

**PLS 61 Course Outline as of Spring 2020****CATALOG INFORMATION**

Dept and Nbr: PLS 61 Title: INTELLECTUAL PRPTY LAW

Full Title: Intellectual Property Law

Last Reviewed: 9/26/2016

<b>Units</b>	<b>Course Hours per Week</b>		<b>Nbr of Weeks</b>		<b>Course Hours Total</b>	
Maximum	3.00	Lecture Scheduled	3.00	17.5	Lecture Scheduled	52.50
Minimum	3.00	Lab Scheduled	0	6	Lab Scheduled	0
		Contact DHR	0		Contact DHR	0
		Contact Total	3.00		Contact Total	52.50
		Non-contact DHR	0		Non-contact DHR	0

Total Out of Class Hours: 105.00

Total Student Learning Hours: 157.50

Title 5 Category: AA Degree Applicable

Grading: Grade Only

Repeatability: 00 - Two Repeats if Grade was D, F, NC, or NP

Also Listed As:

Formerly:

**Catalog Description:**

This course presents an overview of the principal types of intellectual property, such as trade secrets, patents, copyrights, and trademarks.

**Prerequisites/Corequisites:**

Course Completion or Concurrent Enrollment in PLS 50

**Recommended Preparation:****Limits on Enrollment:****Schedule of Classes Information:**

Description: This course presents an overview of the principal types of intellectual property, such as trade secrets, patents, copyrights, and trademarks. (Grade Only)

Prerequisites/Corequisites: Course Completion or Concurrent Enrollment in PLS 50

Recommended:

Limits on Enrollment:

Transfer Credit: CSU;

Repeatability: Two Repeats if Grade was D, F, NC, or NP

## **ARTICULATION, MAJOR, and CERTIFICATION INFORMATION:**

<b>AS Degree:</b>	<b>Area</b>			Effective:	Inactive:
<b>CSU GE:</b>	<b>Transfer Area</b>			Effective:	Inactive:
<b>IGETC:</b>	<b>Transfer Area</b>			Effective:	Inactive:
<b>CSU Transfer:</b>	Transferable	Effective:	Fall 2010	Inactive:	
<b>UC Transfer:</b>		Effective:		Inactive:	

**CID:**

**Certificate/Major Applicable:**

Major Applicable Course

## **COURSE CONTENT**

**Student Learning Outcomes:**

Upon completion of the course, students will be able to:

1. Describe the major forms of intellectual property.
2. Recognize the requirements for protection under intellectual property law.
3. Identify the importance of preserving traditional intellectual property rights in a world of emerging technology.

**Objectives:**

Upon completion of the course, students will be able to:

1. Identify information that may be protected by intellectual property law and evaluate the best means of securing protection for such information.
2. Perform a basic trademark search.
3. Draft a simple compulsory license agreement.
4. Recognize infringement situations.
5. Draft an application for a trademark.

**Topics and Scope:**

1. Overview of Intellectual Property Law
  - a. Types of intellectual property
  - b. Public policy
  - c. Intellectual property terminology
  - d. Internet domain names, publicity and social media
2. Foundations of Trademark Law
  - a. Purpose and function
  - b. Types of trademarks
  - c. Acquisition of trademark rights
  - d. Common law, federal registration, and state trademark rights
  - e. Trade names and business names
  - f. Protectable matter
  - g. Exclusions
  - h. USPTO (United States Patent and Trademark Office)

- i. Trademark selection and searching
  - j. The trademark application
  - k. Trademark calendaring
  - l. Post-registration procedures
  - m. Infringement and dilution
  - n. New and international developments in trademark law
3. Foundations of Copyright Law
    - a. Common law rights and rights under 1976 Copyright Act
    - b. The U. S. Copyright Office
    - c. Copyrightable material
    - d. Works of authorship
    - e. Exclusions
    - f. Compilations, collections, and derivative works
    - g. Rights afforded by copyright law
    - h. Limitations on exclusive rights
    - i. Compulsory licenses
    - j. Ownership, transfer, and duration
    - k. Works made for hire
    - l. Termination of transfers of copyright
    - m. Copyright registration
    - n. Searching copyright records
    - o. Infringement elements
    - p. Defenses and remedies
    - q. New and international developments in copyright law
  4. Foundations of Patent Law
    - a. Rights under federal law
    - b. Patentability
    - c. Patent searching
    - d. The patent application
    - e. Prosecuting the patent
    - f. Patent ownership and transfer
    - g. Inventions made by employees and independent contractors
    - h. Infringement, defenses, and remedies
    - i. New and international developments in patent law
  5. Trade Secrets
    - a. Determination of trade secret status
    - b. Liability for misappropriation of trade secrets
    - c. Protection available
    - d. New developments in trade secrets law
    - e. Employer-employee relationships
    - f. Defenses and remedies to misappropriation
    - g. Litigation
    - h. New and international developments in trade secret law
    - i. Traditional intellectual property rights in a world of emerging technology
  6. Unfair Competition
    - a. Misappropriation
    - b. Publicity
    - c. False advertising
    - d. Disparagement and dilution
    - e. Infringement of trade dress
    - f. International protection
  7. Intellectual Property Audits and Due Diligence Reviews

- a. Practical aspects
- b. Conducting the audit
- c. Post audit activities
- d. Causation
- e. Consciousness of harm
- f. Peace officer's privilege of arrest
- g. Private citizen's privilege of arrest

**Assignment:**

1. Read textbook and outside sources of approximately 40 pages per week.
2. Written homework assignments based on lecture and readings.
3. Drafting (written) legal documents.
4. Participation in weekly discussions.
5. Group work and group presentations on intellectual property scenarios.
6. Legal terminology homework.
7. Midterm and final.

**Methods of Evaluation/Basis of Grade:**

**Writing:** Assessment tools that demonstrate writing skills and/or require students to select, organize and explain ideas in writing.

Drafting (written) legal documents.	Writing 10 - 15%
<b>Problem Solving:</b> Assessment tools, other than exams, that demonstrate competence in computational or non-computational problem solving skills.	
Legal terminology homework, group work on intellectual property scenarios	Problem solving 30 - 40%
<b>Skill Demonstrations:</b> All skill-based and physical demonstrations used for assessment purposes including skill performance exams.	
None	Skill Demonstrations 0 - 0%
<b>Exams:</b> All forms of formal testing, other than skill performance exams.	
Midterm and final exam	Exams 30 - 35%
<b>Other:</b> Includes any assessment tools that do not logically fit into the above categories.	
Attendance and participation; group presentation on intellectual property scenarios; weekly discussions	Other Category 15 - 25%

**Representative Textbooks and Materials:**

Intellectual Property: The Law of Trademarks, Copyrights, Patents, and Trade Secrets for the Paralegal, by Deborah Bouchoux, Delmar Cengage Learning, 4th edition, 2013.