Schedule Includes:

- **A Marketer Under Every Bed**
  Behavioral Targeting and the First Amendment

- **Even Big Brother Is Paranoid**
  The Security and Privacy Paradox

- **Who Needs Enemies?**
  Ethical Pitfalls for Lawyers Who “Friend” and Use Social Networks

- **Pirates in the Basement**
  Does the DMCA Adequately Deal with Piracy?

- **No One’s Dead Forever**
  Technology and the Evolving Right of Publicity

Luncheon Speaker

- **John Perry Barlow**
  Founding member of the Electronic Frontier Foundation and former lyricist for the Grateful Dead

Bonus Program on April 18

- **The New Media Economy**
  Legal and Insurance Perspectives on New Business Models and Evolving Exposure

Sponsors: The Kansas City Metropolitan Bar Association Media Law Committee and University of Kansas School of Law

Contributors: AXIS PRO; CNA; Larry Worrall; Michelle Worrall Tilton, Media Risk Consultants LLC; Landon Rowland, Lead Bank; Lathrop & Gage; OneBeacon Professional Insurance; Shook, Hardy & Bacon LLP; and the Media, Privacy and Defamation Law Committee of the Tort, Trial and Insurance Practice Section of the ABA

Coordinated by: University of Kansas Continuing Education

http://law.ku.edu/media-law-seminar
PROGRAM OVERVIEW

Digital technology increases our freedom to express ourselves but, at the same time, the technology has given government and business unprecedented opportunity to monitor, record and analyze our expressive activities. Technological advances in data mining, computing power, networking and data storage capacity have created a treasure trove of “Big Data.” As the taking of personal information and the use of third-party content has become commonplace on the Internet, the legal and ethical implications have grown in proportion.

This seminar will explore how the Internet’s liberating effects as a medium for First Amendment-protected expression are in conflict with its potential for privacy invasion and chilling of free speech. Program panels will analyze: Who owns personal information and how can it be used? Who is ultimately responsible for maintaining and protecting it? What are the privacy issues and obligations? Is the First Amendment complicit in the erosion of Internet privacy and the inability to protect third-party content, including right of publicity and copyright interests? Should users, including attorneys, modify their online behavior and expectations? Industry experts will discuss these important issues and more at the seminar.

Luncheon Speaker: JOHN PERRY BARLOW

John Perry Barlow is an American poet and essayist, retired Wyoming cattle rancher, and a cyberlibertarian political activist who has been associated with both the Democratic and Republican parties. He is also a former lyricist for the band “The Band.” Since 1998, he has been a Fellow at Harvard University’s Berkman Center for Internet and Society. He has been identified by Time magazine as one of the “School of Rock: 10 Supersmart Musicians.”

CLE Credit. A total of 8.5 CLE credit hours, including one hour of ethics, has been approved by the Kansas CLE Commission, as well as in Missouri, New York and California.

The seminar support staff will provide on-site assistance to attendees who plan to apply for CLE credit from other jurisdictions.

Lodging. A block of rooms has been reserved at the InterContinental Kansas City at the Plaza, 401 Ward Parkway, Kansas City, Mo., until 5 p.m., 3/22/2013. After that date, room availability and rate cannot be guaranteed. Make reservations by calling 866-856-9717, or register online at www.kansascity.com. To receive the special seminar rate of $179, mention that you will be attending the University of Kansas Media and the Law Seminar or use the group code M13 when registering online.

Join us Thursday for a free CLE

THE NEW MEDIA ECONOMY

Legal and Insurance Perspectives on New Business Models and Evolving Exposure (A Joint ABA TIPS/KCMB Media Law Committee Presentation)

The KCMB Media Law Committee and the ABA TIPS Media, Privacy and Defamation Law Committee are teaming up again to present free CLE on Thursday, April 18, from 4–5:30 p.m. Join us for a discussion about new journalism business models, including collaborative reporting and outsourcing of investigative reporting, and the attendant legal and insurance issues that arise.

Moderator: Joe Larsen, Special Counsel, Sedgwick, Houston, Tex.

Eric Brass, Corporate Counsel, WGBH, Boston, Mass.

Kevin Davis, CEO, Investigative News Network, Encino, Calif.

Blake Keating, Vice President, Media Claims, OneBeacon Professional Insurance, Raleigh, N.C.

