TABLE OF CONTENTS

CHAPTER 1

Contracting in the Electronic Environment

0 1 01	T.,	The second secon	1.0
§ 1.01		oduction	1-2
	[1]	Sources of Law	1-3
		[a] The Uniform Commercial Code	1-3
		(UCC)	1-3
		Transactions Act (UCITA)	1-4
		[c] The Uniform Electronic Transactions	1-4
		Act (UETA)	1-6
		[d] The Electronic Signatures in	1-0
		Global and National Commerce	
		Act (E-Sign)	1-7
	[2]	The Statute of Frauds	1-11
§ 1.02		straditional Means of Contracting	1-14
3 1.02	[1]	Agreements Formed in Earlier Times	
	[-]	via Telegram, Telex and Tape	
		Recordings	1-14
		[a] Telegrams and Telexes	1-15
		[b] Recorded Verbal Messages	1-17
	[2]	The Modern Approach to Signatures	1-18
		[a] Facsimile Transmissions	1-18
		[b] E-Mail and Electronic Messaging	1-19
	[3]	Shrink-Wrap, Click-Wrap, Browse-Wrap,	
		Scrollwrap, and Sign-in-Wrap	
		Agreements	1-20
		[a] History of "Wrap" Agreements	1-20
		[b] Current Status of "Wrap"	
		Agreements	1-23
	[4]	Hybrid Agreements	1-41
	[5]	Blockchain Technology and Smart	
		Contracts	1-43
		[a] Early "Smart Contracts"	1-43

		[b] [c]	Blockchain-Based Contracting The Future of Blockchain-Based	1-43
	[6]	Cont	Technologytractual Issues of Particular Concern	1-46
		in	an Online Context	1-49
		[a]	The "Battle of the Forms"	1-49
		[b]	The Parol Evidence Rule	1-49
		[c]	The "Mailbox" Rule	1-51
		[d]	Unilateral Modification Clauses and	
		F1	Disclaimers	1-53
		[e]	Forum Selection and Choice-of-Law	
			Clauses	1-57
		[f]	Authority to Bind, Legal Capacity, and Minors Who Contract	
			Online	1-60
			CHAPTER 2	
T	he O	nline	Transformation of Defamation La	W
§ 2.01	Con	nmon	Law Defamation	2-2
0	[1]		ication	2-2
	[2]		e Statement About a Person	2-5
	[3]		ce	2-6.1
	[4]		ry to Reputation	2-7
	[5]	Not	Privileged	2-8
				2-0
1				2-10.2
			2-10.2	
§ 2.03	§ 2.03 First Amendment Constraints on			
Common Law Defamation				
§ 2.04			30(c) of the Communications	
			y Act: How a Defamation Case	2.21
			ormed the Internet	2-21
	[1]		Current State of the CDA	2-25
	[2]		A Immunity Applies to All Types	2.21
	507		f "Providers"	2-31
	[3]		A Section 230(c)(2): Immunity for	
			locking "Objectionable" Content	2-35
	[4]		tory Exceptions to CDA Immunity	2-36
	[5]	Limi	its of CDA Immunity	2-39
		[a]	Provider Helps Create or Post	
			the Content	2-39
		[b]	Provider Is Not Being Held Liable	
		r 1	as a Publisher or Speaker	2-43
			a recipiter or openior	5

