

**Stephen Nugent, ABA Manager of Online Content Regulation, participated in a 21 day study tour on issues related to Internet use, e-commerce and intellectual property rights. The study tour was undertaken in September and October as part of the US State Department's International Visitors Program. This is his report of the tour.**



## Study tour on Internet use, e-commerce and intellectual property rights

At the invitation of the US Embassy, the ABA's Manager of Online Content Regulation, Stephen Nugent, recently participated in a 21 day study tour on issues related to Internet use, e-commerce and intellectual property rights. The study tour was undertaken in September and October as part of the US State Department's International Visitors Program.

Each year, the State Department invites a large number of people from around the world, including a number from Australia, to the USA to pursue professional interests with American colleagues. While some visitors participate in individual programs, most take part in group projects, either with participants from their own country, or with counterparts from other nations. Mr Nugent's International Visitors Program was a group project involving two other Australians.

Starting in Washington DC on 25 September, the program also included visits to Pittsburgh, Houston, Seattle and San Jose. Meetings were arranged in each city with a number of organisations ranging from Internet start-up companies to government agencies, industry representative bodies to non-government organisations.

Meetings of particular relevance to the ABA and its role in online content regulation included:

- Pew Internet and American Life Project ([www.pewinternet.org](http://www.pewinternet.org));
- US Internet Industry Association ([www.usiia.org](http://www.usiia.org));
- Internet Education Foundation ([www.meted.org](http://www.meted.org)); and
- the National Center for Missing and Exploited Children ([www.missingkids.com](http://www.missingkids.com)).

The Pew Internet and American Life Project, an initiative of the Pew Research Center, was established to examine the social impact of the Internet on American society. The project is exploring aspects of the Internet that have not received sustained attention from policymakers and academics in the USA: its effects on children, families, communities, schools, the workplace, and civic and political life. The project has already produced a number of significant research reports, including reports dealing with the impact of email on interpersonal relationships, trust and privacy online, and the reasons why certain segments of the American population are not online.

Mr Lee Rainie, the project's Director, and Dr John Corrigan, Senior Research Specialist, provided insights into the design and findings of research completed to date. They also described current projects and future priorities. The increased understanding of the research findings and the opportunity to discuss the innovative research methodologies employed by the project, are valuable inputs to the ABA's own re-

search role under Australia's co-regulatory scheme for Internet content.

The US Internet Industry Association (IIA) is a non-profit trade association whose mission is to foster the growth and development of Internet commerce, content and connectivity. The US IIA is affiliated with the Australian Internet Industry Association, the industry body that developed the Internet content codes of practice registered by ABA in December last year.

The meeting with Mr David McClure, the US IIA's Executive Director, focused on the current challenges facing the US Internet industry. Discussion ranged across issues such as the financial viability of the Internet service provider industry, the opportunities and threats of broadband delivery, and the changing patterns of Internet 'consumption'. Combined with the insights into user concerns and behaviour obtained from the meeting at the Pew Project, this discussion provided a general overview of the Internet in the US that was invaluable in subsequent meetings dealing with more specific issues.

Community education was the subject of discussion at the meeting with the Internet Education Foundation (IEF). The IEF is a non-profit foundation comprised of a diverse group of companies and organisations dedicated to educating the community about the potential of the Internet. One of the IEF's projects is GetNetWise ([www.GetNetWise.org](http://www.GetNetWise.org)),

an online safety guide that aims to help families have safe, constructive and rewarding online experiences.

GetNetWise's director, Mr Jim Browne, was one of the IEF representatives at the meeting. Mr Browne described the background and development of the project, as well as the facilities available at the GetNetWise web site. One of the useful features is a tools database that lists more than 125 technology tools that families can use to filter or monitor access to Internet content. The information and ideas generated from the meeting will be of assistance to the ABA in its community education role, a role that is to be expanded in 2001.

Mr Ruben Rodriguez, the Director of the Exploited Child Unit at the National Center for Missing and Exploited Children (NCMEC), provided the program participants with a comprehensive introduction to the NCMEC's activities and a tour of the organisation's premises in Alexandria, Virginia. The NCMEC serves as a focal point for assistance to parents, children, law enforcement agencies and schools in recovering missing children and raising public awareness about ways to help prevent child abduction, molestation, and sexual exploitation.

The NCMEC runs the US online-hotline, CyberTipline (www.cybertipline.com), for the reporting of sexual exploitation of children, including the manufacture and distribution of child pornography and the online enticement of children for sexual acts. The meeting helped foster relations between the NCMEC and the ABA, and will assist the exchange of information between the online-hotlines that the two organisations run. Effective relations between hotlines are important to their success and both the NCMEC and the ABA pursue this goal through their associate membership of INHOPE (Internet Hotline Providers of Europe).

Other organisations on the International Visitors Program agenda are listed in the table. While the focus of many of these meetings was the issue of intellectual property rights, a broad range of topics was covered. These included:

- mobile access to Internet services;

- electronic delivery of government services;
- legal sanctions and the enforcement of law in a digital world;
- consumer protection;
- the new economy's changing demand on tertiary education institutions; and
- trends and developments in e-commerce.

The ABA's role as Internet content regulator requires it to work closely with the service provider and content

hosting sectors of the industry. While the regulatory and business environment in Australia has a number of differences to that which exists in the USA, the range of issues that industry participants deal with in doing business are not dissimilar. The increased understanding of these industries, coupled with the contacts made through the International Visitors Program, will contribute to the ABA's effective performance of its Internet regulatory role.

### **Organisation type/name**

#### **Government agencies**

- Department of State, Intellectual Property and Competition Division
- Department of Commerce, Office of the Secretary
- Department of Justice
- Patent and Trademark Office
- Federal Communications Commission
- Office of the Mayor, City of Pittsburgh
- Small Business Administration, Pittsburgh District Office
- Attorney General of Washington Consumer Protection Division
- County of Santa Clara, Office of the District Attorney, Bureau of Investigation

#### **Internet start-up companies**

- Teledisk Corporation
- MuniAuction
- FuelQuest.com
- eCharge.com

#### **Established Internet/IT/software companies**

- IBM, Institute for Electronic Government
- Digital Broadband Communications
- BMC Software
- Nintendo of America
- Silicon Graphic Inc.
- eBay Inc.

#### **Industry/professional representative bodies**

- International Intellectual Property Alliance
- Interactive Digital Software Association
- Motion Picture Association of America
- American Bar Association

#### **Academic institutions**

- University of Pittsburgh, Office of the Provost
- Carnegie Mellon University, School of Industrial Administration

#### **Non-government organisations**

- Center for Democracy and Technology
- Services Cooperative Association

#### **Law firms**

- Seed Intellectual Law Group

