

The Communications Act and the FCC at 75: What Will the Future Bring?

On **Tuesday, February 24, 2009**, the FCBA will present a seminar on “The Communications Act and the FCC at 75: What Will the Future Bring?” from **9:00 a.m. – 5:00 p.m.** This all-day event will feature panels focusing on key policies of FCC decision-making, and anticipated crucial issues for Commission attention in 2009 and beyond.

The program will be highlighted by opening remarks from **The Honorable Michael J. Copps** and a panel of former FCC Chairmen, including **William Kennard, Reed Hundt, Michael Powell** (invited), **Richard Wiley, Newton Minow** (invited), and **Kevin Martin** (invited) addressing the future of the FCC and its administration of the Communications Act.

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PHOTO COURTESY OF THE COLONIAL WILLIAMSBURG FOUNDATION, WILLIAMSBURG, VA

2009 Annual Seminar to be Held in Colonial Williamsburg, VA May 1-3, 2009 – SAVE THE DATE

The FCBA Annual Seminar Planning Committee is working on this year’s program for the Annual Seminar, to be held in historic Williamsburg, VA. This popular annual FCBA event will include presentations and panels on various timely topics featuring government and industry personnel and others, as well as a number

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Nominations for “Excellence in Government Service” Award Due February 20

Last year the Federal Communications Bar Association established an award, to be provided annually, to recognize the contributions of federal government employees to the field of communications. The first recipient of the award was Daniel “Mack” Armstrong, who was honored at a reception in June of 2008. FCBA President **Mark Schneider** will appoint a selection committee, and the second recipient will be announced in Spring 2009.

All current federal government employees in communications-related positions (not limited to attorneys or FCBA members) are eligible nominees. The committee will consider an individual’s dedication to excellence and long-term commitment to federal government public service in selecting the individual to be honored. In addition, the committee will view favorably nominees who have mentored more junior government employees. Nominations (1,000 words or less) should include the

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This Month’s Key Events

Intellectual Property, International and Membership & Marketing Committees Brown Bag

Date/Time: Thursday, February 5, 12:00 Noon – 1:45 p.m.
Location: USTelecom, 607 14th Street, NW, Suite 400
 ▶ SEE PAGE 9

HLS/Emergency Communications Committee Brown Bag Lunch

Date/Time: Monday, February 9, 12:15 – 1:30 p.m.
Location: Holland & Knight LLP, 2099 Pennsylvania Ave., NW, Tillie Fowler Conference Room
 ▶ SEE PAGE 9

Annual Seminar Committee Brown Bag/Planning Lunch

Date/Time: Monday, February 9, 12:00 – 1:30 p.m.
Location: Wilkinson Barker Knauer, LLP, 2300 N Street, NW
 ▶ SEE PAGE 9

International and Transactional Committees CLE Seminar

Date/Time: Tuesday, February 18, 6:00 – 8:15 p.m.
Location: Bingham McCutchen LLP, 2020 K Street, NW
 ▶ SEE PAGE 3

Wireless Committee Luncheon

Date/Time: Thursday, February 19, 12:15 – 1:30 p.m.
Location: Sidley Austin LLP, 1501 K Street, NW, 6th Floor
 ▶ SEE PAGE 10

The Communications Act and the FCC at 75 Seminar

Date/Time: Tuesday, February 24, 9:00 a.m. – 5:00 p.m.
Location: Wiley Rein LLP Conference Center, 1776 K Street, NW
 ▶ SEE PAGE 1

PRESIDENT'S Message

DEAR MEMBERS:

The inaugural week has concluded, and with it, Washington is back to work (if it ever really stopped). In our part of DC, we have a new FCC Chairman, a revised Commission, and the anticipation of more change in the air. Already acting Chairman Copps has publicly announced his desire for new FCC initiatives in several areas, and Commissioner McDowell already publicly has responded with his own suggestions for cooperative change. Indeed, by the time you read this message, Commissioner McDowell, with Chairman Copps in attendance, will have addressed these topics before the FCBA at our February 2 luncheon. And this is before we acknowledge the rumors of new nominations, staff changes or Congressional initiatives.



On occasion, I am reminded that one of the FCBA's central purposes (in Article II of its Constitution) is "to promote . . . fairness and efficiency in the development and application of communications law and policy at all levels of government" as well as "excellence and integrity in the profession." On those occasions, I am often asked how we accomplish these goals, or just as likely, to help achieve them in a particular way. I hope that the next five months will serve as a reminder that the FCBA can facilitate positive debate, change and improvement, even given certain limitations that our Association must recognize.

Of course, FCBA members know that active committee work is the best way to contribute in this area on a regular basis. Our committees have conducted, and will continue to schedule, regular meetings and CLE programs that educate our members and foster debate on controversial issues of communications law. In working on these regular monthly luncheons and CLE programs (of which we will have more than a dozen over the course of the next four to five months), I always have been proud that our bar members recognize that, with respect to perspective and policy orientation, in addition to a number of other areas, we are an incredibly diverse group; we will not, as an association, attempt to advocate the views of any one sector of our bar against the views of another. We strive to provide the forum for the best discussions of these issues, and rely on the debate to fulfill the goals we set for ourselves in our Constitution.

With that in mind, I hope many of you were able to attend our February 2 luncheon, and listen to Commissioner McDowell, or otherwise gain access to his remarks before the FCBA. I also call to your attention our all-day event on **Tuesday, February 24, "The Communications Act and the FCC at 75: What Will the Future Bring?"** The program will feature the highest level and quality of speakers focusing on key policies of FCC decision-making and anticipated crucial issues for Commission attention as we enter a new era. As I indicated last month, the program is designed to provide a sophisticated analysis of key legal issues and a stimulating discussion of the policy issues for the new Congress and FCC. And our Annual Seminar Committee already is at work planning a program for May 1-3 in Williamsburg that will follow up on the issues discussed at the February 24 event, as the FCC itself advances through the stages of these new days.

Several other FCBA programs are under way. After consultation of the Executive Committee, we have asked the co-chairs of our "Access to Records" Committee (**Chris Bjornson, Michelle Cohen, Eric Einhorn and David LaFuria**) to lead an FCBA effort to contribute positive recommendations to the new FCC regarding the public's interaction with the FCC, including its website and other methods of

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Wednesday, February 18, 6:00 – 8:15 p.m. Investing in Foreign Telecoms Markets: Challenges and Opportunities

Presented by the International
Telecommunications and Transactional
Practice Committees

The International Telecommunications and Transactional Practice Committees are planning a CLE for **Wednesday, February 18, 2009**, from **6:00 – 8:15 p.m.** on Investing in Foreign Telecoms Markets: Challenges and Opportunities. There will be two panels. This CLE will be held at Bingham McCutchen LLP, 2020 K Street, NW, 11th Floor.

To register, go to the FCBA website –
Calendar of Events or use the form on
page 18.

Agenda

6:00 – 6:05 p.m.

WELCOME AND INTRODUCTION OF PANELISTS AND MODERATOR

Andy Lipman, Partner, Bingham
McCutchen LLP

6:05 – 6:55 p.m.

TOPIC 1 – REGULATORY REVIEWS OF FOREIGN

2008 FCBA Membership Directories

The FCBA 2008 Membership Directories were printed and mailed to members in early April. Please use the order form on **page 25** to order additional copies for your office.

INVESTMENT IN THE TELECOMS SECTOR IN SELECT COUNTRIES & HOW TO ENSURE OPEN INVESTMENT FRAMEWORKS

Moderator: **Rebecca Arbogast**, Principal,
Stifel Nicolaus

Speakers:

Sheba Chacko, Head of Global
Operational Regulation and American
Regulation, BT Global Services

Chris Peirce, Chief Corporate Officer,
MTS Allstream Inc.

Ulises Pin, Partner, Bingham
McCutchen LLP

Jackie Ruff, Vice President,
International Public Policy &
Regulatory Affairs, Verizon
Communications

6:55 – 7:05 p.m.

Q&A SESSION

7:05 – 7:15 p.m.

BREAK

7:15 – 8:00 p.m.

TOPIC 2 – DOS AND DON'TS OF INVESTING IN OVERSEAS TELECOMS MARKETS

Moderator: **Sean Heather**, Executive
Director, Global Regulatory
Cooperation, U.S. Chamber of
Commerce

Speakers:

Jim Allen, Managing Director and Head
of Mergers & Acquisitions, Latin
America, Morgan Stanley

Jonathan McHale, Deputy Assistant
USTR for Telecommunications and E-
Commerce Policy, United States Trade
Representative (USTR)

Joel S. Winnik, Partner, Hogan and
Hartson LLP

8:00 – 8:15

Q&A SESSION

8:15 – 8:20

WRAP-UP

Mark Brennan, Hogan & Hartson LLP
and Co-Chair, FCBA Transactional
Committee

For questions about the program,
contact **Mark Brennan**, Co-Chair,
Transactional Practice Committee at
mwbrennan@hhlaw.com or **Jennifer
Ullman**, Co-Chair, International
Telecommunications Practice
Committee at
Jennifer.ullman@verizon.com.

Thursday, March 19, 2009, 2:00 – 6:00 p.m. The 4th Annual ABA/FCBA Privacy & Data Security for Communications and Media Companies CLE

Presented by the FCBA Privacy and Data
Security Committee and the ABA Forum
on Communications Law

Sponsored by Wiley Rein LLP and Lerman
Senter PLLC

TOPIC: “New Laws, Guidelines,
Developments, and Risks in the Age of
Obama”

LOCATION: Wiley Rein LLP
Conference Center, 1776 K Street, NW,
Washington, DC

COST:

- \$175.00 for ABA Communications
Law Forum or FCBA Members
- \$100.00 for Government & Student
Members of Either Organization
- \$300.00 for Non-Members

OVERVIEW: Join us for an overview
of new state and federal laws,
guidelines, developments, and risks that
will impact media and communications
companies in 2009 and beyond under
the new Obama Administration. We
will also provide implementation
specifics for the FTC's new Red Flag
Rules that apply to any entity that defers
payment of services or goods; FTC's
enforcement effective date is May 2009.

