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Letter From the Editor

Paul A. Fritzingler
University of Richmond

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Letter From the Editor

Over the last few years, the problems attendant to software licensing regulation have occupied an important position in the minds of legislators at the federal, state and local levels. In the early nineties, the National Conference of Commissioners for Uniform State Laws (NCCUSL) recognized the potential for licensing problems presented by the use of computer software in the national arena as well as on the Internet and saw a clear need for regulations that would transcend state boundaries. In 1999, as a result of years of planning and careful drafting, NCCUSL promulgated the Uniform Computer Information Transactions Act (UCITA) in an attempt to deal with the legal problems peculiar to software contracts and licenses, online access to databases, contracts to distribute information over the Internet, and contracts to create computer programs. Patterned largely after Article 2 of the Uniform Commercial Code, UCITA was intended by NCCUSL to serve as a set of default rules to govern computer information transfers. In 2000, the Virginia state legislature voted to enact its own form of UCITA and scheduled it to become effective in July of the next year. This decision gave Virginia the distinction of becoming the first state to enact NCCUSL's new legislation and promised to have widespread effects on software transfers in the United States. Virginia's adoption of UCITA will have an impact on consumers and practitioners throughout the country and will provide an example from which other state legislatures can assess the advantages and disadvantages of enacting some form of UCITA.

With the new Virginia UCITA scheduled to become effective in July, 2001, the editorial board decided that a discussion of the new legislation by key personalities in related fields was needed to inform and educate practitioners, businesspeople and consumers about the intricacies and effects of UCITA. As a result, on March 2, 2001, the *Journal* hosted a symposium entitled "The Uniform Computer Information Transactions Act: The Future of Software Licensing in Virginia." The distinguished list of speakers at the symposium included: Carlyle Ring, Chairman of the UCITA Drafting Committee; Delegate Joe T. May of the Virginia state legislature; James Heller, Director of the law library and professor at William and Mary Law School; Dr. Irene Leech, President of the Virginia Citizens Consumer Council; Douglas Koelemay, Vice President of Public Affairs for the Northern Virginia Technology Council; Terry Riley, Executive Director of the Hampton Roads Technology Council; Richard Grier, Partner at Troutman Sanders Mays & Valentine, L.L.P.; Carla Stone Witzel, Member of Gordon, Feinblatt, Rothman, Hoffberger & Hollander, L.L.C.; and Christopher Mohr, Member of Meyer and Klipper, P.L.L.C. The sessions were moderated by Deborah Tussey, Assistant Professor at the University of Richmond School of Law; Robert Stolle, Executive Director of the Greater Richmond Technology Council; and David Frisch, Professor at the University of Richmond School of Law. Because of the extremely positive reaction that the *Journal* received from symposium attendees, we decided to transcribe the speeches delivered at the symposium and to couple them with other materials produced by particular symposium speakers to create this issue. To give the reader a genuine feel for the tone of the speeches, we have transcribed the speeches in a manner intended to preserve as much of the essence of the spoken words as possible. While this represents a break from the traditional law journal format, we hope that it will make reading the speeches more enjoyable and informative. We will return to our regular article, note and comment format in our next issue.

On behalf of the Editorial Board and journal staff, I would like to thank our predecessors for their hard work in producing an excellent symposium and for providing us with the materials necessary to produce this issue.

Paul A. Fritzinger
Editor-In-Chief

Monday, October 8, 2001

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