1. **SESSIONS.** The course meets Mondays and Wednesdays 10:30-11:45 am from August 17 to November 25, except September 7 (Labor Day), September 28 (Yom Kippur) and October 12 (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.

   **Grading Option A: 100% Final Exam**

   If you choose this option (the default), 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. My current plan is to make the exam available November 30 at 8:30 am and due the same day at 4:30 pm. If you have any issues with that timing, please inform me immediately. I do not accept late exams; you **will fail the course if your exam is late, even by 1 minute.**

   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.

   **Grading Option B: 80% Final Exam; 20% Wiki Entry**

   Instead of the final exam counting as 100% of the course grade (but still subject to adjustments for unexcused absences), you can choose to have your final exam count for 80% and the remaining 20% of your grade based on a wiki entry that meets the following specifications:

   - The entry can be on any Cyberlaw topic or case that we mutually agree upon. Ideally it will be an encyclopedic entry on an important Cyberlaw case or doctrine that is not currently covered in Wikipedia or is just a stub entry.
   - A typical entry might be approximately 600 words, but the entry should be an appropriate length for its topic.
• You can create a new entry or you can substantially improve an existing entry.
• I expect your entry to be thoroughly researched. I also expect the entry will include links to relevant source materials and other materials of interest.
• The entry should conform to the editorial standards of the wiki you target for publication. If you target Wikipedia, please review Wikipedia’s five pillars and these instructions.

I will grade your entry using the same 5 point scale I use to grade exams. My grading will be based, in part, on your entry’s conformance to the style and norms of your target wiki. After I have approved the final version, I expect you to publish your wiki entry. Possible target wikis for publications include Wikipedia, the IT Law Wiki and the EFF’s Internet Law Treatise. Note: due to the nature of wikis, publishing your entry doesn’t mean that it will remain published or unmodified! When you submit your entry to a wiki, you may be required to disclaim or license your copyright interests in the entry.

I am willing to consider a proposal for you to collaborate with one of your peers. I will assign a single grade to your collective output, and I expect the topic or case you tackle to require at least twice the effort of a topic or case your peers are undertaking solo.

If you choose Option B, the deadlines for your wiki entry:

• September 9, 10:30 am: latest time to elect Option B by sending me an email saying you choose option B. After this time, your election becomes irrevocable.
• September 30, 10:30 am: by this time, we need to have agreed on your topic/case. I may reject your proposal for any reason, so I anticipate that we will discuss your proposal well before this date.
• October 21, 10:30 am: latest time to submit a first draft of your entry. You can submit as many drafts as you want, and I encourage you not to wait to submit your draft for my review.
• November 18, 10:30 am: final draft due.
• December 4, noon: latest time to publish your final draft at your targeted wiki.

Important note: I really hate missed deadlines. Meeting deadlines is a daily responsibility of professional service providers, and an attorney’s failure to meet deadlines can have draconian consequences for the attorney and his/her client. As a result, you will irritate me if you miss any of these deadlines, which could have deleterious effects on your entry’s grade. So, please respect the deadlines!

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. **Course Recordings.** I plan to record class lectures using a digital voice recorder, which may also pick up your in-class contributions. If you have any concerns about this, please
let me know. You can download lecture recordings from iTunesU (iTunes client software required).

6. **READINGS.**

**What is Cyberspace? Who Regulates It?**

ACLU v. Reno (CDA I District Ct. Facts Only) ................................................................. Page 6
Noah v. AOL (E.D. Va.) ............................................................................................................. 22
Geolocation: Core To The Local Space And Key To Click-Fraud Detection .................... 33

Optional: if you’d like to know more about the Internet’s technical operations, you might check out the Animated Internet website.

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**Contracts**

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Perfect 10 v. Amazon (9th Cir. as amended) ................................................................. 243
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Fair Housing Council v. Roommates.com (9th Cir. en banc) ............................... 529

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16 CFR Part 312 (Regulations Implementing COPPA) ........................................... 581
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16 CFR Part 316 (CAN-SPAM implementing regulations) .................................... 651
MySpace v. TheGlobe.com ........................................................................................................ 657
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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.

If you want to see some of the issues I’m tracking, feel free to read my blog or follow me at Twitter. More course-related materials, including an electronic copy of this syllabus, are available at my personal website.