



**TEXAS A&M UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION
JUDICIAL COURT**

McCaig v. Colbert

April 3, 2005, 6:00 pm

MAJORITY OPINION

In the case of McCaig vs. Colbert the Texas A&M Judicial Court finds that the defendant, Ms. Colbert, in violation of campaign materials rule number three. Two 25 dollar fines are levied against Ms. Colbert for two violations of rule three.

The Texas A&M Judicial Court has no jurisdiction regarding copyright infringement or intellectual property violations. However, permission or not, use of *any* copyrighted or trademarked material warrants punishment based on campaign materials rule three. Previous violations in this election indicate that each infringement of rule three warrants a 25 dollar fine. Two infringements are levied against Ms. Colbert for the use of the McDonalds Golden Arches, and a form of the slogan "I'm lovin' it."

The court finds there was negligence on the part of the Election Commissioner by failing to refuse or affirm the use of the McDonald's material in question. However, it is clearly stated in the Election Regulations that the candidate is still responsible for all election regulations, and is therefore responsible for rule three.

The Judicial Court unanimously finds Ms. Colbert responsible for two 25 dollar fines for violations of campaign materials rule three.

Rebekah Kratochvil, Chief Justice
Morgan Streckfuss, Justice
Michael Bartle, Justice
Sean Wainerdi, Justice
Jimmy Gatica, Justice

Russell Walther, Justice
Amber Simek, Justice
Caitlin Cashion, Justice
Jim Reed, Justice