

# Major Telecomm Company

## Training and Education Center

---

## **Creating a Web Site**

### **Lesson Three:**

### **Web Site Content**

*NOTE: This sample is an integrated instructor guide and participant guide in a single file. The participants see everything except the large blue type such as the type you are now reading; these are the notes and directives to the instructor.*





## Table of Contents

<b>Subject</b>	<b>Page</b>
LESSON OVERVIEW .....	5
LESSON OBJECTIVES .....	5
INTRODUCTION.....	6
Function Categories.....	6
WHAT IS CONTENT .....	7
Sample Site 1.....	8
Sample Site 2.....	9
DETERMINING SITE CONTENT .....	10
Step-by-Step Content Gathering and Selection.....	10
CONTENT CATEGORIZATION.....	13
Selecting Content for Millennium.....	14
EXERCISE 3A: SELECT AND CODE ENCORE CONTENT.....	16
REVIEW COLLECTED CONTENT FOR “HOLES” .....	17
THE INTERNET AND THE LAW.....	18
Internet Law .....	18
Definitions .....	19
UCC.....	20
Copyright and Trademark .....	21
Use of Copyrighted Material.....	22
Some of the Tricky Issues .....	22
Not Copyrightable.....	22
Research the Law Yourself .....	23
When in Doubt .....	23
Internet, Policy Advisors Hired by Copyright Office .....	25
TeleCom Reform Bill and Internet Commerce .....	26
Consequences .....	27
Common Sense.....	28
WHERE TO GET MATERIALS THAT ARE LEGAL.....	29
LESSON REVIEW.....	30
EXERCISE 3B: WHATS LEGAL?.....	31



 **Overview**

Now that you have determined the functions that the Web site will fulfill, you are ready to move on to the next step in the process: determining the content. This lesson will focus on content. You will learn the types of content and their Functions, and the process for gathering content that will produce an excellent Web site. Part of gathering content is knowing what to use, what not to use, and what is taboo. Therefore, a secondary focus will be on the Internet and various relevant laws.

 **Objectives**

By the end of this lesson, you will be able to achieve the following course objectives:

- Determine text and graphics that will be used to create a Web site
- State the requirements to copyright intellectual property, the rights of the copyright owner, the requirements to use copyrighted material, and consequences for copyright violations.
- State the requirements for a trademark and consequences for a trademark violation.
- State the impact of the telecom reform bill on the Internet.
- Define “libel” and “slander” in common language.

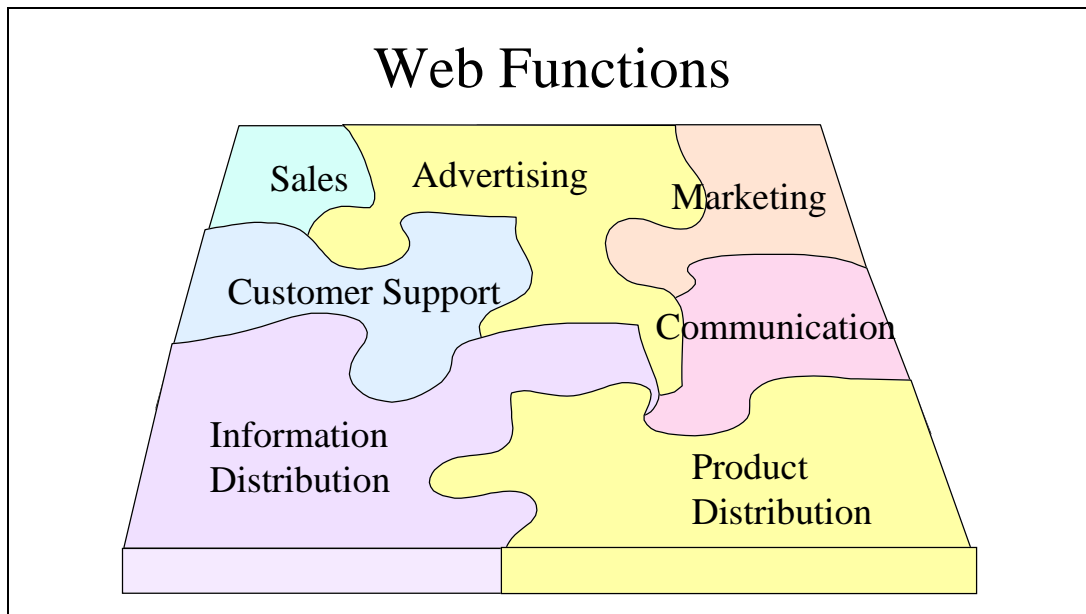


## INTRODUCTION

*Show how everything fits together to make a complete picture.*

*Make sure each of the terms on the slide is defined.*

*Let the students provide definitions from their experience.*



### Function Categories

Notice the seven categories in the slide. They are the same function categories that we have used in previous lessons. In this lesson, you will learn an effective process that can be used to select materials for a Web site. The process will include data gathering and collating into the above seven categories.

