



Pike & Fischer presents:

NUTS & BOLTS  
WEB 2.0 WORKSHOP  
ADDED - See Inside

# Legal Risk Management Forum II: Overcoming Obstacles in the Web 2.0 World

September 16-17, 2008 • AED Conference Center • Washington, DC

Make plans now to join Pike & Fischer for what will once again be the must-attend Fall event of 2008 for professionals coping with the growing array of legal risks associated with Web 2.0. Top-notch legal experts across the country are rooting out the legal mines hidden in the Web 2.0 landscape. This year's Forum brings them together to share their hard-won insights and advice.

During two days of interactive panel discussions and networking opportunities, faculty and Forum attendees will discuss and debate content infringement, privacy, reputation preservation, and other critical issues facing Internet businesses.

The 2008 program has been expanded to include a half-day workshop on Web 2.0 essentials. Whether you're experienced or new to Web 2.0's legal issues, you'll want to attend both the Forum and the Workshop for the latest insight from our first-rate faculty.

Here are just a few of the hard-hitting and timely subjects we'll examine:

- The nuts and bolts of Web 2.0, including IT for lawyers, copyright 101, and data retention basics;
- How Web 2.0 technologies relate to causes of action in tort, intellectual property, and privacy;
- Strategies to avoid third-party liability for copyright infringement;
- Expert advice on data retention and purging practices for Web 2.0 clients;
- Negotiation tactics for securing licensing agreements with content owners;
- Best practices for monetizing applications tied to personal information;
- Legal remedies for victims of online gossip and rumor;
- Ways to verify the identities of users who post content online;
- Real-life opportunities and legal risks emerging in virtual worlds;
- Avoiding AG subpoenas (and how to respond if you get one).

**Legal Risk Management Forum II: Overcoming Obstacles in the Web 2.0 World** is the one event you cannot afford to miss!

*"Far more qualitative and quantitative information than from competing conference providers!"*

Michael Wechsler, The Law Network, LLC

HOSTS



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## FEATURED FACULTY

**Christopher Wolf**  
Partner  
PROSKAUER ROSE LLP

**David Green**  
V.P., Public Policy Development  
NBC UNIVERSAL

**Jules Polonetsky**  
Chief Privacy Officer & S.V.P., Consumer Advocacy  
AOL

**Jessica Rich**  
Assistant Director, Div. of Privacy & Identity Protection  
FEDERAL TRADE COMMISSION

**Martin Hansen**  
Partner  
COVINGTON & BURLING LLP

**Raymond T. Nimmer**  
Dean and Leonard H. Childs Professor of Law  
UNIVERSITY OF HOUSTON LAW CENTER

**Robert A. Rosenberg**  
S.V.P., Counsel, Digital Media, Sales & Marketing  
SHOWTIME NETWORKS INC.

**Gene Fishel**  
Sr. Assistant Attorney General and Chief, Computer  
Crime Section  
OFFICE OF THE VIRGINIA ATTORNEY GENERAL

**Stephen Mortinger**  
V.P. & Associate General Counsel  
IBM SYSTEMS & TECHNOLOGY GROUP

**Ari Schwartz**  
V.P. & COO  
CENTER FOR DEMOCRACY AND TECHNOLOGY

**Robert Corn-Revere**  
Partner  
DAVIS WRIGHT TREMAINE LLP

**David Ardia**  
Director & Founder  
CITIZEN MEDIA LAW PROJECT

**Mark Britton**  
CEO & President  
AVVO, INC.

**Adam Palmer**  
Law & Policy Counsel, ORG  
THE PUBLIC INTEREST REGISTRY

**Michael Fertik**  
CEO  
REPUTATIONDEFENDER, INC.

**Matt Robinson**  
V.P. of Business Development & General Counsel  
ATTRIBUTOR.COM

**Brooks Dobbs**  
Chief Privacy Officer  
PHORM, INC.

**Asim Singh**  
Partner  
DEPREZ DIAN GUIGNOT

**Colette Voge**  
Founder, Voge & Associates, Non-resident Fellow  
STANFORD LAW SCHOOL CENTER FOR INTERNET  
AND SOCIETY

**Christian Genetski**  
Partner  
SONNENSCHNEIN, NATH & ROSENTHAL LLP

**Stevan Lieberman**  
Member  
GREENBERG & LIEBERMAN

**Francis Xavier Taney, Jr.**  
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**Maherin Gangat**  
Staff Attorney  
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**Jennifer Archie**  
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# LEGAL RISK MANAGEMENT FORUM II OVERCOMING OBSTACLES IN THE WEB 2.0 WORLD

