

Table of Contents

Can Technology Save Martha?	Page 1
Profile of Cyber-Terrorist "No Girlfriend"	Page 2
Bush Tax Plan - Good for Technology	Page 2
Hillary Rosen: Hero or Villain?	Page 3
Forming a Corporation	Page 3
FCC Media Rule Changes	Page 4
E-Bay Thieves Thwarted by Technology	Page 4
How to Pick the Right Lawyer	Page 5
The Spam Problem	Page 5
Have You Tested Your Website from a Users Perspective?	Page 6
The Technology Jester	Page 6
E-Government You Can Actually Use	Page 7
E-Government that Borders on the Ridiculous	Page 7
The Problem with the Segway	Page 8
Voice Your View on Technology Freedom!	Page 8

Would YOU like to be a Guest on the MyTechnologyLawyer Radio Show?
Send us an e-Mail:
Radio@MyTechnologyLawyer.com



Draughton®

Attorneys at Law

814 A1A North, Suite 307A
Ponte Vedra Beach, FL 32082

Telephone: 904-285-2521

Telefax: 904-285-2766

E-mail: Radio@MyTechnologyLawyer.com

www.MyTechnologyLawyer.com

CAN TECHNOLOGY SAVE MARTHA?

Martha Stewart has established a personal website to address the issues of her indictment on Securities Fraud charges: www.MARTHATALKS.COM. This website allows visitors to understand Martha's side of the story and to forward e-mails addressing the issues. The site includes a personal message from Martha, links to "What Others are Saying" and a section entitled "Setting the Record Straight" which corrects factual errors reported in the Press.

MarthaTalks is a very clever application of technology. The website allows Martha to clarify issues for media as well as fans. The site will allow Martha an effective platform for fighting the public relations battle, while at the same time establishing a database of supporters and potential customer list.

Journalists everywhere will have an online resource for checking the facts of their Martha stories. Martha supporters will be able to exchange sympathies. As editor of the website, Martha will be able to exercise leadership in directing the efforts of her supporters in winning the public relations battle.

Unable to prove the underlying case for insider trading, the Government (with help from the New York Times) has accused Martha of "Obstruction of Justice" and defrauding her fellow Omnimedia stock holders by denying insider trading charges. MarthaTalks meets the Government propaganda machine with no-nonsense counterarguments likely to appeal to a majority of the American public. Despite significantly greater resources, the Government may well find that it has met its public relations match. This is a stark example of where the Internet has leveled the playing field.

From: John Miller
Sent: Tuesday, June 10, 2003 8:14 AM
To: Martha
Subject: Recent allegations

Dear Ms. Stewart:

I feel compelled to write and tell you that I think this country has treated you abominably during the last few months. To treat the one person who has single-handedly raised the quality and standard of life of all Americans as you have been treated is reprehensible.

Please know that there are many people who feel the same way as I. We are behind you 100%. I just wish you didn't have to go through so much character assassination. It must be very painful.

Just remember - there are a great many people who respect and admire you and remain loyal supporters. I am one of them.

Sincerely

John Michael Miller

CYBER SPACE MOST WANTED LIST

1. Simon Valor (22)
AKA "Virus Writer"
2. Christopher Andre Phillips (20)
AKA "The Texas Hacker"
3. Jon Johansen (19)
AKA "DVD John"
4. Tiffany Fowler
Thad Roberts
Shane Soer
Gordon McWhorten
AKA "Moon Rock Bandits"



PROFILE OF CYBER-TERRORIST "NO GIRLFRIEND"

The typical Cyber-Terrorist is male, obsessed with computers, between the age of 14 and 34 and capable of sowing chaos worldwide. He also has no girlfriend and is socially inadequate.

He is not a member of Al Qaeda, does not speak Arabic and does not live in the Middle East. He is not after DoD databases or systems supporting key metropolitan infrastructure.

He is interested in copying music and movies illegally, downloading pornography and destroying university records. He likes graffiti, engages in vandalism for the sake of vandalism and destroys the property of others without a full appreciation of the harm he is doing.



