

Course Code & No. - Section: BLAW 410 - Section 1
Course Title (Credits): Intellectual Property
Term & Year: Fall 2017
Course Ref. No. (CRN): 80201

Instructor: Professor Richard Gire (pronounced "Jeery"), J.D., M.B.A.
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Office: TCES – 2nd Floor
Office Hours: TTh 9:00-10:00am, by appointment

Class Meeting Time: TTh 11:30-12:45pm
Location: TCES 106

Prerequisites (from Catalog): MGMT 260
Corequisites (from Catalog):

Course Description

With a third of the market value of publicly traded U.S. corporations being attributable to intellectual property (over \$15 Trillion), it is surprising to learn that this subject matter has rarely been taught at the undergraduate level and has only recently emerged from the confines of standard law school curricula. Coursework will include hands-on experience of searching government databases and filing exercises with both the U.S. Copyright Office and the U.S. Patent and Trademark Office. Students will attain an in-depth understanding of the patent, copyright and trademark tools available for protecting and properly exploiting their, or their firm's, intellectual property assets in the global digital community.

Student Outcomes

Upon successful completion of this course, a student will be able to:

1. Identify intellectual property in a business environment;
2. Ascertain the status of such property and any claims that may exist on such property;
3. Independently file Federal copyright claims;
4. Perform initial research on Federal/State trademark claims and Federal patent claims;
5. Confidently seek advice from legal professionals with respect to issues of infringement and prosecution of trademark and patent claims;
6. Clearly describe how he/she would assess and act upon the professional advice received.

Methods of Assessing Student Performance

Student performance will be assessed using the following:

1. Attendance and participation in class discussion and class projects.
2. Three (3) individual and group class projects on trademark, copyright and patent;
3. Three (3) written, in-class, partially on-line, closed-book tests on trademark, copyright and patent;
4. A written, in-class, comprehensive, closed-book Final Exam covering all course subject matter. The Final Examination date is not negotiable; students need to plan their winter break accordingly.

Instructional Strategies

This class will utilize lectures, in-class research and discussions, case studies, individual/group assigned projects and reading/homework assignments.

Required Text

Intellectual Property: The Law of Trademarks, Copyrights, Patents, and Trade Secrets, Fifth Edition, Deborah E. Bouchoux; Cengage Learning; (c) 2018; ISBN: 978-1-305-94846-4

Attendance

Attendance will be taken at the outset of each class session. Full attendance is expected in that class preparation/participation is a significant component of a student's grade. Only two (2) absences are allowed for normal illness, transportation issues, etc. Hence, doctors' notes or other similar documentation are neither required nor accepted. The 3rd and 4th absences will negatively impact a student's preparation/participation grade assessment. Any student missing five (5) class sessions without severe extenuating circumstances such as hospitalization, death in the immediate family, etc. will earn an "F" or an "Incomplete" in the class. Any student failing the Final Exam may, in the instructor's exclusive discretion, earn an "F" in the class. Habitual tardiness will not be tolerated and may also result in full grade point deductions from a student's preparation/participation grade.

Athletics Excused Absences

The Athletic Director notifies faculty members via email of student athletes with excused absences for training and competition. This email excuses the student athlete from class attendance, but not from doing the assigned work. It is the student athlete's responsibility to meet with their professor prior to the excused absence for missed work and/or alternate assignments. If a student athlete fails to meet with their professor prior to the absence, make-up work is not available.

Class Requirements

This class is a "no phone zone." Laptop computers/tablets may only be used for note-taking or other authorized class-related purposes. Students using smartphones or using laptops/tablets for unauthorized purposes will be subject to expulsion.

Sanctions for Cheating and/or Plagiarism**The Honor Code**

The faculty of SNC believes students must be held to high standards of integrity in all aspects of college life in order to promote the educational mission of the College and to encourage respect for the rights of others. Each student brings to the SNC community unique skills, talents, values and experiences which, when expressed within the community, contribute to the quality of the educational environment and the growth and development of the individual. Students share with members of the faculty, administration and staff the responsibility for creating and maintaining an environment conducive to learning and personal development, where actions are guided by mutual respect, integrity, responsibility and trust. The faculty and students alike must make diligent efforts to ensure high standards are upheld by their colleagues and peers as well as themselves. Therefore faculty and students accept responsibility for maintaining these standards at Sierra Nevada College and are obligated to comply with its regulations and procedures, which they are expected to read and understand.