## DAY ONE WORKSHOP

Tuesday, September 16, 2008

### WEB 2.0 ESSENTIALS FOR LEGAL PROFESSIONALS

12:00 – 12:30

#### Registration & Lunch

12:30 – 12:45

#### Welcome

12:45 – 2:00

#### IT for Lawyers: You know *your* stuff, but do you know *theirs*?

Tech-savvy clients demand tech-savvy lawyers. Luddites as well as self-styled techies will benefit from this crash course on the Web 2.0 infrastructure, encompassing server-software, content-syndication, messaging-protocols, standards-oriented browsers, plugins, and extensions. Learn how these technologies relate to causes of action for infringement, invasion of privacy, and trespass. The discussion will also include an overview of filtering techniques, data mining, bots, scraping, Semantic Web, and IPv6.

2:00 – 2:15

#### Coffee & Networking Break

(sponsorship available)

2:15 – 3:30

#### Copyright 101: Special considerations for UGC

The highly charged debate regarding intellectual property rights in the Web 2.0 context warrants a straightforward primer on the scope of the Copyright Act, the DMCA, and the fair use doctrine. This presentation will also address the utility of DRM technologies, as well as third-party liability issues in the wake of the Ninth Circuit's *Perfect 10* trilogy.



#### INSTRUCTOR:

**Raymond T. Nimmer**

*Dean and Leonard H. Childs Professor of Law*

UNIVERSITY OF HOUSTON LAW CENTER

3:30 – 3:45

#### Coffee & Networking Break

(sponsorship available)

3:45 – 5:00

#### Best Friends Forever? Data retention on social networking sites

Letting bygones be bygones can be tricky in the digital world. A web server is like the proverbial elephant that never forgets, and search engines have already replaced the old string 'round the finger. What data retention obligations do site owners have to their users? To law enforcement? To foreign governments? What advice on purging practices should lawyers give to Web 2.0 clients?

5:00 – 6:00

#### Cocktails & Networking Hour

(sponsorship available)

## DAY TWO FORUM

Wednesday, September 17, 2008

7:30 – 8:30

#### Registration & Continental Breakfast

8:30 – 8:45

#### Welcome

8:45 – 9:30

#### Morning Keynote Address

9:30 – 10:45

#### Is MySpace Really Mine? Licensing, ownership, and infringement in Web 2.0

Clicking through Terms of Use and Terms of Service agreements is as easy as adding a friend to your network, but some users (and website owners) have learned lessons about copyright infringement the hard way. This panel will explore the best ways to clarify who owns what and for what purposes. For copyrighted content, the panel will outline methods for reaching agreements that foster non-infringing uses and avoid litigation, and will highlight unique challenges facing UGC sites under European law. The panel will also examine IP enforcement strategies through the use of state-of-the-art technologies and forensic tools.

#### PANELISTS:

**David Green**

*Vice President, Public Policy Development*

NBC UNIVERSAL

**Martin Hansen**

*Partner*

COVINGTON & BURLING LLP

**Matt Robinson**

*Vice President of Business Development & General Counsel*

ATTRIBUTOR.COM

**Asim Singh**

*Partner*

DEPREZ DIAN GUIGNOT

10:45 – 11:00

#### Coffee & Networking Break

(sponsorship available)

11:00 – 12:15

#### No Strings Attached? Monetizing without breaching user privacy

Free applications? Free hosting? Free networking? Free downloads? Ultimately someone must pay for it. This panel will address data mining, tracking, geolocation, and other advertising-related practices that raise the ire of privacy advocates. The panel will explore the FTC's proposed governing principles for behavioral advertising, and discuss best practices for monetizing applications tied to personal information.



