



**SYLLABUS**  
**INTRODUCTION TO INTERNET LAW**  
**SANDRA DAY O'CONNOR COLLEGE OF LAW**

**GENERAL INFO AT A GLANCE**

**Semester:** Fall 2023

**Course:** LAW691, 3 credits

**Professor:** Anette Beebe

**Classroom:** 650 at the BCLS

**Office Number:** N/A

**Email Address:** [anette.beebe@asu.edu](mailto:anette.beebe@asu.edu)

**Zoom Link:** <https://asu.zoom.us/j/5928105038>

**Phone:** (480) 442-8647 (text message or to leave a message only, e-mail is best)

**Office Hours:** By appointment only. E-mail me and we will schedule a time that is mutually convenient for a call, Zoom meeting, or in person meeting.

**CLASS SESSIONS**

We will meet on Tuesday and Thursday evenings from 6:00 to 7:25 starting Thursday, August 17, 2023, and ending Tuesday, November 21, 2023, except for scheduled holidays, breaks, and as may otherwise be directed. Please refer to the academic calendar and/or the syllabus's docket of dates, assignments, and deadlines. All times in this syllabus are local Arizona time, which may be Pacific or Mountain, depending on the time of the year this course is being taught. For this class, all dates are 2023.

**COURSE OBJECTIVES**

This course surveys the law of the Internet, such as how free speech, privacy, contracts, intellectual property, technology facilitated harassment, civil procedure, criminal law and other legal doctrines apply to Internet businesses, technologies, and everyday people. Because we cover such a wide variety of information in a relatively short period, we will not have time to "deep dive" into any one subject, i.e., we don't go into super heavy detail on any one chapter and should be looked at only as a primer for other more comprehensive courses.

**LEARNING OUTCOMES**

Students taking this course will learn the basic vocabulary and concepts of Internet technology and doctrinal principles of Internet law as well as practice brainstorming business operations, evaluating the pros/cons of those options including issue spotting, and practice writing about Internet law topics. By the end of the course, students should be able to understand the basics of Internet Law enough to issue spot potential problems/risks for themselves and on behalf of clients in the future.

## SEARCH IT ON THE INTERNET

From time to time, you may run across words or concepts that you are not familiar with or may need a little additional explanation outside of class to help you grasp the concept. This is a great time to practice taking the initiative to look various technical jargon to help educate yourself. Yes, it's okay to use Wikipedia for help with terminology.

## CONTENT WARNING

No doubt that I love the Internet for all the puppies, kittens, and baby goats in pajamas. That said, and while there is so much good on the Internet, it can also be shocking, ugly, cruel, disturbing, offensive, and adult in nature which can make this class content different than other more traditional law school classes. While certainly not an every class occurrence, some modules will necessarily include online content (images, audio, and/or videos) that some may find offensive/disturbing and possibly difficult to watch. If you have questions or concerns about this, please contact me immediately.

## COURSE MATERIALS

We will use a combination of two different books ("Required Text") as outlined in more detail below. Don't fret ... I have found high quality textbooks that are available to you at comparatively low cost. I will also provide supplemental reading that you will need to download from Canvas for review and even those may be subject to change as current legal matters evolve.

To avoid paying more money than necessary, please *carefully* read the information provided below (i.e., don't just click on the first link you see) and choose the best option for you based upon how you like to prepare. I personally like paperback or hardcover books because I still need physical paper. Others may do well with electronic versions. Maybe you like a combination of both. Regardless of your learning style, you have a variety of options to choose from. **Do not wait until the last minute to order paper copies of books. If your hard copy book is subject to delayed delivery for whatever reason, obtain a digital copy.**

Outside of my personal stories, supplemental materials I may provide, or guest speakers that I may bring in, I will teach directly from the books.

### Required Text:

- **Eric Goldman, *Internet Law: Cases & Materials*, 2022 Edition (July 2022).** ISBN-13: 979-8839392595  
You can [purchase a .pdf copy](#) (for \$10.00) or obtain copy for your Kindle (for about \$10.00), in Paperback (for about \$20.00), or in Hardcover (for about \$28.00) on Amazon [HERE](#).
  - **Warning:** Kindle users should be aware that the pagination for Kindle does not match the .pdf or paperback version. All reading assignments are based on the .pdf/paperback page numbering. As such, it is encouraged that you also purchase the .pdf version or otherwise be prepared to connect with classmates regarding pages for assigned reading. Do not ask me. I don't do Kindle.
- **James Grimmelmann, *Internet Law: Cases & Problems*, Twelfth Edition, Semaphore Press, Inc. (July 2022).** ISBN-13: 978-1943689156; ISBN-10: 1943689156  
This required text is available for download only at [www.semaphorepress.com](http://www.semaphorepress.com). Semaphore Press uses a publishing model different from the traditional law school casebook publishers. I encourage you to read about Semaphore Press's publishing approach on its website. This digital copy of this book has a suggested price of \$30.00. I urge you to pay the suggested retail price in order to keep high-quality legal education material available at a reasonable price. If you prefer, the publisher does offer a print version of this book through [Amazon at a higher price](#) (for about \$67.00 new).
- Additional cases and/or materials may be supplemented throughout this course.

### Optional Recommended Books for Those Who Have Interest:

- **Jeff Kosseff, *The Twenty-Six Words That Created the Internet***, Cornell University Press (Apr. 15, 2019). ISBN-10: 1501714414. ISBN-13: 978-1501714412.  
You can purchase a copy in various mediums on Amazon [HERE](#). No, I don't get any royalties from this book – but I am quoted in it, and I consider it a “must read” if you really fall in love with this niche legal space.
- **Jeff Kosseff, *The United States of Anonymous: How the First Amendment Shaped Online Speech***, Cornell University Press (March 15, 2022). ISBN-10: 1501762389; ISBN-13: 978-1501762383. You can purchase a copy in various mediums on Amazon [HERE](#).
- **Deborah Tannen, *The Argument Culture: Stopping America's War of Words***, Ballantine Books (Feb. 9, 1999). ISBN-10: 0345407512; ISBN-13: 978-0345407511. You can purchase a copy in various mediums on Amazon [HERE](#).

## ATTENDANCE POLICY

**Professor's Statement on Attendance:** Interactions with your peers are important to this course. As such, I expect you to be in attendance for every class. That said, life happens. Consistent with the University's policies on excessive absence you get (1) tardy (not to exceed 20 minutes post the start of class) and four (4) absences. If you know you are going to be out, please be respectful and let me know ahead of time. You can simply shoot me an email with your name and class in the subject line and let me know that you'll be out. It is also important for you to know that participation is part of your grade. See section on “Expectations and Assessment/Grading” for more details.

Absences for illness, quarantine or self-isolation related to illness should be documented by a health professional and communicated to the instructor as soon as possible. This also may be sent, ideally before class, via email with your name and class in the subject line.

Excused absences do not relieve students from responsibility for any part of the course work required during the period of absence.

If there is a disagreement as to whether an absence should be accommodated, the instructor and student should contact the academic unit chair immediately for a resolution.

