

2013 SOCIAL MEDIA IN THE NEWS

**Prepared for the American Bar Association's
Copyright & Social Media Committee
by Joshua L. Simmons, Chair**

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January 2013

3 LEGAL THREATS FOR BLOGGERS AND WHAT TO DO ABOUT THEM

via FindLaw News for Legal Professionals by Deanne Katz, Esq. on 1/11/13

URL: <http://feeds.findlaw.com/~r/FindLawWrit/~3/3hsAg4jRIKU/3-legal-threats-for-bloggers-and-what-to-do-about-them.html>

If you know someone who's a blogger, and you surely do, then you also know someone who's at risk of certain kinds of legal threats. You might have a blog, or perhaps a friend from law school does, or your cousin's girlfriend posts regularly online. There's also a good chance.....

FORTUNES OF FACEBOOK MAY HINGE ON SEARCHES

via NYT > Internet by By SOMINI SENGUPTA on 1/14/13

URL: <http://www.nytimes.com/2013/01/15/technology/fortunes-of-facebook-may-hinge-on-searches.html>

Improving its ability to find treasure amid junk offers Facebook a chance to topple Google from the throne as the king of search.

INSTAGRAM LOSES HALF ITS DAILY USERS IN A MONTH, AND HERE'S WHY

via International Business Times by Dave Smith on 1/14/13

URL: <http://www.ibtimes.com/instagram-loses-half-its-daily-users-month-heres-why-report-1014214>

Instagram scared off a lot of users in December when it decided to update its original terms of service for 2013. Even though the company relented on its new terms after a week of solid backlash, Instagram users are still fleeing the photo-sharing app in droves.

TWITTER DOESN'T GIVE AFP LICENSE TO STEAL PHOTOS: JUDGE

via Law360: Intellectual Property on 1/15/13

URL: <http://www.law360.com/ip/articles/407310>

A federal judge in New York ruled Monday that news service Agence France Presse and The Washington Post Co. infringed a photojournalist's copyrights by lifting photos from his Twitter page that he snapped during the aftermath of the 2010 Haiti earthquake.

COMPANY TAKES A FAIR SHOT AT FACEBOOK, LINKEDIN, WITH SOCIAL NETWORKING PATENTS

via Intellectual Property Watch by William New on 1/15/13

URL: http://feedproxy.google.com/~r/ip-watch/~3/qeV_y6SMoYY/

A Virginia-based company in the midst of a multi-million dollar merger is asserting patents on fundamental aspects of social networking it says have been infringed by Facebook, LinkedIn and three other companies. But even if the patents have validity, they come at a time of what may be a backlash against such lawsuits.

BITS BLOG: FACEBOOK UNVEILS A NEW SEARCH TOOL

via NYT > Internet by Somini Sengupta on 1/15/13

URL: <http://bits.blogs.nytimes.com/2013/01/15/facebook-unveils-a-new-search-tool/>

Facebook's new tool, graph search, will allow users to look for photos, people and places that their friends like.

FACEBOOK ON COLLISION COURSE WITH GOOGLE

via WSJ.com: Technology on 1/15/13

URL: <http://online.wsj.com/article/SB10001424127887323596204578243552054369798.html>

Facebook unveiled a search tool that sifts through people's profiles, pushing the social network deeper into Google's home turf.

AFTER IPO, FACEBOOK INSIDERS MAKE \$775 MILLION

via WSJ.com: Technology on 1/15/13

URL:

http://online.wsj.com/article/SB10001424127887323596204578241962644660812.html?mod=rs_s_Technology

Facebook has been trading below its IPO price since shortly after the offering, but that hasn't stopped insiders from selling shares valued at more than \$775 million in the past few months.

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NEWS FLASH FOR THE MEDIA: YOU CAN'T SELL PHOTOS GRABBED FROM TWITTER

via Ars Technica by Joe Mullin on 1/15/13

URL: <http://arstechnica.com/tech-policy/2013/01/news-flash-for-the-media-you-cant-sell-photos-grabbed-from-twitter/>

When Haiti was devastated by an earthquake in early 2010, not many professional-quality photos of the disaster were immediately available. Haiti is one of the poorest countries in the world; before the quake, very few journalists were stationed there.

It became one of the seminal events in which Twitter showed that it could fill the void and its value quickly became apparent to media companies. But the use of photos found on Twitter during that disaster by one newswire, Agence France-Presse, turned into a confused morass of erroneous bylines and ultimately, copyright litigation. Daniel Morel, a photojournalist whose photos were placed on the AFP newswire without payment, turned to the courts in March 2010, claiming AFP had violated his copyright. AFP responded with a few different defenses; its boldest, almost shocking defense was that the Twitter terms of service actually granted it a license to use whatever photos it could grab off the micro-blogging service.

NEW FACEBOOK GRAPH SEARCH GIVES USERS POWER TO SLICE AND DICE INFO FROM FRIENDS

via Ars Technica by Casey Johnston on 1/15/13

URL: <http://arstechnica.com/business/2013/01/new-facebook-graph-search-gives-users-power-to-slice-and-dice-info-from-friends/>

Facebook announced a new method of sorting and consuming information disseminated on the social network at a press conference in Menlo Park, CA Tuesday. The service, called “Graph Search,” allows users to enter a query on Facebook and get answers based on cross-sections of information within their social network.

THE HIDDEN RISKS BEHIND FACEBOOK'S LOGIN TOOLS

via Law360 by Stephen W. Feingold on 1/15/13

URL: <http://www.law360.com/media/articles/407011>

Facebook privacy issues have caught the attention of various watchdog agencies, social media bloggers and commentators, all focusing on the vast amount of information that Facebook collects from individuals, how it uses that information, and the steps individuals can take to protect their privacy. Few, if any, have paid attention to how Facebook’s data collection policies and other terms of use impact companies that allow their users to sign onto their site using their Facebook credentials, says Stephen Feingold of Kilpatrick Townsend & Stockton LLP.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

FACEBOOK MESSENGER FOR IPHONE CAN NOW MAKE PHONE CALLS

via Ars Technica by Nathan Mattise on 1/16/13

URL: <http://arstechnica.com/gadgets/2013/01/facebook-messenger-for-iphone-can-now-make-phone-calls/>

Facebook said it was building something big to reveal this week—and those in attendance at Tuesday's event got a first-hand introduction to Graph Search. Today however, Facebook quietly rolled out another interesting new feature—the ability to make calls using the social network's messaging app.

WIKIMEDIA FOUNDATION LAUNCHED WIKIVOYAGE TRAVEL GUIDE

via iTWire by Stephen Withers on 1/16/13

URL: <http://www.itwire.com/your-it-news/mobility/58332-wikimedia-foundation-launches-wikivoyage-travel-guide>

The Wikimedia foundation has marked its 12th anniversary by launching a Creative Commons licensed travel guide called Wikivoyage.

CRAFTING A SOCIAL MEDIA POLICY FOR YOUR WORKPLACE

via FindLaw News for Legal Professionals by William Peacock, Esq. on 1/16/13

URL: http://blogs.findlaw.com/in_house/2013/01/crafting-a-social-media-policy-for-your-workplace.html

By some measures, in-house counsel have got it rough. You've got to be masters of all trades, plus you have to keep up with all of the latest trends in each field of law that's relevant for your company. For example, did you hear about last year's NLRB decisions regarding.....

BITS BLOG: FACEBOOK'S OTHER BIG DISRUPTION

via NYT > Internet by Quentin Hardy on 1/17/13

URL: <http://bits.blogs.nytimes.com/2013/01/17/facebook-s-other-big-disruption/>

A Facebook-led open source project may leave companies that supply hardware to computing systems scrambling to remain profitable.

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ON FACEBOOK, USERS CAN NO LONGER HIDE FROM SEARCH RESULTS

via Ars Technica by Casey Johnston on 1/17/13

URL: <http://arstechnica.com/business/2013/01/on-facebook-users-can-no-longer-hide-from-search-results/>

In the wake of its “graph search” announcement, Facebook removed the ability for users to opt out of appearing in search results on the site, as noted by Quartz. Because graph search relies on the content of profiles to fuel its results, the move will allow more comprehensive returns on searches but may violate the privacy of users who previously relied on that feature.

SOME CONCERNS ABOUT FACEBOOK'S "GRAPH SEARCH"

via Technology & Marketing Law Blog by Eric on 1/18/13

URL: http://blog.ericgoldman.org/archives/2013/01/some_concerns_a.htm

Facebook's Graph Search announcement has produced reactions ranging from rapturous enthusiasm to apathy. In this post, I'll explore a few reasons why I'm concerned about Graph Search.

WITH GRAPH SEARCH, FACEBOOK BETS ON MORE SHARING

via NYT > Internet by Somini Gensupta and Claire Cain Miller on 1/18/13

URL: <http://www.nytimes.com/2013/01/19/technology/with-graph-search-facebook-bets-on-more-sharing.html>

Whether Facebook's users will continue to divulge even more private details will determine whether so-called social search is the next step in how we navigate the online world.

IS RECUSAL REQUIRED WHEN A JUDGE IS FACEBOOK "FRIENDS" WITH A PROSECUTOR? QUESTION CERTIFIED TO FLORIDA SUPREME COURT -- DOMVILLE V. STATE

via Technology & Marketing Law Blog by Venkat on 1/19/13

URL: http://blog.ericgoldman.org/archives/2013/01/florida_appeals_1.htm

Domville v. State, No. 4D12 556 (Fla. Dist. Ct. App. Jan. 16, 2013) (PDF available at http://www.4dca.org/opinions/Jan_2013/01-16-13/4D12-556.rehg.pdf)

A CASUALTY ON THE BATTLEFIELD OF AMAZON'S PARTISAN BOOK REVIEWS

via NYT > Media & Advertising by David Streitfeld on 1/20/13

URL: <http://www.nytimes.com/2013/01/21/business/a-casualty-on-the-battlefield-of-amazons-partisan-book-reviews.html>

Fans bombarded Amazon with dozens of negative reviews of a new biography, got several favorable notices erased and even took credit for Amazon's briefly removing the book from sale.

MYSFACE IS ACCUSED OF USING MUSIC WITHOUT PERMISSION

via NYT > Internet by Ben Sisario on 1/20/13

URL: <http://www.nytimes.com/2013/01/21/business/media/myspace-is-accused-of-using-music-without-permission.html>

A group that represents independent labels said the revamped social network and music site continues to use members' songs although its deal with the site has expired.

EMPLOYERS' SOCIAL MEDIA POLICIES COME UNDER REGULATORY SCRUTINY

via NYT > Internet by Steven Greenhouse on 1/21/13

URL: <http://www.nytimes.com/2013/01/22/technology/employers-social-media-policies-come-under-regulatory-scrutiny.html>

As Facebook and Twitter become as central to workplace conversation as the water cooler, regulators are ordering employers to scale back policies that limit what workers can say online.

BAN ON SOCIAL MEDIA FOR SEX OFFENDERS UNCONSTITUTIONAL, COURT RULES

via Law.com by Sheri Qualters on 1/23/13

URL: <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202585480772>

A federal appeals court has struck down an Indiana law that imposes broad social media restrictions on most registered sex offenders, finding it unconstitutional. The U.S. Court of Appeals for the Seventh Circuit held that the law -- which bars most registered sex offenders from using social networking websites, instant messaging services and chat programs -- broadly bans protected speech rather than curtailing speech targeted to minors. The Seventh Circuit also observed that Indiana has other options for curbing inappropriate communication between minors and sex offenders.

FRENCH TWITTER CASE IS LATEST SKIRMISH OVER NET SPEECH

via NYT > Internet by Eric Pfanner and Somini Sengupta on 1/24/13

URL: <http://www.nytimes.com/2013/01/25/technology/twitter-ordered-to-help-reveal-sources-of-anti-semitic-posts.html>

In yet another struggle over speech on the Internet, a French court told Twitter to identify people who had posted anti-Semitic and racist entries on the social network.

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FRENCH COURT ORDERS TWITTER TO IDENTIFY RACIST AND ANTI-SEMITIC USERS

via Ars Technica by Cyrus Farivar on 1/24/13

URL: <http://arstechnica.com/tech-policy/2013/01/french-court-orders-twitter-to-identify-racist-and-anti-semitic-users/>

For months now, the French-language twittersphere has lit up with a rash of racist, homophobic, and anti-Semitic tweets using the hashtags #UnBonJuif (a good Jew), #SiMonFilsEstGay (if my son is gay), and #SiMaFilleRamèneUnNoir (if my daughter brings home a black guy).

SOCIAL MEDIA AND LEGAL ETHICS

via Law.com - Newswire on 1/25/13

URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202585881253>

Things counsel should know to avoid costly mistakes.

MOM'S SUIT OVER SON'S PRICE-LY YOUTUBE DANCE SURVIVES

via Law360: Intellectual Property by Stewart Bishop on 1/25/13

URL: <http://www.law360.com/ip/articles/410178>

A California federal judge on Thursday shot down cross-moves for summary judgment from Universal Music Corp. and a woman suing it for causing the removal of an online video of her son dancing to a copyrighted Prince song, finding neither side made its case regarding the Fair Use doctrine.

17 USC 512(f) IS DEAD--LENZ V. UNIVERSAL MUSIC

via Technology & Marketing Law Blog by Eric Goldman on 1/25/13

URL: http://blog.ericgoldman.org/archives/2013/01/17_usc_512f_is_1.htm

Lenz v. Universal Music Corp., 5:07-cv-03783-JF (N.D. Cal. Jan. 24, 2013).

THE BENEFITS OF A LAW BLOG (OR BLAWG)

via FindLaw News for Legal Professionals by William Peacock, Esq. on 1/24/13

URL: <http://blogs.findlaw.com/strategist/2013/01/the-benefits-of-a-law-blog-or-blawg.html>

You're a lawyer, not a writer. You have billable hours, office management, and scotch to drink. Even if you could find the time to start a law blog, what would be the point? Marketing Look up DUI defense lawyers in your city on Google. Unless you live in Wasilla, Alaska,.....

WITH GRAPH SEARCH, FACEBOOK DISCOVERS FRESH PRIVACY WOES
via Law360 by Allison Grande on 1/25/13
URL: <http://www.law360.com/media/articles/409516>

While Facebook Inc. has been quick to say its new Graph Search will reveal only already-public information, the company may still draw legal challenges from users and regulators who view the feature as an expanded and unauthorized use of member's personal data, experts say.

STATE LAWS RESTRICTING SOCIAL MEDIA USE BY SEX OFFENDERS ARE FAILING
IN COURT
via Technology & Marketing Law Blog by Venkat on 1/28/13
URL: http://blog.ericgoldman.org/archives/2013/01/state_laws_rest.htm

Statutory schemes in three different states intending to regulating the online activities of convicted sex offenders have meet with judicial disapproval.

HOW FACEBOOK TAUGHT ITS SEARCH TOOL TO UNDERSTAND PEOPLE
via NYT > Media & Advertising by Somini Sengupta on 1/28/13
URL: <http://www.nytimes.com/2013/01/29/business/how-facebook-taught-its-search-tool-to-understand-people.html>

Before Facebook introduced a search tool this month, it assembled a varied team to study what users were searching for and to teach computers how to communicate better with people.

SOCIAL MEDIA MASTERY: BUFFERAPP WILL CHANGE YOUR ONLINE MARKETING
FOR THE BETTER
via FindLaw News for Legal Professionals by William Peacock, Esq. on 1/28/13
URL: <http://blogs.findlaw.com/technologist/2013/01/social-media-mastery-bufferapp-will-change-your-online-marketing-for-the-better.html>

Who has time to tweet? We're lawyers, not twitter-ers. Still, if you've embraced online marketing beyond a basic website (and you should), you probably have a Facebook and/or Twitter account for your office. From this account, you can post updates about the office, notes on victories or landmark cases, and.....

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IS IT TIME FOR TWITTER TO RECONSIDER ITS TERMS OF SERVICE?

via FindLaw News for Legal Professionals by Robyn Hagan Cain on 1/25/13

URL: <http://blogs.findlaw.com/technologist/2013/01/is-it-time-for-twitter-to-reconsider-its-terms-of-service.html>

Twitter has a bit of a P.R. conundrum on its hands this week after the Seventh Circuit Court of Appeals struck down an Indiana law banning sex offenders from social networks. The problem: Should the micro-blogging platform amend its terms of service (TOS) to keep known sex offenders away?.....

US LAW ENFORCEMENT PUTS PRESSURE ON TWITTER WITH MORE INTENSITY, FREQUENCY

via Ars Technica by Cyrus Farivar on 1/28/13

URL: <http://arstechnica.com/tech-policy/2013/01/us-law-enforcement-puts-pressure-on-twitter-with-more-intensity-frequency/>

Less than a week after Google released its "Transparency Report," Twitter has now repeated the feat. On Monday, the San Francisco-based company released its second such report, covering the second half of 2012.

OWNER OF "GAYMER" TRADEMARK SAYS HE'S AN UNDERDOG, NOT A BULLY

via Ars Technica by Joe Mullin on 1/28/13

URL: <http://arstechnica.com/tech-policy/2013/01/owner-of-gaymer-trademark-says-hes-an-underdog-not-a-bully/>

Some of the gay gamers at reddit who congregate in the /r/gaymers subreddit view the blogger who sent them a cease-and-desist letter, Chris Vizzini, as a bully. Vizzini owns the gaymer.org website and says he has trademark rights to the word "gaymer." He claims other "social" websites that use it are stealing away clicks that belong to him.

GOOGLE PLUS BECOMES WORLD'S NO. 2 SOCIAL NETWORK AFTER FACEBOOK, KNOCKING OFF TWITTER

via International Business Times by Dave Smith on 1/28/13

URL: <http://www.ibtimes.com/google-plus-becomes-worlds-no-2-social-network-after-facebook-knocking-twitter-1042956>

Since Google Plus (Google+) publicly debuted on Sept. 20, 2011, Google's fledgling social network has experienced some major ups and downs, but less than a year and a half later, the network has flourished to become the No. 2 social network in the world.

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<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

FACEBOOK PRIVACY CHIEF DEFENDS GRAPH SEARCH'S SECURITY

via Law360 by Allison Grande on 1/28/13

URL: <http://www.law360.com/media/articles/410460>

Facebook Inc.'s chief privacy officer on Monday touted the strength of privacy controls built into the site's new Graph Search, in making the case with other industry executives for a self-regulatory system that allows companies to craft innovative products that respect consumers' privacy.

MEDIA DECODER BLOG: REPORT GAUGES COMPANIES' APPROACH TO ADVERTISING ON SOCIAL MEDIA

via NYT > Media & Advertising by Tanzina Vega on 1/29/13

URL: <http://mediadecoder.blogs.nytimes.com/2013/01/29/report-gauges-companies-approach-to-advertising-on-social-media/>

A new report on companies' opinions of social media advertising shows that companies are spending more on that strategy, though they are concerned with getting an accurate measurement of its effectiveness.

EVEN FACEBOOK MUST CHANGE

via WSJ.com: Media & Marketing by Evelyn M. Rusli on 1/29/13

URL: <http://online.wsj.com/article/SB10001424127887323829504578272233666653120.html>

To reclaim its status as a \$100 billion company, Facebook is re-engineering itself into a mobile business. Such a transformation has been daunting for one of the world's most-trafficked websites.

GOOGLE'S YOUTUBE IN TALKS TO CHARGE VIEWERS

via WSJ.com: Technology on 1/29/13

URL: <http://online.wsj.com/article/SB10001424127887323644904578272363861856662.html>

Google's YouTube video site has been in talks to allow video creators to charge viewers to access their content as early as this year.

HOW FACEBOOK IS GAINING ON APPLE

via WSJ.com: Technology on 1/29/13

URL: <http://online.wsj.com/article/SB10001424127887323829504578271973631403306.html>

If Wall Street had a tech-stock popularity contest, Facebook would be closing in on Apple.

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PAID SUBSCRIPTIONS ON YOUTUBE COULD BECOME A REALITY, SOURCES SAY
via Ars Technica by Megan Geuss on 1/29/13

URL: <http://arstechnica.com/business/2013/01/paid-content-on-youtube-could-become-a-reality-sources-say/>

YouTube is reportedly looking into letting content creators charge their viewers for access to certain channels or specific videos. This evening, the Wall Street Journal wrote that people with knowledge of the matter said Google is in talks to move towards a monetization option sometime later this year.

FACEBOOK: YEAH WE'RE GETTING TOUGH WITH DEVELOPERS

via Business Insider by Owen Thomas on 1/25/13

URL: <http://www.businessinsider.com/facebook-clarifies-developer-policies-2013-1>

Under fire for cutting off popular new apps, Facebook has announced new rules for developers using its social network.

SMALL FIRMS SAY LINKEDIN WORKS, TWITTER DOESN'T

via WSJ.com: Media & Marketing on 1/30/13

URL: <http://online.wsj.com/article/SB10001424127887323926104578273683427129660.html>

Six out of 10 small-business owners say they think social-media tools are important for growth, but while 41% singled out LinkedIn as having the most potential to help their companies, most weren't impressed with Twitter.

FACEBOOK'S SOLID RESULTS ARE GREETED CAUTIOUSLY

via NYT > Internet by Somini Sengupta on 1/30/13

URL: <http://www.nytimes.com/2013/01/31/technology/facebook-earnings.html>

Even with a strong earnings report, the company's stock dropped after hours before recovering.

FACEBOOK'S STATUS: IMPROVING

via WSJ.com: Technology by Evelyn M. Rusli on 1/30/13

URL: <http://online.wsj.com/article/SB10001424127887324610504578274271158536076.html>

Facebook reported a 40% fourth-quarter revenue jump as it ramped up its mobile business and offered new tools to advertisers, but the firm's shares slipped in after-hours trading.

February 2013

ANOTHER EMPLOYEE BEHAVES BADLY ON SOCIAL MEDIA. REALLY, YOU "CAN'T MAKE THIS UP." -- IN RE PALLESCHI

via Technology & Marketing Law Blog by Venkat Balasubramani on 2/1/13

URL: http://blog.ericgoldman.org/archives/2013/01/employees_behav_1.htm

Palleschi v. Cassano, 2013 WL 322573 (N.Y. App. Div. Jan. 29, 2013).

TWITTER DETECTS AND SHUTS DOWN PASSWORD DATA HACK IN PROGRESS

via Ars Technica by Dan Goodin on 2/1/13

URL: <http://arstechnica.com/security/2013/02/twitter-detects-and-shuts-down-password-data-hack-in-progress/>

Twitter engineers shut down what they described as an "extremely sophisticated" hack attack on its network that exposed the cryptographically protected password data and login tokens for 250,000 users.

THE POLITICS OF TWITTER DATA

via SSRN by Cornelius Puschmann & Jean Burgess on 2/4/13

URL: <http://ssrn.com/abstract=2206225>

Our paper approaches Twitter through the lens of "platform politics" (Gillespie, 2010), focusing in particular on controversies around user data access, ownership, and control. We characterise different actors in the Twitter data ecosystem: private and institutional end users of Twitter, commercial data resellers such as Gnip and DataSift, data scientists, and finally Twitter, Inc. itself; and describe their conflicting interests. We furthermore study Twitter's Terms of Service and application programming interface (API) as material instantiations of regulatory instruments used by the platform provider and argue for a more promotion of data rights and literacy to strengthen the position of end users.

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**FORCING FACEBOOK ON FOREIGN DICTATORS: A VIOLATION OF
INTERNATIONAL LAW?**

via SSRN by Steven R. Swanson on 2/4/13

URL: <http://ssrn.com/abstract=2205370>

The advent of new technology brings new challenges to international law. The Internet is now the world's primary information source, and websites like Facebook and Twitter have become crucial communication means. During the Arab Spring of 2011, activists used the Internet and social media sites to support their actions against existing oppressive regimes. In response, those governments required Internet service providers to interrupt Internet access, closing down social media communication.

BRAZIL: THE SOCIAL MEDIA CAPITAL OF THE UNIVERSE

via WSJ.com: Media & Marketing on 2/4/13

URL: <http://online.wsj.com/article/SB10001424127887323301104578257950857891898.html>

Brazil is a bright spot for social-media companies as they seek more growth outside the U.S. and Europe.

FACEBOOK MAY CREATE A PASSIVE LOCATION-LOGGING APP

via Ars Technica by Casey Johnston on 2/4/13

URL: <http://arstechnica.com/business/2013/02/facebook-may-create-a-passive-location-logging-app/>

Facebook is planning an app that tracks the location of users, according to a report from Bloomberg. The feature would be able to run on a handset even when the app isn't open, and it may be used to help the company target ads based on location.

**TWITTER LOOKS TO ADD TWO-FACTOR AUTHENTICATION TO STOP PASSWORD
HACKS**

via Ars Technica by Sean Gallagher on 2/4/13

URL: <http://arstechnica.com/security/2013/02/twitter-looks-to-add-two-factor-authentication-to-stop-password-hacks/>

Twitter is looking to add another layer of protection to its user authentication. After having at least 250,000 accounts' passwords compromised in an attack against its service last week, Twitter apparently plans to implement two-factor authentication as an option to help users better protect their accounts—or at least it's hiring people to help do that.

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<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

JOHN MCCAIN CALLS IRANIAN PRESIDENT A "MONKEY" ON TWITTER

via Ars Technica by Jon Brodtkin on 2/4/13

URL: <http://arstechnica.com/tech-policy/2013/02/john-mccain-calls-iranian-president-a-monkey-on-twitter/>

US Senator John McCain used his Twitter feed today to call Iranian President Mahmoud Ahmadinejad a "monkey." With the US government attempting diplomacy to prevent Iran from building a nuclear bomb, the former presidential nominee's tweet was ill-timed at best. It was deemed racist by some observers, including a fellow Republican congressman.

TWITTER, MEDIA GIANTS SHED STIGMA OF REPORTING HACKS

via Law360 by Allison Grande on 2/4/13

URL: <http://www.law360.com/media/articles/412631>

Twitter Inc. and the Washington Post reported Friday that their computer systems had been hacked, the latest in a series of voluntary disclosures that attorneys say demonstrate companies' increased willingness to admit they were attacked, in a day and age when few can say they've escaped cyberintrusions.

FACEBOOK SUES APP MAKER FOR NOT DELETING OLD PROFILE INFO

via Law360 by Megan Stride on 2/4/13

URL: <http://www.law360.com/media/articles/412710>

Facebook Inc. sued app developer Profile Technology Ltd. for breach of contract in California federal court Friday, alleging that it copied and improperly stored Facebook users' information and has tried to profit by making it accessible to others on its website.

UNITED STATES V. APPELBAUM

URL: http://pub.bna.com/eclr/11cv5151_12513.pdf

The U.S. Court of Appeals for the Fourth Circuit held on January 25th that the public has no First Amendment right to access Stored Communications Act orders seeking account information from Twitter to aid a government investigation into WikiLeaks. Accordingly, it denied the subscribers' petition for mandamus.

FACEBOOK'S LIKE BUTTON INFRINGES PATENT, SUIT SAYS

via Law360: Intellectual Property by Jonathan Randles on 2/5/13

URL: <http://www.law360.com/ip/articles/413034>

Facebook Inc.'s ubiquitous "Like" button and other sharing features allegedly infringe patents developed by a Norwegian computer programmer who died before he could get his own social networking site off the ground, according to a lawsuit filed Monday in Virginia.

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MEDIA DECODER BLOG: TWITTER IS ACQUIRING BLUEFIN LABS

via NYT > Media & Advertising by Brian Stelter on 2/5/13

URL: <http://mediadecoder.blogs.nytimes.com/2013/02/05/twitter-buys-company-that-mines-chatter-about-tv/>

Twitter is buying Bluefin Labs, which analyzes online chatter about TV shows and sells its findings.

THE LEGAL ETHICS OF SOCIAL MEDIA AND THE CLOUD

via FindLaw News for Legal Professionals by Andrew Chow, JD on 2/4/13

URL: <http://blogs.findlaw.com/technologist/2013/02/the-legal-ethics-of-social-media-and-the-cloud.html>

FindLaw columnist Eric Sinrod writes regularly in this section on legal developments surrounding technology and the Internet. Social media no longer is the province of only those who are college-aged or younger. Indeed, businesses of all types now seek to capitalize on social media connections, and law firms are no.....

BITS BLOG: MOST FACEBOOK USERS HAVE TAKENA BREAK FROM THE SITE, SURVEY FINDS

via NYT > Internet by Jenna Wortham on 2/5/13

URL: <http://bits.blogs.nytimes.com/2013/02/05/most-facebookers-have-taken-a-break-from-the-site-study-finds/>

A new survey from Pew Internet, a research center, found that a majority of Facebook users took voluntary breaks from the site, citing boredom or concerns about privacy.

TWITTER ON ROUTE TO MATURITY---MAYBE IPO

via WSJ.com: Technology by Shira Ovid on 2/5/13

URL: <http://online.wsj.com/article/SB10001424127887324761004578286033358693440.html>

Twitter CEO Dick Costolo talks to The Wall Street Journal about spurring staff to take risks and the thinking behind the company's purchase of video startup Vine.

NASDAQ FACES FACEBOOK FINE

via WSJ.com: Technology by Jenny Strasburg & Jean Eaglesham on 2/5/13

URL: <http://online.wsj.com/article/SB10001424127887324761004578286200951471148.html>

Any settlement is likely to include a fine of about \$5 million. Talks are taking place parallel to discussions about payments to customers who suffered losses in the botched IPO.

PINTEREST IN TALKS TO RAISE FUNDING

via WSJ.com: Technology by Pui-Wing Tam & Spencer E. Ante on 2/5/13

URL: <http://online.wsj.com/article/SB10001424127887324900204578286274194291126.html>

Pinterest is in talks to raise a new round of financing that would value the online scrapbooking site at \$2 billion to \$2.5 billion.

FACEBOOK, IT'S TIME FOR A BREAK

via Ars Technica by Jacqui Cheng on 2/5/13

URL: <http://arstechnica.com/business/2013/02/facebook-its-time-for-a-break/>

We all have that friend who has stubbornly disappeared from Facebook at one time or another, only to reappear some weeks or months later. In fact, that friend has a good chance of being you, according to a new report from the Pew Internet & American Life Project. The report, published Tuesday, says a hefty majority of Facebook users—61 percent—report having "taken a break" from the site for several weeks or more, largely because they didn't have the time or energy to be part of Facebook's Internet society.

FACEBOOK WILL START DISCLOSING WHEN ADS ARE BASED ON BROWSING BEHAVIOR

via Ars Technica by Casey Johnston on 2/5/13

URL: <http://arstechnica.com/business/2013/02/facebook-will-start-disclosing-when-ads-are-based-on-browsing-behavior/>

Facebook will soon start using an icon to identify which ads displayed on its site are targeted based on the user's behavior, according to AdAge. When users roll over the gray "x" displayed next to ads, Facebook will display an "AdChoice" icon, in the hopes that it will alert users to when they are being targeted and motivate them to opt out of that style of advertising if it makes them uncomfortable.

TOP 10 SOCIAL MEDIA LAW DEVELOPMENTS OF 2012

via Law360 by John F. Delaney & Jesse K. Soslow on 2/5/13

URL: <http://www.law360.com/media/articles/412656>

2012 was a momentous year for social media law. We've combed through the court decisions, the legislative initiatives, the regulatory actions and the corporate trends to identify what we believe to be the 10 most significant social media law developments of the past year, say John Delaney and Jesse Soslow of Morrison & Foerster LLP.

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'YOU HAVE THE RIGHT TO BLOG,' SAYS JUDGE

via Law Blog by Jacob Gershman on 2/6/13

URL: <http://blogs.wsj.com/law/2013/02/06/you-have-the-right-to-blog-says-judge/>

A federal judge denied a request by prosecutors for a gag order to keep a Virginia woman from blogging or tweeting about her upcoming trial. But when can a judge knock the laptop off the lap of a blogging defendant?

I.H.T. SPECIAL: SOCIAL MEDIA FIRMS MOVE TO CAPITALIZE ON POPULARITY IN MIDDLE EAST

via NYT > Media & Advertising by Sara Hamdan on 2/6/13

URL: <http://www.nytimes.com/2013/02/07/world/middleeast/social-media-firms-move-to-capitalize-on-popularity-in-middle-east.html>

The rise of social media in the Arab world is changing the game for regional advertisers, pushing growth in digital advertising.

YELP FOURTH-QUARTER LOSS NARROWS

via WSJ.com: Technology by Ben Fox Rubin on 2/6/13

URL: <http://online.wsj.com/article/SB10001424127887323951904578288701278039448.html>

Yelp's fourth-quarter loss narrowed as the local listings website posted strong revenue growth, though sales and marketing expenses continued to climb as well.

UNDER PRESSURE, FACEBOOK PUTS DO-NOT-TRACK OPTION ON ADS

via Law360 by Allison Grande on 2/6/13

URL: <http://www.law360.com/media/articles/413310>

Responding to mounting pressure from regulators and advertisers, Facebook Inc. agreed Monday to join a privacy initiative and install an icon on its targeted ads that will allow users to opt out of online tracking.

FACEBOOK AUTHOR TAKES COPYRIGHT SUIT TO SUPREME COURT

via Law360: Intellectual Property by Stewart Bishop on 2/7/13

URL: <http://www.law360.com/ip/articles/413705>

A former Harvard classmate of Facebook Inc. founder Mark Zuckerberg has urged the U.S. Supreme Court to revive his copyright suit accusing author Ben Mezrich of stealing material for his book about the social networking site's founding, arguing a lower court improperly relied on wiki.answers.com.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

EMPLOYEE'S FACEBOOK VACATION PHOTOS SUPPORTED TERMINATION FOR FMLA ABUSE -- LINEBERRY V. DETROIT MED. CTR.
via Technology & Marketing Law Blog by Venkat Balasubramani on 2/7/13
URL: http://blog.ericgoldman.org/archives/2013/02/employees_faceb_1.htm

Lineberry v. Detroit Med. Center, 11-13752 (E.D. Mich. Feb. 5, 2013).

'TRIAL BY GOOGLE' A RISK TO JURY SYSTEM, SAYS ATTORNEY GENERAL
via The Guardian by Owen Bowcott on 2/6/13
URL: <http://www.guardian.co.uk/law/2013/feb/06/trial-by-google-risk-jury-system>

"Trial by Google" threatens to undermine the integrity of the British jury system and "offends the principle of open justice", according to the attorney general, Dominic Grieve QC.

LINKEDIN'S FOURTH QUARTER REINFORCES ITS STRENGTHS
via NYT > Media & Advertising by The Associated Press on 2/7/13
URL: <http://www.nytimes.com/2013/02/08/business/linkedins-fourth-quarter-reinforces-its-strengths.html>

The company's revenue and earnings soared, exceeding analysts' estimates.

LINKEDIN'S PROFIT RISES 66% AMID STRONG MEMBERSHIP GROWTH
via WSJ.com: Technology by Evelyn M. Rusli on 2/7/13
URL: <http://online.wsj.com/article/SB10001424127887323452204578290392677757364.html>

LinkedIn's profit and sales jumped sharply as the professional social network siphoned more dollars from corporate recruiters and expanded its membership.

UPDATE: FACEBOOK COUNTERSUES PROFILE TECHNOLOGY FOR CONTRACT BREACH--FACEBOOK V. PROFILE TECHNOLOGY
via Technology & Marketing Law Blog by Jake McGowan on 2/8/13
URL: http://blog.ericgoldman.org/archives/2013/02/update_facebook_1.htm

Facebook, Inc. v. Profile Technology, Ltd., C 13-0459 (N.D. Cal. complaint filed Feb. 1, 2013)

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WASHINGTON STATE'S PROPOSED EMPLOYER SOCIAL MEDIA LAW: THE LEGISLATURE SHOULD TAKE A CAUTION APPROACH -- SB 5211
via Technology & Marketing Law Blog by Venkat Balasubramani on 2/9/13
URL: http://blog.ericgoldman.org/archives/2013/02/washingtons_pro.htm

Eric previously posted on his concerns about California's law restricting employer access to social media accounts. The Washington State Senate recently proposed a law (SB 5211) and it suffers from many of the similar problems.

PRACTICAL TIPS FOR REASONABLE SOCIAL MEDIA MARKETING
via Law360 by Char Pagar on 2/11/13
URL: <http://www.law360.com/media/articles/412705>

The Federal Trade Commission says advertisers who run social media advertising campaigns should mandate proper disclosures, make sure the people working on those campaigns know what the rules are, and monitor what those people are doing on behalf of the advertiser. While these concepts are relatively easy to grasp, they can be challenging to execute, says Char Pagar of VLP Law Group LLP.

YELP DEFEATS LEGAL CHALLENGE TO ITS USER REVIEW FILTER
via Technology & Marketing Law Blog by Eric Goldman on 2/12/13
URL: http://blog.ericgoldman.org/archives/2013/02/yelp_defeats_le.htm

Demetriades v. Yelp, Case No.: BC484055 (Cal. Superior Ct. Jan. 25, 2013).

10 TWEETS OF ADVICE: SOCIAL MEDIA LAWYER MARKETING
via FindLaw News for Legal Professionals by Robyn Hagan Cain on 2/13/13
URL: <http://blogs.findlaw.com/strategist/2013/02/10-tweets-of-advice-social-media-lawyer-marketing.html>

If you're still new to lawyer tweeting, why not turn to the City by the Bay for some tips? The San Francisco Bar Association recently hosted a social media seminar -- on Twitter, of course -- to share tricks of the trade for maximizing your impact across social media platforms.....

FACEBOOK WINS RULING IN SHAREHOLDER CASE
via WSJ.com: Technology on 2/13/13
URL: <http://online.wsj.com/article/SB10001424127887323478004578302533810560740.html>

Facebook, facing multiple shareholder lawsuits related to its botched initial public offering, scored an initial legal victory when a federal judge in New York dismissed a group of cases against the social networking company.

INSTAGRAM SAYS USER POLICY DOESN'T ABUSE PHOTO UPLOADERS
via Law360: Intellectual Property by Juan Carlos Rodriguez on 2/14/13
URL: <http://www.law360.com/ip/articles/415517>

Instagram, the photo sharing service provider owned by Facebook Inc., on Wednesday told a California federal judge that proposed class action plaintiffs showed no injury from Instagram's rules that allegedly violate California privacy laws by giving it broad rights over users' personal pictures.

FACEBOOK ENTRY AND BLOG POST MAY SUPPORT RETALIATION CLAIM –
STEWART V. CUS NASHVILLE
via Technology & Marketing Law Blog by Venkat Balasubramani on 2/14/13
URL: http://blog.ericgoldman.org/archives/2013/02/facebook_and_bl_1.htm

Stewart v. CUS Nashville (Coyote Ugly), 3:11-cv-0342 (M.D. Tenn. Feb. 6, 2013)

WHO NEEDS HP AND DELL? FACEBOOK NOW DESIGNS ALL ITS OWN SERVERS
via Ars Technica by Jon Brodtkin on 2/14/13
URL: <http://arstechnica.com/information-technology/2013/02/who-needs-hp-and-dell-facebook-now-designs-all-its-own-servers/>

Nearly two years ago, Facebook unveiled what it called the Open Compute Project. The idea was to share designs for data center hardware like servers, storage, and racks so that companies could build their own equipment instead of relying on the narrow options provided by hardware vendors.

INSTAGRAM ASKS COURT TO DISMISS TERMS OF SERVICE LAWSUIT
via FindLaw News for Legal Professionals by Robyn Hagan Cain on 2/15/13
URL: <http://blogs.findlaw.com/technologist/2013/02/instagram-asks-court-to-dismiss-terms-of-service-lawsuit.html>

Okay, so Instagram's proposed changes to the app's terms of service weren't well-received. We can all agree that the photo-sharing service could have done a better job explaining what the new terms meant, and that it was not trying to sell users' photos to advertisers. If you don't like the.....

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BITS BLOG: FACEBOOK SAYS HACKERS BREACHED ITS COMPUTERS
via NYT > Internet by Nicole Perlroth and Nick Bilton on 2/15/13
URL: <http://bits.blogs.nytimes.com/2013/02/15/facebook-admits-it-was-hacked/>

The attacks over the past month by sophisticated malware seemed to be similar to those recently directed at Twitter and other companies.

RIVAL SNAPS AT FACEBOOK'S HEELS
via WSJ.com: Technology by Rolfe Winkler on 2/15/13
URL: <http://online.wsj.com/article/SB10001424127887324432004578306301278320548.html>

In one way, Facebook's nifty new search tool could backfire. "Graph search" may actually discourage users from sharing more content.

FACEBOOK CAN KEEP REAL NAME POLICY, GERMAN COURT RULES
via PCWorld by Loek Essers on 2/15/13
URL: <https://www.pcworld.com/article/2028296/facebook-can-keep-real-name-policy-german-court-rules.html>

Facebook can stick with its real name policy in Germany, and doesn't have to allow nicknames on its platform for now. The regulator that ordered Facebook to change its policy based its orders on inapplicable German law, a German court ruled.

FACEBOOK POSTS AND TWITTER INVITES DON'T VIOLATE NON-SOLICITATION CLAUSE -- PRE-PAID LEGAL V. CAHILL
via Technology & Marketing Law Blog by Venkat Balasubramani on 2/18/13
URL: http://blog.ericgoldman.org/archives/2013/02/facebook_posts_1.htm

Pre-Paid Legal Services v. Cahill, Civ-12-346-JHP (E.D. Ok. Jan. 22, 2013)

BUILDING OWNER CAN'T DISCOVER THE IDENTITY OF TENANT WHO WRITES BASHING YELP REVIEW (FORBES CROSS-POST)
via Technology & Marketing Law Blog by Eric Goldman on 2/25/13
URL: http://blog.ericgoldman.org/archives/2013/02/building_owner.htm

Brompton Building, LLC v. Yelp!, Inc., 2013 IL App (1st) 120547-U (Ill. App. Ct. Jan. 31, 2013)

DO FACEBOOK AND CLASS ACTION LAWSUITS MIX?

via FindLaw News for Legal Professionals by Robyn Hagan Cain on 2/25/13

URL: <http://blogs.findlaw.com/strategist/2013/02/do-facebook-and-class-action-lawsuits-mix.html>

Passive aggressive Facebook posts — in which people announce their opposition to a government policy, a reality show plot line, or someone's choice of fragrance — are not terribly effective. Such messages rarely even reach the object of their ire. A class action settlement objector's Facebook posting, however, can ruffle.....

FACEBOOK REVIEWS SANDY HOOK PAGES

via WSJ.com: Technology by Associates Press on 2/25/13

URL: <http://online.wsj.com/article/SB10001424127887324338604578326891329285694.html>

Facebook has agreed to remove some so-called tribute pages related to last year's Connecticut school shooting over concerns they're being used to exploit the tragedy, U.S. Sen. Richard Blumenthal said Monday.

EMPLOYEE FACEBOOK INFO MAKING ITS WAY INTO COURT, GCS SAY

via Law360 by Allison Grande on 2/26/13

URL: <http://www.law360.com/media/articles/418464>

Companies in litigation are having to produce more data from employees' social media accounts and mobile devices, raising privacy questions, according to a survey of in-house counsel released by Fulbright & Jaworski LLP on Tuesday.

APPLE, FACEBOOK, MICROSOFT GET CYBERATTACK INFO FROM FEDS

via Law360 by Sean McLernon on 2/25/13

URL: <http://www.law360.com/media/articles/418275>

The U.S. Department of Homeland Security and the FBI are sharing intelligence about recent cyberattacks with private firms in the wake of recent data breaches targeting intellectual property at Apple Inc., Facebook Inc., Microsoft Inc. and other technology companies, federal cybersecurity officials said Friday.

ANONYMOUS YELP REVIEW COUNTS AS EVIDENCE

via Law Blog by Jacob Gershman on 2/26/13

URL: <http://blogs.wsj.com/law/2013/02/26/anonymous-yelp-review-counts-as-evidence/>

An anonymous Yelp comment helped settle a court dispute between rival health clubs.

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COURT REFUSES FURTHER REVIEW OF FACEBOOK 'BEACON' SETTLEMENT
via Law.com - Newswire by Vanessa Blum on 2/26/13
URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202589842934>

The Ninth Circuit is letting stand Facebook's \$9.5 million settlement resolving privacy claims over the site's discontinued "Beacon" feature. But six dissenting judges warned the settlement does not meet the circuit's standards and called the refusal of en banc review an "unfortunate failure" that would send mixed messages about cy pres settlements that distribute funds to charities rather than class members.

ABA TELLS JUDGES TO 'TWEET,' 'FRIEND' AND 'LIKE' WITH CAUTION
via Law.com - Newswire by Leigh Jones on 2/26/13
URL: <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202589839064>

Following moves by some states to address judges' use of sites like Facebook, LinkedIn and Twitter, the American Bar Association has released an ethics opinion stating that electronic social media interactions "can be beneficial to judges to prevent them from being thought of as isolated or out of touch," but warning that judges should "be sensitive to the appearance of relationships with others."

IS TWITTER REALLY WORTH \$10 BILLION?
via WSJ.com: Technology by Dennis K. Berman on 2/26/13
URL: <http://online.wsj.com/article/SB10001424127887323384604578328303487784818.html>

Why Twitter has the potential to match some of the money-gushing properties of Google.

FACEBOOK WINS NOD FOR 2ND PHASE OF CAMPUS EXPANSION
via Law360 by Natalie Rodriguez on 2/26/13
URL: <http://www.law360.com/media/articles/418273>

With the first phase of its massive campus expansion under way, Facebook Inc. won key approval from a Menlo Park, Calif., panel on Monday night for several zoning changes and a development agreement for its next stage.

9TH CIRC. WON'T REVISIT \$9.5M FACEBOOK PRIVACY SETTLEMENT
via Law360 by Sean McLernon on 2/26/13
URL: <http://www.law360.com/media/articles/418911>

The Ninth Circuit on Tuesday declined to rehear en banc Facebook Inc. users' challenge the approval of a \$9.5 million class action settlement that resolved consumer privacy claims without compensating class members, despite protests from six judges that the decision breaks with court precedent.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

LINKEDIN: SOCIAL MEDIA'S UGLY DUCKLING

via WSJ.com: Technology by Evelyn M. Rusli on 2/27/13

URL: <http://online.wsj.com/article/SB10001424127887324432004578304740861400194.html>

LinkedIn has managed to stay in Wall Street's good graces even as more consumer-focused sites like Facebook, Zynga and Groupon have flailed.

ABA GIVES JUDGES GREEN LIGHT TO TWEET, BUT URGES CAUTION

via Law360 by Andrew Strickler on 2/27/13

URL: <http://www.law360.com/media/articles/419109>

Your Honor, you're free to tweet. That's the gist of a new American Bar Association opinion on the judicial use of social media tools like Facebook, Twitter and LinkedIn, which says that judges can socialize online, but should do so carefully.

March 2013

FDA'S FACEBOOK SLAP GIVES DRUG INDUSTRY LITTLE TO LIKE

via Law360 by Rachel Slajda on 3/1/13

URL: <http://www.law360.com/corporate/articles/418920>

A recent U.S. Food and Drug Administration warning letter scolding a supplement company for "liking" a Facebook post should remind drug companies to be extremely cautious about their social media activity, experts say, with the FDA clearly on the lookout for behavior that may run afoul of its marketing restrictions even though it has yet to issue formal guidelines.

FACEBOOK IPO TAINTED BY INSIDER TRADING, INVESTOR SUIT SAYS

via Law360 by Lance Duroi on 3/4/13

URL: <http://www.law360.com/media/articles/420392>

Facebook Inc.'s board, including Chairman Mark Zuckerberg, and the banks that underwrote the company's controversial initial public offering were hit with another shareholder derivative lawsuit Friday, this time in Delaware, alleging the \$16 billion IPO was tainted by insider trading.

FACEBOOK'S ADS TO BATTLE WITH GOOGLE

via WSJ.com: Technology on 3/4/13

URL: <http://online.wsj.com/article/SB10001424127887324678604578340403379945798.html>

Google has spent years learning to speak advertisers' language. Now, slowly but surely, Facebook is building up its own vocabulary. And looking to steal some of Google's business.

LINKEDIN DODGES \$5M PRIVACY SUIT OVER PASSWORD HACKING

via Law360 by Matthew Heller on 3/6/13

URL: <http://www.law360.com/media/articles/421298>

LinkedIn Corp. on Tuesday escaped a \$5 million putative class action over a security breach as a California federal judge ruled the plaintiffs had not shown they suffered an "economic harm" as a result of the hacking of 6.5 million passwords.

FACEBOOK'S REDESIGN HOPES TO KEEP USERS ENGAGED

via NYT > Media & Advertising by Somini Sengupta on 3/6/13

URL: <https://www.nytimes.com/2013/03/07/technology/facebooks-redesign-hopes-to-keep-users-engaged.html>

Facebook plans to announce a substantial redesign of its News Feed — a makeover aimed both at keeping users glued to the social network and luring more advertising dollars.

YOU HAVE 2 POKES, 53 MESSAGES, 12 PHOTO TAGS AND ONE SUMMONS?

via Law Blog by Jacob Gershman on 3/7/13

URL: <http://blogs.wsj.com/law/2013/03/07/you-have-2-pokes-53-messages-12-photo-tags-and-one-summons/>

Defendants in Texas could be served notice of a lawsuit through social media sites under state legislation introduced last week.

FACEBOOK RIVAL SAYS 'TIMELINES' MARK NOT GENERIC

via Law360: Intellectual Property on 3/7/13

URL: <http://www.law360.com/ip/articles/421643>

Timelines Inc. on Wednesday filed its opposition to a bid by Facebook Inc. to quash a trademark suit brought by Timelines that alleges the social media giant's timeline feature infringes the company's "timelines" mark, arguing that the term is not too generic to warrant protection.

DOES FACEBOOK CREATE ORPHANS?

via The 1709 Blog by Eleonora Rosati on 3/7/13

URL: <http://the1709blog.blogspot.com/2013/03/does-facebook-create-orphans.html>

As all IP enthusiasts are well aware of, Facebook is an endless source of IP-related problems and, possibly, fun.

FACEBOOK NEWS FEED GETS MAKEOVER

via WSJ.com: Media & Marketing by Evelyn M. Rusli on 3/7/13

URL: <http://online.wsj.com/article/SB10001424127887324582804578346600044678178.html>

Facebook unveiled changes to its popular "news feed" as the social media site tries to keep users logged on longer despite rising competition from myriad new social apps.

FACEBOOK REVAMP WON'T TOUCH PRIVATE DATA, EXEC SAYS

via Law360 by Allison Grande on 3/7/13

URL: <http://www.law360.com/media/articles/421882>

Facebook Inc. unveiled a revamped News Feed on Thursday that will allow users to customize the content they see, a feature the site's privacy officer insisted would not share data that users expect to remain private.

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TWO ALTERNATIVES FOR TWEETDECK (RIP) THAT WILL TAME TWITTER
via FindLaw News for Legal Professionals by William Peacock, Esq. on 3/8/13
URL: <http://blogs.findlaw.com/technologist/2013/03/two-alternatives-for-tweetdeck-rip-that-will-tame-twitter.html>

The nation mourned in unison this week as Twitter announced the end of TweetDeck's long-neglected Android, iOS, and Adobe AIR Desktop versions of the platform. Going forward, users will have to make due with the browser or Google Chrome app versions. For many, there won't be a difference. The mobile apps.....

WHEN 'LIKES' CAN SHED LIGHT
via WSJ.com: Technology by Robert Lee Hotz on 3/11/13
URL: <http://online.wsj.com/article/SB10001424127887324096404578354533010958940.html>

Facebook users' patterns of "Likes" on the social-networking site can unintentionally expose political and religious views, drug use, divorce and sexual orientation, researchers said.

FACEBOOK USERS UNWITTINGLY REVEALING INTIMATE SECRETS, STUDY FINDS
via The Guardian by Josh Halliday on 3/11/13
URL: <http://www.guardian.co.uk/technology/2013/mar/11/facebook-users-reveal-intimate-secrets>

Personal information including sexuality and drug use can be correctly inferred from public 'like' updates, according to study

CEGLIA SUES FEDS OVER FRAUD CHARGES, ATTACKS 'RELATIONSHIP' WITH FACEBOOK'S LAWYERS
via The AmLaw Litigation Daily by David Bario on 3/12/13
URL: <http://www.americanlawyer.com/digestTAL.jsp?id=1202591867242>

Paul Ceglia continues to stick to his claims that he owns half of Facebook, even after Gibson, Dunn & Crutcher unearthed evidence that the supposed contract at the heart of the case is a fake. In a new complaint, Ceglia claims that U.S. prosecutors violated his constitutional rights by bringing a criminal case related to the alleged forgery -- and that they may be in bed with Gibson Dunn.

TWEETS NEED FINE PRINT
via WSJ.com: Technology by Danny Yadron and Shira Ovide on 3/12/13
URL: <http://online.wsj.com/article/SB10001424127887324281004578356763749839822.html>

The FTC said that ads on Twitter and Facebook need to accommodate the fine print, with marketers applying the same standards to online ads as they long have to older media.

FTC's NEW ONLINE AD GUIDELINES ZERO IN ON SOCIAL MEDIA
via Law360 by David McAfee on 3/12/13
URL: <http://www.law360.com/media/articles/423198>

The Federal Trade Commission has updated its guidelines for mobile and other online advertisers, releasing a report Tuesday that outlines how to make disclosures conspicuous to avoid deception even when space is limited, as is the case with social media ads.

EX-EMPLOYER'S HIJACKING OF A LINKEDIN ACCOUNT IS A PUBLICITY RIGHTS VIOLATION--EAGLE V. MORGAN
via Technology & Marketing Law Blog by Venkat Balasubramani on 3/13/13
URL: http://blog.ericgoldman.org/archives/2013/03/linkedin_accoun.htm

Eagle v. Morgan, 11-4303 (E.D. Pa. Mar. 12, 2013)

FACEBOOK SAYS IT DOESN'T CONTROL 'LIKE' BUTTON
via Law360 by Scott Flaherty on 3/13/13
URL: <http://www.law360.com/ip/articles/423233>

Facebook Inc. on Tuesday urged a Virginia federal court to throw out patent infringement allegations over the social network's "Like" button and other sharing features, saying it does not have sole control of the allegedly infringing system.

FACEBOOK LOSES BID TO TOPPLE TMELINES SUIT BEFORE TRIAL
via Law360 by Megan Stride on 3/13/13
URL: <http://www.law360.com/ip/articles/423395>

An Illinois federal judge on Wednesday shut down Facebook Inc.'s bid to quash Timelines Inc.'s trademark suit alleging a feature on the social media giant's website infringes its "timelines" mark, clearing the way for the case to go to trial next month.

PARIS MUSEUM RUNS AFOUL OF FACEBOOK CONTENT POLICIES
via Comic Book Legal Defense Fund by Joe Izenman on 3/13/13
URL: <http://cblfd.org/2013/03/paris-museum-runs-afoul-of-facebook-content-policies/>

French museum Jeu de Paume found itself the latest example of artistic institutions shut down by Facebook content policies for the photographic presence of that most dastardly body part, the female nipple. According to Gizmodo, the artwork, by early 20th century photographer Laure Albin Guillot, was sufficient for an instant, though temporary ban

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NETFLIX SOCIAL LETS USERS SHOW EXACTLY HOW THEY SPEND NIGHTS ON THE COUCH

via Ars Technica by Casey Johnston on 3/13/13

URL: <http://arstechnica.com/business/2013/03/netflix-social-lets-users-show-exactly-how-they-spend-nights-on-the-couch/>

Netflix has reintroduced social sharing features to its service as of Wednesday, the company announced on its blog. After adding a “friends” feature back in 2005 and then removing it in 2010, Netflix is readjusting to a new video sharing landscape that is no longer in the vise grip of the Video Privacy Protection Act, which prevented services like Netflix from integrating with ones like Facebook due to privacy violations.

BEST TWEETS IN THE HOUSE

via Pacific Standard by Tom Jacobs on 3/12/13

URL: <http://www.psmag.com/culture/arts-organizations-twitter-live-tweet-interaction-53746/>

In a desperate attempt to engage with younger audiences, arts organizations are scrambling to make their productions more interactive. But who really is more engaged: A live-tweeting audience member, or someone staring silently at the stage?

FTC CAN SERVE COURT DOCS VIA FACEBOOK, JUDGE SAYS

via Law360 by Ama Sarfo on 3/13/13

URL: <http://www.law360.com/media/articles/423602>

A New York federal judge has ruled that the U.S. Federal Trade Commission can serve legal documents on defendants through Facebook, saying that as technology advances, courts must be willing to consider new methods of service instead of dismissing them outright.

FACEBOOK GAG LIFTED FOR ATTY WHO DISSED MCDONALD'S DEAL

Law360 by Sean McLernon on 3/13/13

URL: <http://www.law360.com/media/articles/423214>

A Michigan state judge on Monday lifted a gag order she placed on an attorney and class member last month after he took to Facebook to criticize a \$700,000 class action settlement with McDonald's Corp. over alleged false advertising, freeing him to use the social media website again.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

JUDGE: DON'T FEAR FACEBOOK

via Law Blog by Jacob Gershman on 3/14/13

URL: <http://blogs.wsj.com/law/2013/03/14/judge-dont-fear-facebook/>

The legal system is warming up to the concept of using Facebook to serve defendants.

POLICE BLOGGER QUILTS AS OFFICERS COME UNDER PRESSURE OVER UNOFFICIAL TWEETS

via The Guardian by Sandra Laville on 3/13/13

URL: <http://www.guardian.co.uk/uk/2013/mar/13/police-blogger-quits-pressure-unofficial>

Inspector Gadget, who wrote anonymously about sometimes farcical police bureaucracy, deletes posts dating back to 2006.

FACEBOOK WORKS TO INCORPORATE HASHTAG

via WSJ.com: Media & Marketing by Evelyn M. Rusli and Shira Ovide on 3/14/13

URL: <http://online.wsj.com/article/SB10001424127887323393304578360651345373308.html>

Facebook is testing whether to follow Twitter's lead and allow users to click on a hashtag to pull up all posts about similar topics or events.

NETFLIX, FACEBOOK, AND SOCIAL SHARING

via Concurring Opinions by Deven Desai on 3/17/13

URL: <http://www.concurringopinions.com/archives/2013/03/netflix-facebook-and-social-sharing.html>

Just as Neil Richards's *The Perils of Social Reading* (101 *Georgetown Law Journal* 689 (2013)) is out in final form, Netflix released its new social sharing features in partnership with that privacy protector, Facebook. Not that working with Google, Apple, or Microsoft would be much better. There may be things I am missing. But I don't see how turning on this feature is wise given that it seems to require you to remember not to share in ways that make sharing a bit leakier than you may want.

FACEBOOK NAMES SCHROEPFER TECH CHIEF

via WSJ.com: Technology by Evelyn M. Rusli on 3/15/13

URL: <http://online.wsj.com/article/SB10001424127887324392804578362772309695016.html>

Facebook named Michael Schroepfer chief technology officer on Friday, filling the role left by Bret Taylor last June.

Joshua L. Simmons
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FACEBOOK WITHDRAWS SUPPORT FOR CYBERSECURITY BILL
via Law360 by Juan Carlos Rodriguez on 3/15/13
URL: <http://www.law360.com/media/articles/424309>

Facebook Inc. has withdrawn its support for recently reintroduced cybersecurity legislation aimed at encouraging the government and private companies to share information on cyberthreats.

MUTUAL FUNDS OVERREPORTING SOCIAL MEDIA POSTS, SEC SAYS
via Law360 by David McAfee on 3/15/13
URL: <http://www.law360.com/media/articles/424418>

Mutual funds and other investment companies that have to file certain advertisements for Financial Industry Regulatory Authority review have often been filing materials from their social media sites unnecessarily, the U.S. Securities and Exchange Commission said in guidance on electronic filing requirements released Friday.

HOW TO IMPROVE YOUR SOCIAL MEDIA PROFILE WITH 2 QUICK CHANGES
via FindLaw News for Legal Professionals by Robyn Hagan Cain on 3/18/13
URL: <http://blogs.findlaw.com/strategist/2013/03/how-to-improve-your-social-media-profile-with-2-quick-changes.html>

Is there a problem that your social media contacts can't solve? I have yet to find one. My new-parent-friends are constantly pitching baby questions into the social ether and getting rapid responses about formula and diapers. Every time I want to find new books to read, I ask my Facebook.....

