

Exam:

The exam format will be a take-home exam. Students may use the textbook, their notes and any materials distributed to the class. However, students should not use any materials such as commercial outlines or notes and outlines generated by others. Students will have 8 hours to complete the exam.

Student Assessment:

Your grade for this course will be based on your performance on the final exam and the quality of your class participation. In addition to in-class performance, class participation may include the satisfactory completion of one to three (1-3) short response papers (at least one page in length) regarding guest speakers or other additional class experiences. Response papers will be assigned throughout the semester at the instructor's discretion. Class participation may adjust students' grades by at least 1/3 of a letter grade.

Office hours:

Office hours will be held on Fridays from 12-1 pm and by appointment only. On most class days, I will stay after class approximately 10-15 minutes to answer student questions. For the benefit of the entire class, I will generally address substantive questions I receive via email in class when appropriate.

Announcements:

Outside of the classroom, the primary method for communication will be email. Any class announcements will be made via email and/or TWEN. Students should register for this course's TWEN page as soon as possible.

Code of Professional Responsibility and Conduct:

Law students are being trained to enter a profession in which the highest standard of conduct is expected. Consequently, all law students are required to comply with the rules and regulations of the University and the Dedman School of Law. Students should take the time to familiarize themselves with these rules and regulations.

Disability Accommodations:

Students needing academic accommodations for a disability must first be registered with Disability Accommodations & Success Strategies (DASS) to verify the disability and to establish eligibility for accommodations. Students may call 214-768-1470 or visit <http://www.smu.edu/alec/dass> to begin the process. Once registered, students should then provide the letter of accommodation to Assistant Dean Steve Yeager to put accommodations in place in the law school.

Religious Observance:

Religiously observant students wishing to be absent on holidays that require missing class should notify me in writing at the beginning of the semester, and should discuss with me, in advance, acceptable ways of making up any work missed because of the absence.

Excused Absences for University Extracurricular Activities:

Students participating in an officially sanctioned, scheduled University extracurricular activity will be given the opportunity to make up any class assignments or other graded assignments missed as a result of

their participation. It is the responsibility of the student to make arrangements with me prior to any missed scheduled examination or other missed assignment for making up the work.

Holidays/No Class:

There will be no classes on January 18th, February 24th and during spring break (March 14-18th). I will provide students with ample notice if other classes will be cancelled.

Course Schedule and Approximate assigned pages per week:*

| <u>Week</u> | <u>Topic</u> | <u>Pages in Casebook</u> | <u>Speakers/ Important Events</u> |
|--------------------|--|---|--|
| 1 (Jan. 11, 13) | Overview of IP; Introduction to Trademarks | Skim 1-24; Read 24-31; 763-790 | |
| 2 (Jan. 20) | Introduction to Trademarks; Trademark Classifications; Establishment of Trademark Rights | 804-810; 828-839 | <u>No Class January 18th</u> |
| 3 (Jan. 25, 27) | Trademark Office Procedures; Incontestability; Infringement | 848-855; 857-866; 868-874; 876-881 | |
| 4 (Feb. 1, 3) | Infringement; Dilution; Domain Names and Cybersquatting; False Advertising; Defenses | 889-899; 911-913; 923-930; 943-949; 794-796; 817-821 | |
| 5 (Feb. 8, 10) | Defenses; Remedies; Introduction to Patent Law | 953-958; 960-963; 972-980; 989-994; 996-1000; Skim 123-132 | |
| 6 (Feb. 15, 17) | Patentable Subject Matter; Utility; Describing/Enabling the Invention; Novelty | 132-139; 156-173; 177-180; 185-190; 191-196; 205-209; 226-229 | |
| 7 (Feb. 22, 24) | Describing/Enabling the Invention; Novelty; | 234-240; 243-246; 248-251; 257-278 | <u>No Class Feb. 24 (USPTO PTAB Hearings)</u> |
| 8 (2/29, 3/2) | Non-Obviousness; | 234-240; 243-246; 248-251; 257-278; 287-289; | |
| 9 (Mar. 7, 9) | Infringement; Defenses; Remedies; Design Patents | 295-310; 323-326; 328-332; 362-365; 370-373; 375-380; 382-389; 399-409; 412-427 | |
| 10 (Mar. 14-18) | <u>Spring Break</u> | | |
| 11 (Mar. 21, 23) | Infringement; Defenses; Remedies; Design Patents | 370-373; 375-380; 382-389; 399-409; 412-427 | |

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| 12 (Mar. 28, 30) | Introduction to Copyright Law; Requirements; Copyrightable Subject Matter; The Useful Art Doctrine; Domain and Scope; Initial Ownership of Copyright; | 429-445; 449-451; 454-464; [467-478, 480-481]; 482-489; 497-506; [506-520] | |
| 13 (Apr. 4, 6) | Duration and Renewal; Rights of Copyright Owners; Derivative Works; Public Performance and Display Rights; Notes on Moral Rights; Indirect Liability; Fair Use Defense; | 506-520; [526-536] 536-542; 545-549; 556-568; 572-578; [583-584]; [588-598] 598-606; 609-618 | |
| 14 (Apr. 7, 11) | Fair Use Defense; Other Defenses; Digital Copyright Law; Enforcement | 623-636; 639-649; 652-659; 670-680; [684-691]; 694-695; 698-709; 711-726 | |
| 15 (Apr. 13, 18) | Digital Copyright Law; Enforcement; Trade Secret Protection; Subject Matter | 729-731; 732-740; 33-43; 49-53; 58-60 | <u>Texas A&M IP Symposium</u> |
| 16 (Apr. 20) | Misappropriation of Trade Secrets; Departing Employees; Remedies | 65-68; 70-73; 76-79; 83-95; 106-109; 111-122 | |

*Please note that I reserve the right to change the reading assignment at anytime during the course. The above table is an estimate for your benefit and is subject to change.