University of La Verne  
College of Business and Public Management  
La Verne Online Summer 2014

**CYBERLAW**

BUS 517 CRN 1295: Three Credits, Graduate Level

Prerequisite: BUS 510 if in the career MBA; BUS 615 if in the MBAX.

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http://www.coursesmart.com/IR/1565707/9780324399721?__hdv=6.8

**SYLLABUS AND ASSIGNMENTS**

I. **SYLLABUS**

   **Introduction**

   Hello!

   Below you will find a host of official rules, information, and guidelines. Please don’t let them put you off. Our goal is to have an intellectually stimulating and reasonably enjoyable time together. Occasionally it can even be fun, believe it or not. School by its nature is not the most exciting place in the world. We have to work hard to learn and not be bored. The rules are there to eliminate distractions and interference with that goal. That is especially true in the online environment.

   Speaking of boredom, class is a collaborative effort. Boredom is our main enemy. It’s like a sporting event or artistic performance: If you don’t come “ready to play” – that means doing the assigned reading – you won’t know what’s going on, you won’t be able to contribute, and you’ll probably be bored. People learn nothing when they’re bored. Remember that school is your job right now. So don’t expect our class to be the most fun
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you’ve ever had in life. But make it worth the precious time you’re investing here. You can never get that time back.

This Syllabus and Assignments document is the roadmap for our course. Keep it handy and to save yourself some time, refer to it before asking me your questions: They may already be answered here.

A. Course Description

The course focuses on the legal impact and implications of doing business on the internet. Law and technology courses in the past concerned primarily the intellectual property law of trademarks, patents, copyrights, and trade secrets. These remain essential concerns of the law of technology. With the emergence of the internet in business, however, managers must now become conversant with new paradigms, such as e-communication, online contracting, internet security, government regulation, invasion of privacy, and the rise of computer crime.

Among the University Mission elements most directly implicated by this subject are these two: (1) Diversity and Intercultural Orientation: With instantaneous global transmission of words, images, and data, managers face challenges nonexistent even a few years ago. They must deal with the clash of cultures often far apart in values, sophistication, and living standards, thrown immediately together in cyberspace. (2) Interdisciplinary Thinking: Managers cannot afford to know only their own businesses. The internet continues to evolve, and new ways of doing business emerge at a greater rate than ever before.

B. Learning Objectives

The course seeks to develop the following knowledge, skills, and competencies:

- Familiarity with the new litigation landscape, such as the emerging law of where you are when you are in cyberspace (territorial jurisdiction over defendants);

- Recognition of how the traditional areas of intellectual property law including trademarks, copyrights, patents, and trade secrets have changed as a result of the technology of doing business on the internet;

- The ability to apply traditional legal analysis to issues emerging on the internet, including e-communication, online contracting, internet security, government regulation, invasion of privacy, and computer crime, and

- Facility with internet-based legal resources and data bases, including case and statutory law, government regulatory agencies, and consumer-oriented data bases and websites.
C. **Nature of activities in the class**

Class activities will include (1) assessment of the student’s grasp of the basic knowledge base through regular objective testing, (2) internet exercises to develop searching skills and database familiarity, (3) group discussions of current topics and cases, (4) lectures to reinforce essential course concepts, and (5) a significant written research project.

D. **Evaluation and Grading**

Course grades will be determined by the following required course components:

<table>
<thead>
<tr>
<th>Component</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class Participation (Discussions)</td>
<td>20%</td>
</tr>
<tr>
<td>Tests (may include objective, true-false, multiple-choice, or essay)</td>
<td>50%</td>
</tr>
<tr>
<td>Research Paper</td>
<td>30%</td>
</tr>
</tbody>
</table>

**Grading Policy**

The following is abridged from policy in the University Catalog:

The grading policy for graduate students is based on the assumption that the grade for acceptable and satisfactory performance in graduate study is B (3.0). This implies that graduate students must perform at an above-average level, compared to undergraduate standards, in order to progress satisfactorily in graduate programs. It also implies that the C- and D grades are unacceptable in graduate work; therefore, there are no C- or D grades for graduate students.

