



2013 - 2014 Brochure

Letter from the Executive Director

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Friday, January 17th, 2014; 9:00 AM - 4:15 PM
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Entrepreneurship Initiative

Energy Innovation Initiative

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Letter from the Executive Director

Before discussing the heart of our mission—to engage students and prepare them for careers in the tech sector, be a thought leader in technology policy, and support our entrepreneurial community—I would like to begin on a personal note. For me, starting Silicon Flatirons, like becoming a professor, was an experiment and the Center was an entrepreneurial venture from the start, evolving as we brought on new team members and saw new opportunities. Over the years, I have realized that we have touched individuals, affected public policy, and provided intellectual stimulation and perspective to a generation of practitioners. To help us appreciate what matters to you about Silicon Flatirons, please share your favorite memories with us by emailing Anna Noschese, our amazing Program Director, at anna.noschese@colorado.edu.

With respect to **engaging and preparing students**, we took our Silicon Flatirons Program in DC to a new level this summer. With support from a variety of quarters, our Dale Hatfield Scholars Program, and our emerging private sector counterpart, founded by former SFC Senior Fellow Preston Padden, took off. Over the summer, we have 20 or so Colorado graduate students—in Law and from technical backgrounds—working as summer interns. This past June, we brought together our friends and family in Washington, DC for a get together, celebrating this program at the Microsoft Innovation Center, which graciously hosted us. As always, Dale Hatfield, who joined us, was embarrassed by the attention and good will that surrounds him and the program that bears his name. But the students and former beneficiaries stole the show, explaining how the opportunities afforded by the program—including weekly seminars led by Senior Fellows Gene Kimmelman and Bryan Tramont as well as Bryan’s partner Russ Hanser—are truly transformative.

For employers, graduates of the program, and current students, we welcome your thoughts on how we can better prepare students to thrive in the technology sector. As we reflect back and approach our 15 year mark, we are going to be engaging in more sustained self-reflection about how our clinics in Technology Policy (with Blake Reid coming back to be its Director) and Entrepreneurship (now also taking on some patent prosecution work), events, writing competition, moot courts, journal, summer in DC, challenges, etc. all enable and prepare our students to thrive. As you know (from reading the press on the topic), higher education is facing increasing pressures (particularly law schools) on how to justify that students are getting a valuable return on their investment of time and money. For us at Silicon Flatirons, the commitment to ensure that they do is true north (for more explanation of this point, see the [Colorado Law Action Plan](#)).

With respect to **technology policy leadership**, we are proud to continue to explore how the digital broadband migration—and the forces unleashed by the Internet revolution—are remaking and transforming our economy and society, raising new public policy challenges and governance issues. One area of particular interest to Silicon Flatirons is how the sectors most resistant to change—including health care, energy, education, law, and government—are all facing the sorts of challenges that other sectors have confronted and had to come to terms with. To offer a few examples, we are holding a [health care innovation conference](#) this fall, continuing our energy innovation series (exploring a range of issues from the shale development revolution, cybersecurity in the electric sector, and cross-border energy transactions), and continuing our thought leadership on [Law 2.0](#), extending our focus to how the New Normal is reshaping legal education.

The policy leadership from our affiliated faculty and fellows provides thought provoking perspectives on technology policy and governance challenges. We are delighted to welcome Paul Ohm back from the Federal Trade Commission, where he worked on a number of cutting edge technology issues, including in the information privacy area. Once again, he will be at the helm of our Information Policy/Intellectual Policy Program, with [upcoming programs on software patents](#) and the annual privacy conference as a testament to his leadership. It is also most heartening to see our spectrum policy efforts gain traction in policy debates, with the concept of a harm claim threshold as a means of managing [interference issues in wireless spectrum](#) taking hold. Finally, we are proud to see the Broadband Internet Technical Advisory Group, launched as a result of Silicon Flatirons discussions, exemplify how a multi-stakeholder approach can provide a valuable governance tool in the Internet age. For those who missed it, Dale Hatfield passed the baton of the leadership in that organization to Doug Sicker.

Silicon Flatirons



A Center for Law, Technology, and Entrepreneurship at the University of Colorado

Finally, on the **entrepreneurship front**, it is remarkable what Brad Bernthal, the leader of the Entrepreneurship Initiative, has built. The regular high level of entrepreneurial activity supported by Silicon Flatirons has made a tremendous impact and established how the University of Colorado-Boulder is an important part of a vibrant entrepreneurial community. To provide a sense of the volume of interaction between campus and community, this past year Silicon Flatirons led over 50 entrepreneurship-oriented events with over 7,000 participants involved. The impact of this work is prominently recognized in Brad Feld's book, *Startup Communities*, which credits Silicon Flatirons for turning the university "inside-out" and creating a platform where the startup community regularly finds value.

Our unique platform tied to a leading startup community, the only one of its kind we're aware of at an American law school, provides unique opportunities for Colorado Law students. Over the next year, we are looking forward to building on this advantage in the coming year with the addition of new SFC Senior Fellow Bill Mooz. We are excited to have Bill, who brings decades of in-house and outside counsel experience, on board to help us architect a transactional curriculum tailored for today's legal environment. More broadly outside the law school, the next step for the Entrepreneurship Initiative is to work with our partners across the CU-Boulder campus to execute on a blueprint to create one of the nation's leading entrepreneurial universities.

