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HEAFEY HEADNOTES

*Good Luck
on Finals!*

November 1995

Volume 6 Issue 2

RESEARCH SURVIVAL TIPS!

HELP FOR THE WEARY RESEARCHER

by Leslie M. Campbell

Its a jungle out there! We know how frustrating, confusing and seemingly endless the maze of legal research can be. But, legal research is a vitally important skill for every lawyer. You will use your research skills on your very first day on the job and nearly every day throughout your legal career.



sometimes) about what legal research tips or strategies we could pass on to law students that would really help them.

Are there a couple of "golden rules" or, better yet, golden sources we could tell you about to help you in your future legal research? Here is our first installment of things to

"always remember and never forget.."

So, the reference librarians were sitting around thinking the other day (we do that

Primary / Secondary

(Continued on page 2)

The Internet

We're on The Web!

by Prano Amjadi

The Law School can now be found on the World Wide Web. In early September, members of the Law Library staff brought up the Law School's web page on the University's Silicon Graphics Web Force Indy computer. The University purchased this state-of-the-art equipment to serve as the home of the University's web site. The URL (uniform resource

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inside...

OSCAR Hints and Tips
Toso Lab Technology Trends
Library Staff Spotlight

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page 7

(SURVIVAL continued from page 1)

Materials : Start with the Secondary!!!

Primary authority is the stuff directly from the government: case law, statutes, regulations and administrative decisions. **Secondary** materials are treatises, hornbooks, looseleaves, law review articles. These explain or provide access to the primary materials and are not mandatory authority.

So, for most research questions primary materials are the ultimate answer. However, primary materials are often published simply in chronological order, with no subject access and no indexes or case digests. It is often easier to start with a good hornbook or thorough law review article which refers to the primary materials and offers good indexing, full explanations, complete background and overviews.

Golden Rule: Let the treatise

or law review author do the work for you!!

Don't Stop too Soon!

Finding one kind of primary

material (a statute, for instance) is often not enough. There may be cases construing that statute or regulations providing further details for compliance with the statute. Always be thinking of the other types of primary materials that may affect your question.

Also keep in mind that primary authority can come from different levels of government: you may have to research both state and federal law!

Commercial or Government publications: You get what you pay for!!

Primary materials can be published by the government or by commercial publishers, the latter are almost invariably more useful, more current, have better indexes and additional features. For example U.S. (United States Reports) is the official government set of U.S. Supreme Court cases. It has no digest, it is

several years behind in publishing cases and it offers no headnotes or other enhancements. **S.Ct** (West's Supreme Court Reporter) and **L. Ed** (the Lawyers' Edition) provide the same cases but sooner and with headnotes, annotations and complete digests! (The Blue Book says

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(*SURVIVAL Continued from page 2*)

you should cite to U.S., but it doesn't say you have to use it!!!)

Citations: otherwise known as alphabet soup!

Cal 3rd? Cal App 3rd? Cal Rptr? P.2d? Why are there so many citations for California cases? In California and many places there are competing commercial publishers publishing the same cases. Often one is the "official" because it is sanctioned by the government. **Cal** and **Cal App** are the "official" reporters for California. There is nothing wrong or unreliable about the "unofficial" reporters. **Cal Rptr** is West's California Reporter and **P.2d** (Pacific Reports) are the unofficial.

Almost all legal citations work the same way:

VOLUME #
+
TITLE ABBREVIATION
+
PAGE #

So whether its 23 Cal. App.

3d 699 or 14 Santa Clara L. Rev. 753, you will always know how to look it up.

The real trick is understanding what the abbreviation means so you can go look up the case or article in that reporter or journal! The titles can look pretty weird: Harv. C.R.-C. L. L. Rev. or I.T.R.D.

There are "code breakers" to help you understand these abbreviations: *Bieber's Dictionary of Legal Abbreviations* is a great resource giving you translations of thousands of abbreviations. We probably use it several times every day at the reference desk.



Another great place to go for help is your very own, humble *Blue Book*. Not only does this handy little book give you more detail than you would ever want to know about citation format, it is also jam-packed with helpful info! The blue pages in the back give common journal title abbreviations, and also abbreviations for statute and case reporters for all federal and state jurisdictions. There are

even abbreviations for the reports of many foreign countries.

(Those titles, according to the Blue Book are: Harvard Civil Rights-Civil Liberties Law Review and the International Trade Reporter Decisions!)

