Annual Report for Academic Year 2008-2009

Executive Summary

As with other academic organizations at Harvard and beyond, the Berkman Center was deeply affected by the financial crisis. We adjusted to the challenging financial context by evaluating our core structure and functioning, streamlining our activities, tightening our budget, and intensifying our fundraising efforts. We sought to develop new efficiencies and partnerships to ameliorate the effects of the crisis and to produce the very best scholarship with impact.

The 2008-2009 academic year built upon the momentum of Berkman@10, the Center's tenth anniversary celebration and an inflection point in our evolution. This year saw Berkman step into its future as a University-wide and collaborative organization, with a focus on institution-building efforts, including reorganizing our fellows program, strengthening our core team's integration with projects, and fundraising aggressively. These activities are foundational to our efforts to create multidisciplinary collaborations in support of substantial new methodologies and research, and the teaching and engagement they inform.

A leadership change

In January, longtime Berkman partner and Faculty Fellow Urs Gasser (formerly a professor of law at the University of St. Gallen in Switzerland) started in his new role as Executive Director, replacing John Palfrey, who was appointed Vice Dean, Library and Information Resources, at Harvard Law School in 2008. In active partnership with the Center's steering committee and staff, Urs Gasser led the creation of a long-term strategic plan focused on our core functioning and response to the financial crisis. John Palfrey remains deeply involved as a faculty co-director and principal investigator, bringing us closer to the HLS library and to the rest of the University through his service on the Provost's Committee on Social Science and other activities spanning Harvard.

University-wide activities

We have laid the foundations for University-wide teaching next year, beginning with seminars on infrastructure, social science methods, and new media.

We recently announced a joint Fellowship Program for the 2009-2010 academic year between the Berkman Center and the Center for Research on Computation and Society (CRCS) based at the School for Engineering and the Applied Sciences. The joint program is aimed at creating synergies and stimulating cross-departmental collaboration among fellows and faculty. In the

coming year we hope to establish a more permanent relationship between CRCS and the Berkman Center.

Another innovation in our fellowship program that builds upon our status as a University-wide center is a newly created joint fellowship position of the Berkman Center, the Harvard Law School Library, and the Office for Scholarly Communication. Professor Peter Suber was appointed as the first fellow of this joint venture; he will be focusing on Open Access documentation efforts, as well as Open Access outreach across Harvard and beyond.

In addition to the changes in the fellowship program, we would emphasize two efforts aimed at building bridges across departments. First, Yochai Benkler started and led the interdisciplinary discussion group on human cooperation and systems design aimed at developing collaborative opportunities between faculty and students from around the University. The work of the group has matured into a weekly seminar and has generated a significant stream of research at the Center. Second, we initiated the Berkman Center Graduate Student Awards to support interdisciplinary research at Harvard on Internet and society issues.

The Berkman core team is frequently consulted by both individual faculty members and other units at Harvard on web, communications, and digital media strategy and tools, and our technical personnel also often provide knowledge and support around the University.

Expanding global partnerships

In addition to our University-wide efforts, we also strengthened and expanded our undertakings to build strategic and collaborative global partnerships, acknowledging the global nature of the Internet as subject of our studies.

Urs Gasser, supported by the core team, conducted extensive outreach and relationship-building in Asia and Europe. A small sampling of these efforts includes forming and maintaining working relationships with research centers and universities in Italy (NEXA), the Netherlands (IViR), Switzerland (Research Center for Information Law), France (SciencePo, Ecole des mines), Norway (MCM-HSG), Switzerland (Univ. of St. Gallen), Germany (ITM, Univ. of Muenster), Singapore (The Information + Innovation Policy Research Center at the LKY School of Public Policy, National University of Singapore), Greater China (Fudan University; Hong Kong City University), and India (Bangalore Centre for Internet and Society), among other countries, but also with leading individual researchers from around the world.

Managing Director Colin Maclay led Berkman's membership in COMMUNIA, a three-year project funded by the European Commission that aims to provide policy guidelines on issues related to the public domain in digital environments.

We have continued our ongoing collaboration with the University of St. Gallen, Switzerland, across multiple projects, including the Global Network Initiative, Digital Natives, the Law Lab, and most recently the Broadband Policy project.

In addition to forming relationships with local partners across the world, we entered a partnership with UNICEF, a global initiative that works for children's rights, their survival, development and protection, initiating a project on children's digital safety in the developing world.

Research endeavors

While being affected by and responsive to the new economic realities, we continued to be ambitious in our research and endeavors to advance the public interest.

Berkman's sustained interest in technology and civic activity – and the related issues of Internet filtering, censorship and surveillance worldwide – bore fruit across numerous projects this year:

- Jonathan Zittrain's brainchild Herdict Web, a "civic technology" for tracking web accessibility around the globe, was publicly launched in the spring and has become an important resource for activists, journalists, and netizens, as well as a core platform for our own research;
- the Internet and Democracy Project released a major study of the Arabic blogosphere which analyzes over 10,000 blogs from 18 countries; and,
- the Global Network Initiative, a multi-stakeholder group of companies, civil society organizations, investors and academics who have developed a collaborative approach to protect and advance freedom of expression and privacy in the ICT sector, was unveiled this fall after more than three years of discussion and engagement by Berkman faculty, fellows, and affiliates.

We launched the Kauffman Foundation-funded Law Lab, a multidisciplinary research initiative and collaborative network of university, nonprofit and industry partners that seeks to investigate and harness the varied forces — evolutionary, social, psychological, neurological and economic — that shape the role of law and social norms as they enable cooperation, governance and entrepreneurial innovation.

We also introduced a public interface for our new Media Cloud research engine and released its source code for developers interested in contributing to the project, which provides tracking over time of semantic elements in traditional and new media outlets.

Two special efforts are notable in terms of public engagement and contributions to public debates:

- the release of the final report of the Internet Safety Technical Task Force, led by John Palfrey, Dena Sacco, and danah boyd; and,
- our just-announced independent expert review of existing literature and studies about broadband deployment and usage throughout the world, led by Yochai Benkler and intended to inform the FCC's efforts in developing a National Broadband Plan.

Adapting to the financial crisis

Along with these new and exciting developments, we committed ourselves to the responsible, long-term thinking and planning demanded by the financial crisis. As with the rest of the

University, the current global economic environment presents significant challenges to the Center, beginning with FY 09 and stretching well beyond it.

We sought to respond in a measured fashion, both addressing financial concerns and using the situation as a stimulus for positive change within the Center. This translated into an intensive institutional review and actions taken in four important areas: (1) spending and activities, (2) institutional structure, (3) fundraising; and, (4) commitment to network-building.

(1) We began with aggressive cost reductions across project areas, from travel to meals, prioritizing and endeavoring to identify creative approaches to effecting savings without negatively impacting our work, e.g. leveraging technology for remote participation. More challenging were the tough decisions with respect to personnel, which involved non-renewal of several staff contracts, and commensurate sacrifices by the rest of the team to take on additional work.

(2) The second element in response to the financial crisis focused on the creation of functional and, ultimately, financial synergies within the Berkman Center in general and between the core of the Center and its projects in particular. The most visible illustrations of this effort include sharing technologists across projects and creating dedicated project managers who provide coordination across efforts, which not only shares costs, but also facilitates knowledge-sharing and research coordination.

(3) With grant and gift funding more uncertain than at any time in our history, we intensified our fundraising efforts. This was accomplished by a more coordinated and larger scale effort within the Center. It also involved substantial contributions from the HLS development office and Dean Kagan. As ever, we continued to build on existing relationships with long-term supporters such as the MacArthur Foundation, while developing new relationships with organizations such as the Ford Foundation.

(4) The final piece of the strategy combines these elements with our broader commitment to collaboration and network-building, and seeks to bring in new ideas, capacities and relationships to the Berkman community, with the intention of creating – and funding – the next generation of our research. We are combining our fellowship program with CRCS (see above) for precisely this purpose, and reaching out to other research centers at Harvard and around the world in support of this effort.

TABLE OF CONTENTS

I. Report of Activities

Mission

The Berkman Center's mission is to explore and understand cyberspace; to study its development, dynamics, norms, and standards; and to assess the need or lack thereof for laws and sanctions.

We are a research center, premised on the observation that what we seek to learn is not already recorded. Our method is to build out into cyberspace, record data as we go, self-study, and share. Our mode is entrepreneurial nonprofit.

Scholarship with Impact

The Berkman Center is devoted to research and teaching on issues at the intersection of emerging technologies, law, public policy, industry, and education and to the development of dynamic approaches and rigorous scholarship that can affect and support the public interest.

A foundational element of our mode and mission is to find ways to make our intellectual community vibrant and enriching for our faculty, students, fellows, staff, and the rest of the University. With the generous support of the Harvard Law School Dean and Harvard Provost Hyman, this year was our first as a University-wide research center. This new status has benefited the Center, the Law School, and the larger University community in numerous ways, first and foremost, by enabling us to collaborate more effectively with other schools, departments, and centers. It will also facilitate the realization of our goal of being truly interdisciplinary in orientation, mode, and scope.

Areas of Inquiry

The Berkman Center has sought to be an honest broker in conversations about the relationship between the Internet and related technologies and society. Our efforts are concentrated in three zones, united by the question of how the Internet can elicit the best from its users:

- Law, Technology, Innovation, and Knowledge
- The Relationship between Internet and Civic Activity
- Technology, Law, and Development

In the field of **intellectual property**, we have sought to develop creative ways of resolving, in a rapidly changing technological environment, the tension between the need to stimulate innovation and the importance of providing broad public access to the fruits of that innovation. In our second core area, we see an enormous need to bring clarity to the conversation about the **Internet's impact on democracy**. As more activists are using the network as an essential toolkit for speaking out in democratic and non-democratic regimes alike, their personal security is increasingly threatened and their self-expression thwarted. In our third area of focus, we envision a growing opportunity to use Internet technologies to enhance **economic and educational opportunities** in developing countries, to improve the way that we teach and learn,

and to make information accessible to citizens around the world who are not physically proximate to our libraries.

