CONTENTS

**Foreword** ................................................. Joanne Irene Gabryniewicz  iii

**Articles**

The Community Patent and Space-
Related Inventions ........................................ Anna Maria Balsano
and Aude de Clercq  1

Baikonur Continues: The New Lease Agreement
Between Russia and Kazakhstan ....................... Maria Bjornerud  13

Appended Agreements:
On Basic Principles and Terms of the Utilization
of the Baikonur Cosmodrome Agreement Between
the Russian Federation and the Republic of
Kazakhstan, March 28, 1994 ............................. 26

Agreement Between the Russian Federation and the
Republic of Kazakhstan on the Cooperation in
the Effective Use of the Baikonur Facility,
January 9, 2004 ............................................ 32

Memorandum on Further Development of Cooperation
between the Russian Federation and the Republic
of Kazakhstan in Ensuring the Functioning of
the Baikonur Complex, January 9, 2004 ............... 35

First Hand Account of Selected Legal Issues
From the Recovery and Investigation of
the Space Shuttle Columbia ............................ Donna M. Shafer
and Amy Voigt LeConey  37
Criminal Jurisdiction on the *International Space Station* .......................................................... Hans P. Sinha 85

Liability for Global Navigation Satellite Services: A Comparative Analysis of GPS and *Galileo* .......................................................... Frans G. von der Dunk 129

**Commentary**

No Space Colonies: Creating a Space Civilization and the Need for a Defining Constitution .......................................................... George S. Robinson 169

**Bibliography:**

**Case Developments and Recent Publications**

Recent Space Law Cases and Publications ............................ Tracy Bowles 181

Books ........................................................................ 181
Articles ...................................................................... 181
Notes/Comments .......................................................... 182
Cases ......................................................................... 183
Other .......................................................................... 183
JOURNAL OF SPACE LAW

- Oxford, Mississippi -

UNIVERSITY OF MISSISSIPPI SCHOOL OF LAW
A JOURNAL DEVOTED TO SPACE LAW AND THE LEGAL PROBLEMS ARISING OUT OF HUMAN ACTIVITIES IN OUTER SPACE.

VOLUME 30  FALL 2004  NUMBER 2

CONTENTS

Foreword .................................................. Joanne Irene Gabrynowicz  iii

Articles
ICAQ's Involvement in Outer Space Affairs –
A Need for Closer Scrutiny? ......................... Ruvantissa Abeyratne  185

Use of Nuclear Power Sources in Outer Space:
Key Technology Legal Challenges ................. Isabelle Bouvet  203

An Introduction to Space Law for
Decision Makers ..................................... Joanne Irene Gabrynowicz  227
Jacqueline Ettil Serrao

Introduction au Droit de l'Espace
pour les Décideurs .......... Translated by Isabelle Bouvet  234

Introducción al Derecho del Espacio
para los Responsables de la toma de
Decisiones ...... Translated by Virginia Rodríguez Serrano  241

A Mosquito in the Ointment: Adverse HIPAA
Implications for Health-Related Remote Sensing
Research and a “Reasonable” Solution ............ Paul M. Secunda  251

An International Space Authority:
A Governance Model for a
Space Commercialization Regime ................... Yun Zhao  277
Case Note
Nemitz v. United States, A Case of
   First Impression: Appropriation, Private Property Rights and Space Law before the Federal Courts of the United States...............Robert Kelly 297

Commentary
Maintaining International Space Cooperation for Peaceful Uses .........................Eilene Galloway 311

Bibliography:
Case Developments and Recent Publications
Recent Space Law Cases and Publications.................Laura Dyer 317
   Law Journal Articles .......................................................... 317
   Cases ........................................................................ 317
   United States Government Documents...................... 317
   Russian Space Law ................. by Maria Nikolaevna Bjornerud 318
   Press Releases and News Articles ........................................ 319
CONTENTS

Foreword ..................................................Joanne Irene Gabrynowicz iii

