EXAM INSTRUCTIONS

Note to student: This exam is for Intellectual Property in the Winter 2016 Term. If you are not taking Intellectual Property in the Winter 2016 term, please contact Administration immediately (866-584-2005).

1. This is a two (2) hour examination.

2. The exam is to be completed on your computer and submitted in the same fashion as you did during the school year. The exam file must be submitted by the time indicated in the exam schedule. The interface that allows submissions will close fifteen minutes after the ending time of the exam, as indicated in the exam schedule. If your exam is not received or we are not contacted before the deadline, your exam will be subject to penalties up to and including non-acceptance of the entire exam. As a precaution, you must have immediate access to a fax machine while taking your exam to ensure your ability to submit your essay in time. Concord Law School of Kaplan University’s fax number is 866-562-7035. Please contact Administration if you have any questions about your exam by telephone at 866-584-2005 or email administration@concord.kaplan.edu. The Tech Center can be reached at 866-577-0436.
Arthur awakens one morning to discover that bulldozers are about to flatten his house to make way for a new expressway. By lunch, he learns that his best friend Ford is an alien. And not just any alien, an alien who knows that Earth is about to be destroyed. Luckily for Arthur, Ford transports Arthur off Earth seconds before it is demolished by a construction crew making way for a new hyperspace motorway.

Ford and Arthur randomly end up on a starship with Zaphod, the President of the Galaxy (a role that involves no power whatsoever, but merely requires the incumbent to attract attention so no one wonders who’s really in charge, and for which Zaphod was perfectly suited). Zaphod is an egomaniac with two heads, one of which expresses the parts of his personality that are (as the main head puts it) “less than Presidential.”

Ford is in the process of writing a new edition of “The Hitchhiker’s Guide to the Galaxy.” In a leather-bound journal, Ford notes key pieces of information that would be useful to a galactic traveler, including the necessity of remembering one’s towel, and when to avoid thinking. Ford, in his travels, is also seeking the “Ultimate Answer.” Arthur and Zaphod decide to accompany Ford in his quest.

In due course, Ford actually discovers the “Ultimate Answer” (turns out to be “42”), and makes a note of it in his journal. Zaphod decides that only the President of the Galaxy should control such a profound discovery (little does he understand that the answer means nothing without the “Ultimate Question”). Thus, Zaphod steals the journal while Ford is napping and reads aloud its entire contents to his second head. When Zaphod is finished with his oration, but before Ford awakens, Zaphod expels Ford’s journal out the trash chute and into space where it is lost forever.

Zaphod now claims that he is entitled to copyright protection for the work he has titled “Zaphod’s Presidential Guide to the Galaxy,” which exists entirely within his second head. Assuming post-1976 U.S. Copyright law applies, does Zaphod have a valid copyright in this work? Why or why not?

(END OF EXAM)