



N E W S

Index

- ▶ Committee and Chapter Events PAGE 6
- ▶ Committee and Chapter News PAGE 7
- ▶ Job Bank PAGE 20

December 2007

Newsletter of the Federal Communications Bar Association

21st Annual Chairman's Dinner on December 5

The **21st Annual FCBA Chairman's Dinner** will be held on **Wednesday, December 5, 2007** at the Washington Hilton, 1919 Connecticut Avenue, NW. Don't miss this annual FCBA event! Use the form on page 23 to register.



Chairman Martin

This year the reception will be held in the **Crystal Ballroom** which is on the Ballroom level of the hotel, the same level as the dinner. The **reception begins at 6:00 p.m.** and the **dinner will begin at 7:30** in the **International Ballroom**.

If you find that you need additional seating at a particular table, we can add up to two (2) additional places per table, at a cost of \$185.00 per person. There are still a few tables available if you determine that another table is needed. The deadline for adding additional seats to existing tables or adding additional tables is **COB, Monday, December 3rd**. Please contact Stan Zenor if you have

any questions regarding the dinner.

Thanks to those sponsoring Foundation Tables at the Chairman's Dinner!

9th Annual Communication Law Seminar to be Held on January 24

On **January 24, 2008**, the FCBA will present its annual "Comm Law 101" CLE Seminar, from **9:00 a.m. - 5:00 p.m.**, at the Wiley Rein LLP Conference Center, 1776 K Street, N.W. This all-day event is targeted at attorneys who are relatively new to practice and will feature recognized private sector and government experts in the field. The program has applied for CLE credit. The goal of the Comm Law 101 seminar is to provide a practical overview of communications law and the communications industry, explore some of the most important legal and technology issues that impact the industry, and identify some key practical skills for communications attorneys.

This year's Comm Law 101 will feature panels focusing on spectrum policy, mass

CONTINUED ON PAGE 21 ▶

18th Annual Charity Auction a Huge Success!

On Thursday, November 15, 2007, the Young Lawyers Committee and the FCBA Foundation hosted the 18th Annual FCBA Charity Auction – the most successful Charity Auction to date. The Auction raised more than \$95,800 for this year's selected beneficiary Kid Power-DC, whose mission is to provide in-school and after-school enrichment activities for children living in the city's underserved communities. Kid Power-DC's academic, artistic, and civic engagement programs focus on fostering intellectual and social development and aim to keep children on the path to becoming responsible citizens who will make a positive contribution to their communities. Its programs include the Citizenship Project, in which students and their mentors explore local history and civic themes through literacy-building and service-learning activities; the Kids Corps,

CONTINUED ON PAGE 10 ▶

This Month's Key Events

21st Annual Chairman's Dinner

Date/Time: Wednesday, December 5, 6:00 p.m.

Location: Washington Hilton, 1919 Connecticut Avenue, NW

To register: Use form on page 23

25th Annual PLI/FCBA Conference

Date: Wednesday, December 5 – Thursday, December 6

Location: The Washington Hilton, 1919 Connecticut Avenue, NW

▶ SEE PAGE 4

International Committee Brown Bag Lunch

Date/Time: Thursday, December 6, 12:30 – 2:00 p.m.

Location: Verizon Communications Inc., 1300 I Street, NW, Suite 400 West, 5th Floor

Topic: Outcome of the 2007 ITU World Radio Conference (WRC)

▶ SEE PAGE 6

CLE Seminar

Date/Time: Thursday, December 13, 6:00 – 8:15 p.m.

Location: Wiley Rein LLP, 1776 K Street, NW

Topic: Enforcement Of U.S. Patent Laws

▶ SEE PAGE 3

Legislative Committee Brown Bag Lunch

Date/Time: Friday, December 14, 12:15 – 1:45 p.m.

Location: National Association of Broadcasters, 1771 N Street, NW, 1st Floor

Topic: Media Ownership

▶ SEE PAGE 6

Intellectual Property Practice Committee Brown Bag Lunch

Date/Time: Tuesday, December 18, 12:15 – 1:30 p.m.

Location: Dow Lohnes PLLC, 1200 New Hampshire Ave, NW (Large Conference Room)

Topic: Copyright and User Generated Content

▶ SEE PAGE 6

PRESIDENT'S Message

DEAR MEMBERS:

This time of year is traditionally a high point for charitable activities and fundraising for the FCBA and the FCBA Foundation, and this year is no exception. On December 5th, the FCBA's Chairman's Dinner sponsorships will help provide essential funding for the Foundation's college scholarship program for high school students in the District of Columbia. While we may think of the evening as a chance to catch up with hundreds of our closest friends, for these high school students, it is a chance to get a college education they might not otherwise be able to afford.



The 18th Annual Charity Auction on November 15th was once again a huge success, raising over \$95,800 to benefit Kid Power-DC, which provides extracurricular educational and civic instruction to underprivileged elementary school students in the District. The kids of Kid Power brought a special flair to the event – not only did they greet prospective bidders at the door on the way in, but they cheered enthusiastically during the live auction every time a new bidder emerged to up the ante in the bidding rivalry.

The kids had so much to cheer about thanks to the contributions of the sponsors, the bidders and the raffle ticket purchasers, and especially the many volunteers whose hours of hard work were indispensable to the auction's success. Special thanks go to the Charity Auction Committee — **Chris Fedeli and Tarah Grant (Co-Chairs)**, **Micah Caldwell**, **Steve Hitchcock**, **Catherine Hilke**, **Adam Kirschenbaum**, **Kerry Loughney**, **Jane Mago**, **Larry Movshin**, **Nancy Ory**, **Natalie Roisman**, **Megan Stull**, and **Ryan Wallach**, as well as to the auctioneers, **Kathleen Abernathy**, **Jane Mago**, **Bryan Tramont** and **Nancy Victory**, who demonstrated impressive stamina as they worked through the long list of live auction items.

This time of year is also a time for thinking about CLE credits for many members of the Bar. Fortunately, the 25th Annual PLI/FCBA Conference is coming up on December 5-6th, with the usual excellent sessions brought to you by the pro Co-Chairs, **Dick Wiley**, **Kathleen Abernathy** and **Clark Wadlow**. In addition, the Communications Law 101 Conference will be held on January 24, 2008, as well as a number of CLEs and brown bag events over the next month.

If these educational opportunities just serve to whet your appetite, the next edition of the Federal Communications Law Journal will be coming out later this month, accompanied by the new Online Forum. The Online Forum provides FCBA members the opportunity to submit short academic-quality pieces that will be published, in a citable format, on the journal's website. This is a great way to publish analyses of new and noteworthy developments in the field, as well as responses to articles from the print edition, all in a much shorter format. Thanks to the Law Journal Committee Co-Chairs, **Ellen Goodman**, **Jamison Prime** and **Bill Richardson** for their work with the FCLJ and initiating this new capability.

I look forward to seeing you all at the Chairman's Dinner, and hope you have a wonderful Holiday season.

Diane J. Cornell



FEDERAL COMMUNICATIONS
BAR ASSOCIATION

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December 13th – 6:00 – 8:15 p.m. Enforcement Of U.S. Patent Laws: International Activities, Standards For Patentability And Willfulness

Presented by the CLE and Intellectual Property Committees

On Thursday, **December 13, 2007** from **6:00 p.m. – 8:15 p.m.** the CLE and Intellectual Property Committees will present a CLE seminar on the enforcement of U.S. patent law to international activities, including a discussion of the intersection of communications law and policy and patent law. The program will start with a “Patent 101” tailored to the communications lawyer, covering general issues of patentability as they relate to communications technology. For example: How do you get a patent? What standards are used in granting patents and why are these standards important? How are patents enforced? The program will then discuss developments in the law including issues related to the international application of U.S. patent law from both *NTP v. RIM* case (known as the “Blackberry case”) and *Microsoft v. AT&T*. The program will also include a discussion of recent Supreme Court and Federal Circuit cases that may have significant impact on patent practice going forward, such as the much publicized *Medimmune*, *KSR v. Teleflex*, and *In re Seagate* cases.