In short, the Silicon Flatirons community continues to support our students, enable our policy leadership, and be enthusiastic about support for entrepreneurship. For those of you interested in being more involved, whether as a mentor for any number of our students, hiring interns, being a financial sponsor, or finding new partnerships, we welcome your interest and Anna Noschese, our Program Director, is tremendous about making such connections work. She can be reached at anna.noschese@colorado.edu and please feel free to reach out to me directly at phil.weiser@colorado.edu with any thoughts and suggestions.

Cheers,

Phil



The Challenge of Monetizing Content In A Changing Era

Tuesday, September 3rd, 2012; 1:00 - 7:30 PM

@ University of Colorado Law School ~ CLE: 6 General Credits

The video programming industries remain an exception to the dynamic of the Internet's disruption of established distribution channels for content. For the music, newspaper, and, increasingly, the publishing industry, the Internet has presented a major challenge to their business model and the ability to monetize content. For the video programming industries, however, movies and TV offerings continue to enjoy popularity—and traditional providers continue to enjoy healthy revenues—even as the Internet expands its reach and impact.

The question for established video programming providers—and would-be disruptive upstarts like YouTube, iTunes, and Hulu—is whether they can successfully add value (e.g., personalized advertisements), raise quality, and/or cut costs to attract consumer interest. For the owners of high quality content, moreover, there is a high stakes question as to whether such upstarts are friend or foe. After all, once consumers start receiving high quality content for free, it is difficult to later monetize those offerings.

In this conference, we will frame the challenges and opportunities facing the established and upstart video programming distribution providers. After so doing, we will focus on the strategic issues facing the content owners, who are seeking to maintain the best of the legacy distribution arrangements and leverage opportunities based on the networked digital environment. Finally, we will take a look at the video programming industry from the perspective of the music industry to evaluate what lessons can be learned.

AGENDA

Welcome 1:00pm - 1:15pm

Phil Weiser, *Dean*, University of Colorado Law School;
Executive Director, Silicon Flatirons Center

Fireside Chat 1:15pm - 2:00pm

David Bonderman, *Founding Partner*, TPG

Panel 1 - The Incumbent Distribution Platforms: Keeping Control of a Legacy Business Model 2:00pm - 3:00pm

Stanton Dodge, *Executive Vice President, General Counsel, and Secretary*, DISH Network

Julian Farrior, *Founder*, Backflip Studios

Maureen O'Connell, *Senior Vice President, Regulatory & Public Policy*, 21st Century Fox

Allan Singer, *Senior Vice President*, Charter Communications

Moderator - **Paul Glist**, *Partner*, Davis Wright Tremaine LLP

Break 3:00pm - 3:15pm

Panel 2 - The Insurgents: How to Disrupt the Legacy Model and Provide Valued Content 3:15pm - 4:15pm

Lindsay Gardner, *Senior Advisor*, Oaktree Capital Management

Ryan McIntyre, *Managing Director*, Foundry Group

Christopher Thorpe, *President*, Tivli

Erika Trautman, *Chief Executive Officer and Co-Founder*, Rapt Media

Moderator - **Brad Bernthal**, *Associate Professor of Law*, University of Colorado;

Entrepreneurship Initiative Director, Silicon Flatirons Center

Break 4:15pm - 4:30pm

Panel 3 - The Programmers' Dilemma: Keeping the Incumbents Happy While Reaching Out to the Insurgents 4:30pm - 5:30pm

Matt Bond, *Executive Vice President, Content Distribution*, NBCUniversal

Glenn Curtis, *President*, Starz

Michael Fricklas, *Executive Vice President, General Counsel and Secretary*, Viacom Inc.

Jim Packer, *President*, Lionsgate

Moderator - **Phil Weiser**, *Dean*, University of Colorado Law School;

Executive Director, Silicon Flatirons Center

Panel 4 - Lessons Learned 5:30pm - 6:30pm

Susan Butler, *Executive Editor and Publisher*, Music Confidential

Mark Cooper, *Research Director*, Consumer Federation of America;

Senior Adjunct Fellow, Silicon Flatirons Center

Linda Kinney, *Senior Vice President*, Motion Picture Association of America (MPAA)

Justin C. Konrad, *Partner*, Hutchinson Black and Cook, LLC

Cary Sherman, *Chairman and Chief Executive Officer*,

Recording Industry Association of America

Moderator - **Jonathan Sallet**, *Partner*, O'Melveny & Myers LLP;

Senior Adjunct Fellow, Silicon Flatirons Center

Reception 6:30pm - 7:30pm

Sponsored by Hutchinson Black and Cook, LLC



Software Patents and Their Challenges

Tuesday, October 8th, 2013; 2:00 - 7:30 PM

@ University of Colorado Law School ~ CLE: 5 General Credits

For the past twenty years, the question of whether and how the patent system should apply to software has remained a controversial and difficult question. As questions, ideas, and criticisms of software patents continue to mount, Silicon Flatirons will bring together a range of leaders in government, industry, practice, and business to discuss how law and policy in this area should evolve to best promote innovation.