YOU GOT SERVED VIA FACEBOOK. NOW WHAT?
via FindLaw News for Legal Professionals by Robyn Hagan Cain on 3/15/13
URL: <http://blogs.findlaw.com/technologist/2013/03/you-got-served-via-facebook-now-what.html>

Remember when Facebook launched the original "poke" feature? Being poked by a "friend" on the social networking site felt weird and slightly dirty. Then, third-party apps took the poke to the next level and let you assault your friends with an assortment of options. You could even "throw a sheep".....

TENSIONS RISE BETWEEN FACEBOOK, DEVELOPERS

via WSJ.com: Technology by Evelyn M. Rusli on 3/18/13

URL: online.wsj.com/article/SB10001424127887324392804578363033497647670.html

Facebook is stepping up efforts to police the network by curbing spam and restricting apps that aren't adding sufficient value to the network. Developers say the crackdown is an attempt to stifle applications that compete.

EMPLOYER LIABLE FOR HIJACKING FORMER EXEC'S LINKEDIN PAGE

via Law360 by Stewart Bishop on 3/18/13

URL: <http://www.law360.com/media/articles/424506>

The former president of banking education company Edcomm Inc. convinced a Pennsylvania federal judge to find her former employer liable for invasion of privacy for wrongfully commandeering her LinkedIn account after she was fired, but failed to show she was entitled to damages, according to a recent filing.

DANGERS LURK AS FACEBOOK HELPS CLASS ACTIONS GO VIRAL

via Law360 by Gavin Broady on 3/19/13

URL: <http://www.law360.com/ip/articles/425212>

A Michigan judge's recent gag order forcing an attorney to pull down Facebook posts criticizing a class action settlement marks the latest skirmish in what some attorneys see as a brewing storm over how to regulate the rising power of social media to connect potential class plaintiffs and dismantle class action settlements.

\$8M FACEBOOK IPO FRAUD LANDS EX-ORE. POLITICIAN IN CUFFS

via Law360 by Richard Venderford on 3/19/13

URL: <http://www.law360.com/media/articles/425341>

A former Oregon candidate for governor was arrested Tuesday and charged with swindling at least \$8 million from investors by pretending his private equity fund had access to Facebook Inc. stock ahead of its initial public offering.

GRIPING BLOGGER PROTECTED BY FAIR USE BUT NOT SECTION 230--ASCEND HEALTH V. WELLS

via Technology & Marketing Law Blog by Eric Goldman on 3/21/13

URL: http://blog.ericgoldman.org/archives/2013/03/blogger_protect_1.htm

Ascend Health Corp. v. Wells, 2013 WL 1010589 (E.D.N.C. March 14, 2013)

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TWITTER SUED FOR \$50 MILLION FOR REFUSING TO REVEAL ANTI-SEMITES

via Ars Technica by Ian Steadman on 3/22/13

URL: <http://arstechnica.com/tech-policy/2013/03/twitter-sued-50-million-for-refusing-to-reveal-anti-semites/>

In January, a French court ruled that Twitter must hand over the details of people who had tweeted racist and anti-semitic remarks, and set up a system that would alert the police to any further such posts as they happen. Twitter has ignored that ruling, and now the Union of French Jewish Students (UEJF) is suing it for €38.5 million (\$49.96 million) for its failure.

ADVERTISING: ADS THAT SPEAK THE LANGUAGE OF SOCIAL MEDIA

via NYT > Media & Advertising by Stuart Elliott on 3/24/13

URL: <http://www.nytimes.com/2013/03/25/business/media/ads-that-speak-the-language-of-social-media.html>

The new starring role of social media in ads signals that agencies and advertisers believe they are prevalent enough to refer to without the risk of being misunderstood.

FACEBOOK EXPANDS TARGETED ADVERTISING THROUGH OUTSIDE DATA SOURCES

via NYT > Internet by Somini Sengupta on 3/25/13

URL: <http://www.nytimes.com/2013/03/26/technology/facebook-expands-targeted-advertising-through-outside-data-sources.html>

Facebook is no longer relying solely on what its users reveal. Instead, it is tapping outside data sources to learn even more about them, and to sell more finely targeted ads.

SEC APPROVES \$62M PAYOUT AFTER FACEBOOK BOTCHED PUBLIC OFFERING IN 2012

via Ars Technica by Cyrus Farivar on 3/25/13

URL: <http://arstechnica.com/business/2013/03/sec-approves-62m-payout-after-facebooks-botched-public-offering-in-2012/>

The Securities and Exchange Commission has approved a plan (PDF) by the Nasdaq stock exchange to pay \$62 million to investors. That sum covers the losses incurred during the bungled Facebook initial public offering (IPO) last year.

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NJ SOCIAL MEDIA BILL COULD PROMPT FLURRY OF EMPLOYEE SUITS
via Law360 by Joshua Alston on 3/25/13
URL: <http://www.law360.com/media/articles/427161>

A bill before New Jersey Gov. Chris Christie not only would prevent employers from asking job candidates for their social media passwords, but would allow job seekers to sue if companies even asked them if they had such accounts, making it the strictest proposal of its kind and a potential litigation land mine for employers, experts say.

THE PERILS OF BRAND ABUSE ON FACEBOOK
via Law.com - Newswire by Shannon Green on 3/25/13
URL: <http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1364112396832>

Facebook can be a great business tool -- until someone hijacks your page. Deciding whether to take action depends on whether brand abuse runs afoul of the law and what effect it may have on consumers. Choosing your battles wisely is key, according to Erik Gordon, a former in-house lawyer who heads the Zell Entrepreneurship and Law Program at the University of Michigan Law School. "If you start shooting off missiles, you make your company look like big jerks."

ADVERTISING: MCCANN ALWAYS ON GETS A NAME AND EXPANDS AGENCY'S SOCIAL MEDIA UNIT
via NYT > Media & Advertising by Stuart Elliott on 3/26/13
URL: <http://www.nytimes.com/2013/03/27/business/media/mccann-always-on-renames-and-expands-agencys-social-media-unit.html>

A division of McCann Erickson New York that specializes in social media will grow to 30 employees, and will stress interactions with consumers.

SHOULD YOUR ESTATE RECEIVE ACCESS TO YOUR FACEBOOK ACCOUNT?
via IPLJ by Sara Schoenfeld on 3/26/13
URL: <http://iplj.net/blog/archives/5901>

New Hampshire and other states are trying to decide whether or not to give the executor of an estate control over the deceased person's social networking pages such as Facebook and Twitter. One former Oklahoma state legislator, Ryan Kiesel, argues that the solution should come from the federal government so an estate can look to uniform laws to govern all digital assets.

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CEGLIA LIKELY FORGED FACEBOOK CONTRACT, JUDGE FINDS
via Law360 by Brian Mahoney on 3/26/13
URL: <http://www.law360.com/media/articles/427570>

A New York magistrate judge said Tuesday that now-indicted Paul Ceglia had likely fabricated a 2003 contract with Facebook Inc. founder Mark Zuckerberg that promised him a 50 percent stake in the company and that his civil suit over the contract should be dismissed.

FAILED FACEBOOK INVESTMENT SPARKS \$6.7M MALPRACTICE SUIT
via Law360 by Pete Brush on 3/26/13
URL: <http://www.law360.com/media/articles/426819>

A company formed to invest in Facebook Inc. hit Littman Krooks LLP with a \$6.7 million legal malpractice suit Friday, claiming the New York law firm failed to help it secure the legal paperwork required to close a \$2.5 million share purchase before the social networking giant went public.

MEDIA DECODER BLOG: A DRIVING FORCE BEHIND WIKIPEDIA WILL STEP DOWN
via NYT > Media & Advertising by Amy Chozick on 3/27/13
URL: <http://mediadecoder.blogs.nytimes.com/2013/03/27/a-driving-force-behind-wikipedia-to-step-down/>

Sue Gardner will leave the Wikimedia Foundation to spend more time directly advocating for an open Internet.

3 WAYS TO PREVENT AND RECOVER FROM SOCIAL MEDIA DISASTERS
via FindLaw News for Legal Professionals by William Peacock, Esq. on 3/26/13
URL: http://blogs.findlaw.com/in_house/2013/03/3-ways-to-prevent-and-recover-from-social-media-disasters.html

Remember Anthony Weiner? The former Congressman tweeted a picture of his eponymous member to his Twitter followers by accident while trying to send it to a woman he was courting over the Internet. What about the Kitchen Aid fiasco? One of their employees made a tasteless joke about President Obama's.....

MESSAGING APPS EATING APPLE, FACEBOOK
via WSJ.com: Technology by Evelyn M. Rusli on 3/27/13
URL: <http://online.wsj.com/article/SB10001424127887323466204578382733261211950.html>

A fast-growing crowd of mobile messaging apps with funny names like WhatsApp, WeChat and KakaoTalk is rankling technology giants from Silicon Valley to Seoul.

UK SETS UP FACEBOOK-STYLE PORTAL FOR SHARING CYBERTHREATS
via Law360 by Allison Grande on 3/27/13
URL: <http://www.law360.com/corporate/articles/427793>

The U.K. government launched a program Wednesday that will enable the public and private sectors to share information and intelligence on steadily mounting cybersecurity threats through a secure Web portal that will function like the social networking website Facebook.

FACEBOOK EVENT INVITE ALLUDES TO SOMETHING NEW ON ANDROID
via Ars Technica by Florence Ion on 3/28/13
URL: <http://arstechnica.com/business/2013/03/facebook-event-invite-alludes-to-something-new-on-android/>

Facebook sent out invitations this evening inviting the media to see its "new home on Android" on April 4. The social networking giant has already announced several new features this year—most notably, Graph Search and a revamped News Feed—but it looks like this particular event will focus specifically on Android—TechCrunch speculates that it might even include an altered version of Android.

AMAZON PICKS UP GOODREADS SOCIAL NETWORK
via Law360 by Helen Christophi on 3/28/13
URL: <http://www.law360.com/media/articles/428480>

Amazon.com Inc. is buying book recommendation-oriented social media company Goodreads Inc. for an undisclosed amount, the companies said in a joint statement Thursday.

PANEL: FACEBOOK OFF-LIMITS IN DIVORCE
via Law.com - Newswire by Lawrence Viele Davidson on 3/29/13
URL: <http://www.dailyreportonline.com/PubArticleDRO.jsp?id=1202593936203>

A Georgia appellate court has upheld a judge who pulled the plug on a warring couple's Facebook fights. The panel rejected the husband's arguments that a superior court judge violated his free speech rights by prohibiting both spouses from communicating with each other via social media. An attorney who is not involved in the case called the appellate court's decision "groundbreaking."

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DOES A TWITTER FOLLOW REQUIRE DUE DILIGENCE?

via FindLaw News for Legal Professionals by Robyn Hagan Cain on 3/29/13

URL: <http://blogs.findlaw.com/technologist/2013/03/does-a-twitter-follow-require-due-diligence.html>

Does Twitter really help a lawyer snag new clients? Some people claim that Twitter is a great way to connect with prospective clients. Others suggest that using Twitter as a lawyer marketing tool is a bunch of hoey. The answer probably lies somewhere in the middle. Whether you're using social.....

TWITTER AND GOOGLE+ CAN HELP YOUR LEGAL PRACTICE

via FindLaw News for Legal Professionals by William Peacock, Esq. on 3/29/13

URL: <http://blogs.findlaw.com/strategist/2013/03/twitter-and-google-can-help-your-legal-practice.html>

I'll be the first to admit - I'm a bit late to the Google+ bandwagon. I signed up six months after everyone else. When I got there a couple years ago, it was a post-hype empty room. And though Google claims to now have over four hundred million users, at.....

BITS BLOG: NEW PHONE BY FACEBOOK TO SHOWCASE ITS NETWORK

via NYT > Internet by Brian X. Chen and Nick Bilton on 3/29/13

URL: <http://bits.blogs.nytimes.com/2013/03/29/facebook-to-introduce-its-own-flavor-of-android-for-smartphones/>

Facebook will introduce a special version of Google's Android software system next week that is modified to put the social network front and center on a smartphone.

FACEBOOK PLANS NEW SPOT ON ANDROID PHONES

via WSJ.com: Technology by Evelyn M. Rusli and Amir Efrati on 3/29/13

URL: <http://online.wsj.com/article/SB10001424127887324685104578390400897458828.html>

Facebook is developing software for Android mobile devices that would display content from Facebook accounts on a smartphone's home screen.

FACEBOOK PASSWORD EXCHANGE BETWEEN PARTIES TO LITIGATION RESULTS IN SPOILIATION DEBACLE – GATTO V. UNITED AIRLINES

via Technology & Marketing Law Blog by Venkat Balasubramani on 3/31/13

URL: http://blog.ericgoldman.org/archives/2013/03/facebook_passwo_1.htm

Gatto v. United Air Lines, 10-cv-1090-ES-SCM (D.N.J. Mar. 25, 2013)

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

ADVERTISING: SOCIAL MARKETING DRIVES A NEW YORK RENAISSANCE
via NYT > Media & Advertising by Stuart Elliott on 3/31/13

URL: <http://www.nytimes.com/2013/04/01/business/media/social-marketing-drives-a-new-york-renaissance.html>

Marketers are being drawn to digital realms like social media, in which agencies in New York — home to Silicon Alley as well as Madison Avenue — are increasingly proficient.

April 2013

BAD CREDIT? START TWEETING

via WSJ.com: Technology by Evelyn M. Rusli on 4/1/13

URL: <http://online.wsj.com/article/SB10001424127887324883604578396852612756398.html>

Several startups are rethinking how to calculate creditworthiness by analyzing data from social networks and other factors to reach people who have a hard time getting loans.

SANCTIONS FOR DELETED FACEBOOK GIVE EMPLOYERS A BOOST

via Law360 by Abigail Rubenstein on 4/1/13

URL: <http://www.law360.com/media/articles/429007>

A New Jersey federal judge recently ruled that a personal injury plaintiff's deletion of his Facebook account amounted to the destruction of evidence, a decision hailed by employment attorneys, who say it shows that social media access is fair game in litigation and that workers who try to conceal their online lives will pay a high price.

FACEBOOK DENIED QUICK WIN IN 'TIMELINE' TRADEMARK SUIT

via Law360 by Helen Chrisophi on 4/1/13

URL: <http://www.law360.com/media/articles/429111>

Facebook Inc. on Monday lost its bid to shut down a trademark suit accusing the social media giant of jeopardizing Timelines Inc.'s business with its own Timeline service, when an Illinois federal judge ruled Facebook hadn't shown the "timeline" marks are generic or descriptive.

SIZE OF SOCIAL MEDIA FOLLOWING DOESN'T MATTER TO SEC

via Law Blog by Jacob Gershman on 4/2/13

URL: <http://blogs.wsj.com/law/2013/04/02/size-of-social-media-following-doesnt-matter-to-sec/>

Under the SEC's new social media guidelines for disclosing corporate information, it doesn't matter how many Twitter friends you have: The same rules apply.

YOUTUBE MOVES AGAIN TO NIX \$1B VIACOM COPYRIGHT SUIT

via Law360: Intellectual Property by Bill Donahue on 4/2/13

URL: <http://www.law360.com/ip/articles/429424>

A year after the Second Circuit reopened Viacom International Inc.'s \$1 billion copyright lawsuit against Google Inc.'s YouTube, the ubiquitous video hosting site asked a New York federal judge on Friday to kill the case once more.

FACEBOOK EXEC TO BE GRILLED OVER SILICON VALLEY HIRING PACTS
via Law360: Competition by Stewart Bishop on 4/2/13
URL: <http://www.law360.com/competition/articles/429416>

A California federal judge on Monday said former Google Inc. executive and Facebook Inc. Chief Operating Officer Sheryl Sandberg may be questioned in an antitrust class action accusing Google, Apple Inc. and others of conspiring to fix employees' pay through secret hiring pacts.

SEC EMBRACES SOCIAL MEDIA
via WSJ.com: Technology by Jessica Holzer and Greg Bensinger on 4/2/13
URL: <http://online.wsj.com/article/SB10001424127887323611604578398862292997352.html>

The SEC backed companies' use of social media to disclose important information, so long as investors have been told which outlets will be used.

SEC SUPPORT FOR SOCIAL MEDIA POSTS HAS ATTYS CHIRPING
via Law360 by Max Stendahl on 4/2/13
URL: <http://www.law360.com/media/articles/429583>

By adopting a policy that gives companies broad leeway to use social media to reveal market-moving information, the U.S. Securities and Exchange Commission on Tuesday calmed the nerves of corporate attorneys who had feared a crackdown on Facebook and Twitter posts.

NEW FACEBOOK NOTIFICATION: 'YOU'VE BEEN SERVED'
via Law360 by Jason M. Gonder on 4/2/13
URL: <http://www.law360.com/media/articles/429574>

While the facts of *FTC v. PCCare247 Inc.* in the Southern District of New York are unique, this case and recently proposed Texas legislation may signal a U.S. trend toward considering, in appropriate circumstances, the use of social media to reach foreign litigants, says Jason Gonder of Haynes and Boone LLP.

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TWITTER AWARDED PATENT ON TWEETING

via IPWatchdog.com | Patents & Patent Law by Renee C. Quinn on 4/6/13

URL: <http://www.ipwatchdog.com/2013/04/06/twitter-awarded-patent-on-tweeting/id=38758/>

On March 19, 2013, the United States Patent and Trademark Office issued U.S. Patent No. 8,401,009 to Twitter. The Twitter patent is titled: Device Independent Message Distribution Platform. It seems to me that the other social media platforms are utilizing similar functionality as well. I suppose that is a very good thing for Twitter! Depending on how strong this patent ultimately is and what Twitter wants to do with it, social media at its core may have been patented by Twitter. Related...

A JUDGE HOPES MARK ZUCKERBERG ENJOYS HIS MONEY BECAUSE "HE'S GOING TO HURT A LOT OF PEOPLE"--US V. CULVER

via Technology & Marketing Law Blog by Eric Goldman on 4/5/13

URL: http://blog.ericgoldman.org/archives/2013/04/does_facebook_1.htm

United States v. Laura Culver, 2013 WL 1110647 (2nd Cir. March 19, 2013)

MEDIA DECODER BLOG: FACEBOOK'S PLAY FOR THE SMARTPHONE SCREEN

via NYT > Media & Advertising by The New York Times on 4/4/13

URL: <http://mediadecoder.blogs.nytimes.com/2013/04/04/facebook-software-puts-it-front-and-center-on-android-phones/>

The company hopes to weave itself seamlessly into the mobile world.

MASSACHUSETTS JUDGE BANS TWEETING, BUT PERMITS BLOGGING IN HIS COURTROOM

via The Volokh Conspiracy by Ilya Somin on 4/5/13

URL: <http://www.volokh.com/2013/04/05/massachusetts-judge-bans-tweeting-but-permits-blogging-in-his-courtroom/>

Prominent lawyer and legal blogger Robert Ambrogi reports on an interesting recent decision by Massachusetts judge Peter Lauriat, who has decided to ban tweeting but permit blogging by members of the audience in his courtroom

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SEC REVISES SOCIAL MEDIA INFORMATION DISCLOSURE RULES
via FindLaw News for Legal Professionals by William Peacock, Esq. on 4/3/13
URL: http://blogs.findlaw.com/in_house/2013/04/sec-revises-social-media-information-disclosure-rules.html

Some people put up a Facebook status update about their cats' latest hairball. Others use it as a medium to mock the Oakland Raiders' hilariously inept attempts at locating a starting quarterback. Reed Hastings, of Netflix, used his Facebook account to announce that his company had streamed more than one.....

FACEBOOK SHOWS OFF NEW 'HOME'
via WSJ.com: Technology by Evelyn Rusli on 4/5/13
URL: <http://online.wsj.com/article/SB10001424127887324100904578402641910056404.html>

Facebook unveiled new software for devices running Android that gives the social networking firm's content top placement on smartphones.

ACCESSING EX-GIRLFRIEND'S MYSPACE ACCOUNT AND POSTING OFFENSIVE CONTENT RESULTS IN CONVICTION
via Technology & Marketing Law Blog by Venkat Balasubramani on 4/7/13
URL: http://blog.ericgoldman.org/archives/2013/04/accessing_exgir_1.htm

State v Kucharski, 2013 Il App (2d) 120270 (Mar. 29, 2013)

EMPLOYERS MAY NOT 'LIKE' GETTING IN TO WORKERS' FACEBOOKS
via Law360 by Allison Grande on 4/5/13
URL: <http://www.law360.com/media/articles/430562>

While many states have been quick to ban companies from accessing their workers' social media accounts, Washington state is considering an exception for internal investigations, a provision that could open employers up to liability should they be tempted to snoop beyond the parameters of their probes, attorneys say.

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WHAT THE SEC'S SOCIAL MEDIA REPOT MEANS FOR YOUR COMPANY
via Law360 by Brian Breheny, Stacy J. Kanter, Phyllis G. Korff, Andrew J. Brady and Courtney A. Dinsmore on 4/5/13
URL: <http://www.law360.com/media/articles/430400>

Given the increasing frequency with which public companies are using social media to engage with clients, customers, employees, shareholders and other key constituents, the guidance in the U.S. Securities and Exchange Commission's recent report on using social media to announce information in compliance with Regulation FD is welcome, say attorneys with Skadden Arps Slate Meagher & Flom LLP.

FACEBOOK'S SANDBERG LOOKS TO NIX POACHING SUIT DEPOSITION
via Law360: Competition by Scott Flaherty on 4/8/13
URL: <http://www.law360.com/competition/articles/430994>

Attorneys for Facebook Inc. executive Sheryl Sandberg will try to quash a subpoena requiring her deposition in a putative antitrust class action alleging that Apple Inc., Google Inc. and other technology heavyweights agreed not to poach employees, according to a filing Friday in California federal court.

FACEBOOK TRIES TO REASSURE USERS ABOUT PRIVACY ON FACEBOOK HOME
via Ars Technica by Casey Johnston on 4/8/13
URL: <http://arstechnica.com/business/2013/04/facebook-tries-to-reassure-users-about-privacy-on-facebook-home/>

Facebook is addressing some of the privacy questions surrounding its new Facebook Home service as of Monday morning. A post on its corporate blog addresses the pervasiveness and data use of Home, and while Facebook reassures users that it's easily customizable and similar in many ways to the Facebook Android app, the presence of the post suggests users may want to be more cautious about how they interact with Facebook Home.

FAKE TWITTER FOLLOWERS BECOME MULTIMILLION-DOLLAR BUSINESS
via The New York Times by Nicole Perlroth on 4/5/13
URL: <http://bits.blogs.nytimes.com/2013/04/05/fake-twitter-followers-becomes-multimillion-dollar-business/>

Far from slowing, the market for fake Twitter followers seems to be taking off.

LAWYERS SHARE THOUGHTS ON SEC'S SOCIAL MEDIA GUIDANCE
via Law.com - Newswire by Joshua Sisco on 4/9/13
URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202595288165>

The Securities and Exchange Commission has given its quasi-blessing on disclosure through social media, but lawyers who counsel companies on disclosure of material information say it's unlikely to quickly change the way most companies do so. "It will be difficult to train investors to look beyond the usual spots for disclosure," said Skadden's Thomas Ivey.

ARE SOCIAL MEDIA SITES DISCOVERABLE?

via Law.com - Newswire by Daniel Cummins and Ben Present on 4/9/13
URL: <http://www.law.com/jsp/pa/PubArticlePA.jsp?id=1202589225523>

Attorney Daniel Cummins and staff reporter Ben Present discuss the emerging issue of social media law. In this installment, the two discuss whether Facebook pages are discoverable.

FACEBOOK SAYS REVISED 'LIKE' BUTTON PATENT SUIT STILL FAILS

via Law360: Intellectual Property by Scott Flaherty on 4/9/13
URL: <http://www.law360.com/ip/articles/430969>

Facebook Inc. on Friday told a Virginia federal court that an amended patent infringement suit over its “Like” button and other sharing features should be tossed because it doesn't claim the social network has sole control of the allegedly infringing system.

MEDIA DECODER BLOG: G.M. RETURNS TO FACEBOOK FOR A TEST, FOR NOW

via NYT > Media & Advertising by Stuart Elliott on 4/9/13
URL: <http://mediadecoder.blogs.nytimes.com/2013/04/09/g-m-returns-to-facebook-for-a-test-for-now/>

General Motors, which made headlines in May 2012 when it stopped running paid advertising on Facebook, said on Tuesday that it had begun a test program of paid ads on facebook.com aimed at consumers who check Facebook on their mobile devices.

FACEBOOK GETS A HOLD ON PHONES

via WSJ.com: Technology by Walter S. Mossberg on 4/9/13
URL: <http://online.wsj.com/article/SB10001424127887323550604578412664150862712.html>

Facebook Home, a new suite of software Facebook is introducing for Android phones, aims to take over phones right from their lock screens, writes Walter S. Mossberg.

FACEBOOK WIDENS DATA TARGETING

via WSJ.com: Technology by Evelyn M. Rusli on 4/9/13
URL: <http://online.wsj.com/article/SB10001424127887324504704578412960951909032.html>

Gunning to win more advertising dollars, Facebook is rolling out a new tool for advertisers that matches data submitted by its billion-plus users with personal information from outside the social network.

REGULATORS FEELING 'SOCIAL' PRESSURE

via WSJ.com: Technology by Jessica Holzer on 4/10/13
URL: <http://online.wsj.com/article/SB10001424127887323820304578412583728519000.html>

In the age of Twitter, decades-old rules that don't address new media pose challenges for officials.

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NETFLIX MAY DISCLOSE VIA SOCIAL MEDIA

via WSJ.com: Technology by Greg Bensinger on 4/10/13

URL: <http://online.wsj.com/article/SB10001424127887324695104578415133469675610.html>

Netflix told investors in a regulatory filing it may use Facebook or Twitter to disclose material information.

GM TESTING NEW FACEBOOK AD

via WSJ.com: Technology by Jeff Bennett on 4/10/13

URL: <http://online.wsj.com/article/SB10001424127887323550604578413020536000146.html>

General Motors said it is testing mobile advertising using Facebook, almost a year after the auto maker's decision to stop advertising on the social networking website stirred controversy.

THE NEW RESUME: IT'S 140 CHARACTERS

via WSJ.com: Technology by Rachel Emma Silverman and Lauren Weber on 4/10/13

URL: <http://online.wsj.com/article/SB10001424127887323820304578412741852687994.html>

Twitter is becoming the new job board, and it is also becoming the new résumé. Some recruiters are turning to the social network to post jobs, while job seekers are trying to summarize their CVs in 140 characters or six-second videos.

NETFLIX MAY START TWEETING KEY DISCLOSURES

via Law360 by Sindhu Sundar on 4/10/13

URL: <http://www.law360.com/media/articles/431972>

Netflix Inc. could use social networking sites including its Facebook page and Twitter feed to post material information, the streaming service said in a Wednesday regulatory filing, following the U.S. Securities and Exchange Commission's recent go-ahead for such disclosures.

CALIF. BILL WOULD FORCE FACEBOOK TO ERASE INFO ON DEMAND

via Law360 by Andrew Scurria on 4/11/13

URL: <http://www.law360.com/media/articles/432107>

The majority leader of the California State Senate revived an effort to give social networking users more leverage over sensitive information they want erased from the sites, floating a bill Tuesday that would force companies for the first time to remove certain information upon request.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

DID STEPHEN COLBERT AND PRESIDENT BILL CLINTON VIOLATE THE CFAA?

via TechDirt by Mike Masnick on 4/9/13

URL: <https://www.techdirt.com/articles/20130409/08525322632/did-stephen-colbert-president-bill-clinton-violate-cfaa.shtml>

Last night, former President Bill Clinton joined Stephen Colbert on his TV show, The Colbert Report.

CLUES EMERGE ABOUT TWITTER'S MUSIC FEATURE

via NYT > Media & Advertising by Ben Sisario on 4/12/13

URL: <https://www.nytimes.com/2013/04/13/business/media/clues-emerge-about-twitters-music-feature.html?smid=tw-nytimes>

The service's music feature is still hidden from the public, but it appears to be a way to learn what music is becoming popular.

HIDING BEHIND A HASHTAG: #HATESPEECH OR #FREESPEECH

via IPLJ by Anish Jain on 4/13/13

URL: <http://iplj.net/blog/archives/5955>

Twitter is being sued in a French court for refusing to reveal the identity of those using a controversial hashtag, #unbonjuif ("a good Jew"), in October 2012.

HIGH COURT SNUBS SUIT OVER BOOK ABOUT FACEBOOK'S FOUNDING

via Law360: Intellectual Property by Bill Donahue on 4/15/13

URL: <http://www.law360.com/ip/articles/432726>

The U.S. Supreme Court on Monday declined to hear the case of a former Harvard classmate of Mark Zuckerberg who claimed author Ben Mezrich stole copyrighted material and breached false advertising laws when he published his best seller about the tumultuous start of Facebook Inc.

FACEBOOK, AGS TO TELL TEENS HOW TO KEEP DATA UNDER WRAPS

via Law360 by Allison Grande on 4/15/13

URL: <http://www.law360.com/media/articles/432802>

Facebook Inc. will work with nearly 20 state attorneys general to inform teens about how to protect the privacy of their personal data on the Internet, Maryland Attorney General Douglas Gansler announced Monday.

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HOW THE BOSTON MARATHON TRAGEDY REVEALED THE BEST SIDE OF SOCIAL MEDIA

via io9 by Annalee Newitz on 4/15/13

URL: <http://io9.com/why-the-boston-marathon-bomb-gives-us-hope-for-the-futu-473037383>

Within seconds after a bomb detonated during the Boston Marathon this morning, pictures, video and news of the horrific event were pulsing over social networks. And they weren't exaggerations or FUD — these reports from people on the ground were the way most of us learned the truth.

MINING SOCIAL MEDIA IN BOSTON ATTACK

via NYTimes.com - News/TimesCast Video Channel Lineup on 4/16/13

URL: <http://www.nytimes.com/video/2013/04/16/us/100000002175944/mining-social-media-in-boston-attack.html>

Experts on social media investigations explain how authorities will attempt to sift through waves of data to piece together the story of the bombing at the Boston Marathon.

GOVERNING THE SOCIAL MEDIA CONSUMER-PRODUCER: EXAMINING THE POLICY IMPLICATIONS OF USER-GENERATED CONTENT

via SSRN by Jonathan A. Obar and Brandon Brooks on 3/31/13

URL: <http://ssrn.com/abstract=2242637>

This paper intends to address these challenges to ICT policymaking in the context of social media.

YOUTUBE AGAIN WINS DISMISSAL OF \$1B VIACOM COPYRIGHT SUIT

via Law360: Intellectual Property by Ryan Davis on 4/18/13

URL: <http://www.law360.com/ip/articles/434154>

A New York federal judge on Thursday threw out Viacom International Inc.'s \$1 billion copyright suit against Google Inc.'s YouTube for the second time, ruling that the video-sharing site is shielded from liability by the Digital Millennium Copyright Act.

NEW TWITTER SERVICE HOPES TO CAPTURE MUSICAL TRENDS

via NYT > Media & Advertising by Ben Sisario on 4/18/13

URL: <http://www.nytimes.com/2013/04/19/business/media/new-twitter-service-hopes-to-capture-musical-trends.html>

Twitter's idea is to recommend songs based on personal contacts as well as on what is popular among the 200 million Twitter audience.

JUDGE RULES AGAINST VIACOM IN COPYRIGHT SUIT AGAINST YOUTUBE
via NYT > Media & Advertising by Amy Chozick on 4/18/13
URL: <http://www.nytimes.com/2013/04/19/business/media/judge-rules-against-viacom-in-copyright-suit-against-youtube.html>

Viacom had claimed that the Web video service violated copyright law by showing unauthorized clips of shows like "South Park."

HANDS-ON: TWITTER #MUSIC IS ALL ABOUT DISCOVERY, NOT LISTENING
via Ars Technica by Jacqui Cheng on 4/18/13
URL: <http://arstechnica.com/apple/2013/04/hands-on-twitter-music-is-all-about-discovery-not-listening/>

Twitter released its much-anticipated Twitter #music service today (yes, with the hash tag), though it's less of a "service" than it is a music discovery app. In fact, the app is now available on the iOS App Store (or the Web) and only available to users in the US, Canada, UK, Ireland, Australia, and New Zealand upon launch. Twitter plans to add more countries plus an Android app "over time," according to a blog post on Thursday.

FACEBOOK REACHES DEEPER INTO IOS APPS WITH NEW "SHARE DIALOG"
via Ars Technica by Casey Johnston on 4/18/13
URL: <http://arstechnica.com/business/2013/04/facebook-reaches-deeper-into-ios-apps-with-new-share-dialog/>

Facebook announced plans to introduce a native sharing feature that app developers can add to their iOS apps during its Mobile DevCon held in New York City Thursday. The "Share Dialog" will allow users of non-Facebook applications that use a Facebook login to share items from within the application without having to leave it. The development is part of the company's new SDK for iOS apps.

AP TWITTER FEED HACKED -- NO ATTACK ON WHITE HOUSE
via USA Today by David Jackson on 4/23/13
URL: <http://www.usatoday.com/story/theoval/2013/04/23/obama-carney-associated-press-hack-white-house/2106757/>

White House spokesman Jay Carney said Obama is "fine" after a hacked AP Twitter account said he was injured in an explosion.

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YELP REVIEWERS NOW RATING JAILS

via Law Blog by Jacob Gershman on 4/29/13

URL: <http://blogs.wsj.com/law/2013/04/29/yelp-reviewers-now-rating-jails/>

Yelp has become a forum for lawyers, inmates and their family members to pan or praise prisons.

JOSEPH ALIOTO STEPS IN FOR CEGLIA IN FACEBOOK OWNERSHIP CASE

via Law.com - Newswire by Claire Zillman on 4/29/13

URL: <http://www.americanlawyer.com/digestTAL.jsp?id=1202598038108>

A criminal indictment and the apparent collapse of his civil case against Facebook haven't stopped Paul Ceglia from wooing yet another big-name lawyer to his side. Joseph M. Alioto, who made an appearance on Ceglia's behalf Monday, told The Litigation Daily that he thinks Ceglia's claims "follow a pattern that Mark Zuckerberg has had in the past with regard to people who have tried to help him."

TWITTER: A SLEEPING DISCOVERY GIANT?

via Law.com - Newswire by Daniel Cummins and Ben Present on 4/29/13

URL: <http://www.law.com/jsp/pa/PubArticlePA.jsp?id=1202594676587>

Attorney Daniel Cummins and staff reporter Ben Present discuss the emerging issue of social media law. In this installment, the two discuss the differences between Facebook and Twitter, and whether Twitter posts can be discoverable.

TWITTER, PEOPLEBROWSR SETTLE DISPUTE OVER DATA ACCESS

via Law360: Competition by David McAfee on 4/29/13

URL: <http://www.law360.com/competition/articles/436973>

Twitter Inc. and social media analytics company PeopleBrowsr Inc. have settled a legal dispute in California federal court over alleged competition statute violations related to Twitter's massive "Firehose" data feed, agreeing to allow the firm to continue to have access to Twitter's content through the end of 2013, PeopleBrowsr announced last week.

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<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

CHINA'S VERSION OF EBAY INVESTS \$586M IN TWITTER COUNTERPART
via Law360 by Liz Hoffman on 4/29/13
URL: <http://www.law360.com/media/articles/436768>

Alibaba Group Holding Ltd., China's fast-expanding version of eBay Inc., is taking a minority stake in that country's answer to Twitter, on Monday announcing a \$586 million investment in social media sharing platform Weibo Corp.

WHAT HAPPENS IN APPS ENDS UP IN SEARCH WITH GOOGLE+ SIGN-IN
via Ars Technica by Sean Gallagher on 4/30/13
URL: <http://arstechnica.com/information-technology/2013/04/with-google-sign-in-google-turns-users-into-search-cool-seekers/>

Facebook's entry into the world of "social search" has Google playing a bit of catch-up. The next step of Google's strategy to keep its overall search dominance is being unveiled today, with the company tapping the pulse of its users a bit deeper by mining their activities at other websites and mobile apps for search gold—all with their permission, of course.

ACCEL DIRECTOR STEPS OFF BOARDS OF DELL, FACEBOOK, WAL-MART
via Law360 by Liz Hoffman on 4/30/13
URL: <http://www.law360.com/media/articles/437141>

Jim Breyer, the venture capitalist who engineered Accel Partners' blockbuster investment in Facebook Inc., is stepping down from the boards of Facebook, Dell Inc. and Wal-Mart Stores Inc., according to regulatory filings Monday.

May 2013

FACEBOOK MAY NET \$2.8M IN DAMAGES IN 'TYPOSQUATTERS' SUIT

via Law360: Intellectual Property by Sindhu Sundar on 5/1/13

URL: <http://www.law360.com/ip/articles/437852>

Facebook notched a win Tuesday when a California magistrate judge recommended the social networking giant receive some \$2.8 million in damages in its trademark infringement suit against so-called typosquatters — websites that use misspelled domain names — that allegedly cashed in on misspellings of the Facebook name.

YOUTUBE TOUTS VIEWER GROWTH

via WSJ.com: Technology by Amir Efrati on 5/1/13

URL: <http://online.wsj.com/article/SB10001424127887324582004578457253960478548.html>

YouTube, in a pitch to advertisers, said more than one billion unique visitors watch more than six billion hours of its videos per month, up from around four billion hours a month last year.

FACEBOOK'S HARD DESK JOB

via WSJ.com: Technology by Rolfe Winkler on 5/1/13

URL: <http://online.wsj.com/article/SB10001424127887324582004578457393350708114.html>

Facebook's problem isn't growing its mobile advertising revenue, or adding to its gigantic user base. Even so, it will have to do better in order to maintain momentum.

FACEBOOK PROFIT RISES AMID MOBILE BOOM

via WSJ.com: Technology by Evelyn M. Rusli on 5/1/13

URL: <http://online.wsj.com/article/SB10001424127887324766604578457232890560890.html>

Facebook's first-quarter earnings grew 6.8% as the world's largest social network continued to push further into mobile devices.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

HACKED TWEET FUELS MOVE TO REGULATE HIGH-SPEED TRADING

via WSJ.com: Technology by Jamila Trindle on 4/30/13

URL: <http://online.wsj.com/article/SB10001424127887324482504578455114002114382.html>

The head of the CFTC said the false tweet that sent markets diving last week highlighted the need for the agency to move forward on new oversight of high-speed traders.

FACEBOOK, UNDERWRITERS MAKE DISMISSAL PITCH IN IPO INVESTOR SUITS

via Law.com - Newswire by Jan Wolfe on 5/1/13

URL: <http://www.americanlawyer.com/digestTAL.jsp?id=1202598360751>

Can Facebook manage another pre-trial win in litigation over the social networking giant's bumpy initial public offering? On Wednesday, Facebook moved to dismiss consolidated securities litigation over the IPO. Contrary to a slew of complaints filed by plaintiffs lawyers, Facebook argued that it adequately warned investors in the run-up to the IPO that increased mobile usage might erode ad revenue.

MORE EVIDENCE THAT CONGRESS MISALIGNED THE DMCA ONLINE COPYRIGHT SAFE HARBORS--UMG V. GROOVESHARK (FORBES CROSS-POST)

via Technology & Marketing Law Blog by Eric Goldman on 5/2/13

URL: http://blog.ericgoldman.org/archives/2013/05/more_evidence_t_1.htm

UMG Recordings, Inc. v. Escape Media Group, Inc., 2013 WL 1729431 (N.Y. App. Div. April 23, 2013)

FOUR TIPS TO AMPLIFY YOUR FIRM ON SOCIAL MEDIA

via FindLaw News for Legal Professionals by Corey Licht, Esq. on 5/2/13

URL: http://blogs.findlaw.com/official_findlaw_blog/2013/05/four-tips-to-amplify-your-firm-on-social-media.html

You've probably heard of six degrees of separation, but what about 3.74 degrees? On Facebook, there's an average of only 3.74 degrees of separation between any two of the over 800 million members. By making use of these social media connections, messages can be spread much further than through traditional.....

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LINKEDIN SHARES FALL ON WEAK OUTLOOK

via WSJ.com: Technology by Evelyn M. Rusli on 5/2/13

URL: <http://online.wsj.com/article/SB10001424127887324266904578459252577510058.html>

LinkedIn nearly doubled its revenue and more than quadrupled its profit, but the professional social network's stock still fell sharply after-hours.

FOR ANYONE WHO HAS EVER FORGOTTEN A PASSWORD, FACEBOOK HAS HELP
via Ars Technica by Dan Goodin on 5/2/13

URL: <http://arstechnica.com/security/2013/05/for-anyone-who-has-ever-forgotten-a-password-facebook-has-help/>

If you've ever forgotten an important password, Facebook has an innovative solution for you. On Thursday, engineers with the social network rolled out a new(ish) feature that helps users regain control of an account after being locked out of it.

EMPLOYERS SLOW TO GUARD DATA AMID SOCIAL MEDIA, TECH BOOM

via Law360: Intellectual Property by Erin Coe on 5/3/13

URL: <http://www.law360.com/ip/articles/433863>

The growing use of mobile devices, online storage services and social networking is making it easier for workers not just to do their jobs, but also to steal company trade secrets and other sensitive information, and lawyers say employers aren't keeping up with technological innovations that can put valuable business data at risk.

FACEBOOK, MITEL PATENT FIGHT TRANSFERRED TO CALIF.

via Law360: Intellectual Property by David McAfee on 5/3/13

URL: <http://www.law360.com/ip/articles/438759>

A Delaware federal judge on Wednesday granted Facebook Inc.'s request to transfer a lawsuit, brought by communications technology company Mitel Networks Corp. over alleged infringement of two phone- and Internet-related patents, to the Northern District of California.

RECAP OF WASHINGTON STATE'S EMPLOYER SOCIAL MEDIA PASSWORD BILL

via Technology & Marketing Law Blog by Venkat Balasubramani on 5/3/13

URL: http://blog.ericgoldman.org/archives/2013/05/recap_of_washin.htm

SB 5211 (passed by Senate April 27, 2013)

LINKEDIN SHARES SLIDE AFTER DISAPPOINTING OUTLOOK

via WSJ.com: Technology by John Kell on 5/3/13

URL: <http://online.wsj.com/article/SB10001424127887324766604578461001578857998.html>

LinkedIn's surging share price cooled Friday as the social network projected slower revenue growth next quarter following a decision that analysts say will lower the number of display ads that the website shows.

FACEBOOK AGREES TO SETTLE TIMELINES TRADEMARK ROW

via Law360: Intellectual Property by Megan Stride on 5/6/13

URL: www.law360.com/ip/articles/438994

Facebook Inc. has agreed to settle Timelines Inc.'s trademark suit in Illinois federal court accusing Facebook of jeopardizing its business through the social media giant's own Timeline service, according to a regulatory filing Facebook submitted Thursday.

YOUTUBE IS SAID TO PLAN A SUBSCRIPTION OPTION

via NYT > Media & Advertising by Brian Stelter on 5/6/13

URL: <https://www.nytimes.com/2013/05/07/business/media/youtube-said-to-be-planning-a-subscription-option.html>

The Web site was expected this week to announce a plan to let some video makers convert fans into paying customers.

ONION'S TWITTER GETS HACKED; STILL NO TWO-FACTOR AUTHENTICATION

via FindLaw News for Legal Professionals by William Peacock, Esq. on 5/6/13

URL: <http://blogs.findlaw.com/technologist/2013/05/onions-twitter-gets-hacked-still-no-two-factor-authentication.html>

The greatest faux-news site on the Internet has just gone where many real new sites have gone before: Syria. The Syrian Electronic Army (SEA) are a group of pro-Syria hackers who, according to Slate, have cracked the Twitter accounts of some of the biggest names in journalism, including the BBC,.....

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RUSSIAN COURT SHOOTS DOWN YOUTUBE SUIT

via WSJ.com: Technology by Paul Sonne & Olga Razumovskaya on 5/6/13

URL: <http://online.wsj.com/article/SB10001424127887323372504578466880692590850.html>

YouTube's first attempt to take on Russian authorities over a new child-protection law that restricts Internet content resulted in defeat on Monday.

GOOGLE SERVICES SURVIVE IF THEY MAKE MONEY, AREN'T SOCIAL

via Ars Technica by Casey Johnston on 5/6/13

URL: <http://arstechnica.com/business/2013/05/google-services-survive-if-they-make-money-arent-social/>

Google seems to be an enthusiastic beginner and ender of things. There are hundreds of services that have been opened and closed since the company's inception: iGoogle, Google Notebook, and most recently, Google Reader. But despite any perceptions to the contrary, shutdowns are not a great reason to hold back from using Google products. An exhaustive statistical analysis at gwern.net shows that only 35 percent of Google products have ever been closed, and many share a distinguishing set of characteristics.

FACEBOOK GETS ARGUMENT TIME IN FREE SPEECH APPEAL

via Law.com - Newswire by Mike Scarcella on 5/7/13

URL:

http://www.law.com/jsp/law/sign_me_in.jsp?article=http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202598960348

A lawyer for Facebook will have the opportunity next week to address the Fourth Circuit in a closely watched dispute that touches on the scope of First Amendment rights when it comes to online activity. Facebook in August filed a brief in support of a deputy sheriff who claims he was fired after showing support for an opponent's bid to become the elected sheriff. That support included "liking" the challenger's Facebook page.

AFP, GETTY PUSH TO LIMIT DAMAGES IN TWITTER COPYRIGHT SUIT

via Law360: Intellectual Property by Richard Vanderford on 5/7/13

URL: <http://www.law360.com/ip/articles/439427>

Agence France-Presse and Getty Images Inc. on Tuesday asked a federal judge to limit their potential damages in a lawsuit alleging they lifted a photojournalist's work off Twitter, arguing that they should not have to pay separate penalties for copyright infringement.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

FACEBOOK NAMES EUROPE CHIEF

via WSJ.com: Technology by Ben Rooney on 5/8/13

URL: <http://online.wsj.com/article/SB10001424127887323372504578469210167322352.html>

After seven months of searching, Facebook named its new vice president for Europe, Middle East and Africa. Nicola Mendelsohn, the executive chairman of ad agency Karmarama Comms, is to replace Joanna Shields.

FACEBOOK NEWS FEED TOO QUIET? AUTO-PLAY VIDEO ADS ARE COMING

via Ars Technica by Casey Johnston on 5/8/13

URL: <http://arstechnica.com/business/2013/05/facebook-news-feed-too-quiet-auto-play-video-ads-are-coming/>

Facebook presumably heard how much we all enjoy auto-playing video ads elsewhere on the Internet, because the company plans to begin incorporating the format in users' news feeds starting this summer, according to a report from the Financial Times. Facebook's foray into commercials would likely come from some of its largest name brand sponsors, like Coca Cola, Nestle, Ford, and American Express.

FACEBOOK AIMS TO KNOCK CISCO DOWN A PEG WITH OPEN NETWORK HARDWARE

via Ars Technica by Jon Brodtkin on 5/8/13

URL: <http://arstechnica.com/information-technology/2013/05/facebook-aims-to-knock-cisco-down-a-peg-with-open-network-hardware/>

Two years ago, Facebook set out to change the server and storage industries by creating freely available hardware designs that gave customers more flexibility than those on offer from the HPs and Dells of the world.

YOUTUBE'S PAY CHANNELS INCLUDE 'SESAME STREET' AND MIXED MARTIAL ARTS

via NYT > Media & Advertising by Brian Stelter on 5/9/13

URL: <https://www.nytimes.com/2013/05/10/business/media/youtubes-pay-channels-include-sesame-street-and-mixed-martial-arts.html>

The Web site identified 30 partners in its marketplace for programming on the Internet. The subscription rates range from 99 cents to \$7.99 a month.

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YOUTUBE UNVEILS PAID SUBSCRIPTION CHANNELS

via WSJ.com: Technology by Amir Efrati on 5/9/13

URL: <http://online.wsj.com/article/SB10001424127887324744104578473230854933060.html>

Google's YouTube video service on Thursday unveiled its long-awaited paid subscription channels, which allow some video creators to charge viewers a monthly fee to access certain content.

FACEBOOK IN TALKS TO BUY WAZE

via WSJ.com: Technology by Evelyn M. Rusli on 5/9/13

URL: <http://online.wsj.com/article/SB10001424127887324744104578473102257587578.html>

Facebook is in talks to acquire mobile-device driving application Waze in a deal that could be worth as much as \$1 billion.

YOUTUBE ANNOUNCES PAID SUBSCRIPTIONS WITH TV SHOW PARTNERS

via Ars Technica by Casey Johnston on 5/9/13

URL: <http://online.wsj.com/article/SB10001424127887324744104578473102257587578.html>

Per recent rumors, YouTube has announced its intent to provide paid subscription channels, according to a blog post Thursday. The company is doing a pilot program for the subscriptions with a handful of partners and will start subscriptions at 99 cents per month.

'CONFIDENTIAL CONTENT'? YOUTUBE BUG SHOWS SCAR BUT HARMLESS BANNER IN SEARCH RESULTS

via Ars Technica by Lee Hutchinson on 5/9/13

URL: <http://arstechnica.com/business/2013/05/confidential-content-youtube-bug-shows-scary-but-harmless-banner-in-search-results/>

People performing searches this afternoon on YouTube for videos to watch are being treated to an ominous-looking banner perched atop the search results, warning them that their search results might contain "confidential content," like this

CHINA'S SOCIAL MEDIA FUEL CITIZEN QUAKE RESPONSE

NYT > Media & Advertising by Dan Levin on 5/11/13

URL: <https://www.nytimes.com/2013/05/12/world/asia/quake-response.html>

The rapid grass-roots response to the April earthquake in Sichuan Province reveals how far China's nascent civil society movement has come since a major quake in 2008.

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<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

CEGLIA MUST PAY FACEBOOK'S DOCUMENT-COMPELLING COSTS

via Law360 by Stewart Bishop on 5/9/13

URL: <http://www.law360.com/media/articles/440398>

A New York federal judge on Thursday ordered now-indicted Paul Ceglia, who claims a disputed contract with Facebook Inc. founder Mark Zuckerberg gives him 50 percent of the social networking giant, to pay more than \$3,700 Zuckerberg spent in compelling documents from the alleged fraudster.

VIACOM V. YOUTUBE PROVIDES SOME INSIGHT INTO DMCA

via Law360 by Daniel S. Schechter, Ghaith Mahmood & Sarah E. Diamond on 5/9/13

URL: <http://www.law360.com/media/articles/439501>

Though many of the issues in *Viacom International Inc. v. YouTube Inc.* are still unsettled in light of the strong likelihood of additional appeal in the Second Circuit, the district court's analysis provides a basic framework for the Southern District of New York's interpretation of the Digital Millennium Copyright Act's safe harbor provisions, say attorneys with Latham & Watkins LLP.

FACEBOOK GC TED ULLYOT LEAVES COMPANY

via Law360 by Andrew Strickler on 5/10/13

URL: <http://www.law360.com/ip/articles/440784>

Social media giant Facebook Inc. is losing its top lawyer, Ted Ullyot, the company announced Friday.

ESPN, TWITTER EXPAND TIE-UP

via WSJ.com: Technology by Shira Ovide & Keach Hagey on 5/13/13

URL: <http://online.wsj.com/article/SB10001424127887323716304578481462753585002.html>

ESPN and Twitter are announcing a major expansion of their collaboration to post sports-related videos on the short-messaging service—part of a growing wave of tie-ups as TV networks and Twitter hunt for new advertising revenue.

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FACEBOOK HOME FLAGSHIP PHONE, HTC FIRST, MAY BE DISCONTINUED

via Ars Technica by Casey Johnston on 5/13/13

URL: <http://arstechnica.com/gadgets/2013/05/facebook-home-flagship-phone-htc-first-may-be-discontinued/>

Facebook's HTC First, the smartphone herald of Facebook Home, will be discontinued by carrier partner AT&T, according a report from BGR Monday. The phones, released just over a month ago, will be returned as unsold inventory to HTC, with only 15,000 handsets making it into customers' hands.

USA NETWORK'S DIVIDING LINE WITH TWITTER

via WSJ.com: Technology by Keach Hagey on 5/15/13

URL: <http://online.wsj.com/article/SB10001424127887324767004578485483710394520.html>

Comcast's USA Network will begin gathering up and centralizing social-media conversations about its TV shows, rather than tie up with Twitter as some other TV companies have done.

GOOGLE WANTS YOUR WORDPRESS BLOG—AND EVERYTHING ELSE—IN ITS CLOUD

via Ars Technica by Sean Gallagher on 5/15/13

URL: <http://arstechnica.com/information-technology/2013/05/google-wants-your-wordpress-blog-and-everything-else-in-its-cloud/>

Google wants your applications and data on its servers. At the Google I/O conference today, Google's Cloud Platform team introduced new public services and tweaks to existing services based on the compute and data storage infrastructure that supports Google's search engine and other applications.

GOOGLE: "TAKE DOWN YOUR AD-FREE YOUTUBE APP" MICROSOFT: "LET US ADD ADS"

via Ars Technica by Peter Bright on 5/15/13

URL: <http://arstechnica.com/gadgets/2013/05/google-tells-microsoft-to-cease-and-desist-its-ad-free-youtube-app/>

Last week, Microsoft released a YouTube client for Windows Phone that gave users of Redmond's smartphone platform a rich, capable YouTube experience that didn't depend on using the YouTube Mobile site.

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<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

GOOGLE BEEFS UP HANGOUTS INTO TEXT, PHOTO, VIDEO CHAT POWERHOUES
via Ars Technica by Sean Gallagher on 5/15/13
URL: <http://arstechnica.com/information-technology/2013/05/google-beefs-up-hangouts-into-text-photo-video-chat-powerhouse/>

Today Google removed the mystery surrounding “Babel,” the possibly ironically codenamed software and cloud service that integrates many of the chat and communications applications spread across Google’s various app and service families. Babel, now officially branded as part of Hangouts, integrates the Hangout video chat service of Google+ and Messenger text-based chat with Google’s “legacy” Google Talk chat tool and the Gmail inbox.

NLRB FACEBOOK CASES NO PLOT TO BOOST REACH, DIRECTOR SAYS
via Law360 by Ben James on 5/15/13
URL: <http://www.law360.com/corporate/articles/441928>

A series of recent National Labor Relations Board rulings applying federal labor law to worker conduct on Facebook is a product of social media's popularity, not the NLRB trying to increase its influence in nonunion workplaces, a regional director told Law360 Wednesday.

JUDGE BLOCKS YOUTUBE COPYRIGHT CLASS ACTION
via Law.com - Newswire by Jan Wolfe on 5/16/13
URL: <http://www.americanlawyer.com/digestTAL.jsp?id=1202600423563>

Copyright owners from around the world banded together with much fanfare in 2007 to bring a class action lawsuit against YouTube and its parent Google. But a federal judge in Manhattan has denied class certification in the case, ruling that the copyright claims against YouTube are far too individualized to be resolved on a classwide basis.

CLASS CERT. DENIED IN YOUTUBE COPYRIGHT INFRINGEMENT CASE
via Intellectual Property Law360 by Bill Donahue on 5/16/13
URL: <http://www.law360.com/ip/articles/442046>

A New York federal judge on Wednesday denied certification to a proposed class of copyright holders who sued Google Inc.'s YouTube for infringement, calling the case a "Frankenstein monster posing as a class action.”

THE FACEBOOK IPO, ONE YEAR LATER
via WSJ.com: Technology by Evelyn M. Rusli on 5/16/13
URL: <http://online.wsj.com/article/SB10001424127887323582904578487103239166448.html>

On the eve of Facebook's IPO anniversary, how the company tackles revenue is one of the biggest challenges in its short public life.

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NINTENDO KICKS "LET'S PLAY" VIDEOS OFF YOUTUBE THEN SLAPS ADS ON THEM

via ArsTechnica by Joe Mullin on 5/16/13

URL: <http://arstechnica.com/tech-policy/2013/05/nintendo-kicks-lets-play-videos-off-youtube-then-slaps-ads-on-them/>

Once it became simple to record, upload, and share digital video over the Internet, gamers quickly became interested in recording themselves playing games—especially with humorous or profane commentary. The phenomenon of creating and sharing so-called "Let's Play" videos took off around 2006 and today has its own channel on YouTube.

MEET THE NEXT WAVE OF TECH IPOs

via WSJ.com: Technology by Jessica E. Lessin, Pui-Wing Tam & Telis Demos on 5/16/13

URL: <http://online.wsj.com/article/SB10001424127887323398204578485691211315934.html>

From Twitter to Lending Club to Atlassian to Marketo, a new crop of maturing tech companies are poised to hit the IPO market.

TWITTER (R)EVOLUTION: PRIVACY, FREE SPEECH AND DISCLOSURE

via SSRN by Lilian Edwards & Andrea M. Matwyshyn on 4/24/13

URL: <http://ssrn.com/abstract=2256129>

Using Twitter as a case study, this paper sets forth the legal tensions faced by social networks that seek to defend privacy interests of users. Recent EC and UN initiatives have begun to suggest an increased role for corporations as protectors of human rights. But, as yet, binding rather than voluntary obligations of this kind under international human rights law seem either non-existent or highly conflicted, and structural limitations to such a shift may currently exist under both US and UK law. Companies do not face decisions regarding disclosure in a vacuum, rather they face them constrained by existing obligations under (sometimes conflicting) legal demands. Yet, companies such as Twitter are well-positioned to be advocates for consumers' interests in these legal debates. Using several recent corporate disclosure decisions regarding user identity as illustration, this paper places questions of privacy, free speech and disclosure in broader legal context. More scholarship is needed on the mechanics of how online intermediaries, especially social media, manage their position as crucial speech platforms in democratic as well as less democratic regimes.

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JUDGE'S FACEBOOK FRIENDSHIP WITH VICTIM'S PARENT DOES NOT TAINT PROCEEDING -- YOUKERS V. TEXAS

via Technology & Marketing Law Blog by Venkat Balasubramani on 5/17/13
URL: http://blog.ericgoldman.org/archives/2013/05/judges_facebook_1.htm

Youkers v . Texas, No. 05-11-01407-CR (Tx. Ct. App. May 15, 2013)

FACEBOOK CLAIMS IGNORANCE OF PATENT IN 'LIKE' BUTTON SUIT

via Intellectual Property Law360 by Erica Teichert on 5/17/13
URL: <http://www.law360.com/ip/articles/442792>

Facebook Inc. urged a Virginia federal judge Friday to throw out a patent-holding company's suit alleging that its "Like" button and other sharing features infringe two social media patents, saying the company hasn't proven Facebook knew about the patent before it was hit with the suit.

MONSTER UN-MASH: NO CLASS ACTION FOR YOUTUBE PLAINTIFFS

via Rebecca Tushnet's 43(B)log by Rebecca Tushnet on 5/17/13
URL: <http://tushnet.blogspot.com/2013/05/monster-un-mash-no-class-action-for.html>

Football Ass'n Premier League Ltd. v. YouTube, Inc., --- F.Supp.2d ----, 2013 WL 2096411 (S.D.N.Y.)

WHY YOUR FIRM SHOULD HAVE A FACEBOOK PAGE

via FindLaw Writ - Recent Articles by Laura Strachan, Esq. on 5/16/13
URL: http://blogs.findlaw.com/official_findlaw_blog/2013/05/why-your-firm-should-have-a-facebook-page.html

Owning lots of real estate is a good thing, right? Well the same logic holds true when it comes to cyber real estate. With that logic in mind, a law firm Facebook page represents an increasingly valuable piece of online real estate that can be extremely beneficial for your practice.....

FACEBOOK STILL LOOKS OVERPRICED

via WSJ.com: Technology on 5/17/13
URL: <http://online.wsj.com/article/SB10001424127887323398204578485471490941206.html>

In order to support its current stock price, Facebook needs to grow a lot faster, according to a new analysis.