#### MODERATOR:

**Christopher Wolf**

*Partner*

PROSKAUER ROSE LLP

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# LEGAL RISK MANAGEMENT FORUM II OVERCOMING OBSTACLES IN THE WEB 2.0 WORLD

## PANELISTS:

**Brooks Dobbs**  
*Chief Privacy Officer*  
PHORM, INC.

**Jules Polonetsky**  
*Chief Privacy Officer and Sr. Vice President, Consumer Advocacy*  
AMERICA ONLINE, INC. (AOL)

**Jessica Rich**  
*Assistant Director, Division of Privacy & Identity Protection*  
FEDERAL TRADE COMMISSION

**Ari Schwartz**  
*Vice President and Chief Operating Officer*  
CENTER FOR DEMOCRACY AND TECHNOLOGY

**12:15 – 1:30**

## Luncheon with Keynote Address

**1:45 – 2:45**

### Reputations on [the] line: Resources and remedies for managing your cyber persona

Free speech and privacy rights collide in a world populated by anonymous critics and cyberbullies. But the attacks are not always from the outside. The long tail of the Internet ensures that we, at times, may become our own worst enemies, based on the content we post on blogs or the friends we keep on social networking pages. This panel will explore legal recourses for victims of online gossip and rumor, as well as for those hoisted by their own petard. From the website owner perspective, the panel will identify strategies for verifying user identities, restricting troublesome content, responding to harmed parties, and limiting legal exposure.



#### MODERATOR:

**Robert Corn-Revere**  
*Partner*  
DAVIS WRIGHT TREMAINE LLP

## PANELISTS:

**David Ardia**  
*Director & Founder*  
CITIZEN MEDIA LAW PROJECT

**Mark Britton**  
*CEO and President*  
AVVO, INC.

**Michael Fertik**  
*Chief Executive Officer*  
REPUTATIONDEFENDER, INC.

**Colette Vogele**  
*Founder*  
VOGELE & ASSOCIATES  
*Non-resident Fellow, Stanford Law School Center for Internet and Society*

**2:45 – 3:45**

### Bigger Bang for the Buck? Business opportunities and hidden risks in virtual worlds

Virtual worlds have grown far beyond the Dungeons and Dragons set. Why are real world businesses setting up shop in virtual spaces? Meet the players behind the avatars, and

learn what rules apply in the so-called Wild West of the Web. This panel will address the economic benefits and associated legal risks of this “new world” order, especially as it pertains to intellectual property and other real world rights.

## PANELISTS:

**Christian Genetski**  
*Partner*  
SONNENSCHNEIN, NATH & ROSENTHAL LLP

**Stevan Lieberman**  
*Member*  
GREENBERG & LIEBERMAN

**Stephen Mortinger**  
*Vice President & Associate General Counsel*  
IBM SYSTEMS & TECHNOLOGY GROUP

**Francis Xavier Taney, Jr.**  
*Shareholder*  
BUCHANAN INGERSOLL & ROONEY PC

**Robert A. Rosenberg**  
*Senior Vice President, Counsel, Digital Media, Sales & Marketing*  
SHOWTIME NETWORKS INC.

**3:45 – 4:00**

### Coffee & Networking Break

*(sponsorship available)*

**4:00 – 5:00**

### You've Been Served: Duties and defenses upon receipt of a subpoena

When you're the only one who knows the identity of an alleged infringer, sexual predator, or defamer, what are your obligations to disclose that information? This panel will outline which laws apply in both the criminal and civil context, and whether you are obliged to mount any defenses or notify the affected party. The panel will also outline the proactive steps Web 2.0 sites must take to avoid the wrath of Attorneys General, especially where the safety of children is at risk.

## PANELISTS:

**Gene Fishel**  
*Senior Assistant Attorney General and Chief, Computer Crime Section*  
OFFICE OF THE VIRGINIA ATTORNEY GENERAL

**Maherin Gangat**  
*Staff Attorney*  
MEDIA LAW RESOURCE CENTER

**Adam Palmer**  
*Law & Policy Counsel, .ORG*  
THE PUBLIC INTEREST REGISTRY

**Jennifer Archie**  
*Partner*  
LATHAM & WATKINS

**5:00 – 5:30**

### Closing Keynote Address

For the latest agenda, including Forum speakers and biographies, visit [www.pf.com](http://www.pf.com)

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# LEGAL RISK MANAGEMENT FORUM II OVERCOMING OBSTACLES IN THE WEB 2.0 WORLD

## WHO SHOULD ATTEND

### Attorneys in the following practice areas:

- Telecom Law
- Internet Law
- Transactions
- Intellectual Property
- Privacy & Security
- First Amendment
- Criminal Liability

### Executives from:

- Online media companies
- Cable companies
- Phone companies
- Internet service providers
- Venture capital firms
- Traditional publishers
- Content providers
- Consulting firms
- Advertising companies

## CLE ACCREDITATION

Pike & Fischer will once again apply for CLE accreditation for the Forum in all states for which a request is received. 2007 attendees were approved for CLE credit in all states for which CLE was requested. Approval levels ranged from 5.5 to 8.0 for our 2007 one-day event. Attorneys requesting CLE credit must sign up individually at the Forum registration desk. CLE processing may take 1-3 months and a request does not automatically guarantee credit. CLE status will be sent to you as soon as it becomes available.

