

Silicon Flatirons Newsletter

Initiatives and Opportunities

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Pamela Samuelson and Robert Glushko have made a generous \$500,000 donation to establish a Technology Law & Policy Clinic (TLPC) at CU Law. The TLPC will allow second and third-year law students interested in public service to conduct technology policy research.

[Roundtable and Report on Public Safety Communications](#)p. 5

In April 2007, Silicon Flatirons, with a grant from CTIA – The Wireless Association, held a roundtable discussion in Washington, D.C. Participants included more than 30 leaders from the public safety community. Following the roundtable, Dale Hatfield and Phil Weiser co-authored a report, [Toward a Next Generation Network for Public Safety Communications](#).

[Entrepreneurship, Innovation, and Public Policy Roundtable Series](#)p. 7

A generous financial contribution by local venture capitalist Brad Feld enabled Silicon Flatirons to begin a Roundtable Series on Entrepreneurship, Innovation, and Public Policy. This newsletter features a report by James Crowe on the first discussion: [The Unintended Consequences of Sarbanes Oxley](#).

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Each month, a fast-growing group of technologists, entrepreneurs, and members of the public meet at the CU Law School to hear about the latest technology from companies in the Boulder/Denver area.

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Quick Links

Silicon Flatirons Website: www.silicon-flatirons.org

Sign up for Mailing List: email sftp@colorado.edu

Neutrality Law: <http://neutralitylaw.com/>

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Letter From the Executive Director

I thought that Silicon Flatirons hit its stride last summer. Looking back at the 2006-2007 year, I have to wonder how much faster we can run, as we continue to reach new milestones. And to mix metaphors with hiking, it seems like the further we climb, the more we see that we can accomplish. Indeed, it's a sign of the dynamic technology landscape that we can continue to find new initiatives and opportunities. Thanks to all of you involved with and supportive of our program, we are able to continue to expand and take on new challenges.

New Additions and Opportunities

Over this past year, Paul Ohm, Brad Bernthal, Jill Van Matre, and Heidi Horten all made their mark as assets to our Program. Paul, a former Department of Justice Computer Crimes prosecutor and computer geek in his own right, is already making a mark across a number of fields, including computer security, intellectual property, and criminal procedure in the electronic age. He is already spearheading a number of initiatives, including the Software Regulation Clearing House, an amicus brief to the Tenth Circuit, and his own research agenda on the [Superuser](#), which has attracted considerable attention in the blogosphere. The Denver Post noted his arrival on the scene, with an [interview](#) this past spring, bringing Paul's research interests to a broad audience.



Brad Bernthal is the first Silicon Flatiron alum to return home to CU. While his study partner, Nick Alexander, moved from practice to the Federal Communications Commission (where he has advised Commissioner Deborah Tate), Brad has joined the academic world, relishing the opportunity to teach, research, and engage in important outreach opportunities. As a Research Fellow, Brad took over the reins at the Entrepreneurial Law Clinic and has taught a number of courses at the intersection between law and telecommunications. Starting this summer, Brad will be a Clinical Professor, teaching not only the Entrepreneurial Law Clinic, but also our new Technology Law & Policy Clinic and a course on Venture Capital (with [Foundry Group](#) Managing Director [Jason Mendelson](#)). In addition to his teaching, Brad plays a critical role in our research efforts and has shown an amazing level of energy in his outreach efforts, which are critical to both of the clinics that he leads.

Most recently, Jill Van Matre and Heidi Horten have joined the program as, respectively, a Research Fellow and our Administrative Director. Jill graduated last year and, after thriving in technology-related courses, could not get away from us. She's already making a real impact, supporting important research efforts (such as a recent [White Paper on Public Safety Communications](#)), taking

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over the Interdisciplinary Telecommunications Program and ATLAS seminars, and ensuring that the Software Regulation Clearing House project is a success. On the administrative front, Heidi is a long needed institutional point of presence for Silicon Flatirons, which has long relied on stellar students, like the recently graduated Mark Walker, who devoted far more to this program than we had any right to expect. We are thrilled to have her and, those of you who support the program or are interested in helping us to get noticed (she will also handle public relations), you will surely get the chance to know her.

