

PROPERTY MIDTERM EXAM

1L Western Law

The exam is closed book consisting of fifty-nine multiple-choice questions. The time allowance is two hours. No aids allowed.

Directions: The questions in this section are based on the reasoning contained in brief statements or passages. For some questions, more than one of the choices could conceivably answer the question. However, you are to choose the best answer; that is, the response that most accurately and completely answers the question. You should not make assumptions that are by common-sense standards implausible, superfluous, or incompatible with the passage. After you have chosen the best answer, blacken the corresponding space on your answer sheet.

I. PROPERTY THEORY

1. **A.** PUFENDORF's Table makes sense of two questions: 1. Are property rights natural or conventional? 2. Is ownership a relationship between person and things or persons and persons? What are the positions of LOCKE and PUFENDORF regarding these questions?
 - a. LOCKE: Natural, person-thing
PUF: Conv., person-person
 - b. LOCKE: Natural, person-person
PUF: Conv., person-thing
 - c. LOCKE: Natural, Conv.
PUF: person-thing, person-pers.
 - d. LOCKE: Conv., person-thing
PUF: Natural, person-person

2. **D.** In *On Property*, LOCKE argues that Earth exists for the support and comfort of humans. When you remove *x* with your labour, the matter becomes yours. Property cannot rest on the consent of everyone. What limitation(s) does LOCKE identify?
 - a. Must leave enough for others
 - b. Meanings are imposed on things
 - c. What you take cannot spoil
 - d. Both (A) and (C)

3. **B.** The 'Bundle of Rights' theory is representative of how law school teaches rights. Point (1) states that 'ownership comprises incidents.' Thus, ownership is a particular 'thing.' I have entitlements—no one disagrees about that. What are the 'incidents' the 'Bundle of Rights' theory posits?
 - a. Exclusion, no-right, transfer
 - b. Exclusion, use, transfer
 - c. Duty, privilege, power
 - d. Duty, privilege, transfer

4. **C.** Point (2) in the 'Bundle of Rights' theory states that *in rem* rights desegregate into *in personam* rights. What does this mean?
 - a. Rights specific to a person come to include rights against the world
 - b. Rights specific to a person come to include infinite rights
 - c. Rights against the world come to include rights specific to a person
 - d. Rights against the world come to include infinite rights

5. **B.** PENNER argues that the 'Bundle of Rights' theory is nuts; he wants us to think of rights the way we did before law school! Although PENNER agrees with Point (1), he has strong views regarding point (2) and (3). For Point (2), he states that the theory 'misses property impersonal-ness.' What illustrates his thinking?
 - a. I have a 'bundle of sticks'
 - b. I don't need to know owner of car personally to know car belongs to someone else
 - c. I can impose a meaning on a water bottle
 - d. If I remove keys with my labour, they're mine

6. **A.** Point (3) of the 'Bundle of Rights' theory states that 'property rights are transferred, not conferred.' You have infinite rights. PENNER hates this idea, arguing that 'ownership is gone with infinite rights.' What helps explain his 'bundle of sticks' criticism?
 - a. I don't really have all these rights. I have power/ authority to create them
 - b. I have all these rights. I don't have the power/ authority to create them
 - c. Ownerships legitimizes all these rights that I have
 - d. Ownership means that I have some thing which others don't

7. **C.** Wilt CHAMBERLAIN was a basketball player who took money in exchange for playing for his fans. What's his property argument?
 - a. I do not acquire justice in acquisition
 - b. I acquire justice in rectification
 - c. I'm entitled to money, I do nothing wrong
 - d. I'm not entitled to money

8. **D.** Does Wilt CHAMBERLAIN's argument support Nozick's ENTITLEMENT THEORY? Which points does it support/ reject?
 - a. YES; Justice in acquisition + justice in ownership
 - b. NO; Justice in acquisition + justice in ownership
 - c. NO; Justice in acquisition + justice in transfer
 - d. YES; Justice in acquisition + justice in transfer

9. **B.** FRIED is an internal critic of ENTITLEMENT THEORY; she accepts the theory's premise, not the conclusion. What illustrates her argument?
 - a. Home appreciates in value in Calgary all due to your efforts
 - b. Home appreciates in value in London, partly due to others' efforts
 - c. Chamberlain is a talented b-ball player, works hard
 - d. Chamberlain is not a beneficiary of luck and others' investments

10. **C.** MURPHY/ NAGEL are external critics of ENTITLEMENT THEORY. They argue that Nozick's conception of property is wrong. What question should Nozick be asking according to them?
 - a. Is justice an art?
 - b. Does necessity justify the use of another's property?
 - c. Is the whole society fair?
 - d. Is justice a rectification?

