

Walking the Highwire: Exploring the Tension between Intellectual Freedom, Privacy, and Intellectual Property

Handout prepared by Lauren Christos

Saturday, June 26, 1:30 p.m. - 3:30 p.m.
Orange County Convention Center 209 B/C

"The interest in encouraging freedom of expression in a democratic society outweighs any theoretical but unproven benefit of censorship." (Reno v. ACLU)

Speakers

Chris Hansen, ACLU, Censorship and the First Amendment, Filtering and Minors
Nancy Kranich, Copyright and Fair Use
Jim Kuhn, The Development of the Privacy Toolkit
Michael Malinconico, Data Mining, Electronic Spyware and Governmental Intrusions on Citizens

Copyright

<http://www.law.cornell.edu/topics/copyright.html>

The LII's "Law About" pages provide brief summaries of law topics with links to key primary source material, other Internet resources, and useful offnet references. They can be accessed through: the following set of broad topic categories (scroll down), through an alphabetical listing of topics, and through a searchable index.

<http://www.benedict.com/info/info.aspx>

The Internet has been characterized as the largest threat to copyright since its inception. The Internet is awash in information, much of it with varying degrees of copyright protection. Copyrighted works on the net include news stories, software, novels, screenplays, graphics, pictures, Usenet messages and even email. In fact, the frightening reality is that almost everything on the Net is protected by copyright law.

<http://www.copyright.gov/title17/92chap1.html>

Copyright Law of the United States of America and Related Laws Contained in Title 17 of the United States Code

<http://www.templetons.com/brad/copymyths.html>

An attempt to answer common myths about copyright seen on the net and cover issues related to copyright and USENET/Internet publication - by Brad Templeton

Permission and Fair Use

<http://fairuse.stanford.edu/>

Excellent site with links to copyright overview information, primary material sources, current legislation, web guides, a newsletter, and a special link to copyright information for librarians.

http://fairuse.stanford.edu/primary_materials/legislation/teach.html

Article on "Technology, Education, and Copyright Harmonization Act," introduced in Senate by Sen. Hatch and Sen. Leahy (3/7/01)

<http://www.copyright.com/default.asp>

Here you can get permission to reproduce copyrighted content such as articles and book chapters in your journals, photocopies, coursepacks, library reserves, Web sites, e-mail and more.

<http://www.unc.edu/~uncng/public-d.htm>

Lolly Gasaway - University of North Carolina

Definition: A public domain work is a creative work that are not protected by copyright and which may be freely used by everyone. The reasons that the work is not protected include:

- (1) the term of copyright for the work has expired;
- (2) the author failed to satisfy statutory formalities to perfect the copyright; or (3) the work is a work of the U.S. Government.

<http://www.digitalconsumer.org/>

Website and organization devoted to consumer's rights to fair use and the protection of fair use rights in a digital world

Harmful to Minors – Censorship

<http://www.firstamendmentcenter.org/>

The First Amendment Center works to preserve and protect First Amendment freedoms through information and education.

The center serves as a forum for the study and exploration of free-expression issues, including freedom of speech, of the press

and of religion, the right to assemble and petition the government.

<http://search.aclu.org/AdvancedSearchResults.cfm>

Link to articles on cyber-liberties, internet censorship laws, free speech and internet free speech

<http://sethf.com/> Seth Finkelstein, a pioneer in this field. Excellent link to numerous essays, articles, blogs, press releases and domain investigations.

<http://sethf.com/freespeech/censorware/essays/pioneer.php>

In March 2001, the [Electronic Frontier Foundation](#) honored me as one of winners of EFF's [Tenth Annual Pioneer Awards](#) .

<http://www.filterreality.net/plurality.html>

Excellent analysis of the U.S. Supreme Court's June 2003 decision in the CIPA case by Brian Smith with the complete text of the plurality opinion in the CIPA case, with his comments about omissions, incorrect assumptions, and other errors added in red.

<http://libraryfilter.blogspot.com/>

A blog about a possible internet filtering solution for libraries

<http://www.filterreality.net/archive/ontrial.html>

The CIPA case, documents related to the case at the District Court level, and decisions in other court case.

<http://supct.law.cornell.edu/supct/html/02-361.ZS.html>

UNITED STATES V. AMERICAN LIBRARY ASSN., INC. (02-361) 201 F. Supp. 2d 401, reversed.

<http://www.lisnews.com/search.pl?topic=71>

Link to articles by Library and Information Science News LIS.com with a strong focus on Florida.

<http://www.spectacle.org>

A monthly online magazine with a bias towards freedom of expression. Jonathan Wallace, who wrote Sex, Laws and Cyberspace, a book which chronicles the history of online censorship, edits Ethical Spectacle. Internet Freedom news releases have been featured on the site.

<http://libertus.net/libery/>

The site of Irene Graham, an activist with EFA, this site is of very high standard both in terms of design and politics. Among many areas of interest it contains a thorough critique of the Platform for Internet Content Selection (PICS).

DATA MINING & ELECTRONIC SPYWARE

<http://www.consumerwebwatch.org/news/articles/spyware.htm> Good article on spyware, and link to The Consumer WebWatch Organization. Their mission is "to investigate; inform; and improve the credibility of information published on the World Wide Web. Our goals are to build trust on the Web and provide consumer protection.

<http://www.spywareinfo.com/> Links to their newsletter (archived), forums, software, message boards, and other interesting articles

<http://www.privacyinternational.org/survey/phr2003/> Privacy and Human Rights 2003 An International Survey of Privacy Laws and Developments from the Electronic Privacy Center in Washington D.C. and Privacy International from London, U.K.

<http://www.privacyinternational.org>

The Electronic Privacy Information Center (EPIC) is a public interest research center in Washington, DC It was established in 1994 to focus public attention on emerging civil liberties

issues and to protect privacy, the First Amendment, and constitutional values. EPIC is a member of the Transatlantic Consumer Dialogue, the Global Internet Liberty Campaign, the Internet Free Expression Alliance and the Internet Privacy Coalition.

Privacy International (PI) is a human rights group formed in 1990 as a watchdog on surveillance by governments and corporations. PI is based in London, England, and has an office in Washington, DC PI has conducted campaigns throughout the world on issues ranging from wiretapping and national security activities, to ID cards, video surveillance, data matching, police information systems, and medical privacy.

<http://www.ifea.net>

Mission Statement of the Internet Free Expression Alliance – “The Internet is a powerful and positive forum for free expression. It is the place where ‘any person can become a town crier with a voice that resonates farther than it could from any soapbox,’ as the U.S. Supreme Court recently observed. Internet users, online publishers, library and academic groups and free speech and journalistic organizations share a common interest in opposing the adoption of techniques and standards that could limit the vibrance and openness of the Internet as a communications medium. Indeed, content “filtering” techniques already have been implemented in ways inconsistent with free speech principles, impeding the ability of Internet users to publish and receive constitutionally protected expression.”

<http://www.cpsr.org/>

Mission Statement of Computer Professionals for Social Responsibility.

“CPSR is a public-interest alliance of computer scientists and others concerned about the impact of computer technology on society. We work to influence decisions regarding the development and use of computers because those decisions have far-reaching consequences and reflect our basic values and priorities. As technical experts, CPSR members provide the public and policymakers with realistic assessments of the power, promise, and limitations of computer technology. As concerned citizens, we direct public attention to critical choices concerning the applications of computing and how those choices affect society.“