

SIE 525 PRETEST RESULTS

UMaine Qualtrix Survey

Legend: Best answers from consensus of legal scholars shown in **bold**.

Question number	Question	True	False
1	Assuming that 90% of people in U.S. society agree that certain business behavior is bad/wrong/immoral and should not be allowed, the marketplace, contracts or societal pressure are often more effective and efficient in controlling the behavior than instituting a new law or regulation	23	10
2	Traditionally, broadcasting such as by radio and television were regulated more heavily than print publications because they typically reached more people.	19	14
3	Citizens have less legal obligation to comply with an ordinance passed by a local government agency than a law passed directly by the U.S. Congress.	4	29
4	The U.S. federal court system deals primarily with conflicts involving breaches of federal laws while the state court systems deal primarily with conflicts involving breaches of state and local laws.	25	8
5	Under public goods theory, information has the inherent characteristics of a public good.	26	7
6	Under Adam Smith's classic economics theory for private goods, information goods fit closely his description for an ideal private good due to their near zero marginal cost to produce another copy.	24	9
7	In controlling monopolies, governmental administrative regulation tends to turn into price regulation and price regulation tends to become more complex over time.	28	5
8	If I make a clear mistake in developing the code for software and that mistake causes harm to another, I will be liable for the damages caused by that mistake.	25	8
9	If I buy a can of beans at a typical large grocery store, I have entered into a contractual arrangement.	19	14
10	If someone with whom I have no contract has inappropriately caused me economic but not physical harm, a good cause of action to pursue against that person is likely to be the tort theory of negligence.	22	11

11	Under the tort theory of strict liability, if a product developer did not intend to cause any harm, has exercised all possible care in the preparation and sale of his product and has met industry standards, the product developer may still be held liable for damages.	<u>25</u>	8
12	If you are sued by another person in Maine for violating their copyright you are highly likely to end up in the federal court system as opposed to the Maine court system.	<u>18</u>	14
13	If you are sued by a business in Maine for violating their trade secret it is highly likely that Maine law will be controlling as opposed to federal intellectual property laws.	<u>14</u>	19
14	A Maine resident advertised the sale of several condos in New Hampshire through a web server sitting in Iowa and one of the condos in New Hampshire was bought by a person living in Nevada. In a dispute over the sales contract, the resident of Nevada is likely to be able to sue the Maine resident in a court in Nevada and, if successful, enforce collection of damages against assets of the defendant in Maine.	<u>19</u>	14
15	Rather than protecting the author, the constitutionally stated purpose of copyright law in the U.S. is to promote science and the useful arts.	<u>20</u>	13
16	I have copyright in a work such as a university term paper instantaneously upon its creation without the further requirement of registering it with the copyright office.	<u>24</u>	9
17	My copyright in my university term papers will continue to exist for 70 years after my death even if I don't register the works with the copyright office.	<u>17</u>	16
18	If I am paid as a consultant to create some computer code for a business it is the business that owns the copyright in that code.	30	<u>3</u>
19	If I hear someone else tell a story about an incident that happened to them and I then write a fiction book based on that story without their permission, knowledge or giving them any credit, I have likely violated their copyright.	12	<u>21</u>
20	Facts, algorithms, procedures, processes, physical truths, systems, methods of operation, concepts, principles, discoveries and ideas may be extracted from copyrighted works without violating the copyright.	<u>21</u>	12
21	Statutory damages in the U.S. for discovery of a single illegal copy of someone else's copyrighted song on your computer varies between no less than \$750 and no more than \$150,000.	<u>27</u>	6

22	The U.S. copyright act expressly forbids federal and state government from imposing copyright in works of the government.	24	<u>9</u>
23	If I work for a private business I am likely to be able to defend as “fair use” my copying of a few pages out of a book from the library for personal research for my business.	<u>20</u>	13
24	In order to acquire patent protection, the patent application must fully disclose to the public the novel and unique details of the invention.	<u>27</u>	6
25	For a valid patent claim, the U.S. uses first to invent whereas many European nations use first to file a patent application.	18	<u>15</u>
26	I do not need to register a trademark in order to have trademark protection in the U.S.	<u>9</u>	24
27	Under the U.S. Federal Freedom of Information Act (FOIA), federal government records must be made available for public inspection and copying (except for 9 narrowly drawn exceptions) at no more than the cost of duplication and delivery.	<u>30</u>	3
28	Under FOIA, you can typically obtain a digital copy of the maps that the U.S. Bureau of Land Management uses in administering grazing permits on federal lands.	<u>25</u>	8
29	Your U.S. Constitutional right of privacy prevents government interference in the intimate personal activities of individuals.	<u>23</u>	9
30	Your U.S. Constitutional right of privacy prevents other individuals and private companies from wrongful intrusion into one’s private activities, in such a manner as to cause mental suffering, shame, or humiliation to a person or ordinary sensibilities.	<u>30</u>	3
31	Your U.S. Constitutional right of privacy prevents private companies from gathering detailed information from your digital tracks and sharing, exchanging or selling that information to other businesses for legitimate business purposes.	9	<u>24</u>
32	The Federal Privacy Act allows individuals to find out what information is being collected on you by businesses and to access, copy and make corrections to that information.	22	<u>11</u>