Some defend the patenting of software and argue that it promotes innovation by protecting investment in R&D. Others point to the fact that software and Internet patents are eight times more likely to be litigated than other types of patents as evidence that software patents have imposed more of a burden on innovative activity than benefit. Suits from patent assertion entities now account for 61% of all patent litigation, and most assert software or Internet patents. Critics of software patents also point to competitor suits and the need for defensive patenting as imposing significant costs. A Stanford University analysis suggested, in the Smartphone arena alone, that as much as \$20 billion was spent on patent litigation and patent purchases in the last two years—and that spending by Apple and Google was greater in this area than on research and development. Indeed, the NY Times reported on this front that “the marketplace for new ideas has been corrupted by software patents used as destructive weapons.”

A related and important range of questions ask whether and how patents in the software and Internet space encourage or impede innovation by entrepreneurial companies. In one study on this topic, Pam Samuelson and her co-authors concluded that “software entrepreneurs do not find persuasive the canonical story that patents provide strong incentives to invest in technology innovation.” Others, however, suggest that patents can play an important role in this space.

This debate on the role of software patents in innovation has raised basic questions of whether patents issued in the software arena are too broad, too vague, or too frequently granted in the face of similar inventions, creating a patent thicket. On that point, Judge Richard Posner has complained that “there’s a real chaos,” suggesting that “the standards for granting patents are too loose.” In response to this debate, a range of different proposals is being discussed in judicial, policy, academic and industry circles that implicate all branches of government and self-help by companies. The courts are considering whether Section 101 of the Patent Act should be more skeptical towards the patenting of abstract ideas. The Patent Office has announced a series of software patent roundtables asking, among other things, whether Section 112 of the Patent Act should be more demanding as to the relevant details of the actual invention. A legislative proposal to shift attorneys’ fees at the conclusion of patent litigation aims to stem the tide of increasing litigation. In the area of self-help, Twitter has created an “Innovator’s Patent Agreement,” which calls for companies to pledge that patents will be used only for defensive purposes. In this conference, we will endeavor to explore the issue—and suggested solutions—from all possible perspectives.

AGENDA

Welcome 2:00pm - 2:15pm

Phil Weiser, *Dean*, University of Colorado Law School;
Executive Director, Silicon Flatirons Center

Panel One: Software Patents and Their Effect on Innovation 2:15pm - 3:30pm

Michael Kallus, *Director, Client Development*, RPX Corporation

Pat Kennedy, *Founder and Chairman*, Cellport Systems

Allen Lo, *Deputy General Counsel for Patents and Patent Litigation*, Google

Jason Mendelson, *Managing Director*, Foundry Group

Pamela Samuelson, *Richard M. Sherman Distinguished Professor of Law*,
Professor of School Information, University of California-Berkeley;

Co-Director, Berkeley Center for Law & Technology

Moderator - **Phil Weiser**, *Dean*, University of Colorado Law School;

Executive Director, Silicon Flatirons Center

Break 3:30pm - 3:45pm

Panel Two: Judicial and Administrative Proposals 3:45pm - 5:00pm

David Jones, *Assistant General Counsel for IP Policy*, Microsoft

Michelle K. Lee, *Director*, Silicon Valley United States Patent and Trademark Office

Arti Rai, *Professor of Law*, Duke University

Don Rosenberg, *Executive Vice President, General Counsel, & Corporate Secretary*,
Qualcomm

Evan Rothstein, *Partner*, Brownstein Hyatt Farber Schreck LLP

Moderator - **Harry Surden**, *Associate Professor of Law*, University of Colorado

Break 5:00pm - 5:15pm

Panel Three: Legislative and Self-Help Proposals 5:15pm - 6:30pm

Mark Chandler, *Senior Vice President, General Counsel, & Secretary*, Cisco

David Kappos, *Partner*, Cravath, Swaine & Moore LLP

Alexander Macgillivray, *General Counsel*, Twitter

Randy Milch, *Executive Vice President - Public Policy and General Counsel*,
Verizon Communications Inc.

Moderator - **Paul Ohm**, *Associate Professor of Law*, University of Colorado

Reception 6:30pm - 7:30pm



The Future of Health Care Innovation

Wednesday, October 16th, 2013; 1:00 - 7:15 PM

@ Anschutz Medical Campus, University of Colorado Denver ~ CLE: 5 General Credits

Co-Sponsor: The Office of Institutional Planning, University of Colorado Denver, Anschutz Medical Campus

The changing dynamics of health care, facilitated by ongoing technological changes, promise greater efficiencies, cost savings, and quality improvement. Most notably, developments in the areas of personalized medicine, tele-medicine, more effective use of big data and information technology, and changing models of care delivery all bear close attention. Moreover, as the industry structure changes, there will continue to be opportunities for disruptive innovation, whether on the provider or consumer side of the equation. It will remain an open question whether and how policy changes facilitated by the Affordable Care Act—including ongoing rule changes, the development of health care exchanges, and the Center For Medicare and Medicaid Services Innovation Center—aid such developments. In this conference, we will examine these issues with a range of experts from industry, academia, and government.

