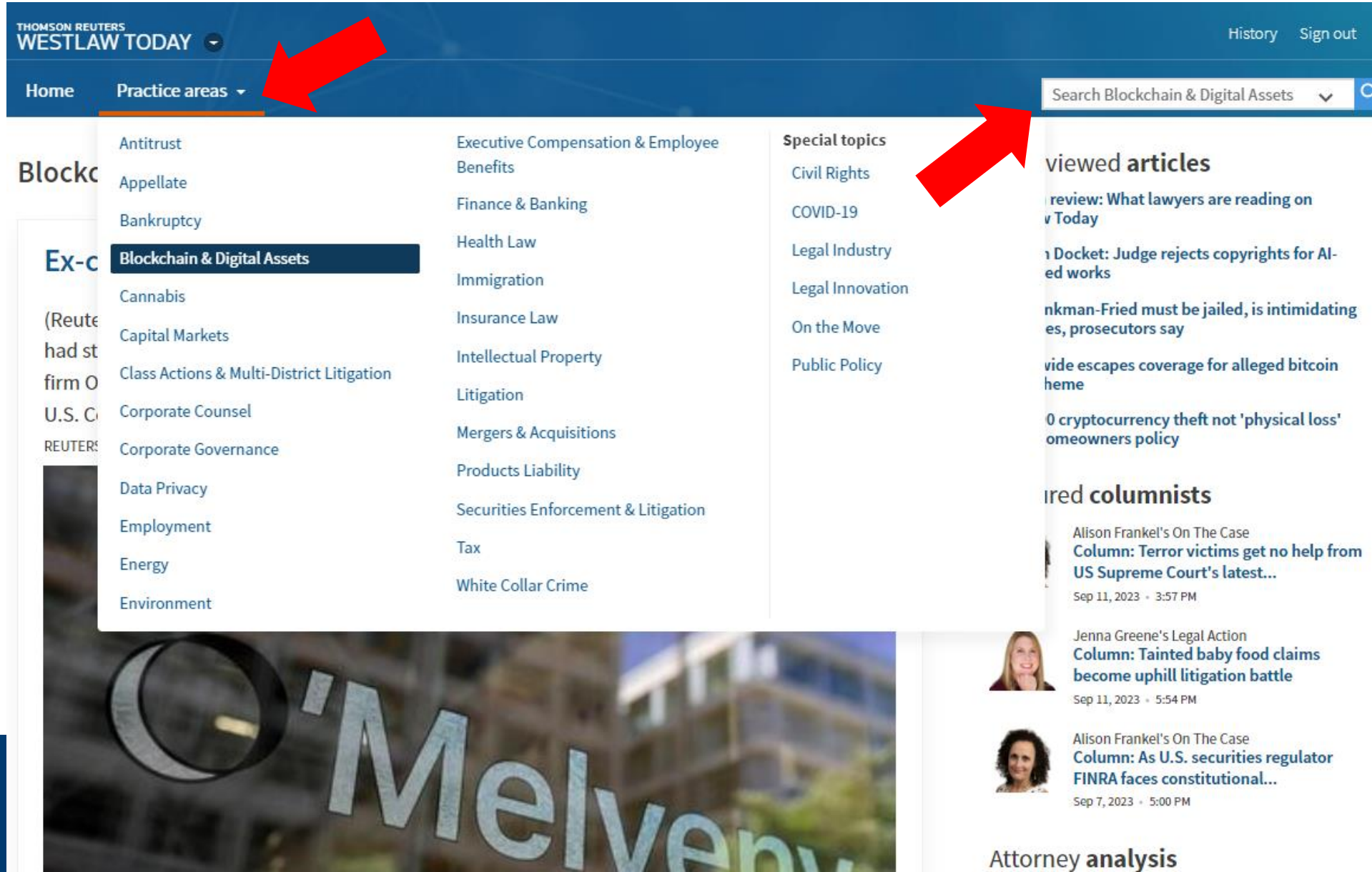
Current news by practice area

- Westlaw Today
- Lexis: Law 360
- Bloomberg Law News

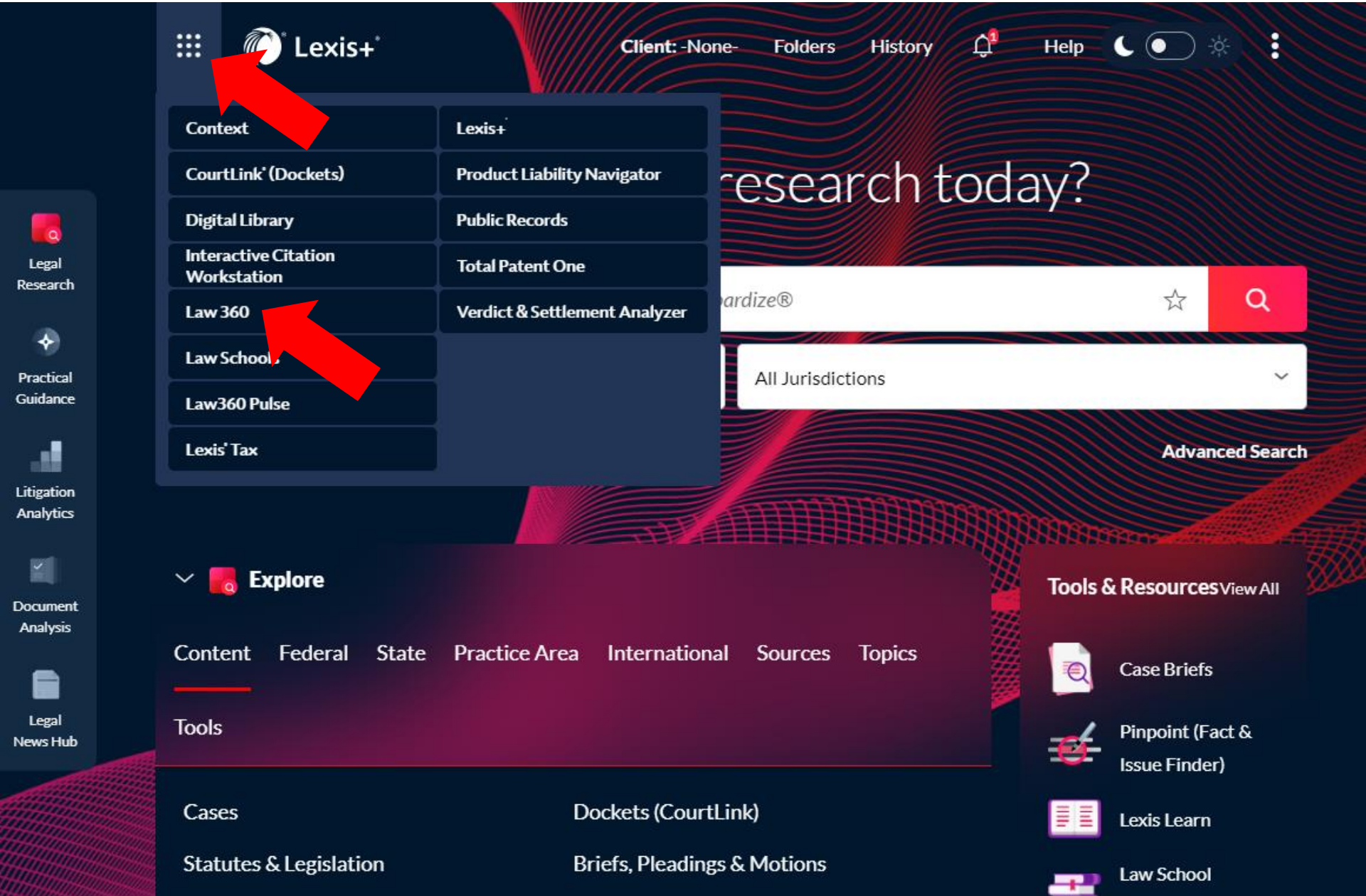
Westlaw Today (Legal news)



Westlaw Today



Lexis: Law 360

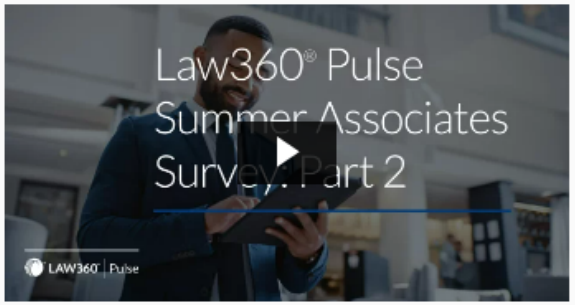


Google Feared Losing Default Status, Judge Hears

By Bryan Koenig

The Justice Department laid out its case against Google in D.C. federal court Tuesday, outlining the lengths the company goes to ensure it is the default on smartphones and browsers, including threatening to withhold billions of dollars in revenue sharing for Apple if the smartphone maker switched search engines.

Read Full Article



Coming Tuesday: Find out which firms were this year's summer winners and what summers liked best about their experiences and training in the Law360 Pulse Summer Associates Survey: Part 2.

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Law360 Pulse Women in Law Report →

Top Stories

Fed. Courts To Offer Less Live Audio Access After COVID

By Jack Karp

Federal judges will be allowed to let the public listen in on some proceedings in civil and bankruptcy cases as ...(read more)

2 Accused Of Fraud Tell Jury Stock Enterprise Seemed Legit

By Brian Dowling

Two Canadian nationals facing securities fraud claims over an alleged multimillion-dollar pump-and-dump scheme t...(read more)

Meta's AI Targeted By Prominent Writers In Latest IP Suit

By Hailey Konnath

2023 Regional Powerhouses →

Trending on Law360

'Open Secret': GMU Grads Say Concerns Over Prof Festered

Paul Weiss Sweeps Up 13 Partners From Kirkland, Linklaters

SEC Throws In Towel On Case That Led To High Court Loss

Trump Wants New Judge In DC Election Interference Case

Wachtell Says Arbitration 'Clear' Route For Twitter's Fee Suit

Google's Deals Face Biggest DOJ Antitrust Case In Years

Gordon & Rees Sued For Malpractice In Product Liability Case

Attys Tout Need For Diverse IP Trial Counsel Amid Skepticism

2 High Court Cases Could Upend Administrative Law Bedrock

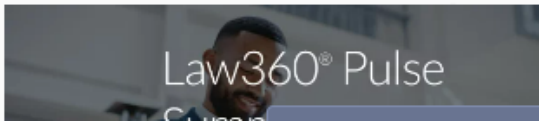
From The Courtroom

2nd Circ. Unlikely To Pause C

Ask a question! »

Google Feared Losing Default Status, Judge Hears

By Bryan Koenig



Law360 - Technology section

Technology

Newsletter RSS Follow

September 12, 2023

Meta's AI Targeted By Prominent Writers In Latest IP Suit

Pulitzer Prize-winning author Michael Chabon and several other writers on Tuesday lobbed copyright infringement claims at Meta Platforms Inc., claiming that it illegally used their published works to train its Large Language Model Meta AI, or LLaMA, just days after targeting OpenAI Inc. with similar allegations.

September 12, 2023

Google Feared Losing Default Status, Judge Hears

The Justice Department laid out its case against Google in D.C. federal court Tuesday, outlining the lengths the company goes to ensure it is the default on smartphones and browsers, including threatening to withhold billions of dollars in revenue sharing for Apple if the smartphone maker switched search engines.

September 12, 2023

Motorola Can't Escape Speech Recognition Patent Suit

Motorola Mobility LLC must face a lawsuit brought by Buffalo Patents LLC alleging that the Lenovo-owned mobile phone maker infringed its patents for speech and handwriting recognition technology for virtual keyboards on smartphones and other devices, an Illinois federal judge has ruled, finding that the claims are a patent-eligible concept.

September 12, 2023

Influencer To Pay Up To End Pa. AG's Suit Over Ad Scam

Social media influencer Dana Chanel has agreed to pay restitution, legal costs and civil penalties to resolve Pennsylvania Attorney General Michelle Henry's allegations she misled her following and customer base when she hyped up businesses she co-owned, according to a Tuesday announcement from Henry's office.

September 12, 2023

Rural Providers Say 5G Fund Changes May 'Strand' Projects

Rural broadband providers say some parts of the Federal Communications Commission's impending plan to change how the 5G Fund for Rural America works could put a crimp on their deployment of advanced networks in remote regions.

Expert Analysis

Amgen Patent Ruling's Impact Extends Beyond Life Sciences

Although the U.S. Supreme Court's decision in Amgen v. Sanofi may appear on its face to only affect life sciences technologies, it should change the way enablement is approached in other areas like chemicals, artificial intelligence, and mechanical and electrical, say attorneys at Haynes Boone.

Best Ad Practices For Digital Products Amid FTC Scrutiny

The Federal Trade Commission recently signaled an increased focus on content ownership claims related to digital products, especially those generated by artificial tools — so now is the time for companies to consider practical applications of decades-old consumer protection principles within today's digital context, says Ioana Gorecki at Kelley Drye.

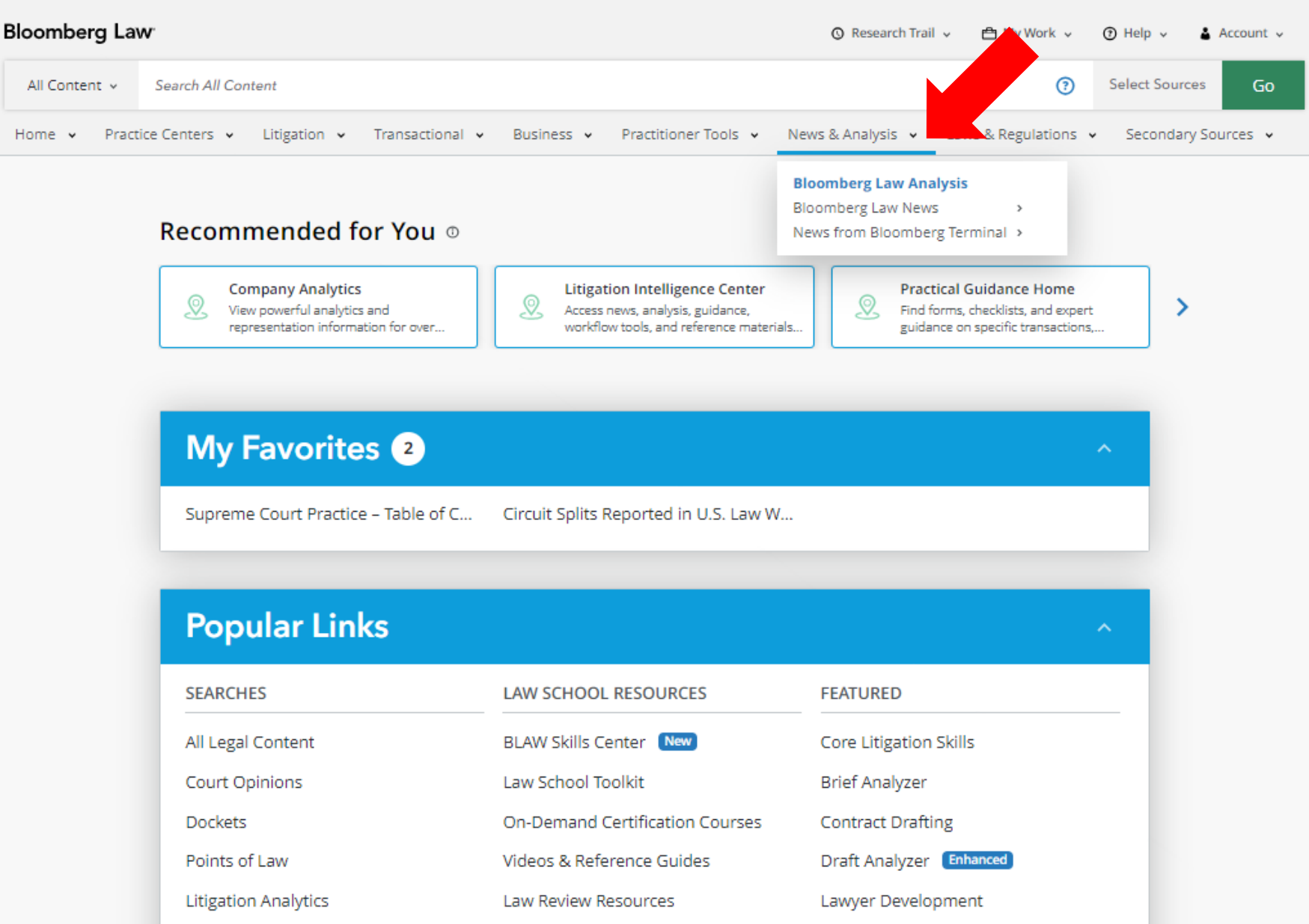
Companies Must Dig Up Old Laws To Stay Privacy-Compliant

Despite the recent focus on new privacy and data security laws, companies cannot ignore existing rules that have recently been revived, amended or reinterpreted to address emerging privacy and data security challenges, says Julia Kadish at Sheppard Mullin.

