



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL *of* LAW

PATENT LAW SEMINAR

COURSE NUMBER 847

SPRING - 2018

MONDAY/WEDNESDAY *2:00 – 2:50 AM* ROOM 133 LCR

ELSA RANSOM

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THE PROFESSOR

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LOCATION: 231L

OFFICE HOURS: Monday, Wednesday: 12 – 2; 3 – 3:30

By appointment at other times.

Appointments may be arranged by calling the office number listed above.

NOTE FROM THE PROFESSOR:

This Class focuses upon the law of intellectual property by reviewing the following principal areas; copyright subject matter, originality, fair use duration, ownership and transfer, infringement and remedies. This course also examines patents requirements, novelty and statutory bars, prior art, utility, inventor-shop rights remedies and infringement , trademark requirements for protection, subject matter administrative procedure, rights and remedies.

COURSE BOOKS & MATERIAL

Required Reading:

Landers, *Understanding Patent Law*, 3d ed., Carolina Academic Press, Durham, NC, 2018.

Individually assigned readings including statutory material, case law and periodical materials.

COURSE DESCRIPTION & OBJECTIVE

DESCRIPTION:

This is a 2-credit-hour survey course designed to make patent law accessible to a wide range of law students, not only those who have educational backgrounds in science, technology and/or engineering. The course goal is to enable them to develop proficiency in the fundamental principles of United States patent law. In this course, students will examine and discuss the fundamental concepts in selected patent law topics as reflected in federal statutes and regulations, appellate court opinions and various other related materials. Recent changes in U.S. patent law under the America Invents Act will constitute a major focus of class discussion. Students will be expected to demonstrate proficiency in analytical problem-solving skills involving the substance and function of patent law. Toward this objective, students will be prompted to present oral as well as written analysis of assigned problems reflecting real-world issues in patent law. Topic areas in which these competencies are expected include the following:

Basic features of modern patent philosophy

Structural components of a patent and their functions

Organization and function of the U.S. Patent and Trademark Office

Requirements for patent subject matter eligibility

Patentability requirements: Novelty, Non-obviousness, Disclosure, Enablement,

Best Mode, Utility Claim drafting principles Infringement analysis Remedies

OBJECTIVE:

It is expected that at the conclusion of this course, students should be prepared for more advanced courses in patent law as well as for internships involving familiarity with fundamental principle of patent law.

In addition to the expected competencies discussed above, this course, like other law school courses, is designed generally to challenge students to develop skills in statutory construction, analysis and synthesis; to understand and evaluate legislative intent and judicial reasoning, and to address and resolve issues of justice, policy, process and fact, utilizing principles of sound legal reasoning. In each topic area addressed, students are expected to gain competency in problem solving involving pertinent real-world issues. With regard to each topic covered, students should be able to

- X *paraphrase* -restate in his/her own words, describe, explain or summarize relevant terms, rules, concepts, policies and rationales;
- X *interpret* - reason from known information to the unknown; interpret the meaning of relevant terms, rules, concepts, policies and rationales ;
- X *apply* - known principles of law to given facts to determine if the principles control; apply known policies to new situations to determine if a particular principle or rule should apply; and apply known holdings and legal principles in any case studied to a hypothetical situation;
- X *compare* - two or more principles, cases, arguments and determine the extent to which they are similar or dissimilar.
- X *predict* - extrapolate from information by identifying implications and consequences so as to anticipate or predict likely results.

STUDENT LEARNING OUTCOMES

Students are expected to develop and practice the following analytical and evaluative skills:

Issue Spotting and Articulation based on recognition of key facts and applicable rules, policies and rationales;

Dissection, Comprehension and Interpretation of complex rules;

Development and Construction of Arguments and Opinions based on legal rules or principles;

Problem Solving demonstrating ability to reason by analogy, arrive at rational conclusions based on applicable legal principles, examine alternative solutions critically and recognize any pertinent non-legal and/or policy concerns.

Synthesis of individual case holdings to conceptualize broader legal principles.

GRADING

Grading Information:

Mid-Semester Assignment: 30% of the total grade.

Final Assignment: 50% of the total grade.

Problem Solving Exercises: 15%
(collectively). *Class Participation:* 5%.

Periodic Written Assignments including Problem-Solving Exercises. These are to be prepared outside of class and submitted in typewritten form. Specific instructions regarding format and submission procedures will accompany each assignment.

