University of Pennsylvania
The Wharton School

LGST 222 - Law of Electronic Commerce
Fall 2005

Overview
This course examines the law relating to the developing field of electronic commerce or electronic business. Part of the course looks at private law. Private law issues are typically commercial matters arising between the various parties engaged in e-commerce. Examples include the laws relating to making contracts online and electronic payments, and jurisdiction over online transactions. Another part of the course involves public law issues, which involve regulatory or governance requirements that are imposed upon e-commerce participants. Examples include regulations governing privacy, Internet domain names, certain types of forbidden content, and regulation of spam and advertising. The course will examine cases and specific examples of e-commerce businesses, which demonstrate how these legal issues apply to particular scenarios.

The course presumes no knowledge of computer systems, e-commerce, or law.

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Materials

There will also be a photocopied bulk-pack, available at Wharton Reprographics in the basement of Steinberg-Dietrich Hall.

Grading
The class will be graded based on a midterm exam (25%), a final exam (30%), a paper (30%) and class participation.
Schedule

LEGAL REGIMES FOR ELECTRONIC COMMERCE

9/7  Introduction
      Bulkpack Tab 1

9/12  Who Makes the Rules?
      Bulkpack Tab 2

9/14  Jurisdiction and Conflict of Laws
      Casebook pp. 6-19, 22-27
      Bulkpack Tab 3

9/19  Rule Shopping: Choice of Forum and Arbitration
      Casebook pp. 28-48
      Bulkpack Tab 4

9/21  Class 5: Internet Governance
      Casebook Appendix A (pp. 741-745)
      Bulkpack Tab 5

SETTING UP SHOP ONLINE

9/28  Trademarks and Domain Names
      Casebook pp. 54-66
      Bulkpack Tab 6

9/30  Cybersquatting
      Casebook pp. 67-82, 94-95

10/3  Controlling Access
      Casebook pp. 117-136

10/5  Site Owner Liability
      Casebook pp. 141-142, 156-172
      Bulkpack Tab 7

10/10  Privacy Protection
      Casebook pp. 218-232
      Bulkpack Tab 8

10/12  Software Licensing and Open Source
      Casebook pp. 425-440, 516-523
      Bulkpack Tab 9

10/19  Website Agreements
      Casebook pp. 96-98, 104-105, 109-115

10/24  MIDTERM
ELECTRONIC TRANSACTIONS

10/26  It’s a Wrap: Introduction to Electronic Contracting
       Casebook pp. 263-289

10/31  Electronic Contracting II
       Casebook pp. 290-299

11/2   Encryption and Digital Signatures
       Casebook pp. 350-363
       Bulkpack Tab 10

11/7   Payments
       Casebook pp. 576-586, 505-606

11/9   Internet Auctions
       Casebook pp. 300-317
       Bulkpack tab 11

11/14  Information Goods
       Casebook pp. 380-396

11/16  The Intellectual Property Wars
       Bulkpack tab 12

E-COMMERCE REGULATION

11/21  Data Protection in Europe and the US
       Casebook pp. 200-217
       Bulkpack Tab 13

11/23  Internet Taxation
       Casebook pp. 318-330
       Bulkpack Tab 14

11/28  Fighting Malware – Spam, Spyware, and Other Threats
       Casebook pp. 136-138
       Bulkpack Tab 15

11/30  Legal Limits on Online Activities
       Bulkpack Tab 16

12/5   Emerging Developments
       TBA

12/7   The Future of E-Commerce
       Bulkpack Tab 17