Despite Regulation Lag, AI Whistleblowers Have Protections

Potential whistleblowers at companies failing to comply with the voluntary artificial intelligence commitments must look to a patchwork of state and federal laws for protection and incentives, but deserve comprehensive regulation in this field, say Alexis Ronickher and Matthew LaGarde at Katz Banks.

Bloomberg Law News



Artificial Intelligence

View and Filter All Stories

Deepfakes Pose 'Real Risk' to Financial Markets: SEC's Gensler

Artificial intelligence's ability to generate deepfake content that easily fools humans poses a genuine threat to financial markets, the head of the Securities and Exchange Commission warned.

Regulate AI? Here's What That Might Mean in the US: QuickTake

The US government doesn't have a great track record of keeping up with emerging technology: Look no further than Washington's stumbling attempts to oversee social media. But the complex new field of artificial intelligence raises legal, national security and civil rights concerns that would-be government regulators can't ignore. Even ChatGPT creator Sam Altman came out in favor of "regulatory intervention by governments" to "mitigate the risks" of AI. As Congress debates whether and how to impose binding regulation, President Joe Biden has called on leading AI companies to meet voluntary transparency and security standards as a first step.

Teamsters Say States Should Have Role in Autonomous Truck Policy

The International Brotherhood of Teamsters said federal regulation of autonomou vehicles shouldn't preempt state actions governing self-driving trucks.

LexFusion Appoints Christina Wojcik Corporate Legal Tech Leader

Lexfusion said Tuesday that Christina Wojcik has joined as leader of corporate legal operations, commercial and corporate legal tech business.

Alibaba's New CEO Elevates AI to Top Priority in Revamp

Alibaba Group Holding Ltd. will put artificial intelligence and user exp

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Tech & Telecom Law News

View and Filter All Stories

Alert Media Wins Lawyer Fees For Rival's 'Unreasonable' Conduct

A Texas federal judge awarded Alert Media Inc. attorneys' fees after finding a patent-monetization company dragged out litigation beyond the point when it realized it couldn't win.

By Laurel Brubaker Calkins

Microsoft's Smith Signals Support for Bipartisan AI Senate Plan

Google Domination of Web Search Began With Plan to Check Rivals

Senators Propose Ban on Deceptive AI-Generated Election Content

US Biometric Storage System Protections Need Work, Watchdog Says

The US Department of Homeland Security's plan to update its biometric database needs better privacy protections and is running concerningly behind schedule, according to a Government Accountability Office report released Tuesday.

Samsung Loses Bid to Shift Texas Patent Dispute to California

Samsung Electronics Co. must defend patent-infringement allegations in a Texas federal court known for awarding whopping plaintiff-friendly verdicts, even though nearly identical arguments won Apple Inc. a change of venue in its case against the same patent-

Helping Others

Results for Tech & Telecom Law

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Topic

- Biometrics (424)
- Digital Privacy (193)
- Social Media (178)
- Consumer Privacy (159)
- Artificial Intelligence (121)

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Court

- U.S. District Court, Northern District Of Illinois (36)
- U.S. District Court, Northern District Of California (17)
- U.S. Supreme Court (12)
- U.S. District Court, Western District Of Washington (10)
- U.S. Court Of Appeals, Ninth Circuit (8)

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1 - 50 of 664 Sort by Date Details

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1. US Biometric Storage System Protections Need Work, Watchdog Says (09/12/2023)

TOPIC federal agency budget, national security, digital privacy, data breaches, biometrics

DHS' new biometric identity management system—used to inform immigration and national security decisions—is expected to retain the fingerprints and facial scans of hundreds of millions of individuals. But the program doesn't align with several privacy requirements for federal agencies handling private data, the GAO report found. The government watchdog's findings come as DHS plans to increase storage capacity and broaden the biometric data it collects to include categories like DNA with the revamped system.

Show more extracts

2. 'Robot Bosses' Spur Lawmaker Push to Police AI Job Surveillance (09/08/2023)

TOPIC workplace privacy, discharge of employee, mobile applications, EEO enforcement, personal business on the job, reasonable expectation of privacy, computer surveillance, employment discrimination, job performance, workplace infectious disease exposure... and 3 more

LAW FIRM Fisher Phillips

COMPANY Microsoft Corp

Lip-reading and facial recognition tools can increase workplace access for disabled employees, he said. While the lack of transparency from employers on their monitoring activities is "concerning," the use of automated tools in human resources departments could actually make things fairer, said Sam Ransbotham , a professor of business analytics at the Boston College Carroll School of Management.

3. HILL TECH BRIEF: Lobbyists Flirt with AI But Wary of Promises (09/08/2023)

that alleges its facial-recognition technology violates "biometric" privacy protections by scanning billions of people's images online without their permission. Read more . • The rise of AI in tracking and evaluating workers for employment decisions is prompting some lawmakers to act to curb its power in the workplace. Employers like Amazon are relying on automated AI tools to measure workers' productivity and, in some instances, fire them if they don't meet performance thresholds established by the software.

Helping Others

Practice Centers

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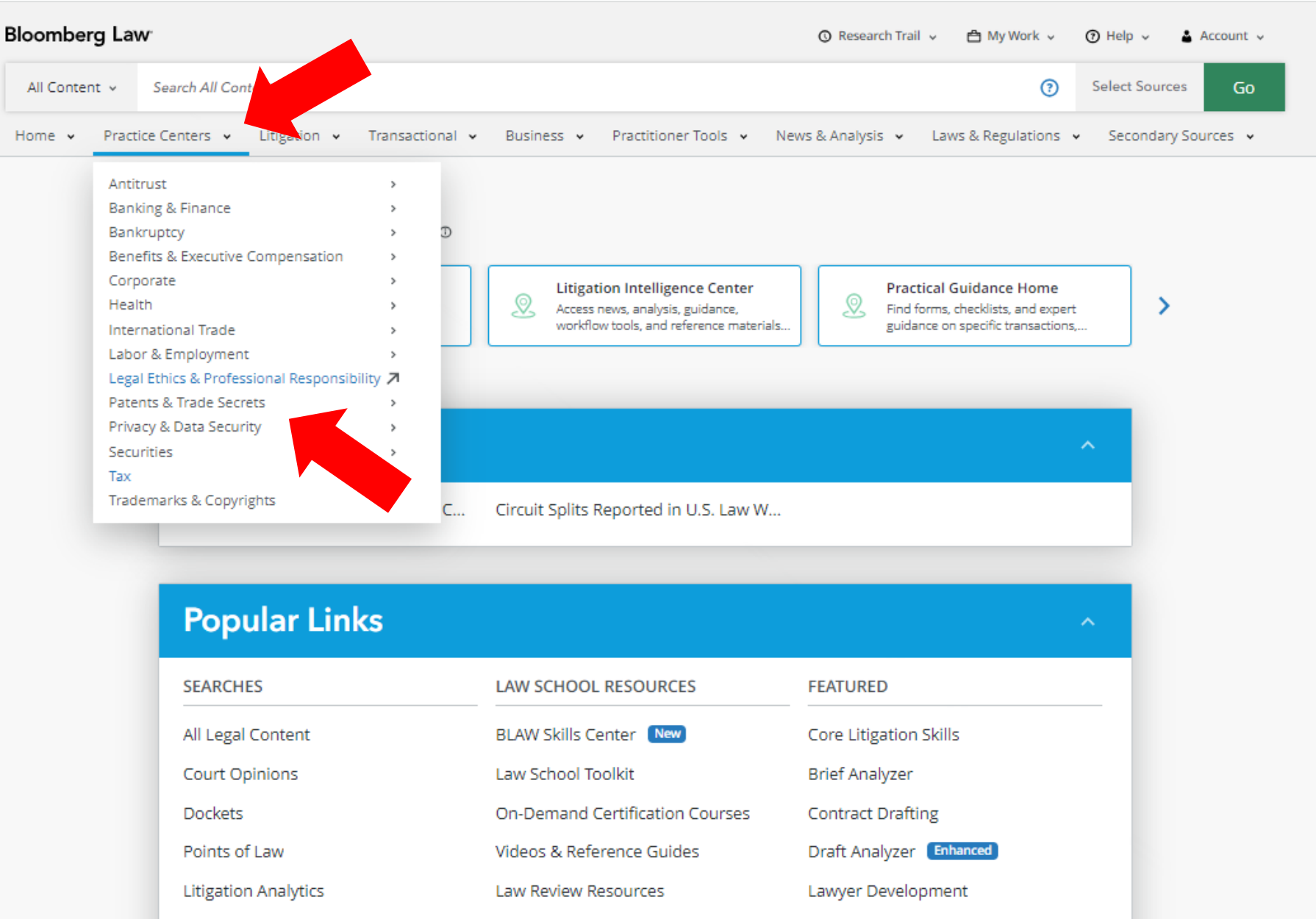
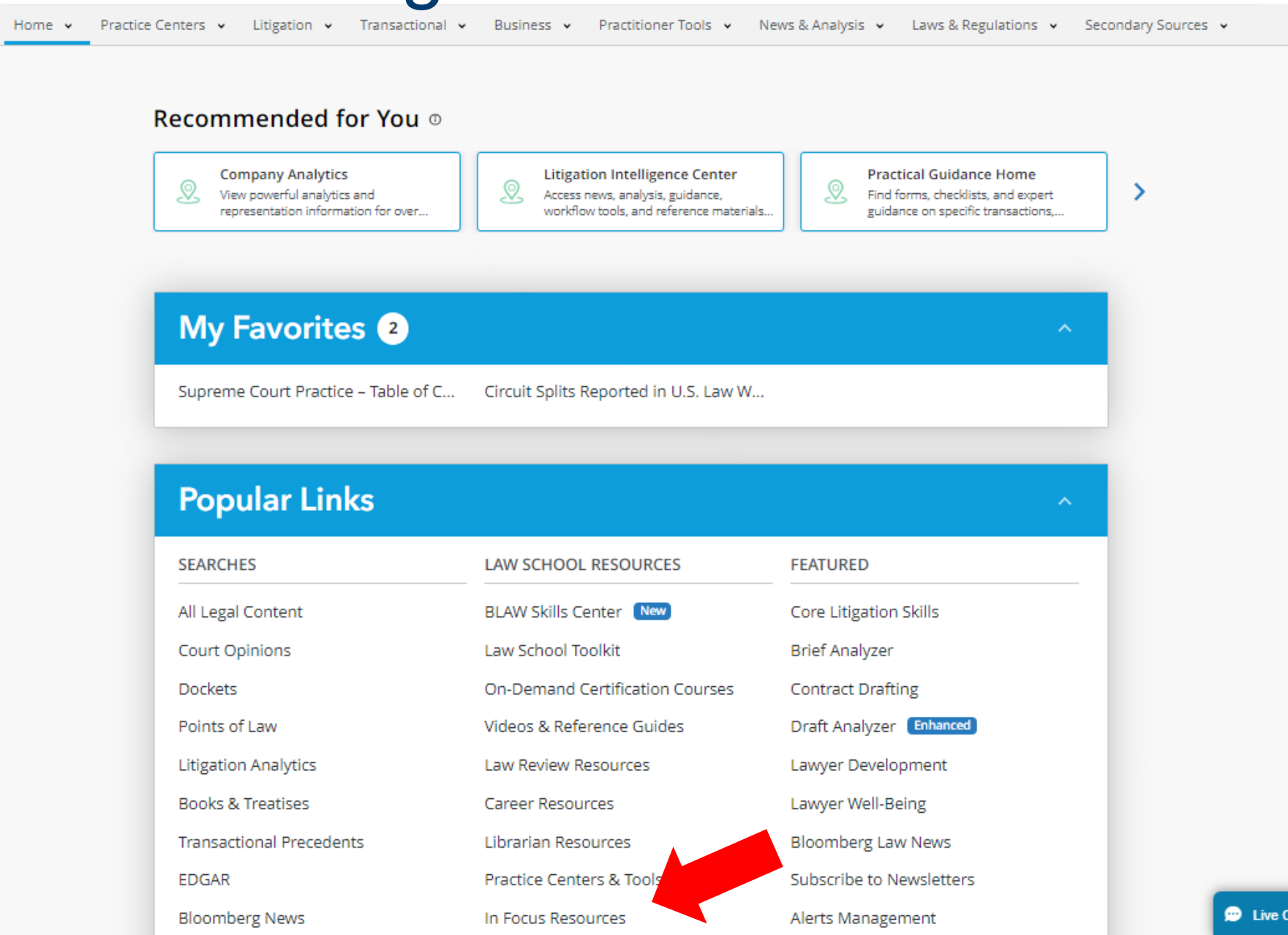
Bloomberg Practice Centers



Bloomberg “In Focus”



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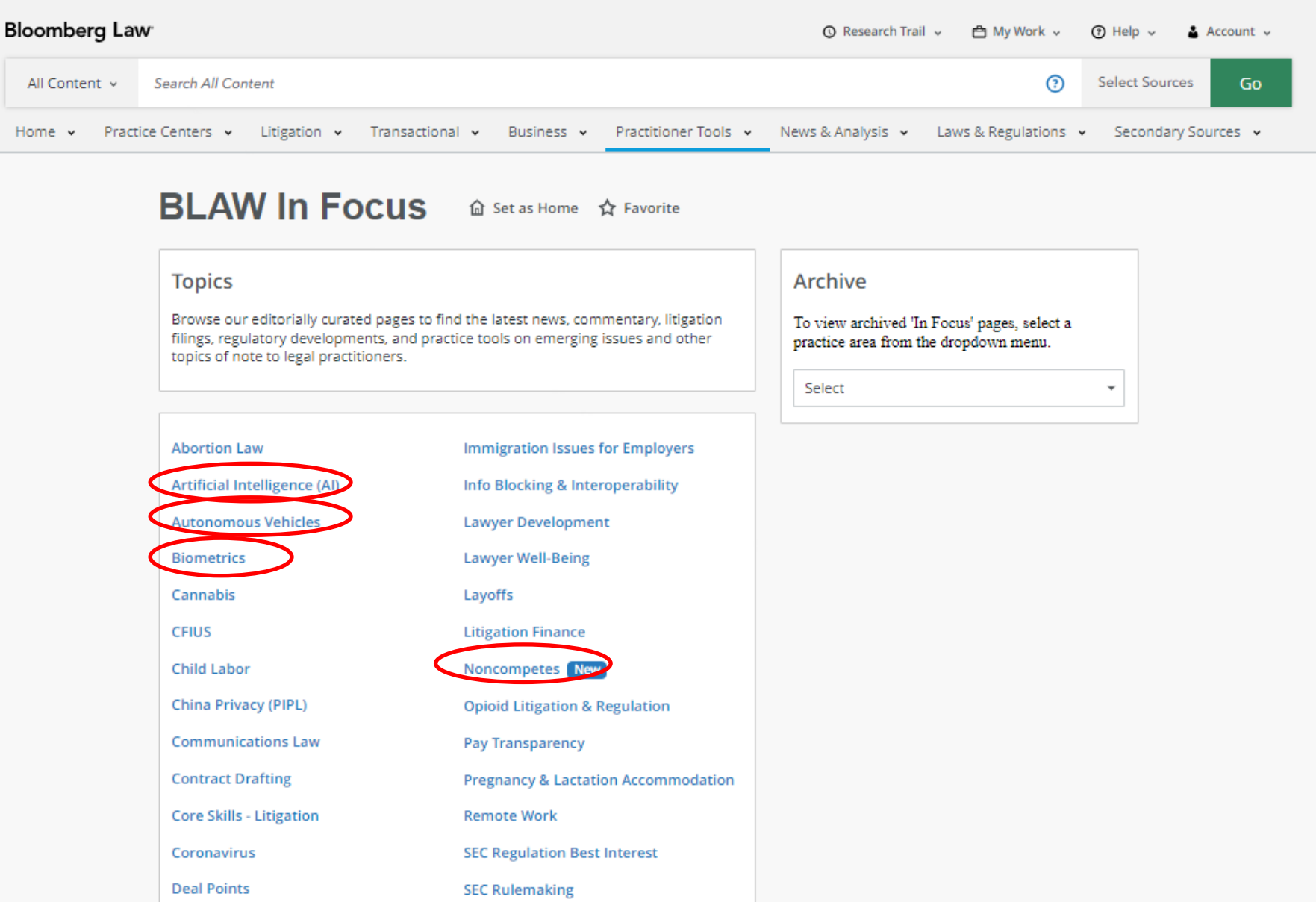

Bloomberg “In Focus” — AI

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In Focus: Artificial Intelligence (AI)

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Background

Artificial intelligence (AI) has existed for decades, but its more recently developed capabilities have begun to spur laws and guidance aimed at curbing potential harms. Affected practice areas include privacy, employment, health, IP, finance, securities, and the legal profession itself.

