

**UNIVERSITY SENATE ROUTING LOG**

**Proposal Title:** Approval of Internet Law as a Permanent Course  
 Name/email/phone for proposal contact: Michael P. Healy/healym@email.uky.edu/ 859-257-3636

**Instruction:** To facilitate the processing of this proposal please identify the groups or individuals reviewing the proposal, identify a contact person for each entry, provide the consequences of the review (specifically, approval, rejection, no decision and vote outcome, if any) and please attach a copy of any report or memorandum developed with comments on this proposal.

Reviewed by: (Chairs, Directors, Faculty Groups, Faculty Councils, Committees, etc)	Contact person Name (phone/email)	Consequences of Review:	Date of Proposal Review	Review Summary Attached? (yes or no)
College of Law Curriculum Committee	Michael P. Healy 257-3636 healym@email.uky.edu	Approval of Course	March 2, 2007	No
College of Law Faculty	Michael P. Healy 257-3636 healym@email.uky.edu	Approval of Course	April 12, 2007	Faculty Meeting Minutes Attached

APPLICATION FOR NEW COURSE

1. Submitted by College of Law Date September 21, 2007

Department/Division offering course Law

2. Proposed designation and Bulletin description of this course

a. Prefix and Number LAW 933 b. Title\* Internet Law

\*NOTE: If the title is longer than 24 characters (including spaces), write A sensible title (not exceeding 24 characters) for use on transcripts

c. Lecture/Discussion hours per week 3 d. Laboratory hours per week NA

e. Studio hours per week NA f. Credits 3

g. Course description

This is a survey course on the legal regime(s) governing the Internet. In a short period of time, the Internet has assumed a prominent place in the global economy, facilitating hundreds of billions of dollars worth of business-to-business and business-to-consumer transactions annually. At the same time, the Internet has become an important means of person-to-person and intra-organizational communication. This course will focus on many of the important legal questions that have arisen as a consequence of the rapid expansion of Internet use. Topics to be covered will include jurisdiction over, and choice of law in, the electronic marketplace; cybersquatting and protection of domain names; regulation of indecent or pornographic content; protection of personal information online; electronic contracting and electronic signatures; digital piracy and protection of intellectual property on the Internet, including the Napster case and the debate about open-source software; and electronic-payment systems. Wherever possible, we will focus on international and comparative legal perspectives on the problems posed by Internet regulation.

h. Prerequisites (if any)

None

i. May be repeated to a maximum of NA (if applicable)

4. To be cross-listed as

NA Prefix and Number

Signature, Chairman, cross-listing department

5. Effective Date Fall 2008 (semester and year)

6. Course to be offered X Fall X Spring [ ] Summer

7. Will the course be offered each year? X Yes [ ] No (Explain if not annually)

8. Why is this course needed?

This course fills a basic need in the College of Law's curriculum. The course has been offered as an experimental course and there is significant student interest in the course. The course will supplement the College's course offerings in the areas of international law, commercial law, and intellectual property law.

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9. a. By whom will the course be taught? Professor Mark Kightlinger

b. Are facilities for teaching the course now available?  Yes  No  
If not, what plans have been made for providing them?

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## APPLICATION FOR NEW COURSE

10. What enrollment may be reasonably anticipated? Approximately 30 students. Class will be offered once each year.

11. Will this course serve students in the Department primarily?  Yes  No

Will it be of service to a significant number of students outside the Department?  
If so, explain.  Yes  No

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Will the course serve as a University Studies Program course?  Yes  No

If yes, under what Area? \_\_\_\_\_

12. Check the category most applicable to this course

traditional; offered in corresponding departments elsewhere;

relatively new, now being widely established

not yet to be found in many (or any) other universities

13. Is this course applicable to the requirements for at least one degree or certificate at the University of Kentucky?  Yes  No

14. Is this course part of a proposed new program:  
If yes, which?  Yes  No

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15. Will adding this course change the degree requirements in one or more programs?  
If yes, explain the change(s) below (NOTE – If “yes,” a program change form must also be submitted.)  Yes  No

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16. Attach a list of the major teaching objectives of the proposed course and outline and/or reference list to be used.  
See attached syllabus.