***Each class session, I will circulate a sign-in sheet at the beginning of class. Make sure to sign it before I leave the room. IF YOU COME TO CLASS BUT DON'T SIGN IT, IT WILL COUNT AS AN ABSENCE. NO EXCEPTIONS!***

**University's Statement on the Rules:** Per Section IV.B. of the JD Statement of Student Policies,

Attendance is an essential element of successful academic performance. An instructor in any law school course, seminar, or other offering may withdraw a student for excessive absence.

Withdrawal for excessive absences in any course, seminar, or offering for credit shall presumptively be recorded as a failing grade (E). Students who believe they have good cause for failing to attend may petition a committee designated by the dean, which may in its discretion convert the grade to a W.

“Excessive absence” is defined as unexcused absence from more than 15% of class or other instructional time.

Students should notify the instructor at the beginning of the semester about the need to be absent from class due to religious observances or due to university sanctioned events/activities pursuant to ASU's Academic Affairs Manual §§ 304-04 and 304-02.

## EXPECTATIONS AND ASSESMENT/GRADING

Outside of the attendance policy, and expectation that you actively participate, you will be expected to have read the assigned reading *prior to class* and complete any Assignments by the due date and time specified in the Reading/Assignments docket.

**Notes About Participation:** I expect you to be attentive and engaged in the class (i.e., not sitting in the back of the room, checked out, playing solitaire or some other game on your computer or instant messaging with your friends/classmates about the latest TikTok video - unless it is assignment related, of course) and to timely turn in your assignments. You may also earn participation points for engaging in meaningful discussion in class and on the discussion board on Canvas which may come in handy if you miss class for whatever reason. Lastly, you will be provided with name cards at the beginning of class. ***Bring your name card and have it visible every class.*** If you lose your name card, make one *that's legible* with a piece of paper big enough that I can read it from the front of the class. I cannot award points to people whose names I cannot see and you shouldn't rely on me to remember your name (even if I can remember it). Participation points are given in my sole discretion. **Students may earn up to 21 points for participation.**

**Notes About the Reading:** While the *anticipated* reading due is identified in the syllabus, it is subject to change, and I'll announce subsequent weeks' reading at the end of each Thursday class session or as otherwise updated through the weekly modules in Canvas. Your most up-to-date information/changes will be in the Modules in Canvas and you should get in the habit of checking Canvas to ensure you have the most up-to-date reading/assignments. Additionally, the books do not necessarily contain the content of full cases or full statutes discussed. While we will only be covering what is outlined for the reading assignment (i.e., we won't dig any deeper into case facts or history beyond what is provided) you are always welcome, if you are super interested and for your own personal education, to learn more about the case we are discussing by pulling the full case from your legal research tools. Similarly, if there is something hyperlinked in the text, you should pull and review that information. Lastly, because laws related to the Internet are subject to change, and sometimes cool things happen that we shouldn't ignore, we may have to update/supplement/modify information as we go.

**Notes About the Writing Assignments:** Writing is an integral part of this class, but perhaps not in a way that you'd expect. The short papers are designed to help you reflect on the course material and your experiences in the course. They are *also* intended to get you thinking about practical applications of the things you are learning to everyday life either individually or hypothetically for a client. The first paper is listed on the syllabus directly. Each paper question thereafter is provided in the modules in Canvas. For the writing assignments, please do not do any outside research (that takes the fun out of it) and do not collaborate with your classmates (or anyone else). These papers are not group projects. Additionally, while tempting, ***it's not a good idea to read too far ahead or write your papers ahead*** because papers are designed to coordinate with the most recent class/discussions – and you might lose points by failing to consider discussion information. It probably goes without saying, but, in your papers, please do not do anything that I would need to report on a State Bar Character & Fitness questionnaire. Additionally, this is not law review. While I love myself some Blue Book, I do not care what legal writing style you choose, just so long as it is professional, and you are consistent with it throughout your papers. I do, however, expect traditional legal signals, where applicable, to be used (*e.g., accord, see, see also, Cf., see generally, contra, but cf., and compare*). You should also presume that I don't know what case or statute you are talking about (even if it's the case in the text we're covering) and therefore, if you reference a case in your writing, you should properly cite the entire citation and then shorten it as may be appropriate. Lastly, yes, it's cool – yes it cuts time down – **UNLESS YOU ARE INSTRUCTED OTHERWISE, DO NOT USE CHAT GPT OR ANY OTHER AI SYSTEM IN ANY WAY!** This is not working *your* brain ... and I want to understand how *you* think. Not how AI thinks. Using ChatGPT or other AI system for anything other than what may be specifically instructed will result in an automatic failure of the class, a report will be made to the school, and character and fitness will hear about it. No, don't even think about testing this.

**Short Paper Grading:** Unless stated otherwise on the syllabus, short papers (mostly 1,500 words or less – word caps identified in the assignment itself) will be graded 0/5/10 point scale. It is anticipated that most students will receive a score of “10” on their paper which will signify that they have met my expectations. A score of “5” will be provided to students who, in my sole discretion, failed to use the paper as a reflective tool or otherwise failed to take the assignment seriously. A score of “0” is reserved for those who fail to follow procedural instructions, including adhering to any required formatting, word count maximum, getting the signature date correct, or otherwise failed to turn the assignment in on time. **Double check your paper each time *before* you submit it to Canvas. It's your responsibility to get it right.** I don't anticipate writing a lot of comments on the papers so please don't take a lack of commentary as a negative. **Short papers make up 80 points.**

#### **Short Paper Submission Procedures:**

- **Paper Formatting:** Please use Microsoft Word. Your paper should have one (1) inch margins on all four (4) sides; be double spaced; in Times New Roman 12-point typeface; include your name, email address, class, and date in the upper right-hand corner; and include a certificate of word count (*even when there is no word limit*) as the last page of your document. An example Certificate of Word Count template that you should follow is provided in Canvas. Note the Certificate of Word Count does not need to be double-spaced. No, the Certificate of Word Count is not included in the document word count. You do not need to include your name, email address, class, and date in the word count, but everything below that should be included. No, you do not need an electronic signature image on the Certificate of Word Count. Yes, a conformed signature should be used. If you don't know what a “conformed signature” also known as an “S signature” is ... look it up.
- **Paper Submissions:** Upload a Microsoft Word document to Canvas *before* the start of class.
- **Late Submissions:** Failure to turn in your writing assignments timely, or pursuant to the procedure set forth herein, will result in a score of “0” for failure to follow procedure. Unless you get hit by a bus, or are otherwise legitimately physically incapacitated, I grant NO EXCEPTIONS for late submissions. In other words, I wouldn't wait until the last minute to submit your paper.

**Final Exam: The final exam will have a maximum point value of 250.** The final exam will be closed book, *very limited handwritten notes*, consisting of a series of multiple-choice questions and possibly one (1) or two (2) essay questions which may have a maximum word count.

#### **Class Point Summary:**

Participation Possible:	21 or appx. 06.0% of your grade
Short Papers:	80 or appx. 22.8% of your grade
Final Exam:	<u>250</u> or appx. 71.2% of your grade
<b>TOTAL POINTS:</b>	<b>351</b>

## CLASS SCHEDULE

**Note:** Be sure to check for any reading/assignment information that may carry over to the next page of this syllabus. Reading assignments are based on the .pdf/text version of the book(s) – i.e., Kindle users beware. As discussed herein, this schedule is subject to change. Be sure to check Canvas for any modifications which will be released each Friday at 12:00 noon for the following week.

