

Chapter 9 – Internet Law, Social Media, and Privacy

Internet law

- Laws specifically address issues that only arise on the Internet
- Spam
 - State regulation of spam
 - The Federal CAN-SPAM Act
 - Enacted by Congress in 2003
 - Controlling the Assault of Non-Solicited Pornography and Marketing Act
 - U.S. Safe Web Act
 - Allows FTC to work with foreign agencies
- Domain Names
 - Structure of domain names
 - Top-level domain (TLD) indicates type of entity operating the site
 - Second-level domain (SLD) chosen by the business or entity or individual registering the domain name
 - Distribution system
 - Internet Corporation for Assigned Names and Numbers (ICANN) oversees distribution of domain names
- Cybersquatting
 - Anticybersquatting legislation
 - Anticybersquatting Consumer Protection Act (ACPA)
 - Cybersquatting is illegal when:
 - The name is identical or confusingly similar to the trademark of another.
 - The one registering, trafficking in, or using the domain name has a “bad faith intent” to profit from that trademark.
 - Ongoing problem of cybersquatting
 - Typosquatting
 - Applicability and sanctions of the ACPA
- Meta Tags
- Trademark Dilution in the Online World
- Licensing

Copyrights in Digital Information

- Copyright law is most important form of intellectual property protection on the Internet.
- Digital Millennium Copyright Act (DMCA)
 - Congress passed in 1998
 - Significant protection to owners of copyrights in digital information

- MP3 and File-Sharing Technology
 - Programmers created software to compress large data files
 - Methods of file-sharing
 - Sharing stored music files
 - DVDs and file-sharing

Social Media

- Studies show Internet users spend more time on social networks than other sites
- Legal Issues
 - Criminal investigations
 - Administrative agencies
 - Employers' social media policies
- The Electronic Communications Privacy Act (ECPA)
 - Amended federal wiretapping law to cover electronic forms of communications
 - Prohibits the intentional interception and disclosure of any wire, oral, or electronic communication
 - Exclusions
 - Stored communications
 - Stored Communications Act (SCA) – part of ECPA
- Protection of Social Media Passwords
 - States have enacted legislation to protect individuals from having to disclose passwords
- Company-wide Social Media Networks
 - Protection of trade secrets
 - Other advantages

Online Defamation

- Identifying the Author of Online Defamation
- Liability of Internet Service Providers
 - General rule – Communications Decency Act (DCA)
 - Exceptions

Privacy

- Data Collection and Cookies
 - Retailers collect information about consumers to personalize online services
- Internet Companies' Privacy Policies
 - FTC investigates consumer complaints of privacy violations