INTELLECTUAL PROPERTY COURSE OFFERINGS
INDIANA UNIVERSITY MAURER SCHOOL OF LAW
FALL 2015

The following is a listing of all intellectual property courses, and some related courses, to be offered during the Fall 2015 semester. A schedule of the listed courses is set forth after the course listings.

The bracketed comments below each course description are informal comments from the relevant professors, providing some additional information that will hopefully be helpful (but should not be confused with any official position of the faculty of the Maurer School of Law!).

Note that it is not necessary to have completed the core courses before signing up for other courses, except as otherwise specified. For example, you can take Entertainment Law without having taken Copyright Law, but it might help. The exceptions relate to courses in patent law, which are more strictly sequenced. Talk to Professor Janis if you have questions.

CORE IP COURSES

B743: Patent Law (3) – Janis
This class surveys United States patent law, with an emphasis on the decisions of the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office (USPTO), and the U.S. Supreme Court. The structure follows the basic steps of a patent infringement suit, addressing claim construction, claim validity, infringement, defenses and remedies. In general, we will draw on cases involving straightforward and sometimes even humble technological developments that illustrate fundamental patent law principles. We will learn how patent law arguments are developed and rebutted before the courts and the USPTO; how the institutions of the patent system operate and how they might be improved; and how changes to the patent law regime, including those enacted as part of the America Invents Act, affect a wide range of innovators, from start-ups to universities to multi-national tech companies.

[Prof. J comment: You do NOT need to have a technical background to take this course. See me if you have questions about that. This course is a prerequisite, or is strongly recommended, for a number of upper-level patent law courses that will be offered in the spring, including Patent Prosecution, Patent Trial Practice, and many of our IP externships. Students who intend to specialize in patent practice should take this course in fall of the 2L year. Students who intend to specialize in non-patent IP should also take this course. These students often find that patent practice is a good entry point into the IP field.]
**B758: Trademark & Unfair Competition (3) – Janis**

This course will introduce students to the federal Lanham Act and related common law doctrines that protect against consumer confusion and the appropriation of commercial goodwill. We will investigate the creation and maintenance of trademark rights, trademark registration and administrative proceedings, loss of trademark rights, infringement of trademark rights, defenses and limitations, and jurisdiction and remedies. In addition to these topics, registration, and infringement, we will consider the constitutional and economic foundations of trademark protection and evaluate current trends in trademark law as it applies in online environments.

[Prof. J comment: Most of the cases in this course involve beer, Elvis, sports, or some combination thereof. Or sometimes Taylor Swift. In other words, trademark law is fun. But it’s not trivial – trademark doctrines can be subtle, the field is rapidly growing, and brands are among the most valuable assets of the world’s largest companies. This is another of our core courses in IP, along with Patent Law, Copyright Law, and International IP Law.]

**ELECTIVE IP COURSES, SEMINARS, CLINICS AND EXTERNSHIPS**

**B551: Intellectual Property Externship (3-4) – Du Mont**

The Intellectual Property Externship program consists of a series of externship opportunities developed and administered by the law school in connection with the Center for Intellectual Property Research. The number and type of externships will vary from semester to semester. Some may be available during the summer. Intellectual Property externship opportunities will be posted at designated times during the fall and spring semesters. Students will ordinarily apply directly to the externship hosts, who will be responsible for selecting externs. Student externs will then enroll in the Intellectual Property Externship course. Prerequisites will vary, depending upon the externship.

[Note from Prof. Du Mont: Students who have been selected for an IP Externship should sign up for B551 to receive credit for the externship. Students will receive a syllabus detailing the expectations for the externship.] (Pass/Fail).
B726: **Intellectual Property/Antitrust** (3) – Knebel
This course will focus on the interplay between the antitrust laws and laws protecting intellectual property such as inventions, works of authorship and trademarks. Although both sets of laws are ultimately intended to make our economy more innovative and productive, their distinct ways of accomplishing that objective often seem to put them at odds with each other and courts are routinely called upon to resolve those conflicts. In the process of looking at these conflicts and their resolution, the course will provide an understanding of basic antitrust principles that may be sufficient for students not intending to concentrate in that area. No previous exposure to antitrust is expected or required. It is recommended that students have taken at least one intellectual property course, or be concurrently enrolled in one.