A. Teaching

Since the Berkman Center's inception, our top priority has been teaching across the wide range of our areas of inquiry.

1. Contributions to the Teaching Programs

Faculty and Fellows at the Berkman Center teach classes at Harvard Law School, Harvard College, and Harvard Extension School.

Berkman faculty, staff and fellows taught a number of new courses during the 2008-2009 academic year, including:

- Professors Zittrain and Fisher co-taught a seminar on "The Internet: Issues at the Frontiers." Innovative class design found the students driving on- and off-line discussions about innovation, copyright, new uses of the wiki form, prediction markets, democratic polarization, and collective intelligence.
- Using a workshop-like experience, Professor Benkler taught "Communications and Internet Law and Policy", where students worked in groups to develop a policy paper each week.
- Lecturers Dena Sacco and Diane Rosenfeld co-taught "Child Exploitation, Pornography, & the Internet," a course addressing the complex legal, technological, and social questions created by the increasing distribution of both child and adult pornography on the Internet over the past decade.
- In the 2009-2010 academic year, Professor Zittrain will teach "Cyberlaw: Difficult Problems" as a winter term course co-sponsored by Stanford Law School and held in Stanford. The class will welcome a diverse range of professional guests to present the cyberlaw challenges they face, and students will help them to make progress in addressing them.

As part of the Berkman Center's teaching program, Harvard Law School students participate in the Center's Cyberlaw Clinic in conjunction with substantive courses offered at the Law School. Affiliated courses last year included: "Practical Lawyering in Cyberspace," taught by Professor Malone; "Child Exploitation, Pornography, & the Internet," co-taught by Lecturers Dena Sacco and Diane Rosenfeld; Professor Fisher's "Intellectual Property Law: Advanced"; Professor Nesson's "CyberOne: Law in the Court of Public Opinion"; and "The Internet: Issues at the Frontiers," co-taught by Professors Fisher and Zittrain.

Additional courses affiliated with the Berkman Center during the 2008-2009 academic year included:

- At Harvard Law School: The seminar, "Antitrust, Technology, and Innovation" and the reading group, "Identity, Anonymity, and Accountability in an Online

World," both taught by Professor Malone; Berkman Center Fellow and Harvard Law School Lecturer Sam Bayard's "Introduction to American Law," offered to L.L.M. students; and "Evidence," and "The American Jury," taught by Professor Nesson; and "Copyright," taught by Professor Fisher.

- At Harvard College: "Cyberspace in Court: Law of the Internet," a Freshman Seminar taught by Professor Malone.

- At Harvard Extension School: "Internet and Society: Technologies and Politics of Control," with Colin Maclay, Dr. Robert Faris, Berkman staffer Tim Hwang, and Harvard College student and Berkman research assistant Diana Kimball.

In the coming year, courses affiliated with the Cyberlaw Clinic will again include "Practical Lawyering," "Child Exploitation," and "Advanced IP." They also will include "Cybercrime," taught by Professor Malone; "Copyright and Trademark Litigation: TRO to the Supreme Court," taught by Lecturer Dale Cendali; and "Cyberlaw: Difficult Problems," by Professor Zittrain.

2. The Cyberlaw Clinic

The Berkman Center's Cyberlaw Clinic engages Harvard Law School students in a wide variety of real-world litigation, licensing, client counseling, advocacy, and legislative projects and cases, covering a broad spectrum of legal issues. The Cyberlaw Clinic was the first of its kind, and it continues its tradition of innovation in this area. The Clinic's popularity among students continues to grow; last year, it once again enrolled more than 35 students and had a waiting list of more than twice that number.

The Cyberlaw Clinic continued its emphasis on providing students a broad range of substantive and practice opportunities and challenging clients. Many of the Clinic's cases and projects fall into a handful of key areas, including counseling and legal guidance concerning complex open access, digital copyright, and fair use issues; litigation and *amicus* and other advocacy to protect online speech; legal resources and advice for citizen journalists; software and music licensing and contract advice, especially regarding Creative Commons and other "open" licenses; and guidance and *amicus* advocacy for effective but balanced protection of children in the areas of social networking, child pornography, and online exploitation. The new Cybercrime seminar and the Child Exploitation seminar, both being offered next year, will continue to expand the Clinic's ability to work with governmental and other clients who deal with criminal law issues involving the Internet.

Since its inception, a fundamental goal of the Cyberlaw Clinic has been to develop and leverage deep ties between academic study and research, on the one hand, and legal practice, on the other hand. The Clinic has pursued this goal, in part, through the involvement of leading practitioners in our field. To that end, the Clinic forged a new relationship last year with Cooley Godward Kronish LLP, one of the nation's leading high-technology and high-stakes litigation law firms. This innovative relationship will facilitate important collaborations between the Clinic's faculty and students and experienced practitioners from Cooley, and clinical students and Cooley

attorneys have already collaborated on work for two separate clients since the relationship was announced. In addition, starting in 2009-10, Cooley will support one Clinical Fellow per year for the next five years. Cooley's gift will enable teaching and mentoring of students on a range of litigation, counseling, and transactional/licensing projects and cases.

The Clinic's teaching team brings tremendous practice expertise to the Center. The Clinic has been directed since 2004 by Clinical Professor Phillip Malone, previously a 20-year veteran of the US Department of Justice (DOJ). Professor Malone was the senior civil service litigator on the government's antitrust case against Microsoft and helped try the antitrust case against Oracle. Last year's clinical teaching team also included Clinical Fellow and Lecturer on Law Dena Sacco, HLS '93, who will continue with the Clinic in 2009-10 as the inaugural Cooley Fellow. Ms. Sacco spent over eight years with the DOJ, first as a counsel in the Office of Policy development and then as the federal prosecutor in Massachusetts with primary responsibility for child exploitation cases. Rounding out the clinical teaching team last year was Clinical Fellow Christopher Bavitz, who spent four years at a law firm and six years in-house in the music industry before joining the Clinic in September 2008. Mr. Bavitz also plans to stay with the Clinic and to assist Professor Malone with his "Practical Lawyering" class during the 2009-10 academic year.

During the past year, the Cyberlaw Clinic continued its ongoing expansion of the number and types of clients it serves, including outside individuals, small start-ups, nonprofit organizations, professors, and government entities. At the same time, the Clinic continued its strategy of increasingly integrating Clinical student representation and legal support into the cutting-edge, public policy-oriented research projects underway at the Berkman Center. Over the last year, students provided representation to the following clients, among others:

- Citizen Media Law Project;
- Citizens Market;
- Commonwealth of Massachusetts (Information Technology Division);
- Commonwealth of Massachusetts (various District Attorney's Offices);
- Free Music Archive;
- Global Network Initiative;
- Herdict Web;
- Internet Safety Technical Task Force;
- The Law Lab;
- the National Center for Missing and Exploited Children;
- Public Radio Exchange;
- Stopbadware.org; and,
- the United States Attorney's Office for the District of Massachusetts.

A few prominent examples of cases and projects handled by clinical students last year in several of the Clinic's key practice areas include:

Litigation: The Clinic, directly and working in tandem with law firms located throughout the United States, represented individuals and organizations in connection with pre-litigation disputes and active litigation concerning a wide range of issues, including

online speech and intellectual property matters. The Clinic drafted a successful motion to quash a subpoena seeking the identity of an anonymous blogger in a state court in Maine. The Clinic responded to cease-and-desist letters on behalf of individuals and organizations (including media organizations and university professors) accused of defamation online and prepared a cease-and-desist letter on behalf of a website operator whose rights in written content were violated. And, the Clinic prepared a motion on behalf of an online media outlet seeking access to court records filed under seal during a federal legal proceeding, in an effort to support the media outlet's coverage of the pending case.

Amicus Advocacy: The Clinic submitted three *amicus* briefs during the course of the past year:

- In November 2008, the Clinic prepared a brief on behalf of a broad coalition of *amici* (including the Citizen Media Law Project, the Online News Association, Media Bloggers Association, New England Press Association, and Globe Newspaper Company, publisher of *The Boston Globe* and Boston.com) urging a broad reading of Massachusetts's anti-SLAPP law. The Clinic submitted the brief in connection with the case, *Dugas v. Robbins*, which concerned allegations of defamation against a blogger on Cape Cod. The coalition of *amici*, led by the CMLP, argued that the defendant should have been able to take advantage of the anti-SLAPP law in seeking to have claims against him dismissed even if he were deemed a member of the news media and/or received compensation for his blog posts.
- In March 2009, the Clinic represented the Citizen Media Law Project, Gannett Co., Inc., Hearst Corporation, Illinois Press Association, Online News Association, Public Citizen, Reporters Committee for Freedom of the Press, and Tribune Company, in asking an Illinois state appellate court to protect the rights of anonymous speakers online by imposing procedural safeguards before requiring that their identities be disclosed. The *amicus* coalition submitted a brief in the case of *Maxon v. Ottawa Publishing*, pending before the Illinois Appellate Court for the Third District. Plaintiffs sought the identities of anonymous commenters on a local newspaper website. *Amici* urged the appellate court to join the growing consensus among courts nationwide by holding that a party must demonstrate that its underlying claim has merit before a court requires the disclosure of an anonymous online speaker's identity.
- In June 2009, the Clinic again worked with CMLP, as well as the Reporters Committee for Freedom of the Press, in the case of *The Mortgage Specialists, Inc. v. Implode-Explode Heavy Industries, Inc.* The case involved a mortgage industry website that posted a New Hampshire Banking Department document, obtained from an anonymous source. A lower court granted the plaintiff mortgage company's requests for an order requiring that the document be removed from the website and that its anonymous source be identified. In a brief addressed to the New Hampshire Supreme Court, the *amici* raised constitutional concerns relating to prior restraints on speech under the First Amendment and protection for anonymous sources.

