

THE NORDIC IT LAW CONFERENCE 2010 IN COPENHAGEN



The Danish Forum for IT Law (Dansk Forum for IT-ret) is honoured to invite you to the annual Nordic IT Law Conference 2010 in Copenhagen on 11.-12. November 2010.

The conference is focusing on two overall themes, both of which are highly relevant and very much debated at the moment, not only from a legal perspective, but also from a business and political perspective.

THEME 1: INTERMEDIARY SERVICE PROVIDER LIABILITY

The first conference day will focus on ISP Liability. The question of when ISPs can incur liability or other legal sanctions for illegal content transmitted over the Internet is presently occupying lawyers, industry and law-makers throughout the western world, and is giving rise to an increasing number of court cases in various legal systems.

With regard to *mere conduit* providers providing access to and transmitting copyright infringing content on the Internet, the Nordic countries have been at the forefront of the legal development. Efforts by rightholders to obtain injunctive reliefs against mere conduit providers have resulted in landmark cases in Denmark, Sweden and Norway over the past few years. The cases against ISPs mostly concern access to the Swedish *peer-to-peer service* The Pirate Bay. A separate and very interesting case has been brought against The Pirate Bay in Sweden, as has in Finland against a similar Finish service, Finreactor. Highly distinguished speakers from each of the Nordic countries will give a presentation of the case law and legal position in their country.

Besides mere conduit providers the possible liability of *hosting providers* is attracting much consideration in and outside of the EU. A number of interesting court cases, including a Danish case, has been decided the past few years, notably against video sharing sites and other social media services, but also against e.g. Google in its capacity of hosting search keywords. The presentation on this issue will give an overview of the case law and the legal position and uncertainties under EU law right now.

The theme on ISP Liability will close with a view of the future regulatory development. First, a presentation will be given on the various regulatory measures being discussed in different fora presently, including the ACTA negotiations, "3 strikes and you're out" measures and ongoing national measures in the Nordic region. Finally, a panel debate on how to balance the interests of rightholders, ISPs and Internet users will close the day.

THEME 2: CLOUD COMPUTING

The second day of the conference is dedicated to Cloud Computing, perhaps the most "hyped" word in the IT sector at the moment. Cloud Computing is already transforming the Software and IT service industry, and is predicted to have a profound impact on businesses and authorities' IT-strategies in all sectors. On the other hand many IT lawyers who have been working for years with outsourcing and ASP projects are asking: "what's new from a legal perspective"?

The presentations on Cloud Computing will explore the nature as well as strategic and economical potential of Cloud Computing, followed by more in-depth analyses of two of the most significant legal issues in that regard: how to draft a Cloud Computing contract and deal with the obvious data protection issues that emerges when personal data is being transferred to and from "the cloud".

Following up on the strong academic element which has always been part of the Nordic IT Law conferences, the conference will be opened with a presentation of the latest IT law literature in the Nordic region.

The annual Nordic IT Law conference has a long tradition of not only dealing with substance of the matter, but also contributing to creating fruitful contacts and friendships between the legal communities in the Nordic countries. We seek to support this tradition by inviting all participants to a conference dinner at the evening of the first conference day.

We are looking forward to seeing you in Copenhagen!

Søren Sandfeld Jakobsen,
Chairman

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PRACTICAL INFORMATION

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DANSK FORUM FOR IT-RET

Date: 11. - 12. November 2010
Themes: Intermediary Service Provider Liability and Cloud Computing
Venue: Hotel Phoenix Copenhagen - see info-box
Fee: DKK 3.000 per person/DKK 750 for students (VAT inclusive), which includes the conference attendance and the conference dinner on Thursday night

Further information can be found on www.retsinformatik2010.dk

REGISTRATION

Registration shall be made to Dansk Forum for IT-ret.

SIGN UP ONLINE

You can sign up for the conference on the website www.it-retsforum.dk.

SIGN UP BY EMAIL

You can also sign up by sending an e-mail to the forum's secretary, Partner, PhD Kim G. Hansen on: kgh@integralaw.dk. Please provide the following information:

- Full name
- Name of workplace or institution
- Address for invoice to be send
- Country

Registration is completed when the conference fee has been paid.

