

LAW 7555: INTELLECTUAL PROPERTY

SYLLABUS

Prof. Bell
Spring 2008

COURSE DESCRIPTION AND OBJECTIVES

Intellectual Property surveys the principal tenets of intellectual property, including trademarks, copyrights, patents, and trade secrets. We will also explore practical aspects of this area of law, such as client counseling and litigation strategy, and theoretical questions of public policy and the interplay of state and federal laws affecting intellectual property.

This course should prepare you to analyze a wide variety of intellectual property issues at a general level. Dealing with more narrow topics, such as copyright litigation or patent prosecution, may require additional, specialized study. This class should also help to polish your legal reasoning skills and introduce you to some of the practical and ethical concerns of a working attorney.

GRADING

Ninety percent of your grade will come from a partial open-book final exam, based wholly or largely on your essay answers to hypothetical fact patterns. Participation will count for 10%. You can earn one participation point per class by signing a sheet indicating that you have prepared to discuss the assignment, and various points for any ungraded quizzes or projects I offer. You may lose some or all of the points allowed for classroom discussion if you sign up to speak but demonstrate lack of preparation.

HOW TO CONTACT ME

I encourage you to contact me if you have questions or comments about what we discuss in class or about law school in general. You can find me in my office, room 438, each Monday and Wednesday, from 11:30 a.m. until 2:00 p.m. I welcome you to drop by and chat at those times or at other times by appointment. You can also call me at 714/628-2503 or email me at <tbell@chapman.edu>. You can find old exams and other course materials at <www.tomwbell.com/teaching.html>.

READING ASSIGNMENTS

This syllabus sets forth the readings assigned for Introduction to Intellectual Property from the course's primary text, Goldstein, Copyright, Patent, Trademark and Related State Doctrines (rev. 5th ed. 2004). You should also read applicable portions of the supplement, Goldstein, Kitch & Perlman, Selected Statutes and International Agreements on Unfair Competition, Trademark, Copyright, and Patent (2007), as we progress through the course. Please note that while I will make a good faith effort to follow this syllabus, I reserve the right to change it.

	<u>class #</u>	<u>reading</u>	<u>(# pages)</u>
I.		Introduction and Overview	
	Class 1:	pp. 1, 12-35	(23)
II.		State Law--Undeveloped Ideas	
	Class 2:	pp. 36-49, 55-67	(26)
III.		State Law--Unfair Competition	
	Class 3:	pp. 68-83	(15)
	Class 4:	pp. 83-101	(18)
	Class 5:	pp. 101-118	(18)
IV.		State Law--Right to Publicity	
	Class 6:	pp. 178-215	(38)
V.		Federal Law--Trademarks	
	Class 7:	pp. 216-40	(24)
	Class 8:	pp. 240-67	(28)
	Class 9:	pp. 267-72, 277-99	(28)
	Class 10:	pp. 299-322, 328-37	(31)
	Class 11:	pp. 337-70, 374-75	(36)
	Class 12:	pp. 376-81, <i>Dastar v. Twentieth Century Fox</i> , 539 U.S. 23, 31-38 (2003), 386-93	(18?)
		TM Registration Exercise	

VI.	Federal Law--Copyrights	
	Class 13:	pp. 585-87, 594-618 (28)
	Class 14:	pp. 618-37, 846-49, 853-55, 861-64 (25)
	Class 15:	pp. 637-46, 654-57, 661-64, 665-74, 1-12 (skim) (33)
	Class 16:	pp. 674-95 (22)
	Class 17:	pp. 695-725 (29)
	Class 18:	pp. 727-35, <i>MGM v. Grokster</i> , 545 U.S. 913, 918-41 (2005), 747-54 (27?)
	Class 19:	pp. 896-916, 754-57, 761-67 (29)
	Class 20:	pp. 767- 95 (27)
	Class 21:	pp. 795-96, 805-17, 822-25 (15)
		© Registration Exercise
VII.	State Law--Trade Secrets	
	Class 22:	pp. 119-44, 158-62, 176-77 (notes 4 & 5) (31)
VIII.	Federal Law--Patent	
	Class 23:	pp. 394-415 (22)
	Class 24:	pp. 434-50, 463-68 (21)
	Class 25:	pp. 468-76, 482-87, 491-92, 524-33, 544 (first to last complete sentences), <i>eBay v. MercExchange</i> , __ U.S. __, 126 S. Ct. 1837, 547-50 (28?)
	Class 26:	pp. 550-58, 569-84 (24)
IX.	Industrial Design	
	Class 27:	pp. 970-85, 989 (last ¶)-990 (1st sent. last ¶), 1003-07, 1017-21 (24)
X.	Review	
	Class 28:	(review) (0)