

# 國立臺北大學 112 學年度碩士班一般入學考試試題

系（所）組別：法律學系（基礎法學組、公法學組、刑事法學組、  
財經法學組、國際法學組、法律專業組）

科目：英文

第1頁 共5頁

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**Part I** : Choose the best answer (2% for each question)

Quote from the insightful same-sex marriage debate in the milestone Supreme Court case decision *Obergefell v. Hodges*, 576 U.S. 644 (2015) and its famous dissenting opinion:

Majority opinion

"No union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice, and family. In 1 a marital union, two people 2 something greater 3 once they were. As some of the petitioners in these cases demonstrate, marriage embodies a love that may endure even past death. It would misunderstand these men and women to say they disrespect the idea of marriage. Their plea is that they do respect it, respect it so deeply that they seek to find its fulfillment for 4. Their hope is not to be 5 live in loneliness, excluded from one of civilization's oldest institutions. They ask for equal 6 in the eyes of the law. The Constitution grants them that right."

Roberts Dissenting opinion:

"7 well what this dissent is about: It is not about 8, in my judgment, the institution of marriage should be changed to include same-sex couples. It is instead about whether, in our democratic republic, that decision should rest with the people acting through their elected representatives, or with five lawyers who 9 to hold commissions authorizing them to 10 legal disputes according to law. The Constitution leaves no doubt about the answer."

1. (A) formal (B) information (C) forming (D) formatting
2. (A) became (B) becomes (C) came (D) become
3. (A) rather (B) even if (C) than (D) then
4. (A) them (B) us (C) themselves (D) they
5. (A) condemned (B) condemnes (C) condemned to (D) recommend
6. (A) dignity (B) digital (C) digity (D) dignital
7. (A) Understanding (B) Understand (C) Understood (D) Understands
8. (A) weather (B) whether (C) either (D) neither
9. (A) happens (B) happen (C) happening (D) happened
10. (A) resolved (B) resolve (C) repute (D) reputed

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**Part II** : Choose the best answer (2% for each question)

11. The rising tide of the COVID-19 infection rate has \_\_\_\_\_ people's concerns.  
(A) aroused (B) arouse (C) rise (D) rosed
12. The canoe paddle is hardly proper for you, \_\_\_\_\_ ?  
(A) are it (B) is it (C) isn't it (D) doesn't it
13. Equal pay is a crucial indicator of human rights. It means men \_\_\_\_\_ women in the same position should be compensated equally.  
(A) to (B) as well as (C) as to (D) with
14. The beautiful lake in the national park must be a fantastic picture \_\_\_\_\_ I should never be tired.  
(A) that (B) of which (C) which (D) in that
15. Helen is so busy \_\_\_\_\_ her interview and literature review during the winter vacation.  
(A) do (B) doing (C) doesing (D) done
16. But for many efforts and passions in the past several years in medical school, Ann \_\_\_\_\_ medical research career.  
(A) would not devoting in (B) would not have been devoted on (C) would not have been devoted in (D) would not have been devoted at
17. The keynote speaker has made up his mind to defer her \_\_\_\_\_ to the conference for a week.  
(A) to arrive (B) arrived (C) arriving (D) arrive
18. Grandmother always insists \_\_\_\_\_ giving all of her grandchildren gifts on the Lunar New Year's Eve.  
(A) into (B) of (C) on (D) in
19. The clothes factory's labor union urged consumers to \_\_\_\_\_ products from the sweatshop.  
(A) purchase (B) support (C) boycott (D) girlcott
20. When the decision is hard to make, we should \_\_\_\_\_ someone who knows better for advice.  
(A) turn in (B) turn out (C) turn to (D) turn
21. If James had studied the theory last year, he \_\_\_\_\_ graduate this semester.  
(A) is able to (B) should be able to (C) had been able (D) be able to
22. COVID-19 has many influences \_\_\_\_\_ local college students, especially regarding their social life.  
(A) for (B) on (C) in (D) at

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23. Due to the debt in my family, never \_\_\_\_ have the chance to go to school when I was young.

(A) do I (B) did I (C) does I (D) I did

24. As a lawyer, I believe that someday the truth of this case will \_\_\_\_ and justice will be served.

(A) be carried out (B) come to light (C) come true (D) come together

25. Every emergency agent should learn how to make people \_\_\_\_ when someone faints.

(A) come to (B) becomes (C) came (D) go

**Part III** : Please read the following paragraph and find the best answer to each question. (3% for each question)

Amy bought a car from car dealer Ben. The car was manufactured by Cathy. Amy had an accident while driving the car and got injured. Amy claimed that the car was defective when it was sold, and sued Ben.

