

Law Firm Launches RFID Blog

The site is aimed at providing policy makers, technologists and end users with information and commentary on RFID and legal issues.

By Mary Catherine O'Connor

May 11, 2006—McKenna, Long & Aldridge, a nationwide law firm that focuses on the intersection of public policy and technology, launched the RFID Law Blog this week. The firm will use the site as a means of providing information and commentary on a number of legislative initiatives linked to the use of RFID technology. Douglas Farry, a managing director of the firm and lead correspondent for the blog, says the site is intended for three target audiences: public-policy makers, RFID technology providers and RFID end users.

Farry believes policy makers will use the blog as an information source and a forum for their input on pending legislation. "It's [to be] a place for them to learn who the players are," he says. "Some public officials don't know where to get this information."

For technology providers, Farry says, the blog could provide updates on governmental decisions regarding RFID use or regulation that would likely impact either the RFID market or technology providers' business decisions or product development.

For end users, the blog can provide perspective on how governmental requirements surrounding RFID technology might differ from commercial uses. "What if the Feds came out with a specification for RFID products to be used in the federal government," he suggests, "but the specification was really stringent or very different than other widely used specifications?" For goods suppliers already using RFID tags to meet a retailer mandate, this could force them to deploy two separate tagging systems.

The blog is designed to be interactive, enabling readers to post reactions to entries or commentary.

"The government also has the potential to solve problems that hinder adoption, by doing things such as promoting standards or addressing [limitations in] the available radio spectrum," Farry says, adding, "With dozens of RFID bills and initiatives going on, there could be problems if laws [regarding RFID] are rolled out in a less than thoughtful way."

Privacy and security are a few of the issues surround RFID, says Farry, adding that what privacy advocates are now doing with respect to pushing regulation of the technology is a "familiar pattern" he witnessed during the emergence of electronic commerce over the Internet. "Privacy leaders quickly roll out restrictive legislation until they understand the technology better." Part of the goal, he says, is "to get ahead of that curve" so the technology might be better understood. That said, Farry is also looking out for the interests of his firm's clients involved in RFID. Since all of them are looking to advance the technology, none are pushing for any legislation that would regulate its use.

According to Farry, at least 12 state legislatures have bills pending that would restrict and/or regulate the use of RFID technology.

McKenna, Long & Aldridge is recruiting subject matter experts to an RFID policy advisory board that will contribute to the blog. The firm is adding links to the sites of other organizations hosting RFID-related forums and engaged in public-policy advocacy related to RFID technology and applications. In addition, Farry also intends to link to vendors' white papers and similar publications.

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