

CYBER LEGALITIES

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Memo 1: Lobbying

We will be building worlds in April. The design discussion is the first step along this path. Of course, what I am strongly backing is cognitive engineering as a balance to software engineering.

I trust your experiences with the market, and use your suggestions actively. Yes the trade show is mandatory.

One point of divergence (well of discussion right now) is using the show for evaluation. This is a substantially different technology than all other software projects I've encountered. Because of the compelling nature.

THE MAIN NOTION

If you haven't already seen enough evidence to believe Cyberspace will be viable in the market place, then I have failed to communicate the responses I've been getting from industry analysts.

There are two ways of looking at this. From my *role* as technical manager, we are violating basic premises (secrecy, expectation building, taking prototypes to shows, lack of testing). From my intuition, these risks are justified because *this idea is hot*. So, which of your comments are role, and which are heart? I wish to establish the perspective that premature commitment (re role) is smarter than slow responsible evaluation that risks squandering our slim technological lead. Its a low risk, high gain scenario.

I must first gain your support for this notion; as soon as we have demo in hand (mid April), I will take this to the Company.

Thus my advanced lobbying for growing Cyberspace now rather than later. And my realism that the Cyberspace team will be continuing in whatever context offers support. My job is to make it happen.

And, incidentally, I am worried about the liabilities of taking HMDs to the public.

Memo 2: Minimize Concern

I understand your idea of minimizing concern. What I want is information, i.e. a legal opinion. I did ask a high-status attorney about this, and have basically recounted his opinion.

I also understand your logical perspective (i.e. Cyberspace = videogame) because I held it myself until I talked to this guy. The critical difference is that the HMD takes away sight. The court will focus on the imposed physical disability.

In AI, when an expert system claims some competence (such as medical diagnosis), the software programmers might be liable if the diagnosis is in error.

I just don't want to approach hardware manufacturers without knowledge. Having raised the question, it's hard to ignore. I certainly couldn't prepare a proposal without considering it.

Memo 3: Legal Ramifications

I'm beginning to check out the legal ramifications of putting a head-mount display on a person, thus depriving them of their sight.

Possible scenarios:

- Person goes to Cyberspace, comes back unable to focus eyes.
- Person goes to Cyberspace, gets giddy, sick, disoriented.
- Person wears HMD while walking in traffic.
- Person wears HMD at home, falls down stairs.
- Person refuses to leave Cyberspace, becomes malnourished.
- Student hangs out in Cyberspace, doesn't get homework done.
- Person practices virtual violent acts, then transfers to physical reality.
- Person builds virtual world, thinks he's god, acts strange in company.
- Person engages in psychological cruelty to Cyberspace visitor.

The technical cognitive issue is that we may have a compelling technology, qualifying us for brainwashing status. If suing occurs, what are the legal responsibilities of hardware manufacturers, of software manufacturers? What if some one uses our Cyberspace Construction Kit to build a "bad" reality? (What if an engineer designs an AutoCAD building that is defective because of a bug in our modeling tools?)

In general, the legal profession is impoverished both technically and structurally to address Cyberspace issues. So:

Connect me with the best attorney you know to address torts, software responsibility, and hardware liability.