*Emphasize the use of a standardized process.*





## WHAT IS CONTENT

*Most people have difficulty distinguishing content from techniques.*

*Content is the information.*



Before we go any further, let's be sure that we all know what is meant by "contents." Quite simply, for a Web site, it always comes down to text and graphics.

Text can be in two forms:

- Text that is simply typed in (or copied in). It can be in titles, headings, labels, paragraphs, lists, and tables. It can include letters, numbers, and bullets.
- Text that is part of a graphic (a.k.a. graphic text); e.g., the "World Wide Connection" on the Ford site.

Graphics come in many forms; you all recognize them when you see them. The most common ones are:

- Photographs of people, places, and things
- Artwork in computer-readable form
- Charts, diagrams, and graphs
- Logos
- Graphical buttons and bullets
- Fancy letters such as first characters, drop caps, etc.

Audio and video are handled differently, so we'll put them into a special category.

*To develop an idea of what content is needed, let's look at the Ford site.*

## WHAT IS CONTENT

### Sample Site 1

URL: \_\_\_\_\_

*Write URL on board*

*Point out the kinds of information students need to gather in order to build a Web site.*

*[www.killersites.com/2-sites/stargazer/index.html](http://www.killersites.com/2-sites/stargazer/index.html)  
(Bookmark = Sharon Stargazer's Home Page)*

*1. Write the URL above the frame. 2. Sketch the Web site if you want.*

This site illustrates the information you need to gather in order to build a Web site. You need to gather words and graphics for each category of function. Next to each category below, describe the words and pictures that this site is using for that category.

Advertising \_\_\_\_\_

Sales \_\_\_\_\_

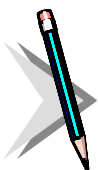
Marketing \_\_\_\_\_

Product distribution \_\_\_\_\_

Information distribution \_\_\_\_\_

Customer support \_\_\_\_\_

Communications \_\_\_\_\_



## WHAT IS CONTENT

### Sample Site 2

URL: \_\_\_\_\_

*Write URL on board*

*Bring up the Ford Web site and point out the kinds of information students need to gather in order to build a Web site.*

<http://www.ford.com>  
(Bookmark = Ford Motor Company)

1. Write the URL above the frame. 2. Sketch the Web site if you want.

This site illustrates the information you need to gather in order to build a Web site. You need to gather words and graphics for each category of function. Next to each category below, describe the words and pictures that this site is using for that category.

Advertising \_\_\_\_\_

Sales \_\_\_\_\_

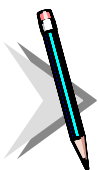
Marketing \_\_\_\_\_

Product distribution \_\_\_\_\_

Information distribution \_\_\_\_\_

Customer support \_\_\_\_\_

Communications \_\_\_\_\_



*Next, let's look at a process for gathering this content.*



## DETERMINING SITE CONTENT

*Elaborate on the process of gathering and organizing information.*

*Gathering content is somewhat of an art.*

*If you are not sure whether something*

*fits, include it until a decision can be made.*

### Step-by-Step

- ◆ Gather paper from every source
- ◆ Discard all uninteresting text & graphics
- ◆ Discard anything not visually appealing
- ◆ Select materials according to needs & functions
- ◆ Keep the materials as building blocks
- ◆ Modify materials to “Needs & Function Checklist”

#### Step-by-Step Content Gathering and Selection

1. Gather paper from every source, such as:
  - Letterhead
  - Publicity materials
  - Brochures.

Be sure to obtain every printed item that is current about the company. Selections will be more successful if the copy selected conforms with one or more of the seven function categories.

In a real project, material gathering will take several weeks or a month. The majority of things will come in a week or two, but things will continue to turn up for several more weeks.

2. Discard all uninteresting text and graphics.  
Do this only with the cooperation of the client. It is important to confer with the client as you may not recognize materials that represent company history, philosophy, or future direction.



