Internet Law (Law 793)
Professor Eric Goldman (he/him)
Fall 2025

1.   Meeting Sessions. We will have class sessions in Charney 205 every Tuesday and Thursday, 8:50am to 10:15am, from August 19, 2025 to November 20, 2025, except:

- On August 21, class will meet in Lucas 208; and
- Class will not meet on September 23 (Rosh Hashanah), October 2 (Yom Kippur), and October 14 (Fall Break).

On November 25, TA Amanda Barraza will hold an optional review session (modality TBD).

2.   Attendance. Your attendance is critical to your success in the course, and your peers can't learn from you if you're not around. As a result, I expect 100% attendance. Students who achieve that will get a small prize. I will circulate a sign-in sheet each session; make sure you sign it. Because life is uncertain, you have 5 "free passes" to cover unexcused absences. You don't need to let me know when you're using a free pass. If you have more than 5 unexcused absences, you are subject to a grade penalty or administrative withdrawal from this course. Email me in advance if you are requesting an excused absence.

If you have scheduling conflicts during the first week due to the FlexJD course schedule, please email me.

Sessions will start promptly at 8:50. Plan your commute accordingly.

3.   Book. You can download the book PDF for free in Camino. If you want a printed version, you can buy a softcover version ($20 + shipping and tax) or hardcover version ($28 + S&T).

4.   Office Hours. I'm happy to schedule a meeting at your convenience. Email me some proposed meeting times. I generally prefer outdoor or virtual meetings.

5.   Course Learning Objectives.

- Learn the basic nomenclature and concepts of Internet technology.
- Understand Internet exceptionalism and some arguments for and against it.
- Learn the basic nomenclature and doctrinal principles of Internet law.
- Practice brainstorming legal and non-legal options to business problems and evaluating the pros/cons of those options.
- Develop practical ways to guide clients in the face of rapidly developing laws and technologies.

- Practice writing about Internet law topics in different formats.
- Reflect about the role of Generative AI in your academic and professional work.
- [Bonus: Learn more about 1980s pop culture.]

6.   Schedule, Assignments, and Grading.

Week	Topics	Deadlines
1 (Aug. 19 & 21)	Definition of the "Internet," Internet Exceptionalism	Self-introduction due Aug. 24, 5pm Paper #1 due Aug. 24, 5pm
2 (Aug. 26 & 28)	Geography, Jurisdiction	
3 (Sept. 2 & 4)	Contracts (Formation)	
4 (Sept. 9 & 11)	Contracts (Amendment)	Paper #2 due Sept. 14, 5pm
5 (Sept. 16 & 18)	Trespass to Chattels	Course survey due Sept. 21, 5pm
6 (Sept. 25)	Copyright	
7 (Sept. 30)	Copyright	
8 (Oct. 7 and 9)	Copyright, Ticketmaster	
9 (Oct. 16)	Trademarks	Midterm available Oct. 16, noon Midterm due Oct. 19, 5pm
10 (Oct. 21 & 23)	Trademarks, Content Regulation	Midterm feedback due Oct. 26, 5pm
11 (Oct. 28 & 30)	Publication Torts, Section 230	Paper #3 due Nov. 2, 5pm
12 (Nov. 4 & 6)	Section 230	
13 (Nov. 11 & 13)	Section 230, Privacy	Paper #4 due Nov. 16, 5pm
14 (Nov. 18 & 20)	Spam, Social Media, Review	Cumulative multiple choice exam due Nov. 23, 5pm Complete the course evaluation
15 (Nov. 25)	OPTIONAL TA-led Review Session (details TBA)	
Finals Period		Paper #5 due Dec. 2, 5pm Last chance for Qs: Dec. 2, 11pm Final exam available Dec. 3, 10am Paper #6 due Dec. 18, 11 am Final exam due Dec. 18, 11 am

Graded Assignment/Description	Scoring
Weekly quizzes/exit tickets, due each Sunday at 5pm (except for Weeks 9 and 15)	1 point/week for timely completion
Introduce yourself in the Camino discussion group	1 point for timely completion
Paper #1: Answer *both* of these prompts: • Prompt 1: Why are you taking this course, and what outcomes do you hope to achieve? • Prompt 2: How do you plan to use Generative AI in this course, and why? (750 words max)	0/2/4