	Class Date	What to Expect: Reading and/or Assignment(s) Due	Grading/Points
1.	Thur. 8/17	<p><b>TODAY’S AGENDA</b></p> <ul style="list-style-type: none"> <li>Welcome to the first day! Today we will make introductions, go over our syllabus, discuss expectations, discuss some responses to Short Paper #1 and dig into the reading.</li> </ul> <p><b>DUE BY START OF CLASS: Short Paper #1 (500 Word Max).</b> * If you register after class starts, but on or before 8/23/2023, your deadline is the beginning of class 8/24/2023.</p> <ul style="list-style-type: none"> <li>Why are you taking this course, what outcomes are you hoping to achieve?</li> <li>What is your favorite thing about the Internet?</li> <li>What is your least favorite thing about the Internet?</li> </ul> <p><b>READING DUE BY START OF CLASS:</b> If the Chapter is listed in Roman Numerals (e.g., Ch. I, II, III), that is <i>Goldman's</i> Book. If the Chapter is listed in regular numbers (e.g. Ch. 1, 2, 3), that is <i>Grimmelmann's</i> book.</p> <ul style="list-style-type: none"> <li><i>Goldman</i>, pp. 1-22</li> <li><b>Optional:</b> <i>Grimmelmann</i>, pp. 17-55. While <u>not assigned reading</u>, read/skim if you want to dig into the more technical side of computers and how they work and connect to the Internet for your own personal education.</li> </ul> <p><b>Ch. I - What is the Internet? Who Regulates it?</b></p> <ul style="list-style-type: none"> <li>Noah v. AOL (E.D. Va) – p. 11</li> </ul>	Paper: 10 for being timely and following format and procedure.
2.	Tues. 8/22	<p><b>TODAY’S AGENDA</b></p> <ul style="list-style-type: none"> <li>Today we will start class by going over <i>Goldman</i> Chapter 1, Review Question #1 (p. 22), address any questions from last class, and move forward with information contained in the assigned reading.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li><i>Goldman</i>, pp. 23-30</li> <li><i>Grimmelmann</i>, pp. 57 – 64; 94-95 [<b>Optional:</b> jurisdiction primer/refresher]</li> </ul> <p><b>Ch. I - What is the Internet? Who Regulates it?</b></p> <ul style="list-style-type: none"> <li>Determining the Geographic Location of Internet-Connected Devices – p. 23</li> </ul> <p><b>Ch. II – Jurisdiction</b></p> <ul style="list-style-type: none"> <li>Evaluating Personal Jurisdiction - p. 30</li> </ul> <p><b>Ch. 2 – Jurisdiction</b></p> <ul style="list-style-type: none"> <li>A. Cyberspace <ul style="list-style-type: none"> <li>Note on “Cyberspace” - p. 57</li> <li>A Declaration of the Independence of Cyberspace - p. 58</li> <li>The Problem of Perspective in Internet Law - p. 60</li> <li>Law and Borders: The Rise of Law in Cyberspace - p. 62</li> </ul> </li> </ul>	

		<ul style="list-style-type: none"> <li>- C. American Law <ul style="list-style-type: none"> <li>o 1. Civil Jurisdiction - pp. 94-95</li> </ul> </li> </ul>	
3.	Thur. 8/24	<p><b>TODAY'S AGENDA</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by going over <i>Goldman</i> Chapter 1, Review Question #2 (p. 29), address any questions from last class, and move forward with information contained in the assigned reading.</li> </ul> <p><b>DUE BY START OF CLASS: Short Paper #2</b></p> <ul style="list-style-type: none"> <li>- Refer to Canvas Assignments.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Goldman</i>, pp. 31-46</li> <li>- <i>Grimmelmann</i>, pp. 108-110</li> </ul> <p><b>Ch. II - Jurisdiction</b></p> <ul style="list-style-type: none"> <li>- Toys 'R' Us v. Step Two (3<sup>rd</sup> Cir. 2003) – p. 31</li> <li>- Illinois v. Hemi Group. (7<sup>th</sup> Cir. 2010) – p.43</li> </ul> <p><b>Ch. 2 – Jurisdiction</b></p> <ul style="list-style-type: none"> <li>- American Law <ul style="list-style-type: none"> <li>o 2. Criminal Law – p. 108</li> </ul> </li> </ul>	Paper: 0/5/10
4.	Tues. 8/29	<p><b>TODAY'S AGENDA</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by going over <i>Goldman</i> Chapter 2, Review Question #1 (p. 46), address any questions from last class, and move forward with information contained in the assigned reading.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Goldman</i>, pp. 47-85</li> </ul> <p><b>Ch. III - Contracts</b></p> <ul style="list-style-type: none"> <li>- Meyer v. Uber (2<sup>nd</sup> Cir. 2017) – p.49</li> <li>- Register.com v. Verio (2<sup>nd</sup> Cir. 2004) – p. 76</li> </ul>	
5.	Thur. 8/31	<p><b>TODAY'S AGENDA</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by addressing any questions from last class, finish covering any materials remaining from earlier in the week, move forward with information contained in the assigned reading.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Goldman</i>, pp. 86-96</li> <li>- Bonus Case: We are the People, Inc. v. Facebook, Inc., Case No. 19-CV-8871 (JMF) (S.D.N.Y. 2020) (<a href="https://public.fastcase.com/WI%2B2t%2BeVuI35%2FN70vAMFZICHg74SJWn_sBkiDrB%2FNos4DhDQ%2FeTW4gWfNV87JNKf3">https://public.fastcase.com/WI%2B2t%2BeVuI35%2FN70vAMFZICHg74SJWn_sBkiDrB%2FNos4DhDQ%2FeTW4gWfNV87JNKf3</a>)</li> </ul> <p><b>Ch. III - Contracts</b></p> <ul style="list-style-type: none"> <li>- Harris v. Blockbuster – p. 86</li> </ul>	

