

Computer Law News

A Publication of the Minnesota State Bar Association Computer Law Section

December 2002

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Report From the Chair

By: Dan Tysver

I am pleased to have this opportunity to report on the activities and goals of the Computer Law Section for the upcoming year. It is an honor to be able to serve as the Chair this year, and I will do my best to carry on the initiatives and leadership that were provided by Sandra Sedo, last year's Section chair. We are all indebted to Sandra for her hard work and guidance during the past year.



In my year as chair, I hope to achieve two primary goals. First, I want to increase participation in Section activities among the entire membership. While attendance in the annual CLE remains exceptionally high, I hope that our events throughout the year will be of such quality that they will be "impossible to resist."

Second, I want to maintain a high level of involvement in the Section leadership. The Section Council will meet monthly from January through May, and involvement in the Council often involves a great deal of effort outside of these monthly meetings. To the extent possible, I will strive to make the Council meetings interesting, relevant, and brief. I will also try to bring some "new blood" to the leadership of the Section. If anyone is interested in becoming involved in the Section Council or any of its committees, please come to one of our meetings. There is no need to wait for a personal invitation, as all section members are welcome. Regular participants in the Council and committee meetings often become Council members.

One way in which we hope to achieve these goals is to build off of the changes that Sandra Sedo made to our Council meetings last year. Sandra moved Council meetings to 11:30, limited the duration of the meetings to approximately one-half hour, and planned substantive legal discussions following the meetings. To help us increase attendance of Section members at these discussions, the Section Council has decided that our Noontime CLE program will be used to provide the

substantive legal discussion. This means that following each Section Council meeting, there will be a free, lunchtime CLE meeting available to all members of the Section. These noontime CLEs will not only have high-quality speakers and interesting discussions, but they will be an inexpensive (free!?) way for members to meet their CLE requirements. We encourage everyone to attend these presentations, starting at noon on the second Tuesday of the month, beginning January 14, 2003.

The Section year is already well underway, and I am pleased to report that everything is going swimmingly! The annual Computer Law Institute was held on October 15, 2002 and was a great success. The Institute was very well attended and received. Out of state speakers included Gary Clayton from the Privacy Council, Heather Meeker of Wilson Sonsini, and Kari Wangenstein, formerly of Dell Computer and now of Best Buy Company. The planning committee of Christopher Schulte, Sandra Sedo, and Kim Shepherd was chaired by Carla Condiff Schaumann and assisted by Liz Patel of Minnesota CLE. These people were directly responsible for the success of the Institute and deserve our deepest thanks.

Our section is also blessed by having one of the finest newsletters put out by the MSBA. Like all of our newsletters over the past few years, this current newsletter has been put together through the effort of Dianne Plunkett Latham. Her leadership and gentle encouragement to get the components of the newsletter together for publication is greatly appreciated by all of the Section's members.

I would welcome any and all feedback from Section members. Feel free to e-mail me at dtysver@bitlaw.com or call me at 612-915-9634 if you have any suggestions or comments about how to make the Computer Law Section more relevant to your practice. ■



2002 Schedule of Events

01-14-03	Section Council Meeting	11:30 at MSBA Headquarters, City Center
02-11-03	Section Council Meeting	11:30 at MSBA Headquarters, City Center
03-11-03	Section Council Meeting	11:30 at MSBA Headquarters, City Center
04-01-03	Newsletter Submission Deadline	
04-08-03	Section Council Meeting	11:30 at MSBA Headquarters, City Center
05-13-03	Section Council Meeting	11:30 at MSBA Headquarters, City Center
06-03	Section Annual Meeting	TBA
06-18-20-03	MSBA Annual Convention	Hyatt Hotel, Minneapolis

Editor's Report

By: Dianne Plunkett Latham

In an effort to provide Section members timely information, we became the first Section to distribute our newsletter via e-mail. We currently have 303 members and have e-mail addresses from all but 28, or 10.8%. If you received a hard copy of this newsletter, it is because we do not have your e-mail address. Please contact the Minnesota State Bar Association and provide them with your current e-mail address and your next issue will arrive via e-mail.