Deadline for registration is Friday 8 October 2010.

We are looking forward to seeing you in Copenhagen! Søren Sandfeld Jakobsen. Chairman

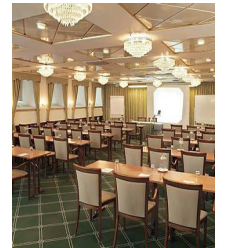
VENUE

HOTEL PHOENIX COPENHAGEN

Address: Bredgade 37, DK-1260 Copenhagen

Website: www.phoenixcopenhagen.dk

PLEASE NOTE: A special room rate for attendees of the Nordic IT Law Conference has been negotiated with Hotel Phoenix. The price is DKK 945 for a single room per night (a 50 % discount). To take advantage of this rate and to ensure your accommodation, please, return the enclosed booking form before 19 September 2010 (the form is also available on www.it-retsforum.dk). The conference's reference number is 1281882



PROGRAM FOR THURSDAY, NOVEMBER 11TH

INTERMEDIARY SERVICE PROVIDER LIABILITY

- 9.00-10.00 Registration and coffee
- 10.00-10.15 Welcome (Søren Sandfeld Jakobsen, Chairman of Dansk Forum for IT-ret)
- 10.15-10.45 An overview of the latest Nordic IT Law literature (Henrik Udsen, Professor, dr. jur., University of Copenhagen)
- THEME 1: INTERMEDIARY SERVICE PROVIDER LIABILITY**
- 10.45-11.15 ISP liability in Denmark (Clement Salung Petersen, Assistant Professor PhD, University of Copenhagen)
- 11.15-11.45 ISP liability in Sweden (Johan Axhamn, PhD candidate, Stockholm University, and former special advisor to the Swedish Ministry of Justice)
- 11.45-13.00 Lunch
- 13.00-13.30 ISP Liability in Finland (Jesper Nevalainen, Senior Associate, Bird & Bird, Helsinki)
- 13.30-14.00 Liability in Norway (Rune Ljosted, Partner, Simonsen Advokatfirma DA, Oslo)
- 14.00-14.45 Social media services and hosting liability (Søren Sandfeld Jakobsen, Associate Professor PhD, Attorney, Copenhagen Business School)
- 14.45-15.00 Coffee break
- 15.00--15.30 Regulatory developments on ISP Liability: The ACTA negotiations, "three strikes and your out" measures and Nordic legislative initiatives against copyright infringements on the Internet (Nicolai Pfeiffer, Regulatory Manager, Telenor Danmark)
- 15.30-16.15 Panel debate: Shall the ISPs police the Internet? How can an appropriate balance between the interests of rightholders, ISPs and Internet users be found?
Panel participants: Nicolai Pfeiffer, Johan Axhamn and Rune Ljosted
Moderator: Kim G. Hansen, Partner, Integra Advokater Copenhagen
- 16.15-16.30 Conclusions and closing of day 1
- 19.00-23.00 Conference dinner at Restaurant Von Plessen, Hotel Phoenix Copenhagen, Bredgade 37, DK-1260 Copenhagen

PROGRAM FOR FRIDAY, NOVEMBER 12TH

CLOUD COMPUTING

- 08.30-09.00 Coffee
- THEME 2: CLOUD COMPUTING**
- 9.00-9.45 Cloud computing: What is it – and what effect will it have for public and private organisations? (Cecile Christensen, Head of Office, Danish National IT and Telecom Agency)
- 9.45-10.30 Drafting cloud computing contracts: Pitfalls and challenges (Niels Christian Ellegaard, Partner, Plesner Law Firm, Copenhagen)
- 10.30-11.00 Coffee break
- 11.00-11.45 Data processing and cloud computing: An overview of the legal issues (Christopher Kuner, Partner, Hunton and Williams, Brussels, and research assistant at University of Copenhagen)
- 11.45-12.00 Conclusions and closing of conference
- 12.00-13.00 Lunch
- END OF CONFERENCE**