11. **D.** How does *VINCENT* expand on *PLOOF*?
 - a. In peril, can use another's property
 - b. In peril, 'necessity knows no law'
 - c. *Doctrine of Ancient Ships* applies to damaged property
 - d. If you damage another's property, must compensate!

12. **A.** GROTIUS' *Rights of Men* comments on the Doctrine of Private Necessity. Point (1) states that the right of necessity marks a limit on the right to exclude. What does point (2) state?
 - a. Duty to repair ensures that limit is as modest as possible
 - b. Duty to repair ensures that limit is satisfactory
 - c. A right of necessity is a defence against trespass
 - d. A right of necessity is not a defence against trespass

13. **C.** PUFENDORF's *On Necessity* argues that GROTIUS cannot account for the 'duty to repair' because if necessity is a property right, you're in debt to any owner. What does he mean by that?
 - a. If I damage my own property, I only owe myself reasonable compensation
 - b. If I damage someone else's property, I have a defence against trespass
 - c. If I damage my own property, I don't owe anyone compensation
 - d. If I damage someone else's property, I do not have a defence against trespass

14. **A.** How does PUFENDORF account for the 'duty to repair'?
 - a. Accept right of necessity is a *personal right* correlating to *imperfect duty*
 - b. Accept right of necessity is *non-personal right* correlating to *perfect duty*
 - c. Reject right of necessity is *personal right* correlating to *imperfect duty*
 - d. Reject right of necessity is *non-personal right* correlating to *perfect duty*

II. PERSONAL PROPERTY

1. **C.** DYLAN buys a car that is stolen. JAKE recognizes the car + returns it to the true owner. DYLAN sues for trespass. The Court awards JAKE damages for the car. Applying property principles, how would you characterize this scenario?
 - a. DYLAN has no right to possession
 - b. DYLAN has right to possession
 - c. This is a bad decision as it confuses property with things
 - d. The car must be thought of as a legal relationship, not a thing

2. **D.** An organization hires MACK to steal hotel names. The police charge MACK with theft under the *Criminal Code*. Is she guilty?
 - a. Yes, the hotel names are tangible info + can be stolen
 - b. Yes, the hotel names are intangible info + can't be stolen
 - c. No, the hotel names are tangible info + can be stolen
 - d. No, the hotel names are intangible info + can't be stolen

3. **A.** After seeing a fox, HAYDEN chases it. However, EDDIE shoots the fox + takes it. HAYDEN sues for trespass. How should the Court decide this case?
 - a. Award EDDIE, pursuit insufficient for possession
 - b. Award EDDIE, pursuit sufficient for possession
 - c. Award HAYDEN, pursuit insufficient for possession
 - d. Award HAYDEN, pursuit sufficient for possession

4. **D.** ASHLEY is super at fishing. She traps a bunch of fish in a net. JENNY is malicious. She comes to ASHLEY + disturbs the fish so that they escape. ASHLEY sues for trespass. Is JENNY guilty of trespass?
 - a. Yes, ASHLEY had physical control of fish
 - b. Yes, ASHLEY had no physical control of fish
 - c. No, ASHLEY had physical control of fish
 - d. No, ASHLEY had no physical control of fish

