● **注意事項：本試卷之問題，如以中文提出者，請以中文回答；以英文提出者，請以英**

文回答。未依規定者，該題不予計分

1. Do you agree or disagree with Sen. Paul Wellstone's position? Take a stand and give supporting statements for your position. What viewpoint or solution will you argue for? (30%)

(The U.S.) Senator Urges Stronger Privacy For Calling Information

By David McGuire, Newsbytes
WASHINGTON, D.C., U.S.A.,
19 Mar 2002, 1:42 PM CST

Sen. Paul Wellstone, D-Minn., today urged his congressional colleagues to support tighter restrictions on the distribution of consumers' personal calling data.

Wellstone urged other senators to cosign a letter to the Federal Communications Commission (FCC) supporting the adoption of an "opt-in" privacy standard for Customer Proprietary Network Information (CPNI), which would require companies to gain customer permission before sharing their data.

CPNI data includes lists of the phone numbers that customers call and the numbers from which customers have received calls.

Under an opt-in standard, phone companies must obtain permission from customers before sharing or selling their CPNI data. Under an opt-out standard - the alternative to an opt-in approach - phone companies would be free to sell CPNI data unless they received a specific request from a customer to desist.

The FCC is in the process of reconsidering the opt-in standard, which it established under the Telecommunications Act of 1996.

U.S. West, a regional Bell phone company that later merged with fellow Qwest Communications Inc., challenged the FCC rule in court, arguing that federal regulators were violating U.S. West's First Amendment rights to use the calling data.

A federal court agreed, saying that the FCC had not provided ample support for its opt-in rule. That ruling triggered the agency's reconsideration of its rules surrounding the sale of CPNI data.

Many privacy groups have urged the FCC to reaffirm the opt-in standard.

"Opt-out is specifically designed to prevent people from exercising their rights," Electronic Privacy Information Center (EPIC) Legislative Counsel Chris Hoofnagle said today. "The telephone companies want to

market based on peoples' telephone calls and they want to do it without asking your permission."

Wellstone has introduced legislation that would mandate an opt-in standard for CPNI data.

(Reported by Newsbytes.com, http://www.newsbytes.com)

2. （A）**Why do people take this position?　What are their values?**（15%）

　　（B）請問你對於此議題之看法（20%）

Demand for Multilingual Domain Names

As the Internet originated in the United States, the technology has, not surprisingly, been very much based on the English language. Even those outside of the US who were pivotal in the development of the Internet typically had technical backgrounds and were familiar with English. Furthermore, ASCII codes have long been used at the core of computing and the Internet, especially early on, when resources such as central processing units and memory were limited. Because of these historical circumstances, even people in countries that do not use ASCII characters in their written languages have typically used ASCII characters when accessing services on the Internet. In addition, because users in the early stages of the Internet's development were from the research and academic communities, English language exclusivity did not prove to be significant obstacles to its expansion.

However, in more recent years, the Internet has grown to reach all corners of the world, to people of all ages and educational backgrounds, and is used by businesses and consumers alike. It is estimated that by 2003, two-thirds of all Internet users will be non-English speakers. Furthermore, over 90 per cent of the world's population speaks a primary language other than English. This means that, for an increasing number of people, English and the English alphabet will be considered barriers to becoming Internet users. These people will find it extremely unnatural to use the Internet in English with the English alphabet.

Therefore, the demand for Internet usage in languages other than English is growing and will continue to grow. Enabling the use of the Internet in one's native language, in which one is at ease, is important in extending the benefits of the Internet to all individual users. This is one more step toward bridging the "digital divide" — an expression commonly used to refer to the uneven global pace of progress in access to information and communication technologies.

It should be noted that, besides the disadvantages of using an alphabet with which they are not familiar, non-English speakers often face other issues of a more complex nature. For example, a Japanese person's

name "博文" is transcribed as "hirofumi" in Roman letters.　On the Internet, where only ASCII characters can be used, he is "hirofumi", just like other people named "hirofumi" but whose names may use different Japanese characters such as "博史" or "宏史".　In fact, there may be over 100 different Japanese representations that will end up being denoted simply as "hirofumi" in ASCII space. Consequently, in the ASCII world, the person in question is just one "hirofumi" of many other Japanese "hirofumis", although in his native Japanese characters he would be clearly differentiated.

This type of problem can exist, to a lesser extent, for people using Latin-based languages — for example, in the case of people with apostrophes, accents or other diacriticals in their names.　The exact forms of these names cannot be represented as domain names either, as these are restricted to Latin alphanumeric characters and the hyphen.　In other words, these people's real names are subject to mapping into a space where a much more limited set of characters are available.

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The terms "multilingual domain names" and "internationalized domain names" are often used interchangeably, although Internet engineers and operators tend to prefer "internationalized domain names." This may reflect the view that they wish to avoid the semantics of natural languages in domain names and merely want to make it possible to use characters from all over the world in domain name scripts.

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(ITU Briefing Paper: Technology and Policy Aspects, Multilingual Domain Names: Joint ITU/WIPO Symposium)

3.請針對下列（A）、（B）、（C）三組陳述分別提出你看法，在對於每段陳述的意見中，至少各附上三項理由以支持你的論點，並於最後就你對於科技法律的看法，提出 150 字以內之結論（**35%**）

（A1）近來科技法律研究所如雨後春筍般的成立，顯示科技、法律結合之重要性，而兼具科技與法律專長的人，將會是就業市場上的明日之星。

（A2）近來科技法律研究所如雨後春筍般的成立，而此種研究所的設立，往往側重於就業市場與科技產業的結合性，與法學速成的效果，這樣的設計與教育模式，實在令人擔憂。

（B1）科技法律，與其他法律學一般，需要的是紮實的法學訓練，與對於社會議題之不斷關切。

（B2）科技法律，不過是商業模式的一種，需要的是健全的人際關係與社會資源。

（C1）科技法律應強調基礎法律之重要性，否則只從技術性法規入手，終將會淪為對於利益之追求者，與產業的附屬品，而喪失法律人的尊嚴。

（C2）科技法律應強調科技與產業之連結性，否則只探討科技對於人與環境的衝突，終將與時代的需求脫節，而成為道德倫理學式的空談，而喪失存在的價值。