MyTechnologyLawyer Radio Show and Guests discuss the Bush Tax Plan

May 23, 2003 - Host Scott Draughon covers elements of the Plan

April 30, 2003 - Shawn Small of Empower America discusses the Bush Tax Plan

January 26, 2003 - Norbert Michael of The Heritage Foundation highlights favorable Bush Tax Plan provisions

To listen to these and other past programs, go to:
[www.MyTechnologyLawyer.com/Radio "Past Programs"](http://www.MyTechnologyLawyer.com/Radio/Past%20Programs)

BUSH TAX PLAN - GOOD FOR TECHNOLOGY

The Bush Tax Plan benefits the Technology Industry in three important ways. First, the reduction in the Dividend Tax renders dividend payments by the industry more viable thereby attracting traditional investors to technology equities. Second, the reduction in personal tax rates by 2% or more across the board provides greater incentives for work and savings. Third, the increase in small business capital expenditures deduction from \$25,000 to \$100,000 will substantially boost technology purchasing by small business.

The impact of the Plan on Government receipts is unknown. Republicans believe economic benefits of the Plan will offset the projected \$350 billion loss in tax receipts. Democrats argue that the Plan will cost more than \$350 billion and ignore the dynamic reaction of taxpayers.

Impact on Government should not be the issue. The more appropriate inquiry focuses on the benefits to consumers and business. From that vantage point, the Plan is a definite "Go".

HILLARY ROSEN: HERO OR VILLAIN?

The announcement of Hillary Rosen's retirement marks a turn of events for the music industry. Rosen has enjoyed some success in using copyright law to raise the issue of Internet piracy. But this success has not restored the financial health of an ailing industry being disrupted by increasingly sophisticated technologies in the hands of avid music fans that are hard pressed to pay \$20 for the average music CD.

Ms. Rosen's success in raising the issue gave the industry a false sense of optimism in its current business model. To the extent Ms. Rosen was able to focus attention on copyright piracy she precluded the urgency of changing the model to meet the demands of the fans. Hence, her heroism had a long-term villainous effect on an industry facing collapse because it can no longer control distribution of its products.

The true hero of the music industry is Steve Jobs, the Apple executive who was able to orchestrate a new vision. The Apple iTunes business model meets the demands of fans and artists by leveraging new technologies in their favor.

FORMING A CORPORATION

Forming a Corporation for liability protection and financial advantages is only a first step. You must pro-actively manage the corporation to achieve your objectives. Key issues include raising capital, electing directors, hosting shareholder meetings and qualifying to do business in other states. Your primary tool in meeting these objectives is the appropriate corporate documentation and related filings.

The decisions and choices you make at the time your company is formed often dictate the flexibility you will have in meeting these challenges. While your lawyer is the ultimate resource in addressing legal challenges, you can obtain considerable support from your incorporation vendor. When choosing an incorporation service, be sure to consider the resources available for helping you pick the right state of incorporation, choice of entity and the availability of education resources for tax and legal matters.

Entrepreneurship on the Web is Alive and Well!

Karyn Bosnak came up with the first application of E-begging and is now a consultant to other E-Beggars. Find out more at www.SaveKaryn.com

You can web cast your funeral at www.Chappelviewonline.com

The Sisters at St. Mary's Abbey have improved the quality of their products and sales by taking orders directly over the web. www.Trappisturecandy.com

If you are interested in Nude Sports you can pay \$10-\$15 to watch sport web casts from the Florida's Lake Como Nudist Resort. Go to "Nudist Web casting Network" at www.Tennisinthebuff.com

Britney Spears conducted an on-line auction of her childhood paraphernalia at www.gottahaveit.com



www.alliancecm.org

FCC MEDIA RULE CHANGES

Recent FCC Media Changes allowing consolidation of media outlets under single ownership favors Internet vendors. These rule changes raise the 35% national audience cap to 45%, allow big newspapers to own top-rated TV or radio stations in the same market and allow networks to own more of their affiliates.

Critics of the Rule changes argue that allowing ownership of media outlets to consolidate further in the hands of a few owners will lock-out the news entrepreneur and minority voice from traditional media outlets. The complaint is that the same national stories will air over and over, with community news and minority views being ignored as too marginal for profit.

The critics are right about the quality of news reporting by the giant media owners under these Rule changes. However, they ignore the reaction of the consumer. If the traditional media outlets do not provide sufficient diversity, the American consumer will seek alternatives. This is good news for Internet, cable and XM Radio vendors who are not governed by these rules.



www.n2h2.com

E-BAY THIEVES THWARTED BY TECHNOLOGY

Convicted E-Bay technology thieves Michael Paul Jackson and Russell Dana Smith illustrate the importance of using a secure payment escrow service for on-line purchasing. Jackson stole more than \$120,000 from more than 100 e-bay users who purchased laptops, digital cameras and computers that were never delivered from Jackson. Smith raked in more than \$1,000,000 from 1000 victims in just a few weeks using the same scam.

