



**Lloyd Greif Center**  
for Entrepreneurial Studies

**USC Marshall**  
School of Business

### **BAEP 474- The Entrepreneur's Guide to Intellectual Property, Fall 2018**

Mondays, 6:00p - 7:50p, JFF 416

Professor Luke L. Dauchot, P.C., [ldauchot@marshall.usc.edu](mailto:ldauchot@marshall.usc.edu)

Office hours: Mondays 4-5 pm, JFF 505

#### **Course Description-**

Ideas and innovation have become the principal drivers of economic growth and wealth creation in today's Knowledge Economy. A key concern for entrepreneurs is how to protect their ideas in order to capture value and create a sustainable business. Intellectual property (IP) — patents, trademarks, copyrights, and trade secrets — are the primary instruments through which that innovation is promoted, captured, and put to use for the benefit of society. Understanding this currency—and how to leverage it—offers an essential advantage to anyone embarking on a career in an economy dominated by IP.

Intellectual property has become the fulcrum of economic growth, individual opportunity, and wealth creation today. IP-intensive industries now account for a staggering 38.2% of total U.S. gross domestic product — or more than \$6.6 trillion in output annually. IP-intensive industries directly and indirectly employ 45.6 million people in the U.S. — 30% of total U.S. employment. Not only that, jobs in IP-intensive industries pay an average of 46% more than do jobs in non-IP-intensive sectors. From Silicon Beach startups to Fortune 500 boardrooms, from Viterbi engineering labs to Hollywood movie studios, and from college business seminars to debates in Congress over trade policy, IP issues now lie at the heart of almost every arena of modern life.

This class is devoted to teaching general (non-law) college students the fundamentals of intellectual property — its value, its basic workings, and its role in business, science, arts and the professions — as well as the ways that IP can be leveraged to achieve success as an entrepreneur. Any young person who does not understand at least the fundamentals of IP — its value, its basic workings, and its role in science, business, arts, and the professions — will find his or her entrepreneurial endeavors at a distinct disadvantage in the world of tomorrow.

How did America's uniquely democratic patent, copyright, and trademark systems help build the most powerful economy in the history of the world? What exactly can you patent, copyright, trademark, or keep as a trade secret — and how does each form of IP enable you (in different ways) to leverage the value of your innovation or creation? How do you know if your idea is patentable — and if it is, how do you go about getting one? How do you establish trademark protection for your business? What if someone infringes your copyright? How can you use your IP for profit or creative success? How do you manage these issues given the limited resources available as an entrepreneur? These are just a few of the questions this course will address.

Led by instructor and nationally-recognized IP practitioner Luke Dauchot, the course is expressly designed to integrate the theory and real-world practice of intellectual property. Aided by guest lectures by some of the nation's top inventors, startup CEOs, judges, litigators, and corporate IP strategists, entrepreneurial students will benefit from a wide range of insights and experiences in how to turn ideas into IP — and then IP into profit, career success, and creative achievement.

### **Learning Objectives-**

This course focuses on the theory, basic workings, and uses of intellectual property in business, sciences, the arts, and the professions. Upon completion of the course, students will be able to understand and explain the fundamentals, uses, and enforcement implications of intellectual property in today's economy and society. Students will be able to apply these principles appropriately as entrepreneurs.

#### **1] The Fundamentals of Intellectual Property**

- Explain the importance of IP in the Knowledge Economy and its role in promoting innovation and economic growth.
- Apply the criteria for obtaining a patent, copyright, trademark, or trade secret, and the protections and rights each form of IP give its owner to choose appropriate entrepreneurial strategies

#### **2] The Uses of Intellectual Property**

- Explain the roles played by patents, copyrights, trademarks, and trade secrets in various industries — especially in the healthcare, information technology, entertainment, and manufacturing sectors.
- Develop an in-depth understanding of how to leverage IP to attract venture capital investment, license your invention, outflank competitors and grow your business's profits, prevent others from stealing your inventions and artistic creations, and achieve professional or creative success.