Research and Outreach Mission

Over this past year, Silicon Flatirons continued to develop its research mission. I won't repeat all of my aspirations for Silicon Flatirons in this regard, but those interested can check out a [podcast](#) I did recently with Greg Avery of the Daily Camera. We have now reached well beyond telecommunications, with exciting programming and research related to Information Technology/Intellectual Property as well as Entrepreneurship. On the telecom front, we continue to work as part of the DARPA XG initiative and received a grant from CTIA—The Wireless Association to develop recommendations related to public safety communications (see [here](#) for our final result). On the IT/IP front, the Software Regulation Clearing House is an exciting initiative that we will unveil at our flagship conference in February. As to Entrepreneurship, we have started our series on Entrepreneurship, Innovation, and Public Policy (through a generous grant from [Brad Feld](#)) and produced one paper on the impact of Sarbanes-Oxley and another on software patents.

The outreach side of Silicon Flatirons is taking off, with Brad and Paul getting a ton of credit for their efforts. A first important step in this direction was the launch of the Dale Hatfield Research and Scholars Program over this past year. The Hatfield Program is administered by Silicon Flatirons in order to support policy research, regulatory education, and student interest in technology policy work. This past summer, two ITP students and one Law student received subsidized internships through the Program. Going forward, we will continue to focus on student interest in public service, but will also ensure that Silicon Flatirons can continue to support and work with the Institute of Regulatory Law & Economics (IRLE) as well as support other worthy initiatives. Thanks to our family of programs, we now are positioned to train regulators (through the IRLE), provide expertise to state and federal agencies (through the Technology Law & Policy Clinic), and place students in public sector internships (as well as provide necessary financial support through the Hatfield Program).

Student Excellence

Finally, I would be remiss if I did not acknowledge the ever-growing level of excitement and talents of the students who are increasingly viewing the University of Colorado School of Law as a valuable platform for preparing to be a technology lawyer. Of course, the energy and commitment of such students is essential to our success. Over this last year, the Journal on Telecommunications and High Technology Law made a seamless transition to publishing three issues per year, with its tireless Editor-in-Chief, Micah Schwalb, finding time to publish two articles of his own.

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In closing, I am delighted by our continued development and the opportunities for even greater successes. We are clearly poised to elevate the quality of our Program even further and build stronger connections with our exciting local technology community. I am surprised that I am still finding new strengths and valuable partners here. If you have any suggestions for others who should get involved with Silicon Flatirons, organizations that are fitting co-sponsors for our programs, or suggestions of future directions, please let me know (at 303-735-2733 or phil.weiser@colorado.edu).

Phil Weiser
Executive Director
Silicon Flatirons Program

CU's New Samuelson-Glushko Technology Law & Policy Clinic



Silicon Flatirons is pleased to announce an exciting new clinical offering at the University of Colorado Law School. In particular, Pamela Samuelson and Robert Glushko have donated \$500,000 to establish a Technology Law & Policy Clinic (TLPC) at CU Law. The Samuelson-Glushko TLPC will give second and third-year law students the opportunity to conduct technology policy research. The TLPC offers invaluable experience to students interested in public service in the technology and telecommunications arena. In addition, it serves as a means for educators and students to work with government officials to identify opportunities to improve technology policy.

Bob Glushko, who enjoyed a successful career as an inventor and entrepreneur, is now a professor at the UC Berkeley School of Information. Pamela Samuelson, who is married to Glushko, is a leading scholar on information policy and is jointly appointed at the Berkeley School of Information and Boalt Hall School of Law. Glushko and Samuelson's generous donation enables Colorado to become the third school to host a technology policy clinic in their name, joining American University in Washington, D.C., and Boalt Hall.

"The University of Colorado is ideally situated to promote thoughtful technology policy, particularly with regard to the massive changes now transforming the telecommunications industry," remarked Glushko, who began his career at AT&T's Bell Labs. "We are delighted to support its important work in this area." Samuelson emphasized that Colorado's leading professors across a range of allied disciplines made it a perfect choice to develop a non-traditional clinic. She added that "Law Schools need to increasingly realize the importance of interdisciplinary collaboration and that policy

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is often made in regulatory circles well before the relevant issues reach the courts—the domain of traditional law clinics.”

