



“Digital Millennium Copyright Act at 20” Symposium

FINAL PROGRAM

FRIDAY, MARCH 23, 2018

8:30 **Breakfast**

9:00 **Welcoming Remarks**

Prof. Peter K. Yu, Director, Center for Law and Intellectual Property, Texas A&M University School of Law

9:15 **DMCA and Its Impact**

Moderator: Prof. W. Keith Robinson, Dedman School of Law, Southern Methodist University

Presenters: Prof. Michael W. Carroll, American University Washington College of Law
“The DMCA Safe Harbors as Successful Innovation Policy”

Prof. Wendy J. Gordon, Boston University School of Law
“The DMCA’s Role in the Growth of Paracopyright”

Prof. Justin Hughes, Loyola Law School, Los Angeles
“The Unanticipated Influence of DMCA Far and Wide”

Prof. Glynn S. Lunney, Jr., Texas A&M University School of Law
“What if Copyright’s Fundamental Premise Is False?”

11:00 **Coffee Break**

11:15 **DMCA and Its Evolution**

Moderator: Prof. Peter K. Yu, Texas A&M University School of Law

Presenters: Jonathan Band, Jonathan Band PLLC
“The DMCA’s Missing Title: The Collections of Information Antipiracy Act”

Prof. Eric Goldman, Santa Clara University School of Law
“Three Ways the DMCA Online Safe Harbor Has Failed”

Prof. Marshall Leaffer, Indiana University Maurer School of Law
“Safe Harbors and Repeat Infringers: Reflections on *Cox Communications v. BMG*”

Prof. Alfred C. Yen, Boston College Law School
“Challenges Posed by the Convergence of Third Party Liability and Safe Harbor Standards”

1:00 Lunch

Speaker: Shira Perlmutter, Chief Policy Officer and Director for International Affairs, U.S. Patent and Trademark Office
“DMCA at 20: The Global State of Play”

Introduced by Prof. Peter K. Yu, Texas A&M University School of Law

2:30 DMCA and 1201 Rulemaking

Moderator: Prof. Saurabh Vishnubhakat, Texas A&M University School of Law

Presenters: Robert J. Kasunic, Associate Register of Copyrights and Director of Registration Policy & Practice, U.S. Copyright Office
“The Development of the USCO’s Triennial Rulemaking Process from a Historical Perspective”

Prof. Betsy Rosenblatt, Whittier Law School
“1201 Rulemakings: Lessons Learned”

3:30 Coffee Break

4:00 DMCA and Global Developments

Moderator: Prof. Stefania Fusco, Notre Dame Law School

Presenters: Prof. Dr. Matthias Leistner, Faculty of Law, Ludwig Maximilians University (Germany)
“Provider Liability for Copyright Infringement: The Latest Developments in the ECJ’s Case Law and the Proposed Reform in the Digital Single Market Directive”

Dean Marks, Esq., formerly Executive Vice President and Deputy General Counsel, Chief Global Content Protection, Motion Picture Association of America
“‘Whatever Advice You Give, Be Brief’ Horace (65–8 B.C.): A Comparison of Section 512 of the DMCA with Article 8.3 of the EU Copyright Directive”

Prof. Péter Mezei, Faculty of Law, University of Szeged (Hungary)
“The Genesis, the Functioning and the Fate of the E-Commerce Directive of the European Union”

5:30 Symposium Adjourns for the Day

6:30 Dinner for Symposium Participants

Waters
301 Main St., Fort Worth

SATURDAY, MARCH 24, 2018

9:00 Breakfast

9:30 DMCA and Emerging Developments

Moderator: Prof. H. Brian Holland, Texas A&M University School of Law

Presenters: Prof. Yvette Joy Liebesman, Saint Louis University School of Law
“Chipping Away at Section 512(m)”

Prof. Doris Estelle Long, John Marshall Law School, Chicago
“What if the DMCA Were Created Today?: The Unanticipated Impacts of AI, Big Data, Privacy and Social Media on Global Copyright Protection”

Prof. Michael J. Madison, University of Pittsburgh School of Law
“Data Models and the DMCA”

11:00 Coffee Break

11:15 DMCA Safe Harbors

Moderator: Prof. Jeff W. Slattery, Texas A&M University School of Law

Presenters: Prof. Ann Bartow, University of New Hampshire School of Law
“The Hypnotic and Alluring Extra-Copyright Appeal of Notice and Take Down”

Prof. Annemarie Bridy, University of Idaho College of Law
“Copyright Notice & Takedown in the Domain Name System”

Prof. James Gibson, University of Richmond School of Law
“Higher Education and the DMCA”

Prof. Mary LaFrance, William S. Boyd School of Law, University of Nevada, Las Vegas
“Safe Harbors and Pre-1972 Sound Recordings”

Prof. Tyler T. Ochoa, Santa Clara University School of Law
“The Evolution of Section 512 from Modest Codification to Robust Safe Harbor to Infringement Standard”

1:15 Lunch

2:30 DMCA and Its Future

Moderator: Prof. Sandra Braman, Department of Communication, Texas A&M University

Presenters: Prof. Kristelia A. Garcia, University of Colorado Law School
“Content ID, or, Who Needs the DMCA?”

Prof. Stan J. Liebowitz, Center for the Analysis of Property Rights and Innovation, University of Texas at Dallas
“The Dark Side of the User Uploaded Content Safe Harbor”

Prof. John Tehranian, Southwestern Law School
“The DMCA’s Thin Blue Line: ©ensorship, Rights Enforcement and the Future of the Safe Harbor”

4:00 Closing Remarks

Prof. Peter K. Yu, Texas A&M University School of Law

4:15 Symposium Adjourns for the Day

6:00 Art Exhibition (Optional)

Sid Richardson Museum
309 Main St., Fort Worth, TX 76102

7:00 Dinner for Symposium Participants

City Club of Fort Worth
301 Commerce St., Fort Worth

Conference Fellows

- Rachel Alkalay, Ph.D. Candidate, Queen Mary, University of London (U.K.)
- Prof. Shao Yan, Law school, Anhui University of Finance and Economics (China)
- Prof. Wang Zican, Law School, South China University of Technology (China)