White House - Blueprint for an AI Bill of Rights

Glossary - Artificial Intelligence (AI) Terms for Lawyers New

Consumer Privacy Laws Governing AI

GDPR | CCPA | VCDPA | CPA | CTDPA

Learn More

State AI Laws & Regulations

Select a jurisdiction to find codified statutes and regulations related to AI, as well as searches for any relevant legislative proposals or rulemakings.

STATE

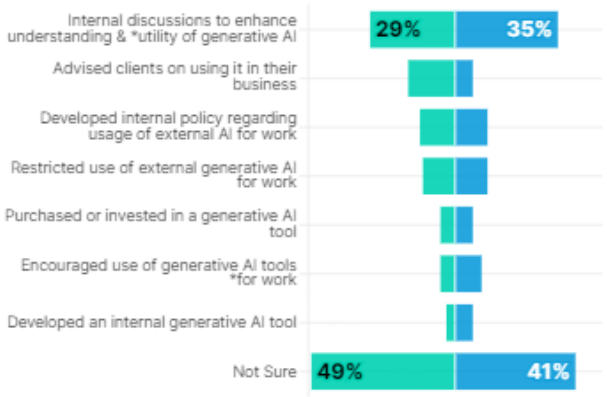
Ex: Delaware

INTERACTIVE: Legal Industry Ramps Up Response to Generative AI

'Which of the following has your organization done in response to generative AI?'

Spring 2023 | Summer 2023

Law Firm | In-House



Source: Bloomberg Law's 2023 State of Practice Surveys, conducted from March 21, 2023 to April 14, 2023 (Spring 2023), and June 29, 2023 to July 21, 2023 (Summer 2023). • Respondents were asked to select all that apply. If respondents selected "Not Sure" they were unable to select additional answers. The response "Other" was surveyed but not included in this graphic. Note: Clicking legend icons will change chart view. "*" indicates

Bloomberg Law

A Flourish chart

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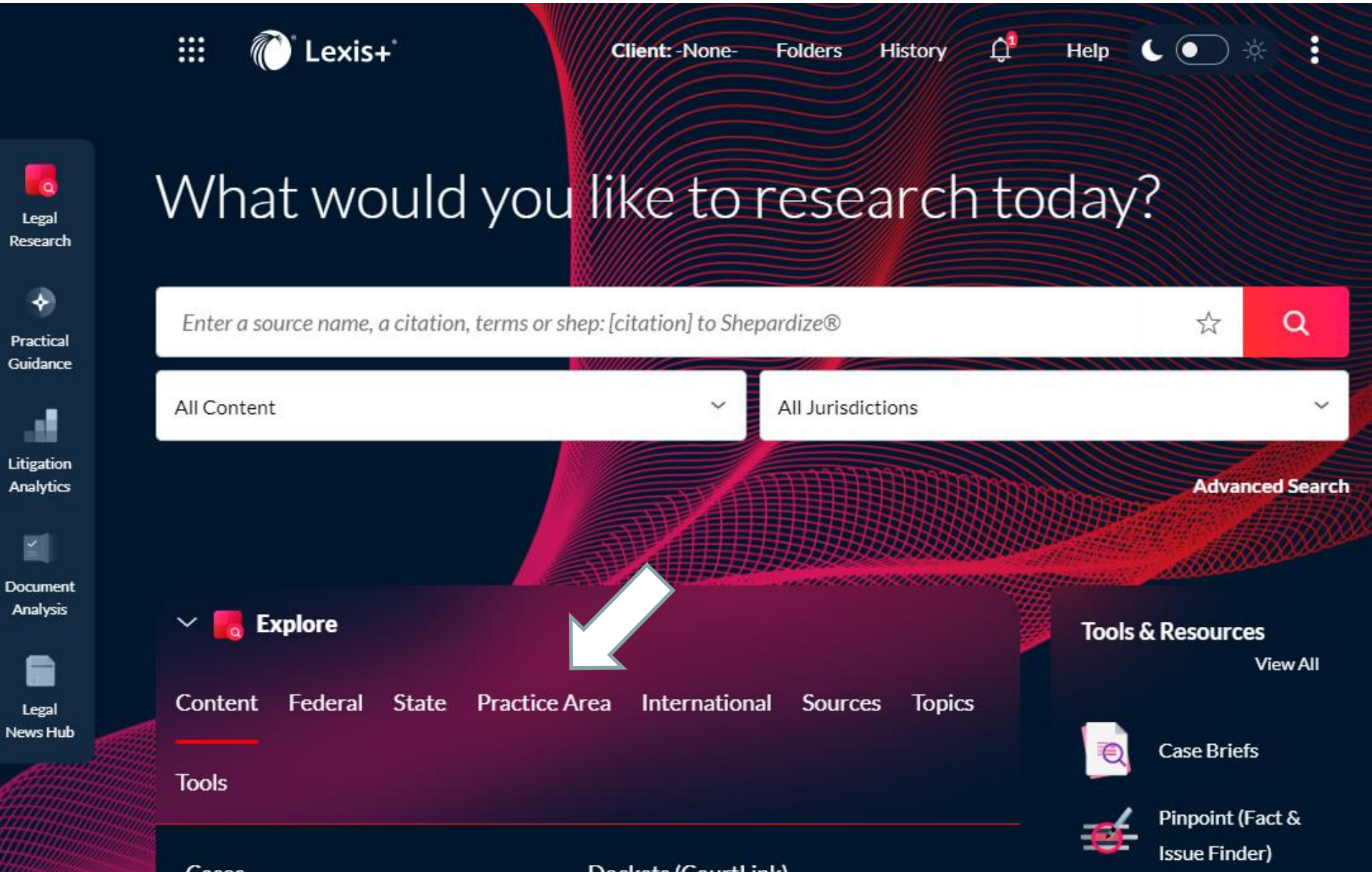
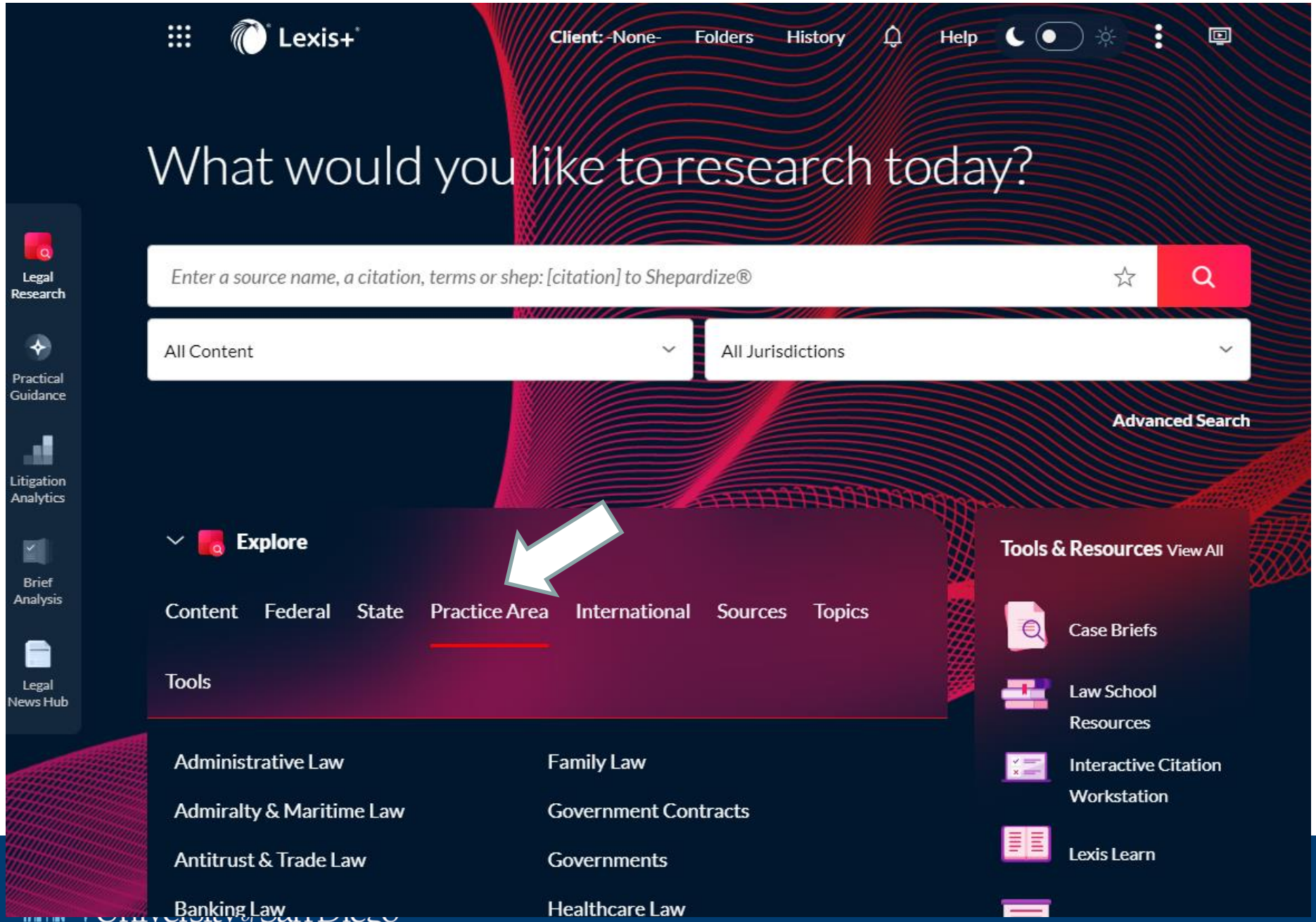
Lexis Practice Centers

