# University of Miami Business Law Review

Volume 30 | Issue 3 Article 1

# Front Matter and Table of Contents

Follow this and additional works at: https://repository.law.miami.edu/umblr

## **Recommended Citation**

Front Matter and Table of Contents, 30 U. MIA Bus. L. Rev. Iss. 3 () Available at: https://repository.law.miami.edu/umblr/vol30/iss3/1

This Prefatory Matter is brought to you for free and open access by the Journals at University of Miami School of Law Institutional Repository. It has been accepted for inclusion in University of Miami Business Law Review by an authorized editor of University of Miami School of Law Institutional Repository. For more information, please contact library@law.miami.edu.

# BUSINESS LAW REVIEW

Volume 30, Issue 3 2021 - 2022 Spring 2022 IN MEMORIAM In Memory of Nicky Langesfeld Brittany Hynes 238 **NOTES** "Sorry," But I Didn't Release It: How the Court's Analysis of the Fair Use Doctrine In Chapman v. Maraj Protects Innovation And Creativity in the Music Industry  $Samantha\ Ross$ 239 FTC v. Qualcomm and the Need to Reboot **Antitrust Goals** Beatriz Del Chiaro da Rosa 267 Sound Familiar? Digital Sampling is Taking Center Stage Logan Zucchino 295 **COMMENTS** Investing in Human Futures: How Big Tech and Social Media Giants Abuse Privacy and Manipulate Consumerism Brett Dembrow 324 How to Pay Off Hard Work

Juliette Hernandez

350

#### STATEMENT OF EDITORIAL POLICY

The *University of Miami Business Law Review*, formerly the Business Law Journal (ISSN: 1047-2819), is an academic journal that publishes submitted articles and student notes and comments on legal issues arising in any field related to business. These areas include, but are not limited to, corporation, tax, antitrust, banking, securities regulation, bankruptcy, environmental, sports, entertainment, health, insurance, and labor law. The *University of Miami Business Law Review* is currently available on LEXIS and Westlaw, as well as on our organizational website at law.miami.edu/umblr.

**SUBSCRIPTIONS:** The *University of Miami Business Law Review* strives to produce two issues per year. For information on receiving a hard copy of the *University of Miami Business Law Review* through our Print-on-Demand service, please visit our organizational website at business-law-review.law.miami.edu. If you or your institution is interested in receiving news on our forthcoming digital issues, please email the Managing Editor at umblr@law.miami.edu with your contact information, your organizational name, and a receiving email address.

**SUBMISSIONS:** The *University of Miami Business Law Review* invites the submission of unsolicited manuscripts and comments. All manuscripts should conform to the style set forth in The Bluebook: A Uniform System of Citation (21<sup>st</sup> ed. 2020). Authors seeking publication in the University of Miami Business Law Review should submit manuscripts in Microsoft Word format electronically to umblr@law.miami.edu or as otherwise provided at http://business-law-review.law.miami.edu/submissions/.

**MEMBERSHIP:** The *University of Miami Business Law Review* selects members on the basis of academic performance and a student writing competition. The Editorial Board does not discriminate on the basis of age, color, handicap, national origin, race, religion, sex, sexual orientation, gender, or gender identity.

**COPYRIGHT:** The copyright in the Journal shall be owned by the University of Miami as a collective work pursuant to the Copyright Act, 17 U.S.C. §§ 101 and 103(b). The copyright in the Work shall be owned by the Author pursuant to the Copyright Act, 17 U.S.C. § 201(c). This issue may be reproduced and distributed, in whole or in part, by nonprofit institutions for educational purposes, including distribution to students, provided that the copies are distributed at or below cost and that those copies identify the Author(s), the University of Miami Law Review, the volume, the number of the first page and the year of publication. For reprint permission for purposes other than the above, please contact the *University of Miami Business Law Review* at the address below, or email (umblr@law.miami.edu). Please allow at least one business week for processing.

Address all inquiries to:

Editor-in-Chief University of Miami Business Law Review University of Miami School of Law 1311 Miller Drive, Law Library D334 Coral Gables, Florida 33124

Cite as: U. MIA Bus. L. Rev.

