

**THE OPIA INSIDER'S GUIDE TO**

**INTELLECTUAL PROPERTY**

**AND**

**CYBERLAW**

**2013**

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# Table of Contents

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<b>Introduction</b> .....	1
<b>Chapter 1: Intellectual Property Issue Areas</b> .....	2
Patent Law .....	2
Copyright Law .....	3
Trademark Law .....	4
Trade Secrets .....	4
Technology Transfer .....	5
Competition and Antitrust .....	5
International Intellectual Property Law .....	6
<b>Chapter 2: Cyberlaw Issue Areas</b> .....	8
Criminal Law .....	8
Online Privacy .....	9
Health Privacy .....	10
Freedom of Expression and Human Rights .....	10
Regulation of the Internet and Net Neutrality .....	11
National Security .....	12
<b>Chapter 3: Practice Settings</b> .....	12
Government .....	13
Nonprofits .....	14
Private Sector .....	14
International .....	15
<b>Chapter 4: Career Narratives</b> .....	17
<b>Chapter 5: Preparing for a Career in Intellectual Property or Cyberlaw</b> .....	22
<b>Chapter 6: Fellowships &amp; Other Opportunities</b> .....	25
Funded Fellowships .....	25
Possible Sponsoring Organizations .....	27
Other Opportunities .....	28
<b>Chapter 7: List of Organizations by Issue Area</b> .....	29
<b>Chapter 8: List of Organizations by Practice Setting</b> .....	37
<b>Chapter 9: IP and Cyberlaw Links</b> .....	42
<b>Appendix: Requirements for Becoming a Patent Agent or Patent Attorney</b> .....	43

# Introduction

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Intellectual property (IP) is a longstanding field of legal practice that traces its roots back to the U.S. Constitution and before. Cyberlaw, by contrast, is a very new area of law that combines innovative legal theories with new takes on traditional doctrine. Both have been significantly impacted by the development of new technology and the growth of the Internet. So, for example, copyright questions have been complicated by Internet users' ability to readily reproduce material online, and criminal law has developed to respond to the wide range of offenses that can now be committed online. Both IP and cyberlaw, therefore, are now expanding fields of increasing importance.

There are opportunities for students and lawyers interested in these issues in many practice settings, ranging from registering patents to antitrust litigation to criminal prosecutions to policy work. IP and cyberlaw attorneys work in government, nonprofits, the private sector, and abroad. Often they work at the cutting edge of technological or legal developments and engage with some of today's most pressing issues. They defend the patents of the world's largest, most innovative companies and protect the rights of the general public; they work for large, high profile law firms and for small NGOs.

This guide provides an overview of the major IP and cyberlaw issue areas and practice settings. It provides advice to students hoping to pursue careers in IP or cyberlaw and lists fellowships and organizations that may offer employment opportunities. In addition, the guide compiles career narratives from professionals in IP and cyberlaw so that students can learn about the day-to-day work and real experiences of attorneys in their fields of interest.

Readers should regard this guide as a starting point for those interested in IP or cyberlaw careers, and should also avail themselves of the many resources available online (some of which are listed at the end of this guide) and research any avenues of particular interest to them. Those interested in the intersection of law and the Internet may find that they are able to pursue their interests in unexpected places, as legal questions raised by the Internet affect almost all individuals and organizations.

# CHAPTER 1

## Intellectual Property Issue Areas

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Intellectual Property is a broad category of law concerning the rights of the owners of intangible products of invention or creativity. For example, IP law grants exclusive rights to certain owners of artistic works, technological inventions, and symbols or designs. Subcategories of IP law include patent, copyright, trademark, and trade secrets. IP lawyers work in litigation, licensing, technology transfer, venture capital, IP asset management, and trademark and patent prosecution.

IP is a rapidly expanding field that offers increasing job opportunities to lawyers. In 1985, 32% of the market value of S&P 500 companies was based on intangible assets, mostly some form of intellectual property. In 2005, these assets represented almost 80% of the same companies' market value.<sup>1</sup> IP, therefore, plays an increasingly important role in business; correspondingly, its regulation and study has an ever-larger place in government, nonprofits, and academia.

There are numerous sub-specialties of IP law, including patent, copyright, trademark, trade secrets, and technology transfer, and many roles that lawyers can play in each.

### Patent Law

Patents are exclusive rights granted to inventors to incentivize the creation and dissemination of useful inventions. In the United States, patents are issued by the U.S. Patent and Trademark Office and grant “the right to exclude others from making, using, offering for sale, or selling” an invention within the U.S. or from importing the invention to the U.S.<sup>2</sup>

It is important to understand the distinctions between three different professional players in the patent law world. The first are patent agents. Patent agents have passed the Patent Bar Exam and are licensed to engage in “patent prosecution”: the preparation and submission of patent applications to the U.S. Patent and Trademark Office (USPTO). Patent agents, however, are not lawyers, and so are restricted to patent prosecution before the USPTO. Non-lawyers with strong technical backgrounds (including law students, in fact) can become patent agents.

In contrast, patent attorneys must be admitted to practice law in at least one U.S. state, and therefore, in addition to prosecuting patents, are also permitted to represent their clients in legal matters, such as offering opinions about patent infringement and drawing up contracts. Lawyers with strong technical

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<sup>1</sup> Richard L. Hermann, *Landing a Federal Legal Job: Finding Success in the U.S. Government Job Market* (Chicago: American Bar Association, 2011), 277.

<sup>2</sup> Economics and Statistics Administration and United States Patent and Trademark Office, “Intellectual Property and the U.S. Economy: Industries in Focus” (March 2012), accessed on August 2, 2013, [http://www.uspto.gov/news/publications/IP\\_Report\\_March\\_2012.pdf](http://www.uspto.gov/news/publications/IP_Report_March_2012.pdf). Students may find it helpful to look at this report.

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## Organizational Profile: Ropes & Gray – Intellectual Property Practice

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Ropes & Gray is a large private law firm that has a highly acclaimed [intellectual property practice](#). Over 230 lawyers, 40 patent agents, and 60 paralegals work on both domestic and international cases in approximately 70 countries. The firm has IP Litigation, Rights Management, and Transactions practices and works in a wide range of industries, including technology, media, life sciences, and health care.

The IP litigation team works on copyright infringement, patent litigation, post-grant patent invalidity challenges, trademark and false advertising litigation, and trade secret litigation. Litigation attorneys recently represented Google to defend its patents covering interactive Web pages and successfully represented Motorola Mobility against Microsoft before the U.S. International Trade Commission. The Rights Management practice files almost 2,000 patent applications internationally in a year. Its attorneys represent clients in proceedings before patent and trademark offices and regulatory agencies. The Transactions team guides its clients through the business cycle to ensure that they retain control over technologies; attorneys structure mergers and acquisitions, negotiate licensing deals, and design privacy protections. Recent transactions clients include Dunkin Brands, Lahey Clinic Hospital, and Johnson & Johnson.

Ropes & Gray has an extensive [recruiting website](#) for law students and recent law graduates. Most attorneys in the IP practice have science or engineering degrees in addition to a J.D.

*(Note: While private firms are obviously not public interest organizations, IP is a highly specialized legal area where there is considerable crossover between the public and private sectors, and developing an expertise in IP law at a private firm can sometimes offer advantages in government or in-house work down the road. Ropes & Gray is included here as one example.)*

backgrounds are good candidates for becoming patent attorneys,<sup>3</sup> and some patent agents go on to study and practice law as patent attorneys.

Finally, attorneys with less technical backgrounds but a strong interest in litigation often become patent (or IP) litigators, who represent clients in patent litigation (usually involving claims of patent infringement) in federal court (the U.S. District Courts and the U.S. Court of Federal Claims). These lawyers often litigate other IP issues (such as copyright and trademark) as well. While patent attorneys may be a part of patent litigation teams and supply expert technical advice to the patent litigators, the patent attorneys typically do not take the lead in litigation.

In addition to the obvious substantive differences, there are also some practical differences between patent attorneys and patent litigators. Preparing patent applications can be a more routine and predictable practice and allows lawyers to maintain a schedule closer to a 9-5 workday. By contrast, IP litigation, like all litigation, can be both more unpredictable and more remunerative.

## Copyright Law

Copyright grants rights to the creator of an original work, including literary, dramatic, musical, and artistic works, and other intellectual works such as software code.

Copyright law is intended to incentivize the creation and dissemination of such works and protects work whether it is published or unpublished. Thoughts and ideas that are never recorded or expressed cannot be copyrighted because copyrighted expression must be tangible. Moreover, copyright protects a form of expression, not the subject matter of a work.

Copyrights are governed by the 1976 Copyright Act, which gives authors exclusive rights to reproduce their work, prepare derivative works, distribute copies of the work, or

<sup>3</sup> “U.S. Patent Attorneys & Lawyers,” Maier & Maier, PLLC, accessed on August 2, 2013, [http://www.maierandmaier.com/Patent\\_Attorney\\_Lawyer.aspx](http://www.maierandmaier.com/Patent_Attorney_Lawyer.aspx).

perform or display the work in public. Once an “original work of authorship” is created, copyright is automatically granted, whether or not the copyright is registered. There are benefits, however, to registering with the Copyright Office, including the ability to use U.S. Customs and Border Patrol to stop the importation of items that infringe on the registered copyright. Copyrights are registered by the Copyright Office of the Library of Congress and last for the remainder of the author’s life plus an additional seventy years.

Copyright attorneys are typically either litigators who help their clients enforce their copyrights, or transactional attorneys who help clients manage and license their copyrightable assets.

## **Trademark Law**

A trademark is “a word, phrase, symbol, or design, or a combination thereof, that identifies and distinguishes the source of the goods of one party from those of others.”<sup>4</sup> It is an exclusive right to use a certain design in commerce. Trademark law is intended to help consumers readily identify the source of a product and to prevent confusion between brands. Registering a trademark does not prevent others from producing a similar good, but it prohibits them from marketing the good with a mark that is similar enough to confuse consumers about the item’s origin.

Trademark lawyers are typically involved in the registration process, provide advice on the development and use of trademarks, or represent their clients in litigation. A party with a registered trademark may sue for infringement if there is a “likelihood of confusion” between two marks, or a party may sue for dilution if another mark weakens the distinctive quality of the trademark in question. Typical defenses against charges of infringement or dilution include fair use, in which a mark is used in good faith for its primary meaning, nominative use, in which a term must be used to identify another producer’s product, and parodies, when they are not closely tied to commercial use and are subject to First Amendment protection.<sup>5</sup>

## **Trade Secrets**

Trade secrets allow companies to maintain the confidentiality of economically beneficial information. For example, the food industry has many trade secrets, from the recipe for Coca-Cola to the eleven herbs and spices in KFC fried chicken. Many companies rely on trade secrets instead of patents, which are more institutionalized, because obtaining a patent requires full disclosure and because patents expire after twenty years, whereas trade secrets can be kept indefinitely. There is no formal way to protect a trade secret, and there is no legal recourse to prevent someone from using a trade secret once it has been made public. Lawyers, therefore, craft non-disclosure and non-compete employment contracts that both protect trade secrets and comply with employment law.

## **Technology Transfer**

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<sup>4</sup> Ibid.

<sup>5</sup> Berkman Center for Internet and Society at Harvard University, “Overview of Trademark Law,” accessed on August 2, 2013, <http://cyber.law.harvard.edu/metaschool/fisher/domain/tm.htm>. Visit this site for a full overview of trademark law.

Technology transfer refers to the process by which governments, universities, and other organizations transfer inventions, knowledge, or materials subject to IP restrictions amongst themselves. Transfer from universities or governments to the private sector is also called technology commercialization. Technology transfer typically entails licensing, which grants IP rights by contract. In these situations, lawyers determine what is being transferred (royalties, patents, copyrights, etc.) and draft contracts. Because the U.S. government and universities commercialize huge amounts of technology, technology transfer is a fast-growing field of IP law.

## Competition and Antitrust

Antitrust law protects consumers from excessive monopolies and predatory business practices. The Sherman Antitrust Act of 1890 was the first federal legislation to place limits on monopolies and cartels in order to promote competition, charging the federal government with investigating companies suspected of violating these limits. Although it is over 100 years old, this Act still forms the basis for most antitrust litigation pursued by the federal government.

At first glance, IP law and antitrust law may seem to work at cross purposes. However, many consider the two bodies of law to be complementary, as both are aimed at encouraging innovation, industry, and competition. For a fuller explanation of the intersection between IP and antitrust law, see the 2000 [Federal Trade Commission Report](#). A 1995 report issued jointly by the Department of Justice and the Federal Trade Commission, “[Antitrust Guidelines for the Licensing of Intellectual Property](#),” sets out a series of principles for how IP law and antitrust law should relate.<sup>6</sup> Finally, interested readers can consult the [transcript of a 2007 roundtable discussion](#) regarding the intersection of these two fields, detailing some of the unique legal challenges facing lawyers and what students who wish to enter this field can expect. As noted in this discussion, attorneys who understand both IP and antitrust law are rare and valuable, making them extremely marketable.

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<sup>6</sup> U.S. Department of Justice and the Federal Trade Commission, “Antitrust Guidelines for the Licensing of Intellectual Property” (April 6, 1995), accessed on August 2, 2103, <http://www.justice.gov/atr/public/guidelines/0558.htm>.

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### Organizational Profile: The U.S. Department of Justice

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The U.S. Department of Justice (DoJ) was established in 1870 to handle the legal business of the United States. Today it employs over 10,000 attorneys nationwide, making it the largest employer of lawyers in the world.

The DoJ is divided into numerous divisions, many of which deal with IP and cyberlaw. The Civil Division, for example, has a Commercial and Litigation Branch, which in turn has an Intellectual Property and Fraud Section. The Criminal Division has Computer Crime & Intellectual Property, Fraud, and Child Exploitation & Obscenity Sections, all of which work with online crime. In addition, the DoJ has an Antitrust Division, an Office of Privacy & Civil Liberties, and a National Security Division.

Lawyers at the DoJ perform a wide array of work. They may engage in prosecution, provide legal advice to attorneys, law enforcement, or policymakers, prepare testimony for Congressional committees, and coordinate between different bureaus and agencies. They work all over the U.S. and abroad.

