

## Here Come the Judges (and Lawyers)



Here Comes the Judges and Lawyers is the title of this chapter. With the expansion of the internet it is inevitable that laws will be broken and therefore need to be regulated. how much do you guys think it needs to be regulated? For example if you were a government official in the 1990s when blogs first came into existence what what you do?

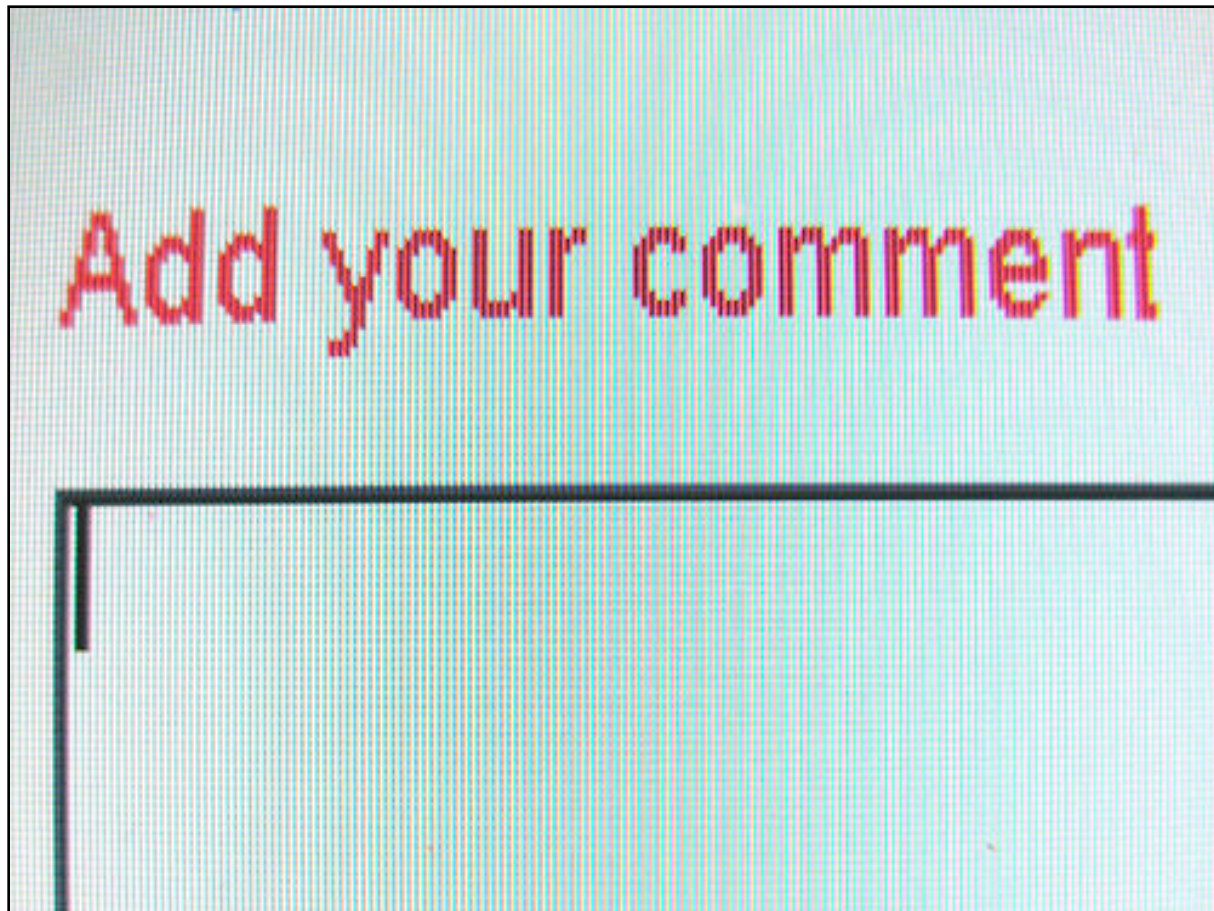
# Journalist Zero



Brock Meeks was a reporter for Communications Daily in Washington when he decided to create a pathbreaking email news wire. He called it Cyber Wire Dispatch and this probably the first journalistic effort intended for an exclusively online audience. He would get sued for libel, but would win his case. The case was considered a warning for the future the internet was not a vacuum for law.

One of Brock Meeks' attorneys was David I. Marburger, who Gilmore spoke to. He said that people should get insurance against libel if they can afford it if they write online. He also said that writers should remember that most people who sue rely on reputation for success.