Child Protection and Youth Online Safety: Clinical students played a major role in carrying out the Berkman Center's work on the Internet Safety Technical Task Force, which brought together a wide range of companies, state law enforcement agencies, and advocacy groups interested in the promotion of youth online safety. Students also drafted briefs and sentencing memoranda for the U.S. Attorney's Office and for District Attorney's offices in child pornography and other child exploitation cases involving an Internet component; prepared materials for District Attorney's offices relating to the admissibility of video evidence at trial and to the investigation of digital evidence; prepared memoranda on topics relating to child pornography for the National Center for Missing and Exploited Children; drafted a sample sentencing memorandum for use in child pornography cases for District Attorney's offices; and prepared and presented materials to school administrators and to parent groups regarding computers and youth online safety.

Intellectual Property: Clinical students addressed a wide range of intellectual property issues – including copyright and trademark questions – for a number of clients during the past year. The Clinic advised a research and advocacy organization on open source licensing options for a software tool and counseled a number of entities involved in distribution of music and other media on content licensing questions (including questions about Creative Commons licenses). Clinical students also worked closely with Public Radio Exchange (PRX) in connection with the development of the Public Radio Player iPhone application, drafting agreements and advising on IP questions relating to the project.

3. Participation of Students in Program Activities

In addition to the Cyberlaw Clinic and course offerings, we seek to engage students through academic year research assistant positions, summer internships, and weekly events. This past year saw over 160 students actively involved across our program areas. Students played extensive roles in the substantive work of most of the Center's projects and Fellows' work, performing primary research, helping construct legal and other research papers, assisting with blogging and outreach, and writing code for research platforms and tools. In the fall, we hosted a packed open house at our satellite office in Harvard Square, drawing attendees from universities throughout the Boston area. During the academic year, we often coordinate and cooperate with the Harvard Journal of Law and Technology on events. This summer, Berkman hosted nearly 40 student interns who worked full time for ten weeks; students were from Harvard and dozens of other colleges and universities. As with our fellowship program, we have seen a dramatic increase in interest in both academic and summer positions. Our summer program received upwards of 275 applications for 30 positions, from schools such as Harvard, Yale, MIT, Brown, Duke, NYU, Columbia, Vassar, Wesleyan, Princeton, Northwestern, UPenn, USC, and Stanford.

4. Curricula and Materials Development

Copyright for Librarians is an ongoing project to create an online curricular resource aimed at helping librarians in developing and transitioning countries to deepen their understanding of copyright law in order to best serve their communities. Initiated and led by Professor Terry Fisher, and conducted in collaboration with the Electronic International Federation of Libraries (eIFL), Fellow Melanie Dulong has integrated the contributions of HLS students, interns and

internationally renowned experts over the past two years. The effort has created a rich online resource for learning copyright, which will be inaugurated by Prof. Fisher and eIFL staff in September 2009 in Uganda.

Led by John Palfrey and Urs Gasser, the Digital Natives project continued the development of the **Creative Rights** copyright curricula, a web-based space designed to educate and engage youth about concepts of creativity, copyright law, and the public domain. Contingent upon funding, Creative Rights will be released and piloted with local middle schools in the coming year.

This year the Center for Computer-Assisted Legal Instruction (CALI) opened the **Legal Education Commons**, where law professors can exchange and access teaching resources under Creative Commons licenses. The Legal Education Commons makes over 700,000 court documents, drawn from public.resource.org, available to legal educators. In addition, CALI has donated 300 original illustrations from its popular online tutorials, "CALI Lessons." The opening of the Legal Education Commons was a key step toward CALI's project, begun with Berkman Fellow Gene Koo in June 2007, of creating a teaching materials commons for law school professors to create, remix, and publish casebooks and course packs for their students. [http://w.cali.org/lec]

Freedom to Teach: Claiming Educational Fair Use
Fellow Lewis Hyde is developing a project that will culminate in the widespread circulation of a Statement of Best Practices regarding fair use for teachers and scholars in higher education. The development of a Statement of Best Practices will help draw to the surface and articulate a consensus in the academic community about the scope and limitations of user rights in a contemporary culture that is, on the one hand, increasingly participatory and technologically innovative and, on the other hand, increasingly marked by the expansion and tightening of traditional copyright.

B. Law Reform, Impact, and Advocacy

The Internet Safety Technical Task Force, which was launched in February 2008 under Berkman's leadership, completed its work by presenting its Final Report to the Attorneys General in December 2008. The formation of the Task Force, comprised of more than 20 leading Internet businesses and organizations including AOL, AT&T, Comcast, Facebook, Google, Microsoft, MySpace, NCMEC, Symantec, Verizon, Yahoo!, and others, was a central element of the Joint Statement on Key Principles of Social Networking Safety announced in January 2008 by MySpace and the Attorneys General Multi-State Working Group on Social Networking. The ISTTF brought together Berkman work on Digital Natives with the expertise of the Cyberlaw Clinic, providing legal and strategic guidance to the Task Force as it focused on identifying effective online safety tools and technologies that can be used by many companies across various technical platforms.

In addition to *amicus* efforts in conjunction with the Cyberlaw Clinic, this year the Citizen Media Law Project (CMLP) has prepared to launch a *pro bono* legal network for online media ventures:

the **Online Media Legal Network**. More information on the CMLP's activities this year can be found in the Ongoing Projects section, below.

C. Research and Scholarship

1. New Projects

Broadband Review. Under the leadership of Yochai Benkler, the Center is developing an independent expert review of existing literature covering broadband usage, deployment, and policy. This review will provide substantial academic and conceptual support for the formation of the FCC's National Broadband Plan, set to be unveiled in February 2010. This project is supported by the Ford Foundation.

Children and Virtual Safety in Developing Nations. Under the Children and Virtual Safety Project, UNICEF and the Berkman Center are engaging in early stage research pertaining to young people in the developing world and virtual safety, focusing on youth media messaging, online safety, and educational messaging. It extends and complements our research on Digital Natives generally and Youth Policy specifically, the interaction between digital technologies and learning, and our longstanding interest in information and communication technologies in a developing world context.

Circumvention Tool Analysis. This project is designing and conducting research aimed at understanding the barriers to the effective propagation of censorship circumvention tools. In 2007, the Berkman Center completed a year long technical study of ten of the most sophisticated and interesting filtering circumvention tools, in which we found significant, mostly unreported performance and security problems with all of the studied tools. We are building on that work by undertaking two complementary lines of research: one exploring the usage of circumvention tools and the other exploring the technology of the tools being used.

Impact of the Internet on Russian Politics, Media, and Society. This is a two-year project to investigate the impact of the Internet and the networked public sphere on Russian politics, media and society. The research project will study the influence and interaction of civil society, private sector, and government actors as they contribute and seek to shape online discourse and information, and the impact of these activities on Russian political and social life. It represents an ambitious attempt to integrate many of our research methods and platforms in order to better understand one particular – and complicated – country.

Law Lab. After launching in Fall 2008, the Kauffman Foundation-supported Law Lab focused on developing its core team, led by Yochai Benkler, John Clippinger, Urs Gasser and Oliver Goodenough and initiating work on key research tracks, including new finance models, evolvable contracts, and crowdsourcing online dispute resolution. It is complemented by the development of an online experimental platform for large-scale social science research that will both inform these activities and ultimately be made available to other researchers. Via a laboratory approach that is supported by empirical analysis and a growing network of partners, the Law Lab investigates the varied forces — evolutionary, social, psychological, neurological and economic — that shape the role of law and social norms as they enable cooperation,

governance, and entrepreneurial innovation. A key facet of the Law Lab's work is to leverage its academic research outputs towards fostering concrete applications for law, business, and education. The Law Lab also launched its communications website and its speaker series this spring, with presentations by Ashifi Gogo and Richard Susskind, among others. Spring events also included workshops on Cloudlaw, crowdsourcing online dispute resolution and digital corporations. [http://lawlab.org]

Youth and Media Policy Working Group Initiative. This project builds upon the Internet Safety Technical Task Force chaired by John Palfrey in 2008. That report garnered significant attention and spurred the MacArthur Foundation to support Berkman's expansion of our scope of research to influence policy makers on the issue of safety as well as privacy and intellectual property/creativity. The working group will operate on three separate tracks (safety, privacy, creativity). Each track will: map and analyze the key policy aspects that deserve attention by private and public policy-makers; **s**ummarize the current state of knowledge and research; and**,** identify key policy considerations and, to the greatest extent possible on a compressed timeline, make specific policy recommendations.

2. Ongoing Projects

Chilling Effects, founded by Fellow Wendy Seltzer in 2001, provides an online clearinghouse for analysis and response to cease-and-desist notices sent to Internet users in order to track the notices' impact on First Amendment rights. Chilling Effects has expanded its reach beyond the Berkman Center and Harvard Law School, and is now a joint project of the Electronic Frontier Foundation and several law school clinics across the country. As of June 2008, Chilling Effects serves between 1.7 and 2 million visitors a month, in notices linked from missing search results, news stories, and blogs. They have also shared data, news updates, and analysis with the **Citizen Media Law Project**. [http://www.chillingeffects.org/]

Co-sponsored by the Center for Citizen Media, led by fellow Dan Gillmor, and the Berkman Center, the **Citizen Media Law Project** (CMLP) provides legal training and resources for individuals and organizations involved in citizen media. With funding from the Knight Foundation and Philip L. Graham Fund, fellows David Ardia, Sam Bayard, and Kimberley Isbell have accomplished a great deal this year, including:

Legal Threats Database: CMLP continued to maintain its Legal Threats Database, a catalog of the growing number of lawsuits, cease-and-desist letters, and other legal challenges faced by those engaging in online speech. As of July 2009, the database included 709 published entries from 41 states and 12 countries.

Publication of CMLP Legal Guide Materials and Training Videos: CMLP continued to publish legal guide materials on a range of topics relevant to citizen media creators and other online publishers. During the fall of 2008, CMLP developed research guides on state laws regulating recording activities at polling places and created a video primer on the subject for YouTube's "Video Your Vote" project, which launched in October 2008. CMLP also created new guide materials on Section 230 of the Communications Decency Act, which provides legal protections for website operators and other interactive computer services for publishing third-party content. As part of YouTube's Reporters' Center project, CMLP released two additional

training videos on the newsgathering and privacy issues citizen reporters are likely to face when covering the news.

