

Web 2.0: The Internet's New IP Frontier

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Since its inception, the Internet has posed a number of legal challenges for owners of intellectual property, Internet service providers, and IP end users alike. Moreover, the Internet is changing so rapidly that practitioners must constantly re-familiarize themselves, not only with developing legal issues, but with the ever-involving Internet vernacular. This brief outline provides definitions for some new Internet terms and highlights some of the salient intellectual property issues related to the Internet, as well as some pertinent non-intellectual-property legal issues and disputes.

A Glossary of Current Internet Terms

aircard: A device that plugs into a laptop computer, typically through a USB connection or PC card slot, that provides users with high-speed Internet access through a cell phone signal.¹

blog (short for web log): A type of Web page that serves as a publicly accessible personal journal for an individual, with regular entries featuring commentary, descriptions of events, or other materials such as graphics or video; generally displayed in reverse-chronological order.²

hyperlink: A point in a Web document through which users may branch outward to other bodies of information present on the Web.³

IM (short for instant message): Refers to messages sent through an Internet instant message service, such as Google Chat or MSN Messenger, that are seemingly delivered instantaneously to the other party.⁴

keyword: A word entered into an Internet search engine.⁵

mash-up: Refers to a combination of disparate software or Web-based applications, often from completely different sources.⁶

metadata: Digitally stored information about a document's characteristics, including its origin and usage.⁷

metatags: HTML code embedded in a website that describes the contents of that site, often to help search engines categorize them correctly.⁸

plug-in: A computer program that is added to enhance an existing program such as a Web browser or email program.⁹

social networking websites: Websites such as Facebook.com and MySpace.com; essentially online communities through which its members create profiles of themselves using text, photos, and videos, and that may permit its users to interact and communicate using email, instant messaging, and posts.¹⁰

usenet: A bulletin board-like network featuring thousands of "newsgroups."¹¹

user-generated content (UGC): Content contributed to the Internet by end users.¹²

Web 2.0: Not a new software application, but a metaphor. "Web 2.0" has recently entered the language to describe an Internet evolved to new levels of capability that promote vast and varied social networks and greatly enhanced interactivity. It evokes the latest trends in use of the Web and advances in Web technology and design that encourage creativity, information sharing, collaboration, and the proliferation of many types of user-generated content.¹³

Web widget: A computer code used to create an item on a Web page, such as a poll, an advertisement, a search box, a news headline, or a photo slide show.¹⁴

wiki: A term meaning "quick" in Hawaiian that is used for technology that gathers in one place a number of Web pages focused on a theme, project, or collaboration. Generally, users develop, contribute, and update the content of wikis. The most famous wiki is Wikipedia, the free online encyclopedia.¹⁵

YouTube: An electronic publication and distribution system at YouTube.com on which its users may upload, view, and share video clips.¹⁶

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Commentary: "Hot" Cases and Controversies

Internet use of intellectual property has spawned a great deal of IP litigation, and many of these disputes present novel legal theories and controversies for both the experienced and novice IP practitioner. For obvious reasons, copyright law has been, and continues to be, the subject of much of the intellectual property litigation related to the Internet. *A&M Records, Inc. v. Napster, Inc.*¹⁷ was the first major copyright case to address the problem of unauthorized peer-to-peer (P2P) file sharing. Napster, Inc. provid-