The DoJ hires paid interns through its competitive [Summer Law Intern Program](#) and hires unpaid [volunteer legal interns](#) during the summer and the academic year. Entry-level attorneys are hired through the [Attorney General’s Honors Program](#). In addition, the DoJ maintains a [list of vacancies](#) for experienced attorneys and an extensive [Legal Careers page](#).

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It is helpful to realize that antitrust lawyers do not engage with IP law in the same way as most IP lawyers. Instead, they must have an understanding of IP law when assessing a merger or other conduct under antitrust investigation, as IP laws are often implicated in these situations.

## International Intellectual Property Law

There are three general areas of international IP law: U.S. enforcement of IP rights abroad, cross-border licensing and IP asset management, and cross-border consensus building to create a more comprehensive international IP system. Additionally, IP law opportunities are available in Europe and in some developing countries.

- **U.S. Enforcement of Intellectual Property Rights Abroad:** Protecting IP rights abroad is important but challenging because copyrights, trademarks, and patents granted in the United States are not always legally enforceable abroad. Treaties attempt to make IP rights enforceable in other countries, but the ultimate enforceability of rights depends on the laws of the country in question, the type of IP being protected, and the specifics of any existing treaties. The U.S. has several governmental organizations, including the Office of the Administrator for Policy and External Affairs in the U.S. Patent and Trademark Office and the Cybercrime and Intellectual Property Unit of the Department of State's Bureau of International Narcotics and Law Enforcement Affairs, which work to strengthen international cooperation.
- **Cross-Border Licensing and IP Asset Management:** Cross-border licensing refers to the transactional process through which products in one country are licensed to be used or sold in another. While expanding to foreign markets can be an advantageous business decision, the details of a transaction may impact the future value of IP rights or the owner's control over those rights. International licensing may also involve tax, pricing, or compliance issues; when conflicts over IP rights ensue, litigation is sometimes involved. Lawyers in this area of IP law help their clients structure contracts and transactions to effectively manage their IP assets and to ensure future control over their rights.
- **Attempts to Create a Comprehensive International IP System:** Many organizations work to negotiate a more comprehensive international IP system. There have been several bilateral and multilateral agreements that solidify IP arrangements between two or more countries, among most important being the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), the Berne Convention for the Protection of Literary and Artistic Works, the Hague Agreement Concerning the Deposit of Industrial Designs, the International Convention for the Protection of New Varieties of Plants, the Madrid Agreement Concerning the International Registration of Trademark, the Paris Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the Trademark Law Treaty, and the Universal Copyright Convention.<sup>7</sup> Organizations that work on this issue include the World Intellectual Property Organization, the

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<sup>7</sup> Links to all of these treaties may be found in Jonathan Franklin, "Intellectual Property Law," Electronic Resource Guide, American Society of International Law, last updated February 8, 2013, accessed on August 2, 2013, <http://www.asil.org/erg/?page=iipl#id.juy3tsp3onkv>.

U.S. Patent and Trademark Office (Office of the Administrator for Policy and External Affairs), the World Trade Organization, and the European Patent Organization.

# CHAPTER 2

## Cyberlaw Issue Areas

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Cyberlaw is a relatively new field that draws from many areas of traditional law and is becoming an increasingly important field in its own right. It is multi-disciplinary, covering criminal and civil issues ranging from financial crimes to cyberbullying to First and Fourth Amendment rights. Privacy, control, and access are all topics with which cyberlawyers regularly engage. Increasing numbers of HLS students are pursuing careers in cyberlaw. As a rapidly evolving and expanding field, cyberlaw promises to offer even more diverse opportunities in the future.

There are several major doctrinal areas of cyberlaw, including criminal law, online privacy, health privacy, civil and human rights, net neutrality and regulation, and national security.

### Criminal Law

A wide variety of crimes may be perpetrated on or using the Internet, including financial crimes, stalking and harassment, human trafficking, and child pornography.

- **Financial Crimes and Fraud:** Computers make both small and large-scale financial crimes and fraud frighteningly easy to perpetrate. Financial crimes involving cyberlaw range from classic one-off fraud cases to increasingly sophisticated schemes that target specific populations (such as the elderly). Identity fraud is also a growing concern, as more and more personal information is stored online and may be vulnerable to theft. Lawyers at the federal and state levels (for example, at DOJ and in state Attorneys General's offices) all work to investigate and prosecute such behavior.
- **Stalking and Harassment:** Social media websites such as Facebook, Twitter, and LinkedIn, as well as photo sharing programs like Instagram, make information about private individuals more readily accessible than ever. Unfortunately, this accessibility sometimes facilitates cyberstalking, harassment, or cyberbullying. Moreover, the anonymity of the Internet allows some to attack their targets without revealing their own identities. These issues have garnered attention with several high-profile criminal cases involving the suicides of children and teenagers who experienced severe cyberbullying. HLS students interested in these issues might think about state or federal legislative or prosecutorial positions, and consider getting involved with [the Kinder and Braver World Project](#), a Berkman Center initiative.

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### Organizational Profile: The Electronic Frontier Foundation

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Founded in 1990, the Electronic Frontier Foundation is a non-profit organization that fights to protect free speech, privacy, innovation, and consumer rights. EFF deals with critical issues related to the Internet and technology, bringing together lawyers, policy analysts, activists, and technologists to advance its mission. It carries out most of its work through the courts, bringing lawsuits against the government and corporations to shape legislation and legal precedent.

EFF currently employs twelve staff attorneys who have litigated IP, trademark, copyright, patent, privacy, and free speech cases (among others). Selected EFF cases include *20<sup>th</sup> Century Fox v. Cablevision*, in which EFF defended Cablevision and its remote DVR service after Fox sued for copyright infringement, and *Abourezk v. ProBush.com*, in which EFF argued to protect the free speech rights of a website supporting George W. Bush when a former US Senator sued for libel. EFF lawyers also work on policy development. For example, in 2011 EFF and the ACLU collaborated to pass the California Reader Privacy Act (SB 602), which extends privacy and free speech standards to digital and electronic media.

EFF posts [job](#) and both summer and term-time [legal internship openings](#) on its website.

- **Human Trafficking:** It is estimated that there are at least 27 million victims of human trafficking worldwide who are forced to work as slaves, sex workers, soldiers, or domestic workers.<sup>8</sup> Human trafficking today is frequently international in nature, and almost always involves use of the Internet. Combating human trafficking is a growing legal field; currently, more than half of U.S. states have statutes that specifically criminalize human trafficking over the Internet. Texas and Massachusetts are two states that have taken the lead in this field. (For an example from Massachusetts, click [here](#) to read an article from the Boston Globe.) Lawyers may become involved by working on legislation to strengthen punishments for those convicted, investigating and prosecuting potential trafficking rings, providing legal services to victims, and supporting those who are at a high risk of becoming trafficking victims.

- **Child Pornography:** In the United States and many other countries, producing, possessing, and transmitting child pornography is illegal and is punishable by incarceration. As of 2008, 94 of the 187 Interpol member states had domestic legislation specifically addressing child pornography; several others had legislation that banned all pornography, regardless of age. In addition, the United Nations Optional Protocol on the Rights of the Child requires signatories to outlaw child pornography, and the EU requires member states to criminalize all aspects of it. Nevertheless, in some countries (for example, Russia and Japan, as of this writing), possession of child pornography is still legal. There are policy positions available for lawyers interested in strengthening or creating anti-child pornography legislation, and lawyers engage in the prosecution of those caught possessing, producing, or distributing child pornography.

### Online Privacy

Privacy issues are raised when governments, other organizations, or individuals use the Internet to gather information about individuals or groups. As people transmit more and more private information via the Internet and store private data on computers not under their physical control, privacy concerns have become increasingly important. There are challenges to Internet privacy

<sup>8</sup> Do Something.org, "11 Facts About Human Trafficking," accessed on August 2, 2013, <http://www.dosomething.org/tipsandtools/11-facts-about-human-trafficking>.

every day. Ad companies, for example, use cookies to track browser history, and law enforcement professionals scour Facebook profiles for evidence of criminal activity. Litigation, policy, and research opportunities for lawyers exist at many organizations working to protect privacy and Fourth Amendment rights online.

Government surveillance of online communications raises extensive political and legal implications. Statutes such as the Foreign Intelligence Surveillance Act (FISA) and the Electronic Communications Privacy Act (ECPA) were originally intended to protect the privacy of U.S. citizens, but many argue they do not go far enough and have been weakened by subsequent legislation. A number of organizations work against efforts to broaden government surveillance, including the ACLU, Amnesty International, and the Electronic Frontier Foundation, which represents a coalition of organizations in a case against the NSA in connection with the 2013 surveillance program controversy. These concerns can rise to Constitutional levels; the Fourth Amendment, which protects people from unreasonable government searches and seizures, may often be implicated by government online surveillance and intelligence gathering, and the development of jurisprudence in this area is ongoing.

While not implicating the Fourth Amendment, privacy concerns are also raised by the actions of corporations such as Facebook and Google, which manage and manipulate a large quantity of online personal data. Nonprofits working on Internet privacy are often engaged with these issues as well.

## **Health Privacy**

Privacy of health information is a specialized area of concern, and with the growth of online medical records, it is also an important area of cyberlaw. The 1996 Health Insurance Portability and Accountability Act (HIPAA) protects the privacy of medical records and regulates the conditions under which medical providers may release patient information. The Affordable Care Act (ACA) includes a requirement that all hospitals and healthcare facilities comply with electronic records law by adopting electronic medical records (EMR) by 2015. Medical providers or businesses that deal with medical records need attorneys to ensure that they are in compliance with HIPAA and other laws; these lawyers may work as in-house or outside counsel. Likewise, attorneys are needed to enforce these federal laws. For example, the Office for Civil Rights in the Department of Health and Human Services (HHS) is responsible for enforcing the three main components of HIPAA: (1) the privacy of individually identifiable health information; (2) the security of electronic, protected health information; and (3) the protection of identifiable information being used to analyze patient safety events and improve patient safety.

## **Freedom of Expression and Human Rights**

The Internet has become vital to freedom of expression and human rights issues. As the Internet has become one of the primary means of obtaining and distributing information, many have come to see Internet access as a human right, not a luxury. Lawyers in many countries work to expand and protect Internet access and freedom of expression. In the United States, lawyers often grapple with these issues in the context of the First Amendment.

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### Organizational Profile: Google, Inc.

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As the company that controls many of the most famous and widely used Internet services and products, Google's work deals with nearly every facet of intellectual property and cyber law. Google employs a [Legal and Government Relations team](#) and maintains a web page dedicated to its [public policy platform](#). The company's stated goal is "[to defend] the Internet as a free and open platform for information, communication, and innovation." Accordingly the company concerns itself with issues such as open access, privacy, security, intellectual property, and freedom of expression.

Google lawyers work at the intersection of law, policy, and new technology. They both help Google develop new, innovative products that comply with the law and advocate for public policy issues. Google employs in-house lawyers who ensure compliance with U.S. and international law, advise the Engineering, Marketing, and Product Management teams, perform patent litigation, and develop terms of service, privacy notices, and other disclosures. Google also employs attorneys who lead public policy campaigns, shape the company's policy position, and monitor policy developments that might affect the company. Google's advocacy and policy work requires lawyers to engage with policy makers, politicians, non-profit organizations, and industry partners to advance the company's policy objectives and protect its products and profitability.

Click [here](#) for Google's Legal and Government Relations job postings.

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- **Internet Access and Human Rights:** There are significant challenges to Internet access internationally. Many foreign regimes limit their citizens' access to the Internet to preempt actions or publications that could foster anti-regime sentiment or facilitate collective resistance. The Arab Spring, for example, showcased the Internet's power to enable political movements. In June 2012, the United Nations Human Rights Council passed a resolution entitled "The Promotion, Protection and Enjoyment of Human Rights on the Internet." The resolution affirmed the important role of the Internet in worldwide human rights protection and emphasized that national governments are responsible for allowing their citizens free access to and use of the Internet. The resolution also specified that the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights apply to both online and offline actions, especially with regards to freedom of expression.<sup>9</sup> Some have interpreted this resolution as the establishment of Internet access as a human right. Lawyers interested in the intersection of Internet, human rights, and political issues may become involved in such advocacy at domestic nonprofits or international non-governmental organizations (NGOs).

- **First Amendment Rights:** There are challenges to freedom of expression on the Internet in the United States as well. Efforts to shield children from inappropriate content or limit hate speech, for example, may be considered violations of the First Amendment. Opportunities for lawyers in these areas can be found at nonprofits and in the private sector.

## Regulation of the Internet and Net Neutrality

Net neutrality refers to the principle that Internet Service Providers (ISPs) and governments should not restrict users' access to any online networks. Under net neutrality, network infrastructure owners would not be able to discriminate on the basis of on content, nor would they or governments be able to

<sup>9</sup> Human Rights Council, United Nations, "The Promotion, Protection and Enjoyment of Human Rights on the Internet," accessed on August 2, 2013, <http://www.regeringen.se/content/1/c6/19/64/51/6999c512.pdf>.

restrict access to other networks. Advocates of net neutrality argue it is necessary to protect free communication and expression online. In the United States, the Federal Communications Commission (FCC) currently regulates the Internet (though its jurisdiction is under dispute), and debates over net neutrality and other regulatory issues often take place within the context of FCC rulemaking.

Efforts to restrict or regulate internet access often meet fierce opposition from the public, large companies such as Google, and small online businesses. For example, the Stop Online Piracy Act (SOPA) was a 2011 bill favored by interests like the recording industry that would have required ISPs to regulate access to websites that hosted, or provided links to, pirated content. It was denounced by many as censorship, and failed after a concerted internet-based protest.

Internet regulation issues are also relevant abroad; for example, the European Union has considered Union-wide legislation that would mandate net neutrality, and Neelie Kroes, the Vice President of the European Commission, has declared her intention to present legislation that would guarantee net neutrality by 2014. Net neutrality is an open, controversial issue that may provide many opportunities for lawyers interested in regulatory issues, freedom of expression and communication.