Colorado Law tapped Silicon Flatirons’ Brad Bernthal to join the clinical faculty and lead the Technology Law & Policy Clinic. Bernthal also directs Colorado Law’s Entrepreneurial Law Clinic, which –with the help of supervising attorneys from the Boulder office of law firm Hogan & Hartson, LLP – provides opportunities for students to conduct legal services for start-ups and entrepreneurs. “The TLPC – along with Silicon Flatirons’ other offerings – helps cement CU Law as one of the nation’s top platforms for students to learn about technology policy. Additionally, this clinic provides an opportunity for students to conduct thoughtful analysis that will promote the public interest.”

Roundtable and Report on Public Safety Communications

In April 2007, Silicon Flatirons held a roundtable discussion on Public Safety Communications in Washington, D.C. The roundtable, made possible by a grant from CTIA—The Wireless Association, featured a notable array of over 30 leaders from the public safety community, including public safety representatives, wireless service providers, equipment manufacturers, engineers, and key scholars. Following the roundtable, Dale Hatfield and Phil Weiser co-authored a report, [Toward a Next Generation Network for Public Safety Communications](#), setting forth a blueprint for providing advanced communications capabilities to first responders and public safety users in the United States. Overall, the report outlines expert perspectives concerning how to better support and spur improvement in public safety communications. The report also identifies principles for progressive policy decision-making which should accompany the creation of a public safety next generation communications network. The report is available at [http://www.silicon-flatirons.org/conferences/Hatfield Weiser PublicSafetyCommunications.pdf](http://www.silicon-flatirons.org/conferences/Hatfield_Weiser_PublicSafetyCommunications.pdf).



Over the last year, policymakers have focused increasingly on how to equip first responders with better communications systems. Shortcomings in public safety communications in the wake of Hurricane Katrina and on September 11, 2001 undermined the effectiveness of first responders, and resulted in the loss of many lives. The roundtable discussion focused on how future communications systems can seamlessly support broadband multi-media applications in addition to providing interoperability, or the ability for disparate public safety agencies to effectively communicate with each other. By developing a careful explanation of the relevant issues, opportunities, and challenges, *Toward a Next Generation Network for Public Safety Communications* report illuminates the policy path forward.

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“The need for improving the state of public safety communications is increasingly recognized and, to date at least, there has yet to be a comprehensive and accessible explanation of the relevant technical, economic, and policy issues,” noted Dale Hatfield, former Chief Engineer at the FCC, adjunct professor at the University of Colorado, and a co-author of the report. Policymakers are now facing important questions related to the upcoming 700 MHz spectrum auction and interoperability grants that offer a potential path forward. “For too long, technological constraints, incompatible standards, and disparate bands of spectrum have forced public safety to exist as an island in a sea of innovation in information and communications technology,” explained Hatfield. “As the report explains, it is time to change course and chart a path toward a next generation network for public safety communications.”

The Internet revolution and the emergence of wireless broadband networks create new opportunities for public safety communications, explained Phil Weiser, a professor of law and telecommunications as well as Executive Director of the Silicon Flatirons Program at the University of Colorado. Weiser, who also co-authored the report, noted that “the core of a next generation network is one based on the Internet Protocol (IP) and capable of handling voice, data, image, video, and multi-media content. Silicon Flatirons is honored to be a part of bringing together a group of disparate stakeholders to address the difficult and politically sensitive issues associated with this effort.”

In creating the next generation network, the report underscores that public safety must migrate away from exclusive and autonomous networks and toward networks created and operated in concert with one another. “[I]ndividual public safety agencies will achieve greater communications capabilities if they are willing to work together and rely on communications technology that they do not exclusively control,” states the report. “The migration to next generation networks represents a crucial opportunity to introduce a new paradigm whereby public safety communications systems are conceived of as an ecosystem.”

The report cautions, however, that the near term may be the most challenging phase for public safety communications. “[P]olicymakers must both make do with legacy systems and facilitate the development of a [next generation] system . . . Given public sector funding cycles and constraints, existing public safety narrowband [voice] systems will remain in place for many years to come and hence backward compatibility of any [next generation network] will remain critical to assure interoperability.”

