

SECTION II

Time—35 minutes

27 Questions

Directions: Each set of questions in this section is based on a single passage or a pair of passages. The questions are to be answered on the basis of what is stated or implied in the passage or pair of passages. For some of the questions, more than one of the choices could conceivably answer the question. However, you are to choose the best answer; that is, the response that most accurately and completely answers the question, and blacken the corresponding space on your answer sheet.

- Often when a highly skilled and experienced employee leaves one company to work for another, there is the potential for a transfer of sensitive information between competitors. Two basic principles
- (5) in such cases appear irreconcilable: the right of the company to its intellectual property—its proprietary data and trade secrets—and the right of individuals to seek gainful employment and to make free use of their abilities. Nevertheless, the courts have often tried to
- (10) preserve both parties' legal rights by refusing to prohibit the employee from working for the competitor, but at the same time providing an injunction against disclosure of any of the former employer's secrets. It has been argued that because such measures help
- (15) generate suspicions and similar psychological barriers to full and free utilization of abilities in the employee's new situation, they are hardly effective in upholding the individual's rights to free employment decisions. But it is also doubtful that they are effective in
- (20) preserving trade secrets.

- It is obviously impossible to divest oneself of that part of one's expertise that one has acquired from former employers and coworkers. Nor, in general, can one selectively refrain from its use, given that it has
- (25) become an integral part of one's total intellectual capacity. Nevertheless, almost any such information that is not public knowledge may legitimately be claimed as corporate property: normal employment agreements provide for corporate ownership of all
- (30) relevant data, including inventions, generated by the employee in connection with the company's business.

- Once an employee takes a position with a competitor, the trade secrets that have been acquired by that employee may manifest themselves clearly and
- (35) consciously. This is what court injunctions seek to prohibit. But they are far more likely to manifest themselves subconsciously and inconspicuously—for example, in one's daily decisions at the new post, or in the many small contributions one might make to a large
- (40) team effort—often in the form of an intuitive sense of what to do or to avoid. Theoretically, an injunction also prohibits such inadvertent "leakage." However, the former employer faces the practical problem of securing evidence of such leakage, for little will
- (45) usually be apparent from the public activities of the new employer. And even if the new employee's activities appear suspicious, there is the further problem of distinguishing trade secrets from what may be legitimately asserted as technological skills
- (50) developed independently by the employee or already

- possessed by the new employer. This is a major stumbling block in the attempt to protect trade secrets, since the proprietor has no recourse against others who independently generate the same information. It is
- (55) therefore unlikely that an injunction against disclosure of trade secrets to future employers actually prevents any transfer of information except for the passage of documents and other concrete embodiments of the secrets.

1. Which one of the following most accurately expresses the main point of the passage?
- (A) There are more effective ways than court injunctions to preserve both a company's right to protect its intellectual property and individuals' rights to make free use of their abilities.
- (B) Court injunctions must be strengthened if they are to remain a relevant means of protecting corporations' trade secrets.
- (C) Enforcement of court injunctions designed to protect proprietary information is impossible when employees reveal such information to new employers.
- (D) Court injunctions prohibiting employees from disclosing former employers' trade secrets to new employers probably do not achieve all of their intended objectives.
- (E) The rights of employees to make full use of their talents and previous training are being seriously eroded by the prohibitions placed on them by court injunctions designed to prevent the transfer of trade secrets.

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2. Given the passage's content and tone, which one of the following statements would most likely be found elsewhere in a work from which this passage is an excerpt?
- (A) Given the law as it stands, corporations concerned about preserving trade secrets might be best served by giving their employees strong incentives to stay in their current jobs.
 - (B) While difficult to enforce and interpret, injunctions are probably the most effective means of halting the inadvertent transfer of trade secrets while simultaneously protecting the rights of employees.
 - (C) Means of redress must be made available to companies that suspect, but cannot prove, that former employees are revealing protected information to competitors.
 - (D) Even concrete materials such as computer disks are so easy to copy and conceal that it will be a waste of time for courts to try to prevent the spread of information through physical theft.
 - (E) The psychological barriers that an injunction can place on an employee in a new workplace are inevitably so subtle that they have no effect on the employee.
3. The author's primary purpose in the passage is to
- (A) suggest that injunctions against the disclosure of trade secrets not only create problems for employees in the workplace, but also are unable to halt the illicit spread of proprietary information
 - (B) suggest that the information contained in "documents and other concrete embodiments" is usually so trivial that injunctions do little good in protecting intellectual property
 - (C) argue that new methods must be found to address the delicate balance between corporate and individual rights
 - (D) support the position that the concept of protecting trade secrets is no longer viable in an age of increasing access to information
 - (E) argue that injunctions are not necessary for the protection of trade secrets

