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*A New, Comprehensive Two-Day Conference on*

# Blog Law

*Legal issues, liabilities, and new opportunities*

**November 16 & 17, 2006**

**New York, New York**

**New York Marriott Marquis Times Square Hotel**

**Credits:** NY CLE pending | PA CLE 12 inc 1 ethics (call about others)  
**Quick when/where:** 8:30 a.m., 1535 Broadway

**Blog Law Conference**

**November 16 & 17, 2006 | New York, New York  
New York Marriott Marquis Times Square Hotel**

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06BLOGNY WS



8:00 Registration and Continental Breakfast

8:30 Introduction & Overview

Catherine S. Kirkman, Esq., Program Co-Chair  
Wilson Sonsini Goodrich & Rosati ~ Palo Alto, CA

Jeffrey D. Neuburger, Esq., Program Co-Chair  
Brown Raysman Millstein Felder & Steiner LLP  
New York, NY

8:45 Who is Blogging About What and Why Should The Rest of Us Care?

Driving factors in the explosive growth of blogging: blogging as a business innovation; blogging as a way to eliminate the editorial and distribution middlemen in publishing; bloggers as opinion leaders

Jeff Jarvis, Associate Professor & Director  
of the Interactive Journalism Program  
City University of New York Graduate School of Journalism  
New York, NY

9:30 Social Networking as a Hot New Marketing Strategy

A discussion of the legal implications of the widespread popularity of blogging as a means of social networking

Jeffrey D. Neuburger, Esq., Program Co-Chair

10:15 Break

10:30 The Nuts and Bolts of Setting up a Blog Correctly from a Legal Perspective: (As with Most Things, Establishing a Blog Correctly in the Beginning Can Save a Lot of Trouble and Expense Later)

Best practices; what could be considered inappropriate; examples of problems lawyers have experienced; do's and don'ts in communicating ideas

Martin Schwimmer, Esq.  
Schwimmer Mitchell Law Firm ~ New York, NY

Introduction to and overview of the major legal issues: copyright issues; trademark issues; domain name issues; terms of use provisions; defamation issues; obscenity issues; linking issues

Lawrence E. Savell, Esq.  
Chadbourne & Parke LLP ~ New York, NY

12:00 Lunch (on your own)

1:15 Liability Issues Arising from Blogs as a Publishing Medium

How does traditional IP law apply in the world of blogging? Have the safe harbor provisions in the Digital Millennium Copyright Act been invoked in the context of blogging? Does it matter whether the blogger or the user generates the content?

William F. Patry, Esq.  
Thelen Reid & Priest LLP ~ New York, NY

Practical tips for setting up and managing blogs

Evan D. Brown, Esq.  
Hinshaw & Culbertson LLP ~ Chicago, IL

2:45 Break

3:00 Employment Law Issues in Corporate Blogs

Establishing a corporate blogging policy; setting up and keeping tabs on authorized employee blogs; what to do about unauthorized employee blogs or employees talking about work in personal blogs; unionizing; exiting employee issues

Jean L. Schmidt, Esq.  
Brown Raysman Millstein Felder & Steiner LLP  
New York, NY

3:45 Privacy & Security Issues for Personal and Corporate Blogs

Managing the risks of accidental disclosure of confidential information; technical, business/operational and legal solutions to common problems

Gregory P. Silberman, Esq.  
Kaye Scholer LLP ~ New York, NY

4:30 Reception for Attendees and Faculty Sponsored by Brown Raysman Millstein Felder & Steiner LLP and Wilson Sonsini Goodrich & Rosati



About the Conference

LAW SEMINARS INTERNATIONAL

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Our seminars provide an opportunity for lawyers to learn about their clients' businesses and for the clients to learn about the legal issues impacting their business.

