Thursday, May 12, 2016

9:00 – 10:30 AM
SESSION 1
Notice-and-Takedown Process—Identification of Infringing Material and Notice Submission

10:30 – 10:45 AM
BREAK

10:45 AM – 12:15 PM
SESSION 2
Notice-and-Takedown Process—Service Provider Response and Counter-Notifications

12:15 – 1:30 PM
LUNCH ON YOUR OWN

1:30 – 3:00 PM
SESSION 3
Applicable Legal Standards

3:00 – 3:15 PM
BREAK

3:15 – 4:45 PM
SESSION 4
Scope and Impact of Safe Harbors

Friday, May 13, 2016

9:00 – 10:30 AM
SESSION 5
Technological Strategies and Solutions

10:30 – 10:45 AM
BREAK

10:45 AM – 12:15 PM
SESSION 6
Voluntary Measures and Industry Agreements

12:15 – 1:30 PM
LUNCH ON YOUR OWN

1:30 – 3:00 PM
SESSION 7
Future of Section 512

3:00 – 3:15 PM
BREAK

3:15 – 4:45 PM
WRAP-UP/OPEN MIC
Thursday, May 12, 2016

9:00 – 10:30 AM

SESSION 1

Notice-and-Takedown Process—Identification of Infringing Material and Notice Submission

Overall effectiveness of process, including issues relating to timing and linked content; volume of notices; burdens on large- and small-scale creators and copyright owners; considerations and strategies in sending notices, including automated notices versus human review; fair use considerations; moral rights issues; "whack-a-mole" issue; relevant empirical data; and other pertinent issues.

Jordan Berliant
George Borkowski
Rebecca Cusey
Ron Gard
Dave Green
Alex Feerst
Wayne Kramer
Keith Kupferschmid
Jeff Lyon
Brian McNelis
Corynne McSherry
Braxton Perkins
Jay Rosenthal
Charles Roslof
T.J. Stiles
Jennifer Urban
Ruth Vitale
Devon Weston
Stephen Worth
Betsy Viola Zedek

Revelation Management Group
Recording Industry Association of America
Arts and Entertainment Advocacy Clinic at George Mason University School of Law
Tulane University Law School
Microsoft
Medium
Movie Prose
Copyright Alliance
Fight for the Future
Lakeshore Records
Electronic Frontier Foundation
NBC Universal
ESL Music/ESL Music Publishing
Wikimedia Foundation
Author
University of California-Berkeley School of Law
Creative Future
Digimarc
Amazon
Disney

10:30 – 10:45 AM   BREAK
Notice-and-Takedown Process—Service Provider Response and Counter-Notifications

Handling of and response to notices, including timing and notices from high-volume senders; sending and handling of counter-notifications; volume of notices and counter-notifications; costs and burdens on large- and small-scale service providers; role of automation, including filtering technologies; noncompliant notices and misuse of notice process; rejection of notices; impact of takedowns on users and public; protections for fair use; relevant empirical data; and other pertinent issues.

Applicable Legal Standards

Actual and "red flag" knowledge requirements; financial benefit/right to control test; willful blindness; repeat infringers; good-faith requirements; misrepresentation; fair use; use of representative lists; availability of injunctive relief; use of subpoenas; role of "standard technical measures"; and other pertinent issues.
3:00 – 3:15 PM  BREAK

3:15 – 4:45 PM

SESSION 4

Scope and Impact of Safe Harbors

Scope of entities and activities covered by safe harbors; incentives (and disincentives) for creators, copyright owners, online providers, investors, and users; impact on licensing activities; effectiveness of remedies, including ability to proceed in federal court in case of disputed notice or misrepresentation; economic impact on creators, copyright owners, service providers and copyrighted works; relevant empirical data; and other pertinent issues.

Jeffrey Sedlik  PLUS Coalition
Ellen Schrantz  Internet Association
Ben Sheffner  Motion Picture Association of America
Brian Willen  Wilson Sonsini Goodrich
Stephen Worth  Amazon

