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):

**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
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.