



## 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*  
*Jen King, PhD Candidate, School of Information, UC Berkeley*  
*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*