The program will be held at Wiley Rein LLP, 1776 K Street NW, Washington, DC. Moderated by CLE Committee co-chair **Joshua Turner**, the panel will consist of **W. Karl Renner**, Fish & Richardson P.C. and **Kevin Anderson**, Wiley Rein LLP. To register, go to the FCBA website Calendar of Events or use the form on page 22.

Agenda

6:00 – 6:05 p.m.

**WELCOME AND OPENING
REMARKS**

6:05 – 6:45 p.m.

**INTRODUCTION TO PATENT
PRACTICE FOR THE
COMMUNICATIONS LAWYER**

10 Minute Break

6:55 – 8:05 p.m.

**ONGOING DEVELOPMENTS IN
PATENT LAWS**

8:05 – 8:15 p.m.

Q&A SESSION

Save the Date! February 6, 2008, 6:00 – 8:15 p.m. Broadband Deployment and Take-up: What Are the Experiences of Various Countries?

Presented by the Cyberspace and International Practice Committees

*Please look to future newsletters and the FCBA website for further information.

February 12th, 6:00 – 8:15 p.m. The FCC Equal Employment Opportunity (EEO) Rules

Presented by the Diversity Committee

On **Tuesday, February 12, 2008** from **6:00 – 8:15 p.m.**, at Wiley Rein LLP, 1776 K Street, NW, the Diversity Committee will be hosting a CLE on the

FCC Equal Employment Opportunity (EEO) rules. The FCC's EEO rules affect broadcasters and multichannel video program distributors (MVPDs) alike and demand regular attention. If this detailed regulatory program is neglected, broadcasters and MVPDs can face stiff fines. But are the rules effective? And how is the industry faring now that it has almost five years experience under the “new” regulatory regime? Panelists will address these issues as they discuss recent EEO developments and FCC EEO enforcement. Please see the January newsletter for more details. Questions regarding this program can be addressed to Diversity Committee Co-Chair **Andrea Barbarin** at 202-537-1350 or via email at abarbarin@acg-cos.com.

To register, go to the FCBA website Calendar of Events or use the form on page 22.

Young Lawyers Committee Fundraiser: FCBA Shirts for Sale!

The Young Lawyers Committee is selling FCBA polo shirts to benefit the FCBA Foundation. Perfect for 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).

December 5-6, 2007: 25th Annual Telecommunications Conference

This is the final notice for the 25th annual Federal Communications Bar Association/Practising Law Institute on "Telecommunications Policy and Regulation."

The Conference will be highlighted by the appearance of three FCC members: Chairman **Kevin Martin** and Commissioners **Jonathan Adelstein** and **Robert McDowell**. Additionally, **Thomas Barnett**, Assistant Attorney General, Antitrust Division, Department of Justice, will be the featured luncheon speaker on the Institute's first day. And **Meredith Baker**, Acting Assistant Secretary of Commerce for Communications and Information (NTIA), will provide the opening address on December 6.

Other Conference features include four panel discussions dealing with wireline telephony, wireless telecommunications, the telecommunications future, and Congressional issues. Additionally, the program will include tutorials by key FCC Bureau Chiefs: **Dana Shaffer**, Wireline Competition; **Fred Campbell**, Wireless Telecommunications; and **Derek Poarch**, Homeland Security. **Vinton Cerf** of Google also will provide a briefing on Internet developments.

Once again, the agenda will feature a debate – this year on "Is the U.S. Competitive on Broadband?", with **Christopher Murray** of Consumers Union facing off against **Scott Wallsten** of The Progress and Freedom Foundation, and with **Mark Schneider**, FCBA President-Elect, as moderator. Association President **Diane Cornell** will open the Institute, and **Kathleen Abernathy**, **Clark Wadlow** and **Dick Wiley** of the FCBA's Conferences Committee will serve as Conference Co-

chairs. In addition, a number of Association members will moderate various program segments.

A registration form for the 1½ day seminar, which is always very well attended, is on **page 24**. As noted, a registration fee discount is available to Association members.

*Wednesday,
December 5, 2007*

9:00 a.m.

WELCOME

Diane J. Cornell, President, Federal Communications Bar Association
Howard G. Maurer, Program Attorney, Practising Law Institute

9:15 a.m.

FCC KEYNOTE

Derek Poarch, Chief, Homeland Security Bureau

9:45 a.m.

CONGRESSIONAL STAFF PANEL

Panelists:

James M. Assey, Senate Commerce Committee (Majority)
David Cavigie, Committee on Energy & Commerce
Christine Kurth, Republican Staff Director & General Counsel, Senate Committee on Commerce, Science & Transportation (Minority)

FCBA Co-Moderators:

William R. Nordwind, Partner, Venable LLP
R. Clark Wadlow, Partner, Sidley Austin LLP

10:45 a.m.

BREAK

11:00 a.m.

WIRELINE TUTORIAL

Dana Schaffer, Chief, Wireline Competition Bureau, Federal Communications Commission

11:30 a.m.

PANEL #1: DEVELOPMENTS IN WIRELINE TELEPHONY

Panelists:

James W. Cicconi, Senior Executive Vice President, External & Legislative Affairs, AT&T
Jessica Rosenworcel, Senior Legal Counsel, Senate Committee on Commerce, Science and Transportation
Peter Nixon, President, Fairpoint Communications, Inc.
Anne Boyle, Commissioner, Nebraska Public Service Commission
Gigi B. Sohn, President and Co-Founder, Public Knowledge
Joseph W. Waz, Jr., Vice President, External Affairs & Public Policy Counsel, Comcast Corporation

FCBA Co-Moderators:

John T. Nakahata, Partner, Harris, Wiltshire & Grannis LLP
Henry M. Rivera, Partner, Wiley Rein LLP

12:30 p.m.

LUNCHEON

Thomas O. Barnett, Assistant Attorney General, Antitrust Division, United States Department of Justice

2:15 p.m.

WIRELESS TUTORIAL

Fred Campbell, Chief, Wireless Bureau, Federal Communications Commission

2:45 p.m.

PANEL #2: DEVELOPMENTS IN WIRELESS TELECOMMUNICATIONS

Panelists:

Leo Fitzsimon, Vice President, Government & Industry Affairs, NOKIA
Robert S. Foosaner, Senior Vice President Government Affairs & Chief Regulatory Officer, Sprint-Nextel Corporation
Aaron N. Goldberger, Legal Advisor, Office of FCC Chairman Kevin Martin
Christopher E. Guttman-McCabe, Vice President of Regulatory Affairs, CTIA-The Wireless Association

SPECIAL Events

Tom Sugrue, Vice President, Government Affairs, T-Mobile USA, Inc.
Jennifer A. Warren, Senior Director of Telecommunications, Trade & Regulatory Affairs, Lockheed Martin Corporation

FCBA Co-Moderators:

Kathleen Q. Abernathy, Partner, Akin Gump Strauss Hauer & Feld LLP
Lawrence J. Movshin, Partner, Wilkinson Barker Knauer, LLP

3:45 p.m.
BREAK

4:00 p.m.
**CONVERSATION WITH
FEDERAL COMMUNICATIONS
COMMISSION
COMMISSIONERS**
Jonathan Adelstein and **Robert McDowell**

*Thursday,
December 6, 2007*

9:00 a.m.
OPENING REMARKS
Meredith Baker, Deputy Assistant Secretary of Commerce for Communications and Information (NTIA)

9:30 a.m.
**TUTORIAL ON INTERNET
DEVELOPMENT**
Vinton G. Cerf, Vice President & Chief Internet Evangelist, Google

10:00 a.m.
**DEBATE: "IS THE U.S.
COMPETITIVE IN
BROADBAND?"**
Christopher L. Murray, Senior Counsel, Consumers Union
vs.
Scott N. Wallsten, Senior Fellow, Director of Communications Policy Studies, The Progress & Freedom Foundation

Moderator: **Mark D. Schneider**, Partner, Sidley Austin LLP, FCBA President-Elect

10:45 a.m.
BREAK

11:00 a.m.
**PANEL #3:
TELECOMMUNICATIONS
FUTURE**

Panelists:

Anoop Gupta, Corporate Vice President, Education Products & Solutions, Technology Policy and Strategy, Microsoft

Julius P. Knapp, Chief, Office of Engineering & Technology, Federal Communications Commission

Anna-Marie Kovacs, President, Regulatory Source Associates

Blair Levin, Managing Director, Stifel Nicolaus & Company, Inc.

