



Oregon Law Institute
of Lewis & Clark Law School

Staying Competitive:

Legal Issues in Running a Business Online

This program will highlight legal issues that abound when advising your clients about operating an online business. Economic viability, brand strength, corporate security, market intelligence, and liability are increasingly determined by a company's online presence.

Attend this program to stay on top of the unique issues and proposed federal legislation that affect this growing area of your business practice.

FRIDAY, MARCH 2, 2012

Oregon Convention Center
777 NE Martin Luther King Jr. Blvd.
Portland, Oregon

6.5 General MCLE Credits

Staying Competitive: Legal Issues in Running a Business Online



SCHEDULE

- 8:00 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:30–9:30 **Online Content and Social Media Risks: What You Need To Know**
- Third-party content and the Communications Decency Act
 - Digital Millennium Copyright Act safe harbor
 - Social media and website terms
 - Protect yourself with website terms
- Moderator: Jere M. Webb*
– Joseph N. Eckhardt
– Nathan C. Mocerì
- 9:30–10:15 **Brands Online: Trademarks and Domain Names**
- Trademark infringement unique to online activity and the “Internet Troika”
 - Key word advertising: use of trademarks as search terms to trigger advertising
 - Cybersquatting and typosquatting
 - Proposed new top level domains (TLDs)
 - Community specific domains, e.g. the XXX domain (adult entertainment community)
– Sheila Fox Morrison
- 10:15–10:30 BREAK
- 10:30–11:15 **The New World of Social Media: Employment Law Risks Every Employer Should Know**
- The risks of using social networking or internet sites as the basis for hiring, discipline, and termination decisions
 - When, if ever, if it is “risk free” to do a background check on an applicant or current employee?
 - What elements every social media policy should include
– Tamara E. Russell
- 11:15–12:00 **Current Developments in Data Security and Privacy Law**
- State laws for all businesses handling customer data
 - Federal regulation of particular types of data
 - Contracting for the processing of sensitive data
 - Caselaw regarding claims predicated on data security breaches
– David L. Silverman
- 12:00–1:15 LUNCH (on your own)

SCHEDULE (cont.)

- 1:15–2:15 **E-Commerce: Selling Goods and Services Online**
- Web-hosting agreements
 - Payment processing
 - Jurisdiction
 - Contracting
- Moderator: *Chad M. Colton*
– *Travis J. Benn*
– *Martin F. Medeiros, II*
- 2:15–3:00 **E-Discovery**
- Preservation of electronically stored information
 - How do you collect it?
 - Identifying data
 - Assessing the scope of e-discovery in your case
 - Tools for data filtering, processing, review and production
 - Using social media in e-discovery
 - Consequences for inadequate preservation or bad faith obliteration of e-documents
- *Robert A. Shlachter*
– *Kristin Dunn*
- 3:00–3:15 BREAK
- 3:15–3:45 **State Taxation in the E-Commerce Age**
- Sales and use tax
 - Income tax
 - Update on “Amazon laws” and other recent trends affecting online businesses
- *Mark F. LeRoux*
– *Michael J. Millender*
- 3:45–4:15 **Cloud Computing 101**
- What is cloud computing?
 - How does it work?
 - Contractual considerations
- *Gary H. Lau*
- 4:15 p.m. ADJOURN

PROGRAM FACULTY

Travis J. Benn

Harland Financial Solutions

Chad M. Colton

*Markowitz Herbold Glade
& Mehlhaf PC*

Kristin Dunn

Stoll Berne

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LIVE PRESENTATION

Portland – 3/2/12

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*Staying Competitive: Legal Issues in
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VIDEO REPLAYS

Please register at least one week prior to the replay date.

Bend – 3/16/12

Replay 8:30 a.m.

Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 3/9/12

Replay 8:30 a.m.

Harrang Long Gary & Rudnick PC
360 East 10th Avenue, Ste. 300

Portland – 3/21/12

Replay 9:00 a.m.

Oregon Law Institute
Gus J. Solomon Courthouse
620 SW Main Street, Ste. 706

Staying Competitive:
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Friday, March 2, 2012

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Live presentation

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TUITION

(Prices apply to live and video replays and include course materials.)

- \$179** Early registration *(received by February 27, 2012)*
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CONFIRMATION: Confirmation will be sent via e-mail.

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NEED ASSISTANCE: If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.

TUITION ASSISTANCE: A limited number of scholarships are available based on financial need. Contact OLI.