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TEAM COMPOSITION

1.1 Team Composition
Each team should be composed of two (2) competitors, with an optional “third writer.” Team members are expected to share equally in brief-writing responsibilities. The two (2) registered competitors must be the same two (2) competitors that contribute to the brief and compete in all rounds of oral argument. While “third writers” are permitted, they may not compete in the oral arguments. Neither student nor faculty coaches may assist competitors with their briefs in any capacity.

1.2 Team Substitution
Teams may not substitute competitors after submission of the certification and service of the brief. A team faced with extenuating circumstances may seek an exception to this rule by emailing:

eteman@law.cardozo.yu.edu
and cc’ing both:
fameiplcompetition@gmail.com and
cardozomootcourt@gmail.com

Exceptions will be granted only in the event of a sudden and unforeseen circumstance and are solely within the discretion of the Cardozo Moot Court Honor Society Executive Board.

1.3 Ghost Teams
No team from the Benjamin N. Cardozo School of Law may compete in the competition. However, in the event that there are an odd number of teams competing, a Cardozo “ghost team” may argue during Preliminary Rounds. Consistent with the blind-scoring policy, neither the opposing team nor the judges will be informed of the ghost team’s participation. The ghost team will be scored as a competing team but will not advance past the Preliminary Round.

BRIEFS

2.1 Briefs Generally
Teams will be assigned to write a brief as either the Petitioner or the Respondent. While each team will submit only one (1) brief, teams will be required to argue as both
Petitioner and Respondent during the competition’s oral argument rounds. Failure to adhere to the following rules will result in point deductions from the final brief score.

2.2 Format
2.2.1 All briefs must be uniform in style, in 12-point Times New Roman font for all brief contents with the exception of the cover page. Footnotes must be in 10-point font. Headings and subheadings may be highlighted, italicized, or bolded.

2.2.2 All briefs must have one-inch margins on all sides. Page numbers may be placed outside these margins. Quotes of more than fifty (50) words shall be formatted in accordance with The Bluebook: A Uniform System of Citation – 21st Edition (“The Bluebook”) and indented from the main text on the left and right one inch.

2.2.3 All briefs must only use double-spaced text. Footnotes, headings, subheadings may be single spaced; quotes longer than fifty (50) words shall be single-spaced per The Bluebook.

2.2.4 All briefs must include a cover page, table of contents, table of authorities, questions presented, summary of relevant facts, summary of the argument, argument, and conclusion. No formal statement of jurisdiction is required. Briefs must use citations as prescribed by the current edition of The Bluebook.

2.2.5 Cover pages should include the name of the court (i.e. The Supreme Court of the United States), the name of the case, the title of the document (i.e. Brief for Respondents or Brief for Petitioner), the team number in the bottom right hand corner, and the word count in the bottom right hand corner.

2.2.6 All briefs must be thirty (30) pages or fewer in length. Any partially filled page will count as one (1) page. This page limit does not include the cover page, questions presented, table of contents, table of authorities, or appendix (if needed). Appendices may only be used if necessary to provide relevant statutory text or other material not generally available. The page limit is inclusive of the summary of the facts, summary of the argument, argument, and conclusion sections. The cover page should not be numbered.

2.2.7 The table of contents and table of authorities should be numbered using Roman numerals; the remainder of the brief, including appendices, should be numbered using Arabic numerals.

2.2.8 All briefs must include a word count on the cover page. This includes headings, subheadings, and footnotes. This does not include the cover page, tables, and appendices. Include this word count on the bottom right-hand side of the cover page of the brief (e.g. “Word Count: ____”).

2.3 Identification
Competitor and law school names may not appear anywhere on the brief. Each team’s
assigned team number must appear in the lower right-hand corner of the brief cover
page. DO NOT include the team’s competitor names or law school on the cover page.
Briefs must not be signed or in any way identify a team’s school or its members.

2.4 Affirmation. Competitors must certify that they prepared their brief in accordance with
these rules and that it represents the competitors’ work alone without assistance. A signed
Affirmation certifying compliance with these Rules must be submitted as a separate
PDF document in the email serving the brief. The Affirmation form will be posted to the
competition website with the Transcript of the Record.

2.5 No Revisions. Once a team submits its brief, it may not thereafter be revised.

2.6 Brief Grading. All properly submitted briefs will be blind-graded by either current
third-year law student members of Cardozo’s Moot Court Honor Society or practitioners.

2.7 Transcript of the Record
2.7.1 Problem Clarifications. Any questions or clarifications regarding the Transcript of the
Record must be submitted via email to:

eteman@law.cardozo.yu.edu
and cc’ing both:
fameiplcompetition@gmail.com and
cardozomootcourt@gmail.com

by 5:00 P.M. EST on February 6, 2024. Clarifications will be issued by the Problem
Editors at the ultimate discretion of the Cardozo FAME Center Intellectual Property
Law Moot Court Competition Editor and Editors-in-Chief. All responses to
clarifications will be sent via email to all registered competitors via the respective
email addresses used to register each respective team at no later than 8:00 P.M. EST
on February 9, 2024.