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Other topics to include:

- CAN-SPAM Act's new commercial email regulations for multiple senders and forward-to-a-friend
- Privacy regulations for text-messaging and new wireless technologies, conflicts between federal and state laws
- Marketing to children in the new technology age; Does COPPA apply to VoIP and other electronic communications over the Internet?
- Behavioral marketing best practices in light of the FTC's proposed guidelines and the Network Advertising Initiative's new self-regulatory principles
- Social Networking lessons learned from MySpace and Facebook State Attorneys General agreements and other litigation
- FTC's recommendations to protect employee and consumer SSNs and authentication guidelines to prevent identity theft
- Recommendations for transactional and contract provisions for third party vendors and promotional partners
- New PCI-DSS requirements and security breach safeguards for ecommerce service providers

We will also provide perspectives regarding the Obama Administration's and the new Congress' approach to privacy and data security legislation; what are the priority issues and hot buttons.

Please contact Co-Chairs **S. Jenell Trigg** (STrigg@lrmansentercom or 202-416-1090) or **Bryan Tramont** (BTramont@wbklaw.com or 202-383-3331) for more information.

To register, go to the FCBA website Calendar of Events or use the form on page 18.

THE COMMUNICATIONS ACT AND THE FCC AT 75

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The event also will include a panel on FCC practice and procedure with former FCC Chiefs of Staff that have served various Chairmen. In addition, it will include other notable speakers on panels addressing the "public interest" standard and the role of the public in FCC deliberations, the role of technology in FCC decision-making, adapting the Act to meet the age of the Internet, and hot topics and issues for resolution by the FCC in the immediate and near future.

The all-day program will include a light lunch and a post-event reception. **Michele Ellison, Adam Krinsky, Nancy Victory** and **Chris Wright** are the co-chairs for this program.

To register, use the form on page 19. Sign up quickly for this important program, as space may be limited. Look to the FCBA website and your emails for updated information available soon.

Agenda

8:45 – 9:00 a.m.

WELCOME AND OPENING REMARKS

The Honorable Michael J. Copps, Acting Chairman, FCC

9:00 – 10:00 a.m.

FORMER FCC CHAIRMEN ON RUNNING THE AGENCY AND ADMINISTERING THE ACT

Moderator: **Mark Schneider**, FCBA President and Parter, Sidley Austin LLP

What are the greatest challenges in running the FCC? What are the largest issues facing the FCC in 2009 and beyond? What reforms of the Communication Act or the FCC should Congress consider, or avoid? Former FCC Chairmen speak.

Speakers:

Kevin J. Martin (March 16, 2005 – January 20, 2009) (invited)

Michael K. Powell (January 22, 2001 – March 16, 2005) (invited)

William E. Kennard (November 3, 1997 – January 19, 2001)

Reed E. Hundt (November 29, 1993 – November 3, 1997)

Richard E. Wiley (March 8, 1974 – October 13, 1977)

Newton N. Minow (March 2, 1961 – June 1, 1963)

New Online Directory Information

Since October 10, 2008, the old online member directory has been inactive and the new online directory has been implemented. The new online directory is accessible through your online account used to renew membership and register for events.

TO ACCESS THE NEW ONLINE DIRECTORY:

Click the **Login** link at www.fcba.org. The primary email and password used to sign in MUST be the same as have been used for membership renewal

and online registrations in the past. If the password is not known or has never been activated, click on the **Forgot your Password?** link and follow the instructions to generate a new password.

One logged in, click on the **Individual Directory** link in the menu options. Search for your entry information. Note that this directory is different than the one we've used previously, and only displays your name, address, email, and primary phone and fax numbers. Our database can still house more info, such as alternate phone, fax and cell phone numbers, but it will not be reflected in the new directory.

THE COMMUNICATIONS ACT AND THE FCC AT 75

10:00 – 10:15 a.m.
BREAK

10:15 – 11:15 a.m.
THE PUBLIC INTEREST STANDARD – AND THE PUBLIC'S PARTICIPATION AT THE FCC

Moderator: **Nancy Victory**, Partner, Wiley Rein LLP
The Communications Act speaks in terms of the public interest – but this general mandate is often hard to define. How has the FCC applied this standard – and has it gotten it right? What ongoing FCC proceedings are most impacted by this requirement? How does and should the FCC obtain and evaluate public input on its proceedings?

Speakers:

Gene Kimmelman, Vice President for Federal and International Affairs, Consumers Union

Angela Campbell, Director, Institute for Public Representation, Georgetown University Law Center

Scott Cleland, Founder & President, Precursor LLC

Monica Desai, Chief, Media Bureau, FCC

Randy May, President, Free State Foundation

Jessica Rosenworcel, Senior Communications Counsel, Senate Commerce Committee (invited)

11:15 – 12:15 p.m.
DEVELOPING PUBLIC POLICY FOR TECHNOLOGICAL INNOVATION

Moderator: **Lauren Van Wazer**, Chief Policy and Technology Counsel, Cox Enterprises, Inc.

This expert panel will review the transformative impact of technology in the communications world and share thoughts on advancements in technology and the interplay with public policy. What proceedings involving spectrum or network technologies lie ahead, and how can the FCC best incorporate sound engineering and technology policy?

Speakers:

Dale Hatfield, Adjunct Professor, Interdisciplinary Telecommunications

Program, University of Colorado at Boulder

Julius Knapp, Chief, FCC Office of Engineering and Technology, FCC
William Check, Senior Vice President, Science and Technology, NCTA
George Ou, Senior Analyst, Information Technology and Innovation Foundation
Eli Noam, Professor of Finance and Economics, Director, Columbia Institute for Tele-Information
Bruce Franca, Vice President, Policy and Technology, MSTV

12:15 – 1:00 p.m.
LUNCH AND BREAK

1:00 – 1:30 p.m.
AFTERNOON OPENING REMARKS

1:30 – 2:30 p.m.
FORMER FCC CHIEFS OF STAFF ON ADMINISTERING THE ACT AT THE FCC

Moderator: **Michele Ellison**, Federal Communications Commission
Former FCC Chiefs of Staff address the role of the FCC in implementing the Communications Act. What is the role of the Chief of Staff, and what changes can be made to adapt to the current Digital Age?

Speakers:

Kathy Brown, Senior Vice President for Corporate Responsibility, Verizon

Blair Levin, (invited and under consideration), Stifel Nicolaus

Marsha MacBride

Bryan Tramont, Partner, Wilkinson Barker Knauer, LLP

John Nakahata, Partner, Harris Wiltshire & Grannis, LLP

Brian Fontes, Chief Executive Officer, National Emergency Number Association

Dan Gonzalez (invited)

2:30 – 2:45 p.m.
BREAK

2:45 – 3:45 p.m.
ADAPTING THE ACT TO THE INTERNET AGE

Moderator: **Adam Krinsky**, Partner, Wilkinson Barker Knauer, LLP

Convergence and broadband speeds have led to a new age of regulation at the FCC. What does the Communications Act require with respect to fostering and regulating broadband services and providers? Are changes necessary? What proceedings at the FCC are important for the future of broadband?

Speakers:

Marvin Ammori, General Counsel, Free Press & Assistant Professor, University of Nebraska (and Faculty Advisor, Space & Telecommunications Law LLM Program)

Susan Ness, Former FCC Commissioner and Susan Ness Strategies

Jonathan Nuechterlein, Partner, WilmerHale

Sandy Wilson, Vice President of Public Policy, Cox Enterprises

Harold Furchtgott-Roth, Former FCC Commissioner and President, Furchtgott-Roth Economic Enterprises

3:45 – 4:45 p.m.
HOT ISSUES FOR 2009 AND BEYOND

Moderator: **Chris Wright**, Partner, Harris, Wiltshire & Grannis LLP
The Commission is in the process of transition. What are the largest issues currently on the agenda for the FCC this coming year, and during the next few years? How should the Commission proceed to address them?

Speakers:

Kathleen Abernathy, Partner, Wilkinson Barker Knauer LLP

Rebecca Arbogast, Principal, Stifel Nicolaus

Bruce Gottlieb, Legal Advisor, Commissioner Copps

Cheryl Leanza, Policy Director at UCC Office of Communication Inc. and President of A Learned Hand Consulting

4:45 – 5:00 p.m.
CLOSING REMARKS

5:00 p.m.
RECEPTION

FCBA Foundation Now Accepting Applications for Funding of Unpaid Legal Internships at Government Agencies

For the sixteenth consecutive year, the Federal Communications Bar Association (FCBA) Foundation will award stipends to law students from its Chairman Robert E. Lee Scholarship and Internship Fund. In 2009, the Foundation will award at least five \$5,000 stipends to law students employed as unpaid summer interns in positions with the FCC and other government agencies or entities with a connection to the communications industry (i.e., broadcasting, cable television, telephony, satellite, wireless, and information technology).

In addition, the Foundation will select one outstanding intern among those chosen to receive an additional stipend of \$600 for the summer—the “Max Paglin Award.” Mr. Paglin was the former General Counsel and Executive Director of the FCC, and the founder of the Golden Jubilee Commission on Telecommunications, which compiled a definitive legislative history of the Communications Act.

Applicants will be selected on the basis of: (1) a demonstrated interest in the communications field, (2) having secured or having pending, an unpaid summer position (internship) for at least 8 weeks in communications with a government agency, (3) dependence on financial assistance in order to accept the unpaid internship in a government agency or entity involved in communications; and, (4) community activities. To the extent a recipient receives unanticipated funding for the unpaid internship, the FCBA Foundation’s general policy is to reduce its scholarship awards by any amount

that a recipient’s total funding (including all sources) for the internship would otherwise exceed \$7,000.

Applications for a Lee Fund scholarship should be submitted to Kerry Loughney, FCBA Foundation, 1020 19th Street, N.W., Suite 325, Washington, D.C. 20036, by **Friday, March 6, 2009**. Applicants may be asked to interview with members of the Foundation Board; interviews may be conducted by telephone. Winners will be notified by Friday, April 17, 2009.

Please encourage eligible applicants to apply. The application for a Lee Fund scholarship is posted in the Foundation section of the FCBA Website - http://www.fcba.org/foundation/internship_stipends.shtml.

Combined Federal Campaign (CFC)

The FCBA Foundation is proud to participate in this year’s Combined Federal Campaign for the National Capitol Area. Federal employees in the nation’s capitol can now make regular tax-deductible contributions to the FCBA Foundation through the Combined Federal Campaign, providing funds to support and help expand the Foundation’s vital charitable work.