26. In this lawsuit, Amy is a: (A) offeree (B) assignor (C) endorser (D) plaintiff.

27. In this lawsuit, Ben is a: (A) appellant (B) defendant (C) promisee (D) grantor.

28. As for Cathy, Cathy can be legally responsible in a separate lawsuit on the ground of: (A) property law (B) freedom of contract (C) automobile products liability (D) Amy's car insurance terms.

29. Which kind of legal remedy is most possible for a consumer like Amy: (A) damages (B) injunction (C) statutory limitations (D) liquidation.

**Part IV** : Please read the following paragraph and find the best answer to each question. (3% for each question)

On January 1, 2023, works which were protected by U.S. Copyright law in 1927 entered the **public domain**. Copyright terms are longer in the US than most other countries in the world. In 1790, when the U.S. Congress enacted the first copyright law, protection for authors only lasted for 14 years. The terms were gradually lengthened, and in 1998 the Sonny Bono Act was passed and extended them to life of the author plus 70 years and for works of corporate authorship to 120 years after creation or 95 years after publication, whichever end is earlier. For works published before January 1, 1978, the 1998 law extended the renewal term from 47 years to 67 years, granting a total of 95 years.

30. Which of the following descriptions regarding copyright law is **not true**: (A) Copyright law protects original works of authorship. (B) Trademark law is one subcategory of Copyright law. (C) The purpose of copyright protection is to create incentives for authors. (D) Plagiarism is one kind of violation of copyright.

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31. Entering into public domain means: (A) Original works are now owned by the government. (B) Individual is able to claim authorship of original works on a first-come-first-served basis. (C) Individuals are able to reproduce original works to make profits. (D) Original works become digitalized.
32. Which one of the following works is protected by the 1998 the Sonny Bono Law as of now: (A) Sound recording of *Liebesleid* played by Sergei Rachmaninoff in 1926. (B) *The Case-Book of Sherlock Holmes* written by Arthur Conan Doyle in 1927. (C) Mickey Mouse portrayed in film *Steamboat Willie* in 1928. (D) A slogan *The Pause that Refreshes* promoted by the Coca-Cola Company in 1929.
33. Which of the following is the **least possible** cause of the passing of the 1998 bill? (A) Congressman Sonny Bono's endorsement of the law. (B) Special interest lobbying in congress. (C) The Walt Disney Company's support of the bill. (D) The Clinton-Lewinsky scandal in 1998.

**Part V** : Please read the following paragraph and find the best answer to each question. (3% for each question)

In 1997, a Michigan state resident Alice was denied admission to the University of Michigan Law School. Alice sued the university over its policy of affirmative action, which considered race as a factor in the admission process. Alice claimed that the University of Michigan admitted less-qualified minority applicants in violation of federal civil rights laws and the equal protection clause of the Fourteenth Amendment of the U.S. Constitution. The U.S. Supreme Court upheld the use of affirmative action in higher education. "Student-body diversity is a compelling state interest that can justify the use of race in university admissions," the Court said. But the Court emphasized that the University had to continue to conduct a thorough review of each applicant's qualifications and exclude the use of a racial quota system—meaning setting aside a specific number of offers for minority applicants.

34. Choose the most probable description that fits Alice: (A) White university graduate and local to Michigan. (B) Native American raised in Indian tribes. (C) Three fourths black and politically active. (D) Transgender with military training experience.
35. Which of the following arguments is most probable to be raised by **Alice** to challenge the admission policy in question: (A) It is important to secure a larger number of minority students so that they do not feel isolated or become spokespersons of their race. (B) The admission policy makes preferable discriminations based on race. (C) Freedom of expression is violated as a result of a racial quota system. (D) One goal of the admission policy is to achieve wealth redistribution.



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36. Which of the following courts in Taiwan carries the same function as the U.S. Supreme Court does in this context:  
(A) The Grand Chamber (B) The Supreme Court (C) The Constitutional Court (D) The Ministry of Justice.
37. The U.S. Supreme Court **upheld** the use of affirmative action in higher education, meaning: (A) Affirmative action is constitutional. (B) Affirmative action is constitutional but this opinion is not binding for future cases. (C) Affirmative action is declared unconstitutional. (D) Affirmative action will become unconstitutional after a certain period of time.
38. Which of the following is **not** a possible result of this decision: (A) Universities consider alternative ways to increase student-body diversity. (B) Racial quota system continues to be prohibited. (C) Applicants to University of Michigan are asked about their races in application documents. (D) Minority enrollment at the University of Michigan Law School drops drastically.

**Part VI** : Please translate the following legal terms to English.

39. 正當防衛 (2%)
40. 逮捕令 (2%)
41. 立法條文解釋 (2%)
42. 遺囑 (2%)
43. 股東集體訴訟 (3%)

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