5. **B.** Captain DRAKE is sailing from London, ON to Ndola, Zambia carrying gold. Unfortunately, he gets shipwrecked + eaten by blood-thirsty sharks. Pirate A salvages the wreck with pullies. It's clear that he takes complete control of the ship. Pirate B finds the wreck, gets his pullies entangled with Pirate A, + takes the gold with malice. What best supports Pirate A's claim to the gold?
- Pirate A has requisite intent while Pirate B does not
 - By taking complete control of the ship, Pirate A intends to exclude others
 - Pirate A has a better claim to ownership than Pirate B
 - Whereas Pirate A secured physical control of the ship, Pirate B only secured an intent to exclude others
6. **C.** STEVEN is a Swiss sheep farmer. He leases 1,000 sheep to ANNA for 20 years. ANNA has a sheep-skin scarf business. After 20 years, the original sheep die; ANNA looks after progeny. Suppose STEVEN wants the progeny. Who does the progeny belong to? What is STEVEN entitled to?
- STEVEN owns the progeny. ANNA must give up all her sheep.
 - STEVEN owns the progeny. ANNA must cough up 1,000 sheep to STEVEN
 - ANNA owns the progeny. She must cough up 1,000 sheep to STEVEN
 - ANNA owns the progeny. STEVEN is entitled to nothing!
7. **A.** BECKY + SURDEEP have a love-hate relationship going on. SURDEEP buys BECKY a chameleon off the black market as a fun Valentine's Day gift. He calls him 'George.' George escapes. JACK re-captures George—he intends on telling George his many interesting opinions about Contracts every night. According to Prof. KING's POV, who has ownership of George?
- SURDEEP, he bought George
 - BECKY, it's her present
 - JACK, he found George
 - No one, can't own wild animals
8. **D.** In contrast to Prof. KING's POV, the law states that George belongs to:
- SURDEEP, he bought George
 - BECKY, it's her present
 - JACK, he found George
 - No one, can't own wild animals
9. **B.** EMILY illegally owns a pet money named Darwin who escapes, rampaging through Target. The police take in Darwin. EMILY signs a transfer of ownership form to avoid being thrown into the slammer. According to the traditional POV, who should the Court give possession of Darwin to?
- City admin, Darwin is their property
 - City admin, Darwin isn't their property
 - EMILY, Darwin is her property
 - EMILY, Darwin isn't her property

10. **D.** LUKE drives a gangster 1972 Honda Civic. He thinks it makes him look cool. His car gets stolen. BRITTA, who is content with anything, buys LUKE's car off a third party. She remarks, 'what a piece of junk!' She transforms the car through **accession**—it finally looks perfect. It's hot pink, has a sunroof, and plays only One Direction music. LUKE sees his car, gets jealous, and wants it back! He sues for possession. What is the test of possession + who is entitled to the super cool hot pink car?
- Negligence, LUKE
 - Negligence, BRITTA
 - Physical appearance, LUKE
 - Physical appearance, BRITTA
11. **D.** MIA has pigs on her ranch in Barrie. A diseased mad dog bites the pigs, forcing MIA to kill them + bury them all in the soil. At night, BEN digs up the pigs + sells their meat at Barrie's Annual Farmer's Market. The RCMP arrest BEN. What is their reasoning?
- BEN acquires the pigs as finder in possession
 - BEN only has a right to immediate possession of pigs
 - MIA abandons her property in the pigs, as they become a part of the soil
 - MIA doesn't abandon her property in the pigs
12. **B and C.** It turns out, COOPER + JORDAN get married in 15 years. One night, after a quarrel with COOPER, JORDAN drives off with \$2 million in the trunk of his car. He's on cocaine, driving badly; he gets pulled over by Officer NEYERS. JORDAN denies that the \$2 million is his. He karate-chops NEYERS + flies off to Punta Cana never to be seen again. Who does the \$2 million belong to?
- JORDAN, he has the money first
 - NEYERS, he finds the money
 - MAXIM, he's amazing
 - The gov't, it should benefit society
13. **B.** IRIS gets a parcel in the mail from Venezuela; there's 140,000 Bolivar in it! She hands it to Canada Post to locate the true owner of the money. There's no answer for three years. Who has a better claim to the money?
- IRIS, her right of possession seizes to continue
 - IRIS, finding creates neither property nor obligation
 - Canada Post, it's right of possession seizes to continue
 - Canada Post, finding creates neither property nor obligation
14. **D.** Since there's nothing to do in London, XAVIER, AL, + AUSTIN hang out by the Via Rail station, daring each other to walk on the tracks. XAVIER finds a sock + hits AL with it. AUSTIN does the same, finding it amusing. The sock rips; \$500 appears from it. Does the \$500 belong to XAVIER or all boys?
- XAVIER, he finds the sock
 - XAVIER, he finds the sock + intends to exclude others
 - All boys, they all find sock
 - All boys, they all find sock + don't intend to exclude others
15. **A.** TONY loves baseball, his favourite team is the Winnipeg Goldeyes. At a game, TONY catches a homerun ball + gets attacked by a 'gang of wrongdoers.' After CLAIRE definitively beats up TONY, she secures the ball. Who does the ball belong to?
- Both TONY + CLAIRE, account for first possession + social factors
 - TONY, he gets beat up!
 - CLAIRE, she seizes the ball + has full control of it
 - The Winnipeg Goldeyes, it's their ball