## UNIVERSITY OF MIAMI SCHOOL OF LAW

#### ADMINISTRATION

Julio Frenk, M.D., M.P.H., Ph.D., President of the University

Jeffrey Duerk, B.S., M.S., Ph.D., Provost & Executive Vice President

Nell Jessup Newton, J.D., Interim Dean and Visiting Professor

Caroline M. Bradley, B.A. (Hons), LL.M., Dean's Distinguished Scholar & Professor of Law and Associate Dean for International and Graduate Programs

James M. Bond, B.A., M.A., Associate Dean, Finance and Budget

Charlton Copeland, B.A., M.A.R., J.D., Associate Dean of Intellectual Life, Dean's Distinguished Scholar & Professor of Law

Andrew B. Dawson, B.A., J.D., Vice Dean for Academic Affairs, Judge A. Jay Cristol Chair in Bankruptcy Law & Professor of Law

Janet E. Stearns, B.A., J.D., Dean of Students & Lecturer in Law

Michael Chiorazzi, B.A., M.L.L., J.D., Associate Dean for Information Services; Dean's Distinguished Director, Law Library and Lecturer in Law

Katrin Hussmann Schroll, B.A., J.D., Associate Dean for Admissions & Enrollment Management

Gregory Levy, B.A., J.D., Associate Dean Law Academic & Student Services and Strategic Initiatives; Director, Entertainment, Arts and Sports Law LL.M.

Raquel M. Matas, B.A., J.D., Associate Dean for Administration & Counsel to the Dean Rebecca Sharpless, B.A., M.Phil., J.D., Associate Dean, Experiential Learning; Director, Immigration Clinic & Professor of Law

Georgina Angones, B.A., Assistant Dean, Law Development & Alumni Relations

Marni B. Lennon, B.A., Ms.Ed., J.D., Assistant Dean, Public Interest & Pro Bono; Director, HOPE Public Interest Resource Center & Lecturer in Law

Carmen Perez-Llorca, J.D., LL.M., Assistant Dean for International and Graduate Programs; Director, International Graduate Law Programs & Lecturer in Law Amy Perez, J.D., Assistant Dean of Students

### **FACULTY**

Anthony V. Alfieri, A.B., J.D., Dean's Distinguished Scholar; Professor of Law & Director, Center for Ethics & Public Service

Bianca Anderson, B.A., M.L.I.S., J.D., Librarian Associate Professor and Reference Librarian (Foreign/International Law) & Lecturer in Law

Paula Arias, J.D., Director, International Moot Court Program & Lecturer in Law

Jill Barton, B.J., B.A., M.S., J.D., Director, Legal Communication and Research Skills Program and Professor of Legal Writing & Lecturer in Law

Ricardo J. Bascuas, B.A., J.D., Professor of Law

Caroline Bettinger-López, B.A., J.D., *Professor of Law & Director, Human Rights Clinic* William S. Blatt, A.B., J.D., *Professor of Law* 

William W. Bratton, B.A., J.D., de la Cruz Mentschikoff Chair in Law and Economics & Senior Lecturer

Glenn R. Butterton, A.B., M.A., Ph.D., J.D., Lecturer in Law

Sergio J. Campos, A.B., J.D., Professor of Law

Kathleen Claussen, B.A., M.A., J.D., Associate Professor of Law

Donna K. Coker, B.S.W., M.S.W., J.D., Dean's Distinguished Scholar & Professor of Law

Caroline Mala Corbin, B.A., J.D., *Dean's Distinguished Scholar & Professor of Law* R. Denisse Córdova Montes, B.A. M.P.H., J.D., *Acting Associate Director, Human Rights Clinic & Lecturer in Law* 

Christine Anne Darias Daniels, B.A., J.D., *Professor of Legal Writing & Lecturer in Law* Michele DeStefano, B.A., J.D., *Professor of Law & The Larry Hoffman Greenberg Traurig Business of Law Chair, Director, LawWithoutWalls* 

Mónica Alexandra Durán, B.A., Ph.D., Lecturer in Law

Scott A. Eichhorn, B.S., J.D., *Acting Director, Investor Rights Clinic & Lecturer in Law* Andrew Elmore, B.A., J.D., *Associate Professor of Law* 

Tamar Ezer, B.A., J.D., LL.M., Acting Director, Human Rights Clinic and Lecturer in Law Marc A. Fajer, A.B., J.D., Professor of Law

