

School of Accounting and Commercial Law

COML 403 ADVANCED E-COMMERCE LAW

Trimester 1, 2013

COURSE OUTLINE

Names and Contact Details

*Course Coordinator
& Lecturer* Susan Corbett RH 722 463 5480
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Course Administrator Rebekah Sage RH 708 463 7465
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Office hours: Monday-Friday, 8.30am-5pm
(Note: Office closed 10.30am-10.45am and 3.30pm-3.45pm)

Trimester Dates

Monday 4 March – Friday 7 June

Withdrawal from Course

1. Your fees will be refunded if you withdraw from this course on or before Friday 15 March 2013.
2. The standard last date for withdrawal from this course is Friday 17 May. After this date, students forced to withdraw by circumstances beyond their control must apply for permission on an '*Application for Associate Dean's Permission to Withdraw Late*' including supporting documentation. The application form is available from either of the Faculty's Student Customer Service Desks.

Class Times and Room Numbers

Friday 10.30am-1.20pm in RH G02

Course Delivery

Week 1, 2, and 3 will provide students with background knowledge on the following areas of law: privacy, trademarks and copyright. These sessions will be led by the lecturer and will include advice on research methods.

Week 4 is Easter Break.

Week 5 and 6 will consist of student-led seminars on a topical article or case on one of the above areas of law as applied in the e-commerce context. The lecturer will provide guidance on materials for each selected topic but students will also be expected to undertake independent research for their seminar. This seminar will provide feedback for a short written critique which is the first formal assessment.

Week 7 and 8 (and the mid-trimester Break) Students will work on their major research essays and will be able to consult with the lecturer by appointment or during scheduled lecture hours.

Weeks 10 and 11 These classes will be led by students, who will present on the topic of their research essay and obtain feedback from the class and lecturer. (Students will be required to submit a draft of their presentation in good time for the class and lecturer to prepare questions and feedback on its content.)

Week 12 will consist of a revision session.

Week 13 In-class test.

Expected Workload

The expected workload for the course is 150 hours, spread over the 12 teaching weeks and the mid-trimester break.

Course Learning Objectives

Students who pass this course will be able to:

1. Explain the relevance of privacy, trade mark and copyright laws to electronic commerce.
2. Analyse the ways in which the above laws are developing in the online environment.
3. Comment critically on any gaps in existing privacy, trade mark, and copyright laws for electronic commerce.
4. Undertake independent study of a selected topic and lead a discussion on it.

Course Content

The course will focus on topical current issues in privacy, trade mark and copyright laws in the context of e-commerce. There will be some flexibility as to topics covered depending on student interests.

Potential Topics

1. Privacy Law:
 - a. Deletion of online personal information:
 - b. The European “Right to be Forgotten”.
 - c. Can online information be permanently deleted?
 - d. Privacy law and cellphones.
 - e. Information in the cloud.
2. Trade mark Law:
 - a. Google’s Adwords
 - b. Trade marks versus domain names

- c. Gripe sites
- 3. Copyright Law:
 - a. The “three strikes” law
 - b. Time shifting ‘in the cloud’.
 - c. Linking

Readings

Recent articles and cases will be distributed in class. For background reading the following texts may be useful and have been placed on Reserve at the Commerce Library for COML 403 (and COML 307) students.

1. *Internet.law.nz: selected issues*, David Harvey (2011)
2. *Issues in Internet Law: society, technology and the law*, Keith B. Darrell (2011)
3. *Internet and E-Commerce Law*, Jay Forder & Dan Svantesson (2008)
4. *The Law of Electronic Commerce*, Alan Davidson, (2009)

Materials and Equipment

The “COML 307 2013: Legal Issues for E-Commerce” Course Materials Book available at the University Book Shop provides a range of reading around key areas and it is recommended that you purchase it.

Further readings will be given out in class but students are also expected to search for suitable articles and cases. The Law Library, located in the Old Government Building, contains some resources students might use for completing the Research Essay. The Law Library is a University resource and is open to students of all Faculties. Library staff will assist with reasonable research requests; however students should be prepared to find most of the materials they need without assistance. Note that the Law Library is a reference library only and no books may be removed from the premises. However, photocopying cards may be purchased.