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FINANCIAL TIMES' TWITTER, TECH BLOG HIJACKED BY THE SYRIAN ELECTRONIC ARMY

via Ars Technica by Dan Goodin on 5/19/13

URL: <http://arstechnica.com/security/2013/05/financial-times-twitter-tech-blog-hijacked-by-the-syrian-electronic-army/>

Add the Financial Times to the growing list of media companies whose websites or Twitter accounts were hijacked by a group calling itself the Syrian Electronic Army.

YAHOO WILL PURCHASE TUMBLR FOR \$1.1 BILLION ACCORDING TO WSJ REPORT
via Ars Technica by Nathan Mattise on 5/19/13

URL: <http://arstechnica.com/information-technology/2013/05/yahoo-will-purchase-tumblr-for-1-1-billion-according-to-wsj-report/>

All of the Tumblr acquisition rumors this week appear to be true. According to The Wall Street Journal, Yahoo's board of directors approved a \$1.1 billion purchase of the microblogging site this week. The decision comes on the heels of Yahoo scheduling a press event for Monday in New York (Tumblr's home base).

TUMBLR DEAL BRINGS CHALLENGES

via WSJ.com: Technology by Spencer E. Ante, Amir Efrati & Joann S. Lublin on 5/20/13

URL: <http://online.wsj.com/article/SB10001424127887324102604578495071529930876.html>

Yahoo will face a series of cultural challenges as it tries to make its \$1.1 billion acquisition of Tumblr pay off.

YAHOO GIVES FLICKR A NEW FACE, A NEW APP, AND A NEW BUSINESS MODEL
via Ars Technica by Peter Bright on 5/20/13

URL: <http://arstechnica.com/gadgets/2013/05/yahoo-gives-flickr-a-new-face-a-new-app-and-a-new-business-model/>

Buying Tumblr isn't the only big thing that Yahoo has done today. Flickr, the photo storage and sharing site bought by Yahoo way back in 2005, has been brought into the 21st century with a new look, new pricing, and a new Android app.

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<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

YAHOO ACQUIRING TUMBLR: WHAT IT MEANS [VIDEO]

via NYT > TimesCast by Ben Weshkul, Pedro Rafael Rosado and Alyssa Kim on 5/20/13

URL: <https://www.nytimes.com/video/2013/05/20/technology/10000002234826/yahoo-acquiring-tumblr-what-it-means.html>

The Times's Jenna Wortham on the reaction to Yahoo's acquisition of Tumblr and what it means for users.

TUMBLR DEAL BOOSTS TECH

via WSJ.com: Technology by Laura Kusisto on 5/20/13

URL: <http://online.wsj.com/article/SB10001424127887324102604578495611358389992.html>

City officials hope Yahoo's Tumblr acquisition will help ignite sector.

YAHOO POSTS \$1.1B ACQUISITION OF BLOG SITE TUMBLR

via Law360 by Jake Simpson on 5/20/13

URL: <http://www.law360.com/media/articles/442953>

Yahoo Inc. will acquire social media and personal blog platform Tumblr for \$1.1 billion in cash, the search giant announced Monday, promising not to "screw up" the popular blog site that will give Yahoo access to hundreds of millions of new customers.

THE LATEST SOCIAL MEDIA CONCERN FOR EMPLOYERS

via WSJ.com: Law Blog - WSJ.com by Jacob Gershman on 5/21/13

URL: <http://blogs.wsj.com/law/2013/05/21/the-latest-social-media-concern-for-employers/>

A new video sharing app is emerging as the latest source of anxiety for employers worried about social-media risks at the office.

AFP, GETTY'S LIABILITY SHRINKS IN TWITTER PHOTO COPYRIGHT SUIT

via Intellectual Property Law360 by Jonathan Randles on 5/21/13

URL: <http://www.law360.com/ip/articles/443767>

A New York federal judge on Tuesday limited potential damages a photojournalist may be entitled to in a lawsuit alleging Agence France-Presse and Getty Images Inc. lifted his images off of Twitter, ruling the agencies don't have to pay separate penalties for copyright infringement.

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FACEBOOK RAPPED OVER SHADY USE OF EMINEM SONG
via Intellectual Property Law360 by Vin Gurrieri on 5/21/13
URL: <http://www.law360.com/ip/articles/443417>

The music publisher for rap icon Eminem sued Facebook Inc. and its advertising agency Monday, alleging they improperly sampled music from Eminem's hit song "Under the Influence" in a recent Web ad touting the social media giant's new smartphone app.

EMINEM'S MUSIC PUBLISHER SUING FACEBOOK (EXCLUSIVE)
Hollywood Reporter - THR, Esq. by Eriq Gardner on 5/20/13
URL: <http://www.hollywoodreporter.com/thr-esq/eminems-music-publisher-suing-facebook-525687>

Rather than pulling down an advertisement that allegedly incorporated an Eminem song, the defendant's lawyers attacked hip-hop legend Dr. Dre for stealing from Michael Jackson.

FACEBOOK HAS CORRECTED PRIVACY GAPS, IRISH WATCHDOG SAYS
via Law360 by Gavin Broady on 5/21/13
URL: <http://www.law360.com/media/articles/443539>

The Irish data protection commissioner on Monday reported that Facebook Inc. has fully addressed concerns raised in the watchdog's September report detailing its audit of the company's privacy practices and successfully improved its transparency, user control and data retention practices.

TWITTER LAUNCHES EMPLOYEE-FRIENDLY PATENT FRAMEWORK
via Intellectual Property Law360 by Jonathan Randles on 5/22/13
URL: <http://www.law360.com/ip/articles/443936>

Twitter Inc. said Tuesday that its newly issued patent covering its ubiquitous pull-down-to-refresh feature will be covered by the "Innovators Patent Agreement," a type of patent assignment agreement that gives inventors greater control over how their employers may use their patents.

FACEBOOK JOINS GNI, TAKING SIGNIFICANT STEP IN PROTECTING USERS' RIGHTS

via Center for Democracy & Technology by Leslie Harris on 5/22/13

URL: <https://www.cdt.org/blogs/leslie-harris/2205facebook-joins-gni-taking-important-step-protecting-its-users-rights>

This morning at the Stockholm Internet Forum, Facebook announced it is joining the Global Network Initiative, becoming the sixth company to join GNI.

TWITTER LAUNCHES TWO-FACTOR AUTHENTICATION, TOO LATE TO SAVE THE ONION

via Ars Technica by Sean Gallagher 5/22/13

URL: <http://arstechnica.com/security/2013/05/twitter-launches-two-factor-authentication-too-late-to-save-the-onion/>

On the heels of the Syrian Electronic Army compromising a number of high-profile accounts—including those of the Associated Press, The Guardian, and The Onion—Twitter has introduced a two-factor authentication feature that should make such attacks more difficult. In a blog post today, Jim O'Leary of Twitter's security team announced the release of "login verification," an optional security measure that requires a verified phone number and e-mail address.

TWITTER ADDS VERIFICATION FEATURE

via WSJ.com: Technology by Mike Isaac on 5/22/13

URL: <http://online.wsj.com/article/SB10001424127887323975004578499464073594382.html>

Twitter is adding a login verification feature as a way to cut down on tweets from hacked accounts, in the wake of some high-profile security breaches over the past year.

TWITTER DEBUTS 2-STEP LOGIN FOLLOWING HIGH-PROFILE HACKS

via Law360 by Juan Carlos Rodriguez on 5/22/13

URL: <http://www.law360.com/media/articles/444159>

Following a string of embarrassing and financially damaging hacks, Twitter Inc. on Wednesday joined Google Inc., Facebook Inc. and Apple Inc. as the latest tech giant to institute a voluntary two-step verification process to protect users' account privacy.

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WASH. GOVERNOR SIGNS SOCIAL MEDIA PRIVACY BILL
via Law360 by Brian Mahoney on 5/22/13
URL: <http://www.law360.com/media/articles/444087>

Washington state Gov. Jay Inslee signed a revised bill Tuesday banning employers or potential employers from requesting social media passwords of current or prospective employees, making Washington the eighth state to enact such legislation.

FACEBOOK ORDERED TO SURRENDER DOCKS IN 'LIKE' BUTTON IP ROW
via Intellectual Property Law360 by Jonathan Randles on 5/23/13
URL: <http://www.law360.com/ip/articles/444521>

A Virginia federal judge on Thursday ordered Facebook Inc. to turn over documents related to its 2009 acquisition of FriendFeed, developer of the “Like” button, which is at the center of a lawsuit alleging Facebook infringes two social media patents.

TWITTER LETS BRANDS FIND VIEWERS OF THEIR TV ADS
via NYT > Media & Advertising by Tanzina Vega on 5/23/13
URL: <https://www.nytimes.com/2013/05/24/business/media/twitter-lets-brands-find-viewers-of-their-tv-ads.html>

A new product, Twitter Amplify, will help brands match advertisements with Twitter commentary by viewers.

WE ASKED AND WE RECEIVED: TWITTER GETS TWO-FACTOR AUTHENTICATION
via FindLaw Writ - Recent Articles by William Peacock, Esq. on 5/23/13
URL: <http://blogs.findlaw.com/technologist/2013/05/we-asked-and-we-received-twitter-gets-two-factor-authentication.html>

Twitter was atwitter yesterday with news of a big change to the site’s security protocols: users can now choose to enable two-factor authentication. That’s big news for everyone, even if you don’t use the social media site. After all, remember that fake tweet by a hacker that caused the stock.....

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3 LEGAL MARKETING TIPS TO MAKE FACEBOOK WORK FOR YOUR PRACTICE
via FindLaw Writ - Recent Articles by Kelly Cheung by 5/23/13
URL: <http://blogs.findlaw.com/strategist/2013/05/3-tips-to-make-facebook-work-for-your-practice.html>

Lawyers who choose to use social media as a marketing strategy should consider it a job just like any other on their list. Facebook is so popular it is ranked number two of the most used app for local searches, just behind Google Maps. If you haven't jumped on the bandwagon.....

HTC FIRST UK LAUNCH POSTPONED BECAUSE FACEBOOK HOME IS NO GOOD
via Ars Technica by Casey Johnston on 5/23/13
URL: <http://arstechnica.com/gadgets/2013/05/htc-first-uk-launch-postponed-because-facebook-home-is-no-good/>

For now, Brits will be spared HTC and Facebook's collaborative smartphone, the HTC First, according to a report from Engadget. The device is notably a prominent showcase for the Facebook Home experience, but given the amount of negative feedback Facebook's Android overlay got after its US launch, the company plans to overhaul Home before trying to get other countries interested in it.

TEENS, SOCIAL MEDIA, AND PRIVACY
via Pew Internet & American Life Project by Mary Madden, Amanda Lenhart, Sandra Cortesi, Urs Gasser, Maeve Duggan & Aaron Smith on 5/21/13
URL: <http://www.pewinternet.org/Reports/2013/Teens-Social-Media-And-Privacy.aspx>

Teens are sharing more information about themselves on social media sites than they have in the past, but they are also taking a variety of technical and non-technical steps to manage the privacy of that information. Despite taking these privacy-protective actions, teen social media users do not express a high level of concern about third-parties (such as businesses or advertisers) accessing their data; just 9% say they are "very" concerned.

HOUSE DEMS FLOAT EMPLOYEE SOCIAL MEDIA PRIVACY BILL
via Law360 by Allison Grande on 5/23/13
URL: <http://www.law360.com/media/articles/444477>

A pair of House Democrats on Wednesday unveiled the latest bill aimed at barring employers from demanding direct access to current and prospective employees' password-protected accounts on social networking sites such as Facebook and Twitter.

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EX-MARINE DETAINED AFTER FACEBOOK POSTS FILES SUIT

via WSJ.com: Law Blog - WSJ.com by Jacob Gershman on 5/24/13

URL: <http://blogs.wsj.com/law/2013/05/24/ex-marine-detained-after-facebook-posts-files-suit/>

A civil liberties group is claiming in federal court that an ex-Marine was locked up in a mental hospital last year because of his hostile views toward government.

GUY SUES TWITTER FOR TAKING AWAY HIS TWITTER HANDLE

via Techdirt by Mike Masnick on 5/24/13

URL: <https://www.techdirt.com/articles/20130523/12122823187/guy-sues-twitter-taking-away-his-twitter-handle.shtml>

Leonard Barshack, who founded BigFoot, which was a (quite popular) internet forwarding mailing service in the dotcom era, has apparently sued Twitter for taking away his username, @SunValley and giving it to the Sun Valley resort.

TUMBLR, PORN, AND INTERNET INTERMEDIARIES

via Concurring Opinions by William McGeeveran on 5/24/13

URL: <http://www.concurringopinions.com/archives/2013/05/tumblr-porn-intermediaries.html>

In the hubbub surrounding this week's acquisition of the blogging platform Tumblr by born-again internet hub Yahoo!, I thought one of the most interesting observations concerned the regulation of pornography. It led, by a winding path, to a topic near and dear to the Concurring Opinions gang: Section 230 of the Communications Decency Act, which generally immunizes online intermediaries from liability for the contents of user-generated content.

WHY TUMBLR WON'T MOVE YAHOO'S NEEDLE

via WSJ.com: Technology by Jessica E Lessin on 5/24/13

URL: <http://online.wsj.com/article/SB10001424127887323975004578503104041662958.html>

The Valley: When Yahoo CEO Mayer said the Internet giant would spend \$1.1 billion to acquire Tumblr, she promised not to "screw it up." Maybe she should have emphasized what the startup could do for Yahoo.

FACEBOOK PHONE GOES HOME: HTC FIRST UK RELEASE DATE CANCELLED TO REFOCUS ON APP DESIGN

via International Business Times by Dave Smith on 5/24/13

URL: <http://www.ibtimes.com/facebook-phone-goes-home-htc-first-uk-release-date-canceled-refocus-app-design-1278597>

The HTC First, commonly referred to as the first Facebook Phone because of its tweaked Android operating system built by Facebook called "Facebook Home," was unceremoniously canceled by its exclusive carrier AT&T in mid-May after just a single month on the market.

TWITTER PUTS ALL ITS CHIPS ON LEAD GENERATION

via ITworld by Dan Tynan on 5/23/13

URL: <http://www.itworld.com/it-management/357772/twitter-cards-dealing-bottom-deck>

Twitter advertisers are dealing out discounts in exchange for your email address. Are Twitter Cards a safe bet? Read this first before you go all in.

WHY TUMBLR WAS A MASSIVE STEAL FOR YAHOO

via AllThingsD by Adam Rifkin on 5/24/13

URL: <http://allthingsd.com/20130524/why-tumblr-was-a-massive-steal-for-yahoo/>

The blockbuster acquisition of Tumblr by Yahoo for \$1.1 billion — all cash — has been portrayed as a gigantic gamble on the part of the acquirer.

SOCIAL MEDIA, PRIVACY, AND THE EMPLOYMENT RELATIONSHIP: THE AMERICAN EXPERIENCE

via SSRN by Ariana R. Levinson on 3/5/13

URL: <http://ssrn.com/abstract=2265609>

This article posits that privacy issues arising in the United States from the use of social media and the employment relationship are similar to those that have arisen around the world. It suggests, however, that the patchwork of governing legal claims arising under different laws in different jurisdictions may be unique. After a brief introduction, the second section describes the recent passage of legislation in several states that may protect the privacy of job applicants' passwords to social media sites. The third section describes the various claims employees may bring under the federal Electronic Communications Privacy Act, in tort for invasion of privacy, pursuant to the Fourth Amendment, or to enforce just cause provisions in collective bargaining agreements. The fourth section describes protection from overbroad discovery of social media when employers and former employees are involved in litigation. The article concludes by assessing the likelihood of further legal reform.

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FROM THE FANTASY TO THE REALITY: SOCIAL MEDIA AND REAL NAME POLICIES
via SSRN by Lilian Edwards on 5/8/13
URL: <http://ssrn.com/abstract=2262272>

This paper surveys the controversial landscape of “real name” policies on social media. While alleged to be desirable to promote social and polite behaviour online as well as accountability, such policies may have less obvious ulterior motivations, and may also have considerable undesirable consequences and threaten political freedom as well as freedom of speech. After a brief history of the tradition of pseudonymity on social networks, and an overview of the failure of law to guarantee a right to pseudonymity or alternate remedy, the paper suggests the way forward may lie with creating a truly competitive market in social media via a technical research programme that aims to replace the proprietary “walled garden” approach to social networks with a decentralised, dynamic and non-proprietary approach.

BUZZFEED, CNN AND YOUTUBE PLAN ONLINE-VIDEO CHANNEL
via WSJ.com: Media & Marketing by William Launder on 5/27/13
URL: <http://online.wsj.com/article/SB10001424127887323336104578503671011986446.html>

BuzzFeed is accelerating its bid to attract young adults, joining with CNN and YouTube to create a new, online-video channel.

FACEBOOK SAYS IT FAILED TO BAR POSTS WITH HATE SPEECH
via NYT > Media & Advertising by Tanzina Vega on 5/28/13
URL: <https://www.nytimes.com/2013/05/29/business/media/facebook-says-it-failed-to-stop-misogynous-pages.html>

Facing pressure from women’s groups and its own advertisers, the site said it would overhaul its process for monitoring offensive content.

THE SOCIAL MEDIA TEEN GENERATION
via FindLaw Writ - Recent Articles by Andrew Chow, JD on 5/28/13
URL: <http://blogs.findlaw.com/technologist/2013/05/the-social-media-teen-generation.html>

FindLaw columnist Eric Sinrod writes regularly in this section on legal developments surrounding technology and the Internet. Today's teens certainly constitute the social media generation. And a recent study titled "Teens, Social Media and Privacy" by the Pew Research Center's Internet & American Life Project sheds light on this phenomenon.....

FACEBOOK CHALLENGE AFTER GIRL'S DEATH LEAP OVER INSULTS

via The Guardian by Tom Kington on 5/28/13

URL: <http://www.theguardian.com.au/story/1531660/facebook-challenge-after-girls-death-leap-over-insults/>

A prosecutor has opened an investigation into how Facebook allowed the publication of insults and bullying posts aimed at a teenager who later took her own life.

YELP, GROUPON HIT IN LATEST ROUND OF MARKETER'S IP BLITZ

via Law360 by Kira Lerner on 5/28/13

URL: <http://www.law360.com/ip/articles/445165>

Digital marketing company Blue Calypso Inc. filed another round of infringement lawsuits in Texas federal court Monday, accusing Yelp Inc., Groupon Inc., Foursquare Labs Inc. and others of infringing its patent covering electronic offers.

5 WAYS LAW FIRMS SCREW UP THEIR BLOGS

via Law360 by Erin Coe on 5/28/13

URL: <http://www.law360.com/ip/articles/444958>

A majority of the nation's largest law firms have launched blogs in an effort to boost business development, but many attorney blogs read too much like legal briefs, fail to create a dialogue with their audience and feature updates only sporadically — mistakes experts say can hold firms back from reeling in new clients.

FACEBOOK TO TAKE A STAND AGAINST RAPE JOKES, GENDER HATE SPEECH

via Ars Technica by Casey Johnston on 5/29/13

URL: <http://arstechnica.com/business/2013/05/facebook-to-take-a-stand-against-rape-jokes-gender-hate-speech/>

Facebook has announced plans to renew its effort toward monitoring, and where appropriate, removing gender-related hate speech from its users, per a post on the company's Facebook Safety page Tuesday.

SHERYL SANDBERG ON WHY FACEBOOK HOME ISN'T AN IMMEDIATE HIT

via AllThingsD by Mike Isaac on 5/29/13

URL: <http://allthingsd.com/20130529/sheryl-sandberg-on-why-facebook-home-isnt-an-immediate-hit/>

As you may have heard by now, Facebook's Home software for Android hasn't exactly taken off.

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SEC CHARGES NASDAQ FOR FAILURES DURING FACEBOOK IPO
via U.S. Securities and Exchange Commission on 5/29/13
URL: <https://www.sec.gov/news/press/2013/2013-95.htm>

The Securities and Exchange Commission today charged NASDAQ with securities laws violations resulting from its poor systems and decision-making during the initial public offering (IPO) and secondary market trading of Facebook shares. NASDAQ has agreed to settle the SEC's charges by paying a \$10 million penalty – the largest ever against an exchange.

SOCIAL MEDIA, PRIVACY, AND THE EMPLOYMENT RELATIONSHIP: THE AMERICAN EXPERIENCE
via SSRN by Ariana R. Levinson on 3/5/13
URL: <http://ssrn.com/abstract=2265609>

This article posits that privacy issues arising in the United States from the use of social media and the employment relationship are similar to those that have arisen around the world. It suggests, however, that the patchwork of governing legal claims arising under different laws in different jurisdictions may be unique. After a brief introduction, the second section describes the recent passage of legislation in several states that may protect the privacy of job applicants' passwords to social media sites. The third section describes the various claims employees may bring under the federal Electronic Communications Privacy Act, in tort for invasion of privacy, pursuant to the Fourth Amendment, or to enforce just cause provisions in collective bargaining agreements. The fourth section describes protection from overbroad discovery of social media when employers and former employees are involved in litigation. The article concludes by assessing the likelihood of further legal reform.

YOUTUBE RUNS A REFORM SCHOOL FOR COPYRIGHT VIOLATIONS
via CNNMoney by David A. Kaplan on 5/30/13
URL: <http://tech.fortune.cnn.com/2013/05/30/youtube-runs-a-reform-school-for-copyright-violations/>

And it's a little like traffic school for the Internet.

BUNGLED FACEBOOK IPO COSTS NASDAQ \$10 MILLION PENALTY
via Law.com - Newswire by Sheri Qualters on 5/29/13
URL: <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202602114558>

The SEC says the penalty for "poor systems and decision-making" during Facebook's IPO and trading is "the largest ever against an exchange."

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

CHARLIE ROSE - SHANE SMITH
via YouTube by Charlie Rose on 5/30/13
URL: <https://www.youtube.com/watch?v=BPPnL2s6TDc>

Shane Smith, Co-Founder and CEO, VICE

FACEBOOK FIRING SHOWS NLRB EYEING WORKPLACE WEB CHATTER
via Law360 by Erin Coe on 5/30/13
URL: <http://www.law360.com/corporate/articles/445775>

The National Labor Relations Board's holding this month that Skinsmart Dermatology didn't break federal labor law when it fired a worker for disparaging the company in a Facebook group message may be pro-employer, but lawyers warn that it signals the agency will be looking more closely at social media posts relating to job security, wages and other shared workplace concerns, even if they don't discuss group action.

COS. LACK SOCIAL MEDIA HARASSMENT POLICIES, SURVEY FINDS
via Law360 by Ben James on 5/30/13
URL: <http://www.law360.com/corporate/articles/445785>

Employers are underprepared when it comes to dealing with harassment complaints tied to social media use and not enough companies have specific policies in place that tackle social media-related harassment, according to survey results released recently by NAVEX Global.

FACEBOOK, GOOGLE, MICROSOFT, TWITTER AND YAHOO REFUSE TO COOPERATE WITH UK'S 'SNOOPER'S CHARTER'
via Techdirt by Glyn Moody on 5/31/13
URL: <https://www.techdirt.com/articles/20130531/03421623271/facebook-google-microsoft-twitter-yahoo-refuse-to-cooperate-with-uks-snoopers-charter.shtml>

A month ago, we wrote about how the UK's infamous "Snooper's Charter" had been scuppered by Nick Clegg, the UK's Deputy Prime Minister.

ERDOGAN REJECTS 'DICTATOR' CLAIMS
via Bloomberg Businessweek by Susan Fraser and Nebi Qena on 6/2/13
URL: <http://www.businessweek.com/ap/2013-06-02/protest-subsides-at-istanbul-square>

Turkey's prime minister on Sunday rejected claims that he is a "dictator," dismissing protesters as an extremist fringe, even as thousands returned to the landmark Istanbul square that has become the site of the fiercest anti-government outburst in years.

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FRENCH REGULATOR TO STUDY DISPUTED 'RIGHT TO BE FORGOTTEN'

via Law360 by Allison Grande on 5/31/13

URL: <http://www.law360.com/media/articles/446456>

France's data protection regulator on Thursday added fuel to the intense debate over proposed changes to the European Union's data protection regime by launching an effort to gather public input on a controversial provision that would force businesses, including social networking sites, to delete personal data at users' request.

EFF BACKS FACEBOOK IN FIGHT OVER 3RD-PARTY SUBPOENAS

via Law360 by Gavin Broady on 5/31/13

URL: <http://www.law360.com/media/articles/446465>

The Electronic Frontier Foundation is backing Facebook Inc.'s efforts to convince a California appeals court that service providers should not be obligated to turn over users' account information to nongovernmental third parties, saying on Tuesday the Stored Communications Act prohibits such disclosures.

HOW FACEBOOK INFORMS EXCLUSIVE JURISDICTION PROVISIONS

via Law360 by Fred T. Isquith on 5/31/13

URL: <http://www.law360.com/media/articles/445447>

A corporate exclusive venue provision in a certificate of incorporation was the subject of a recent opinion by the Southern District of New York in *In re Facebook Inc. IPO Securities and Derivative Litigation*. The decision also concerns important questions for MDL litigation, says Fred Isquith of Wolf Haldenstein Adler Freeman & Herz LLP.

FACEBOOK FRIENDSHIPS DON'T BAR JUDGE FROM CASE, PANEL SAYS

via Law360 by Stewart Bishop on 5/31/13

URL: <http://www.law360.com/media/articles/446559>

A New York ethics panel on Tuesday recommended against recusal for a judge who is "Facebook friends" with the parents of children who were allegedly affected by the conduct of a defendant in a criminal case, as the "friends" are mere acquaintances.

June 2013

ADVERTISING ON SOCIAL MEDIA BUMPS UP AGAINST FREE SPEECH

via NYT > Media & Advertising by Tanzina Vega and Leslie Kaufman on 6/3/13

URL: <https://www.nytimes.com/2013/06/04/technology/advertising-on-social-media-comes-up-against-free-speech.html>

Social media sites are trying to determine what sort of control they have over user-generated content, particularly when it affects advertising.

ZYNGA TO CUT 18% OF STAFF

via WSJ.com: Technology by Evelyn M. Rusli on 6/3/13

URL: <http://online.wsj.com/article/SB10001424127887324563004578523532398972450.html>

Zynga plans to lay off about 18% of its staff and close certain offices as the embattled social games maker seeks to cut costs and bring the size of its staff to its pre-IPO level.

ZYNGA TO LAY OFF 18 PERCENT OF STAFF, SHUT OFFICES, SLASH INFRASTRUCTURE

via Ars Technica by Jon Brodtkin on 6/3/13

URL: <http://arstechnica.com/business/2013/06/zynga-to-lay-off-18-percent-of-staff-shut-offices-slash-infrastructure/>

Social game maker Zynga is laying off 520 employees, or 18 percent of its workforce, and closing offices and slashing infrastructure costs.

FACEBOOK INKS 10-YEAR LEASE IN LOWER MANHATTAN

via Law360 by Kathryn Brenzel on 6/3/13

URL: <http://www.law360.com/media/articles/446844>

Facebook Inc. confirmed Monday that it had made a 10-year deal with Vornado Realty Trust to lease a second New York City location, claiming space in lower Manhattan at a time when the area is teeming with tech and online startup companies.

FACEBOOK FRIENDSHIP ALONE NOT ENOUGH FOR RECUSAL

via Law.com - Newswire by Tania Karas on 6/4/13

URL: <http://www.newyorklawjournal.com/PubArticleNY.jsp?id=1202602703474>

So long as a judge's Facebook "friend" is only an acquaintance, there is no appearance of impropriety, a New York ethics committee said.

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AS VANDALS TAKE TO NATIONAL PARKS, SOME POINT TO SOCIAL MEDIA

via NYT > Media & Advertising by Felicity Barringer on 6/4/13

URL: <https://www.nytimes.com/2013/06/05/us/as-vandals-take-to-national-parks-some-point-to-social-media.html>

Park personnel say there is reason to believe that a spike in vandalism and graffiti that has found its way into the wilderness coincides with the rise of social media.

ZYNGA'S VIRTUAL PAIN

via WSJ.com: Technology by Evelyn M. Rusli & Ian Sherr on 6/4/13

URL: <http://online.wsj.com/article/SB10001424127887324423904578525691494291194.html>

After building its business selling virtual goods for games on Facebook, Zynga is finding that the millions of casual gamers it wooed en masse years ago are fickle—especially on smartphones and tablets.

FACEBOOK BOOSTS NEW YORK SPACE WITH LEASE DEAL

via WSJ.com: Technology by Anjali Athavaley on 6/3/13

URL: <http://online.wsj.com/article/SB10001424127887323469804578523642562229704.html>

Facebook is moving its New York office south and nearly doubling its space, marking the latest technology company to set up shop in the city's Midtown South neighborhood.

TURKISH PRIME MINISTER BLAMES TWITTER FOR MASS SOCIAL UNREST,
BECAUSE IT SURE BEATS BLAMING HIMSELF

via Techdirt by Mike Masnick on 6/4/13

URL: <https://www.techdirt.com/articles/20130603/23052723305/turkish-prime-minister-blames-twitter-mass-social-unrest-because-it-sure-beats-blaming-himself.shtml>

You may have heard a thing or two about the protests going on in Turkey. If you haven't, you really ought to read the news a bit more, because it's a pretty big deal. What started as a small protest swelled into a very big one, with much of the anger being directed at Prime Minister Recep Tayyip Erdogan. Erdogan's response? Blame Twitter.

ZYNGA SHUTS DOWN OMGPOP, ESTIMATES SAY COMPANY LOST \$528,000 PER DAY

via Ars Technica by Cyrus Farivar on 6/4/13

URL: <http://arstechnica.com/business/2013/06/zynga-shuts-down-omgpop-estimates-say-company-lost-528000-per-day/>

As part of Zynga mass layoffs totalling 18 percent of its workforce, the struggling San Francisco startup appears to have shut down OMGPOP, the New York company that originally created the smash hit Draw Something.

FACEBOOK URGES COOPERATION TO TACKLE MOBILE SECURITY RISKS

via Law360 by Allison Grande on 6/4/13

URL: <http://www.law360.com/media/articles/447422>

Facebook Inc.'s product security chief on Tuesday pushed for more industry collaboration and more proactive patching in order to combat growing security threats on mobile devices, a proposal backed by the Federal Trade Commission, but was met with skepticism by fellow mobile ecosystem members.

FRALEY V. FACEBOOK: THE RIGHT OF PUBLICITY IN ONLINE SOCIAL NETWORKS

via SSRN by Jesse Koehler on 3/10/13

URL: <http://ssrn.com/abstract=2231235>

This note delves into the tension between privacy and newsworthiness as exemplified by the way the right of publicity straddles the line between these conflicting concepts. Additionally, the Note examines the weaknesses in the current right of publicity law's limited focus on economic harm as applied in *Fraley v. Facebook* and considers alternative approaches that incorporate non-economic harm, along with the implications and applicability of such alternatives. Moreover, this Note places a special emphasis on how the tension between privacy and newsworthiness takes on a new form in light of changing technology — specifically online social networks — and on resolving this tension in the context of the new types of fora that the Internet provides.

CRAIGSLIST'S ANTI-CONSUMER LAWSUIT THREATENS TO BREAK INTERNET LAW--CRAIGSLIST V. 3TAPS/PADMAPPER (FORBES CROSS-POST)

via Technology & Marketing Law Blog by Eric Goldman on 6/5/13

URL: http://blog.ericgoldman.org/archives/2013/06/craigslits_ant.htm

Craigslit, Inc. v. 3Taps, Inc., 2013 WL 1819999 (N.D. Cal. April 30, 2013)

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FACEBOOK REMOVES DOWNLOADS OF YOUR POSTS

via AngryMath on 6/5/13

URL: <http://www.angrymath.com/2013/06/facebook-removes-downloads-of-your-posts.html>

This post isn't exactly about math, but it is technical in nature, so I figured I'd get it out there.

FACEBOOK SAYS IT WILL SIMPLIFY OPTIONS FOR ADVERTISERS

via NYT > Media & Advertising by Vindu Goel on 6/6/13

URL: <https://www.nytimes.com/2013/06/07/technology/facebook-says-it-will-simplify-options-for-advertisers.html>

The social network said it would overhaul the way it sells ads, and eliminate about half of the existing styles, to simplify the process for marketers.

ZYNGA: A LESSON IN MANAGING DISGRUNTLED EMPLOYEES (NOT)

via FindLaw Writ - Recent Articles by Aditi Mukherji on 6/5/13

URL: http://blogs.findlaw.com/in_house/2013/06/zynga-a-lesson-in-managing-disgruntled-employees.html

If you're an in-house attorney, you know that disgruntled former employees raise red legal flags. Let Zynga, the company behind "Draw Something" and "Farmville," serve as a fable for how not to deal with demoralized employees. After Zynga let go 520 employees and completely shut down the New York office.....

ON TWITTER'S CONSPICUOUS ABSENCE FROM PRISM

Via WSJ.com: Law Blog - WSJ.com by Jacob Gershman on 6/7/13

URL: <http://blogs.wsj.com/law/2013/06/07/on-twiters-conspicuous-absence-from-prism/>

The National Security Agency and the FBI are tapping directly into server systems operated by a number of technology companies. But not Twitter.

TIPS FOR MANAGING YOUR CAREER ON SOCIAL MEDIA

via FindLaw Writ - Recent Articles by Laura Strachan, Esq. on 6/6/13

URL: http://blogs.findlaw.com/official_findlaw_blog/2013/06/tips-for-managing-your-career-on-social-media.html

Managing your career means much more than just making sure your resume is up to date. In the age of social media, managing your career also means making sure that you maintain a reputable online presence. A 2012 CareerBuilder.com survey found that 37 percent of employers check social network sites.....

**GRAND JURY REFUSES TO INDICT TEEN ARRESTED FOR POSTING 'THREATENING'
RAP LYRICS ON FACEBOOK**

via Techdirt by Tim Cushing on 6/7/13

URL: <https://www.techdirt.com/articles/20130607/16391123368/grand-jury-refuses-to-indict-teen-arrested-posting-threatening-rap-lyrics-facebook.shtml>

Cameron D'Ambrosio, the teen charged with "communicating terrorist threats" via some daft rap lyrics posted to his Facebook profile, is apparently no longer a threat to the people of Methuen, MA, and parts beyond.

FACEBOOK'S FIRST DATA CENTER DRENCHED BY ACTUAL CLOUD

via The Register by Jack Clark on 6/8/13

URL: http://www.theregister.co.uk/2013/06/08/facebook_cloud_versus_cloud/

Facebook's first data center ran into problems of a distinctly ironic nature when a literal cloud formed in the IT room and started to rain on servers.

**ONLINE DATING WEBSITES AREN'T REQUIRED TO WARN THAT SOME MEMBERS
MAY BE MURDERERS**

via Technology & Marketing Law Blog by Eric Goldman on 6/11/13

URL: http://blog.ericgoldman.org/archives/2013/06/online_dating_w.htm

Beckman v. Match.com, 2013 WL 2355512 (D. Nev. May 29, 2013) and Okeke v. Cars.com, 2013 N.Y. Slip Op. 23174 (N.Y. City Civ. Ct. May 28, 2013)

INVESTORS GIVE FACEBOOK CEO A GRILLING

via WSJ.com: Technology by Evelyn M. Rusli on 6/11/13

URL: <http://online.wsj.com/article/SB10001424127887324904004578539762348868032.html>

Facebook chief Mark Zuckerberg faced his shareholders for the first time on Tuesday--and many weren't happy.

LEGAL LESSONS FROM VIRAL VIDEOS: SOCIAL MEDIA IS FOREVER

via FindLaw Writ - Recent Articles by William Peacock, Esq. by 6/12/13

URL: http://blogs.findlaw.com/greedy_associates/2013/06/legal-lessons-from-viral-videos-social-media-is-forever.html

If there is a silver lining in the insane, disturbing, and inexcusable rant of Taylor Chapman, a woman purportedly denied a receipt at a Dunkin' Donuts, it's this: you'll almost certainly never face her in court. As a lawyer. Yep. The woman behind "Taylor Chapman Dunkin Donuts Rant," is, according.....

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STATE SENATOR'S WIFE THREATENS LIKELY FAKE FACEBOOK PROFILES WITH FAME FOR HITTING ON HER MAN

via Techdirt by Timothy Geigner on 6/12/13

URL: <https://www.techdirt.com/articles/20130604/10282723315/state-senators-wife-threatens-likely-fake-facebook-profiles-with-fame-hitting-her-man.shtml>

We give our lawmakers a lot of grief in this glorious country, which is so glorious specifically because we can do that, but there's got to be hardship that goes along with public service of that sort.

FACEBOOK UNVEILS HASHTAGS

via WSJ.com: Technology by Evelyn M. Rusli on 6/12/13

URL: <http://online.wsj.com/article/SB10001424127887324688404578541504116938098.html>

Facebook is rolling out hashtags on its social network in an effort to play a greater role in real-time public conversations dominated by rival Twitter.

FACEBOOK NOW LETS USERS INCLUDE HASHTAGS IN POSTS

via Ars Technica by Casey Johnston 6/12/13

URL: <http://arstechnica.com/business/2013/06/facebook-now-lets-users-include-hashtags-in-posts/>

Facebook is setting itself up to introduce the hashtag to status posts, per a press release from the company Wednesday. The company acknowledges that the feature is “similar to other services like Instagram, Twitter, Tumblr, or Pinterest,” and will in fact integrate with the hashtags used on Instagram.

FACEBOOK OPENS DATA CENTER FILLED ENTIRELY WITH SERVERS IT DESIGNED

via Ars Technica by Jon Brodtkin on 6/12/13

URL: <http://arstechnica.com/information-technology/2013/06/facebook-opens-data-center-filled-entirely-with-servers-it-designed/>

Facebook today opened a new data center in Luleå, Sweden, making it the company's first in Europe and the first to use only servers designed by Facebook itself.

GOOGLE, FACEBOOK, MICROSOFT TALK SURVEILLANCE

via Law.com - Newswire by Catherine Dunn on 6/13/13

URL: <http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202603965874>

Three of the largest Internet companies implicated in the disclosure of National Security Agency surveillance practices all say they want to be able to talk about the volume of secret government requests they receive for user data.

FACEBOOK SKIRTS WILLFUL INFRINGEMENT IN 'LIKE' BUTTON ROW
via Intellectual Property Law360 by David McAfee on 6/13/13
URL: <http://www.law360.com/ip/articles/450127>

A Virginia federal judge on Wednesday granted Facebook Inc.'s motion to dismiss a claim of willful infringement in a lawsuit accusing it of infringing two patents owned by Rembrandt Social Media LP, finding the complaint didn't show Facebook had presuit knowledge of the patents.

TWEET RE-#SPON-SIBLY
via Slate by Katy Waldman on 6/13/13
URL:
http://www.slate.com/articles/business/moneybox/2013/06/celebrity_sponsored_tweets_should_the_ftc_regulate_stars_endorsements_on.html

The FTC is cracking down on celebrities who shill on Twitter.

VENERABLE FORMAT OF 'NEWSHOUR' STRUGGLES WITH NEW ERA OF MEDIA
via NYT > Media & Advertising by Elizabeth Jensen on 6/13/13
URL: <https://www.nytimes.com/2013/06/14/business/media/venerable-format-of-newshour-struggles-with-new-era-of-media.html>

Layoffs and a financial crisis have exposed tension at the long-running news program, with some calling for a major overhaul.

STUDENT SUES OVER FACEBOOK PHOTO USE
via Law.com - Newswire by R. Robin McDonald on 6/14/13
URL: <http://www.dailyreportonline.com/PubArticleDRO.jsp?id=1202604158339>

A teenager has sued a school district for \$2 million over the use of her picture in a public speech on the dangers of social media posts.

FACEBOOK POSTING OF CRIMINAL TRIAL'S WITNESS LIST ISN'T A "TRUE THREAT"--US V. AMAYA
via Technology & Marketing Law Blog by Eric Goldman on 6/14/13
URL: http://blog.ericgoldman.org/archives/2013/06/facebook_postin.htm

U.S. v. Amaya, 2013 WL 2548393 (N.D. Iowa, June 11, 2013)

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POLITICIANS STRUGGLE WITH AUTHENTICITY ON TWITTER, SELF-CENSORSHIP PREVAILS

via Ars Technica by Alan Martin on 6/15/13

URL: <http://arstechnica.com/business/2013/06/politicians-struggle-with-authenticity-on-twitter-self-censorship-prevails/>

"Too many twits might make a twat," said David Cameron in 2009 in a live radio interview when asked whether or not he was on Twitter. It wasn't his finest rhetorical hour, and ironically he later found himself apologizing for not picking his words carefully (though not for saying "twit" rather than "tweet" which is arguably the greater crime), but the interview was actually more notable for what he said outside of that memorable soundbite

LINKEDIN BUILDS ITS PUBLISHING PRESENCE

via NYT > Media & Advertising by Leslie Kaufman on 6/16/13

URL: <https://www.nytimes.com/2013/06/17/technology/sharing-business-insights-linkedin-builds-its-publishing-presence.html>

LinkedIn's Influencers program, which consists of people in leadership positions posting about their lives and careers, has transformed viewer engagement on the site, its chief executive said.

HASHTAG #RULES FOR YOUR FIRM: 5 BASICS TO KNOW

via FindLaw Writ - Recent Articles by Betty Wang on 6/17/13

URL: <http://blogs.findlaw.com/strategist/2013/06/hashtag-rules-for-your-firm-5-basics-to-know.html>

With Facebook jumping onboard the hashtag fun alongside Twitter, hashtags are now being used on social media more than ever. This means that if your law firm has an account on Twitter or Facebook (ideally, you should be on both and have a website), this will possibly affect the way.....

INSTAGRAM WILL ADD VIDEO-SHARING, ACCORDING TO REPOTS

via Ars Technica by Casey Johnston on 6/17/13

URL: <http://arstechnica.com/business/2013/06/instagram-will-add-video-sharing-according-to-reports/>

TechCrunch is reporting that Instagram and Facebook are planning to start letting users take and share short videos from within the Instagram app. The feature would mimic the functionality of Vine, the embattled video creation app that launched a few months ago.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

BUZZFEED SUED FOR \$3.6 MILLION OVER FAIRLY BORING SOCCER PHOTO

via Ars Technica by Joe Mullin on 6/18/13

URL: <http://arstechnica.com/tech-policy/2013/06/buzzfeed-sued-for-3-6-million-over-fairly-boring-soccer-photo/>

An Idaho photographer has sued the social media site Buzzfeed for \$3.6 million.

LIBEL LAW, LINKING, AND "SCAM"

via PrawfsBlawg by Lyrissa Lidsky on 6/18/13

URL: <http://prawfsblawg.blogs.com/prawfsblawg/2013/06/libel-law-linking-and-scam.html>

Although I'm a little late to the party in writing about Redmond v. Gawker Media, I thought I'd highlight it here because, though lamentably unpublished, the decision has interesting implications for online libel cases, even though the court that decided it seems to have misunderstood the Supreme Court's decision in Milkovich v. Lorain Journal.

JAPAN'S PRIME MINISTER MOCKS TPP PROTESTORS ON FACEBOOK

via Techdirt by Mike Masnick on 6/17/13

URL: <https://www.techdirt.com/articles/20130610/11401523395/japans-prime-minister-mocks-tpp-protestors-facebook.shtml>

Japan recently agreed to join in the negotiations for the Trans Pacific Partnership (TPP) agreement that has many significant problems, which we've been highlighting for years. Apparently, Japan's Prime Minister, Shinzo Abe, has no interest in listening to those concerns

THE INTERNET FINGERPRINT

via Scott Adams Blog by Scott Adams on 6/10/13

URL: http://dilbert.com/blog/entry/the_internet_fingerprint

My hypothesis is that science will someday be able to identify sociopaths and terrorists by their patterns of Facebook and Internet use.

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THE NEXT TIME SOMEONE SAYS TWITTER IS KILLING DEEP THINKING WITH SHORT

QUICK MESSAGES, SHOW THEM THIS

via Techdirt by Mike Masnick on 6/19/13

URL: <https://www.techdirt.com/blog/innovation/articles/20130619/10395523531/next-time-someone-says-twitter-is-killing-deep-thinking-with-short-quick-messages-show-them-this.shtml>

It seems like we keep hearing people insist that the internet, and things like Twitter and Google, are making us dumber because we're no longer really delving into anything with any depth, but rather just finding and spreading short snippets of text.

SOURCES SAY SAMSUNG MAY HAVE DECLINED TO PRODUCE THE NEXT FACEBOOK PHONE

via Ars Technica by Florence Ion on 6/19/13

URL: <http://arstechnica.com/business/2013/06/samsung-declines-to-produce-the-next-facebook-phone/>

Remember what happened to the HTC First? The Android handset was a solid device, but it didn't sell well despite (or because of?) its inclusion of Facebook Home right out of the box.

PLAYSTATION 4 INTERFACE HIGHLIGHTS FRIENDS' ACTIVITIES VIA SOCIAL FEEDS

via Ars Technica by Kyle Orland on 6/19/13

URL: <http://arstechnica.com/gaming/2013/06/playstation-4-interface-highlights-friends-activities-via-social-feeds/>

Goodbye, XrossMediaBar. We hardly knew ye. Hello brand new, Facebook-inspired social news feed, which packs a whole lot of social updates right onto your PS4 home screen, as shown in a new Sony video that showed off the system interface for the first time.

"FTC REGULATION OF SOCIAL MEDIA" TALK SLIDES AND RECORDING

via Technology & Marketing Law Blog by Eric Goldman on 6/20/13

URL: http://blog.ericgoldman.org/archives/2013/06/ftc_regulation.htm

Last week, I spoke at the 16th Annual FDA-OCRA 2013 Educational Conference in Irvine to an audience of medical device and pharmaceutical compliance professionals.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

MOTION PICTURE: INSTAGRAM UNWRAPS VIDEO

via WSJ.com: Media & Marketing by Evelyn M. Rusli on 6/20/13

URL: <http://online.wsj.com/article/SB10001424127887324577904578557740729316694.html>

Facebook made its first major move into video on Thursday, adding the ability for people to create and share ultrashort clips with its Instagram application.

WEB'S REACH BINDS N.S.A. AND SILICON VALLEY LEADERS

via NYTimes by James Risen & Nick Wingfeld on 6/19/13

URL: <https://www.nytimes.com/2013/06/20/technology/silicon-valley-and-spy-agency-bound-by-strengthening-web.html>

When Max Kelly, the chief security officer for Facebook, left the social media company in 2010, he did not go to Google, Twitter or a similar Silicon Valley concern.

FACEBOOK PLAYS CATCH-UP IN VIDEO

via WSJ.com: Technology by Evelyn M. Rusli & Shira Ovide on 6/20/13

URL: <http://online.wsj.com/article/SB10001424127887323300004578555891415047754.html>

When Twitter bought video-sharing app Vine in October, it was largely viewed as a consolation prize after Facebook snapped up photo-sharing app Instagram. But now, Facebook is trying to catch up to Twitter in video.

INSTAGRAM HOPES 15 SECONDS WILL BE BETTER THAN SIX FOR SOCIAL MICRO-VIDEO

via Ars Technica by Nathan Mattise on 6/20/13

URL: <http://arstechnica.com/information-technology/2013/06/instagram-hopes-15-seconds-will-be-better-than-six-for-social-micro-video/>

The rumors are true—Facebook-owned Instagram will jump into the micro-video service after all. Today at an event at Facebook's Menlo Park campus, the company announced its new "Video on Instagram" service.

SOMALI MILITANTS LIVE-TWEET THEIR DEADLY ATTACK ON U.N. COMPOUND

via Foreign Policy by Colum Lynch on 6/19/13

URL:

http://turtlebay.foreignpolicy.com/posts/2013/06/19/somali_militants_live_tweet_their_deadly_attack_on_un_compound

The Somali militant movement al-Shabab today launched a deadly strike against a U.N. humanitarian compound in Mogadishu that killed one international staffer, three contractors, four Somali security guards, and an unknown number of Somali civilians.

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TAKING NO CHANGES WITH SEC, ICAHN REPORTS DELL TWEET
via Law360 by Liz Hoffman on 6/20/13
URL: <http://www.law360.com/media/articles/452041>

For most of the financial world, Carl Icahn's Twitter debut on Thursday was an amusing aside. For the billionaire's lawyers, it was a possible regulatory land mine they quickly sought to defuse.

INVESTOR STOLE IDEA FOR PINTEREST, SUIT SAYS
via Intellectual Property Law360 by Alex Lawson on 6/21/13
URL: <http://www.law360.com/ip/articles/452025>

A New Jersey man filed a complaint in New York state court Thursday alleging that ideas he developed for a pair of Web ventures were stolen by an aggrieved investor and used to launch the popular social networking site Pinterest.com.

REVENGE IS TWEET
via Rebecca Tushnet's 43(B)log by Rebecca Tushnet on 6/21/13
URL: <http://tushnet.blogspot.com/2013/06/revenge-is-tweet.html>

A blogger with the project "Around the World in 80 Jobs" found an employment company using the same concept.

WHAT IS THE MEANING OF 'LIKE'? : THE FIRST AMENDMENT IMPLICATIONS OF
SOCIAL-MEDIA EXPRESSION
via SSRN by Ira P. Robbins on 6/18/13
URL: <http://ssrn.com/abstract=2281881>

Everywhere the Internet goes, new legal problems are sure to follow. As social media expands and infiltrates our daily lives, society must grapple with how to extend the law to modern situations. This problem becomes increasingly pressing as more and more of our social interactions take place online. For example, Facebook has become a colossal gathering place for friends, families, co-workers, frenemies, and others to disseminate their ideas and share information. Sometimes Facebook replaces old institutions; other times it augments them. Where once a neighbor would show allegiance to a political candidate by staking a sign on the front lawn, a user now clicks Like on a candidate's Facebook Page instead.

In 2009, a deputy sheriff was fired for doing just that. A U.S. district court, in an opinion that demonstrates the inability of the current legal framework to adequately address social-media activity, held that the termination did not violate the deputy sheriff's First Amendment rights. The judge reasoned that clicking Like does not constitute speech – let alone protected speech – because it is not substantive.

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This Article demonstrates that the court not only failed to follow well-established Supreme Court precedent, but also fundamentally misunderstood the technological consequences of clicking Like, which include textual statements as well as the symbolic thumbs up sign. Liking a political candidate's Facebook Page is the twenty-first century equivalent of a campaign yard sign and, under the Supreme Court's First Amendment jurisprudence, should be considered protected speech.

FACEBOOK SQUASHES BUG THAT EXPOSED E-MAIL ADDRESSES FOR 6 MILLION USERS

via Ars Technica by Dan Goodin 6/21/13

URL: <http://arstechnica.com/security/2013/06/facebook-squashes-bug-that-exposed-e-mail-addresses-for-6-million-users/>

Facebook engineers have fixed a privacy bug that disclosed e-mail addresses and phone numbers of about 6 million account holders to other users, company officials said Friday.

FACEBOOK TAPS DEPUTY FOR GC JOB

via Law.com - Newswire by Julia Love & Chelsea Allison on 6/20/13

URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202607572116>

Colin Stretch will replace Ted Ulyot, who recruited him from D.C. three years ago.

UX SPOTLIGHT: BEHIND THE SCENES OF TUMBLR'S DESIGN PROCESS

via Ars Technica by Cesar Torres on 6/23/13

URL: <http://arstechnica.com/gadgets/2013/06/ux-spotlight-behind-the-scenes-of-tumblrs-design-process/>

New York City noise blares right outside Tumblr's office in the Flat Iron District in Manhattan. Once inside, the headquarters hum with a quiet intensity.

FACEBOOK AIMS TO BECOME NEWS FOR MOBILE

via WSJ.com: Media & Marketing by Evelyn M. Rusli on 6/23/13

URL: <http://online.wsj.com/article/SB10001424127887323998604578563853135203858.html>

Facebook is quietly working on a service called Reader that displays content from users and publishers in a format tailored for mobile devices.

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AS SOCIAL MEDIA SWIRLS AROUND IT, SUPREME COURT STICKS TO ITS ANALOG WAYS

via NYT > Media & Advertising by Michael D. Shear on 6/23/13

URL: <https://www.nytimes.com/2013/06/24/us/high-court-sticks-to-its-ways-oblivious-to-social-media.html>

In a city beset by leaks, the Supreme Court's rulings remain stubbornly opaque until they are handed out (on paper, first) by the court's public relations staff.

GAWKER's UNPAID INTERNS ARE LEGALLY EMPLOYEES, SUIT SAYS

via Law360 by Dan Prochilo on 6/24/13

URL: <http://www.law360.com/media/articles/452365>

Former Gawker Media LLC interns slapped the company with a wage class action in New York federal court Friday saying they and "numerous" other interns should have been classified as employees and paid for the revenue-producing content they generated for Gawker's blogs.

GONE IN JUST TEN SECONDS?

via At last ... the 1709 Copyright Blog by Ben Challis on 6/25/13

URL: <http://the1709blog.blogspot.com/2013/06/gone-in-just-ten-seconds.html>

Every new technology seems to pose challenges for legislators - whether its copyright and other intellectual property issues, privacy, threats to security, morality, children, and indeed the uses the new technology will be put to by the great unwashed.

FACEBOOK PHONE SELLS OUT AT AT&T

via Ars Technica by Casey Johnston 6/25/13

URL: <http://arstechnica.com/gadgets/2013/06/facebook-phone-sells-out-at-att/>

AT&T has sold through all of its stock of the HTC First, according to a report from CNET Tuesday. The news comes after the First's Facebook Home interface was almost universally panned, the phone underwent a price drop to just 99¢ on contract, and rumors surfaced that AT&T was trying to give back unsold stock to HTC.

YOU FINALLY SIGNED UP FOR TWITTER, NOW WHAT?

via FindLaw Writ - Recent Articles by Gabriella Khorasane on 6/26/13

URL: <http://blogs.findlaw.com/strategist/2013/06/you-finally-signed-up-for-twitter-now-what.html>

Social media is not just a small part of life, it's a way of life. Chances are you've come across tweets even if you're not on Twitter -- news programs report on the latest tweets and quote celebrities daily. Twitter isn't all fun and games though, and it can help.....

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<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

MINN. REP. TWEETS 'UNCLE THOMAS' QUIP; DIDN'T KNOW IT WAS RACIST?
via FindLaw Writ - Recent Articles by William Peacock, Esq. on 6/25/13
URL: http://blogs.findlaw.com/supreme_court/2013/06/minn-rep-tweets-uncle-thomas-quip-didnt-know-it-was-racist.html

Many of us disagree with today's Sheby County decision. Many feel that the neutering of the Voting Rights Act could lead to backsliding in the progress that has been made towards ensuring that everyone has access to the polls and that their votes actually count. Few of us, however, would.....

VENABLE ESCAPES SUIT OVER \$11M FACEBOOK IPO FRAUD
via Law360 by David McAfee on 6/26/13
URL: <http://www.law360.com/media/articles/453443>

A California federal judge on Wednesday tossed a lawsuit brought by ESG Capital Partners LP accusing Venable LLP of helping a known con man defraud ESG of \$11.25 million by falsely promising Facebook shares before the company's initial public offering, finding ESG failed to properly state its claims.

FACEBOOK, APPLE, OTHERS FACE EU COMPLAINTS OVER NSA SPYING
via Law360 by Allison Grande on 6/26/13
URL: <http://www.law360.com/media/articles/453282>

An Austrian student group on Wednesday lodged complaints accusing Facebook Inc., Apple Inc. and other major technology companies of violating European Union privacy laws by voluntarily participating in the National Security Agency's recently leaked Internet surveillance program.

JEREMY FORREST CASE: TWITTER USERS COULD HAVE BROKEN THE LAW
via The Guardian by David Banks on 6/28/2013
URL: <http://www.guardian.co.uk/media/2013/jun/26/jeremy-forrest-twitter-users>

Police are looking at tweets sent following the conviction of Jeremy Forrest to see whether those who identified his victim have broken the law.

FREELANCER LOSES COPYRIGHT CLAIMS AGAINST LICENSEE WHO POSTED
PHOTOS TO FACEBOOK – DAVIS V. TAMPA BAY ARENA
via Technology & Marketing Law Blog by Venkat Balasubramani on 6/28/13
URL: http://blog.ericgoldman.org/archives/2013/06/arena_wins_summ_1.htm

Davis v. Tampa Bay Arena, Ltd., 12-cv-60-T-30MAP (M.D. Fl. June 27, 2013)

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NO NEW TRIALS WHEN JURORS HAVEN'T ADEQUATELY DISCLOSED FACEBOOK FRIENDSHIPS

via Technology & Marketing Law Blog by Venkat Balasubramani on 6/28/13

URL: http://blog.ericgoldman.org/archives/2013/06/attempts_to_ups_1.htm

Three recent cases all raise the same issue: does an undisclosed Facebook relationship between a juror and someone involved in the case warrant a new trial. In several recent cases, the answer was: no.

FACEBOOK TO SHIELD ADS FROM OFFENSIVE CONTENT

via NYT > Media & Advertising by Tanzina Vega on 6/28/13

URL: <https://www.nytimes.com/2013/06/29/business/media/facebook-to-shield-ads-from-offensive-content.html>

The company said it would remove advertising from pages with content that might be offensive or controversial.

FROM TEXAS STATEHOUSE TO YOUTUBE, A FILIBUSTER IS A HIT

via NYT > Media & Advertising by Brian Stelter on 6/30/13

URL: <https://www.nytimes.com/2013/07/01/business/media/from-texas-statehouse-to-youtube-a-filibuster-is-a-hit.html>

A live stream on YouTube provided by the nonprofit news organization The Texas Tribune went viral and gave the Texas state senator Wendy Davis a national platform.

BLOGGER'S THREATS TOWARD JUDGES NOT PROTECTED SPEECH, SECOND CIRCUIT HOLDS

via JOLT Digest by Michelle Goldring on 6/30/13

URL: <http://jolt.law.harvard.edu/digest/jurisdiction/2nd-circuit-decisions/bloggers-threats-toward-judges-not-protected-speech-second-circuit-holds>

United States v. Turner, No. 11-196-cr (2nd Cir. June 21, 2013)

July 2013

AMERICA'S LEFT: FIND IT ON TWITTER

via Balkinization by Frank Pasquale on 7/2/13

URL: <http://balkin.blogspot.com/2013/07/americas-left-find-it-on-twitter.html>

Barry Friedman and Dahlia Lithwick's article "What's Left?" worries that progressives have failed to fight for many of the most disadvantaged

HOW FACEBOOK THREATENS HP, CISCO, AND MORE WITH ITS "VANITY FREE" SERVERS

via Ars Technica by Sean Gallagher on 7/2/13

URL: <http://arstechnica.com/information-technology/2013/07/how-facebook-is-killing-the-hardware-business-as-we-know-it/>

MENLO PARK, CA—Building 17 of Facebook's headquarters sits on what was once a Sun Microsystems campus known fondly as "Sun Quentin." It now houses a team of Facebook engineers in the company's electrical lab.

HOW IMPORTANT ARE YOUTUBE GAME VIDEOS TO GAME COMPANIES?

via Techdirt by Timothy Geigner 7/2/13

URL: <https://www.techdirt.com/articles/20130702/06235623689/how-important-are-youtube-game-videos-to-game-companies.shtml>

While it hasn't been a crescendo, there's been some noise recently about how accepting video game publishers and related industries are in allowing YouTube videos that feature their content.

TWITTER: A SLEEPING DISCOVERY GIANT?

via Law.com - Newswire by Daniel Cummins and Ben Present on 4/23/13

URL: <http://www.law.com/jsp/pa/PubArticlePA.jsp?id=1202594676587>

Attorney Daniel Cummins and staff reporter Ben Present discuss the emerging issue of social media law. In this installment, the two discuss the differences between Facebook and Twitter, and whether Twitter posts can be discoverable.

NO TAKEDOWN AND STAYDOWN IN FRANCE

via At last ... the 1709 Copyright Blog on 7/3/13

URL: <http://the1709blog.blogspot.com/2013/07/no-takedown-and-staydown-in-france.html>

In a recent case involving SPPF (the French collecting society for record labels' neighbouring right in sound recordings) and Youtube, the Paris Court of Appeals, siding with Youtube, stated

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in no uncertain terms that Youtube, as a provider of hosting services, is under no general duty to monitor the content posted to its platform and that the takedown of a given piece of content by a hoster can only take place after proper prior notification has been given by the rightsholder and that this is so even when the same piece of content has already been the subject-matter of a notification.