4. The passage provides the most support for which one of the following assertions?
- (A) Injunctions should be imposed by the courts only when there is strong reason to believe that an employee will reveal proprietary information.
 - (B) There is apparently no reliable way to protect both the rights of companies to protect trade secrets and the rights of employees to seek new employment.
 - (C) Employees should not be allowed to take jobs with their former employers' competitors when their new job could compromise trade secrets of their former employers.
 - (D) The multiplicity of means for transferring information in the workplace only increases the need for injunctions.
 - (E) Some companies seek injunctions as a means of punishing employees who take jobs with their competitors.
5. With which one of the following statements regarding documents and other concrete embodiments mentioned in line 58 would the author be most likely to agree?
- (A) While the transfer of such materials would be damaging, even the seemingly innocuous contributions of an employee to a competitor can do more harm in the long run.
 - (B) Such materials are usually less informative than what the employee may recollect about a previous job.
 - (C) Injunctions against the disclosure of trade secrets should carefully specify which materials are included in order to focus on the most damaging ones.
 - (D) Large-scale transfer of documents and other materials cannot be controlled by injunctions.
 - (E) Such concrete materials lend themselves to control and identification more readily than do subtler means of transferring information.
6. In the passage, the author makes which one of the following claims?
- (A) Injunctions against the disclosure of trade secrets limit an employee's chances of being hired by a competitor.
 - (B) Measures against the disclosure of trade secrets are unnecessary except in the case of documents and other concrete embodiments of the secrets.
 - (C) Employees who switch jobs to work for a competitor usually unintentionally violate the law by doing so.
 - (D) Employers are not restricted in the tactics they can use when seeking to secure protected information from new employees.
 - (E) What may seem like intellectual theft may in fact be an example of independent innovation.

The following passages concern a plant called purple loosestrife. Passage A is excerpted from a report issued by a prairie research council; passage B from a journal of sociology.

Passage A

- Purple loosestrife (*Lythrum salicaria*), an aggressive and invasive perennial of Eurasian origin, arrived with settlers in eastern North America in the early 1800s and has spread across the continent's
- (5) midlatitude wetlands. The impact of purple loosestrife on native vegetation has been disastrous, with more than 50 percent of the biomass of some wetland communities displaced. Monospecific blocks of this weed have maintained themselves for at least 20 years.
- (10) Impacts on wildlife have not been well studied, but serious reductions in waterfowl and aquatic furbearer productivity have been observed. In addition, several endangered species of vertebrates are threatened with further degradation of their
- (15) breeding habitats. Although purple loosestrife can invade relatively undisturbed habitats, the spread and dominance of this weed have been greatly accelerated in disturbed habitats. While digging out the plants can temporarily halt their spread, there has been little
- (20) research on long-term purple loosestrife control. Glyphosate has been used successfully, but no measure of the impact of this herbicide on native plant communities has been made.

- With the spread of purple loosestrife growing
- (25) exponentially, some form of integrated control is needed. At present, coping with purple loosestrife hinges on early detection of the weed's arrival in areas, which allows local eradication to be carried out with minimum damage to the native plant community.

Passage B

- (30) The war on purple loosestrife is apparently conducted on behalf of nature, an attempt to liberate the biotic community from the tyrannical influence of a life-destroying invasive weed. Indeed, purple loosestrife control is portrayed by its practitioners as
- (35) an environmental initiative intended to save nature rather than control it. Accordingly, the purple loosestrife literature, scientific and otherwise, dutifully discusses the impacts of the weed on endangered species—and on threatened biodiversity
- (40) more generally. Purple loosestrife is a pollution, according to the scientific community, and all of nature suffers under its pervasive influence.