*Ask question: “What are some other possible materials.”*

*Answers: Annual reports, Commercials, Press releases, Business cards, Business plans, Magazine and newspaper ads, White papers*

## DETERMINING SITE CONTENT

*If the client really loves something and doesn't want to throw it out, keep it until you have a sample site to fit it into, or not.*

*Ask Question: What other differences are there?*

*Answers: graphics, color, motion, timeliness, etc.*

3. Discard anything not visually appealing.  
Again, do this with cooperation of the client. If materials are not visually appealing in print, they will not be appealing in electronic medium.
4. Select materials according to the needs and functions of the client.  
Select the paper items and graphics that best suit the client following the Needs Summary that you worked with in Lesson Two.
  - For example: If you are going to put a product catalog on-line, make certain you have a paper copy of that catalog for you to review.
5. Keep the materials as building blocks.  
Put the materials into file folders by function category. At this point, don't throw anything away permanently — you may find a need for it later.
6. Modify materials to “Needs and Function Checklist.”  
The existing paper materials that the company wants you to use may not be appropriate for a Web site; a Web site is different than paper. In comparison to paper media, a Web site has:
  - Smaller page (screen) sizes
  - Expectation of less fluff, less wordiness
  - Lower resolution of screen compared to printed media

In many instances, existing copy can be modified and used for the Web site. You'll see how in several later lessons.

*Ask Question: How does this influence site design?*





## CONTENT CATEGORIZATION

*High quality copies are needed so you can scan in the content.*

### Content Categorization

- ◆ Get high quality copies of everything you can
- ◆ Mark each useful part with a code
- ◆ Make enough copies for each code used on each item
- ◆ Store the copies in folders by function category

The slide shows a simple procedure for gathering and organizing the content for a Web site. This process is actually used by practicing professionals. In the previous lesson, you determined the specific types of functions that the Millennium Web site needed. For you convenience, they are repeated below.

<b>Advertising</b>	To advertise products/ services: computer consulting, computer training, Web site setup, sales of computer systems, and computer repair service. To advertise market position To advertise existing products	<b>Information Distribution</b>	Product specifications Technical FAQ files Power user discussion threads - open access for users with high technological knowledge
<b>Sales</b>	Direct sales of hardware List retail locations Interactive feature solution	<b>Customer Support</b>	Technological support
<b>Marketing</b>	Customer product capabilities form	<b>Communication</b>	Technical support response Sales responses Web based training
<b>Product Distribution</b>	Direct ship by UPS and Federal Express List retail locations		

## CONTENT CATEGORIZATION

Here are some examples of coding:  
S1 = Sales 1  
A6 = Advertising.

**Millennium Computer Group**

**Millennium Pentium Series PC's**

**Millennium Pentium Series**  
The Millennium Pentium Computers offer the ultimate in computing by featuring:

- Intel Pentium 100/120/133/150/166 CPU
- 8/16/32 MB RAM
- 1.08/1.6/2.0 GB Conner Hard Drives
- 6/8/10 X CD-Rom with 16 Bit Sound
- Yamaha MHS Speakers
- Diamond Stealth PCI Video with 1MB/2MB DRAM
- 28.8 USR Voice/Fax/Modem
- 14"/15"/17"/20" Viewsonics Color Monitor
- Microsoft Natural Keyboard
- Microsoft Serial Mouse
- Microsoft Windows 95

**THE Millennium ADVANTAGE INCLUDES**

- Extended One Year On-Site Warranty
- Delivery and Setup (20 Mile Radius)
- Remote Control Troubleshooting Sign On
  - Two Year Maintenance Contract
  - HASSLE FREE Computing
- MCG Starter Kit (Mouse Pad; Floppy Disks; Plugging Strip)

**847-329-0230**

**S1** Millennium Content

**A6**

### Selecting Content for Millennium

Using existing marketing, publicity, and advertising materials that represent the company's requirements, select which aspects will be used in which part of the Web site.

*On the next page is a worksheet for use in categorizing content.*

## CONTENT CATEGORIZATION

Using this coding sheet you can organize your materials gathering efficiently and effectively.