To make a pledge to the FCBA Foundation, donors should use the FCBA Foundation’s CFC code number (**#31092**) on their pledge cards. Pledge cards can be obtained from your agency’s CFC campaign staff. Pledge cards can also be completed and printed out online through the CFC website at www.cfcnca.org. On the website, click “Giving” and “About CFC-e” for more information.

Your donations will support the valuable work performed by the FCBA Foundation. Last year, the Foundation’s work included:

- Awarding 12 college scholarships to D.C. public high school students totaling over \$140,000
- Awarding stipends to five law school students for unpaid government summer internships
- Sponsoring numerous volunteer events for FCBA members, including making meals for the homeless at Martha’s Table and delivering meals to the homeless through McKenna’s Wagon each month
- Co-Sponsoring the 2007 Charity Auction for the Kid-Power DC which raised over \$100,000

Volunteer Outreach for Martha’s Table & McKenna’s Wagon February 22nd

Many of us are stretched for time these days, but why not consider spending a few hours on a Sunday to help the FCBA Foundation’s partner charities? For several years now, the FCBA has been providing volunteers to Martha’s Table and McKenna’s Wagon. These organizations rely on the good work of our members each month, so grab a friend, colleague or family member and join your fellow FCBA volunteers!

Martha’s Table feeds hundreds of hungry, homeless adults and children on the streets of Washington daily, through its mobile soup kitchen. Children and friends are also welcome. We will begin at **10:00 a.m. and work until 1:00 p.m.** Martha’s Table is located in a yellow building at 2114 Fourteenth Street, NW, in the District, near the intersection of 14th and U Streets. On-street parking is available. Volunteers are asked to bring food if possible, (e.g., cold cuts, bread, peanut butter, jelly, vegetables and potatoes) because the center often runs out of donated food.

The FCBA volunteers on the last Sunday of every month, so mark your calendars now. For more information,

contact **Howard Weiss** at 703-812-0471 — weiss@fhhlaw.com.

McKenna's Wagon is a mobile soup and sandwich wagon that goes "on location" to deliver food to the needy. For those who have volunteered, it has been a wonderful experience and a great way to help the needy in the D.C. community. This is an especially good experience for the teens and pre-teens among us who do not have a full appreciation of the many privileges they enjoy. Community service credits are also available.

The Wagon is a white van that is loaded up with sandwiches, snacks and soup. We meet at Martha's Table at **4:45 p.m.** in comfortable clothes and shoes.

Martha's Table is located in a yellow building at 2114 Fourteenth Street, NW, in the District, near the intersection of 14th and U Streets. On-street parking is available.

Upon arrival we get assignments (some of us will distribute snacks and sandwiches, others will serve soup), and put on aprons before we depart in the van to 5th and New York Ave., NW (near the new Convention Center). We are driven by one of our experienced volunteers and the trip to distribution location takes about 10-15 minutes.

We serve about 30-75 people per visit including a few mothers who come for food for their families. The area is well patrolled by police. The food

distribution is conducted in an efficient, calm and orderly fashion and many of the people we serve are quite appreciative of our efforts. Once we serve all of the food, we do a clean up of the immediate area. Total time for the distribution takes about one hour and we usually return to Martha's Table by or before 6:30 p.m.

We would love to have you join us on one of our upcoming food runs which are always on the **4th Sunday of the month**. If you are able to volunteer on **February 22nd** or for a future date, please contact **Joanna Georgatsos** at georgatsos@lojlaw.com or **Tom VanWazer** at tvanwazer@sidley.com.

PRESIDENT'S MESSAGE

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interacting with the public. As part of this effort, the committee, which really will be expanding its mandate to cover all interactions with the FCC beyond the simple access to records, will be contacting the other substantive committees of the FCBA to arrange for time at monthly meetings, or in other manners, to obtain input in this task. We also will include our FCC members in this effort as best we can.

The FCBA also has been contacted by the GAO with a request to provide input on the GAO's review of the FCC's data and information collection and dissemination. Rather than presume to present the views of the FCBA, we are attempting to arrange several ways in which we can facilitate the presentation of the views of our members to the GAO. Look for the announcement of our arrangements, hopefully in the near future.

Finally, as the FCC undergoes and implements change, we hope to respond not only with monthly committee luncheons and CLEs on the topics, but receptions and association-wide events

that permit active individual and group discussion of the issues. While I will do my best to initiate these events, I have no illusions and recognize that our events will only be as successful as our members' participation. But after more than 25 years of working with all of you, and specifically your Executive Committee members and Committee Co-chairs, I have great faith that our members' excellence and integrity will be demonstrated not only by the contributions I detailed in the last issue to our neighboring community

(through the Foundation and Young Lawyers), but to the development and application of communications law as well. While there has been some derisive attention to the influence of "Washington insiders" on policy made here in our Nation's capitol, I know that there is no group that is collectively more aware and responsible in the consideration of communications regulatory law as it is administered by the FCC than our FCBA members.

Mark D. Schneider

The 3rd Annual ABA/FCBA Privacy & Data Security for Communications and Media Companies CLE – March 6, 2008 – DVD Now Available

IF YOU MISSED THIS 4-HOUR SEMINAR, BUY IT NOW!

This seminar focuses on the practical implementation of various domestic state and federal laws and regulations that impact the business operations, regulatory compliance, advertising, sales and marketing efforts of communications and media companies. It also provides a brief overview of international requirements for foreign operations of U.S. companies, including the transfer and processing of personal information from employees and citizens to the U.S. from foreign countries. Speakers included various in-house and outside counsel, plus FTC and FCC personnel. A wealth of written materials is also included on the DVD. **See page 24 for order form.**

2009 FCBA ANNUAL Seminar

ANNUAL SEMINAR

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of informal recreational and social activities for attendees. The FCBA meetings and events will be held at the newly renovated Williamsburg Lodge. Attendee lodging for the seminar will be available at the Williamsburg Lodge, as well as at the Williamsburg Inn and at the Woodlands Hotel and Suites, both nearby. Details regarding the properties are available online at www.ColonialWilliamsburg.com.

Williamsburg is located 150 miles south of Washington, D.C. Educational and recreational activities abound, and include the following (excerpted from material prepared by the Colonial Williamsburg Foundation):

HISTORIC AREA

(Historic reminder: from 1699 to 1780, Williamsburg was the capital of England's oldest, largest and most populous North American mainland colony, named in honor of England's King William III.) Encompassing 301 acres, Colonial Williamsburg's Historic Area portrays 18th-century Williamsburg on the eve of the American Revolution. Area sites include the Governor's Palace, the symbol of British authority in the colony; and the Capitol, the seat of colonial power and site of Virginia's vote for independence on May 15, 1776, and home to the General Assembly from 1776-79. Colonial Williamsburg also operates several museums. Williamsburg is a short trip to both Jamestown and Yorktown, the other two corners of Virginia's "historic triangle."

RECREATION

The 45-hole Golden Horseshoe Golf Club includes the award-winning Gold Course designed by Robert Trent Jones Sr.; the Green Course, designed by his son, Rees Jones; and Spotswood, a nine-hole executive course designed by Robert Trent Jones Sr. Both courses were named to the 2006-2007 *Zagat* Readers' Survey of "America's Top Golf Courses." Hotel guests also can enjoy

swimming pools, tennis courts, lawn bowling greens, lawn croquet, shuffleboard, bicycling and miniature golf.

SPA

The Spa of Colonial Williamsburg is a full-service spa including men's and women's locker rooms, an indoor lap pool, a full fitness center, whirlpools, steam rooms, separate lounges for men and women and a couples treatment room.

Again, additional information regarding Colonial Williamsburg and its various attractions can be found at www.ColonialWilliamsburg.com.

Future newsletters will contain additional information concerning this year's Seminar schedule and agenda, and registration procedures for the event.

Please see below for information on the government and academic scholarships being offered. **See page 20 for room reservation form.**

Annual Seminar Scholarships Available for Government Employees and Academics

To promote the goal of broad attendance and boost participation from public sector employees and academics, the FCBA is again offering Annual Seminar scholarships. Last year, the scholarship program was fully subscribed. An increase in attendance by the public sector and academics provides a unique networking opportunity and benefits all Annual Seminar attendees. The scholarship covers the registration fee (approximately \$200), which includes meals, entertainment, and attendance at the seminar. Scholarship recipients will be responsible for the other costs of attending the Seminar, including travel and lodging expenses. A limited number of scholarships will be available on a first-come, first-served basis. We urge applicants to apply early. **The scholarship application can be found on page 21 of this month's newsletter.**

FCBA ANNUAL SEMINAR SCHOLARSHIPS

Information and Application Instructions:

1. Scholarships are available to all federal government employees and full-time professors.
2. To apply, please fax or email a completed registration form along with a copy of your ID card from your federal government agency or academic institution.
3. Applications will be processed on a first-come, first-served basis. The cut-off date for applications is Tuesday, March 31, 2009.
4. Scholarships may be applied only toward the registration fee for the 2009 FCBA Annual Seminar. (Individuals receiving scholarships are responsible for the other costs of attending a seminar, including travel and lodging expenses).

Please fax or email the application to:

FCBA Annual Seminar Scholarship Committee
Fax: (202) 293-4317
Email: kerry@fcba.org

COMMITTEE AND CHAPTER *Events*

Annual Seminar Committee

Event: Brown Bag/Planning Lunch

Date/Time: Monday, February 9,
12:00 – 1:30 p.m.

Location: Wilkinson Barker Knauer, LLP,
2300 N Street, NW, Suite 700

**Drinks and desserts will be provided.*

Purpose: The Committee will work on planning efforts in connection with the Annual Seminar. All members interested in assisting with the Annual Seminar are encouraged to attend.

RSVP to: FCBA website – Calendar of Events

Cable Practice Committee

Event: Brown Bag Lunch

Date/Time: Friday, February 6,
12:15 – 1:30 p.m.

Location: Harris Wiltshire & Grannis LLP,
1200 18th Street, NW

Topic: Broadband Investment in 2009:
Recession + Stimulus + Regulation = ??

Details: Increasing the speed, deployment, and adoption of broadband networks and services are key goals of the Obama administration. How will these goals be achieved in the face of a severe economic downturn? Who are the potential winners and losers from the federal stimulus package? How will “net neutrality” and other regulatory initiatives affect investment incentives? These questions and others will be discussed by financial analysts with expertise in the cable and telecom field.