- Regardless of the perceived and actual ecological effects of the purple invader, it is apparent that
- (45) popular pollution ideologies have been extended into the wetlands of North America. Consequently, the scientific effort to liberate nature from purple loosestrife has failed to decouple itself from its philosophical origin as an instrument to control nature
- (50) to the satisfaction of human desires. Birds, particularly game birds and waterfowl, provide the bulk of the justification for loosestrife management.

- However, no bird species other than the canvasback has been identified in the literature as endangered by
- (55) purple loosestrife. The impact of purple loosestrife on furbearing mammals is discussed at great length, though none of the species highlighted (muskrat, mink) can be considered threatened in North America. What is threatened by purple loosestrife is the
- (60) economics of exploiting such preferred species and the millions of dollars that will be lost to the economies of the United States and Canada from reduced hunting, trapping, and recreation revenues due to a decline in the production of the wetland
- (65) resource.

7. Both passages explicitly mention which one of the following?
- (A) furbearing animals
(B) glyphosate
(C) the threat purple loosestrife poses to economies
(D) popular pollution ideologies
(E) literature on purple loosestrife control
8. Each of the passages contains information sufficient to answer which one of the following questions?
- (A) Approximately how long ago did purple loosestrife arrive in North America?
(B) Is there much literature discussing the potential benefit that hunters might derive from purple loosestrife management?
(C) What is an issue regarding purple loosestrife management on which both hunters and farmers agree?
(D) Is the canvasback threatened with extinction due to the spread of purple loosestrife?
(E) What is a type of terrain that is affected in at least some parts of North America by the presence of purple loosestrife?
9. It can be inferred that the authors would be most likely to disagree about which one of the following?
- (A) Purple loosestrife spreads more quickly in disturbed habitats than in undisturbed habitats.
(B) The threat posed by purple loosestrife to local aquatic furbearer populations is serious.
(C) Most people who advocate that eradication measures be taken to control purple loosestrife are not genuine in their concern for the environment.
(D) The size of the biomass that has been displaced by purple loosestrife is larger than is generally thought.
(E) Measures should be taken to prevent other non-native plant species from invading North America.

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10. Which one of the following most accurately describes the attitude expressed by the author of passage B toward the overall argument represented by passage A?
- (A) enthusiastic agreement
 - (B) cautious agreement
 - (C) pure neutrality
 - (D) general ambivalence
 - (E) pointed skepticism
11. It can be inferred that both authors would be most likely to agree with which one of the following statements regarding purple loosestrife?
- (A) As it increases in North America, some wildlife populations tend to decrease.
 - (B) Its establishment in North America has had a disastrous effect on native North American wetland vegetation in certain regions.
 - (C) It is very difficult to control effectively with herbicides.
 - (D) Its introduction into North America was a great ecological blunder.
 - (E) When it is eliminated from a given area, it tends to return to that area fairly quickly.

12. Which one of the following is true about the relationship between the two passages?
- (A) Passage A presents evidence that directly counters claims made in passage B.
 - (B) Passage B assumes what passage A explicitly argues for.
 - (C) Passage B displays an awareness of the arguments touched on in passage A, but not vice versa.
 - (D) Passage B advocates a policy that passage A rejects.
 - (E) Passage A downplays the seriousness of claims made in passage B.
13. Which one of the following, if true, would cast doubt on the argument in passage B but bolster the argument in passage A?
- (A) Localized population reduction is often a precursor to widespread endangerment of a species.
 - (B) Purple loosestrife was barely noticed in North America before the advent of suburban sprawl in the 1950s.
 - (C) The amount by which overall hunting, trapping, and recreation revenues would be reduced as a result of the extinction of one or more species threatened by purple loosestrife represents a significant portion of those revenues.
 - (D) Some environmentalists who advocate taking measures to eradicate purple loosestrife view such measures as a means of controlling nature.
 - (E) Purple loosestrife has never become a problem in its native habitat, even though no effort has been made to eradicate it there.

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With their recognition of Maxine Hong Kingston as a major literary figure, some critics have suggested that her works have been produced almost *ex nihilo*, saying that they lack a large traceable body of direct

- (5) literary antecedents especially within the Chinese American heritage in which her work is embedded. But these critics, who have examined only the development of written texts, the most visible signs of a culture's narrative production, have overlooked Kingston's
- (10) connection to the long Chinese tradition of a highly developed genre of song and spoken narrative known as "talk-story" (*gong gu tsai*).