Robert M. Pepper, Senior Managing Director, Global Advanced Technology Policy, CISCO Systems, Inc.

FCBA Co-Moderators:

Cheryl A. Tritt, Partner, Morrison & Foerster LLP

Richard E. Wiley, Managing Partner, Wiley Rein LLP

12:00 p.m.
**CONVERSATION WITH
FEDERAL COMMUNICATIONS
COMMISSION CHAIRMAN
KEVIN J. MARTIN**

Moderator: **Richard E. Wiley**, Managing Partner, Wiley Rein LLP

12:30 p.m.
ADJOURNMENT

Nominations Open for 2008 Elections

Pursuant to Article V, Section 20 of the Association's Bylaws, the FCBA's Nominations Committee is beginning the process of preparing the ballot for the 2008 annual election. Positions to be filled are: President-Elect; Secretary; Assistant Secretary; Assistant Treasurer; Chapter Representative to the Executive Committee; three (3) members of the Executive Committee; three (3) members of the Nominations Committee; and four (4) FCBA Foundation Trustees.

The first step of this process is for members to notify the Nominations Committee of their interest in being nominated, or to recommend other members for consideration for nomination. Nominations should be sent to FCBA Past President and Chair of the Nominations Committee, **Jennifer A. Warren**, via email to jennifer.warren@lmco.com. Please give the name of the member to be considered for nomination and the office they are being recommended for by **January 15, 2008**.

The Nominations Committee will present a slate of nominations to the membership via email and the newsletter. At that point, members will have the option of making additional nominations as outlined in the Bylaws. Election ballots will be mailed to all members in early May.

COMMITTEE AND CHAPTER *Events*

CLE Committee

Event: CLE Seminar co-presented by the Intellectual Property Committee

Date/Time: Thursday, December 13, 2007, 6:00 – 8:15 p.m.

Location: Wiley Rein LLP, 1776 K Street, NW

Topic: Enforcement Of U.S. Patent Laws: International Activities, Standards For Patentability And Willfulness

Speakers: W. Karl Renner, Fish & Richardson P.C. and Kevin Anderson, Wiley Rein LLP

To register: Go to FCBA website – Calendar of Events or use the form on page 22.

Cyberspace Practice Committee

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

Date/Time: Wednesday, February 6, 2008, 6:00 – 8:15 p.m.

Location: TBD

Topic: Broadband Deployment and Take-up: What Are the Experiences of Various Countries?

To register: Go to FCBA website – Calendar of Events or use the form on page 22.

Intellectual Property Practice Committee

Event: CLE Seminar co-presented by the CLE Committee

Date/Time: Thursday, December 13, 2007, 6:00 – 8:15 p.m.

Location: Wiley Rein LLP, 1776 K Street, NW

Topic: Enforcement Of U.S. Patent Laws: International Activities, Standards For Patentability And Willfulness

Speakers: W. Karl Renner, Fish & Richardson P.C. and Kevin Anderson, Wiley Rein LLP

To register: Go to FCBA website – Calendar of Events or use the form on page 22.

Event: Brown Bag Lunch

Date/Time: Tuesday, December 18, 2007, 12:15 – 1:30 p.m.

Location: Dow Lohnes PLLC, 1200 New Hampshire Ave, NW (Large Conference Room).

Topic: Copyright and User Generated Content User generated content, or participatory media, has emerged as a viable communications outlet

in the last two years. Along with its success has come criticism from copyright owners about unauthorized use of protected content.

Recently, copyright owners and services providing user-uploading and user-generated audio and video content have established marketplace-based guidelines designed to balance the interests of the UGC community with the rights of copyright owners. Please join us for an in-depth discussion of these new guidelines, how Internet content providers are addressing copyright issues involved in user generated content, and how user-generated content may evolve in the future.

Speakers: Johanna Shelton, Policy Counsel & Legislative Strategist, Google and Rick Lane, Senior Vice President, Government Affairs, Newscorp. Others TBD.

To RSVP: FCBA Website – Calendar of Events

International Committee

Event: Brown Bag Lunch

Date/Time: Thursday, December 6, 2007, 12:30 – 2:00 p.m.

Location: Verizon Communications Inc., 1300 I Street, NW, Suite 400 West, 5th Floor Large Conference Room (East and West)

Topic: Outcome of the 2007 ITU World Radio Conference (WRC). The World Radio Conference 2007 took place October 22 – November 16 in Geneva, Switzerland. The WRC reviewed and revised the radio regulations, the international treaty governing the use of the radio-frequency spectrum and the geostationary-satellite and non-geostationary-satellite orbits. Ambassador Russell and Mr. Beaird provided an overview of the results of the WRC and the associated Radio Assembly.

Speakers: Ambassador Richard Russell, US State Department and White House Office of Science and Technology Policy and Richard Beaird, US State Department

For more information: Contact Fiona Alexander, falexander@ntia.doc.gov

To RSVP: FCBA website – Calendar of Events

Event: CLE Seminar co-presented by the Cyberspace Practice Committee

Date/Time: Wednesday, February 6, 2008, 6:00 – 8:15 p.m.

Location: TBD

Topic: Broadband Deployment and Take-up: What Are the Experiences of Various Countries?

To register: Go to FCBA website – Calendar of Events or use the form on page 22.

Legislative Committee

Event: Brown Bag Lunch

Date/Time: Friday, December 14, 2007 12:15 – 1:45 p.m.

Location: National Association of Broadcasters, 1771 N Street, NW, 1st Floor

Topic: Media Ownership

Speakers: Jane Mago, General Counsel, National Association of Broadcasters; Paul Nagle, Republican Chief Counsel, Senate Committee on Commerce, Science and Transportation; and Jennifer Schneider, Legislative Counsel, Rep. Rick Boucher. Other speakers TBA.

RSVP to: FCBA website – Calendar of Events

New England Chapter

Event: Two-part panel session and networking event hosted by Nixon Peabody LLP

Co-Sponsors: Massachusetts Bar Association Public Law Section (pending approval) and Boston Bar Association

Date/Time: Thursday, December 13, 2007, 3:00 p.m. – 6:30 p.m.

Location: Nixon Peabody LLP, 100 Summer Street, Boston, MA

Topic: Panel I: Customer Proprietary Network Information & Privacy – a review of the newly adopted federal rules and enforcements efforts at the FCC. Panel II: Discussion among industry, government and academia on the current business and regulatory issues facing the New England telecommunications market.

More info: Come hear FCC representative provide overview of new CPNI rules, their application to all carriers, including VoIP, and the FCCs enforcement efforts related to privacy. Also, stay to hear second panel share information and thoughts on current telecommunications issues pending in New England and the impacts of other decisions and activities of other jurisdictions on the region.

