

# FACULTY

## KEYNOTE PRESENTERS



**Jon Gordon**  
*Future Tense*  
Minnesota Public Radio

Jon Gordon is host and producer of Future Tense. Mr. Gordon's work has been recognized by the Associated Press, the Corporation for Public Broadcasting, The Northwest Broadcast News Association, and most recently he received the prestigious Gerald Loeb Award for business journalism from UCLA's Anderson School of Business.



**Mike Liebhold** (by audio-conference)  
*Senior Researcher*  
Institute for the Future, Palo Alto, CA

Mike Liebhold is a Senior Researcher focusing on the mobile and abundant computation, immersive media and geospatial web foundations for context-aware and ubiquitous computing. Previously, Mike was a Visiting Researcher, Intel Labs, working on a pattern language based on semantic web frameworks for ubiquitous computing. Before that, during the late 1990s Mike worked on startups building large scale international public IT services and IP networks for rural and remote regions, and for GPS enhanced precision agriculture, a complete IT architecture for schools in Shandong Province China, satellite networks in India, Europe, and Latin America, and was the Principal Investigator for a National Science Foundation project to bring Internet2 broadband IP networks to seventy rural low income communities in the United States.

In the 1990s, Mike was a senior consulting architect at Netscape Communications and a founding member of Netscape's Strategic Investors board. Previously, Mike was Vice President, Chief Technology Officer for Times Mirror Publishing. For ten years prior, he was Senior Scientist for Apple Computer researching and developing media technologies, geospatial information systems, and high-speed communications. Mike served as principal technology policy adviser for Apple Chairman John Sculley and drafted core recommendations on the National Information Infrastructure which were later incorporated directly in the Clinton-Gore Technology Initiative.

**Plus, a responding panel of senior in-house attorneys from Microsoft, HealthPartners and Best Buy, moderated by an experienced private-practice technology lawyer.**

**Jay Cline**  
Minnesota Privacy Consultants; Minneapolis

**Eric T. Cooperstein**  
Law Office of Eric T. Cooperstein, PLLC; Minneapolis

**Michael F. Fleming**  
Larkin Hoffman Daly & Lindgren Ltd.; Minneapolis

**Laura H. Gilbert**  
Laura H. Gilbert & Associates, LLC; Minneapolis

**Roy S. Ginsburg**  
Attorney at Law; Minnetonka

**Samuel J. Glover**  
Samuel J. Glover & Associates, LLC; Minneapolis

**Christopher R. Hilberg**  
Oppenheimer Wolff & Donnelly LLP; Minneapolis

**Jamie N. Nafziger**  
Dorsey & Whitney; Minneapolis

**William D. Schultz**  
Merchant & Gould P.C.; Minneapolis

**Steve Tapia**  
Senior Attorney  
Microsoft Corporation; Redmond, Washington

**Barbara E. Tretheway**  
Senior Vice President and General Counsel  
HealthPartners Inc.; Minneapolis

**Kari J. Wangenstein**  
Senior Corporate Counsel  
Best Buy Enterprise Services, Inc.; Richfield

**Gary S. Weinstein**  
Faegre & Benson LLP; Minneapolis

### PLANNING COMMITTEE

A special thank you to the planning committee for their contributions of time and expertise:

Miguel Azar, Institute Chair, Cross Telecom Corporation;  
James A. Blomquist, Felhaber, Larson, Fenlon and Vogt, P.A.;  
James C. (Chris) Evans, Beck & Tysver, P.L.L.C.;  
Christopher R. Hilberg, Oppenheimer Wolff & Donnelly LLP;  
Damien A. Riehl, Robins Kaplan Miller & Ciresi, L.L.P.;  
Thomas R. Sheran, Moss & Barnett, P.A.



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# 2009 COMPUTER & TECHNOLOGY LAW INSTITUTE

TUESDAY, OCTOBER 27, 2009

MINNESOTA CLE CONFERENCE CENTER  
SEVENTH STREET & NICOLLET MALL  
THIRD FLOOR CITY CENTER, MINNEAPOLIS



Co-sponsored by Minnesota CLE and  
the MSBA Computer & Technology Law Section

# 2009 COMPUTER & TECHNOLOGY LAW INSTITUTE

TUESDAY, OCTOBER 27, 2009

MINNESOTA CLE CONFERENCE CENTER  
SEVENTH STREET & NICOLLET MALL  
THIRD FLOOR CITY CENTER, MINNEAPOLIS

**Featuring a compelling two-part keynote that you absolutely won't want to miss –**

- **Jon Gordon** of MPR's *Future Tense* – "live in studio" at the conference – will interview **Senior Researcher Mike Liebhold** of the Institute for the Future (by audio-conference) on the future of the Internet.
- **Senior in-house attorneys** from Microsoft, HealthPartners and Best Buy will follow up with insights on **what that future means to the law and our clients.**

**PLUS, 7 additional information-packed sessions including your essential "Year in Review" update, an outstanding faculty, opportunities for ethics and elimination-of-bias credit, networking opportunities and much more!**

# INSTITUTE SCHEDULE

8:30 – 8:50 a.m. CHECK-IN AND CONTINENTAL BREAKFAST

8:50 – 9:00 a.m. WELCOME AND INTRODUCTION

9:00 – 10:45 a.m.

## KEYNOTE

### The Future of the Internet: Plausible Scenarios and What They Mean for the Law & Our Clients

#### PART 1 – The Scenarios

- Jon Gordon
- Mike Liebhold (by audio-conference)

#### PART 2 – An Attorney Panel Examines the Implications for the Law & Our Clients

- Steve Tapia
- Barbara E. Tretheway
- Kari J. Wangenstein
- Gary S. Weinstein (moderator)

10:45 – 11:00 a.m. BREAK

11:00 a.m. – 12:00 p.m.