#### **3] The Enforcement of Intellectual Property Rights**

- Explain the legal requirements for proving patent, copyright, and trademark infringement or the theft of trade secrets.
- Demonstrate critical thinking skills in analyzing infringement versus fair use arguments in copyrights and trademarks.
- Effectively articulate IP protections around the world -- including a perspective on national differences and the frictions they can and do cause.
- Develop a critical understanding of famous recent cases in IP enforcement and their implication for IP protection: Apple versus Samsung (patents) and the Blurred Lines (copyright) cases and their implication for business and the arts.

### **Required Materials-**

#### **Primary Textbook**

Kline, David. The Intangible Advantage: Understanding Intellectual Property In The New Economy. Los Angeles: The Michelson 20MM Foundation, 2016. Print.

## **Other Materials**

- Akhtar, Shayerah I., and Ian F. Fergusson. "Intellectual Property Rights and International Trade." Congressional Research Service, 4 Apr. 2014. Web.  
<[https://digital.library.unt.edu/ark:/67531/metadc287919/m1/1/high\\_res\\_d/RL34292\\_2014Apr04.pdf](https://digital.library.unt.edu/ark:/67531/metadc287919/m1/1/high_res_d/RL34292_2014Apr04.pdf)>.
- Alice Corporation PTY. LTD. v. CLS Bank International Et Al. U.S. Supreme Court. 19 Jan. 2014. Web.  
<[https://www.supremecourt.gov/opinions/13pdf/13-298\\_7lh8.pdf](https://www.supremecourt.gov/opinions/13pdf/13-298_7lh8.pdf)>.
- Diamond v. Chakrabarty. FindLaw. U.S. Supreme Court. 16 June 1980. Web. <<http://caselaw.findlaw.com/us-supreme-court/447/303.html>>.
- ELDRED Et Al. v. ASHCROFT, ATTORNEY GENERAL. FindLaw. U.S. Supreme Court. 15 Jan. 2003. Web.  
<<http://caselaw.findlaw.com/us-supreme-court/537/186.html>>.
- Jeong, Sarah. "Should We Be Able to Reclaim a Racist Insult - as a Registered Trademark?" *The New York Times Magazine*. The New York Times, 17 Jan. 2017. Web. 27 Feb. 2017.  
<[https://www.nytimes.com/2017/01/17/magazine/should-we-be-able-to-reclaim-a-racist-insult-as-a-registered-trademark.html?\\_r=0](https://www.nytimes.com/2017/01/17/magazine/should-we-be-able-to-reclaim-a-racist-insult-as-a-registered-trademark.html?_r=0)>
- "[REDACTED] The Report of the Commission on the Theft of American Intellectual Property." *The IP Commission Report* (2013). *IP Commission*. May 2013. Web.  
<[http://www.ipcommission.org/report/ip\\_commission\\_report\\_052213.pdf](http://www.ipcommission.org/report/ip_commission_report_052213.pdf)>.
- "The Patent Process: An Overview for Jurors." *Federal Judicial Center*, Federal Judicial Center, 1 Jan. 2013, [www.fjc.gov/publications/patent-process-overview-jurors](http://www.fjc.gov/publications/patent-process-overview-jurors).
- Thomas, John R. "Tailoring the Patent System for Specific Industries." *Congressional Research Service* (2015). Congressional Research Service, 6 Feb. 2015. Web. 26 Feb. 2017.  
<<https://fas.org/sgp/crs/misc/R43264.pdf>>.
- "United States Patent and Trademark Office." *United States Patent and Trademark Office - An Agency of the Department of Commerce*. Web. 27 Feb. 2017. [www.uspto.gov](http://www.uspto.gov)
- "U.S. Copyright Office." *U.S. Copyright Office*. Web. 27 Feb. 2017. [www.copyright.gov](http://www.copyright.gov)
- "US Court of Appeals for the Federal Circuit." *US Court of Appeals for the Federal Circuit*. Web. 27 Feb. 2017. [www.CAFC.uscourts.gov](http://www.CAFC.uscourts.gov)
- Uscourts. "The Patent Process: An Overview for Jurors." *YouTube*. YouTube, 22 Nov. 2013. Web. 27 Feb. 2017.  
<<https://www.youtube.com/watch?v=ax7QHQTbKQE>>.
- Yeh, Brian T. "Copyright Licensing in Music Distribution, Reproduction, and Public Performance." Congressional Research Service, 22 Sept. 2015. Web. <<https://fas.org/sgp/crs/misc/RL33631.pdf>>.
- Yeh, Brian T. "An Overview of the "Patent Trolls" Debate." (2013). Congressional Research Service, 6 Apr. 2013. Web. <<https://fas.org/sgp/crs/misc/R42668.pdf>>.
- Yeh, Brian T. "Online Copyright Infringement and Counterfeiting: Legislation in the 112th Congress." Congressional Research Service, 10 Jan. 2012. Web.  
<[https://www.ipmall.info/sites/default/files/hosted\\_resources/crs/R42112\\_120120.pdf](https://www.ipmall.info/sites/default/files/hosted_resources/crs/R42112_120120.pdf)>.
- Yeh, Brian T. "Protection of Trade Secrets: Overview of Current Law and Legislation." Congressional Research Service, 22 Apr. 2016. Web. <<https://fas.org/sgp/crs/secrecy/R43714.pdf>>.