Laura Prather, Partner, Haynes & Boone, Austin, Tex.
### Thursday, April 18

**4–5:30 p.m. BONUS PROGRAM – FREE CLE**

The New Media Economy  
Legal and Insurance Perspectives on New Business Models and Evolving Exposure

### Friday, April 19

#### Noon

**LUNCHEON ADDRESS**

**John Perry Barlow,** founding member of the Electronic Frontier Foundation

#### 1:30 p.m.

**PANEL 4**

**Pirates in the Basement**

*Does the DMCA Adequately Deal with Piracy?*

**Moderator:** **Chuck Tobin,** Partner, Holland & Knight, Washington, D.C.

**Chris Bavitz,** Assistant Director, Cyberlaw Clinic, Berkman Center for Internet & Society, Cambridge, Mass.

**J. Caleb Donaldson,** Associate Copyright Counsel, Google, Mountain View, Calif.

**Paul Smith,** Partner, Jenner & Block, Washington, D.C.

**Mitch Stoltz,** Staff Attorney, Electric Frontier Foundation, San Francisco, Calif.

**Elizabeth Valentina,** Vice President, Content Protection Litigation, Fox Entertainment Group, Inc., Los Angeles, Calif.

#### 2:40 p.m.

**Break**

#### 3:00 p.m.

**PANEL 5**

**No One’s Dead Forever**

*Technology and the Evolving Right of Publicity*

**Moderator:** **Lee Levine,** Partner, Levine Sullivan Koch & Schulz, Washington, D.C.

**Doug Mirell,** Partner, Harder Mirell & Abrams LLP, Los Angeles, Calif.

**Kelli Sager,** Partner, Davis Wright Tremaine, Los Angeles, Calif.

**Paul Smith,** Partner, Jenner & Block, Washington, D.C.

#### 4:00 p.m.

**Q & A**

#### 4:10 p.m.

**Adjourn**

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**AGENDA**

#### Thursday, April 18

**4–5:30 p.m. BONUS PROGRAM – FREE CLE**

**The New Media Economy**  
Legal and Insurance Perspectives on New Business Models and Evolving Exposure

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**Friday, April 19**

**7:00 a.m.** Registration & Continental Breakfast

**8:00 a.m.**

**WELCOME**

**Russell Hickey,** Chair, Media & the Law Committee, AXIS PRO, Kansas City, Mo.  
**Seminar Moderator:** **Mike Kautsch,** Professor, Media, Law & Technology, University of Kansas School of Law, Lawrence, Kan.

**8:10 a.m.**

**PANEL 1**

**A Marketer Under Every Bed**  
**Behavioral Targeting and the First Amendment**

**Moderator:** **Jeffrey Greenbaum,** Partner, Frankfurt Kurnit Klein & Selz, New York, N.Y.

**C. Steven Baker,** Director, Federal Trade Commission, Chicago, Ill.

**Genie Barton,** Vice President and Director, Council of Better Business Bureaus, Washington, D.C.

**Scott Meyer,** Evidon, Inc., CEO, New York, N.Y.

**Brian Yamada,** VML, Executive Director of Channel Activation, Kansas City, Mo.

#### 9:10 a.m.

**Q & A**

#### 9:25 a.m.

**PANEL 2**

**Even Big Brother is Paranoid**  
**The Security and Privacy Paradox**

**Moderator:** **Nancy Libin,** Partner, Wilkinson Barker Knauer, LLP, Washington, D.C.

**Branden Bell,** Partner, Sandage Bell, Kansas City, Mo.

**Richard W. Downing,** Principal Deputy Chief, Computer Crime and Intellectual Property Section, United States Department of Justice, Washington, D.C.

**Caleb Stegall,** Chief Counsel for Kansas Governor Sam Brownback, Topeka, Kan.

#### 10:25 a.m.

**Q & A**

#### 10:35 a.m.

**Break**

#### 10:50 a.m.

**PANEL 3**

**Who Needs Enemies?**  
**Ethical Pitfalls for Lawyers Who “Friend” and Use Social Networks**

**Moderator:** **Theodore D. Frank,** Chair, District of Columbia Board of Professional Responsibility, and Retired Partner, Arnold & Porter, Washington, D.C.

**Hon. Steve Leben,** Kansas Court of Appeals, Topeka, Kan.

**Dan Nelson,** Assistant U.S. Attorney, Kansas City, Mo.

**Advocates:** **Jim Holmes,** Partner, Sedgwick, Los Angeles, Calif., and **Leita Walker,** Associate, Faegre Baker Daniels, Minneapolis, Minn.

#### 11:50 a.m.

**Q & A**

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**http://law.ku.edu/media-law-seminar**
What’s Yours is Theirs: Privacy, Piracy and the Big Data Debate
Friday April 19, 2013 • InterContinental Kansas City at the Plaza, Kansas City, Mo.

REGISTER NOW!
“Media and the Law has always been timely, interesting and packed full of relevant information and this year’s program was no exception. No wonder so many people travel to Kansas City for this annual event. Well done! See you next year!”
— Melanie McMullen, Chicago, Ill.

http://law.ku.edu/media-law-seminar
Find us on Facebook, Twitter or LinkedIn:

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MEDIA and the LAW 2013
April 19, 2013

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