Paper #2: Pick a website/app of your choice and evaluate if you think a court would uphold its TOS formation process, EXCLUDING any product/service from Google/YouTube, Amazon, TikTok, Apple, X/Twitter, Snap, or Facebook/Instagram/WhatsApp. (no word limit, but do you really need more than 500 words?; include screenshots; discuss the formation process and not the contract's substantive terms)	0/1/2
Midterm and Midterm Peer Review	0/2/4
Paper #3: Read Sections 1-8 of the "Dancing with Bigfoot" case study. Analyze (1) Bigfoot on the Strip's defamation case against Randy, and (2) if Bigfoot on the Strip also sued TripAdvisor for Randy's review, TripAdvisor's Section 230 defense against a defamation claim. (750 words max but most answers will be shorter)	0/1/2
Paper #4: Complete all three rounds (9 posts total) of https://takedown.thecgo.org/ (warning: graphic content). Write a paper discussing your reactions to the exercise in total or to any specific post. (500 words max)	0/1/2
Paper #5: Answer *both* of these prompts: • Prompt 1: Review your Paper #1 prompt 1 and explain whether your course outcomes matched your objectives. Discuss what steps, if any, you or I could have taken to improve your outcomes. • Prompt 2: Revisit your Paper #1 prompt 2 about your planned usage of Generative AI. Did you stick with the plan? If you deviated from the plan, why? In what ways did Generative AI help you with the course, and was it ever unhelpful or disadvantageous? If you didn't use Generative AI at all, tell me why not and if you can think of ways it might have helped you improve your course outcomes. (750 words max)	0/2/4
Complete the open-book/open-notes multiple-choice exam at https://forms.gle/4JUkCwNBuTDqt5B17. Use your scu.edu email address.	4 points for timely completion, otherwise 0
Paper #6: Explain ONE thing that surprised, frustrated, or angered you the MOST about Internet Law and why it made you feel that way. (750 words max)	0/1/2
Final Exam	0-40 (approx.)

Deadlines. **All late submissions automatically get a zero**. Camino's/Google Forms'/Examsoft's timestamps are irrebuttable. Never wait until the last minute to make a submission.

Paper Submissions. Upload all papers to the associated Camino assignment. Include your name and (where required) the word count. I'm OK with Word or PDF submissions.

Midterm. The exam will be a one-question essay with a word count cap. After I receive the midterm answers, I will send one of your peer's answers to you along with a grading rubric/sample answer, and you will evaluate your peer's answer. Eventually, I will deliver your

peer's evaluation of your answer, along with my comments, to you. You will get the full points if you take both the exam and your peer review seriously and make both submissions on a timely basis (subject to process violations).

Final Exam. The final exam will have 1 or 2 essay questions and a maximum word count. **YOU WILL FAIL THE COURSE IF YOUR FINAL EXAM IS LATE OR EXCEEDS THE WORD COUNT CAP**.

7.   Generative AI in the Course.

I am still figuring out how to integrate Generative AI in the course. Help me learn and improve.

My Use of AI

As an old-school guy, I artisanally hand-crafted this course. For example, I have only a few AI-generated slides in my slide deck.

I will run my final exam, and maybe other exercises, through Generative AI to establish a baseline of what the machines can produce. I expect you to substantially surpass that baseline. Historically, Generative AI-prepared answers to my exams would not have achieved a passing score, so if your final exam answer only matches the Generative AI baseline…well, I doubt the associated grade will be an asset to you.

I do all course grading myself—I don't delegate this work to other humans or machines. As the old joke goes: I don't get paid to teach (I would do that for free), I get paid to grade.

Your Use of AI

Generative AI will be an integral part of your professional efforts for the rest of your career, so I hope you will experiment with it and find ways it can improve your outcomes and outputs. For Fall 2025, I am not restricting how you use Generative AI in the course.

I have three major qualifications. First, the empirical evidence suggests that students who offload hard cognitive tasks to Generative AI achieve worse learning outcomes. (*See*, *e.g*., this study). If you use Generative AI as a substitute for building your own mental maps, you are disadvantaging yourself.

Second, in that vein, the reflection papers and midterm are designed to get you to think about the material. If you outsource the tasks to Generative AI, you are cutting that cognitive corner and skipping a key part of my pedagogy. Worse, I *really* don't enjoy grading AI outputs. Among other things, AI cannot improve based on my feedback. Therefore, I STRONGLY encourage you not to submit Generative AI-prepared outputs for the reflection papers or midterm project. Get the benefit of the exercises and do the work yourself!

Third, you will be accountable for every word in your submissions, including any Generative AI-caused mistakes (such as hallucinated citations). I expect to downgrade AI-caused errors, such as

hallucinated citations, in the scoring rubric. If Generative AI helps you prepare a document, *check everything*.

