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MODERATOR—WHAT IS YOUR DEFINITION OF THE INTERNET? BUT IF YOU HAD THE POWER TO CHANGE TWO THINGS ABOUT IT, WHAT WOULD THOSE TWO THINGS BE? THAT'S THE PRESENT INTERNET.

Well there is problem in defining the Internet; because it means, narrating things beginning with the TCPIP, the layer of the Internet but sometimes more broadly called the Internet Protocol Sweep. So at that level, it's probably easy to answer that I would like to see a transition to the Internet Protocol Version 6; which at least at technical level, will help address some issues of security and allocation of problems associated with the allocation of numbers. At the broader level, the Internet has come to mean, basically everything that's built on top of the technical IP Internet. It includes the web, of course, but it also includes electronic commerce and even the larger phenomena of the virtual economy. That's question too hard to answer. It's like saying how would I like to change the world.

MODERATOR-- IS THERE ANYTHING ELSE, IMMEDIATELY, POPPING INTO MIND? ONE CHANGE WILL DO.

There are a whole lot of policy problems that I have opinions about. Some of them aren't strong; but whether one can say that's a change in the Internet depends on how expansive you get.

MODERATOR-- WITH RESPECT TO THE INTERNET AND THE PUBLIC USE OF IT IN A BROAD SENSE, WHAT IS THE SINGLE BIGGEST CHALLENGE THAT MUST BE MET IN THE NEXT TEN YEARS?

Well one of the biggest challenges is to try to get some clear expectation on the part of the public; but what they're up to when the conduct Electronic Commerce over the Internet and these concerns problems around privacy and how contracts are structured and read and what kind of technology is laid on top of contracting to make it more transparent and accessible to people. That's one problem, and the other problem has to do with the competitive environment. That's experienced less by the public; but there are a whole set of policy issues, especially around intellectual property and the interface between intellectual property and standards. Where the public has an important long term stake; but it's not a direct interest; direct B to C issue the way this consumer contracting issue. It's not a B to C . . .

MODERATOR--B TO C MEANS BUSINESS TO CONSUMER?

It's not a B to C issue like they use in copyright. It has to do with underlying dynamics of competition and the availability of standards that serve as a platform for competition.

MODERATOR--YOU THINK THE PUBLIC IN THE LONG TERM MIGHT UNDERSTAND ABOUT INTELLECTUAL PROPERTY ISSUES AS THEY EMERGE?

Yes, they have a limited understanding. Of course, they are getting a specific dose of that in a very specific context. I was thinking of – the music is an example, I was thinking of Microsoft, the anti-trust case, where the public is hearing bits of a controversy about the nature of competition on the Internet.

MODERATOR-- DO YOU THINK THE PUBLIC HAS MORE OR FEWER PROTECTIONS ON-LINE RELATIVE TO OFF-LINE?

Probably fewer. Although that's really hard. You're weighing a lot of factors because in some respects it's got more individuals are more empowered on the Internet in ways that they aren't off-line. Some of the arguments limit the consumer protection on the Internet. I don't personally believe that choice is all that meaningful. Most people can deal with a lot of choice especially when it's framed in legal boilerplate. Furthermore, arguments that there is a lot of choice often miss the reality of market power. You may have a lot of choice, but if you're looking for productivity software, you really don't have a lot of choice in the market.

MODERATOR--WITH RESPECT TO PROTECTIONS?

I think practically speaking there is probably not a great deal of difference. One other factor is that on the Internet, people do take greater risk. They deal more with out of town, out of state, out of country merchants; when they're doing that, the practical reality is that protections aren't as great in practice as they are if you're dealing with somebody in your local community. In fact, that's also somewhat blurred, we have Regulation Z which gives consumers a lot of protection in their credit card transactions especially if it's within a 100-mile radius or within the same state. In practice, this has turned into an alternative dispute resolution, which doesn't draw that kind of sharp line around the geographic of the transaction.

MODERATOR-- DO YOU THINK THIS PUBLIC UNDERSTANDS WHAT PROTECTIONS THEY HAVE?

No. Not very well. I think the credit card is a good example. A lot of people aren't aware, that they're only liable for the first \$50 of unauthorized use and then only if they don't report it. At practice, of course, that first \$50 is rarely claimed against them.

MODERATOR--BECAUSE THE COMPANY CAN'T?

