Legal Aspects of Managing Technology

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As I mentioned in a recent column, I’m team-teaching the CJ341 course on Cybercrime and Cyberlaw at Norwich University this semester with Prof Julie Tower-Pierce, Esq <http://www.mekabay.com/courses/academic/norwich/cj341/index.htm>. Along with the two books I reviewed in that column, we’re using this one:


Lee Burgunder is Professor of Business Law and Public Policy at California Polytechnic State University in San Luis Obispo. His text includes the following chapters:

1. An Overview of the Technology Policy Environment in the United States
2. The International Technology Policy Environment
3. Fundamental Requirements for Patent Protection in the United States
4. Obtaining and Defending Patent Rights in the United States and Globally
5. Patent Protection for Computer Programs and Internet Business Methods
6. Protection of Secret Information
7. Fundamental Aspects of Copyright Protection
8. Copyright Protection for Computer Programs and Digital Media
9. Copyright and the Internet
10. Protecting™ Product Designs in International Markets
11. Domain Names and Other Trademark Issues on the Internet
12. Tort Liability for Physical and Economic Harms
13. Intrusions on Privacy and Other Personal Rights

The author explains in his preface that the book is intended to serve the needs of managers and students who must understand how laws affect technology management but who don't intend to
become lawyers. Professor Burgunder takes the position that Internet law has not sprung into existence all by itself: it is the logical application of well-established legal principles and case law developed to handle many kinds of technological changes. He has chosen to focus on "the most pressing and interesting issues without necessarily covering every legal angle that might come into play. . . . [T]he goal is to allow managers to understand the fundamental legal issues pertinent to technology management so that they can completely create strategic plans in consultation with their attorneys."

The book includes many current events and issues such as peer-to-peer music exchange, cyber squatting, spyware, scumware, antitrust prosecutions and the Uniform Computer Information Transactions Act. Controversial topics include freedom of speech, privacy rights in the workplace, protection of children who use the Internet and the effects of intellectual property law on international development.

Professor Burgunder also includes detailed accounts of 23 important legal cases illustrating "the concepts and reasoning that shape legal policies." He writes, “All the cases have been carefully edited so that the reader may focus on the major facts and issues involved in the dispute without being distracted by nuances of the legal system. In addition, the court’s original language has been preserved as much as possible. And, unlike many legal texts, the cases are preceded by explanations of what the reader should expect and are followed typically by summaries of their major principles."

Professor Tower-Pierce and I are looking forward to using this fine text in our course. I hope that some readers will also find it helpful.

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