

Cyberlaw Problems Of Policy And Jurisprudence In The Information Age

Stefan Larsson

Cyberlaw Patricia L. Bellia, Paul Schiff Berman, David G. Post, 2003

Cyberlaw Patricia L. Bellia, 2011

Cyberlaw Patricia Bellia, Paul Berman, David Post, Brett Frischmann, 2018-04-04 This law school casebook starts from the premise that cyberlaw is not simply a set of legal rules governing online interaction, but a lens through which to re-examine general problems of policy, jurisprudence, and culture. The book goes beyond simply plugging Internet-related cases into a series of doctrinal categories, instead emphasizing conceptual issues that extend across the spectrum of cyberspace legal dilemmas. While the book addresses all of the traditional subject matter areas of cyberlaw, it asks readers to consider both how traditional legal doctrines can be applied to cyberspace conduct, and how the special problems encountered in that application can teach us something about those traditional legal doctrines. The fifth edition has been updated, shortened, and reconceptualized to make the book even more effective as a teaching tool and to illuminate new debates at the heart of this evolving field. The book groups the material into units addressing the who, how, and what of governance/regulation--fundamental questions that pertain to any legal system, in cyberspace or elsewhere. The fifth edition also includes updated treatment throughout, as well as a more stream-lined approach that should make an already effective casebook even more unified and teachable.

Cyberlaw Brian Craig, 2013 Resource added for the Network Specialist (IT) program 101502.

The Digital Dilemma National Research Council, Commission on Physical Sciences, Mathematics, and Applications, Computer Science and Telecommunications Board, Committee on Intellectual Property Rights and the Emerging Information Infrastructure, 2000-02-24 Imagine sending a magazine article to 10 friends-making photocopies, putting them in envelopes, adding postage, and mailing them. Now consider how much easier it is to send that article to those 10 friends as an attachment to e-mail. Or to post the article on your own site on the World Wide Web. The ease of modifying or copying digitized material and the proliferation of computer networking have raised fundamental questions about copyright and patent--intellectual property protections rooted in the U.S. Constitution. Hailed for quick and convenient access to a world of material, the Internet also poses serious economic issues for those who create and market that material. If people can so easily send music on the Internet for free, for example, who will pay for music? This book presents the multiple facets of digitized intellectual property, defining terms, identifying key issues, and exploring alternatives. It follows the complex threads of law, business, incentives to creators, the American tradition of access to information, the international context, and the nature of human behavior. Technology is explored for its ability to transfer content and its potential to protect intellectual property rights. The book proposes research and policy recommendations as well as principles for policymaking.

EU Internet Law Andrej Savin, 2020-12-25 This extensively revised and updated third edition of EU Internet Law offers a state of the art overview of the key areas of EU Internet regulation, as well as a critical evaluation of EU policy-making and governance in the field. It provides an in-depth analysis of the ways in which relevant legal instruments interact, as well as comparative discussions contrasting EU and US solutions.

Infrastructure Brett M. Frischmann, 2013-01-01 Infrastructure resources are the subject of many contentious public policy debates, including what to do about crumbling roads and bridges, whether and how to protect our natural environment, energy policy, even patent law reform, universal health care, network neutrality regulation and the future of the Internet. Each of these involves a battle to control infrastructure resources, to establish the terms and conditions under which the public receives access, and to determine how the infrastructure and various dependent systems evolve over time. *Infrastructure: The Social Value of Shared Resources* devotes much needed attention to understanding how society benefits from infrastructure resources and how management decisions affect a wide variety of interests. The book links infrastructure, a particular set of resources defined in terms of the manner in which they create value, with commons, a resource management principle by which a resource is shared within a community. The infrastructure commons ideas have broad implications for scholarship and public policy across many fields ranging from traditional infrastructure like roads to environmental economics to intellectual property to Internet policy. Economics has become the methodology of choice for many scholars and policymakers in these areas. The book offers a rigorous economic challenge to the prevailing wisdom, which focuses primarily on problems associated with ensuring adequate supply. The author explores a set of questions that, once asked, seem obvious: what drives the demand side of the equation, and how should demand-side drivers affect public policy? Demand for infrastructure resources involves a range of important considerations that bear on the optimal design of a regime for infrastructure management. The book identifies resource valuation and attendant management problems that recur across many different fields and many different resource types, and it develops a functional economic approach to understanding and analyzing these problems and potential solutions.