18. If the course is 400G or 500 level, include syllabi or course statement showing differentiation for undergraduate and graduate students in assignments, grading criteria, and grading scales.  Check here if 400G-500.

19. Within the Department, who should be contacted for further information about the proposed course?

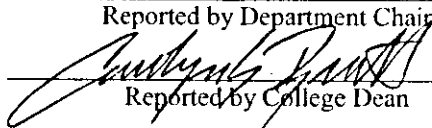
Name

Michael P. Healy, Associate Dean for Academic Affairs

Phone Extension 257-3636

**APPLICATION FOR NEW COURSE**

**Signatures of Approval:**

Not Applicable	Not Applicable
Date of Approval by Department Faculty	Reported by Department Chair
April 12, 2007	 Reported by College Dean
Date of Approval by College Faculty	
*Date of Approval by Undergraduate Council	Reported by Undergraduate Council Chair
*Date of Approval by Graduate Council	Reported by Graduate Council Chair
*Date of Approval by Health Care Colleges Council (HCCC)	Reported by HCCC Chair
*Date of Approval by Senate Council	Reported by Senate Council Office
*Date of Approval by University Senate	Reported by Senate Council Office

\*If applicable, as provided by the Rules of the University Senate

UNIVERSITY OF KENTUCKY  
COLLEGE OF LAW

MINUTES OF FACULTY MEETING  
April 12, 2007

Attending: Dean Vestal; Associate Deans Bakert and Healy; Professors Ausness, H. Davis, M. Davis, Dennis, Fortune, Frost, Gaetke, Graham, Huberfeld, Kightlinger, Lawson, K. Moore, Price, Ringhand, and Welling; Curriculum Committee Student Representative L. Middleton.

- 1) The faculty undertook consideration of and action regarding proposals by the Curriculum Committee, including the following:
  - a) Approval of Permanent Courses
    - i) Immigration Law – Passed
    - ii) International Trade Law – Passed
    - iii) Internet Law – Passed
    - iv) Medical Liability – Passed
    - v) Patent Law – Passed
    - vi) Race, Racism, and the Criminal Law – Passed
  - b) Amendments to *Kentucky Law Journal* Constitution (see attached)
    - i) Business Manager elected by out-going board members – Passed
    - ii) Journal Membership/Writing Competition Process – Passed
  - c) Addition of Course Prerequisite (Capital Punishment) or Instructor Approval for Capital Punishment Seminar – Passed
  - d) Fall 2007 Enrollment in Non-Law Course (GWS 595) by Rising 3L Mindy Calisti – Passed
  - e) Amendment of Faculty Average Grade Rule (see attached) – Passed  
The new rule will be effective as of Fall 2007, and Dean Vestal committed to conduct a data review in Fall 2008 to determine the effect of the rule change on academic status.

2) The meeting was adjourned.

Respectfully Submitted,

Andrea L. Dennis  
Secretary

## INTRODUCTORY HANDOUT

### I. Course Materials

MANN & WINN, ELECTRONIC COMMERCE (2d ed., 2005)

CASEBOOK WEBSITE: <http://www.utexas.edu/law/faculty/ecommerce>

### II. Grading and Examinations

A student's grade in this course will be determined by her/his performance on a final written examination currently scheduled to be given on Wednesday, December 13, at 8:30 AM. The examination will be graded anonymously. The examination will last three hours, and it is likely to combine essay and short answer questions.

### III. Academic Offenses

Any student found guilty of cheating on the final exam under the procedures of the College of Law's Honor Code will receive a failing grade for the course. Additionally, further sanctions, including suspension or expulsion from the college, may be imposed.

### IV. Class Attendance and Tardiness

**A. Faculty's Excessive Absence Rule.** In accordance with law faculty rules, class attendance is mandatory. The excessive absence rule of the law faculty will be enforced. Any student absent from 8 or more classes, for any reason (whether excused or unexcused), will be disqualified from taking the final examination and will not receive credit for this course.