Speakers: Craig Moffett, Vice President and Senior Analyst, Sanford C. Bernstein & Co. and Jessica Zufolo, Senior Policy Director, Medley Global Advisors LLC

RSVP to: FCBA website – Calendar of Events

Homeland Security/Emergency Communications Committee

Event: Brown Bag Lunch

Date/Time: Monday, February 9,
12:15 – 1:30 p.m.

Location: Holland & Knight LLP, 2099
Pennsylvania Ave., NW, Tillie Fowler
Conference Room

Topic: Public Safety Issues to Watch in 2009

Speakers: Brian Fontes, CEO, National Emergency Number Association; Bob Gurs, Director of Legal and Government Affairs, Association of Public-Safety Communications Officials International, Inc.

RSVP to: Marianne Trana, 202-419-2476 or marianne.trana@hklaw.com

Intellectual Property Committee

Event: Brown Bag Lunch co-sponsored by the International Telecommunications Practice and Membership and Marketing Committees

Date/Time: Thursday, February 5,
12:00 Noon – 1:45 p.m.

Location: USTelecom, 607 14th Street, NW,
Suite 400

Topic: Despite highly critical comments from sources as diverse as NTIA and the National Association of Manufacturers the Internet Corporation for Assigned Names and Numbers (ICANN) appears to be proceeding with its proposal to establish new generic top level domains (gTLDs). Among other concerns, the diverse group of intellectual property rights holders who oppose the ICANN proposal have questioned need for additional gTLDs, and the increased likelihood of trademark abuse by bad actors. The gTLD proposal affects every trademark holder across a broad range of industries, including telecommunications. This FCBA brown bag will explore the issues surrounding this proposal, as well as the road ahead.

For questions: Contact Kevin Rupy at 202-326-7276 or krupy@ustelecom.org.

RSVP by February 3rd to:

krupy@ustelecom.org. Seating is limited to the first 58 respondents.

International Telecommunications Practice Committee

Event: Brown Bag Lunch co-sponsored by the Intellectual Property and Membership and Marketing Committees

Date/Time: Thursday, February 5,
12:00 Noon – 1:45 p.m.

Location: USTelecom, 607 14th Street, NW,
Suite 400

Topic: Despite highly critical comments from sources as diverse as NTIA and the National Association of Manufacturers the Internet Corporation for Assigned Names and Numbers (ICANN) appears to be proceeding with its proposal to establish new generic top level domains (gTLDs). Among other concerns, the diverse group of intellectual property rights holders who oppose the ICANN proposal have questioned need for additional gTLDs, and the increased likelihood of trademark abuse by bad actors. The gTLD proposal affects every trademark holder across a broad range of industries, including telecommunications. This FCBA brown bag will explore the issues surrounding this proposal, as well as the road ahead.

For questions: Contact Kevin Rupy at 202-326-7276 or krupy@ustelecom.org.

RSVP by February 3rd to:

krupy@ustelecom.org. Seating is limited to the first 58 respondents.

Event: CLE Seminar co-presented by the Transactional Committee

Date/Time: Wednesday, February 18,
6:00 – 8:15 p.m.

Location: Bingham McCutchen LLP, 2020 K
Street, NW, 11th Floor

Topic: Investing in Foreign Telecoms Markets: Challenges and Opportunities

For more information: See page 3.

To register: FCBA website – Calendar of Events or use the form on page 18.

Legislative Committee

Event: Brown Bag Lunch co-sponsored by the Wireless and Wireline Committees

Date/Time: Friday, February 27,
12:15 – 1:30 p.m.

Location: USTelecom, 607 14th Street, NW,
Suite 400

Topic: Broadband and the Economy: What should be the role of Broadband in Stimulating U.S. Economic Recovery

Speakers: Representatives from the Hill, wireline and wireless broadband industries, and public interest groups.

RSVP to: FCBA website – Calendar of Events

Mass Media Practice Committee

Event: Brown Bag Lunch

Date/Time: Tuesday, February 10,
12:15 – 1:30 p.m.

Location: National Association of Broadcasters, 1771 N Street, NW

Topic: DTV Transition, Now or Later: Final Mechanics from Here to the End

Speakers: TBA

RSVP to: FCBA website – Calendar of Events

Membership and Marketing Committee

Event: Brown Bag Lunch co-sponsored by the Intellectual Property and International Telecommunications Practice Committees

Date/Time: Thursday, February 5,
12:00 Noon – 1:45 p.m.

Location: USTelecom, 607 14th Street, NW,
Suite 400

Topic: Despite highly critical comments from sources as diverse as NTIA and the National Association of Manufacturers the Internet Corporation for Assigned Names and Numbers (ICANN) appears to be proceeding with its proposal to establish new generic top level domains (gTLDs). Among other concerns, the diverse group of intellectual property rights holders who oppose the ICANN proposal have questioned need for additional gTLDs, and the increased likelihood of trademark abuse by bad actors. The gTLD proposal affects every trademark holder across a broad range of industries, including telecommunications. This FCBA brown bag will explore the issues surrounding this proposal, as well as the road ahead.

For questions: Contact Kevin Rupy at 202-326-7276 or krupy@ustelecom.org.

RSVP by February 3rd to:

krupy@ustelecom.org. Seating is limited to the first 58 respondents.

COMMITTEE AND CHAPTER *Events*

State and Local Practice Committee

Event: Brown Bag Lunch

Date/Time: Tuesday, February 17, 12:30 – 1:30 p.m.

Location: Renaissance Hotel, 999 Ninth Street, NW, Meeting Room 3 (site of the NARUC winter meeting)

Topic: Collaboration between States, Federal Government and Industry on Uniform Outage Reporting for Carriers. A discussion of how stakeholders can collaborate on creating uniform outage reporting.

Speaker: Tom Goode, General Counsel of Alliance for Telecommunications Industry Solutions (ATIS)

RSVP to: FCBA website – Calendar of Events

Transactional Practice Committee

Event: CLE Seminar co-presented by the International Telecommunications Practice Committee

Date/Time: Wednesday, February 18, 6:00 – 8:15 p.m.

Location: Bingham McCutchen LLP, 2020 K Street, NW, 11th Floor

Topic: Investing in Foreign Telecoms Markets: Challenges and Opportunities

For more information: See page 3.

To register: FCBA website – Calendar of Events or use the form on page 18.

Wireless Telecommunications Practice Committee

Event: Luncheon

Date/Time: Thursday, February 19, 12:15 – 1:30 p.m.

Location: Sidley Austin LLP, 1501 K Street, NW, 6th Floor

Topic: It Isn't Easy Being Green: How can telecommunications technologies, specifically wireless technologies, be part of the green revolution? This panel will discuss a wide range of issues, including how service providers can reduce their own environmental impact through such programs as recycling devices and reducing their greenhouse gas emissions. The panel will also discuss how telecommunications can promote broad programs that reduce society's overall negative environmental impact, such as telecommuting.

Speakers: Robert D. Atkinson, President, Information Technology and Innovation Foundation; Jeff Brueggeman, Vice President, Public Policy, AT&T; Allison M. Ellis, Director, Regulatory Policy, Ericsson Inc.; Jennifer Sanford, Senior Manager, Trade & Environment, Global Policy & Government Affairs, Cisco Systems, Inc.

To register: FCBA website – Calendar of Events or use the form on page 18.

Event: Brown Bag Lunch co-sponsored by the Legislative and Wireline Committees

Date/Time: Friday, February 27, 12:15 – 1:30 p.m.

Location: USTelecom, 607 14th Street, NW, Suite 400

Topic: Broadband and the Economy: What should be the role of Broadband in Stimulating U.S. Economic Recovery

Speakers: Representatives from the Hill, wireline and wireless broadband industries, and public interest groups.

RSVP to: FCBA website – Calendar of Events

Wireline Practice Committee

Event: Brown Bag Lunch co-sponsored by the Legislative and Wireless Committees

Date/Time: Friday, February 27, 12:15 – 1:30 p.m.

Location: USTelecom, 607 14th Street, NW, Suite 400

Topic: Broadband and the Economy: What should be the role of Broadband in Stimulating U.S. Economic Recovery

Speakers: Representatives from the Hill, wireline and wireless broadband industries, and public interest groups.

RSVP to: FCBA website – Calendar of Events

Young Lawyers Committee

Event: Brown Bag Lunch

Date/Time: Wednesday, February 18, 12:15 – 1:45 p.m.

Location: Wiley Rein LLP, 1750 K Street, NW, 5th Floor

Topic: Transitions – How to Successfully Navigate a Move into a New Position. Join the Young Lawyers Committee for a lively panel discussion on finding, getting, and succeeding in your next great communications law job.

Panelists include a professional career consultant, a legal recruiter, and experienced attorneys that have both successfully switched positions and helped others make a move.

Speakers: Marcia Shannon, Principal, Shannon & Manch LLP; Dan Binstock, Managing Director, BCG Attorney Search; Peter Shields, Partner, Wiley Rein LLP; Laura Rychak, Legislative Counsel, Cox Enterprises; Anna Gomez, Vice President, Government Affairs, Sprint Nextel Corporation; additional speakers to be announced.

RSVP to: Christy Wright Hammond at chammond@wileyrein.com.

For additional information or to submit anonymous questions for the panelists: Contact Cathy Hilke at chilke@wileyrein.com or Christina Langlois at clanglois@nualumni.com.

Event: Happy Hour

Date/Time: Wednesday, February 25, 6:00 – 8:30 p.m.

Location: Beacon Bar and Grill, 1615 Rhode Island Ave. NW (Rhode Island and Massachusetts, on Scott Circle. It is about 3 blocks from both the Dupont Circle and Farragut North metro stops), Phone Number: 202-872-1126.

Join the YLC for the first Happy Hour of 2009 at Beacon Bar And Grill. Happy hour drink and appetizer specials available until at least 7, so get there early!

For more info: Neil Chilson at nchilson@wbklaw.com.

Florida Chapter

Event: Networking event and panel discussion

Date/Time: Tuesday, February 24, 5:00 – 8:00 p.m.

Location: The Canvas Café (www.canvascafesrq.com) in Sarasota, FL

Topic: Current business and legal issues facing social media

To register: Use form on page 23.