For questions: Contact Stacey Parker, Stacey_Parker@Cable.Comcast.com or Michele Thomas, Michele.Thomas@T-Mobile.com.

To register: FCBA website – Calendar of Events or use form on page 22.

Florida Chapter

The Florida Chapter and the Abel Band law firm will host a lunch program in Sarasota on **Thursday, January 10, 2008**, from **12:00 to 2:00 p.m.**, entitled “Radio Today and Tomorrow”, sponsored by FCC radio industry compliance software developer Presage, LLC. Speakers will include: Ed Christian, President, Saga Communications, http://www.sagacommunications.com/corporate/executives/ed_christian.shtml; Stan Raymond, Stan Raymond and Associates (Media broker and former radio station owner and manager); and (invited) Jack Mezmer, Inside Radio (journalist) (www.insideradio.com). More details on registration will be available on the FCBA's website in early December. For further information, please contact **Will Cox**, Florida Chapter Co-Chair, at wcox@abelband.com or 941-364-2733.

Rocky Mountain Chapter

February 10 – 11, 2008

“The Digital Broadband Migration: Information Policy for the Next Administration”

Co-Sponsored with and to be held at the University of Colorado

The transformation of telecommunications from an analog, narrowband network optimized for voice to a digital, broadband network optimized for data traffic has created a myriad of challenges for businesses, policymakers, and academics alike. Consider that, in 2000, when then-FCC Commissioner Michael Powell coined the term “the

digital broadband migration,” the iPod had yet to be rolled out to consumers and Google was not yet a verb. Seven years later, the iPod has revolutionized the music industry, the iPhone is sending shock waves through the wireless world, and the Apple TV may similarly bring dramatic changes to video programming markets.

In 2009, the next President will take office with an array of information policy questions demanding attention. This conference aims to underscore the challenging policy issues that will be high on any new administration's agenda. In particular, we will evaluate questions related to changing broadband and wireless markets; challenges related to protecting privacy and security; and the optimal direction for intellectual property reform. With a thoughtful array of leaders from academic, industry, and governmental circles, we believe that this conference will continue the Silicon Flatirons' tradition of encouraging “bolder thinking” in Boulder. Like its predecessors, the proceedings from this conference will be published in the third volume of the Journal on Telecommunications and High Technology Law.

Registration information available at <http://www.silicon-flatirons.org>.

Schedule of Events

Sunday, February 10
CU SCHOOL OF LAW
WITTEMEYER COURTROOM

9:15 - 9:30

WELCOME

Phil Weiser, Executive Director, Silicon Flatirons Program

9:30 - 10:15

OVERVIEW TETE A TETE

Jonathan Adelstein, Commissioner, Federal Communications Commission
Jon Leibowitz, Commissioner, Federal Trade Commission

10:15 - 11:30

OVERVIEW PANEL: THE DYNAMICS OF INFORMATION POLICY

Moderator:

Phil Weiser, Founder and Executive Director, Silicon Flatirons Program

Discussants:

Jonathan Adelstein, Commissioner, Federal Communications Commission

Kathryn C. Brown, Senior Vice President, Verizon

Steve Davis, Senior Vice President and Assistant General Counsel, Qwest

Jon Leibowitz, Commissioner, Federal Trade Commission

Gigi Sohn, Founder and President, Public Knowledge

11:30 - 12:15

OVERVIEW ADDRESS

Lawrence Lessig, Professor of Law, Stanford University

12:15 - 1:30

LUNCH

1:30 - 3:30

BROADBAND POLICY

Moderator:

David Ellen, Senior Vice President, Cablevision Systems Corporation

Presenters:

Robert Atkinson, President, Information Technology and Innovation Foundation

Jon Nuechterlein, Partner, WilmerHale

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

Barbara van Schewick, Associate Professor of Law, Stanford University

Kevin Werbach, Assistant Professor of Legal Studies, The Wharton School

Discussants:

Joe Waz, Vice President, Comcast Corporation

Rick Whitt, Washington Telecom and Media Counsel, Google

3:30 - 3:45

BREAK

COMMITTEE AND CHAPTER News

3:45 - 5:45

SPECTRUM AND WIRELESS POLICY

Moderator:

Ari Fitzgerald, Partner, Hogan & Hartson

Presenters:

Stuart M. Benjamin, Professor of Law and Associate Dean of Research, Duke University

Ellen Goodman, Professor of Law, Rutgers School of Law - Camden

Tim Wu, Professor of Law, Columbia University

Discussants:

Mark Cooper, Director of Research, Consumer Federation of America

Bryan Tramont, Partner, Wilkinson Barker Knauer

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

5:45 - 6:45

RECEPTION (SPONSORED BY PERKINS & COIE)

Monday, February 11
UNIVERSITY MEMORIAL CENTER

8:30 - 9:15

Keynote Address

Michael Powell, Former Chairman of the Federal Communications Commission

9:15 - 11:00

PRIVACY AND SECURITY

Moderator:

Paul Ohm, Associate Professor of Law, University of Colorado

Presenters:

Julie Cohen, Professor of Law, Georgetown University

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

Orin Kerr, Professor of Law, Georgetown University

Peter Swire, Professor of Law, Ohio State University

Discussants:

Scott Charney, Corporate Vice President, Microsoft

Chris Painter, Principal Deputy Chief, U.S. Department of Justice

Lior Strahilevitz, Professor of Law and Walter Mander Teaching Scholar, University of Chicago

11:00 - 11:15

BREAK

11:15 - 1:00

INTELLECTUAL PROPERTY REFORM

Moderator:

Natalie Hanlon-Leh, Partner, Faegre & Benson

Presenters:

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

Arti Rai, Professor of Law, Duke University

Chris Sprigman, Associate Professor of Law, University of Virginia

Discussants:

Brad Feld, Managing Director, Foundry Group and Mobius Venture Capital

Preston Padden, Executive Vice President, Walt Disney Company

Pam Samuelson, Professor of Law and Chancellor's Professor of Information Management, University of California at Berkeley

Save The Dates of February 22-23, 2008 3rd Annual Communications Law and Policy Symposium:

Location: Genesee Grand Hotel in Syracuse

On **Saturday, February 23, 2008**, the Communications Law and Policy Society at Syracuse University College of Law, in conjunction with the New York Chapter of the Federal Communications Bar Association, will host its 3rd Annual Communications Law & Policy Symposium. The symposium will take place at the Genesee Grand Hotel in Syracuse, New York from 8:00 a.m. – 5:00 p.m. Attendees also have the option of registering to attend the Speaker's Dinner on Friday, February 22 at 7:30 p.m. at the hotel.

"FCCbook: Evolving Communications Law to Embrace Modern Challenges," tentatively includes panels on: The Future of Radio, The Free and Open Internet: 700 MHz and Beyond, Free Speech as a Global, Human Right, Disability and Equal Access Issues in Communications Law and Policy, and Preventing Another Virginia Tech Tragedy: Communications Technology and Public Safety. The event will also feature two tutorial sessions: The FCC - A Year in Review and Communications Issues in the 2008 Election. Past years speakers have included a chief of staff to the FCC, general counsels to global communications companies, partners from leading law firms, and cutting-edge academics in communications law and policy.

Without the sponsorship aid of attorneys, law firms, and communications companies and specialists, this annual event would not be possible. For more information on attending the symposium or becoming a sponsor, please contact Symposium Chair, Kelly Bunch, at kjbunch@syr.edu.

1:00 - 2:15

**LUNCH AND CLOSING
SPEAKER**

Jim Crowe, CEO, Level 3
Communications

Symposium papers will be published in
The Journal on Telecommunications
and High Technology Law.