Traditionally performed in the dialects of various ethnic enclaves, talk-story has been maintained within

(15) the confines of the family and has rarely surfaced into print. The tradition dates back to Sung dynasty (A.D. 970–1279) storytellers in China, and in the United States it is continually revitalized by an overlapping sequence of immigration from China.

- (20) Thus, Chinese immigrants to the U.S. had a fully established, sophisticated oral culture, already ancient and capable of producing masterpieces, by the time they began arriving in the early nineteenth century. This transplanted oral heritage simply embraced new
- (25) subject matter or new forms of Western discourse, as in the case of Kingston's adaptations written in English.

Kingston herself believes that as a literary artist she is one in a long line of performers shaping a recalcitrant history into talk-story form. She

- (30) distinguishes her "thematic" storytelling memory processes, which sift and reconstruct the essential elements of personally remembered stories, from the memory processes of a print-oriented culture that emphasizes the retention of precise sequences of
- (35) words. Nor does the entry of print into the storytelling process substantially change her notion of the character of oral tradition. For Kingston, "writer" is synonymous with "singer" or "performer" in the ancient sense of privileged keeper, transmitter, and creator of stories
- (40) whose current stage of development can be frozen in print, but which continue to grow both around and from that frozen text.

Kingston's participation in the tradition of talk-story is evidenced in her book *China Men*, which

(45) utilizes forms typical of that genre and common to most oral cultures including: a fixed "grammar" of repetitive themes; a spectrum of stock characters; symmetrical structures, including balanced oppositions (verbal or physical contests, antithetical characters,

- (50) dialectical discourse such as question-answer forms and riddles); and repetition. In *China Men*, Kingston also succeeds in investing idiomatic English with the allusive texture and oral-aural qualities of the Chinese language, a language rich in aural and visual puns,
- (55) making her work a written form of talk-story.

14. Which one of the following most accurately states the main point of the passage?

- (A) Despite some critics' comments, Kingston's writings have significant Chinese American antecedents, which can be found in the traditional oral narrative form known as talk-story.
- (B) Analysis of Kingston's writings, especially *China Men*, supports her belief that literary artists can be performers who continue to reconstruct their stories even after they have been frozen in print.
- (C) An understanding of Kingston's work and of Chinese American writers in general reveals that critics of ethnic literatures in the United States have been mistaken in examining only written texts.
- (D) Throughout her writings Kingston uses techniques typical of the talk-story genre, especially the retention of certain aspects of Chinese speech in the written English text.
- (E) The writings of Kingston have rekindled an interest in talk-story, which dates back to the Sung dynasty, and was extended to the United States with the arrival of Chinese immigrants in the nineteenth century.

15. Which one of the following can be most reasonably inferred from the passage?

- (A) In the last few years, written forms of talk-story have appeared in Chinese as often as they have in English.
- (B) Until very recently, scholars have held that oral storytelling in Chinese ethnic enclaves was a unique oral tradition.
- (C) Talk-story has developed in the United States through a process of combining Chinese, Chinese American, and other oral storytelling forms.
- (D) Chinese American talk-story relies upon memory processes that do not emphasize the retention of precise sequences of words.
- (E) The connection between certain aspects of Kingston's work and talk-story is argued by some critics to be rather tenuous and questionable.

