

3-2016

Law Library Blog (March 2016): Legal Beagle's Blog Archive

Roger Williams University School of Law

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Recommended Citation

Roger Williams University School of Law, "Law Library Blog (March 2016): Legal Beagle's Blog Archive" (2016). *Library Newsletters/Blog*. Paper 141.

http://docs.rwu.edu/law_lib_newsblog/141

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Legal Beagle's Post

Library News: Week of March 7, 2016

Posted by Library Blog on 03/04/2016 at 09:25 AM

Alternative Spring Break

Enjoying your Spring break by working for a worthy cause? Don't forget the librarians and library are here if you have research questions.

- Call us at 401-254-4547
- Email us at LawLibraryHelp@rwu.edu
- Chat with us at [Ask a Librarian](#)

Spring Break Hours



The library's Spring Break Hours are posted on the law library website at <http://law.rwu.edu/library/about-library/hours>.

Legal Beagle's Post

Lexis, Westlaw, & Bloomberg Law Student Representatives

Posted by Library Blog on 03/04/2016 at 09:51 AM

The workers you see at the library circulation desk are not the only students at work in the library.

Bloomberg Law, Westlaw, and Lexis all employ RWU Law students to represent their products and to be available at the school to help answer student research questions.

Westlaw

The RWU School of Law student representative for Westlaw is [Krystal Amaral](#). She is generally available for questions:

- Tuesdays: 12:30 pm - 3:30 pm, in the Law School Bistro
- Thursdays: 12:30 pm – 3:30 pm, in the library

Lexis

The RWU School of Law student representatives for Lexis Advance are [Cameron Miller](#) and [Vanessa Rodriguez](#). They are generally in the library and available for questions:

Cameron Miller

- Mondays: 1:00 pm – 3:00 pm
- Wednesdays: 11:00 am – 3:00 pm
- Thursdays: 2:00 pm - 5:00 pm

Vanessa Rodriguez

- Mondays: 5:15 pm - 7:45 pm
- Wednesdays: 10:30 am - 1:00 pm & 5:45 pm – 7:45 pm

A third student representative, **Alexandra Richard**, is in training with Lexis and will have availability posted soon.

Bloomberg Law

The RWU School of Law student representatives for Bloomberg Law are [Christie Theodore](#) and [Zachary Lyons](#). They are generally in the library and available for questions:

Christie Theodore

- Tuesdays: 1:00 – 5:00 pm
- Thursdays: 3:00 pm – 4:00 pm.

Zachary Lyons

- Mondays: 7:30 am – 9:30 am
- Tuesdays 7:30 am – 9:00 am
- Thursdays: 7:30 am – 9:00 am

In addition to the student representatives, the law librarians are always willing to help if you have questions while using research databases. We can be reached at lawlibraryhelp@rwu.edu.



Legal Beagle's Post

Library News: Week of March 14, 2016

Posted by Library Blog on 03/11/2016 at 09:22 AM

Certification Class: Capture Everything with Evernote



What if you could have a tool that allows you to easily include text, audio, and pictures in one document? How about capturing and organizing your research in one location whether it is your notes, a web page, a PDF, or a voice memo? Evernote does this and much more, seamlessly across Windows, Mac computers, and mobile devices! In this class, create a FREE Evernote account and learn how to use its basic functions.

- Live class: Thursday, 3/17 at 10:30am
- Online class: See the link for information on how to access the course on Bridges.
- <http://lawguides.rwu.edu/appyhour/evernote>

Certification Class: Paperless Lawyering: Mobile Tools for PDF Files



Your smartphone or tablet goes well beyond making calls, texting, and Facebook. In this class, you'll learn about the best apps for reading and annotating PDFs on the go.

