Santa Clara
University

Internet Law (Law 793)
Professor Eric Goldman
Fall 2021

1.   LEARNING DURING A PANDEMIC. These are not normal times. Many of you are facing challenges that disrupt your ability to learn and advance your professional development. I want to help you navigate those challenges so that you can get the most out of this course. If the pandemic or any other problems are affecting your course engagement, please let me know ASAP so we can figure out an optimal plan for you.

2.   VIRTUAL SYNCHRONOUS SESSIONS. This is an online-only offering. Every synchronous session will include group exercises/discussions about the assigned material. If you don't prepare those materials in advance, *you will be lost*. I anticipate posting the module for each upcoming week by the prior Thursday EOD.

Your attendance at the synchronous sessions is critical to the course. Group discussions will expose you to new insights you cannot get any other way; and your peers can't learn from you if you are not there. I will take attendance at the synchronous sessions. Excused absences require approval from Student Services. More than two unexcused absences from the synchronous sessions will lead to significant grade reductions. I plan to record all synchronous sessions.

3.   BOOK. You can download the book PDF for free in Camino. A hard copy costs $20 from https://amzn.to/3jmEmF5.

4.   OFFICE HOURS. I am on campus 40+ hours/week and welcome the opportunity to meet with you at your convenience. Email me some proposed meeting times. Until the rules change, we can conduct face-to-face masked outdoor meetings if you prefer.

5.   MY LEARNING OBJECTIVES FOR YOU.

- Learn the basic nomenclature and concepts of Internet technology.
- Understand Internet exceptionalism and some arguments for and against it.
- Learn the basic nomenclature and doctrinal principles of Internet law.
- Practice brainstorming business options and evaluating the pros/cons of those options.
- Practice writing about Internet law topics in different formats.
- Consider the theoretical and practical dilemmas that arise when applying laws to rapidly developing technologies, and develop practical ways to cope with these dilemmas.

6.   WEEKLY SCHEDULE (SUBJECT TO CHANGE), ASSIGNMENTS, AND GRADING.

Week	Topics	# Videos (est)	Sync Sessions	Other
1	Class Intro, Definitions, Noah	12	8/18	Introduction due 8/20 5pm Paper #1 due 8/22 5pm
2	Geography & Jurisdiction	11	8/25	
3	Contract Formation	14	9/1	Paper #2 due 9/3 10am
4	Contract Amendment	2	None	Paper #3 due 9/10 10am
5	Trespass to Chattels	10	9/13 and 9/15	Course survey due 9/17 10am
6	Copyright	14	9/22	
7	DMCA & Ticketmaster	8	9/29	
8	Trademark	12	10/6	Midterm due 10/10 10am
9	Pornography	4	10/13 (re TMs)	Midterm feedback due 10/15 10am
10	Publication Torts & Sec. 230	15	10/20	
11	Sec. 230 and Content Moderation	4	10/27	Paper #4 due 10/29 10am
12	Privacy & Spam	9	11/3	
13	Social Media	4	11/10	
14	Guest Lecture	0	11/17	Complete the course evaluation
15	Review Session	0	11/22	Cumulative multiple choice exam due 11/23 10am Paper #5 due 11/23 10am
16+	Finals period	0	None	Last time to ask Qs 11/30 11pm Paper #6 due 12/14 10am Final exam due 12/14 TBD

Graded Assignment/Description	Scoring
Weekly quizzes/exit tickets (weeks 1-13)	1 point/week for timely completion
Introduce yourself in the Camino discussion group	1 point for timely completion
Paper #1: Why are you taking this course, and what outcomes are you hoping to achieve? (500 words max)	0/1/2
Paper #2: Read the Algorithmic Allegories case study and write a 500-word response to your choice of ONE of the six prompts. This is an ethics paper, not a legal paper, so please focus on your personal reactions. Do not do any outside research.	0/1/2
Paper #3: Evaluate the TOS formation process of the website/app of your choice, EXCLUDING any product/service from Google/YouTube, Amazon, Apple, Twitter, or Facebook/Instagram/WhatsApp (no word limit; include screenshots)	0/1/2
Midterm	--
Midterm Peer Review	0/2/4
Paper #4: Read Sections 1-8 of the "Dancing with Bigfoot: The Risks and Liabilities of Online Reviews" case study. Analyze TripAdvisor's potential legal liability to Bigfoot on the Strip (1,000 words max)	0/1/2
Paper #5: Review your Paper #1 and explain whether your course outcomes matched your ambitions. If not, what steps could you or I have taken to improve your outcomes? (500 words max)	0/1/2
Complete the open-book/open-notes multiple-choice exam at https://j.mp/2XwxxGJ. Use your scu.edu email address.	4 points for timely completion
Paper #6: The one thing that surprised, frustrated, or angered me most about Internet Law is…? (750 words max)	0/1/2
Final Exam	0-40 (est)

Deadlines. Late submissions automatically get a zero unless Student Services has approved an extended deadline. Camino's/Examsoft's timestamps are irrebuttable.

