



DEPARTMENT OF COMMERCE

CONSUMER MESSAGING IN CONNECTION WITH ONLINE TRANSACTIONS INVOLVING COPYRIGHTED WORKS

PUBLIC MEETING

April 18, 2017, 1:00 p.m. – 5:00 p.m.
United States Patent and Trademark Office
Live webcast available at: <http://bit.ly/2neER4V>

AGENDA

- 12:30 p.m. – 1:00 p.m. **Check-in**
- 1:00 p.m. – 1:05 p.m. **Welcome Remarks**
Shira Perlmutter, Chief Policy Officer & Director for International Affairs,
USPTO
- 1:05 p.m. – 1:20 p.m. **Presentation: Overview of Copyright in Digital Transactions and the Online Marketplace**
An overview of how copyright law affects consumer transactions in an evolving online marketplace.
David Carson, Senior Copyright Counsel, Office of Policy and International Affairs (OPIA), USPTO
- 1:20 p.m. – 1:40 p.m. **Research Presentation: What We Buy When We Buy Now**
A presentation based on a recent study of consumers' perceptions of marketing language used by digital media retailers.
Aaron Perzanowski, Professor of Law, Case Western Reserve University Law School
- 1:40 p.m. – 2:20 p.m. **Discussion: Reactions to Research Presentation**
A panel discussion followed by audience participation.
Moderator: *David Carson*, Senior Copyright Counsel, OPIA, USPTO
Greg Barnes, General Counsel, Digital Media Association (DiMA)
John Bergmayer, Senior Staff Attorney, Public Knowledge
Mark Fisher, President & CEO, Entertainment Merchants Association (EMA)
Ben Sheffner, Senior Vice President & Associate General Counsel, Copyright & Legal Affairs, Motion Picture Association of America (MPAA)

- 2:20 p.m. – 3:00 p.m. **Series of Presentations: Informative Perspectives**
A series of presentations providing background and context on consumer messaging in the online marketplace.
Facilitator: Luis E. Zambrano Ramos, Policy Analyst, NTIA
- Designing and Evaluating Disclosures in a Digital World**
Lorrie Cranor, Professor, Carnegie Mellon University
- Consumer Perceptions: Communications Research Trends**
Florencia Marotta-Wurgler, Professor of Law, NYU
- Consumer Disclosures: An Overview**
Deborah Lodge, Partner, Squire Patton Boggs (US) LLP
- 3:00 p.m. – 3:10 p.m. **Break**
- 3:10 p.m. – 4:10 p.m. **Discussion: Communicating Copyright Terms in Digital Transactions to Consumers**
A panel discussion followed by audience participation addressing: (i) how to determine what copyright-related terms and conditions are important to communicate to consumers in the online environment; and (ii) how best to ensure that license terms related to copyright are clearly and effectively communicated.
Moderator: Susan Allen, Attorney Advisor, OPIA, USPTO
Allan Adler, General Counsel & Vice President, Government Affairs, Association of American Publishers (AAP)
BJ Ard, PhD Candidate, Yale Law School and Resident Fellow, Yale Information Society Project
Bob Gomulkiewicz, Professor, University of Washington Law School
Florencia Marotta-Wurgler, Professor of Law, NYU
Brian Scarpelli, Senior Policy Counsel, ACT | App Association
- 4:10 p.m. – 4:20 p.m. **Presentation: Software Enabled Consumer Products Study**
Relevant points from the US. Copyright Office's recent study reviewing the role of copyright law with respect to software-enabled consumer products.
Catherine Rowland, Senior Advisor to the Register of Copyrights, U.S. Copyright Office
- 4:20 p.m. – 4:50 p.m. **Discussion: What Are the Next Steps?**
A discussion with audience participation addressing whether additional work should be done in this area, and if so, in what forum and how.
Facilitator: John Morris, Associate Administrator and Director of Internet Policy, NTIA
- 4:50 p.m. – 5:00 p.m. **Closing Remarks, Wrap-up**
John Morris, Associate Administrator and Director of Internet Policy, NTIA