- Live class: Friday, March 18 at 1pm
 - Online class: See the link for information on how to access the course on Bridges.
 - <http://lawguides.rwu.edu/content.php?pid=446858&sid=5122956#19060709>
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Legal Beagle's Post

Patrick's Day

Posted by Library Blog on 03/11/2016 at 09:43 AM

In honor of St. Patrick's Day, we wanted to highlight some notable Patrick's (and Patricia's) in American Legal History. If you think we missed a noteworthy Patrick, or two, feel free to email the Legal Beagle at lawlibraryhelp@rwu and we can consider him (or her) for next year's blog.

Patricia Hearst:

If the FBI considers your [kidnapping case](#) to be one of the most famous in U.S. history then you should definitely be on this list. For more information about the Patty Hearst kidnapping and trial, including a transcript of excerpts from the defense's closing argument by F. Lee Bailey, see Douglas O. Linder's [Famous Trials](#) website.

Patrick Henry:

Despite being a founding father, an attorney, and the governor of Virginia (twice!), Patrick Henry is probably best known as having said "Give me liberty, or give me death!" If you want to read more about him, his career and his public [stance against the Constitution](#), you can find an [1898 biography](#) of him in the Legal Classics Library in HeinOnline.

Patricia Cornwell:

Patricia Cornwell is not a lawyer. However, she is a very famous [American crime novelist](#) who lives in Boston and who has sold over 100 million books. Cornwell's most famous character is Dr. Kay Scarpetta, Patricia's novels center primarily on a medical examiner in Virginia, Kay Scarpetta. Some of Cornwell's Scarpetta books can be found in the University Library's [Best Sellers Collection](#).

Deval Patrick:

Deval Patrick was the first black governor of the Commonwealth of Massachusetts. In addition to his state executive branch career, he also had a career as the assistant attorney general for civil rights. The broadcast of his [confirmation hearing](#) can be found on the C-SPAN website for your review. Lucky for us, this famous Patrick/Patricia even has a [Twitter account](#).

Patrick Fitzgerald:

According to the [Chicago Tribune](#), Patrick "Fitzgerald served as U.S. attorney in Chicago for 11 years, during which time he oversaw the prosecutions of two former Illinois governors, Rod Blagojevich and George Ryan." However, Fitzgerald may be [most well-known](#) for leading the investigation of the Valerie Plame matter and trying the case of U.S. v. Lewis "Scooter" Libby. An interview with Attorney Fitzgerald on the Chicago Bar Association's show Law and Justice Weekly can be found on [YouTube](#).

Patricia Roberts Harris



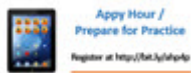
Not only was [Patricia Roberts Harris](#) an attorney, but she was the first African American woman to be chosen as a United States envoy, the first African American woman to become a Cabinet Secretary, and the first African American woman to be in the line of succession to the Presidency. She was also the [only woman](#) to have headed three federal departments. To read more on her historic career, see [Volume 29, Issue 3 of the Howard Law Journal](#) on HeinOnline.

Legal Beagle's Post

Library News: Week of March 21, 2016

Posted by Library Blog on 03/15/2016 at 02:49 PM

Certification Class: MS Excel PowerTips



MS Excel Power Tips

When: Thursday, Mar 24 @
O'Leary via Bridgton
Where: Law Library



Whether you maintain a personal or student group budget, deal with large amounts of text or numerical data, or simply hate math, Excel is a powerful tool that can help you organize and manipulate this information. This class will cover tips and tricks for using Excel effectively for tasks that you might encounter as a law student.

- Live class: Thursday, March 24 at 10:30am
- Online class: See the link for information on how to access the course on Bridges.
- <http://lawguides.rwu.edu/appyhour/excel>

Certification Class: Keeping Current with the Law



In this session, you will learn about legal resources that help you keep current with major legal developments and changes in our profession. Some resources which we will review will include: blogs, Bloomberg BNA newsletters, legal newspapers, and federal legislative news services.

- Live class: Monday, March 21 at 1pm OR Wednesday, March 23 at 10:30am
- Online class: See the link for information on how to access the course on Bridges.
- <http://lawguides.rwu.edu/P4P/KeepingCurrent>

Legal Beagle's Post

Motivation & Inspiration

Posted by Library Blog on 03/16/2016 at 01:49 PM

Congrats! You have nearly made it to Spring!