## **National Security**

The Internet poses new challenges to national security that all countries, including the United States, are attempting to navigate. In 2011, Secretary of Defense Leon Panetta warned that “[w]e could face a cyber attack that could be the equivalent of Pearl Harbor...” Such an attack, he said, could “take down our power grid system, take down our financial systems in this country, take down our government systems, take down our banking systems,” and could “virtually paralyze [the] country.”<sup>10</sup> Almost all agencies of the federal government, as well as some state and local government agencies, have divisions that deal with cyberlaw and security issues, either directly or indirectly.

The USA Patriot Act of 2001, and the subsequent extension of several key provisions in 2011, gave law enforcement sweeping powers to, among other things, gather intelligence in the US. The Patriot Act amended FISA and ECPA and loosened the language regarding gathering intelligence from American citizens, which had been very difficult to justify under the pre-existing statutes. The Patriot Act, passed in the wake of September 11th, aimed to increase the ability of law enforcement to monitor suspected terrorists and interdict their plans. However, it has been criticized by the civil liberties community for being too broad and invading the privacy of American citizens.

Students interested in the role of cyberlaw in national security can find work in federal intelligence agencies, the US Department of Justice, state and federal legislatures, and the pantheon of civil liberties and privacy nonprofits deeply engaged with these issues.

**For a list of organizations working in each issue area, see Chapter 7: Selected Organizations by Issue Area.**

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<sup>10</sup> Mark Thompson, “Cyber War Worrywarts,” Time Magazine, August 8, 2011, accessed on August 2, 2013, <http://nation.time.com/2011/08/08/cyber-war-worrywarts/>.

# CHAPTER 3

## Practice Settings

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### GOVERNMENT

Government lawyers practicing IP and cyberlaw can be administrative or courtroom litigators, regulatory lawyers, legislative staffers, or policymakers throughout federal and state executive and legislative branches. For example:

**Intellectual Property:** Many governmental organizations hire IP attorneys. For example, the U.S. Patent and Trademark Office, a division of the Department of Commerce, is responsible for registering all trademarks and patents in the United States. Most patent examiners are not attorneys, but IP attorneys are needed to review trademark applications. Other federal agencies, such as the Departments of Transportation and Defense, hire attorneys to prepare patent applications and assist in technology transfer and licensing. There are also federal government offices that handle investigations of IP infringement, such as the U.S. International Trade Commission's Office of Unfair Import Investigations. Litigation opportunities are available in the Department of Justice, which deals with commercial law, antitrust law, computer crime, and IP, and in state Attorneys General's Offices, which often have comparable divisions. Additionally, International Trade Commission staff help resolve disputes over the import of patented goods. The White House Office of Science and Technology Policy grapples with issues at the cutting edge of IP policy.

**Cyberlaw:** There are also many opportunities to engage with Cyberlaw as a government attorney. Many IP issues have cyberlaw components, so the organizations listed above may be relevant to students interested in cyberlaw as well. In particular, the Department of Justice (including the many US Attorneys' Offices) and state Attorneys General's Offices litigate many issues of cyberlaw, from child pornography to national security. The US Department of Defense, the National Security Agency, and the Department of Homeland Security all deal with Internet issues and employ lawyers to work on security and surveillance policies. The Department of Health and Human Services regulates and enforces health information privacy, and the FCC regulates the Internet itself. Finally, many committees on Capitol Hill and in state legislatures deal with both IP and Cyberlaw issues on an ongoing basis.



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## Organizational Profile: Center for Democracy and Technology

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CDT is a nonprofit organization dedicated to protecting Internet freedom and shaping Internet and technology policy. It is a leader at the intersection of law, policy, technology, and the Internet. The organization's mission is to encourage innovation and democracy, enhance freedom of expression, protect privacy, and limit government surveillance. The organization's primary issue areas include consumer privacy, health information privacy, security and surveillance, digital copyright, and open government.

CDT has been credited with uniting companies and advocates to win the highest First Amendment protection for the Internet before the Supreme Court, campaigning to ensure the availability of strong encryption, helping to develop new healthcare technology that ensures patient privacy, and creating the Digital Due Process coalition, which works to protect information stored online from government access. The organization employs lawyers as counsels and as directors of various projects. Positions held by attorneys include Policy Counsel, General Counsel, Director of the Project on Copyright and Technology, and Director of the Free Expression Project.

CDT hosts full-time unfunded [legal fellows](#) in their Washington, D.C. and San Francisco offices. Fellows spend one year working at CDT and receive funding from other sources. Work includes researching and writing policy papers and memoranda, writing articles for the general public, assessing the policy implications of technological or business developments, educating policymakers, and representing CDT in coalition activities. CDT also hosts legal [interns](#).

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## NONPROFITS

Lawyers in the nonprofit world often engage in Constitutional and impact litigation, lobby for legislative and policy change, engage in regulatory advocacy, and offer direct services in the areas of IP and cyberlaw.

**Intellectual Property:** Nonprofit organizations also hire IP attorneys. Such nonprofits have a wide array of missions, from impact litigation to policy to legislative advocacy. Direct services organizations usually help small, independent IP owners navigate the legal system and protect their innovations. IP lawyers working for direct services organizations help their clients obtain patents, trademarks, copyrights, and other IP protections. Some organizations provide impact litigation opportunities dealing with IP infringement. Lawyers working for policy organizations may draft legislation or comment on new regulations.

**Cyberlaw:** Many nonprofit organizations work to defend online privacy and civil rights. Others work to protect or expand freedom of Internet access and use. Attorneys at cyberlaw nonprofits may work on policy, research, or impact litigation. In addition, lawyers at nonprofits not specifically dedicated to Internet work may also deal with aspects of cyberlaw. For example, an attorney at Human Rights Watch or the Coalition to Abolish Slavery and Trafficking might work on Internet access rights or online crime issues. Because the Internet has a significant impact on so many areas of work, interested students should investigate any organizations of interest. It may be possible to combine an interest in cyberlaw with another interest (such as children's rights, human trafficking, or fraud).

## PRIVATE SECTOR

Many IP positions are available in private law firms. While these firms are not public interest organizations, IP is a highly specialized legal area in which there is considerable crossover between the public and private sectors. It may be easier to find an entry-level IP job in a private firm, and developing an expertise in IP law there can sometimes offer advantages in government or in-house work down the road.

Most major law firms have intellectual property groups that perform a range of services. In addition, smaller “boutique” law firms that focus solely on intellectual property issues provide opportunities in litigation, trademark and patent prosecution, and transactional work. Although most entry-level IP jobs are at law firms, companies increasingly hire in-house entry-level attorneys to help manage heavy IP portfolios and assets. Most of the in-house jobs available to junior attorneys are either prosecutorial (preparing patents) or transactional, so students who want to litigate will likely find a more suitable position in a firm.

Technology and Internet companies also offer diverse opportunities for lawyers. Companies like Google and Facebook, for example, employ attorneys to ensure that they are in compliance with legal regulations and to write privacy and user agreements. Lawyers for such companies also work on IP issues; for example, a social media company might have trademark work related to its logo, or a technology company might want to patent an innovation. In addition, some companies, including Google and Facebook, employ lawyers to track and develop Internet and technology policy; these lawyers often collaborate with nonprofit organizations or government to try to shape legislation.

## INTERNATIONAL

Several international and foreign organizations deal with IP and cyberlaw. Lawyers may work in intergovernmental organizations, perhaps under the auspices of the United Nations or the European Patent Organization. They may also find work abroad at nonprofit advocacy organizations, such as Quadrature du Net in France, which supports Internet freedom and human rights. It may also be possible to find work in another national government; for example, there are national

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### Organizational Profile: Facebook

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As a leader in social media and information sharing, Facebook employs lawyers not only to shape and maintain privacy policies and user agreements, but also to ensure financial compliance, as IP experts, and as in-house counsels. A compliance analyst, for example, monitors account activity to ensure that customers are in compliance with Facebook policies and terms of service, investigates fraudulent practices, and ensures that Facebook complies with regulations. By contrast, an IP counsel develops liability policies, assists with IP litigation, and investigates IP legislation. Facebook lawyers work all over the world, from Menlo Park, California, to Dublin or Singapore.

In addition to these more routine business activities, Facebook often finds itself in the middle of privacy controversies. Many say that Facebook’s user privacy settings are notoriously difficult to navigate and change frequently, and the company analyzes user data to target advertisements. In addition, Facebook sometimes works with law enforcement when they request information or to respond to emergencies. All these activities tend to create legal and policy controversy, which the company and its lawyers need to navigate.

Facebook also has three public policy teams in Washington, D.C. that work on state, national, and global levels. While this work is not strictly legal, it allows those with legal (and other) backgrounds to engage with almost any issue connected to social media, including free speech, health care, child safety, privacy, law enforcement, human trafficking, and human rights. The public policy team works on the cutting edge of Internet, social media, and governance issues; team members monitor legislation, draft policy and briefs, and research privacy, safety, and security measures. They also often work with other teams abroad, collaborating, for example, on free speech issues with counterparts in Asia. The public policy team offers both internships and full-time policy positions.

Click [here](#) for job postings and career information for the Legal, Finance, Facilities, and Administration division and [here](#) for the Public Policy Team.

antitrust offices in almost every developed country, such as the Bundeskartellamt (Federal Cartel Office, <http://www.bundeskartellamt.de/wEnglisch/index.php>) in Germany.

Students interested in antitrust should note that the European Union has competition law designed to support the single market by preventing EU member states from helping their own national companies gain too much market power. The European Commission is responsible for enforcing these laws and hires lawyers to enforce EU policy and directives. The EC thus needs lawyers who are well-versed in competition law, antitrust and IP.

Finally, there are opportunities to engage in IP and Antitrust issues in developing countries, where laws may exist, but enforcement may be lacking, and where there may be significant opportunities to build infrastructure, policies, and programs. Such opportunities might be especially engaging for students interested in international economic development, since functional antitrust law and policy can foster economic growth.

**For a list of organizations in each practice setting, see Chapter 8: Selected Organizations by Practice Setting.**

# 4 CHAPTER

## Career Narratives

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### **David Jacobs, HLS '11** **Electronic Privacy Information Center** **Consumer Projection Counsel**

I arrived somewhat late to the Cyberlaw space. Entering law school, I had already developed a general orientation toward public interest law. I also knew that I wanted to gain some experience with constitutional law and with government lawyering. Beyond that, however, I simply wanted to do interesting work. These considerations guided my internship choices during law school, and I spent my first summer with the Commercial Litigation Branch of the Department of Justice, my second summer with the ACLU's Program on Freedom of Religion and Belief, and my 3L Winter Term with the Senate Judiciary Committee.

These experiences reinforced my commitment to public interest lawyering and helped me develop an interest in civil liberties. I was able to experience public interest work from both the government and non-profit perspective, and to advocate for the First Amendment rights of individuals. But it wasn't until I enrolled in the Cyberlaw Clinic in the spring of 2010 that I was able to join these interests with law and technology. At the clinic, I worked on a variety of interesting issues, including the misuse of Massachusetts wiretapping law to prevent citizen recording of police officers. More broadly, the clinic (and an accompanying class on cybercrime) revealed the importance and dynamism of cyberlaw as a potential career field.

After law school, I joined the Electronic Privacy Information Center ("EPIC"), first on a Redstone Fellowship from OPIA and later as a staff member. The fellowship was an invaluable way of gaining experience, and I wouldn't have been offered a position without it. EPIC is a small nonprofit based in Washington, D.C. that aims to focus public attention on issues arising at the intersection of privacy, technology, and civil liberties. The organization pursues these goals through public interest litigation, public education, congressional testimony, and grassroots advocacy.

A typical day--to the extent that there is such a thing--involves some combination of traditional legal research and writing, broader policy-based research, and meetings with government actors and other public interest organizations. Freedom of Information Act lawsuits constitute the vast majority of EPIC's litigation, so these cases occupy most of my legal research and writing. I also file comments and complaints before various regulatory agencies, primarily the Federal Trade Commission, and these often involve research into public policy issues.

The size of the organization is a source of both excitement and frustration. Because EPIC is a small organization, it has a relatively narrow focus, and therefore many interesting cyberlaw issues fall outside its scope. The organization also has limited resources and takes no clients, and these factors also indirectly limit the range of issues that I can pursue. But there are advantages to the organization's size.

Although my formal title is Consumer Protection Counsel, I have been able to involve myself in areas outside of the consumer space. For example, I am able work on EPIC's Freedom of Information Act lawsuits, and I helped draft the recent mandamus petition for Supreme Court review of review an order requiring Verizon to turn over domestic phone call records to the NSA.

In general, my advice for law students is to allow some room for experimentation with new classes or clinics during law school. With respect to technology, intellectual property, and related issues, the Cyberlaw Clinic is invaluable. Everyone with even a passing interest in cyberlaw should take it. For those interested in the public interest side of the field, spending a summer with an organization like the EPIC, the Electronic Frontier Foundation, or the Center for Democracy and Technology, is also worthwhile. Many public interest organizations are also willing to take law students during Winter Term. Finally, take an administrative law class, because administrative agencies, such as the FTC, FCC, and NTIA, are increasingly involved in these issues.

**Nina Han, HLS '12**  
**Dropbox, Inc.**  
**Intellectual Property Specialist**

I've been at Dropbox for just over a year. Today, I work with our in-house IP Counsel, and my main directive and focus is to build Dropbox's trademark function. It's a fantastic experience for perspective, in that I've had a hand in building our practice from the ground up. I participated in the process of choosing outside counsel. I've worked closely with design and marketing to start and move along the conversation for consistency of our logo. I helped develop our strategies for our trademark filings, starting with our house marks. I field our brand permissions requests and work on our policing efforts.

Working in a small-turned-explosively-growing tech company is a roller coaster ride. The scope and direction of my work remain open-ended, filled as I go with projects that I prioritize, with our IP Counsel's oversight, to best protect our brand both internally (design, prosecution, marketing) and externally (third parties). The company is young. My work is now putting into place the portfolio, education, in-house communication channels, and processes that I'd always assumed would already exist when I joined a company. Because we're growing so quickly, I spend a lot of energy thinking about, creating, and documenting our processes in preparation for a day when several people may handle trademark work.

My current role at Dropbox is one I've chosen, but not one I sought out. In fact, when I took the offer at Dropbox, it was for a non-legal position altogether. Included in my fondest memories of my early work at the office is one late night I spent mulling over how to optimize a central common space—and then pushing around couches and palm trees to execute the plan. I'm still (now-not-so-secretly) proud of the result today.