Consultation, Assistance, and Referrals: Lawyers and clinical law students at CMLP have provided legal assistance, consultation, and lawyer referrals to individuals and organizations that operate citizen media sites. In addition, CMLP has made significant progress towards the launch of its *pro bono* legal network for online media ventures. The network, named the Online Media Legal Network (OMLN), is scheduled to launch in mid-September 2009 with an initial client base composed of previous years' recipients of grants from the Knight Foundation's News Challenge. CMLP has received a positive response from those private practice attorneys that have been contacted about participation in OMLN so far, and we expect to have a number of prominent national firms included among OMLN's membership.

Amicus Efforts: For more information on CMLP's efforts to organized media coalitions and their contributions to a number of *amicus curiae* briefs on topics of importance to online media, please see the above section on the Clinical Program. [http://www.citmedialaw.org/]

The Cooperation Project has had a solid year of progress, with three major milestones emerging from the work this year. First, led by Berkman Fellow Aaron Shaw, the Project has been in the process of developing an unprecedented method of social science research through leveraging Amazon Mechanical Turk -- a massive online distributed labor market. This enables the team to efficiently process the large number of observations necessary to make broad, landscape statements about the state of cooperative behavior online. Second, in an effort to systematize large scale data collection about collaborative structures in online spaces, the project has produced and pilot tested a "codebook" of a hundred different features we're interested in exploring. Using the methods developed by Aaron, we're looking to extract information from our database of over 2000 websites in the coming year. Finally, our team of research assistants has been actively involved in the production of a series of more qualitative deeper dive studies on the design of social systems online and what makes them tick. Three of them -- on Wikipedia, Kiva, and collaborative hospitality websites -- are set to be published online at the end of the summer. [http://cyber.law.harvard.edu/research/cooperation]

The **Industrial Cooperation Project** (ICP) is one of the tracks of the Cooperation Project led by Professor Yochai Benkler. The ICP is coordinated by Berkman Fellow Carolina Rossini, and is focused on creating a conceptual map that enables researchers to: (a) standardize observations across sectors; (b) represent conceptually and visually the relevant attributes of players in each sector, and their changes over time, if any; and (c) identify whether industry practices have shifted toward more or less cooperative frameworks over time. This year, the team focused on four major sectors that will likely have significant impact on global development and welfare: biotechnology; alternative energy; educational materials; and telecommunications. These industries were mapped in terms of the degree to which open and commons-based practices were used as compared to proprietary approaches. In the next phase, the research on the first four sectors will deepen and two more fields are being added: food security and sustainability. [http://cyber.law.harvard.edu/research/cooperation/institutionalcases]

Led by John Palfrey and Urs Gasser, the **Digital Natives** project encompasses an array of research on youth and technology. The first major output from the project, Palfrey and Gasser's

acclaimed *Born Digital: Understanding the First Generation of Digital Natives,* was published in September 2008. Its release was accompanied by a series of student intern-created videos exploring the themes and issues of the book. Professors Palfrey and Gasser traveled and spoke extensively in support of the book's publication. The extensive research for *Born Digital* demonstrated a need for sensible copyright curricula for youth. Accordingly, the project wrote a white paper that grounds the development of Creative Rights, a curriculum on licensing and fair use for middle school-aged children (see the Curricula and Materials Development section, above). Creative Rights will be piloted in the coming year. In addition, this year Center began two new projects focused on youth and technology (see New Projects, above): **Children and Virtual Safety in Developing Nations** and **Youth and Media Policy Working Group Initiative**. [http://www.digitalnative.org]

After over three years of engagement, **The Global Network Initiative** (GNI) launched publicly this fall. The GNI is a new form of digital institution with an associated set of norms and a governance mechanism designed to respond to increasing government efforts to force the ICT sector to engage in Internet censorship and provide access to users' personal data. In cooperation with technology companies, investors, academics, and rights groups, Berkman has helped design and lead this coalition, which guides companies, stakeholders, and governments in confronting the complex policy challenges arising from the globalization of information and communications technologies, and helps them to protect and promote online freedom of expression and privacy. In addition to participating in the drafting of the principles, implementation guidelines, and governance, accountability, and learning structure, Berkman has played an active role in leading international outreach efforts; contributing to shared learning activities focused on the complex issues surrounding Internet filtering, censorship, and surveillance; and hosting related events. Berkman community members, led by Managing Director Colin Maclay, also participated in a number of GNI public events, including sessions on the GNI at: "The Soul of the New Machine," UC Berkeley's conference Human Rights, Technology, & New Media, the inaugural Yahoo! Business and Human Rights Summit; and NYU Law School. With new support from the Bradley Foundation, Berkman will continue to be active in the GNI process by supporting ongoing organizational development; serving as a key research and learning partner to the Initiative, and learning from the GNI as an innovative digital institution that seeks to address gaps where law and policy are ill-suited.
[http://cyber.law.harvard.edu/research/principles]

The brainchild of Jonathan Zittrain, **Herdict Web** – a portmanteau which means "the verdict of the herd" – celebrated its public launch in February of this year. By crowdsourcing reports of Web site inaccessibility around the world, Herdict Web provides a real-time view of Internet filtering. Since its launch, Herdict Web has received over 32,000 reports from users in 125 countries. In addition to the English site, Herdict Web is available in Arabic and Chinese, with Persian and Russian versions coming soon. Recent online crackdowns in China sparked a *Newsweek* report, "When China (once again) began blocking YouTube back in march over video of Tibetan protests, Herdict was among the first to know as reports came flooding in from the field." Herdict reports have also documented Internet censorship during the Iranian election and the blocking of WordPress in Guatemala. The submitted data has been cited in the *Financial Times*, *the BBC* and the *Wall Street Journal*, among numerous others. [http://www.herdict.org]

The **Internet and Democracy Projec**t undertakes research and builds community around the study of the impact of the Internet on democracy – broadly conceived – globally, with a focus on the Middle East. This year the project produced multiple case studies (see Publications, below), on the relationship between technology and democracy. This included a widely publicized study of the Arabic blogosphere, three cases on e-voting and e-government in Switzerland, a study of technology's role in Kenya's election violence, and a paper on Internet-driven protests in Burma. The project also convened a series of US and international research meetings in collaboration with partners such as the Oxford Internet Institute and the US Institute of Peace. The project maintains a number of online informational resources including a frequently updated blog, interactive blogosphere maps, syllabi, a tools database, links, and RSS feeds.   The Internet & Democracy Project is transitioning from a project with a global scope but Middle East focus to a project working primarily on Russia (see New Projects, above): **Impact of the Internet on Russian Politics, Media, and Society**
[https://cyber.law.harvard.edu/research/internetdemocracy]

Media Cloud. Led by Yochai Benkler and Fellows Ethan Zuckerman, Hal Roberts and Steve Schultze, the Media Cloud project is an open research platform that collects online news and blog data, tags the content with keywords, and allows it to be sorted later to address core research questions related to the impact of new digital media formats on traditional forms of journalism and online news-gathering. Key questions include: is there greater individual autonomy within the new media space, and has that led to greater empowerment? Have gatekeepers truly been removed, or just replaced? Is a new type of political behavior made possible by the distributed collaboration allowed by the Internet? How does filtering for accreditation and political relevance occur? In the past year, the team developed a working system and developed additional analysis tools. Media Cloud continues to expand its functionality, and will support research within the Internet & Democracy project. This summer, the project attracted several talented Google Summer of Code students, who built several useful new components. The project was also recently profiled in the *New York Times*. Going forward, Media Cloud will also release portions of its data set for other researchers to explore.
[http://www.mediacloud.org/]

The **OpenNet Initiative** (ONI) is in its fourth year of a MacArthur Foundation grant and continues to identify and document Internet filtering and surveillance. ONI remains the preeminent source of information on Internet filtering and surveillance globally. Following the release of ONI's first global study, *Access Denied*, the project has focused on carrying out a second global survey of Internet filtering and content control, expanding coverage to over 60 countries. The study will be published in part as a follow-up volume, *Access Controlled*, on shelves in February 2010. [http://opennet.net/]

An additional grant from the MacArthur Foundation supports an extension of ONI research into the area of government **surveillance**. The research focuses on exploring the methodological alternatives for a more systematic and rigorous study of surveillance around the world, documenting the extent of surveillance from available evidence and convening human rights activists, technologists and policy researchers to share information and contribute to the research. The project draws on several methodological approaches, including research into surveillance technologies, analysis of regulatory frameworks, the role of private actors in data

acquisition and comparative mapping of national-level Internet infrastructure. [http://cyber.law.harvard.edu/research/surveillance]

ProjectVRM is a community-driven effort led by Fellow Doc Searls. VRM stands for Vendor Relationship Management. The VRM community is working to create tools that enable customers to become independent of vendor lock-in, and better able to engage with vendors -- on customers' own terms. The VRM community has grown in size and range of activity over the last year. Berkman-hosted workshops were held on both coasts of the U.S., with additional gatherings in the U.K., the Netherlands and elsewhere. Work led by Doc began on open source VRM components for listening to online radio and music -- and to enable listeners to pay voluntarily and easily for otherwise free media goods. (This work is partly funded by grants through PRX from the Corporation for Public Broadcasting and the Surdna Foundation.) [http://cyber.law.harvard.edu/projectvrm/Main_Page]

As established governing bodies of various kinds explore new rules on the Internet, the Net continues to have its own "constitutional moments," including many that are bottom up. **The Publius Project** is an effort to understand how the Internet is actually governed and where its future lies. The platform convenes a distinguished collection of Internet observers, scholars, innovators, entrepreneurs, activists, technologists, and other experts to write short essays, to foster an ongoing public dialogue and to create a durable record of how the rules of cyberspace are being formed, potentially impacting their future incarnation. In its second year, Publius launched a new website, which focuses on specific thematic areas related to the impact of decision-making processes – whether via Web 2.0 technologies, international organizations, or business models – on the creation of new norms and rules for behavior online. In its latest incarnation, the project is soliciting relevant op-ed style pieces from Berkman guests, affiliates, and events participants, as a means to provoke dialogue in the lead-up to events and to continue conversations into the future. This new focus yielded a set of interesting pieces associated with our Internet and Politics 2008: Moving People, Moving Ideas conference, in addition to multiple op-eds associated with the newly-launched Law Lab. [http://publius.cc/]