Tuesday, March 4, 2008 “Innovation, Intellectual Property, and Entrepreneurship in The Information Industries”

The pace of innovation in the information industries continues to keep businesses on their toes. The rise of Google, for example, underscores the opportunities for upstart firms to capitalize on new opportunities. Well before Google, other firms like Qualcomm saw and capitalized on the potential of innovative technologies that incumbent firms either missed or wrote off. Indeed, the pace of innovation in the information industries has led some commentators to suggest that today's Internet-enabled economy reflects Schumpeter's vision of creative destruction where the important battles are not for customers of today's products, but developing new technologies that can create a new market.

The importance of technological change to our economy raises a series of important questions for policymakers. One important set of questions revolve around government investment in basic research and the nature of the technological landscape. In a number of technology markets today, including wireless communications, the Internet,

and biotechnology, government support for basic research as well as basic research by dominant firms laid the foundation for later innovations. Today, however, there is an increasing level of concern that such basic research is not adequately being supported.

A second set of questions revolves around whether and how start-up firms contribute to the pace of innovation. On one view, these firms are able to conduct risky experiments and basic research with the promise of being bought out by more established firms. In other cases, upstart firms worry about the ability of established firms to undermine their success once the upstarts establish the popularity of a new product-particularly where the upstart must rely on the platform of an established firm. In some cases, upstarts call for regulation, such as the call for open access to wireless phones, to prevent such conduct and to foster innovation.

A final set of important questions related to innovation revolves around the role of intellectual property protection. On one view, including that of “neo-Schumpeterians,” strong patent rights enable firms to develop a firm position in today's market and provides those firms with powerful incentives to invest in innovations. Others, however, are concerned that today's incumbents-or even others who strategically invest in patents and not innovation per se-are able to abuse the patent system for their advantage.

To evaluate the appropriate role for government policy in facilitating entrepreneurship and innovation, this conference will bring together a group of industry leaders to examine these questions.

Registration information available at
<http://www.silicon-flatirons.org>.

Schedule of Events

2:00-2:15

**INTRODUCTION AND
OVERVIEW**

Phil Weiser, Executive Director, Silicon
Flatirons Program

2:15-3:00

KEYNOTE ADDRESS

Paul Jacobs, CEO, Qualcomm

3:00-4:00

**THE DYNAMIC NATURE OF
THE INFORMATION
INDUSTRIES**

Dick Green, CEO, Cablelabs

Jennifer Manner, Vice President, MSV

David Goodfriend, Vice President,
Echostar

Jennifer L. Richter, Chair, Technology
and Communications Group, Patton
Boggs, LLP

4:00-4:15

BREAK

4:15-5:15

**THE USES AND ABUSES OF
INTELLECTUAL PROPERTY**

John Posthumous, Partner, Greenberg
Traurig

Jason Haislmaier, Partner, Holme
Roberts & Owen

Jason Mendelson, Managing Director,
Foundry Group

Tom Franklin, Partner, Townsend,
Townsend & Crew

5:15-6:15

**THE OPPORTUNITIES AND
STRATEGIES FOR SUCCESSFUL
START-UPS**

Peter Mannetti, Managing Director,
iSherpa Capital

Bill Mooz, Director, Sun Microsystems

Don Gips, Group Vice President,
Level 3

6:15-7:15

RECEPTION

(Sponsored by Greenberg Traurig)

18th Annual FCBA CHARITY AUCTION

CONTINUED FROM PAGE 1

which enables students to develop and manage social entrepreneurship projects; and the Creative Communities program, where students voice their views on community issues through a variety of visual and performing art productions. Further expanding students' horizons, Kid Power-DC recently brought a youth group to the Dominican Republic to work collaboratively with local children on a service project and to improve global and cultural awareness.

The Auction was held for the second year at the Marriott at Metro Center and drew a large and lively crowd. In addition to bidding at four silent auction tables, the evening included two live auctions, in which the bidding was facilitated by celebrity auctioneers: For Live Auction I, **Kathleen Abernathy** and **Nancy Victory**; and for Live Auction II, **Jane Mago** and **Bryan Tramont**. Special thanks from the Charity Auction Committee to the auctioneers for their entertaining and effective persuasive efforts!

As always, FCBA members were generous in their prize donations and in their bidding at the Auction. Prizes attracting the highest bids and generating the most live auction competition were: A one-week vacation at a villa of the winner's choice from among Interval International's 2,200 locations throughout the world, courtesy of **Lois and Larry Movshin** and a gift card to be used toward airfare, courtesy of LIN Television; a one week's stay at the Classic Resorts at Mauna Lani Point on the Big Island of Hawaii, courtesy of SES Americom, Inc. (airfare provided courtesy of FCBA); sixteen skybox tickets to the winning bidder's choice of a Capitals or Wizards game, courtesy of Steptoe & Johnson, LLP; dinner for four at the Inn at Little Washington, including transportation in a luxury limousine, courtesy of Paul, Hastings, Janofsky & Walker LLP; a



\$1500 Happy Hour Reception at Restaurant K for up to 20 guests, featuring **Jane Mago** and others from the National Association of Broadcasters as guest bartenders, courtesy of Restaurant K by Alison Swope; a one-week vacation for six in Palm Beach County, FL, courtesy of Klein Law Group, PLLC, including a gift card that may be used toward airfare, courtesy of **Patrick Grant** and a gift certificate to CityPlace in West Palm Beach, courtesy of **Scott Feira**; a San Francisco Get-Away package, including a gift certificate to Hotel Vitale, a gift certificate to Aqua Restaurant, two City Sightseeing passes, tickets to a performance of Teatro ZinZanni and a San Francisco gift basket, courtesy of Davis Wright Tremaine LLP (airfare provided courtesy of FCBA); six one-day park hopper passes to any of the four Walt Disney World parks in Orlando, FL, courtesy of The Walt Disney Company and a gift card that may be used toward airfare, courtesy of **Kathryn Zachem**; twelve tickets and three parking passes to the Washington Wizards vs. Boston Celtics basketball game, courtesy of Allbritton Communications Company; a Wine Tasting for the winning bidder and 12-15 guests at the home of host Bryan

Tramont, courtesy of **Byran Tramont**; two tickets to the taping of "The Late Show with David Letterman," courtesy of **Anne Lucey** and the CBS Corporation, including dinner for four at Craft Restaurant, courtesy of Craft Restaurant and a gift card to be used towards travel or lodging, courtesy of **L. Charles Keller**; and a two-night stay for two at the Sedona Rouge Hotel & Spa in Sedona, AZ, including a hot air balloon tour of red rock country, a spa treatment certificate, and a gift card which can be used towards round trip airfare, courtesy of Lawler, Metzger, Milkman & Keeney, LLC.

The Grand Prize for the raffle was a 46" Sony Bravia™ XBR4® Flat Panel LCD HDTV, courtesy of Sony Electronics Inc., which was won by **Todd Slamowitz**. Thank you to all who purchased raffle tickets—more than \$25,000 worth!

The Charity Auction Committee is deeply grateful to all prize donors and the winning bidders for helping to make the Auction a success. Thank you to all of the FCBA members and local law students who volunteered their time and energy to plan the Auction, solicit prizes, and work the night of the Auction. The Auction Committee, sub-committee co-chairs, and volunteers are listed on page 15 of the newsletter. Thanks also to FCBA President **Diane Cornell**, the FCBA Executive Committee, Foundation Chair **Lee Petro**, and the entire FCBA office staff for their assistance and support.

Finally, the Auction would not have been possible without the generosity of this year's sponsors: CTIA – The Wireless Association®, Davis Wright Tremaine LLP, Fleischman and Harding LLP, Google Inc., Hogan & Hartson LLP, Lockheed Martin Corporation, Morrison & Foerster LLP, Sidley Austin LLP, Trimble Navigation Ltd., Wiley Rein LLP, and Willkie Farr & Gallagher LLP.