It is easy to dwell on the work you still have left to do, the goals you still have left to accomplish, and the time of which you feel you never have enough. However, there is some science that suggests you should spend some time each day expressing [gratitude](#) and [visualizing](#) your success. In fact, there are many resources online about or related to positive psychology that discuss the science behind [happiness and mindfulness](#).

Here at the Law Library we try and support student well-being and student mental health (and of course, student happiness!) We have developed a LawGuide on [Stress Management, Mindfulness and Wellness](#)

which features [books and e-books](#) in our collection on the topic. We also have a collection of coloring and doodling supplies for student use which are available on reserve. Last semester, we gave away stress balls at exam time.

This semester, we are trying something new, a motivation wall.

When you enter the library you will see a board which features post-it notes of inspirational thoughts. These notes are for you! Leave a note, take a note, or even just read a note. These sayings are intended to provide you with some inspiration to help you get through the long days (and nights!) of classes and reading and studying. Take a moment to share your good thoughts with your classmates. Take a note to keep on your desk when it is late and you feel like you can't read another case. Pass along a note to a colleague that needs a smile. Any way that helps keep you motivated and inspired.



Legal Beagle's Post

Library News: Week of March 28, 2016

Posted by Library Blog on 03/23/2016 at 01:14 PM

Certification Class: Alternatives to Lexis and Westlaw



In this class, learn about free legal research products available via bar associations, state or trial court law libraries, and membership law libraries. How do they stack up to Lexis and Westlaw? Should you use

them even if Lexis and Westlaw are available? We will answer these questions and discuss Casemaker and Fastcase, the two most popular products.

- Live class: Monday, 3/28 at 1pm OR Thursday, 3/31 at 10:30am
- Online class: See the link for information on how to access the course on Bridges.
- <http://lawguides.rwu.edu/alternatives>

Certification Class: Search Now, Read Later



Have you ever followed a link from an article you were reading on the web only to find yourself minutes later still looking at the second item and not reading what you intended to read in the first place? Or perhaps you found a great article that you want to re-read or act upon at a later date? Wish you could set up an automated web search that sends results to a designated location for later use, much like using alerts on Lexis or Westlaw? In this class, we will show you how to save those distractions or wonderful pieces for reading later, even offline, and how to create those searches so that you never miss something important.

- Live class: Friday, 4/1 at 1pm
- Online class: See the link for information on how to access the course on Bridges.
- <http://lawguides.rwu.edu/applyhour/searchnow>

Legal Beagle's Post

Fun with the Search for Aliens

Posted by Library Blog on 03/23/2016 at 01:46 PM

According to Examiner.com, March 20th was Extraterrestrial Abductions Day.

The idea:

Having never heard of this “holiday” and having no idea how one might celebrate it, the Legal Beagle decided to see what would happen if one looked up the same concept in multiple databases. Would Lexis Advance, Westlaw and Bloomberg Law all agree on what case is the “leading case” on this topic?

The strategy:

To begin, I decided on a search strategy. Instead of searching “extraterrestrial abductions” as the word abduction has legal significance, I decided that I would search “extraterrestrial encounters.” In addition, I decided not to use any Boolean logic. I decided I would enter the phrase “extraterrestrial encounters” into each database’s Google-like search bar without quotation marks and without choosing a jurisdiction.

The results:

I started with Westlaw. I entered “extraterrestrial encounters” into the search bar, used the default jurisdictional setting of All State & Federal, and pressed the Search button. I then selected Cases from the left side menu.

As you can see, the leading result returned is *Heirs of Estate of Jenkins v. Paramount Pictures Corp.* In this case, Heirs of the estate of a science fiction author who wrote a story called “First Contact” sued the producers of Star Trek: First Contact for trademark infringement.