Launched in 2003 with Fellow Jake Shapiro at the helm, the **Public Radio Exchange** (PRX) has become the premier digital clearinghouse for public radio and a leading platform for fostering the communities in which public media thrives. PRX links independent producers, local stations, and listeners, helping to surface new voices and to aggregate, promote, and rate fresh content. PRX has distributed over 50,000 pieces to stations, bringing independent radio to millions of listeners (and generating over $1M in royalties to producers). Some PRX notable accomplishments this year include: the launch of PRX 3.0, the completely redesigned and rebuilt web application that powers the PRX marketplace; Remix Radio, PRX's new channel showcasing new voices and creative stories; and, the Public Radio Player the highly acclaimed iPhone app, created by PRX in partnership with NPR and other public radio networks, and supported by the Cyberlaw Clinic, that is now approaching 2M downloads and reached #1 in the app store earlier this year. PRX is also partnering with Doc Searls and VRM (see description below) on using the project to test new approaches to listener contributions to public radio. This year Jake has been an active participant in a variety of CPB and foundation-convened discussions on "public media 2.0" -- a growing policy momentum towards redefining public broadcasting for the digital age. [http://www.prx.org/]

StopBadware.org (SBW) is a collaborative effort to collect, synthesize, and disseminate new knowledge about badware: viruses, spyware, and other bad software. Supported by Google, PayPal, Mozilla, and other organizations, the project has recently focused its efforts on the web-based distribution of malware. This focus is evident in the project's Badware Website Clearinghouse, a database of malware sites reported by both corporate data providers and individual contributors, and in its online support community, BadwareBusters.org, where volunteers assist website owners and other Internet users with malware removal and prevention. SBW is now working to broaden its support base with an eye towards a possible spin-off in the future. Establishing a standalone organization will give SBW the space to broaden its reach and scale its efforts, but the team expects to maintain close ties to the Center. [http://stopbadware.org/]

3. Selected Independent Scholarship.

The majority of Berkman's scholarship occurs within the context of our projects, which leverage collaboration and reflect the collective input of our project teams and wider community. While most fellows committed the majority of their research efforts to Center-wide initiatives, many also pursued independent projects during their fellowship term. A few examples include:

Dariusz Adamski is currently an Assistant Professor at the Research Center for Legal and Economic Issues of Electronic Communication Law Faculty in Wroclaw, Poland. He was a Fulbright fellow at the Berkman Center during the 2008-2009 academic year. During that time, he worked on the broadband stimulus policy ("Broadband Stimulus Policy in Europe and the US: A Comparative Review," *New York Law School Media Law & Policy* 18) and the Google Books Settlement ("Google, the Guilds, and the Reading Public: Settlement is Code is Law?" *New York Law School Media Law & Policy*, forthcoming). Most of his time in Cambridge, however, was devoted to studying the role of law in IT enabled democratic processes. A book on this topic, "Information Technologies, Democracy and Constitutionalism," is scheduled for publication in 2011.

Michael Best has continued his work with computers and the Internet in West Africa. His work in Liberia is exploring the role of rich new media in post-conflict healing and reconciliation through on- and offline systems and policy interventions. Best's group was recently highlighted by the spokesperson for the Government of Liberia as the nation's closest international university partner. In a new collaboration between the Berkman Center and Georgia Tech, Best is co-leading an initiative in Nigeria to examine the role of computers and the Internet among civil society groups. Plans are maturing on how best to use the Net to enhance civic participation and poll monitoring for the national elections in 2011. Finally, Best launched a new initiative in Ghana examining forms of collaborative knowledge sharing among users of cybercafés with the ultimate goal of designing systems that encourage the best forms of collaboration and sharing.

This year, **danah boyd** finished her PhD at the UC Berkeley School of Information. Her dissertation, "Taken Out of Context: American Teen Sociality in Networked Publics," is an ethnographic account of how American teenagers have embraced different genres of social media as part of their everyday lives and how such technology has inflected the ways in which

teens navigate identity, peer sociality, and adult worlds. She is currently working to translate this work into a book intended for broad audiences. In addition to the completion of this tome, danah traveled extensively to speak about her work to broad audiences, from parents and museum organizers to politicians and scholars. Her most controversial talk, "The Not-So-Hidden Politics of Class Online," invited politicians and community organizers at the Personal Democracy Forum to reflect on the ways in which technology reproduces social divisions that exist in everyday life and consider how the choice to connect with constituents through a specific channel may be a political move that plays into issues of social stratification. She has also begun a research project on how people are using Twitter. She continues to blog and tweet extensively.

Eszter Hargittai worked on her book about the skill divide in Internet use while also assisting many Center projects. She made significant progress on the book via the invaluable advice received from members of Berkman's Book Group. Eszter gave several talks across campus on this work including ones at FAS, the Graduate School of Education and the Kennedy School. She was also invited to speak at over a dozen national and international events (including talks in Qatar, Greece, France and Switzerland). One of her papers written at Berkman "Facebook and Academic Performance: Reconciling a Media Sensation with Data" published in *First Monday*, co-authored with Josh Pasek and eian more, received wide media coverage. Eszter's paper "Cross-Ideological Discussions among Conservative and Liberal Bloggers" – a paper often cited by Faculty Director Yochai Benkler and HLS faculty member Cass Sunstein – published in 2008 in *Public Choice* co-authored with former students Jason Gallo and Matthew Kane received the Best Paper Prize of the American Sociological Association's Communication and Information Technology section. The paper on "Trust on the Web: How Young Adults Judge The Credibility of Online Content" co-authored with students Lindsay Fullerton, Ericka Menchen-Trevino and Kristin Thomas received the Top 2 Faculty Paper distinction from the Communication and Technology Division of the International Communication Association. Eszter met regularly with various Faculty, Fellows and Staff to advise their projects (e.g., Yochai Benkler's study of participatory Web sites and John Palfrey's Russia project). Eszter also completed work on her forthcoming edited volume *Research Confidential* (University of Michigan Press) that looks at the behind-the-scene details of how empirical social science gets done. While at Berkman, Eszter received funding for a project on health information seeking. In the realm of teaching, she worked with Colin Maclay and John Palfrey to develop plans for a seminar on social science methods and the Internet to be offered this coming year.

Lewis Hyde's book, which defends the cultural commons, will be done by the end of this summer. Currently titled *Common as Air: Revolution, Art & Ownership*, the book interrogates the proprietary model of cultural ownership by offering offers a series of alternatives drawn mostly from the founding generation in the United States (Franklin, Adams, Jefferson, Madison, etc.).   Farrar, Straus & Giroux will bring the book out in August or September of 2010. Lewis' project, "The Freedom to Teach: Claiming Educational Fair Use," continues the search for funding. Kenyon College in Ohio has agreed to serve as the focus of research into faculty use practices, and the Modern Languages Association has accepted a proposal for a panel discussion of the "best practices" model to be held at its national meeting in Philadelphia next December.

Jason Kaufman spent this year leading a five-person research project funded by the National Science Foundation. The project involves the collection, collation, and analysis of four waves of

longitudinal data from a single college cohort of Facebook.com user profiles. This past year, he focused on: supervising completion of the final wave of data collection; preparing a version of the dataset for use by research scientists; and, conducting research on the connections between cultural tastes ("favorite movies" e.g.) and connections (Facebook friends and 'picture' friends) with Kevin Lewis, a graduate student in sociology at Harvard. He notes that his biggest challenge, by far, has been learning about the legal and computational details of internet privacy protocols. Challenges to his team's use of a public dataset resulted in a greatly improved data package. They are currently finalizing details of that package and preparing to selectively release the data to qualified research scientists in the coming months.

Beth Kolko wound down her sabbatical and returned to the University of Washington. Her research group, Design for Digital Inclusion, published eight articles this year based on their ongoing research on Internet, mobile phones, and media use in Central Asia; a ninth co-authored paper is in press. She also worked closely with colleagues in the UW computer science department to prototype a grassroots public transportation information system called *bus (Starbus). She took a group of ten students and researchers to Kyrgyzstan in March where they conducted interviews to better understand why Internet adoption rates continue to be low despite growing availability, and the team also conducted usability studies of the transportation system (a blending of SMS and GPS capability with Frontline SMS-like software) and an SMS-based social network information directory system. She gave short talks at Toorcon and Gnomedex, attended FooEast in Boston, presented three papers at the ICTD conference in Doha, and sent students to present work from the research group at conferences in Hawaii and Greece. She also began serving on the Center for Advancement of Informal Science Education Infrastructure Inquiry Group.

Carolina Rossini coordinates the Industrial Cooperation Project, under the leadership of Faculty Co-Director Yochai Benkler. This project builds on work on innovation and intellectual property policy, and specifically focuses on the political economy of intellectual property, knowledge governance, and open licensing strategies for cooperation. She is currently writing papers on defensive publishing of data and the building of the public domain; capacity building around open and cooperative innovation for development; and the relationships among funders, research institutions, and the "units" of knowledge creation and local knowledge governance that are hosted inside research institutions. Carolina also coordinates a project on Open Educational Resources in Brazil, with the Open Society Institute, on the creation of an open educational resources policy. Carolina is a regular speaker on innovation policy, cooperation, and open education.

In addition to his work with ProjectVRM, **Doc Searls** joined with David Weinberger and two other co-authors to add fresh chapters to their bestselling book, *The Cluetrain Manifesto*, which was released as a 10th Anniversary Edition in June 2009. That month, Doc and David were joined by Jonathan Zittrain for an open forum at Harvard Law School titled "Cluetrain at 10: So How's Utopia Working Out for Ya?" Doc also began work on a new book titled "The Intention Economy: What Happens When Customers Get Real Power," which was also the title of Doc's Berkman Luncheon talk in March 2009.

