Cyberlaw is a fascinating subject due to its interdisciplinary nature – crossing from civil law to criminal law and from social sciences to computer science. It has come a long way since the early days of the internet, and its importance has been gradually recognised.

Since 2005, members of the Society of Legal Scholars (SLS) and other scholars/practitioners from all over the world have met and presented their work at the SLS annual conferences at host universities in the UK. It is a great honour for the Cyberlaw Section to be a part of the SLS which is a learned society with more than 100 years of history. It has been my great pleasure convening the SLS Cyberlaw Section since 2009. At our SLS Cyberlaw Section meetings, we update each other on current developments in cyberlaw and discuss high-quality research relevant to legal issues in the information society.

Our debate reflects on the impact of the advent of information technology on legal theory and practice. Emerging technologies infuse new patterns into the operation of commercial enterprises and the life of individuals. Today, more than ever before, we need mature and effective cyberlaw to protect our rights in the information society, and to help us to cope with the increasing challenges that new technologies place upon us: for example, automated agents may know us better than we know ourselves – they can make decisions for individuals based on the collected data and models of individuals’ preferences.

For example, with the recent invention of Google Glass technology, a device can be worn by an individual and used to constantly film and record audio of other people in the environment. With the possible future civilian use of so-called “beaming” technology, a robot can physically represent an individual or legal entity to meet with other parties and participate in activities in another place or country. Can we say, bit by bit, that we are stepping into an age of “automation”? And, if that is so, how should we prepare for it?

The Ninth SLS Cyberlaw Section Annual Meeting at the SLS annual conference, which was hosted by the University of Edinburgh from 5-6 September 2013, aimed to:

- Show the gaps in the global regulatory frameworks with regard to the use of information technology.
- Discuss the role and responsibility of online intermediaries to protect data privacy, intellectual property and consumer rights.
- Discuss how to adapt effective mechanisms to resolve internet-related disputes.
- Consider the need for an integrated horizontal approach (to implement tech law principles) to deal with the regulation of the internet.

This SLS special edition of Intellectual Property Forum seeks to address some of the topical issues concerning tech law principles and their implementation which were discussed at the Annual Meeting.

The first article (which was the keynote paper), “Are Techlaw Principles in the Ascendancy?” by Mr Graham Smith (Partner, Bird & Bird, London), provides his pioneer theory on techlaw principles and some excellent insights into whether techlaw principles, such as functional equivalence and technological neutrality, are starting to mould other areas of law such as copyright. As Mr Smith rightly points out, copyrights enjoy greater reach over digital copies than over hard copies but the unforeseen accident of technology may require developing copyright legislation into better shape by reaching outside a single statute and creating balance.

The second article, “Sale of Goods and Intellectual Property: Problems with Ownership” by Dr Sean Thomas, Senior Lecturer in Commercial Law at the University of Leicester, provides a strong theoretical debate on the relationship between IP rights and the law of sale of goods. It explores the impact of the connection between them, and, as the author identifies, now in the digital era, issues raised by how the interrelationship of sale of goods law and intellectual property law have raised concerns, in particular the matter of the determination of ownership. The article skilfully analyses the effect of potential growth in embedded and nanotechnologies, as well as the impact of IPR pirates, trolls, and tyrants.

The third article, “Can Europe Learn from US E-discovery?” by Dr Giacomo Pailli at the
University of Florence successfully provides a practical view on the production of documents in the digital age by exploring why a European scholar should approach the topic of electronic discovery in general, beginning from a sense of fascination toward one of the features of the so-called American Exceptionalism.

The fourth and final article in this special edition on cyberlaw, “Ratemylegalrisk.com: The Legality of Online Rating Sites Relating to Individuals in Data Protection Law” is by Dr Andreas Ruehmkorf, Lecturer in Commercial Law at the University of Sheffield. As many of us are aware, students today can rate their teachers on independent online review sites; clients can also rate their solicitors on those sites. It is debatable whether they are legal. This article is highly topical in its discussion on the legality of online review sites relating to individuals. It offers useful insights into the question as to whether the use of the personal data and the rating of individuals who have not consented to be the subject to such online ratings are lawful. The author seeks to strike the balance of the countervailing rights to privacy of the rating subjects and the right to freedom of expression of the raters.

I would like to take this opportunity to thank SLS Cyberlaw Section speakers for their kind support to the annual meetings and its journal editions. It has been a privilege to collaborate with IPSANZ on this special edition of the journal. I would like to express my special thanks to the editor of Intellectual Property Forum, Mr Christopher Sexton, for being exceptionally supportive. It has been a great delight working with him and with the authors for this special edition.