6.	Tues. 9/5	<p><b>TODAY'S AGENDA</b></p> <ul style="list-style-type: none"> <li>- Today will start class by going over <i>Goldman</i> Chapter 3, Review Question #1 and #2 (pp. 93-96), address any questions from class, and move forward with information contained in the assigned reading.</li> </ul> <p><b>DUE BY START OF CLASS: Short Paper #3</b></p> <ul style="list-style-type: none"> <li>- Refer to Canvas Assignments.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Grimmelmann</i>, pp. 340 (bottom) to 341 (top)</li> <li>- <i>Goldman</i>, pp. 97-121</li> <li>- Statutes: <ul style="list-style-type: none"> <li>o Computer Fraud &amp; Abuse Act, 18 U.S.C. 1030 (<a href="https://uscode.house.gov/view.xhtml?req=(title:18%20section:1030%20edition:prelim)">https://uscode.house.gov/view.xhtml?req=(title:18%20section:1030%20edition:prelim)</a>)</li> <li>o California Penal Code § 502 (<a href="https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=502.&amp;lawCode=PEN">https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=502.&amp;lawCode=PEN</a>)</li> <li>o Arizona Revised Statute, Criminal Code § 13-2316 (<a href="https://www.azleg.gov/ars/13/02316.htm">https://www.azleg.gov/ars/13/02316.htm</a>)</li> </ul> </li> </ul> <p><b>Ch. 5 – Access to Computers</b></p> <ul style="list-style-type: none"> <li>- B. Trespass to Chattels <ul style="list-style-type: none"> <li>o Restatement (Second) of Torts [Trespass] - pp. 340-341</li> </ul> </li> </ul> <p><b>Ch. IV – Trespass/Computer Fraud &amp; Abuse Act</b></p> <ul style="list-style-type: none"> <li>- Comparison of Trespass to Chattels Doctrine – p. 97</li> <li>- Intel v. Hamidi (Cal. Sup. Ct. 2003) – p. 98</li> <li>- Register.com v. Verio (2d Cir. 2004) (Trespass to Chattels section) – p. 118</li> </ul>	Paper: 0/5/10
7.	Thur. 9/7	<p><b>TODAY'S AGENDA</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by going over <i>Goldman</i> Chapter 4, Review Question #1 (p. 121), any questions from last class and discuss the assigned reading.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Grimmelmann</i>, pp. 350 – 354 (top); 356 - 365</li> <li>- HiQ Labs v. LinkedIn, 17-16783 (9th Cir. Apr. 18, 2022) (<a href="https://cdn.ca9.uscourts.gov/datastore/opinions/2022/04/18/17-16783.pdf">https://cdn.ca9.uscourts.gov/datastore/opinions/2022/04/18/17-16783.pdf</a>)</li> <li>- <b>Skim</b> the materials listed below (continued on next page): <ul style="list-style-type: none"> <li>o US v. Zarokian (access in Canvas) <ul style="list-style-type: none"> <li>▪ CD.Cal, Case No. 2:17-MJ-02002 – Search and Seizure Warrant</li> <li>▪ D.Ariz., Case No. 2:18-cr-01626-JTT - Information</li> <li>▪ D.Ariz., Case No. 2:18-cr-01626-JTT – Plea Agreement</li> </ul> </li> <li>o US v. Epifaniou (access in Canvas) <ul style="list-style-type: none"> <li>▪ D.Ariz., Case No. 2:17-cr-01280-SMB - Criminal Indictment</li> <li>▪ ND.Ga., Case No. 1:17-cr-00327-UNA – Criminal Indictment</li> </ul> </li> </ul> </li> </ul>	



		<ul style="list-style-type: none"> <li>○ DOJ Press Release dated July 18, 2020 (<a href="https://www.justice.gov/opa/pr/two-alleged-criminals-hezbollah-associated-narco-money-launderer-and-computer-hacker">https://www.justice.gov/opa/pr/two-alleged-criminals-hezbollah-associated-narco-money-launderer-and-computer-hacker</a>)</li> <li>○ DOJ Press Release dated January 25, 2021 (<a href="https://www.justice.gov/usao-ndga/pr/cypriot-hacker-pleads-guilty-extorting-website-operators-stolen-user-data">https://www.justice.gov/usao-ndga/pr/cypriot-hacker-pleads-guilty-extorting-website-operators-stolen-user-data</a>)</li> <li>○ DOJ Press Release dated March 17, 2021 (<a href="https://www.justice.gov/usao-az/pr/cypriot-hacker-sentenced-prison">https://www.justice.gov/usao-az/pr/cypriot-hacker-sentenced-prison</a>)</li> </ul> <p><b>Ch. 5 – Access to Computers</b></p> <ul style="list-style-type: none"> <li>- C. Computer Misuse Statutes <ul style="list-style-type: none"> <li>○ Computer Fraud and Abuse Act - pp. 350</li> <li>○ Cybercrime’s Scope: Interpreting “Access” and “Authorization” in Computer Misuse Statutes - pp. 353</li> <li>○ Van Buren v. United States (S. Ct. 2021) - pp. 356</li> <li>○ HiQ Labs, Inc. v. LinkedIn Corp (9<sup>th</sup> Cir. 2019) - pp. 361</li> </ul> </li> </ul>	
8.	Tues. 9/12	<p><b>TODAY’S AGENDA</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by answering any questions from last class, and move into the assigned reading.</li> </ul> <p><b>DUE BY START OF CLASS: Short Paper #4</b></p> <ul style="list-style-type: none"> <li>- Refer to Canvas Assignments.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Goldman</i>, pp. 122-157</li> </ul> <p><b>Ch. V - Copyright</b></p> <ul style="list-style-type: none"> <li>- Copyright Basics (Copyright Office Circular 1) – p. 122</li> <li>- Note about Fair Use – p. 127</li> <li>- Cartoon Network v. CSC (2<sup>nd</sup> Cir. 2008) – p. 132</li> <li>- MGM Studio v. Grokster (Sup. Ct. 2005) – p. 145</li> </ul>	Paper: 0/5/10
9.	Thur. 9/14	<p><b>TODAY’S AGENDA</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by answering <i>Goldman</i> Chapter 5, Review Question #1 (p. 126), any questions from last class, and move into the assigned reading.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Grimmelmann</i>, pp. 401-403; 419-421</li> <li>- <i>Goldman</i>, pp. 156-181</li> <li>- Statute: Review 17 USC § 512 (<a href="https://www.law.cornell.edu/uscode/text/17/512">https://www.law.cornell.edu/uscode/text/17/512</a>)</li> </ul> <p><b>Ch. 7 – Copyright</b></p> <ul style="list-style-type: none"> <li>- Copyright Overview - p. 401</li> <li>- A. Copyrightability <ul style="list-style-type: none"> <li>○ No Such Thing as a Computer-Authored Work - p. 419</li> </ul> </li> </ul>	