Rocky Mountain Chapter

Event: The Digital Broadband Migration: Imagining the Internet's Future

Date/Time: February 8-9, 2009

Location: University of Colorado Law School, Boulder, CO

Topic: This conference will imagine the Internet's future, discuss its economic and social implications, and contrast different prescriptions for Internet policy. It will do so by bringing together a top flight group of academics, policymakers, and industry leaders to discuss these issues along four dimensions.

Speakers: For a full agenda and list of speakers visit <http://www.silicon-flatirons.org/events.php?id=210>.

To register: Visit <http://www.silicon-flatirons.org/registration.php?id=210>.

Event: Evaluating Software Patents

Date/Time: Thursday, March 19, 3:00 p.m.

Location: University of Colorado Law School, Boulder, CO

Topic: In this conference, we will evaluate both the premises underlying the call for a fundamental reform—and, indeed, the possible abolishment of—software patents as well as some specific suggestions for changing how patents are granted and how patent litigation operates.

Speakers: For a full agenda and list of speakers visit <http://www.silicon-flatirons.org/events.php?id=486>.

To register: Visit <http://www.silicon-flatirons.org/registration.php?id=486>.



Charity Auction Committee

On January 14, the 2008 Charity Auction Committee held a reception to thank all of the auction volunteers and presented the check to one of this year's beneficiaries, Horton's Kids. The grand total of proceeds came to \$91,565! Horton's Kids were presented with \$75,000 and the FCBA Foundation will be given \$16,565. Thank you again to all of those that generously donated their time and efforts as well as donations and bids to such a great cause!

National Moot Court Competition Committee

The FCBA National Telecommunications Moot Court Competition Committee is pleased to announce that the 15th Annual National Telecommunications Moot Court Competition is taking place at the Catholic University of America, Columbus School of Law on **February 6 and 7, 2009**. Please join us for the final



Representatives of Horton's Kids with Young Lawyers Committee co-chairs Tarah Grant and Cathy Hilke.

round at 4:00 p.m. on February 7, 2009 in the Slowinski Moot Court Room. A reception will follow at approximately 5:30 p.m.

Originally established by the Institute for Communications Law Studies and the FCBA, the National Telecommunications Moot Court provides students the opportunity to argue before private and government

practitioners in the communications field. This year's problem addresses some of the difficult jurisdictional and constitutional questions presented by the rise of mobile video offerings and by governmental efforts to regulate those offerings.

A select group of elite schools have accepted our invitation to participate in this year's competition, including,

Georgetown University, Syracuse University, and the University of Colorado. In 2007, the Catholic University team won the competition.

FCBA President **Mark Schneider**, Wireless Communications Association International President & CEO **Fred Campbell**, and Senior Judge for the United States Court of Federal Claims **Loren Smith** will comprise a very accomplished panel to judge the final round of the competition. Additional judges for the preliminary rounds are welcomed to judge on the 6th and 7th. Those interested in participating please contact competition Vice Chancellor Sarah Jameson at jameson.sarah@gmail.com.

New England Chapter

The New England Chapter of the FCBA has been working intently on several programs scheduled for this year. Plans for a Brown-Bag Lunch in collaboration with the New Hampshire Bar Association's Utility Law Section in March are being finalized and will be announced in the coming weeks. In addition, the Steering Committee has been in contact with the New England Consortium of Public Utility Commissions (NECPUC) to begin efforts to collaborate on two panels at the NECPUC Annual Symposium, scheduled for the first week in May in Newport, Rhode Island. NE FCBA has recommended that one panel discuss SmartGrid technology – which is a discussion with both telecommunications and energy experts. The topic for the second panel has not yet been finalized; but, details related to these programs will be disseminated to membership once finalized, as well as, the necessary information for NECPUC registration.

More discussion with regard to an event in Maine in the early summer is underway; as well as, a review of the status of telecommunications issues in

New England, other regions and at the FCC will be planned for later in the year.

Rocky Mountain Chapter

The Digital Broadband Migration: Imagining the Internet's Future February 8-9, 2009

To be held at the University of Colorado at Boulder

The Internet's development has amazed even its early pioneers and its ability to confound skeptics suggests that calls for change should be taken with a grain of salt. At the same time, it seems difficult to imagine that the Internet's future will not feature any number of innovations that will change how it operates. Indeed, issues such as security, mobility, increased machine-to-machine communications, and the advent of real-time applications challenge some of the design principles of the current Internet. In any event, the network of the future will be shaped not merely by technological change, but also economics, the needs of users, and policy directives.

This conference will imagine the Internet's future, discuss its economic and social implications, and contrast different prescriptions for Internet policy. It will do so by bringing together a top flight group of academics, policymakers, and industry leaders to discuss these issues along four dimensions. First, we will evaluate the technological, economics, social, and policy challenges that are emerging on the horizon. Second, we will discuss the changing architecture of the Internet, the role of network management, and the significance of the transition away from an end-to-end architecture. The third panel will evaluate whether existing institutions—be they the Federal Trade Commission,

the Federal Communications Commission; standard setting bodies like the Internet Engineering Task Force; self-regulatory bodies; or private contracting—are up to the task of overseeing Internet communications, including ensuring the reliable service delivery across different networks. The final panel will discuss the major changes in how the Internet serves consumers and how the market for Internet content is evolving. In all discussions, we will bring together the related technological, business, and policy themes that are shaping the Internet and the future of innovation in the information industries.

For more information and to register, visit <http://www.silicon-flatirons.org/events.php?id=210>.

Agenda

Sunday, February 8, 2009

Wittmeyer Courtroom, Wolf Law Building

8:45am - 9:00am

WELCOME

Phil Weiser, Professor of Law, Interdisciplinary Telecommunications Program, University of Colorado, Executive Director, Silicon Flatirons Center

9:00am - 9:45am

OVERVIEW ADDRESS

William Kovacic, Chairman, Federal Trade Commission

9:45am - 11:45am

OVERVIEW PANEL: THE INTERNET'S CHALLENGE TO POLICYMAKERS

Moderators

Gigi Sohn, President and Co-founder, Public Knowledge

Phil Weiser, Professor of Law, Interdisciplinary Telecommunications Program, University of Colorado, Executive Director, Silicon Flatirons Center

Panelists

Kathryn C. Brown, SVP of Policy, Verizon, Former Chief of Staff, FCC
Brad Feld, Managing Director, Foundry Group, Mobius Venture Capital
Kathleen O'Brien Ham, Vice President of Federal Regulatory Affairs, T-Mobile
William Kovacic, Chairman, Federal Trade Commission
Jack Krumholtz, Managing Director, Federal Government Affairs, Microsoft
Michael Marcus, Marcus Spectrum Solutions LLC

11:45am - 1:15am
LUNCH ON YOUR OWN

1:15pm - 3:15pm
THE EVOLUTION OF INTERNET ARCHITECTURE: FROM BEST EFFORTS AND END-TO-END TO REASONABLE NETWORK MANAGEMENT?

Moderator

Paul Ohm, Associate Professor of Law, University of Colorado

Presenters

Edward Felten, Professor of Computer Science and Public Affairs, Princeton University

Shane Greenstein, Professor of Economics, Northwestern University

Christopher Yoo, Professor of Law and Communication, Founding Director of the Center for Technology, Innovation, and Competition, University of Pennsylvania

Discussants

Dorothy Attwood, Senior Vice President, AT&T

Mark Cooper, Director of Research, Consumer Federation of America

Andrew McLaughlin, Senior Director of Global Public Policy, Google

3:15pm - 3:30pm
BREAK

3:30pm - 5:30pm
THE EVOLUTION OF REGULATORY INSTITUTIONS FOR AN INTERNET AGE

Moderator

Andrew Crain, Vice President and Deputy General Counsel, Qwest

Presenters

Susan Crawford, Professor of Law, University of Michigan

Howard Shelanski, Professor of Law, University of California at Berkeley

Jim Speta, Professor of Law, Northwestern University

Discussants

Jon Nuechterlein, Partner, WilmerHale

Bryan Tramont, Silicon Flatirons Senior Adjunct Fellow, University of Colorado,

Partner, Wilkinson Barker Knauer, LLP

Joe Waz, Senior Vice President, Comcast Corporation

Stephen Williams, Senior Judge, U.S. Court of Appeals, D.C. Circuit

5:30pm - 6:30pm
RECEPTION
Sponsored by Perkins Coie

Monday, February 9, 2009

Glenn Miller Ballroom, University Memorial Center

9:00am - 9:45am
KEYNOTE SPEAKER
Richard Lynch, CTO, Verizon Communications

9:45am - 11:45am
THE FUTURE OF INTERNET CONTENT AND SERVICES
Moderator

Peter Rohrbach, Partner, Hogan & Hartson

Presenters

Stacey Dogan, Professor of Law, Northeastern University

Eric Goldman, Professor of Law, Santa Clara Law School

Pam Samuelson, Professor of Law, University of California-Berkeley

Discussants

Michael Gallagher, President, Entertainment Software Association

Chris Libertelli, Senior Director of Government and Legal Affairs, Skype

Preston Padden, Executive Vice President, Walt Disney Company

Pamela Passman, Corporate Vice President, Global Corporate Affairs and Deputy General Counsel, Microsoft

11:45am - 1:15pm
LUNCH AND CLOSING ADDRESS

Dr. Irwin Jacobs, Founder and Chairman of the Board, Qualcomm

Evaluating Software Patents
Thursday, March 19, 2009

To be held at the Wolf Law Building, University of Colorado at Boulder

Co-sponsored by the FCBA and the IP Section of the Colorado Bar Association

Over the last several years, the Supreme Court and the Federal Circuit have

Save the Date! FCBA Foundation 13th Annual Golf Tournament to be held June 5, 2009

Something to look forward to as we endure the cold weather – the FCBA Robert E. Lee Annual Charity Golf Tourney supporting the FCBA Scholarship Fund will be held this year on **Friday, June 5, 2009**. The 2009 tournament will once again be held at Worthington Manor Golf Club in Urbana, Maryland. Worthington Manor is one of the top courses in the area and a regular U.S. Open qualifying site. So mark your calendars now for this great day of golf in support of a great cause. Any members interested in joining the Golf Committee to help pull together next June's event should contact Committee Chair **Glenn Reynolds** at greynolds@ustelecom.org.

taken a number of steps suggesting that the law governing software patents is still very much in flux. In terms of the scope of patent law's reach (Bilski) to applicable remedies (Ebay), the courts have taken seriously concerns about the state of the patent system and its impact on innovation the software and information technology sectors. At the same time, Congress—spurred by a coalition of IT firms—has considered a number of reform measures geared to address concerns that the patent system is rewarding bad patents and encouraging inefficient litigation.

