

# PITTSBURGH JOURNAL OF TECHNOLOGY LAW & POLICY

---

VOLUME 13

SPRING 2013

ISSUE 2

## TABLE OF CONTENTS

### *ARTICLES*

Being Social: Why the NCAA Has Forced Universities to Monitor Student-Athletes' Social Media

*Jamie P. Hopkins, Katie Hopkins & Bijan Whelton*

The Proper Basis for Exercising Jurisdiction in Internet Disputes: Strengthening State Boundaries or Moving Towards Unification?

*Niloufer Selvadurai*

The New Privacy Battle: How the Expanding Use of Drones Continues to Erode Our Concept of Privacy and Privacy Rights

*Chris Schlag*

---

### *STAFF ARTICLE SERIES*

Smartphone Wars: Emphasizing eBay's First Two Factors in Smartphone Patent Injunctions

*Christianna Edrington*

The Failure of State Texting-While-Driving Laws

*Cody J. Harding*

Ill Suited to the Digital Age: Fourth Amendment Exceptions and Cell Site Location Information Surveillance

*Michael T.E. Kalis*

Drawing the Line: The Legality of Using Wiretaps to Investigate Insider Trading

*Shane Miller*

Jailbroken: Examining the Policy and Legal Implications of iPhone Jailbreaking

*Kevin Rogers*

Copyright in the Mobile Media Era

*Krysta M. Smith*

First Amendment Concerns in Governmental Acquisition and Analysis of Mobile Device Location Data

*Gerald J. Votava III*

# PITTSBURGH JOURNAL OF TECHNOLOGY LAW & POLICY

---

VOLUME 13

SPRING 2013

ISSUE 2

## 2012-2013 EDITORIAL STAFF

### Board of Editors

#### *Editor-in-Chief*

ASHLEY W. EDWARDS

#### *Lead Executive Editor*

BRANDY S. RINGER

#### *Executive Editors*

KATIE HOPKINS

ROBERT MORGAN

SARAH PAULSWORTH

#### *Lead Articles Editor*

JASKIRAN KAUR

#### *Lead Research Editor*

MAGARET WEI

#### *Managing Editor*

LAURA GOMEZ-MARTIN

#### *Articles Editors*

SHANE MILLER

JOANNA RODRIGUEZ

#### *Research Editors*

SAMANTHA EISENBERG

KEVIN ROGERS

CHRIS SCHLAG

#### *Topics Editor*

EMILY HARPER

### Staff Editors

JULIANNA BECKER

MAUREEN COSGROVE

CHRISTIANNA EDRINGTON

GREGORY GRAHAM

PETER GROH

CODY HARDING

DHAIRYA JANI

MICHAEL KALIS

KEVIN LEARY

PO-CHIEN LO

COLETTE MENALDINO

ELIZABETH ORTON

JENNIE RYAN

RAYZA SANTIAGO

MELANIE SEIGEL

KRYSTA SMITH

GERALD J. VOTAVA III

#### *Faculty Advisors*

MICHAEL J. MADISON

KEVIN ASHLEY

#### *Document Technology Center Staff*

LUANN M. DRISCOLL, *Director*

PHYLLIS GENTILE

KAREN KNOCHER

DARLEEN MOCELLO

BARB SALOPEK

## *General Publication Information*

### **SUBSCRIBER INFORMATION**

The *Pittsburgh Journal of Technology Law & Policy* (JTLP) is edited and published two times each year (spring and fall) by the students of University of Pittsburgh School of Law.

**Correspondence.** Address all correspondence regarding permission to reprint to Managing Editor, *Pittsburgh Journal of Technology Law & Policy*, University of Pittsburgh School of Law, 3900 Forbes Avenue, Pittsburgh, PA 15260; [tlpjournal@gmail.com](mailto:tlpjournal@gmail.com). Authors: see section entitled *Information for Authors*.

**Form.** The text and citations in the JTLP conform generally to THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (Columbia Law Review Ass'n et al. eds., 19th ed. 2010). Please cite this issue of the *Pittsburgh Journal of Technology Law & Policy* as 13 PGH. J. Tech. L. & Pol'y [Art. #] (2013).

### **INFORMATION FOR AUTHORS**

The Editorial Board of the *Pittsburgh Journal of Technology Law & Policy* invites the submission of unsolicited manuscripts. Submissions may include articles, essays, case notes, or comments concerning any aspect of the relationship between technology and the law. If any portion of a manuscript has been previously published, the author should so indicate. On certain scholarly works, JTLP will publish concurrently with another journal.

**Format.** Authors may submit manuscripts in electronic or hardcopy form, though electronic submissions are strongly encouraged. Electronic submissions should be sent as attachments in Microsoft Word format to [pittjtlp.submissions@gmail.com](mailto:pittjtlp.submissions@gmail.com). Authors should submit double-spaced, single-sided manuscripts with generous margins. We regret that submissions cannot be returned. Authors should retain an exact copy of any material submitted.

**Citations.** All citations should conform to THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (Columbia Law Review Ass'n et al. eds., 19th ed. 2010). In addition, the author should include his or her credentials, including full name, degrees earned, academic or professional affiliations, and citations to all previously published legal articles.

**Copyrighted Material.** If manuscript contains any copyrighted table, chart, graph, illustration, photograph, or more than eight lines of text, the author must obtain written permission from the copyright holder for use of the material. A photocopy of such written permission should accompany the submission.

**Mailing Address.** The *Pittsburgh Journal of Technology Law & Policy* highly prefers electronic submissions sent as Microsoft Word attachments to [pittjtlp.submissions@gmail.com](mailto:pittjtlp.submissions@gmail.com). However, JTLP also accepts hardcopy manuscripts sent to:

Executive Editor  
*Pittsburgh Journal of Technology Law and Policy*  
University of Pittsburgh School of Law  
3900 Forbes Avenue  
Pittsburgh, Pennsylvania 15260

**Donors.** The *Pittsburgh Journal of Technology Law & Policy* is a nonprofit organization and welcomes donations. Donors are recognized appropriately for their contributions. For more information, contact the *Pittsburgh Journal of Technology Law & Policy*, University of Pittsburgh School of Law, 3900 Forbes Avenue, Pittsburgh, Pennsylvania 15260, or e-mail [tlpjournal@gmail.com](mailto:tlpjournal@gmail.com).