Submissions. Upload papers to the associated Camino assignment. Include your name and word count. I'm OK with Word or PDF submissions.

Midterm. The exam will be a one-question essay with a word count cap. I will send one of your peer's answers to you along with a grading rubric/sample answer, and you will evaluate your peer's answer. Eventually, I will deliver your peer's evaluation of your answer, along with my comments, to you. You will get the full points if you take both the exam and your peer review seriously and complete it on a timely basis (subject to process violations).

Final Exam. The final exam will have 1 or 2 essay questions and a maximum word count. **YOU WILL FAIL THE COURSE IF YOUR FINAL EXAM IS LATE OR EXCEEDS THE WORD COUNT CAP**.

7. **CONTACT INFO.** Email me at egoldman@gmail.com. Put "Internet Law" in your subject line to avoid unintentional deletion as spam.

Stay current at my blog [http://blog.ericgoldman.org] and on Twitter [https://twitter.com/ericgoldman]. More course-related materials are available at [http://www.ericgoldman.org/cyberlaw.html].

8. **ADDITIONAL DISCLOSURES.**

Academic Integrity: Honesty and integrity are essential to the legal profession. Students must conduct themselves in accordance with these qualities in all of their professional activities, including activities associated with the School of Law. The Academic Integrity Policy spells out the expectations for law students. Law students shall act with honesty and candor, and shall fulfill obligations of good faith and fair dealing in their relations with their peers, University faculty and staff, and the professional legal community at large.

Further, the University's Academic Integrity pledge expresses the University's commitment to fostering an understanding of, and commitment to, a culture of integrity at Santa Clara University. The Academic Integrity pledge, which applies to all students, states:

> I am committed to being a person of integrity. I pledge, as a member of the Santa Clara University community, to abide by and uphold the standards of academic integrity contained in the Student Conduct Code.

Students are expected to uphold the principles of the Law School Academic Integrity Policy and the SCU Academic Integrity pledge for all work in this course.

Disabilities Resources: If you have a disability which requires accommodations, please contact Disabilities Resources, Benson 216, as soon as possible to discuss your needs and register for accommodations.

Diversity: I seek to present materials and activities that respect diversity: gender, sexuality, disability, age, socioeconomic status, ethnicity, race, and culture. Please let me know how I can improve the course's effectiveness for you or your peers. If any class activities conflict with your religious events, please contact me so that we can make alternative arrangements for you. Please correct me if I misstate your gender pronouns.

Accommodations for Pregnancy and Parenting: Santa Clara University does not discriminate against any student based on pregnancy or related medical conditions. Absences due to medical conditions relating to pregnancy and child-birth will be excused for as long as deemed medically necessary by a student's doctor, and students will be given the opportunity to make up missed work. Students can arrange accommodations by working directly with their instructors, supervisors, or departments, or from the Office of Office of Accessible Education (OAE) or the Office of Equal Opportunity and Title IX Office. More info.

Discrimination and Sexual Misconduct (Title IX): Santa Clara University has a zero-tolerance policy for discrimination, harassment and sexual misconduct. If you (or someone you know) have experienced discrimination or harassment, including sexual assault, domestic/dating violence, or stalking, I encourage you to tell someone promptly. For more information, please consult the University's Gender-Based Discrimination and Sexual Misconduct Policy or contact the University's EEO and Title IX Coordinator, Belinda Guthrie, at (408) 554-3043, bguthrie@scu.edu. Reports may be submitted online or anonymously via Ethicspoint.

Wellness: This is a strange time, so ask for help when you need it. Some resources:
- The Wellness Center provides resources to aid and promote student well-being, including Peer Health Educators, Violence Prevention Educators, and the Collegiate Recovery Program.
- Santa Clara students can obtain free counseling sessions from Counseling and Psychological Services.
- If you are concerned about a peer's mental or physical welfare, the Compassionate and Responsive Educators website provides resources for recognizing and helping someone in distress.

Class Recordings: Per the Student Conduct Code: "Dissemination or sharing of any classroom recording without the permission of the instructor would be considered 'misuse' and, therefore, prohibited. Violations of these policies may result in disciplinary action by the University. At the instructor's discretion, violations may also have an adverse effect on the student's grade."

Technology Support: For Camino support, contact caminosupport@scu.edu or 408-551-3572. You can also use the help button in the Camino platform (on the left hand column) for 24/7 support via chat or phone.

For Zoom assistance, contact Media Services at mediaservices@scu.edu or 408-554-4520. You can also get 24/7 support from Zoom at 1-888-799-8854.

For support for MySCU Portal, Duo, ecampus, and hardware and software issues, contact the SCU Technology Help Desk at techdesk@scu.edu or 408-554-5700.

Land Acknowledgment: Santa Clara University occupies the unceded ancestral homeland of the Ohlone and Muwekma Ohlone people.