	TABLE OF CONTENTS	xxi
	[c] Provider Does Not Act in "Good Faith" When Removing	2.40
	Material	2-48
e 2.05	Motion to Dismiss	2-48.2
§ 2.05	The State of Online Defamation Law [1] Online Journalism	2-48.4 2-48.4
	[1] Online Journalism	2-46.4
	CHAPTER 3	
	Online Crimes and Abuses	
§ 3.01	Introduction	3-2
§ 3.02	Criminal Federal Law Regarding Electronic	
	Communications	3-3
	[1] Wiretap Act	3-3
	Privacy Act	3-3
	[3] Stored Communications Act	3-6
	[4] The Pen Register Act	3-8
	[5] The Computer Fraud and Abuse Act	3-9
	[a] Determining What "Without	
	Authorization or Exceeding	2 12
	Authorized Access" Means	3-12
	[b] "Damage, Loss, or Wrongfully	2 15
	Acquired Value"	3-15
	Company's Online Terms of	
	Service Constitute a Criminal	
	Violation of the CFAA?	3-16
	[6] Identity Theft and Assumption	
	Deterrence Act	3-18
	[7] The CAN SPAM Act	3-19
	[8] The Telephone Consumer	
	Protection Act (TCPA)	3-20
	[9] The Economic Espionage Act	3-24
	[10] Access Device Fraud Statute	3-25 3-26
§ 3.02A	State Criminal Laws Regarding	3-20
3 2.02.11	Online Abuses.	3-27
§ 3.03	The Current State of Online Crimes and	
	Abuses	3-29
	[1] Online Crimes and Abuses Based	
	on Hacking	3-29
		(Rel. 57)

xxii	INTERNET AND ONLINE LAW						
	[a] Generally	3-30 3-30.3					
	Necessarily Involving Hacking [a] International Cybercrime and	3-37					
	the Dark Web	3-37					
	than Financial Gain	3-39					
	People						
	CHAPTER 4						
	Obscenity, CSAM, Nonconsensual Porn, Electronic Voyeurism, and Other Sex-Related Issues						
§ 4.01 § 4.02	Introduction	4-2					
	Prosecutions	4-6					
§ 4.03	The Current Statutory Framework	4-7 4-10					
	Service Providers	4-14 4-16					
§ 4.04	Section 230(d) Obligation of Online Providers to Provide Notice Regarding	4.10					
§ 4.05	Filters	4-18 4-19					
§ 4.06	Types of Online Activities That Could Trigger Liability for Violations of Obscenity, Indecency or Child	4-19					
	Pornography Laws	4-26					
	Pornography	4-26					
	an Online Provider's Network	4-26					
	[3] Receiving, Sending or Storing E-Mail	4-27					
	[4] Selling Products Online	4-27					
§ 4.07	[5] Facilitating Criminal Activity Approaches to Complying with Obscenity,	4-27					
	Indecency, and Child Pornography Laws	4-28					
	[1] Doing Nothing	4-28					

	TABLE OF CONTENTS	xxiii
	[2] Providing Warnings to Users[3] Providing Filtering Software to Users[4] Special Considerations for Libraries	4-29 4-29
§ 4.08	and Schools	4-31
	Technology and Law	4-34
§ 4.09	Online Sexual Harassment	4-44
	CHAPTER 5	
	Privacy, Data Protection and Related Issues	
§ 5.01	Introduction	5-3
§ 5.02	The Constitutional and Statutory	
	Framework	5-10
	[1] Fourth Amendment	5-10
	Conceptual [b] Development of the Content/	5-10
	Non-Content Distinction	5-12
	[2] Fifth Amendment	5-23
	Amendment Privilege Applies [b] Cases Rejecting Fifth Amendment	5-26
	Privilege Claims	5-27
	[i] Generally	5-27
	or Other Biometrics [iii] "Foregone Conclusion"	5-28.1
	Doctrine	5-28.2
§ 5.03	Major Federal Privacy Statutes	5-28.5
	[1] Wiretap Act	5-28.5
	[2] Electronic Communications	
	Privacy Act	5-28.6
	[3] Stored Communications Act	5-29
	Service"	5-32
	[b] Disclosures of Transactional Data[4] Computer Fraud and Abuse Act	5-36 5-37