## **Prerequisites and/or Recommended Preparation-**

Students must be enrolled and in good standing at the University. The course is open to all undergraduate students, schools, and majors at the University.

### **Course Notes**

The required textbook for this course, *The Intangible Advantage*, can be downloaded for free at [www.MichelsonIP.com/intangible-advantage](http://www.MichelsonIP.com/intangible-advantage) or purchased in print on [www.Lulu.com](http://www.Lulu.com). Links to other readings and videos will be provided free of charge on Blackboard.

Materials to be used: Blackboard *Intangible Advantage*: interactive eBook via iTunes, standard via website, Animated Video Series

### **Grading Policies-**

#### **Grading Detail**

A total of 1,000 points (excluding bonus opportunities) are available on the assignments. Final grades are based on the evaluation and grading of the following assignments and activities:

<b><u>Assignments</u></b>	<b><u>Points</u></b>	<b><u>% of Grade</u></b>
<b>CLASS PARTICIPATION</b>	150	15%
<b>TAKEAWAY WRITE-UPS</b>	150	15%
<b>MIDTERM PROJECT</b>	350	35%
<b>FINAL PROJECT</b>	350	35%
<b>TOTAL</b>	1000	100.0%

### **Assignments**

#### **Takeaway Write-Ups**

Following each Monday class, students must submit a short piece (1-2 paragraphs) noting key takeaways from the day's lecture and guest speaker. Students are also welcome to include in these submissions questions for the following week's guest lecturer. The 13 takeaways will account for 15% of your final grade and will each be eligible for 11.5 points. They are to be submitted via Blackboard no later than 6 PM PT Friday after that week's Monday class. Barring exceptional circumstances, late takeaways will automatically be deducted 2 points and takeaways submitted later than the following Monday, 12:00 pm will not receive any credit.

### **Midterm**

**Group Project:** Protecting a startup's valuable intellectual property (IP) is a critical task for entrepreneurs and investors alike, or the business may never get off the ground. In a small group of 4-5 students, you will be responsible for collaboratively developing a 7-9 page proposal for the launch of a new venture that meets the criteria for protecting each intellectual property asset covered in the course-- patents, copyrights, trademarks,

trade secrets. Your startup proposal must specifically address how the venture meets the criteria for each of the 4 types of IP protection, with pertinent examples included for each IP asset type.

Project responsibilities must be shared amongst all team members, with a 1-2 page written summary specifying each student's contribution to the project included at the end of the proposal. The midterm will be worth 35% of your final grade.