## ABOUT THE AED CONFERENCE CENTER

The state of the art Academy for Educational Development (AED) Conference Center is located at 1825 Connecticut Avenue, NW, Washington, DC - in the heart of the Dupont Circle neighborhood. Only four blocks from the Dupont Circle station on Metro's Red Line, and nestled in a neighborhood of tree-lined streets, diplomatic residences, restaurants, and art galleries, the Conference Center exemplifies the phrase "location, location, location!" The AED Conference Center occupies the spacious 8th and 9th floors of the facility and offers an impressive range of meeting amenities - including wireless Internet access for all Forum attendees.

## THE CHURCHILL HOTEL

Pike & Fischer is pleased to offer discounted accommodations for Forum attendees at The Churchill Hotel - just one block from The AED Conference Center:

### THE CHURCHILL HOTEL

1914 Connecticut Avenue, NW  
Washington, DC 20009

**Telephone:** 202.797.2000 or  
800.424.2464

**Room Rate:** \$229 Single; \$259 Double

**Discounted Reservation Deadline:**  
August 15, 2008

**Web:** [www.thechurchillhotel.com](http://www.thechurchillhotel.com)

Call and use the Code "Pike & Fischer" to make a reservation. For additional information, contact Pike & Fischer Customer Care at 301-562-1530 x 248 / [customercare@pf.com](mailto:customercare@pf.com).

## FORUM SPONSORSHIP OPPORTUNITIES

**Legal Risk Management Forum II: Overcoming Obstacles in the Web 2.0 World** will gather the country's top business, legal, and government decision makers in an elite forum geared toward high-level discussion of the growing array of risks associated with Web 2.0 technologies. Pike & Fischer welcomes appropriate sponsors who seek greater recognition among, and contact with, top-tier executives and officials in this space.

Forum sponsors will receive prominent acknowledgement not only at the event itself, but also via email, print and web advertising leading up to the event. Pike & Fischer reaches thousands of senior-level executives, policy makers, attorneys, major investors and business journalists — ensuring that your brand and message reach the right audience.

**FORUM SPONSORSHIPS ARE LIMITED.** For more information about customizing a sponsorship package that meets the needs of your organization, contact Pike & Fischer's Manager of Business Development, Todd Dale, at 212-563-6131 [tdale@pf.com](mailto:tdale@pf.com).

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# LEGAL RISK MANAGEMENT FORUM II OVERCOMING OBSTACLES IN THE WEB 2.0 WORLD

## Here's a sampling of the top-notch organizations who attended our 2007 Forum:

- Google Inc.
- Facebook, Inc.
- Microsoft
- America Online, Inc.
- NewsCorp
- Sprint Nextel
- Proskauer Rose LLP
- PricewaterhouseCoopers
- NBC Universal
- Motion Picture Association of America (MPAA)
- Harvard Law School
- Oxygen Media
- Booz Allen Hamilton, Inc.
- Nokia Inc.
- National Public Radio, Inc. (NPR)
- U.S. Federal Trade Commission
- Business & Technology Law Group
- TELUS
- Leventhal Senter & Lerman PLLC
- Macleod Dixon LLP
- Wiley Rein LLP
- Consulting Magazine
- Cyveillance Inc.
- Holch & Erickson, LLP
- The Verticom Group
- Dabble
- Noble
- Nationwide
- iMEGA
- HR Focus
- Showtime Networks, Inc.
- Critical Mass Inc.
- Real Estate Industry Solutions, LLC
- McDermott Will & Emery LLP
- Katrin Mondon / HP
- LeClair Ryan
- Aristotle
- Office of the National Security Adviser, Nigeria
- DDG
- Bloomberg News
- National Journal's Technology Daily
- IDG News Service
- Multichannel News
- Information Technology Association of America (ITAA)
- Dow Lohnes PLLC
- Hogan & Hartson LLP
- Epals, Inc.
- The Globe & Mail/CTVglobemedia Publishing
- Media Breakaway, LLC
- Covington & Burling LLP
- Gotuit
- American Bankers Association
- The Copyright Alliance
- Gannett
- Network Solutions LLC
- Willcox & Savage PC
- Davis Wright Tremaine LLP
- Center for Democracy & Technology
- Xanga.com
- City of Palo Alto, CA
- Connell Foley LLP
- University of Toronto
- IDT, Inc.
- CNET Networks, Inc.
- The Financial Times
- Rutgers University Law School
- University of Denver
- Rini Coran, PC
- Cooley Godward Kronish LLP
- Kirkpatrick & Lockhart Preston Gates Ellis, LLP
- Real Estate Industry Solutions, LLC
- Vanderbilt University Law School
- Amphire Solutions, Inc.
- Capitol Broadcasting Company