AGENDA

Welcome 1:00pm - 1:15pm

Phil Weiser, *Dean, University of Colorado Law School;
Executive Director, Silicon Flatirons Center*

Keynote 1:15pm - 2:00pm

Glenn Steele, *President and Chief Executive Officer, Geisinger Health System*

Panel I: Leveraging Electronic Health Records and Data Analytics to Improve Health Care Quality/Outcomes 2:00pm - 3:15pm

Howard Diamond, *Chief Executive Officer, Aventura*

Peter Hudson, *Co-Founder and Chief Executive Officer, iTriage*

Donna Lynne, *Executive Vice President, Kaiser Foundation Health Plan, Inc.;
President, Kaiser Foundation Health Plan of Colorado*

Ed Park, *Executive Vice President and Chief Operating Officer, athenahealth*

Donald Trigg, *President, Cerner Health Ventures, Cerner Corporation*

Break 3:15pm - 3:30pm

Panel II: Emerging Models of Integrated Care Delivery and Payment Mechanisms 3:30pm - 4:45pm

Steve ErkenBrack, *President and Chief Executive Officer, Rocky Mountain Health Plans*

Bruce Johnson, *Partner, Polsinelli*

Scott Lichtenberger, *Chief Strategy Officer, University of Colorado Hospital*

Kathryn Reilly, *Partner, Husch Blackwell*

Moderator - Dayna Matthew, Professor of Law, University of Colorado

Break 4:45pm - 5:00pm

Panel III: Disruptive Innovation in Health Care 5:00pm - 6:15pm

Larry Gold, *Chairman and Chief Executive Officer, SomaLogic*

Oliver Kharraz, M.D., *Founder and Chief Operating Officer, ZocDoc*

Bob Kocher, *Partner, Venrock*

Thomas Lee, *Founder and Chief Executive Officer, One Medical Group*

Martin Watson, *Founder and Chief Executive Officer, SeeChange Health Insurance*

*Moderator - Phil Weiser, Dean, University of Colorado Law School;
Executive Director, Silicon Flatirons Center*

Reception 6:15pm - 7:15pm

Sponsored by Polsinelli



Radio Spectrum Pollution: Facing the Challenge of a Threatened Resource

Thursday, November 14th, 2013; 1:00 - 7:00 PM

@ University of Colorado Law School ~ CLE: Credit Available

Intensive use of radio frequencies by wireless systems is crucial to our economic and social well-being and to national defense and homeland security. Successful operation is essential for a wide variety of wireless applications ranging from simple keyless entry systems and garage door openers, to broadcasting networks, to Wi-Fi and cellular networks, to complex navigation systems like GPS and radar, to mobile radio systems relied upon by first responders. By analogy to other important economic inputs like coal, water and know-how, one can think of radio frequencies, also known as spectrum, as a resource.

The proliferation of wireless devices along with the increasing amount of frequency capacity consumed by each device (e.g. tablet computers used to upload or download video programming) has put intense pressure on the resource - a topic that has been addressed in many recent reports and at previous Silicon Flatirons events.

The good news is that, unlike other important natural resources such as oil, coal, or natural gas, the spectrum resource is not destroyed by use -- it is infinitely renewable. However, like air and water, the spectrum resource can be polluted by interference from other radio sources. Since the quality of a radio service depends on the difference between the desired signal and the background noise, increased radio noise can reduce the total carrying capacity of the resource. When severe, the pollution manifests itself, for example, in the form of hissing or popping on radio channels, picture loss on television or other video feeds, interrupted wireless voice conversations, slow or intermittent internet connections and, in the extreme, degradation of communication and navigation systems that are vital to national security and homeland defense.

Depending upon the frequency range, radio noise can be produced by natural sources like lightning, by electrical machinery or other non-wireless devices such as automobile ignition systems and computer power supplies, and by unintended radiation from wireless systems. While there are regulations at the international

and national level aimed at controlling manmade sources of interference, they are taking on more importance because of the increasing number of devices involved, the increasingly close proximity within which they must operate successfully, and the increasing importance of wireless services.

Since the level of aggregate radio noise from both natural and human sources decreases with increasing frequency, the intense interest in noise levels back in the days of short- and medium-wave radio has declined with the shift of critical wireless systems to higher frequencies. However, evidence is emerging that the radio noise floor is rising in higher-frequency bands that are especially important to both commercial and public safety applications.

The purpose of this conference is to bring together academics, policymakers, spectrum users and advocates to examine the extent of, and trends in, radio noise pollution and to suggest how the associated policies and regulations might need to be adjusted to reflect changes in radio noise levels. A unique feature of the conference will be an interdisciplinary panel directed at comparing and contrasting approaches used to control other forms of pollution (e.g., water and air) with those used in protecting the radio spectrum environment.

Other panels and a keynote address will be devoted to (1) how radio noise is characterized and measured, (2) what types and levels of noise pollution service providers and other users of the resource are actually observing in the field and the trends associated with those observations, and, (3) what tools are available in terms of both processes and advanced systems for enforcement, and where the associated priorities should be focused.

The formal portion of the conference will be preceded by a tutorial on spectrum pollution to better enable interested participants and attendees from other disciplines to more fully participate in the subsequent discussions.