A, A–
Demonstrates insightful mastery of the subject matter and exceptional quality in written and oral communication

B+, B, B–
Exhibits professional competence in the subject matter and in all written and oral communication

C+, C
Completes course assignments and requirements with minimally acceptable proficiency in written and oral communication (Below professional standards)

INC
Incompletes are authorized only when it is impossible for the student to complete the course because of illness or other justifiable cause and only with a formal written petition form the student to the professor. ‘The petition must be filed prior to the last day of the term.”
Consistent with ULV grading policies all tests, examinations, written projects, and oral presentations may be given numerical scores that will be converted to final letter grades. Final course grades are subject to curving, at the discretion of the professor.

Please see the ULV Course Catalog under Grading Policy – Graduate Credit/No Credit, Incomplete, In Progress, and other policies, all of which apply to this course.

E. Plagiarism Policy

Please see the ULV Course Catalog under Responsibilities – Academic Honesty for ULV’s policy, which applies to this course.

F. Attendance Policy

Please see the ULV Course Catalog under Responsibilities – Class Attendance for ULV’s policy, which applies to this course.

G. Class Participation

“Class participation” for purposes of your grade means: Meaningful, regular participation in the Discussions, demonstrating knowledge of the assigned reading, bringing of new and interesting material to class for discussion on your own initiative, or other enhancement of an interactive classroom experience.

H. Research Paper

Writing a research paper isn’t easy for anyone. A good place to start:

http://library.laverne.edu/tutorial/rs8.htm

There are many sites on the Net that provide basic help as well.

You can also get personalized tutorial help with your paper at our Learning Enhancement Center. Contact them to make an appointment:

http://sites.laverne.edu/learning-enhancement-center

Take a look at other research papers such as short pieces in academic journals to see how they are structured.

Make sure you follow proper citation and bibliography format. Any of the following three style manuals are acceptable: APA, MLA, or Turabian.
If you don’t know what these style manuals are, now is the time to contact the La Verne Librarians or the Learning Enhancement Center to learn how to prepare a master’s-level research paper.

Also, include in your paper the following:

**Cover Page**

Paper title, your name, course title, professor, submission date

**Abstract**

A one-paragraph summary on its own page of what the reader can expect in the paper

**Headings**

Numbered to identify topic and sub-topic headings throughout your paper to make it easy for the reader to find particular subjects

**Table of Contents**

This corresponds to your Headings so the reader can go right to the topic or sub-topic in which they are interested

Papers are built, piece by piece – topic, scope, research, outline, first draft, revision, and so forth. The step-by-step guide helps you create each piece. It’s just like following a recipe. If you follow it, you’ll remove the guess-work, and eliminate the agony of staring at a blank piece of paper late at night near the deadline, silently screaming to yourself, “What am I supposed to do?!”. Instead, you will be able to attack it one manageable piece at a time, and get it done on time.

A hint on citing to sources: Students sometimes forget, or don’t know, that the more relevant sources you quote and identify, the better your paper and the higher your grade. There’s never a reason to plagiarize, because each time you find someone who’s said something you wish you’d thought of, if you put it in quotes and credit the source, you’ve improved your grade.

The deadlines for submission of your (1) Topic, Outline, and Research Plan, (2) First Draft, and (3) Final Paper are set forth below in the Assignments.

**Creating Your Research Paper**

Each student will be required to prepare a typed (double-spaced) paper on a topic of their choice regarding the subject matter of this course. Good places to get ideas for topics include the Wall Street Journal, Forbes, Fortune, Barron’s, U.S. News & World Report, and The New York and Los Angeles Times.
The free online newsletter Download This! to which you will subscribe (see Week 1 of schedule below) can also provide leads to current cases in the courts and media concerning Cyberlaw.

[HINT: Create a topic in which you are interested! If you find the topic boring you will hate writing about it. Don’t do that!]

