



Internet Law (Law 793)
Professor [Eric Goldman](#)
Fall 2010

- 1. SESSIONS.** The course meets in Bannan 139 Tuesdays and Thursdays 1:10-2:25 pm from August 17 to November 23, except September 9 (Rosh Hashana) and October 12 (Academic Recess).
- 2. READER.** The course reader is the only required reading (except for any materials I distribute during the semester). This is my first year using an entirely electronic version of the reader, and the reader may have errors. I welcome your comments and corrections.
- 3. GRADING.**

Attendance

In-class material and discussions are crucial to this course, so I expect you to attend every class. However, because our lives are unpredictable, you have five “free passes” for unexcused absences (no need to notify me in advance). I will excuse absences only for very good cause. Your sixth unexcused absence may trigger a significant penalty to your final course grade. At my option, I may drop you from the course or give you an F upon a seventh unexcused absence.

Grading

Except for any adjustments due to unexcused absences, the final exam will constitute 100% of the course grade. The final exam will be a take-home exam, probably consisting of 2 essay questions with a maximum word count for each. My current plan is to allow you to pick up a hard copy of the exam any time during the designated exam window, with the exam due no later than 24 hours from your pick-up time. The faculty support office will need to be open both when you pick up the exam and when you return it (i.e., no pickups on Friday). I am thinking about designating the exam pickup window between December 1 to December 9. If you have comments about that window, please let me know ASAP. Please note: I do not accept late exams; **you will fail the course if your exam is out for more than 24 hours—even by 1 minute.** Please don't learn the hard way how seriously I take deadlines.

I strongly encourage you to review my past exams, which you can find (along with sample answers) at [my website](#). Note the law may have changed in the interim.

- 4. RECORDING.** I intend to record most course sessions and post them online. If you have any concerns about your in-class comments being recorded, please let me know.

5. **OFFICE HOURS.** I can schedule a time to speak with you at your convenience. Please email me to make an appointment. I'm also happy to talk by email.

6. **READINGS.**

What is Cyberspace? Who Regulates It?

ACLU v. Reno (CDA I District Ct. Facts Only) Page 3
Noah v. AOL (E.D. Va.) 22
Geolocation: Core To The Local Space And Key To Click-Fraud Detection 30

Jurisdiction

Toys 'R' Us v. Step Two (3d Cir.) 40

Optional (recommended for International students):

<http://informingscience.org/proceedings/IS2003Proceedings/docs/029Glads.pdf>

Contracts

Specht v. Netscape Communications (2d Cir.) 49
Register.com v. Verio (2d Cir.) 63
Harris v. Blockbuster 72

Trespass/CFAA

18 USC §1030 75
California Penal Code §502 81
Comparison of Trespass to Chattels Doctrines 86
Intel v. Hamidi (Cal. Sup. Ct.) 87
Register.com v. Verio (Trespass to Chattels Section) 106

Copyright

Copyright Office Circular 1 107
Fair Use Summary 114
Cartoon Network v. CSC (2d Cir.) 115

Subtopic: File Sharing

17 USC §506(a) 124
BMG v. Gonzalez (7th Cir.) 125
MGM Studios v. Grokster (Sup. Ct.) 129

Subtopic: Secondary Liability

17 USC §512 139

Io v. Veoh	150
Viacom v. YouTube	168

Review

Ticketmaster v. RMG	175
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Trademarks and Domain Names

Trademark FAQs	187
Trademark Glossary	189
15 USC §§1125 & 8131 (Infringement, Dilution and ACPA)	192
15 USC §1114 (Trademark Safe Harbors).....	200

Subtopic: Domain Names and Metatags

Lamparello v. Falwell (4th Cir.)	205
Promatek v. Equitrac (7th Cir.) Original Order and Revision	214

Subtopic: Search Engines

Google Trademark Policy	218
Hearts on Fire v. Blue Nile	221
Tiffany v. eBay (2d Cir.)	231

Pornography

Pornography Glossary	245
Reno v. ACLU (Sup. Ct. 1997)	246
Ashcroft v. ACLU (Sup. Ct. 2004)	266

Defamation and Information Torts

47 USC §230 (Immunization for Interactive Computer Services)	280
Zeran v. America Online (4th Cir.)	283
Fair Housing Council v. Roommates.com (9th Cir. en banc)	290

Privacy

16 CFR Part 312 (Regulations Implementing COPPA)	314
In re. Pharmatrak (1st Cir.)	324

Spam

Where’s the Beef? Dissecting Spam’s Purported Harms	333
CAN-SPAM Act of 2003	341
16 CFR Part 316 (CAN-SPAM implementing regulations)	356
MySpace v. theglobe.com	360
Omega World Travel v. Mummagraphics (4th Cir.)	369

Blogs and Social Networking Sites

The Third Wave of Internet Exceptionalism 378
Doe v. MySpace (5th Cir.) 380
Moreno v. Hanford Sentinel (Cal. App. Ct.) 386

7. CONTACT INFORMATION.

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In all emails to me related to this course, please put the words “Internet Law” in the subject line to avoid unintentional deletion as spam. This will also help me distinguish emails from my two classes.

If you want to see some of the issues I’m tracking, consider reading [my blog](#) or following me at [Twitter](#). More course-related materials, including an electronic copy of this syllabus, are available at [my personal website](#).