### The Year in Review: Top 10 Computer and Tech Law Developments for 2009

What do two experienced technology lawyers consider to be some of the most important legal developments over the past year? Find out here, and gain insight on how these developments are – or should be – impacting your legal practice.

- Michael F. Fleming
- Christopher R. Hilberg

12:00 – 12:15 p.m. Boxed lunch provided to all attendees

12:15 – 1:15 p.m.

## FREE BONUS SESSION – A great added benefit!

### The Business Case for Diversity

1.0 elimination of bias credit (applied for)

Obtain one of your “special credits” by attending an informative elimination-of-bias session, free for all of today’s Institute attendees!

Diversity in the legal profession is not only the right thing to do, it is good for business. This program explains the financial and practical benefits of diversity. The session will cover history of diversity and law firm statistics; how the right thing to do affects the bottom line; strategies to enhance recruitment and retention of women and minorities; and more.

- Roy S. Ginsburg

1:15 – 1:30 p.m. BREAK

1:30 – 2:30 p.m.

## BREAKOUT SESSION A

### 1. Protecting Trade Secrets and Proprietary Information

Get practical advice from senior attorney & head of Microsoft Corporation’s copyright and trade secret practice, Steve Tapia. Mr. Tapia will discuss what businesses are doing to protect their valuable trade secrets and other proprietary information, in light of current court rulings, economic factors, and other business and legal considerations.

- Steve Tapia

### 2. Keyword Advertising: Courts Search for “Trademark Protection”; Google Comes Up With No Results

On the heels of April’s adverse decision in *Rescuecom v. Google*, Google expanded its AdWords program to allow use of third party brands in keyword advertising in 190 countries and eliminated its rule against using another’s trademark in ad text in the United States. What’s a brand owner to do? We will explain how keyword advertising works, discuss the *Rescuecom v. Google* case and Google’s recent rule changes, and provide an update on recently-filed keyword advertising lawsuits in the United States and other countries.

- Jamie N. Nafziger

2:30 – 2:40 p.m. BREAK

2:40 – 3:40 p.m.

## BREAKOUT SESSION B

### 3. Resolving Your Next Matter Involving Legally Protected Customer or Employee Data: A Checklist for In-House Counsel

You find yourself facing a client matter where the proper handling of personal data is either the core question or a sidebar issue. Maybe it’s advising a client with a self-funded benefits plan, dealing with employee leave requests that involve medical data, monitoring employees and their electronic social networking, or reviewing internal policies on data creation, storage, and destruction. As the labyrinth of privacy regulations continues to extend nationally and internationally, where do you begin? This panel uses several likely case scenarios to illustrate a checklist-based approach to identifying and narrowing down the central questions to resolve. You’ll walk away with a set of questions to ask your client to help you determine the applicable laws.

- Jay Cline & Laura H. Gilbert

### 4. Domain Names: Practical Advice from Investigation to Enforcement

Explore recent developments in domain name technology and practice including WHOIS privacy controls, domain name parking and tasting, forwarding techniques, and new top level domain names. The session will include practical tips on enforcing trademarks that are used in domain names and other URLs. We will also discuss investigation techniques, such as tracking a registrant and finding problematic domain names. The discussion will include specific cites to reference websites and practical tips dealing with domain name infractions.

- William D. Schultz



3:40 – 4:00 p.m.  
**SPECIAL NETWORKING BREAK**  
Join your colleagues for hors d’oeuvres and beverages. Chat, relax, network and then join us in the auditorium for the final session of the day.

4:00 – 5:00 p.m.

### Ethics in the Clouds: Facebook, Referral Services, and Cloud Computing

1.0 ethics credit (applied for)

Businesses and lawyers are increasingly making use of web-based software and services to network, advertise, communicate, and get things done. But putting data in third parties’ hands causes concern for many lawyers. Your presenters discuss the ethical implications of online social networking, client referral services, and software-as-a-service (SaaS), or cloud computing.

- Eric T. Cooperstein
- Samuel J. Glover

## COURSE INFORMATION

### DATE & LOCATION

Tuesday, October 27, 2009  
Minnesota CLE Conference Center  
Seventh Street & Nicollet Mall  
Third Floor City Center  
Minneapolis

### CREDITS

Minnesota CLE is applying to the Minnesota State Board of CLE for **6.75 CLE credits**, including **1.0 elimination-of-bias credit** for the 12:15 – 1:15 p.m. session and **1.0 ethics credit** for the 4:00 – 5:00 p.m. session. The maximum total amount of credits an attendee may claim is **6.75**.

### CANCELLATION/NO-SHOW POLICY

Paid registrants who cancel their registration at least 72 hours before the program will receive a full credit on their account; if fewer than 72 hours, a \$25 administrative fee will be deducted. Paid registrants who fail to attend will receive the written materials. Passholders may purchase the materials at 50% of the full retail price.

### ACCOMMODATION

If you have a disability and need an accommodation in order to attend, contact Minnesota CLE as soon as possible at 2550 University Avenue West, Suite 160-S, Saint Paul, MN 55114 or call us at 651-227-8266 or 800-759-8840.

### QUESTIONS?

Please call Minnesota CLE at **651-227-8266** or **800-759-8840** or visit us online at **www.minncle.org**.



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Tuesday, October 27, 2009

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#### PROGRAM MATERIALS:

I cannot attend.  
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