2.7.2 Authorities; Frozen Record. The Problem is frozen in time as of December 31, 2023.
No cases or materials published, issued, or decided after that time may be cited in the
brief or in oral arguments. Any questions regarding this rule will be treated as Problem
Clarifications. Therefore, any questions regarding this rule (2.7.2) should be submitted
pursuant to rule 2.7.1 herein.
BRIEF DELIVERY AND AFFIRMATIONS

3.1 Official Service of the Brief

3.1.1 Electronic Delivery. Each team must serve one (1) electronic copy of their brief and a signed Affirmation for each competitor to the Cardozo Competition Editor via email as follows:

eteman@law.cardozo.yu.edu
and cc’ing both:
fameiplcompetition@gmail.com and
cardozomootcourt@gmail.com

The brief must be submitted by 11:59 P.M. EST on Friday, February 23, 2024.

3.1.2 Brief Submission Format. The subject line of the brief submission email must be in the following format:

TEAM XXX Petitioner/Respondent BRIEF

REMINDER: DO NOT INCLUDE YOUR SCHOOL’S NAME IN ANY PART OF THE BRIEF ITSELF.

3.1.3 PDF. The brief must be attached as a single PDF document with any “red lines” and comments removed. The Cardozo FAME Center Intellectual Property Law Moot Court Competition Staff will not assemble parts of a brief into a whole document. Competitor Affirmations should be attached to this email as a separate file.

3.2 Opposing Teams’ Briefs. All briefs will be sent electronically via email to all registered competitors via the respective email addresses used to register each respective team at no later than 11:00 P.M. EST on Tuesday, February 27, 2024.

3.3 Late Submissions. Teams who fail to submit their briefs on time will receive a penalty OR a brief score of 0, at the discretion of the Competition Editor, which may impact their ability to advance past the Preliminary Rounds. Any exceptions to this rule will be made at the sole discretion of the Cardozo Moot Court Honor Society Competition Editor.
ORAL ARGUMENT ROUNDS

4.1 Number of Participants
Each team shall consist of the same two (2) competitors at each oral argument round. Substitutions of competitors are not permitted.

4.2 Time Allowed for Argument
Each team will receive a collective thirty (30) minutes for oral argument. Each competitor will have fifteen (15) minutes to argue their issue; rebuttal time may be taken from either or both competitors' time in accordance with Section 4.3 below. Both competitors must argue in each oral argument round. Bailiffs (provided by the Cardozo Moot Court Honor Society) will keep time during oral arguments and will use signs to inform competitors of their remaining time. Warnings will be given at ten (10) minutes, five (5) minutes, three (3), and one (1) minute. Once a competitor’s time has expired, the Bailiff will hold up a “STOP” card. When the “STOP” card appears, a competitor may request additional time from the Chief Justice. Additional time will be granted solely at the discretion of the Chief Justice.

4.3 Rebuttals
In advance of their argument, Petitioners may reserve up to three (3) minutes for rebuttal. The Bailiff will deduct the rebuttal time from either or both competitors’ argument times, at the instruction of Petitioners before the round begins. Petitioner I may also respectfully request permission to set aside rebuttal time from the Chief Justice when their argument begins. Petitioner may waive the rebuttal argument following the close of Respondent’s argument. Only one (1) competitor from the Petitioner team may argue the rebuttal.

4.4 Argument Order
During each round, the Petitioners will argue first, followed by the Respondents. The order is as follows:

- Petitioner, Issue I
- Petitioner, Issue II
- Respondent, Issue I
- Respondent, Issue II
- Petitioner’s Rebuttal (optional)
4.5 **Time and Place of Rounds**
The Preliminary Rounds will begin on **Wednesday, March 13, 2024**. The Final Round will be held on **Friday, March 15, 2024**. The full schedule will be posted on https://sites.google.com/site/cardozobmimootcourtcompetition/ prior to the start of the competition.

4.6 **Preliminary Rounds**
Each team will argue two (2) times during the Preliminary Rounds. Teams will be matched against each other randomly during the Preliminary Rounds. Teams will not face the same opponent more than once during the Preliminary Rounds.

4.7 **Quarterfinal, Semifinal, & Final Rounds**
4.7.1 **Team Pairings.** During the Quarterfinal and Semifinal Rounds, teams will be seeded according to their ranking following the Preliminary Rounds, placing the highest ranked team against the lowest ranked team.

