Biography

James Grimmelmann is a professor of law at Cornell Tech and Cornell Law School. He studies how laws regulating software affect freedom, wealth, and power. He helps lawyers and technologists understand each other, applying ideas from computer science to problems in law and vice versa. He is the author of the casebook Internet Law: Cases and Problems and of over forty scholarly articles and essays on digital copyright, search engine regulation, privacy on social networks, online governance, and other topics in computer and Internet law.

Grimmelmann holds a J.D. from Yale Law School and an A.B. in computer science from Harvard College. Before law school, he worked a programmer for Microsoft; after graduation, he clerked for a federal appellate judge. He is an affiliated fellow of the Yale Information Society Project. He previously taught at New York Law School, Georgetown, and the University of Maryland. He has written for Slate, Salon, Wired, Ars Technica, and Publishers Weekly; he is a regular source of expert commentary for major news media including the New York Times, the Wall Street Journal, the Washington Post, and All Things Considered. He and his students created the Public Index website to inform the public about the Google Books settlement.

Abstract

Antivirus software blocks malware; malware disables antivirus software. Cookie blockers delete cookies; websites reinstall them. Applications install new system components; operating system updates delete them. In numerous cases, one program deliberately interferes with another. These program-vs-program cases challenge the legal system to find a coherent way of distinguishing dangerous programs that harm users and make computers unusable from the valuable programs users rely on to keep them safe from the dangerous ones. Any such distinction, however, must rest on an underlying theory of user autonomy. Looking closely at program-vs-program conflicts can help us understand where current legal theories of what users want go wrong.