### **Final**

The final project will build on midterm venture proposals submitted by each team. All team members will be asked to revisit their start-up and respond to IP issues presented by the instructor. Each student will submit a write-up of no less than 5 pages (double-spaced) responding to the question presented. The final will be worth 35% of your final grade.

### **Participation**

In-class participation is a core part of the course and will account for 15% of the total grade. It is impossible to earn a participation grade if the student is not in class, therefore class attendance is very important.

Effective class participation consists of analyzing, commenting, questioning, discussing, and building on others' contributions; it is not repeating facts or monopolizing class time. The ability to present one's ideas concisely and persuasively and to respond effectively to the ideas of others is a key entrepreneurial and business skill. One of the goals of this course is to help you sharpen that ability.

Participation will be evaluated based on the following:

- Attendance
- Active engagement with instructor and guest speaker during class that evidences reading of assignments and critical thinking.

### **Assignment Submission Policy**

Assignments must be turned in on the due date/time electronically via Blackboard. If your internet breaks down on the due date, you must deliver a hard copy at the beginning of class on that day. If you are unable to attend class on that day, make arrangements for it to be delivered to the classroom or to my box by the start of class. Late or not, however, you must complete all required assignments to pass this course.

Assignments will be accepted after the deadline with the following penalties: Assignments turned in after the required time and within 24 hours of the date and time due will lose 10% of the total points possible. Papers turned in 24 hours after the due-date/time will lose 20% of the total points. **No papers will be accepted 48 hours after the date/time due.**

**Please be advised that your papers will be submitted on a random basis to "TurnItIn" through the Blackboard system, which will generate an originality report on your paper.** Bottom line: Your original thought, in addition to carefully cited sources, will insure that you don't run into academic integrity issues that may affect your grade or your standing at the university. **Any material cited verbatim from its original source should be in quotes and contain a reference to a full citation for that source using MLA (Modern Language**

**Association) format. Paraphrased work should also contain a reference to the source citation. See section on Academic Conduct below for guidance on plagiarism.**

## **ADDITIONAL INFORMATION-**

### **Add/Drop Process**

Most Marshall classes are open enrollment (R-clearance) through the Add deadline. If there is an open seat, students can add the class using Web Registration. If the class is full, students will need to continue checking the *Schedule of Classes* ([classes.usc.edu](http://classes.usc.edu)) to see if a space becomes available. Students who do not attend the first two class sessions (for classes that meet twice per week) or the first class meeting (for classes that meet once per week) may be dropped from the course if they do not notify the instructor prior to their absence.

The last day to add the class or withdraw without receiving a “W” (and receive a refund) is Friday, October 6, 2017. The last day to drop with a mark of a “W” (no refund) is Friday, November 10, 2017.

### **Retention of Graded Coursework**

Final exams and all other graded work which affected the course grade will be retained for one year after the end of the course *if* the graded work has not been returned to the student. If I returned a graded paper to you, it is your responsibility to file it.

### **Technology Policy**

Laptop and Internet usage is not permitted during academic or professional sessions unless otherwise stated by the respective professor and/or staff. Use of other personal communication devices, such as cell phones, is considered unprofessional and is not permitted during academic or professional sessions. ANY e-devices (cell phones, iPads, other texting devices, laptops, I-pods) must be completely turned off during class time. Upon request, you must comply and put your device on the table in off mode and FACE DOWN. You might also be asked to deposit your devices in a designated area in the classroom. Videotaping faculty lectures is not permitted due to copyright infringement regulations. Audiotaping may be permitted if approved by the professor. Use of any recorded or distributed material is reserved exclusively for the USC students registered in this class.

## **USC Statements on Academic Conduct and Support Systems**

### **Academic Conduct:**

Plagiarism – presenting someone else’s ideas as your own, either verbatim or recast in your own words – is a serious academic offense with serious consequences. Please familiarize yourself with the discussion of plagiarism in *SCampus* in Part B, Section 11, “Behavior Violating University Standards” <https://policy.usc.edu/scampus-part-b/>. Other forms of academic dishonesty are equally unacceptable. See additional information in *SCampus* and university policies on scientific misconduct, <http://policy.usc.edu/scientific-misconduct>.