<b>Content Code Sheet</b>			
Categories and Subcategories	Do you have enough Info?	Categories and Subcategories	Do you have enough Info?
<b>Advertising "A"</b> 1. Image/reputation 2. Location 3. Technology 4. Service 5. Personnel 6. Products features/benefits	_____ _____ _____ _____ _____	<b>Customer Support "CS"</b> 1. Customer support script 2. Department and employee access directories 3. Common questions & answers 4. Technical support solutions database 5. Training manuals	_____ _____ _____ _____ _____
<b>Sales "S"</b> 1. Order forms 2. Ordering Procedures 3. Customer Information	_____ _____ _____	<b>Product Distribution "PD"</b> 1. Inventory database 2. Shipping procedures and forms 3. Retail locations	_____ _____ _____
<b>Marketing "M"</b> 1. Market Research forms 2. Development forms	_____ _____	<b>Communication "C"</b> Corporate Main Points of access 1. Telephone 2. e-mail 3. FAX 4. Snail Mail	_____ _____ _____ _____
<b>Information Distribution: "ID"</b> The detailed information provided to existing and potential clients. 1. Products details/specs 2. Services 3. Corporate Structure 4. Philosophies/mission	_____ _____ _____ _____		

Directions: Highlight paper information that you want to use on the Web. Code according to this sheet. For example: if you have information regarding advertising the corporate image, its code is "A1." If you want, label seven manila folders with the highlighted titles, place the materials in the appropriate file, and use this guide as a master.

*Step students through this process with materials from Millennium.*

*Demonstrate how to identify useful materials and then categorize them.*



**EXERCISE 3A:  
SELECT AND CODE ENCORE CONTENT**

Using the ENCORE materials and the Content Code Sheet, select and code the materials you wish to use on the ENCORE Web site. Work in small groups. Take about 20 minutes

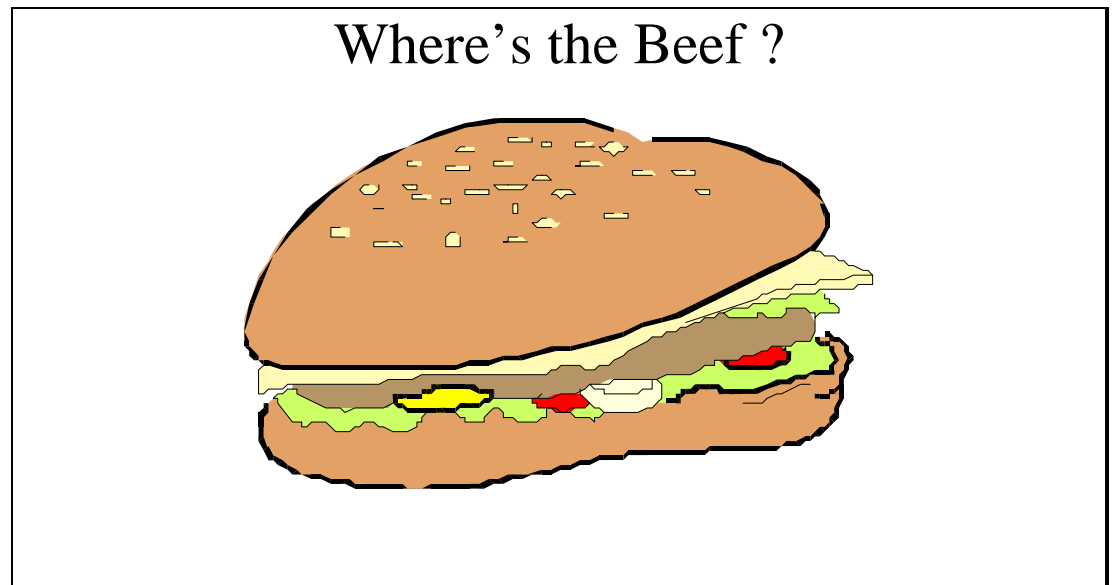
<b>Content Code Sheet</b>			
Categories and Subcategories	Do you have enough Info?	Categories and Subcategories	Do you have enough Info?
<b>Advertising "A"</b> 1. Image/reputation 2. Location 3. Technology 4. Service 5. Personnel 6. Products features/benefits	_____ _____ _____ _____ _____ _____	<b>Customer Support "CS"</b> 1. Customer support script 2. Department and employee access directories 3. Common questions & answers 4. Technical support solutions database 5. Training manuals	_____ _____ _____ _____ _____
<b>Sales "S"</b> 1. Order forms 2. Ordering Procedures 3. Customer Information	_____ _____ _____	<b>Product Distribution "PD"</b> 1. Inventory database 2. Shipping procedures and forms 3. Retail locations	_____ _____ _____
<b>Marketing "M"</b> 1. Market Research forms 2. Development forms	_____ _____	<b>Communication "C"</b> Corporate Main Points of access 1. Telephone 2. e-mail 3. FAX 4. Snail Mail	_____ _____ _____ _____
<b>Information Distribution: "ID"</b> The detailed information provided to existing and potential clients. 1. Products details/specs 2. Services 3. Corporate Structure 4. Philosophies/mission	_____ _____ _____ _____		

Directions: Highlight paper information that you want to use on the Web. Code according to this sheet. For example: if you have information regarding advertising the corporate image, its code is "A1." If you want, label seven manila folders with the highlighted titles, place the materials in the appropriate file, and use this guide as a master.



