

The Wharton School, University of Pennsylvania

LGST 222

Law of The Internet and Electronic Commerce

Fall 2007

Overview

This course examines legal and policy issues surrounding the Internet and e-commerce. Although the Internet is no longer new, the laws governing online activity are still evolving. New services, such as YouTube and social networks, continue to generate novel legal questions. The course is designed to provide both an overview of the basic legal aspects of conducting business online, as well as an introduction to some of the cutting-edge questions of cyberlaw.

Specifically, the course addresses both private law issues (commercial matters arising between various parties engaged in e-commerce) and public law issues (regulatory or governance requirements imposed upon e-commerce participants). Topics include how legally-enforceable contracts are made online, jurisdiction over online transactions, intellectual property rules around digital assets such as music and video, privacy, control over Internet domain names, consumer protection, liability of intermediaries such as Internet service providers and search engines, and certain types of restricted activities. The course will examine cases and specific examples of e-commerce businesses, which demonstrate how legal issues apply to particular scenarios.

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

Professor

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Contact Information

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Office hours Monday 12-1; Wednesday 9:30-10:30 (or by appointment)

Materials

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

Webcafe

I will also distribute materials on the course Webcafé site. If you are not a Wharton student, you will need to sign up for an account at <http://accounts.wharton.upenn.edu/>.

Grading

The class will be graded based on a midterm exam (25%), a final exam (30%), a paper (30%) and class participation (15%).

Schedule (subject to change)

Who Makes the Rules?

- 9/5 Introduction to the legal system and the Internet
- 9/10 Regulatory paradigms
- 9/12 Jurisdiction
- 9/17 Rule shopping: Conflict of laws and choice of forum

Doing Business Online

- 9/19 E-commerce business models
- 9/24 Staking out cyber-territory: Domain names, meta tags, and keywords
- 9/26 Electronic contracting
- 10/1 Digital signatures and online payments

Virtual Assets

- 10/3 Copyright and the DMCA
- 10/8 The Copyright: From Napster to YouTube, and beyond
- 10/10 Software licensing and open source
- 10/17 New models: Peer production and open access
- 10/22 Midterm Exam

Restrictions on Online Activity

- 10/24 The long arm of the government: Taxation and business limitations
- 10/29 Privacy
- 10/31 Consumer protection
- 11/5 Controlling access: Spam and trespass to chattels
- 11/7 Malware: Spyware, botnets, and phishing

Where Do the Rules Apply?

- 11/12 Intermediary liability
- 11/14 Network infrastructure regulation
- 11/19 Search engines
- 11/21 Social networks, online communities, and social media

The Virtual and the Physical

- 11/26 Local and location-based services
- 11/28 Virtual worlds
- 12/3 The global dimension: Internet governance

Conclusion

- 12/5 Review and wrap-up