They could in theory; but it's not worth the \$50 to alienate a customer.

MODERATOR--TO WHAT EXTENT DO YOU SENSE PEOPLE ARE STAYING OFF THE INTERNET BECAUSE OF CONCERNS ABOUT ENTERING A NEW MEDIUM THAT HAS FEW REGULATIONS? IF YOU KNOW ANYBODY WHO IS STAYING OFF THE INTERNET, WHICH MAY BE UNLIKE, WHAT REASONS?

I really don't. I think that's a job for the other part of this project. I can imagine that abstract fears about privacy, exposure to pornography and broader, non-specific fears about technology play a large role.

MODERATOR--YOU DON'T KNOW ANYBODY STAYING OFF THE INTERNET. ANYBODY UNDER THE AGE OF 90.

No, I guess I don't.

MODERATOR-- THE FTC HAS ASKED CONGRESS TO GIVE IT AUTHORITY TO MAKE RULES ON INTERNET PRIVACY. WHAT IS YOUR VIEW OF THIS REQUEST?

I think it's a reasonable request. I think that the political mode is still thinking that the private sector should be given further chance to work things out. On the other hand, there is also a line of thinking which leads us to treat personal information as a kind of intellectual property.

MODERATOR--LEADS US, WHO?

Leads the body of politicians to approach the problem that way. How they appeal to that is the common thing is that intellectual property is not a form of regulation. The practice is not a form of regulation; because the government does not have a persistent role in administering the law the way it does in telecom regulation; or sometimes consumer protection. The usual thinking about privacy, certain the way the European's approach this, is what we think of as regulatory. Whereas, a right faced approach would lead consumers acting individually or in class actions to remedy the inappropriate . . .

MODERATOR-- IF PERSONAL INFORMATION WERE CONSIDERED INTELLECTUAL PROPERTY AND YOU COULD BE THE OWNER OF IT AND THOSE RIGHTS WOULD BE ENFORCED THE WAY INTELLECTUAL PROPERTY, RATHER THAN REGULATED.

It's a uniform way of giving consumer control over their personal information. Not addressing situations on an add-on rule making, regulatory adjudication type of process. It's not necessary to get the government involved but . . .

MODERATOR-- WOULD IT BE NECESSARY TO GET THE COURT INVOLVED FOR THE PERSON ENFORCING THEIR RIGHTS OVER THE CLASS ACTION?

Under some uses of regulatory, that are not regulatory, that's legal.

MODERATOR--THE FTC, HAS IT MADE A STATEMENT ABOUT WHETHER IT'S VIEWING THIS AS INTELLECTUAL PROPERTY OR THIS IS A REGULATORY APPROACH.

Frankly, I haven't read it, so I would have to see the...

MODERATOR--DO YOU THINK THE FTC'S REQUEST—WHAT IS YOUR OPINION?

I doubt that they can create any thing like intellectual property rights.

MODERATOR--DO YOU FAVOR AN INTELLECTUAL PROPERTY RIGHTS APPROACH?

I can make a statement about that. I think on one hand, it makes sense because we have expanded intellectual property rights generally; but I'm not sure that that's necessarily been a wise thing. It totally seems fair after expanding them for inventor's say, that they would be recognized in terms of personal information for individuals. On the other hand, the way that we conduct intellectual property policy bill is pretty political and not very mindful of how the system works in practice. If this looks like a good idea to let people have absolute control over what they create or something that's makes a personal demand. Something they invent and so on.

MODERATOR--WHAT IS YOUR REACTION TO THE FTC CLAIMS THAT FEW COMPANIES NOW FOLLOW THE RULES?

Another thought. If one were to turn personal information into intellectual property, then ultimately you still run us against the issues about consumer contracting. The Useda type issues that transactions involving personal information will be buried in quick grab licenses that nobody reads. At least the way their present structure reads. They would be enforceable under Useda type laws unless they violate some fundamental public policy interest. It's not at all clear that the routine transactions and personal information absent some extraordinary circumstances. You might have medical information would be found to be unenforceable. Ultimately, all these issues get tangled up and whether people are able to engage freely and meaningfully in transactions with on-line merchants and whether the problem of contract adhesion, meaning there's no real negotiation, it's either take it or leave it proposition; can be addressed either through process, i.e., by formalizing structural requirements how they should be made and presented be enforceable. You can imagine having – the FTC has regulations about how disclaimers should be written in bold face type. A better approach would be to have some kind of technology based signaling which is similar to what's been done with the fixed architecture for content control and with the proposed P3P Privacy Standard. That's very interesting paper which is called: "Code for Cognizant Contract"; the point of which is to make-help consumers become aware of the contents of contracts and entering into on-line.