	[5] Communications Assistance for	
	Law Enforcement Act (CALEA)	5-41
	[6] USA Patriot Act	5-42
	[7] Foreign Intelligence Surveillance	
	Act	5-44
0. 5.04	[8] Privacy Protection Act	5-44
§ 5.04	Other Federal Statutes Relevant to	- 4-
	Online Privacy	5-45
	[1] Federal Trade Commission Act	5-45
	[2] Federal Communications	
	Commission Act.	5-45
	[3] Privacy Act	5-46
	[4] Children's Online Privacy	
	Protection Act	5-47
	[5] Family Education Rights and	
	Privacy Act	5-47
	[6] Cable Privacy Act	5-47
	[7] Video Privacy Protection Act	5-48
	[8] Telephone Records and Privacy	
	Protection Act	5-53
	[9] Health Insurance Portability and	0 00
	Accountability Act	5-53
	[10] Health Information Technology for	5 55
	Economic and Clinical Health	
	Act	5-54
		5-5 4 5-57
	[11] Fair Credit Reporting Act	3-37
	[12] Fair and Accurate Credit	5 (0
	Transactions Act	5-60
	[13] Gramm-Leach-Bliley Act	5-61
	[14] Restore Online Shoppers'	
	Confidence Act	5-65
	[15] Driver's Privacy Protection Act (DPPA)	5-66
	[16] REAL ID Act	5-68
	[17] E-Government Act	5-69
§ 5.04A	Federal Executive Branch Actions	5-71
§ 5.05	State Privacy Laws	5-72
	[1] Generally	5-72
	[2] California	5-72
	[a] The California Online Privacy	
	Protection Act (CALOPPA)	5-73
	[b] The California Consumer	
	Privacy Act (CCPA)	5-74
	[i] When the CCPA Does Not	
	Apply	5-76
	[c] Other California Privacy Laws	5-126
	[3] Other State Privacy Laws	5-131

		TABLE OF CONTENTS	XXV
		[4] Biometric Privacy Laws[5] State Data Security and Data	5-139
		Breach Laws	5-140.4
	5.06 5.07	The Common Law of Privacy Online Privacy and Public Policy	5-140.8
_		Issues	5-142
		[1] Anonymity	5-142
		Government	5-153
		[3] Consumer Privacy	5-154
		[4] Workplace Privacy	5-161
		[5] Journalism and Privacy	5-164
		[6] Expungement	5-166
		CHAPTER 6	
		Copyright	
§	6.01	Introduction	6-4
§	6.02	What Is, and Is Not, Copyrightable	6-5
		[1] Originality and Fixation	6-5
		[2] Uncopyrightable Ideas and Facts Versus	
		Copyrightable Expressions	6-6
		[3] Distinguishing Copyrightable Material	
		from Uncopyrightable Material	6-9
§	6.03	Copyright Formalities	6-14.1
		[1] Notice	6-14.1
		[2] Registration	6-15
§	6.04	Duration of Copyright Protection [1] Works Created on or After	6-16.2
		January 1, 1978	6-16.2
		[2] Works Created But Not Published or Copyrighted Before	
		January 1, 1978	6-16.2
		[3] Works Published or Otherwise Copyrighted Prior to	
		January 1, 1978	6-17
§	6.05	Categories of Works of Authorship	6-18
	6.06	Copyright Ownership	6-21
-		[1] Initial Ownership	6-21
		[2] Works Made for Hire	6-23
		[3] Contributions to Collective Works	6-24
		[4] Transfers of Ownership	6-25
§	6.07	Copyright Owner's Exclusive Rights	6-27
-		[1] The Right of Reproduction	6-27