Newsletter Submissions – Please e-mail your newsletter submissions to me at PlunkettDi@mn.rr.com. These can include articles, photographs, committee reports, CLE notices and other information of interest to the members of the MSBA Computer Law Section. ■

Treasurer's Report

By: Christine Brick

I attended the MSBA Treasurer's training meeting in October or early November and received the September

2002 financial report. Our YTD balance as of September 30, 2002 was \$9584.70. ■

Computer Law Section Meeting Minutes

May 14, 2002

Attendees: Sandra Sedo, Christopher Schulte, Dianne Plunkett Latham, Katheryn Andresen, Emily Fox Williams, Mike Trittip, Christine Brick, Kendra Rubbright, Jim Blomquist, Miguel Azar, Carla Condiff Schuamann, John Sumner, Chip Brink, Charles Johnson, John Taft.

Call to Order: The meeting was called to order by the Chair at 11:41 a.m.

Minutes: The minutes from the April 9, 2002 regular meeting were approved.

Treasurer's Report: The Treasurer's Report revealed that as of the end of March the balance for the Section was \$8,223.92. The Section collected \$3,360.00 in membership dues for the year.

Contracts Committee Report: Christine Brick and Katheryn Andresen reported that the Committee held its half-day CLE on ASP Agreements on April 17, 2002. Twelve people registered for the event. The program was well received by the attendees. The Council approved \$300 for facilities. However, due to the lower attendance than was expected, the Minnesota CLE Center moved the event into a smaller room for half the price.

Newsletter Committee Report: Dianne Plunkett Latham reported that Mike Jacobs from the Attorney General's office was unable to publish his article in our newsletter. He might be able to provide the article in September.

Law Student Outreach Committee Report: None.

Web Site Committee Report: William Hefner was absent but provided his report in written form. The Council discussed whether a chat room was worth keeping.

Noon Time CLE Committee Report: No report.

2002 Computer Law Institute Report: Carla Condiff Schuamann reported that the Institute is set for October 15, 2002. The Committee is currently working on their

own topics and speakers and our contact at Minnesota CLE is currently contacting speakers on our behalf.

Legislative Committee Report: No report.

Annual Meeting Committee Report: No report.

Nominations/Elections Committee Report: John Taft indicated that he queried all of the current Board members and officers to see if they would be willing to serve another term. The result of this effort was that a few people dropped off the Board and Kim Sheppard indicated that she cannot continue as an officer. Therefore, this Committee will nominate Katheryn Andresen to serve as Secretary and Christine Brick as Treasurer in the upcoming term. He indicated that ballots would be sent by the end of week.

New Business: The Chair reported that we now have 314 members in the Section (one over our goal). The Chair also reported various correspondence she received from the MSBA. In particular, the MSBA Board of Governors is increasing its administrative fee to our Section by \$1.00 per member. In addition, the MSBA requested funds for Habitat for Humanity as well as its lobbying effort. Those were met with a generally negative response from the Board. No motion was made on either topic.

Old Business: None.

Motion to Adjourn: Chip Brink moved to adjourn the meeting, which Christine Brick seconded. The motion was passed. The meeting was adjourned at 12:22 p.m.

Christopher Schulte
Secretary

September 10, 2002

Attendees: Daniel Tysver (Chair); Christopher Schulte (Vice-Chair); Katheryn Andresen (Secretary); Christine Brick (Treasurer); William Hefner; Ronald Marmo; James Blomquist; Kendra Rubbright; Miguel Azar; Steve Bern (guest); Carolyn Sandberg; Stephen Buckingham; John Taft; Rebecca Comstock; Sandra Sedo; John Sumner; Charles Johnson; Charles Brink; Carla Condiff Schuamann; Dianne Plunkett Latham; Thomas Sheran; and Mike Trittip (MSBA Liaison).

Call to Order: The meeting was called to order by the Chair, Daniel Tysver, at 11:47 a.m.