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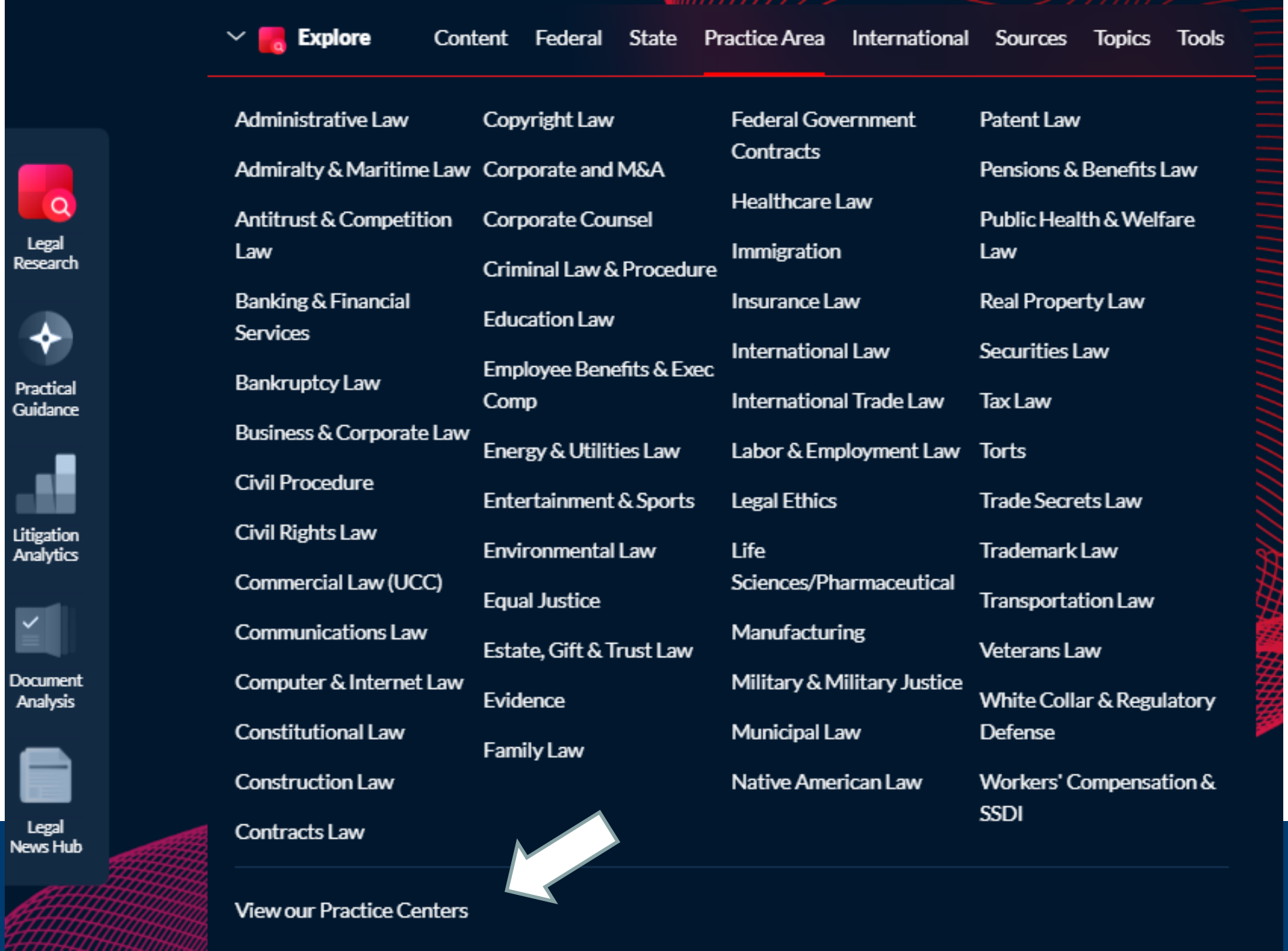
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Immigration
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International Trade Law
Labor & Employment Law
Legal Ethics
Life Sciences/Pharmaceutical
Manufacturing
Military & Military Justice
Municipal Law
Native American Law
Patent Law
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Public Health & Welfare Law
Real Property Law
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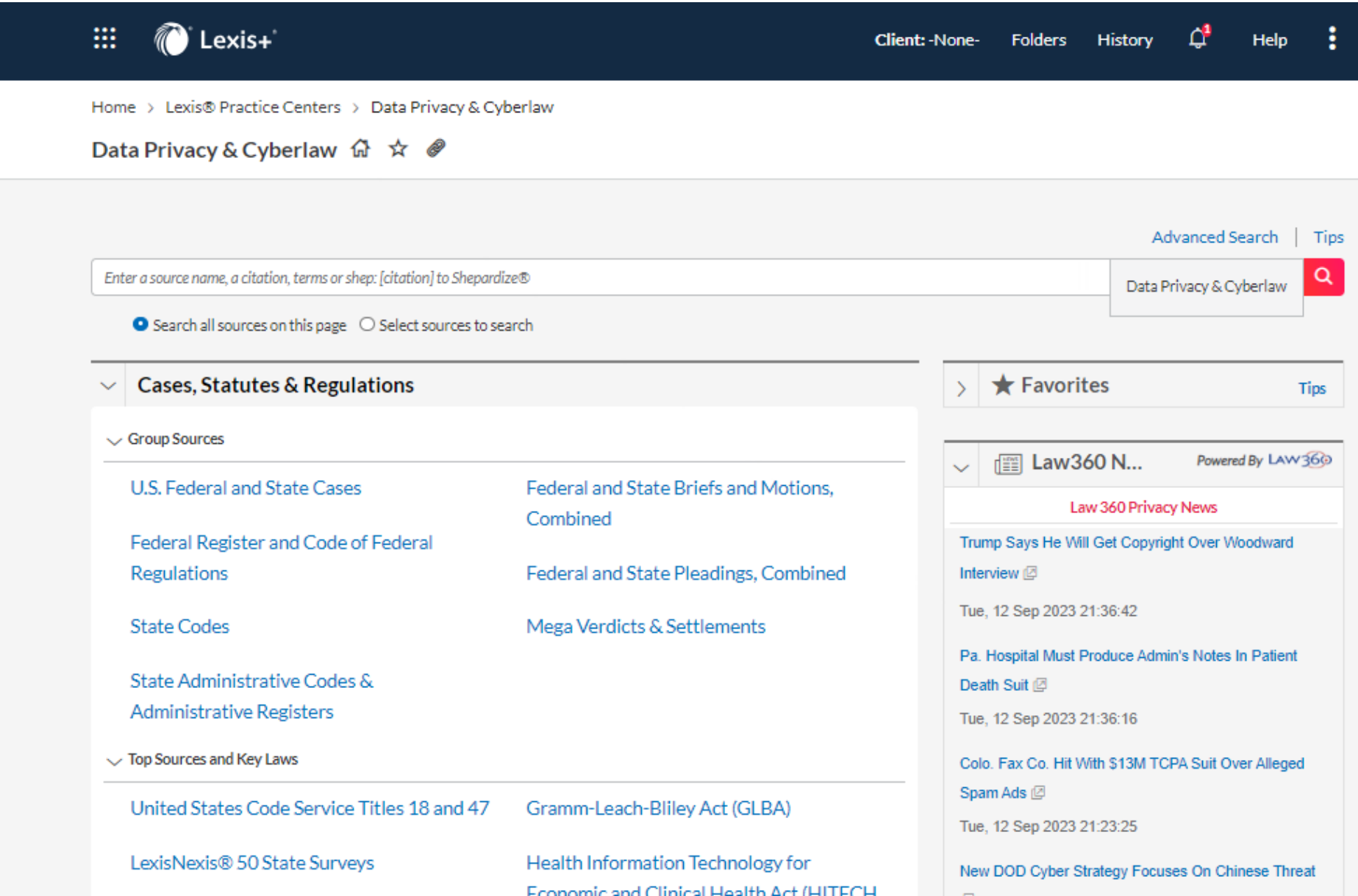
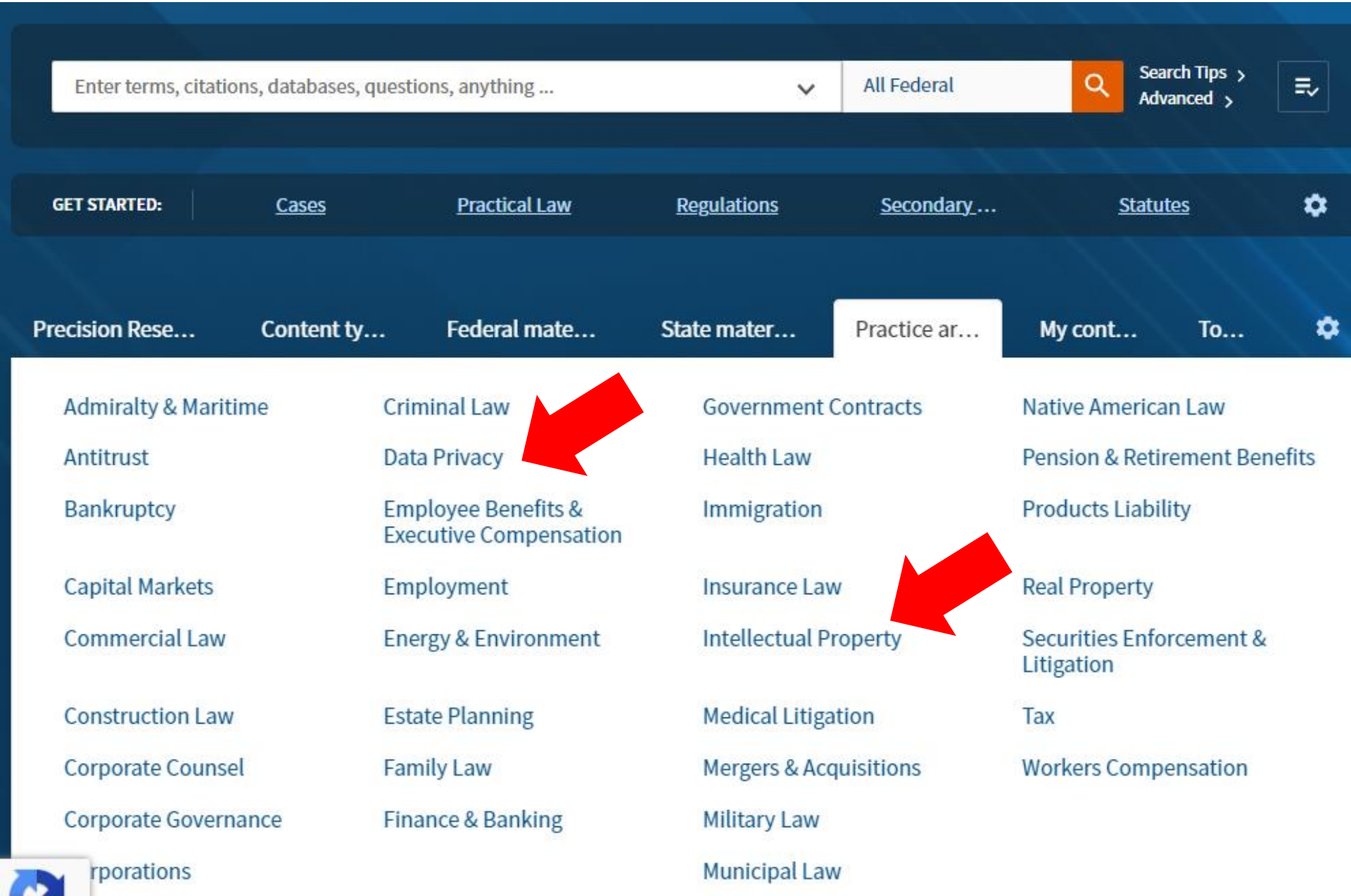


Westlaw Practice Areas



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- [ ] Proposed & Enacted Legislation
- [ ] Proposed & Adopted Regulations

Westlaw Today

Data Privacy Analysis

Big Tech Docket: Google antitrust trial begins
WESTLAW Data Privacy Daily Briefing

Trial is underway in the U.S. Justice Department's landmark antitrust case over Google LLC's online search dominance, and an international arms race for killer AI robots is heating up.

Column: Musk thumped in Wachtell's new motion in $90 million fee fight
Alison Frankel's On The Case

(Reuters) - If Wachtell, Lipton, Rosen & Katz prevails on the motion it just filed in response to X Corp's lawsuit demanding the return of most of the $90 million in legal fees Wachtell received from Twitter just before Elon Musk took control of the company, we're not going to hear much more about the juicy fight between the world's richest and...

What can $787.5 million buy you? The case of Dominion v. Fox and the function of justice in commercial...
Practitioner Insights Commentaries

Gary Birnberg of JAMS discusses the considerations and calculations around commercial mediation as seen through the settlement involving Dominion Voting Systems and Fox News.

What rescheduling to Schedule III would mean for the cannabis industry

Conducting a Thorough Literature Review

Literature Review

- A survey of books, scholarly articles, and any other sources relevant to a particular issue, area of research, or theory

- Helps you formulate your thesis and locate your arguments within the larger field of study

- Also serves as a **preemption check** [Note: someone may have already written about your general topic, but you want to try to find a new (novel) angle on it.]

Literature Review: Sources

- ❑ Books
- ❑ Law articles
- ❑ Articles from other academic disciplines
- ❑ News/blogs
- ❑ Working papers & forthcoming articles (SSRN and Bepress)

Remember

- Evaluate sources for:
  - **Authority** – author is identified, reputable, credentialed
  - **Objectivity** – fairness, lack of bias
  - **Accuracy** – provides references to sources, verifiable
  - **Scope** – relevant to your topic and argument
  - **Currency** – may vary by topic, but make sure you know the current state of thinking in your field (even if it's rooted in older writings)

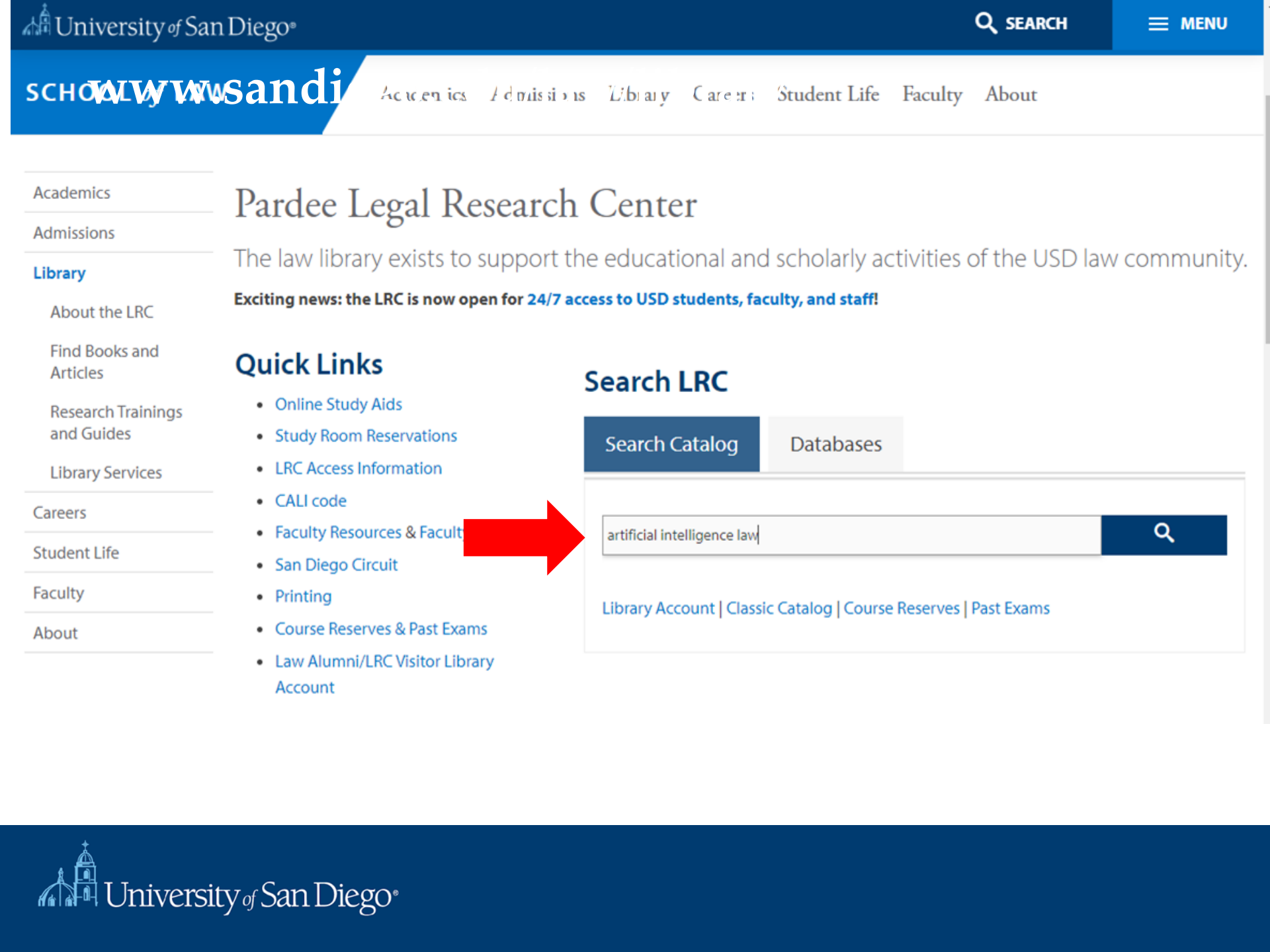
Books

Searching the catalogs

USD's online catalog find items located in the LRC and also in the Copley Library collection.

- Remember that the catalog can be used to find not just materials in our print collection, but it also provides direct access to materials in our subscription databases, and it also links to websites!

USD's online catalog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- Print Book (62)
- E-Journal (10)
- Streaming Video (1)
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Location
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- Legal Research Center (127)

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Search Found In
- Subject (97)
- Title (71)
- Author (2)

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- At the library (225)
- Online (161)

Language
- English (222)
- French (2)
- Spanish (1)
- Efik (1)
- No linguistic content (1)

Artificial intelligence and law [electronic resource]

E-JOURNAL | c1992-

Available at Copley Internet see all

Additional actions:

→ Click here for full text (USD Users Only) from Springer Nature Journals Non-Combo (SCELC): 1992 to present

Artificial intelligence and law

E-JOURNAL |

Available at LRC Internet (K1) see all

Additional actions:

→ Access this resource in HeinOnline International & Non-U.S. Law Journals (USDOne login required)

→ Access this resource in HeinOnline Law Journal Library (USDOne login required)

Artificial intelligence and intellectual property / edited by Jyh-An Lee, Reto Hilty, and Kung-Chung Liu

E-BOOK | 2021

Available at Copley Internet (K1401) plus 1 more see all

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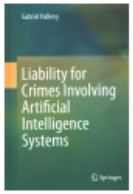

Liability for crimes involving artificial intelligence systems / Gabriel Hallevy

Halevi, Gavri'el, author

PRINT BOOK | [2015]

Available at LRC Reading Room (K5070 .H33 2015) plus 1 more see all Map it

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- USD is a member of a library consortium, the Circuit
- borrow materials from SDSU, UCSD, as well as the San Diego county & city libraries.
- greatly increases the universe of materials that are accessible to you!
- delivered to LRC in 24–48 hrs.—pickup at Circulation desk

Access: You can link to the Circuit catalog through the LRC's catalog (click on the hyperlinked Circuit logo) or go to: http://circuit.sdsu.edu

Circuit

Allahabad : Indian Society of Artificial Intelligence and Law, [2020]-
1 online resource (volumes)

23 **Algo bots and the law : technology, automation and the regulation of futures and other derivatives**
Scopino, Gregory A., 1971- author
Cambridge, United Kingdom ; New York : Cambridge University Press, 2020
1 online resource (xii, 472 pages)

24 **The reasonable robot : Artificial Intelligence and the law**
Abbott, Ryan, author
Cambridge, United Kingdom ; New York, NY, USA : Cambridge University Press, 2020
1 online resource (pages cm.)