We cover almost everything concerning the law of the internet – privacy, obscenity, pornography, free speech, defamation, cybercrime, identity theft, internet gambling, internet contracting, and intellectual property, among other topics.

Surely you can find something among those topics in which you are interested! If you’re interested in it, the paper will be easier to write, the reader will enjoy it, and your grade will be better.]

The text of the paper must be between ten and twenty pages long. (The bibliography or list of resources consulted does not count towards this page requirement.) It must include a bibliography at the end in proper form, and when you quote from sources, put the quoted material in quotation marks and provide endnotes to credit your sources.

By all means, quote others! If they said it well, why not? It shows you’ve done your research. But don’t fail to put their words in quotes. If you use good quotes correctly, you get extra credit. If you don’t use quotes and pretend their words are your own, you’ve plagiarized, which is academic dishonesty.

One of the things you’ll turn in as part of preparing the paper is a Research Plan. The general idea is that you should poke around in some sources before, and while, you are coming up with a topic to see what's out there that looks fruitful.

The process should be flexible - your topic may change as you read things that cause you to tweak it in one direction or another.

You should keep track of everywhere you look, in a list of sources. The ones that look promising you should mark in some way so you know those are the ones you will want to come back to when you get into writing.

Once you've got a list of marked sources, that’s your Research Plan – it's what you plan to read and refer to, at least at this early stage of the writing process.

Your list of sources may grow larger (or smaller if some of your original sources don't turn out to be as useful as they first appeared) as you get further into researching, but this gives us an idea of what you think you'll be reading.
Grading of the paper will be based on (1) appropriateness of the topic, (2) understanding of the significance of the topic in relation to our course, (3) analysis of the significant legal facts in relationship to the issues involved, and (4) comprehension of the legal principles raised by the issues. Additional grading considerations include English language usage, spelling, and general appearance of the written presentation.

The paper should be prepared as though you were a business manager making a presentation to other professionals in the business the research concerns, to advise them of matters about which they should know.

I. Class Preparation:

Students are expected to be fully prepared by reading the assigned materials in advance and to actively participate in the Discussions. Although all assigned pages may not be covered specifically in the Audio Lectures, students are expected to be prepared to discuss all the assigned material. Additionally, all assigned material is subject to testing whether or not specifically covered in the Audio Lectures.

J. Teaching method:

This class will be taught using a modified “Socratic method.” That means that, although there will be traditional lectures, during the Discussions you will be asked to respond to questions based on the assigned material or what other students have said.

We will solicit your views and opinions. All students must participate in and contribute to class discussions in the Discussions. The give and take of such discussions provides an opportunity for students to improve their analysis and communication skills, and is a substantial part of your grade.

II. ASSIGNMENTS

The deadlines for submission of your Research Paper (1) Topic, Outline, and Research Plan, (2) First Draft, and (3) Final Paper are set forth below.

To guide your reading and preparation for the tests, follow these directions:

A. Cases in Chapters:

Every chapter contains excerpts from judicial opinions in actual decided cases. Judicial opinions can be hard to follow. Often they contain technical legal terms with which you won’t be familiar. Don’t worry if you don’t get everything at first. But you can train yourself to recognize the essentials.

This may help – there are a few short Case Questions at the end of each case:
• See if you can come up with answers to the Case Questions after you’ve read the case. Don’t write out answers, but it may help to jot down a few notes.
• Then see if you can explain in plain English to someone else what happened in the case – not all the details; just the main idea.
• If you can give a simple explanation of what the case was about to someone else, you have a basic understanding of the case.

B. Review Materials at End of Each Chapter:

Every chapter contains a set of review materials at the end. Be sure to read the Summary, Key Terms, and Manager’s Checklist. These materials will help prepare you for each test.

You are not responsible on the tests for the Questions and Case Problems at the end of the chapters. You may find them interesting reading, however.

C. Tests:

Brief objective tests which may include objective, true-false, multiple-choice, or essay questions will be given for you to complete online, as described below.

D. Discussions:

This is one of the most important parts of the class. Regular, substantive participation is required. Your responses in the Discussions should evidence knowledge of the readings assigned.