Call for Papers ............................................................. vi

Articles
Space Travel Law (and Politics): The Evolution of the Commercial Space Launch Amendments Act of 2004 ...........................................Timothy Robert Hughes Esta Rosenberg 1


Interplanetary Contamination: The Ultimate Challenge for Environmental and Constitutional Lawyers? .....................George S. Robinson 117

Legal Aspects of Reusable Launch Vehicles ................................Varlin J. Vissépó 165

Commentary
The Evolutionary Stages of the Legal Subcommittee of the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) ....................Sergio Marchisio 219
Bibliography:

Case Developments and Recent Publications

Space Law and Relevant Publications .................. Keishunna Randall 243
Jamie Rutland

<table>
<thead>
<tr>
<th>Category</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Articles</td>
<td>243</td>
</tr>
<tr>
<td>Comments/Notes</td>
<td>244</td>
</tr>
<tr>
<td>Books</td>
<td>245</td>
</tr>
<tr>
<td>United States' Pending Legislation</td>
<td>245</td>
</tr>
<tr>
<td>Agreements</td>
<td>245</td>
</tr>
</tbody>
</table>
CONTENTS

Foreword .............................................Joanne Irene Gabrynowicz iii

Call for Papers .................................................. vi

Articles
Satellite Distribution in Meteorological Forecasts
for Air Navigation ........................................ Ruwantissa Abeyratne 247

Chinese-Brazilian Protocol on Distribution of
CBERS Products .............................................João Monserrat Filho
Álvaro Fabrício dos Santos 271

Appended Protocol:
Complementary Protocol to the Framework Agreement
Between the Government of the People's Republic of China
and the Government of the Federative Republic of Brazil
on Cooperation in the Peaceful Application of Outer Space
Science and Technology on the Cooperation for the CBERS
Application System

The Ballistic Missile Defense System
and its Effects on the Outer
Space Environment ........................................Steven A. Mirmina 287

International Cooperation for Sustainable
Space Development ........................................Chukeat Noichim 315
Satellite Earth Observation as “Systematic Observation” in Multilateral Environmental Treaties............Masami Onoda 339

Commentary
Space Law in its Second Half-Century.......Glenn Harlan Reynolds 413

Update
Report of the IISL Space Law Colloquium
in Vancouver, Canada, October 2004..................Patrick Salin 423
Macha Ejova
Ali Akbar Golrounia
Kenneth Weidaw
Martha Mejia
(edited by Tanja Masson-Zwaan)

Practice Note
Preparing Written Briefs for International Law Competitions: A Primer .........................Stephen E. Doyle 447

Book Review
MAKING SPACE HAPPEN: PRIVATE SPACE VENTURES AND THE VISIONARIES BEHIND THEM
By Paula Berinstein.............................................Reviewed by Diane Howard 459

Bibliography:
Case Developments and Recent Publications
Recent Space Law Cases and Publications .....Keishunna Randall 467
Katrina Sandifer
Law Review Articles.................................................. 467
Notes and Comments.............................................. 468
Books....................................................................... 468
United States Executive Office Papers......................... 468
United States Proposed and Enacted Legislation............. 468
United States' Pending Cases .................................... 469
Agreements.............................................................. 469
JOURNAL OF SPACE LAW

UNIVERSITY OF MISSISSIPPI SCHOOL OF LAW
A JOURNAL DEVOTED TO SPACE LAW AND THE LEGAL PROBLEMS ARISING OUT OF HUMAN ACTIVITIES IN OUTER SPACE.