xxvi INTERNET AND ONLINE LAW

	[2]	The Right of Preparation of Derivative	
		Works	6-29
	[3]	The Right of Public Distribution	6-29
		[a] Generally	6-29
		[b] The First Sale Doctrine and Digital	v =
		File Transfers	6-30
		[c] Digital Content Distribution on the	0 30
		Internet	6-31
			0-31
		[i] A Brief History of the	
		Music Industry's Online	(2.1
	F 43	Copyright Wars	6-34
	[4]	The Right of Public Performance	6-40
		[a] Transmission or Other	
		Communication	6-42
		[b] Of a Performance of the Work	6-42
		[c] To Members of the Public	6-44
		[d] Who Are Capable of Receiving the	
		Performance	6-44
		[e] Where the Transmission Is Either	
		to a Public or Semi-Public Place,	
		or to Members of the Public	
		Who May Be Separated	
		Geographically or Temporally,	
		or Both	6-44
	[5]	The Right of Public Display	6-45
	[6]	The Right of Public Digital Performance	0 13
	[O]	in Sound Recordings	6-46
	[7]		0-40
	[7]	Common Law Copyright and	6.40
2 (00	C	Preemption	6-49
§ 6.08		byright Infringement	6-51
	[1]	Direct, Contributory, Vicarious, and	c = 1
		Intentional Inducement Liability	6-51
	[2]	Remedies for Infringement	6-56
		[a] Registration as a Prerequisite for an	
		Infringement Suit	6-56
		[b] Types of Remedies for	
		Infringement	6-58
		[c] Availability of Statutory Damages	
		and Attorney Fees Depends on	
		Timing of the Registration	6-59
		[d] Injunctive Remedies and Writs of	
		Seizure	6-61
		[e] Amount of Damage Awards	6-61
		[f] Limitation of Actions	6-63
		[g] Criminal Copyright Infringement	6-65
	[3]	The CASE Act and Alternative	0-03
	$\lceil 2 \rceil$	Resolution of Copyright Disputes	6-66
		ACSOIUHOH OF CODVITER DISDUICS	0-00

	TABLE OF CONTENTS	xxvii
§ 6.09	Defenses to Infringement Actions	6-69
	[1] Generally	6-69
	[2] The Fair Use Doctrine	6-69
	[3] De Minimis Use	6-76
	[4] "Unclean Hands"	6-76
	[5] Fair Use and the DMCA	6-77
	[6] Copyright Misuse	6-78
	[7] Fair Use and the Teach Act	6-79
§ 6.10	Copyright Implications of Online Activities	6-81
	[1] User Uploads	6-81
	[2] Granting Public Access to a Work	6-82
	[3] Browsing	6-82
	[4] Downloading	6-83
	[5] E-Mail and List Servers	6-83
	[6] Caching, Mirroring and Ephemeral	C 0.4
	Copies	6-84
	[7] Hyperlinking	6-86
	[8] Framing (Embedding) and Scraping	6-88 6-92
§ 6.11	[9] Pop-Up and Overlay Advertising Copyright Liability of Online Service	0-92
8 0.11	Providers	6-95
	[1] Direct Infringement	6-95
	[2] Contributory Infringement and the Safe	0-75
	Harbor Provisions of the DMCA	6-96
	[a] Pre-DMCA Decisions	6-96
	[b] DMCA Title II: Notice-and-	0 70
	Takedown Safe Harbor	6-99
	[c] Early Post-DMCA Decisions	6-105
	[d] The Current State of the DMCA	
	Safe Harbor	6-108
	[i] Service Provider Eligibility	6-109
	[ii] Reasonably Implemented	
	Repeat Infringer Policy	6-111
	[iii] Actual Knowledge of	
	Infringement or Awareness	
	of Facts or Circumstances	
	That Would Make	
	Infringement Apparent	6-114
	[iv] Acting Expeditiously to	
	Remove or Disable	
	Access	6-118
	[v] No Direct Financial Benefit	
	If the Service Provider Has	
	the Right to Control the	
	Online Activity	6-120

xxviii INTERNET AND ONLINE LAW		
	[vi] Works That May Be the Subject of a Valid	
	Takedown Notice [vii] Who May Send a Valid	6-121
	Takedown Notice [viii] What Constitutes a Valid	6-126
	Takedown Notice [ix] Sending Takedown Notices	6-126
	(and Subpoenas) [e] DMCA Title II: Counter-	6-127
	Notification	6-129
	and Counter-Notifications	6-131
	[3] Vicarious Liability	6-137
	[4] Intentional Inducement Liability	6-137
	[5] The Appropriate Standard of Liability	0 137
§ 6.12	for Online Service Providers Statutory Protections for Copyright Owners	6-138
g 0.12	Not Based on Infringement	6-143
	[1] DMCA Section 1201 Prohibition of	0-1-13
	Circumventing Technological	
	Protective Measures	6-143
	[2] DMCA Section 1202 Prohibition of	
	Falsifying or Removing Copyright	
	Management Information	6-145
	[3] Declaratory Judgment Action	6-149
	[4] Anti-Bootlegging Statute	6-150
	[5] Visual Artists Rights Act (VARA)	6-150
	CHAPTER 7	
	Trademark and Unfair Competition Issues	
§ 7.01	Introduction	7-3
§ 7.02	Trademark Infringement	7-6
Ü	[1] Federal Trademark Infringement and	
	False Advertising	7-6
	[a] Pleading a Cause of Action	7-6
	[i] Subject Matter Jurisdiction	7-11
	[ii] Personal Jurisdiction and	
	Venue	7-14
	[iii] Likelihood of Confusion	7-23
	[iv] Intent	7-28
	[b] Defenses	7-28.1
	[i] No Rights to Trademark	7-28.2
	[ii] No Likelihood of Confusion	7-35