		<b>Ch. V – Copyrights</b> <ul style="list-style-type: none"> <li>- Secondary Liability <ul style="list-style-type: none"> <li>o Section 512(c) cheat sheet – p. 158</li> <li>o UMG v. Shelter Capital (9<sup>th</sup> Cir. 2013, revised opinion) – p. 160</li> </ul> </li> </ul>	
10.	Tues. 9/19	<b>TODAY’S AGENDA</b> <ul style="list-style-type: none"> <li>- Today we will start class by answering Chapter 5, Review Question #2 (p. 181), any questions from last class, and move into the assigned reading plus in class project.</li> </ul> <b>READING DUE BY START OF CLASS:</b> <ul style="list-style-type: none"> <li>- <i>Goldman</i>, pp. 182-194</li> <li>- <i>Grimmelmann</i>, pp. 516-519</li> </ul> <b>Ch. V – Copyrights</b> <ul style="list-style-type: none"> <li>- Recap <ul style="list-style-type: none"> <li>o Ticketmaster v. RMG (C.D. Cal. 2007) – p. 182</li> </ul> </li> </ul> <b>Ch. 7 – Copyright</b> <ul style="list-style-type: none"> <li>- G. Digital Rights Management – p. 516 <ul style="list-style-type: none"> <li>o Note on Digital Rights Management – pp. 516</li> <li>o Note on the Motivation for Anti-Circumvention Law – p. 517</li> </ul> </li> </ul>	
11.	Thur. 9/21	<b>TODAY’S AGENDA</b> <ul style="list-style-type: none"> <li>- Today we will start class by answering any questions from last class and move into assigned reading.</li> </ul> <b>DUE BY START OF CLASS: Short Paper #5</b> <ul style="list-style-type: none"> <li>- Refer to Canvas Assignments.</li> </ul> <b>READING DUE BY START OF CLASS:</b> <ul style="list-style-type: none"> <li>- <i>Goldman</i>, pp. 195-213</li> <li>- Statutes: <ul style="list-style-type: none"> <li>o 15 USC §1114 (<a href="https://www.law.cornell.edu/uscode/text/15/1114">https://www.law.cornell.edu/uscode/text/15/1114</a>)</li> <li>o 15 USC § 8131 (<a href="https://www.law.cornell.edu/uscode/text/15/8131">https://www.law.cornell.edu/uscode/text/15/8131</a>)</li> </ul> </li> <li>- Policies: <ul style="list-style-type: none"> <li>o ICANN Uniform Domain Name Dispute Resolution Policy (<a href="https://www.icann.org/resources/pages/policy-2012-02-25-en">https://www.icann.org/resources/pages/policy-2012-02-25-en</a>)</li> <li>o Rules for Uniform Domain Name Dispute Resolution Policy (<a href="https://www.icann.org/resources/pages/udrp-rules-2015-03-11-en">https://www.icann.org/resources/pages/udrp-rules-2015-03-11-en</a>)</li> </ul> </li> </ul> <b>Ch. VI – Trademarks and Domain Names</b> <ul style="list-style-type: none"> <li>- Trademark FAQs – p. 195</li> <li>- Trademark Glossary – p. 197</li> <li>- A. Domain Name and Meta Tags <ul style="list-style-type: none"> <li>o Lamparello v. Falwell (4<sup>th</sup> Cir. 2005) – p. 200</li> </ul> </li> </ul>	Paper: 0/5/10

12.	Tues. 9/26	<p><b>TODAY'S AGENDA</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by answering <i>Goldman</i> Chapter 6, Review Question #1 (p. 196), any questions from last class, and move into the assigned reading.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Goldman</i>, pp. 214-253</li> <li>- Policy: Google's Trademark Policy (<a href="https://support.google.com/adspolicy/answer/6118?hl=en">https://support.google.com/adspolicy/answer/6118?hl=en</a>)</li> </ul> <p><b>Ch. VI – Trademarks and Domain Names</b></p> <ul style="list-style-type: none"> <li>- A. Domain Name and Meta Tags (continued) <ul style="list-style-type: none"> <li>o Promatek v. Equitrac (7<sup>th</sup> Cir. 2002) Orig. Order and Revision – p. 214</li> </ul> </li> <li>- B. Search Engines <ul style="list-style-type: none"> <li>o Network Automation v. Advanced System Concepts (9<sup>th</sup> Cir. 2011) – p. 221</li> <li>o Tiffany v. eBay (2<sup>nd</sup> Cir. 2010) – p. 239</li> </ul> </li> </ul>	
13.	Thur. 9/28	<p><b>TODAY'S AGENDA:</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by answering questions from last class, finish up trademarks, and start in on Speech issues.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Grimmelmann</i>, pp. 123 – 133; 140-159</li> </ul> <p><b>Ch. 3 – Speech</b></p> <ul style="list-style-type: none"> <li>- A. First Amendment Basics - p. 123 <ul style="list-style-type: none"> <li>o United States Constitution, Amendment I - p. 123</li> <li>o Note on First Amendment Tiers of Scrutiny - p. 123</li> <li>o Packingham v. North Carolina (S. Ct. 2017) - p. 124</li> <li>o Note on the Press - p. 128</li> </ul> </li> <li>- B. What is Speech? p. 131 <ul style="list-style-type: none"> <li>o Texas v. Johnson (S. Ct. 1989) - p. 131</li> <li>o Bland v. Roberts [I] (E.D. Va. 2012) – p. 131</li> <li>o Bland v. Roberts [II] (4<sup>th</sup> Cir. 2013) - p. 133</li> </ul> </li> <li>- C. Harmful Speech – p. 140 <ul style="list-style-type: none"> <li>o It's Complicated: The Social Lives of Networked Teens - p. 141</li> <li>o 1. Violent Speech – Grimmelmann, p. 144 <ul style="list-style-type: none"> <li>▪ United States v. Hobgood (8<sup>th</sup> Cir. 2017) - p. 146</li> </ul> </li> <li>o 2. Speech Integral to Criminal Conduct - p. 148 <ul style="list-style-type: none"> <li>▪ Commonwealth v. Carter (2019) - p. 149</li> </ul> </li> <li>o 3. False Speech – p. 151 <ul style="list-style-type: none"> <li>▪ Restatement (Second) of Torts [Defamation] - p. 152</li> <li>▪ Note on Defamation - p. 153</li> </ul> </li> <li>o 4. Harassment – p. 154 <ul style="list-style-type: none"> <li>▪ Restatement (Second) of Torts [Emotional Distress] - p. 154</li> <li>▪ Snyder v. Phelps (S. Ct. 2011) - p. 155</li> <li>▪ Lebo v. State (Tx. Ct. App. 2015) - p. 157</li> </ul> </li> </ul> </li> </ul>	

14.	Tues. 10/3	<p><b>TODAY'S AGENDA:</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by answering questions from last class and continue with assigned reading.</li> <li>- <i>TENTATIVE: Guest Speaker</i></li> </ul> <p><b>DUE BY START OF CLASS: Short Paper #6</b></p> <ul style="list-style-type: none"> <li>- Refer to Canvas Assignments.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Goldman</i>, pp. 254-255 (top); 270-284</li> <li>- <i>Grimmelmann</i>, pp. 159-170</li> </ul> <p><b>Ch. VII – Pornography</b></p> <ul style="list-style-type: none"> <li>- Pornography Glossary, p. 254-255 (top)</li> <li>- Ashcroft v. ACLU, p. 270 (<b>Note:</b> Read this last, i.e., at least after <i>Reno v. ACLU</i> in <i>Grimmelmann's</i> book)</li> </ul> <p><b>Ch. 3 – Speech</b></p> <ul style="list-style-type: none"> <li>- C. Harmful Speech <ul style="list-style-type: none"> <li>o 5. Sexually Explicit Speech - p. 159</li> <li>o 6. Harm to Minors - p. 161 <ul style="list-style-type: none"> <li>▪ State v. Bishop (N.C. 2016) - p. 163</li> <li>▪ Note on School Discipline - p. 166</li> <li>▪ Reno v. ACLU (S. Ct. 1997) - p. 167</li> </ul> </li> <li>o 7. Intellectual Property - p. 170</li> </ul> </li> </ul>	Paper: 0/5/10
15.	Thur. 10/5	<p><b>TODAY'S AGENDA:</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by answering questions from last class and continue with assigned reading.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Grimmelmann</i>, pp. 171; 193</li> <li>- <i>Goldman</i>, pp. 285 - 307</li> </ul> <p><b>Ch. 3 – Speech</b></p> <ul style="list-style-type: none"> <li>- D. Section 230, p. 171 <ul style="list-style-type: none"> <li>o Restatement (Second) of Torts [Defamation] (<i>refresher</i>) - p. 171 (<b>Note:</b> read before <i>Bauer v. Brinkman</i> in <i>Goldman's</i> book)</li> <li>o Note on FOSTA (another perspective) - p. 193</li> </ul> </li> </ul> <p><b>Ch. VIII – Defamation and Information Torts</b></p> <ul style="list-style-type: none"> <li>- Bauer v. Brinkman (Iowa 2021) – p. 285</li> <li>- 47 U.S.C. Section 230 – p. 290</li> <li>- An Introduction to Section 230 – p. 293</li> <li>- A Note About FOSTA – p. 301</li> </ul>	
	Tues. 10/10	<b>FALL BREAK – RELAX. RECHARGE.</b>	