16. **B.** NOVA owns a diamond shop; she buys diamonds in Hong Kong and sells them for three times the price in Toronto. One day, LUCY takes her prized-one-of-a-kind-original diamond that she found at Weldon to NOVA's shop for appraisal. NOVA takes the jewel out + refuses to give it back. LUCY sues in trover. Who has possession?
- LUCY, she has right to immediate possession
 - LUCY, she is finder in possession
 - NOVA, she has right to immediate possession
 - NOVA, she is finder in possession
17. **A.** SARAH owns a thrift store called Dr. Flea. PAYDEN, who is a punk-rock celebrity by the stage name 'PAY-DIDI,' enters the store. SARAH begs PAYDEN for her autograph. As she gives her autograph, PAYDEN sees a parcel with 'DO NOT OPEN' written on it—SARAH has strangely never noticed the parcel. PAYDEN opens it + finds \$40 million. The true owner isn't found. Who has a better claim to cash?
- PAYDEN, she should be given the rental value of the parcel
 - PAYDEN, she has a right to immediate possession
 - SARAH, she should be given the rental value of the parcel
 - SARAH, she has a right to immediate possession
18. **D.** HARRY is a German beer-manufacturer. For his recipe, he uses lumber to enhance the flavour. He has three rafts of lumber which he treats as his own. He finds out that one of the rafts is WYATT's; he immediately gives it back. In gratitude, WYATT sues HARRY for trespass and wins. Why?
- WYATT thinks lumber is his own
 - HARRY is a mere finder in possession
 - WYATT is a mere finder in possession
 - HARRY thinks lumber is his own
19. **B.** JOEL is a bartender at Big Papi's pub. His pass-time hobby is digging holes after work on the pub's property. He finds the *Tubantia* ship remains buried underneath Big Papi's! Do the remains belong to JOEL, who is the finder in possession, or Big Papi's?
- JOEL; he is finder in possession
 - BIG PAPI's; Magic Carrot
 - JOEL; Magic Carrot
 - BIG PAPI's; true owner
20. **C.** AIDEN is a WWII soldier situated in London, ENG as part of the Bomber Command. He's staying at his landlord MATT's home. AIDEN finds an antique music box in the attic which doesn't belong to MATT. MATT has no idea of its existence. After handing the box to the Met Police, the cops give the box to MATT. AIDEN sues. Who does the box belong to?
- AIDEN; he intended to exclude MATT from box
 - MATT; Magic Carrot rule
 - AIDEN; MATT had no knowledge of box
 - MATT; he intended to exclude AIDEN from box

21. **A.** HENRY's life dream is to see the 2024 FIFA World Cup in Doha, Qatar! He's flying with Qatar Airways, the 'World's Five-Star Airline.' In the First-Class Lounge at Doha's Hamad Airport, HENRY finds a fountainpen signed by Messi. He tells Qatar Airways to give it back to Messi; if they can't, then give it to him. Qatar Airways can't find the true owner but keeps the pen. HENRY sues. Who does the pen belong to?
- HENRY; Qatar Airways had no control + intent to exclude others for possession
 - QATAR AIRWAYS; Magic Carrot applies
 - HENRY; Qatar Airways can prove that he had possession prior to them
 - QATAR AIRWAYS; HENRY has no chance in the Qatari courts system

22. **D.** CARTER has a son named KEVIN. CARTER buys a valuable wine bottle wanting to gift it to KEVIN. Unfortunately, CARTER goes bankrupt. His bank, CIBC, claims the bottle as payment for bills, as it has value. CARTER is out of the country without access to modern technology, trying to smuggle drug money off the black market in Guatemala to pay his bills. Who should the ONCA award the bottle to?
- KEVIN; he's CARTER's son!
 - KEVIN; the bottle is his gift
 - CIBC; no tort of trespass
 - CIBC; no proof of delivery

III. INTENTIONAL INTERFERENCE

- C.** Trespass is a legal claim to recover one's wrongfully *taken* possession. The test for trespass to chattels is subjective. Which situation would satisfy one proof requirement needed to recover your chattel under trespass?
 - DANIEL wants to pull the trigger but doesn't
 - SARAH engages in unauthorized use of a university computer
 - NOAH desires to make 'sweet contact' with a laptop
 - MARSHALL indirectly interferes with your car, destroying it
- A.** Both *COSTELLO* and *PENFOLD WINES* concern trespass to chattels. In *COSTELLO*, the court ruled for the (P) because he possessed the cars and the true owner was not found. In *PENFOLD WINES*, the court ruled for the (D) as he possessed the bottles. What is the underlying principle of those cases?
 - Trespass is wrong to possession, not ownership
 - Trespass is wrong to ownership, not possession
 - The finder in possession has a better right than anyone but the true owner
 - Trespass protects possession, not right of immediate possession

