

*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 predomi-  
nant 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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**Promoted in partnership With**  
CAL LAW and THE RECORDER

**copyright, drm technology  
and consumer protection**

**Held at**  
UC Berkeley, Boalt Hall School of Law

[www.law.berkeley.edu/bclt/copyright](http://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