E. Lectures:

There are recorded Audio Lectures on our Blackboard (BB) for each chapter we cover.

HINT: The Audio Lectures clue you in to a lot of what the professor thinks is important about that week’s reading assignment. The Lectures emphasize material likely to show up on the quizzes.

For each class, do in the following order:

1. Read the assigned material.

2. Listen to the recorded Audio Lecture for that week, found in the Audios link in the left menu on our BB Home Page.
3. **Take** any Test assigned for that week. All tests are untimed and open-book. You can start, stop, and return to them later. Please read the Online Honor Code in the left menu tab on our Home Page before starting the tests.

4. **Discussions:**

Each Class corresponds to a week in the term. You can work ahead of the below schedule for the readings, lectures, and tests.

But the Discussions should be done **ONLY** during the week of the Class assigned.

If you do them early you will be talking to yourself.

If you don’t do them during the week they are assigned your grade will suffer. **LATE SUBMISSIONS WILL BE MARKED DOWN ½ LETTER GRADE.**

But you **must** do ALL Discussions, even if late, or you won’t receive ANY credit for the Discussions, which are 20% of your course grade.

5. **Research Paper:** Submit each component by the end of the week in which it is assigned. **LATE SUBMISSIONS WILL BE MARKED DOWN ½ LETTER GRADE.**

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**Week 1: Monday June 9, 2014**

**Readings:**

Chapter 1: Introduction to *Cyberlaw: Text & Cases*

Chapter 2: Innovations and Inventions: The Ideas and Implementations of Technology Core to Developing Business Models as a Means to Create Value

**Audios:**

1. Introductory Lecture
2. Lecture on Chapter 1
3. Lecture on Chapter 2

**Other:**
➢ **Subscribe:** Subscribe via the internet to “Download This!” which is a free internet newsletter concerning Cyberlaw developments in the courts and media:

a. Go to [http://newsletters.findlaw.com](http://newsletters.findlaw.com)

b. You’ll see a line that says “Check the box next to each newsletter you want, then click the Subscribe button.”

c. Underneath that are three columns. Beneath the right-hand column called **Blog Newsletter** is called a sub-column called **Legal News Topics**.

d. The sixth title down in that column is called **Download This!** Click that box.

e. Scroll down the page to the end of the columns and click the little light-gray box at the bottom left that says “Subscribe to Free Newsletters>>”

f. On the next page it says in green letters “Don’t have a FindLaw account?” Next to that click the link in blue letters that says “Create one today!”

e. Fill out that page. When done, click the light-gray bar at the bottom that says “Create your Free Findlaw Account.”

➢ **Discussions:** “Introduce Yourself!” – There will be some questions for you – and I – to answer to help us get to know each other.

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**Week 2: Monday June 16, 2014**

*Readings:*

Chapter 3: Business Governance and Management: Formation, Financing and Exit Strategies

*Audios:*

Lecture on Chapter 3

*Other:*

➢ Watch the Anatomy of a Hostile Takeover video mentioned in Lecture 3. The below information is also in the Documents & Links tab on our Home Page.

Go to:

[http://www.learner.org/resources/series81.html](http://www.learner.org/resources/series81.html)
Scroll down the page at the link above until you see a heading called “Individual Program Descriptions.”

Video 5 is Anatomy of a Hostile Takeover

To the right of the video’s description is a little box that says “VoD” which means Video-on-Demand. Click that box.

The video may start right away. To enlarge the picture to the full size of your computer screen, while it is playing put your mouse-pointer over the picture, right-click, scroll down to Zoom and select Full Screen.

Hit the Escape or Esc button on your computer to exit Full Screen, or right-click the picture again, scroll down, and select Exit Full Screen.

Turn off your screen-saver while watching the video.

You can stop, rewind, start over, or come back another time.

[If the video doesn't start right away you may be taken you to a registration and sign-in screen. If so, click the link that says, “Sign up here!”