## REVIEW COLLECTED CONTENT FOR “HOLES”

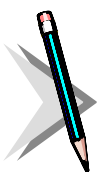
*Without the beef, a hamburger isn't complete. You need to make the Web site complete.*



After you have collected all available materials, you should review what you have. Typically, you will find that one or more function categories have “holes.” For example, Millennium may need:

- A picture of a computer
- A quote from Bill Gates
- Etc.

What can you do? One common temptation is to go to the Web to find what you need. Before you do this, you must become aware of certain legalities related to the Internet. We'll look at this next.



*Ask Question: What use can you make of text and pictures that you find on the Internet?*

*Answer: Usually none without breaking copyright.*



## THE INTERNET AND THE LAW

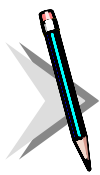
### Internet and the Law

- ◆ International - trade & commerce
- ◆ Published - copyright marks
- ◆ E-mail is not private
- ◆ Trademarks & copyright laws
- ◆ Violation of international law
- ◆ Responsible for information
- ◆ Law is evolving

#### Internet Law

Actual law specific to the Internet is now being drafted and will be constantly updated as new functions are developed. Actual law that applies to the Internet has NOT been fixed as of August 1, 1996. The world has relied on interpretations of existing law for other technologies (print, film, TV, radio) and tried to apply them to the Internet.

**Warning! What you are going to see and hear in this course is NOT legal advice. Consult your lawyer for that.**



*Besides, even lawyers don't really know what is legal since interpretation of the law is changing rapidly and laws are still being written.*

## THE INTERNET AND THE LAW

*These terms  
apply to Web  
sites.*

*Do you know  
what they  
mean?*

*Do you know  
what your  
rights are?*

*...your  
limitations?*

### Important Legal Terms

- Publish
- Libel
- Slander
- Copyright (©)
- Trademark (™)
- Registered trademark (®)

#### Definitions

**Publish**\* - to make publicly known, announce, proclaim, divulge, or promulgate; to issue (a printed work) to the public.

**Libel**\* - any written or printed statement, or any sign, picture, or effigy not made in the public interest, tending to expose a person to public ridicule or contempt or to injure his reputation in any way.

**Slander**\* - the utterance or spreading of a false statement or statements, harmful to someone's character or reputation legally. Slander is spoken while libel is written.

**Copyright** © - is standalone ownership of original works of authorship.

**Trademark** ™ - is an association with an identity. For example: Nearly everyone in the world recognizes the symbol for Coca Cola, regardless of the native language or alphabet of the country.

**Registered Trademark** ® - a 50 to 60 year old practice of registering original work with the government.

\*Definitions from Webster's New World Dictionary of the American Language (with permission).

## THE INTERNET AND THE LAW

*Just like any marketing material or product packaging, a Web site is legally part of your company's product description.*

### Uniform Commercial Code

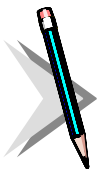
- ◆ Guarantees and warranties
- ◆ Suitability for sale
- ◆ Safety of products
- ◆ Judicious use of expertise
- ◆ Etc.

*Everything that you claim for your product/service is part of your*

#### UCC

Although the Internet, and more specifically the World Wide Web, is a new medium, basic Uniform Commercial Code (UCC) laws should be followed. This set of laws relates to guarantees and warranties, suitability for sale, safety of products, judicious use of expertise, etc. Of course these principles can be applied to business and other dealings via the Internet, but there are holes and inappropriate comparisons.

*warranty. Even if it is contradicted somewhere else.*



## THE INTERNET AND THE LAW

### Copyright and Trademark

- ◆ What is copyrighted
- ◆ What is a trademarked
- ◆ Use of copyrighted material
- ◆ Things that can't be copyrighted

#### Copyright and Trademark

Whether or not you see a copyright or a trademark, you must assume that the material you are viewing has been copyrighted / trademarked. Examples of things that are copyrighted or trademarked are:

*e.g., "three-peat"*

<b>Copyrighted</b>	Slogans Trademarks Descriptive paragraphs Photographs Newly made up words
<b>Trademarked</b>	Graphics Fleetwood Cadillac (Yes) Fleetwood Mac (No)

#### Purpose of Copyright and Trademark

The purpose of copyright and trademark is to encourage people to continually create new materials. The reward for creating new things is to give the creator ownership that lasts a reasonable number of years so that the effort of creation can have some payback. The original copyright can be, on the average, from 28 to 75 years including renewal. However, the exact length of renewal depends primarily on what is being copyrighted and when it was written. It also is a protection for the original work.