FACEBOOK CASE TESTS COURTS' POWER TO REVIEW ETHICS TRIBUNALS' ACTIONS

via Law.com - Newswire by Mary Pat Gallagher on 7/2/13

URL: <http://www.law.com/jsp/nj/PubArticleNJ.jsp?id=1202609494303>

A novel ethics case against two lawyers for using Facebook "friending" to get information in a personal injury case has turned into a judicial shell game — to wit: where's the jurisdiction?

CRASS AND OFFENSIVE TWEETS BY STUDENT MAY NOT JUSTIFY SUSPENSION -- ROSARIO V. CLARK COUNTY SCHOOL DIST.

via Technology & Marketing Law Blog by Venkat Balasubramani on 7/5/13

URL: http://blog.ericgoldman.org/archives/2013/07/students_crass_1.htm

Rosario v. Clark County School Dist., 13-cV-362 JCM (PAL) (D. Nev. July 3, 2013)

TEEN JAILED FOR FACEBOOK POSTING ABOUT SCHOOL SHOOTING

via WSJ.com: Technology by Joe Palazzolo on 7/4/13

URL: <http://online.wsj.com/article/SB10001424127887324260204578583482948367730.html>

Prosecutors in New Braunfels, Texas, are treating Justin Carter's comments on Facebook about a school shooting as a terrorist threat, although he and his parents say they were made in jest.

CLUELESS STATE AGS ATTACK GOOGLE OVER YOUTUBE VIDEOS INSTEAD OF PURSUING THE CRIMINALS WHO MADE THEM

via Techdirt by Mike Masnick on 7/3/13

URL: <https://www.techdirt.com/articles/20130702/15401523697/clueless-state-ags-attack-google-over-youtube-videos-instead-pursuing-criminals-who-made-them.shtml>

We've been writing a fair bit lately on the incredible anti-innovation, anti-free speech views of various states' attorneys general, who seem to be doing anything they can to get themselves shoved into the headlines by making completely bogus threats against internet companies for things their users do.

JUDGES' FACEBOOK FRIENDSHIPS INSUFFICIENT FOR RECUSAL .. AGAIN

via Technology & Marketing Law Blog by Venkat Balasubramani on 7/6/13

URL: http://blog.ericgoldman.org/archives/2013/07/judges_facebook_2.htm

I recently blogged about a trio of cases involving attempts to unseat jury verdicts based on social media relationships between the jurors and witnesses or parties.

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ADVERTISING: A WIENERMOBILE ROAD RALLY, MAPPED OUT BY FANS ON SOCIAL MEDIA

via NYT > Media & Advertising by Stuart Elliott on 7/7/13

URL: <https://www.nytimes.com/2013/07/08/business/media/a-wienermobile-road-rally-mapped-out-by-fans-on-social-media.html>

Social media services like Facebook, Instagram and Twitter are shifting how brands, like Oscar Mayer, Chevrolet and A.1., use events as promotions.

EXECUTIVE'S TWEETS PROVIDED REAL-TIME UPDATES

via WSJ.com: Technology by Don Clark on 7/7/13

URL: <http://online.wsj.com/article/SB10001424127887323368704578591863760520532.html>

Tweets from a Samsung Electronics executive about the San Francisco plane crash were among the first signs that most people survived.

BECAUSE SOME PEOPLE SHARE A LOT OF INFO ON FACEBOOK, WE SHOULD ADMIT WE'VE GIVEN UP ALL PRIVACY RIGHTS?

via Techdirt by Mike Masnick on 7/8/13

URL: <https://www.techdirt.com/articles/20130703/14114123715/because-some-people-share-lot-info-facebook-we-should-admit-weve-given-up-all-privacy-rights.shtml>

While I don't always agree with Frank Rich, he often does write thoughtful pieces on various current events, but his recent piece arguing that "privacy has jumped the shark," and that Ed Snowden's revelations are no big deal because people don't care about privacy, is a complete train wreck.

DO THOSE BONG PHOTOS ON FACEBOOK REALLY TRANSLATE TO WORKPLACE HABITS?

via Ars Technica by Jonathan M. Gitlin on 7/8/13

URL: <http://arstechnica.com/science/2013/07/do-those-bong-photos-on-facebook-really-translate-to-workplace-habits/>

Privacy is dead. We hear that a lot these days. Vast relational databases keep records of our electronic interactions. Even our snail mail is actively logged. But if privacy is dead, it's a death partly of our own making. We might not want Target data mining our purchases to tell us we're pregnant, but posting on Twitter or Facebook is an active choice.

ITALIAN REGULATOR PRODS FACEBOOK OVER CONTACT INFO BREACH

via Law360 by Allison Grande on 7/8/13

URL: <http://www.law360.com/media/articles/455513>

The Italian data protection authority last week pushed Facebook Inc. to explain how it handles the data stored in address books that are voluntarily uploaded to its site, following the company's recent discovery of a security flaw that inadvertently exposed the contact information of 6 million users.

A SOCIAL MEDIA WAKE-UP CALL FOR BROKER-DEALERS

via Law360 by Kevin J. Harnisch & Linda Riefberg on 7/8/13

URL: <http://www.law360.com/media/articles/453763>

The the Financial Industry Regulatory Authority's recent social media letter reinforces the message that if a broker-dealer chooses to adopt social media as a part of its advertising or client communications, it must have the necessary training and controls in place to avoid the regulatory maelstrom, say Kevin Harnisch and Linda Riefberg of Fried Frank Harris Shriver & Jacobson LLP.

HOW TO DEAL WITH NLRB SOCIAL MEDIA ENFORCEMENT

via Law360 by Jay Wallace on 7/8/13

URL: <http://www.law360.com/media/articles/451633>

In light of the National Labor Relations Board's recent charges against employers for infringing on employee rights to participate in protected activity via social media, employers should keep in mind several pointers, including that the board is more likely to protect content referring to workplace conditions or pay even if it disrespects the company, says Jay Wallace of Bell Nunnally & Martin LLP.

PRIORITIZE YOUR FIRM'S SOCIAL MEDIA SCHEDULE: A HOW-TO CHECKLIST

via FindLaw Writ - Recent Articles by Aditi Mukherji on 7/9/13

URL: <http://blogs.findlaw.com/strategist/2013/07/prioritize-your-firms-social-media-schedule-a-how-to-checklist.html>

When it comes to managing a law firm's social media schedule, prioritizing is key. From pokes and pins, to tweets and digs, managing your social media presence can feel daunting — unless you have a solid checklist that outlines your social media activity. In a new e-guide by Attorney at.....

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TSA'S INSTAGRAM ACCOUNT FULL OF CONFISCATED WEAPONS PHOTOS ONLY LOOKS LIKE 'SAFETY'

via Techdirt by Tim Cushing on 7/9/13

URL: <https://www.techdirt.com/articles/20130703/13585923714/tsas-instagram-account-full-confiscated-weapons-photos-only-looks-like-safety.shtml>

News of the TSA's new Instagram account has been pinballing around the net. It's a violent hipster's dream, filled with heavily-filtered photos of confiscated weapons.

SEC RULING CLEARS WAY FOR BLOGGING BUSINESS OWNERS

via WSJ.com: Technology by Angrus Loten, Adam Janofsky & Sarah Needleman on 7/10/13

URL: <http://online.wsj.com/article/SB10001424127887324694904578597691543313894.html>

Entrepreneurs say they plan marketing blitzes after SEC cleared the way for them to reach their target audiences of potential investors.

FACEBOOK PASSWORD BILLS ARE POINTLESS AND UNFAIR

via Law360 by Jackie Ford on 7/10/13

URL: <http://www.law360.com/media/articles/452337>

Facebook and other social media are ubiquitous, resulting in several states passing laws to prevent employers from asking employees for their social media passwords. However, because getting a password via coercion is arguably already prohibited by federal law, such laws, at best, are pointless and, at worst, hamper an employer's legitimate business needs, says Jackie Ford of Vorys Sater Seymour & Pease LLP.

FUGITIVE TWEETS 'CATCH ME IF YOU CAN' WHILE ON THE RUN, IS PROMPTLY CAUGHT DUE TO TWEET

via Techdirt by Timothy Geigner on 7/11/13

URL: <https://www.techdirt.com/articles/20130709/10172523747/fugitive-tweets-catch-me-if-you-can-while-run-is-promptly-caught-due-to-tweet.shtml>

Dumb criminals and the internet make for a truly fun experience. Whether it's butt-dialing 911 while you're discussing your murder plot, getting nabbed from posting your own food porn, or bragging about that bank you robbed on YouTube, the intersection of criminality, stupidity and internet connectivity is a more humorous place than the NAACP headquarters on Paula Deen Appreciation Day.

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ANONYMOUS 'GOOD SAMARRITAN' PAYS JUSTIN CARTER'S \$500K BAIL AFTER 4 MONTHS IN JAIL FOR ONLINE TRASHTALK

via Techdirt by Mike Masnick on 7/11/13

URL: <https://www.techdirt.com/articles/20130711/11551523770/anonymous-good-samaritan-pays-justin-carters-500k-bail-after-4-months-jail-online-trashtalk.shtml>

We've written a few times about Justin Carter, the teenager in Texas who has been held in jail (at times, in solitary confinement) since March because of an obviously sarcastic trash-talking joke he made on Facebook, which a woman in another country saw and reported to the police as a "terroristic threat."

TEEN JAILED FOR ALLEGED "TERRORISTIC THREATS" ON FACEBOOK NOW FREE ON BAIL

via Ars Technica by Cyrus Farivar on 7/11/13

URL: <http://arstechnica.com/tech-policy/2013/07/teen-jailed-for-alleged-terroristic-threats-on-facebook-now-free-on-bail/>

An anonymous benefactor has posted \$500,000 bail for the 19-year-old Texan who had been imprisoned for months after a violent comment that he left on his own Facebook page.

YELP'S PAY-FOR-STARTS RULE IS EXTORTION, 9TH CIRC. TOLD

via Law360 by Beth Winegarner on 7/11/13

URL: <http://www.law360.com/media/articles/456684>

Business owners who say their positive reviews vanished after they refused to pay fees to Yelp! Inc. urged the Ninth Circuit on Thursday to revive the case, arguing that the Communications Decency Act doesn't shield the reviews site from practicing the purported "extortion."

GOP REP. SEEKS TO BAN MINORS' IMAGES FROM FACEBOOK ADS

via Law360 by Allison Grande on 7/11/13

URL: <http://www.law360.com/media/articles/456605>

A House Republican on Wednesday proposed legislation that would bar social media sites such as Facebook Inc. from using images that underage users post of themselves for commercial purposes, citing concerns over the use of minors' photos in ads without their permission.

WEEKEND CONFIDENTIAL: DAVID KARP

via WSJ.com: Technology by Alexandra Wolfe on 7/12/13

URL: <http://online.wsj.com/article/SB10001424127887324507404578593602476366638.html>

The 20-something Tumblr CEO on his "awesome" new boss and becoming a multimillionaire.

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TWITTER BOWS TO FRENCH GOVERNMENT, GIVES DATA ON "GOOD JEW" TWEET WRITERS

via Ars Technica by Casey Johnston on 7/12/13

URL: <http://arstechnica.com/business/2013/07/twitter-bows-to-french-government-gives-data-on-good-jew-tweet-writers/>

After months of struggle, Twitter has agreed to hand over user data relating to the “Good Jew” hashtag that resulted in some hate speech, reports GigaOm.

FACEBOOK, MITEL SETTLE PATENT FEUD

via Intellectual Property Law360 by Jonathan Randles on 7/15/13

URL: <http://www.law360.com/ip/articles/456754>

Mitel Networks Corp., a company that develops business communications technology, has settled its year-old lawsuit against Facebook Inc., which was accused in California federal court of infringing phone and Internet-related patents.

GOODREADS HIT WITH COPYRIGHT SUIT OVER FAN PHOTO

via paidContent by Jeff John Roberts on 7/15/13

URL: <http://paidcontent.org/2013/07/15/goodreads-hit-with-copyright-suit-over-fan-photo/>

Goodreads is being sued after a member of the book-sharing social network posted a celebrity photo to the site.

ADVERTISING: ANTIDRUG CAMPAIGN, LACKING FEDERAL FUNDS, TURNS TO SOCIAL MEDIA

via NYT > Media & Advertising by Stuart Elliott on 7/15/13

URL: <http://www.nytimes.com/2013/07/16/business/media/antidrug-campaign-lacking-federal-funds-turns-to-social-media.html>

Above the Influence lost millions of dollars in appropriations, but executives of the partnership at Drugfree.org have decided to try to keep the campaign going.

TEEN TWEETS STUPID 'THREAT,' SURPRISINGLY MANAGES TO AVOID TERRORISM CHARGES

via Techdirt by Tim Cushing on 7/15/13

URL: <https://www.techdirt.com/articles/20130715/12190923805/teen-tweets-stupid-threat-surprisingly-manages-to-avoid-terrorism-charges.shtml>

Another teenager has taken to social media and made an ass of himself by unleashing a severely stupid statement. "Mark" (Twitter handle: @Mark12394995) responded to the George Zimmerman verdict with this moronic tweet.

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<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

WHY MATT SMITH ISN'T ON FACEBOOK

via TechWeek Europe by Max Smolaks on 7/15/13

URL: <http://www.techweekeurope.co.uk/interview/matt-smith-facebook-dr-who-121720>

The Doctor talks about milkshakes – and warns against Facebook’s “surrogate” world

GOOGLE, FACEBOOK WANT REGULATORS TO FOLLOW PRIVACY REFORMS

via Law360 by Allison Grande on 7/15/13

URL: <http://www.law360.com/media/articles/457323>

Google Inc., Facebook Inc. and more than 60 other organizations on Friday urged the U.S. Senate not to exempt regulatory agencies from reforms raising the bar for government access to electronic communications stored by service providers.

FACEBOOK, MITEL SETTLE PATENT FEUD

via Law360 by Jonathan Randles on 7/15/13

URL: <http://www.law360.com/media/articles/456754>

Mitel Networks Corp., a company that develops business communications technology, has settled its year-old lawsuit against Facebook Inc., which was accused in California federal court of infringing phone and Internet-related patents.

**DENTIST'S DEFAMATION LAWSUIT AGAINST YELP PREEMPTED BY SECTION 230--
BRAVERMAN V. YELP**

via Technology & Marketing Law Blog by Eric Goldman on 7/16/13

URL: http://blog.ericgoldman.org/archives/2013/07/dentist_lawsuit.htm

Braverman v. Yelp, Inc., 2013 NY Slip Op 31407 (NY Sup. Ct June 28, 2013)

INSTAGRAM DODGES CLASS ACTION OVER USER POLICY PRIVACY

via Intellectual Property Law360 by Juan Carlos Rodriguez on 7/16/13

URL: <http://www.law360.com/ip/articles/457499>

A federal judge on Friday tossed a proposed class action alleging Instagram, the Facebook Inc.-owned photo sharing application, has rules that violate California privacy laws by giving it broad rights over users' personal pictures, saying there is no federal court jurisdiction in the matter.

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THE ENGLISH VERB, FROM THE SWAMP TO SQUIDPOO

via FORA.tv - Program Feed by Constance Hale on 4/20/13

URL: http://fora.tv/2013/04/20/The_English_Verb_From_the_Swamp_to_Squidoo

Constance Hale, longtime UC Berkeley Extension instructor of The English Verb, From the Swamp to Squidoo, takes the audience on a romp through the evolution of language and the history of English, mixing in readings from great literature, unforgettable advertising, and memorable Tweets.

SOCIAL MEDIA

via xkcd.com by Randall Munroe on 7/16/13

URL: <https://xkcd.com/1239/>

The social media reaction to this asteroid announcement has been sharply negative. Care to respond?

INSTAGRAM DODGES CLASS ACTION OVER PHOTO RIGHTS POLICY

via Law360 by Juan Carlos Rodriguez on 7/16/13

URL: <http://www.law360.com/media/articles/457499>

A federal judge on Friday tossed a proposed class action alleging Instagram, the Facebook Inc.-owned photo sharing application, has rules that violate California privacy laws by giving it broad rights over users' personal pictures, saying there is no federal court jurisdiction in the matter.

UNIVERSITY MAY BE LIABLE FOR IMPROPER ACCESS TO STUDENT'S FACEBOOK PHOTOS – RODRIGUEZ V. WIDENER UNIV.

via Technology & Marketing Law Blog by Venkat Balasubramani on 7/17/13

URL: http://blog.ericgoldman.org/archives/2013/07/disciplined_stu_1.htm

Rodriguez v. Widener Univ., 12-1226, (E.D. Pa. June 17, 2013)

WOMAN WHO BRAGGED THAT SHE WAS 'THE QUEEN OF TAX FRAUD' ON FACEBOOK GETS 21 YEARS IN JAIL

via Techdirt by Timothy Geigner on 7/17/13

URL: <https://www.techdirt.com/articles/20130717/12453623836/woman-who-bragged-that-she-was-queen-tax-fraud-facebook-gets-21-years-jail.shtml>

The stupid never seems to stop when it comes to dumb criminals.

PIPPA MIDDLETON SENDS LEGAL THREATS OVER PARODY TWITTER ACCOUNT
via Techdirt by Tim Cushing on 7/17/13
URL: <https://www.techdirt.com/articles/20130716/13322823825/pippa-middleton-sends-legal-threats-over-parody-twitter-account.shtml>

Like most tragic stories, this one starts with a wedding and ends with legal threats.

EBAY'S GROTH DISAPPOINTS, SHARES SLUMP
via WSJ.com: Technology by Greg Bensinger on 7/17/13
URL: <http://online.wsj.com/article/SB10001424127887324263404578612262046006812.html>

EBay boosted revenue and lifted its customer count in its second quarter, but the growth failed to impress some investors. Shares fell 6%.

WHY STARTUPS ARE SPROTING INCREASINGLY QUIRKY NAMES
via WSJ.com: Technology by Lindsay Gellman on 7/17/13
URL: <http://online.wsj.com/article/SB10001424127887324263404578611772689785466.html>

Quirky startup names have been around for a long time, but the latest crop of new companies is using even wackier spellings and mash-ups, largely due to the dwindling supply of short, recognizable dot-com Web addresses.

INSTAGRAM HIT WITH STATE CLASS ACTION OVER NEW USER POLICY
via Law360 by David McAfee on 7/17/13
URL: <http://www.law360.com/media/articles/457884>

Instagram LLC was hit with a proposed class action in California state court on Tuesday over the site's new policy that allows it to hang on to users' photos after they delete their accounts, just days after a federal judge tossed similar claims for lack of jurisdiction.

ALL PRIVATE EVERYTHING (ELSE): APPS, SERVICES, SOCIAL NETWORKING
via FindLaw Writ - Recent Articles by William Peacock, Esq. on 7/18/13
URL: <http://blogs.findlaw.com/technologist/2013/07/all-private-everything-else-apps-services-social-networking.html>

You've picked up a burner SIM card, installed it in your BlackBerry, and tossed your tablet device. You're also reading this on a Linux-running computer. You've completed the first step of All Private Everything, a mental exercise meant to see how possible it would be to switch to hardware, software,.....

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FIRE SALE: POPE FRANCIS TRADES INDULGENCES FOR TWITTER FOLLOWERS

via Techdirt by Timothy Geigner on 7/18/13

URL: <https://www.techdirt.com/articles/20130717/06150223833/fire-sale-pope-francis-trades-indulgences-twitter-followers.shtml>

You may recall that the recently retired Pope Benedict became the first Pope to sign up for a Twitter account.

'SECRET' DHS TWITTER ACCOUNT ISN'T FOLLOWING ANYONE INTERESTING, SO WHY IS IT SECRET?

via Techdirt by Mike Masnick on 7/18/13

URL: <https://www.techdirt.com/articles/20130717/16191123841/secret-dhs-twitter-account-isnt-following-anyone-interesting-so-why-is-it-secret.shtml>

It's no secret that various law enforcement and government agencies "monitor" Twitter, and sometimes to do that properly, they need to have an actual Twitter account.

JDATE MEMBER AGREEMENT UPHELD--ZALTZ V. JDATE (FORBES CROSS-POST)

via Technology & Marketing Law Blog by Eric Goldman on 7/19/13

URL: http://blog.ericgoldman.org/archives/2013/07/jdate_member_ag.htm

Lisa Zaltz v. JDate, 2013 WL 3369073 (E.D.N.Y. July 8, 2013).

WHY I HATE READ RECEIPTS

via Ars Technica by Casey Johnston on 7/19/13

URL: <http://arstechnica.com/staff/2013/07/why-i-hate-read-receipts/>

Few things on the Internet giveth and taketh away the way a read receipt does. An immediate read-and-response is immense validation, while a crucial message that has been read but not responded to is emotionally crushing—you can never pretend hard enough like you have better things to do than wait for a reply.

COPYRIGHT AS CENSORSHIP: NBC PULLS YOUTUBE CLIP FROM SENATOR ELIZABETH WARREN'S ACCOUNT

via Techdirt by Mike Masnick on 7/19/13

URL: <https://www.techdirt.com/articles/20130719/11001823866/copyright-as-censorship-nbc-pulls-youtube-clip-senator-elizabeth-warrens-account.shtml>

In yet another story of copyright being used as censorship, a clip of Senator Elizabeth Warren responding forcefully to some dubious claims made by some CNBC hosts has been pulled from Warren's own YouTube account:

ADULT TUMBLR BLOGS NOW REMOVED FROM EVERY FORM OF SEARCH POSSIBLE

via ZDNet by Violet Blue on 7/19/13

URL: <http://www.zdnet.com/adult-tumblr-blogs-now-removed-from-every-form-of-search-possible-7000018295/>

Rather than leave adult content alone Yahoo's Tumblr has eliminated its Erotica category, disabled search engine indexing for adult blogs, and removed adult Tumblrs from all internal search. Users are furious.

TWITTER CO-FOUNDER BIZ STONE GIVES FACEBOOK SOME ADVICE: OFFER A \$10 PREMIUM SUBSCRIPTION WITHOUT ADS

via The Next Web by Emil Protalinski on 7/20/13

URL: <http://thenextweb.com/facebook/2013/07/20/twitter-co-founder-biz-stone-gives-facebook-some-advice-offer-a-10-premium-subscription-without-ads/>

Twitter co-founder Biz Stone today decided to offer some business advice for Facebook: launch a premium subscription service.

TWITTER RELEASES USERS' IDENTITIES TO FRENCH AUTHORITIES AFTER TOUGH LEGAL BATTLES

via JOLT Digest by Michelle Sohn on 7/21/13

URL: <http://jolt.law.harvard.edu/digest/jurisdiction/international-decisions/twitter-releases-users-identities-to-french-authorities-after-tough-legal-battles>

Last week, Twitter, traditionally a stalwart opponent of government surveillance requests, released to French prosecutors the identities of users who had tweeted anti-Semitic comments in violation of France's hate speech laws.

HACK EXPOSES E-MAIL ADDRESSES, PASSWORD DATA FOR 2 MILLION UBUNTU FORUM USERS

via Ars Technica by Dan Goodin on 7/21/13

URL: <http://arstechnica.com/security/2013/07/hack-exposes-e-mail-addresses-password-data-for-2-million-ubuntu-forum-users/>

E-mail addresses, user names, and password data for every registered user of the Ubuntu Forums—estimated to be 1.82 million accounts—were exposed in a security breach hitting the company responsible for maintaining the freely available, open-source operating system. There's no sign the compromised data has been published online.

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IN SOCIAL GAMING BOOM, LAWYERS HOLD THE CARDS
via Law.com - Newswire by Cheryl Miller on 7/19/13
URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202611747317>

The "gambification" of online gaming is drawing scrutiny from regulators and spurring a lobbying push from Silicon Valley.

RECAP OF STANFORD E-COMMERCE CONFERENCE PANEL ON TAKEDOWN
NOTICES
via Technology & Marketing Law Blog by Eric Goldman on 7/22/13
URL: http://blog.ericgoldman.org/archives/2013/07/stanford_ecomme.htm

Last month, I attended Stanford Law School's annual E-commerce Law Conference, one of my favorite conferences of the year because of its subject material and the chance to hang out with so many friends.

FOURTH CIRCUIT: CLICKWRAP AGREEMENT FULFILLS WRITING REQUIREMENT
FOR COPYRIGHT TRANSFER
via Copyhype by Devlin Hartline on 7/23/13
URL: <http://www.copyhype.com/2013/07/fourth-circuit-clickwrap-agreement-fulfills-writing-requirement-for-copyright-transfer/>

In an issue of first impression at the appellate court level, the Fourth Circuit last week held that a clickwrap agreement could satisfy Section 204(a)'s requirement that "[a] transfer of copyright ownership" be "in writing and signed by the owner of the rights conveyed"1 T

HOW BET'S 'THE GAME' LAUNCHED A LEGAL WAR OVER A FACEBOOK PAGE
(EXCLUSIVE)
via Hollywood Reporter - THR, Esq. by Eriq Gardner on 7/23/13
URL: <http://www.hollywoodreporter.com/thr-esq/how-bets-game-launched-a-590794>

The woman who has been credited with promoting the second-most-watched program in BET's history files a lawsuit after an intriguing two-year social-media battle.

EMPLOYEES TRASH-TWEETING YOUR COMPANY? YOU MAY BE OUT OF LUCK
via Law.com - Newswire by Sue Reisinger on 7/24/13
URL: <http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202612078909>

In a warning to employers, the National Labor Relations Board's Office of General Counsel has "unliked" certain social media policies that restrict an employee's right to speak critically of the employer online, unless the policies were set in collective bargaining.

FINAL FANTASY FAN FILM KICKSTARTER PROJECT, APPARENTLY WITH SQUARE ENIX'S TACIT APPROVAL

via Techdirt by Timothy Geigner on 7/23/13

URL: <https://www.techdirt.com/articles/20130723/05523623899/final-fantasy-fan-film-kickstarter-project-apparently-with-square-enixs-tacit-approval.shtml>

Video game giant Square Enix has never had a great track record when it comes to opting for lawyers over any kind of fan-created works built off of its properties.

FACEBOOK, GOOGLE NOT LETTING UP ON PRIVACY LOBBYING

via Law360 by Allison Grande on 7/23/13

URL: <http://www.law360.com/media/articles/459378>

Google Inc., Facebook Inc. and other top Internet companies pushed forward with their efforts to influence Congress on privacy, cybersecurity and immigration reform issues during the second quarter, spending millions of dollars lobbying both individually and through a new industry group, according to disclosures released Monday.

JUDGE ORDERS GOOGLE TO UNMASK BLOGGER

via WSJ.com: Law Blog - WSJ.com by Jacob Gershman on 7/24/13

URL: <http://blogs.wsj.com/law/2013/07/24/judge-orders-google-to-unmask-blogger/>

Google may not shield the identity of an anonymous blogger who claimed a Manhattan lawyer was a "crooked" and "shady" attorney, a judge ruled.

FACEBOOK IS ON ROAD TO REDEMPTION

via WSJ.com: Technology by Rolfe Winkler on 7/25/13

URL: <http://online.wsj.com/article/SB10001424127887323971204578626363606146592.html>

Facebook's second-quarter results showed mobile-advertising revenue accelerating, giving investors hope the stock could reclaim its high-water mark.

FACEBOOK'S AD SALES SURPRISE INVESTORS

via WSJ.com: Technology by Evelyn M. Rusli on 7/24/13

URL: <http://online.wsj.com/article/SB10001424127887323610704578626391460923624.html>

The company swung to a profit as its sales rose 53% to \$1.81 billion from a year ago, boosted by a surge in mobile and local ad sales.

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THE ART OF 'FAVORITING' ON TWITTER

via WSJ.com: Technology by Katherine Rosman on 7/24/13

URL: <http://online.wsj.com/article/SB10001424127887324564704578626070775502176.html>

What's trending on Twitter? The use of an option known as "favoriting," which is becoming a go-to tool for people who long for a more discreet way to navigate the waters of the popular social network.

WHAT MOBILE PROBLEM? FACEBOOK JUST RAKED IN \$333 MILLION IN QUARTERLY PROFIT

via Ars Technica by Cyrus Farivar on 7/24/13

URL: <http://arstechnica.com/business/2013/07/what-mobile-problem-facebook-just-raked-in-333-million-in-quarterly-profit/>

In its second quarter of earnings in 2013, Facebook walked away with \$333 million in profit (and \$1.8 billion in revenue), according to its latest 8-K filing with the Securities and Exchange Commission. Investors clearly like Facebook's latest numbers—the stock has soared 17 percent in after-hours trading.

7 TIPS FOR EMPLOYERS ON SOCIAL MEDIA DISCOVERY

via Law360 by Abigail Rubenstein on 7/25/13

URL: <http://www.law360.com/media/articles/460045>

Social media sites like Facebook and Twitter can contain troves of information useful for employers defending themselves against lawsuits, such as photos of supposedly sick employees partying in exotic locales. But you can't use information you can't access, so attorneys gave Law360 their best tips on getting the most out of social media discovery.

DEFAMATION BY INSTAGRAM? THE GAME SLAPPED WITH LAWSUIT FROM BABY SITTER

via Hollywood Reporter - THR, Esq. by Eriq Gardner on 7/25/13

URL: <http://www.hollywoodreporter.com/thr-esq/defamation-by-instagram-game-slapped-593230>

The rapper allegedly captioned a photo, "Beware if this person is watching your children, she is a very dangerous baby sitter."

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

FACEBOOK BEATS THINK COMPUTER BID TO TRADEMARK 'FACEMAIL'
via Intellectual Property Law360 by Ryan Davis on 7/26/13
URL: <http://www.law360.com/ip/articles/460372>

The Trademark Trial and Appeal Board on Tuesday rejected Think Computer Corp.'s bid to trademark the word "FaceMail" for email services, finding that it is confusingly similar to the trademarked name of Facebook Inc.

YOUTUBE GETS EASY SECTION 230 WIN--GAVRA V GOOGLE
via Technology & Marketing Law Blog by Eric Goldman on 7/25/13
URL: http://blog.ericgoldman.org/archives/2013/07/youtube_gets_ea.htm

Gavra v. Google Inc., 2013 WL 3788241 (N.D. Cal. July 17, 2013).

FACEMAIL FALLS ON ITS FACE WHEN FACED WITH FAMOUS FACEBOOK MARK
via The TTABlog® by John L. Welch on 7/26/13
URL: <http://thettablog.blogspot.com/2013/07/facemail-falls-on-its-face-when-faced.html>

What did Think Computer think would happen to its application to register FACEMAIL for email and instant messaging services, when faced with the FACEBOOK mark?

SHOULD REDDIT BE BLAMED FOR THE SPREADING OF A SMEAR?
via NYT > Media & Advertising by Jay Caspian Kang on 7/25/13
URL: <http://www.nytimes.com/2013/07/28/magazine/should-reddit-be-blamed-for-the-spreading-of-a-smear.html>

When the Sunil Tripathi rumor went viral after the Boston Marathon bombing, it laid bare the dysfunctional codependence between new and old media.

ADVERTISERS WARM TO FACEBOOK
via WSJ.com: Media & Marketing by Suzanne Vranica and Evelyn M. Rusli on 7/25/13
URL: <http://online.wsj.com/article/SB10001424127887323971204578628252225861688.html>

Facebook didn't have much presence in mobile advertising a year ago, but in the latest quarter, mobile accounted for 41% of Facebook's ad sales.

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YELP! NEGATIVE REVIEWS REQUIRE PROFESSIONALISM, ETHICS
via FindLaw Writ - Recent Articles by William Peacock, Esq. on 7/25/13
URL: <http://blogs.findlaw.com/strategist/2013/07/yelp-negative-reviews-require-professionalism-ethics.html>

Fact: at some point in your career as a practicing attorney, you will have a disgruntled client. Your primary concern, years ago, would be a malpractice lawsuit and perhaps, a lost client or two in the community. Today, that one angry client can run amok on sites like Yelp!, leaving.....

GAME OVER FOR ZYNGA? FIRM LOSES 25 PERCENT OF DAILY ACTIVE USERS IN ONE QUARTER

via Ars Technica by Cyrus Farivar on 7/25/13
URL: <http://arstechnica.com/business/2013/07/game-over-for-zynga-firm-loses-25-percent-of-daily-active-users-in-one-quarter/>

In its latest earnings statement filed Thursday with the Securities and Exchange Commission, Zynga reported the number of daily average users (DAU) dropped to 39 million in the second quarter of 2013—the lowest ever since the company began keeping track. Last quarter, the DAU fell to the then-lowest record, 52 million users.

WORST WOMAN IN THE WORLD BURNS DOG ALIVE, IS CAUGHT AFTER BRAGGING ABOUT IT ON FACEBOOK

via Techdirt by Timothy Geigner on 7/26/13
URL: <https://www.techdirt.com/articles/20130726/11593523960/worst-woman-world-burns-dog-alive-is-caught-after-bragging-about-it-facebook.shtml>

Normally when we write up posts discussing idiot criminals and their internet exploits, they're a bit of levity in an otherwise maddening world.

ZYNGA'S BUSINESS ERODES FURTHER

via WSJ.com: Technology by Evelyn M. Rusli on 7/25/13
URL: <http://online.wsj.com/article/SB10001424127887323971204578628380122796490.html>

Zynga provided little assurance that its business was on the mend as the online game company posted a small loss on a 31% drop in revenue.

PINTEREST ALLOWS USERS TO OPT OUT OF BEING TRACKED

via NYTimes.com by Nick Bilton on 7/26/13

URL: <http://bits.blogs.nytimes.com/2013/07/26/pinterest-allows-users-to-opt-out-of-being-tracked/>

In Silicon Valley there are hundreds of companies that track people's habits with the hopes of offering more intrusive advertising.

**WHY YOUTUBE BUFFERS: THE SECRET DEALS THAT MAKE—AND BREAK—
ONLINE VIDEO**

via Ars Technica by Jon Brodtkin on 7/28/13

URL: <http://arstechnica.com/information-technology/2013/07/why-youtube-buffers-the-secret-deals-that-make-and-break-online-video/>

Lee Hutchinson has a problem. My fellow Ars writer is a man who loves to watch YouTube videos—mostly space rocket launches and gun demonstrations, I assume—but he never knows when his home Internet service will let him do so.

ALLEGED FACEBOOK FRAUDSTER CAN'T HALT CHARGES, HOLDER SAYS

via Law360 by Beth Winegarner on 7/26/13

URL: <http://www.law360.com/media/articles/460452>

The U.S. attorney general on Friday urged a New York federal court to throw out an alleged fraudster's bid to halt a criminal case stemming from claims that Facebook founder Mark Zuckerberg owes him a 50 percent stake in the site, arguing that the First Amendment doesn't protect the purportedly falsified allegations in his suit.

**55,000 SIGN TWITTER ABUSE PETITION AFTER JANE AUSTEN CAMPAIGNER
RECEIVES RAPE THREATS**

via International Business Times UK by Alistair Charlton on 7/29/13

URL: <http://www.ibtimes.co.uk/articles/495252/20130729/twitter-abuse-petition-signatures-criado-perez-feminist.htm>

A petition campaigning for Twitter to improve its measures against online abuse has received more than 55,000 signatures in two days.

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TWITTER CEO COMMITS POSSIBLE NCAA FOUL

via WSJ.com: Technology by Ben Cohen on 7/29/13

URL: <http://online.wsj.com/article/SB10001424127887324809004578636292135006674.html>

Twitter chief executive and Michigan alumnus Dick Costolo responded to one Michigan football recruit welcoming another to the Wolverines by tweeting at both: "amazing! #goblue." That might be a violation of NCAA rules.

BATTLE OVER FACEBOOK PRIVACY SETTLEMENT HITS THE SUPREME COURT

via Law.com - Newswire by Scott Graham on 7/29/13

URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202612977246>

The challenge to the \$9.5 million deal may give the high court a chance to examine the issue of cy pres awards in class action settlements.

FACEBOOK OWNER-WANNABE'S LAWSUIT IS BOGUS, SAYS DOJ

via Law.com - Newswire by Claire Zillman on 7/29/13

URL:

<http://www.americanlawyer.com/digestTAL.jsp?id=1202612968471&slreturn=20130631140444>

The Justice Department calls Paul Ceglia's claims against the attorney general and federal prosecutors "frivolous" and "confusing."

FACEBOOK USER PUSHES HIGH COURT TO NIX 'BEACON' PACT

via Law360 by Allison Grande on 7/30/13

URL: <http://www.law360.com/media/articles/461119>

A Facebook Inc. user on Friday urged the U.S. Supreme Court to overturn the approval of a \$9.5 million class action settlement that resolved consumer privacy claims related to the site's now-defunct "Beacon" feature, saying the pact is unfair because it leaves class members with no compensation.

HOW NOT TO (OR HOW TO) GET A LAW JOB: POST NUDE SELFIES ON FACEBOOK

via FindLaw Writ - Recent Articles by Gabriella Khorasanee on 7/29/13

URL: http://blogs.findlaw.com/greedy_associates/2013/07/how-not-to-get-a-law-job-post-nude-selfies-on-facebook.html

Earlier this week, newly admitted, and jobless, Delaware attorney Brian Zulberti posted a nude selfie of himself on Facebook -- asking for a legal job. I know, you're re-reading that and asking yourself if you're seeing straight. We did too. When we originally conceived of this post we were going to.....

ZYNGA HITS 'BANG WITH FRIENDS' SEX APP WITH TRADEMARK SUIT
via Intellectual Property Law360 by Jonathan Randles on 7/31/13
URL: <http://www.law360.com/ip/articles/461395>

Zynga Inc. sued the developers of the casual sex application Bang With Friends in California federal court Tuesday, alleging the program infringes trademarks for Zynga's "With Friends" line of Internet games.

A QUARTER OF YOUNG PEOPLE REGRET SOCIAL MEDIA POSTS
via FindLaw Writ - Recent Articles by Corey Licht, Esq. on 7/30/13
URL: http://blogs.findlaw.com/official_findlaw_blog/2013/07/a-quarter-of-young-people-regret-social-media-posts.html

With many employers looking at social media activity to screen potential hires, an inappropriate comment or a scandalous photo can come back to haunt you. According to a new survey by FindLaw.com, 29 percent of social media users between the ages of 18 and 34 have posted a photo, comment,.....

YELP INCHES SLOWLY TOWARD PROFITABILITY, LOSING JUST \$878,000 IN ONE QUARTER
via Ars Technica by Cyrus Farivar on 7/31/13
URL: <http://arstechnica.com/business/2013/07/yelp-inches-slowly-toward-profitability-losing-just-878000-in-one-quarter/>

About 15 months ago, Yelp, the renowned service review website, became one of the latest tech companies to bring an initial public offering.

SAUDI ARABIAN COURT SENTENCES BLOGGER TO 7 YEARS, 600 LASHES UNDER CYBERCRIME LAW
via Techdirt by Timothy Geigner on 7/31/13
URL: <https://www.techdirt.com/articles/20130731/12292324021/saudi-arabian-court-sentences-blogger-to-7-years-600-lashes-under-cybercrime-law.shtml>

It is no secret that Saudi Arabia, still a chief American ally in the Middle East, has a horrible reputation on human rights, speech, and its policies regarding internet use.

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FACEBOOK FLIRTS WITH \$38 IPO PRICE

via WSJ.com: Technology by Evelyn M. Rusli on 7/31/13

URL: <http://online.wsj.com/article/SB10001424127887324635904578639751730779858.html>

Facebook's stock, which skidded after its bungled initial public offering last year, briefly hit \$38 a share, the price of its May 2012 IPO. Some early investors feel vindicated.

'BANG WITH FRIENDS' GETS NO LOVE FROM ZYNGA OVER WORD USAGE

via Law.com - Newswire by Max Taves on 7/31/13

URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202613340528>

Creators of the casual sex app are accused of tarnishing Zynga's brand by using the "With Friends" trademark.

WASHINGTON STATE BOLSTERS EMPLOYEE SOCIAL MEDIA PRIVACY

via Law.com - Newswire by Victor Li on 7/30/13

URL: <http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1202613118396>

On Sunday, Washington will officially become the 11th state to enact a law prohibiting employers from asking employees for their personal social media credentials.

August 2013

TWITTER REPORTS RISE IN REQUESTS FOR PERSONAL INFORMATION

via Law.com - Newswire by Victor Li on 8/1/2013

URL: <http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1202613316141>

Twitter said the U.S. government led the way among world governments with 902 user information requests for 1,319 accounts since January.

PLUG INTO FINDLAW SOCIAL MEDIA

via FindLaw Writ - Recent Articles by Laura Strachan, Esq. on 8/1/13

URL: http://blogs.findlaw.com/official_findlaw_blog/2013/08/plug-into-findlaw-social-media.html

At FindLaw.com, we do much more than just provide free legal information to consumers. We also provide valuable free resources to legal professionals in addition to a wide variety of lawyer marketing options to attorneys. And when it comes to social media, consumers may not want to hear the same.....

LITIGATION WITH FRIENDS: ZYNGA SUES 'BANG WITH FRIENDS'

via FindLaw Writ - Recent Articles by William Peacock, Esq. on 8/1/13

URL: <http://blogs.findlaw.com/technologist/2013/08/litigation-with-friends-zynga-sues-bang-with-friends.html>

Poor, poor Zynga. They've gone from making insanely-popular social games, such as FarmVille and Words With Friends (a Scrabble clone), to a massively-overhyped IPO, to the laughingstock of Silicon Valley. Today, Slate called them the "Linsay Lohan of Silicon Valley startups." We couldn't top that comparison if we tried. Now, in.....

YOUR SOCIAL MEDIA POLICY CAN'T BE TOO RESTRICTIVE, SAYS NLRB

via FindLaw Writ - Recent Articles by Aditi Mukherji on 7/31/13

URL: http://blogs.findlaw.com/in_house/2013/07/your-social-media-policy-cant-be-too-restrictive-says-nlr.html

When it comes to your social media policy, the NLRB wants you to remember to respect concerted activity -- even in the digital world. A recent NLRB memo reminds companies that enforcing highly restrictive social media rules in the workplace may be a violation of federal labor laws. The memo.....

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**ITALIAN PROSECUTOR WANTS TO BRING CRIMINAL CHARGES AGAINST
FACEBOOK FOR NOT STOPPING A SUICIDE**

via Techdirt by Mike Masnick on 8/2/13

URL: <https://www.techdirt.com/articles/20130802/01461624043/italian-prosecutor-wants-to-bring-criminal-charges-against-facebook-not-stopping-suicide.shtml>

You may recall a few years ago, an absolutely ridiculous case in Italy, in which a criminal complaint was filed against Google executives, because some bratty kids made fun of a boy with Down's Syndrome and posted the video to Google Video.

**RUSSIA'S VERSION OF FACEBOOK, VKONTAKTE, OFFERS ED SNOWDEN A JOB IN
DATA PROTECTION**

via Techdirt by Mike Masnick on 8/1/13

URL: <https://www.techdirt.com/articles/20130801/14215724039/russias-version-facebook-vkontakte-offers-ed-snowden-job-data-protection.shtml>

Well this is marginally amusing. Now that Ed Snowden is actually in Russia, apparently a bunch of job offers are flowing in -- including from the somewhat controversial massive social network VKontakte, often called "Russia's Facebook," which is apparently hoping that Snowden might help with data protection, especially as the Russian government is looking to have more access and control over VKontakte (which many in the entertainment industry also insist is a major source for infringing content).

**ZYNGA THINKS YOU MIGHT CONFUSE HAVING CASUAL SEX WITH PLAYING A
SCRABBLE KNOCKOFF, BECAUSE IT'S 'WITH FRIENDS'**

via Techdirt by Timothy Geigner on 8/1/13

URL: <https://www.techdirt.com/articles/20130801/09421124037/zynga-thinks-you-might-confuse-having-casual-sex-with-playing-scrabble-knockoff-because-its-with-friends.shtml>

You may recall that Zynga was once a company that made social media games, occasionally by taking games other people had made and repackaging them.

LINKEDIN EARNINGS STREAK CONTINUES

via WSJ.com: Technology by Evelyn M. Rusli on 8/1/13

URL: <http://online.wsj.com/article/SB10001424127887323997004578642470752792576.html>

LinkedIn delivered improved results yet again, saying that sales rose 59% in the second quarter to \$363.7 million as the professional networking service attracted more users and expanded its core recruiting services business.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

CROWDSOURCING TOOL IS NEW WEAPON AGAINST 'PATENT TROLLS'
via Law.com - Newswire by Lisa Schuchman on 7/31/13
URL: <http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202613238736>

A coalition of organizations and law schools has launched Trolling Effects, a new online crowdsourcing tool in the fight against patent assertion entities, also known as "patent trolls."

FACEBOOK POSTING THAT SOMEONE HAS HERPES IS CRIMINAL HARASSMENT--
PENNSYLVANIA V. COX

via Technology & Marketing Law Blog by Venkat Balasubramani on 8/3/13
URL: http://blog.ericgoldman.org/archives/2013/08/student_convict_1.htm

Commonwealth v. Cox, 2013 PA Super 221 (Aug 2, 2013) [pdf]

TWITTER SAYS US LARGEST SOURCE OF USER DATA REQUESTS

via Law360 by Gavin Broady on 8/2/13
URL: <http://www.law360.com/media/articles/461866>

Twitter Inc. issued its biannual transparency report detailing official requests for user data on Wednesday, noting that the U.S. remains the largest source of such requests and reiterating its demand that the government allow it to publish data on national security requests separately.

ZYNGA CAN'T DITCH SHAREHOLDER ACTION OVER FACEBOOK LINK

via Law360 by Beth Winegarner on 8/2/13
URL: <http://www.law360.com/media/articles/462414>

A California state judge Friday refused to let Zynga Inc. ditch a shareholder class action on grounds that a similar suit is pending in California federal court, but agreed to stay the state action pending a ruling on Zynga's motion to dismiss the federal case.

EMOTIONAL DISTRESS CLAIM DOESN'T SUPPORT FISHING EXPEDITION FOR
SOCIAL MEDIA EVIDENCE

via Technology & Marketing Law Blog by Venkat Balasubramani on 8/6/13
URL: http://blog.ericgoldman.org/archives/2013/08/emotional_distr.htm

Giacchetto v. Patchogue-Medford Union Free School Dist., 2013 U.S. Dist LEXIS 83341 CV
11-6323 (ADS)(AKT) (E.D.N.Y. May 6, 2013)

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FREE SPEECH IS HIGH-WIRE ACT AT TWITTER

via WSJ.com: Media & Marketing by Shira Ovide on 8/4/13

URL: <http://online.wsj.com/article/SB10001424127887323997004578643883120559180.html>

Twitter likes to carry a free-speech banner, but as the micro-blogging site expands globally, freewheeling tweets are clashing with divergent laws and standards in markets.

THIS 'SOCIAL MEDIA' THING MIGHT NOT BE A FAD, LAW FIRMS ACKNOWLEDGE

via Above the Law by Brian Dalton on 8/6/13

URL: <http://abovethelaw.com/2013/08/this-social-media-thing-might-not-be-a-fad-law-firms-acknowledge/>

Law firms increasingly recognize the value of social media. Take the ATL Social Media survey.

TEEN'S HARASSMENT CONVICTION UPHELD FOR SEXUAL FACEBOOK COMMENT

via Law.com - Newswire by Amaris Elliott-Engel on 8/6/13

URL: <http://www.law.com/jsp/pa/PubArticlePA.jsp?id=1202613996689>

Posting a sexually insulting comment on the Facebook social media network constitutes the crime of harassment, the Pennsylvania Superior Court has ruled in upholding a teenage woman's criminal conviction.

WASHINGTON POST NEARS SETTLEMENT IN TWITTER COPYRIGHT CASE

via Intellectual Property Law360 by Richard Vanderford on 8/7/13

URL: <http://www.law360.com/ip/articles/463420>

The Washington Post Co. has nearly reached a settlement with a photojournalist who claims it stole his work off Twitter, the journalist's lawyer said Wednesday, though defendants Agence France-Presse and Getty Images Inc. are prepared to proceed to trial.

FACEBOOK ENDS TRADEMARK TIFF OVER 'WANT' BUTTON

via Intellectual Property Law360 by Kelly Knaub on 8/6/13

URL: <http://www.law360.com/ip/articles/463003>

A Michigan federal judge on Tuesday dismissed a suit alleging Facebook Inc.'s "want" button infringed a trademark of e-commerce company CVG-SAB LLC, after the two parties reached an agreement to end the case.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

NMPA SUES YOUTUBE NETWORK FULLSCREEN OVER COPYRIGHTS
via Intellectual Property Law360 by David McAfee on 8/6/13
URL: <http://www.law360.com/ip/articles/462998>

The National Music Publishers' Association hit Fullscreen Inc., a multichannel network behind some of YouTube's most popular channels, and its founder with a copyright infringement suit in New York federal court on Tuesday, saying Fullscreen illegally uses unlicensed musical works.

FEDERAL COURT DOESN'T 'LIKE' SERVICE OF PROCESS VIA FACEBOOK--JOE
HAND PROMS. V. CARETTE
via Technology & Marketing Law Blog by Venkat Balasubramani on 8/7/13
URL: http://blog.ericgoldman.org/archives/2013/08/court_does_not.htm

Joe Hand Promotions, Inc. v. Carrette, 12-2633-CM (D. Kan. July 9, 2013)

FACEBOOK CAUTIOUS ON VIDEO ADS
via WSJ.com: Media & Marketing by Evelyn M. Rusli and Suzanne Vranica on 8/8/13
URL: <http://online.wsj.com/article/SB10001424127887323838204578654684050767080.html>

As Facebook prepares to roll out video advertising on its social network, CEO Mark Zuckerberg is trying to make sure the ads don't annoy his 1.1 billion members.

TWITTER ROLLS OUT TWO-FACTOR AUTHENTICATION THAT'S SIMPLER, MORE
SECURE
via Ars Technica by Dan Goodin on 8/6/13
URL: <http://arstechnica.com/security/2013/08/twitter-rolls-out-two-factor-authentication-thats-simpler-more-secure/>

Twitter has unveiled a new login verification feature that largely replaces the two-factor authentication system it rolled out in May to prevent a rash of password phishing attacks hitting its users.

LINKEDIN USER CLAIMS DATA SECURITY PRACTICES CAUSED HARM
via Law360 by Gavin Broady on 8/6/13
URL: <http://www.law360.com/media/articles/462576>

A LinkedIn Corp. customer fought back against efforts to dismiss a putative California class action over a 2012 security breach on Thursday, arguing that she was harmed by the company's failure to disclose its purportedly shoddy security practices rather than the actual effects of the breach.

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FACEBOOK ENDS TRADEMARK TIFF OVER 'WANT' BUTTON

via Law360 by Kelly Knaub on 8/6/13

URL: <http://www.law360.com/media/articles/463003>

A Michigan federal judge on Tuesday dismissed a suit alleging Facebook Inc.'s "want" button infringed a trademark of e-commerce company CVG-SAB LLC, after the two parties reached an agreement to end the case.

FACEBOOK USED IN WORKER DISMISSAL

via Stuff.co.nz by David Gadd & Ian Steward on 8/11/13

URL: <http://www.stuff.co.nz/business/industries/9027510/Facebook-used-in-worker-dismissal>

A flight attendant was forced to let her bosses examine her Facebook pages and bank accounts in a stoush over what she was up to on sick leave.

INNOVATOR'S PATENT AGREEMENT: TWITTER'S DEFENSIVE PATENTING STRATEGY

via JOLT Digest by Suzanne Van Arsdale on 8/11/13

URL: <http://jolt.law.harvard.edu/digest/software/innovators-patent-agreement-twitters-defensive-patenting-strategy>

On May 21, 2013, Twitter launched version 1.0 of the Innovator's Patent Agreement ("IPA"), which formalizes a company's commitment to non-offensive patenting and leaves some control in the hands of inventors.

TWITTER JOINS EFFORTS TO LOBBY LAWMAKERS ON PRIVACY, IP

via Intellectual Property Law360 by Allison Grande on 8/12/13

URL: <http://www.law360.com/ip/articles/464237>

Twitter Inc. officially declared its intention to weigh in on federal legislative efforts on Friday by forming a political action committee and registering its first lobbyist, becoming the latest Silicon Valley giant to take its views on issues ranging from privacy to patent reform to Washington.

CAN YOU SERVE SOMEONE VIA FACEBOOK? NOT FOR NOW, MAYBE LATER

via FindLaw Writ - Recent Articles by Gabriella Khorasane, JD on 8/9/13

URL: http://blogs.findlaw.com/tenth_circuit/2013/08/can-you-serve-someone-via-facebook-not-for-now-maybe-later.html

In July, the United States District Court for the District of Kansas was presented with a question -- the first of its kind in the 10th Circuit: Can Facebook be used as the sole method of substitute process pursuant to Rule 4 of the Federal Rules of Civil Procedure? Interesting.....

JUDGE REFUSES TO DISMISS SUIT AGAINST FEDS WHO ARRESTED FORMER MARINE FOR HIS CONTROVERSIAL FACEBOOK POSTS

via Techdirt by Tim Cushing on 8/13/13

URL: <http://www.techdirt.com/articles/20130812/07060024144/judge-refuses-to-dismiss-suit-against-feds-who-arrested-former-marine-his-controversial-facebook-posts.shtml>

Almost exactly a year ago, former Marine Brandon Raub was taken from his home by federal agents and involuntarily committed to a psychiatric ward, all because of some controversial postings to his Facebook account, including some 9/11 conspiracy-related articles and violent song lyrics.

MICROSOFT/GOOGLE BRING BACK THE GOOD YOUTUBE WINDOWS PHONE APP
via Ars Technica by Peter Bright on 8/13/13

URL: <http://arstechnica.com/gadgets/2013/08/microsoftgoogle-bring-back-the-good-youtube-windows-phone-app/>

Back in May, Microsoft and Google had a spat about the YouTube app for Windows Phone that Microsoft developed.

NEW ZYNGA CEO CLEANS HOUSES, THREE EXECUTIVES LEAVE THE COMPANY
via Ars Technica by Cyrus Farivar on 8/13/13

URL: <http://arstechnica.com/business/2013/08/new-zynga-ceo-cleans-house-three-executives-leave-the-company/>

Last month, Zynga's CEO and founder Mark Pincus stepped aside as the company's top executive in favor of Don Mattrick, the former president of Interactive Entertainment Business at Microsoft. (Pincus still remains as chairman of Zynga.) On Tuesday, however, Mattrick decided to restructure the top ranks.

STARCRAFT MMO IS ONLY \$80,000 FROM BECOMING A REALITY

via Ars Technica by Casey Johnston on 8/13/13

URL: <http://arstechnica.com/gaming/2013/08/starcraft-mmo-is-only-80000-from-becoming-a-reality/>

The developers of the long-awaited Starcraft MMO have begun a Kickstarter campaign to finish development of the game.

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PUBLIC SERVANT LOSES FIGHT OVER TWITTER ATTACK ON GOVERNMENT
via The Sydney Morning Herald by Markus Mannheim on 8/13/13
URL: <http://www.smh.com.au/national/public-servant-loses-fight-over-twitter-attack-on-government-20130812-2rsgn.html>

A court has paved the way for a public servant who criticised the government on Twitter to be sacked, even though she did not reveal her name or her job to her readers.

THREE TOP ZYNGA EXECUTIVES ARE OUT
via WSJ.com: Technology by Evelyn M. Rusli on 8/13/13
URL: <http://online.wsj.com/article/SB10001424127887323585604579011251876010782.html>

Don Mattrick, the company's new chief executive, announced a major reorganization Tuesday that includes the departures of three top executives: chief operating officer David Ko, technology chief Cadir Lee, and chief people officer Colleen McCreary.

TWITTER LAUNCHING POLITICAL ACTION COMMITTEE
via Law.com - Newswire by Andrew Ramonas on 8/12/13
URL: <http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202614917978>

Twitter Inc. has signed up its first federal lobbyist and is launching a political action committee, Twitter#PAC, to gather campaign donations.

BUYING BATTLES IN THE WAR ON TWITTER SPAM
via Krebs on Security on 8/13/13
URL: <http://krebsonsecurity.com/2013/08/buying-battles-in-the-war-on-twitter-spam/>

The success of social networking community Twitter has given rise to an entire shadow economy that peddles dummy Twitter accounts by the thousands, primarily to spammers, scammers and malware purveyors. But new research on identifying bogus accounts has helped Twitter to drastically deplete the stockpile of existing accounts for sale, and holds the promise of driving up costs for both vendors of these shady services and their customers.

BIG BUZZ ON TWITTER MEANS BETTER CHANCES ON ELECTION DAY
via NPR by Robert Siegel on 8/12/13
URL: <http://www.npr.org/templates/story/story.php?storyId=211434274>

A new study suggests that candidates whose names were tweeted often — with good or bad comments — showed a stronger result in votes. Robert Siegel speaks with Fabio Rojas, assistant professor in Sociology at Indiana University Bloomington and a coauthor of the study.

THE NSA IS HIRING! AND FOLLOWING A PITTSBURGH CAR DEALERSHIP ON ITS TWITTER ACCOUNT?

via Techdirt by Tim Cushing on 8/14/13

URL: <http://www.techdirt.com/articles/20130813/12170824156/nsa-is-hiring-following-pittsburgh-car-dealership-its-twitter-account.shtml>

The hiring team for the NSA doesn't have it easy these days.

TO TWEET OR NOT TO TWEET? 5 TIPS FOR DOING IT RIGHT

via Law360 by Linda Chiem on 8/14/13

URL: <http://www.law360.com/corporate/articles/463690>

Twitter's status as a powerhouse in disseminating information to a large audience quickly may be off-putting to attorneys worried about the pitfalls of oversharing, but the social media platform can go a long way toward building a brand. Here, experts share tips for how attorneys can use Twitter to generate business while avoiding potential conflicts.

BANKS WON'T FACE INSIDER TRADING CLAIMS IN FACEBOOK IPO CASE

via Law.com - Newswire by Jan Wolfe on 8/14/13

URL: <http://www.americanlawyer.com/digestTAL.jsp?id=1202615582205>

It's not often that plaintiffs lawyers will fight to include fewer claims in a big class action.

MAN ASKS FOR WEWED ON TWITTER, LOCAL POLICE TWEET RESPONSE, HILARITY ENSUES

via Techdirt by Timothy Geigner on 8/15/13

URL: <http://www.techdirt.com/articles/20130815/09393524184/man-asks-weed-twitter-local-police-tweet-response-hilarity-ensues.shtml>

Look, when it comes to illicit narcotics, I don't know a whole lot beyond the peyote-driven walkabouts my heroin-addicted cult leader sends me on with requests to make sure I pick up all the mushrooms along the way.

GOOGLE BLOCKS WINDOWS PHONE YOUTUBE APP (AGAIN), FOR "MANUFACTURED" REASONS

via Ars Technica by Peter Bright on 8/15/13

URL: <http://arstechnica.com/gadgets/2013/08/google-blocks-windows-phone-youtube-app-again-for-manufactured-reasons/>

The good YouTube app for Windows Phone is once again causing problems.

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DOES FACEBOOK HAVE YOUR PAYMENT DETAILS? IT WANTS YOU TO GO BUY STUFF

via Ars Technica by Cyrus Farivar on 8/15/13

URL: <http://arstechnica.com/business/2013/08/does-facebook-have-your-payment-details-it-wants-you-to-go-buy-stuff/>

On Thursday, Facebook confirmed to the Wall Street Journal that it plans on testing “a new payments product that would allow online shoppers to make purchases on mobile apps using their Facebook login information.”

TWITTER EYES SCAM-BUSTING SIGNATURES

via SC Magazine Australia by Darren Pauli on 8/15/13

URL: <http://www.scmagazine.com.au/News/353584,twitter-eyes-scam-busting-signatures.aspx>

New research crushes 95 percent of spambots.