Introduction, Structure of Meetings: The Chair confirmed that council meetings will be held at 11:30 on the second Tuesday of every month with the exception of October (due to the Computer Law Institute) and December (holidays). The Chair then called for council members to introduce themselves.

Minutes: The new Secretary is Katheryn Andresen. The minutes from the February, April and May meetings were distributed by Christopher Schulte (Vice-Chair and former Secretary), and approved.

Treasurer's Report: The new Treasurer, Christine Brick, has not yet met with the former Treasurer, Kim Shepard, for turn-over of the books.

2002 Computer Law Institute Report: Carla Condiff Schaumann reported that the Institute is scheduled for October 15, 2002 and brochures have already been distributed. MSBA members will pay \$225 for the Institute and non-members will pay \$270 for the Institute.

Annual Meeting Report: The 2002 Chair, Barbara Grahn, was not present. Other attendees confirmed that the meeting was well-provisioned, but not well attended. Suggestions were made as to what has worked well in the past. It was generally agreed that an annual meeting during which a speaker gives a presentation (approved for CLE credit) has been successful. It was agreed that a new Chair is not needed until Spring 2003.

Newsletter Committee Report: Dianne Plunkett Latham agreed to continue as the Committee Chair. Dianne reported that the next issue of the newsletter will be out December 1, 2002 and the deadline for submissions is November 1, 2002.

Noontime CLE Report: Tom Sheran agreed to continue as the Committee Chair. Tom will try to schedule a security oriented CLE, but he welcomes any suggestions for topics or speakers. Jim Blomquist and Charles Johnson agreed to assist Tom with this committee.

Case Law & Legislation Report: Gillian Uecker Rosenquist and Becky Comstock are the respective Committee Chairs from last year. Gillian was not present, but Becky agreed to continue with the Legislation Committee this year. It is suggested that these committees coordinate with the Noontime CLE Committee to present their findings at one of the Noontime CLEs.

Contracts Committee Report: Former Committee Co-Chairs, Christine Brick, Katheryn Andresen and Chris Schulte did not agree to continue. The three did agree to meet to try to host a meeting in October to determine interest in the Committee and possible volunteers for Committee Chair.

Web Site Report: The former co-chair, Bill Hefner, agreed to continue as the Committee Chair. Bill reported that no updates have been posted recently, but he will update by the next meeting. Bill asked that the Minutes and Committee Reports be sent by e-mail to his attention for posting on the website. Bill noted that the chat room never generated much participation and further noted that email lists could be used for communicating among members.

Law Student Outreach Report: The former Chair, Christine Brick, agreed to continue to as a co-Chair with Kendra Rubbright. Christine reported that there was not a lot of success at last year's events. Other members suggested contacts that worked well in previous years, such as a CLE at Hamline.

Bylaws: The former Chair, John Taft, agreed to continue on the committee and Carolyn Sandberg and Jim Blomquist will participate as well. Jim Blomquist agreed to Chair the committee. The committee will review what, if any, modifications are required to the bylaws to deal with election issues due to write-in candidates for the council.

New Business: The Chair noted there was an upcoming meeting for the Legislation Chair on the MSBA's lobby initiative. Becky Comstock noted she attended last year and agreed to review and decide if she needed to attend again this year. There was no additional new business.

Motion to Adjourn: The meeting was adjourned at 12:45 p.m.

Katheryn Andresen
Secretary



Committee Reports

Annual Computer Law Institute

Members: Carla Condiff Schaumann, Chair, Sandra Sedo, Chris Schulte, Kim Shepherd

The committee met on May 2, 2002 with Liz Patel from the Minnesota CLE to finalize topics and speakers for the October annual CLE. The nineteenth annual Computer Law Institute was held on October 15, 2002. The attendance statistics for this well received event are as follows:

2000 – 117

2001 – 131

2002 - 130

The Computer Law Section Council expresses their appreciation to those who worked so hard to make our annual CLE such a successful and well attended event.