25 **Consumer Safety Technology Act**
United States. Congress. House. Committee on Energy and Commerce, author
[Washington, D.C.?] : [U.S. Government Publishing Office?], 2020
1 online resource (10 pages) : digital PDF file

26 **Artificial intelligence and intellectual property : who owns property created by an algorithm or a r**
Schiemer, Jordan, author
London : The Eugene D. Fanning Center for Business Communication, Mendoza College of Business, University of Notre Dame, 2019
1 online resource : illustrations

27 **The law of artificial intelligence and smart machines : understanding A.I. and the legal impact**
Chicago, Illinois : American Bar Association, Business Law Section, [2019]
xi, 743 pages : illustrations ;

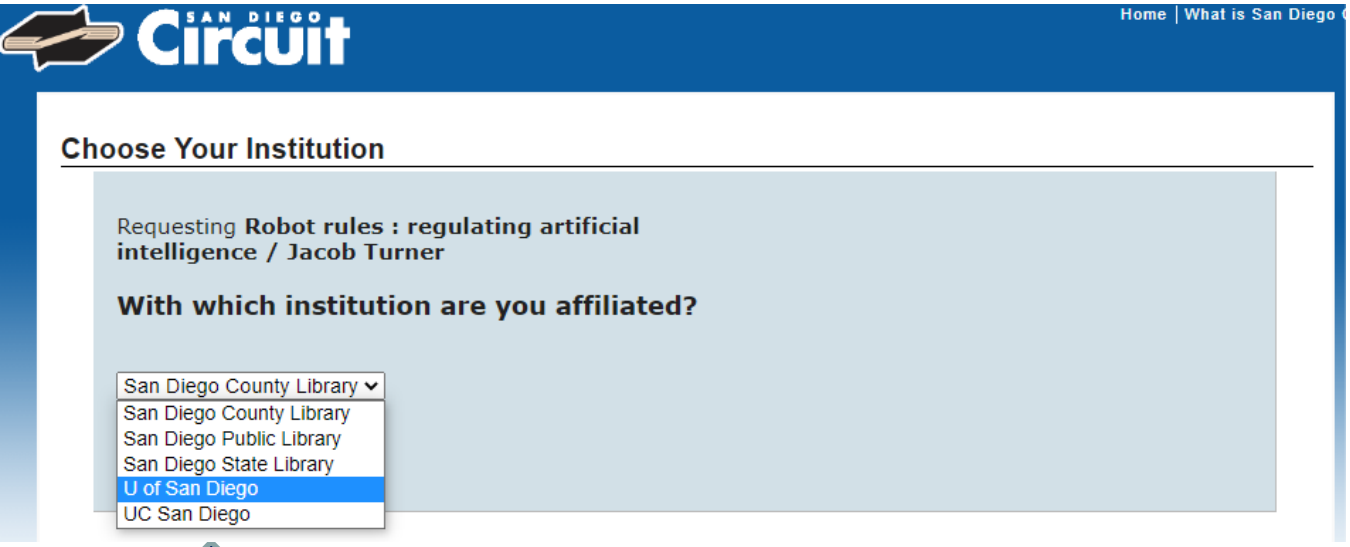
28 **Law and autonomous machines : the co-evolution of legal responsibility and technology**
Chinen, Mark, author
Cheltenham, UK : Edward Elgar Publishing, [2019]
xiv, 245 pages ;

29 **Integrationism and the self : reflections on the legal personhood of animals**
Hutton, Christopher, author
London ; New York : Routledge, Taylor & Francis Group, 2019
179 pages ;

30 **Robot rules : regulating artificial intelligence**
Turner, Jacob, author
Cham, Switzerland : Palgrave Macmillan, [2019]
xx, 377 pages ;

31 **Deepfake Report Act of 2019 : report of the Committee on Homeland Security and Governmental Affairs,**
United States. Congress. Senate. Committee on Homeland Security and Governmental Affairs, author
Washington : U.S. Government Publishing Office, 2019
1 online resource (ii, 6 pages)

32 **Artificial Intelligence and Robotics National Institute**
Artificial Intelligence and Robotics National Institute (2019)
Chicago, IL : American Bar Association, ABACLE, [2019]
1 online resource (1 volume (various pagings)) : illustrations



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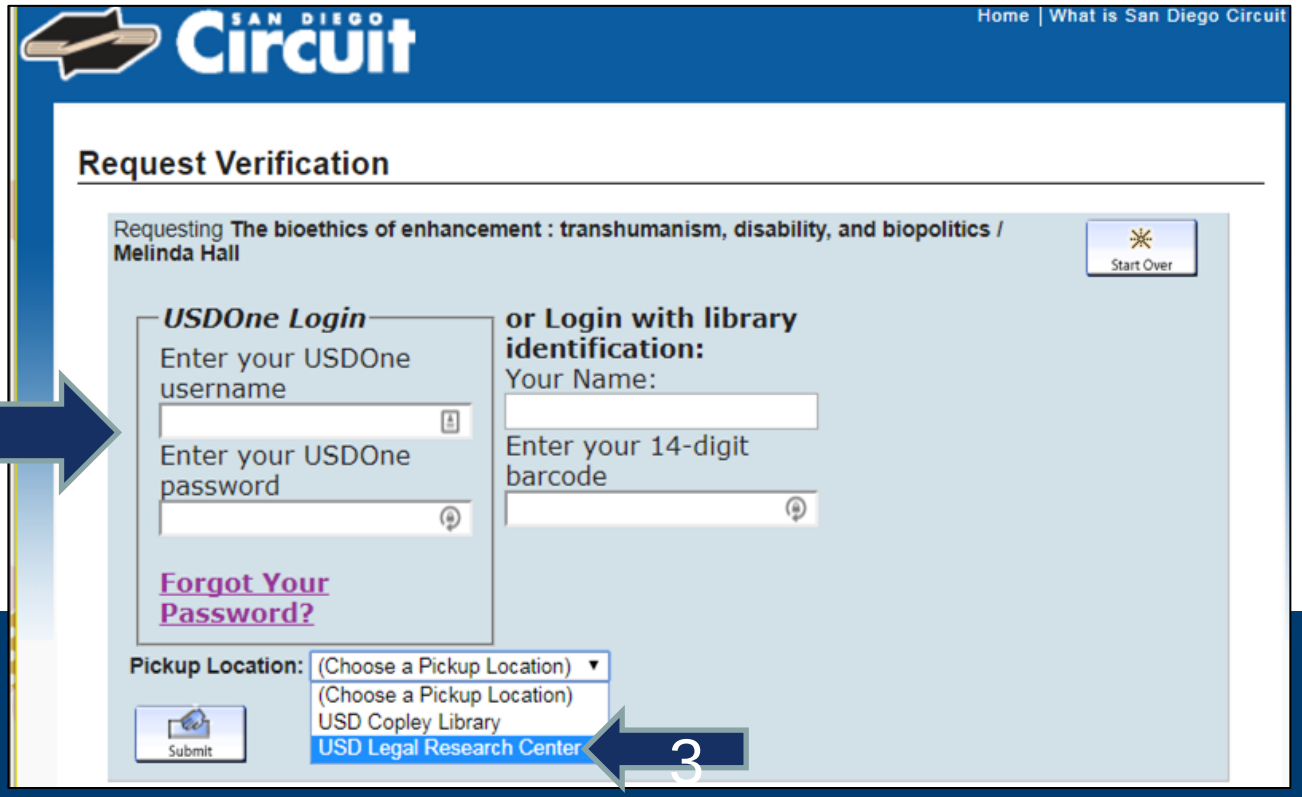

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- If you can't find an item at USD or through the Circuit, we may be able to get it through interlibrary-loaned from another library
- Check http://www.worldcat.org or come ask a reference librarian
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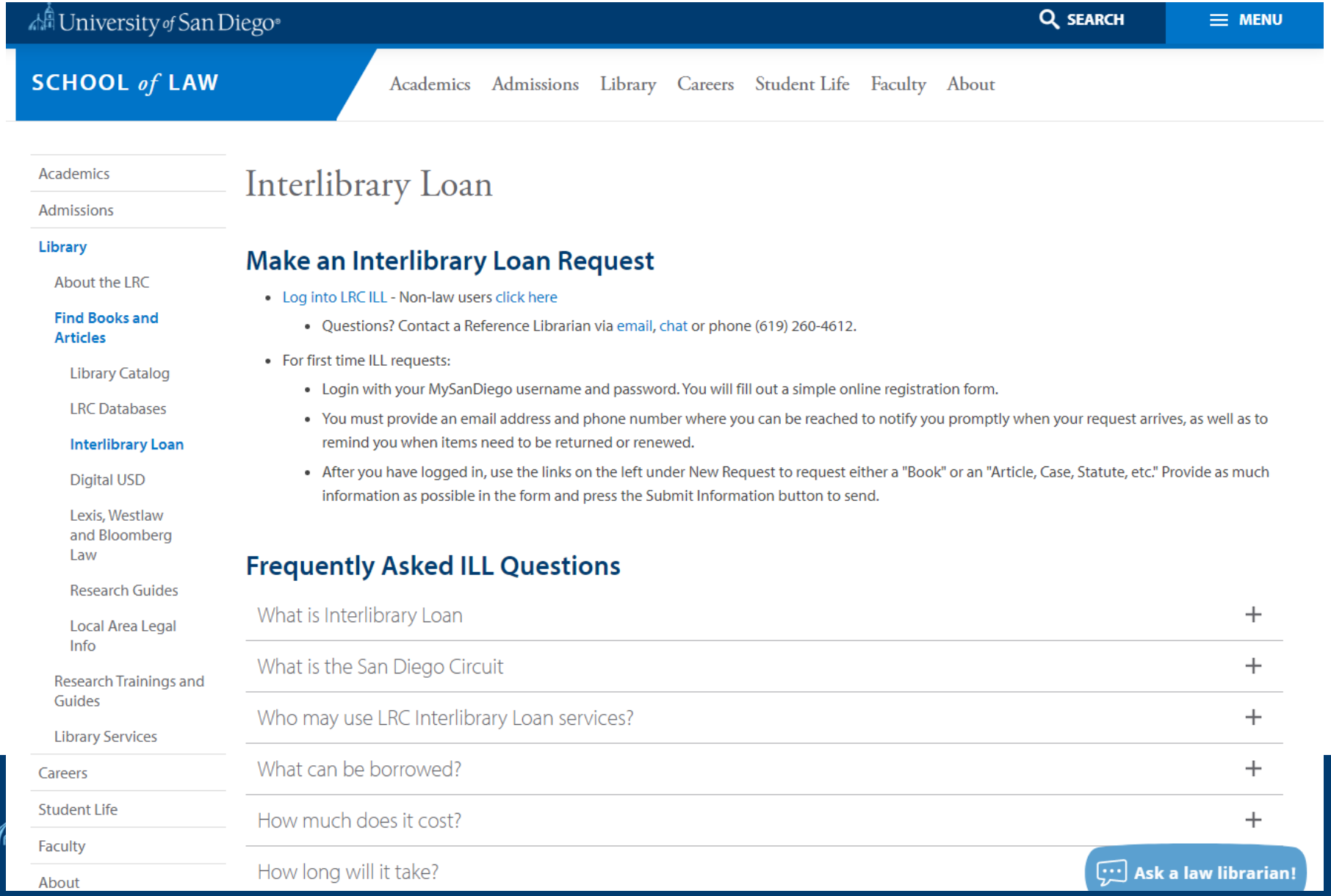
http://www.sandiego.edu/law/library/find-resources/ill/