TABLE OF CONTENTS		
	[iii] Fair Use	7-39
	[iv] Innocent Infringement	7-41
	[v] First Amendment	7-43
	[vi] Trademark Exhaustion	
	(First-Sale Doctrine)	7-44
	[vii] Statutory Defenses	7-45
	[viii] Equitable Defenses	7-46
	[c] Remedies for Lanham Act	1
	Violations	7-51
	[i] Equitable Relief	7-51
	[ii] Damages, Attorneys' Fees and Costs	7 52
		7-53 7-56
§ 7.03	[2] State Trademark Infringement Laws Trademark Dilution	7-56.2
g 7.03	[1] Pleading a Cause of Action	7-50.2
	[a] Fame	7-57
	[b] Distinctiveness	7-59
	[c] "Use in Commerce"	7-59
	[d] "Blurring" and "Tarnishment"	7-60
	[e] Application of Dilution Act to	7 00
	Internet-Related Cases	7-62
	[2] Defenses	7-64.1
	[3] Remedies.	7-64.3
§ 7.04	False Advertising	7-69
0	[1] Federal Cause of Action Under	
	Section 43(a) of the Lanham Act	7-69
	[a] Pleading a Cause of Action	7-70
	[i] False Statement of Fact in	
	Commercial Advertising	7-70
	[ii] Likelihood of Confusion	7-72
	[b] Defenses to a Section 43(a)	
	False Advertising Claim	7-75
	[c] Remedies	7-77
	[i] Equitable Relief	7-77
	[ii] Monetary Relief	7-78
§ 7.05	Right of Publicity	7-80
	[1] Pleading a Cause of Action	7-90.5
	[2] Defenses	7-90.8
e 7.06	[3] Remedies	7-90.16
§ 7.06	Misappropriation and Other Common Law	7.01
	Unfair Competition Claims	7-91 7-91
	[1] Passing Off	
	[2] Misappropriation	7-92 7-95
8 7 07	[3] Other Anticompetitive Practices	7-95 7-97
§ 7.07	Unique Trademark Issues	7-9/

XXX	INTERNET AND ONLINE LAW

	[1] Domain Names	7-97 7-97
	of Trademark Law to Domain Names	7-100
	Protection Act	7-103
	Resolution Policy	7-115
	Cybersquatting Claims	7-121
	[2] Metatags	7-122
	[3] Linking and Framing	7-125
	[4] Gripe Sites and Fan Sites	7-127
	[5] Unsolicited Commercial E-Mail	7-138
	CHAPTER 8	
	Social Networking	
§ 8.01	Introduction	8-2
§ 8.02	Social Networking in a Governmental and Political Environment	8-5
	[1] Public and Private Forums	8-5
	[2] Social Media Companies and the	0-2
	First Amendment	8-14
§ 8.03	Social Networking in an Academic	0-1-
y 0.05	Environment	8-19
	[1] Student Free Speech Online:	0 17
	the <i>Tinker</i> Standard	8-19
	[2] Student Social Media Posts Not Protected	
	By the First Amendment	8-28
	[3] Online Posts Where the	
	First Amendment Never Applies	8-30
§ 8.04	Social Networking at the Workplace	8-33
	[1] Employee Use of Social Networking	8-33
	[2] Employer Use of Social Networking	8-39
§ 8.05	Commercial Use of Social Networking	8-41
§ 8.06	Children Online	8-44
	[1] Children as Consumers	8-44
	[2] COPPA	8-45
	[3] Attempts to Require Online Providers to	8-52
	Monitor Content	8-54
	[5] Protecting the Rights of Minors Used for	0-34
	Content Creation	8-56
		0 50

