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Get a (second) life

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First, Lowell attorney **Tamiko R. Franklin** moved her IP practice to Zagreb, Croatia. Now she's practicing law in an even more distant frontier: that of virtual reality.

Franklin started offering legal advice on "Second Life," an online virtual community that gained prominence last month when Massachusetts Rep. **Edward J. Markey** convened a House Energy and Commerce Telecommunications Subcommittee hearing that was simulcast in the virtual world.

Franklin says the virtual side of her law practice involves advising Second Life "residents" about IP issues. She's even started the first virtual legal-services organization, the Virtual Intellectual Property Organization, which plans to incorporate in Massachusetts and pursue non-profit status.

"There are people who create content inside Second Life — everything from the buildings that they live in to the clothes that they wear," she explains. "I work with these people on their IP issues. Because it is so easy to copy digital content, there's a lot of copyright infringement that happens."

Franklin — whose avatar, or virtual world name, is Juris Amat — has helped virtual-world users write cease-and-desist letters and offers virtual "lectures" where she explains IP and copyright issues. "One resident we worked with successfully applied for a U.S. trademark to cover his product," she says.

Franklin knew little about the virtual reality world until she moved from Massachusetts to Zagreb in 2004 and joined the Matijevich Law Office, where one of her new colleagues would play the online game "Warcraft."

"I didn't think much of it until I went to an [American Bar Association] conference and there was a section lecture on virtual worlds," she recalls. "I realized that there was no regulation, yet you had potential tax issues with assets that are being traded. A bank in Singapore allowed people to withdraw U.S. dollars based on Linden dollars," the currency of Second Life.

"It blew my mind," says Franklin. "I saw that there was a Second Life Bar Association, but no IP practice, and I realized that there were all of these IP issues. Second Life is the first virtual world where [residents] own the IP rights to their content, instead of the service provider."

Franklin, who bills in Linden dollars, certainly isn't getting rich on her Second Life legal work: An average consultation yields the equivalent of about \$20.



“I feel it is necessary for the development of the world,” she says. “For these environments to develop and provide opportunities, you have to have responsible protection and enforcement of these rights.”

Virtual reality is “not just a game,” adds Franklin, who believes that those in poorer countries will one day be able to “use the virtual environment as a resource to earn an income.”

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