E-Bay buyers and others purchasing web products can avoid this fate using an escrow service. The escrow agent receives and holds funds while you await product delivery. Upon confirmation, the funds are released to Seller. The leading escrow payment service for on-line transactions is Escrow.com .



www.symantec.com



www.escrow.com

HOW TO PICK THE RIGHT LAWYER

Lawyers have different skill and experience profiles. The best choice is one ideally suited to your long-term needs. In selecting your lawyer, consider the following criteria:

Trust: The most important factor in selecting your lawyer is to find someone you trust.

Legal Expertise: Lawyers usually focus on practice areas. Find one that fits your practice area needs.

Business Knowledge: Retain a lawyer who works in your industry and understands your business model.

Advocacy: Rather than focusing on their own abstract notions of "fairness" your lawyer should be a zealous advocate for your position.

Discipline: Retain a disciplined lawyer - one that focuses on preparation and is reflective in developing strategies to advocate your position.

A lawyer who scores high in each of these criteria is probably a good long-term choice for you and your business.



Big Myths about E-Commerce

Myth: Internet Companies are not Profitable

Fact: 40% of the Publicly Held Internet Companies made a profit in the 4th Quarter of 2002.

Myth: Spending on E-Business projects is down

Fact: Spending has been on the rise since 2000 and is now more than 25% of the typical technology budget.

Myth: Broadband is not gaining acceptance

Fact: Subscriptions have doubled since 2001 and are growing at more than 50% per year.

Myth: On-line advertising is dead

Fact: Banner Ads are Dead. But ads tied to results are alive and well, boosting on-line advertising to \$6.6 billion this year.

THE SPAM PROBLEM

Spamming is becoming a worldwide problem. While estimates vary, some say as much as 80% of the e-mail circulating around the globe is Spam.

While private initiatives to manage the problem are the best first defense, the FTC is also requesting additional regulatory authority to address the problem. FTC guidelines require the party sending the email to describe the referenced product honestly, honor consumer requests for removal and to identify themselves in the e-mail transmission.

The FTC guidelines make good business sense and a consensus is forming around these standards. Participation by all of us in meeting these standards will help avoid over broad legislation.

The Ultimate Technology Villain

Saeed Al-Sahhaf, the Iraqi Minister of Information, who kept everyone "appraised" of the status of American forces during the Iraqi conflict ("Bagdad Bob")

Key quotes are:

"There are no American infidels in Baghdad. Never!"

"They are coming to surrender..."

"We have them surrounded..."

"They are no where near the airport..."

"We defeated them yesterday..."

"Lying is forbidden in Iraq..."

HAVE YOU TESTED YOUR interface guru. WEBSITE FROM A USERS PERSPECTIVE?

Cia Romano of InterfaceGuru.com enlightened listeners on the MyTechnologyLawyer Radio Show to five key criteria in evaluating the usability of a website:

- 1** Orientation: Does your user have a reference point for understanding where they are on your site?
- 2** Permission: Does your website launch unsolicited pop-ups and distract users from the purpose for visiting your website?
- 3** Relevance: Is the material presented to the user relevant for the purpose of their visit?
- 4** Interaction: Does the user know what they can do at the Website?
- 5** Speed: How long does it take the user to perform functions for which the visit was initiated?

A quick reality check can help you improve the usability and, therefore, profitability of your website. To get a copy of Cia's interview, send an email to Radio@MyTechnologyLawyer.com or, better yet, go to www.InterfaceGuru.com.

MARKETING RESOURCES FOR IMPROVING YOUR WEBSITE



www.netmechanic.com
Radio Show Date: April 15, 2003



www.blueinksolutions.com
Radio Show Date: April 22, 2003



www.ipromotions.com
Radio Show Date: April 29, 2003

THE TECHNOLOGY JESTER

West Virginia has abandoned its alliance with Massachusetts in challenging the Microsoft Antitrust Settlement. The West Virginia settlement with Microsoft leaves only Massachusetts to continue the battle.