I tripped across the opportunity to join Dropbox when I practically had blinders on running straight at the finish/start line of graduation/firm life. I was set on, if a bit resigned about, the post-graduation "plan,"

and I saw 3L year as the last year that I could “do what I wanted” before I had to face “real life.” So I planned a renaissance year, picking up all of the things I’d dropped or scaled back during 2L year: teaching organic chemistry lab, playing in orchestras, and having fun in the kitchen at my Masters’ Assistant position in Quincy House.

I was working in the kitchen when my co-worker’s boyfriend suggested that I talk to Dropbox; they were in town recruiting. I actually laughed out loud (I had zero background in tech), but eventually I agreed to let him put me in touch. We all had a laugh when it turned out I knew his contact at Dropbox—we’d played on the Harvard club ultimate team together—so it was easy for me to share honestly with my old teammate that I wasn’t seriously considering working there.

We continued chatting about Dropbox regardless, if only as something for me to consider in the future. This led to more conversations with other people at Dropbox, focused around the questions of what I wanted to do and what challenges the company was facing. I never saw any job description, and honestly, I didn’t really know why they were talking to me. It turned out they didn’t really either: even when I was on-site, more than one interviewer walked in only to say, “I’m sorry, I looked at your resume but it’s not clear—could you tell me what you’re interviewing for?” I laughed each time and responded, “I have no idea. I was hoping that you’d be able to tell me!”

My path to Dropbox was so haphazard that looking back, it’s comical. At the decision stage in late 3L spring, I grappled with tradeoffs and my risk tolerance. I felt I had a huge opportunity (however nebulously-defined) right in front of me, should I be willing to take the chance to run with it. I weighed considerations like learning opportunity, job stability, career trajectory, how work would fit into the rest of my life, perceived prestige, and money. I struggled with all of these things. But I remembered how refreshed I felt leaving the on-site, like it was a place where I could be myself—and that stood out.

I was prepared to start my career at a firm, but I didn’t. Finally making the decision to accept Dropbox’s offer the day after graduation felt like deciding I was better suited to bicycle racing while poised for the gun to go off at the start of a marathon. Granted, the process of getting to and being at Dropbox has been more like riding a road bike on a mountain trail: bumpy, fast, treacherous at times, and with a distinct lack of suspension and cushion. I’ve dodged and overcome obstacles, and still face others: for example, I have yet to decide whether I want a career in law at all, let alone in trademark law specifically. But I’ve also covered a ton of ground, getting incredible business exposure, experience, and perspective I would have never dreamed I’d have just one year out of law school.

I can’t offer a career playbook or manual based on my experience, because my path reads like a “Choose Your Own Adventure” book: where I am today is the result of many random choices that individually were completely unrelated to what I do at work. On the other hand, I’ve gotten some great advice every time I’ve struggled with something career-related, and I’ve tried to consolidate the pieces that have stuck with me below. This loose collection of advice is probably less satisfying to the type A mind that craves a game plan, but I think is easier to take to heart.

- Reflect on who you are and what you value. Separate that from what other people think of you and what you should do, though consider how much others' opinions matter to you.
- Be yourself and do things you like to do. You'll be more likely to meet and be around people you like, which in turn will make it more likely that you'll come across opportunities that will fit you and the life you want to lead.
- Look for work that you enjoy. If you enjoy what you do, you'll do your best work. You want the people around you to say that you walked on water.
- Say yes by default, because people will be more likely to ask you again with something else. You'll open the door to completely unrelated and possibly great opportunities.
- Make conscious decisions to say thank you, but no. You can't do everything and also do everything at 100%. In making hard decisions to close some doors, you shape your life by guiding yourself to finally step through others.
- Talk to people whose opinions you value. Get perspectives that differ from your own. Once you've listened, do what you believe is right for you. There's no substitute for getting advice and learning from others' experiences. But you're not them, and they're not you; you can't know what YOU will really think until you're there and see for yourself.

I like to think I'm courageous for stepping out of the current of least resistance. On the other hand, there's always this little voice that pokes me and tells me that maybe my blind courage is just dressed-up naïveté, so please give my advice the benefit of a half-full saltshaker. I'm humbled that you've taken the time to read about my experience. I'd be more than happy to chat with you—email me anytime at [ninash11@gmail.com](mailto:ninash11@gmail.com).

**Aaron Hoag, HLS '96**  
**U.S. Department of Justice, Antitrust Division**  
**Assistant Chief, Networks & Technology Enforcement Section**

When I was in law school, I was fairly certain that I wanted to pursue a career in public interest law, but unsure of the particular area of law I wanted to practice. I became interested in antitrust law through my work on the Journal of Law & Technology and through a seminar on law and technology offered by the Berkman Center, then in its infancy. One seminar session stands out for me in particular, as it featured Joel Klein, then a Deputy Assistant General at the Antitrust Division, and a private lawyer who was pressing the government to bring an antitrust case against Microsoft. Their debate was fascinating and highly charged, and I began to see how this could be an intriguing area of law to pursue. After clerking for the Hon. John M. Ferren of the Court of Appeals for the District of Columbia, I joined the Antitrust Division as an honors attorney in 1997. My experience at the Antitrust Division has far exceeded my expectations. I have worked on investigations of mergers and potentially anticompetitive conduct in any number of industries. Several years after joining the Division, I ended up working on – and ultimately leading – the Division's efforts to enforce the judgment resulting from the case against that Microsoft that Joel Klein filed a few years after I sat in on the law school seminar session on that very topic.

The unit in the Antitrust Division where I work is called the Networks and Technology Enforcement Section. We handle a lot of the investigations involving computer software, the internet, and other information-age technologies. In addition to the Microsoft case, I have worked on investigations involving search engines, the software that powers online airfare searches, online ticketing software, and a host of other high-tech products and services. Our section has also been very active in investigating claims at the intersection of antitrust law and patent law, including the competitive implications of the acquisition of patents and the use or misuse of standard-essential patents.

I always tell people that my favorite thing about working for the Antitrust Division is learning about a wide range of industries and being able to do so in the context of investigations where we are actively looking for the right answer as a matter of antitrust law and policy. It is tremendously satisfying to have the freedom to investigate a matter with no preconceived notions of the end result. During an investigation, we spend a great deal of our time talking to companies in the industry to learn about the products at issue and the nature of competition in that industry. As an investigation gets more extensive, we also delve inside the business documents of the companies under investigation and other key firms in the market we are investigating. All of these sources provide an insight into how the industry works that is hard to rival from any other vantage-point.

The matters that proceed past the investigative phase to litigation are equally challenging and rewarding. Whether it is working with the immensely talented litigators at the Division, or appearing in court on behalf of the United States, the opportunities for enrichment are practically endless.

I often think back to the time when I was in deciding what type of law I wanted to practice and where I wanted to pursue my career. I am struck again and again by how lucky I was to have ended up at the Antitrust Division. I cannot imagine a more interesting or rewarding career path for myself, and I eagerly look forward to the new challenges and opportunities that I know the Antitrust Division will bring in the future.



# CHAPTER 5

## Preparing for a Career in Intellectual Property or Cyberlaw

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Due to the continually increasing importance of the Internet, both IP and Cyberlaw are growing fields with numerous potential job opportunities. There are several things law students can do to prepare themselves for a career in IP or Cyberlaw. Students should make sure that they have the necessary academic background to pursue their chosen field. Some students may need a science or technology background, and all students should peruse the course catalog for relevant courses and clinical opportunities at HLS. Students should become involved with the Berkman Center for Internet and Society, can work for professors researching writing in these fields, and might also consider becoming involved in other extracurricular organizations on campus. Finally, students should find summer (and perhaps January term) internships in the fields that interest them most, and should consider applying for fellowships, both while in law school and in preparation for/after graduation.

**Academic Coursework:** HLS offers many IP and Cyberlaw related courses and clinics each year. Offerings in the past have included:

- Antitrust, Technology and Innovation (Spring 2013)
- Copyright (Spring 2013)
- Cybercrime (Spring 2013)
- Cyberlaw Clinic (Spring 2013)
- Evidence (Spring 2013)
- Government Lawyer: United States Attorney Clinic (Spring 2013)
- Law and the International Economy (Spring 2013)
- Music and Digital Media: Seminar (Spring 2013)
- Online Law and Business in a Globalized Economy (Spring 2013)
- Communications and Internet Law and Policy (Fall 2012)
- Digital Power, Digital Interpretation, Digital Making (Fall 2012)
- Intellectual Property Law: Advanced (Fall 2012)
- International Trade (Fall 2012)
- Practical Lawyering in Cyberspace (Fall 2012)
- Solving Problems Using Technology (Fall 2012)
- Trademark (Fall 2012)
- Internet and Society: Technologies and Politics of Control (Spring 2012)

The Berkman Center maintains a list of past and current courses at <http://cyber.law.harvard.edu/teaching>.

**Science and Technology Background:** Some jobs require a strong understanding of or background in science and technology; patent prosecutors, for example, must have a background in the hard sciences and pass the patent bar. For other IP or Cyberlaw attorneys, an interest in and familiarity with these subjects is sufficient, but important. An IP attorney for a computer technology company, for example, must

understand the company's technology assets in order to effectively protect them from infringement. At a minimum, IP and Cyberlaw attorneys should be curious about the technologies involved in their work and have the capacity to learn about them.

**Work with a Professor:** HLS professors often hire research assistants. Seek out a professor whose work interests you. Working as a research assistant helps students build valuable research and academic skills and may also present a great opportunity to develop a strong relationship with a mentor.

**The Harvard Berkman Center for Internet and Society:** The Berkman Center is a Harvard University-wide research center administered at Harvard Law School. Its stated mission is “to explore and understand cyberspace; to study its development, dynamics, norms, and standards; and to assess the need or lack thereof for laws and sanctions.” The center advocates active, investigative research: “the best way to understand cyberspace,” the center’s website reads, “is to actually build out into it.”

The Berkman Center is a network of students, faculty, fellows, affiliates, alumni, staff, researchers, and funders, and it organizes many events and discussions. The center is home to the Cyberlaw Clinic, takes on summer and term-time interns, and offers one-year fellowships to those who study or work with Internet and society issues (see <http://cyber.law.harvard.edu/getinvolved/fellowships> for more information). In addition, Berkman-affiliated professors often teach Internet-related courses.

The Berkman Center is extremely well-known and highly regarded both within and outside of HLS. According to Matt Perault '10, Public Policy Manager at Facebook, anyone in IP or Cyberlaw who looks at an HLS graduate's resume will expect to see involvement at the Berkman Center. The Center maintains a “Get Involved” web page with information about upcoming events, fellowships, and internships, and where you can also sign up for the Berkman Center's mailing list: <http://cyber.law.harvard.edu/getinvolved/>.

**HLS Cyberlaw Clinic:** The Cyberlaw Clinic is based at the Berkman Center and allows students to get hands-on experience with licensing, client counseling, advocacy, litigation, policy projects, and cases dealing with the Internet, technology, and IP. Working in the Cyberlaw Clinic will give students a level of experience that may set them apart from other job or internship applicants and, like all clinics, will increase their ability to transition smoothly into practice after graduation.

**Student-Run Journals:** Joining a student-run journal allows you to explore areas of interest and to develop your legal writing and editing skills. Journals may also provide opportunities to assume leadership positions and build your resume. Journals of interest include:

- **Harvard Journal on Law and Technology** (<http://jolt.law.harvard.edu/>)
- **Civil Rights Civil Liberties Law Review** (<http://harvardcrl.org/>)
- **National Security Journal** (<http://harvardnsj.org/>)
- **Harvard International Law Journal** (<http://www.harvardilj.org/>)

For a full list of journals, see <http://www.law.harvard.edu/current/orgs/journals/>.

**Internships:** It is important that law students use their summers to accumulate experience and make connections. Students interested in IP or Cyberlaw should intern at a nonprofit or government agency

that will allow them to experience something of the field. Students spending part or all of a summer in the private sector should choose a company or firm that can offer exposure to IP or Cyberlaw issues as well. Harvard Law students should remember that HLS provides Summer Public Interest Funding (SPIF: <http://www.law.harvard.edu/current/sfs/spif/>) to students who pursue public interest positions during the summer. This funding supports students in low-paying or unpaid internships.

**Fellowships:** Students interested in IP or cyberlaw, especially those interested in civil rights, privacy, or other issues common to nonprofit work, should consider applying for fellowships. Some fellowships are available during the summer, such as the Google Policy Fellowship. Many others fund post-graduate work, especially at nonprofit or government organizations that would otherwise be unable to hire entry-level attorneys. See the Fellowships chapter of this guide for more information.

**Internships:** It is important that law students use their summers to accumulate experience and make connections. Students interested in IP or Cyberlaw should intern at a nonprofit or government agency that will allow them to experience something of the field. Students spending part or all of a summer in the private sector should choose a company or firm that can offer exposure to IP or Cyberlaw issues as well. The HLS Semester in Washington Program offers another opportunity for a federal government experience; for example, the Computer Crime and Intellectual Property Section of the Criminal Division at DOJ offers term-time internships; this section deals with issues raised by emerging computer and telecommunications technologies and oversees the enforcement of federal laws on computer crime, electronic privacy, criminal copyright, trademark, and trade secrets. Harvard Law students should remember that HLS provides Summer Public Interest Funding (SPIF: <http://www.law.harvard.edu/current/sfs/spif/>) to students who pursue public interest positions during the summer. This funding supports students in low-paying or unpaid internships.

# CHAPTER 6

## Fellowships & Other Opportunities

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Students interested in continuing their studies or pursuing work at a nonprofit or government agency should consider applying for fellowships. Some organizations and universities offer topic-specific, funded fellowships. These fellowships either allow the recipient to study law, technology, the Internet, and/or society or allow the recipient to work at an organization such as the ACLU or the Berkman Center. There are also “portable” fellowships funded by external sources such as the Skadden Foundation or Equal Justice Works. To apply for these fellowships, students must find a position at a sponsoring organization and then apply for fellowship funding.

This guide provides a list of funded fellowships specific to IP and Cyberlaw and also provides a list of potential sponsoring organizations for use in conjunction with portable fellowships. These lists are not exhaustive, and students are encouraged to do their own research to find the opportunities that best match their interests. For more information on fellowships, including funding sources, visit the OPIA [website](#). Those applying to fellowships should also consult the OPIA [Insider’s Guide to Successful Fellowship and Grant Applications](#).