**We hope this helps.
Good Luck
Researching!!**





INTERLIBRARY

LOAN

New OSCAR feature Being Tested

The libraries are currently beta testing a new feature on OSCAR which allows you to make you own interlibrary loan requests directly from OSCAR. This will be available for the next few months.

So if the library does not have something you need, you can now send a message directly from OSCAR asking us to try to find it for you. Just select "I" for interlibrary loan from the main menu and follow the directions. You can do this from any OSCAR terminal in the library or from home if you connect to OSCAR.

Be sure to have your Access card handy because you will have to type in the barcode number on the front of your card. As always the more

SEARCH TIP

Don't forget: USE KEY WORD SEARCHING!

CHOOSE "K" FOR KEY WORD

**ENTER ANY COMBINATION OF WORDS
IN ANY ORDER**

KEY WORD SEARCHES FOR YOUR WORDS IN ANY ORDER
IN THE TITLE, SUBJECT AND NOTES, SO YOU GET
BETTER RESULTS

~~—Update on Finding Law—Review Articles on OSCAR~~

From OSCAR's Main Menu:

- CHOOSE: **Z** Connect to another database
- CHOOSE: **1** Periodical Indexes
- CHOOSE: **2** Legal Resources Index (aka LEGALTRAC)
- SEARCH: Key Word, or Author, or Title, or Subject

**NOTE: YOU CAN ALSO SEARCH OTHER LIBRARY
CATALOGS and INDEX TO FOREIGN LEGAL PERIODICALS
ALSO CHECK OUT SCU'S GOPHER!**

information you have on the book or article, the better (title, author, publisher, year of publication, where you saw it referred to.)

Since this is a beta test, our experience with this new feature will be used by the software developer to help improve the program. If you have any questions or suggestions, let reference know or use OSCAR's "Suggestion" feature on NEWS and INFORMATION.

Growing Pains: Adjusting to the New Computer Lab

by Lynn Snyder

Though students seem to be enjoying the new Toso Lab, a few problems have arisen.

The library staff are receiving some complaints regarding training sessions in the lab. These are teaching labs and will be used from time to time for training. But, the problem should be alleviated when the upstairs (Ruffo) lab reopens next semester; the majority of the training will be held upstairs to allow access to both PCs and Macs in the Toso Lab.

Printing is now available for the PCs and the Macs in the Toso Lab. However, we are finding that students are going through a large amount of paper. Despite a posted notice asking students to send Lexis and Westlaw print jobs to the stand-alone printer in the DiNapoli Lab (the dedicated Westlaw and Lexis lab near the Reference desk), most students are still sending jobs to the attached printers in the Toso Lab.

Unfortunately, if the use of paper does not decrease in the immediate future, the Library will begin charging a small fee for printing in the Ruffo and Toso Labs. To avoid this, we ask once again that you **send ALL Lexis and Westlaw print jobs to the DiNapoli Lab**. This way you are using paper provided by Lexis and Westlaw and not tying up the printers in the Toso Lab for your fellow students.

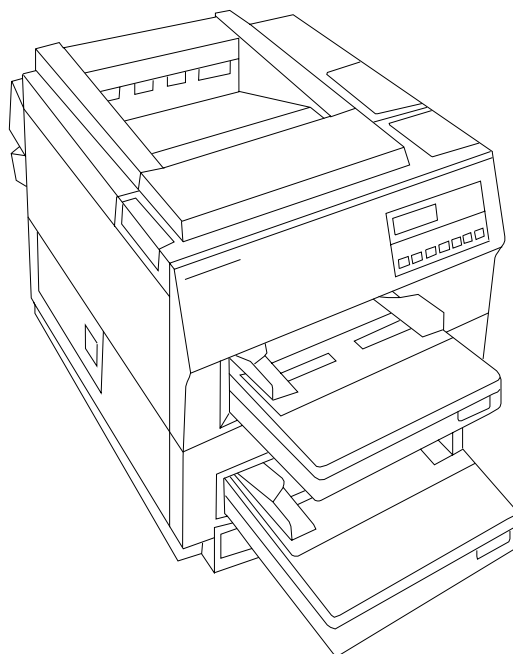
Printer supplies (paper and toner) can be obtained from the Reference Desk. If the Reference Desk is unoccupied, please go to the Circulation Desk.

l n

consideration of your fellow classmates we also ask that if you are using a computer for Lexis or Westlaw searching only, you use the dedicated computers in the DiNapoli Lab unless they are already occupied. This frees the Toso Lab for word-processing, CALI and other tutorials, and Internet use.

