

Problem Set 1 (Reading Materials)

1. Courts and commentators are divided as to how to deal with conflict of law issues in the fields of copyright and cyberspace law. These issues will be covered in Class 9. For a quick overview, see Peter K. Yu, *Conflict of Laws Issues in International Copyright Cases*, Gigalaw.com, at <http://www.gigalaw.com/articles/2001/2001-04.html> (Mar. 2001).
2. EU Directives are not self-executing. They do not become a source of law until an EU member state enacts implementing legislation. Database protection will be covered in Class 8. For a quick overview of the tension between the EU database protection and the constitutional underpinnings of the U.S. copyright regime, see Peter K. Yu, *Evolving Protection of Databases*, Gigalaw.com, at <http://www.gigalaw.com/articles/2000/2000-12.html> (Dec. 2000).
3. For interesting U.S. cases on res judicata and collateral estoppel, see *Computer Associates Int'l, Inc. v. Altai, Inc.*, 126 F.3d 365 (2d Cir. 1997); *Leo Feist, Inc. v. Debmar Publ'g Co.*, 232 F. Supp. 623 (E.D. Pa. 1964).
4. For a discussion of the various measures governments have taken to resolve transnational intellectual property disputes, see Peter K. Yu, *Toward a Nonzero-sum Approach to Resolving Global Intellectual Property Disputes: What We Can Learn from Mediators, Business Strategists, and International Relations Theorists*, 70 U. CIN. L. REV. 695, pt. 1 (2002), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=309859.
5. Enforcement of intellectual property rights in foreign countries will be discussed in Class 7. For a discussion of the causes of massive copyright piracy, see Peter K. Yu, *The Copyright Divide and Convenient Excuses: A Comparative Inquiry into the Causes of Massive Copyright Piracy* (unpublished manuscript to be posted on courseweb).

I list only my prior works, because they are shorter than most works in print and will give you a quick overview. However, for more detailed analysis, please consult reference materials listed on the syllabus posted on the courseweb.