Harlin McEwen, Chairman of the Communications and Technology Committee of the International Association of Chiefs of Police and a veteran participant in public safety communications policy discussions for over 30 years, expressed his pleasure with the process and outcome of the Roundtable and the subsequent report. “Conversations in this area are often sidetracked by overheated rhetoric and political posturing. This discussion was different. People recognized that new technologies and approaches can help resolve serious problems in order to help save lives. I think this report reflects how technology—when accompanied by sound policy principles—can provide novel solutions to some old problems.”

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Charles Werner, Chief of the City of Charlottesville Fire Department, and a representative of the International Association of Fire Chiefs, added that the report reflects a significant emergence of clear-eyed thinking and a careful assessment of the challenges ahead. “The discussion around new opportunities for public safety communications set forth in this report is essential reading for any policymaker interested in these issues. With it in mind, we are making progress to addressing this critical national policy challenge.”

“Equipping public safety with effective information and communications technology is a critical concern of the wireless industry,” said Steve Largent, President and CEO of CTIA. “We appreciate the effort of Silicon Flatirons and all of the participants in crafting a thoughtful framework for policy. Our sponsorship of this forum is a natural extension of our members’ commitment to supporting public safety.” CTIA’s members include commercial carriers and equipment developers serving public safety, as well as companies interested in advancing thoughtful public policy in this area.

Entrepreneurship, Innovation, and Public Policy Roundtable Series:

The Unintended Consequences of Sarbanes-Oxley

One of the principal goals of the Silicon Flatirons Program is to elevate the debate around technology policy issues. Last year, local venture capitalist Brad Feld, Managing Director of *Foundry Group* and *Mobius Venture Capital*, made a generous financial contribution in the furtherance of that goal. Reflecting his excitement about Silicon Flatirons’ increasing efforts on the entrepreneurial front, Feld agreed to underwrite a series of roundtable discussions on Entrepreneurship, Innovation and Public Policy. Feld remarked, “There’s an amazing level of talented people here in the Denver-Boulder area and too few fora like Silicon Flatirons to bring them together. I am delighted to do what I can to support their efforts to do just that.”



The Roundtable Series began with a discussion entitled *The Unintended Consequences of Sarbanes-Oxley* and continued with a discussion on *Rethinking Software Patents* in April. Each event in the Roundtable Series is limited to approximately twenty participants in order to create an environment of open debate among discussants thoroughly familiar with the subject matter. We are thrilled that the new Silicon Flatirons Newsletter can now serve as a vehicle to convey some of the important ideas that come from the Roundtable Series. During the first Roundtable discussion, on Sarbanes Oxley, University of Colorado Law School student James M. Crowe served as Rapporteur. Crowe’s Report, excerpted below, is available at http://www.silicon-flatirons.org/conferences/SOX_Summary_4_23_07.pdf. A report on the Software Patents Roundtable will be highlighted in the first Fall Silicon Flatirons Newsletter.

The Silicon Flatirons Roundtable on Entrepreneurship, Innovation and Public Policy

Report No. 1: *The Unintended Consequences of Sarbanes-Oxley*

James M. Crowe, Rapporteur

On Monday, February 26, 2007, the Silicon Flatirons Program sponsored a roundtable discussion on the Unintended Consequences of the Sarbanes-Oxley Act of 2002. Brad Feld, Managing Director of Foundry Group, co-sponsored the event and provided generous financial support. Attendees included some of the leading figures in the Front Range entrepreneurial community: over 20 discussants participated, including venture capitalists, businesspersons, lawyers, professors, and entrepreneurs. (A list of attendees is included here as Attachment A.) University of Colorado Associate Professor Victor Fleischer moderated the roundtable discussion. The purpose of the roundtable was to examine the Sarbanes-Oxley Act of 2002 (“SOX”) and its relationship to public policy, entrepreneurship, and the day-to-day practice of business and law.