Noon CLE Committee Report

By: Thomas Sheran

I have been in touch with U. of Minnesota law professor David McGowan about giving a presentation on Open Source Software licensing (he is the author of an article on this subject) and related issues concerning the enforceability of standard licensing restrictions on reverse engineering. However, his schedule does not

permit a presentation at the November 12 monthly Section Council meeting. He is available at noon on Tuesday, Nov. 26 and Tuesday, Dec. 3, and possibly Tuesday, Dec. 17. I need to confirm a date with Prof. McGowan and would welcome guidance Re date selection. The November Section Council meeting requested that Mr. McGowan be invited to speak at the January 14th Section Council meeting.

Web Master Report

By: Bill Hefner

In September, I had Dick Erickson of the MSBA do the following at our webpage:

1. Post the minutes of the February - May 2002 meetings
2. Update the Council roster
3. Change the notice regarding our monthly meetings from "12:15 p.m." to "11:30 a.m."
4. Remove the "Essay Committee" from the list of committees
5. Add the "Law Student Outreach," "Bylaws" and "Website" committees to that list including descriptions of the committee and their respective chairs; and
6. Update the list of remaining committee chairs (at least as of the September meeting)



Calling All e-mail Addresses!

If you received a hard copy of this issue instead of a copy via the Internet, it means that the MSBA does not have your e-mail address. Less than 10% of our members still receive this newsletter via the quaint 'snail mail' method. Don't be left behind! Newsletters sent via e-mail arrive one to two weeks earlier than those sent via surface mail. Submit your e-mail address to the MSBA by contacting Anne Barrett at:

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Tools of the Trade: Website Audit

By: Michael R. Cohen, Merchant & Gould

Whether you are an active participant in e-commerce, maintain a passive website, act as a website designer, provide content or work with the websites of others, you must understand and monitor a wide variety of legal issues before they become problems. A thorough website audit is a crucial tool designed to help you determine whether or not certain changes are necessary to avoid litigation and make sure that potential problems are corrected. The following is a checklist of some of the issues that should be covered in the course of any examination or audit of your website.



Trademarks and Domain Names

- Have you obtained the necessary rights to trademarks and domain names?
- Are trademark notices and usage appropriate, and used consistently throughout the website?
- Are you aware of potential infringers of your trademarks?
- Can you take advantage of the Uniform Domain Name Dispute Resolution procedure to obtain domain names that infringe your trademarks?

Copyright Ownership

- Who created the website? If it was created by an independent contractor web designer, it is critical to have a valid, written agreement transferring all necessary rights.
- Are the copyright notices that are used on the website appropriate and consistent?
- Should you register the website or portions of it with the United States Copyright Office?
- Does the website fully comply with and take advantage of the Digital Millennium Copyright Act (DMCA)?
- Does the site fall within the DMCA safe harbor protections afforded to sites that allow for the posting of information by outside parties? This is particularly relevant for any website that allows for the exchange of ideas through forums or other similar electronic communities that are becoming more and more popular at various sites.
- Who creates the content that is actually published and used at the website, including any written material, graphics and photos, and have appropriate agreements and clearances been obtained? Consider the *Tasini* case discussed in the Spring 2002 MSBA *Computer Law News* (Vol. 18, No. 3, p. 14).
- Do you have an appropriate agreement with your provider of hosting services? Can you easily transfer to a different host? What are the remedies for downtime?

Legal Notices and Terms of Use

- Are appropriate legal disclaimers and warranties relative to the use of any information, materials or products that are offered through the website, set forth in a location that is easily found by any person accessing the website?
- Is the user of the website required to acknowledge and accept the Terms of Use?
- If other sites are linked, does a disclaimer of non-endorsement appear? Have you considered using linking or framing agreements?
- Are your Terms of Use legally enforceable and do they cover issues such as how content can be accessed or used, limitations of liability, rights to submissions or ideas, compliance with the Digital Millennium Copyright Act, child privacy provisions and jurisdiction?
- Are on-line or click-through licenses necessary?