Eric Von Hippel had two major foci for his work this year. First, in partnership with colleagues and representatives from the OECD, the European Commission and others, he worked on creating statistical measures for governments to use to better measure the extent of innovation by users in both industrial and consumer product categories. This resulted in two empirical studies reported in Research Policy (September) and an MIT Sloan School of Management Working Paper (January). He also conducted research focused on better understanding the implications for governmental policy when economies shift from producer-centered to user-centered innovation paradigms. Related publications in 2009 include: "The major shift towards user-centered innovation: Implications for China's innovation policymaking" in the *Journal of Knowledge-based Innovation in China* (January), and "Democratizing Innovation: The Evolving Phenomenon of User Innovation," in the *International Journal of Innovation Science*.

David Weinberger focused on two writing projects this year. The first is a long-term inquiry at the end of the Information Age that looks at how the uber-technical redefinition of the term "information" by Claude Shannon in 1948 led to information being taken up by our culture as the very stuff of consciousness and existence. The second is a book about the effect of the Net on expertise. Its hypothesis is that not only are webs of experts doing much of what we used to look to experts for, but expertise is taking up many of the properties of the network. Also this past year, David has been fairly involved in issues of Internet governance, Internet and politics and democracy (including being a Net policy adviser to Presidential candidate John Edwards), and Internet and marketing. He keynoted quite a few conferences, many of them in Europe. He continues to consult (mainly *pro bono*) to startups and occasionally and informally with e-gov advocates in the new administration.

4. Publications

In addition to John Palfrey and Urs Gasser's major book, ***Born Digital***: *Understanding the First Generation of Digital Natives,* and the 10th Anniversary Edition of the bestselling book, ***The Cluetrain Manifesto***, by Fellow David Weinberger, Fellow Doc Searls, Chris Locke, and Rick Levine, publications from this year include:

- "2007 Circumvention Landscape Report: Methods, Uses, and Tools," a major paper on **circumvention** of Internet filtering by Hal Roberts, Ethan Zuckerman, and John Palfrey. The report was completed in 2007 and released to a group of private sponsors. Subsequently, responses were incorporated into the report from the developers of the tools that were analyzed. The report's public release was motivated by the ongoing validity of its broad conclusions and the authors' desire to share their testing methods.
- "Dynamic remodeling of in-group bias during the 2008 presidential election," by David G. Rand, Thomas Pfeiffer, Anna Dreber, Rachel W. Sheketoff, Nils C. Wernerfelt, and Yochai Benkler, the first formal output from the **Cooperation** research group, published in *Proceedings of the National Academy of Sciences* in April.

- Six case studies from the **Internet and Democracy Project** on how technology affects democracy:
    - o   "The Role of the Internet in Burma's Saffron Revolution," by Mridul Chowdhury;

- o "Digitally Networked Technology in Kenya's 2007-2008 Post-Election Crisis," by Joshua Goldstein and Juliana Rotich;
  - o *Three Case Studies from Switzerland:* "Smartvote," "Electronic Voting," and "Political Communication," by Urs Gasser, James Thurman, Jan Gerlach, and Richard Staeuber;
  - o "Mapping the Arabic Blogosphere: Politics, Culture and Dissent," by Bruce Etling, John Kelly, Rob Faris, and John Palfrey.

- "Enhancing Child Safety and Online Technologies: Final Report of the **Internet Safety Technical Task Force** to the Multi-State Working Group on Social Networking of State Attorneys General of the United States," delivered to the 52 Attorneys General in December, 2008, and publicly released in January, 2009. The report was authored by Task Force Chair John Palfrey, Co-Directors Dena Sacco and danah boyd, and Technology Advisory Board Chair Laura DeBonis. It will be published as book by Caroline Academic Press later this year.

- An overview paper, seven "issue" papers, and four case studies, the culmination of the Berkman Center's year-long project, **Media Re:public: News and Information as Digital Media Come of Age**:
  - o *Overview paper:* "News and Information as Digital Media Come of Age," by Persephone Miel and Robert Faris)
  - o *Issues:* "International News: Bringing about the Golden Age" by Ethan Zuckerman; "Principles for a New Media Literacy" by Dan Gillmor; "Public Broadcasting and Public Affairs: Opportunities and Challenges for public broadcasting's role in provisioning the public with news and public affairs" by Pat Aufderheide, Jessica Clark, with editorial participation by Jake Shapiro; "Digital Media, Democracy and Diversity: an Imperfect Discourse" by Ernest J. Wilson III; "Pride of Place: Mainstream Media and the Networked Public Sphere" by John Kelly; "Editors -– the best is yet to come?" by Tom Stites; "A Typology for Media Organizations"
  - o *Case studies:* "iReport: Participatory Media Joins a Global News Brand"; "The Gothamist Network: Gateway to Local News?"; "The Forum, Deerfield, NH: Seeking Sustainability in Hyperlocal Journalism"; "The Chi-Town Daily News: Creating a New Supply of Local News"

- The **OpenNet Initiative**'s "China's Green Dam: The Implications of Government Control Encroaching on the Home PC," a bulletin published in June by Rob Faris, Hal Roberts and Stephanie Wang, with contributions from a large number of OpenNet Initiative team members. The brief provided technical and substantive analysis of the Green Dam software mandated by the Chinese Government.

- Individual members of the Berkman community published in legal and other journals and forums over the last year. Many examples are provided in the Selected Individual Scholarship section, above. Other examples include law journal articles such as "The public and the private at the United States Border with Cyberspace," by John Palfrey (*Mississippi Law Journal* 78.2) and "Parallel Search, Incentives and Problem Type:

Revisiting the Competition and Innovation Link," by Karim Lakhani, Kevin Boudreau, and Nicola Lacetera (Harvard Business School Technology and Operations Mgt. Unit Research Paper 1264038).

D. Communications and Digital Media

The Berkman Center's communications are an important component of our commitment to access to knowledge and the public good, as well as a driver of our community' growth.

During 2007-2008, the Center's tenth anniversary year, our communications team aggressively pursued relationships with media outlets and invested in network-building and enhancement of outreach processes. These activities provided a foundation for this year's focus on **research and resource releases**, which accounted for two thirds of the approximately 30 large announcements made in 2008-2009. Communications staff undertook publicity and community development efforts around many releases, often in conjunction with external partners. Examples include the publication of John Palfrey and Urs Gasser's *Born Digital: Understanding the First Generation of Digital Natives* (with Basic Books)*,* the final report of the Internet Safety Technical Task Force (with the Congressional Internet Caucus), the launch of Herdict Web (with the OpenNet Initiative and Global Voices Online communities), and the publication of the Internet & Democracy project's study of the Arabic blogosphere (with the United States Institute of Peace). Significant mainstream and new media coverage resulted from these and other releases this year.

Our communications efforts have yielded tremendous attendance at Berkman events, as well as an increase in the number of requests for comment from faculty and fellows, who are quoted daily in a vast range of **news publications**. For example, when the government of China announced it would mandate a software filtering program called Green Dam on all PCs in the country, at roughly the same time that Iran was experiencing its largest protests since the 1979 revolution, a large number of Berkman faculty, fellows, and researchers were consulted by, and quoted in, a wide range of outlets, including the *New York Times*, BBC, NPR, *Wall Street Journal*, *News Hour*, *Washington Post*, *Financial Times*, *American Prospect*, and others.

Berkman's own media, including our **web presences** and **mailing lists**, continue to anchor our communications and community work. Excluding our many project-specific websites, our main site and its resources were visited approximately 5 million times in 2008, and traffic so far in 2009 is consistent with that annual total. The weekly *Berkman Buzz* doubled its rate of growth, reaching a total of more than 6,000 subscribers. Our list for outgoing research has grown from 4,900 to over 6,000. 5,800+ people receive the Center's weekly *Events and Digital Media Roundup*. Berkman's employment, special events, and *Filter* newsletter mailing lists have also continued to gain subscribers. In addition, Berkman maintains substantial beachheads in platforms such as Facebook and YouTube, where our channel is consistently in the top 100 non-profits by number of subscribers.

To support all communications and related activities, this year, Berkman geeks began development of a **custom contact management system**, dubbed Cohort, in consultation with our communications team. When complete, this open source system will comprise and sustain an

extensive database of alumni, partners, funders, event participants, internal community members, reporters, etc. (Additional information provided below in the Technical Infrastructure Support section).

In addition to research releases, the communications team also focused on improving Berkman's **digital media outputs**. Video has now been fully integrated into our digital media stream. Nearly all meetings, presentations, lectures, and other relevant events are webscast live, then archived online in a variety of formats, including open source codecs and low bandwidth audio-only versions. In some instances, the off-site audience for our discussions is larger than the in-room group and participates actively through various synchronous and asynchronous messaging systems. In addition to webcasting and archiving events-based discussions, the Center produced eight high production value video packages this year, including special interviews with Internet & Politics conference participants, promotional and instructional videos for Herdict Web (in nine languages), and three videos that were commissioned from the Citizen Media Law Project by YouTube's *Video Your Vote* and *Reporters' Center* projects. This year's special videos have been viewed hundreds of thousands of times.

Berkman Fellow David Weinberger and digital media producer Daniel Jones also resurrected **Radio Berkman** as a weekly radio-style podcast. They released 28 episodes featuring interviews with Center visitors and Berkman researchers. The podcasts resulted in a segment co-production proposal from Spark, Canadian Public Broadcasting's acclaimed technology radio program.

Our digital media stream is **syndicated** through the MediaBerkman blog, iTunes, Odeo, and further distributed through YouTube, ikbis, DotSub, and Vimeo; it is frequently resyndicated, embedded by third parties, and widely linked to by outlets such as the online technology journal *Ars Technica.* Over 475 Berkman media pieces are available online.

E. Conferences and Events

Through discussions, lectures, conferences, and other gatherings, the Berkman Center convenes diverse groups around a wide range of topics examining the Internet as a social and political space. The unique interactions generated through these events – both as process and as product – are fundamental elements of the Berkman Center's *modus operandi.*

While research and teaching are our top priorities, these auxiliary connections facilitate the continuous expansion and renewal of Berkman's core network. They also stimulate interactions with other disciplines and institutions, such that diverse perspectives – from academics, policy-makers, activists, students and technologists – can be brought to bear on the complex issues generated by the interaction between technology and society.

