JOHN MARSHALL LAW SCHOOL

JD 214/ITP 808: Cyberspace Law (Online)
Professor David E. Sorkin
Spring 2018

SYLLABUS

Overview

This online seminar addresses the wide range of legal problems related to the Internet. Participants are expected to read the assigned materials, participate actively in online discussions, and complete a short thesis paper and other assignments.

Instructor

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Textbook

James Grimmelmann, *Internet Law: Cases and Problems* (Semaphore Press 7th ed. 2017, ISBN 978-1-943689-03-3).

This required text is available for download at 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. The downloadable version of this book has a suggested price of $30. I urge you to pay the suggested retail price in order to keep high-quality legal educational material available at reasonable prices.

If you prefer to obtain a printed and bound copy of the text, you may order it from Amazon.com for $65.05. This price includes the $30 suggested price for the digital copy, so after you purchase the printed copy, you may download a digital copy from Semaphore Press at no additional cost.

Learning Outcomes

Students will gain familiarity with a wide range of legal issues involving the Internet. Students will identify issues presented by new technologies and business models; draw upon multiple bodies of law to analyze both practical and theoretical problems; explore the interrelated effects of technological and legal changes; and recognize patterns and common themes in Internet regulation.

Course Requirements and Grading

1. Readings, Problems, and Participation

Students are expected to complete the assigned reading material, including materials posted by other seminar participants. The textbook includes questions and problems, many of which will be posted online for discussion purposes. Students will be asked to respond to these questions and to participate actively in online discussions of the assigned readings and of current issues in the field of Internet law that may arise during the course. The extent and quality of such participation will be evaluated by the instructor, and will account for 30% of the course grade.

2. Presentations

Each student will prepare three presentations. Each presentation should be posted on the seminar website in a generally accessible format (e.g., a Microsoft PowerPoint presentation including notes, a link to a Prezi presentation, or a YouTube video), *along with a textual outline or transcript of the presentation.* The length of the presentations will vary, but as a rough guideline, they should average about 10 to 15 minutes long if presented in a live setting.

For each of the first two presentations, the student will present a critical analysis of a particular case or issue in the assigned readings or otherwise relating to Internet law. A list of suggested topics will be posted on the class website. Students may claim a suggested topic or propose a new topic by

posting to the website, and should attempt to avoid duplicating topics on which other students are presenting.

The third presentation is a summary of the student's draft thesis paper, to be posted contemporaneously with the draft.

The presentations will account for 30% of the course grade.

3. **Thesis Paper**

Each student must write a short thesis paper. Students may select a topic of their choice for the paper, subject to approval by the instructor. The topic should be within the subject matter scope of the seminar, and ***should not be related to the topic of either of the first two presentations***. A narrow topic is recommended so that you can address it in sufficient depth. The paper should advocate a legal or social goal, and recommend or disapprove some means to that goal; it should not merely describe or interpret the law.

Several preliminary submissions are required in addition to the final version of the paper, including an outline and a complete draft of the paper. You will also prepare a presentation on your thesis paper, to be posted when you post the draft of the paper. The paper should include appropriate citations to authority, in footnotes or endnotes; a separate bibliography is not required. The citations should be complete and in a standard form; bare URLs are not sufficient. An abstract of the paper should also be included.

The recommended length for the paper is about 3,000 to 4,000 words, not including citations. (If you use Microsoft Word, bear in mind that the word count that appears at the bottom of the screen may include your footnotes or endnotes. Click on the word count and uncheck the box to see a count that excludes the notes.) The paper should be in PDF or Microsoft Word format.

Papers will be evaluated based primarily upon three factors: depth and clarity of analysis; originality and difficulty of the problem; and persuasiveness of argument. The paper will constitute 40% of the final grade, of which half will be allocated to the draft and other preliminary submissions, and the other half to the final paper.

Late policy: Assignments must be submitted on or before the due date unless an extension for good cause is requested in advance and approved by the instructor. Late assignments will be penalized by a deduction of up to 10% (approximately one full letter grade) for each 24 hours or portion thereof following the due date.

Seminar Schedule

Module 1
due Jan. 25

Introduction. Read pp. 9–13 in the casebook.

Module 2
due Feb. 2

Computers. Read chapter 1 (pp. 17–49).

Module 3
due Feb. 9

Jurisdiction. Read chapter 2 (pp. 51–117).

Module 4
due Feb. 16

Speech. Read chapter 3 (pp. 119–213).
Topic for first presentation due.

Module 5
due Feb. 23

Privacy. In chapter 4, read pp. 215–30, 238–49, 260–62, 273–96, and 303–21.
Proposed thesis paper topic and thesis statement due.

Module 6
due Mar. 2

Access to Computers. Read chapter 5 (pp. 323–62).
First presentation due.

Module 7
due Mar. 9

Trademarks and Domain Names; Copyright. Read chapter 6 (pp. 363–404), and in chapter 7, read pp. 405–43.

Module 8
due Mar. 23

Copyright, continued. In chapter 7, read pp. 443–510.
Topic for second presentation due.

Module 9
due Mar. 30

Private Power. Read chapter 9 (pp. 533–602).
Outline and research notes for thesis paper due.

Module 10
due Apr. 6

Beyond the Internet. In chapter 10, read pp. 603–36 and 671–82.
Second presentation due.

Module 11
due Apr. 13

Draft of thesis paper due.
Thesis paper presentations and discussions.

Module 12
due Apr. 28

Final thesis paper due.