Welcome to 2015. We are building the finishing touches into the Winter Working Meeting, just weeks away at the Omni Center City Hotel in Charlotte, on January 23 - 24. The flights have fallen in price, and we have confirmed a free casual barbeque party at the Womble Carlyle offices on the evening of January 22, and a complementary cocktail party on the 23rd, so there should be plenty of time to catch up with your friends and Cyberspace Law colleagues. The agenda shows the wide range of CLE presentations and roundtables discussing latest and most interesting advances in Cyberspace Law. Our committee meetings will combine legal discussions with planning for the speaking and writing projects that the Committee expects to focus on this year. So come for the CLE, come for the fellowship, come to improve your practice and to contribute to a book project this year. Stay for Knicks/Hornets game if you like - or the world-class furniture shopping - or the NASCAR Hall of Fame. See you in Charlotte.

Ted Claypoole, Chair

Here are six more reasons to reserve your spot now!

1. Contribute to publications in the works, including:
   - Cutting Edge Issues in Cloud, Platform, and Data Analytics (book)
   - Electronic Payments (book)
   - 2015 Survey on the Law in Cyberspace
   - Cross-device Connection and Single Sign-on

2. Take in four hours of CLE about the latest in game streaming, data breaches, year in review, cyber insurance, electronic payments, business post-Aereo and post-Lexmark, and foreign law considerations for big data.

3. Feel welcome and participate in several roundtables (open source license management, balancing social media employee and corporate interests, immersive gaming) and subcommittee/task force meetings (including four new ones).

4. Enjoy socializing with old and new friends at two FREE cocktail parties, ticketed lunch at the hotel, and dinner at Emeril's Eatery (yes, that's Emeril Lagasse-for just $65), and several breaks.

5. Explore Charlotte, including the Uptown Charlotte Art Walking Tour, Charlotte Beer/Brewery Tour, NASCAR Hall of Fame, and the nation's best furniture shopping.

6. Air fares to Charlotte are low!

Visit the Cyberspace Law Institute and WWM page to register. You can also find the full agenda there. We look forward to your participation-whether you're new to the Cyberspace Law Committee or a long-time contributor.
If you have already registered and want to add the dinner at Emeril's Eatery or the special lunch to your registration, return to the meeting page, click on "Register Now," "View/Edit Registration," and then the "Edit" icon next to "Select Events." Follow the remaining prompts, and we'll look forward to dining with you.

Committee Doings

From the Mobile and Connected Devices Subcommittee
Co-chairs Richard Balough and John Rothchild

At the upcoming Winter Working Meeting, the Mobile and Connected Devices Subcommittee will consider the following topics for presentations, papers, or articles: privacy and facial recognition, cross-device connection and single sign-on, liability issues regarding self-driving cars, and RFID. We also will be working on the two panel presentations that are scheduled for the Spring Business Law Section meeting: "Remote Disablement via the Internet: How the Modern Repo Man Does His Job Without Leaving Home" (coordinated by John Rothchild) and "Data Privacy Due Diligence in M&A Transactions" (coordinated by Robert Bond). We welcome your participation.

From the International Trade Subcommittee
Co-chairs John Gregory and Hal Burman

The International Trade Subcommittee held a conference call on January 8th, also involving members of the Section of Science and Technology, to discuss recent international developments in legislation governing electronic commerce. Much of the focus was on the issues before the UNCITRAL Working Group IV, which has been preparing what may be a model law on electronic transferable records. The head of the US delegation participated in the call.

The meeting considered whether the Working Group should move on to identity management questions, or whether such questions had to be resolved in order to deal properly with transferable records. Some of the recent EU developments on ID management were also reviewed for possible impact on North American interests.

A document considering recent developments in e-commerce around the world was also mentioned, with particular reference to ASEAN and some Russian activities. That document is on the subcommittee’s web page under Reports and Publications.

At the WWM the subcommittee will be asked for input on these issues and on the priority for further work by international bodies, and on the best way to develop and express the views of members of the ABA and their clients.

The next subcommittee conference call is scheduled for Feb 4 to review issues raised at the WWM and continue the review of developments at various international bodies to assess where Cyberspace input would be called for.

Possible New Electronic Contracting Project
By Juliet Moringiello

Looking to get in on the ground floor of an interesting project? Consider helping out on our new Electronic Contracting project: the Modification Project. As many Cyberspace Committee members know, this committee did pioneering work on "clickwrap" and "browse wrap" agreements. Chris Kunz led the effort, which resulted in two widely-cited Business Lawyer articles. After the group finished "Browse-Wrap Agreements: Validity of Implied Assent in Electronic Form Agreements" in 2003, there were murmurs about doing a follow-up project about modification of online contracts.

Well, folks, now would be a great time to revive that project. The American Law Institute has embarked on a project to produce a Restatement Third of Consumer Contracts, and modification is one of the topics to be covered. We're trying to gauge interest in weighing in on the issues involved in modifying online
agreements by producing a Business Lawyer article as a long-overdue follow up to the 2003 browse wrap article and the 2001 click wrap article. If you're interested in working on such a project, please contact Juliet Moringiello at jmmoringiello@widener.edu. If there's sufficient interest, we'll set up some time to meet and discuss at the Winter Working Meeting in Charlotte.

Committee Member Doings

Robert Bond will be presenting at the Winter Working Meeting on "Big Data and Foreign Law Considerations", including big data and big privacy, big data and big breaches, and big data and big laws. He recently hosted a webinar on this topic with FTC, POST, European Commission and ESOMAR. The link to the October 2 webinar is here.

Sarah Jane Hughes was part of a panel discussion of potential virtual currency regulation at the annual meeting of the Association of America Law Schools in Washington, D.C. on Saturday, January 3, 2015. In addition, her Fall 2014 article on NSA surveillance and lawyer-client privilege and confidentiality concerns was re-published in the Law & Society Network's Legal Professions' e-Journal. The Legal Professions' e-Journal reaches all of the subscribers to the SSRN (Social Science Research Network) worldwide.

A Note from the Editor

Have you written a scholarly article or spoken about a topic your fellow committee members would be interested in? Let me know! Member contributions are always welcome, and are due by the 25th of each month. I also hope to see many of you in Charlotte or at other upcoming ABA meetings.