TWITTER CAN'T DUCK INFRINGEMENT SUIT OVER ENCRYPTION PATENT

via Intellectual Property Law360 by Kat Greene on 8/16/13

URL: <http://www.law360.com/ip/articles/465540>

A Texas federal judge Friday rejected Twitter Inc.'s bid to dismiss a suit alleging it infringed on a patent for data encryption and storage, agreeing with a magistrate judge that Twitter was being overly technical in objecting to the suit's use of present-tense in alleging infringement of an expired patent.

FACEBOOK TESTS PAYMENTS TOOL

via WSJ.com: Technology by Evelyn M. Rusli on 8/15/13

URL: <http://online.wsj.com/article/SB10001424127887323639704579015183744090794.html>

Facebook is testing a way to make it easier for its users to make purchases through retailers' mobile apps.

TWEETS CONTRIBUTE TO CHARGING DRIVER WITH MURDER IN FATAL BIKE ACCIDENT

via Ars Technica by Megan Geuss on 8/17/13

URL: <http://arstechnica.com/tech-policy/2013/08/tweets-contribute-to-charging-driver-with-murder-in-fatal-bike-accident/>

An 18-year-old man from Pleasanton, California has seen charges against him increased from vehicular manslaughter to murder due in part to some tweets in which he bragged about his reckless driving.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

CROWDFUNDING---WITH A TWIST

via WSJ.com: Technology by Iris Dorian on 8/19/13

URL: <http://online.wsj.com/article/SB10001424127887324063304578523783553197610.html>

A pair of new platforms let entrepreneurs raise cash in exchange for a temporary piece of the profits.

LINKEDIN'S MINIMUM AGE DROPS TO 14 IN U.S.

via WSJ.com: Technology by Evelyn M. Rusli on 8/19/13

The social network is opening its site to high-school students to try to become a go-to resource for college-bound teenagers.

3TAPS CAN'T SHAKE UNAUTHORIZED CRAIGSLIST ACCESS CLAIMS

via Intellectual Property Law360 by Allison Grande on 8/19/13

URL: <http://www.law360.com/ip/articles/465944>

A California federal judge ruled Friday that changing an Internet protocol address in order to access public websites from which the address has been banned violates the Computer Fraud and Abuse Act, handing a boost to Craigslist Inc. in its cybercrime and copyright infringement suit against 3Taps Inc.

YOUTUBE RIPS SOCCER LEAGUE IN 2ND CIRC. COPYRIGHT CASE

via Law360 by Bill Donahue on 8/19/13

URL: <http://www.law360.com/ip/articles/465985>

Google Inc.'s YouTube urged the Second Circuit on Thursday to bar England's top soccer league and others from filing an amicus brief in Viacom International Inc.'s \$1 billion copyright appeal, blasting the brief as an end-run around appellate procedure.

EMPLOYEE'S PRIVACY CLAIM BASED ON ALLEGEDLY IMPROPER ACCESS TO FACEBOOK POST FAILS -- EHLING V. MONMOUTH-OCEAN HOSP.

via Technology & Marketing Law Blog by Venkat Balasubramani on 8/21/13

URL: http://blog.ericgoldman.org/archives/2013/08/employees_privacy.htm

Ehling v. Monmouth-Ocean Hosp. Service Corp., 2013 WL 4436539 (D.N.J. Aug. 20, 2013).

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PRS FOR MUSIC AND YOUTUBE SIGN LICENSING DEAL

via At last ... the 1709 Copyright Blog by Ben Challis on 8/21/13

URL: <http://the1709blog.blogspot.com/2013/08/prs-for-music-and-youtube-sign.html>

UK Publisher and songwriter collection society PRS for Music and YouTube have signed a multi-year licence covers over 130 territories

SUPREME COURT JUSTICES CAN'T FIGURE OUT EMAIL, COMPLETELY MYSTIFIED BY SOCIAL MEDIA

via Techdirt by Mike Masnick on 8/21/13

URL: <http://www.techdirt.com/articles/20130820/16093124259/supreme-court-justices-cant-figure-out-email-completely-mystified-social-media.shtml>

There are legitimate reasons to avoid email -- such as Ladar Levison of Lavabit explaining his concerns about privacy.

ANOTHER 'INTERNET THREAT' RESULTS IN SIX MONTHS IN JAIL AND A FIVE-YEAR BAN FROM SOCIAL MEDIA

via Techdirt by Tim Cushing 8/21/13

URL: <http://www.techdirt.com/articles/20130820/21304724263/another-internet-threat-results-six-months-jail-five-year-ban-social-media.shtml>

Another person has been arrested for sending out "terroristic threats" via social media. Caleb Clemmons, a (former, obviously) Georgia Southern student, has spent the last six months in jail because of a Tumblr post that said the following:

DECIPHERING THE TRICKS OF THE TWITTER SPAMMERS

via Ars Technica by Rob Pegoraro on 8/21/13

URL: <http://arstechnica.com/tech-policy/2013/08/deciphering-the-tricks-of-the-twitter-spammers/>

At some level, you'd think that Twitter should have an easier job than most at thwarting spam.

FACEBOOK ANNOUNCES INTERNET PROJECT

via WSJ.com: Technology by Evelyn M. Rusli & Don Clark on 8/21/13

URL: <http://online.wsj.com/article/SB10001424127887323608504579025773163440460.html>

Facebook Chief Executive Mark Zuckerberg said the company is teaming up with six others to help bring Internet access to more than four billion people who still do not have it.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

ANOTHER FEDERAL COURT REJECTS SERVICE OF PROCESS VIA FACEBOOK - JOE HAND PROMOTIONS V. SHEPARD

via Technology & Marketing Law Blog by Venkat Balasubramani on 8/23/13
URL: http://blog.ericgoldman.org/archives/2013/08/another_court_r.htm

Joe Hand Promotions v. Shepard, 4:12cv1728 SNLJ (E.D. Miss. Aug. 12, 2013)

HARVARD PROF HITS RECORD CO. OVER YOUTUBE VIDEO TAKEDOWN

via Intellectual Property Law360 by David McAfee on 8/23/13
URL: <http://www.law360.com/ip/articles/467359>

Lawrence Lessig, a Harvard Law School professor and proponent of looser online copyright laws, hit Australian record company Liberation Music Pty Ltd. with a lawsuit in Massachusetts federal court on Thursday for allegedly misusing copyright law to remove one of his lectures from YouTube.

YELP SHAKEDOWN? COMPLAINTS, LAWSUITS OVER SITE'S PRACTICES

via FindLaw Writ - Recent Articles by William Peacock, Esq. on 8/23/13
URL: <http://blogs.findlaw.com/strategist/2013/08/yelp-shakedown-complaints-lawsuits-over-review-sites-practices.html>

A few weeks ago, we advised you to handle your Yelp disputes with clients using kindness and confidentiality. Shortly after the post went live, a concerned reader wrote in to ask if we had heard about the Yelp extortion allegations and lawsuits. We have definitely heard the conspiracy theories, they've been.....

REDDIT'S GAY GAMERS KNOCK OUT "GAMER" TRADEMARK

via Ars Technica by Joe Mullin on 8/22/13
URL: <http://arstechnica.com/tech-policy/2013/08/reddits-gay-gamers-knock-out-gaymer-trademark/>

Seven months ago, a group of gamers that congregates at the /r/gaymers section of reddit teamed up with the Electronic Frontier Foundation and the Perkins Coie law firm to cancel a trademark they objected to. The brouhaha began when Chris Vizzini, who held the trademark on "gaymers" and owns the gaymer.org Web domain, sent a cease-and-desist letter to the /r/gaymers subreddit. Vizzini believed they were stealing away clicks that were rightfully his.

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FACEBOOK FRIENDS COULD CHANGE YOUR CREDIT SCORE

via CNN Money by Katie Lobosco on 8/26/13

URL: <http://money.cnn.com/2013/08/26/technology/social/facebook-credit-score/index.html>

Choose your Facebook friends wisely; they could help you get approved -- or rejected -- for a loan.

NSA PAID GOOGLE, FACEBOOK FOR SPYING PROGRAM COSTS

via Law360 by Allison Grande on 8/23/13

URL: <http://www.law360.com/media/articles/467355>

The National Security Agency reimbursed Google Inc., Facebook Inc. and other online giants for the millions of dollars they spent complying with government surveillance requests in the wake of a 2011 secret court ruling that found some NSA data collection efforts to be unconstitutional, according to leaked documents published Friday.

NONPUBLIC FACEBOOK POSTS SHIELDED BY SCA, JUDGE SAYS

via Law360 by Abigail Rubenstein on 8/23/13

URL: <http://www.law360.com/media/articles/467335>

A New Jersey federal court ruled Tuesday that nonpublic Facebook wall posts are covered by the federal Stored Communications Act, but that a hospital had not improperly accessed such a post in viewing an employee's screenshot of a co-worker's page.

DUMB CRIMINALS COLLEGE EDITION: FRAT SELLS DRUGS, POSTS PICS OF GIRLS ON FACEBOOK

via Techdirt by Timothy Geigner on 8/26/13

URL: <http://www.techdirt.com/articles/20130822/10473724282/dumb-criminals-college-edition-frat-sells-drugs-posts-pics-girls-facebook.shtml>

When we typically do posts about dumb criminals intersecting with the internet, we're strangely usually talking about adults.

FACEBOOK CLASS SETTLEMENT APPROVED, ATTORNEY FEES CHOPPED

via Law.com - Newswire by Chelsea Allison on 8/26/13

URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202617115066>

In a long-awaited conclusion to Facebook's "Sponsored Stories" class action saga, a federal judge gave final approval to a \$20 million settlement Monday but took an axe to the \$7.5 million in fees requested by plaintiffs attorneys.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

PHOTOGRAPHY ORGANIZATIONS KICK-OFF INSTAGRAM EDUCATION EFFORT
via Copyright Alliance by Alexandra Goldstein on 8/27/13
URL: https://copyrightalliance.org/2013/08/photography_organizations_kick-social_media_education_effort

On August 22nd the American Society of Media Photographers (ASMP) joined the National Press Photographers Association (NPPA), Graphic Artists Guild (GAG), American Photographic Artists (APA), Professional Photographers of America (PPA) the Digital Media Licensing Association (PACA), This Week in Photography (TWiP), Coordination of European Picture Agencies Stock, Press and Heritage (CEPIC), and American Society of Picture Professionals (ASPP) to announce their unified effort to inform users about the “far-reaching

TWITTER AND NEW YORK TIMES CLASH WITH HACKERS FOR CONTROL OF THEIR SITES
via Ars Technica by Dan Goodin on 8/27/13
URL: <http://arstechnica.com/security/2013/08/twitter-and-new-york-times-clash-with-hackers-for-control-of-their-sites/>

For a good chunk of Tuesday, website administrators at Twitter, The New York Times, and other high-profile media outlets appeared to be locked in a high-stakes battle with self-proclaimed Syrian hackers for control of their Internet domains.

NEW YORK TIMES, TWITTER HACKED AS DOMAIN RECORDS ALTERED
via Ars Technica by Cyrus Farivar on 8/27/13
URL: <http://arstechnica.com/security/2013/08/syrian-electronic-army-named-as-likely-culprit-in-the-new-york-times-hack/>

On Tuesday afternoon, The New York Times confirmed that its website was hacked, possibly by the Syrian Electronic Army (SEA), a Syrian pro-government group.

IOS AND ANDROID WEAKNESSES ALLOW STEALTHY PILFERING OF WEBSITE CREDENTIALS
via Ars Technica by Dan Goodin on 8/27/13
URL: <http://arstechnica.com/security/2013/08/ios-and-android-weaknesses-allow-stealthy-pilfering-of-website-credentials/>

Computer scientists have uncovered architectural weaknesses in both the iOS and Android mobile operating systems that make it possible for hackers to steal sensitive user data and login credentials for popular e-mail and storage services.

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FACEBOOK USERS IN SPONSORED STORIES CAN GET \$15 EACH, COURT RULES

via Ars Technica by Cyrus Farivar on 8/27/13

URL: <http://arstechnica.com/tech-policy/2013/08/facebook-users-in-sponsored-stories-can-get-15-each-court-rules/>

Late last year, we reported on a \$20 million class-action lawsuit covering people who were unwittingly featured in Facebook “Sponsored Stories” advertisements.

US LEADS THE WORLD IN GOVERNMENT REQUESTS OF FACEBOOK USER DATA

via Ars Technica by Cyrus Farivar on 8/27/13

URL: <http://arstechnica.com/tech-policy/2013/08/us-leads-the-world-in-government-requests-of-facebook-user-data/>

Like other companies such as Twitter, Google, and Microsoft, Facebook is now giving us a peek at the number of data requests it gets from governments around the world.

CA HIGH SCHOOL STUDENTS KILL A FIRST AMENDMENT-VIOLATING 'SOCIAL MEDIA CONTRACT'

via Techdirt by Tim Cushing on 8/27/13

URL: <http://www.techdirt.com/articles/20130815/15270224193/ca-high-school-students-kill-first-amendment-violating-social-media-contract.shtml>

The internet offers a ton of positives for schools but so many cling to the belief that it's the enemy.

GUN RUNNER USES INSTAGRAM ACCOUNT TO SABOTAGE OWN CRIMINAL ENTERPRISE, AND BLOOMBERG STILL THINKS IT'S A WIN FOR STOP AND FRISK

via Techdirt by Tim Cushing on 8/27/13

URL: <http://www.techdirt.com/articles/20130827/07243824321/gun-runner-uses-instagram-account-to-sabotage-own-criminal-enterprise-bloomberg-still-thinks-its-win-stop-frisk.shtml>

The largest gun bust in New York City's history is the culmination of two factors: regular police work and one stupid criminal.

FACEBOOK ADDICTION: A SHOCKING CURE

via InformationWeek by Thomas Claburn on 8/22/13

URL: http://www.informationweek.com/social-business/social_networking_consumer/facebook-addiction-a-shocking-cure/240160230

When self-control doesn't work, try electricity, say MIT inventors.

NEW YORK TIMES WEBSITE, TWITTER HIT BY SUSPECTED HACK
via Law360 by Kurt Orzeck on 8/27/13
URL: <http://www.law360.com/media/articles/468309>

The domain name system for The New York Times and Twitter was hacked Tuesday afternoon, apparently by a group of Syrian nationalists who earlier this summer hacked into sites and Twitter feeds belonging to The Financial Times, the Guardian, the Daily Telegraph and The Washington Post.

FACEBOOK JOINS GOOGLE, OTHERS IN DETAILING DATA REQUESTS
via Law360 by Allison Grande on 8/27/13
URL: <http://www.law360.com/media/articles/468112>

Facebook Inc. revealed Tuesday that it had complied with more than three-quarters of the nearly 12,000 requests for user data that it received from the U.S. government during the first half of 2013, becoming the latest company to publish statistics on how it responds to requests for information from governments around the world.

\$20M FACEBOOK AD DEAL GETS FINAL OK DESPITE CONCERNS
via Law360 by Allison Grande on 8/27/13
URL: <http://www.law360.com/media/articles/468131>

A California federal judge Monday gave final approval to a contested \$20 million privacy settlement that requires Facebook Inc. to make small payments to class members and revise its policies for using members' pictures in ads, but cut a proposed \$7.5 million attorneys' fee award by roughly \$2.5 million.

MPAA CLAIMS VICTORY IN HOTFILE COPYRIGHT SUIT
via Intellectual Property Law360 by Kat Greene on 8/28/13
URL: <http://www.law360.com/ip/articles/468707>

Online movie and TV streaming site runner Hotfile Corp. on Wednesday lost a copyright infringement suit when a Florida federal judge found the site wasn't protected by a safe harbor rule in the Digital Millennium Copyright Act, the Motion Picture Association of America said.

**OCTAVIA SPENCER'S TWEETS AT CENTER OF ENDORSEMENT LAWSUIT
(EXCLUSIVE)**
via Hollywood Reporter - THR, Esq. by Eriq Gardner on 8/28/13
URL: <http://www.hollywoodreporter.com/thr-esq/octavia-spencers-tweets-at-center-616596>

The Oscar-winning actress alleges that a diet company walked away from paying her when, among other things, she insisted upon using a hashtag.

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FIVE THINGS TO CONSIDER WHEN POSTING ON YOUR LAW FIRM BLOG

via FindLaw Writ - Recent Articles by William Peacock, Esq. on 8/28/13

URL: <http://blogs.findlaw.com/strategist/2013/08/five-things-to-consider-when-posting-on-your-law-firm-blog.html>

Bloggging. That's easy, right. You'll just birth a few hundred words on a legal topic whenever you've got a few minutes of spare time. That should fill the blog archives and make your site content-rich, right? The thing is, it's not quite as easy as updating your Facebook status.....

FACEBOOK'S SPONSORED STORIES COSTS IT \$20 MILLION, NETS USERS \$15 EACH

via FindLaw Writ - Recent Articles by Adam Ramirez on 8/27/13

URL: <http://blogs.findlaw.com/courtside/2013/08/facebooks-sponsored-stories-costs-it-20-million-nets-users-15-each.html>

Facebook will pay \$20 million for putting users' names and faces in its "Sponsored Stories" advertising program without their permission. A federal judge granted final approval (see the full order below) to settle the lawsuit over targeted advertising. Qualified users who joined the class action by the May 3, 2013.....

HOTFILE LOSES FEDERAL COPYRIGHT CASE, MPAA SAYS

via Ars Technica by Cyrus Farivar on 8/28/13

URL: <http://arstechnica.com/tech-policy/2013/08/hotfile-loses-federal-copyright-case-mpaa-says/>

In a case that dates back to 2011, Hotfile, a Panama-based cyberlocker, has been found "liable on charges of copyright infringement," according to a Motion Picture Association of America (MPAA) statement sent to Ars on Wednesday.

MODEST PROPOSAL: USE NSA'S METADATA COLLECTION TO CREATE A PUBLIC SOCIAL GRAPH TO COMPETE WITH FACEBOOK & GOOGLE

via Techdirt by Mike Masnick on 8/28/13

URL: <http://www.techdirt.com/articles/20130827/17214024326/modest-proposals-use-nsas-metadata-collection-to-create-public-social-graph-to-compete-with-facebook-google.shtml>

I've found that I rarely agree with Evgeny Morozov, one of a small group of techno-pessimists who like to blame the world's problems on technology (and, oddly, those who innovate with technology).

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

FACEBOOK FINALLY JOINS GOOGLE, TWITTER & MICROSOFT WITH A
TRANSPARENCY REPORT; BUT LOCKS IT BEHIND A REGISTRATION WALL
via Techdirt by Mike Masnick on 8/27/13

URL: <http://www.techdirt.com/articles/20130827/12073224325/facebook-finally-joins-google-twitter-microsoft-with-transparency-report-locks-it-behind-registration-wall.shtml>

Over the years, we've been happy to see Google launch and then continue to expand its "Transparency Report," highlighting both government and private attempts to censor content or get information on users. Given how successful that's been, Twitter and Microsoft have joined in as well, with similar transparency reports.

GROUP HACKS TWITTER, N.Y. TIMES

via WSJ.com: Technology by Danny Yadron, Shira Ovide & William Launder on 8/27/13

URL: <http://online.wsj.com/article/SB10001424127887323906804579039264210000256.html>

A pro-Syrian government group appeared to attack more than 10 websites, including Twitter Inc., New York Times Co. and HuffingtonPost.com Inc., said security researchers citing digital evidence.

FACEBOOK ASKS HIGH COURT TO UPHOLD BEACON SETTLEMENT

via Law360 by Andrew Scurria on 8/28/13

URL: <http://www.law360.com/media/articles/468580>

Facebook Inc. told the U.S. Supreme Court on Tuesday that the Ninth Circuit didn't break with sister appellate courts by approving a \$9.5 million class action settlement resolving user privacy claims tied to the site's now-defunct "Beacon" feature and urged the high court to forgo further review.

'THE HELP' ACTRESS SUES OVER AXED \$1.2M ENDORSEMENT DEAL

via Law360 by Jonathan Randles on 8/29/13

URL: <http://www.law360.com/media/articles/468733>

Academy Award-winning actress Octavia Spencer sued Sensa Products Ltd. in California state court Wednesday for allegedly breaching a \$1.2 million endorsement deal for the company's diet-supplement, alleging the weight-loss product maker stopped paying her after the company's advertising campaign flopped.

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SOCIAL MEDIA PRIVACY BILL SIGNED BY NJ GOV. CHRISTIE
via Law360 by Martin Bricketto on 8/29/13
URL: <http://www.law360.com/media/articles/468875>

New Jersey has become the latest state to bar employers from requiring job candidates or current workers to disclose their user names and passwords for social media sites like Facebook, with Gov. Chris Christie on Thursday approving that privacy protection for employees, lawmakers said.

FINDING PRIVACY IN A SEA OF SOCIAL MEDIA AND OTHER E-DISCOVERY
via SSRN by Allyson Haynes Stuart on 8/8/13
URL: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2307722

This article looks at the case law governing discovery of social media, and finds several problems. First, many courts are improperly requiring a threshold showing that relevant information exists in public portions of the user's social media account before allowing such discovery. Second, they allow overbroad discovery, often requiring a litigant to turn over its username and password to the other party. At the same time, parties are seeking such information directly from social media sites, attempting an end-run around the relevancy requirement and increasing motion practice. The article argues that, instead, social media discovery should be treated like other party-driven discovery where litigants are entitled to request relevant information that exists on social media accounts and are in turn responsible for providing that information just as they would other discovery in their possession, custody or control. There is a promising new line of case law following that path. The article then looks more broadly at the emerging issue of privacy in e-discovery, and sets forth the existing methods of restricting undue attempts to invade that privacy. Finally, the article argues that the scope of e-discovery dictates a new look at the way our discovery rules protect privacy, and finds encouragement in the latest proposed amendments to Fed. R. Civ. P. 26(b)(1) to limit the scope of discovery based on proportionality and relevance to existing claims and defenses.

FACEBOOK POSTS PUT THE KIBOSH ON INJURY VICTIM'S LAWSUIT
via Law.com - Newswire by Greg Land on 8/28/13
URL: <http://www.dailyreportonline.com/PubArticleDRO.jsp?id=1202617206161>

A Georgia judge has tossed one of the largest loss of consortium awards in state history and -- following Facebook postings that prompted questions about the extent of injuries and the viability of the plaintiffs' marriage -- the underlying verdict as well.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

TWITTER DIDN'T INFRINGE MESSAGING PATENT, FED. CIRC. RULES
via Intellectual Property Law360 by Ryan Davis on 8/30/13
URL: <http://www.law360.com/ip/articles/469176>

The Federal Circuit on Friday affirmed a ruling that Twitter Inc. and others did not infringe a mass messaging patent owned by Cooper Notification Inc., finding that Twitter's service operates differently from the patented invention.

FOR NEWS FROM SYRIAN BATTLEGROUND, A RELIANCE ON SOCIAL MEDIA
via NYT > Media & Advertising by Ben Sisario on 8/30/13
URL: <http://www.nytimes.com/2013/08/31/business/media/for-news-from-syrian-battleground-a-reliance-on-social-media.html>

The dangers of news organizations reporting in Syria have kept most journalists outside the country's borders and heightened the need for third-party video.

DISTRICT COURT APPROVES FACEBOOK 'SPONSORED STORIES' SETTLEMENT
via FindLaw Writ - Recent Articles by Gabriella Khorasanee, JD on 8/30/13
URL: <http://blogs.findlaw.com/technologist/2013/08/district-court-approves-facebook-sponsored-stories-settlement.html>

Facebook hasn't had much luck turning its users' info into paid ads. Ars Technica reports that first, Facebook Beacon was shut down in a settlement as a result of a class action privacy litigation. Now, Facebook's Sponsored Stories is getting tweaked as a result of a settlement approved by.....

FLO RIDA CAN'T BE SERVED VIA FACEBOOK, COURT RULES
via FindLaw Writ - Recent Articles by Aditi Mukherji on 8/29/13
URL: <http://blogs.findlaw.com/technologist/2013/08/flo-rida-cant-be-served-via-facebook-court-rules.html>

An Australian appellate court recently ruled that rapper Flo Rida could not be served via Facebook in a breach of contract lawsuit. Reversing a lower court's decision, the court ruled the social media site was not an appropriate means to serve notice to the elusive hip hop artist. Though the.....

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TWITTER GC STEPS DOWN, DEPUTY NAMED TO FILL ROLE

via Law.com - Newswire by Cheryl Miller on 8/30/13

URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202617731283>

Alex Macgillivray, Twitter's first in-house lawyer, announced online Friday that he is stepping down as the social media giant's general counsel to engage "my various internet passions from new and different perspectives."

September 2013

THE MEDIA EQUATION: CAMPAIGN JOURNALISM IN THE AGE OF TWITTER

via NYT > Media & Advertising by David Carr on 9/1/13

URL: <http://www.nytimes.com/2013/09/02/business/media/campaign-journalism-in-the-age-of-twitter.html>

A far younger campaign reporter now feeds a never-ending news cycle named Twitter.

FACEBOOK STRIPS AWAY A BIT MORE OF YOUR PRIVACY – BUT WON'T SAY WHY
via The Register by Kelly Fiveash on 8/30/13

URL: http://www.theregister.co.uk/2013/08/30/facebook_data_usage_policy_rejigged_again/

You also agree to have your FACE displayed in ads ... bitch

YELP GETS ANOTHER ANTI-SLAPP VICTORY IN LAWSUIT OVER CONSUMER
REVIEW—BERNATH V. TABITHA J.

via Technology & Marketing Law Blog by Eric Goldman on 9/2/13

URL: http://blog.ericgoldman.org/archives/2013/09/yelp_gets_anoth.htm

Bernath v. Tabitha J., 1305-06167 (Ore. Cir. Ct. Aug. 26, 2013)

FACEBOOK REVAMPS PRIVACY POLICIES AFTER AD SUIT SETTLEMENT

via Law360 by Allison Grande on 8/30/13

URL: <http://www.law360.com/media/articles/469136>

Facebook Inc. on Thursday rolled out several changes to the policies governing the way it collects, uses and shares data with third parties, including the addition of a provision required by a recent privacy class action settlement that informs members that the site can use their pictures in ads.

TWITTER'S GENERAL COUNSEL STEPS DOWN

via Law360 by Juan Carlos Rodriguez on 8/30/13

URL: <http://www.law360.com/media/articles/469287>

Twitter Inc.'s general counsel said Friday he is stepping down to pursue other interests, leaving behind a company that was among the first to disclose the U.S. government's requests for user information and that insisted on informing users when their data was sought by law enforcement.

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VIMEO TEAMS UP WITH FILM FESTIVAL

via WSJ.com: Technology by Rachel Dodes on 9/3/13

URL: <http://online.wsj.com/article/SB10001424127887323324904579045014234106536.html>

Independent filmmakers unveiling their movies at the Toronto International Film Festival will have a new option to get their films seen by audiences: Vimeo on Demand.

GOOGLE, FACEBOOK DUCK SUITS OVER MOBILE WEB PATENTS

via Intellectual Property Law360 by Jeff Sistrunk on 9/3/13

URL: <http://www.law360.com/ip/articles/469718>

Facebook Inc. and Google Inc. on Friday beat allegations they infringed Wireless Ink Corp.'s patents for mobile website technology, after a New York federal judge ruled Wireless Ink failed to show their mobile sites have any features covered by the asserted patent claims.

SENDING A "DTF?" TEXT MESSAGE SUPPORTS RESTRAINING ORDER -- FINIGAN V. WEINBERG

via Technology & Marketing Law Blog by Venkat Balasubramani on 9/3/13

URL: http://blog.ericgoldman.org/archives/2013/09/sending_a_dtf_t.htm

Finigan v. Weinberg, 2013 Cal. App. Unpub. LEXIS 5868 (Cal. Ct. App. Aug. 21, 2013)

TWITTER'S GENERAL COUNSEL STEPS DOWN

via FindLaw Writ - Recent Articles by Aditi Mukherji on 9/3/13

URL: http://blogs.findlaw.com/in_house/2013/09/twitters-general-counsel-steps-down.html

Alexander Macgillivray is unexpectedly stepping down as Twitter's General Counsel. Not surprisingly, he tweeted the news himself and didn't offer a reason for the surprising move. (You do only get 140 characters per tweet.) Here's why people are pretty surprised about it and who will be filling Twitter's empty legal.....

LINKEDIN TO OFFER \$1 BILLION IN STOCK

via WSJ.com: Technology by Evelyn M. Rusli on 9/3/13

URL: <http://online.wsj.com/article/SB10001424127887324432404579053370124674510.html>

LinkedIn, looking to capitalize on a strong run-up in its share price, filed Tuesday to raise \$1 billion in a follow-on stock offering.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

IMMEDIATE FASHION, SOURCED FROM THE CROWD

via WSJ.com: Media & Marketing by Elizabeth Holmes on 9/4/13

URL: <http://online.wsj.com/article/SB10001424127887323623304579054981971141044.html>

Rebecca Minkoff, Nordstrom and Tumblr selected a contest-winning graphic designer, fashion model and photographer from submissions from around the country.

FACEBOOK IPO SUIT DOESN'T BELONG IN QUEBEC, JUDGE SAYS

via Law360 by Kat Greene on 9/4/13

URL: <http://www.law360.com/media/articles/470146>

The Quebec Superior Court on Wednesday tossed a putative class action brought by a woman who claimed she was defrauded by Facebook Inc. and the banks that backed it during its initial public offering in May 2012, saying the court had no jurisdiction over the matter.

FACEBOOK CONTESTS: YOU STILL MAY WANT AN APP FOR THAT

via Law360 by Jesse Brody on 9/4/13

URL: <http://www.law360.com/media/articles/469270>

While Facebook Inc.'s new promotions guidelines aim to make it easier for brands to administer contests and sweepstakes on the Facebook platform by eliminating the requirement that promotions be administered through an application that interacts with a company's Facebook page, there still may be good business and legal reasons to continue to run your company's promotions through an application, says Jesse Brody of Edwards Wildman Palmer LLP.

BEWARE RISKS OF USING LINKEDIN DURING JURY SELECTION

via Intellectual Property Law360 by William O'Neil on 9/5/13

URL: <http://www.law360.com/ip/articles/469540>

The growth and prevalence of social media in recent years has enabled lawyers and their jury consultants to make more educated and sophisticated decisions during the jury selection process. But there are several ethics opinions that suggest that the use of LinkedIn for jury research would constitute an ethical violation, say William O'Neil and Derek Sarafa of Winston & Strawn LLP.

PRIVACY GROUPS ASK FTC TO HALT FACEBOOK POLICY CHANGES

via Law360 by Juan Carlos Rodriguez on 9/5/13

URL: <http://www.law360.com/media/articles/470242>

A group of consumer privacy advocates on Wednesday in a letter to the Federal Trade Commission said that proposed changes to Facebook Inc.'s data use policies would allow the company to use website members' images and names for commercial advertising without consent.

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EMAIL EXCHANGE CREATES BINDING SETTLEMENT AGREEMENT PER UETA--
FORCELLI V. GELCO

via Technology & Marketing Law Blog by John Ottaviani on 9/6/13

URL: http://blog.ericgoldman.org/archives/2013/09/email_exchange_1.htm

Forcelli v. Gelco Corp., 2013 NY Slip Op 05437 (N.Y. App. Div. July 24, 2013)

TWITTER DIPLOMACY? NEW IRANIAN OFFICIALS USE TWITTER TO MAKE
SURPRISING MOVES TO COOL TENSIONS OVER ISRAEL AND NUKES

via Techdirt by Mike Masnick on 9/6/13

URL: <http://www.techdirt.com/articles/20130905/16484924422/twitter-diplomacy-new-iranian-officials-use-twitter-to-make-surprising-moves-to-cool-tensions-over-isreal-nukes.shtml>

Here's a fairly incredible story.

INSTAGRAM PICTURES ITSELF MAKING MONEY

via WSJ.com: Technology by Evelyn M. Rusli on 9/8/13

URL: <http://online.wsj.com/article/SB10001424127887324577304579059230069305894.html>

At Facebook's Instagram unit, Emily White is the point person charged with turning a billion-dollar acquisition that has never made a cent into a real business. Ad sales, she said, are expected to begin in the next year.

FACEBOOK TO ENACT PRIVACY POLICY CHANGES DESPITE BACKLASH

via Law360 by Allison Grande on 9/6/13

URL: <http://www.law360.com/media/articles/470652>

Facebook Inc. said Friday that it plans to implement controversial changes to its data use policies next week, despite backlash by consumers and a coalition of privacy groups that want the Federal Trade Commission to probe the revisions.

NLRB FINDS EMT'S FIRING OVER FACEBOOK POSTS UNLAWFUL

via Law360 by Abigail Rubenstein on 9/6/13

URL: <http://www.law360.com/corporate/articles/470632>

A National Labor Relations Board judge ruled on Wednesday that an ambulance company violated federal labor law when it fired an employee for posting comments on a recently axed co-worker's Facebook page suggesting she contact an attorney or the labor board.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

6 TOOLS TO HELP FIRMS TRACK SOCIAL MEDIA

via ABA Journal by Joe Dysart on 9/1/13

URL:

http://www.abajournal.com/magazine/article/new_tools_are_available_to_help_firms_track_social_media/

There's a pressing need for a tool that can monitor and archive everything a law firm's client says and does on social media, given that more and more e-discovery demands are including data generated by employee mobile devices.

TWITTER'S RUMORED IPO: BEST, WORST CASE SCENARIOS

via FindLaw Writ - Recent Articles by William Peacock, Esq. on 9/6/13

URL: http://blogs.findlaw.com/in_house/2013/09/twitters-rumored-ipo-best-worse-case-scenarios.html

The rumor mill is churning, and it looks like the next big tech-IPO could be the social network and micro-blogging platform Twitter. The rumors have reached a fever pitch as Twitter has made a number of strategic hires that point in the direction of a public offering, such as hiring.....

YELP SUES LAW FIRM FOR POSTING FAKE REVIEWS

via Techdirt by Mike Masnick on 9/9/13

URL: <http://www.techdirt.com/articles/20130909/02210424448/yelp-sues-law-firm-posting-fake-reviews.shtml>

Fake reviews online are something many people have just come to expect. Just recently we discussed an example of where it was obvious there were a ton of fake reviews on Amazon.com.

GOOGLE, YAHOO, FACEBOOK REQUEST NSL TRANSPARENCY PUBLIC HEARINGS FROM FISA COURT

via Threatpost by Michael Mimoso on 9/10/13

URL: <http://threatpost.com/google-yahoo-facebook-request-nsl-transparency-public-hearings-from-fisa-court/102229>

Google, Yahoo and Facebook filed amended requests today with the U.S. Foreign Intelligence Surveillance Court (FISC) reiterating their desire to publish numbers on requests for user data related to national security.

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NEW TWITTER GC STEPS INTO PRE-IPO GLARE

via Law.com - Newswire by Chelsea Allison on 9/6/13

URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202618449207>

When Twitter was looking for a corporate legal director a few years ago, it asked Ted Wang, the company's first outside counsel, to review a candidate named Vijaya Gadde.

GOOGLE, FACEBOOK WANT FISA COURT TO AUTHORIZE DATA RELEASE

via Law360 by Juan Carlos Rodriguez on 9/9/13

URL: <http://www.law360.com/media/articles/471090>

Google Inc., Facebook Inc. and Yahoo Inc. on Monday asked the U.S. Foreign Intelligence Surveillance Court for permission to publicly disclose data about the number of compulsory information requests it receives from the government, arguing the First Amendment protects their right to do so.

GCS BRACE FOR EMPLOYMENT WARS WITH RISE OF SOCIAL MEDIA

via Law360 by Drew Singer on 9/9/13

URL: <http://www.law360.com/media/articles/470063>

Changes in federal law and the growth of social media will lead employment litigation to be one of just four areas projected to grow in 2014, but client budgets might not be able to keep up, according to a new survey of corporate counsel.

YELP CLAIMS LAW FIRM FAKES REVIEWS

via Law.com - Newswire by Max Taves on 9/9/13

URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202618687374>

Yelp Inc., a popular consumer review website, has sued the McMillan Law Group and its owner, Julian McMillan, for writing fake reviews to endorse its bankruptcy practice.

FACEBOOK SPONSORED STORIES SETTLEMENT APPROVED – FRALEY V. FACEBOOK

Technology & Marketing Law Blog by Venkat Balasubramani on 9/10/13

URL: http://blog.ericgoldman.org/archives/2013/09/facebook_sponso_1.htm

Fraley v. Facebook, Inc., C 11-1726 RS (N.D. Cal. Aug. 26, 2013)

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

SOCIAL MEDIA AND CONFIDENTIALITY: GRAY AREAS FOR EMPLOYERS
via Law360 by Lindsay Burke & Eric Bosset on 9/10/13
URL: <http://www.law360.com/media/articles/468209>

Employers have been surprised by recent rulings that common policies on social media and confidentiality of investigations may run afoul of the National Labor Relations Act. There is no easy way, especially for procedures on investigations, to reconcile the conflict between the Equal Employment Opportunity Commission's concern for employee privacy and the National Labor Relation Board's enforcement, say Lindsay Burke and Eric Bosset of Covington & Burling LLP.

HIGH SCHOOLER'S FACEBOOK POST CAN CONSTITUTE THE CRIME OF
MENACING– IN RE P.T.
via Technology & Marketing Law Blog by Venkat Balasubramani on 9/11/13
URL: http://blog.ericgoldman.org/archives/2013/09/high_schoolers.htm

In the Matter of P.T., 2013 – Ohio- 3881 (Ohio Ct. App. Sept. 9, 2013) [pdf]

YELP SUES LAW FIRM FOR POSTING FAKE REVIEWS, TESTIMONIALS
via FindLaw Writ - Recent Articles by Adam Ramirez on 9/10/13
URL: <http://blogs.findlaw.com/courtside/2013/09/yelp-sues-law-firm-for-posting-fake-reviews-testimonials.html>

Do legal consumers use Yelp, the consumer review website best known for reviewing restaurants, to help them choose an attorney? A San Diego law firm apparently seems to think so. Enough so that it allegedly used its staff and five fellow attorneys to write fake, beaming reviews of its bankruptcy.....

YELP SUES SMALL SAN DIEGO LAW FIRM OVER ALLEGED FAKE REVIEWS
via Ars Technica by Cyrus Farivar on 9/11/13
URL: <http://arstechnica.com/tech-policy/2013/09/yelp-sues-small-san-diego-law-firm-over-alleged-fake-reviews/>

Julian McMillan wants nothing to do with Yelp. He runs a small law firm in San Diego, California, focusing on bankruptcy law. And yet his business, like many others, has an entry on the reviews site.

TWITTER AND HILTON RIDE WAVE OF IPOs
via Law.com - Newswire by Brian Baxter on 9/12/13
URL: <http://www.americanlawyer.com/PubArticleALD.jsp?id=1202619134329>

The much-anticipated initial public offering of the social networking company was made official Thursday, along with those for Hilton Worldwide and the U.K.'s Royal Mail.

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'OVERTLY RELIGIOUS' SOCIAL MEDIA POSTS AFFECT HIRING

via Law.com - Newswire by Sue Reisinger on 9/13/13

URL: <http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202619084229&>

Some 28 percent of job recruiters said they would react negatively to a candidate's "overtly religious" posts or tweets on social media, 2 percent would react positively—and both responses are illegal.

**MIDWIFERY DEBATE BIRTHS CLARIFICATION OF REQUIREMENTS FOR DMCA
TAKEDOWN NOTICES**

via Copyright Alliance by Alexandra Goldstein on 9/12/13

URL:

https://copyrightalliance.org/2013/09/midwifery_debate_births_clarification_requirements_dmca_takedown_notices

On Tuesday, the US District Court for the District of Massachusetts ruled on a heated case pitting two bloggers against each other in what began as a disagreement over birthing techniques but quickly became a copyright battle. Earlier this year, Amy Tuteur, a former physician, brought suit against Gina Crosley-Corcoran, a natural birth advocate.

YELP TURNS TIDE IN REVIEW FILTERING CASE, COUNTERSUES

via FindLaw Writ - Recent Articles by William Peacock, Esq. on 9/12/13

URL: <http://blogs.findlaw.com/strategist/2013/09/yelp-turns-tide-in-review-filtering-case-countersues.html>

This case just went from interesting to fascinating Last month, we reported on widespread concerns about Yelp's business practices, specifically their spam review filters, which some say, are nothing more than extortion. Many small business owners claim that after they turned down Yelp's advertising overtures, their positive reviews were filtered.....

IT'S OFFICIAL: TWITTER TAKES FIRST STEPS TOWARD INITIAL PUBLIC OFFERING

via Ars Technica by Cyrus Farivar on 9/12/13

URL: <http://arstechnica.com/business/2013/09/its-official-twitter-takes-first-steps-toward-initial-public-offering/>

Twitter has finally publicly acknowledged that it submitted an S-1 filing to the Securities and Exchange Commission—the company's first officially acknowledged step toward its widely anticipated initial public offering, or IPO.

HOW ZYNGA WENT FROM SOCIAL GAMING POWERHOUSE TO HAS-BEEN
via Ars Technica by Cyrus Farivar on 9/12/13
URL: <http://arstechnica.com/business/2013/09/how-zynga-went-from-social-gaming-powerhouse-to-has-been/>

In Zynga's July 2011 prospectus to future shareholders, company founder and CEO Mark Pincus outlined his firm's ambitious plan to take over the gaming world.

WHEN TWITTER PROMOTIONS GO WRONG: IL PIZZERIA OFFERS FOOD FOR FLASHING
via Techdirt by Timothy Geigner on 9/12/13
URL: <http://www.techdirt.com/articles/20130911/09474524486/when-twitter-promotions-go-wrong-il-pizzeria-offers-food-flashing.shtml>

By now you should be familiar with the concept of advertising being content and content being advertising.

MPAA GETS ITS WISH: COURT BASICALLY SAYS IT CAN FILE BOGUS DMCA TAKEDOWNS WITHOUT CONCERN FOR FAIR USE
via Techdirt by Mike Masnick on 9/12/13
URL: <http://www.techdirt.com/articles/20130911/18073124494/mpaa-gets-its-wish-court-basically-says-it-can-file-bogus-dmca-takedowns-without-concern-fair-use.shtml>

Well, this is unfortunate. We've been covering a somewhat bizarre, petty legal squabble between two bloggers who have very different views about birthing methods, and who have a history of sniping at each other.

ANOTHER TEEN'S FACEBOOK 'THREAT' RESULTS IN CRIMINAL CHARGES BEING FILED
via Techdirt by Tim Cushing on 9/12/13
URL: <http://www.techdirt.com/articles/20130911/17580024493/another-teens-facebook-threat-results-criminal-charges-being-filed.shtml>

Another teenager has found himself on the receiving end of criminal charges for "threats" delivered via social media.

TWITTER KICKS OFF PROCESS FOR IPO
via WSJ.com: Technology by Shira Ovide, Telis Demos & Yoree Koh on 9/12/13
URL: <http://online.wsj.com/article/SB10001424127887323392204579071511038487586.html>

Twitter said it has confidentially submitted paperwork to the SEC to begin the process for an initial public offering. Goldman Sachs is the lead underwriter.

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TWITTER TWEETS PLAN TO GO PUBLIC

via Law360 by Sindhu Sundar on 9/12/13

URL: <http://www.law360.com/media/articles/472421>

Microblogging service Twitter Inc. on Thursday indicated in a pithy tweet that it is filing for an initial public offering, stating only that it has privately submitted an S-1 filing to the U.S. Securities and Exchange Commission to kick off its plan to go public.

YOUTUBE ASKED TO NAME CREATORS OF ANTI-CATSIMATIDIS VIDEOS

via Law360 by Jeff Sistrunk on 9/12/13

URL: <http://www.law360.com/media/articles/472440>

Gristedes Foods Inc. CEO and recent New York City mayoral candidate John Catsimatidis on Wednesday filed a petition in New York state court asking YouTube Inc. and parent company Google Inc. to identify the people who posted videos claiming he has wiretapped employees and been fined for labor violations.

FTC EYEING FACEBOOK PRIVACY POLICY CHANGES

via Law360 by Allison Grande on 9/12/13

URL: <http://www.law360.com/media/articles/472106>

The Federal Trade Commission said Wednesday that it is looking into whether Facebook Inc.'s recent privacy policy changes — which, among other things, clarify that the site can use members' pictures in ads — comply with the company's 2011 privacy settlement with the regulator.

LINKEDIN CLAIMS LACK OF SECURITY PROMISE DOOMS BREACH SUIT

via Law360 by Allison Grande on 9/12/13

URL: <http://www.law360.com/media/articles/472270>

LinkedIn Corp. on Wednesday stepped up its push to nix a revamped putative California class action over a 2012 security breach, arguing it never made any direct promises to premium subscribers about enhanced security protections that the plaintiff claims convinced her to upgrade her account.

MALPRACTICE SUIT OVER BOTCHED FACEBOOK SHARES SALE BOOTED

via Law360 by Pete Brush on 9/12/13

URL: <http://www.law360.com/media/articles/472284>

A New York City judge tossed a \$6.7 million legal malpractice suit against Littman Krooks LLP on Wednesday, ruling that the law firm had no duty to issue a legal opinion that would have cleared the way for two plaintiff corporations to cash in on Facebook Inc. shares.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

NJ SOCIAL MEDIA LAW: BALANCING RIGHTS AND PROTECTIONS
via Law360 by Matthew V. DelDuca, Albert L. Barrueco & Kyle A. Dolinsky on 9/12/13
URL: <http://www.law360.com/media/articles/471143>

New Jersey's new social media privacy law appears to provide a safe harbor for employers who receive complaints or other information about employee wrongdoing on social media and wish to investigate the allegations. But employers should be mindful that investigatory conduct that may be permissible under the new state law may violate federal law if done improperly, say attorneys with Pepper Hamilton LLP.

'BIRTHING' BLOGGERS' COPYRIGHT BATTLE CONTINUES
via Law.com - Newswire by Sheri Qualters on 9/12/13
URL: <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202619079374>

A federal judge has kept alive a copyright case that sprang from a bitter dispute between two bloggers on opposite poles of the home birthing debate. The litigants initially sparred through their respective blogs, TheFeministBreeder and The Skeptical OB.

TWITTER'S COUNSEL HELPED MAKE FINANCIAL TWEETS LEGAL
via WSJ.com: Law Blog - WSJ.com by Jacob Gershman on 9/13/13
URL: <http://blogs.wsj.com/law/2013/09/13/twitters-counsel-helped-make-financial-tweets-legal/>

Law firm Wilson Sonsini Goodrich & Rosati is serving as Twitter Inc.'s legal counsel on its nascent initial public offering, according to people familiar with the matter.

BRAND BATTLES: PINTEREST, SPRINT, NFL, HASBRO
via Intellectual Property Law360 by Bill Donahue on 9/13/13
URL: <http://www.law360.com/ip/articles/472759>

In Law360's latest roundup of new actions at the Trademark Trial and Appeal Board, Pinterest aims to block Sprint and others from registering names involving "pin," the Indiana Colts protect their quarterback's name, and Hasbro runs into trouble trying to register a trademark for one of its Transformer toys.

YOUTUBE, AMAZON ESCAPE VIDEO ON DEMAND PATENT SUITS
via Intellectual Property Law360 by Jonathan Randles on 9/13/13
URL: <http://www.law360.com/ip/articles/472533>

YouTube LLC and Amazon.com Inc. on Thursday escaped lawsuits brought in California alleging the companies infringe a patent purportedly covering Internet video streaming.

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PAYPAL SCRAMBLES FOR FIX AFTER FREEZING TWO MORE CROWDFUNDED GAMES

via Ars Technica by Lee Hutchinson on 9/13/13

URL: <http://arstechnica.com/business/2013/09/paypal-scrambles-for-fix-after-freezing-two-more-crowdfunded-games/>

September hasn't been a great month for PayPal.

FACEBOOK SUDDENLY DELETES SOCIAL FIXER'S FACEBOOK PAGES

via Ars Technica by Cyrus Farivar on 9/13/13

URL: <http://arstechnica.com/business/2013/09/facebook-suddenly-deletes-social-fixers-facebook-pages/>

Just two weeks after Ars featured the work of a man who spends his free time late at night working on a browser extension that adds a slew of new features to Facebook, the famed social network abruptly trashed his extension's Facebook pages.

TWITTER IPO REMINDS US THAT WHAT STARTS OUT AS TRIVIAL AND POINTLESS CAN TURN INTO SOMETHING AMAZING

via Techdirt by Mike Masnick on 9/13/13

URL: <http://www.techdirt.com/blog/innovation/articles/20130913/02511724504/twitter-ipo-reminds-us-that-what-starts-out-as-trivial-pointless-can-turn-into-something-amazing.shtml>

I'd been meaning to write something on this topic for a while, but with the announcement of the Twitter IPO, and Mathew Ingram's reminder of how it started as a "harmless distraction" before turning into something much, much bigger, it's reminded me once again to talk about why the constant fretting about entrepreneurs doing trivial things is a pointless pastime.

TWITTER'S IPO PLAN: DON'T DO WHAT FACEBOOK DID

via WSJ.com: Technology by Evelyn M. Rusli, Telis Demos & Yoree Koh on 9/13/13

URL: <http://online.wsj.com/article/SB10001424127887324755104579073562166634226.html>

The Twitter executives leading its long-expected initial public offering have a mission: Don't repeat the mistakes that muddied Facebook's IPO.

TWITTER'S I.P.O. BY THE NUMBERS

via NYT > TimesCast by Alyssa Kim on 9/13/13

URL: <http://www.nytimes.com/video/2013/09/13/technology/100000002442339/twitters-ipo-by-the-numbers.html>

A look at the messages, users and revenue behind the global information network. Twitter announced on Thursday that it had filed for an initial public offering.

FACEBOOK PRIVACY

via PrawfsBlawg by Margaret Ryznar on 9/14/13

URL: <http://prawfsblawg.blogs.com/prawfsblawg/2013/09/facebook-privacy.html>

I'd like to highlight this interesting AALS 2014 panel on the privacy, if any, that parents owe their children on Facebook. I look forward to hearing the presentations on the Saturday morning of the conference. Personally, I'm just glad Facebook didn't exist when I was a kid.

HOW THE COPS WATCH YOUR TWEETS IN REAL-TIME

via Ars Technica by Nate Anderson on 9/15/13

URL: <http://arstechnica.com/tech-policy/2013/09/how-the-cops-watch-your-tweets-in-real-time/>

Recent leaks about the NSA's Internet spy programs have sparked renewed interest in government surveillance, though the leaks touch largely on a single form of such surveillance—the covert one. But so-called "open source intelligence" (OSINT) is also big business—and not just at the national/international level.

ANOTHER CASE INVOLVING SCHOOL DISCIPLINE FOR A VIOLENT POST ON A SOCIAL NETWORKING SITE -- WYNAR V. DOUGLAS COUNTY SCHOOL DIST.

via Technology & Marketing Law Blog by Venkat Balasubramani on 9/16/13

URL: http://blog.ericgoldman.org/archives/2013/09/another_case_in_1.htm

Mynar v. Douglas County School Dist, 2013 WL 4566354 (9th Cir. Aug 29, 2013)

LITIGATION AGAINST FACEBOOK, NASDAQ MOVES FORWARD

via Law.com - Newswire by Amanda Bronstad on 9/16/13

URL: <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202619256210>

A federal judge has scheduled arguments on Nasdaq's motion to dismiss litigation over Facebook's botched initial public offering. The exchange has been named in about a dozen lawsuits over its handling of the IPO.

TUMBLR INKS FIREHOSE DEAL WITH DATASIFT TO TUMBLE FURTHER INTO THE WORLD OF BIG MEDIA ADVERTISING

via TechCrunch by Ingrid Lunden on 9/16/13

URL: <http://techcrunch.com/2013/09/16/tumblr-inks-firehose-deal-with-datasift-to-tumble-further-into-the-world-of-big-media-advertising/>

When Yahoo acquired Tumblr for \$1.1 billion earlier this year, Yahoo's CEO Marissa Mayer and CFO Ken Goldman both pointed out that advertising on the site (and revenues from those ads) would ramp up significantly in 2014 after a modest 2013.

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DEALS RUMOR MILL: TWITTER, BLACKBERRY, KKR
via Law360 by Karlee Weinmann on 9/16/13
URL: <http://www.law360.com/media/articles/472884>

One of Twitter's wealthiest investors pledged to hang onto his stake after the microblogging site goes public in its buzzed-about IPO, while BlackBerry could be sold in pieces rather than a straight-up buyout.

LINKEDIN ACCUSED OF 'HACKING' EMAIL ACCOUNTS FOR SELF-PROMOTION
via Law.com - Newswire by Max Taves on 9/17/13
URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202619680911>

Four LinkedIn members have filed a consumer class action alleging that the social network company "hacked into" users' third-party email accounts in order to market itself.

COURT: FACEBOOK 'LIKE' IS PROTECTED BY THE FIRST AMENDMENT
via WSJ.com: Law Blog - WSJ.com by Joe Palazzolo on 9/18/13
URL: <http://blogs.wsj.com/law/2013/09/18/court-facebook-like-is-protected-by-the-first-amendment/>

"Liking" something on Facebook is a form of protected speech, a federal appeals court ruled Wednesday, reviving a closely watched case over the First Amendment's reach in social media.

FTC INVESTIGATES FACEBOOK'S PROPOSED PRIVACY POLICIES
via FindLaw Writ - Recent Articles by Brett Snider, Esq. on 9/17/13
URL: <http://blogs.findlaw.com/technologist/2013/09/ftc-investigates-facebooks-proposed-privacy-policies.html>

FindLaw columnist Eric Sinrod writes regularly in this section on legal developments surrounding technology and the Internet. The Federal Trade Commission (FTC) has launched an inquiry to determine whether Facebook's recently announced privacy policies violate an agreement to obtain express consent before revealing users' private information to new viewers. According.....

“LIKING” A FACEBOOK PAGE IS PRESUMPTIVELY PROTECTED SPEECH
via The Volokh Conspiracy by Eugene Volokh on 9/18/13
URL: <http://www.volokh.com/2013/09/18/liking-facebook-page-presumptively-protected-speech/>

So holds today's Bland v. Roberts (4th Cir. Sept. 18, 2013), I think correctly.

CRITICAL MOROCCAN EDITOR ARRESTED FOR LINKING TO YOUTUBE VIDEO

via EFF.org Updates by Jillian C. York on 9/18/13

URL: <https://www.eff.org/deeplinks/2013/09/critical-moroccan-editor-arrested-linking-youtube-video>

Over the past few years, Morocco has made great strides increasing Internet access to its 32.5 million citizens.

LINKEDIN FIGHTS IN COURT FOR SURVEILLANCE TRANSPARENCY ON MULTIPLE FRONTS

via EFF.org Updates by Trevor Timm on 9/18/13

URL: <https://www.eff.org/deeplinks/2013/09/linkedin-commendably-fights-surveillance-transparency-court-multiple-fronts>

In a welcome and commendable move, LinkedIn, the business social networking giant, has filed an amicus brief in EFF's landmark case challenging the statute governing National Security Letters (NSLs) as an unconstitutional prohibition of free speech (read the full brief here).

FACEBOOK "LIKE" BUTTON JUST AS PROTECTED AS WRITTEN SPEECH, COURT RULES

via Ars Technica by Cyrus Farivar on 9/18/13

URL: <http://arstechnica.com/tech-policy/2013/09/facebook-like-button-just-as-protected-as-written-speech-court-rules/>

In a unanimous decision on Wednesday, the Fourth Circuit Court of Appeals reversed a lower court's decision, declaring that a Facebook "Like" is protected under the First Amendment, like other forms of speech.

YOUTUBE TO ADD ANOTHER OFFLINE VIEWING FEATURE FOR MOBILE IN NOVEMBER

via Ars Technica by Ron Amadeo on 9/18/13

URL: <http://arstechnica.com/gadgets/2013/09/youtube-to-add-another-offline-viewing-feature-for-mobile-in-november/>

The official YouTube Creators blog has announced that YouTube will soon add an offline video viewing mode to their mobile apps. The feature will allow you to download videos to a device and watch them offline "for a short period."

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HOW INVESTORS CAN EVALUATE A TECH IPO

via WSJ.com: Technology by Khadeeja Safdar on 9/18/13

URL: <http://online.wsj.com/article/SB10001424127887323968704578649752624765718.html>

Just because you can get in on that hot tech IPO doesn't mean you should.

COURT PROTECTS FACEBOOK 'LIKES'

via WSJ.com: Technology by Joe Palazzolo on 9/18/13

URL: <http://online.wsj.com/article/SB10001424127887324807704579083391772699608.html>

A federal appeals court held that "liking" something on Facebook is protected by the First Amendment.

'THE CIRCLE' TAKE VENGEANCE ON GOOGLE, FACEBOOK

via WSJ.com: Technology by Dennis K. Berman on 9/17/13

URL: <http://online.wsj.com/article/SB10001424127887323342404579081503189753492.html>

"The Circle," by Dave Eggers, carries the potential to change how the world views its addicted, compliant thrall to all things digital.

FACEBOOK 'LIKE' SHIELDED BY CONSTITUTION, 4TH CIRC. SAYS

via Law360 by Ben James on 9/18/13

URL: <http://www.law360.com/media/articles/473705>

The Fourth Circuit ruled Wednesday that clicking Facebook's "Like" button is speech covered by the First Amendment, breathing new life into a suit brought against a Virginia sheriff by former deputies who claimed they were let go for supporting a rival candidate for the sheriff's job.

NLRB MIGHT 'LIKE' 4TH CIRC. FACEBOOK RULING, ATTYS SAY

via Law360 by Ben James on 9/18/13

URL: <http://www.law360.com/media/articles/473855>

The Fourth Circuit's decision Wednesday that Facebook "likes" are a form of speech covered by the First Amendment confirms that constitutional protections apply to the social media arena and may foreshadow a decision by the National Labor Relations Board that workers' "likes" can be protected under federal labor law, lawyers say.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

LINKEDIN JOINS PUSH TO SHARE GOV'T SURVEILLANCE REQUESTS
via Law360 by Allison Grande on 9/18/13
URL: <http://www.law360.com/media/articles/473760>

LinkedIn Corp. on Tuesday became the latest major online service provider to launch legal challenges to the government's refusal to allow companies to publicly release data on government surveillance of their users, saying that its efforts to privately negotiate a deal with government officials has broken down.

VIMEO CAN'T USE SAFE HARBOR TO DODGE COPYRIGHT LAWSUIT
via Intellectual Property Law360 by Bill Donahue on 9/19/13
URL: <http://www.law360.com/ip/articles/474222>

Video-sharing service Vimeo lost a bid Wednesday to dismiss Capitol Records' copyright lawsuit over user-generated lip-synch videos when a federal judge ruled that some of the videos might not qualify for safe-harbor protection.

THE FIRST AMENDMENT PROTECTS FACEBOOK "LIKES" – BLAND V. ROBERTS
via Technology & Marketing Law Blog by Venkat Balasubramani on 9/18/13
URL: http://blog.ericgoldman.org/archives/2013/09/appeals_court_s.htm

Bland v. Roberts, No. 12-1671 (4th Cir. Sept. 18, 2013).

TWITTERFLY EFFECT: SOCIAL MEDIA AND THE COBANI YOGURT MOLD RECALL
via FindLaw Writ - Recent Articles by William Peacock, Esq. on 9/19/13
URL: http://blogs.findlaw.com/in_house/2013/09/twitterfly-effect-social-media-and-the-chobani-yogurt-mold-recall.html

When in doubt, blame social media. An Australian man gets an 11-inch sandwich from Subway, posts about it on Facebook, and the sandwich chain faces a minor social media catastrophe and a handful of not-quite-footlong lawsuits. Best Buy issues an email coupon with too few restrictions, and it gets shared.....

FACEBOOK 'LIKES' ARE PROTECTED FREE SPEECH, SAYS 4TH CIR
via FindLaw Writ - Recent Articles by William Peacock, Esq. on 9/18/13
URL: <http://blogs.findlaw.com/technologist/2013/09/facebook-likes-are-protected-free-speech-says-4th-cir.html>

My Facebook page contains 222 likes, some of which are probably embarrassing and not at all representative of my actual interests. Sometimes you "like" something because there is a giveaway. Sometimes you do so sarcastically. Then again, sometimes, you "like" something because you appreciate the brand or person and want.....

