

SYLLABUS FOR COMPUTER LAW



Prof. D. A. Hughes

Spring 2009

Capital University Law School

REQUIRED TEXTS:

(1) Internet Commerce: The Emerging Legal Framework (2d ed.), by Radin, Rothchild, Reese, and Silverman. (2006). Foundation Press. ISBN-13: 978-1587789182

(2) Internet Commerce: The Emerging Legal Framework, 2d ed., 2008 Supplement, Foundation Press. ISBN-13: 978-599415611

(3) Selected Intellectual Property and Unfair Competition Statutes, Regulations, & Treaties (2008 ed.), by Roger E. Schechter. Thompson/West. ISBN-13: 978-0314190581

COURSE REQUIREMENTS:

First, I expect each student to purchase his or her own copy of each of the required texts listed above. Second, I expect students to complete all assigned readings in the texts prior to class. Third, I expect students also to look closely in Schechter's compilation at any underlying statutory sections or restatement sections mentioned in the cases as they are reading the cases. (I cannot emphasize too strongly the importance of reading the cases and statutes before class and seeking to understand how they interrelate.) Students should be ready to participate in class discussion in a meaningful fashion. Since this class carries only two-hours, there is no opportunity to fulfill the "upper-class" writing requirement. We will have a two-hour, in-class examination, which has tentatively been scheduled for Thursday, May 7, 2007, at 1:30 p.m.

Please note that this class packs a lot of reading (about 1150 pages) into a short amount of time (thirteen two-hour class meetings); students who are severely pressed for time may wish to take another course instead. Please note that the reading-assignments for February 23rd and for March 23rd are very large indeed!

COURSE CONTENT:

It is my view that "computer law" has largely become "the law of internet commerce" in the last decade, and that is why I have chosen to focus the course as I have done. Please also note that our scheduled readings cannot cover every aspect of the law of the internet or computer law; it is simply not possible to fit everything in that one might like. As it is, our reading schedule will be quite demanding! Please note especially that the course will not cover the use of computers in discovery or at trial, contrary to the general description of the course on the law school website.

CLASS ATTENDANCE AND PARTICIPATION:

Attendance is mandatory, and I expressly reserve the right to augment or to reduce a student's written grade in order to reflect class attendance and participation. More than three unexcused absences may, at my discretion, be sufficient reason to lower a student's grade.

I expect that you will pay close attention in class and will be quiet when you are not participating in the discussion. It is not permissible for students to answer cell-phones or pagers during class, absent a medical emergency. Nor is it permissible for students to carry on side-conversations in class. Please note that I expressly reserve the right to eject students from my classroom for improper conduct. Students who are asked to leave will be considered absent without an excuse for the purposes of the attendance policy.

OFFICE AND CONTACT INFORMATION:

My office is Room 456 in the library; my office telephone number is 236-6476; my email address is dhughes@law.capital.edu; and my Capital webpage is <http://users.law.capital.edu/dhughes/law.htm>. Office hours are by appointment, and emailing me is probably the best way to set up an appointment.

READING SCHEDULE

Date	Subject	Read:
M 1-12 (1)	<u>Chapter 1</u> Regulatory Paradigms for Electronic Commerce	Chapter 1, pp. 1-63
M 1-19	Martin Luther King Day (No Classes)	
M 1-22 (2)	<u>Chapter 2</u> Protecting Commercial Identity Online: Trademarks	Chapter 2, pp. 64-156
M 2-2 (3)	<u>Chapter 3</u> Protecting Commercial Identity Online: Domain Names	Chapter 3, pp. 157-243
M 2-9 (4)	<u>Chapter 3 (Cont'd)</u> & <u>Chapter 4</u> Consumer Protection Online	Chapter 4, pp. 243-325
M 2-16 (5)	<u>Chapter 5</u> Jurisdiction	Chapter 5, pp. 326-389
M 2-23 (6)	<u>Chapter 6</u> Privacy Online	Chapter 6, pp. 390-459
M 3-2 (7)	<u>Chapter 7</u> Digital Goods: Copyright	Chapter 7, pp. 460-516
M 3-9 (8)	<u>Chapter 7</u> Copyright: Linking & Framing	Chapter 7, pp. 517-581
M 3-16 (9)	<u>Chapter 7</u> Copyright: Secondary Liability	Chapter 7, pp. 582-666
M 3-23	<u>Spring Break</u> No Class Meeting	
M 3-30 (10)	<u>Chapter 8 & Chapter 9</u> Information Assets: Databases & Technological Protection of Digital Goods	Chapters 8 & 9, pp. 667-790
4-6 (11)	<u>Chapter 10</u> Contracting Online	Chapter 10, pp. 791-904
4-13 (12)	<u>Chapter 10 (Cont'd)</u> & <u>Chapter 11</u> Business methods: Patents	Chapters 10-11, pp. 904-1011
4-20	<u>Prof. Hughes Unavailable</u> No Class meeting	
4-27 (13)	<u>Chapter 12</u> Intrusions on Interconnected Computers	Chapter 12, pp. 1012-1090



Copyright 2004-2008 by D.A. Hughes, Jr. All Rights Reserved.