[Note from Prof. Knebel: This course is only offered every other year, so rising 2Ls interested in the class should sign up for it this fall.]

B590: **Entertainment Law** (2) – Meitus
Entertainment law has been a respected area of legal practice for decades dealing with representation of both creative "talent" and entertainment business interests. Entertainment law has most notably come to the forefront of popular culture in the form of recent battles over music and video file sharing and questions about the alleged monopolistic practices of the increasingly small number of media conglomerates. This course will provide students with the opportunity to develop both a practical understanding of representing creative and business interests in the fields of music, literary publishing and film & television and a theoretical understanding of the broader IP and constitutional issues at stake with regard to control of creative media.

Either of the courses Survey of Intellectual Property Law or Copyright Law are recommended to be taken either prior to or concurrently with Entertainment Law (but are not required). The subject matter of Entertainment Law, though drawing on copyright law to some extent, does not significantly overlap with any other course to an extent that would preempt students from taking both.

B528: **IP Appellate Advocacy** (2) – TBD (Fall/Spring)
Course enrollment is limited to, and mandatory for, students selected for the 2014-15 INTA, AIPLA and IP LawMeet. Class work encompasses: a) completion of all practical requirements for competition preparation b) participation in all scheduled practice oral arguments and c) compliance with all applicable requirements of the external competition.

(For IP Moot Court Members) (fulfills skills requirement)

[Note from Prof. Janis: Students who have been selected for the INTA or AIPLA IP moot court teams should sign up for B528, designating Prof. Janis as the instructor, in order to receive credit for participating on the team. Students who have been selected for the IP LawMeet team should sign up for B734 and are eligible to earn 1 credit.] (Pass/Fail.)
The IP Clinic provides students the opportunity to work directly with clients on actual intellectual property law matters (e.g. patent, trademark, and copyright applications, interaction with the United States Patent & Trademark Office (USPTO), licenses, due diligence, and non-infringement and/or invalidity opinions). Students interested in IP law and advising individuals, start-ups, and small business are candidates for the Clinic. Because the Clinic is certified by the USPTO, students are eligible to receive temporary registration to practice before the USPTO. The Clinic is organized much like a law firm, with students working with other students and adjunct professors under the supervision of the Clinic Director. Students meet with the Director to review project status and to discuss experiences and concerns and attend at least a two-hour class each week. Students elect to participate in either (1) the patent section of the Clinic; (2) the non-patent section of the Clinic (trademark and other non-patent IP matters); or (3) both sections. Class sessions survey practical IP legal issues, including ethics, ownership, protection strategies, infringement avoidance, and client counseling.

Enrollment in the Clinic is limited, so students must submit a resume and an interest statement to the Director to obtain permission to enroll. Strongly suggested prerequisites or co-requisites include at least one of Patent Law, Trademark Law, or Survey of IP or equivalent experience. 2-3 credits, professional skills.

[Note from Prof. Hedges: This course description is currently being reviewed for approval by the faculty, but it reflects the course content as we expect to offer it in the 2015-16 school year. Please note that we expect to offer graded credit for the IP Clinic, not pass/fail credit as has been done previously.]
L730: Seminar in Intellectual Property (3) – Mattioli
This seminar will focus on intersections between intellectual property and other fields and disciplines, such as privacy, economics, informatics, neo-institutionalism, and health. Approximately six scholars/commentators will visit campus during the semester to present wide-ranging examples of interdisciplinary works-in-progress to seminar students. Drawing upon these examples of interdisciplinary IP scholarship, students will craft their own articles over the course of the semester. During class sessions, students will study and discuss the visiting scholars’ works-in-progress and relevant background readings, and attend the visiting scholars’ presentations and pose questions to each presenter. (Students will also typically have the opportunity to engage with the presenter informally during the presenter’s visit as well.) Prior or concurrent enrollment in at least one intellectual property course is a prerequisite.

(Fulfills research and writing requirement.)

[Note from Prof. Mattioli: For Fall 2015, six of the IP Seminar class sessions will feature invited intellectual property law scholars who will deliver works-in-progress to the class for discussion and review. In past years, we have offered an IP Colloquium (involving invited speakers) and a separate IP Seminar. This year we’re providing a unique opportunity for students to engage in a seminar that also blends in elements of the IP Colloquium.]

