



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL *of* LAW

INTELLECTUAL PROPERTY LAW

LAW 854 – SECTION 1

FALL 2017

PROFESSOR

PROFESSOR ELSA RANSOM

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THE PROFESSOR

NAME: Elsa Ransom

TELEPHONE: 713-313-1047

EMAIL: eransom@tmslaw.tsu.edu

LOCATION: 231L

OFFICE HOURS: MWF
1:00 – 2:00 PM
(All other times by appointment only)

NOTE FROM THE PROFESSOR:

Appointments may be arranged by calling the office number listed above

COURSE BOOKS & MATERIAL

Required Reading:

Ned Snow, *Intellectual Property: A Survey of the Law*, Durham, North Carolina, Carolina Academic Press, 2017.

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

COURSE DESCRIPTION & OBJECTIVE

DESCRIPTION:

This is a 3-credit-hour survey course designed to function as an introduction to intellectual property law and as a prerequisite to advanced courses in copyright, patent and trademark law. In this course, students will examine the fundamental concepts and principles within these disciplines primarily through the study of federal statutes and appellate court opinions in the United States. Included in this study is a look at the underlying social policy considerations in each of these disciplines as well as the doctrinal conflicts that arise between intellectual property law principles and principles in other areas, most notably, the First Amendment of the United States Constitution. Students will be expected to gain fundamental knowledge of the substance and function of intellectual property law and to demonstrate proficiency in problem-solving skills in the three “IP” disciplines addressed in the course. To facilitate achievement of the former objective, the course will feature guest presentations concerning the targeted areas. Toward the latter objective, students will be prompted to present oral analysis of hypotheticals included in assigned reading, as well as written analysis of assigned problems reflecting real-world issues in the three IP areas targeted. At the conclusion of this course, students should be sufficiently prepared for advanced courses as well as for internships involving familiarity with fundamental principles copyright, patents, and trademarks.

OBJECTIVE:

This Intellectual Property Law course, like other law school courses, is designed 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

- *paraphrase* -restate in his/her own words, describe, explain or summarize relevant terms, rules, concepts, policies and rationales;
- *interpret* - reason from known information to the unknown; interpret the meaning of relevant terms, rules, concepts, policies and rationales;
- *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;
- *compare* - two or more principles, cases, arguments and determine the extent to which they are similar or dissimilar.
- *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

Written Assignments: Problem-Solving Exercises. There will be one such written assignment for each of the three major topics covered in the course, Copyright, Patent and Trademarks. These are to be prepared outside of class by each student without collaboration and submitted in typewritten form using the student's examinee number. Specific instructions regarding format and submission procedures will accompany each assignment.

Mid-Semester Examination. Wednesday, October 25, 2017. Cumulative coverage of material dating from the first reading assignment and lecture.

Final Examination. Date and Time TBA. Cumulative coverage of material dating from the first reading assignment and lecture.

Grading Information:

Mid-Semester Examination. 20% of the total grade.

Final Examination: 60% of the total grade.

Assigned Problems/Exercises: 20% (collectively)

ACCOMMODATIONS

If you require special accommodations, please fill out the necessary forms with the Dean's office. Your application and documentation will remain confidential. Your prompt attention will allow the law school to accommodate you, as soon as it has been made aware of your situation.

Please see:

http://www.tsulaw.edu/student_affairs/docs/Accommodations_Handbook_2016-2017.pdf

PARTICIPATION, ATTENDANCE & PROFESSIONALISM

PARTICIPATION:

Each student is expected to come to class prepared to discuss the material assigned. As a general rule, students should stay at least one class period ahead in the assigned reading when preparing for class. Such preparation entails briefing all cases, reviewing pertinent statutory material and analyzing problems appearing in the assigned materials. Participation requires the student's full intellectual engagement in class discussion regardless of whether or not it is the student's turn to speak. In class discussions, students may refer to their own briefs and notes, but reciting directly from the casebook is considered lack of adequate preparation. Reciting from commercially prepared outlines, briefs, cards etc. also fails to satisfy the preparation and participation requirements and is not allowed. Any student who demonstrates lack of preparation for discussion is subject to a reduction in points that contribute to his/her final grade. Failure to participate when called upon by the instructor to do so is also grounds for reduction in points.

ATTENDANCE:

Mandatory. Students are urged to maintain regular attendance 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. All students are expected to remain in the classroom for the entire time that class is in session.

PROFESSIONALISM:

Classroom Decorum. Each class period should be viewed as an opportunity for learning free from interference. Students are expected to conduct themselves in class in accordance with a standard of professionalism similar to that required of attorneys during courtroom proceedings. Violations constitute grounds for removal from the classroom and will be regarded as constructive absences. Examples of such violations include conversing during lecture or when otherwise not recognized to speak, and possession and use of electronic devices in the classroom which pose a distraction. Please note that video and/or audio recording of lectures is prohibited.



THURGOOD MARSHALL SCHOOL OF LAW

TEXAS SOUTHERN UNIVERSITY ACADEMIC CALENDAR 2017 – 2018

FALL SEMESTER 2016 (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>	Thursday	September 20, 2017
Mid Term Examinations	Mon – Fri	October 16-20, 2017
VETERANS DAY (NO CLASSES)	Friday	November 10, 2017 (tentative)
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
Reading Period (NO CLASS)	Friday - Sunday	December 1-3, 2017
Final Examinations	Mon –Fri	December 4 -Dec. 15, 2017
Commencement	Saturday	December 16, 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
President's Day Holiday (No Classes)	Monday	February 19, 2018
Mid Term Examinations	Mon – Fri	March 5– 9, 2018
Spring Break	Mon – Fri	March 12 – 16, 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.

TMSLAW REGISTRAR
Approved 5/31/2017

POLICIES & PROCEDURES

Please reference the Thurgood Marshall School of Law [Student Rules and Regulations Handbook](#).

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

READING ASSIGNMENTS

Required Reading:

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