1. Ongoing Events and Series

The Berkman Center Luncheon Series. Every Tuesday for the past seven years, we have hosted a lunch gathering in our conference room. Each session involves a short presentation by a guest speaker or one of our community members, talking about a hard problem that emerges from his or her current work. These presentations attract a loyal following among students,

faculty and others from Harvard and beyond, are webcast live, and made available as a podcast series. Each week, the luncheon reaches about 40 people in-person, in addition to many others who follow live online, and still others who tune in asynchronously. Many important projects and scholarly works have been vetted—and impacted—early in their trajectory at the Berkman Luncheon Series. This year's luncheons featured:

- A discussion with **Jonathan Zittrain,** Berkman Center Faculty Co-Director and author of *The Future of the Internet & How to Stop It*, who discussed "The Future of the Internet in the Coming Year";
- A talk by **Ariel Hauter and Ori Neidich**, founders of the Hollywood Hill and creators of "Armchair Revolutionary", a tool that aimed to crowdsource global social change;
- A talk by **D. Sunshine Hillygus,** Assistant Professor of Government and director of the Harvard Program on Survey Research, presented on "Information Technology and Political Campaigning";
- **Andrew McAfee**, former professor at Harvard Business School and now faculty director of MIT's Center on Digital Business, talked about "Enterprise 2.0" and how organizations can incorporate the power of web 2.0 technologies into their work;
- **Ethan Zuckerman,** a Berkman Center fellow and co-founder of Global Voices Online, presented on his theory of "Mapping Globalization", which purports that understanding globalization requires new kinds of maps – not just maps of infrastructure – but maps of flows, bits, atoms, and ideas;
- **Jeff Howe,** journalist at *Wired Magazine* and author of *Crowdsourcing*, talked about "The role of non-monetary incentives in crowdsourcing and social production projects";
- A discussion with **Rebecca Mackinnon**, co-founder of Global Voices Online, Assistant professor at the University of Hong Kong's Journalism and Media Studies Centre, and former CNN Beijing Bureau Chief, on "China and the Future of the Internet"

Other luncheon speakers included **David Bollier,** Senior Fellow at the Norman Lear Center at the USC Annenberg School for Communication and co-founder of Public Knowledge; Berkman Fellow **Beth Kolko**; **Elizabeth Losh** of the University of California at Irvine; and other Berkman Center fellows, including Dan Gillmor, Director of the Center for Citizen Media, and Lewis Hyde, author of *The Gift*.

Harvard-MIT-Yale CyberScholar Working Group. The working group is a monthly forum for students, fellows, and affiliates of Harvard's Berkman Center, Yale Law School's Information Society Project, and the Comparative Media Studies Department / Future for Civic Media at MIT. Members discuss research and papers in progress. Some of this year's discussions included:

- Fellow Melanie Dulong de Rosnay and Charles Cronin presented on "Yale University Libraries, Digital Technology, and Copyright"; James Grimmelmann of New York Law School presented on "The Ethical Visions of Copyright Law".
- Benjamin Mako Hill of MIT discussed his paper on "Revealing Errors," purporting that errors offer an opportunity where "invisible" technology is thrust into view of even the least technical user; Fellow Lokman Tsui talked about "Global Voices, One World: Towards a Hospitable Public Sphere by Global Citizen Media".

Open Access Speaker Series. In partnership with the Harvard Law School Library and the Office of Scholarly Communication, the Berkman Center inaugurated a speaker series that aims

to further the discussion around open access at universities and explore emerging issues in the field.

- OA Scholar, and recently appointed Berkman-HLSL-HOSC Fellow Peter Suber gave a talk to a group of over 100 people on "What is the Future of Open Access?"
- Kenneth Crews of Columbia University presented on "Protecting Your Scholarship: Copyrights, Publication Agreements, and Open Access."

Web of Ideas. Led by Fellow David Weinberger, Web of Ideas is a discussion series that examines the effect of the web on how we understand ourselves and our shared worlds. A notable topic from this year addressed "The Wikipedia Revolution", with David interviewing Andrew Lih, author of *The Wikipedia Revolution*, which was the first narrative account of the evolution of how the website evolved. The session was taped and broadcast on CSPAN's BookTV.

Internet & Politics. In 2004, the Berkman Center held a major public Internet & Society conference that explored how technology is changing politics in the U.S. and abroad. A private, high-level group of campaign strategists, political activists and organizers, independent analysts, members of the media, academics, and students, were convened this year to examine how digital technologies reshape the practice of campaigning and the movement of political information. Notable participants included: Joe Rospars, director of new media for Obama for America; Chuck DeFeo of Townhall.com and eCampaign manager for Bush-Cheney '04; Judith Freemen, Executive Director of the New Organizing Institute; Marshall Ganz of the Harvard Kennedy School; and Steve Grove, head of news and politics at YouTube.

2. Conferences and Special Events

The Center's conferences engage students, faculty, and fellows, as well as government representatives, business leaders, and civil society through their unique tenor and approach, often touching off new collaborations. A selection from this year includes:

- *Microsoft v. DOJ:* **10 Years Later**: This major conference looked back and explored the lasting lessons and deeper meanings of the Microsoft case, and considered the implications for software and technology industries, and antitrust law and enforcement.

- With Professor Michael Stein, the Burton Blatt Institute, Disability Law and Policy Center at the University of Ireland, Galway; Global Partnership for Disability and Development, Harvard Project on Disability; and NOVA Nordic Centre of Excellence in Welfare Research, the Berkman Center hosted a "**Working Conference on Developing Disability Civil Society Through the Internet**."

- In partnership with the Harvard Law School Human Rights Program, the Berkman Center held a conference on "**From Social Network to Social Movement**," which explored questions around the points of synergy between successful social movements and robust social networks. What do today's digitally-connected social movements teach us about the relationship between networks and movements?

- In a conference series that began at the Berkman Center in 2006, **Beyond Broadcast**, a lively forum for scholars, media-makers, policy experts and programmers interested in the intersection of media and democracy, was held at USC's Annenberg School for Communication

- The Berkman Center held an open workshop in July 2009 on the **Google Book Search Settlement** which sought to bring a fresh, unique perspective to a complex and widely debated topic. The workshop examined the idea of possible alternative outcomes and offered specific proposals for scenarios that may arise whether or not the settlement is approved.

- The **Gender and Tech mini-conference**, focused on exploring a variety of academic and other interdisciplinary approaches to the relationship between gender and technology in the digital age, and their relevance to the Berkman Center's research agenda.

In addition to above series and conferences, the Berkman Center hosted around 30 **special events and a variety of guests** in the past academic year. Some examples include:

- Berkman Faculty co-director John Palfrey and Berkman Center Executive Director Urs Gasser released their book *Born Digital: Understanding the First Generation of Digital Natives* in book talks all around the country, including Cambridge, MA; San Francisco, CA; Seattle, WA; and Washington, DC. In those cities, we had a number of local partners who helped to sponsor the events. Among those were Microsoft Research, the Center for Internet & Society at Stanford University, the University of Washington, August Capital, Berkley's Center for Law and Technology, Creative Commons, eBay, the Electronic Frontier Foundation, and Yahoo.

- In October of 2008, in conjunction with the Ford Foundation, the Berkman Center hosted a major panel on "The Uncertain Internet: Core Net Values for the [TBD] Administration," with Jonathan Zittrain; Susan Crawford, (now in the Obama administration); Rich Miner, co-founder of Google's Android mobile operating system; and Alec Ross, technology policy advisor to Obama (and now at the US State Department).

- Christian Hicks, litigation consultant at Elysium Digital, discussed "Giant Robots, Circumvention, and the Digital Millennium Copyright Act" at a forum co-hosted by the Berkman Cyberlaw Clinic, the Harvard Computer Society, and the Harvard Law School Journal of Law and Technology.

- With the Harvard Alumni Association, the Berkman Center brought together a group of over 100 alumni and many others for an event on "Second Life: Open Education and Virtual Worlds" with Charles and Rebecca Nesson.

- The Berkman Center hosted a panel on "The Commons: Celebrating accomplishments, Discerning Futures", with Lawrence Lessig, James Boyle of Duke, Joi Ito of Creative Commons, Molly van Houweling, first ED of Creative Commons, and Jonathan Zittrain.

- Chris Riley of Free Press discussed "Comcast, BitTorrent, and Network Neutrality". This event was co-hosted with the Harvard Law School Journal of Law and Technology.

- The Center hosted a film screening of Peter Galison's "Secrecy", which was followed by a panel discussion with Professor Jack Goldsmith, Professor Martha Minow (now Dean of the Faculty of Law), Lecturer Robb Moss, and moderated by Professor Jonathan Zittrain.

- David Post, author of *In Search of Jefferson's Moose*, addressed questions of internet governance through a Jeffersonian lens.

- Stephen Wolfram, creator of the computational knowledge engine "Wolfram Alpha", debuted his search tool in a forum moderated by Jonathan Zittrain. In the three months, the event video has been viewed more than 150,000 times.

3. Project Events

A number of Berkman projects used events to connect with other researchers and to share and develop their work. Some examples include:

Law Lab Speaker Series. The Law Lab held various closed workshops over the course of the year to discuss research related to Cloudlaw, Crowd-sourced Online Dispute Resolution, and digital contracts. Guests are also invited to address issues that fall within the Law Lab sphere of interest. For example:
- Ashifi Gogo, a Schweitzer Fellow at Dartmouth College, discussed mobile communications in the developing world;
- Gillian Hadfield of USC presented on how and why legal infrastructure is outdated and ill-suited to the new economy; and,
- Richard Susskind, IT Adviser to the Lord Chief Justice of England, gave a lecture on "The End of Lawyers".

ProjectVRM, led by Fellow Doc Searls, held a major workshop at Harvard Law School in July 2008 and one on the west coast in May 2009.