Students may also consider clerking or pursuing further graduate studies after law school.

### Funded Fellowships

#### **Access to Justice Technology Fellows Program**

The ATJ Tech Fellows program provides law students a dynamic learning experience that merges interdisciplinary skills training with practical experience. Law students gain exposure to the varied uses of technology, data, and design in delivering civil legal services and develop a deep understanding of the systemic barriers that prevent marginalized communities from receiving adequate legal services. The Fellowship is a paid, 8 to 10- week summer experience that includes training on technology and access to justice issues, a placement in a partner legal services office, and development of projects aimed at improving the civil justice system.

- For more information, visit: <https://www.atjtechfellows.org/>

#### **ACLU Foundation Speech, Privacy and Technology Project - Technology Fellowship**

The ACLU offers a two-year technology fellowship at the Speech, Privacy and Technology Project, which is part of the ACLU’s Center for Democracy. The Project is dedicated to protecting and expanding First Amendment rights. The Fellow becomes a part of the Project and is responsible for monitoring technologies and developments that have potential consequences for civil liberties, collaborating on organizational strategies, building relationships between the ACLU and technology communities, serving as a resource to ACLU litigators and staff on technological matters, and educating the public about technology and civil liberties issues.

- [ACLU Careers Page](#)

#### **Copyright Office Barbara A. Ringer Copyright Honors Program**

The Copyright Office's Barbara A. Ringer Copyright Honors Program is an eighteen to twenty-four month paid fellowship designed for attorneys in the early stages of their career with a dedicated interest in copyright law. During this program, Ringer Fellows work closely with senior attorneys in the Copyright Office on cutting-edge issues of copyright law and policy before Congress, the courts, and with other government agencies.

- [Current Posting](#)

### **The Center for Democracy and Technology (CDT) Ron Plesser Public Interest Fellowship in Privacy, Civil Liberties and Internet Policy**

CDT offers a two-year paid fellowship to third year law students and recent graduates with an interest in privacy, information policy, civil liberties, and technology. Candidates should have a demonstrated commitment to public interest work and the relevant issue areas. This fellowship is offered every other year, so the application is not always available.

- Read about the current Ron Plesser fellow [here](#).

### **Electronic Privacy Information Center (EPIC)**

EPIC is a public interest research center in Washington, D.C focused on civil liberty, privacy, and Internet issues. Each year it funds the EPIC Fellowship, a one-year fellowship for a law graduate specializing in privacy law.

- Visit <http://epic.org/epic/jobs.html#fell> for more information.

### **George Washington University Law School: Frank H. Marks Intellectual Property Fellowship**

George Washington offers a two-year, funded fellowship for those interested in pursuing an academic career in IP. Fellows teach, pursue a scholarly project, help with the administration of the Intellectual Property Program, and prepare to enter the teaching market. The fellowship is offered every two years.

- Visit [http://www.law.gwu.edu/ACADEMICS/FOCUSAREAS/IP/Pages/IP\\_Fellowship.aspx](http://www.law.gwu.edu/ACADEMICS/FOCUSAREAS/IP/Pages/IP_Fellowship.aspx) for more information.

### **Google Policy Fellowship**

Google Policy Fellowships are available to undergraduate, graduate, and law students interested in Internet and technology policy. They are offered during the summer and fund ten weeks of work at a public interest organization in Africa, Europe, Latin America, or North America. Fellows are assigned a mentor at their host organizations and conduct research and analysis, draft reports, attend meetings, and become integrated into the organization.

- See a [list of host organizations](#)
- More information on the Google [website](#).

### **Harvard University Berkman Center for Internet and Society**

The Berkman Center offers a variety of fully or partially funded fellowships, typically for the academic year. Fellows work with faculty, students, staff and other affiliates to develop Berkman Center projects, teach, and participate in meetings and programs and also pursue their own research. The Center puts out a yearly call for fellowship proposals.

- For more information visit <http://cyber.law.harvard.edu/getinvolved/fellowships/about>.

### **Information Law Institute – New York University Engelberg Center on Innovation Law and Policy**

The Information Law Institute offers one-year fellowships funded by a grant from the Microsoft Corporation. Fellows work on pre-determined joint projects and pursue their own research agendas. Application information will be posted online during the academic year, and application review usually begins in March.

- Visit <http://www.law.nyu.edu/centers/ili/> for updates and information.

### **Media Law Resource Center (MLRC)**

MLRC is a nonprofit membership association for content providers and lawyers that provides media law and policy resources. The MLRC Fellowship funds a one-year fellowship beginning in September. Fellows receive a salary of \$35,000. MLRC also offers paid summer internships and unpaid term-time internships.

- Visit <http://www.medialaw.org/about-mlrc/employment-opportunities> for more information.

### **Program on Understanding Law, Science, & Evidence (PULSE) – UCLA School of Law**

The UCLA School of Law has received a large grant to fund a project on AI, law, and policy, which in turn allows for the funding of PULSE Fellowships in Artificial Intelligence, Law, and Policy. These are full-time academic positions dedicated to research and writing on the social, economic and legal implications of artificial intelligence and machine learning.

- Visit <https://law.ucla.edu/centers/interdisciplinary-studies/pulse/about/> for more information.

### **Reporters Committee for Freedom of the Press**

Each year the Reporters Committee hires three legal fellows to monitor developments in media law, help provide legal defense to reporters, prepare memoranda and amicus briefs, write publications and web site updates, and work on special projects. Fellows will work on First Amendment issues, but not all work is necessarily cyber-related.

- See <http://www.rcfp.org/about-us/fellowships> for more information.

### **Stanford Law School Center for Internet and Society Intermediate Liability Fellowship**

This one-year fellowship hosts a residential Research Fellow to conduct policy analysis regarding global legal liabilities of communications network intermediaries. The fellow works as an independent researcher, assists with the Center for Internet and Society blog and other tasks, works with students, organizes meetings and outreach, and participates in the law school community.

- For more information visit <http://cyberlaw.stanford.edu/page/new-cis-staff-position-intermediary-liability-fellow>

### **University of Michigan Law School: Microsoft Fellowships in Law, Economics and Technology**

This post-graduate fellowship supports research in intellectual property and innovation, with an emphasis on economics and empiricism as the modes of inquiry. The fellowship lasts for one or two semesters. NOTE: as of July 2013, this fellowship was not currently being offered. For more information, visit <http://www.law.umich.edu/centersandprograms/lawecontech/Pages/lawecontechfellowships.aspx>.

## **Possible Sponsoring Organizations**

### **Center for Democracy and Technology (CDT)**

CDT provides unpaid, year-long fellowships to recent law graduates. Fellows work in Washington, D.C. or San Francisco on technology and civil liberties issues; the specific issue area depends on the fellow's interests and organizational needs. Prospective fellows can apply for the CDT fellowship and apply to another fellowship for funding. Visit <https://www.cdt.org/job/full-time-legal-fellows> for more information.

### **Electronic Frontier Foundation (EFF)**

The Electronic Frontier Foundation is a well-known organization based in San Francisco that may be approached to sponsor fellowship applications. The organization is a non-profit that is eligible for Equal Justice Works and all mobile fellowships. Visit <https://www.eff.org/> for more information.

### **Electronic Privacy Information Center (EPIC)**

EPIC actively seeks fellows who have recently graduated from law school. Fellowships at EPIC are project-based and seek to fund new, innovative public-interest projects. EPIC also runs the Internet Public Interest Opportunities Program (IPIOP) Clerkships, which are summer or term-time internships for current law students.

- Visit <http://epic.org/epic/jobs.html#fell> for more information.

**NOTE:** Many other organizations that do not actively recruit fellows may still sponsor them. If you are looking for a sponsoring organization, refer to the lists of organizations in this guide and proactively research and contact any that interest you.

## **Other Opportunities**

### **Clerkships**

Students with a strong interest in IP and patent law may be interested in clerking for the U.S. Court of Appeals for the Federal Circuit, which hears trademark and patent appeals. Students can also research which judges have sat by designation with the Federal Circuit, since they may have a special interest in IP; a list is available [here](#). Finally, because of the large volume of IP cases in their districts (for example, the Northern District of California and the Eastern District of Texas), some judges will designate one clerk each year as their “IP clerk”, who will handle most or all of the IP work that comes into chambers. A background or interest in technology or IP may advantage a candidate applying to such a judge. Be sure to consult with the clerkships advisors in OCS about all clerkship matters.

### **Graduate Programs**

Some schools offer graduate programs dedicated to the study of the Internet, technology, and society. For example, the [University of Oxford](#) offers a DPhil in Information, Communication, and Social Sciences and an MSc in Social Science of the Internet.

# CHAPTER 7

## Selected Organizations by Issue Area

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### Patent Law

- Department of Commerce, U.S. Patent and Trademark Office:  
<http://usptocareers.gov/Pages/TMPositions/default.aspx> (Note: this office will hire graduates directly out of law school as trademark examining attorneys, as well as laterally hiring attorneys who are early in their career, so this is a great place to look for entry-level jobs)<sup>11</sup>
- Department of Energy, Office of Science, Chicago Office, Office of Chief Counsel, Intellectual Property Law Division: [http://www.ch.doe.gov/offices/occ/html/intellectual\\_property.html](http://www.ch.doe.gov/offices/occ/html/intellectual_property.html)
- Department of Health and Human Services, National Institutes of Health: [www.otn.nih.gov/](http://www.otn.nih.gov/)
- Department of Justice, Federal Bureau of Prisons, Office of General Counsel, Commercial Law Branch: <http://www.bop.gov/about/co/ogc.jsp>
- Department of Transportation, Federal Highway Administration, Office of Chief Counsel, Legislation, Regulations and General Law Division: <http://www.fhwa.dot.gov/about/hq/orgchief.cfm>
- Department of Transportation, Research and Innovative Technology Administration: [http://www.rita.dot.gov/about\\_rita/](http://www.rita.dot.gov/about_rita/)
- Los Angeles City Attorney's Office, General Counsel Section: [http://atty.lacity.org/OUR\\_OFFICE/CivilDivision/index.htm](http://atty.lacity.org/OUR_OFFICE/CivilDivision/index.htm)
- National Aeronautics and Space Administration (NASA), John F. Kennedy Space Center, Office of the Chief Counsel: <http://chiefcounsel.ksc.nasa.gov/index.htm>
- National Aeronautics and Space Administration (NASA), Office of the General Counsel, Commercial and Intellectual Property Law Group: [www.nasa.gov/offices/ogc/commercial/index.html](http://www.nasa.gov/offices/ogc/commercial/index.html)
- Tennessee Valley Authority, Office of Executive Vice President and General Counsel Ralph E. Rodgers: <http://www.tva.com/bios/rodgers.htm>
- U.S. Court of Appeals for the Federal Circuit: all appeals in patent infringement cases are heard by the Federal Circuit, located in Washington, D.C.
- U.S. International Trade Commission, Office of Unfair Import Investigations: [http://www.usitc.gov/intellectual\\_property/contacts.htm](http://www.usitc.gov/intellectual_property/contacts.htm)
- U.S. Postal Service, Law Department, Purchasing and Commercial Protection Section: <http://about.usps.com/who-we-are/legal/welcome.htm>
- White House Office of Science and Technology Policy: <http://www.whitehouse.gov/administration/eop/ostp>

### Copyright Law

- US Army Research Laboratory, Office of Chief Counsel: <http://www.arl.army.mil/www/default.cfm?page=20>
- Department of Agriculture, Office of General Counsel, Legislation, Litigation, and General Law Division
- Department of Commerce, Office of the General Counsel: [www.commerce.gov/os/ogc](http://www.commerce.gov/os/ogc)
- Department of Energy, Office of General Counsel, Office of the Deputy General Counsel for Technology Transfer and Procurement: <http://energy.gov/gc/services/technology-transfer-and-procurement>
- Department of Justice, Federal Bureau of Prisons, Office of General Counsel, Commercial Law Branch
- Library of Congress, Copyright Office: [www.loc.gov](http://www.loc.gov)

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<sup>11</sup> Richard L. Hermann, *Landing a Federal Legal Job: Finding Success in the U.S. Government Job Market* (Chicago, IL: American Bar Association, 2011), 315-316.