In this conference, we will evaluate both the premises underlying the call for a fundamental reform—and, indeed, the possible abolishment of—software patents as well as some specific suggestions for changing how patents are granted and how patent litigation operates. In particular, we will evaluate whether software patents should exist at all, whether patent litigation serves a constructive role in facilitating innovation and commercialization of new technologies, and whether patents play an important role in spurring the development of new technologies and enabling start-up firms to attract financing. It will conclude with a roundtable of three leading commentators on the role of patents and innovation.

For more information and to register, visit <http://www.silicon-flatirons.org/events.php?id=210>.

Agenda

3:00pm - 3:10pm

WELCOME

Phil Weiser, Professor of Law, Interdisciplinary Telecommunications Program, University of Colorado, Executive Director, Silicon Flatirons Center

3:10pm - 4:10pm

THE DEBATE OVER THE PROPER SCOPE OF PATENTS

John Duffy, Professor of Law, George Washington University

Damien Geradin, Professor of Competition Law and Economics, Tilburg University

Geoff Manne, Academic Relations Manager for Law & Economics, Microsoft

Michael Meurer, Professor of Law, Boston University

Pam Samuelson, Professor of Law, University of California-Berkley

4:10pm - 5:10pm

THE REALITIES OF PATENT LITIGATION: A SEARCH FOR TRUTH OR LEVERAGE FOR PATENT HOLDERS?

Mark Chandler, General Counsel, Cisco

Natalie Hanlon-Leh, Partner, Faegre & Benson, Adjunct Faculty, University of Colorado

Mark Lemley, William H. Neukom Professor of Law, Stanford University

John Posthumus, Partner, Greenberg Traurig

Don Rosenberg, General Counsel and Executive Vice President, Qualcomm

5:10pm - 5:20pm

BREAK

5:20pm - 6:20pm

PATENTS, START-UP COMPANIES, AND FINANCING DECISIONS

Michael Crawford, Partner, Q Advisors

Jason Haislmaier, Partner, Holme, Roberts & Owen, Adjunct Faculty, University of Colorado

Jason Mendelson, Managing Director, Foundry Group

Sean O'Connor, Associate Professor of Law, University of Washington

Bill Vobach, Partner, Townsend and Townsend and Crew, LLP

6:20pm - 7:00pm

ROUNDTABLE DISCUSSION: SOFTWARE PATENTS IN PERSPECTIVE

John Duffy, Professor of Law, George Washington University

Damien Geradin, Professor of Competition Law and Economics, Tilburg University

Mark Lemley, William H. Neukom Professor of Law, Stanford University

Michael Meurer, Professor of Law, Boston University

Joshua Wright, Professor of Law, George Mason University

7:00pm - 8:00pm

RECEPTION

Sponsored by Greenberg Traurig

Young Lawyers Committee Fundraiser: FCBA Shirts for Sale!

The Young Lawyers Committee is selling FCBA polo shirts to benefit the FCBA Foundation. Perfect for summertime business casual! The shirts are navy blue and embroidered with the FCBA logo in white and amber. Available in women's sizes S, M, and XL and men's sizes M, L, and XL for \$30 per shirt; available in men's XXL for \$32 per shirt. \$16 of the purchase price is deductible as a donation to the FCBA Foundation. To place an order, visit www.fcba.org and submit the form to the FCBA by fax (202-293-4317) or mail (1020 19th Street, NW, Suite 325, Washington, DC 20036). For additional information, please contact **Kerry Loughney** (202-293-4000; kerry@fcba.org) or **Tarah Grant** (703-610-6155; tsgrant@hhlaw.com).

Thursday, February 26th 8:30 a.m. – 5:00 p.m. Catholic University, Columbus School of Law's 2009 Spring Symposium

INTERFERENCE: Wireless Innovation, Public Interest, Regulatory Response

Sponsored by: *The Institute for Communications Law Studies and CommLaw Conspectus: Journal of Communications Law & Policy at the Catholic University of America, Columbus School of Law in association with the FCBA and Warren Communications*

This CLE has been approved for 5.0 MCLE hours by the State Bar of Virginia.

The symposium poses the question: What is the appropriate regulatory response to increasing innovation in the provision of wireless service and development of wireless devices, given calls for increased use of spectrum in the public interest? Panels include a discussion of the D-Block and AWS-3 auctions, the immediate successes or failures of the DTV transition, a debate on spectrum allocation and unlicensed use of spectrum, and a discussion on global spectrum policy.

To register, use the form on page 22.

Agenda

8:30 – 8:35 a.m.

OPENING REMARKS

8:45 – 9:15 a.m.

MORNING SPEAKER

9:20 – 10:35 a.m.

TOPIC 1: DTV SCORECARD

Speakers will reflect upon the outcome of the transition and look forward to the challenges yet to be resolved

Moderator: Mark Lloyd, VP for Strategic Initiatives, Leadership Conference on Civil Rights

Speakers:

Diane Burstein, Deputy General Counsel, National Cable and Telecommunications Association

Bernadette McGuire-Rivera, Association Administrator, NTIA

10:35 – 10:40 a.m.

BREAK

10:40 – 11:55 a.m.

TOPIC II: INTERFERENCE, INNOVATION, AND GLOBAL SPECTRUM POLICY

Speakers will discuss how new advanced terrestrial broadband wireless communications have the potential to interfere with satellite communications used in public safety, national defense, climate change and weather conditions.

Moderator: Donna Gregg, Scholar-in-Residence and Visiting Associate Professor, Institute for Communications Law Studies

Speakers:

John Giusti, Deputy Bureau Chief, International Bureau, FCC

11:55 – 1:00 p.m.

LUNCHEON KEYNOTE

1:00 – 1:05 p.m.

BREAK

1:05 – 2:20 p.m.

TOPIC III: A DEBATE ON SPECTRUM ALLOCATION IN THE DIGITAL AGE

Gigi Sohn, CEO and Founder of Public Knowledge, and Thomas Hazlett,

Professor of Law and Economics at George Mason University, will debate the proper modes of allocation—licensed or unlicensed—and the proper uses for spectrum ranging from entirely in the public interest to entirely commercial.

Moderator: Bryan Tramont, Partner, Wilkinson Barker Knauer, LLP

Speakers:

Thomas Hazlett, Professor of Law and Economics, George Mason

Gigi Sohn, President and Co-Founder, Public Knowledge

2:20 – 2:25 p.m.

BREAK

2:25 – 3:40 p.m.

TOPIC IV: D BLOCK AND AWS: USING SPECTRUM AUCTIONS TO ACHIEVE SOCIAL GOALS

Speakers will discuss the particular theories on optimal allocation of the spectrum, with a specific focus on using the spectrum to serve public interests

Moderator: Former FCC Commissioner Kathleen Abernathy, Partner, Wilkinson Barker Knauer, LLP

Speakers:

Brian Fontes, CEO, National Emergency Number Association

Angela Giancarlo, Senior Legal Advisor, Comm'r. McDowell

Kathleen Ham, VP Regulatory Affairs, T-Mobile

3:45 – 5:00 p.m.

CLOSING REMARKS AND RECEPTION

The 4th Annual Syracuse University Communications Law & Policy Symposium February 27 – 28, 2008

Memo to President Obama: Addressing Today's Communications Law & Policy Challenges

On **Saturday, February 28, 2009**, the Communications Law & Policy Society at Syracuse University College of Law, in association with the New York Chapter of the Federal Communications Bar Association, will host its 4th Annual Communications Law & Policy Symposium. The Symposium will take place at the Genesee Grande Hotel in

Syracuse, New York from **8:00 a.m. – 6:00 p.m.** Attendees have the option of registering to attend the Speaker's Dinner on **Friday, February 27** at **7:00 p.m.** at the hotel.

"Memo to President Obama: Addressing Today's Communication Law & Policy Challenges" will highlight several current key telecommunication and media policy challenges that the New Administration will face. Panel topics include: The Battle for Universal Service, Alarming Disregard: Communication Preparedness in National Emergencies, Internet Privacy and Behavior Advertising, How Media and Media Regulations Affect Minorities in Election Coverage, Indecent Proposal: Revising Thirty Years of Communications Policy. Leading experts in communications law and policy have been invited to foster discussion and thorough evaluation of these topics. From this discussion will distill policy recommendations to be presented to the New Administration and the Federal Communications

Commission, as a Symposium deliverable.

For more information on attending the symposium or becoming a sponsor, please contact Symposium Chair, Erin Lawless, at suclps@gmail.com.

SAVE THE DATE ~ Sunday, April 19, 2009 FCBA/ABA/NAB Cosponsor Seminar

28th Annual Representing Your Local Broadcaster - Change: Revolution or Evolution?

Las Vegas, Nevada at the Bellagio Hotel

Details Coming Soon!

Interested in Hosting an FCBA event?

The FCBA greatly appreciates the support of our members' firms and companies who provide space for our brown bag lunches, committee meetings, and CLE Seminars throughout the year. We are, however, always looking for new locations that can host FCBA events. We will be experimenting with some new presentation technology in future CLE seminars, which require more technical support than we have needed in the past.

In general terms, we need conference rooms that can seat at least 30 (more if possible) people at tables for brown bag lunches and committee meetings and conference rooms that can seat a minimum of 60 for CLE seminars. Firms and companies hosting brown bag lunches provide beverages and desserts; firms and companies hosting CLE seminars provide beverages and snacks. CLE seminars are generally held from 6:00 – 8:30 p.m. Additionally, for CLE seminars we need facilities that can provide technology support for microphones for as many as six speakers on a panel, the ability to tie the house sound system into a teleconference bridge, video projection capabilities for PowerPoint presentations, and access to the internet for presentations by speakers. If your firm or company has the needed conference room facilities and capabilities and would be willing to host future FCBA activities, please email **Stan Zenor**, stan@fcba.org, or **Kerry Loughney**, kerry@fcba.org.

EXCELLENCE IN SERVICE

CONTINUED FROM PAGE 1

following information:

- Full name, title, work address and contact information of the nominee.
- Summary of nominee's outstanding service and/or achievements
- A narrative explanation of the nominee's service including the following information: how the nominee's dedication to excellence and public service is outstanding, significant and "above and beyond the call of duty"; the length of the government service; and any other relevant information, such as a history of mentoring, that would assist the award committee in evaluating the nomination.