AGENDA

Tutorial 12:00pm - 12:45pm

(For those that would like more background information about the panel content)

Robert Matheson, *Consultant*, U.S. Department of Commerce / NTIA/ITS

Welcome 1:00pm - 1:10pm

Keynote 1:10pm - 1:35pm

Julius Knapp, *Chief Engineer, Office of Engineering and Technology*,
Federal Communications Commission

Panel 1 - Measurements 1:40pm - 2:40pm

John Chapin, *Program Manager*, DARPA Strategic Technology Office

Mark McHenry, *Founder*, Shared Spectrum Company

Frank Sanders, *Junior Fellow*, Institute for Telecommunication Sciences

Jeff Wepman, *Institute for Telecommunication Sciences*

Moderator - Pierre de Vries, *Senior Adjunct Fellow*, Silicon Flatirons Center

Panel 2 - Services & Scenarios 2:45pm - 3:45pm

Lynn Claudy, *Senior Vice President*, Science and Technology, National Association of Broadcasters

Thomas Dombrowsky, *Engineering Consultant*, Wiley Rein LLP

Mark Gibson, *Senior Director, Business Development*, Comsearch

Joseph Marx, *Assistant Vice President of Federal Regulatory*, AT&T

Steve Sharkey, *Chief of Engineering and Technology Policy*, T-Mobile USA

Moderator - Ari Fitzgerald, *Partner*, Hogan Lovells US LLP

Break 3:45pm - 4:00pm

Panel 3 - Lessons from Environmental Pollution 4:00pm - 5:00pm

William Boyd, *Associate Professor of Law*, University of Colorado

John Dooley, *Managing Director*, Jarvinian

Jim Martin, *General Counsel*, Beatty & Wozniak, P.C.

Vickie Patton, *General Counsel*, Environmental Defense Fund

Moderator - Phil Weiser, *Dean*, University of Colorado Law School;

Executive Director, Silicon Flatirons Center

Panel 4 - Enforcement & Policy Initiatives 5:05pm - 6:05pm

Rebecca Dorch, *Director, Western Region*, Federal Communications Commission, Enforcement Bureau

Dale Hatfield, *Senior Fellow*, Silicon Flatirons Center; *Adjunct Professor*, University of Colorado

Mitchell Lazarus, *Attorney*, Fletcher, Heald & Hildreth, P.L.C.

Douglas Sicker, *DBC Endowed Professor*, Computer Science, Director, Interdisciplinary

Telecommunications Program, University of Colorado

David Solomon, *Partner*, Wilkinson Barker Knauer, LLP

Moderator - Chris Guttman-McCabe, *Vice President, Regulatory Affairs*,

CTIA - The Wireless Association

Reception 6:05pm - 7:00pm



The New Frontiers of Privacy Harm

Friday, January 17th, 2014; 9:00 - 4:15 PM

@ University of Colorado Law School ~ CLE: Credit Available

What harms are privacy laws designed to prevent? How are people injured when corporations, governments, or other individuals collect, disclose, or use information about them in ways that defy expectations, prior agreements, formal rules, or settled norms? How has technology changed the nature of privacy harm?

These questions loom large in debates over privacy law. Often, they are answered skeptically. The President of the United States justifies massive NSA surveillance programs by arguing that non-content surveillance is not very harmful. Advertisers resist calls for aggressive forms of Do Not Track by arguing that the way they track online behavior creates little risk of harm. Judges dismiss lawsuits brought by users suing services that suffer massive data breaches, for lack of harm. Meanwhile, many privacy law scholars and advocates do not speak consistently, if they speak at all, about privacy harm. Some prefer to talk about “problems” or “conflicts” not harms. Others point primarily to abstract, societal harms such as chilling effects or harms to dignity or individual autonomy. Many of these people have tried to move the conversation away from harm and what they see as crabbed, tort-centric approaches to privacy protection.

It is time to revisit old conversations about harm. New practices and technologies raise new threats of harm. The fear of Big Data techniques (for example in the public debate over the pregnancy prediction program of the retailer Target) have inspired new theories of harm. Economists and computer scientists have developed new ways of measuring privacy harm. Regulators have adopted new ways of talking about harm.

Join the Silicon Flatirons Center for Law, Technology, and Entrepreneurship on Friday, January 17, 2014, from 9:30 AM – 5:30 PM as we venture into the New Frontiers of Privacy Harm. We will assemble thought leaders and top practitioners and regulators for a diverse and rich set of conversations about privacy harm.

AGENDA

Welcome and Opening Remarks 9:00am - 9:15am

Panel One: Is Government Surveillance Harmful? 9:15am - 10:45am

Break 10:45am - 11:00am

Panel Two: Is Commercial Tracking Harmful? 11:00am - 12:15pm

Lunch 12:15pm - 1:00pm

Keynote Address 1:00pm - 1:30pm

1:30 PM – Measuring Harm and the Risk of Harm 1:30pm - 2:45pm

Break 2:45pm - 3:00pm

Panel Four: Tailoring Solutions to Privacy Harm Through Regulation, Architecture, and Self-Regulation 3:00pm - 4:15pm

Reception 4:15pm - 5:15pm



Digital Broadband Migration: After the Internet Protocol Revolution

Sunday, February 9th - Monday, February 10th, 2014

@ University of Colorado Law School ~ CLE: Credit Available

The Internet Protocol has already revolutionized communications technology and disrupted legal business models. It has, because of the Internet's international reach, raised international governance challenges. Notably, a number of Internet pioneers, along with the US government, have balked at proposals to centralize aspects of key Internet governance at the United Nations. At this year's Digital Broadband Migration conference, we will examine the range of Internet governance issues on the horizon, including strategies for addressing competition policy concerns, social policy issues in the wake of the technological transition, and the appropriate institutional strategies for developing sound Internet policy.

