



MASTER OF LAWS

Course Code: LAW 640

Course Title: E-Commerce Law

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PRE-REQUISITE/CO-REQUISITE/MUTUALLY EXCLUSIVE COURSE(S)

N.A.

COURSE SPECIALISATION

N.A.

GRADING BASIS

Graded

COURSE UNIT

1 CU

FIRST OFFERING TERM

Academic Year: AY2016/2017

Academic Term: Term I

COURSE DESCRIPTION

The course deals with the legal aspects of the commercial exploitation of the Internet, in particular, with the use of the Internet as a platform for content and service delivery. It includes a theoretical as well as a technical backgrounder to illustrate the complexity of the Internet value chain and the to enable the students not only to understand the architecture of the Internet but also to comprehend its implications (*and* limitations) for business. The course presents the legal landscape against broader business trends and concepts like the “Sharing Economy” and the ‘Information Economy.’ By giving a snapshot of the e-commerce market, its major players and dominant revenue models, the individual topics focus on existing challenges of both legal and technological nature. They discuss the respective legal issues that arise at various stages of setting up an online business or adapting an existing business to the online environment. The course is practice-oriented and designed to give the students more confidence when confronting legal problems of technological origin.

PRE-REQUISITE/ CO-REQUISITE/ MUTUALLY EXCLUSIVE COURSE(S)

There are no prerequisites

LEARNING OBJECTIVES

By the end of this course, students will be able to:

- Navigate the legal landscape of e-commerce
- Appreciate the commercial & legal implications of various Internet technologies
- Use (and understand the significance of) arcane acronyms like AJAX, PKI and HTML5
- Differentiate between the public and private law aspects of the Internet
- Differentiate between different business models enabled by the Internet
- Understand Asia-specific issues related to e-commerce business models and laws

RECOMMENDED TEXT AND READINGS

Articles

E Mik, ‘The Unimportance of Being Electronic or - Popular Misconceptions About “Internet Contracting”’ (2011) 19 Int J Law Info Tech 324

J Sommer, ‘Against Cyberlaw’ (2000) 15 Berkeley Tech L J 1145

L Bennett Moses, ‘Adapting the Law to Technological Change: A Comparison of Common Law and Legislation’ (2003) 26 U New S Wales L J 394

J L Zittrain, ‘The Generative Internet’ (2006) 119 Harv L Rev 1974

L Lessig, ‘The Law of the Horse: What Cyberlaw might teach us’ (1999) 113 Harv L Rev 501

T Wu, ‘Application-Centered Internet Analysis’ (1999) 85 Va L Rev 1163

Books

Kenneth C Laudon, Carol Guercio Traver, E-commerce 2014 – business. technology. society. (2014) Pearson

ASSESSMENT METHOD

Class participation: 20%

Seminar presentation: 30%

Individual research paper (3500 words): 50%

Important: Academic Integrity

All acts of academic dishonesty (including, but not limited to, plagiarism, cheating, fabrication, facilitation of acts of academic dishonesty by others, unauthorized possession of exam questions, or tampering with the academic work of other students) are serious offences.

All work (whether oral or written) submitted for purposes of assessment must be the student's own work. Penalties for violation of the policy range from zero marks for the component assessment to expulsion, depending on the nature of the offence.

When in doubt, students should consult the instructors of the course. Details on the SMU Code of Academic Integrity may be accessed at <http://www.smuscd.org/resources.html>.

COURSE SCHEDULE

Session	Topic	Readings (tba)
1	Definitions & Technologies - Protocols and Architecture	
2	Theory & Analytical Frameworks – Cyberspace, Generativity, “Code is Law” & “The Law of the Horse”	
3	The Internet Value Chain: from Connectivity to Cloud Services	
4	The Sharing Economy & The Information Economy	
5	Regulatory Framework: Model Laws and Conventions	
6	Regulatory Framework: Local implementations	
7	Contractual Framework I	

8	Contractual Framework 2	
9	Remote Authentication: the importance of identity and the quest for anonymity	
10	Advertising & Commercial Communications: from Eyeballs to Spam	