ILL Requests



Law articles

Law articles

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- ❑ Google Scholar

Unpublished or forthcoming

- ❑ SSRN
- ❑ Bepress

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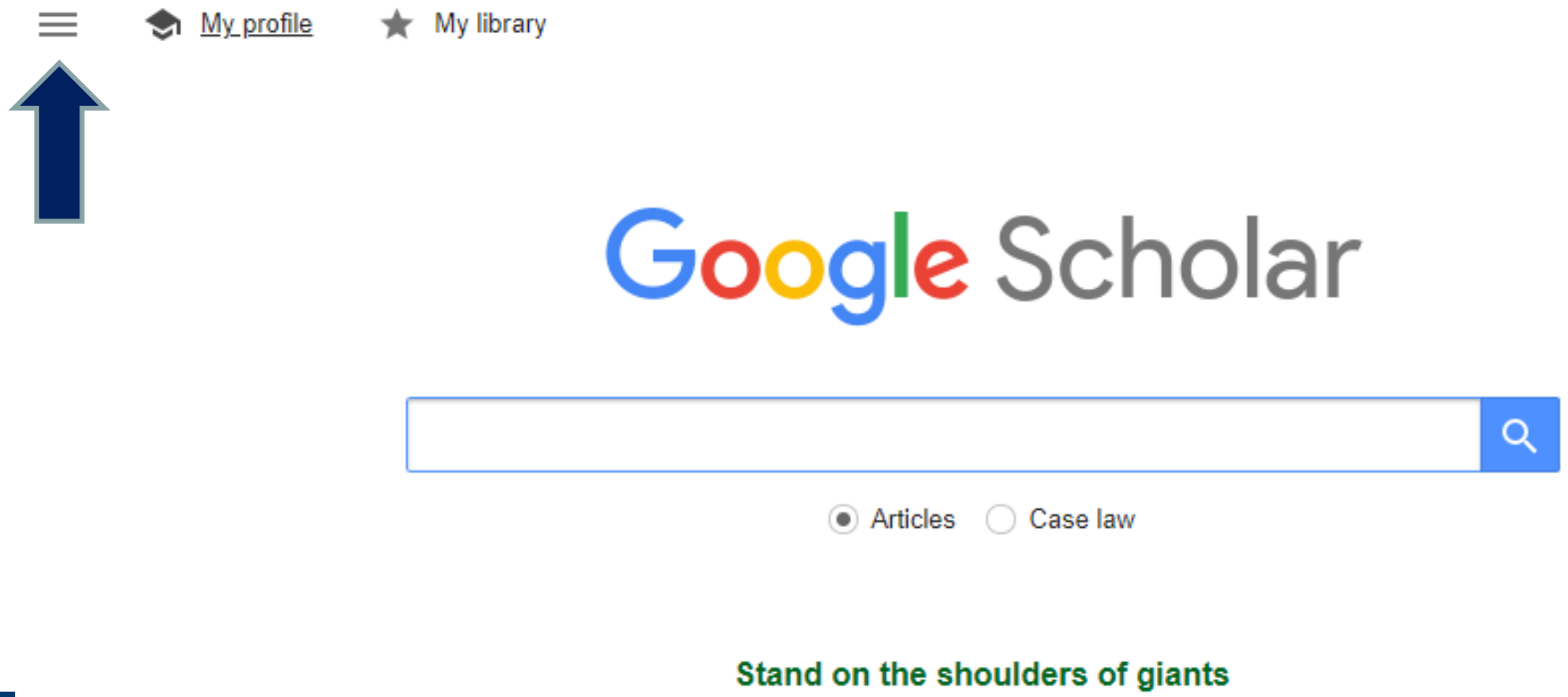
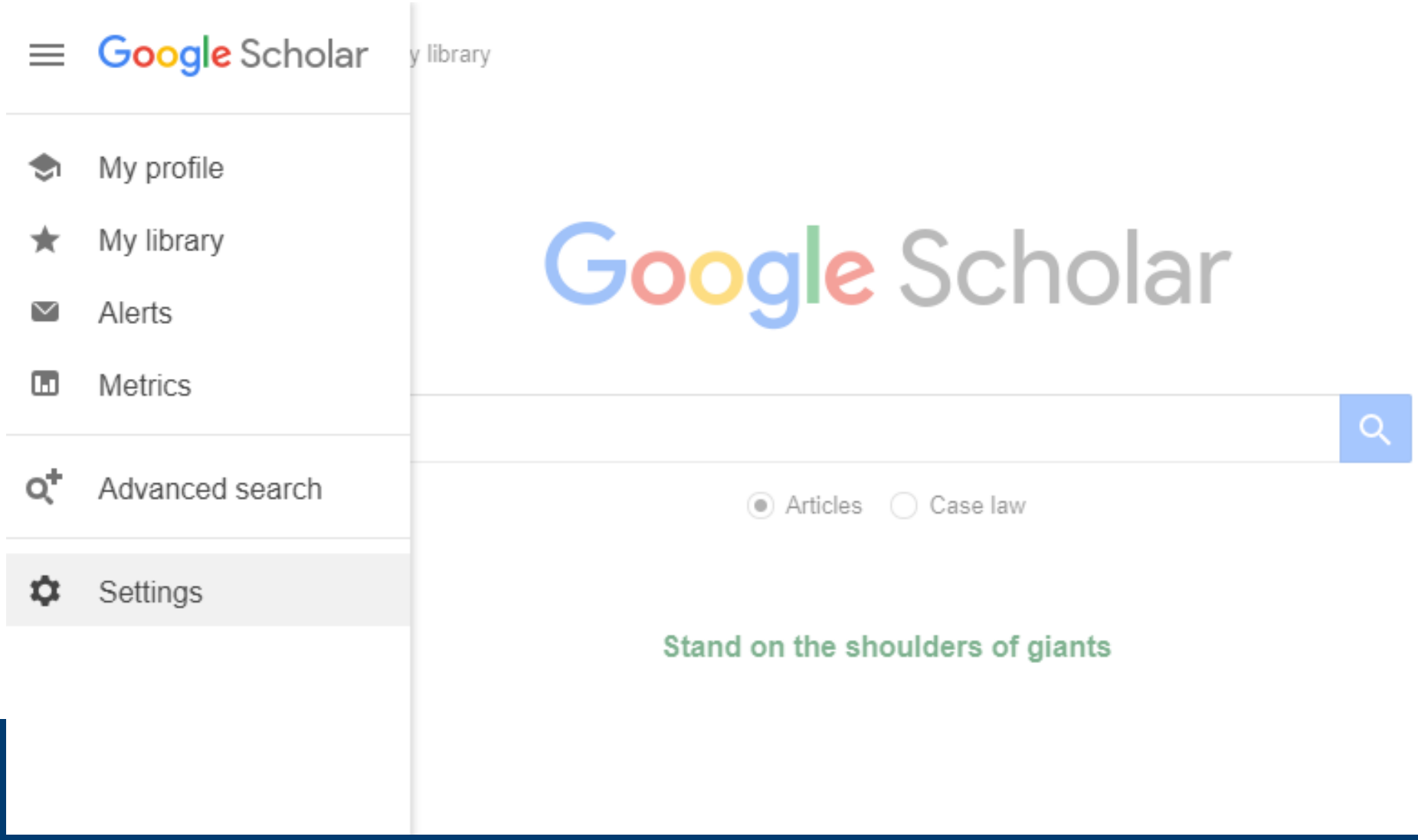


Google Scholar settings



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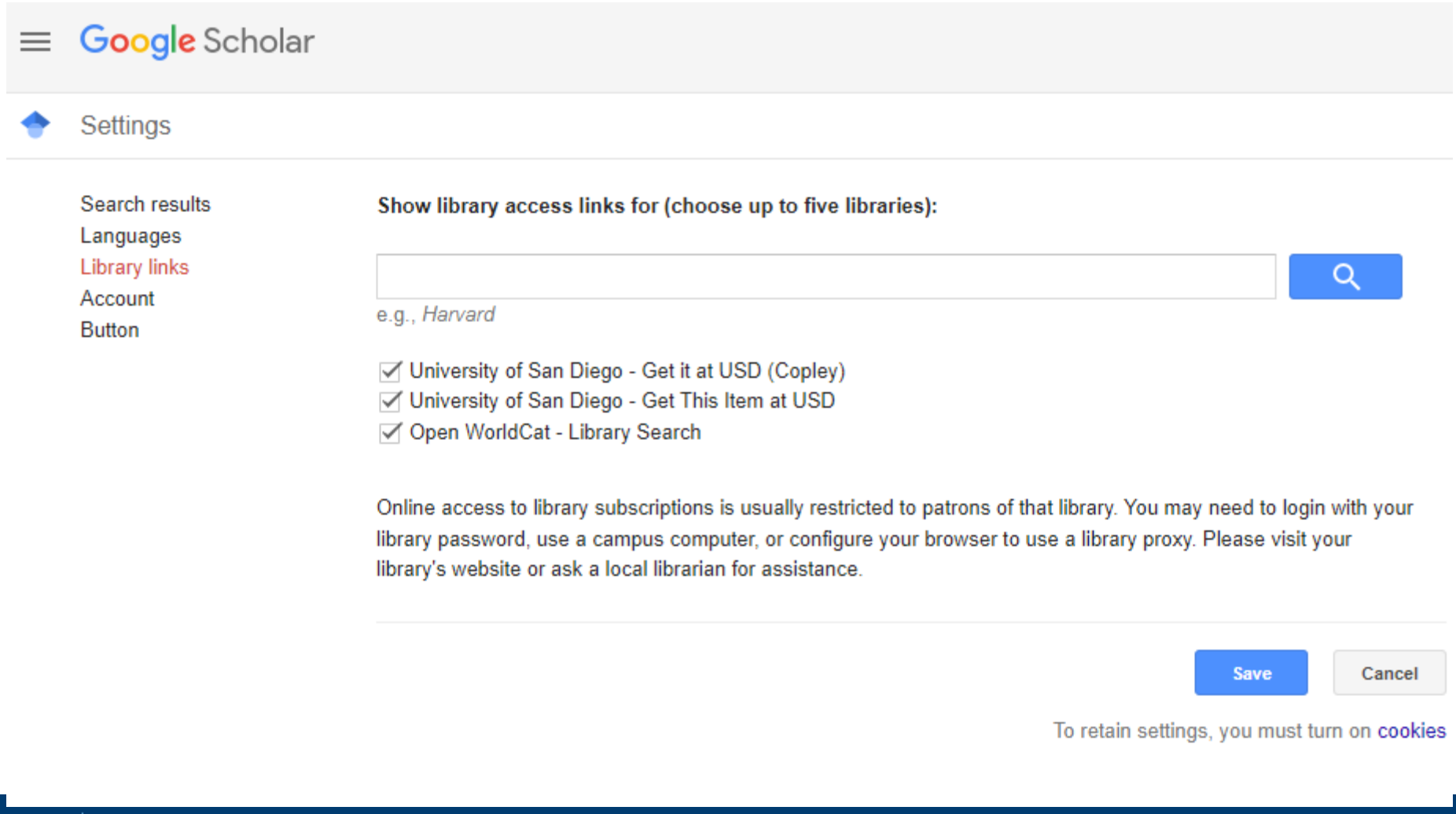
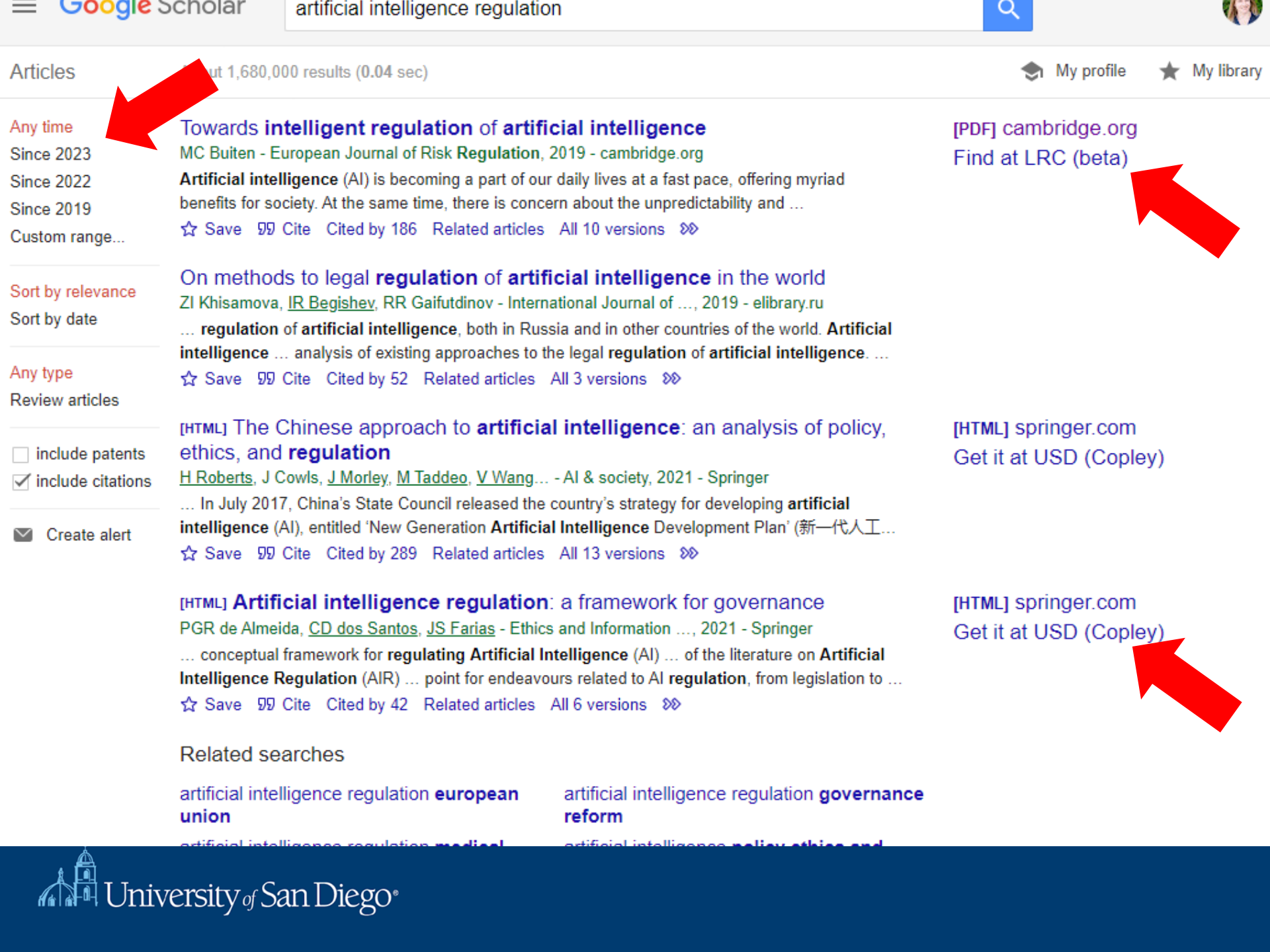


Setting up Google Scholar library links

1. Go to scholar.google.com
2. Click menu icon on left

3. Click Settings > Library links
4. Add “University of San Diego – Get it at USD” and “University of San Diego, Legal Research Center – Find at LRC”
5. Now your search results will link to our databases and you can log in for access.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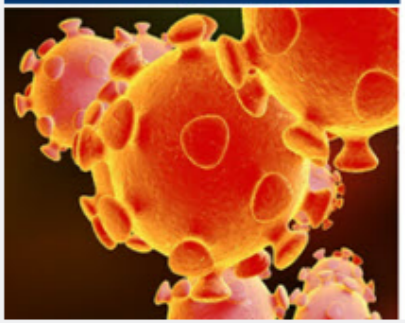

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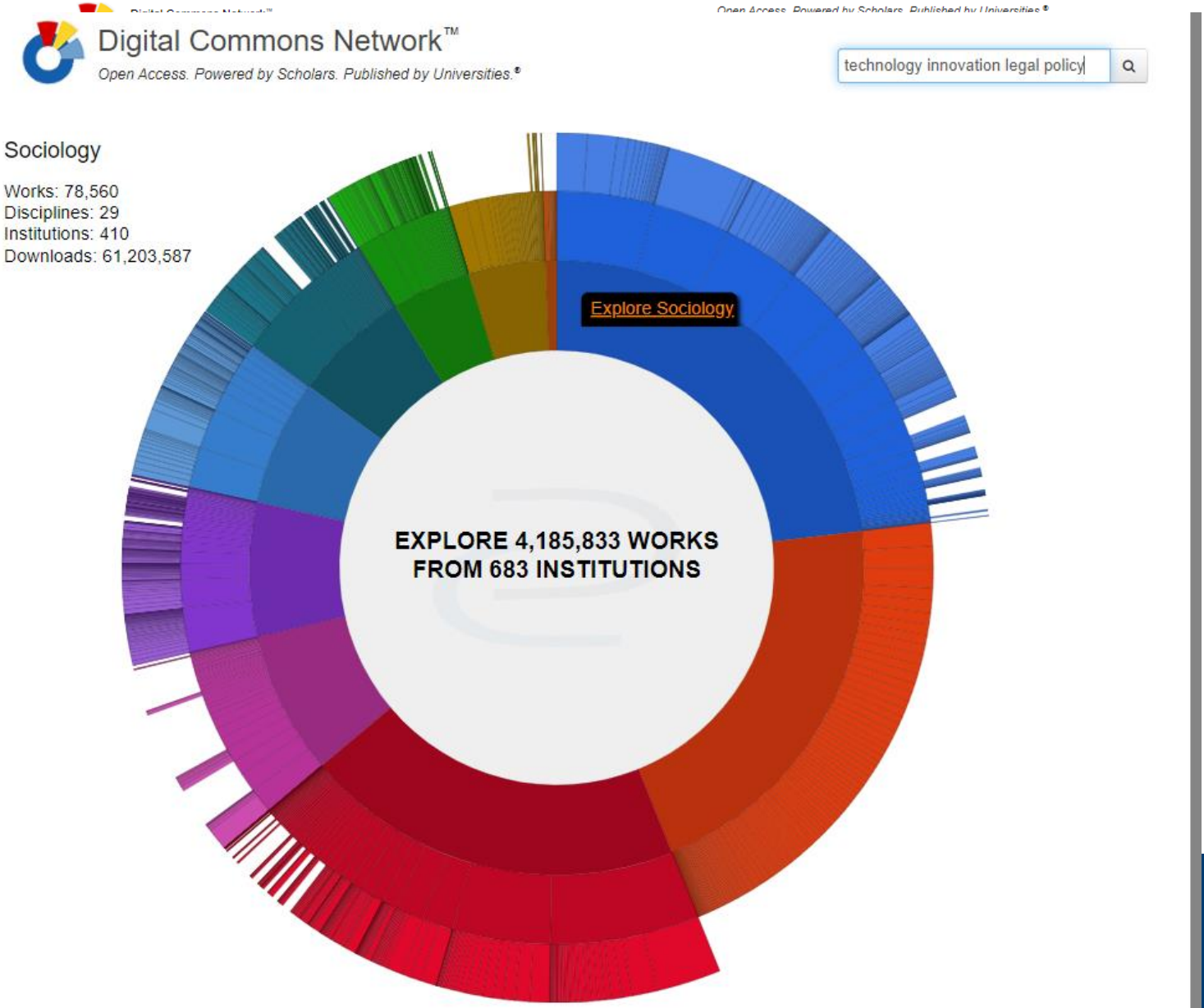


Search strategies

- **Use multiple search techniques**
  - keyword (natural language & Boolean)
  - subject
  - browse
- **Build from the sources you've already found**
  - look at sources cited by those sources
  - use a citator (Shepard's or KeyCite) to find sources that have cited to sources you've already found
- **Ask a librarian!**

Read the footnotes!