*Know the rules. Don't fall into traps out of ignorance.*

## THE INTERNET AND THE LAW

### Use of Copyrighted Material

Trademarks and copyrighted material can be used in several ways. One way is to totally forbid any copying. Another way is to let the copyrighted material to be used by others as long as they do not alter it in any way; Netscape has allowed its symbol to be freely used everywhere because they feel that the practice promotes Netscape.

### Some of the Tricky Issues

“Copy” and “publish” are the key issues technically.

You publish a material when you make it available to the public. Some ways to publish materials are:

- Get your article printed in a magazine or scholarly journal, either paper or electronic.
- Get your letter to the editor printed in a magazine or scholarly journal, either paper or electronic.
- Post a comment to a news group or forum.
- Put anything on a Web page.

According to the strictest interpretations, you copy material when you:

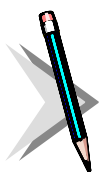
- Read it into memory
- Send it to another person
- Pull it from a Web site
- Display it in your browser.

### Not Copyrightable

Some things can not be copyrighted. You may use them without permission.

- Facts
- Things in common usage (Kleenex, Xerox, misspellings)
- Satire, parody, and criticism (But you run the risk of libel using these.)
  - Cok-E-Cola – as a new product not allowed.
  - Cok-E-Cola – on Saturday Night Live, permitted.
- Ideas, Methods, or Systems
- Blank forms
- Names, Titles, or Short Phrases

*Most commercial Web sites are not appropriate places to use satire; so, just forget it.*



## THE INTERNET AND THE LAW

*Here are some Web references for you to do your own research.*

### Research Copyright and Trademark Law

The law	<a href="http://lcweb.loc.gov/copyright">lcweb.loc.gov/copyright</a>
The act	<a href="http://www.law.cornell.edu/uscl17/overview.html">www.law.cornell.edu/uscl17/overview.html</a>
A FAQ	<a href="http://cis.ohio-state.edu/hypertext/faq/usenet/Copyright/FAQ/top.html">cis.ohio-state.edu/hypertext/faq/usenet/Copyright/FAQ/top.html</a>
Copyright & Internet	<a href="http://www.benedict.com">www.benedict.com</a>
Copy of law	United States Printing Office
	<a href="http://www.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=577252492+0+0+0&amp;WAIAction=retrieve">http://www.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=577252492+0+0+0&amp;WAIAction=retrieve</a>
Copyright & trademarks	<u><a href="#">Protecting Trade Secrets, Patents, Copyrights, and Trademarks</a></u> , Dorr and Munch
Register a copyright	Copyright Office
Register a trademark	Commissioner of Patents and Trademarks

### Research the Law Yourself

Because of the fact that there is no specific law but only interpretative law, variations are extremely wide. Therefore, you must familiarize yourself with the copyright laws and the interpretations. In order to do this, you should locate and read one or more of the following documents:

### When in Doubt

If you are not certain if you can use some material, or you would like to protect yourself or your company against a copyright violation of your own materials, you need to do the following.

1. Consult a reputable copyright attorney.
2. Place copyright markings on every page.
3. Place statements of permission on every page. Be specific, make statements like:
  - All rights reserved
  - Copy with permission only
  - Permission to copy, distribute, and publish granted as long as material is not altered.

## THE INTERNET AND THE LAW

The Copyright Office has put together an “Information Kit” that is available for you to purchase

“Copyright Basics”  
Copyright Office  
Library of Congress  
Washington, D.C. 20559

The following excerpt is found in Circular R1, “Copyright Basics” is from this package. It is not directed to the Internet but is for multi-media’ nevertheless, it contains useful information.

