The Law Review of the Franklin Pierce Center for Intellectual Property
Volume 64 — Issue 1

Editorial Board

Editor-in-Chief
David Glass

Managing Editors
Emmeline Drake
Trevor Wilkinson

Lead Articles Editor
Joshua Hudon

Notes & Comments Editor
Ella McElwaine

Symposium & E-Media Editor
Robert Bronchick

Senior Editors
Matthew Arsenault
Mitchell Gross

Matthew Kelly
Andrea Pelloquin

Riley Wyberg

Associate Editors
Julia Burke
Colin Dean
Jena Evans
Dalton Ford

Eric Gardner
Andrea Hemberger
Rachel Mihlstin
Tom Relyea

Kerry Shamnoski
Thomas Splagounias
Annie Taylor
Kendall Zonghi

Faculty Advisor
Jon Cavicchi

University of New Hampshire Franklin Pierce School of Law
IDEA®: The Law Review of the Franklin Pierce Center for Intellectual Property (ISSN 0019-1272) is published 2-3 times a year by students of the University of New Hampshire Franklin Pierce School of Law (UNH Law), and provides practical articles relating to patent, copyright, trademark, trade secret, unfair competition, and general intellectual property law issues from around the world. Subscription information is available in the back of the Law Review.

Our mission is to be recognized worldwide as the premier intellectual property publication providing practical articles that timely address new, controversial, and potential developments in intellectual property law and related fields.

The opinions of the authors are not necessarily those of the Board of Editors, Editorial Advisory Board, Faculty Advisor(s), or UNH Law.

IDEA®: The Law Review of the Franklin Pierce Center for Intellectual Property is indexed in Current Law Index, Legal Resources Index, Index to Legal Periodicals, and Legal Contents and is available online on EBSCOhost®, HeinOnline®, WESTLAW®, LEXIS®, and at https://law.unh.edu/IDEA.

For additional information, call or write:

IDEA®: The Law Review of the Franklin Pierce Center for Intellectual Property
University of New Hampshire Franklin Pierce School of Law
Two White Street
Concord, New Hampshire 03301
United States of America
603.228.1541
subscriptions@law.unh.edu
https://law.unh.edu/IDEA

© 2023 University of New Hampshire Franklin Pierce School of Law

Copyright in all published material in this issue is retained by the respective authors pursuant to IDEA’s Publishing Agreement available on the website. Copyright in the collected work is retained by UNH Law. Where UNH Law holds copyright, it grants permission for copies of articles to be made for classroom use, provided that copies are distributed at or below cost; the author and IDEA: The Law Review of the Franklin Pierce Center for Intellectual Property are identified; proper notice of copyright is affixed to each copy; and IDEA: The Law Review of the Franklin Pierce Center for Intellectual Property is notified of the use.

Cite as: 64 IDEA __ (2023).

Notwithstanding anything to the contrary, IDEA should always be cited in the above-noted manner.
Subscriptions of IDEA run on a calendar year. If you have not paid for the next volume, directly or through your agent, please complete the new subscriber form at the end of the issue. Payment for Vol. 64 will be due no later than Jan. 31, 2024. Thank you for being a valued subscriber.
TABLE OF CONTENTS
VOLUME 64 — ISSUE 1

ARTICLES:

LICENSING THE USE OF INTELLECTUAL PROPERTY: THE TALE OF THE TWO FRANCHISING MARKET TYCOONS
Radwa Elsamal ..........................1

TRANSNATIONAL COMPETITION: FROM ENFORCEMENT OF FOREIGN UNFAIR COMPETITION JUDGMENTS TO GLOBAL TRADEMARKS
Naama Daniell .............................31

DEFEATING THE ECONOMIC THEORY OF COPYRIGHT: HOW THE NATURAL RIGHT TO SEEK KNOWLEDGE IS THE ONLY THEORY ABLE TO EXPLAIN THE ENTIRETY OF COPYRIGHT’S BALANCE
Michelle M. Wu ..........................135

THE LEGAL RISKS SURROUNDING USER-CREATED CONTENT IN VIDEO GAMES
Dennis Chau ...............................178

SHOT THROUGH THE HEART: HOW THE COVID-19 IP WAIVER GIVES PATENTS A BAD NAME AND HARMS THE ELDERLY
Mariam Khan .............................235