Lila Bailey  Internet Archive
Jordan Berliant  Revelation Management Group
Andrew Bridges  Fenwick & West LLP
Eric Cady  Independent Film & Television Alliance
Rebecca Cusey  Arts and Entertainment Advocacy Clinic at George Mason University School of Law
Paul Doda  Elsevier
East Bay Ray  Dead Kennedys (Musician)
Steven Ellerd  Graduate Student
Dave Green  Microsoft
Devlin Hartline  Center for the Protection of Intellectual Property
Daphne Keller  Stanford Law School Center for Internet and Society
Joshua Lamel  Re:Create
Steve Marks  Recording Industry Association of America
Michael Masnick  Copia Institute
Donald Passman  Gang Tyre Ramer & Brown, Inc.
Jeffrey Sedlik  PLUS Coalition
Ellen Schrantz  Internet Association
Jonathan Taplin  USC Annenberg Innovation Lab
Elizabeth Valentina  Fox Entertainment Group
Brian Willen  Wilson Sonsini Goodrich
Friday, May 13, 2016

9:00 – 10:30 AM

SESSION 5

Technological Strategies and Solutions

Infringement monitoring tools and services; automated sending of notices, including notice parameters; automated processing of notices; role of human review; identification of works through fingerprinting, hash identifiers, and other technologies; filtering, including "staydown" capabilities; fair use considerations; identification and tracking of repeat infringers; and other pertinent issues.

Scott Andrews
Ron Gard
Joseph Gratz
Daphne Keller
Keith Kupferschmid
Jeff Lyon
Dean Marks
Brian McNelis
Gabriel Miller
Tom Murphy
Braxton Perkins
Chris Riley
Tony Rodriguez
Charles Roslof
Jeffrey Sedlik
Ellen Seidler
Jonathan Taplin
Jennifer Urban
Fred von Lohmann
Betsy Viola Zedek

eBay, Inc.
Tulane University Law School
Durie Tangri LLP
Stanford Law School Center for Internet and Society
Copyright Alliance
Fight for the Future
Motion Picture Association of America
Lakeshore Records
Paramount Pictures Corporation
Content Creators Coalition
NBC Universal
Mozilla
Digimarc
Wikimedia Foundation
PLUS Coalition
Fast Girl Films
USC Annenberg Innovation Lab
University of California-Berkeley School of Law
Google
Disney

10:30 – 10:45 AM BREATK
Voluntary Measures and Industry Agreements

Voluntary alternatives to and modifications of statutory notice-and-takedown process; best practices; collaborative efforts of content owners, service providers and others to address online infringement, including availability of programs to smaller service providers and creators; cooperation in identifying infringers; graduated response programs to address infringement; efforts to delist or downgrade infringing materials within online search results; participation of third-party providers, such as advertisers and payment processors, in voluntary arrangements; overall effectiveness of voluntary arrangements; educational outreach; government role in encouraging private solutions; and other pertinent issues.

Scott Andrews
Alex Feerst
Dave Green
Devlin Hartline
Keith Kupferschmid
Jeff Lyon
Dean Marks
Michael Masnick
Brian McNelis
Michael Michaud
Gabriel Miller
Tom Murphy
Sean O’Connor
Tony Rodriguez
Jeffrey Sedlik
Ira Siegel
T.J. Stiles
Jennifer Urban
Ruth Vitale
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Motion Picture Association of America
Copia Institute
Lakeshore Records
Channel Awesome, Inc.
Paramount Pictures Corporation
Content Creators Coalition
University of Washington (Seattle)
Digimarc
PLUS Coalition
Copyright Enforcement Group Inc.
Author
University of California-Berkeley School of Law
Creative Future
Google

Future of Section 512

General trends, including notice volume and other relevant empirical data; scalability and future viability of section 512 notice-and-takedown system; relevant technological developments; impact of international models and norms; overall balance (or imbalance) of system with respect to copyright owners, service providers, and consumers; whether system is fulfilling Congress’ intended objectives; suggested improvements, including “notice-and-staydown” and enhanced protections against misuse of takedown process; interests of users and the general public; and other pertinent issues.

Ian Ballon
Eric Cady
Deron Delgado
Paul Doda
Alex Feerst
Cathy Gellis
Joseph Gratz
Joshua Lamel
Corynne McSherry
Michael Michaud
Michael Nash
Sean O’Connor
Chris Riley
Jay Rosenthal
Stanford Law School Center for E-Commerce
Independent Film & Television Alliance
American Association of Independent Music
Elsevier
Medium
Digital Age Defense
Durie Tangri LLP
Re:Create
Electronic Frontier Foundation
Channel Awesome, Inc.
Universal Music Group
University of Washington (Seattle)
Mozilla
ESL Music / ESL Music Publishing
3:00 – 3:15 PM  
BREAK

3:15 – 4:45 PM  
Wrap-Up/Open Mic

Panelists from previous sessions and observers may sign up at the roundtable to comment on topics discussed during earlier panels or raise and discuss other pertinent issues.