The roundtable focused on measures relating to corporate governance and auditing controls. Specifically, the roundtable identified SOX-related measures which discussants deemed most important and, moreover, identified measures which discussants deemed onerous — especially for emerging growth companies. More generally, the participants considered more cost effective strategies for securities regulation and, in particular, considered why institutions that should have detected recent high-profile instances of corporate fraud (such as Enron) failed to do so until very late in the process. Finally, discussants examined recent concerns about corporate wrongdoing, such as options backdating and the HP wiretapping scandal. In particular, they explored how legal, accounting, and business professionals could be encouraged to take risks while working to promote legal and ethical behavior.

Overall, the roundtable highlighted several notable and emerging trends and provided a forum to consider discussants’ contentions surrounding Sarbanes-Oxley and its impact on emerging companies. Notably, in addition to well-documented SOX-related costs for companies, several discussants characterized SOX as the catalyst for—or at least emblematic of—a fundamentally changed regulatory environment. Particularly when considered against the wider backdrop of expanding corporate governance and reporting requirements over the past decade or so, SOX and other developments have emphasized compliance and accounting-related activities. While to a certain degree this shift was part of SOX’s intent, the regulatory shift has engendered other unintentional effects, too. For example, amid the changed regulatory environment, there is empirical evidence indicating that smaller companies are “going private” at higher rates. Additionally, while too early to definitively tell, some worry that the current environment may push some companies to capital markets outside of the United States. Also, especially as initial public offerings become a more difficult exit for emerging companies, there is concern that the venture capital industry—which has helped fund much innovation in the United States—could be dramatically altered. Finally, some discussants expressed the more general concern that today’s compliance and accounting emphases are increasingly displacing attention once provided to issues of strategy, innovation and competitive advantage.

[\[Click here for a PDF of the Full Report\]](#)

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The Boulder/Denver New Technology Meetup

The Boulder New Technology Meetup is a fast-growing group of technologists, entrepreneurs, and members of the public who meet once a month at the CU law building to hear about the latest technology. The event is designed to provide a time and place for technologists and entrepreneurs to showcase new technologies developing in the Boulder/Denver area by allowing companies to demonstrate their new technology, followed by Q&A from the audience. The event, which is moderated by Robert Reich, founder of a Boulder start-up called Me.dium (<http://me.dium.com>), is also designed to create networking opportunities for anyone interested in new technology and a platform for growing the entrepreneurial community in Boulder. For more information, visit the website at <http://newtech.meetup.com/27/>.



In July, the group was treated to a presentation by Don Dodge, Director of Business Development for Microsoft. Don spoke to the audience about the ways in which Microsoft can help software and web-based companies grow. Andrew Hyde of Startup Weekend (www.startupweekend.com) presented next, relating the adventures of the previous weekend when sixty local technologists congregated in Boulder to try and launch a company in three days. Next, Dean Rizzuto presented FEED technology (www.feedit.com), which allows users to make purchases via cell phones.

The next company was Share Your Look (www.shareyourlook.com), a fashion-based website designed to allow users to submit and comment on user-generated styles, like You Tube for the fashion world. Following Share Your Look, was Local Guides (www.localguides.com). Local Guides demonstrated web-based technology that allows users to easily create, modify, and share information about their local communities. Next, two founders from Villij (www.villij.com) presented their social-networking technology that enables users to link to trusted individuals by aggregating data about people from various web-based sources. Finally, the founders from Denver-based Printfection (www.printfection.com) demonstrated their new digital printing technology.

The next meetup is open to the public and planned for August 7th at 6pm in the Courtroom at the Wolf Law Building on CU's Boulder campus.

The Web and the West



March 21, 2007 marked a departure from the status quo for Silicon Flatirons conferences. Silicon Flatirons reached a broader audience with a conference co-sponsored by CU's [Center of the American West](#). This conference explored what perhaps has become the most persistent metaphor for the Internet: the Nineteenth Century Western Frontier. The panels featured technologists and lawyers alongside historians, discussing the appropriateness and implications of comparing the Internet to the American West. Each panel featured Patty Limerick as a discussant. Limerick, winner of the McArthur "Genius" Fellowship, co-founded the Center of the American West with CU Law Professor Charles Wilkinson.

