Writing Assignment #1

Summary:
Write a single-page regular case brief of White v. Samsung Electronics America, casebook pp. 15-20, then boil the case brief down to a single sentence. Write a further single page consisting of a single paragraph distinguishing White, and a single paragraph arguing for adoption of White, based on a new fact scenario detailed in Part II. These paragraphs will be very short. Make every word count.

Due: Monday, January 13, 8:45 AM. Note that this is before our first meeting on January 15.

Total: 2 pages, double-spaced, Times New Roman 12 font, normal margins. Turn in .doc or .docx form by email, to fairfieldj@wlu.edu before Monday, January 11, 8:45 AM. Do not cite. You may use illustrative quotes from White.

Part I

Write a one-page case brief for White v. Samsung Electronics America, Inc., pp. 15-20 in the casebook. After you complete your brief, compose and include a single sentence summary of the case. Feel free to make your sentence funny, or make movie or other pop-culture references. It should stick in your memory and express the case quickly and simply. We will go over these sentences in class.

Part II

Your client, Digital Innovations, is a videogame development studio that is creating a football game, Fantasy League. The digital players in the game do not directly resemble real world players. Although your client has secured appropriate licenses from the NFL (for example, for use of team logos), DI has not negotiated directly with the players, since it does not use their likenesses. Upon release of the game, your client is sued by a player, who claims that the game’s “death spiral” special throwing move is based on his distinctive throwing style.

Draft a single paragraph distinguishing (arguing that the court should NOT apply) White v. Samsung in this case. Now imagine that you are counsel for the other side. Draft a single paragraph arguing for adoption of White v. Samsung in this case. You may make appropriate use of quotes from White to either show how White differs from this case, or to show why it should be adopted.