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YES, A FACEBOOK 'LIKE' IS PROTECTED BY THE FIRST AMENDMENT

via Techdirt by Mike Masnick on 9/19/13

URL: <http://www.techdirt.com/articles/20130918/17161224576/yes-facebook-like-is-protected-first-amendment.shtml>

Last year we wrote about a troubling case, in which a district court ruled that Facebook "likes" were not protected speech under the First Amendment.

CHINA ESCALATES SOCIAL MEDIA CRACKDOWN

via WSJ.com: Technology by Josh Chin & Paul Mozur on 9/19/13

URL: <http://online.wsj.com/article/SB10001424127887324807704579082940411106988.html>

A campaign of intimidation against China's most influential Internet users has cast a chill over public debate in the country and called into question the long-term viability of its vibrant social-media platform.

GROUPS URGE FTC TO BLOCK FACEBOOK TEEN PRIVACY CHANGES

via Law360 by Allison Grande on 9/19/13

URL: <http://www.law360.com/media/articles/474142>

A coalition of consumer advocacy groups on Tuesday urged the Federal Trade Commission to block recently proposed changes to Facebook Inc.'s privacy policy that would pave the way for teenagers' images to appear in ads, saying that minors need more robust privacy protections than adults.

SUIT CLAIMS LINKEDIN HACKS USERS' EMAILS FOR ADDRESSES

via Law360 by Juan Carlos Rodriguez on 9/19/13

URL: <http://www.law360.com/media/articles/474031>

LinkedIn Corp. was hit Tuesday with a proposed class action accusing it of breaking into its users' third-party email accounts, downloading email addresses and sending out multiple emails ostensibly on behalf of the user advertising LinkedIn to nonmembers.

GOOGLE, FACEBOOK SEEK ATTYS' FEES IN MOBILE WEB IP FIGHT

via Law360 by Kurt Orzeck on 9/19/13

URL: <http://www.law360.com/media/articles/474035>

Google Inc., YouTube LLC and Facebook Inc. asked a New York federal court Wednesday to order Wireless Ink Corp. to pay millions of dollars in attorneys' fees, after prevailing over suits alleging infringement of Wireless Ink's patents for mobile website technology.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

IS LIKING A FACEBOOK PAGE PROTECTED SPEECH? FOURTH CIRCUIT SAYS YES
via Law.com - Newswire by Mike Scarcella on 9/18/13
URL: <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202619788091>

In a closely watched First Amendment retaliation case, a three-judge panel has ruled that "liking" a Facebook page is protected speech equivalent to sticking a political campaign sign in your front yard.

BRAND BATTLES: RAYTHEON, ZYNGA, NESTLE
via Intellectual Property Law360 by Bill Donahue on 9/20/13
URL: <http://www.law360.com/ip/articles/474527>

In Law360's latest roundup of new actions at the Trademark Trial and Appeal Board, the Army moves to shoot down Raytheon's bid to register the Patriot missile, Zynga fights to protect the name of its wildly successful "Ville" games, and Monster Energy unleashes an opposition on Nestle's bottled water unit.

COURT UPHOLDS DOOCING FOR SNARKY FACEBOOK POST -- RODRIQUEZ V.
WAL-MART
via Technology & Marketing Law Blog by Venkat Balasubramani on 9/21/13
URL: http://blog.ericgoldman.org/archives/2013/09/court_upholds_d.htm

Rodriquez v. Wal-Mart, 2013 U.S. App. 19345 (5th Cir. Sept. 19, 2013) [pdf]

LINKEDIN SUED BY USERS WHO SAY IT HACKED THEIR E-MAIL ACCOUNTS
via Ars Technica by Megan Geuss on 9/21/13
URL: <http://arstechnica.com/tech-policy/2013/09/linkedin-sued-by-users-who-say-it-hacked-their-e-mail-accounts/>

Four plaintiffs filed a class-action suit in US district court in San Jose on Friday claiming that LinkedIn used its member's identities without consent and broke into their third party e-mail accounts to send promotional e-mails to the members' contact lists.

FACEBOOK LAUNCHES ADVANCED AI EFFORT TO FIND MEANING IN YOUR POSTS
via MIT Technology Review by Tom Simonite on 9/20/13
URL: <http://www.technologyreview.com/news/519411/facebook-launches-advanced-ai-effort-to-find-meaning-in-your-posts/>

A technique called deep learning could help Facebook understand its users and their data better.

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LINKEDIN ACCUSED OF HACKING CUSTOMERS E-MAILS FOR CONTACTS

via Bloomberg BusinessWeek by Linda Sandler on 9/21/13

URL: <http://www.businessweek.com/news/2013-09-20/linkedin-customers-say-company-hacked-their-e-mail-address-books>

The customers, who aim to lead a group suit against LinkedIn, asked a federal judge in San Jose, California, to bar the company from repeating the alleged violations and to force it to return any revenue stemming from its use of their identities to promote the site to non-members, according to a court filing.

TWITTER PITCHES ITSELF TO TV NETWORKS

via WSJ.com: Media & Marketing by Yoree Koh & Keach Hagey on 9/23/13

URL: <http://online.wsj.com/article/SB10001424127887324807704579088231837484594.html>

Twitter has been courting television networks and advertisers as it rolls out more-sophisticated marketing products.

UTILITIES TAP POWER OF SOCIAL MEDIA

via WSJ.com: Technology by Andrew Blackman on 9/22/13

URL: <http://online.wsj.com/article/SB10001424127887324823804579012721588956480.html>

Most utility companies now use social media to stay in touch with customers, yielding advantages for both

SOCIAL NETWORKS STICK WITH MYSQL

via iTnews by Brett Winterford on 9/23/13

URL: <http://www.itnews.com.au/News/357842,social-networks-stick-with-mysql.aspx>

Facebook, Twitter upgrade, but eye alternatives.

BITS BLOG: TWITTER ADDS CBS TO ITS STABLE OF BIG ADVERTISING PARTNERS

via NYT > Media & Advertising by Vindu Goel on 9/23/13

URL: <http://bits.blogs.nytimes.com/2013/09/23/twitter-adds-cbs-to-its-stable-of-big-advertising-partners/>

As the social network is trying to show sustained revenue growth, CBS and other broadcasters can pair video clips with ads and distribute them on the service.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

ASTROTURFERS SHUT DOWN AFTER FLOODING YELP AND GOOGLE WITH FAKE REVIEWS

via Ars Technica by Jon Brodtkin on 9/23/13

URL: <http://arstechnica.com/tech-policy/2013/09/astroturfers-shut-down-after-flooding-yelp-and-google-with-fake-reviews/>

Nineteen companies have "agreed to cease their practice of writing fake online reviews for businesses and to pay more than \$350,000 in penalties" after being caught posing as real consumers on sites such as Yelp, Google Local, and CitySearch, New York Attorney General Eric Schneiderman announced today.

LINKEDIN SAYS EMAIL HACKING CLASS HAS IT ALL WRONG

via Intellectual Property Law360 by Andrew Scurria on 9/24/13

URL: <http://www.law360.com/ip/articles/475054>

LinkedIn Corp.'s litigation director on Saturday denied that the website invades its users' personal email accounts to extract third-party addresses it then bombards with advertising that exploits user likenesses, panning a recent California class action as "misinformation."

DISRUPTIONS: GAWKER WANTS TO ENCOURAGE MORE VOICES ONLINE, BUT WITH LESS YELLING

via NYT > Media & Advertising by Nick Bilton on 9/22/13

URL: <http://bits.blogs.nytimes.com/2013/09/22/disruptions-gawker-wants-to-encourage-more-voices-online-but-with-less-yelling/>

A site that will promote comments on Gawker Media sites wants to elevate the role of commenters while trying to keep needless vitriol at bay.

CLASS ACTION TARGETS LINKEDIN; DID COMPANY HIJACK USERS' EMAIL?

via FindLaw Writ - Recent Articles by William Peacock, Esq. on 9/23/13

URL: http://blogs.findlaw.com/california_case_law/2013/09/class-action-targets-linkedin-did-company-hijack-users-email.html

Anyone else greatly annoyed by the flood of LinkedIn email that arrives in their inboxes daily? While most of us just ignore the messages, or feed them to our spam filters, four plaintiffs in California took things one step further and filed a class-action lawsuit, alleging not that they received.....

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INTERNET'S CHERISHED SPAMBOT TURNS OUT TO BE JUST ANOTHER HUMAN
via Ars Technica by Casey Johnston on 9/24/13

URL: <http://arstechnica.com/business/2013/09/internets-cherished-spambot-turns-out-to-be-just-another-human/>

A beloved purveyor of nonsensical Twitter drivel, @Horse_ebooks, has been revealed to be an “art project” created by an editor at BuzzFeed and a former employee of Howcast, as revealed in a post at The New Yorker’s Elements blog.

CHINA TO LIFT BAN ON FACEBOOK – BUT ONLY WITHIN SHANGHAI FREE-TRADE ZONE

via South China Morning Post by George Chen on 9/25/13

URL: <http://www.scmp.com/news/china/article/1316598/exclusive-china-lift-ban-facebook-only-within-shanghai-free-trade-zone>

Beijing has made the landmark decision to lift a ban on internet access within the Shanghai Free-trade Zone to foreign websites considered politically sensitive by the Chinese government, including Facebook, Twitter and newspaper website The New York Times.

TUMBLR GOES TO THE SUPREME COURT

via Lessig Blog by Lessig on 9/25/13

URL: <http://www.lessig.org/2013/09/tumblr-goes-to-the-supreme-court/>

On Thursday, Senator Elizabeth Warren and I will participate in an event hosted by the Constitutional Accountability Center (livestream here) to discuss a brief I submitted in a corruption (aka “campaign finance”) case that the Supreme Court will hear on October 8: *McCutcheon v. F.E.C.*

SHARING, WITH A SAFETY NET

via NYTimes.com by Somini Sengupta on 9/19/13

URL: <http://www.nytimes.com/2013/09/20/technology/bill-provides-reset-button-for-youngsters-online-posts.html>

Kids. The reckless rants and pictures they post online can often get them in trouble, by compromising their chances of getting into a good college or even landing them in jail.

\$20M FACEBOOK SETTLEMENT FACES PARENTAL CONSENT CHALLENGE
via Law360 by Andrew Scurria on 9/24/13
URL: <http://www.law360.com/media/articles/475195>

A consumer advocacy group lodged an appeal with the Ninth Circuit on Tuesday of a \$20 million privacy settlement over Facebook Inc.'s use of members' pictures in digital ads, saying the company can still exploit minors' images under the deal in violation of state parental consent laws.

LINKEDIN SAYS EMAIL HACKING CLASS HAS IT ALL WRONG
via Law360 by Andrew Scurria on 9/24/13
URL: <http://www.law360.com/media/articles/475054>

LinkedIn Corp.'s litigation director on Saturday denied that the website invades its users' personal email accounts to extract third-party addresses it then bombards with advertising that exploits user likenesses, panning a recent California class action as "misinformation."

DEALS RUMOR MILL: TWITTER, TPG CAPITAL, KKR
via Law360 by Karlee Weinmann on 9/24/13
URL: <http://www.law360.com/media/articles/475129>

Twitter has a favorite New York exchange for its ballyhooed upcoming IPO, while KKR and Sycamore are trying to act fast to close a joint purchase of a New York retail powerhouse.

5TH CIRC. BACKS WAL-MART WORKER'S FIRING OVER FACEBOOK POST
via Law360 by Abigail Rubenstein on 9/24/13
URL: <http://www.law360.com/corporate/articles/475391>

The Fifth Circuit on Thursday refused to reinstate an age and national origin discrimination lawsuit lodged against Wal-Mart Stores Inc. by a former Sam's Club employee who was fired over a Facebook comment that violated the company's social media policy.

FACEBOOK WINS \$3M AWARD IN IP, SPAMMING CASE
via Intellectual Property Law360 by David McAfee on 9/25/13
URL: <http://www.law360.com/ip/articles/475823>

A California federal judge on Wednesday awarded Facebook Inc. \$3 million in damages and granted the company a permanent injunction in its unfair competition lawsuit against Power Ventures Inc. and its founder over alleged violations of copyright and spamming laws.

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TWITTER STRIKES DEAL WITH NFL

via WSJ.com: Media & Marketing by Amol Sharma on 9/26/13

URL: <http://online.wsj.com/article/SB10001424052702304795804579097652915266372.html>

The NFL has reached a deal with Twitter to make football highlights and other content available on the social-media service, the latest big partnership aimed at capitalizing on the intersection of tweeting and TV.

GIVE YOURSELF 5 STARS? ONLINE, IT MIGHT COST YOU

via NYTimes by David Streitfeld on 9/22/13

URL: <http://www.nytimes.com/2013/09/23/technology/give-yourself-4-stars-online-it-might-cost-you.html>

David Streitfeld of the New York Times reports on the New York Attorney General's crackdown on fake online reviews here.

YOUTUBE TRIES TO RESCUE ITS TERRIBLE COMMENTERS FROM THEMSELVES

via Ars Technica by Casey Johnston on 9/25/13

URL: <http://arstechnica.com/business/2013/09/youtube-tries-to-rescue-its-terrible-commenters-from-themselves/>

YouTube has announced plans to reformat its presentation of comments below its videos to turn them from some of the Internet's worst dreck to relevant and—even more daringly—useful content. Rather than the chronological organization that the site has always used, comments will now consist of a mix of comments from YouTube personalities, “engaged conversations,” and friends on Google+.

TWITTER LAUNCHES EMERGENCY ALERTS

via SecurityWeek.com by AFP on 9/25/13

URL: <http://www.securityweek.com/twitter-launches-emergency-alerts>

Twitter on Wednesday launched a system for emergency alerts which can help spread critical information when other lines of communication are down.

FACEBOOK AUTOFILL TRIES TO SIMPLIFY MOBILE PURCHASES

via Technology Advice by Cameron Graham on 9/24/13

URL: <http://technologyadvice.com/facebook-autofill-tries-to-simplify-mobile-purchases/#.UkWqW3-KomY>

Facebook has teamed up with online transaction networks PayPal, Braintree, and Stripe, in order to help simplify e-commerce. The service, called “Autofill with Facebook,” will provide an easy way to fill in contact details including a user’s name, address, phone number, etc.

EASYJET TRIES TO STOP GUY FROM BOARDING BECAUSE HE TWEETED SOMETHING CRITICAL

via Techdirt by Mike Masnick on 9/25/13

URL: <http://www.techdirt.com/articles/20130925/13174824657/easyjet-tries-to-stop-guy-boarding-because-he-tweeted-something-critical.shtml>

Ah, yet another customer service debacle. Mark Leiser, a law lecturer and columnist, tweeted a slightly negative tweet about low-cost European airline EasyJet after his flight was delayed, and EasyJet customer service was somewhat rude in response (basically telling him and others that if they missed connections, that was their own problem, not EasyJet's).

TWITTER TAPS TWO MORE BANKS

via WSJ.com: Technology by Telis Demos & Dana Cimilluca on 9/25/13

URL: <http://online.wsj.com/article/SB10001424052702303342104579097872641302130.html>

Twitter has added two more banks, J.P. Morgan Chase and Morgan Stanley, to help lead its upcoming initial public offering.

PLEASE TWITTER, STAY WEIRD

via WSJ.com: Technology by Farhad Manjoo on 9/26/13

URL: <http://online.wsj.com/article/SB10001424052702304795804579097292647760858.html>

WSJ columnist Farhad Manjoo says Twitter's impending IPO may force it to change, and not for the better. Investors will want growth, and Twitter will be tempted to give in—and that may already be happening.

KICKSTARTER RESOLVES LAWSUIT OVER KARDASHIAN-PROMOTED BOOK

via Hollywood Reporter - THR, Esq. by Eriq Gardner on 9/26/13

URL: <http://www.hollywoodreporter.com/thr-esq/kickstarter-resolves-lawsuit-kardashian-promoted-637448>

An author backs down after suing the crowdfunding network for fraud and breach of contract.

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FACEBOOK HIRES DEPUTY GC FROM GIBSON DUNN

via Law.com - Newswire by Rebekah Mintzer on 9/25/13

URL: <http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202620834757>

The legal department at Facebook just friended someone new. The global social network announced Wednesday that it has added technology and data privacy expert Ashlie Beringer as its deputy general counsel.

LAWYERS' LINKEDIN USE SCRUTINIZED UNDER NEW AD RULES

via Law.com - Newswire by Julie Kay on 9/26/13

URL: <http://www.dailybusinessreview.com/PubArticleDBR.jsp?id=1202620801693>

A change in Florida Bar advertising rules, considered the most stringent in the country, has agitated attorneys with a social media presence.

GIBSON DUNN PRIVACY ACE TO DEPART FOR FACEBOOK

via Law360 by Andrew Scurria on 9/26/13

URL: <http://www.law360.com/media/articles/475898>

Facebook Inc. has selected Ashlie Beringer, a co-chair of Gibson Dunn & Crutcher LLP's data privacy group, to oversee litigation, regulatory and product development matters as a deputy to its newly installed general counsel, the company announced Thursday.

LINKEDIN SEARCH IN SPOTLIGHT AT BANK OF AMERICA TRIAL

via WSJ.com: Law Blog - WSJ.com by WSJ Staff on 9/27/13

URL: <http://blogs.wsj.com/law/2013/09/27/linkedin-search-in-spotlight-at-bank-of-america-trial/>

The jury for the "hustle" case against Bank of America Corp. was thrust into the spotlight Friday after one member said lawyers for the defense had done research on him via social-media websites, a possible violation of pre-trial rules.

FACEBOOK CAN'T SHAKE VIRTUAL CURRENCY CO.'S MONOPOLY SUIT

via Law360: Competition by Dan Prochilo on 9/27/13

URL: <http://www.law360.com/competition/articles/476419>

A Delaware federal judge refused Friday to toss antitrust claims Facebook Inc. is facing from an online currency and payment processing provider, upholding Kickflip Inc.'s accusations that Facebook banned it and tarnished its name in a plot to monopolize the virtual-currency market.

THE WAR ON FAKE REVIEWS RAMPS UP: NY FINES COMPANIES FOR FAKE YELP REVIEWS

via Techdirt by Mike Masnick on 9/27/13

URL: <http://www.techdirt.com/articles/20130927/01425424673/war-fake-reviews-ramps-up-ny-fines-companies-fake-yelp-reviews.shtml>

It would appear that there's finally a bit of a war on fake reviews.

FACEBOOK FACES ANTITRUST CLAIMS OVER VIRTUAL CURRENCY

via Law.com - Newswire by Sheri Qualters on 9/27/13

URL: <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202621248825&back=law>

A Delaware federal judge declined to dismiss Kickflip Inc.'s claims that Facebook illegally monopolized the virtual currency market and that Facebook's requirement that social-game developers use its virtual currency amounted to an illegal-tying arrangement.

FTC CHIEF VOWS TO KEEP PURSUING SEP ABUSES

via Intellectual Property Law360 by Melissa Lipman on 9/27/13

URL: <http://www.law360.com/ip/articles/476299>

Federal Trade Commission Chairwoman Edith Ramirez vowed Friday to take a tough line on abuses of standard-essential patents and the standard-setting process as the smartphone wars continue to roil the technology sector.

CREATING PARODY SOCIAL MEDIA ACCOUNTS DOESN'T VIOLATE COMPUTER FRAUD & ABUSE ACT – MATOT V. CH

via Technology & Marketing Law Blog by Venkat Balasubramani on 9/29/13

URL: http://blog.ericgoldman.org/archives/2013/09/creating_parody.htm

Matot v. CH, et al, 13-cv-153-TC (D.Or.) (Report and Recommendation, Aug. 19, 2013) (Order Dismissing Lawsuit, Sept. 26, 2013)

GOV. BROWN SIGNS NEW LAW: KIDS CAN ERASE THEIR INTERNET HISTORY

via FindLaw Writ - Recent Articles by Gabriella Khorasanee, JD on 9/27/13

URL: http://blogs.findlaw.com/california_case_law/2013/09/gov-brown-signs-new-law-kids-can-erase-their-internet-history.html

In your young and crazy days, did you ever do something you regretted? Have you ever been thankful that the watchful eyes of social media and smartphones with cameras weren't lurking behind every corner? We know we have. With young adults facing more and more scrutiny in job searches, their.....

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FACEBOOK HIRES BIGLAW ENTERTAINMENT, PATENT, PRIVACY PARTNER
via FindLaw Writ - Recent Articles by William Peacock, Esq. on 9/27/13
URL: http://blogs.findlaw.com/in_house/2013/09/facebook-hires-biglaw-entertainment-patent-privacy-partner.html

Sharon Osbourne, in her memoirs, said that "Ashlie Beringer has got balls of steel," after Beringer defended Sharon's husband Ozzy in a lawsuit. Facebook stated, "We have always been impressed with her toughness and commitment to innovation." They also just hired her to be their Deputy Counsel, and it's not.....

ATTYS' BID FOR PIECE OF \$20M FACEBOOK AD DEAL SLAMMED
via Intellectual Property Law360 by Juan Carlos Rodriguez on 9/30/13
URL: <http://www.law360.com/ip/articles/476635>

Class action plaintiffs who agreed to a \$20 million settlement with Facebook Inc. over claims the social media giant used members' photos in ads without their permission on Friday said attorneys who represented objectors should not get a cut of the money.

ALL PUBLIC FACEBOOK POSTS EVER MADE ARE NOW SEARCHABLE
via Ars Technica by Casey Johnston on 9/30/13
URL: <http://arstechnica.com/business/2013/09/all-public-facebook-posts-ever-made-are-now-searchable/>

Facebook Graph Search now includes posts and status updates in its results, according to a Facebook blog post Monday. Such searches will accept modifiers like time—"All of my posts from 2012" for instance—location, or people who participated.

FAKE SOCIAL MEDIA ACCOUNTS AREN'T BAD ENOUGH TO BE COMPUTER FRAUD
via Ars Technica by Nathan Mattise on 9/30/13
URL: <http://arstechnica.com/tech-policy/2013/09/fake-social-media-accounts-arent-bad-enough-to-be-computer-fraud/>

In the eternal battle between students and administrators, it's not unusual for social media to enter the mix these days.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

NSA HAS BUILT ITS OWN, SECRET, WARRANTLESS, SHADOW SOCIAL NETWORK,
AND YOU'VE ALREADY JOINED IT
via Techdirt by Mike Masnick on 9/30/13
URL: <http://www.techdirt.com/articles/20130928/22450824685/nsa-has-built-its-own-secret-warrantless-shadow-social-network-youve-already-joined-it.shtml>

Soon after the very earliest reporting on Ed Snowden's leaked documents about PRISM, the folks from Datacoup put together the very amusing GETPRSM website, which looks very much like the announcement of a new social network, but (the joke is) it's really the NSA scooping up all our data and making the connections. It's pretty funny.

FACEBOOK, GOOGLE LIVE IN PINTERESTING TIMES
via WSJ.com: Technology by Rolfe Winkler on 9/9/13
URL: <http://online.wsj.com/article/SB10001424052702304795804579101694240510818.html>

The company is starting to test advertising on its site. That could soon have it butting heads with social-networking and e-commerce giants.

DEALS RUMOR MILL: LLOYDS, GLENCORE, TWITTER
via Law360 by Karlee Weinmann on 9/30/13
URL: <http://www.law360.com/media/articles/476649>

A hometown bidder has emerged for the \$8.4 billion Australian asset cache Lloyds is trying to unload, while Twitter edges toward revealing more details about its as-yet confidential but hotly anticipated IPO.

FACEBOOK, GOOGLE LIVE IN PINTERESTING TIMES
via WSJ.com: Technology by Rolfe Winkler on 9/29/13
URL: <http://online.wsj.com/article/SB10001424052702304795804579101694240510818.html>

The company is starting to test advertising on its site. That could soon have it butting heads with social-networking and e-commerce giants.

October 2013

DELETE BUTTON FOR THE INTERNET? NEW CALIFORNIA LAW SAYS YES

via The MTTLR Blog by amalson on 10/1/13

URL: <http://www.mttlrblog.org/2013/10/01/delete-button-for-the-internet-new-california-law-says-yes/>

On Monday, September 23, 2013, California Governor Jerry Brown signed SB 568 into law. SB 568 requires “the operator of an Internet Web site, online service, online application, or mobile application to permit a minor who is a registered user of the operator’s Internet Web site, online service, online application, or mobile application, to remove, or to request and obtain removal of, content or information posted.”

COURT GIVES FACEBOOK A THUMBS-UP, "LIKES" ARE NOW PROTECTED BY THE FIRST AMENDMENT

via IPLJ by Allison Saltstein on 10/1/13

URL: <http://iplj.net/blog/archives/6319>

“Like” this blog post on Facebook? Congratulations you’ve just exercised your constitutional right to free speech...at least according to a federal appeals court. The U.S. Court of Appeals for the Fourth Circuit recently issued its decision in *Bland v. Roberts*, a case that shocked many last year, when a district court judge ruled that a [...]

YOUTUBE PLANS A MUSIC AWARDS SHOW LIVE FROM NEW YORK

via NYT > Media & Advertising by Ben Sisario on 10/1/13

URL: <http://www.nytimes.com/2013/10/02/business/media/youtube-plans-a-music-awards-show-live-from-new-york.html>

The awards will be determined through online voting, and handed out at a show with big-name performers like Lady Gaga and Eminem, and directed by Spike Jonze.

FACEBOOK GRAPH UPDATE GETS CREEPIER; TWEAK YOUR PRIVACY SETTINGS

via FindLaw Writ - Recent Articles by William Peacock, Esq. on 10/1/13

URL: <http://blogs.findlaw.com/technologist/2013/10/facebook-graph-update-gets-creepier-tweak-your-privacy-settings.html>

Why do we still have Facebook? Every week, it seems, it chips further away at our privacy. Shortly after getting to a tussle with the FTC over their new overly-expansive privacy policy, the company releases an updated Graph Search. Now you can quickly search through every post you, your friends,.....

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<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

COURT TELLS ASST. PRINCIPAL THAT STUDENTS' FAKE SOCIAL MEDIA ACCOUNTS DON'T VIOLATE CFAA OR RACKETEERING LAWS

via Techdirt by Tim Cushing on 10/1/13

URL: <http://www.techdirt.com/articles/20130930/11580424698/court-tells-suing-asst-principal-that-students-fake-social-media-accounts-dont-violate-cfaa.shtml>

When all else fails, conjure up the CFAA and see if that can stop the "cyberbullying."

ATTYS' SOCIAL MEDIA USE RIFE WITH LAND MINES, PANEL SAYS

via Law360 by Allison Grande on 10/1/13

URL: <http://www.law360.com/media/articles/477149>

A panel of legal experts warned attorneys and their clients Tuesday to be careful about how they use social media, saying that even the most innocuous search or posting could violate ethics rules or inadvertently expose sensitive corporate data to bad actors.

PERSONALITY, GENDER, AND AGE IN THE LANGUAGE OF SOCIAL MEDIA: THE OPEN-VOCABULARY APPROACH

via PLOS One by H. Andrew Schwartz et al. on 9/25/13

URL: <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0073791>

We analyzed 700 million words, phrases, and topic instances collected from the Facebook messages of 75,000 volunteers, who also took standard personality tests, and found striking variations in language with personality, gender, and age. In our open-vocabulary technique, the data itself drives a comprehensive exploration of language that distinguishes people, finding connections that are not captured with traditional closed-vocabulary word-category analyses. Our analyses shed new light on psychosocial processes yielding results that are face valid (e.g., subjects living in high elevations talk about the mountains), tie in with other research (e.g., neurotic people disproportionately use the phrase 'sick of' and the word 'depressed'), suggest new hypotheses (e.g., an active life implies emotional stability), and give detailed insights (males use the possessive 'my' when mentioning their 'wife' or 'girlfriend' more often than females use 'my' with 'husband' or 'boyfriend'). To date, this represents the largest study, by an order of magnitude, of language and personality.

SEX APP DITCHES 'FRIENDS' UNDER ZYNGA TRADEMARK SETTLEMENT

via Intellectual Property Law360 by Bill Donahue on 10/2/13

URL: <http://www.law360.com/ip/articles/477426>

Social game maker Zynga Inc. reached a settlement Tuesday to drop its trademark infringement lawsuit against developers of the casual sex application Bang With Friends, which agreed to change its name to Bang Next.

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SANFORD GREENE HEADS TO KICKSTARTER TO FUND HIS LATEST SKETCHBOOK
via Comics Alliance by Joseph Hughes on 10/2/13
URL: <http://comicsalliance.com/sanford-greene-deadlines-volume-4-sketchbook-kickstarter/>

I first came across Sanford Greene's art in a Wonder Girl miniseries he illustrated for DC Comics in 2007, and I've been a fan ever since. In the years since that story was published, it's been a pleasure to watch his growth as an artist.

OBJECTOR ATTY SAYS HE'S OWED FEES IN \$20M FACEBOOK DEAL
via Intellectual Property Law360 by Benjamin Horney on 10/2/13
URL: <http://www.law360.com/ip/articles/477256>

Objectors to a \$20 million class action settlement with Facebook Inc. over claims the social media giant used members' photos in ads without their permission fired back Monday in a dispute over attorneys' fees, claiming they're entitled to fees regardless of whether the objection affected the outcome of the settlement.

WASHINGTON POST REACHES SETTLEMENT IN TWITTER COPYRIGHT ROW=
via Intellectual Property Law360 by Kurt Orzeck on 10/2/13
URL: <http://www.law360.com/ip/articles/477596>

A New York federal judge on Tuesday dismissed claims accusing the Washington Post Co. of stealing a photojournalist's work off of Twitter after the parties reached a settlement, though principal defendants Agence France-Presse and Getty Images Inc. are still slated to go to trial.

FTC WON'T CHALLENGE TWITTER'S ACQUISITION OF MOPUB
via Law360: Competition by Jeff Sistrunk on 10/2/13
URL: <http://www.law360.com/competition/articles/477727>

The Federal Trade Commission's antitrust regulators won't object to microblogging service Twitter Inc.'s acquisition of ad management company MoPub Inc., according to a document released this week.

SOCIAL NETWORKS IN A BATTLE FOR THE SECOND SCREEN
via NYT > Media & Advertising by Vindu Goel and Brian Stelter on 10/2/13
URL: <http://www.nytimes.com/2013/10/03/technology/social-networks-in-a-battle-for-the-second-screen.html>

Facebook and Twitter are vying to become the nation's digital water cooler as they woo networks and advertisers.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

TWITTER SEEKS TO EXPAND IN SAN FRANCISCO

via WSJ.com: Technology by Eliot Brown on 10/2/13

URL: <http://online.wsj.com/article/SB10001424052702304176904579111834120993134.html>

As it gears up for an initial public offering, social-media giant Twitter Inc. is looking to expand. It is in discussions with real-estate developer Shorenstein Properties to lease more than 300,000 square feet in a building that neighbors its headquarters in San Francisco.

FACEBOOK'S COMPANY TOWN

via WSJ.com: Technology by Reed Albergotti on 10/2/13

URL: <http://online.wsj.com/article/SB10001424052702303492504579111792834660448.html>

Facebook's plans to build a 394-unit housing community near its offices conjure up memories of so-called "company towns" at the turn of the 20th century.

YOUTUBE TUTORIALS HELP LAWYERS BUILD INFOGRAPHICS

via Law.com - Newswire by Patricia Kutza on 9/30/13

URL: <http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1202621374225>

The Wow Factor: YouTube tutorials help lawyers create infographics that entertain and inform inside and outside of courtrooms.

THE HOUSES THAT FACEBOOK BUILT ARE COMING TO MENLO PARK

via Ars Technica by Casey Johnston on 10/3/13

URL: <http://arstechnica.com/business/2013/10/the-houses-that-facebook-built-are-coming-to-san-francisco/>

Facebook revealed plans Wednesday to build a \$120 million, 394-unit housing community near its Menlo Park, California, offices.

TWITTER REVEALS \$1 BILLION IPO PLAN

via WSJ.com: Technology by Yoree Koh, Telis Demos & Shira Ovide on 10/3/13

URL: <http://online.wsj.com/article/SB10001424052702304176904579111293482553988.html>

Twitter on Thursday revealed plans to raise up to \$1 billion in a public offering, looking to cash in on a messaging service that has transformed public conversation but is still losing money and facing challenges attracting new users and advertisers.

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FACEBOOK AND CISCO LET BRICK-&-MORTARS DEMAND CUSTOMERS CHECK-IN TO GET WI-FI

via TechCrunch by Josh Constine on 10/2/13

URL: <http://techcrunch.com/2013/10/02/facebook-wifi/>

Restaurants, hotels, and other businesses are spending a lot to provide customers with free Wi-Fi.

TWITTER ANNOUNCES ITS \$1 BILLION INITIAL PUBLIC OFFERING

via Ars Technica by Megan Geuss on 10/3/13

URL: <http://arstechnica.com/business/2013/10/twitter-announces-its-1-billion-initial-public-offering/>

Twitter filed an S-1 form with the Security and Exchange Commission on Thursday, officially providing more details about its intent to take itself public, offering up 472,613,753 shares of stock in order to raise \$1 billion.

INSTAGRAM WILL BEGIN CARRYING ADS

via WSJ.com: Technology by Reed Albergotti on 10/3/13

URL: <http://online.wsj.com/article/SB10001424052702303492504579113842596563308.html>

Facebook said that it would begin putting advertisements on Instagram, the photo and video-sharing service it purchased for roughly \$1 billion in 2012. The announcement marks the first attempt by Instagram to turn its popularity into revenue.

WILSON SONSINI, DAVIS POLK PILOT TWITTER'S \$1B IPO FILING

via Law360 by David McAfee on 10/3/13

URL: <http://www.law360.com/media/articles/478060>

Twitter Inc. has publicly filed for a much-anticipated initial public offering with an initial registration amount of \$1 billion, according to documents filed Thursday with the U.S. Securities and Exchange Commission.

EU GROUP SLAMS FACEBOOK OVER REPLY TO PRIVACY COMPLAINTS

via Law360 by Gavin Broady on 10/3/13

URL: <http://www.law360.com/media/articles/477630>

A European consumer advocate on Wednesday released 200 pages of documents provided by Facebook Inc. more than two years after the group brought a host of complaints over the site's privacy policies, but blasted the company for purportedly evading its core concerns.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

TWITTER'S I.P.O. PLAN HAS AN INTERNATIONAL FOCUS

via NYT > Media & Advertising by David Jolly, Mark Scott & Eric Pfanner on 10/4/13

URL: <http://www.nytimes.com/2013/10/05/business/twitters-ipo-plan-has-an-international-focus.html>

The social-networking service said in its stock filing that more than three-quarters of its recent users are outside the United States.

INSTAGRAM WILL BEGIN CARRYING ADS

via WSJ.com: Media & Marketing by Reed Albergotti on 10/3/13

URL: <http://online.wsj.com/article/SB10001424052702303492504579113842596563308.html>

Facebook said that it would begin putting advertisements on Instagram, the photo and video-sharing service it purchased for roughly \$1 billion in 2012. The announcement marks the first attempt by Instagram to turn its popularity into revenue.

FACEBOOK AND MARYLAND ROLL OUT ANTI-BULLYING EXPERIMENT

via WSJ.com: Law Blog - WSJ.com by Jacob Gershman on 10/4/13

URL: <http://blogs.wsj.com/law/2013/10/04/facebook-and-maryland-roll-out-anti-bullying-experiment/>

Facebook and Maryland's attorney general are experimenting with a new system for educators to alert the company about student bullying.

WHICH FIRMS STAND TO SCORE ON TWITTER IPO?

via Law.com - Newswire by Chelsea Allison on 10/3/13

URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202622078326>

Wilson Sonsini's Steven Bochner got the call on the year's hottest launch.

WHAT CAN BE SOLD IN 140 CHARACTERS? THAT'S NOW THE CHALLENGE FOR TWITTER

via NYT > Media & Advertising by Vindu Goel on 10/4/13

URL: <http://www.nytimes.com/2013/10/05/technology/what-can-be-sold-in-140-characters-thats-now-the-challenge-for-twitter.html>

In documents filed on Thursday, Twitter noted that it has been greatly expanding its inventory of advertising slots, especially for promoted tweets.

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SLOPPINESS, SOCIAL MEDIA LED TO SILK ROAD FOUNDER'S CAPTURE

via FindLaw Writ - Recent Articles by William Peacock, Esq. on 10/3/13

URL: <http://blogs.findlaw.com/technologist/2013/10/sloppiness-social-media-led-to-silk-road-founders-capture.html>

Rule #1 of staying anonymous on the Internet: never use your real name. Yesterday, we brought you the tale of Captain Jack Sparrow Dread Pirate Roberts, a/k/a Ross Ulbricht, the alleged founder of The Silk Road, a website on the anonymous Tor network where users buy and sell drugs, firearms,.....

ADVERTISERS SAY TWITTER NEEDS MORE USERS

via WSJ.com: Technology by Yoree Koh & Suzanne Vranica on 10/5/13

URL: <http://online.wsj.com/article/SB10001424052702303492504579115753167390832.html>

For some advertisers, 218 million people isn't a big enough audience. That's their message to Twitter, which Thursday detailed plans for an IPO.

FOR TWITTER, SUCCESS CAME AFTER FOUNDERS' EXIT

via WSJ.com: Technology by Shira Ovide & Yoree Koh on 10/3/13

URL: <http://online.wsj.com/article/SB10001424052702303492504579113730338605074.html>

The company became successful after it outgrew its founders, and the people in charge pushed aside those who brought it to life.

ONE DOUBT HANGING OVER TWITTER'S IPO

via WSJ.com: Technology by Tom Gara on 10/3/13

URL: <http://online.wsj.com/article/SB10001424052702303492504579113754194762812.html>

Twitter's more than 215 million users range from everyday people to a constellation of robots and spammers, so how can advertisers work out who's who?

ADVERTISERS SAY TWITTER NEEDS MORE USERS

via WSJ.com: Media & Marketing by Yoree Koh & Suzanne Vranica on 10/5/13

URL: <http://online.wsj.com/article/SB10001424052702303492504579115753167390832.html>

For some advertisers, 218 million people isn't a big enough audience. That's their message to Twitter, which Thursday detailed plans for an IPO.

FACEBOOK REQUIRES SOCIAL FIXER BROWSER EXTENSION TO REMOVE KEY FEATURES

via Social Fixer Blog by Matt Kruse on 10/5/13

URL: <http://socialfixer.com/blog/2013/10/05/facebook-requires-social-fixer-browser-extension-to-remove-key-features/>

Several weeks ago, the Social Fixer Page was removed from Facebook without warning (see my blog post).

TALK CAN'T BE CHEAP AT TWITTER

via WSJ.com: Technology by Miriam Gottfried on 10/4/13

URL: <http://online.wsj.com/article/SB10001424052702303492504579115300174388492.html>

The company's first public financial disclosure shows it is walking the tech industry's "mobile first" talk. But it still has to prove mobile's revenue-generating potential.

TWITTER IPO PUTS INSIDERS ON THE SIDELINES

via WSJ.com: Technology by Telis Demos on 10/4/13

URL: <http://online.wsj.com/article/SB10001424052702304176904579115552873919372.html>

None of Twitter's biggest backers are planning to sell stock in the IPO. It could be an important distinction from social-media rival Facebook, which let several of its shareholders cash out in its offering.

THE MEDIA EQUATION: USING TWITTER TO MOVE THE MARKETS

via NYT > Media & Advertising by David Carr on 10/6/13

URL: <http://www.nytimes.com/2013/10/07/business/media/using-twitter-to-move-the-markets.html>

Over the course of three Twitter posts about Apple from the activist investor Carl C. Icahn, the company's market capitalization rose about \$17 billion.

DATA MINING THANKS TO TWITTER

via WSJ.com: Media & Marketing by Elizabeth Dwoskin on 10/6/13

URL: <http://online.wsj.com/article/SB10001424052702304441404579118531954483974.html>

In its IPO filing, Twitter Inc. disclosed how much the microblogging platform earned from a lesser-known side business: \$47.5 million came from selling off its data to a fast-growing group of companies.

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NIELSEN TO MEASURE TWITTER CHATTER ABOUT TV SHOWS

via NYT > Media & Advertising by Brian Stelter on 10/6/13

URL: <http://www.nytimes.com/2013/10/07/business/media/nielsen-to-measure-twitter-chatter-about-tv.html>

The company's new product, Nielsen Twitter TV Ratings, professes to measure the activity and reach of Twitter conversation about shows.

TWITTER'S PLAN TO GO PUBLIC SETS UP PRIVACY JUGGLING ACT

via Law360 by Allison Grande on 10/4/13

URL: <http://www.law360.com/media/articles/478271>

With the release of its highly anticipated initial public offering Thursday, Twitter Inc. will now face pressure to loosen restrictions on consumer data use to maximize its advertising revenue, a temptation experts say the company will need to carefully balance with users' privacy expectations in order to stay successful.

PINTEREST PINS TRADEMARK SUIT ON TRAVEL PLANNING SITE

via Intellectual Property Law360 by Chelsea Naso on 10/7/13

URL: <http://www.law360.com/ip/articles/478425>

Pinterest Inc. is accusing the interactive travel planning site Pintrips Inc. of lifting the social media platform's trademark and virtual pinboard idea, according to a suit filed Friday in a California federal court.

ORGANIZING AN "INTERNET SAFETY" PRESENTATION? DON'T TROLL THROUGH STUDENTS' FACEBOOK ACCOUNTS LOOKING FOR BIKINI PHOTOS

via Technology & Marketing Law Blog by Venkat Balasubramani on 10/8/13

URL: http://blog.ericgoldman.org/archives/2013/10/organizing_an_i.htm

Chaney v. Fayette County Public School Dist., 2013 U.S. Dist. LEXIS 143030 (N.D. Ga. Sept. 30, 2013).

MAINTAINING YOUR FIRM'S SOCIAL MEDIA PRESENCE: 5 TIPS

via FindLaw Writ - Recent Articles by Betty Wang on 10/8/13

URL: <http://blogs.findlaw.com/strategist/2013/10/maintaining-your-firms-social-media-presence-5-tips.html>

Is your firm on social media? If not, you should look into integrating social media into your firm, stat. These days, social media presence is a crucial way to market your firm, maintain and retain your clientele, appear accessible, and is just important for the sake of keeping up-to-date with.....

**HOW THE BIBLE AND YOUTUBE ARE FUELING THE NEXT FRONTIER OF
PASSWORD CRACKING**

via Ars Technica by Dan Goodin on 10/8/13

URL: <http://arstechnica.com/security/2013/10/how-the-bible-and-youtube-are-fueling-the-next-frontier-of-password-cracking/>

Early last year, password security researcher Kevin Young was hitting a brick wall.

**MARYLAND TOPS OFF AWFUL CYBERBULLYING LAW WITH DIRECT LINE TO
FACEBOOK TO REMOVE CONTENT 'WITHOUT SOCIETAL VALUE'**

via Techdirt by Tim Cushing on 10/8/13

URL: <http://www.techdirt.com/articles/20131005/17465424772/maryland-tops-off-awful-cyberbullying-law-with-direct-line-to-facebook-to-remove-content-without-societal-value.shtml>

We saw Nova Scotia deliver the worst in cyberbullying laws (Canadian edition) earlier this year.

**NEWS ANCHOR DOES TWITTER WRONG: TEASES HOMICIDE STORY REFERENCING
BREAKING BAD**

via Techdirt by Timothy Geigner on 10/7/13

URL: <http://www.techdirt.com/articles/20131007/04184224778/news-anchor-does-twitter-wrong-teases-homicide-story-referencing-breaking-bad.shtml>

We all know that companies will occasionally use social media in a way that just comes off as wrong, either intentionally or not.

BRAZILLIANS ON SOCIAL MEDIA AT FORE OF FREE-SPEECH BATTLE

via WSJ.com: Technology by Loretta Chao on 10/9/13

URL: <http://online.wsj.com/article/SB10001424127887324807704579087550683336712.html>

Brazil is locked in a debate over freedom of expression, and at the center are its social-media users, including a man who calls himself "Anonymous Sucker."

**THROUGH TWITTER PARTNERSHIP, COMCAST HOPES TO ENCOURAGE TV
VIEWING**

via NYT > Media & Advertising by Brian Stelter on 10/9/13

URL: <http://www.nytimes.com/2013/10/10/business/media/through-twitter-partnership-comcast-hopes-to-encourage-tv-viewing.html>

A new feature, See It, is meant to make it easy to move from reading comments about a show to watching that show.

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NBC SHOWS TO STREAM FROM TWEETS

via WSJ.com: Technology by Shalini Ramachandran on 10/9/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304520704579125321135080490>

Comcast Corp. struck a partnership with Twitter Inc. to allow TV subscribers to access TV shows directly from tweets onto their mobile devices and TV sets.

MICROSOFT, FACEBOOK TARGET MOBILE AD PATENTS IN AIA REVIEWS

via Intellectual Property Law360 by Ryan Davis on 10/10/13

URL: <http://www.law360.com/ip/articles/479692>

Microsoft Corp. and Facebook Inc., which are among a host of companies sued by B.E. Technology LLC over personalized advertising patents, challenged the validity of the patents Wednesday by seeking inter partes review of them under the America Invents Act.

NBC SHOWS TO STREAM FROM TWEETS

via WSJ.com: Media & Marketing by Shalini Ramachandran on 10/9/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304520704579125321135080490>

Comcast Corp. struck a partnership with Twitter Inc. to allow TV subscribers to access TV shows directly from tweets onto their mobile devices and TV sets.

FACEBOOK TO RIP SEARCH OPT-OUT FROM UNDER THOSE WHO WERE USING IT

via Ars Technica by Casey Johnston on 10/10/13

URL: <http://arstechnica.com/business/2013/10/opted-out-of-facebook-search-not-anymore-youre-not-says-facebook/>

If you checked that box saying you don't want to appear in Facebook search results, get ready: soon, that choice is going away.

OIL TRADERS MISREAD TWEET, MAKE OIL PRICES SHOOT UP

via Techdirt by Mike Masnick on 10/10/13

URL: <http://www.techdirt.com/articles/20131010/14505124831/oil-traders-misread-tweet-make-oil-prices-shoot-up.shtml>

There have been plenty of complaints about people who jump to conclusions too quickly online, but apparently at times that can actually have a material impact on things.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

YOUTUBE TELLS USER HE CAN DIRECTLY RESOLVE COPYRIGHT CLAIM BY CONTACTING HIMSELF

via Techdirt by Tim Cushing on 10/10/13

URL: <http://www.techdirt.com/articles/20131009/12151024815/youtube-tells-user-he-can-directly-resolve-copyright-claim-contacting-himself.shtml>

When bots handle copyright enforcement, things are sometimes going to get screwed up.

THE GAME: THE BIG HOLE IN TWITTER'S IPO

via WSJ.com: Technology by Dennis K. Berman on 10/10/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304500404579126950604701622>

Twitter's IPO documents are filled with numbers and charts about user growth, but there are virtually no details about the most important aspects of its advertising business.

BROADCASTERS LOOK TO SUPREME COURT IN AEREO FIGHT

via WSJ.com: Technology by AMol Sharma & Shalini Ramachandran on 10/10/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304520704579127830182079884>

Broadcasters could soon take their grievances with Aereo to the U.S. Supreme Court in the raging debate over streaming-video technologies.

PROPOSED FLA. BILL TO BAN EMPLOYERS FROM ASKING FOR SOCIAL MEDIA ACCESS

via Law.com - Newswire by Marlis Silver Sweeney on 10/10/13

URL: <http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1202622978084>

Pending Fla. legislation would ban employers from compelling employees and job applicants to disclose social media account details.

TEEN GAVE UP PRIVACY BY POSTING BILKINI PHOTO ON FACEBOOK, JUDGE RULES

via Law.com - Newswire by R. Robin McDonald on 10/11/13

URL: <http://www.dailyreportonline.com/PubArticleDRO.jsp?id=1202623116903>

When a Fayette County high school student posted a photo of herself clad in a bikini on Facebook, she had no legitimate expectation that the photo would remain private, a federal judge in Newnan has held.

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GOOGLE SETS PLAN TO SELL USERS' ENDORSEMENTS

via NYT > Media & Advertising by Claire Cain Miller & Vindu Goel on 10/11/13

URL: <http://www.nytimes.com/2013/10/12/technology/google-sets-plan-to-sell-users-endorsements.html>

A change in its terms of service would let Google include users' names, photos and comments in ads across the Web.

FACEBOOK AXES SETTING FOR USERS TO HIDE FROM SEARCHES

via Law360 by Jeff Sistrunk on 10/10/13

URL: <http://www.law360.com/media/articles/479837>

Facebook Inc. announced on Thursday that it plans to fully remove a feature that allows users to control whether others can search their Timeline profiles by name.

SOCIAL MEDIA RANT AGAINST AIRLINE EMPLOYEE WASN'T DEFAMATORY BUY MAY BE FALSE LIGHT--PATTERSON V. GRANT-HERMS

via Technology & Marketing Law Blog by Venkat Balasubramani on 10/11/13

URL: http://blog.ericgoldman.org/archives/2013/10/twitter_faceboo.htm

Patterson v. Grant-Herms, 2013 Tenn. App. 675 (Tenn. Ct. App. Oct. 8, 2013)

NY COMIC CON TELLS ATTENDEES NOT TO FRET AFTER IT GHOST-TWEETS FOR THEM

via Ars Technica by Casey Johnston on 10/11/13

URL: <http://arstechnica.com/business/2013/10/ny-comic-con-tells-attendees-not-to-fret-after-it-ghost-tweets-for-them/>

New York Comic Con (NYCC) received many complaints Thursday and into Friday as attendees discovered that the event organizers had been tweeting from attendees' accounts without their permission, according to Mashable.

NY COMIC CON HIJACKS ATTENDEES' TWITTER ACCOUNTS, ISSUES NON-APOLOGY APOLOGY

via Techdirt by Timothy Geigner on 10/11/13

URL: <http://www.techdirt.com/articles/20131011/14201524843/ny-comic-con-hijacks-attendees-twitter-accounts-issues-non-apology-apology.shtml>

If anyone knows how to be polite, genteel, and appropriate, it's certainly me.

HOW TWITTER INSIDERS CUT THEIR TAXES

via WSJ.com: Technology by Laura Saunders on 10/11/13

URL: <http://online.wsj.com/article/SB10001424052702304500404579127283687636364.html>

A careful reading of the Twitter prospectus shows that insiders have been making moves to minimize investment and estate taxes on their shares before the firm goes public.

AM I PRETTY OR UGLY? EXPLORING AN UNFORTUNATE YOUTUBE PHENOMENON

via Ars Technica by Olivia Solon on 10/13/13

URL: <http://arstechnica.com/business/2013/10/am-i-pretty-or-ugly-exploring-an-unfortunate-youtube-phenomenon/>

Live artist Louise Orwin has created a show—Pretty Ugly—based on her research into the phenomenon of teenage girls discussing body issues on social media.

FACEBOOK PRIVACY SETTINGS CAUSING PEOPLE TO DELETE ACCOUNTS

via The MTTLR Blog by bhavnag on 10/13/13

URL: <http://www.mttlrblog.org/2013/10/13/facebook-privacy-settings-causing-people-to-delete-accounts/>

Adults and minors alike need to be on the lookout for Facebook's new privacy policies.

TWITTER SQUEEZES BANKS ON IPO

via WSJ.com: Technology by Telis Demos on 10/13/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304330904579133544294288168>

Twitter is parlaying its surging popularity and the intense competition among banks for Internet deals to squeeze unusually favorable terms from the firms that will take it public.

TED: ANDREW FITZGERALD: ADVENTURES IN TWITTER FICTION – ANDREW FITZGERALD (2013)

via TEDTalks (video) by TEDTalks on 10/01/13

URL: http://www.ted.com/talks/andrew_fitzgerald_adventures_in_twitter_fiction.html

In the 1930s, broadcast radio introduced an entirely new form of storytelling; today, micro-blogging platforms like Twitter are changing the scene again. Andrew Fitzgerald takes a look at the (aptly) short but fascinating history of new forms of creative experimentation in fiction and storytelling.

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WE ARE JOINING THE FACEBOOK TEAM
via Onavo :: Blog by Guy Rosen on 10/13/13
URL: <http://blog.onavo.com/2013/10/joining-facebook/>

We are excited to announce that Facebook has agreed to acquire our company.

FOR SHAME: TROLLS DEFEAT SCIENTIFIC AMERICAN, POPULAR SCIENCE
via Ars Technica by Ken Fisher on 10/14/13
URL: <http://arstechnica.com/science/2013/10/for-shame-trolls-defeat-scientific-american-popular-science/>

Every publication makes mistakes.

AUSTRALIAN COURTS AND SOCIAL MEDIA
via SSRN by Alysia Blackham & George Williams on 9/27/13
URL: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2331819

Social media, like Facebook and Twitter, are now pervasive in many sectors of Australian society. However, Australia's courts are generally taking a cautious approach to using this technology to enhance and complement their processes. Where courts have used social media, it has generally been in the context of regulating its use by others (for example, by limiting journalists' live tweeting of court cases or juries' use of extraneous social media 'research') rather than considering how they might make active use of social media themselves. In this article, we examine the extent to which Australian courts are using social media. We consider the opportunities and challenges posed by such media for courts and assess the extent to which they could make greater use of the technology.

PROMOTERS 'LIKE' FACEBOOK'S NEW TERMS
via Law.com - Newswire by Marlisse Silver Sweeney on 10/10/13
URL: <http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1202623084413>

Facebook changes rule to allow companies to run promotions.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

YOUTUBE KILLS LIVESTREAM OF CONVENTION WHEN AUDIENCE STARTS SINGING "HAPPY BIRTHDAY"

via Techdirt by Tim Cushing on 10/15/13

URL: <http://www.techdirt.com/articles/20131014/15323524876/youtube-kills-livestream-convention-when-audience-starts-singing-happy-birthday.shtml>

Nothing kills an event hosted by YouTube (and other streaming services) quicker than a spontaneous rendition of the song everyone sings when it's someone's birthday, but yet somehow "belongs" solely to Warner Music. Granted, this didn't actually kill CitizenCon 2013, an event put together by RSI (Roberts Space Industries), the company behind persistent MMO Star Citizen (which is still in development), for its fans.

TWITTER'S LOSS WIDENS

via WSJ.com: Technology by Rolfe Winkler, Jacob Bunge & Yoree Koh on 10/15/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304561004579137941676713568>

Twitter revealed fresh financial details in a filing, including a wider loss in the third quarter. It also picked the NYSE for its public listing.

MPAA URGES 9TH CIRC. TO BACK PRINCE YOUTUBE CLIP TAKEDOWN

via Intellectual Property Law360 by Daniel Wilson on 10/16/13

URL: <http://www.law360.com/ip/articles/480941>

The Motion Picture Association of America Inc. on Wednesday urged the Ninth Circuit to rule in favor of Universal Music Corp. in a dispute over Universal's takedown notice for an online video of a toddler dancing to a copyrighted Prince song, saying the request was legal.

'GO F YOURSELF AND DIE': LAWYERS REALLY SHOULDN'T RAGE TWEET

via FindLaw Writ - Recent Articles by William Peacock, Esq. on 10/16/13

URL: <http://blogs.findlaw.com/strategist/2013/10/go-f---k-yourself-and-die-lawyers-really-shouldnt-rage-tweet.html>

There's a running Twitter joke with our friends at @SCOTUSblog. Because their name is so similar to the nation's high court, many tweeters mistake them for the real thing, and express their great displeasure over court rulings in 140 characters or less. Instead of kindly clarifying the mistake, the mystery.....

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FELONY COUNTS FOR 2 IN SUICIDE OF BULLIED 12-YEAR-OLD

via NYTimes by Lizette Alvarez on 10/15/13

URL: <http://www.nytimes.com/2013/10/16/us/felony-charges-for-2-girls-in-suicide-of-bullied-12-year-old-rebecca-sedwick.html>

For the Polk County sheriff's office, which has been investigating the cyberbullying suicide of a 12-year-old Florida girl, the Facebook comment was impossible to disregard.

NEWS SITE HELD RESPONSIBLE FOR READERS' COMMENTS

via WSJ.com: Technology by Ben Rooney on 10/16/13

URL: <http://online.wsj.com/news/articles/SB10001424052702303680404579138952302902842>

An Estonian news site was responsible for abusive comments posted by its readers, the European Court of Human Rights has ruled.

WHAT DO IRAN AND FACEBOOK AGREE ON?

via EFF.org Updates by Jillian C. York on 10/15/13

URL: <https://www.eff.org/deeplinks/2013/10/iran-arrests-man-fake-facebook-pages>

Back in 2008, a young Moroccan engineer named Fouad Mourtada became the first person in his country to be arrested for a social networking-related offense.

POWERED BY THE CROWD, EFF ATTACKS INFAMOUS "PODCASTING PATENT"

via Ars Technica by Joe Mullin on 10/17/13

URL: <http://arstechnica.com/tech-policy/2013/10/powered-by-the-crowd-eff-attacks-infamous-podcasting-patent/>

There are lots of patents out there claiming basic Internet functionalities or business practices, but some of them occasionally hit a nerve.

EFF FILES TO INVALIDATE BOGUS 'PODCASTING' PATENT THAT IS BEING USED TO SHAKEDOWN FAMOUS PODCASTERS

via Techdirt by Mike Masnick on 10/16/13

URL: <http://www.techdirt.com/articles/20131016/14064524905/eff-files-to-invalidate-bogus-podcasting-patent-that-is-being-used-to-shakedown-famous-podcasters.shtml>

We've written a few times about the patent troll "Personal Audio" which claims to hold a patent (US Patent 8,112,504) that it says covers podcasting. With this patent it's been busy shaking down the creators of a bunch of popular podcasts.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

TO SUE OR NOT TO SUE OVER A SPITEFUL YELP REVIEW?

via Law.com - Newswire by Marlis Silver Sweeney on 10/16/13

URL: <http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202623822594>

Can and should your company sue for an overly spiteful and negative review on Yelp, TripAdvisor, or another customer review site?

FACEBOOK LETS TEEN USERS MAKE THEIR POSTS PUBLIC

via Law360 by Kat Greene on 10/16/13

URL: <http://www.law360.com/media/articles/480969>

Teen users of Facebook Inc.'s nominal product can now make their posts open to the public — including to advertisers — according to a policy the social media giant implemented Wednesday.

EFF FILES CHALLENGE TO 'PODCAST PATENT' WITH USPTO

via Law360 by David McAfee on 10/16/13

URL: <http://www.law360.com/media/articles/480884>

The Electronic Frontier Foundation on Wednesday formally challenged Personal Audio LLC's patent protecting podcast technology, saying the patent-holding company didn't invent podcasting and that certain claims of the so-called podcast patent were described in printed publications years earlier.

ALESSANDRO ACQUISTI: WHY PRIVACY MATTERS

via Ted by Alessandro Acquisti on 10/1/13

URL: http://www.ted.com/talks/alessandro_acquisti_why_privacy_matters.html

The line between public and private has blurred in the past decade, both online and in real life, and Alessandro Acquisti is here to explain what this means and why it matters.

CAPITOL SAYS VIMEO'S DMCA APPEAL MUST BE ALL OR NOTHING

via Intellectual Property Law360 by Erica Teichert on 10/17/13

URL: <http://www.law360.com/ip/articles/481112>

Capitol Records LLC on Wednesday blasted video-sharing service Vimeo's attempt to raise an immediate, limited appeal to the Second Circuit over whether pre-1972 recordings fall under the Digital Millennium Copyright Act's safe harbor for copyright infringement, telling a New York federal court Vimeo's request is “disingenuous.”

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FACEBOOK'S NEW TEEN POLICY DRAWS FIRE

via WSJ.com: Media & Marketing by Reed Albergotti on 10/17/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304384104579141822920577550>

Facebook site lets young users post "publicly," but privacy advocates fault policy.