	Thur. 10/12	<b>FALL BREAK – RELAX. RECHARGE.</b>	
16.	Tues. 10/17	<p><b>TODAY’S AGENDA:</b> Welcome back!</p> <ul style="list-style-type: none"> <li>- Today we will start class by answering questions from last class and continue with assigned reading.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Goldman</i>, pp. 308-348</li> <li>- <i>Grimmelmann</i>, pp. 190-192</li> </ul> <p><b>Ch. VIII – Defamation and Information Torts</b></p> <ul style="list-style-type: none"> <li>- Zeran v. America Online (4<sup>th</sup> Cir. 1997) – p. 308</li> <li>- Fair Housing Council v. Roommates.com (9<sup>th</sup> Cir. 2008) en banc – p. 318</li> <li>- Comparison Chart: 47 USC 230 vs. 27 USC 512(c), p. 348</li> </ul> <p><b>Ch. 3 – Speech</b></p> <ul style="list-style-type: none"> <li>- D. Section 230 <ul style="list-style-type: none"> <li>o Doe v. MySpace (5<sup>th</sup> Cir. 2008) – p. 190</li> </ul> </li> </ul>	
17.	Thur. 10/19	<p><b>TODAY’S AGENDA:</b></p> <ul style="list-style-type: none"> <li>- Today we have a guest lecturer; the lead attorney representing Dirty World Entertainment Recordings.</li> </ul> <p><b>GUEST SPEAKER:</b> David S. Gingras, Gingras Law, PLLC</p> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Grimmelmann</i>, pp. 172-173; 179 – 189</li> </ul> <p><b>Ch. 3 – Speech</b></p> <ul style="list-style-type: none"> <li>- D. Section 230 <ul style="list-style-type: none"> <li>o Communications Decency Act, Section 230 (<i>refresher</i>), p. 172-173</li> <li>o Jones v. Dirty World Entertainment Recordings, LLC (6<sup>th</sup> Cir. 2014), p. 189</li> </ul> </li> </ul>	
18.	Tues. 10/24	<p><b>TODAY’S AGENDA:</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by going over any questions from last class, Goldman Chapter 8, Review Question #1 (p. 348) and Review Question #2 (p. 357) and continue on with the assigned reading; begin hands on simulated “You be the Moderator” experience.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Goldman</i>, pp. 349 – 357</li> <li>- <i>Grimmelmann</i>, pp. 564 – 577; 589-593</li> </ul> <p><b>Ch. VIII – Defamation and Information Torts</b></p> <ul style="list-style-type: none"> <li>- Top Myths of Content Moderation - p. 349</li> <li>- International Approaches to Liability for Information Torts - p. 351</li> </ul>	

		<p><b>Ch. 9 – Platforms</b></p> <ul style="list-style-type: none"> <li>- B. Content Moderation – p. 563 <ul style="list-style-type: none"> <li>o The New Governors: The People, Rules, and Process Governing Online Speech – p. 564</li> <li>o Facebook Community Standards - p. 569</li> <li>o Reddit Content Policy - p. 589</li> </ul> </li> </ul> <p><b>BEGIN: “YOU BE THE MODERATOR” EXPERIENCE</b></p>	
19.	Thur. 10/26	<p><b>TODAY’S AGENDA:</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by going over any questions from last class, Chapter 8, Review Question #2 (p. 357), finish “You be the Moderator” experience (if not done) and continue on with the assigned reading regarding emojis 😊 .</li> </ul> <p><b>DUE BY START OF CLASS: Short Paper #7</b></p> <ul style="list-style-type: none"> <li>- Refer to Canvas Assignments.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- Eric Goldman, 2021 EMOJI LAW YEAR-IN-REVIEW, TECHNOLOGY &amp; MARKETING LAW BLOG (Jan. 9, 2022), <a href="https://blog.ericgoldman.org/archives/2022/01/2021-emoji-law-year-in-review.htm">https://blog.ericgoldman.org/archives/2022/01/2021-emoji-law-year-in-review.htm</a> (last visited July 24, 2022)</li> <li>- Eric Goldman, APPLE DEFEATS COPYRIGHT LAWSUIT OVER EMOJI DEPICTIONS – CUB CLUB V. APPLE, TECHNOLOGY &amp; MARKETING LAW BLOG (Feb. 17, 2022), <a href="https://blog.ericgoldman.org/archives/2022/02/apply-defeats-copyright-lawsuit-over-emoji-depictions-cub-club-v-apple.htm">https://blog.ericgoldman.org/archives/2022/02/apply-defeats-copyright-lawsuit-over-emoji-depictions-cub-club-v-apple.htm</a> (last visited July 24, 2022)</li> <li>- Eric Goldman, COURT EXPLAINS HOW SMILEYS ARE “PRONE TO MULTIPLE INTERPRETATIONS” – IN RE STATE, TECHNOLOGY &amp; MARKETING LAW BLOG (May 10, 2022), <a href="https://blog.ericgoldman.org/archives/2022/05/court-explains-how-smileys-are-prone-to-multiple-interpretations-in-re-state.htm">https://blog.ericgoldman.org/archives/2022/05/court-explains-how-smileys-are-prone-to-multiple-interpretations-in-re-state.htm</a> (last visited July 24, 2022)</li> <li>- Eric Goldman, PROBATIONER RESTRICTED FROM USING “GANG SYMBOLS” ON “SOCIAL MEDIA” – IN RE JT, TECHNOLOGY &amp; MARKETING LAW BLOG (July 24, 2022), <a href="https://blog.ericgoldman.org/archives/2022/07/probationer-restricted-from-using-gang-symbols-on-social-media-in-re-jt.htm">https://blog.ericgoldman.org/archives/2022/07/probationer-restricted-from-using-gang-symbols-on-social-media-in-re-jt.htm</a> (last visited July 24, 2022)</li> </ul>	Paper: 0/5/10
20.	Tues. 10/31	<p><b>TODAY’S AGENDA:</b></p> <ul style="list-style-type: none"> <li>- Happy Halloween! Today we will start class by answering questions from last class and continue with assigned reading.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Grimmelmann</i>, pp. 195 – 242 <b>*NOTE:</b> <i>This is a lot of pages; however, I don’t want you to read everything closely. Much of the materials I signal you to skim so that you’re generally familiar with the case and I’ll supplement information in class. Pay attention to the instructions below.</i></li> </ul> <p><b>Ch. 4 – Privacy, p. 195</b></p> <ul style="list-style-type: none"> <li>- <b>The Fourth and Fifth Amendments</b> <ul style="list-style-type: none"> <li>o A. The Fourth and Fifth Amendment Overview - p. 195 <ul style="list-style-type: none"> <li>▪ 1. Device Searches</li> </ul> </li> </ul> </li> </ul>	