*Copyright is a form of protection provided by the laws of the United States (title 17, U.S. Code) to the authors of “original works of authorship” including literary, dramatic, musical, artistic, and certain other intellectual works. This protection is available to both published and unpublished works. Section 106 of the Copyright Act generally gives the owner of copyright the exclusive right to do and to authorize others to do the following:*

- *To reproduce the copyrighted work in copies or phonorecords,*
- *To prepare the derivative works based upon the copyrighted work,*
- *To distribute copies or phonorecords of the copyrighted work to the public by sale or other transfer of ownership, or by rental, lease, or lending.*
- *To perform the copyrighted work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and motion pictures and other audiovisual works, and*
- *To display the copyrighted work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work.*

*It is illegal for anyone to violate any of the rights provided to the owner of copyright by the ACT. These rights, however, are not unlimited in scope. Sections 107 through 118 of the Copyright Act establish limitations on these rights. In some cases, these limitations are specified exemptions from copyright liability....*

## THE INTERNET AND THE LAW

### Internet, Policy Advisors Hired by Copyright Office

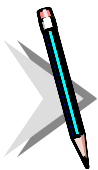
Trotter Hardy, law professor at William and Mary College, has been hired under contract by the U. S. Copyright Office to investigate and forecast issues arising from the conflict of digital communications technology and authors' rights under the Copyright Act. Lawyers Maria Pallante and Jesse Feder have been appointed Policy Planning Advisors to the office of the Register of Copyright in the area of policy and international affairs.

*Get copyright  
permission*

Commenting on Hardy's appointment, Register of Copyrights Marybeth Peters said, "The growth of the Internet and related technology has made the copying and the global distribution of copyrighted works as easy as pressing a button. At issue is how to preserve the rights of authors and their monetary incentives in the digital age. With several legislative proposals to amend the copyright law pending before Congress, the need for an overview of future issues involving the Internet and copyright is needed now." Hardy will hold conferences of top legal and technology experts in California and Washington, DC, presenting a year-end report to Peters on his findings and forecasts.

Pallante comes to the Copyright Office from the Washington, DC, law firm of Lichtma, Trister, Singer, and Ross where she counseled authors, visual and recording artists, publishers, film producers, unions, trade associations, and not-for-profit organizations on domestic and international copyright issues. She is a former executive director of the National Writers Union.

Feder was most recently associated with the Intellectual Property Practice Group of Schwab, Goldberg, Price & Dannay in New York City where he specialized in issues relating to copyright protection of computer programs and electronic databases, and intellectual property protection in international areas. He was the principal author of *amicus curiae* briefs in several important copyright cases in the Supreme Court and the U.S. Court of Appeals, including *Lotus v. Borland*.



## THE INTERNET AND THE LAW

*Tell stories:*

*(1) An obscene bulletin board in CA was sued and shut down because of law in Tennessee where local customs found it offensive,*

### Telecom Reform Bill

- ◆ Has side effects for the Internet and Web sites
- ◆ Very restrictive and conservative
- ◆ Already ruled unconstitutional in part
- ◆ Allows use of community standards
  - Where heard or viewed !

*(2) A married couple in KY ran an obscene BB that was legal in KY but not in IL; they were arrested when they crossed into IL.*

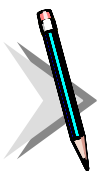
### TeleCom Reform Bill and Internet Commerce

The purpose of this comprehensive bill is to bring the telecom industry into modern times. It is meant to promote competition within the industry. Its intent also includes letting telecommunications companies get into other businesses. It is purely a U.S. law.

It has restrictive and conservative language on decency and obscenity standards which covers both publishing and viewing.

It encourages the promotion of community standards to language and graphics. This means that if something is legal at the site at which it was published, it can be illegal at the site in which it was viewed.

The bill has an impact on the Internet because numbers of violators of the decency standards were on the Internet even though most were on bulletin boards (the act applies to both). The consequences of violation were that members of law enforcement went to the site of violation and seized equipment as evidence. After several years, the equipment was returned.



## THE INTERNET AND THE LAW

*The incidence of law suits is low (most companies are happy with “cease and desist” action).*

*But you don’t want to be a test case.*

### Consequences

- ◆ Criminal charges, fines, and jail time
- ◆ Confiscation of suspect computer systems, all related hardware and software, and all manuals and documents
- ◆ Lawsuit and loss of BIG money
- ◆ Loss of reputation

See also:

- (Copyright) [www.benedict.com/fair.htm#fair](http://www.benedict.com/fair.htm#fair)
- (Trademark) [www.patent.com/nylj1.sht](http://www.patent.com/nylj1.sht)

*Bring up the sites or direct the students to view these privately*

### Consequences

#### For Copyright Violations

There is useful information on consequences at

[www.benedict.com/fair.htm#fair](http://www.benedict.com/fair.htm#fair)

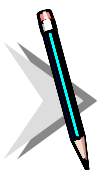
You should look at it.