MODERATOR--THIS IS A PAPER BY WHOM?

It's by Tim Erlich, who's a clerk for Judge Jackson during the Microsoft trial.

MODERATOR-- IT'S INTERESTING THAT YOU FIGURED OUT A PATH WITH RESPECT TO THAT.

It's a path; it's not a solution. It's a way of looking at the problem.

MODERATOR-- IS UNIFORM CODE . . .

Uniform Computer Information Transactions.

MODERATOR-- DO YOU THINK SELF-REGULATION OF THE INTERNET HAS WORKED?

To some degree it has worked. One can see the pitch for self-regulation being a tactically policy initiative; that it really has engaged companies. At least large companies and make them responsible about how they should interact with consumers on the net. However, at least in the privacy context, you have a bad actor or bad apple problem. Its one bad apple spoils the entire bunch. Yes you can put consumers – you can accustom consumers their looking for logos and only dealing with companies that use logos; that's fine. Even there the reality is that people don't remember to look for logos. There is a real scarce resource and attention; on the Internet, people learn to surf very, very quickly and . . .

MODERATOR—IF REGULATIONS GOVERNING THE INTERNET WERE TO INCREASE; WHOM WOULD YOU TRUST TO MAKE RULES OR LAWS. THIS IS A TRUST QUESTION AND YOU HAVE MULTIPLE CHOICE; THE PRIVATE SECTOR, GOVERNMENT AND CONGRESS OR AN EXECUTIVE AGENCY; STATE GOVERNMENTS; NON-PROFITS; NGO; ICANN; OR W3C?

The difficulty in answering that is that it really depends on the particular area. What was the beginning of that question again?

MODERATOR--IF REGULATIONS WERE GOING TO INCREASE, WHO WOULD YOU WANT?

If I take that in the broad sense; is public intervention is going to increase. It's not just regulation in the sense that the FCC regulates; but the government should do anything about the Internet. We don't have a European Commission is better set up to develop this kind of policy; and perhaps that's a downside of that; they can be more interventionist than perhaps they should be. Our policy-making capability, not credentials in the Federal Government are fairly limited; so that's one of the reasons we took the hands-off approach to the Internet. We weren't smart enough and we knew we weren't quick enough and so maybe it made sense to let the private sector take the lead. Although we didn't recognize the problems the private sectors has developing policy which are pretty substantial. Some of those are very classic problems; but in the Internet you get a particularly strong disparity between the large established companies that have policy expertise in house, and the small entrepreneurial companies that are very focused on doing business and don't have any margin to look at policy issues.

MODERATOR-- IF PUBLIC INTERVENTION WERE TO INCREASE, YOU WERE ON THE WAY TO SAYING? WERE YOU WOULD LIKE THAT TO HAPPEN, WHERE YOU TRUST IT TO HAPPEN?

I think the –where I'd like it to happen are two areas that are most captured by lawyers. The more legalistic, the policy context is, the less open it is too broad meaningful participation from

the public. By the public, I mean the heterogeneous public, not the consumers. The two worst areas for policy developments are patents, the big problem is software. The other areas are the Useda area, I think the not let privacy become this kind of area and part because of the fear that it would end up with the same type of politics as product liability. It would be a flurry of legal activity that would . . .

MODERATOR--YOU DON'T WANT CERTAIN – YOU DON'T WANT POLICY TO GET TOO DEVELOPED OR TOO LEGALISTIC WITH RESPECT TO PATENTS AND USEDADA.

I'm saying there it's already basically captured by the legal profession.

MODERATOR--BUT THAT'S NOT TO SAY THAT YOU DON'T TRUST THE LEGAL PROFESSION TO FORCE REGULATIONS AND RULES. I'M TRYING TO GET YOU TO SAY HOW THIS INVOLVEMENT TAKES PLACE, WHETHER YOU THINK, ICANN. THIS IS A QUESTION AIMED AT GETTING AT WHETHER YOU THINK ICANN.