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Blogs (short for "Web logs") are fomenting a wide variety of legal issues. Legal blogging, also known as "blawging," has become fully mainstream. No longer just for a few hip IP lawyers or a forum for law firm gossip, blogs are quickly replacing conventional Web sites as the key marketing tool for large and small firms alike to increase their visibility via the Internet. At the same time, a growing number of attorneys are being engaged to represent clients with problems arising from blogs. From employment issues to disputes over who owns the content, the legal consequences of blogging are expanding proportionately with the number of blogs—which by one estimate are increasing at a rate of 70,000 per day. As one of the first comprehensive CLE conferences to look at blogging both as a marketing tool for attorneys and as a legal gray area, this program offers attendees an extraordinary opportunity to get tips from the nation's top experts on starting a legal blog for their firms and making their existing blogs more effective, to hear the current status of case law directly from those who are involved, and to gain the insights of pioneers in the evolving world of blogging.

~ Program Co-Chairs: Catherine S. Kirkman, Esq. and Jeffrey D. Neuburger, Esq.



8:00 Registration and Continental Breakfast

8:30 Introduction & Overview

Catherine S. Kirkman, Esq., Program Co-Chair

Jeffrey D. Neuburger, Esq., Program Co-Chair

8:45 Tips for Figuring Blogs Out (Soon to be a Business Prerequisite)

Dealing with competitors and detractors by tracking what blogs are saying about you, pinpointing influential bloggers, and figuring out how to buttonhole them, privately and publicly

Steve Rubel, Senior Vice President Edelman ~ New York, NY

Cultural clashes and finding ways to get along: strategies for dealing with unfriendly blogs or those who are unfriendly to blogs

Howard J. Bashman, Esq. Law Offices of Howard J. Bashman ~ Willow Grove, PA

10:00 Break

10:15 Publishing and Journalism: Legal Issues Associated with Blogging, Including the Growing Popularity of Author or Reporter Blogs

A discussion from the perspective of in-house publishing lawyers from the newspaper, broadcast, book and magazine publishing industries on the growing role of blogging and managing the legal risks; update on debate over bloggers as journalists

Steven Weissman, Moderator, Associate General Counsel Time Inc. ~ New York, NY

Barbara Gratch Cohen, Esq., General Counsel Oxford University Press, Inc. ~ New York, NY

Jeremy Pomeroy, Esq. Vice President & Associate General Counsel Reed Business Information ~ New York, NY

Madeleine Schachter, Esq. Vice President and Deputy General Counsel Hachette Book Group USA, Inc. ~ New York, NY

12:00 Lunch (on your own)

1:15 Case Study of the Issues Facing Entertainment, Media and Advertising Industries in Setting up Promotional Blogs

A practical application of conversational marketing

Barry M. Benjamin, Esq. Pitney Hardin LLP ~ New York, NY

2:00 Ethical Issues for Lawyers Involved with Blogs or Publishing Blawgs

Resolving the conflict between the blogging ethos of people speaking the plain truth with lawyer's obligation to avoid harm to client; the legal blog (blawg) as advertising for the law firm; professional conduct and ethical issues

Joshua Kraus, Esq., Vice President of Legal Affairs Bertelsmann, Inc. ~ New York, NY

3:15 Real-World Report from Leading Blawgers

Getting started; lessons learned; how it's helping the firm; how to measure results; integrating blogs into existing IT systems; critical content issues

Catherine S. Kirkman, Esq. Program Co-Chair, Moderator

Dennis Crouch, Esq., Visiting Assistant Professor Boston University Law School ~ Boston, MA

Thomas L. Mighell, Esq. Cowles & Thompson, P.C. ~ Dallas, TX

4:30 Evaluations & Adjourn

Upcoming Related Seminars:

Complex IP & Technology Transactions	Atlanta, GA	Oct. 23-24
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Electronic Publishing	Chicago, IL	Feb. 5-6

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Substitution & Cancellation: You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive

your cancellation by 5:00 p.m. on Friday, November 10, 2006. After that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

Seminar Location: The conference will be held at the New York Marriott Marquis Times Square Hotel at 1535 Broadway in New York, NY 10036. Call the hotel directly at (800) 843-4898 for reservations. Rooms are on a first come, first served basis.

