Class Eight: Intellectual Property and Data Collection

During class, we are going review key concepts associated with intellectual property and associated issues with data collection.

1. Read the article by Stacy Colletti entitled *How to protect algorithms as intellectual property* (CSO July 13, 2020), a copy is attached in the folder.

2. Read the article by Dan Masur, Brad L. Peterson and Corina Cercelaru, entitled *Data Licensing Tips and Tactics: Compliance Considerations when Obtaining Data from a Third Party* (Corporate Compliance Insights Sept. 5, 2018), a copy is attached in the folder.

3. Read the article by Andreas Stroffelbauer entitled *Intellectual property rights for data scientists* (The Variable Sept. 9, 2020), a copy is attached in the folder.

4. Prepare to discuss the *LinkedIn v hiQ* case on data scrapping:

    a. Read the article by Rita Heimes entitled *Data Scrapping and the implications of the latest LinkenIn-hiQ court ruling* (IAPP Sept 20, 2019), a copy is attached in the folder.

    b. Read the article by Omer Tene entitled *LinkedIn v. HiQ and the trans-Atlantic privacy divide* (IAPP April 22, 2022), a copy is attached in the folder.

    c. Read the article by Zack Whittaker, Web scraping is legal, US appeals court reaffirms (April 18, 2022) at https://techcrunch.com/2022/04/18/web-scraping-legal-court/.

    d. Read the article The National Law Review, "hiQ and LinkedIn Reach Proposed Settlement in Landmark Scraping Case" (December 8, 2022) at https://www.natlawreview.com/article/hiq-and-linkedin-reach-proposed-settlement-landmark-scraping-case.

    e. Skim the 9th Circuit hiQ decision (focusing on the facts in the beginning of the case pp.8-14), a copy is attached in the folder.

    f. Be prepared to discuss:

        i. What are your privacy expectations on a site like LinkedIn?
        ii. Who owns the data on a site like LinkedIn?
        iii. What is unauthorized access?
        iv. What limits should there be on data collection on the internet?