- Library of Congress, The Congressional Research Service: [www.loc.gov/crsinfo/](http://www.loc.gov/crsinfo/)
- Los Angeles City Attorney's Office, General Counsel Section: [http://atty.lacity.org/OUR\\_OFFICE/CivilDivision/index.htm](http://atty.lacity.org/OUR_OFFICE/CivilDivision/index.htm)
- US Customs and Border Patrol: [http://www.cbp.gov/xp/cgov/trade/priority\\_trade/ipr/](http://www.cbp.gov/xp/cgov/trade/priority_trade/ipr/)
- U.S. Postal Service, Law Department, Purchasing and Commercial Protection Section: <http://about.usps.com/who-we-are/legal/welcome.htm>

### **Trademark Law**

- US Army Research Laboratory, Office of Chief Counsel: <http://www.arl.army.mil/www/default.cfm?page=20>
- Department of Commerce, National Institute for Standards and Technology: <http://www.commerce.gov/os/ogc/national-institute-standards-and-technology>
- Department of Energy, Office of the Assistant General Counsel for Technology Transfer & Intellectual Property: <http://energy.gov/gc/services/technology-transfer-and-procurement/office-assistant-general-counsel-technology-transfer>
- Department of Energy, Office of the Deputy General Counsel for Technology Transfer and Procurement: <http://energy.gov/gc/services/technology-transfer-and-procurement>
- Department of Health and Human Services, National Cancer Institute, Technology Transfer Center: <http://ttc.nci.nih.gov/>
- Department of Justice, Federal Bureau of Prisons, Office of General Counsel, Commercial Law Branch: <http://www.bop.gov/about/co/ogc.jsp>
- Federal Deposit Insurance Corporation, Legal Division: <http://www.fdic.gov/about/index.html#3>
- Los Angeles City Attorney's Office, General Counsel Section: [http://atty.lacity.org/OUR\\_OFFICE/CivilDivision/index.htm](http://atty.lacity.org/OUR_OFFICE/CivilDivision/index.htm)
- US Customs and Border Patrol: [http://www.cbp.gov/xp/cgov/trade/priority\\_trade/ipr/](http://www.cbp.gov/xp/cgov/trade/priority_trade/ipr/)
- U.S. Postal Service, Law Department, Purchasing and Commercial Protection Section: <http://about.usps.com/who-we-are/legal/welcome.htm>
- U.S. Postal Service, Law Department, U.S. Postal Service Licensing Group: <http://about.usps.com/who-we-are/legal/welcome.htm>

### **Technology Transfer & Licensing**

- Department of Agriculture, Agricultural Research Service: [www.ars.usda.gov](http://www.ars.usda.gov)
- Department of Agriculture, Office of General Counsel, General Law and Research Division: [www.usda.gov/wps/portal/usda/usdahome?navid=OGC](http://www.usda.gov/wps/portal/usda/usdahome?navid=OGC)
- Department of Commerce, Office of the Chief Counsel for Technology: [www.commerce.gov/os/ogc](http://www.commerce.gov/os/ogc)
- Department of Commerce, U.S. Patent and Trademark Office: <http://usptocareers.gov/Pages/TMPositions/default.aspx>
- Department of Commerce, National Institute for Standards and Technology: [www.commerce.gov/os/ogc/national-institute-standards-and-technology](http://www.commerce.gov/os/ogc/national-institute-standards-and-technology)
- Department of Commerce, National Technical Information Service: [www.ntis.gov](http://www.ntis.gov)
- Department of Commerce, National Oceanic and Atmospheric Administration, Office of Research and Technology Applications: [www.oar.noaa.gov](http://www.oar.noaa.gov)
- Department of Commerce, National Telecommunications and Information Administration: [www.ntia.doc.gov](http://www.ntia.doc.gov)
- Department of Defense, Defense Advanced Research and Projects Agency, General Counsel's Office: [www.darpa.mil](http://www.darpa.mil)
- Department of Defense, Defense Information Systems Agency (DISA): <http://www.disa.mil/Careers>
- Department of Defense, Defense Technical Information Center: [www.dtic.mil](http://www.dtic.mil)

- Department of Defense, National Imagery and Mapping Agency: [www.defense.gov](http://www.defense.gov)
- Department of Education, Office of General Counsel: <http://www.ed.gov/jobs>
- Department of Energy, Office of General Counsel, Office of the Deputy General Counsel for Technology Transfer and Procurement: <http://energy.gov/gc/services/technology-transfer-and-procurement>
- Department of Energy, Lawrence Livermore National Laboratory, Industrial Partnerships and Commercialization Office: [www.llnl.gov](http://www.llnl.gov)
- Department of Energy, Lawrence Livermore National Laboratory, Office of Laboratory Counsel: [www.llnl.gov](http://www.llnl.gov)
- Department of Energy, National Energy Technology Laboratory, Office of Chief Counsel: [www.netl.doe.gov](http://www.netl.doe.gov)
- Department of Energy, Thomas Jefferson National Accelerator Facility, Office of Legal Counsel: [www.jlab.org/](http://www.jlab.org/)
- Department of Health and Human Services, Agency for Health Care Research and Quality: [www.ahrq.gov/](http://www.ahrq.gov/)
- Department of Health and Human Services, National Institutes of Health, Office of Technology Transfer: [www.ott.nih.gov/](http://www.ott.nih.gov/)
- Department of Health and Human Services, National Cancer Institute, Technology Transfer Branch: <http://ttc.nci.nih.gov/>
- Department of Homeland Security, Science and Technology Special Programs Division: <http://www.dhs.gov/> ; <http://www.dhs.gov/st-special-programs-division>
- Department of Interior, U.S. Geological Survey: [www.usgs.gov/](http://www.usgs.gov/)
- Department of Transportation, Office of the General Counsel: [www.dot.gov/ost/ogc/](http://www.dot.gov/ost/ogc/)
- Environmental Protection Agency, Office of Science Policy: [www.epa.gov/osp/ftta.htm](http://www.epa.gov/osp/ftta.htm)
- Federal Communications Commission: [www.fcc.gov](http://www.fcc.gov)
- National Aeronautics and Space Administration (NASA), Office of the General Counsel, Commercial and Intellectual Property Law Group: [www.nasa.gov/offices/ogc/commercial/index.html](http://www.nasa.gov/offices/ogc/commercial/index.html)
- National Science Foundation: [www.nsf.gov](http://www.nsf.gov)
- Office of Naval Research, Office of Counsel: <http://ogc.navy.mil/content/onr.aspx>
- Small Business Administration, Office of General Counsel: [www.sba.gov/about-offices-content/1/2466](http://www.sba.gov/about-offices-content/1/2466)
- U.S. Postal Service, Law Department, U.S. Postal Service Licensing Group: <http://about.usps.com/who-we-are/legal/welcome.htm>
- White House Office of Science and Technology Policy: [www.whitehouse.gov/administration/eop/ostp](http://www.whitehouse.gov/administration/eop/ostp)

### **Competition and Antitrust**

- Department of Justice, Antitrust Division: [www.justice.gov/atr/](http://www.justice.gov/atr/)
- Department of Justice, Criminal Division, Computer Crime and Intellectual Property Section (CCIPS): [www.justice.gov/criminal/cybercrime](http://www.justice.gov/criminal/cybercrime)
- Federal Trade Commission (FTC), Bureau of Competition: [www.ftc.gov](http://www.ftc.gov)
- Los Angeles City Attorney's Office, General Counsel Section: [http://atty.lacity.org/OUR\\_OFFICE/CivilDivision/index.htm](http://atty.lacity.org/OUR_OFFICE/CivilDivision/index.htm)
- Various State Attorneys General Offices, especially California, New York, and Texas
- U.S. Senate Committee on the Judiciary, Antitrust, Competition Policy and Consumer Rights Subcommittee: <http://www.judiciary.senate.gov/about/subcommittees/antitrust.cfm>

### **International Intellectual Property Law**

- Department of Commerce, U.S. Patent and Trademark Office, Office of the Administrator for Policy and External Affairs: <http://www.uspto.gov/about/offices/ip/index.jsp>
- Department of Justice, Computer Crime and Intellectual Property Section, <http://www.justice.gov/criminal/cybercrime/>

- Department of State, Bureau of International Narcotics and Law Enforcement Affairs, Cybercrime and Intellectual Property: [www.state.gov/j/inl/narc/index.htm](http://www.state.gov/j/inl/narc/index.htm)
- Executive Office of the President, Office of the United States Trade Representative, Office of Intellectual Property and Innovation <http://www.ustr.gov/>. Internship program: <http://www.ustr.gov/about-us/human-resources/employment/student-internship-program>.
- Executive Office of the President, Office of Management and Budget, Office of the Intellectual Property Enforcement Coordinator: [www.whitehouse.gov/omb/intellectualproperty](http://www.whitehouse.gov/omb/intellectualproperty)
- FBI, Cyber Division: <http://www.fbi.gov/about-us/investigate/cyber/cyber/>
- National Intellectual Property Rights Coordination Task Force: <http://www.iprcenter.gov/>
- US Immigration and Customs Enforcement, Cyber Crimes Center, Cyber Crimes Section: <http://www.ice.gov/cyber-crimes/>
- The European Patent Organization (EPO): <http://www.epo.org/>;  
[http://www.uspto.gov/news/publications/IP\\_Report\\_March\\_2012.pdf](http://www.uspto.gov/news/publications/IP_Report_March_2012.pdf)
- Quadrature du Net: <http://www.laquadrature.net/>
- United Nations: <http://www.un.org/en/>
- World Intellectual Property Organization (WIPO): [www.wipo.int](http://www.wipo.int)
- World Trade Organization: [www.wto.org](http://www.wto.org)

### **Financial Crimes and Fraud**

- Department of Justice, Criminal Division, Fraud Section: [www.justice.gov/criminal/fraud](http://www.justice.gov/criminal/fraud)
- Department of Justice, Criminal Division, Computer Crime and Intellectual Property Section: [www.justice.gov/criminal/cybercrime](http://www.justice.gov/criminal/cybercrime)
- Defense Cyber Crime Center, Air Force Office of Special Investigations: <http://www.dc3.mil/>
- Federal Bureau of Investigation, Cyber Division: <http://www.fbi.gov/about-us/investigate/cyber>
- Food and Drug Administration (investigates sale of counterfeit pharmaceutical drugs over the Internet): [www.fda.gov](http://www.fda.gov)
- Interpol: [www.interpol.int/](http://www.interpol.int/)
- National White Collar Crime Center: <http://www.nw3c.org/>
- U.S. Attorney's Offices (most offices have fraud sections and deal with Internet cases)
- U.S. Department of the Treasury, Financial Crimes Enforcement Network: [www.fincen.gov](http://www.fincen.gov)
- U.S. Immigration and Customs Enforcement, Homeland Security Investigations Directorate: <http://www.ice.gov/about/offices/homeland-security-investigations/>
- U.S. Immigration and Customs Enforcement, Cyber Crimes Center: <http://www.ice.gov/cyber-crimes/>
- ACLU: [www.aclu.org](http://www.aclu.org)
- Electronic Frontier Foundation: [www.eff.org](http://www.eff.org)
- Federal Public Defenders' Offices

### **Stalking and Harassment**

- Department of Justice, Criminal Division, Child Exploitation & Obscenity Section: [www.justice.gov/criminal/ceos/](http://www.justice.gov/criminal/ceos/)
- Department of Justice, Office of Justice Programs, Juvenile Justice and Delinquency Prevention: <http://www.ojjdp.gov/>
- FBI, Cyber Division: <http://www.fbi.gov/about-us/investigate/cyber/cyber/>
- State Attorney General Offices
- US Attorney's Offices
- Harvard Berkman Center, Kinder and Braver World Project, <http://cyber.law.harvard.edu/node/7491>

## Human Trafficking

**Note:** Almost all human trafficking involves some computer usage, meaning that almost all efforts to fight human trafficking involve cyberlaw; however, not all nonprofits state explicitly that they deal with the cyber element of human trafficking. Students should contact organizations directly to inquire about whether they have cyber opportunities available, and even organizations that don't currently deal with the cyber element of human trafficking may be interested in sponsoring students for fellowships in order to expand their services.

- Department of Justice, Civil Rights Division, Human Trafficking Prosecution Unit: <http://www.justice.gov/crt/about/crm/htpu.php>
- Department of Justice, Criminal Division, Child Exploitation & Obscenity Section: <http://www.justice.gov/criminal/ceos/>
- Department of Justice, Office of Justice Programs, Juvenile Justice and Delinquency Prevention: <http://www.ojjdp.gov/>
- FBI , Cyber Division: <http://www.fbi.gov/about-us/investigate/cyber/cyber/>
- National Center for Missing and Exploited Children: [http://www.missingkids.com/missingkids/servlet/PublicHomeServlet?LanguageCountry=en\\_US](http://www.missingkids.com/missingkids/servlet/PublicHomeServlet?LanguageCountry=en_US)
- State Attorney General's Offices
- US Attorney's Offices
- US Department of State, Office to Monitor and Combat Trafficking in Persons: [www.state.gov/j/tip/](http://www.state.gov/j/tip/)
- US Immigration and Customs Enforcement, Homeland Security Investigations (HSI) Directorate: <http://www.ice.gov/about/offices/homeland-security-investigations/>
- US Immigration and Customs Enforcement, Cyber Crimes Center, Child Exploitation Center: <http://www.ice.gov/cyber-crimes/>
- United Nations , Office on Drugs and Crime (UNODC), Anti-Human Trafficking and Migrant Smuggling Unit: [www.unodc.org](http://www.unodc.org) (has several projects specifically related to human trafficking)
- Asian Pacific Islander Legal Outreach: <http://www.apilegaloutreach.org/join.html>
- Coalition to Abolish Slavery and Trafficking: <http://www.castla.org/careers>
- Not for Sale: [www.notforsalecampaign.org](http://www.notforsalecampaign.org)
- Refugee Women's Network: <http://www.riwn.org/employment.php>
- Lutheran Immigration and Refugee Service: <http://www.lirs.org/jobs>
- International Institute of New England: <http://iine.us/careers/>
- Breaking Free: [http://www.breakingfree.net/about\\_breakingfree.aspx](http://www.breakingfree.net/about_breakingfree.aspx)
- City Bar Justice Center: [www.nycbar.org/citybarjusticecenter/about](http://www.nycbar.org/citybarjusticecenter/about)
- More organizations are listed at [http://humantrafficking.org/countries/united\\_states\\_of\\_america/ngos](http://humantrafficking.org/countries/united_states_of_america/ngos)

## Child Pornography

- Department of Justice, Child Exploitation & Obscenity Section: <http://www.justice.gov/criminal/ceos/>
- Department of Justice, Office of Justice Programs, Juvenile Justice and Delinquency Prevention: <http://www.ojjdp.gov/>
- National Center for Missing and Exploited Children: [http://www.missingkids.com/missingkids/servlet/PublicHomeServlet?LanguageCountry=en\\_US](http://www.missingkids.com/missingkids/servlet/PublicHomeServlet?LanguageCountry=en_US)
- State Attorney General Offices
- US Attorney General Offices
- US Immigration and Customs Enforcement, Cyber Crimes Center, Child Exploitation Section: <http://www.ice.gov/cyber-crimes/>
- FBI, Cyber Division: <http://www.fbi.gov/about-us/investigate/cyber/cyber/>

- End Child Prostitution and Trafficking International (ECPAT): <http://www.ecpat.net/EI/index.asp>. A very helpful directory of affiliate organizations, organized by country, is located at [http://www.ecpat.net/EI/Ecpat\\_directory.asp](http://www.ecpat.net/EI/Ecpat_directory.asp)
- Virtual Global Taskforce: <http://www.virtualglobaltaskforce.com>