The screenshot shows the WestlawNext search results page for the query "Extraterrestrial encounters". The search is set to "All State & Federal" and "SEARCH" is performed. The results are sorted by "Relevance" and show 1-20 items. The first result is "1. Heirs of Estate of Jenkins v. Paramount Pictures Corp.", which is highlighted. The snippet for this case reads: "INTELLECTUAL PROPERTY - Books and Publishing. Title of science fiction story was not entitled to trademark protection. ... 'First Contact,' put simply, is a tale of mankind's first encounter with extraterrestrial life. ... '17 Accordingly, FIRST CONTACT is generic, even if, ab initio, it was descriptive of Jenkins' story, because that phrase has come to describe an entire genre of science fiction, namely literature about humankind's first encounter with extraterrestrial life. ... Here, it is undisputed that the phrase 'first contact' describes the genre of stories recounting Earth's first encounter with extraterrestrial life. ... The short story title 'FIRST CONTACT' was generic, as describing the genre of stories recounting Earth's first encounter with extraterrestrial life, or at most was descriptive without secondary meaning, so that the phrase was not entitled to trademark protection. ... COPYRIGHTS - Motion Pictures. Screenplay and movie were not substantially similar in their protectable elements, as required to show improper appropriation. ... The 'Predator' was a technologically advanced extraterrestrial creature that hunted humans on Earth. ... The 'Alien' was a terrifying extraterrestrial creature that killed humans traveling in outer space. ... 4. Silva v. MacLaine. United States District Court, E.D. Michigan, Southern Division. July 27, 1988. 697 F. Supp. 1423. 1988 WL 114935. Author of copyrighted book brought action against author of subsequent book on similar topic for infringement and unfair competition. On motion for summary judgment, the District Court, Gilmore, J., held that: (1) there was not sufficient similarity between two works as a whole, (2) delay of six years in bringing action. ... RELATED DOCUMENTS. Secondary Sources. RESIDENTIAL CONDOMINIUMS—THE MASTER DEED. 2013. Massachusetts Continuing Legal Education, Inc. ... Extraterrestrial beings may not be kept by any Unit Owner. ... 'FIRST CONTACT' RULED A GENERIC PHRASE FOR SCIENCE FICTION. STORE'S Estate of Jenkins v. Paramount Pictures Corp. June 7, 2000. Andreas Intellectual Property Litigation Reporter. ... In 1945, Jenkins published 'First Contact,' a novella concerning mankind's first encounter with extraterrestrial life. In the magazine Alluring Science Fiction. ... 'FIRST CONTACT' RULED A GENERIC PHRASE FOR SCIENCE FICTION. STORE'S Estate of Jenkins v. Paramount Pictures. Andreas Sports & Entertainment Litigation Reporter. ... In 1945, Jenkins published 'First Contact,' a novella concerning mankind's first encounter with extraterrestrial life. In the magazine

Next, I turned to Bloomberg Law. I entered the search terms into the GO bar and selected Court Opinions as the Content Type from the left side menu. The first result in this database is *Warner Bros. v. Am. Broad. Cos.* In this case, the owners of the rights in the character Superman (Warner Bros. Inc., Film Export, A.G., and DC Comics, Inc.) sued the TV network ABC for several alleged infringements of the Superman brand.

The screenshot shows the Bloomberg Law website interface. At the top, there is a search bar with the text "Find cases, news, companies, people and more...". Below the search bar is a navigation menu with tabs for Home, Search & Browse, Practice Centers, Litigation & Dockets, Transactional Law, Legislative & Regulatory, News & Law Reports, and Companies & Markets. The search results page displays a list of cases related to "Extraterrestrial encounters". The search criteria on the left include Source (All Selected), Keywords (Extraterrestrial encounters), Date (No Date Selection), and Selected Filters (Content Type: Court Opinions). The results list includes:

- 1. Warner Bros. v. Am. Broad. Cos., 654 F.2d 204, 211 U.S.P.Q. 97, 7 Med. L. Rptr. 1973 (2d Cir. 1981), Court Opinion (07/17/1981). Topic(s): Civil Procedure, Copyright Law, Communications & Media. Summary: Clark matures into a tall, well-built, dark-haired, and strikingly handsome young man. Ultimately, Clark leaves his pastoral home, finding himself drawn by a mysterious force to a place where he encounters the image of his deceased father, Jor-El.
- 2. United States v. Romero, 189 F.3d 576 (7th Cir. 1999), Court Opinion (08/31/1999). Topic(s): Evidence, Criminal Law. Summary: He was in contact with the Vegans, an extraterrestrial race, and he could log onto computer networks with his mind and heal the sick with his psychic powers. Even more weird than this tale is the fact that Wistley and Rabano believed it (or at least part of it). Rabano hoped Romero could heal his daughter, who had a scar on her face from a recent dog bite, and his mother, who had cancer, so Rabano and Wistley invited Romero to return with them to Des Moines.
- 3. Heirs of the Estate of Jenkins v. Paramount Pictures Corp., 90 F. Supp. 2d 706, 54 U.S.P.Q.2d 1484 (E.D. Va. 2000), Court Opinion (03/20/2000). Topic(s): Civil Procedure, Evidence, Trademark Law. Summary: In 1945, Jenkins, using his pseudonym, published "First Contact" in the magazine Astounding Science-Fiction "First Contact," put simply, is a tale of mankind's first encounter with extraterrestrial life. Although many stories, books, and movies examine alien encounters with earthlings, Jenkins' short story is widely regarded as the prime example of this plot.

Finally, I logged into Lexis Advance. I entered the search terms into the red search box, set the jurisdictional filter to "Everything," and pressed the red magnifying glass button. I then selected cases from the Snapshot menu on the left side of the screen. The first case Lexis returns is *Fla. v. Bostick* about the luggage search of a bus passenger during a routine drug interdiction effort by police in Fort Lauderdale.

The screenshot shows the Lexis Advance search results page. The search bar contains "extraterrestrial encounters" and the search results are sorted by Relevance. The results list includes:

- 1. Fla. v. Bostick, 501 U.S. 429. Overview: A bus passenger's consent to search his luggage could have been deemed voluntary only if the circumstances indicated that the passenger felt free to refuse to cooperate with police without being detained. ... seizure, inasmuch as the Supreme Court has dealt with similar encounters in airports and has found them to be the sort of consensual encounters that implicate no Fourth Amendment interest, (2) the argument that the encounter constituted a seizure—because prior Supreme Court cases have used language ... free to decline the officers' requests or otherwise terminate the encounter. An encounter between two police officers and a passenger on a bus—in ... free to decline the officers' requests or otherwise terminate the encounter, this rule applies to encounters that take place on a city street or in an airport lobby, and it applies equally to encounters on a bus, therefore, a state's highest court errs in ... free to decline the officers' requests or otherwise terminate the encounter. That rule applies to encounters that take place on a city street or in an airport lobby, and it applies equally to encounters on a bus. The Florida Supreme Court erred in adopting ...
- 2. Heirs of the Estate of William F. Jenkins v. Paramount Pictures Corp., 90 F. Supp. 2d 706. Overview: Plaintiff's trademark infringement action was dismissed because their title had become the generic term for an entire class of stories, books, and films. Because it was generic, it was not entitled to trademark protection. ... Contact, " put simply, is a tale of mankind's first encounter with extraterrestrial life. Although many stories, books, and movies examine alien encounters with earthlings, Jenkins' short story is widely regarded as the ... vast line of literature, movies, and nonfiction reports of alien encounters are described as "first contact" stories, a genre that includes movies and books about human encounters with space aliens. 18 Examples of this abound. One journalist ...

While I have chosen a silly example search, the point I am making is a serious one. Different search engines use different algorithms and return different results even when you input the exact same search terms.

If you have any questions about the differences between these databases, please stop by the Reference Desk and chat with a librarian.