The latest settlement involved a Microsoft payment of \$300,000 in legal fees to the West Virginia Attorney General's office and providing approximately \$20 million in vouchers for computer hardware and software for the people of West Virginia. The vouchers include products from Microsoft rivals.

The Justice Department AntiTrust Settlement emphasizes competition through innovation, rather than government regulation. The position of the Massachusetts Attorney General appears out of step with the spirit of the law as well as the sentiments of 16 other Attorneys General around the Nation that have endorsed the settlement.

E-GOVERNMENT YOU CAN ACTUALLY USE

Federal, state and local governments have been very active in implementing cyberspace models to increase efficiency and improve the delivery of services to citizens. Three recent initiatives by the federal government illustrate the advantages of E-Government:

NASA: NASA officials were very successful in soliciting information from citizens on the Space Shuttle Columbia disaster at www.nasa.gov.

White House: A new on-line chat facility at the White House allows U.S. Citizens to ask questions by e-mail of high-level federal government officials at www.whitehouse.gov.

Terrorism: The Department of Homeland Security posts guidelines for disaster recovery and terrorist attack at www.ready.gov.

Benefits: Seniors can checkout eligibility for Government Programs providing medical benefits at www.benefitscheckup.org.

Regulations: You can comment on new regulations proposed by the federal government at www.regulations.gov.

These applications empower citizens rather than government and are good examples of how technology can be used by government to improve our daily lives.

E-GOVERNMENT THAT BORDERS ON THE RIDICULOUS

While some federal and state agencies receive accolades for leveraging high-tech to empower citizens, others are sad examples of overreaching.

Wisconsin: The State of Wisconsin recently passed a ban on violent video games. A similar statute in Indianapolis has been ruled as unconstitutional.

California: The State Legislature of California is attempting to tax all sellers conducting on-line transactions with California buyers, regardless of seller location.

Alabama: Senator Shelby (R-AL) introduced broad legislation attempting to outlaw Internet gambling by limiting the use of credit cards for payment processing of gambling debts.

Technology Heros are Everywhere

Senator Conrad Burns (R-MT) serves as champion of the Technology industry by introducing responsible SPAM legislation



Nabila Akbari graduated from Kabul University with a Certificate in Computer Networking under a UN Program funded by Cisco Systems. Ms. Akbari is an 18 year old Afghani



Christie Hefner closes a deal to make Playboy pictures available on mobile phones in Europe



Chris Moneymaker is the first champion of the annual World Series of Poker to qualify for the event on-line



Oracle CEO Larry Ellison launches a controversial bid to buy PeopleSoft in the midst of a merger between PeopleSoft and JD Edwards



Gordon L. Woods clones the first Racing Mule



Steve Case/AOL-Time Warner and Tom Siebel of Siebel Systems give back stock options

THE PROBLEM WITH THE SEGWAY

The Segway personal transporter has yet to prove that it's "bigger than the Internet" as originally predicted by some optimists. Sales of the unit have not met projections.

The problem appears to be practical application. The 83-lb unit is too heavy to cart around for recreational application. The open-air transport mode exposes the rider to weather. The price hovers in the range of \$3,000-\$5,000. This is an idea whose time may never come.



President Bush fell off the Segway on his first try.



VOICE YOUR VIEW ON TECHNOLOGY FREEDOM!

Which Presidential Candidate
Do You Think Most Favors the
Technology Industry?

George Bush
Dick Gephardt
Joe Lieberman
John Edwards
John Kerry
Howard Dean
Bob Graham

Take our on-line survey at
www.TechnologyFreedom.org

Technology Freedom is a non-profit 501(c)(4) organization established to promote awareness of federal legislation and government policies affecting the Technology Industry. Technology Freedom recently launched its website at www.TechnologyFreedom.org.

The Technology Freedom website allows you to express your opinions on Internet Taxation, Broadband Deployment, Antitrust Legislation, Content Deployment, Cyber-terrorism, Privacy, Corporate Fraud, and other issues. There is also a Presidential Poll allowing you to vote in favor of the presidential candidate you believe best represents the Technology Industry.

The results from these polls are used in our daily radio program. So be sure to make your voice heard by visiting and voting on these issues.

MyTechnologyLawyer.com

**2,510 Subscribers
and Growing!**

visit us on-line at:
www.MyTechnologyLawyer.com
and Purchase your
Annual Subscription today

