

**School of Library and Information Studies/Legal  
Studies 663: Introduction to Cyberlaw**

**Syllabus and Course Description**

Fall 2018 M/W 1:00 – 2:15 p.m. (3 credits, Carnegie definition)

Helen C. White 4191 F

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**COURSE DESCRIPTION AND LEARNING OUTCOME:**

This is an introductory course in the law of cyberspace. I assume no legal background or previous study of law or the legal system. I also assume no technical knowledge of the Internet but do assume familiarity with the World Wide Web and an ability to access sources online. Previous use of the University's Canvas system will be helpful but is by no means required. The principal goal of the class is to have students learn to think seriously about a broad variety of legal and policy problems that arise because of ever-changing information and communication technologies.

**COURSE MATERIALS:**

The course readings will come primarily from a single text:

**Patricia L. Bellia, Paul Schiff Berman, Brett M. Frischmann & David G. Post, *Cyberlaw: Problems of Policy and Jurisprudence in the Information Age* (Thomson/West 5th edition 2018). [In the reading list, I refer to this book as "Text".]**

The book should be widely available for purchase. A copy is also available on reserve at the SLIS library.

BECAUSE THE LAW IN MANY OF THESE AREAS CAN CHANGE, THE READINGS MAY CHANGE DURING THE COURSE OF THE SEMSTER. I WILL POST ANY CHANGES TO THE READING LIST ON THE CANVAS SITE.

## **COURSE REQUIREMENTS:** <sup>1 2</sup>

1. **CLASS PARTICIPATION:** Students are expected to complete all required readings and to attend and participate in all classes.
2. **TWO (2) SHORT PAPERS:** Students will write 3-5 page analyses of two different topics from the syllabus. I will assign these topics in order to ensure that all the topics are covered. If you have any particular preferences, I ask that you submit them to me by Wednesday, September 12, 2018. No additional research is required for these papers. These short papers will be due by 4:00 p.m. on the day before the class on which we discuss that topic. You should upload your paper to the Canvas site.
3. **THIRD ASSIGNMENT:** At the end of class on Wednesday, December 5, 2018 (the third last class of the semester), I will hand out an assignment. It will be due at the beginning of the last class, on Wednesday, December 12, 2018.

## **GRADES:**

Final grades will be computed based on the following distribution:

Class participation (based on quality, not simply quantity):	30%
Short papers (2 x 15%):	30%
Third assignment:	40%

## **OFFICE HOURS:**

My office hours are Mondays from 2:30 – 4:00 p.m. in the Law Building. If you cannot come during this time, feel free to contact me to set up an appointment.

Directions to my office in the law school (since the layout of the law school is not intuitive): If you enter from Bascom Hill, you'll be on the 3rd floor. Take the first right, pass the Career Services office, and then take the next right and then a quick left, and you'll find the elevator to the faculty offices. [If you enter from the other side (Lathrop Drive), you'll be on the 2<sup>nd</sup> floor. You will need to go straight, to the end of the "Atrium," turn left into the short corridor and then take the next right and then a quick left to the elevator.] My office is on the 8th floor, Room 8102.

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<sup>1</sup> Any student with a religious conflict with any requirement in this class should let me know as soon as possible, but no later than September 14, 2018.

<sup>2</sup> It is my desire to fully include persons with disabilities in this course. Please contact the McBurney Center if you require special accommodation.

# **SLIS/Legal Studies 663: Introduction to Cyberlaw**

## **Reading List**

The summary below lists the reading assignments for the semester. Given the nature of discussion in class, we may not match this timetable precisely, but I anticipate covering all of the material listed below. You are responsible for the readings whether or not we discuss the material in class. I reserve the right to change one or more of the assignments, should that seem appropriate.

### **Introduction – Weeks 1 & 2 (Sept. 5, Sept. 10-12)**

Text 1-25

Lawrence Lessig, *Code v 2.0* (2006)<sup>3</sup> [hereinafter “Lessig”], Chapter 7 and Appendix

Optional Readings:

Lessig, Chapters 1-6

### **Introduction to the U.S. Legal System – Week 3 (Sept. 17-19)**

William Burnham, *Introduction to the Law and Legal System of the United States* (4<sup>th</sup> ed. 2006) [hereinafter “Burnham”], Chapter II, Sections A, B, C, E, & F (pp. 38-54 and 63-73); Chapter V, Sections A.1, A.2 & B (pp. 165-168 and 171-175)

*Vanna White v. Samsung Electronics America*, 971 F.2d 1395 (9th Cir. 1992)\*

*Vanna White v. Samsung Electronics America*, 989 F.2d 1512 (9th Cir. 1993)\*

Optional Readings:

Burnham, Chapter II, Sections D & G (pp. 54-63 and 73-79)

### **Metaphor and Analogy – Week 4 (Sept. 24-26)**

Text 27-66

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<sup>3</sup> This book is available in full text at <http://codev2.cc/download+remix/Lessig-Codev2.pdf>.

\* The assignment for this day includes finding these two decisions in this case using the “Legal Research” database in the [Lexis-Nexis Academic Universe](#). If you click on this link from a university computer, you should get there. Under “Look up a Legal Case,” enter the citation (as I’ve written it) into the appropriate spot. **\*\*WE WILL DISCUSS THESE CASES IN DETAIL IN CLASS. SO, PLEASE PRINT THEM OUT AND BRING THEM TO CLASS.\*\***

**Cyberspace and the Problems of Geography and Sovereignty – Week 5 & 6 (Oct. 1-3, Oct. 8-10)**

Text 67-145

**The Relationship Between “Public” versus “Private” Regulation – Week 7 & 8 (Oct. 15-17, Oct 22-24)**

Text 167-199; 220-278

**The Problem of Internet Intermediaries – Week 9 (Oct. 29-31)**

Text 279-82; 301-373; Text 393-403

**The Relationship Between Legal Rules and Technological Innovation – Week 10 & 11 (Nov. 5-7, Nov. 12-14)**

Anuj C. Desai, *Multimedia Lecture on Copyright Law* (on Learn@UW)

Text 405-487

**Problems of Privacy and Surveillance – Week 12 (Nov. 19-21)**

Bellia, pp. 489-506; 532-569

**Speech Regulation – Week 13 & 14 (Nov. 26-28, Dec. 3-5)**

Text 571-654

**Review/Third assignment – Week 15 (Dec. 10-12)**

No additional reading