

Global IT Law 2017 – Michael Geist

For the final paper, you can feel free to write a paper on the topic of your choice. If you have not already done so, please send me your proposed topic to ensure that it is suitable. Alternatively, please answer **one of the five questions** below.

Regardless of whether you write a paper on your own topic or answer a question, your response should be a minimum of 2,000 words. There is no maximum. The deadline for submission is January 31, 2017 at 23:59 Israeli time and should be sent to mgeist@pobox.com. Late submissions will be subject to the penalty deductions as follows:

- Within 24 hours late: 3 points deducted
- 24-48 hours late: 6 points deducted
- More than 48 hours late: Not accepted

1. Israel's first attempt at establishing an electronic commerce law failed many years ago after controversial provisions involving Internet service provider liability were included in the draft. The Ministry of Justice is considering reintroducing a stand-alone bill.

Please provide a memorandum that provides your assessment of the optimal approach for an electronic commerce law, the core provisions within the potential law, and the best model to follow. Your memorandum should also assess whether Israel should consider changes to the previous bill and any international models and discuss your views on whether electronic commerce legislation is needed. Please include citations to relevant cases and statutory provisions where appropriate.

2. The head of IT for the City of Tel Aviv has approached you for assistance in dealing with the online presence for the city. The city currently uses its website to provide services to residents and to promote tourism. It recently came to the attention of the city that someone has registered the domain telaviv.com and is using to criticize Israeli politics. The site features some banner ads but has limited commercial presence. The city would like to get the domain name, but the registrant has said that they are not interested in selling unless offered a significant premium price.

Please provide a memorandum explaining the options available to city to obtain the telaviv.com domain. The memorandum should include a discussion of the legal and commercial options, an explanation of dispute resolution options and a full assessment of the likelihood of success in any of the available options. The assessment should include references to prior legal cases or dispute resolution decisions.

3. The head of IT for the City of Tel Aviv is also interested in the possibility of obtaining a dot-telaviv domain as part of the creation of new gTLDs.

Please provide a memorandum explaining the history behind creating new top-level domains, the current ICANN process for establishing a new TLD, the commercial considerations, the legal requirements, and your assessment on the advisability of such a strategy.

4. The explosive growth of the Israeli Internet market has led one of the country's top entrepreneurs to consider launching a national Internet service. The new service will offer broadband and mobile access, an Israeli-only social network, and a platform for e-commerce. The entrepreneur is interested in potential legal, liability, and regulatory issues with the proposed new venture.

With reference to the topics discussed in class, please provide an assessment of the legal, liability, and regulatory issues faced by Internet intermediaries in Israel. Your assessment can reference approaches in other countries, discuss important cases, and provide your analysis on the risk profile and competitive challenges for such a venture.

5. Israel conducted its last major reform of copyright in 2007. Ten years later, the government has decided to conduct a review of the law with the goal of identifying potential reforms to ensure the law remains current and reflects the realities of the digital environment.

Please provide a memorandum that assesses whether Israeli copyright law should be updated and potential reforms. Your memorandum should include comparative analysis of the approaches found in other countries and identify possible problems or consequences arising from the legal reforms.