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16. It can be inferred from the passage that the author uses the phrase “personally remembered stories” (line 32) primarily to refer to
- (A) a literary genre of first-person storytelling
 - (B) a thematically organized personal narrative of one’s own past
 - (C) partially idiosyncratic memories of narratives
 - (D) the retention in memory of precise sequences of words
 - (E) easily identifiable thematic issues in literature
17. In which one of the following is the use of cotton fibers or cotton cloth most analogous to Kingston’s use of the English language as described in lines 51–55?
- (A) Scraps of plain cotton cloth are used to create a multicolored quilt.
 - (B) The surface texture of woolen cloth is simulated in a piece of cotton cloth by a special process of weaving.
 - (C) Because of its texture, cotton cloth is used for a certain type of clothes for which linen is inappropriate.
 - (D) In making a piece of cloth, cotton fiber is substituted for linen because of the roughly similar texture of the two materials.
 - (E) Because of their somewhat similar textures, cotton and linen fibers are woven together in a piece of cloth to achieve a savings in price over a pure linen cloth.
18. The passage most clearly suggests that Kingston believes which one of the following about at least some of the stories contained in her writings?
- (A) Since they are intimately tied to the nature of the Chinese language, they can be approximated, but not adequately expressed, in English.
 - (B) They should be thought of primarily as ethnic literature and evaluated accordingly by critics.
 - (C) They will likely be retold and altered to some extent in the process.
 - (D) Chinese American history is best chronicled by traditional talk-story.
 - (E) Their significance and beauty cannot be captured at all in written texts.
19. The author’s argument in the passage would be most weakened if which one of the following were true?
- (A) Numerous writers in the United States have been influenced by oral traditions.
 - (B) Most Chinese American writers’ work is very different from Kingston’s.
 - (C) Native American storytellers use narrative devices similar to those used in talk-story.
 - (D) *China Men* is for the most part atypical of Kingston’s literary works.
 - (E) Literary critics generally appreciate the authenticity of Kingston’s work.
20. The author’s specific purpose in detailing typical talk-story forms (lines 43–51) is to
- (A) show why Kingston’s book *China Men* establishes her as a major literary figure
 - (B) support the claim that Kingston’s use of typically oral techniques makes her work a part of the talk-story tradition
 - (C) dispute the critics’ view that Chinese American literature lacks literary antecedents
 - (D) argue for Kingston’s view that the literary artist is at best a “privileged keeper” of stories
 - (E) provide an alternative to certain critics’ view that Kingston’s work should be judged primarily as literature
21. Which one of the following most accurately identifies the attitude shown by the author in the passage toward talk-story?
- (A) scholarly appreciation for its longstanding artistic sophistication
 - (B) mild disappointment that it has not distinguished itself from other oral traditions
 - (C) tentative approval of its resistance to critical evaluations
 - (D) clear respect for the diversity of its ancient sources and cultural derivations
 - (E) open admiration for the way it uses song to express narrative

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- In economics, the term “speculative bubble” refers to a large upward move in an asset’s price driven not by the asset’s fundamentals—that is, by the earnings derivable from the asset—but rather by
- (5) mere speculation that someone else will be willing to pay a higher price for it. The price increase is then followed by a dramatic decline in price, due to a loss in confidence that the price will continue to rise, and the “bubble” is said to have burst. According to
- (10) Charles Mackay’s classic nineteenth-century account, the seventeenth-century Dutch tulip market provides an example of a speculative bubble. But the economist Peter Garber challenges Mackay’s view, arguing that there is no evidence that the Dutch tulip
- (15) market really involved a speculative bubble.

- By the seventeenth century, the Netherlands had become a center of cultivation and development of new tulip varieties, and a market had developed in which rare varieties of bulbs sold at high prices. For
- (20) example, a Semper Augustus bulb sold in 1625 for an amount of gold worth about U.S.\$11,000 in 1999. Common bulb varieties, on the other hand, sold for very low prices. According to Mackay, by 1636 rapid price rises attracted speculators, and prices of many
- (25) varieties surged upward from November 1636 through January 1637. Mackay further states that in February 1637 prices suddenly collapsed; bulbs could not be sold at 10 percent of their peak values. By 1739, the prices of all the most prized kinds of bulbs had fallen
- (30) to no more than one two-hundredth of 1 percent of Semper Augustus’s peak price.

- Garber acknowledges that bulb prices increased dramatically from 1636 to 1637 and eventually reached very low levels. But he argues that this
- (35) episode should not be described as a speculative bubble, for the increase and eventual decline in bulb prices can be explained in terms of the fundamentals. Garber argues that a standard pricing pattern occurs for new varieties of flowers. When a particularly
- (40) prized variety is developed, its original bulb sells for a high price. Thus, the dramatic rise in the price of some original tulip bulbs could have resulted as tulips in general, and certain varieties in particular, became fashionable. However, as the prized bulbs become
- (45) more readily available through reproduction from the original bulb, their price falls rapidly; after less than 30 years, bulbs sell at reproduction cost. But this does not mean that the high prices of original bulbs are irrational, for earnings derivable from the millions
- (50) of bulbs descendent from the original bulbs can be very high, even if each individual descendent bulb commands a very low price. Given that an original bulb can generate a reasonable return on investment even if the price of descendent bulbs decreases
- (55) dramatically, a rapid rise and eventual fall of tulip bulb prices need not indicate a speculative bubble.