Panelists explored many different facets of the metaphor. For example, infrastructure can be critical to economic and social development. The American West featured many so-called "Ghost towns," some of which failed because of their distance from critical infrastructure—either roads, railroads, or both. FCC Commissioner Michael J. Copps has referred to broadband networks as the railroads of the digital age. The first panel, *Infrastructure and the Impact of Leaving Populations Underserved*, considered this parallel.

The second panel, *Defining Property Rights in a New Frontier*, considered the ways in which past court decisions enlighten current issues involving property rights, including the "patent thicket" debate, and the use of injunctions in the Blackberry case. In addition, the panelists discussed the extent to which social norms were used to regulate behavior on the Western frontier, and whether they can be used to regulate the Internet.

Finally, the third panel, *The Democratic Impulse and the Rule of Law*, discussed the sustainability of bottom-up leadership. They assessed the accuracy of John Perry Barlow's famous declaration that governments of the world have no sovereignty in Cyberspace, and attempted to predict the success of institutions like blogs and Wikipedia in implementing the distrust of centralized authority. Finally, the panel considered the cultural glorification of those who breach the rule of law -- from the presentation of gun-slingers in Billy the Kid, to that of hackers in *The Matrix*.

After the Web and the West Conference, Phil Weiser and Patty Limerick discussed some of the insights from the various panels with Ryan Warner on KCFR, Colorado Public Radio's *Colorado Matters*. The interview is available online at http://www.kcfr.org/cgi-bin/comatters/comatters_play.m3u?play=3102&type=comatters.m3u.

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Upcoming Conferences

The crown jewel of the Silicon Flatirons Program has always been its Conferences, which bring together some of the strongest voices in telecommunications, intellectual property, information technology, and entrepreneurship. Past Silicon Flatirons conferences have included such prominent speakers as Michael Powell and Bob Kahn. Information on past conferences is available on the Silicon Flatirons website at http://silicon-flatirons.org/conferences_old/index.html.



Silicon Flatirons conferences this year promise to be a big success. Please mark your calendars now to avoid missing these exciting events:

Taking Stock of the Antitrust Modernization Commission Report **Wednesday, September 5, 2007 at the University of Colorado School of Law**

This past spring, the Antitrust Modernization Commission issued a 449-page report addressing the state of antitrust law and practice. In general, the report highlighted that the antitrust laws remain effectively positioned to address anticompetitive conduct. Notably, the report rejected calls for new strategies or institutions to address high technology markets. It did, however, highlight a number of recommendations related to the intersection of antitrust and intellectual property law, including ones related to patent law reform and conduct related to standard setting bodies.

In line with its generally approving tone of current antitrust enforcement, the report did not call for any significant reforms of merger review, turning away an array of criticism of current practice. First, some commentators have suggested that the agencies abuse their leverage under the Hart-Scott-Rodino Act to obtain regulatory oversight or demand relief that they would not otherwise be able to achieve in court. Second, others have complained that the antitrust authorities have allowed mergers to proceed without imposing effective remedies and that the merger remedies process is often a black box. Third, some have suggested that the impact of innovation and potential entry are overly discounted by the current Merger Guidelines and that the authorities should have a greater tolerance of mergers than traditional antitrust metrics would call into question.

This conference will evaluate the judgments of the Antitrust Modernization Commission report, examining its basic conclusion that there are no fundamental flaws in modern antitrust law and practice as well as its various suggestions for reform. To do so, we will bring together some of the

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Commissioners who evaluated the state of antitrust law, current and former antitrust enforcers, and a number of leading antitrust practitioners. In particular, we will examine the report's conclusions within three broad headings—Rethinking Merger Review; Antitrust in the New Economy; and the Antitrust/IP Interface.