Please submit written nominations by email to kerry@fcba.org. Nominations are due no later than **February 20, 2009**.

Florida Chapter

The Florida Chapter has grown significantly over the past four years since its inception in the fall of 2004, having now hosted over a dozen events across the state of Florida. Much of this growth is attributable to the outstanding efforts of its co-chairs: **Beth Keating** with the Tallahassee office of Akerman Senterfitt, **David Konuch** with the Florida Cable Telecommunications Association in Tallahassee, **Pat Meehan** with the Tampa office of Holland & Knight, and **Will Cox** with Abel Band in Sarasota, as well as the recently formed Chapter Steering Committee consisting of **Scott Robin** with the Fort Lauderdale office of Weiss, Serota, **Frank Rullan** with the Boca Raton office of Gray Robinson, **Floyd Self** with Messer, Caparello & Self in Tallahassee, Professor **Lorna Veraldi** with Florida International University in Miami. As is apparent, the Florida co-chairs and steering committee members are geographically spread out throughout the state, and their expertise and interests cover all sectors of the communications industry, including Internet, wireless, cable, broadcast television and radio, and telephony.

In 2008, the Florida Chapter had four meetings/CLE programs in different locations in north, central, and south Florida, all well attended events. The first event was in January 2008 in Sarasota and featured a panel of experts that discussed the present and future of the radio industry. In February 2008, the Gray Robinson law firm hosted a CLE seminar at their Tampa office on recent FCC orders addressing provision of communications services to Multi-Dwelling Units (MDUs). The third event for 2008 featured a networking reception at the PCIA annual conference in October in Hollywood that was sponsored by the Abel Band law firm. To close out 2008, the Florida Chapter sponsored a third CLE seminar in November in Tallahassee on market

dynamics in telecommunications hosted at the Florida Public Service Commission in conjunction with the University of Florida Public Utility Research Center.

The Florida Chapter is hoping to be more active in 2009 with the additional support of its Steering Committee. The first event for 2009 will feature a **networking event and panel discussion on current business and legal issues facing social media on Tuesday, February 24, 2009, from 5:00 to 8:00 pm in Sarasota** at the Canvas Café (www.canvascafesq.com). This event is co-sponsored by **82 Degrees Tech** (www.82degreestech.com). **Please see registration form on page 23.**

The Florida Chapter also hopes to provide more outreach to law students this year, as well as present programs addressing current issues in Hispanic media and the law of the Internet. The Florida Chapter is eager to involve more communications and technology professionals throughout the state of Florida and welcomes participation and input for its future programs. For more information, please contact Florida Chapter Co-Chairs, **Will Cox** at wcox@abelband.com, **David Konuch** at dkonuch@fcta.com, **Beth Keating** at beth.keating@akerman.com, or **Pat Meehan** at pmeehan@hkllaw.com.

New York Chapter

The FCBA's New York Chapter has two co-chairs, **John Messenger** and **Barry Skidelsky**, who are located upstate and downstate respectively. Upstate, John Messenger currently serves as Associate General Counsel for PAETEC, a nationwide competitive telecom provider headquartered near Rochester which offers voice, data and internet access services primarily to business customers. Prior to joining PAETEC in 1999, John held various in-house counsel positions at New York



John Messenger



Barry Skidelsky

Telephone, NYNEX and Bell Atlantic. Downstate, Barry Skidelsky is based in New York City, where he has his own private practice focusing on media, telecom, technology and entertainment. A former General Counsel to a CLEC and an ISP, Barry also serves as an arbitrator, broadcast bankruptcy trustee and FCC ownership trustee. A frequent author and speaker, Barry also co-chairs the Television and Radio Committee of the Entertainment, Arts and Sports Law Section of the New York State Bar Association.

In 2008, the FCBA's NY Chapter co-presented two key programs: in April, a nominally priced CLE lunch program entitled "Viewer Discretion Advised" was held at BMI that examined the intersection of programming standards and law in the broadcast, cable, internet and wireless fields; and, in December, a free evening networking reception and panel program on the FCC's November White Spaces order was held at the landmark NYC Bar Association building (for further details, see the January 2009 FCBA Newsletter). On February 28, 2009, the FCBA's NY Chapter will once again co-sponsor with Syracuse University's College of Law an annual Communications Law and Policy Symposium (for program details and registration information, see this Newsletter at page 16). For more information, to join the FCBA's NY chapter, or to help plan its programs for the remainder of 2009, please email either john.messenger@paetec.com or bskidelsky@mindspring.com.

COMMITTEE AND CHAPTER *Event Form*

Name _____ Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____ E-mail _____

CHECK THE EVENT(S) FOR WHICH YOU ARE REGISTERING:

- Wednesday, February 18, 6:00 – 8:15 p.m. – CLE Seminar on Investing in Foreign Telecoms Markets: Challenges and Opportunities**, Location: Bingham McCutchen LLP, 2020 K Street, NW, 11th Floor
Cost: \$95.00 for Private Sector Members; \$50.00 for Government/Academic/Paralegal/Student Members; \$25.00 for Government/Academic/Paralegal Members 5 years or less out of school; \$150.00 for Non-Members
Registrations and cancellations due by 5:00 p.m., Monday, February 16, 2009
- Thursday, February 19, 12:15 p.m. – Wireless Committee Luncheon on It Isn't Easy Being Green: How can telecommunications technologies, specifically wireless technologies, be part of the green revolution?**, Sidley Austin LLP, 1501 K Street, NW
Cost: \$15.00
Registrations and cancellations due by 10:00 a.m., Tuesday, February 17, 2009
- Thursday, March 19, 2:00 – 6:00 p.m. – CLE Seminar on Privacy and Data Security for Communications and Media Companies**, Wiley Rein LLP Conference Center, 1776 K Street, NW
Cost: \$175.00 for Private Sector Members; \$100.00 for Government/Academic/Student Members; \$300.00 for Non-Members
Registrations and cancellations due by 12:00 Noon, Tuesday, March 17, 2009

\$ _____ Total Enclosed Visa MasterCard American Express Check

Credit card no. _____ Exp. date _____

Signature _____

PAYMENT MUST BE RECEIVED NO LATER THAN THE DAY OF THE EVENT. PHONE REGISTRATIONS WILL NOT BE ACCEPTED.

PLEASE FAX THIS FORM TO: Ann Henson, Federal Communications Bar Association, Fax: (202) 293-4317

CLE CREDIT: FCBA will be requesting accreditation from the State Bars of Virginia and California for continuing legal education credit. If approved, forms for Virginia and California will be available at the Seminar Registration Desk. Please note that FCBA does not obtain CLE credit for other states. The

FCBA will, however, assist with applications to other states, but attorneys must apply individually for credit courses and submit any forms and payments necessary directly to the state bar. The number of credits corresponds with the number of hours of course time, i.e., a two-hour seminar equals 2.0 hours of credit.

Federal Communications Bar Association

1020 19th Street, N.W., Suite 325, Washington, D.C. 20036

Phone: (202) 293-4000 • Fax: (202) 293-4317

E-mail: wendy@fcba.org

"THE COMMUNICATIONS ACT AND THE FCC AT 75: WHAT WILL THE FUTURE BRING?" *Registration Form*

Tuesday, February 24, 2009
9:00 a.m. – 5:00 p.m.

WILEY REIN LLP CONFERENCE CENTER
1776 K STREET, NW
WASHINGTON, DC

-
- _____ \$500.00 Gold Sponsorship (includes one registration to the seminar, recognition in the newsletter, and acknowledgement at the event)
- _____ \$250.00 Silver Sponsorship (includes recognition in the newsletter, and acknowledgement at the event)
- _____ \$140.00 Government/Academic/Law Student FCBA member rate
- _____ \$240.00 Private Sector FCBA member rate
- _____ \$395.00 Non-member rate

Name _____ Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____ E-mail _____

PAYMENT INFORMATION

\$ _____ Total Enclosed Visa MasterCard American Express Check

Credit card no. _____ Exp. date _____

Signature _____

**PLEASE SEND THIS FORM AND A CHECK MADE PAYABLE TO THE FCBA
OR FAX NO LATER THAN WEDNESDAY, FEBRUARY 18 TO:**

Federal Communications Bar Association
1020 19th Street, NW, Suite 325
Washington, DC 20036
Phone: (202) 293-4000
Fax: (202) 293-4317
Email: wendy@fcba.org

REGISTRATIONS MUST BE RECEIVED NO LATER THAN WEDNESDAY, FEBRUARY 18, 2009.
NO REFUNDS FOR CANCELLATIONS MADE AFTER WEDNESDAY, FEBRUARY 18, 2009.

CLE Credit: FCBA will be requesting accreditation from the State Bars of Virginia and California for continuing legal education credit. If approved, forms will be available at the Seminar Registration Desk. Please note that FCBA does not obtain CLE credit for other states. The FCBA will, however, assist with applications to other states, but attorneys must apply individually for credit courses and submit any forms and payments necessary directly to the state bar.



Rooms for this meeting are reserved in the hotels shown below. Each reservation must be accompanied by a deposit equal to the first night's lodging per room and must be received by us no later than **Wednesday, April 1, 2009** in order to secure reservations. Any unused rooms reserved for this meeting will be opened for sale to regular visitors after that date. When requesting reservations, please note arrival and departure dates carefully. Late arrival or early departure causes forfeiture of deposit, unless cancellation or changes are made seventy-two hours in advance.

Every effort will be made to accommodate early arrivals; however, since checkout time is 11:00AM at all our hotels, rooms may not be available until mid or late afternoon.