### **Online Privacy**

- ACLU, Speech, Privacy and Technology Project: [www.aclu.org/free-speech-technology-and-liberty/about-aclus-project-speech-privacy-and-technology](http://www.aclu.org/free-speech-technology-and-liberty/about-aclus-project-speech-privacy-and-technology)
- ACLU, Technology and Liberty Project: [www.aclu.org/technology-and-liberty](http://www.aclu.org/technology-and-liberty)
- Amnesty International USA: [www.amnestyusa.org/about-us](http://www.amnestyusa.org/about-us)
- Berkman Center for Internet and Society: <http://cyber.law.harvard.edu/>
- Center for Democracy and Technology: [www.cdt.org](http://www.cdt.org)
- Cyber Privacy Project: <http://cyberprivacyproject.org>
- Electronic Frontier Foundation (EFF): [www.eff.org](http://www.eff.org)
- Electronic Privacy Information Center (EPIC): <http://epic.org>
- Human Rights Watch: [www.hrw.org](http://www.hrw.org)
- International Criminal Defence Attorneys Association: [www.aiad-icdaa.org](http://www.aiad-icdaa.org)
- New Media Rights: [www.newmediarights.org](http://www.newmediarights.org)
- Privacy and Civil Liberties Oversight Board: <http://www.pclob.gov/>
- Privacy Rights Clearinghouse: [www.privacyrights.org](http://www.privacyrights.org)
- Privacy International: [www.privacyinternational.org](http://www.privacyinternational.org)
- Public Citizen: [www.citizen.org](http://www.citizen.org)
- Dropbox: [www.dropbox.com](http://www.dropbox.com)
- Facebook: [www.facebook.com/careers/](http://www.facebook.com/careers/)
- Google: [www.google.com/about/jobs/](http://www.google.com/about/jobs/)
- Twitter: <http://twitter.com>
- Yahoo: [www.yahoo.com](http://www.yahoo.com)
- U.S. Senate Judiciary Committee, Subcommittee on Privacy, Technology, and the Law: [www.judiciary.senate.gov/about/subcommittees/privacytechnology.cfm](http://www.judiciary.senate.gov/about/subcommittees/privacytechnology.cfm)
- U.S. Senate Committee on Commerce, Science, and Transportation, Subcommittee on Communications, Technology, and the Internet: <http://www.commerce.senate.gov/public/index.cfm?p=CommunicationsTechnologyandtheInternet>

### **Health Privacy**

- Department of Health and Human Services, Office for Civil Rights: [www.hhs.gov/ocr/](http://www.hhs.gov/ocr/)
- Food and Drug Administration (FDA): [www.fda.gov](http://www.fda.gov)
- World Health Organization: [www.who.int](http://www.who.int)
- Any medical provider or business that deals with medical records (hospitals, doctors' offices, HMOs, insurance companies, assisted living facilities, etc.) needs attorneys to ensure compliance with HIPAA and other health information and privacy laws.
- Center for Democracy & Technology: [www.cdt.org](http://www.cdt.org)

### **Human Rights/Internet Access/Freedom of Expression**

- ACLU Technology and Liberty Project: [www.aclu.org/technology-and-liberty](http://www.aclu.org/technology-and-liberty)
- ACLU Speech, Privacy and Technology Project: [www.aclu.org/free-speech-technology-and-liberty/about-aclus-project-speech-privacy-and-technology](http://www.aclu.org/free-speech-technology-and-liberty/about-aclus-project-speech-privacy-and-technology)
- Amnesty International USA: [www.amnestyusa.org/about-us](http://www.amnestyusa.org/about-us)

- Berkman Center for Internet and Society: <http://cyber.law.harvard.edu/>
- Center for Democracy and Technology: [www.cdt.org](http://www.cdt.org)
- Cyber Privacy Project: <http://cyberprivacyproject.org>
- Electronic Frontier Foundation (EFF): [www.eff.org](http://www.eff.org)
- Electronic Privacy Information Center (EPIC): <http://epic.org>
- Free Press: <http://www.freepress.net/about>
- Global Internet Freedom Consortium: [www.internetfreedom.org/about](http://www.internetfreedom.org/about)
- Human Rights Watch: [www.hrw.org](http://www.hrw.org)
- International Criminal Defence Attorneys Association: [www.aiad-icdaa.org](http://www.aiad-icdaa.org)
- Open Society Foundations: [www.soros.org](http://www.soros.org)
- Privacy and Civil Liberties Oversight Board: <http://www.pclob.gov/>
- Privacy Rights Clearinghouse: [www.privacyrights.org](http://www.privacyrights.org)
- Privacy International: [www.privacyinternational.org](http://www.privacyinternational.org)
- Public Citizen: [www.citizen.org](http://www.citizen.org)
- Public Knowledge: <http://publicknowledge.org/>
- Facebook: [www.facebook.com/careers/](http://www.facebook.com/careers/)
- Google: [www.google.com/about/jobs/](http://www.google.com/about/jobs/)
- Twitter: <http://twitter.com>
- Yahoo: [www.yahoo.com](http://www.yahoo.com)

### **Net Neutrality and Regulation of the Internet**

- ACLU Technology and Liberty Project: [www.aclu.org/technology-and-liberty](http://www.aclu.org/technology-and-liberty)
- Center for Democracy & Technology: [www.cdt.org](http://www.cdt.org)
- Electronic Frontier Foundation (EFF): [www.eff.org](http://www.eff.org)
- Free Press: <http://www.freepress.net/about>
- Media Access Project: [www.mediaaccess.org](http://www.mediaaccess.org)
- New Media Rights: [www.newmediarights.org](http://www.newmediarights.org)
- Public Knowledge: <http://publicknowledge.org/>
- Quadrature du Net: [www.laquadrature.net/en/](http://www.laquadrature.net/en/)
- Federal Communications Commission (FCC): [www.fcc.gov](http://www.fcc.gov)
- U.S. House of Representatives, Committee on Energy and Commerce, Subcommittee on Communications and Technology: <http://energycommerce.house.gov/subcommittees/communications-and-technology>
- U.S. Senate Judiciary Committee, Subcommittee on Privacy, Technology, and the Law: [www.judiciary.senate.gov/about/subcommittees/privacytechnology.cfm](http://www.judiciary.senate.gov/about/subcommittees/privacytechnology.cfm)
- U.S. Senate Committee on Commerce, Science, and Transportation, Subcommittee on Communications, Technology, and the Internet: <http://www.commerce.senate.gov/public/index.cfm?p=CommunicationsTechnologyandtheInternet>

### **National Security**

- Air Force Intelligence, Surveillance, and Reconnaissance Agency: <http://www.afisr.af.mil/>
- American Civil Liberties Union: <http://www.aclu.org/national-security>
- Army Intelligence and Security Command: <http://www.inscom.army.mil/>
- Army Research Laboratory, Office of Chief Counsel: <http://www.arl.army.mil/www/default.cfm?page=20>
- Brennan Center for Justice at NYU: <http://www.brennancenter.org/issues/liberty-national-security>

- Brookings Institution: Center for 21<sup>st</sup> Century Security and Intelligence: <http://www.brookings.edu/about/centers/security-and-intelligence>
- Central Intelligence Agency: <https://www.cia.gov/index.html>
- Defense Advanced Research and Projects Agency, General Counsel's Office: [www.darpa.mil](http://www.darpa.mil)
- Defense Cyber Crime Center, Air Force Office of Special Investigations: <http://www.dc3.mil/>
- Defense Information Systems Agency (DISA): <http://www.disa.mil/Careers>
- Defense Intelligence Agency: <http://www.dia.mil/>
- Defense Technical Information Center: [www.dtic.mil](http://www.dtic.mil)
- Department of Defense: <http://www.defense.gov/> , Office of the Secretary of Defense: <http://www.defense.gov/osd/>
- Department of Energy: <http://energy.gov/>
- Department of Homeland Security: <http://www.dhs.gov/>
- Department of Justice, National Security Division: <http://www.justice.gov/nsd/>
- Department of State: <http://www.state.gov/>
- Department of the Treasury: <http://www.treasury.gov/Pages/default.aspx>
- Federal Bureau of Investigation, National Security Branch: <http://www.fbi.gov/about-us/nsb>
- National Security Agency: <http://www.nsa.gov/>
- Office of the Director of National Intelligence: <http://www.dni.gov/index.php#>
- U.S. House of Representatives, Committee on Homeland Security, Subcommittee on Cybersecurity, Infrastructure Protection, and Security: <http://homeland.house.gov/subcommittee-CIPST>

# CHAPTER 8 Selected Organizations by Practice Setting

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## Government: Intellectual Property

**Note:** almost all federal government organizations deal with cyberlaw in some shape or form. If you are interested in cyberlaw and hope to work in the federal government, avoid restricting your job search to the obvious places; you may find “hidden” jobs in departments or offices that don’t explicitly deal in cyberlaw.

### Department of Agriculture

- Agricultural Research Service: [www.ars.usda.gov](http://www.ars.usda.gov)
- Office of General Counsel, General Law and Research Division: [www.usda.gov/wps/portal/usda/usdahome?navid=OGC](http://www.usda.gov/wps/portal/usda/usdahome?navid=OGC)

### Department of Commerce

- U.S. Patent and Trademark Office: <http://usptocareers.gov/Pages/TMPositions/default.aspx>
- Office of the General Counsel: [www.commerce.gov/os/ogc](http://www.commerce.gov/os/ogc)
- National Institute for Standards and Technology: <http://www.commerce.gov/os/ogc/national-institute-standards-and-technology>
- Office of the Chief Counsel for Technology: [www.commerce.gov/os/ogc](http://www.commerce.gov/os/ogc)
- National Technical Information Service: [www.ntis.gov](http://www.ntis.gov)
- National Oceanic and Atmospheric Administration, Office of Research and Technology Applications: [www.oar.noaa.gov](http://www.oar.noaa.gov)
- National Telecommunications and Information Administration: [www.ntia.doc.gov](http://www.ntia.doc.gov)

### Department of Defense

- Defense Advanced Research and Projects Agency, General Counsel’s Office: [www.darpa.mil](http://www.darpa.mil)
- Defense Information Systems Agency (DISA): <http://www.disa.mil/Careers>
- Defense Technical Information Center: [www.dtic.mil](http://www.dtic.mil)
- National Imagery and Mapping Agency: [www.defense.gov](http://www.defense.gov)

### Department of Education

- Office of General Counsel: <http://www.ed.gov/jobs>

### Department of Energy

- Office of Science, Chicago Office, Office of Chief Counsel, Intellectual Property Law Division: [http://www.ch.doe.gov/offices/occ/html/intellectual\\_property.html](http://www.ch.doe.gov/offices/occ/html/intellectual_property.html)
- Office of General Counsel, Office of the Deputy General Counsel for Technology Transfer and Procurement: <http://energy.gov/gc/services/technology-transfer-and-procurement>
- Office of the Assistant General Counsel for Technology Transfer & Intellectual Property: <http://energy.gov/gc/services/technology-transfer-and-procurement/office-assistant-general-counsel-technology-transfer>
- Lawrence Livermore National Laboratory, Industrial Partnerships and Commercialization Office: [www.llnl.gov](http://www.llnl.gov)
- Lawrence Livermore National Laboratory, Office of Laboratory Counsel: [www.llnl.gov](http://www.llnl.gov)
- National Energy Technology Laboratory, Office of Chief Counsel: [www.netl.doe.gov](http://www.netl.doe.gov)
- Thomas Jefferson National Accelerator Facility, Office of Legal Counsel: [www.jlab.org/](http://www.jlab.org/)



## **Department of Health and Human Services**

- National Institutes of Health: [www.ott.nih.gov/](http://www.ott.nih.gov/)
- National Cancer Institute, Technology Transfer Center: <http://ttc.nci.nih.gov/>
- Agency for Health Care Research and Quality: [www.ahrq.gov/](http://www.ahrq.gov/)
- National Institutes of Health, Office of Technology Transfer: [www.ott.nih.gov/](http://www.ott.nih.gov/)

## **Department of Justice**

- Federal Bureau of Prisons, Office of General Counsel, Commercial Law Branch: <http://www.bop.gov/about/co/ogc.jsp>
- Antitrust Division: [www.justice.gov/atr/](http://www.justice.gov/atr/)
- Criminal Division, Computer Crime and Intellectual Property Section (CCIPS): [www.justice.gov/criminal/cybercrime](http://www.justice.gov/criminal/cybercrime)

## **Department of Transportation**

- Federal Highway Administration, Office of Chief Counsel, Legislation, Regulations and General Law Division: <http://www.fhwa.dot.gov/about/hq/orgchief.cfm>
- Research and Innovative Technology Administration: [http://www.rita.dot.gov/about\\_rita/](http://www.rita.dot.gov/about_rita/)
- Office of the General Counsel: [www.dot.gov/ost/ogc/](http://www.dot.gov/ost/ogc/)

## **Department of State**

- Office of the Legal Advisor, Office of Economic and Business Affairs (L/EB): <http://www.state.gov/s/l/3190.htm>
- Office of the Legal Advisor, Office of Law Enforcement and Intelligence (L/LEI): <http://www.state.gov/s/l/3190.htm>
- Office of the Legal Advisor, Office of Oceans, International Environmental, and Scientific Affairs (L/OES): <http://www.state.gov/s/l/3190.htm>

## **Environmental Protection Agency**

- Office of Science Policy: [www.epa.gov/osp/fta.htm](http://www.epa.gov/osp/fta.htm)

## **Federal Communications Commission: [www.fcc.gov](http://www.fcc.gov)**

## **Federal Deposit Insurance Corporation**

- Legal Division: <http://www.fdic.gov/about/index.html#3>

## **Federal Trade Commission (FTC): [www.ftc.gov](http://www.ftc.gov)**

## **Library of Congress**

- Copyright Office: [www.loc.gov](http://www.loc.gov)
- The Congressional Research Service: [www.loc.gov/crsinfo/](http://www.loc.gov/crsinfo/)

## **Los Angeles City Attorney's Office**

- General Counsel Section: [http://atty.lacity.org/OUR\\_OFFICE/CivilDivision/index.htm](http://atty.lacity.org/OUR_OFFICE/CivilDivision/index.htm)

## **National Aeronautics and Space Administration (NASA)**

- John F. Kennedy Space Center, Office of the Chief Counsel: <http://chiefcounsel.ksc.nasa.gov/index.htm>
- Office of the General Counsel, Commercial and Intellectual Property Law Group: [www.nasa.gov/offices/ogc/commercial/index.html](http://www.nasa.gov/offices/ogc/commercial/index.html)

