

730-306 Internet Law

Credit Points:	12.50
Level:	4 (Undergraduate)
Dates & Locations:	This subject is not offered in 2009.
Time Commitment:	Contact Hours: Twelve 3-hour weekly seminars over the course of the semester Total Time Commitment: Estimated total time commitment of 100 - 126 hours.
Prerequisites:	Principles of Public Law; Legal Theory: Obligations; Contracts or in each case their equivalents.
Corequisites:	None
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	<p><p>For the purposes of considering request for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Student Support and Engagement Policy, academic requirements for this subject are articulated in the Subject Overview, Learning Outcomes, Assessment and Generic Skills sections of this entry.</p> <p>It is University policy to take all reasonable steps to minimise the impact of disability upon academic study, and reasonable adjustments will be made to enhance a student's participation in the University's programs. Students who feel their disability may impact on meeting the requirements of this subject are encouraged to discuss this matter with a Faculty Student Adviser and Student Equity and Disability Support: http://services.unimelb.edu.au/disability</p></p>
Subject Overview:	<p>The purpose of this subject will be first, to introduce students to the theoretical literature which has considered regulation of the Internet and interactions/transactions occurring over the Internet and other networked technologies. Second, the subject considers 'Internet governance' and will enable students to develop some familiarity with the various entities in both the domestic and international spheres which are involved in regulation of the technology of the Internet, and transactions occurring over the medium. Third, the subject will consider a number of specialist areas of law applying to the Internet, or where the development of the Internet has caused a change in legal principles. Topics include theoretical approaches to the Internet; the domain name system, ICANN and UDRP; select issues in e-commerce; privacy and intellectual property. The subject has a comparative focus, with students expected to engage in comparison between Australian approaches to regulation and approaches adopted in other important jurisdictions, in particular the USA, the UK and the European Union.</p>
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> • Have gained a deeper understanding of Internet and networked technologies, and of the current and ongoing debates regarding regulation of the Internet itself and Internet-related transactions; • Be able to evaluate policy and law reform proposals relating to regulation of Internet and networked communication technologies and Internet-related transactions from a range of theoretical perspectives, including an economic perspective, and, in particular, be able to evaluate the likely effect of law reform proposals on the development of technologies and markets; • Be able to apply the law considered in this course to hypothetical scenarios; • Have familiarity with a number of particular areas of Internet and network-related regulation and be in a position to analyse commercial transactions related to the Internet in terms of current and developing law; • Have some familiarity with comparative approaches in the areas considered and consider their impact on Australian laws and Australian transactions; • Be aware of efforts towards the harmonization of laws affecting Internet-related commercial activities in a number of forums worldwide, including the European Union, UNCITRAL, and the OECD, and treaty-making bodies, and be able to analyse the possible impact of such developments on Australian legal developments.
Assessment:	Students must attend at least 75% of seminars (hurdle requirement). Students will be required to participate in the online discussion board with at least one substantive post (on the topic

	chosen for their reflective essay) and one post in reply (hurdle requirement). Reflective essay or hypothetical essay of 1500 words, 20% (due date will depend on the topic chosen) and a research essay of 5000 words, 80% (due first day of the exam period) or final open-book examination of two hours, 80%.
Prescribed Texts:	Printed materials will be issued by Melbourne Law School.
Recommended Texts:	
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	<p>On completion of the subject students should have developed the following generic skills:</p> <ul style="list-style-type: none"> # The ability to analyse judgments, statutes and secondary materials relating to the Internet, and in particular to: <ul style="list-style-type: none"> # extract important features from judgments and statutes; # reconcile apparent conflicts and inconsistencies; # evaluate the development of legal principle; and # apply principles arising from the case law to new scenarios. # The ability to write legal opinions on particular scenarios in which Internet or other networked communications technologies are implicated, including: <ul style="list-style-type: none"> # Identifying relevant legal issues; # Arriving at reasoned conclusions as to rights and obligations of the parties; and # Comment on the desirability of the outcomes of applying the law. # The ability to analyse proposals for regulation of the Internet and other networked communications technologies in terms of the effect of such regulation on the development of technologies and markets.