1. **SESSIONS.** The course meets Mondays and Wednesdays 10:30-11:45 am from August 18 to November 26, except September 1 (Labor Day), October 1 (Rosh Hashana) and October 13 (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. The final exam will be a take-home exam, probably consisting of 2-3 essay questions with a maximum word count. I propose distributing the exam Dec. 1 at 9 am, due Dec. 2 at 4 pm. Please advise me ASAP of any significant conflicts with this proposal.

   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.

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. **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
   - *Geolocation: Core To The Local Space And Key To Click-Fraud Detection* ......................... 26
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.) .............................................................................................. 33

**Contracts**

Specht v. Netscape Communications (2d Cir.) ........................................................................... 47
Register.com v. Verio (2d Cir.) (except Trespass to Chattels Section) ..................................... 81

**Trespass/CFAA**

18 USC §1030 ........................................................................................................................... 102
California Penal Code §502 .................................................................................................. 108
Trespass to Chattels and Related Doctrines Handout .......................................................... 113
Intel v. Hamidi (Cal. Sup. Ct.) ............................................................................................. 116
Register.com v. Verio (Trespass to Chattels Section) ............................................................ 100

**Copyright**

Copyright Office Circular 1 .................................................................................................. 157
Fair Use Cheat Sheet ........................................................................................................ 164
Cartoon Network v. CSC (2d Cir.) .................................................................................. 165

*Subtopic: File Sharing*

17 USC §506(a) ................................................................................................................ 192
BMG v. Gonzalez (7th Cir.) ............................................................................................... 193
MGM Studios v. Grokster (Sup. Ct.) ................................................................................. 201

*Subtopic: Secondary Liability*

17 USC §512 ....................................................................................................................... 225
Perfect 10 v. ccBill (9th Cir. as amended) ....................................................................... 232
Perfect 10 v. Amazon (9th Cir. as amended) ..................................................................... 253
Perfect 10 v. Visa (9th Cir.) .............................................................................................. 296

*Subtopic: Robotic Ticket-Sniping (a recap)*
Ticketmaster v. RMG ......................................................................................................... 347

**Trademarks and Domain Names**

Trademark FAQs .................................................................................................................. 375
Helpful Hints to Knowing Your Trademark Terms .......................................................... 377
15 USC §§1125 & 1129 (Infringement, Dilution and ACPA) .............................................. 379
15 USC §1114 (Trademark Safe Harbors) ........................................................................... 386
Domain Name Dispute Resolution Policy and rules ......................................................... 390

Subtopic: Domain Names and Metatags
Lamparello v. Falwell (4th Cir.) .................................................................................... 409
Promatek v. Equitrac (7th Cir.) Original Order and Revision .................................... 428

Subtopic: Search Engines
Keyword Law slides .................................................................................................. 438
Playboy v. Netscape (9th Cir. 2004) .................................................................. 443
FragranceNet.com v. FragranceX.com ................................................................. 466

Subtopic: Secondary Liability/Auction Sites
Tiffany v. eBay ...................................................................................................... 478

Pornography
Helpful Hints to Knowing Your Porn Terms ................................................................. 544
Reno v. ACLU (Sup. Ct. 1997) ........................................................................ 545
Ashcroft v. ACLU (Sup. Ct. 2004) .................................................................... 565

Defamation and Information Torts
47 USC §230 (Immunization for Interactive Computer Services) ......................... 597
Zeran v. America Online (4th Cir.) ................................................................... 600
Fair Housing Council v. Roommates.com (9th Cir. en banc) ........................... 613

Privacy
16 CFR Part 312 (Regulations Implementing COPPA) ............................................ 665
In re. Pharmatrak (1st Cir.) ................................................................................ 671

Spam
Where’s the Beef? Dissecting Spam’s Purported Harms ..................................... 700
CAN-SPAM Act of 2003 ................................................................................... 715
16 CFR Part 316 (CAN-SPAM implementing regulations) .................................. 736
MySpace v. TheGlobe.com ................................................................................ 742
Omega World Travel v. Mummagraphics (4th Cir.) ........................................ 753

Blogs and Social Networks
Social Networking Sites and the Law handout .................................................... 770
Blog Law slides ................................................................................................... 772
Doe v. MySpace .................................................................................................. 776
6. **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.