Let's talk about ICANN. I've been involved with the main issue for along time so I have a lot of thoughts on it. I see ICANN as kind of a noble experiment. It brands national democracy.

MODERATOR--THAT'S ONE OF THE LESS INFLATED THINGS I'VE HEARD SAID ABOUT IT.

There are real questions in my mind about how well it will work over the long run; because the legal and political under things are weak. There was a great deal of support, in theory, for the idea of a non-government, non-profit broadly representative organization that could make what really amounted to policy decisions. Although we put it in a technical management package; but they are really policy decisions that have to be made and policy decisions you end up with paralysis. Paralysis is a big problem. ICANN is caught between paralysis on the one hand and the possibility that if they do anything meaningful on the other hand, their whole jurisdiction is going to get called into collection; so they will be depleted at the core. The process by which they were established will amount to be bolting. The whole thing gets thrown own to limbo.

MODERATOR--AT THIS POINT IN TIME, DO YOU TRUST ICANN TO BE REPRESENTATIVE OF THE PUBLIC?

One of the other main problems the domain names has faced is that the constituency for addressing the problem keeps expanding. The more it expands, the more difficult it becomes politically to make it work. I think the public has an interest in the domain name assignments and I'm talking about consumers, not the larger public. Where the wrong decisions will result in fewer consumer choices along a whole range of products and services and monopoly prices.

MODERATOR—SO...

In once sense, I think the ICANN issue, the domain name issue specific to the domain names of this areas of ICANN that truly are more technical that nobody's paying attention to. The

network numbers, I mentioned that earlier is a technical change in the Internet that I would like to see happen.

MODERATOR—WHAT ABOUT W3C?

W3C is --- I see it as a fairly good voice representing what could be done with technology to address policy problems. Now a code can be used to set ground rules or set framework for working on particular policy problems. Plus they played this leadership role with content and privacy.

MODERATOR--YOU THINK THEY SHOULD KEEP GOING?

Yeah.

MODERATOR--YOU KNOW ABOUT OPT-IN AND OPT-OUT?

Most of their work has to do with developing fundamental standards for the web and that's very valuable work that you need to have protective standards process and I think they are pretty effective and they are reasonably well set up. Because of their base in industry memberships plus their academic locations to do the right thing.

MODERATOR--BUT THIS DOES NOT PRETEND TO BE A PUBLIC ORGANIZATION WITH PUBLIC. IT'S A TECHNICAL ORGANIZATION THAT HAS A VALUABLE ROLE.

Basically it is industry standard. It's enabling.

MODERATOR-- IF THE LAW MANDATED THAT INTERNET USERS COULD EASILY OPT-OUT BY, FOR EXAMPLE, CHECKING A BOX FOR SITE TO PERMIT TO COLLECT AND SELL THEIR DATA OR INSERT COOKIES IN THEIR COMPUTER, WHO WOULD YOU WANT TO ENFORCE IT?

I guess and I answered believing in opt-out. I guess I would trust the FTC probably to do it; but I'm also aware that they've got limitations in doing anything that that technical or operational. They are basically a traditional independent regulatory agency that operates mostly by enforcement.

MODERATOR-- WOULD YOU FAVOR SOME NEW AGENCY?

New agencies. That's another political problem because new agencies are non-starters at this stage.

MODERATOR--IN GENERAL, GIVEN WHAT YOU JUST SAID AND GIVEN THE DEMANDS...

I imagine more realistically some kind of perhaps cross industry entity set up that included non-profit and academic participation.

MODERATOR--AN INDUSTRY, NOT ANOTHER AGENCY?

I wouldn't call it an industry . . .

MODERATOR--BUT IT WOULD BE NON-GOVERNMENTAL?

Yes.

MODERATOR-- ABOUT THE LOVE VIRUS SITUATION. DO YOU THINK IT WAS HANDLED CORRECTLY OR ADEQUATELY IN TERMS OF NOTIFYING PEOPLE AND FINDING PERPETRATORS?

As far as I know, I don't have a response to that.

MODERATOR--WHO WOULD YOU DEFINITELY NOT WANT TO BE MAKING AND ENFORCING RULES REGARDING THE INTERNET?

Again, that depends a lot on the same context. I think the Patent and Trademark office has a dismal track record in policy development as well as management. In fact, as a charter, a vision statement that it's there to serve the customer; which has been defined as applicants. It doesn't even acknowledge the public interest. Not the trademark side, the trademark side says; it's infamous to examine trademarks.