8.　　**Contact.** Email me at egoldman@gmail.com. Put "Internet Law" in your subject line to avoid unintentional deletion as spam.

Stay up-to-date with the latest Internet Law developments at my blog [http://blog.ericgoldman.org] and Bluesky [https://bsky.app/profile/ericgoldman.bsky.social]. More course-related materials are available at [http://www.ericgoldman.org/cyberlaw.html].

<center>**Additional Disclosures**</center>

The following disclosures are derived from https://www.scu.edu/provost/faculty-affairs/other-policies-procedures/teaching-expectations/.

I emphasize that **the California legislature has designated me as a MANDATORY REPORTER of any incidents (that you mention to me or I see) of sexual harassment, including sexual battery, sexual violence, and sexual exploitation, as well as unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature—whether the incident happened at SCU or elsewhere.**

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Academic Integrity
The Academic Integrity pledge, which applies to all students, states:

> I am committed to being a person of integrity. I pledge, as a member of the Santa Clara University community, to abide by and uphold the standards of academic integrity contained in the University Conduct Code.

I expect you to uphold the principles of this pledge for all work in this class and also comply with the law school's Academic Integrity Policy. If you have questions about what is appropriate on any assignment, please let me know before you hand in your work.

For more resources about academic integrity in your academic work, see https://libguides.scu.edu/academic-integrity and www.scu.edu/academic-integrity.

Discrimination, Harassment, and Sexual Misconduct (Title IX)
Santa Clara University is committed to providing all students with a safe learning environment free of all forms of discrimination, sexual harassment, and sexual violence.

As a faculty member, California law SB 493 requires me to report any information brought to my attention about incidents of sexual harassment or misconduct to the SCU Equal Opportunity and Title IX Office, (408) 551-3043. This includes, but is not limited to, disclosures in writing assignments, class discussions, and one-on-one conversations.

Should you need support, SCU has dedicated staff trained to assist you in navigating campus resources, accessing health and counseling services, providing academic and housing accommodations, helping with legal protective orders, and filing a formal complaint with the University or with law enforcement. Please see this page for more information about reporting options and resources.

If you (or someone you know) have experienced sexual harassment or sexual violence and want to speak to a confidential resource who is not required to report, please contact the SCU Wellness Center, CAPS, or any individual (e.g., clergy and counselors) acting in a professional

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capacity for which confidentiality is mandated by law. I am happy to help connect you with any of these resources.

Accommodations for Pregnant and Parenting Students
Santa Clara University does not discriminate against any student on the basis of pregnancy or related medical conditions. Absences due to medical conditions relating to pregnancy and childbirth will be excused for as long as deemed medically necessary by a student's doctor, and students will be given the opportunity to make up missed work. Students needing accommodations can often arrange accommodations by working directly with their instructors, supervisors, or departments. Students needing accommodations can also seek assistance with accommodations from the Office of Accessible Education (OAE) or from the Office of Equal Opportunity and Title IX Office.

Office of Accessible Education
Our community is committed to creating a learning environment that meets the needs of our diverse student body. In partnership with the university Office of Accessible Education (OAE), we strive to support our law students in their participation in the classroom, student life, and its programs. If you anticipate barriers to your learning or participation in this class, we urge you to speak with OAE as soon as possible. OAE addresses these challenges by providing academic accommodations, support services, and auxiliary aids.

If you have a documented disability for which accommodations may be required in this class, please contact the Office of Accessible Education (http://www.scu.edu/oae, 408-554-4109) as soon as possible to discuss your needs and register for accommodations with the University.

Due to the law school's anonymous grading format, please do not disclose any accommodation to me directly. The Office of Accessible Education will contact me as needed. If you have already arranged accommodations through OAE, please schedule an appointment to discuss your accommodations with the Office of Assessment Director, Janelle Atangan, at lawaccommodations@scu.edu. To ensure fairness and consistency, the law school must receive verification from the Office of Accessible Education before providing accommodations.

In light of shifting health advisories related to COVID-19, exams may be administered online. Students with approved testing accommodations should contact Janelle (at least two weeks' notice recommended) prior to the exam date to notify Janelle of their intent to use their testing accommodations on the upcoming exam to ensure their accommodations are effectively implemented. OAE requires at least 21 business days to review application documentation.

For more information regarding this process, please contact the Office of Assessment at lawaccommodations@scu.edu or oae@scu.edu.