Library staff and students have also commented on the computers in the Toso Lab being tied up by students playing games. Although Minesweeper and Solitaire were left on the computers, it was not our intention that the computers be used for game playing. Feel free to ask your fellow students to move from a computer if they are playing games and you need a computer to do work.

(Continued on page 6)



(PRINTING Continued from page 5)

Unauthorized games are not allowed on the computers and will be removed when found on the hard drives, as will any other unauthorized software. If you feel you have a need for a certain software package, then please write down your suggestion and give it to a staff person at the Circulation Desk, or call the Computer Services Department at 554-5316.

Based on several requests by first-year students for MS Word, MS Office will be installed on the computers in the Ruffo Lab. However, since this particular software package is not used by faculty and staff in the Law School and Law Library it will

not be supported. Please do not go to the Circulation or Reference Desk with questions about Word, Excel or PowerPoint. You can report problems to the Computer Services Department; we will monitor the number of problems reported and consider expanding support.

Any software or hardware problems that occur in the Toso or Ruffo Labs should be reported to the Computer Services Department by filling out a problem form found in the Labs and giving it to a staff person at the Circulation Desk, or by calling the Department at 5316. This holds especially true for Mac related problems; this is a

predominantly PC environment and Macs are not heavily supported. Problems with the Power Macs should **not** be directed to the Circulation and Reference staff.

The technology is there to assist you in your legal education; remember that the computers are there to enhance and ease your learning experience.

INSTRUCTIONS FOR PRINTING TO LEXIS AND WESTLAW FROM THE TOSO LAB

Lexis: Select the **Print Doc** command.

You'll be given two options:

- 1) Print to attached printer, or
- 2) Print to Lexis-Nexis printer assigned to your Personal Identification Number.
- 3) **Select 2.**

Westlaw: Select **Offline Print**.

Select what information you want printed (current or all docs, all pages or certain terms)

You'll be given several options:

- 1) STP, stand-alone printer
- 2) ATP, attached printer
- 3) DLD, download to disk

Select STP (stand-alone printer).

DO NOT select the **Print** option under **File**; this will send your job to the attached printer.

A PEEK OVER OUR SHOULDERS

*-A glimpse of what
the library staff is*

by Diane Cascio

Tamara Prichard, Library Specialist III in the Cataloging Department, is not quite sure which came first, her fondness for historical novels or her love of genealogy. "I guess one grew out of the other," she says. Tamara prefers to read novels that explore American or British history, but any exotic time or place seems to draw her interest.

She is currently fighting her way through **PALACE WALK** by Nobel Prize winner Naguib Mahfouz. This book tells the story of one family in post-WWII Cairo. Central to the story is the wife's total subjugation to the demands of her husband. Palace Walk's slowly developing plot and theme of male dominance contrast sharply with the last book Tamara read: **TWO**

OLD WOMEN by Velma Wallis. Wallis renders the tale of two elderly Athapascan women who were left to die by their people. The women not only survive the Arctic winter, but manage to forgive their families and rejoin the group. Written in simple prose, this is a heartwarming story of personal triumph.

Head of Circulation **Leslie Campbell** logs two and a half hours on the train every day. She uses that time to peruse the newspapers (at least during baseball season) and catch up on her fiction reading and panics at the thought of making the journey without sufficient reading matter.

While Leslie is happy to read Tom Stoppard's latest or Shakespeare's histories, the books she reaches for first are Patrick O'Brian's **AUBREY/MATURIN NOVELS**. This series follows two British Royal Navy officers as they fight the battles and brave the adventures of the Napoleonic Wars. "Witty, unbelievably suspenseful, well-researched, delightful, funny, really great books!" Leslie cannot find enough accolades to describe them. I don't know about you, but I think I'll grab one and read it now!

Meet The Staff

Profile: Marilyn Dreyer
"New" Catalog Librarian

by Barbara Friedrich

Marilyn Dreyer, the Law Library's recently appointed Catalog Librarian is not a newcomer to Heafey or to the Santa Clara area. Marilyn was born in San Jose, attended Saint Claire's grammar school, Santa Clara High School and received a degree in liberal studies from San Jose State University.

