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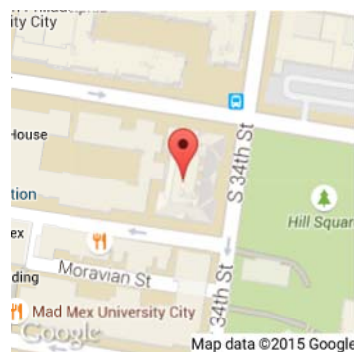
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Rebecca Long



CTIC Workshop Series: Woodrow Hartzog

Time: 12:00pm - 1:00pm

Location: Faculty Lounge

The Center for Technology, Innovation & Competition (CTIC) is pleased to host [Woodrow Hartzog](#), Associate Professor at Cumberland School of Law, Samford University and an Affiliate Scholar at The Center for Internet & Society at Stanford Law School, who will be discussing his paper "The Public Information Fallacy."

This talk is part of CTIC's ongoing Workshop Series, which seeks to promote dialogue among law faculty interested in law and technology, including such varied topics as intellectual property, privacy, and telecommunication regulation. The workshop series also draws faculty from across the university as well as members of the Philadelphia-area Cyberlunch group, which consists of professors from other area schools and local practitioners interested in law and technology. The discussions have always been lively and enlightening.

Penn Law students are welcome to attend – RSVP below.

Woodrow Hartzog joined the Cumberland faculty in 2011. Professor Hartzog writes in the area of privacy, media, contracts, and robotics. His work has been published in numerous scholarly publications such as the *Columbia Law Review*, *California Law Review*, and *Michigan Law Review* and popular publications such as *Wired*, *Bloomberg*, *New Scientist*, *The Atlantic* and *The Nation*.

Before joining the faculty at Cumberland, Professor Hartzog worked as a trademark attorney at the United States Patent and Trademark Office in Alexandria, Virginia and as an associate attorney at Burr & Forman LLP in Birmingham, Alabama. He also served as a clerk for the Electronic Privacy Information Center in Washington D.C. and was a Roy H. Park Fellow at the School of Journalism and Mass Communication at the University of North Carolina at Chapel Hill.

One of the most pressing questions in the modern age of media, surveillance, and information technologies should be if and when it is appropriate to place legal restrictions on the collection, use, or disclosure of "public" information. Yet, inexplicably, while the related concept of privacy has been rightfully criticized as too vague or protean to be useful, the concept of public information has been given virtually a free pass.

This is an unfortunate lapse. The concept of public information plays a central, lynchpin like role across vast number of regulatory regimes, including information privacy law, intellectual property, insider trading, the First Amendment, public records law, and many others. Regrettably, public information is also a myth.

Like the term privacy, there is no set definition for the term public. This ambiguity keeps the concept from being ideologically moored and enables opportunists to select which notion of public information best suits their ends. The result is a critically confused body of doctrine and frustrated attempts at clear, cogent policy surrounding the collection, use, and disclosure of information.

The time has come to end this confusion. We can no longer allow the concept of public

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information to be used without further clarification. By itself, the concept is a fallacy. This article provides the first complete explication of the concept of public information. There are dramatic differences between the various possible conceptualizations of public information. The failure to clarify the concept within regulatory regimes and normative discourse is a hindrance to effective information policy, technological design, and social interaction.



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