VOLUME 32  SUMMER 2006  NUMBER 1

-THE VISION FOR SPACE EXPLORATION:
A DEDICATED ISSUE-

CONTENTS

Foreword.............................................................Joanne Irene Gabrynowicz iii

Call for Papers ........................................................................ vii

Articles
A Competitive Environment in Outer Space..........................P.P.C. Haanappel 1

Asylum-Seekers in Outer Space, a Perspective on the Intersection between International Space Law and U.S. Immigration Law.........................Marc M. Harrold 15

Legal Issues Relating to the Global Public Interest in Outer Space........................................Ram Jakhu 31

Organizational Conflicts of Interest:
A Practical Legal Issue in Implementing the Vision for Space Exploration,
A View from the Trenches .............................................Eve Lyon 111

Transcending to a Space Civilization:
The Next Three Steps Toward a Defining Constitution ..................George S. Robinson 147
The Status of the Outer Space Treaty at International Law During “War” and “Those Measures Short of War” .................... LaToya Tate 177

Case Note

Commentary
The Vision for Space Exploration: Expanding the Envelope for Space Law Debates............. Marcia S. Smith 217

Book Review
UNREAL ESTATE: THE MEN WHO SOLD THE MOON
By Virgiliu Pop .................. Reviewed by James A. Vedda 223

Bibliography:
Case Developments and Recent Publications
Recent Space Law Cases and Publications ........ Brandon Newman 227
Law Review Articles ................................................................. 227
Law Review Comments/Notes .............................................. 228
United States’ Pending Legislation and Regulation .................. 228
JOURNAL OF SPACE LAW

UNIVERSITY OF MISSISSIPPI SCHOOL OF LAW
A JOURNAL DEVOTED TO SPACE LAW AND THE LEGAL PROBLEMS ARISING OUT OF HUMAN ACTIVITIES IN OUTER SPACE.

VOLUME 32 WINTER 2006 NUMBER 2

DIVERGENCES AND CONVERGENCES – SPACE LAW AND INTELLECTUAL PROPERTY REGIMES: A DEDICATED ISSUE

CONTENTS

Foreword ............................................. Joanne Irene Gabrynowicz iii

Call for Papers .................................................. vii

Articles
Outer Space Activities and Intellectual Property Protection in Nigeria ..................................... Tare Brisibe 229

How on Earth Terrestrial Laws Can Protect Geospatial Data ............................................. Julie D. Cromer 253

Copyright Claims for Meteosat and Landsat Images Under Court Challenge ...................... Martha Mejía-Kaiser 293

Comment: Intellectual Property in Outer Space: International Law, National Jurisdiction, and Exclusive Rights in Geospatial Data and Databases ...................................... Lee Ann W. Lockridge 319

Of Gardens and Streets: A Differentiated Model of Property in International and National Space Law ......................................................... Kali N. Murray 361
Symposium Transcript: Opening and Closing Statements;
Practitioner's Panel
Intellectual Property Resources In and For Space:
The Practitioner's Experience .......................Gary G. Borda 385
Joanne Irene Gabrynowicz
Pam L. Meredith
Gary Myers
Bradford Lee Smith
William Wilkins

Report
Report of the IISL Space Law Colloquium
In Fukuoka, Japan, October 2005...........Tanja Masson-Zwaan 421

Agreement
Framework Agreement Between the Government
of the United States of America and the
Government of the French Republic for
Cooperative Activities in the Exploration
and Use of Outer Space for
Peaceful Purposes.............................................. 447

Bibliography:
Space Law and Relevant Publications .......... Macey L. Edmondson 465
Case Law.......................................................... 465
Law Review Articles........................................... 465
Periodical Materials........................................... 466
Books................................................................ 466
Proceedings....................................................... 467
Pending Legislation and Regulation............... 467

Errata ................................................................ 469
<table>
<thead>
<tr>
<th>CONTENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreword .................................................................................. Joanne Irene Gabrynowicz  iii</td>
</tr>
<tr>
<td>Call for Papers ........................................................................... vi</td>
</tr>
<tr>
<td>Articles</td>
</tr>
<tr>
<td>The Evolution of U.S. National Security Space Policy and its Legal Foundations in the 20th Century. R. Cargill Hall 1</td>
</tr>
<tr>
<td>What is “Informed Consent” for Space-Flight Participants in the Soon-To-Launch Space Tourism Industry? Tracey Knutson 105</td>
</tr>
<tr>
<td>A Review of the Space Development Promotion Act of the Republic of Korea Yoon Lee 123</td>
</tr>
<tr>
<td>China’s ASAT Test: A Demonstrated Need for Legal Reform K.K. Nair 191</td>
</tr>
<tr>
<td>Legal Certification of Digital Data: The Earth Resources Observation and Science Data Center Project Ronald J. Rychlak 195 Joanne Irene Gabrynowicz Rick Crowsey</td>
</tr>
<tr>
<td>The Effect of the Liability Convention on National Space Legislation Susan Trepczynski 221</td>
</tr>
</tbody>
</table>
Student Paper
International and U.S. National Laws Affecting
Commercial Space Tourism: How ITAR
Tips the Balance Struck Between
International Law and the CSLAA .......... Charles W. Stotler 245