MODERATOR--WHO ELSE WOULDN'T YOU TRUST. YOU WOULD NOT TRUST THE FTC?

I'm willing to give them some trust.

MODERATOR--HOW ABOUT CONGRESS?

No. Really made the choice because of the constitution. We'd be unable to trust Congress.

MODERATOR—IS THERE A LOT OF PRIVACY BUILT INTO CONGRESS?

The thing that Congress works best on is issues that aren't very complicated and issues that are inherently emotional and can't really be dealt with any formal policy process. One day you're looking at theoretical analysis and any kind of system or institutional analysis. Congress has tools that it is used -- studies and not research studies. On anything that gets complicated . . .

MODERATOR—WHAT ABOUT RULES WE HAVE FOR THE INTERNET? DO YOU WANT TO CARVE OUT A SEGMENT OF THE PUBLIC INTEREST?

That's too big of question tonight. I find myself bouncing back and forth. Specific that's from the general problem.

MODERATOR-- HOW DOES THE PUBLIC INTEREST INFLUENCE THE RULES THAT GOVERN THE INTERNET?

I can't answer that.

MODERATOR--WHAT WOULD HAPPEN ON THE INTERNET THAT IT WOULD MOTIVATE THE PUBLIC TO PAY MORE ATTENTION TO GOVERNMENT AND TAKE A BIGGER ROLE IN IT?

Any catastrophe is abundantly motivating. I think it's easy to envision scenarios of personal information being abused. Some of these copyright issues are playing out that attract public interest. The field of music and I think population is very into music. That is an issue that is capable of capturing the public's imagination in a way that you see it as fun.

MODERATOR--ILLEGALITY DOES NOT NECESSARILY AROUSE THEM?

There are legal issues that will arouse people if they affect directly things that are important. That's the case with these music issues.

MODERATOR-- SPEAKING FOR YOURSELF, WHEN YOU VISIT SITES ON THE WEB, WHAT ARE THINGS YOU LOOK FOR IN A PRIVACY NOTICE AND SEPARATELY, IN A CONTRACT? WAYS IN WHICH THESE MATTERS CAN BE PRESENTED OR COULD BE PRESENTED. IN YOUR OWN EXPERIENCE.

I may not be as concerned about privacy as many people until I'm asked questions at a certain level. Under contract stuff, I generally ignore it, simply because it's not worth my time trying to read it.

MODERATOR--DO YOU BUY SOFTWARE ON THE NET?

Yes.

MODERATOR--HAVE YOU READ IN THE CONTRACT?

No, except for occasional for professional interest.

MODERATOR--WHEN YOUR READING FOR PROFESSIONAL INTEREST, THE CONTRACT; WHAT DO YOU LOOK FOR?

I look for onerous terms.

MODERATOR--LIKE WHAT?

Whether the software can be transferred to another user; whether there are any restrictions against talking about software; adverse reviews and things like that.

MODERATOR--HAVE YOU EVER DECIDED NOT TO MAKE A TRANSACTION OR PROVIDE PERSONAL INFORMATION ON-LINE BECAUSE OF A PRIVACY STATEMENT OR IN THE CASE OF A CONTRACT?

No. I think the reason is, is that if somebody actually puts a privacy statement up, I automatically assume that they are focused on privacy and reassuring the customer. Whereas, the strategy of the contract is somewhat different. The reason the contract is up there is it's to serve the companies self-interest in keeping as much control on its product as it can. The statement isn't here, we're concerned about privacy and if you really want to know about it, you can read it. It's basically, here's our terms. The nice version is our lawyers made us say this. The ultimate operative message is take it or leave it.

MODERATOR-- THEY WANT YOU TO CLICK THROUGH AND AGREE WITH. THEY CAN'T SELL IT TO YOU UNLESS YOU CLICK THROUGH AND IT'S THERE FOR THEIR SELF-INTEREST. IS THAT WHAT YOU'RE SAYING?

There is also an unreality about the contract that this is true of the privacy statement. You know that they are going to make some use of any personal information they provide. The contract situation the assumption, really on both sides, is probably this isn't going to have any practical effect. I'm going to use this offer the way I want it.

MODERATOR--REGARDLESS TO WHAT ONE JUST AGREED TO?