Continuing Education Credits: NY CLE credits are pending; PA CLE 12 credits including 1 ethics. Upon request, we will apply for CLE credits in other states and other types of credits.

If You Cannot Attend: Our complete Homestudy Course, consisting of a VHS or DVD recording and the written course materials, is available for \$1005. The written course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or the date we receive payment (whichever is later).

## Faculty: Blog Law Conference

**Catherine S. Kirkman**, *Program Co-Chair*, is a partner at Wilson Sonsini Goodrich & Rosati, focusing on intellectual property, licensing, and commercial transactions, with specialized expertise in media law, content licensing, and e-commerce. She chairs the ABA Committee on Government Relations to Copyright and is a member of the Planning Committee of the Stanford E-Commerce Best Practices Conference and the USC Intellectual Property Law Institute.

**Jeffrey D. Neuburger**, *Program Co-Chair*, is a partner and Chair of the Technology, Media and Communications Department at Brown Raysman Millstein Felder & Steiner LLP. He has been recognized in International *Who's Who of E-Commerce Lawyers*, *Wired Magazine*, *Crain's New York Business*, *Silicon Alley Reporter* and *Alley Cat News*.

**Howard J. Bashman**, of the Law Offices of Howard J. Bashman, is an appellate lawyer who appears regularly before the U.S. Court of Appeals for the Third Circuit and Pennsylvania's state appellate courts. In 2003, *American Lawyer Media* named him one of Pennsylvania's top 40 lawyers under age 40 on the strength of his appellate litigation practice. He is contributing editor for *American Lawyer Media's Law.com*, which hosts his popular appellate-related Web log, *How Appealing*.

**Barry M. Benjamin**, a partner at Pitney Hardin LLP, counsels clients on the development of their advertising and promotion marketing strategies. He negotiates deals ranging from traditional agency-client, co-promotion, tie-in and talent agreements, to web site content license agreements.

**Evan D. Brown** focuses his litigation practice on commercial and intellectual property litigation and is experienced in trademark and copyright law at Hinshaw Culbertson LLP. He is the author of *InternetCases.com*, a blog that tracks current developments in Internet and technology law.

**Barbara Gratch Cohen** recently joined Oxford University Press, Inc. as General Counsel. Previously she was Assistant General Counsel at Holtzbrinck Publishers and prior to that she was General Counsel of Village Voice Media, Inc.

**Dennis Crouch** is Visiting Assistant Professor at Boston University Law School and a patent attorney at McDonnell Boehnen Hulbert & Bergoff LLP. He is author of the popular award-winning patent law blog, *Patently-O*, which provides patent law

news and practice tips each week. He co-authors bi-annual updates to the book *Patent Application Practice*.

**Jeff Jarvis** is Associate Professor and Director of the Interactive Journalism Program at the City University of New York Graduate School of Journalism. He blogs at *BuzzMachine.com*. Previously he was a TV critic for *TV Guide* and *People*, the creator of *Entertainment Weekly*, Sunday editor and associate publisher of the *NY Daily News*, a columnist on the *San Francisco Examiner*, and President & Creative Director of Advance.net.

**Joshua Kraus** is Vice President of Legal Affairs at Bertelsmann, Inc., where he had previously been Senior Corporate Counsel. He is a member of the Association of the Bar of the City of New York Committee on Professional and Judicial Ethics. His practice includes technology law and global outsourcing.

**Thomas L. Mighell** is a Senior Counsel in the Tort Litigation Section of Cowles & Thompson, P.C. and Litigation Technology Support Coordinator. He assists attorneys with their litigation technology needs, including training and software evaluation. He is the author of the *Internet Legal Research Weekly*.