Sunday, February 9, 2013

Welcome 9:00 - 9:10am

Phil Weiser, *Dean*, University of Colorado Law School;
Executive Director, Silicon Flatirons Center

IP: How It Works (And What That Means) 9:10-10:10

To begin the conference, we will bring together leading engineers to discuss the Internet's basic architecture and technology, examining its implications for competition policy issues related to interoperability and interconnection and social policy issues related to privacy, security, and access/adoption.

Moderator - Paul Ohm, *Associate Professor of Law*, University of Colorado

Jack Waters, *Chief Technology Officer*, Level 3 Communications

Doug Sicker, *DBC Endowed Professor*, *Computer Science*, University of Colorado

Dave Clark, *Senior Research Scientist*, *Computer Science and Artificial Intelligence Lab*, MIT

Balan Nair, *Executive Vice President and Chief Technology Officer*, Liberty Global

Fireside Chat 10:10-10:40

Larry Strickling, *Assistant Secretary of Communications and Information*, National Telecommunications and Information Administration (NTIA)

Daniel Sepulveda, *Deputy Assistant Secretary*, Bureau of Economic and Business Affairs, US Department of State

Phil Weiser, *Dean*, University of Colorado Law School;
Executive Director, Silicon Flatirons Center

Break 10:40-10:50

The Challenges of Governance: Seamless Networks with Global Reach 10:50-12:00

Moderator - Phil Weiser, *Dean*, University of Colorado Law School;
Executive Director, Silicon Flatirons Center

Brad Feld, *Managing Director*, Foundry Group

Bill Kennard, *Former Ambassador to the European Union* (invited)

Maureen Ohlhausen, *Commissioner*, Federal Trade Commission

Ajit Pai, *Commissioner*, Federal Communications Commission

Mike Gallagher, *President and Chief Executive Officer*, Entertainment Software Association

Lunch 12:00-1:00

Reflections on of the Social Impact of IP Networks 1:00-1:15

Kevin Werbach, *Associate Professor of Legal Studies and Business Ethics*, University of Pennsylvania

The Societal Impact of Networks: IP Transition and The Social Contract for the Broadband World 1:15-2:45

Moderator - Ray Gifford, *Partner*, Wilkinson Barker Knauer, LLP

Paul de Sa, *Vice President and Senior Analyst*, Sanford C. Bernstein

Derek Bambauer, *Professor of Law*, University of Arizona

Len Cali, *Senior Vice President*, *Global Public Policy*, AT&T

Gigi Sohn, *President and Chief Executive Officer*, Public Knowledge

Catherine Sandoval, *Commissioner*, California Public Utilities Commission;
Associate Professor of Law, Santa Clara University

Break 2:45-3:00

Reflections on Competition Policy, Interconnection, and Internet Governance 3:00-3:15

Howard Shelanski, *Administrator*, Office of Information and Regulatory Affairs

Competition Policy, Interconnection, and Internet Governance 3:15-4:45

Moderator - Jon Sallet, *Partner*, O'Melveny & Myers LLP

Carl Shapiro, *Transamerica Professor of Business Strategy*, University of California at Berkeley

Babette Boliek, *Associate Professor of Law*, Pepperdine University

Scott Hemphill, *Professor of Law*, Columbia University (invited)

Rebecca Arbogast, *Vice President of Global Public Policy*, Comcast Corporation

Steve Williams, *Circuit Judge*, U.S. Court of Appeals, D.C. Circuit

Winston Maxwell, *Partner*, Hogan Lovells

Reception 4:45-5:45

Monday, February 10th

Fireside Chat 9:00-9:45

Edith Ramirez, *Chairwoman*, Federal Trade Commission (invited) (with Paul Ohm)

Reflections on Comparative Institutional Analysis 9:45-10:00

Phil Verveer, *Former U.S. Coordinator for International Communications and Information Policy*

Break 10:00-10:15

The "Consent" of the Governed: Multistakeholder Processes, and Comparative Institutional Analysis 10:15-11:45

Moderator - Gene Kimmelman, *Senior Associate*, Global Partners

Leslie Harris, *President and Chief Executive Officer*, Center for Democracy and Technology

Donna Epps, Verizon

Fadi Chehade, *President*, ICANN (invited)

Jon Nuechterlein, *Partner*, WilmerHale

Danny Weitzner, *Principal Research Scientist*, Computer Science and Artificial Intelligence Laboratory, MIT (invited)

Closing Fireside Chat 11:45 - 12:30



Entrepreneurship Initiative

New Technology Meetups

The New Technology Meet-Ups regularly attract over 250 people to the Law School's Wittermyer Courtroom. Events occur the first Tuesday of every month. During meetings, emerging businesses lead show-and-tell demonstrations of their new technology. The Boulder Denver New Technology Meet-up Group is now over 8000 members and counting.

Entrepreneurs Unplugged

Our Entrepreneurs Unplugged series features food, drink and - most importantly - an experienced entrepreneur who shares his/her start-up experiences. EU is a meeting place that provides faculty, students and community members the opportunity to learn about entrepreneurship through the experiences of a successful entrepreneur.