Privacy Policy

- Is your Privacy Policy updated and accurate?
- Does your Privacy Policy include an opt in/opt out for the end user, and fully comply with the Children's Online Privacy Protection Act?
- Is your Privacy Policy specifically customized to the actual business practices of the website owner and not merely copied from another company's website?
- Have you considered obtaining a seal of approval certifying that your policy meets certain minimum

- standards from Trustee, BBB Online or other organizations?
- Does your Privacy Policy promise something that it cannot deliver?
- To prepare a Privacy Policy you must answer the following questions:

Privacy Policy Questions:

- What personal information is collected?
- Are “cookies” used, and for what purpose?
- Who collects and maintains the information?
- What is the information used for?
- Is the information shared or sold to others?
- Does the owner retain the ability to transfer the information upon sale of the business?
- Can the user opt out of any particular type, or use of data?
- What are the consequences for opt out?
- Can the user access incorrect data associated with their own account, and if so, how?

- What ability does the website owner have to amend the policy?
- How is the Privacy Policy actually displayed on the site?
- What steps are actually taken to maintain security of the information?
- What is the policy for collecting information from children?
- Does the website owner desire to comply with foreign laws and regulations such as the privacy directives of the European Union?

The commercial power of the Internet has resulted in an explosion of usage, new laws and first-of-its-kind litigation. It is important to follow this ever changing legal landscape and update your website as necessary. By periodically performing an audit of your website, you can make sure that you are taking advantage of any new laws and regulations. For further information, Mike can be reached at (612) 332-5300, or at mcohen@merchant-gould.com. ■

Trademarks in Secured Transactions

By: Linda M. Byrne, Merchant & Gould

A company’s intellectual property is often its most valuable asset. Intellectual property includes the company’s trademarks, copyrights, patents, and trade secrets. Because of its value, intellectual property often serves as collateral in various types of financing, such as revolving credit lines or the financing of a business expansion. When a lender provides financing for the acquisition of a business, the intellectual property of the acquired company or division is almost always part of the collateral for the loan.



In many situations, the most problematic issue is the “perfection” of the security interest, that is, how to accomplish such perfection, and how to determine if a particular intellectual property asset is the subject of a perfected security interest. Perfection is important, because a secured party that has perfected its security interest has greater rights than those of an unperfected secured party in case of the bankruptcy of the debtor. A

secured party may be a lender or may be a company that has an agreement with the debtor, such as a licensor or licensee.

Under Article 9 of the Uniform Commercial Code, a “financing statement” (sometimes referred to as a UCC-1) must be filed against the debtor in order to perfect a security interest. As a matter of good practice, the intellectual property collateral should be specifically identified. However, language such as “all general intangibles now owned or hereafter acquired by [the debtor company]” is considered a sufficient statement to cover all trademarks (whether or not federally registered), and all trademarks subsequently acquired by the debtor.

Section 9-311 governs the scope of Article 9 and states that Article 9 does not apply if it is preempted by a “statute, regulation, or treaty of the United States.” But it is unclear whether the intellectual property laws

preempt Article 9's requirement for a state financing statement. Certain intellectual property rights are governed by state law, such as common law trademarks and trade secrets. Other intellectual property rights exist only as a federal right, such as patents and copyrights. Still others are subject to both federal statute and concurrent state jurisdiction, such as federally registered trademarks.

Some attorneys mistakenly believe that recording a security interest in the U.S. Patent and Trademark Office (USPTO) perfects a lien against federal trademark registrations. While it is true that a security agreement is recordable, all reported court cases have held that perfection of a lien on a federally registered trademark must be accomplished by a state filing under Article 9.

Therefore, when you are seeking to perfect a security interest in a trademark registration or performing a search to locate existing liens, your efforts cannot end with a search of the U.S.P.T.O. records. You must also review all UCC financing statements filed against the owner of the marks. If the marks are subject to a lien, then a waiver or release from the lender should be obtained.

Moreover, the lender should not be allowed to take an outright assignment of trademarks, rather than a security interest, because this may destroy the trademark. A lender does not want to be a licensor, exercising quality control over its debtor/licensee, nor be responsible for

filing renewal applications to keep the trademark registration in force. In addition, U.S. intent-to-use applications cannot be assigned except "to a successor to the business of the applicant." To do so would invalidate any subsequently obtained trademark registration.