Footnotes

a1 Professor of Law, Seton Hall University School of Law. Email: bernstga@shu.edu. This Article was selected for the 2009 Stanford-Yale Junior Faculty Forum. The author would like to thank for helpful conversations and insightful comments on different drafts of this Article: David Barnes, Derek E. Bambauer, Kathleen Boozang, John Cross, Shay David, Shubah Ghosh, Scott Hemphill, Rachel Godsil, Paul Heald, Thomas Healy, Stephen Lubben, Dotan Oliar, David Opderbeck, Frank Pasquale, Amit Solomon, Charles Sullivan, and Jonathan Zittrain. In addition, thanks for excellent research assistance go to: Lindita Bresa, Anthony Dibenedetto, Monica Kostrzewa, Kelly Lloyd, Abigail Nickerson, Evan Rosenberg, Joseph Shapiro, Peter Slocum, and Caitlin Thistle. Special thanks go to Joseph Farano for his invaluable work on the empirical study. In addition, the author would like to thank the participants of the following conferences and colloquiums for their very helpful comments: The Standford-Yale Junior Faculty Forum, The May Gathering at the University of Virginia School of Law, the Information Society Project Colloquium at Yale Law School, the Intellectual Property and Communications Workshop at Michigan State University School of Law, the Seton Hall University School of Law Faculty Retreat, the Faculty Workshop at Syracuse Law School, the Society for Evolutionary Analysis of Law, Indiana Bloomington School of Law, the Telecommunications **Policy** Research Conference at George Mason Law School, the Intellectual Property Colloquium at Brooklyn Law School, the Faculty Workshop at Arizona State Law School, the Intellectual Property Scholars Workshop at the Hebrew University Faculty of Law, and the Work in Progress Intellectual Property Colloquium at the University of Pittsburgh Law School. Finally, this Article was generously supported by the summer research stipend of Seton Hall Law School.

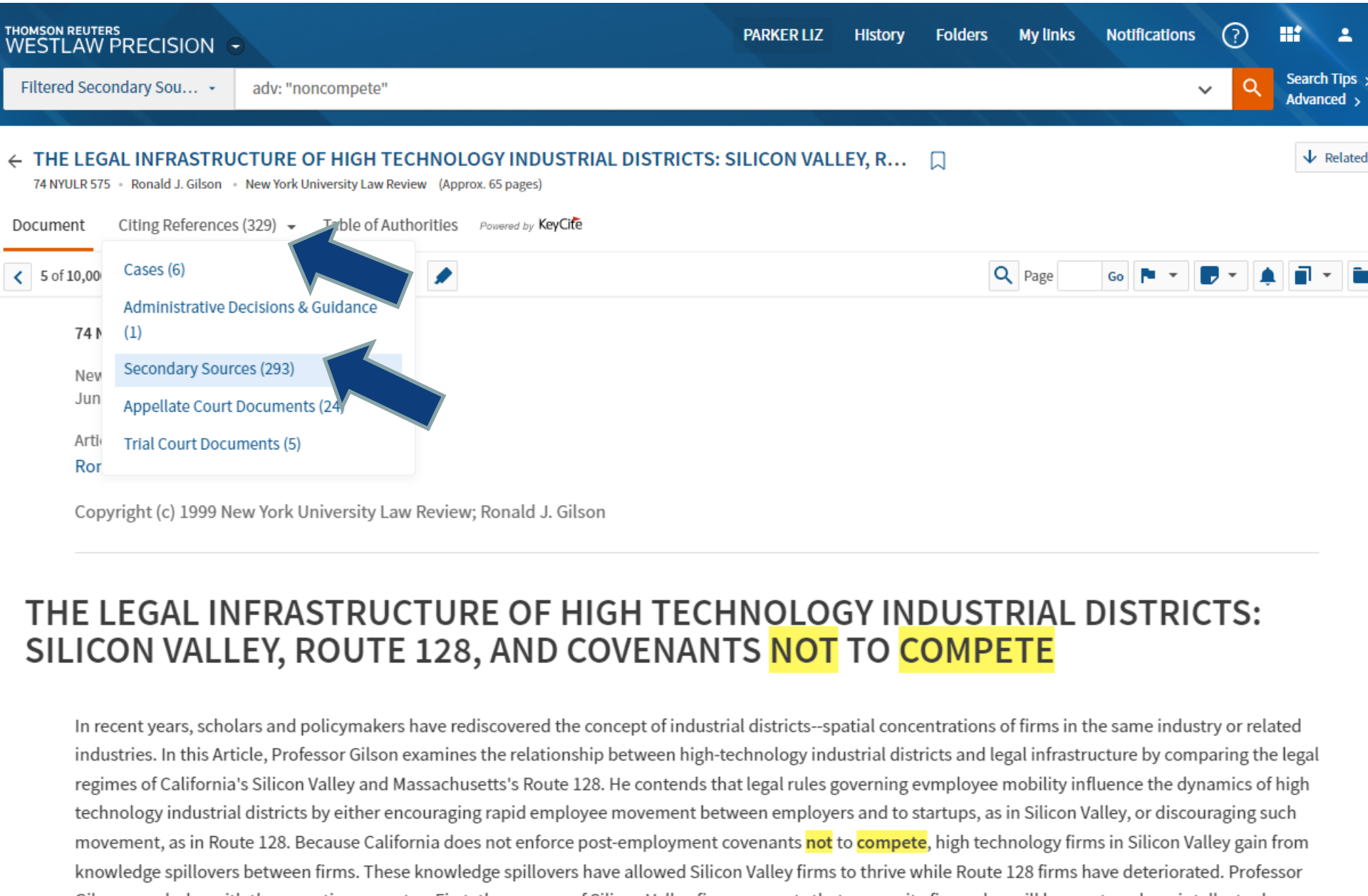
1 See 4 The New Encyclopaedia Britannica 370 (15th ed. 1993) (describing the works of Thomas Edison).

2 See 24 id. at 445 (describing the achievements of Wolfgang Amadeus Mozart).

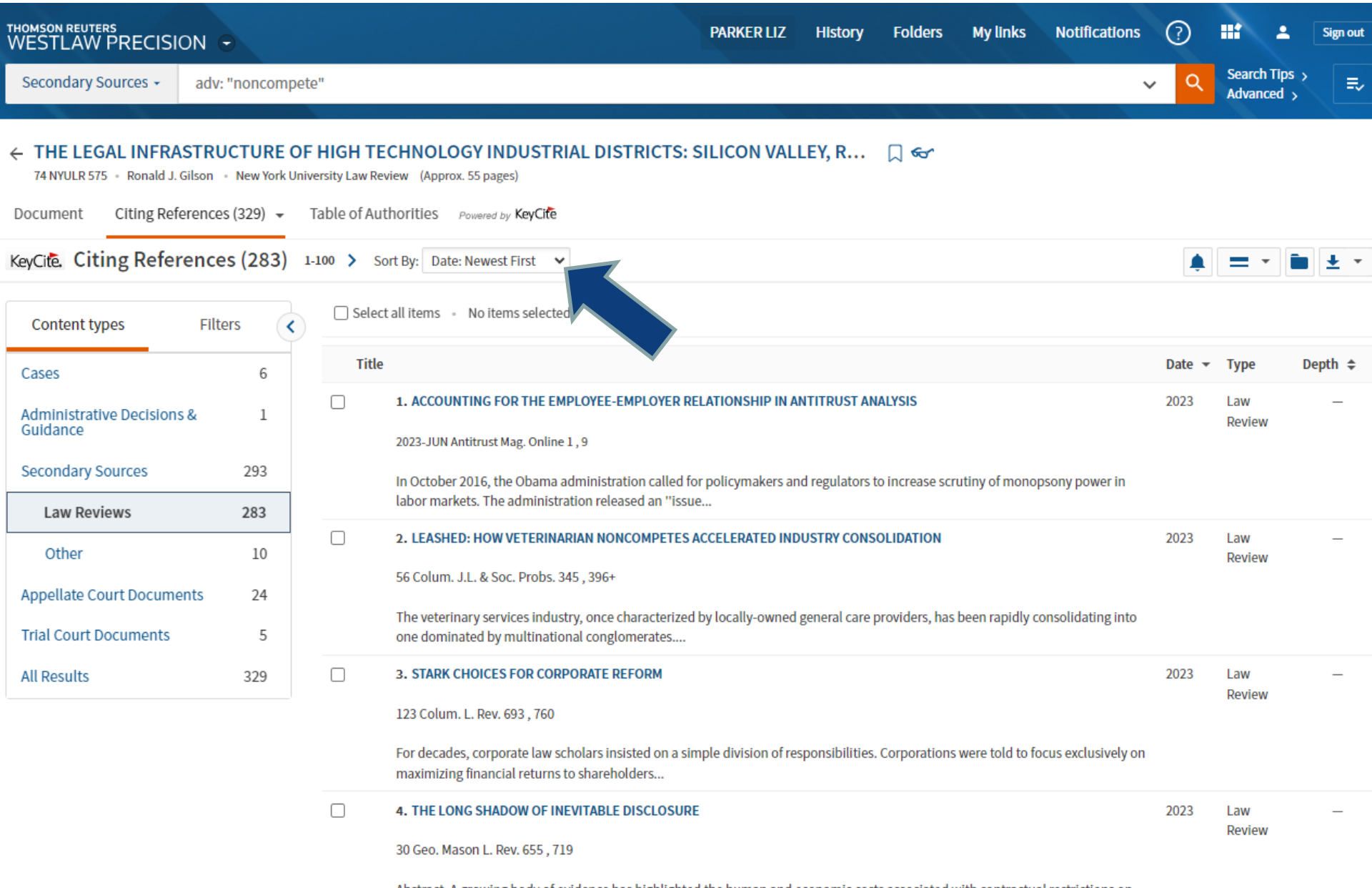
3 See, e.g., Andrew Beckerman-Rodau, Patent Law--Balancing Profit Maximization and Public Access to **Technology**, 4 Colum. Sci. & Tech. L. Rev. 1, 2 (2002) (connecting **technological innovation** to health and well-being); James Boyle, A Manifesto on WIPO and the Future of Intellectual Property, 2004 Duke L. & Tech Rev. 9, 15 (referring to the relationship between **innovation**, international development, and human well-being); Marina Lao, Unilateral Refusals to Sell or License Intellectual Property and the Antitrust Duty to Deal, 9 Cornell J.L. & Pub. Pol'y 193, 211-13 (1999) (referring to the relationship between **innovation** and economic growth); Ruth Okediji, Public Welfare and the Role of the WTO: Reconsidering the TRIPS Agreement, 17 Emory Int'l L. Rev. 819, 836-37, 918 (2003) (referring to the relationship between intellectual property, **innovation**, and welfare); J.H. Reichman & Paul F. Uhlir, Database Protection at the Crossroads: Recent Developments and Their Impacts on Science and **Technology**, 14 Berkeley Tech. L.J. 793, 817 (1999) (referring to the relationship between chosen intellectual property regime and progress); Shanker A. Singham, Competition **Policy** and the Stimulation of **Innovation**: TRIPS and the Interface Between Competition and Patent Protection in the Pharmaceutical Industry, 26 Brook. J. Int'l L. 363, 375 (2000) (linking **technological innovation** and growth in public welfare).

4 Ray Tomlinson is credited for inventing email. Specifically, he was the first to send messages to users who did not share the same computer. See Dave Crocker, Email History, http://www.livinginternet.com/e/ei.htm (last visited Apr. 5, 2010); Ian Hardy, The Evolution of ARPANET 11 (May 13, 1996) (unpublished thesis, University of California at Berkeley), available at http://www.livinginternet.com/References/Ian%20Hardy%CC20Email%20Thesis.txt; Ian Peter, The History of Email, http://www.nethistory.info/History%20of%CC20the%

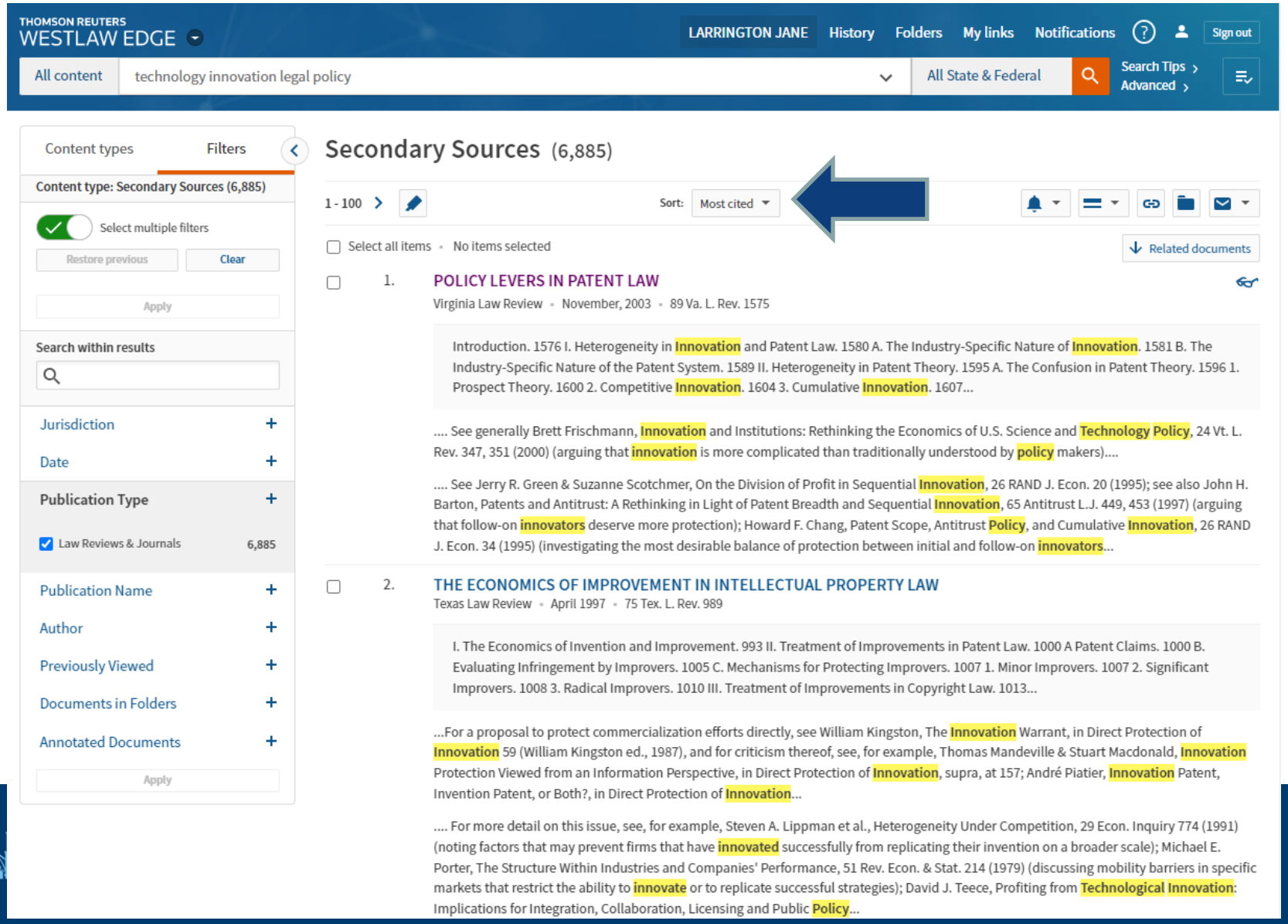
1999 article by Gilson



Recent articles that cite Gilson



Highly cited articles on tech policy



Avoid “link rot” in your own citations

SIDEBAR

In Supreme Court Opinions, Web Links to Nowhere

By Adam Liptak

Sept. 23, 2013

WASHINGTON — Supreme Court opinions have come down with a bad case of link rot. According to a new study, 49 percent of the hyperlinks in Supreme Court decisions no longer work.