Regardless to what I agreed to that I didn't read. I'm not going to read through contracts to find out whether I can put this on my daughter's machine as well as mine. Can I have it on my laptop or at the office? Especially whether I can talk about it.

MODERATOR--OF THE GROUP THAT PROVIDE THEIR STAMP OF APPROVAL THAT A WEB SITE IS SECURE -- WHICH DO YOU THINK SERVES THE PUBLIC BEST, TRUSTe OR THE BETTER BUSINESS BUREAU ON-LINE OR ANY OTHERS?

I haven't tried to use them.

MODERATOR--IF WHEN YOUR'E ON-LINE YOURSELF, YOU HAVE TO CLICK THROUGH PRIVACY NOTICES.

I have a little bit better feelings about TRUSTe, because EFF have played a role in establishing it. So, I can't say that I really tried to compare them. It's not really just judging them by Pedigree.

MODERATOR--PEOPLE HAVE NOT HAD A LOT OF EXPERIENCE, IN DEPTH WITH THE THINGS.

I feel sort of foolish answering it that way; but I'm supposed to know something about this field. The fact is I have not . . .

MODERATOR--YOUR ACTUALLY IN LINE WITH...

Everybody else.

MODERATOR--IF YOU WERE TRADING STOCKS ON-LINE, WOULD YOU TAKE TIME TO READ A PRIVACY STATEMENT?

Probably, I don't trade stocks on-line; but . . .

MODERATOR-- IF YOU WERE LOOKING TO BUY MEDICINE ON-LINE OR FILL A PRESCRIPTION?

Yes.

MODERATOR--HAVE YOU EVER DECIDED NOT TO MAKE A TRANSACTION OR PROVIDE PERSONAL INFORMATION BECAUSE OF A PRIVACY STATEMENT?

I don't think so. I certainly have checked a lot of boxes saying that I don't want my address given to other companies or even to their affiliates or used for product announcements. That's conscious choosing of a certain kind of privacy; that's not about sharing my information. It's about what is done with it.

MODERATOR--IT IS ABOUT SHARING IT, IN A SENSE, YOU WOULD HAVE WANTED TO. DID YOU EVER GET DETERMINED TO STOP BECAUSE YOU DIDN'T WANT?

Not that I recall.

MODERATOR--DO YOU THINK THE PUBLIC LOOKS AT OR UNDERSTANDS PRIVACY STATEMENTS OR CONTRACTS?

No.

MODERATOR--SHOULD THEY BE MANDATORY?

Should privacy statements be mandatory? No I don't think so. I would resist that for free speech reasons and my feeling is that if it's treated as Intellectual Property and the assumption is that when you submit this information, it's basically all right for their immediate use. It can't be copied or re-distributed just like a copyrighted document. That's a better way of handling it.

MODERATOR-- DO YOU THINK LAWS SHOULD BE ENACTED TO LIMITED SPAM?

Yeah, I do.

MODERATOR--HOW ARE YOU BALANCING THEM OUT AGAINST OTHER TRADE-OFFS?

You are putting a burden on property that belongs to other people. That is why we may accept that for certain forms of non-commercial speech. Doing that without at least having the recourse to a valid return address, is a way of holding a personal accountable.

MODERATOR-- THERE HAS BEEN SOME DISCUSSION ABOUT ELIMINATING ANONYMITY ON THE INTERNET, SO THAT A PERSONS ACTIVITY COULD BE TRACED TO THEM; WHAT IS YOUR OPINION OF THAT?

I think it may be reasonable to eliminating anonymity in certain context.

MODERATOR--SUCH AS?

This is done all the time in setting the ground rules for chat rooms or forums of a formal sort. You really have to look at specific context so it can even out. Either that or you have to differentiate between spam and one-on-one messaging. It might depend on the context of the messages that the messages be clearly addressed. An address looks more serious if there are anonymous than if they are somebody that you know who is making just making a scene.

MODERATOR--DO YOU THINK THE PUBLIC WOULD BE WILLING TO TRADE THEIR ANONYMITY ON-LINE FOR MORE ACCOUNTABILITY?

In certain circumstances yes. This is really driven by the circumstances anonymity is not useful to see is as a principle that either buys the Internet or doesn't. It's a factor that is given different weight and figures into a different calculus depending on the circumstances.