## Here's what your colleagues who attended last year had to say about this unique Web 2.0 legal forum...

*"The panel format was excellent and the presentation materials were great."*

Attorney, EWING MARION KAUFFMAN FOUNDATION

*"The Forum included a broad range of topics and was a very useful survey of Web 2.0 issues."*

Attorney, COVINGTON & BURLING

*"Very good panels...no slouches!"*

Herb Taylor, VERTICOM

*"The conference was much more detailed than I expected and the panels were all very good. I'm leaving with a very high opinion of Pike & Fischer".*

Kevin White, WILCOX & SAVAGE

*"This was a well-balanced conference that included both practical and technical information."*

Anthony Wensley, UNIVERSITY OF TORONTO

*"Very informative, sophisticated panels; nice diversity of views."*

Leslie Spasser, LECLAIR RYAN

## FORUM CALL FOR PAPERS

Pike & Fischer is pleased to announce an added opportunity for interested parties to share Web 2.0 legal best practices information at our Forum. As a means of furthering debate among the legal experts and thought-leaders already planning to attend, we encourage submission of white papers covering topics relevant to our program.

Executive summaries of all accepted papers will be published in the Forum reference book distributed to all registered attendees. Full-text digital versions will be distributed to attendees via a secure Web page or flash drive.

Qualifying papers must be non-commercial titles formally published within the last year and must be submitted by Friday, September 5, 2008.

Submit papers to [customer care@pf.com](mailto:customer care@pf.com). For more information, contact Meg Hargreaves at 301-562-1530 x 229.

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Wednesday, September 17, 2008

**Venue:** The AED Conference Center  
1825 Connecticut Ave., NW  
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**Early Bird Registration through August 1.  
Discounted Hotel Reservations at  
The Churchill Hotel through August 15**

Learn firsthand from Web 2.0 legal experts:

- The nuts and bolts of Web 2.0, including IT for lawyers, copyright 101, and data retention basics - **NEW WORKSHOP!**

- How Web 2.0 technologies relate to causes of action in tort, intellectual property, and privacy
- Strategies to avoid third-party liability for copyright infringement
- Expert advice on data retention and purging practices for Web 2.0 clients
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- Legal remedies for victims of online gossip and rumor
- Ways to verify the identities of users who post content online
- Real-life opportunities and legal risks emerging in virtual worlds
- Avoiding AG subpoenas (and how to respond if you get one)

## 5 Easy Ways to Register

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**Web:** www.pf.com

## REGISTRATION FORM

**Early Bird Rates! Through August 1st**  
**Standard Rates After August 1st**

### Register

Please register me at these **Early Bird Rates** BEFORE August 1st:

- Workshop Only \$495 - **SAVE \$100!**
- Forum Only \$795 - **SAVE \$100!**
- Workshop & Forum \$995 - **BEST DEAL - SAVE \$295!**

Please register me at these **Regular Rates** AFTER August 1st:

- Workshop Only \$595
- Forum Only \$895
- Workshop & Forum \$1,095 - **BEST DEAL - SAVE \$395!**

**Government & Academic Registration Rates:**

- Workshop Only \$295
- Forum Only \$495
- Workshop & Forum \$595 - **BEST DEAL - Save \$195!**

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(please provide email so we can confirm registration)

**SUBSTITUTIONS & CANCELLATIONS** Should you be unable to attend for any reason, please inform us in writing prior to August 18, 2008 and Pike & Fischer will give you a refund less a \$100 administrative fee. Refunds are not available after August 18, 2008. Substitutions of enrolled delegates may be made at any time at no charge.

### PIKE & FISCHER

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