At the next screen, fill in the required items to register. Click the Yes button under Remember Me if you want to avoid re-signing in if you leave the video and return later. Don't forget to write down the Password you create.

Then click the Proceed button.]

➢ **Discussions: Question 1**

➢ **Test # 1 on Chapters 1 and 2** (All tests are untimed and open-book. You can start, stop, and return to them later. Please read the Online Honor Code in the left menu tab on our Home Page before starting the tests.)

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**Week 3: Monday June 23, 2014**

**Readings:**

Chapter 8: Dispute Resolution: Jurisdiction, Litigation, and ADR

**Audios:**

Lecture on Chapter 8
Other:

- **Discussions:** Question 2
- **Test # 2 on Chapter 3**

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**Week 4:** Monday June 30, 2014

**Readings:**

Chapter 11: Government Regulation

**Audios:**

Lecture on Chapter 11

**Other:**

- **Discussions:** Question 3
- **Test # 3 on Chapter 8**

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**Week 5:** Monday July 7, 2014

**Readings:**

Chapter 12: Privacy

**Audios:**

Lecture on Chapter 12

**Other:**

- **Discussions:** Question 4
- **Test # 4 on Chapter 11**

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**Week 6:** Monday July 14, 2014

**Readings:**
Chapter 13: Security and Computer Crime

*Audios:*

Lecture on Chapter 13

*Other:*

- **Test # 5 on Chapter 12**
  - **Develop** [Topic, Outline, and Research Plan](#) for Research Paper.

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**Week 7: Monday July 21, 2014**

*Readings:*

Chapter 9: Contracts for the Internet and Tech Sectors

*Audios:*

Lecture on Chapter 9

*Other:*

- **Test # 6 on Chapter 13**
  - First Research Paper Deadline: [E-mail Topic, Outline, and Research Plan to Professor](#). You will get a reply e-mail with comments so you can proceed to the First Draft.

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**Week 8: Monday July 28, 2014**

*Readings:*

Chapter 4: Trademarks

*Audios:*

Lecture on Chapter 4

*Other:*

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Test # 7 on Chapter 9

Second Research Paper Deadline:

E-mail First Draft to Professor – You will get a reply e-mail with comments so you can proceed to your Final Paper.

Submit First Draft to SafeAssign – Go to our Home Page left menu, click Draft of Paper, and follow the instructions. Look in Announcements for more details.

Week 9: Monday August 4, 2014

Readings:

Chapter 5: Copyrights

Article: Read “Crazy Copyright Cases” (Home Page, left menu, Documents link)

Audios:

Lecture on Chapter 5

Other:

Discussions: Question 5

Test # 8 on Chapters 4 and 5

Week 10: Monday August 11, 2014

Readings:

Chapters 6 and 7: Patents and Trade Secrets

Audios:

Lecture on Chapters 6 and 7

Other:

Discussions: Question 6

Test # 9 on Chapters 6 and 7
Third Research Paper Deadline: **E-mail Final Paper to Professor**

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*The course closes at 11:59 p.m. Sunday August 17, 2014. All course materials, tests, discussions and other requirements must be submitted by then.*

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*Completing an Evaluation at end of our course is required. Your final course grade will not be submitted until you have done it.*

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The Syllabus and Assignments are subject to modification at the professor’s discretion.

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**Academic Honesty**

The CBPM will follow current University policy found in the section of the current ULV Catalog entitled “Academic Honesty.” Some of the key elements of that section are summarized below.

Each student is responsible for performing academic tasks in such a way that honesty is not in question. Unless an exception is specifically defined by an instructor, students are expected to maintain the following standards of integrity:

* All assignments of all types are to be the work of the student or students presenting the material and only those students.

* Any use of wording, ideas, or findings of other persons, writers, or researchers requires the explicit citation of the source. Use of the exact wording requires a “quotation” format.

* Deliberately supplying material to another student for purposes of plagiarism or academic dishonesty is culpable.

* In addition, by taking this course, students agree to abide by the **Online Honor Code** found on the course Home Page, left menu, Online Honor Code tab.