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| 招生學年度 | 100 | 招生類別 | 碩士班 |
| 系所班別 | 財經法律研究所碩士班 | | |
| 科目 | 專業語文測驗 | | |
| 注意事項 | 滿分為 60 分；中英文綜合命題 | | |

一、名詞翻譯

(1). 中翻英 (10%)

1. 定型化契約 2. 水平結合 3. 真品平行輸入 4. 比例原則 5. 董事會

(2). 英翻中 (10%)

1. Multi-level sales 2. Moral rights 3. Trademark dilution 4. Plaintiff
5. Articles of association

二、全文翻譯

(1). Where it is necessary for the State to engage in mass collection and storage of the people's fingerprints and set up databases to keep same for the purposes of any particular major public interest, it shall not only prescribe by law the purposes of such collection, which shall be necessary and relevant to the achievement of the purposes of such major public interest, but also prohibit by law any use other than the statutory purposes. Having taken into account the contemporary development of relevant technologies, the competent authority shall engage in the aforesaid collection in a manner that is sufficient to ensure the accuracy and safety of the information, and take any and all necessary protective measures both organizationally and procedurally as to the files of fingerprints so collected so as to be in line with the constitutional intent to protect the people's right of information privacy. (13%)

(2). The central purpose of this investigation is to see, in Justice Story's words, whether the new work merely "supersedes the objects" of the original creation, or instead adds something new, with a further purpose or different character,

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altering the first with new expression, meaning, or message; it asks, in other words, whether and to what extent the new work is "transformative."

The goal of copyright, to promote science and the arts, is generally furthered by the creation of transformative works. Such works thus lie at the heart of the fair use doctrine's guarantee of breathing space within the confines of copyright, and the more transformative the new work, the less will be the significance of other factors, like commercialism, that may weigh against a finding of fair use. (14%)

(3). The term "concerted action" as used in this Law means the conduct of any enterprise, by means of contract, agreement or any other form of mutual understanding, with any other competing enterprise, to jointly determine the price of goods or services, or to limit the terms of quantity, technology, products, facilities, trading counterparts, or trading territory with respect to such goods and services, etc., and thereby to restrict each other's business activities.

The term "concerted action" as used in the preceding paragraph is limited to horizontal concerted action at the same production and/or marketing stage which would affect the market function of production, trade in goods, or supply and demand of services. (13%)