The in-class test will be open book. All materials will be permissible apart from cell phones and computers.

Assessment

Short written critique and presentation of selected article or case	1000 words	15%	Course Objectives 1 and 2.
Presentation of research essay topic	N/A	15%	Course Objectives 3 and 4
Participation in other students’ seminars	N/A	10%	Course Objectives 1 and 3
Research essay	5000 words	30%	Course Objectives 3 and 4
Final test (open book)	2 hours	30%	Course Objectives 1,2 and 3

1. Critique and seminar presentation

Students will present and lead discussion based on a short (1000 word) critique/essay and related questions, to be prepared in advance. A draft should be distributed to other members of the class and to the lecturer on or before the Wednesday immediately preceding the relevant class.

The short essay is to be handed in for assessment one week after the seminar presentation (this will allow time for incorporation of suggestions and comments made by the lecturer and other students at the seminar presentation).

Essays should be no longer than 1000 words **excluding questions for class discussion** (and **not** including footnotes, which should be limited to referencing and citations). Please provide adequate page margins for comments. Each essay should be typed with 1.5 line spacing and appropriately formatted. Students should ensure that each page of their essay is numbered and that it is carefully proofread before final submission.

The essay presentations are scheduled to take place in week 5 and week 6 of the course. Some readings will be provided by the course lecturer, but students will also be expected to undertake independent research for their essay and presentation.

2. Research Essay

Each student is required to complete a 5000-word research essay. This is a major project, focusing on some area of topical interest (a draft list of suggested topics is set out above, but students may choose another topic with the approval of the lecturer). The essay should be no longer than 5,000 words, excluding footnotes and headings. Please provide adequate page margins for comments. Each essay should be typed with 1.5 line spacing and appropriately formatted. Students should ensure that each page of their essay is numbered and that it is carefully proofread before final submission. Please provide adequate page margins for comments.

3. Students should choose their Research Essay topic on or before Friday 19 April. Students will present a draft of their research essay to the class, along with relevant questions for discussion. This should be distributed to other members of the class and to the lecturer on or before the Tuesday immediately preceding the relevant class. These presentations will take in the latter part of the course, approximately weeks 8, 9 and 10 of the trimester. The due date for the final (completed) essay is Monday 27 June.

4. The Test

The test will give students the opportunity to demonstrate knowledge of legal principles and the conceptual underpinnings of privacy, trademark and copyright law in an online context and will reflect the topics focused on over the course. It will be open book and two hours long on Friday 7 June.

Penalties

Any extension on due dates for a piece of assessment must be approved by the lecturer. In the absence of such approval 5% per day may be deducted from the final mark for that piece of assessment. Note also that if the critique or essay exceed the word limit by more than 10% the excess will not be marked.

Use of Turnitin

Student work provided for assessment in this course may be checked for academic integrity by the electronic search engine <http://www.turnitin.com> Turnitin is an on-line plagiarism prevention tool which compares submitted work with a very large database of existing material. At the discretion of the Head of School, handwritten work may be copy-typed by the School and subject to checking by Turnitin. Turnitin will retain a copy of submitted materials on behalf of the University for detection of future plagiarism, but access to the full text of submissions will not be made available to any other party.

Mandatory Course Requirements

In addition to obtaining an overall course mark of 50 or better, Students must attend and contribute to 75% of the seminars and submit all items of assessment.

Class Representative

A class representative will be elected in the first class, and that person's name and contact details made available to VUWSA, the course coordinator and the class. The class representative provides a communication channel to liaise with the course coordinator on behalf of students.

Communication of Additional Information

Additional information will be communicated by email. Please provide your preferred email address to Susan Corbett and Rebekah Sage.

Link to general information

For general information about course-related matters, go to

<http://www.victoria.ac.nz/vbs/studenthelp/general-course-information>

Note to Students

Your assessed work may also be used for quality assurance purposes, such as to assess the level of achievement of learning objectives as required for accreditation and academic audit. The findings may be used to inform changes aimed at improving the quality of VBS programmes. All material used for such processes will be treated as confidential, and the outcome will not affect your grade for the course.
