

# CS4984

## Internet Issues

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# Why are we here?

- “It was on the Internet so it must be free...”
- “Kazaa didn’t make me pay for it...”
- McSleep Inn?
- It’s ok, it’s open source! (uh-oh)
- The FBI called
- \$\$\$ ???



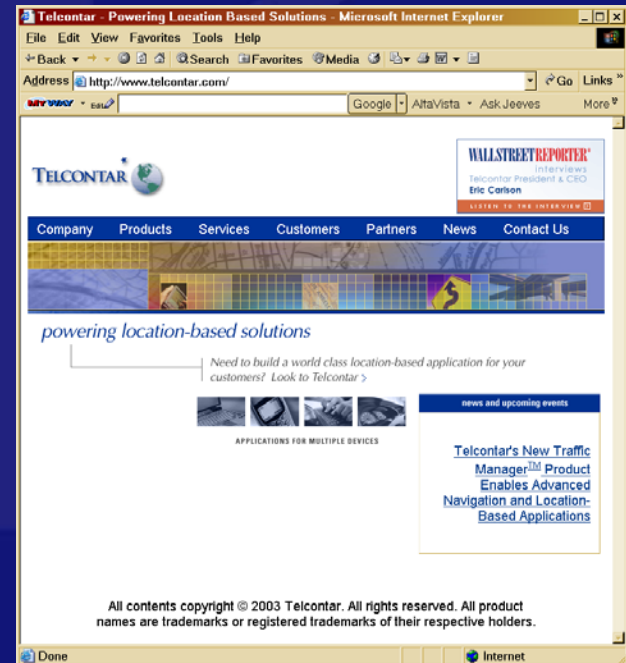
BANNER & WITCOFF, LTD.  
INTELLECTUAL PROPERTY LAW

# You Now Know EVERYTHING About:

- Copyrights
- Patents
- Trademarks
- Trade Secrets

There's nothing else to worry about,  
RIGHT?

So you build a company website...



# The Company Website

- Advertise software, including text and screenshots
- Provide information about company, products, and services
- Free Interactive Demo (for registered users)
- Download free 30-day trial software
- Accept orders for registered version of software
- Customer support, FAQ's, Help, Knowledge Base
- Contact info for company



# Web Site Issues

- Copyright
  - Text
  - Images
  - Publicity
- Trademark
  - Metatags
  - Linking
- Patent
- Domain Name
  - Cybersquatting
  - Typosquatting
  - Reverse Hijacking
- Jurisdiction
- Parody?



# Cases

- Kelly v. Arriba Soft Corp., 280 F.3d 934 (9th Cir. 2002) [Thumbnails]
- Eli Lilly & Co. v. Natural Answers, Inc., 233 F.3d 456 (7<sup>th</sup> Cir. 2000) [Metatags]
- Shields v. Zuccarini, 254 F.3d 476 (3d Cir. 2001) [typosquatting]
- Jerri-Jo Knitwear v. Club Italia, 94 F.Supp.2d 457 (S.D.N.Y. 2000) [TM]
- Foresight Corp. v. Servos, No. AF-0473 (eResolution Dec. 15, 2000) [Reverse Hijacking]
- Cybersell, Inc. v. Cybersell, Inc., 130 F.3d 414 (9th Cir. 1997) [J]
- Panavision Int'l v. Toeppen, 141 F.3d 1316 (9th Cir. 1998) [J]