Public Service Broadcasting 3.0 Mira Burri, 2015-06-05 The digital media environment is characterized by an abundance and diversity of content, a multiplicity of platforms, new modes of content production, distribution and access, and changed patterns of consumer and business behaviour. This has challenged the traditional model of public service broadcasting (PSB) in diverse ways. This book explores whether and how PSB should adapt to reflect the conditions of the digital media space so that it can effectively and efficiently continue to serve its public mandate. Drawing on literature on media governance in media and communication science, public international law as well as discussions on cyberlaw, Mira Burri maps and critically analyses existing policy and scholarly debates on PSB transformation. She challenges some of conventional rationales for reform, identifies new ones, as well as exposes the limitations placed upon existing and future policy solutions by global media governance arrangements, especially in the fields of trade, copyright and Internet governance. The book goes on to advance a future-oriented model of Public Service Media, which is capable of matching an environment of technological and of governance complexity. As a work that explores how public interest objectives can be pursued efficiently and sustainably in the digital media ecology, this book will be of great interest and use to students and researchers in media law, information technology law, and broadcast media studies, as well as to policy-makers.

Law, Technology and Cognition Hayleigh Boshier, 2019-11-04 This book considers a new approach to online copyright infringement. Rather than looking at the subject within a purely technological context, it provides legal analysis from a human perspective. This book highlights that there are three key instances in which the capacity of a human mind intersects with the development of copyright regulation: (1) the development of copyright statutory law; (2) the interpretation of the copyright statutory law the judiciary; and (3) human interaction with new technology. Using a novel framework for constructing digital perspectives, the author, Dr Hayleigh Boshier, analyses the laws relating to online copyright infringement. She provides insights into why the law appears as it does, shedding light on the circumstances of how it came to pass and demonstrates a clear malfunction in the interpretation and application of copyright law to online activities that derives from the disconnect between the technological and the human perspectives. The book proposes putting the human element back into copyright analysis to enable the return of reason where it has been lost, and provide a clearer, more consistent and fair legal regulation of online copyright infringement. *Law, Technology and Cognition: The Human Element in Online Copyright Infringement* will be of interest to students, academics, researchers, as well as practitioners.

Routledge Handbook of Media Law Monroe E. Price, Stefaan Verhulst, Libby Morgan, 2013-01-04 Featuring specially commissioned chapters from experts in the field of media and communications law, this book provides an authoritative survey of media law from a comparative perspective. The handbook does not simply offer a synopsis of the state of affairs in media law jurisprudence, rather it provides a better understanding of the forces that generate media rules, norms, and standards against the background of major transformations in the way information is mediated as a result of democratization, economic development, cultural change, globalization and technological innovation. The book addresses a range of issues including: Media Law and Evolving Concepts of Democracy Network neutrality and traffic management Public Service Broadcasting in Europe Interception of Communication and Surveillance in Russia State secrets, leaks and the media A variety of rule-making institutions are considered, including administrative, and judicial entities within and outside government, but also entities such as associations and corporations that generate binding rules. The book assesses the emerging role of supranational economic and political groupings as well as non-Western models, such as China and India, where cultural attitudes toward media freedoms are often very different. Monroe E. Price is Director of the Center for Global Communication Studies at the Annenberg School for the University of Pennsylvania and Joseph and Sadie Danciger Professor of Law and Director of the Howard M.

Squadron Program in Law, Media and Society at the Cardozo School of Law. Stefaan Verhulst is Chief of Research at the Markle Foundation. Previously he was the co-founder and co-director, with Professor Monroe Price, of the Programme in Comparative Media Law and Policy (PCMLP) at Oxford University, as well as senior research fellow at the Centre for Socio Legal Studies. Libby Morgan is the Associate Director of the Center for Global Communication Studies at the Annenberg School for the University of Pennsylvania.

