

Cyberspace Conference

July 6, 1997

Cyberspace Conference Wiley, Rein & Fielding and the U.S. Chamber of Commerce hosted a conference on May 21, 1997 entitled "What Every Business Should Know About the Law of Cyberspace." More than 250 guests heard presentations from senior government officials with leading responsibilities in the law of cyberspace, as well as a number of partners in the firm, addressing critical issues facing businesses in the burgeoning new world of cyberspace.

Congressman Rick White (R-WA), founder of the Congressional Internet Caucus, gave the conference's opening keynote address, focusing on current cyberspace issues before Congress, including legislation affecting the export of encryption and state taxation of cyberspace services. Ira Magaziner, Senior Advisor to the President for Policy Development, served as the luncheon speaker and described the principles underlying the Clinton Administration's approach to cyberspace issues, stressing a preference for minimal regulation. Federal Trade Commissioner Christine Varney closed the conference with a summary of the efforts to date by the FTC and other law enforcement officials to tackle fraudulent web site operators.

Discussion panels, which were composed of Wiley, Rein & Fielding attorneys, focused on a variety of "nuts and bolts" legal issues affecting electronic communications and information services. The first panel spoke on copyright and trademark issues including liability risks, protection of property rights, and domain name ownership. This panel was joined by Shira Perlmutter of the U.S. Copyright Office, who discussed copyright issues from the perspective of a federal agency with significant responsibility for setting copyright policy.

A second panel addressed the wide range of potential liability issues facing every company with Internet access or an electronic mail system. Among the subjects covered were the importance of having (and following) company e-mail policies and employers' potential liability for employee misconduct. The second panel was also joined by Betty Ellen Shave, senior trial attorney for the Computer Crime and Intellectual Property section of the Department of Justice, who addressed government law enforcement policies and compliance procedures.

A third panel focused on electronic commerce issues and summarized the law governing the formation of contracts in cyberspace, electronic authentication (including digital signatures), electronic currency, jurisdiction, encryption issues, and export controls. The panel also addressed opportunities and strategies for companies to work with government agencies to establish sound policies or obtain favorable rulings on pending issues.

This panel was joined by John Stark of the U.S. Securities and Exchange Commission, who gave a presentation on SEC efforts to enforce the securities laws in cyberspace.

Each person who attended was provided with an extensive package of materials on important cyberspace law issues. If you have any questions or are interested in the conference materials or further information, please contact insights@wiley.law.