A belt and suspenders approach is advisable in this uncertain area of the law. Since the USPTO will accept security interests for recording against trademark registrations/applications, patents, and patent applications, a cautious approach is to add the USPTO filing to the UCC-1 filing. Similarly, a security interest in copyrights should be recorded with the U.S. Copyright Office, as well as being referenced in a UCC-1 financing statement.

Different issues, case law, and statutes are involved depending upon the type of intellectual property being used as collateral, be it trademarks, copyrights, patents, trade secrets or domain names. Therefore, the applicable case law and statutes should be consulted for the different types of intellectual property. ■

Linda Byrne's practice emphasizes the resolution of disputed matters, trademark prosecution, opposition proceedings, and infringement opinions. She is the past chair of Merchant & Gould's Trademark Practice Group. For more information, contact Linda at (612) 336-4615 or at lbyrne@merchant-gould.com

2003 MSBA Annual Convention

June 18-20
Hyatt Hotel, Minneapolis

Update on the *Festo* Decision

By: Walter E. Hanley, Kenneth R. Corsello, and David W. Wallace,
Kenyon & Kenyon

On May 28, 2002, the United States Supreme Court issued its eagerly awaited decision in *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.* In vacating the Federal Circuit's decision, the Supreme Court held that prosecution history estoppel may apply to any claim amendment made to satisfy the Patent Act's requirements, not just to amendments made to avoid the prior art; estoppel need not bar suit against every equivalent to the amended claim element.

In *Festo*, the Federal Circuit held that prosecution history estoppel may be created by any narrowing amendment made for the purpose of overcoming any reason affecting the issuance of a patent. In reversing the decision below, the Federal Circuit held that prosecution history estoppel acts as a "complete bar" to the application of the doctrine of equivalents.

The Supreme Court held that estoppel arises when an amendment is made to secure the patent and the amendment narrows the patent's scope. The reach of the estoppel, however, requires an examination of the subject matter surrendered by the narrowing amendment. The Supreme Court admonished the Federal Circuit for not being "cautious before adopting changes that disrupt the settled expectations of the inventing community."

The Supreme Court also held that a narrowing amendment made to satisfy any requirement of the Patent Act, may give rise to an estoppel. The Court explained that a patentee "who narrows a claim as a condition for obtaining a patent, disavows his claim to the broader subject matter, whether the amendment was made to avoid the prior art or to comply with § 112."

The *Festo* decision builds upon the Supreme Court's recent holding in *Warner-Jenkinson Co. v. Hilton Davis Chemical Co.*, 520 U.S. 17 (1997). According to *Warner-Jenkinson*, when the claim at issue was amended, the patentee bears the burden of proving that the amendment was not made for a reason that would give rise to estoppel. If the patentee cannot make such a showing, then prosecution history estoppel is said to apply.

In *Festo*, the Supreme Court further held that once prosecution history estoppel is found to apply, the patentee bears the burden of "showing that the amendment does not surrender the particular equivalent in question." To rebut the presumption, the patentee "must show that at the time of the amendment one skilled in the art could not reasonably be expected to have drafted a claim that would have literally encompassed the alleged equivalent." The Court suggested a number of reasons that would support such a showing: "The equivalent may have been unforeseeable at the time of the application; the rationale underlying the amendment may bear no more than a tangential relation to the equivalent in question; or there may be some other reason suggesting that the patentee could not reasonably be expected to have described the insubstantial substitute in question."

The central question left by the Supreme Court's opinion is how to determine whether a claim amendment precludes a finding of infringement under the doctrine of equivalents. The Supreme Court's opinion provides important guidance on this question, but further case development will be needed to clarify the practical application of the decision.

Please feel free to contact any of the authors if you have any questions. ■

MSBA Computer Law Section Newsletter Article Guidelines

By: Dianne Plunkett Latham, Editor

Subject Matter – Submit any articles that would be of interest to the members of the Computer Law Section, as for example, recent issues on technology licensing, patents, copyright, trademark or Internet technology. Articles previously published in other publications are acceptable if current.