**B. Tardiness.** The instructor will take attendance at the beginning of class. If you are late for class, you probably will have been marked absent. If you have what you believe is a good excuse for being late, you may offer that excuse to the instructor at the end of that class. In that case, the instructor in his discretion may decide to delete the recorded absence if you were in attendance for a reasonable portion of the class.

### V. Course Content

The substance of this course will consist of the first 620-30 pages of the Mann & Winn casebook plus related statutory and other materials on the Casebook Website. Assignment sheets covering the reading for each month will be distributed at or before the beginning of each month. The first such assignment sheet is attached to this document.



INTERNET LAW  
LAW 900-001

PROF. KIGHTLINGER  
FALL 2006

ASSIGNMENT SHEET 1

Week 1 (Aug. 22-25)

Aug. 22: pp. 5-27  
Jurisdiction and Conflict of Laws  
Aug. 25: pp. 28-49  
Contractual Choice of Regime

Week 2 (Aug. 29-Sept. 1)

Aug. 29: pp. 51-66  
Trademarks and Domain Names  
Sept. 1: pp. 67-95  
Setting Up Shop on the Internet

Week 3 (Sept. 5-8)

Sept. 5: pp. 96-116  
Web-Site Development and Hosting  
Sept. 8: pp. 117-140  
Controlling Access to a Web Site

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FALL 2006

ASSIGNMENT SHEET 2

Week 4 (Sept. 12-15)

- Sept. 12: pp. 141-175  
Liability of the Site Owner
- Sept. 15: pp. 176-191  
ISP Liability

Week 5 (Sept. 19-22)

- Sept. 19: pp. 193-207  
Protecting Information: The Basics
- Sept. 22: pp. 208-217  
Data Protection in the European Union

Week 6 (Sept. 26-29)

- Sept. 26: pp. 218-232  
Internet Privacy Policies and Related Practices
- Sept. 29: pp. 233-257  
Theft of Information

Week 7 (Oct. 3-6)

- Oct. 3: pp. 261-289  
Electronic Contracting I
- Oct. 6: pp. 290-299  
Electronic Contracting II

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ASSIGNMENT SHEET 3

Week 8 (Oct. 10-13)

- Oct. 10: pp. 300-317  
Internet Auctions
- Oct. 13: pp. 318-330  
Taxing the Internet

Week 9 (Oct. 17-20)

- Oct. 17: pp. 331-349  
Electronic Data Interchange and Trading-Partner Agreements
- Oct. 20: pp. 350-365  
Digital Signatures

Week 10 (Oct. 24-27)

- Oct. 24: pp. pp. 366-379  
B2B on the Internet
- Oct. 27: pp. 380-396 (substitute Court of Appeals opinion on Assignment 10 web page for  
*British Horseracing Board* opinion in casebook)  
Transactions in Information

Week 11 (Oct. 31- Nov. 3)

- Oct. 31: pp. 397-423 (substitute Supreme Court opinion on website for *Grokster* decision)  
Music
- Nov. 3: Guest Speaker  
David A. Schwarte, Executive Vice President & General Counsel, Sabre Holdings

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ASSIGNMENT SHEET 4

Week 12 (Nov. 7-10)

Nov. 7: pp. 424-451

Software Licensing: The Basic Framework

Nov. 10: pp. 452-484 (at least skim the license agreements after the Problem Set)  
The Proprietary Software License

Week 13 (Nov. 14-17)

Nov. 14: pp. 485-515

Antitrust Issues in Licensing Transactions

Nov. 17: pp. 516-529

Open-Source Software

Week 14 (Nov. 21-24)

Nov. 21: Materials to be Distributed

Regulation of Pornographic & Indecent Content

Nov. 24: Thanksgiving Break

Week 15 (Nov. 28 - Dec. 1)

Nov. 28: pp. 550-565 (review pp. 531-549 for background re checking system)

Electronic Checks and ACH Transfers

Dec. 1: pp. 576-593 (review pp. 566-576 for background on emerging payment systems)

Payment for Retail Internet Purchases