		<ul style="list-style-type: none"> <li>• Riley v. California (S. Ct., 2014) (skim) - p. 199</li> <li>• United States v. Spencer (N.D. Cal. 2018) - p. 208</li> </ul> <ul style="list-style-type: none"> <li>▪ 2. Remote Searches <ul style="list-style-type: none"> <li>• United States v. Warshak (6<sup>th</sup> Cir. 2010) (skim), p. 211</li> <li>• Carpenter v. United States (S. Ct. 2018) (skim) - p. 216</li> </ul> </li> <li>○ B. Wiretapping, p. 225 <ul style="list-style-type: none"> <li>▪ Wiretap Act, 18 USC § 2510 (skim), p. 225</li> <li>▪ O’Brien v. O’Brien (Fla. Dist. Ct. App. 5<sup>th</sup> 2005) - p. 229</li> <li>▪ Stored Communications Act, 18 USC § 2701, <i>et. seq.</i>, p. 231</li> <li>▪ Pen Registers and Trap and Trace Devices, 18 USC § 3121 <i>et seq.</i> (skim) - p. 239</li> <li>▪ Note on Technical Assistance - p. 241</li> </ul> </li> </ul>	
21.	Thur. 11/2	<p><b>TODAY’S AGENDA:</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by answering questions from last class and continue with assigned reading.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Grimmelmann</i>, pp. 243 – 251; 260-261; 275-277; 294-302</li> </ul> <p><b>Ch. 4 – Privacy</b></p> <ul style="list-style-type: none"> <li>- C. Anonymity, p. 243 <ul style="list-style-type: none"> <li>○ Note on Online Identification - p. 244</li> <li>○ Stored Communications Act – p. 244</li> <li>○ Doe I v. Individuals, Whose True Names Are Unknown (D. Conn. 2008) – p. 245</li> </ul> </li> <li>- D. Personal Privacy, p. 260 <ul style="list-style-type: none"> <li>○ Restatement (Second) of Torts [Privacy Torts], p. 260</li> </ul> </li> <li>- E. Consumer Privacy, p. 275 <ul style="list-style-type: none"> <li>○ Note on Cookies - p. 275</li> <li>○ Tweetstorm on Ad Tracking - p. 294</li> <li>○ In re Snapchat (FTC 2014) - p.296</li> </ul> </li> </ul>	
22.	Tues. 11/7	<p><b>TODAY’S AGENDA:</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by answering questions from last class and continue with assigned reading.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Goldman</i>, pp. 358 – 381</li> <li>- Statutes: <ul style="list-style-type: none"> <li>○ 16 C.F.R. Part 312 – Children’s Online Privacy Protection Rule (<a href="http://www.gpo.gov/fdsys/pkg/FR-2013-01-17/pdf/2012-31341.pdf">http://www.gpo.gov/fdsys/pkg/FR-2013-01-17/pdf/2012-31341.pdf</a>) (starting at page 38) (skim)</li> <li>○ Review A.R.S. § 18-551 (<a href="https://www.azleg.gov/ars/18/00551.htm">https://www.azleg.gov/ars/18/00551.htm</a>)</li> <li>○ Review A.R.S. § 18-552 (<a href="https://www.azleg.gov/ars/18/00552.htm">https://www.azleg.gov/ars/18/00552.htm</a>)</li> </ul> </li> </ul> <p><b>Ch. IX – Privacy</b></p>	

		<ul style="list-style-type: none"> <li>- Excerpts from 16 C.F.R. Part 312, the Children’s Online Privacy Protection Act’s Regulations - p. 359</li> <li>- Overview of the EU’s General Data Protection Regulation (GDPR) and State Consumer Privacy Laws - p. 362 <ul style="list-style-type: none"> <li>o The GDPR</li> <li>o State Consumer Privacy Laws <ul style="list-style-type: none"> <li>▪ CCPA</li> <li>▪ CPRA</li> </ul> </li> </ul> </li> <li>- In re Pharmatrak (1<sup>st</sup> Cir.) - p. 370</li> </ul>	
23	Thur. 11/9	<p><b>TODAY’S AGENDA:</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by answering any questions from last class and move into today’s reading assignment.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <ul style="list-style-type: none"> <li>- <i>Goldman</i>, p. 382; 383-388; 397-409</li> <li>- <i>Grimmelmann</i>, p. 348-350;</li> <li>- Statutes: <ul style="list-style-type: none"> <li>o CAN-SPAM Act of 2003 (<a href="https://www.govinfo.gov/content/pkg/CREC-2003-10-23/html/CREC-2003-10-23-pt1-PgS13176-3.htm">https://www.govinfo.gov/content/pkg/CREC-2003-10-23/html/CREC-2003-10-23-pt1-PgS13176-3.htm</a>)</li> <li>o Review 16 C.F.R. Part 316 – CAN-SPAM Rule (<a href="https://www.ecfr.gov/current/title-16/chapter-I/subchapter-C/part-316">https://www.ecfr.gov/current/title-16/chapter-I/subchapter-C/part-316</a>)</li> </ul> </li> </ul> <p><b>Ch. X – SPAM</b> - p. 382</p> <p><b>Ch. 5 – Access to Computers</b></p> <ul style="list-style-type: none"> <li>- B. Trespass to Chattels <ul style="list-style-type: none"> <li>o Note on Spam - p. 248</li> </ul> </li> </ul> <p><b>Ch. XI – Social Media</b></p> <ul style="list-style-type: none"> <li>- The Third Wave of Internet Exceptionalism - p. 383</li> <li>- People v. Lopez (Cal. App. Ct. 2016) - p. 385</li> <li>- Doe v. MySpace (5<sup>th</sup> Cir.) – p. 389</li> <li>- State v. Taylor (N.C. Supreme Ct. 2021) - p. 397</li> <li>- Moreno v. Hanford Sentinel (Cal. App. Ct. 2009) - p. 403</li> </ul>	
24	Tues. 11/14	<p><b>TODAY’S AGENDA:</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by answering any questions from last class and move into today’s reading assignment.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b></p> <p><i>Grimmelmann</i>, pp. 599-604; 624-626; 645-652; 659; 663-670</p> <ul style="list-style-type: none"> <li>- <b>Ch. 9 – Platforms</b> <ul style="list-style-type: none"> <li>o C. Platforms’ Rights, p. 599 <ul style="list-style-type: none"> <li>▪ Kimsey v. City of Sammish (W.D. Wash. 2021), p. 599</li> </ul> </li> <li>o D. Marketplaces, p. 624</li> </ul> </li> </ul>	



