

LAW CANON

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Abstract

Example

hadleylab.org Governed Research. Every claim cited.

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Legal validity **MUST** be determined by applicable jurisdiction. All legal work identifies governing law.

Example: Federal courts have subject matter jurisdiction under 28 USC 1331 (federal question) and 28 USC 1332 (diversity, \$75K+ amount in controversy). State courts have general jurisdiction. Long-arm statutes extend personal jurisdiction to out-of-state defendants with minimum contacts (*International Shoe v. Washington*, 1945). Choice of law clauses in contracts specify governing jurisdiction. Tribal sovereignty creates separate jurisdictions with distinct legal systems. Erie doctrine (1938) federal courts sitting in diversity apply state substantive law and federal procedural law.

0.1 2. Evidentiary Foundation

Claims **MUST** be supported by admissible evidence. Legal assertions without evidence are insufficient.

Example: Federal Rules of Evidence (FRE) govern admissibility in federal courts. Authentication (FRE 901-902) documents must be shown to be what they purport to be. Hearsay (FRE 801-807) out-of-court statements offered for truth are generally inadmissible unless an exception applies (business records 803(6), present sense impression 803(1), excited utterance 803(2)). Digital evidence: ESI (Electronically Stored Information) under FRCP 34, preservation obligations under FRCP 37(e), proportionality under FRCP 26(b)(1). Daubert standard (1993) expert testimony must be based on reliable methodology and relevant to the case.

0.2 3. Temporal Precision

Legal matters **MUST** be time-bound. Deadlines define rights, obligations, and remedies.

Example: Statutes of limitation vary by claim type and jurisdiction: breach of contract (4-6 years), personal injury (2-3 years), patent infringement (6 years for damages). Statutes of repose set absolute outer limits regardless of discovery. FRCP deadlines: answer to complaint (21 days), discovery (proportional to case), summary judgment (per scheduling order). Patent prosecution: 12-month provisional-to-non-provisional conversion, 30/31-month PCT national phase entry. Appeal deadlines: 30 days for federal civil appeals (FRAP 4), 14 days for criminal. Missing a jurisdictional deadline is non-waivable and cannot be cured.

0.3 4. Intellectual Property

IP rights MUST be established, maintained, and enforced through applicable legal frameworks.

Example: Patent (35 USC) utility, design, plant. 20-year term from filing. Copyright (17 USC) automatic upon fixation in tangible medium. Life + 70 years (individual), 95/120 years (work for hire). Trademark (Lanham Act, 15 USC 1051-1141) protects source identifiers. Indefinite duration with continued use and renewal. Trade secrets (Defend Trade Secrets Act, 18 USC 1836) no registration required, reasonable measures to maintain secrecy. Software patents: post-Alice (2014) heightened scrutiny under 101. Open source licensing: GPL (copyleft), MIT/BSD (permissive), Apache 2.0 (patent grant).

0.4 5. Contract Law

Binding agreements MUST satisfy formation requirements and be enforceable under applicable law.

Example: UCC Article 2 governs sales of goods (\$500+ requires writing under statute of frauds, UCC 2-201). Common law governs services

contracts. SaaS agreements: click-wrap (enforceable user clicks I agree), browse-wrap (questionable mere use implies consent), shrink-wrap (enforceable under ProCD v. Zeidenberg, 1996). Limitation of liability clauses: generally enforceable except for gross negligence, willful misconduct, or where unconscionable. Indemnification provisions allocate risk between parties. Force majeure clauses pandemics, natural disasters, government actions.

0.5 6. Healthcare Law

Healthcare operations MUST comply with overlapping federal, state, and agency-level legal requirements.

Example: HIPAA enforcement by HHS Office for Civil Rights (OCR) Resolution Agreements range from \$100K to \$16M. FDA Warning Letters and consent decrees for device/drug violations. Qui tam/False Claims Act (31 USC 3729) whistleblowers receive 15-30% of recovery; healthcare FCA recoveries exceed \$2B annually. Stark Law/Anti-Kickback Statute intersection: Stark is strict liability (no intent required), AKS requires knowing and willful conduct. State corporate practice of medicine doctrine prohibits non-physician ownership of medical practices in most states.

0.6 7. Data Privacy Law

Data collection, processing, and transfer MUST comply with applicable privacy frameworks.

Example: GDPR (EU Regulation 2016/679) lawful bases (consent, contract, legitimate interest, legal obligation, vital interest, public task). Data subject rights: access (Art. 15), rectification (Art. 16), erasure (Art. 17), portability (Art. 20), objection (Art. 21). CCPA/CPRA (California) right to know, delete, opt-out of sale/sharing, limit use of sensitive PI. State

patchwork: Virginia (VCDPA), Colorado (CPA), Connecticut (CTDPA), Utah (UCPA), each with different thresholds and requirements. Cross-border transfers: EU-US Data Privacy Framework (2023), Standard Contractual Clauses (SCCs), adequacy decisions. Childrens data: COPPA (under 13), state laws extending to teens.

1. Constraints

MUST: Cite statute, regulation, or case law for legal claims
MUST: Distinguish binding authority from persuasive authority
MUST NOT: Present legal information as legal advice

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