	TABLE OF CONTENTS	xxxi
§ 8.07	Other Legal Aspects of Social Networking [1] Livestreaming Rights	8-58 8-58
	Sex Offenders	8-59
	CHAPTER 9	
	eCommerce	
§ 9.01	Government Regulation	9-2
y 7.01	[1] Federal Trade Commission Act	9-2
	[1A] State "Mini-FTC" Acts	9-15
	[1B] The INFORM Consumers Act	9-16
	[2] Electronic Funds Transfer Act of 1978	9-16
	[3] The Fair and Accurate Credit	7 10
	Transactions Act	9-18
	[4] The Restore Online Shoppers'	<i>)</i> -10
	Confidence Act	9-18
	[5] Americans with Disabilities Act	9-20
	[6] E-Warranty Act	9-22.3
	[7] Sales and Use Taxes	9-22.4
	[8] "Net Neutrality"	9-22.5
§ 9.02	Private Industry Regulation	9-22.8
§ 9.02A	Lanham Act	9-22.9
§ 9.03	Regulation of Specific Types of	, 22.,
y 7.05	eCommerce	9-23
	[1] Alcohol Sales	9-23
	[2] Cigarettes, e-Cigarettes and Vapes	9-24
	[2A] Cannabis	9-26
	[3] Payday Lending	9-27
	[4] Contact Lenses	9-27
	[5] Prescription Drugs	9-28
	[6] Automobiles	9-30.1
	[7] Appliance Sales	9-31
	[8] Gambling	9-31
	[9] Securities	9-38
	[a] Crowdfunding	9-38
	[b] Other Online-Specific Aspects	
	of Securities Law	9-41
	[10] Penny Auctions	9-42
	[11] Online Ticket Sales	9-43
	Marriage Brokers	9-44
§ 9.04	Virtual Currencies	9-46.1 9-46.1

xxxii	INTERNET AND ONLINE LAW	
	[2] How Virtual Currencies Work	9-48
	[3] Virtual Currencies in the Real World	9-51 9-68
§ 9.05	[4] Legal and Regulatory Framework Product Liability	9-08
	Product Liability	9-74
	[a] Status of Seller	9-74
	[b] CDA Section 230(c)	9-78
	[2] Cracks in the Dike	9-79
	[3] The Dike Bursts	9-81
	CHAPTER 9A	
	Online Legal Ethics	
§ 9A.01	Introduction	9A-2
§ 9A.02	Multijurisdictional Practice (MJP)	9A-4
§ 9A.03	The Decreasing Relevance of Geographic	
	Location	9A-10.1
	[1] Virtual Law Practice	9A-10.1
	[2] The Physical Location of the Lawyer	9A-13
	[3] The Physical Location of the Client[4] The Physical Location of the	9A-17
	"Practice"	9A-20
	[5] The Jurisdiction Regarding Which the	
	Lawyer Gives Advice	9A-20.2
	[6] The Future of Multijurisdictional	
	Practice	9A-20.3
§ 9A.04	Online Communications and Confidences	9A-21
	[1] Competent Use of Technology	9A-21
	[2] Use of Cloud Computing	9A-30
	Information	9A-32.1
	[4] Online Disclosure or Receipt of)/1 J2.1
	Non-Public Information	9A-35
	[5] Client Accesses Opposing Party's	
	Privileged Communications	9A-42.1
	[6] Accessing Another's Online Information	
	Without Authorization	9A-42.2
§ 9A.05	Metadata	9A-42.3
§ 9A.06	Online Advertising and Solicitation	9A-45
	[1] Generally	9A-45
	[2] Online Lawyer Directories and Listings	9A-48
	[3] Lawyer Websites	9A-52
	and Web Links	9A-53

