

*Copyright, DRM Technology
and Consumer Protection*
March 9 & 10, 2007
University of California at Berkeley
Boalt Hall School of Law

**Co-sponsored by the Berkeley Center for Law and Technology (BCLT),
the Berkeley Technology Law Journal (BTLJ), and the Institute for
Information Law at the University of Amsterdam (IVIR).**

Predictions that digital rights management (DRM) technologies will be the predominant mode of distribution of digital content have been prevalent for at least the last decade. Yet, roll-out of DRM technologies has been somewhat slower than many expected, in part owing to consumer resistance to some DRM content and in part owing to the technical challenges that must be overcome to create the infrastructure for DRM content. Many digital content providers believe that DRM content will be good for consumers because it enables new opportunities for content to be delivered in a variety of packages.

However, technically protected content can raise significant consumer protection concerns. One example is Sony BMG's sale of copy-protected CDs that installed "rootkit" software on the computers of purchasers, making their computers vulnerable to attack. Another example is legislation recently proposed in France to require firms, such as Apple, to disclose information to enable other digital music platforms besides the iPod to be interoperable with iTunes music.

This conference will facilitate cross-disciplinary and cross-industry discussion on this important topic. Seven invited papers will be published in a symposium volume of BTLJ following the conference. These articles, as well as discourse among panelists, will contribute to the policy debate and to the literature on DRM and consumer protection law and policy issues.

This symposium is being underwritten, in part, from a generous grant by the Microsoft Corporation. Thanks to Townsend & Townsend & Crew for sponsoring the Friday evening reception.

12.5 units of MCLE credit is available for attendees of the symposium.



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CAL LAW and THE RECORDER

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and consumer protection**

Held at
UC Berkeley, Boalt Hall School of Law

www.law.berkeley.edu/bclt/copyright



Conference Schedule

Friday, March 9

- 8:00-8:25 REGISTRATION & CONTINENTAL BREAKFAST**
- 8:25-8:30 INTRODUCTION TO THE CONFERENCE**
Robert Barr, BCLT
- 8:30-10:30 BUSINESS MODELS ENABLED BY DRM TECHNOLOGIES**
Moderator - Anthony Malutta, Townsend and Townsend and Crew
Dean Marks, Warner Brothers
Victoria Bassetti, EMI Music
Tom Rubin, Microsoft Corp.
Todd Alston, RealNetworks, Inc.
Gerard Lewis, Comcast
Andrew Bridges, Winston & Strawn
Hal Varian, iSchool, UC Berkeley
- 10:30-11:00 BREAK**
- 11:00-12:30 PRIVATE SECTOR INITIATIVES TO DESIGN TECHNOLOGY TO ENABLE (SOME) PRIVILEGED USES**
Moderator - Marc Kauffman, Nixon Peabody
Susan Landau, Sun Microsystems
Rene van Buuren, Telematica Institute, Netherlands
David Sohn, Center for Democracy and Technology
Edward Felten, Princeton University
Julie Cohen, Georgetown Univ. Law Center
- 12:30-2:00 DAVID NELSON MEMORIAL KEYNOTE LECTURE**
Introduction - Jim Bennett, Morrison & Foerster
Commissioner J. Thomas Rosch, FTC
- 2:00-3:30 WHAT ROLE SHOULD THE GOVERNMENT PLAY IN ENABLING OR REGULATING DRM TECHNOLOGIES?**
Moderator - Neel Chatterjee, Orrick, Herrington & Sutcliffe
Justin Hughes, Cardozo Law School
Gigi Sohn, Public Knowledge
David Carson, Copyright Office
Molly Van Houweling, BCLT & Boalt Hall School of Law
Richard Owens, World Intellectual Property Organization
- 3:30-4:00 BREAK**

- 4:00-5:30 CAN ANTI-CIRCUMVENTION RULES BE MADE CONSISTENT WITH PRIVILEGED USES?**
Moderator - Bob Steinberg, Latham & Watkins
Dan Burk, Univ. of Minnesota Law School
Jerome H. Reichman, Duke Law School
Graeme Dinwoodie, Chicago-Kent Law School
Nic Garnett, Interight.com
Ian Kerr, Univ. of Ottawa Law School

- 5:45-7:00 CONFERENCE RECEPTION AT THE BERKELEY ART MUSEUM
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Saturday, March 10

- 8:00-8:30 CONTINENTAL BREAKFAST**
- 8:30-9:00 KEYNOTE LECTURE**
Introduction - Pamela Samuelson, BCLT
Lynne Brindley, Chief Executive of the British Library
- 9:00-10:30 CONSUMER PROTECTION ISSUES POSED BY SONY BMG COPY-PROTECTED CDS**
Moderator - Laurence Pulgram, Fenwick & West
Deirdre Mulligan, BCLT, Samuelson Clinic, & Boalt Hall School of Law
Cindy Cohn, Electronic Frontier Foundation
Natali Helberger, University of Amsterdam
Jane Winn, University of Washington School of Law
- 10:30-11:00 BREAK**
- 11:00-12:30 INTEROPERABILITY CONCERNS ABOUT DRM TECHNOLOGIES**
Moderator - Roger Ross, McDermott, Will & Emery
Julien Dourgnon, Que Choisir
Stefan Bechtold, Max Planck Institute
Mitch Singer, Sony Pictures
Pamela Samuelson, BCLT, iSchool, & Boalt Hall School of Law
- 12:30-1:30 LUNCH**
- 1:30-3:00 CONSUMER PROTECTION: INSIDE OF COPYRIGHT LAW OR OUTSIDE?**
Moderator - Peter Menell, BCLT & Boalt Hall School of Law
Bernt Hugenholtz, Univ. of Amsterdam Law School
Niva Elkin-Koren, Univ. of Haifa Law School
Joseph P. Liu, Boston College Law School
Peter Swire, Ohio State Univ. Law School
Luis Villarreal Villalon, Chile Ministry of Education