ZEYNEP TUFEKCI ON SOCIAL MEDIA-FUELED PROTEST STYLE FROM ARAB SPRING TO GEZI PROTESTS IN TURKEY [AUDIO]

via MediaBerkman by djones on 10/15/13

URL: <http://blogs.law.harvard.edu/mediaberkman/2013/10/15/zeynep-tufekci-on-social-media-fueled-protest-style-from-arab-spring-to-gezi-protests-in-turkey-audio/>

What can we learn from the protest wave of the last years? How does social media impact the capacity for collective action? Does social media contribute to blunting movement impacts by facilitating horizontal, non-institutional and “leaderless” movements? How do these movements compare with their predecessors like the civil-rights or anti-colonial movements? In this talk Zeynep [...]

TWEETING ITS WAY TO DISCLOSURE: THE TWITTER IPO, THE JOBS ACT, AND POTENTIAL IMPROVEMENTS TO SEC DISCLOSURE STANDARDS

via Columbia Business Law Review by Morgan Lee on 10/18/13

URL: <http://cblr.columbia.edu/archives/12881>

Last month Twitter made headlines by announcing with a tweet that it had “confidentially submitted an S-1 to the SEC.” The source of attention was not the fact that Twitter tweeted this news, although many commented on the company’s use of a tweet. Instead, the media attention focused on Twitter’s use of the Jumpstart our Business Startup (JOBS) Act to file the paperwork required to start the initial public offering (IPO) process. The S-1 mentioned in the tweet is a [...] (More →)

'RAVENSWOOD' AS TOLD BY TWITTER

via WSJ.com: Technology by John Jurgensen on 10/17/13

URL: <http://online.wsj.com/news/articles/SB10001424052702303680404579139911537883636>

The 'Pretty Little Liars' spinoff will be monitored by the show's producers for online reaction as they shape new story lines and characters.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

FACEBOOK 'STALKER' TOOL USES GRAPH SEARCH FOR POWERFUL DATA MINING
via Computerworld by Jeremy Kirk on 10/18/13

URL:

http://www.computerworld.com.au/article/529448/facebook_stalker_tool_uses_graph_search_powerful_data_mining/

Even if a person has locked their profile, their interactions with others is telling, say Trustwave researchers

FACEBOOK'S GOING TO LET TEENS SHARE WITH THE WORLD. SHOULD THEY?
via Center for Democracy & Technology - Keeping the Internet Open, Innovative and Free by Justin Brookman on 10/18/13

URL: <https://www.cdt.org/blogs/justin-brookman/1810facebook%E2%80%99s-going-let-teens-share-world-should-they>

Earlier this week, Facebook announced that they were going to allow teenagers on the site to share photos, status updates, and the like publicly instead of just with friends (or friends of friends).

ASKING EMPLOYEES FOR SOCIAL MEDIA CREDENTIALS TO FIGHT CYBERCRIME
MAY BACKFIRE

via Law.com - Newswire by Lisa Schmid on 10/17/13

URL: <http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1202623295138>

Not so fast: Asking employees to hand over social media account information is not the best way to combat cyberattacks.

SOCIAL MEDIA RANT AGAINST AIRLINE EMPLOYEE WASN'T DEFAMATORY BUY
MAY BE FALSE LIGHT-PATTERSON V. GRANT-HERMS

via Technology & Marketing Law Blog by Venkat Balasubramani on 10/11/13

URL: http://blog.ericgoldman.org/archives/2013/10/twitter_faceboo.htm

Patterson v. Grant-Herms, 2013 Tenn. App. 675 (Tenn. Ct. App. Oct. 8, 2013)

ORGANIZING AN "INTERNET SAFETY" PRESENTATION? DON'T TROLL THROUGH
STUDENTS' FACEBOOK ACCOUNTS LOOKING FOR BIKINI PHOTOS

via Technology & Marketing Law Blog by Venkat Balasubramani on 10/8/13

http://blog.ericgoldman.org/archives/2013/10/organizing_an_i.htm

Chaney v. Fayette County Public School Dist., 2013 U.S. Dist. LEXIS 143030 (N.D. Ga. Sept. 30, 2013).

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LINKEDIN FACES EMAIL PRIVACY CLASS ACTION

via Law.com - Newswire by Max Taves on 10/17/13

URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202624137471>

LinkedIn Corp. has tapped Munger, Tolles & Olson to defend a consumer class action filed last month in the Northern District of California.

COPYRIGHT AS CENSORSHIP AGAIN: GAME DEVELOPER TAKES DOWN SCATHING YOUTUBE REVIEW

via Techdirt by Mike Masnick on 10/21/13

URL: <http://www.techdirt.com/articles/20131021/00080224939/copyright-as-censorship-again-game-developer-takes-down-scathing-youtube-review.shtml>

All weekend long folks have been submitting variations on this story of how a company called Wild Games Studio had issued a copyright takedown on an apparently scathing review of one of its games, called Day One: Garry's Incident, done on YouTube by popular gaming reviewer TotalBiscuit (whose name is apparently John Bain in real life).

POLICE OFFICER'S FACEBOOK VENTING ISN'T PROTECTED BY THE FIRST AMENDMENT—GRESHAM V. ATLANTA

via Technology & Marketing Law Blog by Venkat Balasubramani on 10/21/13

URL: <http://blog.ericgoldman.org/archives/2013/10/police-officers-facebook-venting-isnt-protected-by-the-first-amendment-gresham-v-atlanta.htm>

Gresham v. City of Atlanta, 2013 U.S. App. LEXIS 20961 (11th Cir. Oct. 17, 2013).

TWITTER TO END ITS MUSIC APP, WHICH NEVER MADE MUCH NOISE

via NYT > Media & Advertising by Ben Sisario on 10/21/13

URL: <http://www.nytimes.com/2013/10/22/business/media/twitter-to-end-its-music-app-which-never-made-much-noise.html>

A rare flop for Twitter, Twitter #Music was intended to introduce users to new acts, and see what their contacts were listening to.

LANDLORD MAY BE LIABLE WHEN A TENANT'S FACEBOOK HARASSMENT LEADS TO A RAPE (FORBES CROSS-POST)

via Technology & Marketing Law Blog by Eric Goldman on 10/22/13

URL: <http://blog.ericgoldman.org/archives/2013/10/landlord-may-be-liable-when-a-tenants-facebook-harassment-leads-to-a-rape-forbes-cross-post.htm>

Lindsay P. v. Towne Property Asset Management, 2013-Ohio-4124 (Ohio Ct. App. Sept. 23, 2013).

AFTER PARTNER'S CRUDE SCOTUS TWEET, REED SMITH DOES DAMAGE CONTROL

via Law.com - Newswire by Brian Baxter on 10/21/13

URL: <http://www.americanlawyer.com/PubArticleALD.jsp?id=1202624523827>

The Am Law 100 firm—which once had its lawyers attend "Tweet School" to learn how to use Twitter appropriately—is doing damage control after one of its Pittsburgh-based partners used the social medium to hurl an obscenity-laced barb.

FACEBOOK ALLOWING GREATER SHARING OF TEEN POSTS

via FindLaw Writ - Recent Articles by Brett Snider, Esq. on 10/22/13

URL: <http://blogs.findlaw.com/technologist/2013/10/facebook-allowing-greater-sharing-of-teen-posts.html>

FindLaw columnist Eric Sinrod writes regularly in this section on legal developments surrounding technology and the Internet. Facebook has decided to let teenagers share their posts even more broadly. According to The Wall Street Journal, Facebook users between the ages of 13 and 17 will be able to set their.....

AT LONG LAST, INSTAGRAM COMING TO WINDOWS PHONE

via Ars Technica by Peter Bright on 10/22/13

URL: <http://arstechnica.com/gadgets/2013/10/at-long-last-instagram-coming-to-windows-phone/>

Though there are a number of third-party Windows Phone applications that support uploading to popular photo-sharing site Instagram, the platform has never had an official client.

YOUTUBE FOR ANDROID WILL SOON WORK AS A BACKGROUND MUSIC PLAYER

via Ars Technica by Ron Amadeo on 10/23/13

URL: <http://arstechnica.com/gadgets/2013/10/youtube-for-android-will-soon-work-as-a-background-music-player/>

For years, Android users have dreamed about taking advantage of the millions of music videos on YouTube and using the app as a music player on their devices.

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**FACEBOOK RE-OPENS THE DOOR TO VIDEOS FEATURING BEHEADINGS;
BREASTS? NOT SO MUCH**

via Techdirt by Timothy Geigner on 10/23/13

URL: <http://www.techdirt.com/articles/20131022/04065524954/facebook-re-opens-door-to-videos-featuring-beheadings-breasts-not-so-much.shtml>

Perhaps like me, while you read all of our posts the past six months that had anything to do with Facebook, you missed the news that the social media site had instituted a policy specifically against sharing videos that featured human beings beheading other human beings.

GOOGLE, FACEBOOK ADD NSA SPYING ISSUES TO LOBBYING EFFORTS

via Law360 by Allison Grande on 10/23/13

URL: <http://www.law360.com/media/articles/482675>

Facing intense scrutiny over their involvement in the National Security Agency's surveillance efforts, lobbying veterans Google Inc. and Facebook Inc. as well as newcomer Twitter Inc. are actively seeking to influence federal lawmakers' attempts to limit the government's spying authority, according to disclosures released Tuesday.

MAKER STUDIOS LAWSUIT: INSIDE THE WAR FOR YOUTUBE'S TOP STUDIO

via Hollywood Reporter - THR, Esq. by Eriq Gardner on 10/24/13

URL: <http://www.hollywoodreporter.com/thr-esq/maker-studios-lawsuit-inside-war-650541>

Danny Zappin, a failed actor and jailed drug dealer, co-founded Maker with a simple goal: to become the United Artists of the digital era. But as it became L.A.'s hottest young company and hit 4 billion views a month, Zappin lost control of the \$100 million-a-year business to the moneymen he helped recruit. So he sued.

**REMOVAL OF SELF-PUBLISHED CONTENT BY ONLINE RETAILERS RESULTS IN
PETITION**

via CBLDF by Betsy Gomez on 10/24/13

URL: <http://cblfd.org/2013/10/removal-of-self-published-content-by-online-retailers-results-in-petition/>

In response to an alarming number of retail giants removing self-published material deemed “inappropriate” from their websites, a group of authors have come together to form a petition in support of the creators. While each privately owned company is entitled to determine and exercise their own policies, there are concerns over the vagueness of content guidelines as well as the potential impact content policies might have on free expression.

WHITE HOUSE OFFICIAL'S CAREER TWITTERS OUT

via NYT > Media & Advertising by Jennifer Steinhauer & Jackie Calmes on 10/24/13

URL: <http://www.nytimes.com/2013/10/25/us/politics/white-house-officials-rising-career-tweeters-out.html>

Jofi Joseph, who was unmasked as @NatSecWonk, an acerbic Twitter commentator, was a smart, funny and hardworking National Security Council staff member, some say. But others say they saw a negative tendency.

VIVIAN SCHILLER TO LEAVE NBC NEWS FOR TWITTER

via NYT > Media & Advertising by Brian Stelter on 10/24/13

URL: <http://www.nytimes.com/2013/10/25/business/media/vivian-schiller-to-leave-nbc-news-for-twitter.html>

Ms. Schiller, chief digital officer for NBC News, will oversee partnerships between Twitter and news organizations like NBC and NPR.

YOUTUBE SAID TO INTRODUCE PAID SERVICE FOR MUSIC

via NYT > Media & Advertising by Ben Sisario on 10/24/13

URL: <http://www.nytimes.com/2013/10/25/business/media/youtube-said-to-introduce-paid-music-service.html>

The company plans to introduce the subscription service by the end of the year, perhaps as early as next month, according to people briefed on YouTube's plans.

ZYNGA ALMOST BREAKS EVEN IN Q3, BUT USER BASE STILL CONTRACTS

via Ars Technica by Megan Geuss on 10/24/13

URL: <http://arstechnica.com/business/2013/10/zynga-almost-breaks-even-in-q3-but-user-base-still-contracts/>

On Thursday, Zynga released its third quarter results and showed a loss of only \$68,000—far better than the embattled gaming company's losses of \$52 million this time last year.

WHY #IPHONE IS BANNED ON INSTAGRAM, BUT #GUNFORSALE IS NOT

via Ars Technica by Casey Johnston on 10/23/13

URL: <http://arstechnica.com/business/2013/10/why-foodorgasm-is-banned-on-instagram-but-gunforsale-is-not/>

A story circulated on Wednesday about Instagram subscribers who are using the service to sell their guns.

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SPORTS RADIO BLOWHARD BLOWHARDS AFTER PARODY TWITTER ACCOUNT
via Techdirt by Timothy Geigner on 10/24/13
URL: <http://www.techdirt.com/articles/20131023/04312024977/sports-radio-blowhard-blowhards-after-parody-twitter-account.shtml>

Look, I get it, if you're a celebrity or organization of any stature and you were busy looking at yourself in the mirror when God was handing out sense of humor, a parody Twitter account might seem like a royal pain in the ass.

ZYNGA'S LOSS NARROWS ON LOWER EXPENSES
via WSJ.com: Technology by Anna Prior on 10/24/13
URL: <http://online.wsj.com/news/articles/SB10001424052702304799404579155942097948718>

Social-game maker said its third-quarter loss narrowed on lower costs, though daily average users continued to decline.

TWITTER SAYS IPO MAY VALUE IT AT \$11.1 BILLION
via WSJ.com: Technology by Telis Demos & Matt Jarzemsky on 10/24/13
URL: <http://online.wsj.com/news/articles/SB10001424052702304069604579155574144339330>

Twitter set its price range for its initial public offering at \$17 to \$20 a share, in a deal that values the company at up to \$11.1 billion.

GOOGLE, FACEBOOK AD POLICIES POISED TO SET PRIVACY BAR
via Law360 by Allison Grande on 10/24/13
URL: <http://www.law360.com/media/articles/483043>

Google Inc. and Facebook Inc. recently pushed the privacy envelope with new policies enabling them to use adult and teen data for advertising purposes, setting up inevitable — and winnable — legal and regulatory battles that experts say are likely to establish more permissive boundaries for data use.

ON TWITTER, EAVESDROPPER REVEALS FORMER N.S.A. HEAD'S TRAIN CHAT
via NYT > Media & Advertising by Eric Schmitt on 10/24/13
URL: <http://www.nytimes.com/2013/10/25/us/on-twitter-eavesdropper-reveals-former-nsa-heads-train-chat.html>

A phone conversation between Michael V. Hayden, a former head of the National Security Agency, and three journalists was overheard and tweeted about by a fellow train passenger.

PINTEREST V. PINTRIPS

via IPLJ by Nneka Witter on 10/25/13

URL: <http://iplj.net/blog/archives/6472>

Pinterest filed suit against a personal travel planning startup, Pintrips. The social network accuses Pintrips of trademark infringement, false designation of origin, unfair competition and trademark dilution. The startup's recent decision to adopt a social media brand similar to Pinterest's plays a big role in the suit. Pinterest claims that Pintrip's "Pin" button is confusingly [...]

HEADLESS IN THE GARDEN – FACEBOOK & FREE SPEECH

via Copyright Alliance by Cecile Remington on 10/25/13

URL: https://copyrightalliance.org/2013/10/headless_garden_-_facebook_free_speech_2

This post originally appeared in the Illusion of More blog and is reposted here with permission by author David Newhoff.

COURT RULING ALLOWS SERVICE OF PROCESS VIA FACEBOOK

via Law.com - Newswire by Marlisse Silver Sweeney on 10/25/13

URL: <http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1382624067327>

A new U.S. court ruling allows service of process via Facebook.

TWEETED 'TERRORISTIC THREAT' LANDS ANOTHER TEEN IN TROUBLE

via Techdirt by Tim Cushing on 10/25/13

URL: <http://www.techdirt.com/articles/20131024/08325724995/tweeted-terroristic-threat-lands-another-teen-trouble.shtml>

Here we go again. Another teen fires off a post on social media platform and ends up being portrayed by school administrators as "terroristic."

LINKEDIN'S NEW MOBILE APP CALLED 'A DREAM FOR ATTACKERS'

via NyTimes.com by Nicole Perloth on 10/24/13

URL: <http://bits.blogs.nytimes.com/2013/10/24/linkedins-new-mobile-app-called-a-dream-for-attackers/>

Security researchers are calling LinkedIn's new mobile app, Intro, a dream come true for hackers or intelligence agencies.

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CHANCE ENCOUNTER LED TO TWITTER RICHES

via WSJ.com: Technology by Evelyn M. Rusli on 10/26/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304682504579155862444063916>

A meeting at a posh Caribbean resort led to a friendship that would later form the foundation of a 15.6% stake in Twitter.

NASDAQ PUTS FACEBOOK IPO CLAIMS AT \$41.6 MILLION

via WSJ.com: Technology by Jacob Bunge on 10/25/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304799404579157684128102914>

The exchange expects to pay less than originally estimated to firms that lost money due to problems trading in Facebook's May 2012 offering.

A DEEPER DIVE INTO YAHOO AND FACEBOOK'S TRANSPARENCY REPORTS

via EFF.org Updates by Eva Galperin and Jillian C. York on 10/25/13

URL: <https://www.eff.org/deeplinks/2013/10/deeper-dive-into-facebook-and-yahoo-transparency-reports>

Ever since Google issued its first transparency report in early 2010, EFF has called on other companies to follow suit and disclose statistics about the number of government requests for user data, whether the request they receive is an official demand (such as a warrant) or an unofficial request.

DEALS RUMOR MILL: TRIBUNE CO., FACEBOOK, APOLLO GLOBAL

via Law360 by Karlee Weinmann 10/28/13

URL: <http://www.law360.com/media/articles/483811>

Tribune Co. is seeking \$4.1 billion in debt financing to back its purchase of a bundle of TV stations, while Facebook tried — and failed — to woo Snapchat into talks over a \$1 billion acquisition.

**NEW AT FINDLAW: SOCIAL MEDIA SURVEY AND ATTORNEY COUPON
MARKETING**

via FindLaw Writ - Recent Articles by Andrew Chow, Esq. on 10/25/13

URL: http://blogs.findlaw.com/official_findlaw_blog/2013/10/new-at-findlaw-social-media-survey-and-attorney-coupon-marketing.html

We continue our Friday round-up of what is newest, best and brightest at FindLaw.com. Below, you will find this week's offerings from various areas of FindLaw's unique content, including: core legal content, blogs, news and case law. Take a look at what's new: FindLaw Consumer Blogs: Social Media Posts Costing.....

VALUING TWITTER V. FACEBOOK

via WSJ.com: Technology by Telis Demos on 10/28/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304655104579161861085650226>

Based on IPO price versus pre-IPO price, Twitter is taking a more conservative approach to pricing than Facebook did. But by some measures, Twitter appears more expensive than Facebook stock is right now.

YELP REVIEWERS LAUNCH CLASS ACTION LAWSUIT CLAIMING THEY'RE 'UNPAID EMPLOYEES'

via Techdirt by Mike Masnick on 10/28/13

URL: <http://www.techdirt.com/articles/20131026/00272425024/yelp-reviewers-launch-class-action-lawsuit-claiming-theyre-unpaid-employees.shtml>

Remember when a Huffington Post volunteer writer named Jonathan Tasini sued the company for not paying him, even though he had volunteered to occasionally contribute stories?

SOCIAL MEDIA AND YOUR PUBLIC CO.— DON'T FORGET RULE 10b-5

via Law360 by E. Terrell Gilbert Jr. on 10/29/13

URL: <http://www.law360.com/media/articles/481940>

Prudent companies should examine not just whether their disclosure controls related to social media channels are compliant with Regulation FD, but also whether they have properly structured them so that the company is protected from disclosure events that could lead to Rule 10b-5 fraud or insider trading claims, says Terrell Gilbert Jr. of Arnall Golden Gregory LLP.

TWITTER FACES \$124M SUIT FOR FAKE PRIVATE STOCK SALE

via Law360 by Stephanie Russell-Kraft on 10/30/13

URL: <http://www.law360.com/media/articles/484749>

Twitter Inc. was hit with a \$124 million suit in New York federal court Wednesday by Precedo Capital Group Inc. and Continental Advisors SA, which alleged the social media company engineered a failed private sale to boost investor interest in its initial public offering.

DOES YOUR LINKEDIN ACCOUNT QUALIFY AS INTELLECTUAL PROPERTY?

via Law.com - Newswire by Angela Hunt on 10/28/13

URL: <http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1382963185031>

One Canadian case could have implications for U.S. companies that claim connections on LinkedIn amassed on the job are proprietary.

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IBM PATENT APP: FILTER MESSAGES BY RATINGS IN A SOCIAL NETWORK
via IPWatchdog.com | Patents & Patent Law by Steve Brachmann on 10/31/13
URL: <http://www.ipwatchdog.com/2013/10/31/ibm-patent-app-filter-messages-by-ratings-in-a-social-network/>

Today, we're featuring a bevy of patent applications and issued patents featuring IBM developments in a wide range of computing services. Our featured patent application describes a system of filtering social media messages sent to group members based on a recipient rating system. Negative ratings from group message recipients may be used to inform future methods of blocking similar messages from that sender. Other patent applications would protect more efficient systems of performing computer...

EPIC RAP BATTLES SEEKS STAYING POWER ON YOUTUBE
via NYT > Media & Advertising by Leslie Kaufman on 10/29/13
URL: <http://www.nytimes.com/2013/10/30/arts/television/epic-rap-battles-seeks-staying-power-on-youtube.html>

Epic Rap Battles of History, which just began its third season on YouTube, hopes to hold onto viewers by presenting a new segment every other week.

SOCIAL MEDIA POSTS GETTING WORKERS FIRED, BUT IS THAT LEGAL?
via FindLaw Writ - Recent Articles by Andrew Chow, Esq. on 10/29/13
URL: http://blogs.findlaw.com/official_findlaw_blog/2013/10/social-media-posts-getting-workers-fired-but-is-that-legal.html

About 1 in 25 Americans say their social media posts have led to negative consequences at work, including reprimands and even firings, a new FindLaw.com survey reveals. That raises the question: Is it legal to punish or terminate a worker for social media activity? As you probably know, wrongful termination.....

FACEBOOK MAY START LOGGING YOUR CURSOR MOVEMENTS
via Ars Technica by Casey Johnston on 10/30/13
URL: <http://arstechnica.com/business/2013/10/facebook-may-start-logging-your-cursor-movements/>

Facebook is considering collecting yet more data from users in the form of tracked mouse movements, according to a report from The Wall Street Journal Wednesday.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

TWITTER FACES \$124 MILLION SUIT OVER ALLEGED SHADY STOCK SALE
via Ars Technica by Nathan Mattise on 10/30/13
URL: <http://arstechnica.com/tech-policy/2013/10/twitter-faces-124-million-suit-over-alleged-shady-stock-sale/>

Precedo Capital and Continental Advisors filed a \$124 million lawsuit (Scribd PDF) against Twitter on Wednesday.

FACEBOOK STILL ASKING FOR GOVERNMENT IDS
via Ars Technica by Casey Johnston on 10/29/13
URL: <http://arstechnica.com/business/2013/10/facebook-still-asking-for-government-ids/>

Facebook recently triggered a spate of requests for copies of its users' government IDs, according to a report from The Drum.

RUSSIA'S LEADING SOCIAL NETWORK VKONTAKTE CLEARED OF COPYRIGHT INFRINGEMENT
via Techdirt by Glyn Moody on 10/29/13
URL: <http://www.techdirt.com/articles/20131028/07252625033/russias-leading-social-network-vkontakte-cleared-copyright-infringement.shtml>

Vkontakte is not only the largest social networking site in Russia, but is also one of the biggest unauthorized repositories of copyright music, thanks to its file-hosting service.

LINKEDIN WARNS OF SLOWDOWN
via WSJ.com: Technology by Reed Albergotti on 10/29/13
URL: <http://online.wsj.com/news/articles/SB10001424052702303471004579166011418283396>

LinkedIn, which has minted strong financial results and a soaring stock price since going public in 2011, warned of a sharp slowdown in the current quarter.

TWITTER IPO OFFERS BANKS ENTREE TO SPOILS
via WSJ.com: Technology on Telis Demos on 10/29/13
URL: <http://online.wsj.com/news/articles/SB10001424052702303471004579165730047984574>

In addition to the fees, there are lots of other ways that Wall Street can profit from the social-media company's IPO.

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FACEBOOK STATUS: BIG GAINS, BUT WORRIES AHEAD

via WSJ.com: Technology by Reed Albergotti on 10/30/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304073204579167982582811774>

Facebook's surging mobile-advertising business helped the social network post a third-quarter profit. But euphoria dimmed when executives warned the company doesn't expect to "significantly increase" the number of ads that appear in a user's feed.

BLACKBERRY MET FACEBOOK ON POTENTIAL BID

via WSJ.com: Technology by Will Connors & Dana Mattioli on 10/29/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304655104579165781081533064>

BlackBerry executives flew to California to meet with Facebook last week to gauge its interest in a potential bid for the struggling smartphone-maker, according to people familiar with the matter.

NPR: 10-30-2013 TECHNOLOGY

via NPR: Technology Podcast on 10/31/13

URL: http://podcastdownload.npr.org/anon.npr-podcasts/podcast/1019/241965964/npr_241965964.mp3

Stories: 1) A Look Into Facebook's Potential To Recognize Anybody's Face 2) What You Need To Know About Babies, Toddlers And Screen Time 3) A Diagram Of HealthCare.gov, Based On The People Who Built It 4) A School's iPad Initiative Brings Optimism And Skepticism 5) For Obamacare To Work, It's Not Just About The Numbers 6) Etsy's New Policy Means Some Items Are 'Handmade In Spirit'

EX-FACEBOOK PRIVACY OFFICER RESPONDS TO NSA TECH SPYING

via Law.com - Newswire by Andrew Ramonas on 10/31/13

URL: <http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202625904277>

Speaking at the ACC's annual meeting, former Facebook chief privacy officer Chris Kelly addressed this week's news that the NSA secretly taps Google and Yahoo! data center links, saying that the reported scale of government monitoring is "pretty shocking."

ARE YELP REVIEWERS ACTUALLY UNPAID WRITERS? LAWSUIT COMPARES WEBSITE TO 'SLAVE SHIP'

via FindLaw Writ - Recent Articles by Adam Ramirez on 10/31/13

URL: <http://blogs.findlaw.com/courtside/2013/10/are-yelp-reviewers-actually-unpaid-writers-lawsuit-compares-website-to-slave-ship.html>

Disgruntled Yelp reviewers have filed a class-action lawsuit demanding compensation for the reviews they post on the site. We are not making this up, this is an actual lawsuit (attached below). The reviewers claim they are actually unpaid employees and legally deserve pay for their contributions, given the importance of.....

GETTING FIRED 101, THE OHIO TEACHER'S EDITION: GO FULL RACIST ON FACEBOOK

via Techdirt by Timothy Geigner on 10/31/13

URL: <http://www.techdirt.com/articles/20131030/04154725062/getting-fired-101-ohio-teachers-edition-go-full-racist.shtml>

This is the week of All Hallows' Eve, when the near-entirety of a mostly staunchly monotheistic religious nation encourage their children to partake in a pagan ritual, because American hypocrisy is as endless as the ether to which it disbands.

TWITTER MARKS PHILADELPHIA CITY PAPER AS SPAM, BREAKS ALL LINKS TO THE SITE

via The Atlantic by Rebecca J. Rosen on 10/31/13

URL: <http://www.theatlantic.com/technology/archive/2013/10/twitter-marks-em-philadelphia-city-paper-em-as-spam-breaks-all-links-to-the-site/281046/>

With an election looming in less than a week, journalists are being pressed into holding off on publishing their work, for fear that they won't be able to serve it to readers.

TWITTER HIT WITH FRAUD SUIT JUST BEFORE IPO

via Law.com - Newswire by Angela Hunt on 11/4/13

URL: <http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202626180074>

Just ahead of this week's initial public offering, Twitter has been sued for secondary market fraud by two investment advisers who claim the social media giant set them up in the secondary market, costing them millions in lost fees and reputational damage.

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RIDING THE HASHTAG IN SOCIAL MEDIA MARKETING

via NYT > Media & Advertising by David Segal on 11/2/13

URL: <http://www.nytimes.com/2013/11/03/technology/riding-the-hashtag-in-social-media-marketing.html>

Gary Vaynerchuk, a social media marketer, pounces on any trend — tweeted or otherwise — in his quest to sell, sell, sell.

November 2013

WEST, KARDASHIAN SAY YOUTUBE FOUNDER LEAKED PROPOSAL VID
via Law360 by Beth Winegarner on 11/1/13
URL: <http://www.law360.com/ip/articles/485788>

Celebrities Kim Kardashian and Kanye West sued YouTube LLC founder Chad Hurley in Los Angeles Superior Court on Friday, alleging he filmed and posted to his MixBit video site footage of West's marriage proposal to Kardashian in violation of a confidentiality agreement.

DEALS RUMOR MILL: AT&T, TWITTER, BLACKSTONE
via Law360 by Karlee Weinmann on 11/1/13
URL: <http://www.law360.com/media/articles/485493>

AT&T executives are working internally to cobble together a blockbuster Vodafone takeover bid and could lob an offer next year, while Blackstone is eyeing a December date for Hilton's upcoming IPO.

ADS SCANT WHEN TWITTER CROSSES BORDERS
via NYT > Media & Advertising by Mark Scott on 11/3/13
URL: <http://www.nytimes.com/2013/11/04/technology/Ads-Scant-for-Twitter-Outside-the-United-States.html>

Though three-quarters of its users are outside the United States, only a modest portion of its ad revenue is generated there. But it's growing fast.

TWITTER CONFRONTS OBSTACLES ABROAD
via WSJ.com: Technology by Yoree Koh, Jonathan Cheng & Kana Inagaki on 11/4/13
URL: <http://online.wsj.com/news/articles/SB10001424052702303843104579170021424938000>

Twitter, its IPO expected this week, is working on expanding overseas, bringing both foreign users and advertisers on board.

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NO REVIEW OF FACEBOOK DISPUTE BUT IT GETS CHIEF JUSTICE'S ATTENTION
via WSJ.com: Law Blog - WSJ.com by Brent Kendall on 11/4/13
URL: <http://blogs.wsj.com/law/2013/11/04/no-review-of-facebook-dispute-but-it-gets-chief-justices-attention/>

The Supreme Court decided not to get involved in a dispute over a Facebook Inc. class-action settlement, but Chief Justice John Roberts made clear he's eager to review the propriety of settlements where most plaintiffs in the class don't get a penny and lawyers walk away with millions.

TWITTER FACES INFRINGEMENT CLAIMS FROM IBM AS IPO LOOMS
via Intellectual Property Law360 by Alex Lawson on 11/4/13
URL: <http://www.law360.com/ip/articles/486007>

Twitter Inc., which is preparing to take its operations public this month, revealed on Monday that IBM Corp. has accused the social media titan of infringing three of its patents and has sought to begin business negotiations to resolve the allegations.

POLICE OFFERS LEAN ON SCHOOL TO FIRE SOCIAL WORKER FOR FACEBOOK POST—AND MAY HAVE VIOLATED FIRST AMENDMENT
via Technology & Marketing Law Blog by Venkat Balasubramani on 11/4/13
URL: <http://blog.ericgoldman.org/archives/2013/11/police-officers-lean-on-school-to-fire-social-worker-for-facebook-post-and-may-have-violated-first-amendment.htm>

Perez v. Tedford, SA 13-CV-429-XR (W.D. Tx. Oct. 22, 2013)

JUSTICES WON'T TOUCH FACEBOOK'S \$9.5M 'BEACON' PRIVACY DEAL
via Law360: Competition by Andrew Scurria on 11/4/13
URL: <http://www.law360.com/competition/articles/485863>

The U.S. Supreme Court on Monday declined to disturb Facebook Inc.'s \$9.5 million settlement of user privacy claims over its notorious "Beacon" feature, but Chief Justice John Roberts suggested the court should restrict similar deals that leave class members uncompensated.

CRITIC'S NOTEBOOK: YOUTUBE HOLDS ITS FIRST MUSIC AWARDS SHOW
via NYT > Media & Advertising by Jon Caramanica on 11/4/13
URL: <http://www.nytimes.com/2013/11/05/arts/music/youtube-music-awards-show-is-chaotic-and-watchable.html>

This first YouTube Music Awards was a show of essentially no consequence, but one that valued a theoretically equal playing field, risk taking, resilience in the face of failure and evanescence.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

ON EVE OF IPO, TWITTER REPOTS PATENT THREAT FROM IBM

via Ars Technica by Joe Mullin on 11/4/13

URL: <http://arstechnica.com/tech-policy/2013/11/on-eve-of-ipo-twitter-reports-patent-threat-from-ibm/>

Twitter is set to start trading its shares on the New York Stock Exchange later this week.

TWITTER RAISES SIGHTS FOR IPO

via WSJ.com: Technology by Telis Demos, Yoree Koh & Matt Jarzemsky on 11/4/13

URL: <http://online.wsj.com/news/articles/SB10001424052702303482504579177541101538338>

Twitter increased the price range of its expected initial public offering by about 30% to between \$23 and \$25 a share, raising the offering's value to as much as \$2 billion.

FACEBOOK SETTLEMENT SURVIVES CHALLENGE

via WSJ.com: Technology by Brent Kendall on 11/4/13

URL: <http://online.wsj.com/news/articles/SB10001424052702303936904579177622940903610>

The Supreme Court said it wouldn't review a disputed class-action settlement in which Facebook paid \$9.5 million to resolve privacy and consumer-protection complaints related to its Beacon service.

PROFESSORS SIDE WITH YOUTUBE IN \$1B VIACOM COPYRIGHT CASE

via Intellectual Property Law360 by Kat Greene on 11/4/13

URL: <http://www.law360.com/ip/articles/486205>

A group of professors who teach copyright law on Friday filed an amicus brief asking the Second Circuit to find that Viacom International Inc. is disrupting the balance struck by the Digital Millennium Copyright Act with its \$1 billion suit against Google Inc.'s YouTube.

SUPREME COURT WON'T TRASH FACEBOOK DEAL, BUT ROBERTS WATCHING CY PRES

via Law.com - Newswire by Scott Graham on 11/4/13

URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202626479162>

The U.S. Supreme Court signed off Monday on a \$9.5 million Facebook class action settlement that leans heavily on cy pres relief, but the chief justice served notice that the court is on the lookout for a case to determine "when, if ever, such relief should be considered."

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LINKEDIN POST LIKELY DIDN'T VIOLATE NON-COMPETE CLAUSE
via Law.com - Newswire by Sheri Qualters on 11/4/13
URL: <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202626456602>

A LinkedIn user's profile update that notified more than 500 of her contacts about her new job did not necessarily constitute a solicitation of business that ran afoul of her non-compete agreement, a Massachusetts trial judge has ruled.

IBM SHOWS HOW NON-INNOVATIVE IT HAS BECOME: THREATENS TO SUE
TWITTER ON EVE OF IPO OVER BOGUS PATENTS
via Techdirt by Mike Masnick on 11/5/13
URL: <http://www.techdirt.com/blog/innovation/articles/20131104/16334425127/ibm-shows-how-non-innovative-it-has-become-threatens-to-sue-twitter-eve-ipo-over-bogus-patents.shtml>

You may remember that right before Facebook was set to go public, Yahoo decided to threaten and then sue Facebook over some patents -- in a move that was widely mocked, especially among engineers and technologists in Silicon Valley about just how far Yahoo had sunk.

IBM: TWITTER INFRINGING THREE PATENTS
via Law.com - Newswire by Chelsea Allison on 11/4/13
URL: <http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202626492749>

Twitter revealed Monday that it has received a demand letter from IBM Corp. claiming the online social network infringed "at least" three patents held by the computer company.

IS BIGLAW BIG ON TWITTER?
via Law.com - Newswire by Marlisse Silver Sweeney on 11/5/13
URL: <http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1202626566643>

A look into Big Law's presence on Cornell Law School's top Twitter list.

APPLE JOINS GOOGLE, MICROSOFT, YAHOO, FACEBOOK, LINKEDIN IN OPPOSING
U.S. GOVERNMENT 'GAG ORDERS'
via FOSS Patents by Florian Mueller on 11/5/13
URL: <http://www.fosspatents.com/2013/11/apple-joins-google-microsoft-yahoo.html>

I usually don't blog about data privacy issues, though I'm a native and resident of a country in which there's historically been a lot of interest in the topic.

REVENUE-GROWTH HOPES FEATHER TWITTER'S NEST

via WSJ.com: Media & Marketing by Miriam Gottfried on 11/5/13

URL: <http://online.wsj.com/news/articles/SB10001424052702303661404579180060018015396>

Whether Twitter can live up to IPO expectations rests on issues of scale and user engagement.

FACEBOOK, CIRRUS COULD LAND \$11B IN FUTURE TAX RELIEF

via Law360 by Ama Sarfo on 11/5/13

URL: <http://www.law360.com/media/articles/486355>

Facebook Inc., Cirrus Logic Inc. and others have amassed enough stock option tax breaks to avoid paying federal income taxes on a collective \$11.4 billion in future earnings, according to a report released Tuesday by watchdog group Citizens for Tax Justice.

LINKEDIN SEEKS MORE LEEWAY TO SHARE GOV'T SPYING REQUESTS

via Law360 by Allison Grande on 11/5/13

URL: <http://www.law360.com/media/articles/486407>

LinkedIn Corp. on Monday pushed the authors of a legislative proposal that would curb the National Security Agency's spying authority to further loosen restrictions that prevent companies from disclosing government requests for user data, saying the lawmakers had fallen short in their attempt to tackle the issue.

FACEBOOK SEEKS TOSS OF SUIT OVER MINORS' IMAGES IN ADS

via Intellectual Property Law360 by Juan Carlos Rodriguez on 11/6/13

URL: <http://www.law360.com/ip/articles/486819>

Facebook Inc. on Tuesday asked a California federal judge to toss a proposed class action accusing the social networking behemoth of illegally using the names and photographs of children for advertising purposes without their consent, saying the plaintiffs weren't actually injured by the practice.

FACEBOOK PRIVACY SETTLEMENT HOLDS

via IPLJ by Nicole Marimon on 11/6/13

URL: <http://iplj.net/blog/archives/6634>

The Supreme Court recently declined to hear the case on Facebook's \$9.5 million class action settlement, letting stand what objectors argued was a settlement of no value to the approximately 3.5 million plaintiffs. In denying certiorari, the settlement now final—roughly \$3 million of which is going to attorney's fees—and the rest being put into an online privacy [...]

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THE IMPORTANCE OF CORPORATE ADVERTISING SOCIAL MEDIA POLICIES

via FindLaw Writ - Recent Articles by Gabriella Khorasanee, JD on 11/6/13

URL: http://blogs.findlaw.com/in_house/2013/11/the-importance-of-corporate-advertising-social-media-policies.html

While we at FindLaw have done a fine job of addressing corporate social media policy as it relates to employees, we have not yet spoken to creating a social media policy as it relates to your company's marketing and advertising. A recent article in the ACC Docket magazine brought to.....

TWITTER OFFICIALLY SETS ITS IPO PRICES AT \$26 PER SHARE

via Ars Technica by Megan Geuss on 11/6/13

URL: <http://arstechnica.com/business/2013/11/twitter-officially-sets-its-ipo-prices-at-26-per-share/>

On Wednesday evening, Twitter announced that the 70 million shares that it set aside for its Initial Public Offering tomorrow would hit Wall Street at \$26 per share.

HERE'S WHY YOU SHOULDN'T INVEST IN TWITTER

via WSJ.com: Technology by Farhad Manjoo on 11/7/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304672404579181970320847620>

Twitter's rise has been a remarkable story, but that doesn't mean it's a good time to invest in the company, writes Farhad Manjoo.

SMALL BUSINESSES QUESTION TWITTER'S USEFULNESS

via WSJ.com: Technology by Yoree Koh & Sarah E. Needleman on 11/6/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304672404579182020224461560>

As it prepares to begin trading on Thursday, Twitter is hustling to attract, and retain, small businesses, a potentially lucrative source of advertising revenue.

SEVEN WAYS MARKETERS WOULD FIX TWITTER

via WSJ.com: Technology by Suzanne Vranica on 11/6/13

URL: <http://online.wsj.com/news/articles/SB10001424052702303661404579179980657425294>

As Twitter prepares to make its stock-market debut, a fundamental question looms: Can the messaging service turn its army of followers into a moneymaking business? Ad executives speak out.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

TWITTER'S IPO PRICED AT \$26 A SHARE

via WSJ.com: Technology by Matt Jarzemsky, Telis Demos & Julie Steinberg on 11/6/13

URL: <http://online.wsj.com/news/articles/SB10001424052702303763804579181882915649914>

Twitter's initial public offering of 70 million shares was priced Wednesday at \$26 a share.

**MICROSOFT AND FACEBOOK SPONSOR INTERNET BUG BOUNTY PROGRAM,
OFFER CASH FOR HACKING THE INTERNET STACK**

via The Next Web by Emil Protalinski on 11/6/13

URL: <http://thenextweb.com/insider/2013/11/06/microsoft-facebook-sponsor-internet-bug-bounty-program-offer-cash-hacking-internet-stack/>

Microsoft and Facebook today jointly launched a new initiative called the Internet Bug Bounty program.

SEVEN WAYS MARKETERS WOULD FIX TWITTER

via WSJ.com: Media & Marketing by Suzanne Vranica on 11/6/13

URL: <http://online.wsj.com/news/articles/SB10001424052702303661404579179980657425294>

As Twitter prepares to make its stock-market debut, a fundamental question looms: Can the messaging service turn its army of followers into a moneymaking business? Ad executives speak out.

FACEBOOK SHOOTS DOWN GUN GIVEAWAYS

via Law.com - Newswire by Angela Hunt on 11/8/13

URL: <http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202626879943>

Facebook eliminated the homepages of companies giving away guns on the social networking site, saying that sweepstakes involving weapons violate its terms of service.

\$14 BILLION FOR 140 CHARACTERS

via The MTTLR Blog by fflima on 11/7/13

URL: <http://www.mttlrblog.org/2013/11/07/14-billion-for-140-characters/>

Twitter is the latest tech company to pursue an initial public offering; its shares are scheduled to begin trading Thursday morning on the New York Stock Exchange under the symbol TWTR.

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TWITTER ALREADY FACING TWO POSSIBLE LAWSUITS OVER THE IPO
via FindLaw Writ - Recent Articles by William Peacock, Esq. on 11/7/13
URL: <http://blogs.findlaw.com/technologist/2013/11/twitter-already-facing-two-possible-lawsuits-over-the-ipo.html>

Hey, at least they didn't crash the stock market, like Facebook did. In fact, Twitter's stock prices are booming. We covered the morning's hype on our In House blog, including the spike from the IPO offering at \$26, opening at over \$45, and peaking at around \$50 per share. Pretty.....

TWITTER IPO: WHY IS UNPROFITABLE COMPANY WORTH A BAJILLION DOLLARS?
via FindLaw Writ - Recent Articles by William Peacock, Esq. on 11/7/13
URL: http://blogs.findlaw.com/in_house/2013/11/twitter-ipo-why-is-unprofitable-company-worth-a-bajillion-dollars.html

Last night, Twitter announced that it was setting its IPO price at \$26 per share, more than the \$23 to \$25 per share that analysts expected. According to Ars Technica, that puts the company's value at \$18 billion, and it brings in \$1.8 billion in cash, more than the \$1.....

COMMENTER SUES NEWSPAPER FOR REFUSING TO REMOVE HIS COMMENTS
via The Volokh Conspiracy by Eugene Volokh on 11/7/13
URL: <http://www.volokh.com/2013/11/07/commenter-sues-newspaper-refusing-remove-comments/>

He loses, in Hupp v. Freedom Communications, Inc. (Cal. Ct. App. Nov. 17, 2013), and will likely have to pay the defendant's attorney fees to boot (under the California anti-SLAPP statute).

THOUGHT 3D-PRINTED GUNS HAD TO BE MADE OF PLASTIC? THINK AGAIN
via Ars Technica by Cyrus Farivar on 11/7/13
URL: <http://arstechnica.com/business/2013/11/thought-3d-printed-guns-had-to-be-made-of-plastic-think-again/>

Earlier this year, Cody Wilson and his nonprofit organization Defense Distributed created the world's first 3D-printed semi-automatic firearm, and later, a handgun.

TWITTER IPO: RELIEF, RICHES AND A \$25 BILLION FINISH
via WSJ.com: Technology by Telis Demos, Chris Dieterich & Yoree Koh on 11/7/13
URL: <http://online.wsj.com/news/articles/SB10001424052702303309504579182403432312182>

Twitter shares launched without incident Thursday, skirting the troubles that plagued rival Facebook in its debut last year and delivering the kind of hefty "pop" that investors in initial public offerings covet.

THE OPENING BELL FOR TWITTER

via NYT > TimesCast on 11/7/13

URL: <http://www.nytimes.com/video/business/dealbook/100000002540145/the-opening-bell-for-twitter.html>

The actor Patrick Stewart and Vivienne Harr, a 9-year-old who has been protesting slavery, rang the opening bell before Twitter began trading shares on the New York Stock Exchange.

LAWSUIT OVER GOOGLE HANGOUTS GUTTED—BE IN V. GOOGLE

via Technology & Marketing Law Blog by Venkat Balasubramani on 11/8/13

URL: <http://blog.ericgoldman.org/archives/2013/11/lawsuit-over-google-hangouts-gutted-be-in-v-google.htm>

Be In v. Google, 12-cv-03373-LHK (N.D. Cal. Oct. 9, 2013)

YOUTUBE COFOUNDER BREAKS 8-YEAR ABSENCE ON SITE TO GRIPE ABOUT COMMENT POLICY

via Ars Technica by Sean Gallagher on 11/8/13

URL: <http://arstechnica.com/information-technology/2013/11/youtube-cofounder-breaks-8-year-absence-on-site-to-gripe-about-comment-policy/>

Jawed Karim hasn't had much to say on YouTube for some time.

IS TWITTER WORRIED ABOUT LOSING CONTROL OVER THE WORD 'TWEET?'

via Techdirt by Tim Cushing on 11/8/13

URL: <http://www.techdirt.com/articles/20131106/18325525157/is-twitter-worried-about-losing-control-over-word-tweet.shtml>

IPKat points out a rather interesting concern listed by Twitter in its IPO documents.

CANDIDATE FOR COLORADO LEGISLATURE PROUDLY ABUSES YOUTUBE'S COPYRIGHT COMPLAINT SYSTEM TO KILL ACCOUNT OF ACTIVISTS WHO MOCKED HIM

via Techdirt by Mike Masnick on 11/8/13

URL: <http://www.techdirt.com/articles/20131108/09362825183/candidate-colorado-legislature-proudly-abuses-youtubes-copyright-complaint-system-to-kill-account-activists-who-mocked-him.shtml>

While there are still copyright maximalists out there who insist that copyright can't be used for censorship, it looks like we've got yet another example, and it's a crazy one.

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MAJOR TV, FILM STUDIOS DISMISS SUIT AGAINST LIME WIRE
via Law360 by David McAfee on 11/7/13
URL: <http://www.law360.com/media/articles/487361>

A New York federal judge on Thursday approved a motion from Twentieth Century Fox Film Corp., Viacom International Inc. and other major television networks and film studios to voluntarily and permanently dismiss a copyright suit the companies brought against file-sharing service provider Lime Wire LLC.

BLOGGER ASKS TEXAS HIGH COURT TO PROTECT ANONYMOUS SPEECH
via Law360 by Jeremy Heallen on 11/7/13
URL: <http://www.law360.com/media/articles/484475>

A blogger accused of defaming The Reynolds & Reynolds Co. told the Texas Supreme Court Thursday that the automobile dealer support company must prove it can legally sue him in state court before Google Inc. can be forced to reveal his identity.

ACCESS TO EMPLOYEE SOCIAL MEDIA ACCOUNTS IS RISKY
via Law360 by Lilian Chaves Moon on 11/7/13
URL: <http://www.law360.com/media/articles/486983>

The Florida Senate is considering joining a multitude of states that have banned employers from requesting or requiring access to current or prospective employees' social media accounts. Indeed, using social media sites to vet a candidate generally provides employers with access to personal information that can expose the employer to a potential lawsuit, says Lillian Chaves Moon of Jackson Lewis LLP.

TWITTER PUTS SPOTLIGHT ON BURNISHED EARNINGS
via WSJ.com: Technology by Michael Rapoport on 11/9/13
URL: <http://online.wsj.com/news/articles/SB10001424052702303309504579188352607330632>

The strong interest in Twitter's initial public offering brought back to the fore the accounting devices companies can use to burnish otherwise lackluster results.

CAN TWITTER CURB GROWING BLACK MARKET FOR FAKE FOLLOWERS AFTER IPO?
via The Huffington Post by Grant Stern on 11/7/13
URL: http://www.huffingtonpost.com/grant-stern/fake-it-till-you-buy-it_b_4229293.html

Is your social media professional the real deal?

UK SPIES CONTINUE "QUANTUM INSERT" ATTACK VIA LINKEDIN, SLASHDOT PAGES

via Ars Technica by Cyrus Farivar on 11/10/13

URL: <http://arstechnica.com/tech-policy/2013/11/uk-spies-continue-quantum-insert-attack-via-linkedin-slashdot-pages/>

According to a new report (German) by Der Spiegel, the British signals intelligence spy agency has again employed a “quantum insert” technique as a way to target employees (Google Translate) of two companies that are GRX (Global Roaming Exchange) providers.

“WIGGIN OUT” OVER A WIG PURCHASE DISPUTE LEADS TO ONLINE DEFAMATION – SANDERS V. WALSH

via Technology & Marketing Law Blog by Jake McGowan on 11/10/13

URL: <http://blog.ericgoldman.org/archives/2013/11/wiggin-out-over-a-wig-purchase-dispute-leads-to-online-defamation-sanders-v-walsh.htm>

At what point does online mudslinging become actionable defamation?

A LOOK AT CHINESE SOCIAL MEDIA

via WSJ.com: Technology by Paul Mozur on 11/10/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304448204579185650930401562>

Sina Weibo and Tencent's WeChat dominate social media in China. But the landscape is shifting—and this week they will offer investors a glimpse of how well they are keeping their footing.

REGULATION FAIR DISCLOSURE AND SOCIAL MEDIA

via The MTTLR Blog by jesszach on 11/11/13

URL: <http://www.mttlrblog.org/2013/11/11/regulation-fair-disclosure-and-social-media/>

Regulation Fair Disclosure (Regulation FD) was adopted by the Securities and Exchange Commission (SEC) in 2000 to combat the growing practice of disclosing material non-public information to select investors and other interested individuals before disclosing the same material information to the general public.

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NEW AT FINDLAW: TWITTER TIPS FOR BUSINESSES AND THE FERES DOCTRINE
via FindLaw Writ - Recent Articles by Andrew Chow, Esq. on 11/8/13
URL: http://blogs.findlaw.com/official_findlaw_blog/2013/11/new-at-findlaw-twitter-tips-for-businesses-and-the-feres-doctrine.html

We continue our Friday round-up of what is newest, best and brightest at FindLaw.com. Below, you will find this week's offerings from various areas of FindLaw's unique content, including: core legal content, blogs, news and case law. Take a look at what's new: FindLaw Consumer Blogs: 10 Legal Tips for.....

GOOGLE RELENTS ON YOUTUBE AD MEASUREMENT
via WSJ.com: Technology by Suzanne Vranica on 11/11/13
URL: <http://online.wsj.com/news/articles/SB10001424052702303914304579192211449903486>

Google said it will begin allowing Nielsen to measure audiences for ads on its YouTube website, a decision that could give ad buyers more confidence to shift dollars to online video.

CISCO-THREATENING OPEN SWITCH COMING FROM FACEBOOK, INTEL, AND BROADCOM
via Ars Technica by Jon Brodtkin on 11/11/13
URL: <http://arstechnica.com/information-technology/2013/11/cisco-threatening-open-switch-coming-from-facebook-intel-and-broadcom/>

Six months ago, Facebook announced that its Open Compute Project (OCP) would develop a top-of-rack switch that could boot nearly any type of networking software.

NETFLIX AND YOUTUBE DOMINATE ONLINE VIDEO. CAN AMAZON CATCH UP?
via BloombergBusinessweek by Joshua BRustein on 11/11/13
URL: <http://www.businessweek.com/articles/2013-11-11/netflix-and-youtube-dominate-online-video-dot-can-amazon-catch-up>

Wondering what other people are doing on the Internet?

VLAMBEER MAKES YOUTUBERS MONETIZING THAT S@&% EASY AS S@&%
via Techdirt by Timothy Geigner on 11/11/13
URL: <http://www.techdirt.com/articles/20131104/10474325120/vlambeer-makes-youtubers-monitizing-that-s-easy-as-s.shtml>

I've argued in the past that YouTube videos, far from the bane of gaming companies' existence, actually serve to drive sales by informing the public of gameplay, graphics, and the overall quality of the product being offered.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

GCHQ's RESPONSE TO HACKING SLASHDOT AND LINKEDIN: NO COMMENT, BUT IT WAS PERFECTLY LEGAL

via Techdirt by Mike Masnick on 11/11/13

URL: <http://www.techdirt.com/articles/20131111/08421925195/gchqs-response-to-hacking-slashdot-linkedin-no-comment.shtml>

Over the weekend it came out that GCHQ used a packet injection attack on Slashdot and LinkedIn pages in order to do a "quantum insert" -- basically a man-in-the-middle attack to install malware on the computers of key employees at Belgian telco Belgacom, which they then used to get much greater access to Belgacom's infrastructure for spying.

NLRB JUDGE OKS FIRINGS OVER PROFANE FACEBOOK EXCHANGE

via Law360 by Ben James on 11/8/13

URL: <http://www.law360.com/corporate/articles/487474>

A National Labor Relations Board judge ruled Tuesday that a youth program provider's discharge of two employees over a profane Facebook conversation did not violate labor law, citing concerns about safety and funding worries in blessing the nonprofit's decision to let the workers go.

BET RIDICULES WOMAN'S LAWSUIT OVER ALLEGEDLY STOLEN FACEBOOK 'LIKES'

via Hollywood Reporter - THR, Esq. by Eriq Gardner on 11/12/13

URL: <http://www.hollywoodreporter.com/thr-esq/bet-ridicules-womans-lawsuit-allegedly-655314>

Black Entertainment Television moves to dismiss claims from a woman who helped promote the second-most-watched program in the network's history.

SOCIAL WORKER'S FACEBOOK RANT JUSTIFIED TERMINATION — SHEPHERD V. MCGEE

via Technology & Marketing Law Blog by Venkat Balasubramani on 11/12/13

URL: <http://blog.ericgoldman.org/archives/2013/11/social-workers-facebook-rant-justified-termination-shepherd-v-mcgee.htm>

Shepherd v. McGee, 2013 U.S. Dist LEXIS 159432 (D. Or. Nov. 7, 2013)

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YOUTUBE'S DEFEAT OF COPYRIGHT OWNERS IS FINAL IN PREMIER LEAGUE CASE
via Ars Technica by Jon Brodtkin on 11/12/13
URL: <http://arstechnica.com/tech-policy/2013/11/youtubes-defeat-of-copyright-owners-is-final-in-premier-league-case/>

The English Premier League and fellow plaintiffs, in a copyright infringement lawsuit filed against YouTube in 2007, have given up.

TEEN ACCUSED OF USING TWITTER AND INSTAGRAM TO INTIMIDATE
WITNESSES

via WSJ.com: Law Blog - WSJ.com by Jacob Gershman on 11/13/13
URL: <http://blogs.wsj.com/law/2013/11/13/teen-accused-of-using-twitter-and-instagram-to-intimidate-witnesses/>

A 17-year-old Philadelphia student was arrested at his high school on Tuesday for allegedly using social media sites to intimidate witnesses.

UK SOCCER LEAGUE ENDS SUIT AGAINST GOOGLE'S YOUTUBE

via Intellectual Property Law360 by Bill Donahue on 11/13/13
URL: <http://www.law360.com/ip/articles/487774>

The Football Association Premier League Ltd. — the UK's top governing body for soccer — and others agreed last week to drop their long-running copyright infringement lawsuit against Google Inc.'s YouTube.

AFP v. MOREL – LAWSUIT OVER HAITI PHOTOS TAKEN FROM TWITTER/TWITPIC
GOES TO TRIAL

via Technology & Marketing Law Blog by Venkat Balasubramani on 11/13/13
URL: <http://blog.ericgoldman.org/archives/2013/11/afp-v-morel-lawsuit-over-haiti-photos-taken-from-twitpic-goes-to-trial.htm>

We've previously covered AFP v. Morel, the case where photographer Daniel Morel is suing AFP, Getty and downstream licensees for allegedly infringing on his copyrighted material. In a nutshell, he took some iconic photos following the Haiti earthquake.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

SUPER-INTERMEDIARIES, CODE, HUMAN RIGHTS

via SSRN by Ira Steven Nathenson on 10/24/13

URL: <http://ssrn.com/abstract=2345003>

We live in an age of intermediated network communications. Although the internet includes many intermediaries, some stand heads and shoulders above the rest. This article examines some of the responsibilities of “Super-Intermediaries” such as YouTube, Twitter, and Facebook, intermediaries that have tremendous power over their users’ human rights. After considering the controversy arising from the incendiary YouTube video Innocence of Muslims, the article suggests that Super-Intermediaries face a difficult and likely impossible mission of fully servicing the broad tapestry of human rights contained in the International Bill of Human Rights. The article further considers how intermediary content-control procedures focus too heavily on intellectual property, and are poorly suited to balancing the broader and often-conflicting set of values embodied in human rights law. Finally, the article examines a number of steps that Super-Intermediaries might take to resolve difficult content problems and ultimately suggests that intermediaries subscribe to a set of process-based guiding principles — a form of Digital Due Process — so that intermediaries can better foster human dignity.

U.K. HIGH COURT FINDS THAT ZYNGA'S SCRAMBLE DOES NOT INFRINGE ON
MATTEL'S TRADEMARKED SCRAMBLE

via JOLT Digest by Michelle Goldring on 11/13/13

URL: <http://jolt.law.harvard.edu/digest/jurisdiction/international-decisions/u-k-high-court-finds-that-zyngas-scramble-does-not-infringe-on-mattels-trademarked-scrabble>

J.W. Spear & Sons v. Zynga Inc., [2013] EWHC 3348 (Ch)

STAKING OUT TWITTER AND FACEBOOK, NEW SERVICE LETS POLICE POKE
PERPS

via Ars Technica by Sean Gallagher on 11/13/13

URL: <http://arstechnica.com/information-technology/2013/11/staking-out-twitter-and-facebook-new-service-lets-police-poke-perps/>

Local law enforcement is getting the kind of technological boost that used to be limited to three-letter agencies thanks to Web-based software services that mine social media for intelligence.

SNAPCHAT SPURNED BID FROM FACEBOOK

via WSJ.com: Technology by Evelyn M. Rusli & Douglas MacMillan on 11/13/13

URL: <http://online.wsj.com/news/articles/SB10001424052702303789604579196023009484870>

Snapchat, a rapidly growing messaging service, recently spurned an all-cash acquisition offer from Facebook for \$3 billion or more.

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NPR: 11-13-2013 TECHNOLOGY
via NPR: Technology Podcast
URL: http://podcastdownload.npr.org/anon.npr-podcasts/podcast/1019/245098779/npr_245098779.mp3

Stories: 1) Twitter Makes Market Debut 2) Stanford Professor Who Sounded Alert On Multitasking Has Died 3) Nick Bilton On Twitter's Creation Myth & 'Forgotten Founder' 4) Meet The Man Who Wants To Diversify Silicon Valley By 2040 5) Twitter Goes Public And Its Stock Price Soars 6) Third-Graders React To Video Games Tracking Their Play

FTC NIXES SOCIAL MEDIA-BASED COPPA CONSENT METHOD
via Law360 by Juan Carlos Rodriguez on 11/13/13
URL: <http://www.law360.com/media/articles/488489>

The Federal Trade Commission said Wednesday it has denied an application by a company called AssertID Inc. for approval of a proposed verifiable parental consent method under its children's online privacy rule, saying there wasn't enough evidence that the method, which would allow parents' friends to verify a parent-child relationship, was effective.