4.7.2 **Knockout Advancement.** After the Preliminary Rounds, the highest ranked teams will compete in the Quarterfinal Round. Teams will then advance to the Semifinal and Final Rounds based on a single-elimination “knockout” system, whereby the highest scoring team in each individual round will advance, and the lower scoring team is immediately eliminated from the competition.

4.7.3 **Assignment of Sides.** After the Preliminary Rounds, teams will be assigned as Counsel for the Petitioner or Respondent at random. Where timing requires, teams might be notified of their assignment by coin toss immediately preceding the round.

4.8 **Tiebreakers**
In the event of a tie, the Cardozo Moot Court Honor Society Competition Editor generally reserves the right to determine which teams advance. However, ties in the Preliminary Rounds will be resolved in favor of the team with the highest oral argument score. Final round scores will always be rounded up to the nearest half-point.

**SCORING**

5.1 **Oral Argument Scoring**
A panel of up to three (3) judges will judge and score each oral argument. Oral argument judges will not be made aware of the teams’ brief scores. The overall round score will take into account both the brief score and oral argument scores in accordance
with Rules 5.1.1–5.1.3 below. Scores of all judges for each team competitor will be averaged to determine the final team oral argument score. Individual scores will be used to determine the “Best Oralist” Awards.

5.1.1 During the Preliminary Rounds, averaged oral argument scores will be counted as sixty percent (60%) and the brief score will be counted as forty percent (40%) of each team’s final round score.

5.1.2 During the Quarterfinal, Semifinal, and Final Rounds, the oral argument will be counted as one hundred percent (100%) of each team’s final score.

5.2 Disclosure of Scores and Judge Comments
All scores and comments will be emailed to the designated team contacts as outlined below.

5.2.1 Disclosure of the Brief score and comments (if any) will be sent twenty-four (24) hours after completion of the Preliminary Rounds.

5.2.2 Disclosure of Oral Round scores and comments (if any) will be sent no later than twenty-four (24) hours after completion of the Final Round.

ASSISTANCE THROUGHOUT THE COMPETITION

6.1 No Assistance During Writing Phase
Competitors may not receive assistance related to the Problem in any way from other students, faculty members, or outside parties (attorney, specialist, or otherwise) while writing their brief.

6.2 Preparing for Oral Argument
Once a brief has been filed, competitors may receive help from any source in preparing for their oral argument. However, in accordance with the scouting prohibitions in Rule 7.1, where a school has entered more than one team in the competition, those teams MAY NOT schedule practice arguments against each other in preparation for the competition.

6.3 Counsel Table
Only competitors may sit at the counsel table during oral arguments. Once a round begins, competitors sitting at the counsel table may not communicate with non-competitors other than judges or bailiffs assigned to their particular round and may not leave the room until dismissed for the judges’ deliberation.
SCOUTING

7.1 Scouting Prohibited
“Scouting” rival teams is strictly prohibited. No competitor, coach, teammate, or individual affiliated with any competing team may attend oral arguments of rival teams or otherwise obtain information about other competitors until their school’s team (or teams) has (or have) been eliminated from the competition. In accordance with Rule 3.2, this rule does not prohibit competitors from reviewing other teams’ briefs on the competition website.

PENALTIES

8.1 Reasonable Penalties
The Cardozo Moot Court Honor Society Executive Board may impose, at its discretion, any penalty deemed reasonable and appropriate for the failure to comply with these rules.

8.2 Team Paraphernalia
Competitors, coaches, faculty advisors, parents, guests, or any individual affiliated with a team competing may not wear or carry any of their school’s paraphernalia. This includes any item that represents a school by name, slogan, color, or other identifiable symbol. The Cardozo Moot Court Honor Society reserves the right to ask individuals violating this rule to remove the item before entering an oral argument. Individuals who are unwilling or unable to comply with this rule will be barred from entering the room during an oral argument round.

AWARDS

9.1 Awards Generally
Cash prizes will be presented in the following categories:
First Place Overall Best Team
Runner-Up Best Team
Best Oralist
Best Brief

First Place Overall Best Team and Runner-Up Best Team are the two (2) teams that
will advance to the Final Round. Best Oralist awards are based on scores from the Preliminary Rounds. You do not have to advance past the Preliminary Rounds to be eligible for Best Brief or Best Oralist awards.

9.2 Eligibility for Awards
To be eligible for any cash prizes, all winning team members must submit a completed W-9 form after their award is announced at the competition.

RULE CHANGES

10.1 Rule Changes
The Cardozo FAMECenter Intellectual Property Law Moot Court Competition Staff reserves the right to amend these rules at any point. Any amendments made before the commencement of oral arguments will be posted on https://sites.google.com/site/cardozobmimootcourtcompetition/ and emailed to each team’s designated contact. Any amendments made during the competition will be emailed to each team’s designated contact as soon as possible.