

MERRY CHRISTMAS

Copyright, ecommerce and (poor) privacy

We come, again, to Christmas and the end of another year. This year has been a good one for the Journal. We have been able to provide our members with high quality papers which are both topical and relevant. We have, unfortunately, suffered a little from irregularity in timing of our contributions. This has meant that we have only produced three editions this year rather than the usual four. However, each of these editions has been large and packed with content. Continuing in this vein the current edition is a "Bumper Christmas" edition covering both copyright and general internet/Ecommerce issues.

On the copyright front Rodney De Boos provides us with a timely analysis of shrinkwrap licences. We all first encountered these in the heady days of boxed products in the 80's. However, we are having to revisit our understanding with clients still asking the shrinkwrap licence question in relation to their internet content and how effective their disclaimers are. Christopher Wood

tells us about new plans for copyright on line, John Lambric tells us a little bit more about hyperlinking and framing, and Leslie Sutton and Louise Baker take a look at multimedia production.

In relation to Ecommerce we are given a gentle introduction to the topic by Peter Tunjic and Mark Davidson. Bernadette Jew provides us with a well considered analysis of cyber jurisdiction issues – can you be hauled in front of a US court for your Australian website? Mr Rod Shogren from the ACCC has kindly permitted us to reprint the text of a presentation he did on internet connectivity and Liong Lim gives us some analysis of liability issues in encryption.

Liong Lim's paper is particularly relevant at the moment given the Government's continued ostrich like behaviour in relation to privacy legislation. Given that lack of privacy is perceived by the community as being a huge bugbear standing at the door to electronic commerce it is surprising that the Government has chosen not to be more active in this area. Indeed, at a time when it is

difficult to find anyone in our community who does not want protection for their personal data, or anyone within the business community who does not perceive the benefits to outweigh the detriments, that the Government persists with its "light touch" self regulatory proposals (such as that issued this month by the Federal Government) continues to amaze. The proposal is a welcome comfort, but it should go further.

We have been very fortunate to have the assistance of Stephen Lance as subeditor for the production of this edition. The editors take this opportunity to thank Stephen for his help.

Well, maybe the Government's holding a full scheme back to surprise us with at Christmas. We can only hope. While we wait however, I would like to take the opportunity to wish you all a very Merry Christmas and a happy New Year.

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