

# Washington Law Review

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## Contents

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# WASHINGTON LAW REVIEW

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### Articles

- The Allocation of Jurisdiction Between State and Federal Courts  
in Patent Litigation *Donald Shelby Chisum* 633

A proper jurisdictional balance between state and federal court systems has long been a goal of federal statutes granting jurisdiction over patent matters to the federal courts. Prompted by the recent decision of the United States Court of Appeals for the Ninth Circuit in *Koratron Co. v. Deering Milliken, Inc.*, Professor Chisum considers the general problem of the jurisdiction of federal and state courts over cases concerning questions of federal law and then focuses on the specific problem of jurisdiction over cases involving federal patent law. The article begins with a discussion of the history of statutes granting patent jurisdiction to federal courts and concludes with an evaluation of the present division of jurisdiction in patent matters between state and federal courts.

### Comments

- Auditors' Third Party Liability: An Ill-Considered Extension of  
the Law 675

Numerous legal commentators have recently advocated an extension of auditors' professional liability to third-party users of financial statements, with the dual purposes of inducing improved disclosure in financial statements and obtaining restitution for investors injured by misleading statements, and some judicial decisions have adopted such an expanded liability. This comment evaluates the probable effectiveness and effects of such expanded liability, concluding that the expansion is unlikely to obtain either of its stated objectives and that such an expansion is likely to create pressures upon the cost and availability of audits which will be injurious to both investors and users of capital and will impede the resource-allocating capability of the economy.

- Too Little Land, Too Many Heirs—The Indian Heirship Land  
Problem 709

The poverty of the American Indian has been intensified by a number of long-established federal land policies which have resulted in the progressive fractionation of land ownership so that much Indian land cannot be used effectively. This comment describes the origins and present dimensions of the Indian land heirship problem and the existing laws concerning the devolution of Indian land, and concludes with an analysis of the various statutory solutions which have been proposed to alleviate the problem.

- The Shutoff of Utility Services for Nonpayment: A Plight of the  
Poor 745

The shutoff of essential utility services for nonpayment causes immeasurable hardship to many poor individuals. This comment examines the existing situation and suggests possible reforms aimed at immediate alleviation of the hardships. The role of the courts and regulatory agencies is examined but the primary focus is on the minimum alteration of existing policies necessary to provide immediate and substantial relief. An insight into the existing shutoff policies of utilities is provided by an appendix summarizing a survey of utility policies through the United States.

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Address all correspondence to: Washington Law Review  
306 Condon Hall  
University of Washington  
Seattle, Washington 98105