

Western State University College of Law

**INTELLECTUAL PROPERTY**

Course # 442, section A; C.R.N. \_\_\_\_

Spring semester 2012; classroom # \_\_\_\_; three credits

Mondays and Wednesdays, 4:30 p.m. to 6:00 p.m.

*Prof. Matthew E. Cavanaugh*

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**Required text:** Robert P. Merges et al., *Intellectual Property in the New Technological Age* (Aspen / Wolters-Kluwer Law & Business, 5<sup>th</sup> ed., 2010), and 2011 case and statutory supplement.

**Course description:** In this introductory survey course, students study the basics of modern American intellectual property law, focusing on patents, copyrights, trademarks, and trade secrets. This course provides the fundamentals and a background for advanced courses in entertainment, sports, marketing, and technology law.

**Prerequisites:** Civil Procedure I & II, Contracts I & II, Criminal Law, Professional Skills I & II, Torts I & II.

**Required reading, with *suggested approximate* reading schedule:**

<u>Week</u>	<u>Dates</u>	<u>Topics</u>	<u>Read casebook pp.</u>
1	Jan. 18 & 23	Introduction	1 – 32
2	Jan. 25 & 30	Trade secrets	33 – 124
3	Feb. 1 & 6	Patents: introduction	125 – 195
4	Feb. 8 & 13	Patents: subject matter	195 – 267
5	Feb. 15 & 20	Patents: infringement and defenses	267 – 339
6	Feb. 22 & 27	Patents: international, remedies, designs, and plants	339 – 410
7	Feb. 29 Mar. 5	Copyrights: introduction and subject matter	411 – 497
8	Mar. 7 & 19	Copyrights: ownership	497 – 571
9	Mar. 21 & 26	Copyrights: exclusive rights and infringement	571 – 652
10	Mar. 28 & Apr. 2	Copyrights: defenses, digital, international, and remedies	652 – 732
11	Apr. 4 & 9	Trademarks: introduction and subject matter	733 – 796
12	Apr. 11 & 16	Trademarks: creation	796 – 855
13	Apr. 18 & 23	Trademarks: infringement	855 – 911
14	Apr. 25 & 30	Trademarks: defenses, international, and remedies	911 – 961
Review	TBA	Final examination preparation	[None]

The supplement contains additional and substitute material for the casebook; read additionally any other material (e.g. statutes) in the supplement to which the casebook text refers. We will cover the material more slowly at first, so we will get behind the above reading schedule early in the semester. *We will, however, catch up by the end of the semester and cover all the material above. I recommend against getting behind in the reading and having to do most of it at the end of the semester.*

**Final examination:** date, time, and place TBA; three hours, closed book, closed supplement, closed notes.

**Grade:** Your final course grade will be your statistically scaled score on the final examination, which I will lower by 0.1 for each class session you miss, at which you are unprepared, or during which you do not participate. You must personally sign the attendance sheet at each class session for your attendance to qualify.