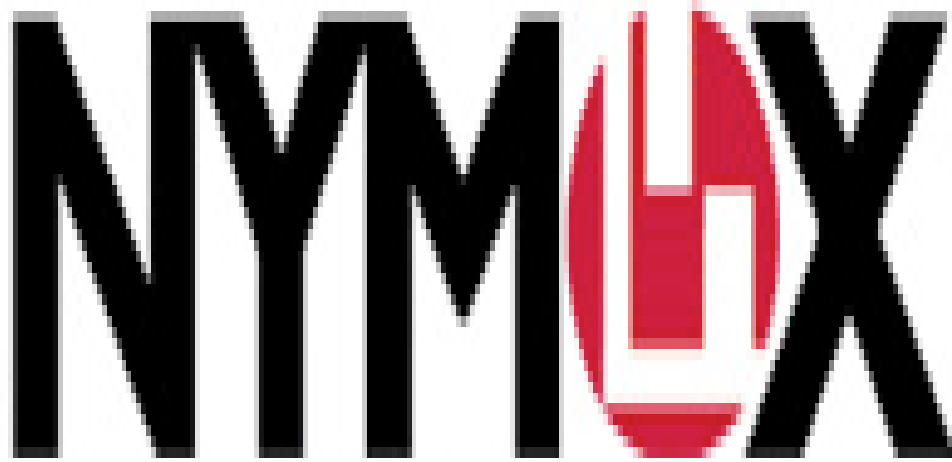
Also bloggers don't have a second or third set of eyes to look over their stuff. Would it be a good idea to have people look over major blogs or would it risk taking longer to get information out?



Comments on someone else's blog can't be help against the person who runs the website. This comes from the 1996 telecom act which protects people who run web sites from being sued for republishing the libels of another person

This obviously is important because you can look at countless youtube videos and see people saying obnoxious things, and obviously the person who has posted the video has not gotten in trouble

this doesn't mean bloggers are immune but just that they are immune from what other people write on their site.



in 2001 a canadian pharmaceutical company tried to get yahoo to hand over the names of some john does who wwere posting on nymoxs board offensively. nymox couldnt really do anything because they had to show the statements were actionable

they also had to show the postings really damaged the company

judge determined they shouldnt be able to defame anonymously but the company didnt make a good case



This guy in australia didnt like what was posted in barrons so he sued. He argued that the internet publication was like putting out a local newspaper in every jurisdiction adn he won.

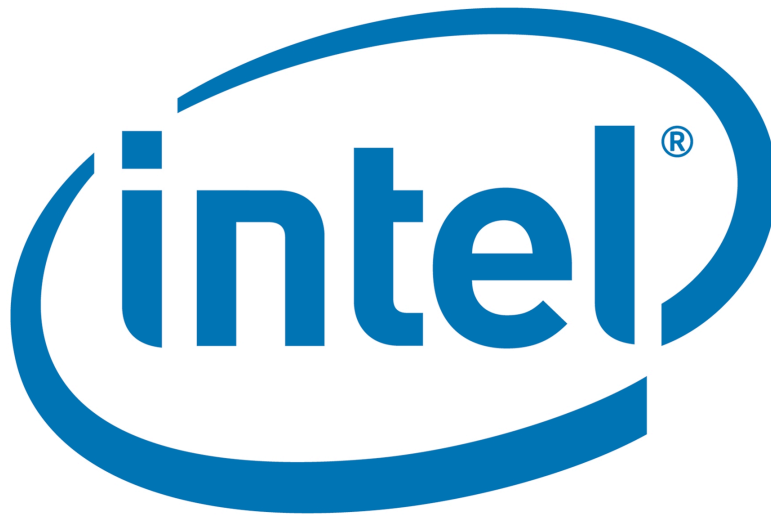
based on this people posting on the internetwill need to comply with the libel laws of 190 nations

how would you be able to control this

jonathan zittrain of harvard suggests that the ideal scenario would be to zone content on the information so it would appeal to the certain jurisdictions

Another incident occured with downloading porn from california where it is legal and the creators of the porn were sentenced to prison terms

this all seems to be a huge violation of first amendment rights



Ken hamidi was sued for sending anti intel emails to current employees. In california supreme court hamidi won 4-3. basically this said email isnt of muchharm and this protected free speech



journalism has been cheated recently. Whats acceptable is what you can get away with. the net is providing us the ability to catch cheaters with databases like turn it in.

the concept of fair use is always a problem you could take a huge piece of writing and quote it and cite it and be able to use it but then copy one sentence from someone elses without quoting it and be in trouble

# newyorktimes.com

bad faith intent to profit is banned in the US. this is the idea that cybersquattings will take domain names similar to a commonly used name to they can get tons of traffic or sell back the name

it is also illegal to use a logo to assume a authorized connection

the new york times tried to beg the world intellectual property organization to give the domain to them

they WIPO has shown to give the complining party the domain 80 percent of the time

they also have been able to pull off using companynamesucks.com monikers

and giving them to the trademark holding company

cyberspace doesnt have a global first amendment

in 2004 national debate posted corrections of the new york times



#### forbidden links

DVDs came out in 1999 and the creators didn't want them to be used on computers and such so they encrypted a code on them. This Norwegian teenager cracked the code and began posting it. He got in big trouble because he coded it himself functionally. It raises the question whether or not coded information can be forbidden or not.