3. **D.** Unlike trespass, detinue is a legal claim to recover a wrongfully *detained* possession. The (D) must be wrongfully withholding the chattel and the (P) must have a right to immediate possession. One version of detinue posits that wrongfully failing to return a chattel is no defence after it was 'lend' to you. What is that type of detinue called?
 - a. *Detinue sur trover*
 - b. *Detinue sur conversion*
 - c. *Detinue sur trespass*
 - d. *Detinue sur bailment*

 4. **B.** KATE wrongfully detained ZACH's Property summaries, refusing to give them back. Unfortunately, KATE no longer has ZACH's notes. Suppose ZACH sues KATE in detinue. What would a court reasonably do?
 - a. Inquire what happened to the chattel
 - b. Estop KATE from denying she doesn't have possession
 - c. State that detinue is not actionable *per se*
 - d. Reject the *Gen & Finance* approach for the *Aitken v Gardiner* approach

 5. **C.** Conversion involves taking, using, or destroying goods in a manner inconsistent with the owner's right of possession. Unlike trespass, intention is not required to satisfy that the (D) violated rights. Additionally, unlike trespass and detinue, conversion is *not* actionable without loss. When would it be preferable to sue in conversion rather than in detinue?
 - a. Have an unintentional loss by the bailee
 - b. (P) wants specific recovery, not damages
 - c. The market is falling and the (P) wants maximum damages
 - d. The market is rising and the (P) wants maximum damages

 6. **C.** In *WICKS ESTATE*, after selling their home, the son accidentally left his dad's drawings to the delight of the new homeowner. The homeowner refused to give the drawings back and the family sued in conversion. Why did the court rule for the family, imposing liability for conversion?
 - a. Abandonment requires a positive physical act, which is missing
 - b. Abandonment requires an intention to relinquish an interest in a good, which is missing
 - c. Both (A) and (B)
 - d. The family's right to immediate possession was enough to sue in trespass, but not in conversion or detinue

 7. **A.** Conversion requires that the (D) acts in a positive way. What is an example of an act which constitutes conversion?
 - a. Destroying or damaging ARLEN's Constitutional notes
 - b. STEPH engaging in an omission to loss or damage
 - c. JOEL just standing by while MIKE gets mugged
 - d. MELIKA failing to assert ownership

 8. **D.** The *NUMBERED COMPANY CASE* presented one defence to conversion. The case involved a bank converting a customer's cheque. What defence did the bank rely on? Note: this is the only defence to conversion we learned of.
 - a. Defence of wrongful dismissal
 - b. Defence of statutory authority
 - c. Defence of 'being there first'
 - d. Defence of consent
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IV. INTELLECTUAL PROPERTY

1. **B.** Various theories exist to justify the copyright holder having exclusive rights in works. The *droit d'auteur* school of thought embraces natural law in which the author's rights are the ends. Which rationale best supports the idea of natural law?
 - a. Bentham's utilitarianism
 - b. Locke's entitlement theory
 - c. Economic balancing
 - d. Public/ Private Good dichotomy

2. **A.** The *Statute of Anne* (1710) is a utilitarian document which entrenched intellectual property goals. Some objectives included the promotion of arts, science, and the guarantee of authors' rights to their writings. Which school of thought is the *Statute* a product of? What clarified it to be a creature of the statute only and not the common law?
 - a. Anglo system; *Donaldson Act* (1774)
 - b. *Droit D'auteur*; *Napoleonic Code* (1804)
 - c. Utilitarianism; *US Constitution* (1787)
 - d. Entitlement theory; *Copyright Act* (1921)

3. **C.** Copyright requires that original expression be fixed in a tangible form. Originality and fixation must be met. In *CCH*, McLaughlin J. defined a test for originality. The work must be more than a copy, yet it need not be creative. What test did McLaughlin J. speak of?
 - a. Below the brow
 - b. Creativity
 - c. Skill and Judgement
 - d. Skill and Knowledge