		<ul style="list-style-type: none"> <li>▪ Erie Insurance Co. v. Amazon.com, Inc. (4<sup>th</sup> Cir., 2019), p. 624</li> <li>○ E. Antitrust, p. 642 <ul style="list-style-type: none"> <li>▪ Note on Antitrust Law and Economics, p. 642</li> <li>▪ United States v. Microsoft (D.C. Cir. 2001) – pp. 645 - 652</li> </ul> </li> <li>○ F. Network Neutrality, p. 659 (first two paragraphs) <ul style="list-style-type: none"> <li>▪ Broadband Internet Regulation: A Brief History – pp. 663-670</li> </ul> </li> </ul>	
25	Thur. 11/16	<p><b>TODAY’S AGENDA:</b></p> <ul style="list-style-type: none"> <li>- Today we will start class by answering any questions from last class and move into today’s reading assignment.</li> </ul> <p><b>DUE BY START OF CLASS: Short Paper #8</b></p> <ul style="list-style-type: none"> <li>- Refer to Canvas Assignments.</li> </ul> <p><b>READING DUE BY START OF CLASS:</b>  <i>Grimmelmann</i>, pp. 685 – 691; 740; 749-752</p> <ul style="list-style-type: none"> <li>- <b>Ch. 10 – Beyond the Internet</b>, p. 685 <ul style="list-style-type: none"> <li>○ A. Virtual Property, p. 685 <ul style="list-style-type: none"> <li>▪ Kremen v. Cohen (9<sup>th</sup> Cir. 2000), p. 685</li> </ul> </li> <li>○ D. Litigation, p. 740 <ul style="list-style-type: none"> <li>▪ Hassell v. Bird (Cal. 2014), Amicus Curiae Brief of Eugene Volokh, p. 749</li> <li>▪ Hassell v. Bird (Cal. Sup. 2018) Opinion (skim only)</li> </ul> </li> </ul> </li> </ul>	Paper: 0/5/10
26	Tues. 11/21	<p><b>TODAY’S AGENDA:</b></p> <ul style="list-style-type: none"> <li>- Today we will utilizing this last class period for exam preparation. Come prepared with any questions that you have and want to cover</li> </ul> <p><b>DUE MONDAY, NOVEMBER 20<sup>th</sup> BY 12:00 NOON: Exam Related Questions</b></p> <ul style="list-style-type: none"> <li>- If there are any specific topics/issues that you feel like you need a refresher on, or specific questions that you have, now is a great time to let me know so that I can try to cover it during the review day.</li> </ul> <p><b>POSSIBLE EXAM PREPERATION &amp; CLOSING REMARKS</b></p>	
	Thur. 11/23	<b>THANKSGIVING HOLIDAY – HAPPY THANKSGIVING!</b>	

## ACADEMIC INTEGRITY AND STUDENT CODE OF CONDUCT

All students are subject to ASU Law's Academic Integrity Code. The Code "is intended to preserve the integrity of the educational process at the Sandra Day O'Connor College of Law, to promote principles of ethics and professional responsibility, and to ensure an environment in which students can advance their education fairly and confidently. In addition, integrity and honesty are important elements of every state's bar admissions process."

"The Code is not self-enforcing, nor can it be enforced by the faculty or administration alone. Its value depends upon the commitment of students to its norms. Not only must students observe it individually, but they should actively discourage their peers from committing any ethical or academic violation. We expect any student who has personal knowledge of an AIC violation to report that violation to the dean's designee."

Students are obligated to abide by this Code, which can be found at <https://law.asu.edu/cs/student-resources>.

Students are also subject to ASU's Student Code of Conduct, which among other things prohibits engaging in conduct that constitutes discrimination or harassment on the basis of race, sex, religion, national origin, ethnicity, disability, age, sexual orientation, gender identity, marital status, or socioeconomic status and may be subject to discipline by the University according to ASU's Student Code of Conduct Procedures.<sup>1</sup> Anyone who becomes aware of such conduct by a student should contact the law school's Director of Student Services or report it directly to the Dean of Students Office.<sup>2</sup>

## EXPECTED WORK PER CREDIT HOUR

Students should expect to work approximately two hours out of class for every hour spent in class.

## CLASSROOM BEHAVIOR

Respect for the thoughts, ideas, and speech of classmates and faculty is the foundation of the educational process. Threatening behavior in the classroom will be dealt with in accordance with SSM § 104-02, which requires that "all incidents and allegations of violent or threatening conduct by an ASU student (whether on- or off-campus) must be reported to the ASU Police Department and the Office of the Dean of Students."

The use of electronic devices during class is prohibited with the exception of laptops used for class purposes. Yes, I know that the videos of the baby otters, cats, goats in pajamas, or even fast cars or big trucks can be tempting ... or you might lose your streak on SnapChat if you don't respond to a certain friend by a certain time, but this is only an hour and a half class. Pay attention to all those things before class, during a break (if we take one), or after class. Additionally, recording the class in any manner, outside of any University initiated recording without the permission of the instructor is prohibited. To be clear, this class is being recorded for the purpose of student disability or make-up classes anyway. If you need a copy for those reasons, just ask.

## POLICY ON THREATENING BEHAVIOR

Students, faculty, staff, and other individuals do not have an unqualified right of access to university grounds, property, or services.

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<sup>1</sup> The University's Student Code of Conduct and procedures can be found at <https://eoss.asu.edu/dos/srr/codeofconduct>.

<sup>2</sup> Information about the Dean of Students Office may be found at <https://eoss.asu.edu/dos>.

Interfering with the peaceful conduct of university-related business or activities or remaining on campus grounds after a request to leave may be considered a crime.

## **DISABILITY ACCOMMODATIONS**

Per ASU Law and university policies, “the College of Law will provide reasonable accommodations for students with documented disabilities. College of Law accommodations can be made after the student requesting accommodations has met with the Student Accessibility and Inclusive Learning Services (SAILS) staff and eligibility has been established. Accommodations that fundamentally alter the prescribed course of studies must be approved by the College of Law. Students with disabilities that require accommodation(s) and/or adjustments should contact the law school registrar to make arrangements for the SAILS-approved accommodations.”

## **Title IX**

Title IX is a federal law that provides that no person be excluded on the basis of sex from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity. Both Title IX and university policy make clear that sexual violence and harassment based on sex is prohibited. An individual who believes they have been subjected to sexual violence or harassed on the basis of sex can seek support, including counseling and academic support, from the university. If you or someone you know has been harassed on the basis of sex or sexually assaulted, you can find information and resources at <https://sexualviolenceprevention.asu.edu/faqs>.

As a mandated reporter, I am obligated to report any information I become aware of regarding alleged acts of sexual discrimination, including sexual violence and dating violence. ASU Counseling Services, <https://eoss.asu.edu/counseling>, is available if you wish discuss any concerns confidentially and privately. ASU online students may access 360 Life Services, <https://goto.asuonline.asu.edu/success/online-resources.html>.

## **SYLLABUS REVISIONS**

Information in this syllabus, other than grading and attendance policies, is subject to change with reasonable notice.

## **COPYRIGHT MATERIAL**

Pursuant to § 304-06 of the Academic Affairs Manual, “all contents of the lectures, including written materials distributed to the class, are under copyright protection.”

In accordance with ACD 304-10, students must refrain from uploading to any course shell, discussion board, or website used by the course instructor or other course forum, material that is not the student's original work, unless the students first comply with all applicable copyright laws; faculty members reserve the right to delete materials on the grounds of suspected copyright infringement.

Students may not share class materials outside the class, including uploading, selling or distributing course content or notes taken during the conduct of the course. Any recording of class sessions is authorized only for the use of students enrolled in this course during their enrollment in this course. Recordings and excerpts of recordings may not be distributed to others.

## **CLASS RECORDINGS**

If access is granted, students may use class recordings for an educational purpose only.