RELATED COURSES

B561: Elmore Entrepreneurship Law Clinic (3) – Need
The Elmore Entrepreneurship Law Clinic is designed to provide students the unique opportunity to work on actual business formation, planning, and strategy issues in a multidisciplinary setting. Students interested in transactional law practice, advising entrepreneurs, or becoming entrepreneurs are typical candidates for participation in the Clinic.

The Clinic operates much like a small law firm, with Clinic interns working under the supervision of the Clinic Director, providing legal and business consulting to a variety of early stage companies. Client projects vary widely, but frequently include advising clients on appropriate business form; drafting necessary formation documents; obtaining permits and licenses; negotiating contracts and leases; and providing business planning advice. Students frequently have opportunities to review and provide feedback on business plans of actual startups.

Clinic interns meet with the Director in groups or individually to review project status and to discuss experiences and concerns. Clinic interns also attend a two-hour class each week. The course surveys typical legal issues affecting entrepreneurial enterprises, including choice of entity issues; ownership and governance issues; employment issues; operational liabilities and insurance issues; financing issues; and employment issues.
Strongly suggested prerequisites for participation in the Clinic include Corporations, Corporate Taxation, and Business Planning, or equivalent preparations as determined by the Director. Per Indiana Supreme Court Rules, students participating in the Clinic must also have completed or be in enrolled in a Professional Responsibility course. 3Ls or 4th-year JD/MBAs only. Enrollment in the clinic is limited, so students must, at or prior to enrollment, submit a current resume and a brief statement of interest to the Director by email in order to obtain permission to participate, and proceed to enroll in the course while awaiting approval.

[Note from Professor Need: As we proceed to formalize the operation of the new Intellectual Property Clinic, we are working on opportunities for the Entrepreneurship Law Clinic and the Intellectual Property Clinic to work more closely together, including the sharing of some clients.]

**B587: Information Security Law (2) – Delaney**

Information security is a rapidly growing area of law that responds to the need to secure information and information systems (like the Internet) from hacking and other forms of unauthorized access, viruses and denial of service attacks, terrorist attacks, misuse, and accidental destruction or alteration. It is also concerned with the use of the Internet and other information networks by criminals and terrorists to plan illegal activities, and by law enforcement and national security officials to search for those activities. This course will examine these topics and the legal and policy issues they raise, with a particular focus on corporations, not-for-profit organizations, and civilian government agencies. We will look at statutes and cases addressing Fourth Amendment and related issues; civilian and military information security functions (including critical infrastructure protection); industry-specific laws and regulations affecting information security; and a variety of constitutional provisions concerning freedom of expression, association, and religion, privacy, anonymity, and other civil liberties. No technical knowledge is required. The course is designed to help students prepare for legal and non-legal jobs related to information security, cybersecurity, privacy and related fields in corporate, government, and non-for-profit sectors.
B708: **Information Privacy Law** (3) – Cate
Privacy law and policy is one of the most important and rapidly expanding (and changing) fields in the world today. Increasingly most aspects of daily life involve the (often unwitting) collection, communication, and use of personal data. As personal data are generated and collected more widely, and are far more revealing, governments are challenged to determine the proper limits and regulatory structures to enforce those limits, while businesses and other data users must determine how to comply with those emerging rules, often in the context of new technologies and unclear norms. This course will introduce a wide range of information privacy issues in the United States and, to a lesser extent, in other countries, in both the public and private sectors. Our goal is both to provide a substantive overview of the many laws and regulations in this rapidly growing field and to develop an analytical framework for examining the costs and benefits of various forms of privacy protection.

B709: **Transactional Drafting** (3) – Need
In this course, students start with the “nuts and bolts” of contract drafting and proceed through the process of incorporating deal terms into contract provisions. Students will study both stylistic and legal conventions and their relationship to one another in a range of contract types. Through the lectures, in-class exercises, and drafting homework assignments, students will learn how to draft clear contract provisions that minimize ambiguity. The course is designed for students who are interested in corporate or commercial law, but it is useful to any student who will be drafting and negotiating contracts in his or her legal career.

[Note from Professor Need: Though this is not an IP-specific drafting class, many of the drafting conventions taught in this course apply equally to IP transactions. If you are interested in IP transactional work and are unable to take the IP-specific drafting course, this section will also be helpful.]