Fall Unplugged Events: **September 16, 2013: Manish Vachharajani and John Giacomoni**, F5 Networks

October 7, 2013: Luke Beatty, *Managing Director*, TechStars

November 4, 2013: Heidi Ganahl, *Founder*, Camp Bow Wow

Roundtable Series on Entrepreneurship, Innovation, and Public Policy

The Roundtable series gathers business leaders, attorneys and academicians to discuss topics of pertinent interest and furthers Silicon Flatirons' goal of elevating the debate around entrepreneurship, innovation, and public policy issues.

Crash Course Series

The Crash Course series provides focused lectures and panels for the outside community, students and faculty. The Crash Courses directly address the business and legal issues that confront an entrepreneur in launching a new venture.

Fall Crash Course Events:

September 24, 2013: Crash Course: Sales for Startups, featuring **Howard Diamond**, TechStars Mentor and **Salesman Extraordinaire**

October 24, 2013: Maker's Movement with **Dorian Ferlauto**, **Eric Schweikardt**, and **Nathan Seidle**

November 19, 2013: Finding a Strategic Partner with **Bill Mooz**

CU New Venture Challenge

The CU NVC is the campus' "entrepreneurial launch pad" comprised of workshops, team building events, mentorship, a pitch day and championship finals. The CU NVC gave out over \$15,000 in prizes in 2012. SFC co-leads the NVC in conjunction with several academic centers and departments across campus including: the Deming Center for Entrepreneurship, the College of Engineering and Applied Science, ATLAS, ITP, and the TTO.

Entrepreneurial Law Clinic

The ELC at the University of Colorado Law School provides free transactional legal services regarding the formation and development of startup companies for area entrepreneurs.

Entrepreneurial Law Certificate

The Entrepreneurial Law Certificate coordinates Colorado Law's strengths and business-law related assets in the areas of entrepreneurial and technology law. It is awarded to law students who complete coursework reflecting a concentrated study of issues typically faced by transaction-side lawyers. The Entrepreneurial Law Certificate provides curricular guidance to students and promotes a comprehensive doctrinal foundation upon which transactional expertise can be built. Notably, the Entrepreneurial Law Certificate signals to prospective employers that a student who completes the program possesses a skill set with applicability across issues of transactional law.

LLM in Entrepreneurial Law

Colorado Law's LLM in Entrepreneurial Law is one of only two LLM programs of its kind nationwide. The LLM program provides the breadth and depth of expertise needed to expand an attorney's practice to serve emerging companies as both outside and in-house counsel.

Startup Colorado

Startup Colorado is a regional initiative to increase the breadth and depth of entrepreneurial ecosystem across Colorado's Front Range. From Fort Collins to Boulder, from Denver to Colorado Springs, our mission is to multiply connections among entrepreneurs and mentors, improve access to entrepreneurial education, and build a more vibrant entrepreneurial community. Startup Colorado's various programs will deepen the communal backdrop out of which new companies emerge. Vibrant new company creation, by extension, improves the broader economic base of Colorado.



Energy Innovation Initiative

Transitioning to a sustainable low-carbon energy system poses one of the great challenges of the 21st century. The Energy Innovation speaker series brings leaders from government, law, finance, industry, and academia to discuss key aspects of this challenge and some of the innovative approaches and solutions being fashioned across a range of sectors. For more information about the Energy Innovation Initiative, visit: <http://www.energy-innovation.org/>

Energy Innovation Series & 6th Annual Schultz Lecture:
Tony Clark, Commissioner, Federal Energy Regulatory Commission
Tuesday, October 22nd, 2013; 5:30 - 6:30 PM
@ University of Colorado Law School ~ CLE 1 General Credit

Tony Clark, Commissioner, Federal Energy Regulatory Commission:

Commissioner Tony Clark is serving his first term on the Commission, having been nominated by President Obama and sworn in on June 15, 2012. A Republican, he is serving out a five-year term that expires June 30, 2016.

Commissioner Clark formerly served as a member of the North Dakota Public Service Commission, most recently as Chairman of the Commission. The office is a statewide elective office, and Commissioner Clark was first elected to the PSC in 2000.

While at the North Dakota Commission, Commissioner Clark held the PSC portfolio on electric generation and transmission and was active in state and regional efforts to develop North Dakota's vast energy exporting potential and to provide affordable, reliable energy to consumers. In his 12 years at the Commission, he oversaw regulatory proceedings that permitted more than \$5.5 billion in new investment in North Dakota through expanded wind, coal and oil and gas infrastructure. At the same time North Dakota maintained its position as one of the lowest cost energy states in the nation, and continued its tradition of excellence in environmental protection.

In November 2010, Commissioner Clark was elected by his peers across the nation to serve a one-year term as President of the National Association of Regulatory Utility Commissioners (NARUC), and led association efforts on matters of importance to the regulatory community and America's utility consumers. He is a past Chairman of the NARUC Telecommunications Committee and has testified multiple times before Congress on matters related to telecommunications and energy.

Prior to his election to the PSC, Commissioner Clark was North Dakota's Labor Commissioner, serving in the cabinet of former Gov. Ed Schafer. He is a former state legislator, representing Fargo in the state House of Representatives from 1994-97.