Zanita E. Fenton, A.B., J.D., Professor of Law

Abigail Leigh Fleming, B.A., J.D., Mysun Foundation Practitioner-in-Residence Environmental Justice Clinic and Lecturer in Law

Mary Anne Franks, B.A., M.Phil., Ph.D., J.D., Professor of Law and Michael R. Klein Distinguished Scholar Chair

Sandra Friedrich, J.D., LL.M., Director, White & Case International Arbitration LL.M. Graduate Program & Lecturer in Law

Christina M. Frohock, B.A., M.A., J.D, Professor of Legal Writing & Lecturer in Law

A. Michael Froomkin, B.A., M.Phil., J.D., Laurie Silvers and Mitchell Rubenstein Distinguished Professor of Law

Katelyn Goldsby, B.A., J.D., M.L.I.S., Librarian Assistant Professor and Reference/Outreach Librarian

Patrick O. Gudridge, A.B., J.D., Professor of Law and Dean's Distinguished Scholar

Susan Haack, B.A., M.A., B.Phil., Ph.D., Distinguished Professor in the Humanities, Cooper Senior Scholar in Arts and Sciences, Professor of Philosophy & Professor of Law

Stephen K. Halpert, A.B., J.D., Professor of Law

Frances R. Hill, B.A., M.A., Ph.D., J.D., LL.M., Dean's Distinguished Scholar for the Profession & Professor of Law

Elizabeth M. Iglesias, B.A., J.D., *Professor of Law* 

Raphael Jackson-Ortiz, B.A., J.D., M.L.S., Librarian Assistant Professor & Reference Librarian & Lecturer in Law

D. Marvin Jones, B.S., J.D., Professor of Law

Jeannie Jontiff, J.D., Acting Director of Litigation Skills Program

Stanley I. Langbein, A.B., J.D., Professor of Law

Robert Latham, B.A., B.A., J.D., Clinical Instructor & Practitioner-in-Residence, Children & Youth Law Clinic & Lecturer in Law

Tamara Rice Lave, B.A., M.A., Ph.D., J.D., Professor of Law

Romy Lerner, B.A., J.D., Associate Director, Immigration Clinic & Lecturer in Law

Lili Levi, A.B., J.D., Dean's Distinguishd Scholar & Professor of Law

Timothy Loftus, B.S., J.D., M.D., *Health Disparities Project Fredman Family Foundation Practitioner-in-Residence and Lecturer in Law* 

Pam Lucken, B.S., M.L.S., J.D., Head of Reference, Law Library & Lecturer in Law

Martha R. Mahoney, B.A., M.A., J.D., Dean's Distinguished Scholar & Professor of Law

Steven A. Maxwell, B.A., J.D., *Director, Academic Achievement Program & Lecturer in Law* John M. Newman, B.A., J.D., *Professor of Law* 

JoNel Newman, B.A., J.D., Director, Health Rights Clinic & Professor of Law

Erin Okuno, B.S., J.D., Professor of Legal Writing & Lecturer in Law

Jessica Owley, B.A. MLA, M.S., J.D., Ph.D., Faculty Director for the Environmental Law

Program & Professor of Law

Bernard H. Oxman, A.B., J.D., Richard A. Hausler Endowed Chair & Professor of Law

Kunal Parker, A.B., M.A., J.D., Ph.D., Dean's Distinguished Scholar & Professor of Law

Shara Kobetz Pelz, B.A., J.D., Professor of Legal Writing & Lecturer in Law

Bernard P. Perlmutter, B.A., J.D., Co-Director, Children and Youth Law Clinic & Professor of Law

Ileana Porras, B.A., M.Phil., J.D., Senior Lecturer

Alejandro Portes, B.A., M.A., Ph.D., Professor of Sociology & Professor of Law

Tina Portuondo, B.A., J.D., LL.M., Director, Heckerling Institute on Estate Planning & Director, Heckerling Graduate Program in Esatte Planning & Lecturer in Law

Rodney P. Rawls, B.S., J.D., LL.M., Associate Director, Academic Achievement Program & Lecturer in Law