Transnational Culture in the Internet Age Sean A. Pager, Adam Candeub, 2012-01-01 Digital technology has transformed global culture, connecting and empowering users on a hitherto unknown scale. Existing paradigms from intellectual property rights to cultural diversity and telecommunications regulation seem increasingly obsolete, confounding policymakers and provoking wide-ranging debate. *Transnational Culture in the Internet Age* draws on a range of disciplines to examine new approaches to regulating communications and cultural production. The insightful contributions shed new light on insufficiently examined issues and highlight connections that cut across the many different domains in which such regulations operate. Building upon the framework presented by David Post – one of the first and most prominent scholars of cyber law and a contributor to this volume – the authors address the implications and economics of the Internet's astronomical scale, jurisdiction and enforcement of the web as it relates to topics including libel tourism and threats to free speech, and the power of global communication to dissolve and recreate identities. Ideal for students and scholars of innovation, technology, cyber law and communication, *Transnational Culture in the Internet Age* will be a valuable addition to any library.

Proceedings of the 8th International Conference on Information Warfare and Security Doug Hart, 2013-03-25

Conflict of Laws Laura E. Little, 2018-02-26 In her casebook *Conflict of Laws*, now in its second edition, internationally respected teacher and scholar Laura Little offers a progressive, innovative approach to teaching complex material. She brings to the subject her drafting and advocacy expertise as the Associate Reporter for the Restatement (Third) *Conflict of Laws*, authorized by the American Law Institute in 2014. In a subject where there is plenty of room for debate and analysis, this casebook offers a contemporary alternative to the subject by connecting coverage of key concepts to law practice using modern cases and problem pedagogy. With its modular design, clear writing, comprehensive Teacher's Manual and online support, the text is highly teachable and has proven a road-tested favorite with both students and professors. Key Features Entirely new domestic relations sections throughout the book in light of the U.S. Supreme Court's *Obergefell* decision, including analysis of Supreme Court follow-up cases Detailed references to the proposed Restatement (Third), drawing from the author's work as an Associate Reporter drafting and developing the new restatement of the law Streamlined personal jurisdiction section, presenting the recent U.S. Supreme Court cases in *Bristol Myers Squibb* and *Daimler* Updated international law material, including discussion of the new British Defamation Act (and its impact on libel tourism) and the European Union's elimination of *exequatur* for judgment recognition

Regulating Code Ian Brown, Christopher T. Marsden, 2023-08-15 The case for a smarter “prosumer law” approach to Internet regulation that would better protect online innovation, public safety, and fundamental democratic rights. Internet use has become ubiquitous in the past two decades, but governments, legislators, and their regulatory agencies have struggled to keep up with the rapidly changing Internet technologies and uses. In this groundbreaking collaboration, regulatory lawyer Christopher Marsden and computer scientist Ian Brown analyze the regulatory shaping of “code”—the technological environment of the Internet—to achieve more economically efficient and socially just regulation. They examine five “hard cases” that illustrate the regulatory crisis: privacy and data protection; copyright and creativity incentives; censorship; social networks and user-generated content; and net neutrality. The authors describe the increasing “multistakeholderization” of Internet governance, in which user groups argue for representation in the closed business-government dialogue, seeking to bring in both rights-based and technologically expert perspectives. Brown and Marsden draw out lessons for better future regulation from the regulatory and interoperability failures illustrated by the five cases. They conclude that governments, users, and better functioning markets need a smarter “prosumer law” approach. Prosumer law would be designed to enhance the competitive production of public goods, including innovation, public safety, and fundamental democratic rights.

Governing Medical Knowledge Commons Brett M. Frischmann, Katherine J. Strandburg, Michael J. Madison, 2017-10-19 This book collects fifteen new case studies documenting successful knowledge and information sharing commons institutions for medical and health sciences innovation. Also available as Open Access.

In Search of Jefferson's Moose David G. Post, 2009-01-21 In 1787, Thomas Jefferson, then the American Minister to France, had the complete skeleton, skin & horns of an American moose shipped to him in Paris and mounted in the lobby of his residence as a symbol of the vast possibilities contained in the strange and largely unexplored New World. Taking a cue from Jefferson's efforts, David Post, one of the nation's leading Internet scholars, here presents a pithy, colorful exploration of the still mostly undiscovered territory of cyberspace--what it is, how it works, and how it should be governed. What law should the Internet have, and who should make it? What are we to do, and how are we to think, about online filesharing and copyright law, about Internet pornography and free speech, about controlling spam, and online gambling, and cyberterrorism, and the use of anonymous remailers, or the practice of telemedicine, or the online collection and dissemination of personal information? How can they be controlled? Should they be controlled? And by whom? Post presents the Jeffersonian ideal--small self-governing units, loosely linked together as peers in groups of larger and larger size--as a model for the Internet and for cyberspace community self-governance. Deftly drawing on Jefferson's writings on the New World in *Notes on the State of Virginia*, Post draws out the many similarities (and differences) between the two terrains, vividly describing how the Internet actually functions from a technological, legal, and social perspective as he uniquely applies Jefferson's views on natural history, law, and governance in the New World to illuminate the complexities of cyberspace. *In Search of Jefferson's Moose* is a lively, accessible, and remarkably original overview of the Internet and what it holds for the future.