	TABLE OF CONTENTS	xxxiii
	[5] Promotion via Social Networking[6] Promotion via Blogging and Chat	9A-55
	Rooms	9A-58
	Reviews	9A-60
	[8] Online Discount Coupons	9A-64
	[9] Texting	9A-65
	[10] Non-Advertising Use of Social Media [a] Identifying Clients and Discussing	9A-66
	Client Issues	9A-68
	[b] Criticizing Other Attorneys	9A-73
	[c] Harassing Other Attorneys[d] Other Types of Comments in	9A-74
§ 9A.07	Social Media	9A-74
	Assisting Clients in, Wrongful Conduct	9A-76
§ 9A.08	Legal Ethics and Artificial Intelligence	9A-78
§ 9A.09	Other Online Ethical Issues	9A-80.9
	CHAPTER 10	
	Procedural Issues	
§ 10.01	Jurisdiction	10-2
y 10.01	[1] Basis for Exercise of in Personam Jurisdiction	10-2
	[a] General Jurisdiction	10-5
	[b] Specific Jurisdiction	10-6
	[c] No Jurisdiction	10-7
	[2] Jurisdiction in an Online Context	10-7
§ 10.02	Venue	10-15
§ 10.02	Reserved	10-19
§ 10.04	Reserved	10-20
§ 10.05	Reserved	10-21
§ 10.06	Estate Planning in an Age of Online Assets	10-22
y 10.00	[1] Gathering Information About the Client's Assets	10-22
		10-22
	[a] Identifying the Assets	10-23
	[2] Determining the Client's Wishes	10-24 10-24
	[3] Analyzing the Legal and Tax Issues	
	[a] RUFADAA	10-26
	[b] PEAC	10-27
	Enable Their Transfer and Otherwise to Carry Out the Client's Wishes	10-28

xxxiv	INTERNET AND ONLINE LAW	
	[a] Ensuring Postmortem Access[b] Preventing Unauthorized	. 10-28
	Postmortem Access	. 10-28.1
	[5] Taking a Stealthy Approach	. 10-28.2
	[6] Ethical Considerations	. 10-28.3
	[7] Drafting Estate Planning Documents	. 10-28.4
§ 10.07	Bring-Your-Own-Device (BYOD)	
§ 10.08	Employees Working Remotely and the	
	Gig Economy	
§ 10.09	Artificial Intelligence	. 10-37
	[1] The Intersection of Robotics and	10.25
	Artificial Intelligence	
	[2] What Is AI?	
	[3] The Legal Implications of AI	
	[4] Concerns About Misuse of AI	
	[5] AI and Consumer Law	
	[6] AI and Law Practice	10-45
	CHAPTER 11	
	International Aspects of Internet Law	
§ 11.01	Introduction	. 11-3
§ 11.02	International Treaties and Legal Conventions	
U	Applicable to Online Activity	. 11-5
	[1] World Intellectual Property	
	Organization Treaties	. 11-5
	[a] Berne Copyright Convention	
	[b] Rome Convention	
	[c] Paris Convention	. 11-8
	[d] Trademark Law Treaty	. 11-8
	[e] Singapore Treaty	
	[f] WIPO Copyright Treaty	. 11-9
	[g] WIPO Performances and	
	Phonograms Treaty (WPPT)	. 11-9
	[h] Madrid System	. 11-10
	[2] The World Trade Organization	
	Agreements	. 11-10
	[3] U.N. Convention on Contracts for	
	the International Sale of Goods	. 11-10.1
	[4] Hague Convention on Money	
	Judgments	
	[5] New York Convention	
	[6] Online Dispute Resolution	. 11-10.2
	[7] Convention Regarding Automatic	
	Processing of Personal Data	. 11-10.3

xxxvi	INTERNET AND ONLINE LAW	
	[4] Other Foreign Legal Provisions of	
	Interest	11-109
	[a] EU Legislation	11-109
§ 11.05	Resolution of International Disputes:	
	Online Aspects	11-111
§ 11.06	Other International and Cross-Border Issues	11-112
	[1] Border Crossings	11-112
	[2] Border Searches	11-112
INDEX		I-1