## **National Science Foundation: [www.nsf.gov](http://www.nsf.gov)**

## **Office of Naval Research, Office of Counsel: <http://ogc.navy.mil/content/onr.aspx>**

## **Privacy and Civil Liberties Oversight Board: <http://www.pclbo.gov/>**

## **Tennessee Valley Authority**

- Office of Executive Vice President and General Counsel Ralph E. Rodgers: <http://www.tva.com/bios/rodgers.htm>

## **U.S. Army Research Laboratory, Office of Chief Counsel: <http://www.arl.army.mil/www/default.cfm?page=20>**

## **U.S. Customs and Border Patrol: [http://www.cbp.gov/xp/cgov/trade/priority\\_trade/ipr/](http://www.cbp.gov/xp/cgov/trade/priority_trade/ipr/)**

## **U.S. Department of Interior, U.S. Geological Survey: [www.usgs.gov/](http://www.usgs.gov/)**

## **U.S. House of Representatives**

- Judiciary Committee, Subcommittee on Courts, Intellectual Property and the Internet: <http://judiciary.house.gov/about/subcommittee.html>
- Judiciary Committee, Subcommittee on Regulatory Reform, Commercial Law and Antitrust Law: <http://judiciary.house.gov/about/subcommittee.html>

**U.S. International Trade Commission**, Office of Unfair Import Investigations:

[http://www.usitc.gov/intellectual\\_property/contacts.htm](http://www.usitc.gov/intellectual_property/contacts.htm)

## **U.S. Postal Service**

- Law Department, Purchasing and Commercial Protection Section: <http://about.usps.com/who-we-are/legal/welcome.htm>
- Law Department, U.S. Postal Service Licensing Group: <http://about.usps.com/who-we-are/legal/welcome.htm>
- Small Business Administration, Office of General Counsel: [www.sba.gov/about-offices-content/1/2466](http://www.sba.gov/about-offices-content/1/2466)

## **United States Senate**

- Committee on the Judiciary, Antitrust, Competition Policy and Consumer Rights Subcommittee: <http://www.judiciary.senate.gov/about/subcommittees/antitrust.cfm>

**White House Office of Science and Technology Policy:** [www.whitehouse.gov/administration/eop/ostp](http://www.whitehouse.gov/administration/eop/ostp)

**Various State Attorneys General Offices, especially California, New York, and Texas**

# **Government: Cyberlaw**

**Defense Cyber Crime Center**, Air Force Office of Special Investigations: <http://www.dc3.mil/>

**Department of Health and Human Services**, Office for Civil Rights: [www.hhs.gov/ocr/](http://www.hhs.gov/ocr/)

## **Department of Justice**

- Criminal Division, Fraud Section: [www.justice.gov/criminal/fraud](http://www.justice.gov/criminal/fraud)
- Criminal Division, Computer Crime and Intellectual Property Section: [www.justice.gov/criminal/cybercrime](http://www.justice.gov/criminal/cybercrime)
- Child Exploitation & Obscenity Section: <http://www.justice.gov/criminal/ceos/>
- Office of Justice Programs, Juvenile Justice and Delinquency Prevention: <http://www.ojjdp.gov/>

**Federal Bureau of Investigation, Cyber Division:** <http://www.fbi.gov/about-us/investigate/cyber/cyber/>

**Food and Drug Administration** (investigates online counterfeit drug sales): [www.fda.gov](http://www.fda.gov)

**National Security Agency:** <http://www.nsa.gov/>

**National White Collar Crime Center:** <http://www.nw3c.org/>

## **U.S. Department of State**

- Office of the Legal Advisor, Office of Human Rights and Refugees (L/HRR): <http://www.state.gov/s/l/3190.htm>
- Office of the Legal Advisor, Office of Law Enforcement and Intelligence (L/LEI): <http://www.state.gov/s/l/3190.htm>
- Office to Monitor and Combat Trafficking in Persons: [www.state.gov/j/tip/](http://www.state.gov/j/tip/)

**U.S. Department of the Treasury**, Financial Crimes Enforcement Network: [www.fincen.gov](http://www.fincen.gov)

**U.S. House of Representatives**, Committee on Homeland Security, Subcommittee on Cybersecurity, Infrastructure Protection, and Security: <http://homeland.house.gov/subcommittee-CIPST>

## **U.S. House of Representatives**

- Judiciary Committee, Subcommittee on Courts, Intellectual Property and the Internet: <http://judiciary.house.gov/about/subcommittee.html>

- Committee on Energy and Commerce, Subcommittee on Communications and Technology: <http://energycommerce.house.gov/subcommittees/communications-and-technology>

**U.S. House of Representatives**, Committee on Science, Space, and Technology: [www.science.house.gov](http://www.science.house.gov)

**U.S. Immigration and Customs Enforcement**

- Homeland Security Investigations Directorate: <http://www.ice.gov/about/offices/homeland-security-investigations/>
- Cyber Crimes Center: <http://www.ice.gov/cyber-crimes/>
- Cyber Crimes Center, Child Exploitation Section: <http://www.ice.gov/cyber-crimes/>

**U.S. Senate Judiciary Committee, Subcommittee on Privacy, Technology, and the Law:**

[www.judiciary.senate.gov/about/subcommittees/privacytechnology.cfm](http://www.judiciary.senate.gov/about/subcommittees/privacytechnology.cfm)

U.S. Senate Committee on Commerce, Science & Transportation, Subcommittee on Communications, Technology and the Internet: <http://www.commerce.senate.gov/public/index.cfm?p=CommunicationsTechnologyandtheInternet>

**State Attorney General Offices**

**U.S. Attorney General Offices**

## Nonprofits: Intellectual Property

**American Institute of Architects:** <http://www.aia.org/index.htm>

**California Lawyers for the Arts:** <http://www.calawyersforthearts.org/>

**Center for Democracy and Technology:** [www.cdt.org](http://www.cdt.org)

**Creative Commons:** <http://creativecommons.org/>

**Electronic Frontier Foundation:** [www.eff.org](http://www.eff.org)

**National Public Radio (NPR) Office of the General Counsel, New Media Rights:** <http://npr.org>

**New Media Rights:** [www.newmediarights.org](http://www.newmediarights.org)

**Public Citizen:** [www.citizen.org](http://www.citizen.org)

**Public Knowledge:** <http://publicknowledge.org/>

**Software Freedom Law Center:** <http://www.softwarefreedom.org/>

**Volunteer Lawyers for the Arts:** [www.vlany.org](http://www.vlany.org)

**Wikimedia Foundation:** <http://wikimediafoundation.org>

## Nonprofits: Cyberlaw

**American Civil Liberties Union:** [www.aclu.org](http://www.aclu.org)

- Technology and Liberty Project: [www.aclu.org/technology-and-liberty](http://www.aclu.org/technology-and-liberty)
- Speech, Privacy and Technology Project: [www.aclu.org/free-speech-technology-and-liberty/about-aclus-project-speech-privacy-and-technology](http://www.aclu.org/free-speech-technology-and-liberty/about-aclus-project-speech-privacy-and-technology)

**Amnesty International USA:** [www.amnestyusa.org/about-us](http://www.amnestyusa.org/about-us)

**Asian Pacific Islander Legal Outreach:** <http://www.apilegaloutreach.org/join.html>

**Berman Center for Internet and Society at Harvard University:** <http://cyber.law.harvard.edu/>

**Breaking Free:** [http://www.breakingfree.net/about\\_breakingfree.aspx](http://www.breakingfree.net/about_breakingfree.aspx)

**Center for Democracy and Technology:** [www.cdt.org](http://www.cdt.org)

**Coalition to Abolish Slavery and Trafficking:** <http://www.castla.org/careers>

**Cyber Privacy Project:** <http://cyberprivacyproject.org>

**Electronic Frontier Foundation:** [www.eff.org](http://www.eff.org)

**Electronic Privacy Information Center:** <http://epic.org>

**End Child Prostitution and Trafficking International:** <http://www.ecpat.net/EI/index.asp>

**Free Press:** <http://www.freepress.net/about>

**Global Internet Freedom Consortium:** [www.internetfreedom.org/about](http://www.internetfreedom.org/about)  
**The Governance Lab:** <http://www.thegovlab.org/>  
**Human Rights Watch:** [www.hrw.org](http://www.hrw.org)  
**Media Access Project:** [www.mediaaccess.org](http://www.mediaaccess.org)  
**National Center for Missing and Exploited Children:**  
[http://www.missingkids.com/missingkids/servlet/PublicHomeServlet?LanguageCountry=en\\_US](http://www.missingkids.com/missingkids/servlet/PublicHomeServlet?LanguageCountry=en_US)  
**National White Collar Crime Center:** <http://www.nw3c.org/>  
**New Media Rights:** [www.newmediarights.org](http://www.newmediarights.org)  
**Not for Sale:** [www.noforsalecampaign.org](http://www.noforsalecampaign.org)  
**Privacy Rights Clearinghouse:** [www.privacyrights.org](http://www.privacyrights.org)  
**Privacy International:** [www.privacyinternational.org](http://www.privacyinternational.org)  
**Public Citizen:** [www.citizen.org](http://www.citizen.org)  
**Public Knowledge:** <http://publicknowledge.org/>  
**Quadrature du Net:** [www.laquadrature.net/en/](http://www.laquadrature.net/en/)  
**Refugee Women's Network:** <http://www.riwn.org/employment.php>  
**Virtual Global Taskforce:** <http://www.virtualglobaltaskforce.com>

## International

Students should note that some federal government organizations may deal with international law but are not listed here. See the Government section for a list.

**The European Patent Organization (EPO):** <http://www.epo.org/>

**Quadrature du Net:** <http://www.laquadrature.net/>

**United Nations:** <http://www.un.org/en/>

- Office on Drugs and Crime (UNODC), Anti-Human Trafficking and Migrant Smuggling Unit:  
[www.unodc.org](http://www.unodc.org)

**World Intellectual Property Organization (WIPO):** [www.wipo.int](http://www.wipo.int)

**World Health Organization:** [www.who.int](http://www.who.int)

**World Trade Organization:** [www.wto.org](http://www.wto.org)

## Private Sector

**Dropbox:** [www.dropbox.com](http://www.dropbox.com)

**Facebook :** [www.facebook.com/careers/](http://www.facebook.com/careers/)

**Google:** [www.google.com/about/jobs/](http://www.google.com/about/jobs/)

**Twitter:** <http://twitter.com>

**Yahoo:** [www.yahoo.com](http://www.yahoo.com)

There are ample opportunities in IP and Cyberlaw in private firms. Consult with OCS for resources and advice.

# CHAPTER 9

## IP and Cyberlaw Links

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American Bar Association Cybersecurity Series

- [http://www.americanbar.org/content/ebus/events/ce/cyber-security-core-curriculum.html?sc\\_jid=140820E&sc\\_sid=02419260&list=212110&sc\\_cid=14DCB0042](http://www.americanbar.org/content/ebus/events/ce/cyber-security-core-curriculum.html?sc_jid=140820E&sc_sid=02419260&list=212110&sc_cid=14DCB0042)

Duke Law Program in Intellectual Property

- <http://web.law.duke.edu/ip/centersPrograms.html>

Stanford Law School Center for Internet and Society

- <http://cyberlaw.stanford.edu/>

Stanford SLS Navigator

- This tool allows students to explore practice and issue areas, including IP.
- <http://slnavigator.law.stanford.edu/>

UC Berkeley School of Law: Berkeley Center for Law and Technology

- <http://www.law.berkeley.edu/bclt.htm>

University of Michigan Law School: Program in Law, Economics, and Technology

- <http://www.law.umich.edu/centersandprograms/lawecontech/Pages/default.aspx>

University of Oxford: Oxford Internet Institute

- <http://www.oii.ox.ac.uk/>

University of Pennsylvania School of Law: Center for Technology, Innovation and Competition

- <https://www.law.upenn.edu/institutes/ctic/>

## **APPENDIX: REQUIREMENTS FOR BECOMING A PATENT AGENT OR PATENT ATTORNEY**

In order to practice before the U.S. Patent and Trademark Office (USPTO) as a patent agent or a patent attorney (see the section on Patents for the distinction between “Patent Attorney” and “Patent Litigator”) you need to have a technical background. The USPTO registers patent agents and attorneys and divides candidates into three categories depending on the subject in which they earned a Bachelor’s Degree. Category A is for those who have a Bachelor’s Degree in a “Recognized Technical Subject,” meaning that the degree alone is sufficient to establish that the applicant possesses the necessary scientific and technical training. Category B is for those who have a Bachelor’s Degree in another subject. An applicant in Category B must submit further documentation proving that he or she has the necessary scientific and technical training. Category C is for those with “Practical Engineering or Scientific Experience” who have also taken and passed the Fundamentals of Engineering (FE) test. An applicant must fit into one of these three categories in order to register for the Patent Bar Exam. For more detailed information on each category, as well as registration procedures for the Patent Bar Exam, refer to the “General Requirements Bulletin for Admission to the Examination for Registration to Practice in Patent Cases Before the United States Patent and Trademark Office” at [http://www.uspto.gov/ip/boards/oed/GRB\\_March\\_2012.pdf](http://www.uspto.gov/ip/boards/oed/GRB_March_2012.pdf).

In order to qualify for Category A, an applicant must have a Bachelor’s Degree in one of the following disciplines (note that an applicant with a graduate degree in a recognized technical subject who does not have a Bachelor’s degree in one of these subjects does **not** qualify for Category A. He or she must fulfill the requirements for either Category B or C and apply to take the Patent Bar under one of those categories)

- Biology
- Biochemistry
- Botany
- Computer Science
- Electronic Technology
- Food Technology
- General Chemistry
- Marine Technology
- Microbiology
- Molecular Biology
- Organic Chemistry
- Pharmacology
- Physics
- Textile Technology
- Aeronautical Engineering
- Agricultural Engineering
- Biomedical Engineering
- Ceramic Engineering
- Chemical Engineering
- Civil Engineering
- Computer Engineering
- Electrical Engineering
- Electrochemical Engineering
- Engineering Physics
- General Engineering
- Geological Engineering
- Industrial Engineering
- Mechanical Engineering
- Metallurgical Engineering
- Mining Engineering
- Nuclear Engineering
- Petroleum Engineering