#### For Trademark Violations

There is useful information on consequences at

[www.patent.com/nylj1.sht](http://www.patent.com/nylj1.sht)

You should look at it.



## THE INTERNET AND THE LAW

*Here are some simple rules to follow that will keep you out of most of the trouble.*

### Common Sense

- ◆ International laws should apply
- ◆ Web sites are published
- ◆ E-mail is not private
- ◆ Copyright each page
- ◆ Don't bend or break the law
- ◆ Webmasters and site owners are responsible for what is on their site
- ◆ Do everything possible to avoid litigation
- ◆ If it isn't your own work, don't use it
- ◆ Everything on the Web is owned by someone

### Common Sense

Remember, law for the Internet does not exist at this time; what does exist are interpretations. However, lawsuits can result from interpretations and are extremely expensive. The following guidelines are neither specific nor legally applicable; they merely relate some common sense.

- The Internet is an international medium and should adhere to international trade and commerce law.
- Web Sites are published; therefore, Web site owners are publishers.
- E-mail is not private.
- Web site owners should protect their Web sites by including trademarks or copyright symbols on each page of the site.
- Infringement of copyright laws, obscene language, or threatening materials can be in violation of local, state, national, or international laws and can be subject to litigation by the appropriate law enforcement agency.
- Authors and Web site owners are ultimately responsible for what they allow users to access.
- The law is currently undefined; however, in view of current standards, infringement of domestic and international civil and criminal laws may lead to litigation. Attempts are being made to establish international law.
- Rule of thumb: If it isn't your own original work, it isn't legal to use.
- If material is on the Web, it is owned by someone. It is not legal to download and use unless the owner explicitly gives permission. Just because it is possible to do so, does not make it legal.



## WHERE TO GET MATERIALS THAT ARE LEGAL

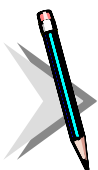
### Materials that are Legal

- Clip art
- Custom-made art



It is quite simple:

- Use clip art that is sold with free use rights:
  - On CD-ROM
  - On the Internet, for example:
    - <http://www.ECNet.Net/users/gas52r0/Jay/>
    - <http://www.vmedia.com/archives/clipart/>
    - <http://www.wanderers.com/rose/menu.html>
    - <http://www.gnnhost.com:80/publish/clip-art>
    - <http://www2.cybernex.net/~jen/webpages>
    - <http://www.matterform.com/mf>
    - <http://www.ender-design.com/rg/>
    - Or search the Internet for “clip art.”
- Have them custom made by graphic artists, writers, etc. Often the client has these people on staff or on contract; use them.





*Involve class members in the review.*

*Ask what they learned for each topic.*

*Make sure that they got the main points.*

## Site Content Review

- ◆ Gather available materials
- ◆ Code materials for 7 use categories (use coding sheet)
- ◆ Identify “holes” in gathered materials
- ◆ Acquire additional materials legally
  - Honor copyrights and trademarks
  - Research the law yourself
- ◆ Don’t libel, slander, or use indecent materials, even accidentally
- ◆ Honor Uniform Commercial Code

- Determine text and graphics that will be used to create a Web site.
  - Gathered materials and sorted out what would not work on a Web Site.
  - Coded the materials.
  - Identified materials that were missing.
- State the requirements to copyright intellectual property, the rights of the copyright owner, the requirements to use copyrighted material, and consequences for copyright violations.
  - Identified rules of copyright and listed examples.
- State the requirements for a trademark and consequences for a trademark violation.
  - Identified rules of trademark and listed examples.
- State the impact of the telecom reform bill on the Internet.
  - Identified the rules of decency on the Internet.
- Define “libel” and “slander” in common language.



## Exercise

### EXERCISE 3B: WHAT'S LEGAL?

You are going to play a game about the Internet and the law. Follow the directions of the instructor.

*We are going to play the computer game “What’s Legal.” It is a Jeopardy-type game in which the questions relate to the various legal issues that you just learned about.*

*You will be working as individuals.*

*(Turn on the game display.)*

*Here is the game board. You can see that there are 5 categories of topics. We will start with a random person. That person will pick a category and dollar amount. The question for that cell will be exposed. Whoever knows the answer raises his hand. The first one gets to offer his answer. If it is correct, that person wins the dollar amount. And gets to pick the next cell.*

*If it is wrong, that person loses the dollar amount. Then, everyone gets to raise hands again one more time. If the second person gets it wrong, I’ll show the correct answer, and we’ll go on.*

*When all the cells are done, whoever has the most money is the winner.*

*(Play game – approximate time = 20 minutes)*