18th Annual FCBA CHARITY AUCTION



18th Annual FCBA CHARITY AUCTION



Photos by Nicole Popovich



18th Annual FCBA CHARITY AUCTION



18th Annual FCBA CHARITY AUCTION



18th Annual FCBA CHARITY AUCTION

The FCBA would like to thank those who helped make the 18th Annual Charity Auction a huge success!

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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.cfcna.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 22 college scholarships to D.C. public high school students totaling over \$150,000
- 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 2006 Charity Auction for the Fair Chance which raised over \$86,000

Volunteer Outreach for Martha's Table on December 30th & McKenna's Wagon December 23rd

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! As we approach the holiday season, the need for volunteers to feed the homeless becomes even more pressing. This is especially true this month as many FCBA members will be traveling on **December 23rd and 30th**.

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 am and work until 1:00 pm. 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 **December 23rd** or for a future date, please contact **Marlo Go** at MGo@ctia.org or **Tom VanWazer** at tvanwazer@sidley.com.

12th Annual FCBA Golf Tournament

Planning is now underway for the 12th Annual FCBA Robert E. Lee Charity Golf Tournament to benefit the FCBA Foundation. 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.

COMMITTEE AND CHAPTERS *in the Spotlight*

Rocky Mountain Chapter

The Rocky Mountain Chapter, which is co-chaired by **Lori Kalani** (Echostar), **Phil Weiser** (University of Colorado) and **Adam Peters** (Kamlet Shepherd & Reichert), has co-sponsored two events hosted by the Silicon Flatirons Telecommunications Program this fall. The first event, "Taking Stock of the Antitrust Modernization Commission Report," was held on September 5th at the University of Colorado School of Law. The conference evaluated the judgments of the Antitrust Modernization Commission report, examining its basic conclusion that there are no fundamental flaws in modern antitrust law and practice as well as its various suggestions for reform. **Gerlad Masoudi**, Deputy Assistant Attorney General for the Antitrust Division of the U.S. Department of Justice, was the keynote speaker.

The second event, "The Future of User Generated Content," was held at The Cable Center in Denver on October 10th. The conference analyzed the growing trends related to user generated content, beginning with the question of what new technologies are emerging and how they will transform traditional media and usage patterns. Secondly, it explored what business models will emerge—both for new upstarts and established media companies—to turn this phenomenon into profitable ventures. Finally, it examined the legal issues that arise in connection with this phenomenon, ranging from intellectual property issues to questions of consumer privacy to calls for regulation to protect children and guard against defamation in this emerging medium.

The next Silicon Flatirons/FCBA co-sponsored event, "Public Safety, New Technologies, and the Future of Emergency Response," was held at the CU Denver School of Public Affairs on Wednesday, November 28th. **John Kneuer**, NTIA Administrator and

Assistant Secretary for the Department of Commerce, was the keynote speaker.

National Telecommunications Moot Court Competition Committee

The National Telecommunications Moot Court Competition Committee is co-chaired by **Russell P. Hanser** of Wilkinson Barker Knauer, LLP, **Paul Werner** of Hogan & Hartson LLP, and **Michael W. Cogan** of Sprint Nextel. The National Telecommunications Moot Court Competition is an appellate advocacy competition, focused on communications law and co-sponsored by the FCBA and Catholic University Law School. The annual competition draws teams from more than a dozen leading law schools across the country. The committee is responsible for choosing a topic, presenting actual or fictional facts and describing the underlying problem, recruiting judges, preparing bench briefs for the judges, and administering the competition with Catholic University.

The subject of the 2008 Competition is whether the Communications Assistance for Law Enforcement Act ("CALEA") should apply to text messaging, technically known as "short messaging service" or "SMS." CALEA – a 1994 law intended to preserve law enforcement officials' ability to fight crime through wiretapping – requires certain telecommunications providers to ensure that their systems can be "tapped" by authorized law enforcement agencies and officials. As digital telecommunications technology replaces traditional analogue telephone calls, questions regarding the proper balance between security and privacy will continue to plague policymakers, judges, and lawyers in the communications space. The 2008 National Telecommunications Moot Court competition problem addresses the challenges the Federal Communications

Commission will face in considering just what balance to strike with respect to today's SMS services – and the new data offerings of tomorrow. In particular, teams will be asked to analyze the challenging legal and policy issues raised by several overlapping statutory regimes and the proper application of those regimes in the face of incessant technological change. Catholic University Law School will host the oral argument portion of the competition on **February 1 and 2, 2008**.

Previous competitions have featured distinguished leaders serving as judges in the intermediate and final rounds of arguments, including former FCC Commissioners and Bureau Chiefs. The Committee currently is seeking judges to review written briefs that teams will submit in January and preside over oral arguments in February. Russ, Paul, and Michael are also seeking volunteers to help prepare or review the bench briefs and generally help out with administering the competition. If you are willing to help conduct or judge the competition, please contact **Jennifer Hanley** at jennifer.hanley@gmail.com, or **Russ Hanser** at rhanser@wbklaw.com. No expertise is necessary!

New England Chapter

The New England Chapter of the FCBA continues to be represented by a great group of members, whom regularly attend and support each of the various chapter events, ask thought-provoking questions of our panelists and always partake in the wonderful networking opportunities ensuring a warm and friendly atmosphere. The New England Chapter is currently managed by three co-chairs: **Doug Denny-Brown**, General Counsel and V.P. Regulatory Affairs for RNK Communications, who has been a co-chair since January 2003. **Stacey Parker**, New England Director of Regulatory Affairs for Comcast, was has served as co-chair since August 2004; and **Michele Thomas**, Senior Corporate

COMMITTEE AND CHAPTERS *in the Spotlight*

Counsel for T-Mobile, who joined as co-chair in the summer of 2006.

Earlier this year, in March 2007, the New England Chapter held a two-part panel event in Boston, Massachusetts entitled "The Changing Role of Regulators in the Rapidly Changing Telecommunications Marketplace". The panel members themselves, and audience, engaged in lively discussion and debate on such topics as to what extent regulations will continue to be necessary in spite of technological and jurisdictional changes, whether states or the FCC are more appropriate for such regulation, why regulators need to provide clarity and understanding behind their public policy decisions, and how to develop interest and knowledge for the next generation of regulators. In addition to the panel discussion, the recently appointed Director of the State of Massachusetts Department of Consumer Affairs and Business Regulation, provided an overview of the

2007 reorganization of the former Massachusetts Department of Telecommunications and Energy, and some details regarding the newly created Department of Telecommunications and Cable.

Mid-year, the New England Chapter invited a group of individuals who have been frequent supporters of FCBA events to join the development of a Chapter Steering Committee to assist with keeping programming relevant and timely for the membership. In late September, the first ever FCBA new England Steering Committee conference call was conducted; and by the conclusion of the first conference call, the Steering Committee had assisted in identifying a program for the remainder of 2007, volunteered resources and developed initial plans for 2008 chapter events, and offered great suggestions to continue in the building of the chapter membership and collaboration with other similar organizations and national

organization events which often occur in the region.

A two-part December program is being finalized and will include comprehensive review of the FCC's recently adopted Privacy/Customer Proprietary Network Information rules and an in-depth discussion among government and industry on the current status of telecommunications issues in the New England states.

Among the events the New England Chapter is planning for the 2008 year is a joint sponsored FCBA Local Practice and New England Chapter event in February at the Winter NARUC Meeting in Washington DC, a post-mortem on the Fairpoint deal, a summer program to review the current and pending broadband deployment programs in the region, and a post 2008 election review soon after the November elections.

