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Introduction

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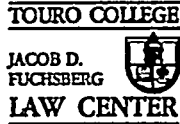
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CYBER SYMPOSIUM - LEGAL ISSUES OF BROADCASTING ON THE INTERNET

Introduction

DEAN HOWARD GLICKSTEIN:

Good afternoon, everyone. I am Howard Glickstein,¹ the Dean of the Touro Law Center. I would like to welcome you to this Cyber Symposium on Legal Issues of Broadcasting over the Internet. Today, there is a great deal of talk in various professions about training people for the Twenty-First century.

¹ B.A., Magna Cum Laude, Phi Beta Kappa, 1951, Dartmouth; LL.B., 1954, Yale; LL.M., 1962, Georgetown. Admitted to the Bars of New York, the District of Columbia, and the U.S. Supreme Court. Dean Glickstein was an Associate with the New York law firm of Proskauer, Rose, Goetz and Mendelsohn. He served as a Staff Attorney with the Department of Justice, Civil Rights Division, Appeals and Research Section, where he helped draft the Civil Rights Act of 1964 and the Voting Rights Act of 1965. He was General Counsel of the U.S. Commission on Civil Rights and later Staff Director. He has also served as Director, Notre Dame Center for Civil Rights; Adjunct Professor, Notre Dame Law School; Professor and Director of the Equal Employment Litigation Clinic at Howard University School of Law; and as Dean, University of Bridgeport School of Law. He is former President of the Society of American Law Teachers, a member of the Suffolk County Human Rights Commission, and has been involved with numerous bar and civil rights related organizations.

That description of what some educators are doing is almost becoming a cliché. We better work quickly since the Twenty-First century is less than a thousand days away. Today's program is more than a cliché. It is a true example of training people for the Twenty-First century. The knowledge of computer skills and awareness of the resources of the Internet will become increasingly important for all.

Touro is particularly pleased to host this event. There are significant international implications of the Internet and Touro has been, for some years, quite involved in various aspects of international law. We have recognized for some time the globalization of business and cultures and how the practice of law has become increasingly international. We have had two summer school programs for a few years now, outside the United States: one in India and one in Moscow. We also have a Master's of Law program that is designed for lawyers with degrees from foreign law schools. Bringing in people of that sort to our school greatly enhances the international sensitivity of the law school. Each topic today, in fact, has its international implications.

Touro, over the years, has devoted significant resources to its web site.² We are an important source for online resources for lawyers. For example, we are the official online provider of the Second Circuit Court of Appeals opinions. We were also designated one of the twenty-five hundred amazing web sites by Maran Graphics.³ We owe a great debt of gratitude to our speakers Jonathan Ezor, Michael Godwin, Judith Saffer, Peggy Miles, Steven Masur, Peter Brown, Paul McGeady and Neal Friedman for their willingness to commit their time to this ground breaking event. We could not have a more authoritative group of presenters for this occasion.

I especially want to thank Robert Gould, the President of GRIT, who has been the guiding force behind this Symposium. Robert's creativeness is inspiring. We are especially proud to claim him as a graduate of the Touro Law Center. A number of

² Evan Bougiouris, *Touro Law Center Web Server Home Page* (visited Oct. 28, 1997) <<http://www.tourolaw.edu/>>.

³ *Maran Graphics* (visited Oct. 30, 1997) <<http://www.maran.com/>>.

faculty members, administrators, staff members and students of Touro have been deeply involved in the planning and implementation of this Symposium. Professors, Dan Jordan, Rena Sepowitz, and Gary Shaw, Assistant Dean Linda Howard Weissman, Evan Bougiouris, Suzanne Cuneo, Victor Domenech, Gerry Giannattasio, Julie Jensen, Louis Muniz, and Todd Pedwell all deserve special thanks for their efforts.

I would also like to thank the people at GRIT for their assistance. I am sure that this Cyber Symposium will be a historic milestone in the development of the Internet. The changes and developments that are likely to occur, in the next few years, will build on what we are doing here today. Now I would like to present our principal builder, the President of GRIT, Robert Gould.

Mr. ROBERT GOULD:

Thank you, Dean, and thank you all for coming here today. I am actually a graduate of the law school. Having a legal background and getting involved in a new industry, I obviously had a lot of concerns about starting my own business in a completely unchartered area; broadcasting on the Internet. I think that this event will be symbolic for the school, contribute to the practice of law, and hopefully enhance that institution in which I also served as a Law Review editor in the Class of '92.

I think that this will be an annual event, given today's attendance. The quality of speakers who have come to Huntington to participate with us will really help people utilize the discussion as a reference point in the area of broadcasting on the Internet and the issues that we're going to raise today.