Mid-Semester Written Assignment. March 19, 2018. To be prepared outside of class by each student independently and submitted in typewritten form. Each student will address a legal question concerning one or more of the topics covered during the first half of the course. Specific instructions regarding format and submission procedures will accompany the assignment.

Final Written Assignment. Date and Time TBA. To be prepared outside of class by each student independently and submitted in typewritten form. Each student will address a legal question concerning one or more of the topics covered during the course. Specific instructions regarding format and submission procedures will accompany the assignment.

ACCOMMODATIONS

Students with disabilities who require accommodations must self-identify those needs to Virgie Mouton, the Assistant Dean for Student Development.

PARTICIPATION, ATTENDANCE & PROFESSIONALISM

Preparation and Participation. Each student is expected to be prepared to discuss the material assigned. As a general rule, students should stay at least one class period ahead in the assigned reading. Preparation entails briefing cases, reviewing pertinent statutory material and analyzing problems assigned. Participation requires the student's full intellectual engagement in group analysis, discussion and problem solving. Any student who demonstrates lack of preparation is subject to a reduction in points that contribute to his/her final grade.

Attendance Mandatory. Students are required to maintain regular attendance on class meeting days in order not to fall behind in course work, as well as to avoid the law school penalties for excessive absences as explained in the TMSL Student Rules and Regulations.

Honor Code. Students are expected to read and adhere to the provisions of this document. See TMSL Student Rules and Regulations.

ACADEMIC CALENDAR

FALL SEMESTER 2017 (SEVENTY DAYS OF CLASSES)

Orientation	Monday-Friday	August 14-18, 2017
First Day of Class	Monday	August 21, 2017
Last Day to ADD/DROP	Friday	August 25, 2017
Labor Day (NO CLASSES)	Monday	September 4, 2017
<i>Purge of all unpaid course selections</i>	Wednesday	September 27, 2017
Mid Term Examinations	Mon – Fri	October 23-27, 2017
Thanksgiving Holiday	Thurs – Fri	November 23-24, 2017
Last Day of Classes	Thursday	November 30, 2017
Last Day to Drop a Class	Thursday	November 30, 2017
First Year Professors' Grades due	Thursday	November 30, 2017
*Legislative Tuesday	Friday	December 1, 2017
*Legislative Wednesday	Saturday	December 2, 2017
*Legislative Thursday	Monday	December 4, 2017
*Legislative Friday	Tuesday	December 5, 2017
Reading Day (NO CLASS)	Wednesday	December 6, 2017
Final Examinations	Thursday- Friday	December 7 -Dec. 15, 2017
Commencement	Saturday	December 16, 2017

***Legislative Days are make-up days from Hurricane Harvey August 28 – September 1, 2017**

SPRING SEMESTER 2018 (SEVENTY DAYS OF CLASSES)

School Opens	Tuesday	January 2, 2018
First Day of Class	Monday	January 8, 2018
Last Day to ADD/DROP	Friday	January 12, 2018
M L K Holiday (No Classes)	Monday	January 15, 2018
<i>Purge of all unpaid course selections</i>	Wednesday	February 7, 2018
Mid Term Examinations	Mon – Fri	March 5– 9, 2018
Spring Break	Mon – Fri	March 12 – 16, 2018
Spring Break (University Closed)	Mon-Wed	March 12- 14, 2018
Good Friday (No Classes)	Friday	March 30, 2018
Last Day of Classes	Wednesday	April 25, 2018
Last Day to Drop a Class	Wednesday	April 25, 2018
First Year Professors' Grades due	Wednesday	April 25, 2018
Reading Period (No Classes)	Thur. – Sun	April 26 - 29, 2018
Final Examinations	Mon- Fri	April 30 – May 11, 2018
Hooping Ceremony	Friday	May 11, 2018
Commencement	Saturday	May 12, 2018

Please note that the calendar events and /or dates are subject to change.

Approved 5/31/2017 * Updated 10/18 /2017

POLICIES & PROCEDURES

- Any special accommodations must be requested via the Office of Student Affairs.
- You are expected to abide by the Honor Code. (See *Student Rules and Regulations* for Further Details)
- You are expected to conduct yourself in a professional manner – civility toward classmates is mandatory; this is graduate school.