JOB Bank

TO RESPOND TO JOB BANK LISTINGS

If the employer is listed, send the information requested directly to the employer. If you are responding to a **BLIND BOX** listing, send **ONE COPY** of the information requested to Kerry Loughney, Federal Communications Bar Association, 1020 19th Street, NW, Suite 325, Washington, DC 20036-6101, or **EMAIL** it to **kerry@fcba.org**. Please clearly indicate the Blind Box number to which you are responding. If you are applying to a Blind Box, you may enclose a separate note to the FCBA specifying any organization to which you do

not wish your application to be forwarded. Responses to Blind Box listings can be accepted only from FCBA members.

TO LIST A JOB

Complete a Job Bank Form and send or fax the Form and the appropriate payment to Kerry Loughney, Federal Communications Bar Association, 1020 19th Street, NW, Suite 325, Washington, DC 20036-6101. In addition, please email the text of the ad to **kerry@fcba.org**. Listings and payment received by the 15th day of each month will appear in the next month's newsletter. If possible, ads

should not exceed 75 words. Please call the FCBA, (202) 293-4000, for a Job Bank Form. (No headhunters please).

LAW FIRM / CORPORATE

12.07.1

Associate – Bennet & Bennet, a boutique telecommunications law firm with a rural wireless focus, is seeking an attorney with 3-5 years of telecommunications law experience. The firm offers a relaxed and flexible working environment. Please send cover letter, resume and a 3-5 page writing sample to Val Ford at **vford@bennetlaw.com**.

12.07.2

Telecommunications Associate – The San Francisco office of Davis Wright Tremaine LLP seeks an experienced lawyer for its dynamic telecommunications practice. At least three years of regulatory and/or transactional experience focusing on telecommunications matters required. Excellent academic credentials and strong analytical and writing skills are required. Outstanding opportunities for growth. Competitive compensation and benefits. Please e-mail resume, transcript and references to **cheryljensen@dwtd.com**.

What's the Password?

Many of you have noticed that while trying to log into the FCBA's Online Membership Directory: http://www.fcba.org/directory_login.shtml, that a password is required. The password can be located **every month on page two** of the **FCBA News**, and will appear at the bottom of the masthead. The masthead is the box containing the list of the FCBA's Executive Committee members. **The password changes on the 10th of every month.**

In MEMORIAM

Daughter of FCBA Founder and First President Dies

Barbara Caldwell Brobeck, daughter and only child of the first President of the FCBA, died of a stroke on November 7 at age 81. Born in

Chicago, she had lived in Washington since 1928 when her father, Louis G. Caldwell, was called by President Coolidge to become the first General Counsel of the Federal Radio Commission. In private practice eight years later, he joined with others in founding the FCBA.

Mrs. Brobeck was introduced as an honored guest of the Association at several luncheons, most recently in 2006 during the 70th Anniversary Year. For more information about Louis Caldwell, go to www.fcba.org/newsletters, click on January 2006, and then go to pages 13-14.

COMM LAW 101

CONTINUED FROM PAGE 1

media, and the anticipated hot topics in telecom law for 2008. The seminar also will include a panel on technology fundamentals and another covering basic practice and advocacy tips.

Use the form on **page 25** to register.

9:00 – 9:15 am WELCOME

FCBA President **Diane J. Cornell**,
Inmarsat Inc.

9:15 – 9:30 am KEYNOTE ADDRESS: WELCOME TO COMMUNICATIONS LAW!

9:30 – 10:45 am ENGINEERING FUNDAMENTALS: WHAT NON- ENGINEERS SHOULD KNOW

10:45 – 11:00 BREAK

11:00 – 12:15 MEDIA 101: AN INTRODUCTION TO BROADCAST AND CABLE REGULATION

12:15 – 12:45 pm LUNCH

12:45 – 2:00 pm PRACTICING BEFORE THE FCC – A “HOW TO” GUIDE

2:00 – 3:15 pm SPECTRUM RIGHTS: HOW THE AIRWAVES SHOULD BE REGULATED

3:15-3:30 pm BREAK

3:30-4:45 pm THE 2008 REGULATORY LANDSCAPE: HOT TOPICS FOR THE COMING YEAR

4:45-5:00 pm WRAP-UP

Judges Needed for Moot Court Competition

The National Telecommunications Moot Court Competition Committee is seeking interested attorneys to serve as judges for the 2008 competition. Judges are needed to grade briefs and to judge oral arguments, which will be held at the Catholic University of America Columbus School of Law on **Friday, February 1, and Saturday, February 2, 2008**. If you can help, please email **Jennifer Hanley** at jennifer.hanley@gmail.com or **Russ Hanser** at rhanser@wbklaw.com indicating whether you would like to grade briefs, judge oral arguments, or both. Thank you in advance for your interest and participation in this season's competition.

National Telecommunications Moot Court Competition - Call for Volunteers

The FCBA and The Catholic University Columbus School of Law will co-sponsor the **2008 National**

Telecommunications Moot Court Competition to be held February 1-2. This year's competition centers on the application of the Communications Assistance for Law Enforcement Act (“CALEA”) to text messaging, technically known as “short messaging service” or “SMS.” Teams will be asked to analyze the challenging legal and policy issues raised by several overlapping statutory regimes and the proper

application of those regimes in efforts to balance concerns involving privacy and security in the face of constant technological change. If you are willing to help conduct or judge the competition, please contact **Jennifer Hanley** at jennifer.hanley@gmail.com, or **Russ Hanser** at rhanser@wbklaw.com. No expertise is necessary!

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:

- ☐ **Thursday, December 13, 6:00 – 8:15 p.m. – CLE on Enforcement of U.S. Patent Laws: International Activities, Standards for Patentability and Willfulness**, Wiley Rein LLP, 1776 K Street, NW
Cost: \$85.00 for Private Sector Members; \$50.00 for Government/Academic/Student Members; \$25.00 for Government/Academic/Student Members 5 years or less out of school; \$135.00 for Non-Members
Registrations and cancellations due by 5:00 p.m., Tuesday, December 11, 2007
- ☐ **Thursday, December 13, 3:00 p.m.-6:30 p.m. – New England Chapter two-part panel session and networking event**, Nixon Peabody LLP, 100 Summer Street, Boston, MA
Cost: \$15.00 for FCBA Members; \$20.00 for Non-Members; Government Employees are free of charge
Registrations and cancellations due by 12:00 Noon, Tuesday, December 10, 2007
- ☐ **Wednesday, February 6, 6:00 – 8:15 p.m. – CLE on Broadband Deployment and Take-up: What Are the Experiences of Various Countries?**
Cost: \$85.00 for Private Sector Members; \$50.00 for Government/Academic/Student Members; \$25.00 for Government/Academic Members 5 years or less out of school; \$135.00 for Non-Members
Registrations and cancellations due by 5:00 p.m., Monday, February 4, 2008
- ☐ **Tuesday, February 12, 6:00 – 8:15 p.m. – CLE on The FCC Equal Employment Opportunity (EEO) Rules**, Wiley Rein LLP, 1776 K Street, NW
Cost: \$85.00 for Private Sector Members; \$50.00 for Government/Academic/Student Members; \$25.00 for Government/Academic Members 5 years or less out of school; \$135.00 for Non-Members
Registrations and cancellations due by 5:00 p.m., Friday, February 8, 2008

\$ _____ 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: ann@fcba.org

21ST ANNUAL FCC CHAIRMAN'S DINNER Registration

Wednesday, December 5, 2007

**HILTON WASHINGTON & TOWERS
1919 CONNECTICUT AVENUE, NW**

**RECEPTION - 6:00 P.M. - CRYSTAL BALLROOM
DINNER - 7:30 P.M. - INTERNATIONAL BALLROOM**

FCBA FOUNDATION SPONSOR:*

____ table(s) (ten guests per table) at \$2,200.00 per table or

PURCHASE OF TABLE:

____ table(s) (ten guests per table) at \$1,850.00 per table

* The FCBA Foundation is a charitable organization qualified under §501(c)(3) of the Internal Revenue Code. Contributions to the FCBA Foundation are tax deductible in the amount of \$350 for each Sponsor Table. Tax ID # 51-0334407

INDIVIDUAL TICKETS:

____ FCBA Private Sector Member ticket(s) at \$185.00 each

____ FCBA Government/Academic/Law Student Member ticket(s) at \$100.00 each

____ Non-Member ticket(s) at \$275.00 each

Name _____

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 SEND THIS FORM AND A CHECK MADE PAYABLE TO
THE "FCBA" NO LATER THAN FRIDAY, NOVEMBER 16 TO:**

Federal Communications Bar Association
Chairman's Dinner
1020 19th Street, N.W.
Suite 325
Washington, D.C. 20036-6101
Phone: (202) 293-4000
Fax: (202) 293-4317
E-mail: fcba@fcba.org

**PLEASE NOTE THAT SEATING IS RESERVED AND TICKETS
WILL BE MAILED TO THE PERSON INDICATED ABOVE AT
THE BEGINNING OF DECEMBER.**

Cancellation Policy: Cancellations will be accepted and fees refunded if notice is received in writing no later than Friday, November 16, 2007. No refunds will be granted after this time.

BUSINESS ATTIRE

Pursuant to the Office of Government Ethics regulation on widely-attended gatherings (5 C.F.R. §2635.204(g)(2)), the Chairman's Dinner appears to qualify as a widely attended gathering. The value of an individual ticket to the dinner is \$185.00. In most cases, individuals and organizations may issue invitations to the Chairman's Dinner directly to federal employees without the involvement of the FCBA. Some agencies and branches of the Federal Government do, however, apply additional stipulations above the regulation issued by the Office of Government Ethics. Invitations to Members of Congress and to Congressional staff must be issued by the FCBA. Contact the FCBA for additional information.

While this event has been cleared by the Office of the General Counsel in previous years, each FCC employee is required to obtain individual ethics clearance based on matters they are working on within the Commission.

25th Annual **TELECOMMUNICATIONS POLICY** **and REGULATION CONFERENCE REGISTRATION**

CO-SPONSORED BY THE FCBA AND THE PRACTISING LAW INSTITUTE

Wednesday, December 5 and Thursday, December 6, 2007

THE WASHINGTON HILTON, 1919 CONNECTICUT AVENUE, N.W., WASHINGTON, D.C.

Name _____

Organization _____

Address _____

Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____ E-mail _____

_____ I am a member of the FCBA and/or PLI (Registration Fee is \$1,255.50)

_____ I am not a member of the FCBA or PLI (Registration Fee is \$1,395.00)

_____ I wish to obtain state bar CLE credit for this program from _____ (name of state)

Four ways to register:

MAIL THIS FORM AND A CHECK MADE PAYABLE TO THE "PRACTISING LAW INSTITUTE" TO:

Practising Law Institute
810 7th Avenue
New York, NY 10019

PHONE:

(800) 260-4PLI

FAX:

(800) 321-0093

WEB SITE:

<http://www.pli.edu>

REGISTRATION DESK AT PROGRAM:

(202) 483-3000

FCC STAFF: receive a full scholarship to the Telecommunications program. Each attendee must enclose a \$25 application fee, payable to PLI, to receive the scholarship. The requests for scholarships should be sent to Scholarship Committee, PLI, 810 Seventh Avenue, New York, NY 10019 (fax: 212-824-5871)

PLI'S SCHOLARSHIP/FINANCIAL HARDSHIP POLICY: Full and partial scholarships to attend programs are available to judges, judicial law clerks, law professors, attorneys 65 and older, law students, pro bono attorneys, librarians and paralegals who work for non profit organizations, legal services organizations or government agencies, unemployed attorneys and others with financial hardships. To apply, send your request on your employer's letterhead, stating the reason for your interest, along with the completed registration form on this brochure, to the PLI Scholarship Committee. All applications must be accompanied by a \$25 non-refundable application fee (applicants may pay by check or credit card) and must be submitted four weeks before the date of the program. Students must submit a copy of their student ID card.

COMMUNICATIONS LAW 101 CLE Seminar Registration

Thursday, January 24, 2008
9:00 – 5:00 p.m.

WILEY REIN LLP CONFERENCE CENTER
1776 K STREET, N.W.
WASHINGTON, DC

Name _____ Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____ E-mail _____

_____ \$95.00 government, non-profit, law student FCBA members rate

_____ \$195.00 corporate or private sector FCBA members rate (including lawyers and paralegals)

_____ \$395.00 non-member rate

\$ _____ Total Amount

Two ways to register:

FAX
(CREDIT CARD REGISTRANTS ONLY):
(202) 293-4317

☐ Visa ☐ MasterCard ☐ American Express

Credit card no. _____

Exp. date _____

MAIL
SEND A CHECK PAYABLE TO "FCBA":
1020 19th Street, N.W.
Suite 325
Washington, D.C. 20036

Signature _____

REGISTRATIONS MUST BE RECEIVED NO LATER THAN FRIDAY, JANUARY 18, 2008
NO REFUNDS FOR CANCELLATIONS MADE AFTER FRIDAY, JANUARY 18, 2008.

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.

2007 FCBA MEMBERSHIP DIRECTORY *Order Form*

Copies of the 2007 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 2007 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: fcba@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.

THE 2ND ANNUAL ABA/FCBA PRIVACY & DATA SECURITY FOR COMMUNICATIONS AND MEDIA COMPANIES CLE – *Now Available*

If you missed this 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
(Please add 5.75% sales tax for orders sent to D.C. addresses)

Name(s) _____

Organization _____

Address _____ Suite/Room/Apt. _____

City/State/Zip _____

Phone _____ Fax _____

E-mail _____

\$_____ Total Enclosed ☐ Visa ☐ MasterCard ☐ American Express

(Please add 5.75% sales tax for orders sent to D.C. addresses)

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: fcba@fcba.org

Calendar

December 5	21st Annual Chairman's Dinner
December 5-6	25th Annual PLI and FCBA Conference
December 6	International Telecommunications Practice Committee Brown Bag Lunch
December 11	FCBA Chapter Co-Chairs Call
December 13	CLE Seminar on Enforcement of U.S. Patent Laws: International Activities, Standards for Patentability and Willfulness
December 13	New England Chapter two-part panel session and networking event, Boston, MA
December 14	Legislative Committee Brown Bag Lunch
December 18	Intellectual Property Practice Committee Brown Bag Lunch
December 20	FCBA Executive Committee Meeting
December 23	Volunteer for McKenna's Wagon
December 30	Volunteer for Martha's Table
January 10, 2008	Florida Chapter Program – "Radio Today and Tomorrow"
January 24	Annual Communications Law 101 CLE Seminar
February 1-2	National Telecommunications Moot Court Competition
February 6	CLE Seminar on Broadband Deployment and Take-up: What Are the Experiences of Various Countries?
February 10-11	Silicon Flatirons/Rocky Mountain Chapter Seminar on The Digital Broadband Migration: Information Policy for the Next Administration
February 12	CLE Seminar on The FCC Equal Employment Opportunity (EEO) Rules
February 22-23	3rd Annual Syracuse University College of Law and FCBA Communications Law and Policy Symposium, Syracuse, NY
March 4	Silicon Flatirons/Rocky Mountain Chapter Seminar on Innovation, Intellectual Property, and Entrepreneurship in The Information Industries
March 6	3rd Annual ABA/FCBA Privacy and Data Security CLE
May 2-4	FCBA Annual Seminar; Hyatt Regency Chesapeake Bay, Cambridge, MD

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.