Message from the Chair

Dear Colleagues,

I look forward to seeing many of you in Denver in two weeks for our annual Cyberspace Law Institute and Winter Working Meeting. This special issue of the Cyberspace Law Committee newsletter is devoted to giving you some more details about the meeting.

The last day to register online for the Institute and WWM is Friday, January 17. If you miss that deadline, you can still register onsite. Read on for more details.

And don’t forget that the Business Law Section Spring Meeting will be April 10-12 in Los Angeles. We’ll have more information on that meeting after the Institute and WWM.

Jonathan T. Rubens
Chair, Cyberspace Law Committee, Business Law Section
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Upcoming CLCC Programs

Institute on the Law of Cyberspace and Winter Working Meeting
January 31 - February 1, 2014
Kristine Dorrain, Programming Director

The 2014 Institute on the Law of Cyberspace and Winter Working Meeting at Denver's Four Seasons Hotel is just a couple of weeks away. While onsite registration will be available, we highly recommend that you register by January 17 through the Institute/WWM website.

Our agenda is full of CLE (4 hours), roundtable discussions, breakout working meetings, and opportunities to socialize. The full agenda is available online, but here is a summary:

Thursday, January 30

Gather with us for drinks in the Four Seasons bar, and then join a small group for dinner at a nearby restaurant. Suggested venues include:

- Tamayo - 1400 Larimer Street - www.richardsandoval.com/tamayo/
- TAG - 1441 Larimer Street - http://www.tag-restaurant.com/
- The Kitchen - 1530 16th Street - http://thekitchen.com/
- Epernay - 14th & Arapahoe - http://epernaylounge.com/

Thank you to Jason Haismaier, a Committee member located in Denver, for these recommendations.

Friday, January 31

8 - 8:50 am: Continental breakfast and opening plenary

8:50 am - 2:50 pm: CLE programs (with break from noon - 1:10 pm for ticketed lunch)
"Ubiquitous Computing and the State of the Third-Party Doctrine" - How does the third-party doctrine apply today given the widespread use of smartphones and in light of recent cases involving government use of cell site data, text messages, email metadata, etc.?

"When Past Performance May Be Indicative of Future Results: Legal Implications of Using Location-Based Services Data to Predict Future Behavior" - What are the risks to businesses and other implications of location-based services for data and privacy protection?

"Brainspray and the Law" - What scientific, technical and legal issues raised by the use for medical or commercial purposes of technology that can externally read and interpret brain signals?

"Bitcoins: Where They Came From and Where They Are Headed" - Given bitcoin's recent evolution, what might the legal and regulatory future be for this new digital currency?

"Copyrightability of APIs" - With the Northern District of California's recent holding that APIs are not copyrightable, what are the arguments on appeal and the practical implications for software companies seeking to protect their software?

"Snooping, Spying, and Cyber Espionage: Civil Liberties vs. Theft of Trade Secrets" - How do current technology protocols imposed to facilitate government eavesdropping intersect with the real threat of the theft of trade secrets and e-data from private industry?

"Theft of Trade Secrets through Cyberspace" - What can companies do to prevent thefts of trade secrets and what should they do if a breach happens?

3 - 3:45 pm: Keynote address by Phil Weiser, Dean of the University of Colorado Law School and Executive Director/Founder of the Silicon Flatirons Center for Law, Technology, and Entrepreneurship.

3:45 - 5 pm: Four roundtable options: The Patentability of Software, When the CFAA and the SCA cause 'Digital Death,' Revisiting Privacy Harm, and Long-term Post-Snowden Reform Proposals for the Executive and Legislative Branches

5 - 6 pm: First group of breakout sessions: Authorship Opportunities: Corporate Toolkit Project and Wolters Kluwer e-Compliance Chapter Project, Criminalization of Technology Task Force, and Internet Governance Task Force

6 - 7:30 pm: Join your colleagues for an informal happy hour in the bar

7:30 - 10 pm: Official Cyberspace Law Committee Ticketed Dinner

Saturday, February 1

8:30 - 9 am: Continental breakfast sponsored by General Dynamics

9 - 10:15 am: Second group of breakout sessions: Consumer Subcommittee, Subcommittee on International Trade, and Cloud Computing Checklist

10:45 am - Noon: Digital Media Subcommittee, mCommerce Subcommittee, and Subcommittee on International Trade

Noon - 1:15 pm: Lunch on your own

1:15 - 2:30 pm: Cybersecurity Checklist, Task Force on Professional Responsibility and Technology, and Electronic Financial Services Subcommittee

2:30 - 3:00 pm: Wrap-up and discussion of evening plans

REMEMBER: Onsite registrations will be accepted if you cannot register online by January 17. Don't forget to purchase tickets for Friday's lunch and dinner, too.

Hotels: All meetings and Friday's lunch and dinner will take place at the Four Seasons. While the deadline for the discounted room block has passed, there are many other hotels within a few blocks of the Four Seasons. See downtown Denver hotel map.

We would like to thank our sponsors for the Institute and WWM:
Centurion Law Group

Your Articles Are Welcome

We are always looking for fresh and relevant content for the CLCC newsletter. Have you written or presented on something your fellow committee members would be interested in? Let them know! Email your contribution to committee communications co-directors Cheryl Balough and Lois Mermelstein.