Her interest in libraries also covers many years. As a result of her work as a page at Santa Clara Public Library while in college, Marilyn decided that she wanted a career in librarianship. In subsequent years she worked in libraries at Intel, Arizona State, and Jackson School of Business at Stanford. She joined the staff at Heafey in 1986 as a Library Specialist. Although she worked in various positions within these libraries, she developed a primary interest in cataloging. While working as a Library

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New Acquisitions



Selected New Titles
Annotated by
Kendra Anderson

**WHO OWNS INFORMATION:
FROM PRIVACY TO PUBLIC
ACCESS.**

Anne Wells Branscomb. New
York, Basic Books, 1994.

Who owns your name & address, your telephone number, your medical history, your image, your electronic messages, video entertainment, religious information, software, government information? These challenges to the existing legal structure are explored, and basic principles evolve from efforts to carve out a law governing the use of information assets.

MCCARTHY'S DESK

**ENCYCLOPEDIA OF
INTELLECTUAL PROPERTY.**

J Thomas McCarthy.
Washington DC, Bureau of
National Affairs, 1991.

A practical reference book emphasizing newer case law interpretations of CAFC, the Trademark Law Revision Act, and the Berne Convention Implementation Act. References to cases, legislation, rules and other resources, such as the Manual of Patent Examining Procedure.

**MULTIMEDIA LAW: FORMS &
ANALYSIS.**

Richard Raysman, Peter Brown, Jeffrey D Neuburger. New York, Law Journal Seminars-Press, 1994.

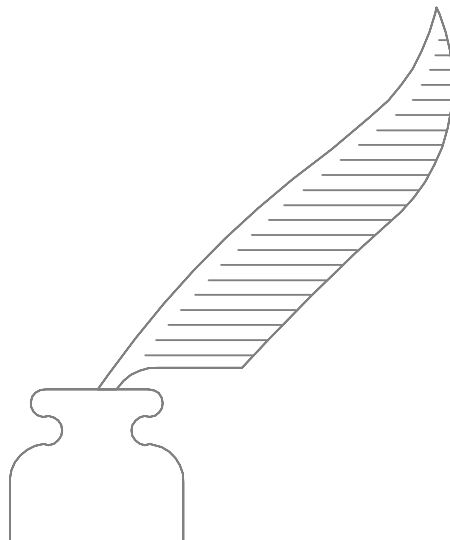
Addresses the legal issues which multimedia presents, gives step-by-step guidance in handling complex multimedia transactions. Chapters on multimedia industry, rights acquisition, multimedia product development agreements, product distribution, copyright, attribution and integrity rights, trademark law, trade secret law, patent law, privacy, publicity, and defamation.

**THE ECONOMICS OF
INTELLECTUAL PROPERTY IN A
WORLD WITHOUT FRONTIERS:
A STUDY OF COMPUTER
SOFTWARE.**

Meheroo Jussawalla. New
York, Greenwood Press,
1992.

Analyzes the legal and political economy implications of investment in the software programming industry and the near futility of monitoring and enforcing protection of intellectual property in that

(Continued on page 9)



(ACQUISITIONS Continued from page 8)
industry.

VALUATION OF INTELLECTUAL PROPERTY AND INTANGIBLE ASSETS.

Gordon V Smith, Russell L Parr. New York, Wiley, 1994, plus 1995 supp.

Discusses key aspects of intellectual property, forms, definitions, examples of exploitation, methods for determining economic remaining lives, and reviews recent legal events affecting intellectual property. Focuses on methods to determine value and set royalty rates based upon investment rates of return. Chapters on assets, accounting and tax issues, market and cost approaches, as well as capitalization of economic contribution.

UNFAIR COMPETITION AND THE ITC: ACTIONS BEFORE THE INTERNATIONAL TRADE COMMISSION UNDER SECTION 337 OF THE TARIFF ACT OF 1930.

Donald Knox Duvall. Deerfield, IL, Clark Boardman Callaghan, 1994.

A handbook on Section 337 law and practice, focusing on procedure and strategy and leading cases pertinent to each procedural stage.

Explains reasoning and rationale, especially that which differs from comparable procedures in the federal district courts, and deals with the GATT. The appendices and bibliography blend intellectual property law and international trade law.

NEW FOREIGN LAW TITLES:

Australia

INNOVATION, POLICY, & LAW: AUSTRALIA AND THE INTERNATIONAL HIGH TECHNOLOGY ECONOMY.

Christopher Arup. Cambridge, Cambridge University Press, 1993.

AN INTRODUCTION TO INTELLECTUAL PROPERTY LAW.

Colin Golvan. Sydney, Federation Press, 1992.

China

INTELLECTUAL PROPERTY & TECHNOLOGY TRANSFER IN CHINA.