Article Length – Articles of 3,500 words or less, but not more than 5,000 words are preferred as the newsletter is limited to 24 pages and is published in multiples of 4 pages due to the constraints of the hard copy version.

Article Format – Microsoft Word is preferred. Please contact the Editor before any other format is used. E-Mail submissions are preferred, although a disk or CD ROM is acceptable. Avoid the style of law reviews, CLE materials or legal briefs. A journalistic style is preferred. The structure of the article should include a “catchy” lead, followed by a “thesis paragraph” that tersely states the gist of the article. The exposition of the topic should then follow with a summary at the conclusion.

Footnotes – Keep footnotes to a maximum of 25, as this is not a law review style publication. If footnotes are used they should all fall at the end of the article, not at the end of each page. All footnotes should be in the form prescribed by the *Uniform System of Citations*. Footnotes should be limited to citing specific authorities; ‘string’ citations and discursive notes are discouraged. The author is responsible for ensuring the completeness and accuracy of all references and citations.

Footer – Footers should contain only page numbers, not other information such as a date stamp, or internal document number.

Copyright Notice – A Copyright notice is unnecessary. If the author wishes to include one, it should be placed at the end of the article, not on each page.

Title and By-Line – The article should include both a title and a by-line. The by-line should include both the author’s name and firm affiliation. Do not include any additional biographical information about the author. For example, do not include in the endnotes the author’s practice areas or experience, etc.

Photographs – Photographs of Section events are encouraged. They may be in black and white or in color. Digital photographs are preferred, although prints are acceptable. If digital photographs are submitted, please e-mail them at the highest resolution available on your system. Submitting photographs on disk or CD ROM is acceptable.

Graphs and Charts – The use of graphs and charts should be kept to a minimum. They are very difficult, if possible at all, to input to the newsletter’s Pagemaker software, and often must be recreated manually, substantially delaying the formatting set-up time.

Submission Deadline – The Computer Law Section Newsletter is published 3 times a year in September, January and May. Submission deadlines are about 4 weeks prior to publication and are published in the Calendar of Events for the previous issue.

Distribution – The newsletter is distributed to members via e-mail. Those members without an e-mail address (about 10%) are sent a hard copy through the US mail.

Questions – Please feel free to contact the Editor, Dianne Plunkett Latham, at:
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Computer Law Section

New Member/Committee/Officer Interest Form

- Enclosed is my check in the amount of \$35 payable to the MSBA. (Send to Section Services, c/o MSBA, 600 Nicollet Mall, Suite 380, Minneapolis MN 55402.)
- I am a current Computer Law Section member. The following information is address change information only. Address information can be faxed to 612/333-4927; or e-mailed to tjalivay@statebar.gen.mn.us.

Name _____

Employer _____

Street _____

City/State/Zip _____

Phone _____ Fax _____

E-mail _____

- If you are interested in joining one of the following committees for 2002-2003, or are willing to be considered for an officer or committee chair, please check below and send to Dan Tsyver Computer Law Section Chair, Beck & Tysver, PLLC, 2900 Thomas Avenue S., Minneapolis, MN 55416.

	Chair	Join
<input type="checkbox"/> Annual Meeting	---	---
<input type="checkbox"/> Technology Law Institute	---	---
<input type="checkbox"/> Case Law Reports	---	---
<input type="checkbox"/> Contracts	---	---
<input type="checkbox"/> Law School Outreach	---	---
<input type="checkbox"/> Newsletter Editor	---	---
<input type="checkbox"/> Noontime CLE Programs	---	---
<input type="checkbox"/> Legislative Liaison	---	---

I would like to participate in the Section in the following ways:

___ Speak at a CLE ___ Contribute an article to the Newsletter
 ___ Other: _____

Check any of the following officer positions you would consider in the future:

___ Chair ___ Vice Chair
 ___ Secretary ___ Treasurer
 ___ Council member

I would like to see the Computer Law Section undertake the following: _____