Encyclopedia of Law and Society David S. Clark, 2007-07-10 The *Encyclopedia of Law and Society* is the largest comprehensive and international treatment of the law and society field. With an Advisory Board of 62 members from 20 countries and six continents, the three volumes of this state-of-the-art resource represent interdisciplinary perspectives on law from sociology, criminology, cultural anthropology, political science, social psychology, and economics. By globalizing the *Encyclopedia's* coverage, American and international law and society will be better understood within its historical and comparative context.

The Oxford Handbook of Virtuality Mark Grimshaw, 2014-02 The book is a compendium of thinking on virtuality and its relationship to reality from the perspective of a variety of philosophical and applied fields of study. Topics covered include presence, immersion, emotion, ethics, utopias and dystopias, image, sound, literature, AI, law, economics, medical and military applications, religion, and sex.

Conceptions in the Code Stefan Larsson, 2017-01-02 Stefan Larsson's *Conceptions in the Code* makes a significant contribution to sociolegal analysis, representing a valuable contribution to conceptual metaphor theory. By utilising the case of copyright in a digital context it explains the role that metaphor plays when the law is dealing with technological change, displaying both conceptual path-dependence as well as what is called non-legislative developments in the law. The overall analysis draws from conceptual studies of property in intellectual property. By using Karl Renner's account of property, Larsson demonstrates how the property regime of copyright is the projection of an older regime of control onto a new set of digital social relations. Further, through an analysis of the concept of copy in copyright as well as the metaphorical battle of defining the BitTorrent site The Pirate Bay in the Swedish court case with its founders, Larsson shows the historical and embodied dependence of digital phenomena in law, and thereby how normative aspects of the source concept also stains the target domain. The book also draws from empirical studies on file sharing and historical expressions of the conceptualisation of law, revealing both the cultural bias of both file sharing and law. Also law is thereby shown to be largely depending on metaphors and embodiment to be reified and understood. The contribution is relevant for the conceptual and regulatory struggles of a multitude of contemporary socio-digital phenomena in addition to copyright and file sharing, including big data and the oft-praised openness of digital innovation.

Change of State Sandra Braman, 2009-08-28 How control over information creation, processing, flows, and use has become the most effective form of power: theoretical foundations and empirical examples of information policy in the U.S., an innovator informational state. As the

informational state replaces the bureaucratic welfare state, control over information creation, processing, flows, and use has become the most effective form of power. In *Change of State* Sandra Braman examines the theoretical and practical ramifications of this change of state. She looks at the ways in which governments are deliberate, explicit, and consistent in their use of information policy to exercise power, exploring not only such familiar topics as intellectual property rights and privacy but also areas in which policy is highly effective but little understood. Such lesser-known issues include hybrid citizenship, the use of functionally equivalent borders internally to allow exceptions to U.S. law, research funding, census methods, and network interconnection. Trends in information policy, argues Braman, both manifest and trigger change in the nature of governance itself. After laying the theoretical, conceptual, and historical foundations for understanding the informational state, Braman examines 20 information policy principles found in the U.S. Constitution. She then explores the effects of U.S. information policy on the identity, structure, borders, and change processes of the state itself and on the individuals, communities, and organizations that make up the state. Looking across the breadth of the legal system, she presents current law as well as trends in and consequences of several information policy issues in each category affected. *Change of State* introduces information policy on two levels, coupling discussions of specific contemporary problems with more abstract analysis drawing on social theory and empirical research as well as law. Most important, the book provides a way of understanding how information policy brings about the fundamental social changes that come with the transformation to the informational state.

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