

Brooklyn Law Incubator & Policy Clinic Takes Root

The Brooklyn Law Incubator & Policy (“BLIP”) Clinic was established to train a new generation of lawyers to represent emerging tech, Internet, communications and new media companies in a broad array of transactional, policy and litigation issues. Jonathan Askin, associate professor of clinical law at Brooklyn Law School, teaches the course. Professor Askin is an expert in the emerging area of Internet and new media law, and he recently joined the faculty with a distinct background in private practice with Internet communications companies as well as public service with the Federal Communications Commission.

In the clinic, students learn the intricacies of representing startups in emerging businesses where few, if any, laws were designed to accommodate new ideas. Students also advocate on behalf of causes and businesses, whose interests and concepts have not been represented in the various legislative, regulatory and judicial arenas. With a diverse client portfolio that includes more than 50 clients, the students confront varying legal, business and policy challenges across the spectrum of technology, Internet, media and telecom issues that would confront a modern, technology-oriented law firm.

“BLIP grew out of the recognition that the Internet and digital technology are forcing law and policy beyond traditional legal structures and strictures,” says Askin. “There is a profound need for a new generation of advocates who understand the nature of political and regulatory processes but also appreciate the needs of entrepreneurs whose ideas might be stifled by existing law and policy.”

Recent high-profile matters handled by students in the clinic include guiding the creators of a parody of the New York Times in distributing a few hundred thousand copies throughout New York, Los Angeles, Chicago and San Francisco; challenging a Florida “anti-spoofing” statute that could preclude the deployment of worthwhile Internet-based communications applications; and representing a client who was sued by Apple for violating its end-user license agreement and IP rights by taking the Mac operating system and repurposing it on other hardware. “BLIP students are attempting to turn this last suit into an antitrust challenge against Apple for control over the Mac OS,” says Askin.

A wide variety of clients are discovering and utilizing BLIP’s unique services. A startup company developing next-generation location-based services for cars came to the clinic for assistance with patent search, review and preparation, as well as significant issues related to user confidentiality and privacy. Other clients include a company attempting to redistribute, repurpose and annotate C-SPAN content for a larger, non-cable audience without fear of allegations of copyright violations; a video game development platform; a Web-based business specializing in on-demand, business quality language translation; a mobile phone SMS payment mechanism; and a minority-owned broadcast TV company with foreign ownership concerns.

“We are also assisting incubator programs at other schools based in New York with good ideas but no legal support,” Askin adds.

“BLIP will continue to train a new generation of tech-savvy attorneys who are equipped to represent emerging technology, Internet, telecommunications and media companies in the digital age.”



(L to R) Professor Jonathan Askin with students in the BLIP Clinic, Erik Dykema '10 and Eric Barr '09.