Commissioner Clark is a graduate, with honors, from North Dakota State University and he holds an MPA from the University of North Dakota.

Having attained the rank of Eagle Scout as a youth, Commissioner Clark has maintained his involvement with and support of the Scouting program. He is a past Chairman of the Frontier Trails District of the BSA and a past Cubmaster of Pack 180 in Bismarck.

Cross-Border Energy Transactions: Trends, Challenges, and Opportunities in North America
Thursday, October 31st, 2013; 1:00 - 7:00 PM
@ University of Colorado Law School ~ CLE Credit Available



Flatirons Reports 2012-2013

The Challenges and Opportunities for Public Safety Communications: The Adams County Case Study

Rapporteur: Christopher Cook

Date Published: September 2012

On September 23, 2011, the Silicon Flatirons Center brought together academics, lawyers, and members of the public safety communications industry to discuss the challenges and benefits of implementing a 21st century nationwide wireless broadband public safety network that is envisioned by the National Broadband Plan. This discussion was held at the University of Colorado School of Law, and it was moderated by Phil Weiser, Executive Director of the Silicon Flatirons Center and Dean of the University of Colorado School of Law, and Dale Hatfield, Silicon Flatirons Senior Fellow and University of Colorado Adjunct Professor. The discussion addressed the implementation of a 21st century broadband public safety communications network through study and dialogue surrounding the development of a broadband public safety network in Adams County, Colorado.

Law 2.0: The New Continuum of Legal Education

Rapporteur: Therese Kerfoot

Date Published: October 2012

To understand and consider how to better educate and train individuals for the “new normal” of a dynamic legal marketplace, the Silicon Flatirons Center at Colorado Law hosted a Roundtable discussion on February 16, 2012 (herein, the “Continuum Roundtable” or the “Roundtable”). The Association of Corporate Counsel’s Colorado Chapter provided generous support for the effort, which focused primarily upon transactional law needs of companies. Roundtable participants included industry leaders from law firms and corporate legal departments, representatives from non-traditional services providers such as legal process outsourcing companies and legal consultants, and members of the academic community.

University Outreach and Engagement: The Ground Is Shifting Under Our Feet

Rapporteur: Matt Burns

Date Published: January 2013

The main objectives of the Roundtable included exploring conceptions of university outreach; enhancing Colorado Law’s understanding of how to best build platforms for meaningful outreach efforts; as well as to identify risks of outreach and engagement if the underlying platform and resources are not properly conceived and structured.

A Template for Critical Mass: Next Steps for a Vibrant Denver Startup Scene - Roundtable Report for Denver Mayor Michael Hancock

Rapporteur: Ian Kuliasha

Date Published: January 2013

On September 6, 2012, the Denver startup community threw a bash on a scale that the city’s entrepreneurship scene had not seen before. Over 1,000 participants, representing more than 520 companies from across Denver and the Front Range, gathered in “celebration of everything entrepreneurial.”³ A party and attendant discussions about startups may seem like a frivolity, however, scholars and commentators underscore that this is exactly the type of social interaction that fuels startup communities as they seek to reach “critical mass.” Critical mass, as it relates to entrepreneurship, reflects a tipping point where a community’s growing energy and gravity triggers a sustained chain reaction of entrepreneurial activity. Denver is today full of entrepreneurial energy. The crucial question from an economic development perspective is this: how can Denver best channel today’s enthusiasm so as to reach startup critical mass?

Receivers, Interference, and Regulatory Options

Rapporteur: Madelaine Maior

Date Published: February 2013

The roundtable was convened to evaluate a proposal by the FCC TAC (Federal Communications Commission’s Technological Advisory Council) receivers working group regarding interference limits policy, and to recommend ways to improve, implement and enforce such policies. Interference limits policies describe the radio environment in which a receiver must operate, in order to facilitate optimal trade-offs between receiver and transmitter performance when packing diverse services more closely together. The TAC receiver working group focused its recommendations on harm claim thresholds, an interference limits policy approach which sets the interfering signal levels that have to be exceeded before a receiving system operator can claim harmful interference.

Looking Back to Look Forward: The Next Ten Years of Spectrum Policy

Rapporteur: Michelle Hersh

Date Published: March 2013

The roundtable was convened to evaluate a proposal by the FCC TAC (Federal Communications Commission’s Technological Advisory Council) receivers working group regarding interference limits policy, and to recommend ways to improve, implement and enforce such policies. Interference limits policies describe the radio environment in which a receiver must operate, in order to facilitate optimal trade-offs between receiver and transmitter performance when packing diverse services more closely together. The TAC receiver working group focused its recommendations on harm claim thresholds, an interference limits policy approach which sets the interfering signal levels that have to be exceeded before a receiving system operator can claim harmful interference.

Cybersecurity and Cloud Computing in the Health Care and Energy Sectors: Perception and Reality of Risk Management

Rapporteur: Matt Burns

Date Published: June 2013

Cloud computing promises to enable new frontiers of innovation and convenience. As a result of this emerging technology, services that would have required significant capital expenditures just a few years ago are now available in a pay-per-use model, if they cost end users anything at all. Increasingly, cloud services enable everyday technologies, and often the end user is not aware that cloud computing is involved. Innovation, convenience, and speed are the baseline expectations for the growing number of digitally connected people in the world.



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