This can sometimes be amusing. A link in a 2011 Supreme Court opinion about violent video games by Justice Samuel A. Alito Jr. now leads to a mischievous error message.

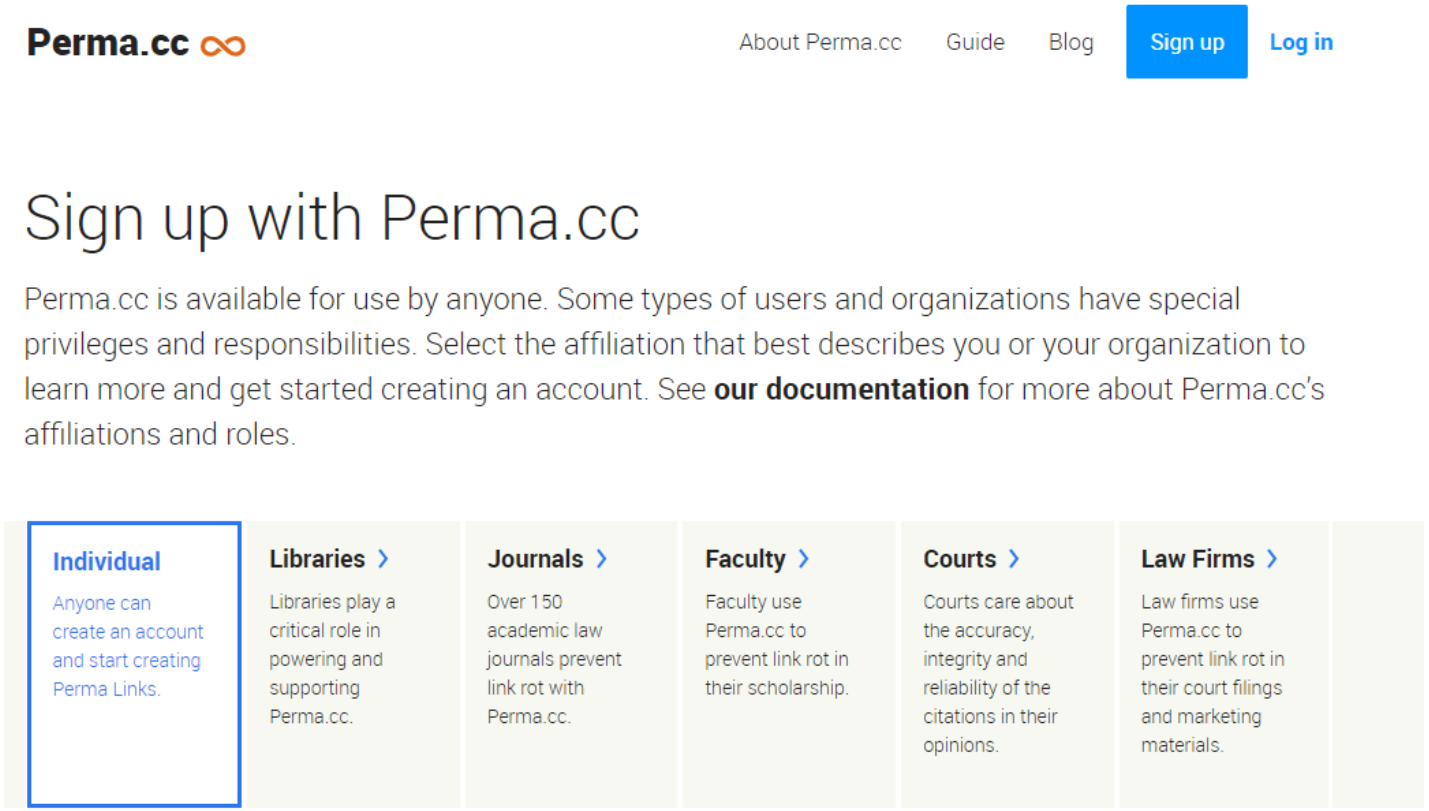
"Aren't you glad you didn't cite to this Web page?" it asks. "If you had, like Justice Alito did, the original content would have long since disappeared and someone else might have come along and purchased the domain in order to make a comment about the transience of linked information in the Internet age."

Avoiding link rot

The Wayback Machine

Perma.cc

https://perma.cc/sign-up

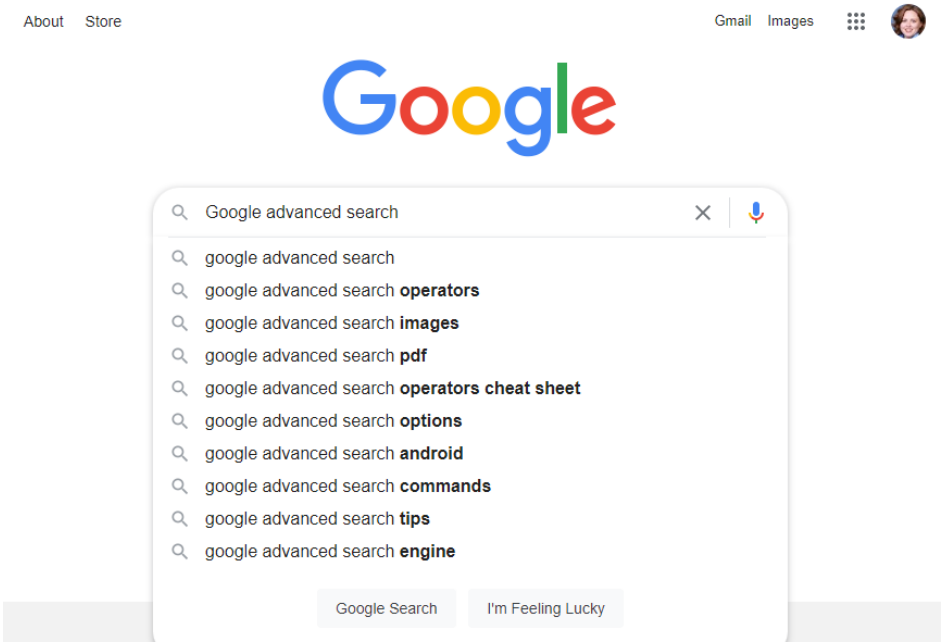


Bluebook example:

Rocio Gonzalez, *Puerto Rico's Status Debate Continues as Island Marks 61 Years as a Commonwealth,* Huffington Post (July 25, 2013, 9:00 AM), http://www.huffingtonpost.com/2013/07/25/Puerto-rico-status-debate_n_3651755.html [http://perma.cc/C6UP-96HN]

Up your Google game

The super secret Google Advanced Search page



Limit your results

- region
- specific website, or portion of a website
- domain type
- file type
- exclude terms

NOTE-TAKING TOOLS & AVOIDING PLAGIARISM

Why good note-taking is important

- Cite to the best sources to develop and bolster your argument
- The first step in avoiding plagiarism and giving proper documentation is to cultivate good note-taking habits.
- If you cut & paste text from another source to look at later, **immediately** mark it as copied text & include citation info

Tools that can help

- There's no one right way to do it. Pick a method that works for you and be consistent.
- There's an app for that. Actually, there are MANY apps for that.…

Comparison of these tools: https://guides.lib.berkeley.edu/publichealth/citations

Document and citation management

zotero

MENDELEY

RefWorks

Typical features include:

- Free or premium upgrade
- Web, client, mobile apps
- PDF storage & annotation
- Cloud & local storage
- Web content capture

SafeAssign

- SafeAssign is an area in Blackboard where students can submit drafts of papers to check for possible instances of plagiarism before they submit final drafts to their course instructors.
- SafeAssign is FREE to USD students.
- Papers submitted through SafeAssign will not be saved in its database and will not be distributed to instructors.
- For more instructions, see the SafeAssign section of our Paper Writing for Seminars and Student Comments research guide.

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- When you are ready to submit your paper, login to Blackboard at https://ole.sandiego.edu/ultra/organizations and click on the Legal Research Center under the Organizations tab
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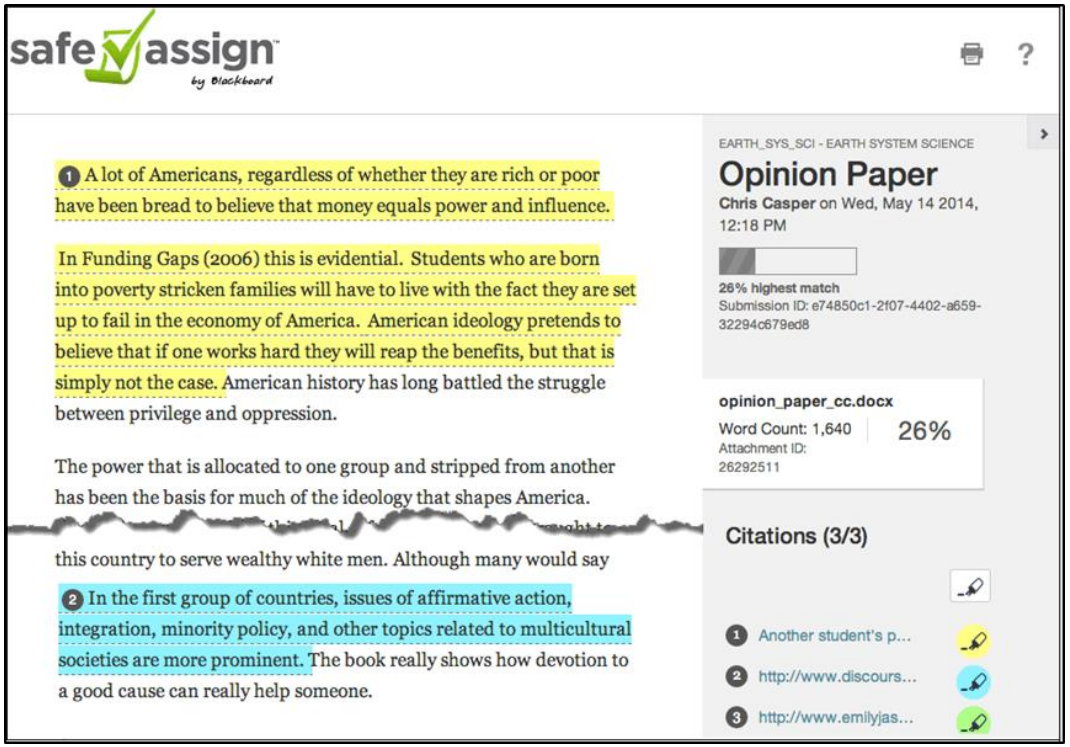

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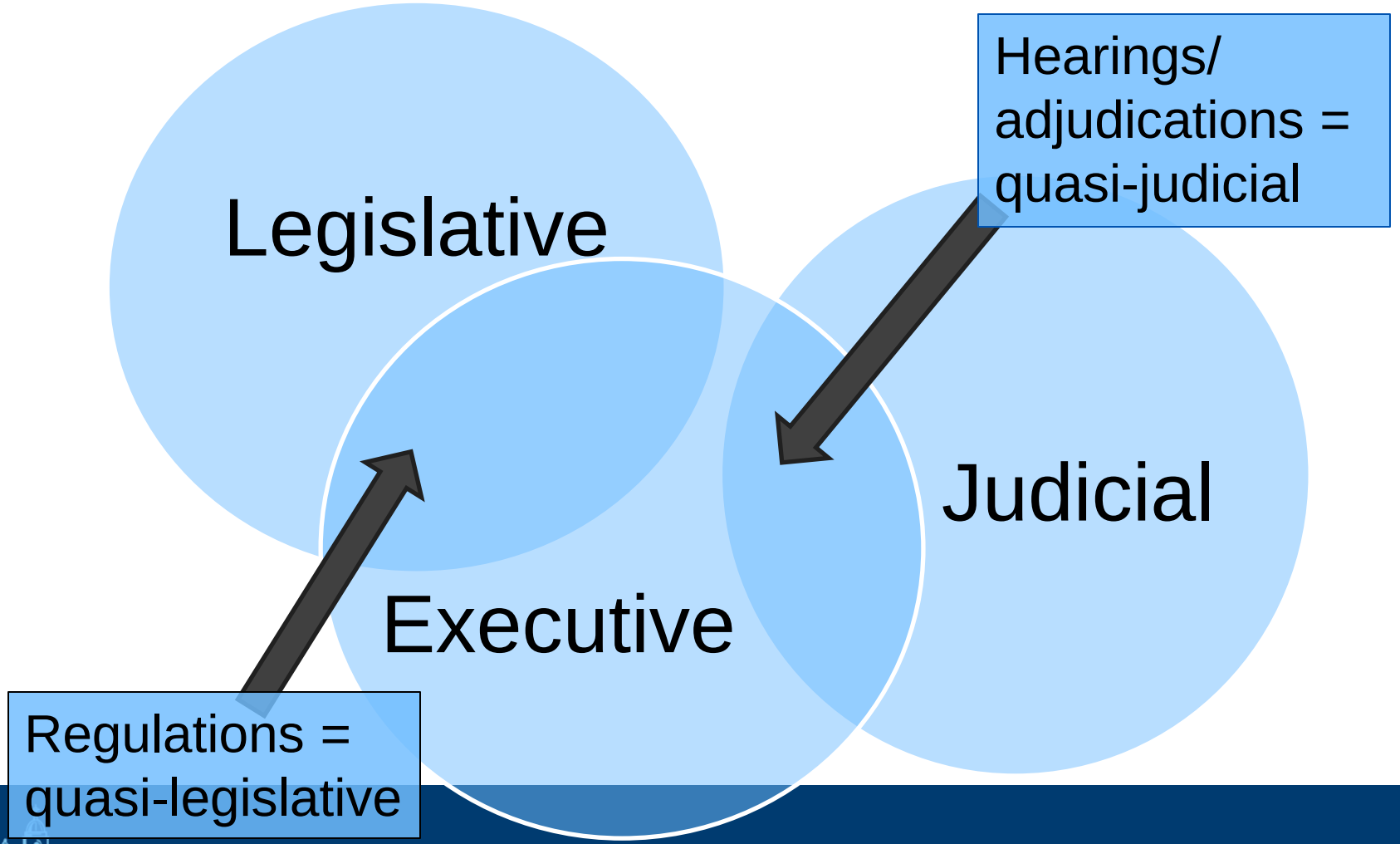
Understanding your Originality Report

Administrative Law

Administrative law



Promulgating regulations

- Agency drafts proposed regulations
- Publish proposed regulations in the Federal Register (Fed. Reg. or F.R.)
- Opportunity for public comment
- Agency drafts final regulations
- Publish notice of final regulations in Federal Register
- Codify the final regulations in the Code of Federal Regulations (C.F.R.)

Administrative law documents

	Advisory & guidance documents	Decisions & Adjudications
Code of Federal Regulations (C.F.R.)	Varies widely across agencies	Varies widely across agencies
Federal Register	Check agency website, Westlaw, Lexis, BloombergLaw	Check agency website, Westlaw, Lexis, BloombergLaw
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