Welcome & Overview

3:00-3:10

Phil Weiser

Executive Director, Silicon Flatirons Program

Rethinking Merger Review

3:10-4:10

John Francis

Partner, Davis, Graham & Stubbs

Don Kempf

Member, Antitrust Modernization Commission

F.M. Scherer

Professor Emeritus, John F. Kennedy School of Government, Harvard University

Diana Moss

American Antitrust Institute

Antitrust Oversight In the New Economy

4:10-5:10

Michael Katz

Professor of Economics and Business, New York University

Jim Hartley

Partner, Holland & Hart

Tucker Trautman

Partner, Dorsey & Whitney

Doug Melamed

Partner, WilmerHale; former Acting Assistant Attorney General, Antitrust Division, U.S. Department of Justice

Break

5:10-5:20

The Intellectual Property/Antitrust Nexus

5:20-6:20

Karma Guillianelli
Partner, Barlit Beck

Makan Delrahim
*Partner, Brownstein, Hyatt, Farber & Schreck; Member, Antitrust
Modernization Commission*

Eugene Crew
Townsend, Tomnsend, & Crew

Roy Hoffinger
Vice President, Qualcomm

Keynote Speaker

6:20-7:00

Gerald Masoudi
*Deputy Assistant Attorney General, Antitrust Division, US Department of
Justice*

Reception

7:00-8:00

Alcohol will be served.

The Future of User Generated Content

Wednesday, October 10, 2007 at the Cable Center in Denver

According to Time magazine, the person of 2006 was “you,” reflecting its judgment that the millions of bloggers, music remixers, amateur video creators of YouTube fame, wikipedians, and Flickr photographers were mainstream fare. Many in the mainstream media are increasingly asking themselves how they can take advantage of this phenomenon. They also realize that this phenomenon is no passing fad, with only 3% of executives in a recent survey labeling “social media” as a temporary phenomenon. More interestingly, two-thirds of those executives were “positive” that their firms would make money off of such media, but only a quarter of them had any idea of how they would do so.

This conference will analyze the growing trends related to user generated content. In so doing, it will begin with the question of what new technologies are emerging and how they will transform traditional media and usage patterns. Secondly, it will ask what business models will emerge—both for new upstarts and established media companies—to turn this phenomenon into profitable ventures. Will, for example, established firms incorporate user-generated content into their offerings, offer the rights to their traditional content for others to remix, or both. Finally, it will examine the

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legal issues that arise in connection with this phenomenon, ranging from intellectual property issues to questions of consumer privacy to calls for regulation to protect children and guard against defamation in this emerging medium.

Please see <http://silicon-flatirons.org/conferences/20071010usercontent.asp> for details on panels.

Public Safety, New Technologies, and the Future of Emergency Response **Wednesday, November 28, 2007 at the CU Denver School of Public Affairs**

The communications technology used by public safety constitutes a critical element of our Homeland Security infrastructure. From the point at which a citizen calls 911, much of the ability of first responders to manage an emergency situation rests on the effectiveness of their information and communications technology. Whether it involves an awareness of the location of the 911 caller, the ability of emergency service provider to communicate during times of crisis, or the ability of different emergency service agencies to communicate with one another, technological failings can lead to lost lives, lost opportunities, and compromised effectiveness for public safety. Despite the well-publicized failings during times of crisis (e.g., Columbine, 9/11, and Hurricane Katrina), both state and federal leadership has often been either lacking or ineffectual in this area.

This conference will take a look forward at the future of emergency response, evaluating how new technologies can be adopted to enable first responders to operate more effectively. A starting point for the discussion will be a [report](#) developed by Silicon Flatirons last spring as a result of a grant from CTIA-The Wireless Association and a Roundtable that brought together leaders from industry, academia, and the public safety community. Similarly, the conference will evaluate the state of the E-911 system, using as a starting point the analysis offered by Dale Hatfield in a widely praised report commissioned by the FCC. In addition to exploring the array of opportunities and challenges related to public safety communications (as to both interoperability and the development of next generation networks) and the upgrade of the E-911 system, we will also analyze the difficult intergovernmental relations issues that must be addressed to move forward on either front.

Please see <http://silicon-flatirons.org/conferences/20071128pubsafe.asp> for details on panels.

Digital Broadband Migration: Information Policy for the New Administration **February 10th and 11th at the University of Colorado School of Law and the University Memorial Center (UMC)**

Please save the date for our exciting flagship conference. This year, panelists will include Stanford Law Professor Larry Lessig, Level 3 CEO Jim Crowe, FCC Commissioner Jonathan Adelstein, FTC Commissioner Jon Leibowitz, and former FCC Chairman Michael Powell.

More details will be available in future newsletters, and at <http://www.silicon-flatirons.org/conferences.html>.