Agreement
European Cooperating State Agreement between
the European Space Agency and the
Government of the Republic of Poland .................... 269

Bibliography:
Space Law and Relevant Publications .......... Macey L. Edmondson 295
Case Law ................................................................. 295
Law Review Articles ................................................ 296
Periodical Materials ............................................... 296
Books ................................................................. 296
CONTENTS

Foreword ......................................................... Joanne Irene Gabrynowicz iii

Call for Papers .......................................................... viii

Articles
Jurisdiction in Outer Space: Challenges of Private Individuals in Space ...................... P.J. Blount 299

Patent Rights Under Space Act Agreements and Procurement Contracts: A Comparison by the Examination of NASA’s Commercial Orbital Transportation Services (COTS) ...... Tiphany Baker Dickerson 341

Space Tourism Activities – Emerging Challenges to Air and Space Law? ...................... Stephan Hobe 359
Gérardine Meishan Goh
Julia Neumann

Suborbital Space Tourism Flights: An Overview of Some Regulatory Issues at the Interface of Air and Space Law .............................................................. Melanie Walker 375

A Study of Aerospace Legislation of China .................. Qi Yongliang 405
Case Note
Corporate-Sovereign Symbiosis:
Wilson v. ImageSat International, Shareholders’
Actions, and the Dualistic Nature of
State-Owned Corporations ............................... Jason A. Crook 411

Commentary
National Space Legislation in Mainland China ............... Yun Zhao 427

Law
Chinese Law: Registration, Launching and Licensing Space Objects:
1) Order No. 6 of the Commission of Science, Technology, and Industry for National Defense and the Ministry of Foreign Affairs of the People’s Republic of China, 8 February 2001;

Annex: National Registration Form of Space Objects


Annex: Application Form for Licensing the Project
of Launching Civil Space Objects ............................. 437

Japanese Law: Geospatial Information
Utilization Promotion Bill of
May 30, 2007 ................................................................ 459

Book Review
Direito e Política na Era Espacial: Podemos ser Mais
Justos no Espaço de que na Terra? (Law and Policy
in the Space Age: Can We Be More Just [or Equitable]
in Space Than on Earth?)
By José Monserrat Filho .................. Reviewed by Sylvia Ospina 473

Bibliography:
Space Law and Relevant Publications ....................... P.J. Blount 485
Case Law ....................................................................... 485
Law Review Articles ..................................................... 486
Books .............................................................................. 486
THE 2ND INTERNATIONAL CONFERENCE ON THE STATE OF REMOTE SENSING LAW

CONTENTS

Foreword ................................................................. Joanne Irene Gabrynowicz iii

Call for Papers ........................................................................................................ v

Articles
French Remote Sensing Law .................................................. Philippe Achilleas 1

Current Status and Recent Developments in Brazilian Remote Sensing Law ....... Hilcéa Santos Ferreira
Gilberto Câmara


Current Status and Recent Developments in UK and European Remote Sensing Law and Policy ............................................................... Ray Harris 33

Improvement to the Legal Regime for the Effective use of Satellite Remote Sensing Data for Disaster Management and Protection of the Environment .......................................... Atsuyo Ito 45

First Licence Issued Under Canada’s Remote Sensing Satellite Legislation ................ Bruce W. Mann 67
Belgian Legal Framework for Earth Observation Activities. *Jean-François Mayence* 89