PLEASE MAKE CHECKS PAYABLE TO: COLONIAL WILLIAMSBURG COMPANY

RESERVATION REQUEST FORM

Group Reservations
 Colonial Williamsburg Company
 P.O. Box 1776
 Williamsburg, VA 23187-1776
 (757) 229-1000 ext 3971

Call 1-800-261-9530
 Fax 757/220-7729

Please check for our information:
 New Request
 Confirming, Phone Call
 Change in Previous Request

Name of Group: Federal Communications Bar Assoc.
 Group Code: FEDE09A

ARRIVAL: Friday, May 1, 2009 DEPARTURE: Sunday, May 3, 2009

Williamsburg Lodge:

***Requested Quantity _____ DeluxeSingle/Double Occupancy.....\$265.00

Williamsburg Inn:

***Requested Quantity _____ Main BuildingSingle/Double Occupancy.....\$375.00

***Please contact Stan Zenor for information on rooms with Government rates

*** All rooms are subject to 10% State and Local Tax and \$2.00 per room per night occupancy tax.**

I shall arrive in Williamsburg on _____ and depart on _____

I plan to room with _____

CREDIT CARD# _____ EXP DATE _____

American Express, Visa, Master Card, Diners Club, Discover Card

PLEASE NOTE: Deposit guaranteed by credit card will be charged at the time the request is made.

Check in the amount of: \$ _____ is attached

Name _____ Email Address: _____

Address _____

Telephone No. (_____) _____ - _____

Date Mailed _____

(Please Print)

FCBA 2009 ANNUAL SEMINAR *Scholarship Application*

**APPLICATIONS WILL BE PROCESSED ON A FIRST-COME, FIRST-SERVED BASIS.
PLEASE FAX ALL APPLICATIONS NO LATER THAN TUESDAY, MARCH 31, 2009 TO:**

FCBA Annual Seminar Committee
Fax: 202-293-4317

Name _____ Affiliation _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____

E-mail _____

HAVE YOU PREVIOUSLY ATTENDED AN FCBA ANNUAL SEMINAR?

YES _____ NO _____

IMPORTANT: All applicants must attach a copy of a valid photo I.D. from an academic institution or a government agency.

Signature _____

FOR OFFICE USE ONLY

Time and date received: _____

CATHOLIC UNIVERSITY SYMPOSIUM *Registration*

“INTERFERENCE: Wireless Innovation, Public Interest, Regulatory Response”

Thursday, February 26, 2009
8:30 a.m. – 5:00 p.m.

Sponsored by CommLaw Conspectus: Journal of Communications Law & Policy and the Institute for Communications Law Studies at the Catholic University of America Columbus School of Law in association with the Federal Communications Bar Association

LOCATION:

THE CATHOLIC UNIVERSITY OF AMERICA COLUMBUS SCHOOL OF LAW
3600 JOHN MCCORMACK RD., N.E.
WASHINGTON, D.C. 20064

Name _____ Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____ E-mail _____

_____ \$75.00 **Private Sector**
_____ No charge **Government/Academic/Students**

THREE WAYS TO REGISTER:

E-MAIL: commlaw.symposium09@gmail.com
(RSVP only, please include above information and indicate expected form of payment)

FAX: (202) 319-5246 (Credit Card Registrants Only)

\$ _____ Total Enclosed Visa MasterCard Discover

Credit card no. _____ Exp. date _____

Signature _____

MAIL: **Send a Check Payable to *CommLaw Conspectus***
The Catholic University of America
Columbus School of Law
3600 John McCormack Rd. N.E., Suite 248
Washington, D.C. 20064

The Florida Chapter of the Federal Communications Bar Association and 82 Degrees Tech Present

Post dot.com: The Coming of Age of Social Media

A Panel Discussion of Legal and Business Issues Facing Social Networking

Panelists:

Kent W. Kirschner
Neighborhood America

Douglas A. Cherry, Esq.
Abel Band, Chartered

Suzanne Dameron
CEO & President, Aspire Green Branding & Social Marketing

Bill Julia
Co-Founder and CEO of Fast Pitch!

Anand Pallegar
President, atLarge, Inc.

Moderated by Will P. Cox, Esq.
Abel Band, Chartered

- Mass social media applications (LinkedIn, Facebook, Twitter, Fast Pitch!)
- Business and personal niche Web 2.0 applications
- Which social media application will work best for your business
- Legal issues all businesses need to be aware of

Date:
Tuesday, February 24, 2009

Time:
5:00 p.m. Cocktail Reception and Networking
5:30 p.m. Panel Discussion

Location:
Canvas Café
239 South Links Avenue, Sarasota, FL 34236
(941) 366-2233 ■ www.canvascafesrq.com

For More Information Contact:
Will P. Cox
941.364.2733 ■ wcox@abelband.com

We thank our co-sponsors,
The Federal Communications Bar Association (www.fcba.org) and
82 Degrees Tech (www.82degreestech.com),
for providing this program.



Post dot.com: The Coming of Age of Social Media

Please RSVP by Friday, February 20, 2009

Registration Fee: \$25.00

To join the FCBA and the Florida Chapter, go to www.fcba.org

- Check enclosed *Make checks payable to: Federal Communications Bar Association*
 Visa M/C AMEX

Card No. _____ Exp Date: _____

Cardholder Signature _____

Name _____

Title: _____

Firm: _____

Address: _____

City/State/Zip: _____

Telephone: _____

Fax: _____

Email: _____

Mail or Fax registration form to: Federal Communications Bar Association, Attn: Wendy Parish, 1020 19th Street, NW, Suite 325, Washington, DC 20036
Tel: 202-293-4000 Fax: 202-293-4317 Email: wendy@fcba.org

*Payment must be received no later than the day of the event.
Phone registrations will not be accepted.*

THE 3RD ANNUAL ABA/FCBA PRIVACY & DATA SECURITY FOR COMMUNICATIONS AND MEDIA COMPANIES CLE – MARCH 6, 2008 – DVD Now Available

If you missed this 4-hour Seminar, buy it now!

This seminar focuses on the practical implementation of various domestic state and federal laws and regulations that impact the business operations, regulatory compliance, advertising, sales and marketing efforts of communications and media companies. It also provides a brief overview of international requirements for foreign operations of U.S. companies, including the transfer and processing of personal information from employees and citizens to the U.S. from foreign countries.

SESSION I - PRIVACY & DATA SECURITY 101

SESSION II - PRIVACY & DATA SECURITY ISSUES RELATED TO ADVERTISING, MARKETING & SALES

SESSION III - PRIVACY & DATA SECURITY ISSUES RELATED TO OPERATIONS AND EMPLOYEES

Cost: \$175.00 for ABA Communications Law Forum or FCBA Members
\$100.00 for Government & Student Members of Either Organization
\$300.00 for Non-Members

Name(s) _____

Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____

E-mail _____

\$ _____ Total Enclosed Visa MasterCard American Express

Credit card no. _____ Exp. date _____

Signature _____

Please make check payable to "FCBA"

PLEASE SEND OR FAX THIS FORM TO:

Ann Henson
Federal Communications Bar Association
1020 19th Street, NW, Suite 325
Washington, DC 20036
Phone: 202-293-4000
Fax: 202-293-4317
E-mail: ann@fcba.org

2008 FCBA MEMBERSHIP DIRECTORY *Order Form*

Copies of the 2008 FCBA Membership Directory are available for purchase at a cost of \$55.00 for FCBA Members, \$30.00 for Law Student Members, and \$110.00 for Non-Members and in accordance with the terms set forth on this form. There is a 10% discount for orders of 10 or more Directories. **(Please add 5.75% sales tax for orders sent to D.C. addresses).**

Please note that the Directory is available solely for the personal and professional use of FCBA members and other purchasers of the Directory. All uses for commercial purposes are prohibited without prior written approval of the FCBA's Executive Director. By purchasing the Directory and signing below, purchaser agrees that they will not, and will not knowingly authorize or permit others to, duplicate, reproduce or copy the information printed in the Directory without the express written consent of the Association.

Please send me _____ copy(ies) of the 2008 FCBA Membership Directory.

Signature (required) _____

Name _____

Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____ E-mail _____

\$ _____ Total Enclosed ***(Please add 5.75% Sales Tax for orders sent to D.C. addresses)***

Check Enclosed Visa MasterCard American Express

Credit card no. _____ Exp. date _____

Signature _____

Please make check payable to "FCBA"

PLEASE SEND OR FAX THIS FORM TO:

Ann Henson
Federal Communications Bar Association
1020 19th Street, N.W.
Suite 325
Washington, D.C. 20036
Phone: (202) 293-4000
Fax: (202) 293-4317
E-mail: ann@fcba.org

The FCBA membership list also is available at a cost to FCBA members of \$400.00 for the first order and \$700 for each additional order (per calendar year), and \$700.00 for non-members per order. Please call the FCBA office, (202) 293-4000, for further details.

Calendar

February 2	FCBA Luncheon featuring Commissioner Robert M. McDowell
February 5	Intellectual Property, International Telecommunications Practice and Membership and Marketing Committees Brown Bag Lunch
February 6	Cable Practice Committee Brown Bag Lunch
February 6-7	National Telecommunications Moot Court Competition
February 8-9	Rocky Mountain Chapter Program on The Digital Broadband Migration: Imagining the Internet's Future
February 9	Annual Seminar Planning Meeting/Brown Bag Lunch
February 9	HLS/Emergency Communications Brown Bag Lunch
February 10	Mass Media Practice Committee Brown Bag Lunch
February 17	State and Local Practice Committee Brown Bag Lunch
February 18	CLE Seminar on Investing in Foreign Telecoms Markets: Challenges and Opportunities
February 18	Young Lawyers Committee Brown Bag Lunch
February 19	Wireless Practice Committee Brown Bag Lunch
February 20	Nominations for "Excellence in Government Service" Award due
February 22	Volunteer for Martha's Table and McKenna's Wagon
February 24	FCBA Seminar on "The Communications Act and the FCC at 75: What Will the Future Bring?"
February 24	Florida Chapter networking event and panel discussion
February 25	Young Lawyers Committee Happy Hour
February 26	Catholic University, Columbus School of Law's 2009 Spring Symposium presented in association with the FCBA
February 27	Legislative, Wireless, and Wireline Committees Brown Bag Lunch
February 27-28	The 4th Annual Syracuse University Communications Law & Policy Symposium presented in association with the NY Chapter of the FCBA
March 19	The 4th Annual ABA/FCBA Privacy & Data Security for Communications and Media Companies CLE
March 19	Rocky Mountain Chapter Program on Evaluating Software Patents
April 19	FCBA/ABA/NAB Representing Your Local Broadcaster Seminar
May 1-3	FCBA Annual Seminar at Colonial Williamsburg, VA
June 5	13th Annual FCBA Foundation Robert E. Lee Charity Golf Tournament



FEDERAL COMMUNICATIONS
BAR ASSOCIATION

1020 19th Street, N.W.
Suite 325
Washington, D.C. 20036