4. **D.** Copyright protection applies to original expression, not facts or ideas. It speaks to the *way* ideas are presented. What issue(s) does the idea-expression dichotomy identify with expression protection?
 - a. Expression protection limits the public's access to new material
 - b. In the digital age, copyright protection is arbitrary
 - c. Expression protection negatively impacts democracy, reducing public discourse
 - d. Both (A) and (C)

5. **B.** The *Copyright Act* (1921) states that formalities are not required for copyright because the interest exists at fixation. Which school of thought likely influenced this provision's rationale?
 - a. Anglo utilitarianism
 - b. *Droit D'auteur*
 - c. US utilitarianism
 - d. Locke's entitlement theory

6. **A.** Instead of having one right, copyright owners have *many* rights, a 'bundle of sticks.' Of the three core rights in the *Copyright Act* (1921), the reproduction right has a special requirement. What is an example of it?
 - a. ANNA, an owner, reproduces only substantial elements of her new hip-hop song, 'I Just Want to Be With You'
 - b. JACK, the owner of his home, watches the Super Bowl without infringing public performance rights
 - c. MARTIN, the owner of his unpublished book *Sea World*, has an exclusive right to publish his book for the first time
 - d. Both (A) and (B)

7. **D.** Copyright owners possess the moral right of remaining anonymous should they choose to. It is a personal right which expires as soon as the copyright term comes to an end. What ‘umbrella category’ of moral rights does the right to remain anonymous belong to?
- Integrity
 - Translation
 - Association
 - Attribution
8. **C.** *THEBERGE* provides a new ‘fair dealing’ framework for Canada which McLaughlin J. affirms in *CCH*. To ‘balance’ the rights of creators and users, *CCH* defines a ‘fair dealing test:’
- 1. Purpose
 - 2. ‘Fair’
- Suppose JEVON photocopied multiple copies of a copyrighted work instead of just one copy. Which sub-aspect of the ‘fair dealing test’ would you need to examine to see whether his actions were characteristic of ‘fair dealing?’
- Amount of the work
 - Nature of the work
 - Character of the work
 - Purpose of the work
9. **A.** In *Pink Panther*, the court decided that the beauty products under the name of ‘*Pink Panther*’ could be registered as the products did not interfere with the *Pink Panther* trademark of Metro Goldwyn Mayer. What aspect of trademark protection did the products seem to concern?
- Confusion
 - Use
 - Distinctiveness
 - Certification marks
10. **C.** Although certification marks and distinguishing guises are part of the ‘distinctiveness’ aspect of trademarks, the two concepts are quite different largely based on defined standards. What is an example of a certification mark? What is an example of a distinguishing guise?
- Heineken beer bottle, BBB certification symbol
 - Barbie* logo, Heineken beer bottle
 - Recycling symbol, Heineken beer bottle
 - BBB certification symbol, *Barbie* logo
11. **A.** A patent is a ‘limited term monopoly’ granting privilege to an individual by gov’t. By infringing a patent, what right are you violating?
- Exclusive right of patent holder
 - Improvement patent
 - New and non-obvious requirement
 - Invention and usefulness requirement
12. **D.** The *Coke* formula is top-secret; it is guarded heavily. The formula is *Coke*’s for an unlimited time. The negatives are that *Coke* has no monopoly to it and protection may be lost at any time. What term describes the scenario?
- Patent
 - Patent bargain
 - Patent assignability
 - Confidential information
13. **B.** Unlike rights to a word, symbol or drawing used to *distinguish* a product or service, TESS owns an exclusive right to print and publish her outstanding Memo on just cause dismissal. What can TESS’s right be classified as?
- Patent
 - Copyright
 - Trademark
 - Owner’s exclusive right

14. **C.** Whereas traditional IP forms aim to protect inventions of owners and grant them rights so that something is created at the end, non-traditional IP does not require a new creation. However, it does necessitate a 'mental link.' What is an example of a traditional IP? A non-traditional IP?
- Copyright, patent
 - Trademark, copyright
 - Patent, trademark
 - Trademark, patent
15. **D.** Copyright, trademark, and patent have different requirements. Whereas copyright requires a work to be original, creative, and fixed tangibly, a patent necessitates that an invention must be new, useful, and non-obvious. Trademark requires distinctiveness. Once you fulfill the requirements of one IP, you may have rights for 15 years with renewal possible. Which IP is that?
- Patent
 - Copyright
 - Fair Dealing
 - Trademark

STOP

IF YOU FINISH BEFORE TIME IS CALLED,
YOU MAY CHECK YOUR WORK.