Current Status and Recent Developments in German Remote Sensing Law. *Dr. Bernhard Schmidt-Tedd* 97
*Max Kroymann*

The U.N. General Assembly Resolution 62/101 of 17 December 2007 on “Recommendations on Enhancing the Practice of States and International Intergovernmental Organizations in Registering Space Objects.” *Kai-Uwe Schrogl* 141
*Niklas Hedman*

**Commentary**
Lost in Space: A Practitioner’s First-Hand Perspective on Reforming the U.S.’s Obsolete, Arrogant, and Counterproductive Export Control Regime for Space-Related Systems and Technologies. *Mike N. Gold* 163

**Bibliography:**
Aviation and Space Law: Relevant Publications. *P.J. Blount* 187
Aviation
- Cases. .................................................. 187
- Law Review Articles. .................................. 192
- Regulations. ......................................... 195
- Books. .................................................. 195
- Other Documents. .................................... 195
Space Law
- Cases. .................................................. 196
- Administrative Decisions, Statements, etc. ........ 197
- Law Review Articles. .................................. 197
- Regulations. ......................................... 200
- Treaties. ............................................. 200
- Books. .................................................. 200
- Other Documents. .................................... 201
JOURNAL OF SPACE LAW

UNIVERSITY OF MISSISSIPPI SCHOOL OF LAW
A JOURNAL DEVOTED TO SPACE LAW AND THE LEGAL PROBLEMS ARISING OUT OF HUMAN ACTIVITIES IN OUTER SPACE.

VOLUME 34 WINTER 2008 NUMBER 2

CONTENTS

Foreword .................................................Joanne Irene Gabrynowicz iii

Call for Papers ...................................................... vii

Articles
Special Section: 50th Anniversary of the National Aeronautics and Space Act
The National Aeronautics and Space
Act of 1958: Revisited................................. Paul G. Dembling 203

50 Years Later: Serving a Space Agency
Client – The Lawyer’s Role in International
Space Cooperation ................................. Robin J. Frank 221

The Extra-Territorial Reach of U.S. Patent Law on
Space-Related Activities: Does the
"International Shoe" Fit as We
Reach for the Stars? ................................. Kurt G. Hammerle 241

Space Act Agreements:
A Practitioner’s Guide................................. David S. Schuman 277

On-orbit Satellite Destruction and Space Debris
Reflections upon the Notion of Liability:
The Instances of Kosmos 954 and
Space Debris ............................................. Andrew Brearley 291

FY-1C and USA-193 ASAT Intercepts:
An Assessment of Legal Obligations under
Article IX of the Outer Space Treaty ......... Michael C. Mineiro 321
Other Articles
International Space Exploration and
Critical Transparency of Basic Research:
Impact of the U.S. International
Traffic in Arms Regulations ......................George S. Robinson 357
Eric McAdamis

A Sleeping Beauty Awakens: The 1968
Rescue Agreement after Forty Years ...Frans G. von der Dunk 411

Law
France, LOI no 2008-518 du 3 juin 2008
relative aux opérations spatiales
(Law No. 2008-518 of 3 June 2008
related to space operations) ...................................... 435

Japan, Fundamental Act of Outer Space
(Law No.43, 2008) ....................................................... 471

Iran, Statute of the Iranian Space Agency
(2005 & 2008) .......................................................... 487

Casenote
The Privatization of Public Policy: EOSAT v. NASA
and the Application of Antitrust Liability to
Federally-Supported Monopolies .......................Jason A. Crook 497

Bibliography:
Aviation and Space Law: Relevant Publications .......... P.J. Blount 525

Aviation Law
Legislation and Regulations .................................. 525
Cases..................................................................... 527
Administrative Decisions ..................................... 529
Articles .................................................................. 530
Books and Reports ................................................. 535

Space Law
International Agreements ..................................... 536
Legislation and Regulations .................................. 536
Cases..................................................................... 537
Administrative Decisions ..................................... 538
Articles .................................................................. 539
Books and Reports ................................................. 542