Consequences for Violating the Faculty/Student Honor Code

SNC students and faculty share the responsibility for maintaining an environment of academic honesty. Thus, all are responsible for knowing and abiding by the SNC Faculty/Student Honor Code published in the current SNC Catalog. Faculty is responsible for presenting the Honor Code and consequences for violating it to students at the start of their classes AND for reporting all incidences of academic dishonesty to the Provost. Students are responsible for knowing what constitutes CHEATING, PLAGIARISM, and FABRICATION and refraining from these and other forms of academic dishonesty. Violations of the Honor Code become part of a student's academic record.

SNC's Disciplinary Sanctions for Honor Code Violations:

- 1st Offense: Student receives a zero for assignment/exam and counseling with faculty on the Honor Code, consequences for violating the Honor Code, and the value of academic honesty in learning.
- 2nd Offense: Student fails course and receives counseling with faculty on the Honor Code, consequences for violating the Honor Code, and the value of academic honesty in learning.
- 3rd Offense: Student is expelled.

Grading Policy

Grades will be based on the following breakdown:

- 1) Trademark, Copyright, Patent Tests – 15% each
- 2) Trademark, Copyright, Patent Projects - 10% each
- 3) Final Exam – 25%
- 4) Class Participation – Subjective half-step increase/decrease in Final Grade

Mandatory Special Accommodations (ADA) Statement

Academic Accommodations: In accordance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, students with a documented disability are eligible for support services and accommodations. If a student wishes to request an accommodation, please contact the Director of Academic Support Services, Henry Conover, at (775) 831-1314 x7534, hconover@sierranevada.edu or go to the OASIS offices on the third floor of Prim Library within the first week of the semester.

Class Schedule

(subject to change for variations in class progress)

Aug. 22	Syllabus Overview/Class Requirements/Housekeeping
Aug. 24	Chapter 1 – Introduction To Intellectual Property Law
Aug. 29	Chapter 2 – Foundations of Trademark Law
Aug. 31	Chapter 3 – Trademark Selection and Searching
Sept. 5	Chapter 4 – The Trademark Registration Process
Sept. 7	Chapter 5 – Miscellaneous Trademark Procedures
Sept. 12	Chapter 7 – New Developments in Trademark Law
Sept. 14	Chapter 8 – International Trademark Law Trademark Project Due Distribution of Trademark Study Guide
Sept. 19	Trademark Section Review
Sept. 21	Trademark Test
Sept. 26	Chapter 9/10 – Foundations of Copyright Law/Subject Matter
Sept. 28	Chapter 11 – The Rights Afforded by Copyright Law
Oct. 3	Chapter 12 – Copyright Ownership/Transfers/Duration
Oct. 5	Chapter 13 – Copyright Registration/Search Exercises
Oct. 10	Chapter 14 – Copyright Infringement
Oct. 12	Chapter 16 – International Copyright Law Copyright Project Due Distribution of Copyright Study Guide
Oct. 17	Copyright Section Review
Oct. 19	Copyright Test
Oct. 24	Chapter 17 – Foundations of Patent Law
Oct. 26	Chapter 18 – Patent Searches

Oct. 31	Chapter 18 – Patent Applications
Nov. 2	Patent Project Submissions Due Patent Project Submission Review
Nov. 7	Chapter 19 – Patent Ownership and Transfer
Nov. 9	Patent Project Write-Up Due Chapter 20 – Patent Infringement
Nov. 14	Chapter 20 - Patent Infringement (cont.)
Nov. 16	Chapter 21 – International Patent Distribution of Patent Study Guide
Nov. 21	Thanksgiving Break – No Class
Nov. 23	Thanksgiving Break – No Class
Nov. 28	Patent Section Review
Nov. 30	Patent Test
Dec. 5	Trade Secrets/Unfair Competition Distribution of Final Exam Study Guide
Dec. 7	Final Exam Review Session
Dec. 13, Wednesday	Final Exam – 11:30-2:30pm

Mission Statement

Sierra Nevada College graduates will be educated to be scholars of and contributors to a sustainable world. Sierra Nevada College combines the **liberal arts** and **professional preparedness** through an interdisciplinary curriculum that emphasizes **entrepreneurial thinking** and environmental, social, economic and educational **sustainability**.