**William F. Patry**, partner at Thelen Reid & Priest LLP, is one of the foremost copyright experts in the nation. He litigates across a broad spectrum of copyright law, representing companies in the entertainment, media, and computer industries. He is a prolific writer and also the author of the *Patry Copyright Blog*.

**Jeremy Pomeroy** is Vice President & Associate General Counsel at Reed Business Information, a division of Reed Elsevier Inc., publishers of *Variety*, *Publishers Weekly*, *Interior Design*, and other magazines. Previously he was General Counsel at Dash.com.

**Steve Rubel** is a senior marketing strategist and one of the most influential bloggers in the world, according to *Technorati*. He serves as Senior Vice President in Edelman's Me2R-evolution practice. He is the author of *Micro Persuasion* weblog and a weekly column for *AdAge Digital*. He has been named to several prestigious lists, including: *Media Magazine's Media 100*, the *AlwaysOn/Technorati Open Media 100* and the *CNET News.com Blog 100*.

**Lawrence E. Savell**, Counsel at Chadbourne & Parke LLP, concentrates his practice on media law litigation and counseling. He recently

advised a national daily trade journal on potential libel issues, performed pre-publication review, and dealt with the subjects' counsel during a series of groundbreaking investigative reports, which were awarded the Jesse H. Neal National Business Journalism Award for Excellence in News Coverage.

**Madeleine Schachter** is Vice President and Deputy General Counsel of Hachette Book Group USA, Inc. (formerly known as Time Warner Book Group, Inc.), where she had been Associate General Counsel and then Deputy General Counsel. Previously, she was in-house counsel at Capital Cities/ABC and CBS, Inc. She is an Adjunct Professor at the Fordham University School of Law.

**Jean L. Schmidt**, partner at Brown Raysman Millstein Felder & Steiner LLP, concentrates her practice in employment law. She has litigated cases on behalf of companies involving claims of employment discrimination, sexual harassment, disability discrimination, wrongful discharge, employee benefits, breach of employment, confidentiality and non-competition agreements, wage and hour violations, defamation and invasion of privacy.

**Martin Schwimmer** of the Schwimmer Mitchell Law Firm, represents owners of some of the most famous trademarks in the world and focuses on trademark and domain name counseling, prosecution and litigation. Previously he was General Counsel to an ICANN-accredited domain name registrar and continues to represent domain name companies. *Managing Intellectual Property Magazine* selected him as one of the best trademark lawyers in the U.S.

**Gregory P. Silberman** is a patent and technology lawyer and a partner in the Technology, Intellectual Property & Outsourcing Group at Kaye Scholer LLP. His practice emphasizes the representation of domestic and foreign clients in the legal and business issues related to the development and deployment of Internet-based business and Internet services for Fortune 500 and other companies.

**Steven Weissman** is Associate General Counsel of Time Inc. Previously he was Executive Director, Legal and Business Affairs at iPublish.com and Assistant General Counsel at Random House, Inc. He is a member of the Section 108 Study Panel, commissioned by the Library of Congress to examine Section 108 of the U.S. Copyright Act in light of new technologies, and is an Adjunct Professor at The John Marshall Law School.

**November 16 & 17, 2006**

New York, New York

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Times Square Hotel**

1535 Broadway  
(800) 843-4898

### Who Should Attend:

*All attorneys and business executives who need to know about recent developments in blogging for their business and for their clients' businesses*

### This Seminar Addresses:

- Who is blogging about what and why should the rest of us care?
- Setting up a blog correctly from a legal perspective
- Liability issues arising from blogs as a publishing medium
- Employment law issues in corporate blogs
- Privacy and security issues for personal and corporate blogs
- Strategies for dealing with unfriendly blogs or those who are unfriendly to blogs
- Publishing and journalism: legal issues including the growing popularity of author or reporter blogs
- Ethical issues for lawyers involved with blogs or publishing blawgs

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