**Columbia 2015 Global Freedom of Expression Conference**

Panel: Litigation developments in 2014 in the United States

Panelists: Lee Rowland and Robert Balin

Outline and Case Law Highlights

1. How the Internet is Testing the Boundaries of the First Amendment
   1. Threats: *United States v. Elonis*, 730 F.3d 321, 324 (3d Cir. 2013) *cert. granted*, 134 S. Ct. 2819 (2014)
   2. Copyright: *Garcia v. Google, Inc.*, 766 F.3d 929 (9th Cir.) *en banc reh'g granted*, 771 F.3d 647 (9th Cir. 2014)
   3. Criminalizing speech that invades privacy (revenge porn): *Antigone Books L.L.C. v. Horne,* Case No. 2:14-cv-02100-PHX-SRB (D. Ariz. 2014)
2. Internet Providers and CDA Section 230 as an American Phenomenon
   1. Intermediary Liability: *Jones v. Dirty World Entm't Recordings LLC*, 755 F.3d 398 (6th Cir. 2014) (compare with UK Defamation Act, Section 5)
   2. User disclosure and the value of anonymous speech: *AF Holdings, LLC v. Does 1-1058*, 752 F.3d 990 (D.C. Cir. 2014)
3. Privacy, Data Aggregation, and Online Publication
   1. Online publication and restrictions on public records:
      1. Dwight Worley, *The Gun Owner Next Door*, The [Westchester] Journal News (Dec. 23, 2012)
      2. David Goodman, *Newspaper Takes Down Map of Gun Permit Holders*, N.Y. Times (Jan. 23, 2013)
   2. Public records and online libel:
      1. *Martin v. Hearst Corp.,* No. 13-3315, 2015 WL 347052 (2d Cir. Jan. 28, 2015)
      2. *Dahlstrom v. Sun-Times Media, LLC*, No. 14-2295, 2015 WL 481097 (7th Cir. Feb. 6, 2015)
   3. Corporate privacy and the value of anonymous speech?: *Doe v. Pub. Citizen*, 749 F.3d 246 (4th Cir. 2014)
4. State Law Trends and Looking to 2015
   1. Empowering users: Eraser Laws
   2. Stopping the privacy market: mugshot laws, ALPRs, drones, and more...