

**Cyberspace Law (3 credit hours)
JD 525, CRN 47089
Professor David E. Sorkin
Spring 2024**

SYLLABUS

Course Description

This course provides an overview of Internet law. Students consider such issues as the nature of online services, governance and business structures in the borderless electronic environment of Cyberspace. Subjects will vary as the field develops, but will include such areas as tort liability, freedom of expression, crime and security, privacy, intellectual property rights and protection, regulation, jurisdiction, and standards of ethics and propriety.

The only prerequisites are the required first-year courses.

Class Meeting Schedule

This is a fully asynchronous online course; all instruction will take place through Blackboard. This is a paper course (i.e., there is no final examination).

The course is divided into 13 modules on Blackboard. The due dates are listed in the schedule later in this syllabus.

Instructor

David E. Sorkin, Associate Professor of Law and Associate Dean for
Academic Programs

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Textbook

James Grimmelman, *Internet Law: Cases and Problems* (Semaphore Press 13th ed. 2023), ISBN 978-1-943689-17-0.

This required text is available for download only 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 about \$75. 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 Blackboard in a generally accessible format (e.g., a Microsoft PowerPoint presentation including notes, Google Slides, Prezi, or a YouTube video), ***along with a textual outline or transcript of the presentation.*** Check the file or link that you post to ensure that it is accessible by others. If you use Apple Keynote, you must also provide a copy of your presentation in another format (e.g., PDF or PowerPoint).

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 (although some duplication is inevitable).

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

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.*** It is critical that your topic be narrowly focused so that you can address it in sufficient depth and ideally can find something novel to say about it. If you want to write about a popular subject like (for example) cyberbullying or cryptocurrency, your topic will need to focus on a very narrow aspect of that subject.

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; 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 (excluding citations, direct quotations, the abstract, and appendices) is about 3,000 to 4,000 words, at least half of which should be devoted to your own analysis, recommendations, and conclusions, rather than background and other descriptive material. (If you use Microsoft Word, bear in mind that the word count that appears at the bottom of the screen may include your footnotes. Click on the word count and uncheck the box to see a count that excludes the footnotes.) The paper should be in PDF or Microsoft Word format.

The main purpose of the draft is to get feedback from colleagues on the analysis and recommendations contained in your paper. You can (and should) plan to revise the paper based upon that feedback, but the draft should be substantially complete, especially with respect to your thesis, analysis, and recommendations.

Papers will be evaluated based primarily upon relevance of the topic and thesis; depth and validity of analysis; logic and persuasiveness of the argument; use of appropriate authority; and overall clarity and coherence. 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.

Course Policies

1. Attendance

Regular attendance is required. Attendance means contributing to an online discussion, submitting an assignment, or otherwise engaging in an academically related activity. If you do none of these things by the deadline for a particular module, you will be treated as absent for that module. The maximum number of absences for this course is 3 out of 13 modules.

You are welcome to work ahead, but you should plan to return to any modules that you completed early so that you can read and respond to others' posts. To receive attendance credit for a particular module, you must post at least something during the scheduled dates for the module, even if you completed the problems earlier.

2. Late Policy

Assignments must be submitted on or before the due date (by 11:59 pm unless otherwise stated), unless an extension for good cause has been 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.

3. Generative AI

You may not use ChatGPT, Bard, or other generative AI tools in preparing your responses to problems, your presentations, or your thesis paper (including the outline and other preliminary submissions). If you are writing about generative AI, you may use it as appropriate for your research but must clearly disclose the extent of such use. Plagiarism, including the improper or unattributed use of generative AI, constitutes academic dishonesty under the Law School's Honor and Professionalism Code and the UIC Student Disciplinary Policy.

4. Other Policies

The Law School's Common Syllabus Provisions, available at <https://go.uic.edu/lawcsp>, are incorporated by reference.

Seminar Schedule

Module 1 <i>due Jan. 11</i>	Introduction. Read pp. 11–14 in the casebook.
Module 2 <i>due Jan. 21</i>	Computers. Read chapter 1 (pp. 17–55).
Module 3 <i>due Jan. 28</i>	Jurisdiction. Read chapter 2 (pp. 57–122).
Module 4 <i>due Feb. 4</i>	Speech. Read chapter 3 (pp. 123–74). Topic for first presentation due.
Module 5 <i>due Feb. 11</i>	Privacy. Read chapter 4 (pp. 175–79 and 223–304 only; you may skim or skip the remainder of the chapter). Proposed thesis paper topic and thesis statement due.

Module 6 <i>due Feb. 18</i>	Access to Computers; Trademarks. Read chapter 5 (pp. 325–78) and chapter 6 (pp. 379–414). First presentation due.
Module 7 <i>due Feb. 25</i>	Copyright. Read chapter 7 (pp. 415–548).
Module 8 <i>due Mar. 3</i>	Content Moderation. Read chapter 8 (pp. 549–662). Topic for second presentation due.
Module 9 <i>due Mar. 10</i>	Platform Regulation. Read chapter 9 (pp. 663–727). Outline and research notes for thesis paper due.
Module 10 <i>due Mar. 17</i>	Beyond the Internet. Read chapter 10 (pp. 729–818). Second presentation due.
<i>Mar. 18–22</i>	Spring Break
Module 11 <i>due Mar. 31</i>	Draft of thesis paper and thesis paper presentation due.
Module 12 <i>due Apr. 7</i>	Discussion and feedback on thesis paper drafts.
Module 13 <i>due Apr. 14</i>	Final thesis paper due.