Laurence J Brahm. Quarry Bay, Hong Kong, Longman, 1994.

Japan

INTELLECTUAL PROPERTY PROTECTION AND MANAGEMENT: LAW &

PRACTICE IN JAPAN.

Teruo Doi. Tokyo, Institute of Comparative Law, Waseda University, 1992.

NEW JOURNAL TITLES:

FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL

JOURNAL OF INTELLECTUAL PROPERTY LAW (UNIV OF GA SCHOOL OF LAW)

JOURNAL OF PROPRIETARY RIGHTS (ASPEN LAW & BUSINESS)

UNIVERSITY OF BALTIMORE INTELLECTUAL PROPERTY LAW JOURNAL



(MARILYN Continued from page 7)

Specialist at Heafey, Marilyn began her studies for a Masters in Library Science. She graduated from San Jose State in 1995.

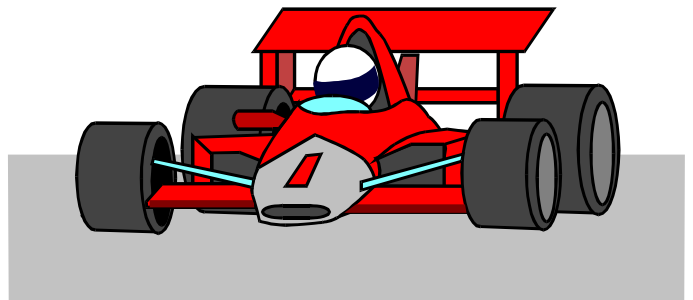
With her new responsibilities as a Catalog Librarian comes a challenge of cataloging serials. This frequently involves tracing a journal through many title changes over a period of years. She is grateful for the years of training received from Regina Wallen, formerly Heafey's Head of Technical Service.

Marilyn is a very busy person away from the job also. Her

major hobby is stock car racing. She can be found on most weekends at the local track. Additionally she is a member of five book discussion clubs which meet at local Barnes and Noble book stores. She is a facilitator for a mystery book group of 10 people. Her favorite mystery writers are Patricia Cornwell and Sue Grafton.

Marilyn is also a sports fan. As a season ticket holder she attends most San

Jose State football and basketball games.



HOURS REMINDER
 We will be on FINALS Schedule
 Beginning Saturday November 25, 1995

FINALS HOURS:

MONDAY - THURSDAY	8am - 2 am
FRIDAY	8am - 12 am
SATURDAY	9am - Midnight
SUNDAY	10am - Midnight

We are closed Thursday, Nov. 23, Thanksgiving Day and Open Friday, Nov. 25, 1994 , 8am - Midnight

REMINDER:

**WE WILL CHECK ID'S AT PEAK TIMES DURING FINALS
 EVERYONE WILL BE REQUIRED TO SHOW THEIR ACCESS CARD
 BE SURE TO HAVE YOUR ACCESS CARD WITH YOU!!!**

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locator) for the Law School page is:

<http://www.scu.edu/SCU/Departments/Law>

Unlike e-mail addresses, URLs are case sensitive.

On the Law School Page you can see

Our "Address" on the Web

<http://www.scu.edu/SCU/Departments/Law>

information on admissions, courses, staff and faculty profiles, library services, and special programs. The law school page also has links to the pages set up by the High Tech Program and the Computer and High Technology Law Journal.

Our web site is also indexed in several large indexes and search engines, including Yahoo. The web page can be viewed from any web browser software. The Law Library has made Netscape available in the Toso lab so you can see the Law School Home Page and use it to link to the

World Wide Web!

Brought to you by

Norman Davidson, Evening Circulation Supervisor, **Leslie Campbell**, Head Circulation Librarian & Reference

Librarian, **Prano Amjadi**, Cataloging and Reference Librarian and **Lynn Snyder**, Computer Services Librarian, designed and maintain the web page. In addition to their regular duties, they learned HTML, (HyperText Markup Language), designed the page format and found interesting links. Each liaised with other Law School staff to obtain information to be placed on the page. A student was hired temporarily to convert some ASCII text to HTML.

Want Your Own Web Page?

You, too, can launch your own web page courtesy of SCU. If you have an e-mail account you can house a personal homepage on the University's Alpha computer. (If you don't already have an e-mail account you can get one at the Kenna Lab). You can use your page to advertise yourself or devote it to a particular subject. Contact one of the staff members in charge of the web if you want us to link from the Law School Page to your page.

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