



Cyberspace Law (Law 793)

Eric Goldman

Fall 2007

1. SESSIONS. The course meets Mondays and Wednesdays 9:00-10:15 am in Room 110 from August 20 to November 28, except September 3 (Labor Day) and October 8 (Academic Recess).

2. 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.

Final Exam

Except for any adjustments due to unexcused absences, the final exam will constitute 100% of the course grade. I am considering making the final exam a take-home exam, probably consisting of two or three essay questions with a maximum word count. If so, I would probably distribute the exam on December 5 with a due date of December 7.

I strongly encourage you to review my past exams to understand my exam style. You can find past exams and sample answers at [my website](#) (note the law may have changed in the interim).

3. READER. The course reader is the only required reading (except for any materials I distribute during the semester).

4. 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.

5. ON-CAMPUS CYBERLAW EVENTS THIS SEMESTER. Mark your calendars!

- Sept. 17: Blogging, Scholarship, and the Bench and Bar
- Oct. 2: Trust and Privacy in Online Transactions
- Oct. 23: Update on DMCA and Viacom v. Google Case
- Nov. 1: Prof. Jonathan Zittrain of the Oxford Internet Institute and Harvard Law School

6. READINGS.

What is Cyberspace? Who Regulates It?

ACLU v. Reno (CDA I District Ct. Facts Only)	Page 5
Noah v. AOL (E.D. Va.)	21

Optional: if you'd like to know more about the Internet's technical operations, you might check out the [Animated Internet](#) website.

Jurisdiction

Toys 'R' Us v. Step Two (3d Cir.)	32
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Contracts

Specht v. Netscape Communications (2d Cir.)	46
Register.com v. Verio (2d Cir.) (except Trespass to Chattels Section)	80

Trespass/CFAA

18 USC §1030	101
Intel v. Hamidi (Cal. Sup. Ct.)	107
Register.com v. Verio (Trespass to Chattels Section)	99

Copyright

Copyright Office Circular 1	148
20th Century v. Cablevision	155
Field v. Google	171

Subtopic: File Sharing

17 USC §506(a)	185
BMG v. Gonzalez (7th Cir.)	187
MGM Studios v. Grokster (Sup. Ct.)	195

Subtopic: Secondary Liability

17 USC §512	219
Perfect 10 v. ccBill (9th Cir. as amended)	230
Perfect 10 v. Amazon (9th Cir.)	251
Perfect 10 v. Visa (9th Cir.)	295

Trademarks and Domain Names

Trademark FAQs	346
Helpful Hints to Knowing Your Trademark Terms	348
15 USC §§1125 & 1129 (Infringement, Dilution and ACPA)	350
15 USC §1114 (Trademark Safe Harbors).....	360
Domain Name Dispute Resolution Policy and rules	364

Subtopic: Domain Names and Metatags

Lamparello v. Falwell (4th Cir.)	383
Promatek v. Equitrac (7th Cir.) Original Order and Revision	402
Lockheed Martin v. Network Solutions (9th Cir.).....	412

Subtopic: Search Engines

Keyword Law slides	417
Playboy v. Netscape (9th Cir. 2004)	422
FragranceNet.com v. FragranceX.com	445

Pornography

Helpful Hints to Knowing Your Porn Terms	457
Reno v. ACLU (Sup. Ct. 1997)	458
Ashcroft v. ACLU (Sup. Ct. 2004)	478

Defamation and Information Torts

47 USC §230 (Immunization for Interactive Computer Services)	510
Zeran v. America Online (4th Cir.)	513
Fair Housing Council v. Roommates.com (9th Cir.)	526

Privacy

16 CFR Part 312 (Regulations Implementing COPPA)	548
In re. Pharmatrak (1st Cir.)	554

Blogs and Social Networks

Social Networking Sites and the Law handout	582
Blog Law slides	584
Doe v. MySpace	589

Spam

Where's the Beef? Dissecting Spam's Purported Harms	603
CAN-SPAM Act of 2003	618
16 CFR Part 316 (CAN-SPAM implementing regulations)	639

MySpace v. TheGlobe.com	646
Omega World Travel v. Mummagraphics (4th Cir.)	657

Adware/Spyware

Spyware: Background and Policy Issues for Congress (July 17, 2006 version)	674
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7. CONTACT INFORMATION.

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In all emails to me related to this course, please put the word “cyberlaw” in the subject line to avoid unintentional deletion as spam.

More course-related materials, including an electronic copy of this syllabus, are available at www.ericgoldman.org.