Safety Measures
To the extent required by the university, I expect everyone to adhere to current university mask mandates at all times; to make their best attempt to make themselves heard when asking questions or contributing to discussions; and to refrain from eating or drinking in class. It is expected that everyone will follow university guidelines about health and public safety measures.

Classroom Decorum
It is important we maintain a respectful, professional learning community. That means being open to the ideas and viewpoints expressed by others, and engaging in conversations that challenge those viewpoints and ideas without comments that are demeaning or disrespectful. Class discussions can sometimes involve difficult topics; we should do everything possible to make everyone feel comfortable sharing their perspectives and life experiences, even when we disagree about ideas.

Use of Classroom Recordings
I have requested that all online class meetings be recorded and made available on Camino. The Student Conduct Code says: "Dissemination or sharing of any classroom recording without the permission of the instructor would be considered 'misuse' and, therefore, prohibited. Violations of these policies may result in disciplinary action by the University. At the instructor's discretion, violations may also have an adverse effect on the student's grade."

Copyright Statement
Course materials are protected by U.S. copyright laws. I am the copyright holder of the materials I create, including notes, handouts, slides, and videos. You may make copies of course materials for your own use, and you may share the materials with other students enrolled in this course. You may not publicly distribute any course materials without my written permission.

Technology Support
For Camino support, contact caminosupport@scu.edu or call 408-551-3572. You can also use the help button within the Camino platform (on the left-hand navigation) for 24/7 support via chat or phone with our vendor.

For Zoom assistance, contact Media Services at mediaservices@scu.edu or 408-554-4520. You can also get support from the Zoom Help Center website, https://support.zoom.us/hc/en-us.

For SCU network and computing support, contact the SCU Technology Help Desk at techdesk@scu.edu or 408-554-5700. They can provide support for MySCU Portal, Duo, eCampus, hardware and software issues, and more.

Land Acknowledgment
Santa Clara University sits on the unceded land of the Ohlone and the Muwekma Ohlone people, who trace their ancestry through the Missions Dolores, Santa Clara, and San Jose. We remember their connection to this region and give thanks for the opportunity to live, work, and learn on their traditional homeland.

Respect for Diversity
It is my intent that students from all diverse backgrounds and perspectives be well served by this course, that students' learning needs be addressed both in and out of class, and that the diversity that students bring to this class be viewed as a resource, strength, and benefit. It is my intent to present materials and activities that are respectful of diversity: gender, sexuality, disability, age, socioeconomic status, ethnicity, race, religion, and culture. Please let me know ways to improve

the effectiveness of the course for you personally or for other students or student groups. In addition, if any of our class meetings conflict with your religious events, please let me know so that we can make arrangements for you.

Gender Inclusive Language
This course affirms people of all gender expressions and gender identities. If you go by a name different from what is on the class roster, please let me know. My pronouns are he/him. Using correct gender pronouns is important to me, so I encourage you to share your pronouns with me and correct me if I make a mistake. If you have any questions or concerns, please do not hesitate to contact me. For more on personal pronouns, see https://pronouns.org/.

Wellness Statement
I know you will do the best you can in this class (and all of your classes); however, it should never be at the expense of your own mental health, physical health, or well-being. Jesuit education is grounded in *cura personalis*, concern for the whole person—mind, body, and spirit. What does this mean for you? Be kind to others, and more importantly, be kind to yourself. Attend to your sleep (quantity and quality); drink lots of water; move; get outside; and pay attention to beauty that isn't coming to you on a screen. Eat good food; laugh; enjoy friends and family; look for opportunities to connect with others in new ways; pray, meditate, or otherwise attend to your spirit. And ask for help, even if you don't think you need it. Lots of folks, including me, are here to support you. It's never too late to reach out, and I am committed to helping you.

SCU has many resources and programs to support you. These resources may be especially helpful:

- Wellness Center: https://www.scu.edu/wellness/. The Wellness Center provides resources to aid and promote student well-being across the eight dimensions of wellness, including student peer groups for healthful living, violence prevention, and recovery.
- CAPS: https://www.scu.edu/cowell/caps/. Santa Clara students are provided confidential counseling sessions at no cost through Counseling and Psychological Services (CAPS). Students have access to clinically appropriate, short-term therapy; group therapy; and other resources for care. A 24/7 support line is also available: 408-554-5220.
- SCU Culture of Care: https://www.scu.edu/osl/culture-of-care/. If you are concerned for the mental or physical welfare of one of your peers, the Office of Student Life Culture of Care website provides resources for recognizing and helping someone in distress.
- Academic Concerns. If you are concerned with your progress in this class, please contact me so that we can find solutions together.