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Front Matter

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FROM THE DESK OF THE EDITOR-IN-CHIEF

Robots, Reality & Responsibility

Dear Readers,

Welcome to Volume 27, Issue 2 of the Michigan Technology Law Review (MTLR)! We are grateful for your audience, and we hope you find the pieces in this issue not only informative, but also enlightening. In this issue, we have pieces exploring the appropriate liability standard for “reasonable algorithms,” presenting a novel solution to data portability barriers, and arguing for a balanced approach in any changes to copyright safe harbors for Internet Service Providers. We also have a student note from one of our very own MTLR editors critiquing legislation that prohibits research and regulation of therapies for carriers of mitochondrial diseases.

This issue is also special because of two essays we are featuring to explore the law and legal implications from the world of science fiction. Camilla Hrdy and Dan Brean present how enablement requirements are not only for “real world” patents, but also for creations and technologies that come to life in the genre. Marc Blitz delves through the work of Philip K. Dick to explore government regulation and protection of thoughts created through virtual reality.

On a more serious note, MTLR also acknowledges the brutal ongoing reality that people of color, in particular Black communities, experience as a result of systemic racism and the technologies that bolster systems of oppression. We will use our platform not only to highlight scholarship on the pernicious effects of racism, but also to hold ourselves and the scholars we publish accountable.

This year, MTLR proudly joined the effort led by the Michigan Journal of Race & Law to publish works on critical race theory and each Michigan Law journal’s specialty field. 26 MICH. J. RACE & L. (SPECIAL ISSUE) (2021) (Michigan Law on Race & Law, published in collaboration with each University of Michigan Law School journal). We encourage you to delve through this scholarship, in particular our featured piece by Jessica Eaglin titled When Critical Race Theory Enters the Law & Technology Frame. Eaglin argues how race and technology are co-productive, and the use of technologies to solve social issues often fails to consider how the laws and technology themselves come about from a racialized context.

MTLR echoes the enduring call for equity in society. Technology drives improvements in our lives, but we must recognize when technology leads to the oppression of fellow humans. The beauty of science fiction is that the genre provides us a glimpse of an exciting future through innovative technology. But we must ensure that technology does not perpetuate a racist future.

C.M.M.N.