Jarrod F. Reich, B.A., J.D., Professor of Legal Writing & Lecturer in Law

Thomas A. Robinson, B.S., J.D., B.Litt., *Professor of Law* 

Scott L. Rogers, B.S., M.S., J.D., *Director, Mindfulness in Law Program & Lecturer in Law* Robert E. Rosen, A.B., M.A., J.D., Ph.D., *Professor of Law* 

Rebecca Rosenberg, A.B. J.D. LL.M., Director, Graduate Program in Taxation and Lecturer in Law

Pablo Rueda-Saiz, Ph.D., M.A. J.D., Associate Professor of Law

Andres Sawicki, S.B., J.D., *Professor of Law* 

Robin Schard, B.A., M.L.S., J.D., Associate Director, Law Library & Lecturer in Law

Gabriel Scheffler, A.B., J.D., Associate Professor of Law

K. Renee Schimkat, B.A., J.D., Professor of Legal Writing & Lecturer in Law

Stephen J. Schnably, A.B., J.D., Professor of Law

Brian Sites, B.A., M.S.A., J.D., LL.M., Associate Director, Academic Achievement Program & Lecturer in Law

Sarah C. Slinger, B.A., M.L.I.S., J.D., Librarian Assistant Professor & Reference Librarian & Lecturer in Law

Kele Stewart, B.S., J.D., *Professor of Law, and Co-Director, Children & Youth Law Clinic* Irwin P. Stotzky, B.A., J.D., *Professor of Law* 

Scott E. Sundby, B.A., J.D., Dean's Distinguished Scholar & Professor of Law

Melissa Gibson Swain, B.A., J.D., Associate Director, Health Rights Clinic & Clinical Instructor, Health Rights Clinic

Jessi Tamayo, B.A., J.D., Director, Externships Program, Miami Street Law Program & Lecturer in Law

Annette Torres, B.A., M.B.A., J.D., Professor of Legal Writing & Lecturer in Law

Craig J. Trocino, B.A., J.D., Director, Innocence Clinic & Lecturer in Law

Stephen K. Urice, B.A., Ph.D., J.D., Dean's Distinguished Scholar & Professor of Law & Director, Arts Law Track-Graduate Program in Entertainment, Arts and Sports Law LL.M. Francisco Valdes, B.A., J.D., J.S.M., J.S.D., Professor of Law & Dean's Distinguished Scholar

Anthony E. Varona, A.B., J.D., LL.M., Dean Emeritus & M. Minnette Massey Professor of Law

Marcia Narine Weldon, B.S., J.D., Director, Transactional Skills Program; Faculty Coordinator, Business Compliance & Sustainability Concentration & Lecturer in Law

Patricia D. White, B.A., M.A., J.D., *Professor of Law, Dean Emerita, and Co-Director, Sports Law Track-Graduate Program in Entertainment, Arts and Sports Law LL.M.* 

William H. Widen, A.B., J.D., Professor of Law

Cheryl E. Zuckerman, B.A., J.D., Professor of Legal Writing & Lecturer in Law

#### **EMERITI**

David Abraham, B.A., J.D., Professor of Law Emeritus

Terence J. Anderson, B.A., J.D., Professor of Law Emeritus

Kenneth M. Casebeer, A.B., J.D., Professor of Law Emeritus

Stephen M. Diamond, J.D., Professor of Law Emeritus

Michael H. Graham, B.S.E., J.D., Dean's Distinguished Scholar for the Profession Emeritus, Professor of Law Emeritus

Dennis O. Lynch, B.A., J.D., J.S.D., LL.M., Dean Emeritus & Professor of Law Emeritus

Elliott Manning, A.B., J.D., Professor of Law Emeritus

George Mundstock, B.A., J.D., Professor of Law Emeritus

James W. Nickel, B.A., Ph.D., Professor of Law Emeritus

Jan Paulsson, A.B., J.D., Michael Klein Distinguished Scholar Chair Emeritus

Laurence M. Rose, B.A., J.D., Professor of Law Emeritus & Director, Litigation Skills Program

Keith S. Rosenn, B.A., LL.B., Professor of Law Emeritus

Edgardo Rotman, LL.M., Ph.D., LL.B, J.D., Senior Lecturer in International & Comparative Law Emeritus

Richard L. Williamson, Jr., A.B., M.A., J.D., Professor of Law Emeritus

Sally H. Wise, B.A., J.D., M.LL, Professor of Law Emerita & Director, Law Library Emerita