Digital Natives Forum Series. This past September, the Digital Natives project held an event which addressed the impact of digital technologies upon young people's civic engagement.

Over the course of 2008-2009, **Internet and Democracy** hosted a series of research meetings in Germany and Oxford with leading academics and practitioners. In addition to those workshops, the Internet and Democracy project presented their research at an all day event on the Russian-Language Blogosphere at Columbia University last fall and discussed their research on "Online Discourse in the Arab World" in Washington, DC at the United State Institute for Peace this summer.

F. Technical Infrastructure Support

This year the core Berkman technical staff grew by two in order to improve baseline technical support, as well as provide more extensive software and website development for the Center and its individual projects. Increasingly, Berkman projects, Media Cloud for example, involve substantial development and infrastructure requirements, and the technical staff this year began meeting with geeks from all projects and corners of the Center in order to share knowledge and tackle problems collectively. In addition to constituting a cross-Center development team, and to supporting the work of Center with essential systems such as email and wiki-hosting, Berkman geeks participate in Harvard-wide meetings of technical staff; exemplify the values of the Center by releasing source code under open licenses; host Blogs@Law, which provides blogs for the entire Harvard community; and provide formal and informal consulting to other units at Harvard.

II. BERKMAN'S FUTURE: LOOKING AHEAD

In the current financial and economic environment, any prediction regarding the future development of an institution has to be accompanied by a number of caveats, including – probably most importantly – by noting that the envisioned projects are contingent upon funding. That being said, the institutional priorities for the next academic year include the following three tracks.

A.   Development and refinement of interdisciplinary and technologically enabled research methods, tools and platforms

We will continue to develop, refine and diversify our interdisciplinary and technologically-focused research methods, tools and platforms, enabling us to anticipate, evolve, experiment and teach next-generation norms, governance models, and institutions. In this context, we will test the hypothesis that the real contribution of an emerging legal sub-discipline known as "cyberlaw" is within the realm of new and combined methodological approaches, borrowing from various disciplines, and designed to give us a deeper understanding of online phenomena across a broad thematic spectrum..

B.   Collaboration with other research centers (at Harvard, in the US and worldwide)

We will cultivate and sustain our innovative collaborations with other research centers in the field of cyberlaw and policy, at Harvard, nationally, and globally. Within this realm, we will solidify our commitment to building and nurturing our rich community of students, fellow, faculty, and alumni. We seek to build these relationships from the bottom-up instead of the top-down and to proof, case-by-case, in the belief that a collaborative approach to a given research question leads to better results than one of splendid isolation. In this context, we are currently exploring common projects as well as joint fellowship programs with centers in the U.S., Europe, and Asia, with the goals to transfer knowledge, connect people, and create a human network of globally active researchers.

C.   Institutional development: next generations of fellows program, staff functions, organizational communications and converged research agenda

Despite and because of the challenges ahead and our ongoing response to the current financial crisis, we are optimistic about the coming year and the work we will be doing with our community at the Law School, the University, and beyond. We remain deeply committed to our core values and goals. Mindful of the challenges put forth by financial constraints, we will continue our institutional development, including implementing the newest iteration of our fellowship program and continuing to streamline our staff functions, to strengthen our organizational communications, and to pursue our converged research agenda.

IV. Additional Information: Team

The Berkman Center is fortunate to have an exceptionally deep, multi-disciplinary team of faculty, staff, fellows, and students who carry out its ambitious agenda.

A. Faculty

The Berkman Center is led by its active faculty, and governed by its steering committee. The Executive group consists of Prof. William Fisher, who serves as Chair, and Prof. Yochai Benkler, Prof. Charles Nesson, Prof. John Palfrey, and Prof. Jonathan Zittrain, each of whom is a director and leads specific research projects. The other members of the steering committee are Prof. John Deighton (HBS), Prof. Mark Edwards (HDS), Prof. Jack Goldsmith (HLS), Prof. Alex Keyssar (KSG), Prof. Lawrence Lessig (HLS), and Prof. Stuart Shieber (SEAS). This year, after 6 years as a Berkman Center fellow, Dr. Urs Gasser became Executive Director of the Berkman Center; he most recently was the Associate Professor of Law at the University of St. Gallen (Switzerland), where he led the Research Center for Information Law as Faculty Director.

Steering Committee:
　　　Yochai Benkler
　　　John Deighton
　　　Mark Edwards
　　　William Fisher, Chair
　　　Urs Gasser
　　　Jack Goldsmith
　　　Alex Keyssar
　　　Lawrence Lessig
　　　Charles Nesson
　　　John Palfrey
　　　Stuart Shieber
　　　Jonathan Zittrain

B. Staff

Urs Gasser, the Berkman's Executive Director, leads the Center's staff, which is comprised of instructors, event organizers, communications and community-building staff, researchers, project managers, a technical team, and financial and administrative support.

Executive Director: Urs Gasser
Managing Director: Colin Maclay
Research Director: Rob Faris
Administrative Director: Catherine Bracy
Communications Manager: Seth Young
Research Associate: Caroline Nolan
Community Coordinator: Rebecca Tabasky
Program Coordinator/Events Coordinator: Amar Ashar
Communications Assistant: Lexie Koss

Financial/Administrative Associate: Open (for 08-09 Gina Leslie/Joanna Gonzales)
Office Manager: Carey Andersen
Digital Media Producer: Dan Jones
Project Manager, Herdict: Laura Miyakawa
Project Coordinator, Internet Filtering: Jillian York
Co-Director, Legal Lab: John Clippinger
Clinical Program Director: Phil Malone
Project Manager, StopBadware: Maxim Weinstein
Project Manager, Internet & Democracy: Bruce Etling
Research Associate: Tim Hwang
Senior Systems Administrator: Sebastian Diaz
Systems Administrator: Dan Collis-Puro
Desktop Support Specialist: Ed Popko
Senior Software Engineer: Jason Callina
Senior Software Engineer: Liana Leahy
Junior Software Engineer: Brandon Palmen
Lead Engineer, Media Cloud: David Larochelle
Junior Web Developer: Anita Patel

C. Fellowship Program

Berkman Center research fellows are integral to all of our efforts. In choosing our fellows, we emphasize diversity of discipline and perspective; fellows who are able to work effectively as part of an intellectual community; and practitioners as well as theoreticians – unusual people who are not ordinary academics. We seek a community of fellows that are able to complement the Center's team as a whole.

In preparation for the 2009-2010 academic year, we spent considerable time streamlining and reorganizing our fellowship program and selection process.

2009-2010 Berkman fellows represent 7 countries: China, Finland, Jamaica, Spain, Switzerland, Taiwan, and the US. Applications for our fellowship program measurably increased this year, with over 70 applicants submitting full sets of materials for review. Accounting for the constellation of variables regarding participation, this year we established the following categorical breakdown for our fellowships:

Faculty Fellows. Faculty members from around the world who are dedicating substantial mindshare to Berkman related activities and participating in the fellowship program.

Academic Fellows. Junior scholars preparing for academic job market and/or more advanced scholars working full-time on a significant piece of scholarship as part of Berkman's interfaculty strategy.

Student Fellows. Selected students working full (and occasionally part) time on Berkman projects and participating in the fellowship program.

Research Fellows. Subset of fellows, including junior and senior academics and entrepreneurs/innovators/activists, who are usually focused on individual research and participating in the fellowship program.

Project Fellows. Subset of fellows who are focused on and usually funded by a particular Berkman project and participating in the fellowship program.

Clinical Fellows. Fellows teaching for the Berkman Cyberlaw Clinic and participating in the fellowship program.

The fellows appointed for the coming academic year are:

Faculty Fellows
Fernando Bermejo
Judith Donath
Oliver Goodenough
Eszter Hargittai
Lewis Hyde
Karrie Karahalios
Andrew McAfee
Miriam Meckel
Jeffrey Schnapp
Julie Shapiro
Peter Suber

Academic Fellows
Christian Sandvig

Student Fellows
Hao Dong
Andrew Eggers

Research Fellows
danah boyd
Jason Kaufman
Doc Searls
Hsiao-Ya Chung
Herkko Hietanen
Dave Rand

Project Fellows
David Abrams
David Ardia
Sam Bayard
Kim Isbell
John Muresianu

Hal Roberts
Carol Rossini
Steve Schultze
Kevin Wallen

Clinical Fellows
Chris Bavitz
Dena Sacco

In addition to the fellowship breakdowns, we also established two additional affiliations: the Fellowship Advisory Board and the Faculty Associate.

Fellowship Advisory Board (FAB). This board has been established for those exceptional former fellows who have sustained their bright and sharp contributions to the Center over many years across new projects, technologies, and people. Inaugural members of the FAB are:
Wendy Seltzer
Jake Shapiro
David Weinberger
Ethan Zuckerman

Faculty Associate. This affiliation is for colleagues who have a faculty position and with whom we are jointly committed to building or maintaining a relationship. This new category of affiliation allows us to explore opportunities for continued and future collaboration over a given academic year and provides one avenue through which we can build relationships across institutions. The initial group of Faculty Associates are:

Michael Best (Nunn Security Mid-Career Fellow and Assistant Professor jointly appointed to the Sam Nunn School of International Affairs and the College of Computing, Georgia Institute of Technology)

Dan Gillmor (Director of the Knight Center for Digital Media Entrepreneurship and Kauffman Professor of Digital Media Entrepreneurship, Walter Cronkite School of Journalism and Mass Communication,
Arizona State University)

Beth Kolko (Associate Professor, Department of Technical Communication, University of Washington)

Karim Lakhani (Assistant Professor, Technology and Operations Management Unit, Harvard Business School)

Harry Lewis (Gordon McKay Professor of Computer Science, Harvard College)

Eric von Hippel (Professor and Head of the Innovation and Entrepreneurship Group, Sloan School of Management, Massachusetts Institute of Technology)

Student Involvement. One of the great strengths of the Berkman Center is the active involvement of an exquisitely talented group of students. Over the course of a calendar year, over 160 students are actively engaged in our research programs as interns/research assistants. For details, see the Teaching section, above.