I welcome you to question these panelists as we go along. There will be a question-and-answer period today. Additionally, those people listening online can pose questions as well. Write to Cyber Symposium at tourolaw.edu or come to a chat session that we have online; there are instructions as to how to get there from the Touro web site at tourolaw.edu. The links are available on the

GRIT site⁴ as well as the Touro site. Transcripts will be available as well as the print footnoted articles from a forthcoming edition of the Touro Law Review.

I think that this event is not only great for law and the law school, and of course the community at large, but is also a great milestone in the sense of distance learning.⁵ We at GRIT are proud to be part of the new era of Internet broadcasting in which distance learning will be extremely important.

While the Internet is often bashed in the press as the home of pedophiles, lurking people taking your money, bad dialogue and busy signals; in reality, the Internet is bringing to society the capability of learning from afar. Tomorrow we will be listening to lectures from the Sorbonne or children in Australia. Distance learning is going to be a large part of Internet broadcasting. While this will be a wonderful thing, what the Internet will bring to our lives, there will be problems. People will claim different interests, people will be mad about what they hear as well as what they see, and the resulting communications will be offensive as well as enjoyable.

Hopefully, we will lay the groundwork for all the different interests. All the different religions and all the different people out there, will now have the power to put up their own station or their own twenty-minute dissertation of life; and be able to coexist with the cults, the neo-Nazis, and the people with whom we often disagree. I hope today will shed some light on how we can do that.

Right now I'm going to introduce today's moderator. He is a professor at the law school. He is a pioneer of computers

⁴ <<http://www.grit.net>>.

⁵ Robert T. Conley, *Distant Learning Is Education's Future*, THE CINCINNATI ENQUIRER, March 21, 1996, at A15. Distant learning is an educational concept that has become popular in the past decade. *Id.* "Contrary to popular belief, distant learning is a concept that is as old as the Athenaeum of Plato and Socrates, where a group of self-motivated adults gathered together to discuss critical issues dominating society." *Id.* The idea of having an open university together with technology gave rise to the beginning of distant learning. *Id.* Today, students have the freedom to choose the time and place of their learning and are relying on the latest technological advances. *Id.*

and the Internet at this institution and he has laid the groundwork for me to be able to come in and make this day possible. He will be your host today and your moderator, Gary Shaw.

PROFESSOR GARY SHAW:

Thank you for the kind introduction, Rob. I would like to think that I have been asked to moderate because of my deep knowledge of computer law and my abiding interest in it, but I know that is not true. I have been asked to moderate because, as my students in the audience can attest to, I demand punctuality and so I am going to ask each of the members of the panel to, please strictly adhere to the time limits.

We have three panels this afternoon. The first panel has three speakers, and I will introduce them shortly. The second panel has three speakers and the third panel has two speakers. Before each panel, I will introduce all speakers at the same time so that they can get up and give their presentations without any interruptions by me because I know that you are not here to hear me; you are here to hear the speakers. The speakers will each speak for approximately eighteen to twenty minutes.

At the end of the last speaker for each panel there will be an opportunity for questions and answers. As you can see, there are two microphones. At the end of each panel, those of you with questions, please come forward to either of the microphones. We will take questions from e-mail as well.

For those of you listening in on the Internet, welcome to Cyber Symposium at Touro Law Center in Huntington. This is sort of unusual for me, I not only have to address myself to the audience but to those members of the Internet. I also would like to take this opportunity to thank Real Audio for their assistance in the audio transcription and C.U.C.E. for their help in the video transmission.

I would like at this point to introduce the speakers for our first panel. Steven Masur will be our first speaker. He practices entertainment and new media law in New York City. His clients include New York and Washington based web site developers, Internet start-up companies, bands, musicians, independent

filmmakers, producers and managers. His areas of expertise include corporate law, contract negotiation and deal-making issues, copyright and trademark law, and start-up business development and management consulting.

Our second speaker is Neal Friedman. Neal practices law in Washington. Prior to practicing law he was a television news reporter for twenty years in Baltimore and Washington and served as Deputy Director of the Federal Trade Commission's Office of Public Affairs. He specializes in broadcast law, intellectual property and representation of companies involved in electronic commerce. He is a founding member of the Advisory Board of BNA's Electronic Information Policy & Law Report.

The third speaker on the first panel is Judith Saffer who practices here in New York. She graduated from NYU. She is the Assistant General Counsel for BMI, Broadcast Music, Incorporated. Her duties include supervising staff attorneys in the legal department and coordinating outside counsel throughout the United States. She handles approximately five hundred copyright infringement suits each year on behalf of composers and publishers of music.

It is an honor and a privilege for me to welcome each of you to Touro this afternoon and I am sure that the members of the audience and members of the Internet will look forward to hearing what you have to say. Steven, on that note, it is all yours.