JPMORGAN's #ASKJPM TWITTER HASHTAG BACKFIRES AGAINST BANK
via Bloomberg by Dawn Kopecki on 11/14/13
URL: <http://www.bloomberg.com/news/2013-11-14/jpmorgan-twitter-hashtag-trends-against-bank.html>

JPMorgan Chase & Co. (JPM), the target of at least eight Justice Department investigations, was mocked and taunted by Twitter users after asking followers to send questions to an executive using the hashtag #AskJPM.

SPIKE LEE'S DEFENSE IN TWEET LAWSUIT: \$10,000 IS ENOUGH FOR MISTAKE
via Hollywood Reporter - THR, Esq. by Eriq Gardner on 11/14/13
URL: <http://www.hollywoodreporter.com/thr-esq/spike-lees-defense-tweet-lawsuit-656118>

The director argues that a past settlement agreement should end the dispute over his George Zimmerman error.

IS KICKSTARTER A SOUND FUNDING STRATEGY FOR COMICS PUBLISHERS?
via Comics Alliance by Matt D. Wilson on 11/14/13
URL: <http://comicsalliance.com/fantagraphics-kickstarter-comics-publisher-crowdsourcing/>

Fantagraphics Books hit its \$150,000 Kickstarter funding goal Tuesday, only one week into its campaign to keep the company afloat after the death of co-Publisher Kim Thompson dealt it a serious financial blow earlier this year.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

FACEBOOK SHOULD AVOID SNAP DECISIONS

via WSJ.com: Technology by Miriam Gottfried on 11/14/13

URL: <http://online.wsj.com/news/articles/SB10001424052702303559504579198032940638774>

Facebook has shown it is more than a flash in the pan. But it also appears willing to embrace the ephemeral.

USER-GENERATED CONTENT COPYRIGHTED ON SECOND LIFE

via Law.com - Newswire by Marlisse Silver Sweeney on 11/14/13

URL: <http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1384350809032>

User generated content on Second Life can be protected by copyright as reported by Marcus Peterson, a Los Angeles-based associate in the intellectual property practice at Pillsbury Winthrop Shaw Pittman.

ZYNGA CUTS SECRECY CLAUSE IN FLSA DEAL AFTER JUDGE BALKS

via Law360 by Alex Lawson on 11/14/13

URL: <http://www.law360.com/media/articles/488724>

Zynga Inc. and a former employees on Wednesday made public a renegotiated settlement deal to end a putative class action alleging that the social media gaming company failed to pay overtime to its engineers after a California federal judge ruled the deal did not warrant secrecy.

FACEBOOK'S NEW DATA HUB TO BE FULLY WIND-POWERED

via Law360 by Igor Kossov on 11/14/13

URL: <http://www.law360.com/media/articles/488637>

Facebook Inc.'s new data center in Altoona, Iowa, will run completely on wind power supplied by a generation farm in nearby Wellsburg, the company said.

FINED FOR POSTING A NEGATIVE REVIEW ONLINE

via KUTV.com by Matt Gephardt on 11/11/13

URL: http://www.kutv.com/news/features/gephardt/stories/vid_474.shtml

For Christmas several years ago, Jen Palmer's husband ordered her a number of trinkets from the website klargear.com.

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COMPANY 'THANKS' BLOGGER FOR POSITIVE REVIEW BY SENDING C&D CLAIMING 'UNAUTHORIZED TRADEMARK USE'

via Techdirt by Tim Cushing on 11/15/13

URL: <http://www.techdirt.com/articles/20131113/15121725234/company-thanks-blogger-positive-review-sending-cd-claiming-unauthorized-trademark-use.shtml>

We've seen trademark claims being abused in efforts to shut down criticism, but Nutribullet, the as-seen-on-TV "nutrition extractor," has fired off a letter to the Lazy Man and Money citing trademark violations in a largely positive review. (H/t to Techdirt reader Wayne for sending this in.)

EMPLOYEE TERMINATION BASED ON MISTAKEN BELIEF OF FACEBOOK POST AUTHORSHIP UPHeld — SMIZER V. COMMUNITY MENNONITE EARLY LEARNING CTR.

via Technology & Marketing Law Blog by Venkat Balasubramani on 11/16/13

URL: <http://blog.ericgoldman.org/archives/2013/11/employee-termination-based-on-mistaken-belief-of-facebook-post-authorship-upheld-smizer-v-community-mennonite-early-learning-ctr.htm>

Smizer v. Community Mennonite Early Learning Ctr, 2013 WL 5769936 (7th Cir. Oct. 25, 2013) [pdf]

LINK BY LINK: HISTORY COMES TO LIFE WITH TWEETS FROM PAST

via NYT > Media & Advertising by Noam Cohen on 11/17/13

URL: <http://www.nytimes.com/2013/11/18/business/media/history-comes-to-life-with-tweets-from-the-past.html>

Historical projects on Twitter aim to recreate events like Kristallnacht and the assassination of President John F. Kennedy.

KIDS AREN'T RELIABLE TECH PREDICATORS

via WSJ.com: Technology by Farhad Manjoo on 11/17/13

URL: <http://online.wsj.com/news/articles/SB10001424052702303559504579202623459037550>

We all tend to assume young people are on the technological vanguard, knowing what "the next big thing" will be. But they are often wrong, writes Farhad Manjoo.

FACEBOOK CONTROVERSIAL PRIVACY POLICY CHANGES

via Law360 by Daniel Wilson on 11/15/13

URL: <http://www.law360.com/media/articles/489291>

Facebook Inc. finalized on Friday changes to the way it collects, uses and shares user data, leaving its updated policies largely unchanged from the draft versions despite significant backlash from users, privacy advocates and lawmakers.

140 CHARACTERS OR LESS: AN EXPERIMENT IN LEGAL RESEARCH

via SSRN by Patrick M. Ellis on 10/1/13

URL: <http://ssrn.com/abstract=2343874>

In 1995, Robert Ambrogi, former columnist for Legal Technology News, wrote about the Internet's potential to revolutionize the accessibility and delivery of legal information. Almost 20 years later, Ambrogi now describes his initial optimism as a "pipe dream." Perhaps one of the greatest problems facing the legal industry today is the sheer inaccessibility of legal information. Not only does this inaccessibility prevent millions of Americans from obtaining reliable legal information, but it also prevents many attorneys from adequately providing legal services to their clients. Whether locked behind government paywalls or corporate cash registers, legal information is simply not efficiently and affordably attainable through traditional means.

There may, however, be an answer. Although the legal industry appears to just be warming up to social media for marketing purposes, social media platforms, like Twitter, may have the untapped potential to help solve the accessibility problem. This Note attempts to prove that assertion by showing an iteration of social media's potential alternative use, as an effective and free information sharing mechanism for legal professionals and the communities and clients they serve.

Generally speaking, law review editors and other academicians demand that authors support every claim with a citation, or, at the very least, require extensive research to support claims or theses. This Note seeks to fulfill this requirement, with a variation on conventional legal scholarship. Almost all of the sources in this Note were obtained via Twitter. Thus, this somewhat experimental piece should demonstrate social media's potential as an emerging and legitimate source of legal information. By perceiving and using social media as something more than a marketing tool, lawyers, law schools, and, most importantly, clients, may be able to tap into a more diverse and more accessible well of information. This redistribution of information accessibility may not only solve some of the problems facing the legal industry, but also has the capability to improve society at large.

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FAKE LINKEDIN PROFILE MAY CAUSE TRADEMARK INFRINGEMENT – AVEPOINT V. AXCELER

via Technology & Marketing Law Blog by Venkat Balasubramani on 11/18/13

URL: <http://blog.ericgoldman.org/archives/2013/11/fake-linkedin-profile-may-cause-trademark-infringement-avepoint-v-axceler.htm>

Avepoint, Inc. v. Power Tools, Inc. d/b/a Axceler, 7:13CV00035 (W.D. Va. Nov. 7, 2013)

DEFAMATION VIA TWITTER, TM INFRINGEMENT VIA LINKEDIN

via Rebecca Tushnet's 43(B)log by Rebecca Tushnet on 11/18/13

URL: <http://tushnet.blogspot.com/2013/11/defamation-via-twitter-tm-infringement.html>

AvePoint, Inc. v. Power Tools, Inc., 2013 WL 5963034, No. 7:13CV00035 (W.D. Va. Nov. 7, 2013)

GOOGLE BLOCKS CHILD PORN IN 100,000 SEARCHES, PLANS FILTER FOR YOUTUBE

via Ars Technica by Jon Brodtkin on 11/18/13

URL: <http://arstechnica.com/information-technology/2013/11/google-blocks-child-porn-in-100000-searches-plans-filter-for-youtube/>

Google Chairman Eric Schmidt today said his company's search engine has made it far more difficult to find images of child pornography and that Google is developing a technology that will identify children being abused in YouTube videos.

GOOGLE SEEKS PATENT ON SOCIAL NEWS AGGREGATOR

via IPWatchdog.com | Patents & Patent Law by Steve Brachmann on 11/19/13

URL: <http://www.ipwatchdog.com/2013/11/19/google-seeks-patent-on-social-news-aggregator/id=46394/>

We profile one patent application that seeks to converge content from social networks with the news feed that a person sees when browsing a news aggregator service.

SOCIAL MEDIA IN THE WORKPLACE – FROM CONSTITUTIONAL TO INTELLECTUAL PROPERTY RIGHTS

via SSRN by Jon Garon on 11/1/13

URL: <http://ssrn.com/abstract=2348779>

Social media has become a dominant force in the landscape of modern communications. From political uprisings in the Middle East to labor disputes in Washington State, social media has fundamentally disrupted the way in which communications take place. As noted constitutional scholar Erwin Chemerinsky explained, “technology has changed and so has First Amendment doctrine and American culture. It now is much more clearly established that there is a strong presumption against government regulation of speech based on its content.” Just as the government must tolerate more speech, the same thing is true about employers. Chemerinsky further notes that “for better or worse, profanities are more a part of everyday discourse.” Abrasive speech may be coarse from the word choice or may more readily upbraid the objects of the speech. Whether foul or abusive, such speech now pervades commercial and social media.

Social media fundamentally upends the notion of the traditional commercial media environment and with that, it reverses the established legal doctrine from constitutional assumptions to everyday rules involving copyright, defamation, and unfair labor practice. For employers, these rules are particularly important to navigate because they effect the manner in which the companies communicate with the public, how employees communicate with each other, and how laws are restructuring the employee-employer relationship. The transformation is taking place with changing policies affecting trade secrets, confidential information, copyrighted material, aggregated data, trademarks, publicity rights, and endorsements.

This article highlights the nature of the changes as they present the new paradigm shift and provides some guidance on how to prepare policies for the transitional model. The article tracks the rise of the many-to-many model of social media, its effect on commercial speech, intellectual property, and labor law. The article concludes with suggestions on employment policies geared to managing these changes in the modern workplace.

WIKIPEDIA WANTS PR FIRM TO STOP PAID EDITING SERVICES, HINTS AT LAWSUIT

via Ars Technica by Cyrus Farivar on 11/19/13

URL: <http://arstechnica.com/tech-policy/2013/11/wikipedia-wants-pr-firm-to-stop-paid-editing-services-hints-at-lawsuit/>

For months, Wikipedia has been battling a company called “Wiki-PR,” which purportedly sells paid editing services on the well-known online encyclopedia.

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SPORTS JOURNALIST GETS TROLLED ON TWITTER, TATTLES TO TROLL'S PARENTS

via Techdirt by Timothy Geigner on 11/19/13

URL: <http://www.techdirt.com/articles/20131114/03590525240/sports-journalist-gets-trolled-twitter-tattles-to-trolls-parents.shtml>

There's a spectrum of responses in how to deal with internet trolls. On one end, you can give them a nice little golf-clap while mostly ignoring their often-hilarious antics.

TEXAS JURY CLEARS 'FARMVILLE' MAKER IN PATENT CASE

via Law360 by Jeff Sistrunk on 11/19/13

URL: <http://www.law360.com/media/articles/490034>

A Texas federal jury on Tuesday handed online social gaming company Zynga Inc. a complete win in a patent infringement lawsuit filed by a patent-licensing company, finding Zynga did not infringe either of the plaintiff's patents.

SHOULD WIKIPEDIA BE ALLOWED TO BAN PAID ADVOCACY EDITORS?

via Copyright Alliance by Terry Hart on 11/20/13

URL:

https://copyrightalliance.org/2013/11/should_wikipedia_be_allowed_ban_paid_advocacy_editors

Yesterday, the Wikimedia Foundation – the non-profit entity that operates Wikipedia – sent a cease and desist letter to a company called Wiki-PR for allegedly continuing to engage in paid advocacy editing on behalf of paying clients.

ADVERTISING: VOTING VIA TWITTER, CHOOSING JENNIFER LOPEZ'S ROUTE TO AN AWARDS SHOW

via NYT > Media & Advertising by Tanzina Vega on 11/20/13

URL: <http://www.nytimes.com/2013/11/21/business/voting-via-twitter-choosing-jennifer-lopezs-route-to-an-awards-show.html>

A Kohl's campaign to air during the American Music Awards on Sunday will let viewers tweet their votes, in real time, on how Ms. Lopez should get to the stage.

DO SOCIAL MEDIA HELP FIRMS DISCRIMINATE?

via WSJ.com: Technology by Jennifer Valentino-Devries on 11/20/13

URL: <http://online.wsj.com/news/articles/SB10001424052702303755504579208304255139392>

Employers may use social-media data they find about job applicants to discriminate, a new study finds.

**BLOGGERS, WORDPRESS.COM STAND UP TO FIGHT QUESTIONABLE DMCA
TAKEDOWN NOTICES**

via Ars Technica by Cyrus Farivar on 11/21/13

URL: <http://arstechnica.com/tech-policy/2013/11/bloggers-wordpress-com-stand-up-to-fight-questionable-dmca-takedown-notices/>

WordPress.com parent company Automattic and two WordPress users have sued two defendants who attempted to use American copyright law to remove online speech critical of their actions.

TIRED OF SOCIAL MEDIA? WHY NOT HAVE GOOGLE TWEET FOR YOU

via Ars Technica by Ron Amadeo on 11/22/13

URL: <http://arstechnica.com/gadgets/2013/11/tired-of-social-media-why-not-have-google-tweet-for-you/>

Tweets, Likes, +1s—with so many social media services, keeping up can be very tiring.

**STATUTORY DAMAGES STRIKE AGAIN: AFP & GETTY TOLD TO PAY \$1.2 MILLION
FOR USING PHOTO FOUND VIA TWITTER**

via Techdirt by Mike Masnick on 11/22/13

URL: <http://www.techdirt.com/articles/20131122/16151225339/statutory-damages-strike-again-afp-getty-told-to-pay-12-million-using-photo-found-via-twitter.shtml>

Back in 2010 we first started covering a really bizarre case involving photographer Daniel Morel, the news agency AFP (Agence France-Presse) and Getty Images.

**TWITTER IMPLEMENTS FORWARD SECRECY; SAYS IT 'SHOULD BE THE NEW
NORMAL'**

via Techdirt by Mike Masnick on 11/22/13

URL: <http://www.techdirt.com/articles/20131122/15092725338/twitter-implements-forward-secrecy-says-it-should-be-new-normal.shtml>

There's been a lot of talk recently about getting more web companies to look at using forward secrecy to make HTTPS connections even more secure.

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POLITICAL CANDIDATE CONTINUES TO ABUSE YOUTUBE'S COPYRIGHT SYSTEM TO SILENCE CRITICISM

via Techdirt by Mike Masnick on 11/22/13

URL: <http://www.techdirt.com/articles/20131121/17022025328/political-candidate-continues-to-abuse-youtubes-copyright-system-to-silence-criticism.shtml>

Earlier this month, we wrote about Gordon Klingenschmitt, a former Navy chaplain running for office in Colorado on the "gay people are icky" ticket (paraphrased), who had been abusing YouTube's copyright takedown system to kill the account of Right Wing Watch, a group that was critical of Klingenschmitt (known as "Dr. Chaps") and was highlighting some of his nuttier comments.

PHOTOJOURNALIST GETS \$1.2 MILLION IN DAMAGES FOR IMAGES CRIBBED FROM TWITTER

via Ars Technica by Megan Geuss on 11/23/13

URL: <http://arstechnica.com/tech-policy/2013/11/photojournalist-gets-1-2-million-in-damages-for-images-cribbed-from-twitter/>

A jury awarded photojournalist Daniel Morel \$1.2 million on Friday afternoon, to be paid by defendants Agence France-Presse and Getty Images for infringing on Morel's copyright.

LENS BLOG: HAITIAN PHOTOGRAPHER WINS MAJOR U.S. COPYRIGHT VICTORY

via NYT > Media & Advertising by James Estrin on 11/23/13

URL: <http://lens.blogs.nytimes.com/2013/11/23/haitian-photographer-wins-major-u-s-copyright-victory/>

In a victory for photographer rights, a New York court awarded Daniel Morel \$1.2 million after finding two photo agencies improperly used his photos of Haiti's earthquake.

MILLIONS OF FAKE ACCOUNTS DOG TWITTER

via WSJ.com: Technology by Jeff Elder on 11/24/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304607104579212122084821400>

Fake accounts are thriving on Twitter, used to make celebrities and trending topics appear more popular than they are. There is also a robust black market for buying such accounts.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

AFP, GETTY TO PAY HAITIAN PHOTOG \$1M FOR INFRINGEMENT
via Law360 by Michael Lipkin on 11/22/13
URL: <http://www.law360.com/media/articles/491174>

A New York federal jury on Friday ordered Agence France-Presse and Getty Images Inc. to pay a Haitian photojournalist \$1.2 million for willfully infringing his copyright after lifting his work from Twitter posts, the photographer's lawyers said.

TWITTER, PATH BACK LAKERS AGAINST 'EXTORTIONIST' TCPA SUITS
via Law360 by Gavin Broady on 11/22/13
URL: <http://www.law360.com/media/articles/491062>

Social networking services Twitter Inc. and Path Inc. urged the Ninth Circuit on Friday to uphold the dismissal of a text-spamming class action against Los Angeles Lakers Inc., saying the Telephone Consumer Protection Act is increasingly being wielded as "an extortionist club."

AFP & GETTY'S REPUBLICATION OF TWITTER/TWITPIC-SOURCED PHOTOS TURNS OUT TO BE COSTLY – AFP V. MOREL
via Technology & Marketing Law Blog by Venkat Balasubramani on 11/25/13
URL: <http://blog.ericgoldman.org/archives/2013/11/afp-gettys-republication-of-twittertwitpic-sourced-photos-turns-out-to-be-costly-afp-v-morel.htm>

This is a long-running copyright infringement case that we've covered repeatedly.

TWITTER, PATH LEND MUSCLE TO FIGHT AGAINST TCPA VULTURES
via Law360 by Allison Grande on 11/25/13
URL: <http://www.law360.com/media/articles/491369>

Twitter Inc. and Path Inc. last week jumped into a text-spamming class action against the Los Angeles Lakers in the Ninth Circuit, strengthening a long-running crusade to limit the expansive reach and opportunistic use of the Telephone Consumer Protection Act.

FACEBOOK RANT AGAINST 'ARIAL' FONT HELPS REVERSE SEX OFFENDER DETERMINATION
via Technology & Marketing Law Blog by Eric Goldman on 11/26/13
URL: <http://blog.ericgoldman.org/archives/2013/11/facebook-rant-against-arial-font-helps-reverse-sex-offender-determination.htm>

Another day, another workplace problem due to an off-hours Facebook rant. Doe is a convicted sex offender.

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FINDLAW SURVEY: EMPLOYERS RARELY ASK FOR SOCIAL MEDIA PASSWORDS
via FindLaw Writ - Recent Articles by Aditi Mukherji, JD on 11/26/13
URL: http://blogs.findlaw.com/in_house/2013/11/cbs-hires-lawrence-tu-as-chief-legal-officer.html

We hear the nightmarish "Big Brother" tales of employers requiring social media passwords as a condition of employment. But as in-house counsel might expect, only three percent of Americans have actually been asked by an employer to hand over their social media passwords, according to a new FindLaw survey.....

YOUTUBE HILARIOUSLY IMPOTENT AGAINST ASCII COMMENT PORNOGRAPHERS
via Ars Technica by Casey Johnston on 11/26/13
URL: <http://arstechnica.com/business/2013/11/youtube-tries-to-stem-the-flow-of-a-new-kind-of-terrible-comments/>

A post at the YouTube Creators' blog late Monday has acknowledged that YouTube commenters, never ones for productive discussion, have turned the site's Google+ integration changeover to their advantage.

ALL OF WIKIPEDIA CAN BE INSTALLED TO YOUR DESKTOP IN JUST 30 HOURS
via Ars Technica by Jon Brodtkin on 11/26/13
URL: <http://arstechnica.com/information-technology/2013/11/all-of-wikipedia-can-be-installed-to-your-desktop-in-just-30-hours/>

An open source application automates the process of downloading and displaying all of Wikipedia on your desktop, a large task that takes more than a day to complete.

TWITTER LAUNCHES OPERATION FORWARD SECRECY' TO THWART HACKERS
via Law.com - Newswire by Angela Hunt on 11/26/13
URL: <http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1385429109960>

Twitter is launching a new technology to thwart hackers from decrypting user information that could be useful for other companies concerned about security.

SEX OFFENDERS MAY BE BANNED FROM SOCIAL MEDIA, N.J. COURT RULES
via WSJ.com: Law Blog - WSJ.com by Jacob Gershman on 11/27/13
URL: <http://blogs.wsj.com/law/2013/11/27/sex-offenders-may-be-banned-from-social-media-n-j-court-rules/>

Sex offenders on parole don't have a constitutional right to join Facebook, LinkedIn, Twitter or other social media sites, a New Jersey appeals court ruled Tuesday.

DEFAMATION BY SOCIAL MEDIA
via SSRN by David Rolph on 11/17/13
URL: <http://ssrn.com/abstract=2356028>

Social media have transformed communications, allowing users to generate and disseminate content widely. This carries with it a heightened risk of defamation. Cases involving defamation by social media are starting to be decided by Australian and English courts. This article reviews recent decisions and examines the issues presented by defamation and social media, particularly the anonymity of users and the legal means to overcome it and the liability of internet intermediaries, such as internet service providers and search engines.

UTAH COUPLE FINED \$3,500 BY ONLINE MERCHANT KLEARGEAR RETAINS
LAWYER, TURNS TABLES
via ABC News by Susanna Kim on 11/26/13
URL: <http://abcnews.go.com/Business/couple-fined-3500-writing-negative-review/story?id=21018224>

After an online merchant fined a Utah couple \$3,500 for writing a negative review and sparked a financial nightmare for more than a year, a public service lawyer has agreed to take the case and fight back with demands for \$75,000 in compensation.

TV NEWS TEAM FALLS FOR FACEBOOK DOPPELGANGER SCAM
via Ars Technica by Sean Gallagher on 11/29/13
URL: <http://arstechnica.com/information-technology/2013/11/tv-news-team-falls-for-facebook-doppelganger-scam/>

The doppelgänger Facebook profile scraped from WBAL producer Chris Dachille convinced many of his friends that it was actually him—and then spammed them with requests for money and malicious links.
WBAL

ENCRYPTED SOCIAL NETWORK VIES FOR DISGRUNTLED WHATSAPP, FACEBOOK
USERS
via Computerworld by Jeremy Kirk on 11/29/13
URL:
http://www.computerworld.com.au/article/533140/encrypted_social_network_vies_disgruntled_whatsapp_facebook_users/

Easy-to-use encryption is the aim of Syme, a service built by three students in Montreal

December 2013

ADVERTISING: 'MOB CITY' USES TWITTER TO BUILD SUSPENSE FOR A PREMIERE
via NYT > Media & Advertising by Andrew Adam Newman on 12/1/13

URL: <http://www.nytimes.com/2013/12/02/business/media/mob-city-uses-twitter-to-build-suspense-for-a-premiere.html>

The executives behind “Mob City,” a series on TNT about Los Angeles mobsters in the 1940s, are taking a new approach to promotion by tweeting the first episode’s script.

10TH CIRC. OKS AXING WORKER WHO LIED ABOUT FACEBOOK POSTS

via Law360 by Abigail Rubenstein on 11/27/13

URL: <http://www.law360.com/corporate/articles/492121>

The 10th Circuit ruled Tuesday that a Kansas hospital did not engage in unlawful retaliation when it fired an employee who had complained of sexual harassment, in part because she repeatedly, falsely denied having authored Facebook posts that accused her supervisor of misconduct.

PUBLISHER CAN'T MAINTAIN LANHAM ACT CLAIM AGAINST SATIRICAL BLOG POST

via Rebecca Tushnet's 43(B)log by Rebecca Tushnet on 12/2/13

URL: <http://tushnet.blogspot.com/2013/12/publisher-cant-maintain-lanham-act.html>

Farah v. Esquire Magazine, No. 12–7055, 2013 WL 6169660, -- F.3d – (D.C. Cir. Nov. 26, 2013)

DEFAMATION BY SOCIAL MEDIA

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Social media have transformed communications, allowing users to generate and disseminate content widely. This carries with it a heightened risk of defamation. Cases involving defamation by social media are starting to be decided by Australian and English courts. This article reviews recent decisions and examines the issues presented by defamation and social media, particularly the anonymity of users and the legal means to overcome it and the liability of internet intermediaries, such as internet service providers and search engines.

HATE YOUR FRIENDS' FACEBOOK POSTS? NOW YOU CAN UNFOLLOW THEM

via Ars Technica by Casey Johnston on 12/2/13

URL: <http://arstechnica.com/business/2013/12/hate-your-friends-facebook-posts-now-you-can-unfollow-them/>

Facebook has bowed to the concept of the “follow” in a change that started rolling out to profile pages Monday.

DRUG DETECTIVES: SCIENTISTS WANT TO CROWDSOURCE THE DISCOVERY OF NEW ANTIBIOTICS

via The Verge by Katie Drummond on 12/2/13

URL: <http://www.theverge.com/2013/12/2/5159796/project-iliad-crowdsourced-antibiotic-discovery>

The ILIAD project looks to amass an army of citizen scientists . . .

FACEBOOK NEEDS TO LEARN IT CAN'T TEACH TOLERANCE BY ACTING AS AN OVERZEALOUS CENSOR

via Techdirt by Tim Cushing on 12/2/13

URL: <http://www.techdirt.com/articles/20131127/22113225398/facebook-needs-to-learn-it-cant-teach-tolerance-acting-as-overzealous-censor.shtml>

Facebook is developing a speech impediment.

APPLE BUYS TWITTER DATA TOOL

via WSJ.com: Technology by Daisuke Wakabayashi & Douglas Macmillan on 12/2/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304854804579234450633315742>

Apple has acquired social-media analytics firm Topsy Labs for more than \$200 million, according to people familiar with the matter. The startup specializes in data from Twitter.

TWITTER HASHTAG INVENTOR EXPLAINS WHY PATENTING IT WOULD HAVE BEEN THE WRONG THING TO DO

via Techdirt by Glyn Moody on 12/4/13

URL: <http://www.techdirt.com/articles/20131128/06163525399/twitter-hashtag-inventor-understands-why-patenting-it-would-have-been-counterproductive-inappropriate.shtml>

Hashtags like #techdirt are not only an indispensable part of Twitter, but are also increasingly to be found elsewhere as a handy way of flagging up key topics in a compact and recognizable way.

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JUDGE DROPS DAMAGES EXPERT FROM SUIT AGAINST FACEBOOK

via Law.com - Newswire by Jan Wolfe on 12/4/13

URL: <http://www.americanlawyer.com/digestTAL.jsp?id=1386173195305>

A U.S. district judge has disqualified a damages expert who was set to testify that Facebook should pay millions of dollars for allegedly infringing two patents relating to social networking, writing the expert's "testimony would be unreliable."

FACEBOOK DENIED QUICK WIN IN 'LIKE' BUTTON PATENT SUIT

via Intellectual Property Law360 by Allissa Wickham on 12/5/13

URL: <http://www.law360.com/ip/articles/493302>

Facebook Inc. lost a bid to dismiss a patent infringement suit over the company's "Like" button on Tuesday, when a Virginia federal judge ruled that there were still too many questions that needed to be answered in the case.

FACEBOOK, YAHOO, GOOGLE ACCOUNTS AMONG 2M HACKED

via Law360 by Zachary Zagger on 12/5/13

URL: <http://www.law360.com/media/articles/493669>

Hackers have stolen the login passwords and other credentials of 2 million user accounts from popular websites such as Facebook, Gmail and Yahoo, researchers of the cybersecurity firm Trustwave said Tuesday.

NLRB SOCIAL MEDIA PUSH LOOMS LARGE FOR HOSPITALITY SECTOR

via Law360 by Natalie Rodriguez on 12/5/13

URL: <http://www.law360.com/media/articles/493252>

With the National Labor Relations Board increasingly interjecting into non-union issues, hotels, restaurants and other labor-intensive hospitality companies need to brace for potential claims and tread carefully when crafting social media policies for employees, experts say.

**NINTH CIRCUIT KILLS CONTRIBUTORY ACPA CYBERSQUATTING DOCTRINE—
PETRONAS V. GODADDY**

via Technology & Marketing Law Blog by Venkat Balasubramani on 12/6/13

URL: <http://blog.ericgoldman.org/archives/2013/12/ninth-circuit-kills-contributory-acpa-cybersquatting-doctrine-petronas-v-godaddy.htm>

A domain name registrant transferred the petronastower.net and petronastowers.net domain names into GoDaddy and used GoDaddy's name forwarding service to direct them to (NSFW) canfunchat.com.

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<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

PROF. BRUCE BOYDEN'S NEW ARTICLE THE FAILURE OF THE DMCA NOTICE AND TAKEDOWN SYSTEM: A 20TH CENTURY SOLUTION TO A 21ST CENTURY PROBLEM
via Copyright Alliance by Sofia Castillo on 12/6/13

URL:

https://copyrightalliance.org/2013/12/prof_bruce_boydens_new_article_failure_dmca_notice_and_takedown_system_20th_century_solution

Legal Advisory Board Member, Prof. Bruce Boyden (Marquette University) recently published an article on the status of the DMCA Notice and Takedown System in its 15th anniversary.

CAN APPROPRIATE ARTIST CREDIT CO-EXIST WITH TUMBLR AND BUZZFEED?
via Comics Alliance by Matt D. Wilson on 12/6/13

URL: <http://comicsalliance.com/artist-credit-social-media-tumblr-buzzfeed-comics/>

Last week, cartoonist Rachel Dukes posted some eye-opening statistics to her Tumblr about a comic she made about what life as a cat owner is like.

ARRESTS OVER SATIRICAL VIDEO LAY BARE EMIRATI SENSITIVITIES
via NYT > Media & Advertising by Ben Hubbard on 12/6/13

URL: <http://www.nytimes.com/2013/12/06/world/middleeast/united-arab-emirates-satirical-video.html>

Rights groups say the case is only the most recent example of the extreme sensitivity of Persian Gulf monarchies to the power of social media.

WORDPRESS SUES DMCA TAKEDOWN ABUSERS
via JOLT Digest by Suzanne Van Arsdale on 12/6/13

URL: <http://jolt.law.harvard.edu/digest/copyright/wordpress-sues-dmca-takedown-abusers>

Automattic Inc. & Hotham v. Steiner
Automattic Inc. & Retraction Watch, LLC v. Chatwal

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#BRINGBACKMILES: YOU NEED TWITTER ACCOUNTS FOR ALL COMPANY BRANDS

via FindLaw Writ - Recent Articles by William Peacock, Esq. on 12/5/13

URL: http://blogs.findlaw.com/in_house/2013/12/bringbackmiles-you-need-twitter-accounts-for-all-company-brands.html

Pace Salsa really is the best. Hot Pace Picante? Mmmm ... so good. It also has (had?) a Twitter account: @Pace_Foods, which stirred up quite the controversy over the weekend. Kyle Kinane, a stand-up comedian, noticed that a ten-month old tweet, accusing the company of using homophobic advertising, was favorited.....

ILL-ADVISED STUDENT YOUTUBE VIDEO LEADS TO CONVICTION FOR MISUSING COMPUTERIZED COMMUNICATION SYSTEM--IN RE KALEB K.

via Technology & Marketing Law Blog by Venkat Balasubramani on 12/7/13

URL: <http://blog.ericgoldman.org/archives/2013/12/ill-advised-student-youtube-video-leads-to-conviction-for-misusing-computerized-communication-system-in-re-kaleb-k.htm>

Kaleb, a high school student, allegedly created a YouTube video with a rap song about his Spanish teacher that contained "crude and vulgar language" about the teacher.

HANDY LETS YOU GET HANDSY WITH YOUTUBE RECIPES WITHOUT MAKING A MESS

via Ars Technica by Katie Collins on 12/8/13

URL: <http://arstechnica.com/gadgets/2013/12/handy-lets-you-get-handsy-with-youtube-recipes-without-making-a-mess/>

If you've ever tried to follow a recipe online while cooking simultaneously, you'll know it can be a messy business.

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<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

TWIBEL LAW: WHAT DEFAMATION AND ITS REMEDIES LOOK LIKE IN THE AGE OF TWITTER

via Suffolk Journal of High Technology Law by Elyn M. Angelotti on 2013

URL: http://www.suffolk.edu/documents/jhtl_publications/ANGELOTTI-MACROFINALFINAL.pdf

In six years, the Twitter audience has quickly grown to more than 140 million users² who can instantly publish to a global audience. The informal nature of conversations on Twitter makes it a ripe environment for the spreading of rumors and potential falsehoods. While a few Twibel suits have been brought to the fore-front, the courts have yet to rule on a case in the United States. This article presents a hypothetical situation where an influential Twitter user posts false content about a local restaurant that rapidly spreads online. This results in the restaurant's demise. The defamed party considers bringing a defamation claim, but realizes the remedy would not provide proper relief for the damage that has already been done via social networks. Throughout its history, defamation law has aimed to strike a balance between free speech and protecting the reputations of others. Especially in the past half-century, the courts have looked specifically at the role and status of the defamed. Applying traditional defamation law to Twitter requires classifying online users and their speech in new ways that have yet to be clarified. Second, the article explores the passive publication process of traditional media, and how Twitter has changed this process by inviting a new class of publishers who, as a result, have increased the pressure of being first to publish, often to the detriment of truth and accuracy. Third, while traditional methods may be adequate when the defendant is a mainstream media organization, the existing legal framework is less effective in the Twitter environment, one that is fast, flexible and free. Further, the global reach of Twitter means international law may impact domestic Twibel decisions. This article concludes that it is necessary to find a remedy for Twibel that uses defamation law as a tool and not an obstacle. Twibel needs an adaptable remedy that encourages civil discourse among users and deters defamatory speech on Twitter. It is crucial that this remedy considers how technology has fundamentally changed the way people create and consume news and information.

LINKEDIN SAYS USERS CONSENTED TO EMAIL ACCOUNT ACCESS

via Law360 by Lance Duroi on 12/9/13

URL: <http://www.law360.com/media/articles/494179>

LinkedIn Corp. on Friday urged a California federal judge to ditch a proposed class action accusing the professional networking website of breaking into its users' email accounts to pitch the service to their contacts, saying its members consent to the practice when they sign up.

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THE GOFER'S EXPANDING PORTFOLIO

via NYT > Media & Advertising by Christine Haughney on 12/8/13

URL: <http://www.nytimes.com/2013/12/09/business/media/magazine-assistants-add-social-media-to-scheduling-and-coffee-runs.html>

The modern assistant has an understanding of social media that time-stretched (and old school) magazine executives lack, and increasingly they are assuming responsibility for spreading the magazine's message.

NEUTRALIZING NEGATIVE PRETRIAL PUBLICITY: A MULTI-PART STRATEGY

via SSRN by Adam B. Schneiderman on 11/6/13

URL: <http://ssrn.com/abstract=2356539>

Cable news, the internet, twenty-four hour news cycles, social media websites including Facebook and Twitter, newspapers, expert and not-so-expert television commentators, interviews of and media releases by participants and observers -- some of whom may have agendas which extend beyond the case at hand -- have significantly increased the amount of information, speculation, and theories made available to the public, and thus potential jurors, about pending cases. This is all the more true with high profile cases. Consultants and lawyers have long intuitively known what psychological research shows -- pretrial publicity can have significant impact on jury verdicts.

The law makes an incorrect assumption that potential jurors can compartmentalize the influence of outside information and set it aside. On this assumption, the law has, through statute and/or judicial opinions, constructed a standard for acceptance/dismissal for cause of a juror based on a juror's self-assessment of whether he/she can set aside facts, views, and opinions and decide the case solely on the basis of the evidenced admitted at trial. This article explores the issue of pretrial publicity (PTP) and juror bias, briefly discusses the psychological literature on the realities of bias and decision-making, and offers a multi-part suggestion for addressing PTP prior to trial, during voir dire and during the trial.

BIGLAW FIRM HOLDS ASSOCIATES TO STRICT SOCIAL MEDIA POLICY

via Above the Law by Joe Patrice on 12/9/13

URL: <http://abovethelaw.com/2013/12/biglaw-firm-holds-associates-to-strict-social-media-policy/>

So what do you think about this policy? Does it earn your "Like" button?

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<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

ANARCHY, STATUS UPDATES, AND UTOPIA
via SSRN by James Grimmelmann on 11/22/13
URL: <http://ssrn.com/abstract=2358627>

Social software has a power problem. Actually, it has two. The first is technical. Unlike the rule of law, the rule of software is simple and brutal: whoever controls the software makes the rules. And if power corrupts, then automatic power corrupts automatically. Facebook can drop you down the memory hole; Paypal can garnish your pay. These sovereigns of software have absolute and dictatorial control over their domains.

Is it possible to create online spaces without technical power? It is not, because of social software's second power problem. Behind technical power there is also social power. Whenever people come together through software, they must agree on which software they will use. That agreement vests technical power in whoever controls the software. Social software cannot be completely free of coercion — not without ceasing to be social, or ceasing to be software.

Rule-of-law values are worth defending in the age of software empires, but they cannot be fully embedded in the software itself. Any technical design can always be changed through an exercise of social power. Software can help by making this coercion more obvious, or by requiring more people to join together in it, but it alone cannot fully protect users. Whatever limits make social software humane, fair, and free will have to come from somewhere else — they will have to come from We the Users.

ZUCKERBERG, OBAMA, AND APPLE TELL KIDS TO TRY PROGRAMMING FOR AN HOUR

via Ars Technica by Casey Johnston on 12/9/13
URL: <http://arstechnica.com/information-technology/2013/12/apple-microsoft-obama-urge-kids-to-spend-an-hour-coding-this-week/>

Code.org's Hour of Code initiative, which kicks off this week, has received endorsements from no less than President Obama, Apple, Facebook, and Microsoft.

TECHNOLOGY FIRMS SEEK GOVERNMENT SURVEILLANCE REFORM

via BBC News by Rory Cellan-Jones on 12/9/13
URL: <http://www.bbc.co.uk/news/technology-25297044>

Leading global technology firms have called for "wide-scale changes" to US government surveillance.

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WATCH ONE KICKSTARTER CREATORS SELF-DESTRUCT AS PEOPLE CALL HIM OUT FOR SCAM PROJECT

via Techdirt by Mike Masnick on 12/9/13

URL: <http://www.techdirt.com/articles/20131207/02231325495/kickstarter-projects-getting-called-out-just-reselling-products-china.shtml>

There have been a few stories over the past year or so of Kickstarter projects simply taking products found elsewhere (often China) slapping a new label on them and claiming they're new.

SOUTH KOREAN SPY AGENCY ALLEGEDLY TRIED TO INFLUENCE PRESIDENTIAL VOTE - BY POSTING 1.2 MILLION TWEETS

via Techdirt by Glyn Moody on 12/9/13

URL: <http://www.techdirt.com/articles/20131205/03343225464/south-korean-spy-agency-allegedly-tried-to-influence-presidential-vote-posting-12-million-tweets.shtml>

Twitter is still a young medium, and it's interesting to see yet more uses being found for it.

TWITTER GOBBLES UP MORE COOKIES WITH RETARGETED ADS, SAYS USERS HAVE PRIVACY CHOICES

via ITworld by Zach Miners on 12/5/13

URL: <http://www.itworld.com/internet/385679/twitter-gobbles-more-cookies-retargeted-ads-says-users-have-privacy-choices>

Twitter will start delivering targeted ads on mobile devices based on Web browsing data

BIGLAW'S BRAVE NEW SOCIAL WORLD

via Above the Law by Brian Dalton on 12/10/13

URL: <http://abovethelaw.com/2013/12/biglaws-brave-new-social-world/>

Why are law firms putting effort into social media, and how well are they doing?

TWITTER MIRROR: CELEBRITIES' NEW PUBLICITY MACHINE

via WSJ.com: Media & Marketing by Katherine Rosman on 12/10/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304744304579250191845094318>

Big events have started using a souped-up tablet on red carpets and in greenrooms to prompt stars to take and share online self-portraits.

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TOP 5 SOCIAL MEDIA MISHAPS BY LAWYERS AND LAW STUDENTS OF 2013

via FindLaw Writ - Recent Articles by William Peacock, Esq. on 12/10/13

URL: <http://blogs.findlaw.com/strategist/2013/12/top-5-social-media-mishaps-by-lawyers-and-law-students-of-2013.html>

Think before you tweet. Don't be a boob on YouTube (especially now that it is tied to your Google+ identity). Facebook can get you fired. Social media is here to stay, but as everyone and their mother joins Facebook, it becomes more and more important to protect your neck. These.....

BDS OPPONENT CLAIRE POTTER SUFFERS SOCIAL MEDIA HARASSMENT FOR HER VIEWS

via The Volokh Conspiracy by David Bernstein on 12/10/13

URL: <http://www.volokh.com/2013/12/10/bds-opponent-claire-potter-suffers-social-media-harassment-views/>

then changes her mind on the American Studies Association boycott resolution, perhaps for other reasons.

FACEBOOK COMPLAINT ABOUT BOSS'S CREEPY HANDS CAN'T SALVAGE RETALIATION/HARASSMENT CLAIMS

via Technology & Marketing Law Blog by Venkat Balasubramani on 12/11/13

URL: <http://blog.ericgoldman.org/archives/2013/12/facebook-complaints-about-bosss-creepy-hands-cant-salvage-retaliationharassment-claims.htm>

DeBord worked for Mercy Health systems.

DOES THIS BIGLAW SOCIAL MEDIA POLICY GO TOO FAR?

via FindLaw Writ - Recent Articles by William Peacock, Esq. on 12/10/13

URL: http://blogs.findlaw.com/greedy_associates/2013/12/does-this-biglaw-social-media-policy-go-too-far.html

Employers need social media policies. After all, pretty much everyone is on a social network today, even my luddite stepfather, who refuses to carry a cell phone, yet has Google+ and LinkedIn profiles. And the combination of social media, search engines, and blogs writing about lawyers makes it easy to.....

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BANKS GET SOCIAL MEDIA GUIDANCE FROM US REGULATORS
via Law360 by Brian Mahoney on 12/11/13
URL: <http://www.law360.com/media/articles/495162>

American financial institutions face significant risks in the absence of clear policies governing the use of social media by its employees and representatives, a U.S. government oversight agency said in advisory guidance issued Wednesday.

LINKEDIN LITIGATION: SHRINKWRAP LICENSING STRETCHED TO ITS LIMITS?
via FindLaw Writ - Recent Articles by William Peacock, Esq. on 12/12/13
URL: http://blogs.findlaw.com/ninth_circuit/2013/12/linkedin-litigation-shrinkwrap-licensing-stretched-to-its-limits.html

A gaggle of angry social networking professionals claim that LinkedIn "hacked" their email accounts, leading to a deluge of emails to their contact lists with invitations to connect with them on the social network, complete with their photo, name, and implied endorsement. They want the email spamming to stop. LinkedIn,.....

TWITTER IMMEDIATELY REVERSES COURSE ON CHANGES TO "BLOCK" BEHAVIOR
via Ars Technica by Andrew Cunningham on 12/12/13
URL: <http://arstechnica.com/business/2013/12/twitter-immediately-reverses-course-on-changes-to-block-behavior/>

Twitter prompted an outcry and backlash from some of its more vocal users this evening when it changed the way that its "block" feature worked.

INSTAGRAM SENDERS CAN DELETE THEIR MESSAGES FROM RECIPIENTS' PHONES
via Ars Technica by Casey Johnston on 12/12/13
URL: <http://arstechnica.com/business/2013/12/instagram-senders-can-delete-their-messages-from-recipients-phones/>

The surface read of Instagram's announcement of a messaging-like feature today was a bit underwhelming.

YOUTUBE FAILS IN EXPLAINING FLOOD OF TAKEDOWNS FOR LET'S PLAY VIDEOS
via Techdirt by Mike Masnick on 12/12/13
URL: <http://www.techdirt.com/articles/20131211/17365325537/youtube-fails-explaining-flood-takedowns-lets-play-videos.shtml>

Last week, there had been some rumors that YouTube was changing its policies around so-called "let's play" videos, with some arguing that "Google was implementing SOPA" when it came to let's play videos -- and that all videos would have to be previewed first to make sure there was no use of copyright-covered content.

INSTAGRAM STRIKES BACK AT SNAPCHAT
via WSJ.com: Technology by Reed Albergotti on 12/13/13
URL: <http://online.wsj.com/news/articles/SB10001424052702304202204579254704216106152>

Facebook's Instagram app is launching a photo- and video-messaging service, soon after popular mobile app Snapchat spurned a \$3 billion offer from the social network.

INSTAGRAM TURNS ITSELF INTO A PHONE MESSAGING APP
via Ars Technica by Casey Johnston on 12/12/13
URL: <http://arstechnica.com/business/2013/12/instagram-turns-itself-into-a-photo-messaging-app/>

Instagram announced "Instagram Direct," a new service that allows users to send photos to a certain set of recipients, at a press event Thursday in New York.

COMPETING FOR INFLUENCERS IN A SOCIAL NETWORK
via NETinst.org by Zsolt Katona on 09/25/13
URL: http://www.netinst.org/Katona_13-06.pdf

This paper studies the competition between firms for influencers in a network. Firms spend effort to convince influencers to recommend their products. The analysis identifies the offensive and defensive roles of spending on influencers. The value of an influencer only depends on the in-degree distribution of the influence network. Influencers who exclusively cover a high number of consumers are more valuable to firms than those who mostly cover consumers also covered by other influencers. Firm profits are highest when there are many consumers with a very low or with very high in-degree. Consumers with an intermediate level of in-degree contribute negatively to profits and high in-degree consumers increase profits when market competition is not intense. Prices are generally lower when consumers are covered by many influencers, however, firms are not always worse off with lower prices. The nature of consumer response to recommendations makes an important difference. When first impressions dominate, firm profits for dense networks are higher, but when recommendations have a cumulative influence profits are reduced as the network becomes dense.

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NEW USE FOR FACEBOOK: APOLOGIZING TO THAT GUY YOU MUGGED THREE DECADES AGO

via Techdirt by Timothy Geigner on 12/13/13

URL: <http://www.techdirt.com/articles/20131202/10265125434/new-use-facebook-apologizing-to-that-guy-you-mugged-three-decades-ago.shtml>

If all you did was pay attention to headlines featuring everyone's favorite/most-hated social network, you would think that all Facebook was good for was being confusing about hate-speech, giving the government as much information about yourself as possible, and apparently being directly responsible for suicides.

THREE MEN ARRESTED AFTER ANTI-SEMITIC TWEETS AFTER PREMIER LEAGUE MATCH

via Reuters on 12/13/13

URL: <http://www.reuters.com/article/2013/12/13/us-soccer-england-racism-tweets-idUSBRE9BC0D520131213>

Three men have been arrested for posting anti-Semitic comments on Twitter following Tottenham Hotspur's Premier League match against West Ham United in October, police said on Friday.

POLICE OFFICER'S FACEBOOK POST CRITICIZING HER BOSS ISN'T PROTECTED SPEECH—GRAZIOSI V. GREENVILLE

via Technology & Marketing Law Blog by Venkat Balasubramani on 12/14/13

URL: <http://blog.ericgoldman.org/archives/2013/12/police-officers-facebook-post-criticizing-her-boss-isnt-protected-speech-graziosi-v-greenville.htm>

Graziosi was a Sergeant of the Greenville Police Department. She alleges she was wrongfully discharged due to comments she posted to Facebook.

GETTING STOCK TIPS FROM TWEETS

via WSJ.com: Technology by Georgia Wells on 12/15/13

URL: <http://online.wsj.com/news/articles/SB10001424052702303653004579210260999153206>

Some companies have developed analytical tools that can help investors filter tweets and draw conclusions about where the market is headed.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

YOU CANNOT BE SERIOUS, LAW FIRM TELLS FLORIDA BAR
via Courthouse News Service on 12/13/13
URL: <http://www.courthousenews.com/2013/12/13/63717.htm>

The Florida Bar unconstitutionally prohibits attorneys from posting "garden variety" statements on blogs, websites and social media sites - rules so strict they would have sanctioned Abe Lincoln, a law firm claims in a First Amendment complaint.

FLA. LAW FIRM SUES STATE BAR OVER SOCIAL MEDIA RULES
via Law360 by Carolina Bolado on 12/16/13
URL: <http://www.law360.com/corporate/articles/496042>

A Florida law firm is challenging the Florida Bar's rules regarding attorney advertising, claiming in a suit filed Wednesday that the rules, which were recently expanded to cover websites including social media pages, violate the firm's First Amendment rights and are unconstitutionally vague.

SARAH PALIN SAYS FACEBOOK POST OF 9/11 PHOTO WAS FAIR USE
via Intellectual Property Law360 by Bill Donahue on 12/13/13
URL: <http://www.law360.com/ip/articles/495676>

Conservative pundit Sarah Palin fired back Friday at claims she infringed a New Jersey newspaper's famous photo of firemen raising an American flag on Sept. 11 by posting it to her Facebook wall, calling the posting a legal fair use.

COURTNEY LOVE NEARS JUDGMENT DAY ON SCANDALOUS TWEET
via Hollywood Reporter - THR, Esq. by Eriq Gardner on 12/16/13
URL: <http://www.hollywoodreporter.com/thr-esq/courtney-love-nears-judgment-day-665871>

A judge will decide whether the singer defamed her ex-lawyer and what a jury trial next month will examine.

BEYONCE REJECTS TRADITION FOR SOCIAL MEDIA'S POWER
via NYT > Media & Advertising by BEN SISARIO on 12/15/13
URL: <http://www.nytimes.com/2013/12/16/business/media/beyonce-rejects-tradition-for-social-medias-power.html>

The pop star bypassed the standard practice of relentless promotion when she released her album last week, and the impressive response may have blazed a new trail for the music industry.

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FACEBOOK IS TRACKING WHAT YOU DON'T DO ON FACEBOOK

via Ars Technica by Casey Johnston on 12/16/13

URL: <http://arstechnica.com/business/2013/12/facebook-collects-conducts-research-on-status-updates-you-never-post/>

Facebook released a study (PDF) last week indicating that the company is moving into a new type of data collection in earnest: the things we do not say.

BLOGGER OFFERS TO PIMP RESTAURANTS IF THEY FEED HER AND HER FAMILY FOOD AND DRINKS

via Techdirt by Timothy Geigner on 12/16/13

URL: <http://www.techdirt.com/articles/20131212/10571425550/blogger-offers-to-pimp-restaurants-if-they-feed-her-her-family-food-drinks.shtml>

As the online world continues to mature, and often push out previous dead-tree players, reputation is going to be of paramount importance.

FACEBOOK IS TRACKING WHEN YOU WRITE SOMETHING...AND THEN DECIDE TO DELETE IT RATHER THAN POST IT

via Techdirt by Mike Masnick on 12/16/13

URL: <http://www.techdirt.com/articles/20131215/23260825572/facebook-is-tracking-when-you-write-something-then-decide-to-delete-it-rather-than-post-it.shtml>

We've all done it.

DOES YOUR LAW FIRM'S SOCIAL MEDIA POLICY 'READ LIKE THE PATRIOT ACT'?

via Law.com - Newswire by Angela Hunt on 12/16/13

URL: <http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1387044059856>

Law firm social media policies should be specific, but those that border on the overbearing can do more harm than good.

REPORT: FACEBOOK SET TO FINALLY LAUNCH AUTO-PLAY VIDEO ADS IN NEWS FEEDS

via Ars Technica by Cyrus Farivar on 12/17/13

URL: <http://arstechnica.com/business/2013/12/report-facebook-set-to-finally-launch-auto-play-video-ads-in-news-feeds/>

Facebook is due to announce the launch of video advertisements in users' news feeds on Tuesday, according to The Wall Street Journal, citing anonymous sources.

ABA Copyright & Social Media Committee
<http://apps.americanbar.org/dch/committee.cfm?com=PT030900>

FACEBOOK ADS RISK ALIENATING USERS

via WSJ.com: Technology by Reed Albergotti, Suzanne Vranica & Ben Fritz on 12/17/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304403804579263371125671670>

Some advertisers rejoiced when Facebook introduced long-awaited video advertisements. A bigger question is how users will react.

CLAIMS MOVE FORWARD AGAINST NASDAQ OVER BOTCHED FACEBOOK IPO

via Law.com - Newswire by Amanda Bronstad on 12/17/13

URL: <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202633552309>

A federal judge has refused to dismiss about a dozen lawsuits brought against Nasdaq OMX Group Inc. over Facebook Inc.'s botched IPO, finding the exchange was not immune from liability over the technical glitches that occurred that day.

GOOGLE, FACEBOOK DENIED ATTYS' FEES AFTER BEATING IP SUIT

via Intellectual Property Law360 by Dan Prochilo on 12/18/13

URL: <http://www.law360.com/ip/articles/496949>

Facebook Inc. and Google Inc. couldn't force a patent holder to pay millions to cover their litigation expenses in a failed infringement suit against them over mobile-website-technology patents, with a New York federal judge finding Tuesday there was no proof the plaintiff had stubbornly pursued a doomed case.

PROSECUTOR MAKES ILL-ADVISED TWEETS DURING CRIMINAL CASE—STATE V. POLK

via Technology & Marketing Law Blog by Venkat Balasubramani on 12/18/13

URL: <http://blog.ericgoldman.org/archives/2013/12/prosecutor-makes-ill-advised-tweets-during-criminal-case-state-v-polk.htm>

Polk was convicted of assaulting an 11 year old some 20 years after the event, in part based on DNA evidence.

ADVERTISING: IN FACEBOOK NEWS FEEDS, HERE COME THE COMMERCIALS

via NYT > Media & Advertising by Jenna Wortham on 12/17/13

URL: <http://bits.blogs.nytimes.com/2013/12/17/facebook-introduces-video-ads/>

Starting this week, Facebook will introduce video advertisements into the news feeds of its users.

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INDIAN POLITICAL CARTOON DELETED FROM TWITTER — NO EXPLANATION YET
via CBLDF by Maren Williams on 12/17/13
URL: <http://cblfd.org/2013/12/indian-political-cartoons-deleted-from-twitter-no-explanation-yet/>

Indian blogs are reporting that two pieces by political cartoonist Manjul were repeatedly deleted from Twitter with no explanation over the weekend, but the cartoons have just as mysteriously been allowed to remain after he posted each of them a third time.

FACEBOOKING WOMAN TAKES A LONG WALK OFF A SHORT PIER
via Techdirt by Timothy Geigner on 12/18/13
URL: <http://www.techdirt.com/articles/20131218/04344725603/facebooking-woman-takes-long-walk-off-short-pier.shtml>

The stories of people paying such rapt attention to their phones or GPS have somehow tapered off lately.

FACEBOOK CAN'T SHED INVESTOR SUIT OVER IPO
via Law360 by Jeff Sistrunk on 12/18/13
URL: <http://www.law360.com/media/articles/496952>

Facebook Inc., its CEO Mark Zuckerberg and underwriters of the company's \$16 billion initial public offering must face a class action by investors who claim they suffered losses because the company misled the public about its financial prospects in the runup to the IPO, a New York federal judge has ruled.

HOW THEY WON IT: WILLKIE FIGHTS FOR HAITI PHOTOG
via Law360 by Bill Donahue on 12/18/13
URL: <http://www.law360.com/media/articles/496842>

In convincing a New York federal jury in November to find that Agence France-Presse and Getty Images Inc. willfully stole images that a Haitian photojournalist posted to Twitter — and to award \$1.2 million in damages — attorneys from Willkie Farr & Gallagher LLP showed that preparation is everything.

CFP: TECHNOLOGY, SOCIAL MEDIA & LAW
via Legal Scholarship Blog on 12/19/13
URL: <http://legalscholarshipblog.com/?p=14089>

Laws (an international, peer-reviewed, open-access journal) invites submissions for a special issue on Technology, Social Media and Law.

SOCIAL DATA

via SSRN by Woodrow Hartzog on 12/17/13

URL: <http://ssrn.com/abstract=2368988>

As online social media grow, it is increasingly important to distinguish between the different threats to privacy that arise from the conversion of our social interactions into data. One well-recognized threat is from the robust concentrations of electronic information aggregated into colossal databases. Yet much of this same information is also consumed socially and dispersed through a user interface to hundreds, if not thousands, of peer users.

In order to distinguish relationally shared information from the threat of the electronic database, this essay identifies the massive amounts of personal information shared via the user interface of social technologies as “social data.” The main thesis of this essay is that, unlike electronic databases, which are the focus of the Fair Information Practice Principles (FIPPs), there are no commonly accepted principles to guide the recent explosion of voluntarily adopted practices, industry codes, and laws that address social data.

This essay aims to remedy that by proposing three social data principles — a sort of FIPPs for the front-end of social media: the Boundary Regulation Principle, the Identity Integrity Principle, and the Network Integrity Principle. These principles can help courts, policymakers, and organizations create more consistent and effective rules regarding the use of social data.

NEWS CORP BUYS STORYFUL

via WSJ.com: Technology by Ben Fox Rubin on 12/20/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304866904579270043818215428>

News Corp made its first acquisition since separating from 21st Century Fox, buying "social news" agency Storyful for \$25 million.

FACEBOOK, ZUCKERBERG TO SELL 70M SHARES

via Law360 by Benjamin Horney on 12/19/13

URL: <http://www.law360.com/media/articles/497256>

Facebook Inc. said Thursday that it and certain shareholders will sell 70 million shares of its class A common stock, as it prepares to be listed on the exclusive Standard & Poor's 500-stock index beginning Friday.

THE RISKS OF BEING RICH ON SOCIAL MEDIA

via WSJ.com: Technology by Veronica Dagher on 12/20/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304173704579264461779556586>

Learning about investments is just one aspect of inheriting a lot of money.

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THE LEDE: A TWITTER MESSAGE ABOUT AIDS, FOLLOWED BY A FIRING AND AN APOLOGY

via NYT > Media & Advertising by Ashley Southall on 12/20/13

URL: <http://thelede.blogs.nytimes.com/2013/12/20/a-twitter-message-about-aids-africa-and-race/>

A Manhattan public relations executive loses her job after a post on Twitter about AIDS, race and Africa created an online furor.

DO WE WANT AN ERASABLE INTERNET?

via WSJ.com: Technology by Farhad Manjoo on 12/22/13

URL: <http://online.wsj.com/news/articles/SB10001424052702304773104579272723222788620>

Farhad Manjoo: The Internet doesn't necessarily have to keep our digital effluvia around forever, and Snapchat has proved it. Do we want an erasable Internet?

FACEBOOK CAN'T DUCK MINORS' CREDIT PURCHASES CLASS ACTION

via Law360 by Kat Greene on 12/20/13

URL: <http://www.law360.com/media/articles/497888>

Facebook Inc. will have to face a putative class action by a group of minors who spent money via Facebook Credit purchases without their parents' permission on the social networking site, but the parents' bids in the suit have been grounded, a California federal judge ruled Friday.

BRAND BATTLES: 'THE HOBBIT,' GOOGLE, INSTAGRAM

via Law360 by Bill Donahue on 12/20/13

URL: <http://www.law360.com/media/articles/497834>

In Law360's latest roundup of new actions at the Trademark Trial and Appeal Board, the owners of J.R.R. Tolkien's characters embark on a trademark journey, two companies try to shatter Google's "Glass" and Instagram doesn't like a rival "gram" mark.

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