22. Which one of the following most accurately expresses the main point of the passage?
- (A) The seventeenth-century Dutch tulip market is widely but mistakenly believed by economists to provide an example of a speculative bubble.
- (B) Mackay did not accurately assess the earnings that could be derived from rare and expensive seventeenth-century Dutch tulip bulbs.
- (C) A speculative bubble occurs whenever the price of an asset increases substantially followed by a rapid and dramatic decline.
- (D) Garber argues that Mackay’s classic account of the seventeenth-century Dutch tulip market as a speculative bubble is not supported by the evidence.
- (E) A tulip bulb can generate a reasonable return on investment even if the price starts very high and decreases dramatically.
23. Given Garber’s account of the seventeenth-century Dutch tulip market, which one of the following is most analogous to someone who bought a tulip bulb of a certain variety in that market at a very high price, only to sell a bulb of that variety at a much lower price?
- (A) someone who, after learning that many others had withdrawn their applications for a particular job, applied for the job in the belief that there would be less competition for it
- (B) an art dealer who, after paying a very high price for a new painting, sells it at a very low price because it is now considered to be an inferior work
- (C) someone who, after buying a box of rare motorcycle parts at a very high price, is forced to sell them at a much lower price because of the sudden availability of cheap substitute parts
- (D) a publisher who pays an extremely high price for a new novel only to sell copies at a price affordable to nearly everyone
- (E) an airline that, after selling most of the tickets for seats on a plane at a very high price, must sell the remaining tickets at a very low price

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24. The passage most strongly supports the inference that Garber would agree with which one of the following statements?
- (A) If speculative bubbles occur at all, they occur very rarely.
 - (B) Many of the owners of high-priced original tulip bulbs could have expected to at least recoup their original investments from sales of the many bulbs propagated from the original bulbs.
 - (C) If there is not a speculative bubble in a market, then the level of prices in that market is not irrational.
 - (D) Most people who invested in Dutch tulip bulbs in the seventeenth century were generally rational in all their investments.
 - (E) Mackay mistakenly infers from the fact that tulip prices dropped rapidly that the very low prices that the bulbs eventually sold for were irrational.
25. The passage states that Mackay claimed which one of the following?
- (A) The rapid rise in price of Dutch tulip bulbs was not due to the fashionability of the flowers they produced.
 - (B) The prices of certain varieties of Dutch tulip bulbs during the seventeenth century were, at least for a time, determined by speculation.
 - (C) The Netherlands was the only center of cultivation and development of new tulip varieties in the seventeenth century.
 - (D) The very high prices of bulbs in the seventeenth-century Dutch tulip market were not irrational.
 - (E) Buyers of rare and very expensive Dutch tulip bulbs were ultimately able to derive earnings from bulbs descendent from the original bulbs.
26. The main purpose of the second paragraph is to
- (A) present the facts that are accepted by all experts in the field
 - (B) identify the mistake that one scholar alleges another scholar made
 - (C) explain the basis on which one scholar makes an inference with which another scholar disagrees
 - (D) undermine the case that one scholar makes for the claim with which another scholar disagrees
 - (E) outline the factual errors that led one scholar to draw the inference that he drew
27. The phrase “standard pricing pattern” as used in line 38 most nearly means a pricing pattern
- (A) against which other pricing patterns are to be measured
 - (B) that conforms to a commonly agreed-upon criterion
 - (C) that is merely acceptable
 - (D) that regularly recurs in certain types of cases
 - (E) that serves as an exemplar

S T O P

IF YOU FINISH BEFORE TIME IS CALLED, YOU MAY CHECK YOUR WORK ON THIS SECTION ONLY.
DO NOT WORK ON ANY OTHER SECTION IN THE TEST.