### **Support Systems**

*Student Counseling Services (SCS) - (213) 740-7711 – 24/7 on call*

Free and confidential mental health treatment for students, including short-term psychotherapy, group counseling, stress fitness workshops, and crisis intervention. <https://engemannshc.usc.edu/counseling/>

#### *National Suicide Prevention Lifeline - 1-800-273-8255*

Provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week. <http://www.suicidepreventionlifeline.org>

#### *Relationship & Sexual Violence Prevention Services (RSVP) - (213) 740-4900 - 24/7 on call*

Free and confidential therapy services, workshops, and training for situations related to gender-based harm. <https://engemannshc.usc.edu/rsvp/>

#### *Sexual Assault Resource Center*

For more information about how to get help or help a survivor, rights, reporting options, and additional resources, visit the website: <http://sarc.usc.edu/>

#### *Office of Equity and Diversity (OED)/Title IX compliance – (213) 740-5086*

Works with faculty, staff, visitors, applicants, and students around issues of protected class. <https://equity.usc.edu/>

#### *Bias Assessment Response and Support*

Incidents of bias, hate crimes and microaggressions need to be reported allowing for appropriate investigation and response. <https://studentaffairs.usc.edu/bias-assessment-response-support/>

#### *Student Support & Advocacy – (213) 821-4710*

Assists students and families in resolving complex issues adversely affecting their success as a student EX: personal, financial, and academic. <https://studentaffairs.usc.edu/ssa/>

#### *Diversity at USC – <https://diversity.usc.edu/>*

Tab for Events, Programs and Training, Task Force (including representatives for each school), Chronology, Participate, Resources for Students

### **Students with Disabilities**

USC is committed to making reasonable accommodations to assist individuals with disabilities in reaching their academic potential. If you have a disability which may impact your performance, attendance, or grades in this course and require accommodations, you must first register with the Office of Disability Services and Programs ([www.usc.edu/disability](http://www.usc.edu/disability)). DSP provides certification for students with disabilities and helps arrange the relevant accommodations. Any student requesting academic accommodations based on a disability is required to register with Disability Services and Programs (DSP) each semester. A letter of verification for approved accommodations can be obtained from DSP. Please be sure the letter is delivered to me (or to your TA) as early in the semester as possible. DSP is located in GFS (Grace Ford Salvatori Hall) 120 and is open 8:30 a.m.–5:00 p.m., Monday through Friday. The phone number for DSP is (213) 740-0776. Email: [ability@usc.edu](mailto:ability@usc.edu).

### **Emergency Preparedness/Course Continuity**

In case of a declared emergency if travel to campus is not feasible, the *USC Emergency Information* web site (<http://emergency.usc.edu/>) will provide safety and other information, including electronic means by which instructors will conduct class using a combination of USC's Blackboard learning management system ([blackboard.usc.edu](http://blackboard.usc.edu)), teleconferencing, and other technologies.

### **Grade Disputes**

All grades assigned by faculty members are final. Students have the right to seek explanation, guidance,

counsel and reasons for the assignment of a grade. Faculty may initiate a change in grade if there is an error in the calculation of a grade. Students may appeal a grade according to university policy as set forth in *SCampus*. A faculty member may not change a disputed grade outside the formal appeals process. In response to a disputed academic evaluation by an instructor, a student is entitled to two levels of appeal after review by the instructor: first to the chairperson of the department and then to the appropriate dean of the school. The full university policy can be found in *SCampus* under University Governance / Academic Policies at <https://policy.usc.edu/scampus-part-c/>.



## **COURSE CALENDAR/READINGS/CLASS SESSIONS-**

Please note that class readings may change; to accommodate speaker availability, topic content or dates may also be modified. Any changes will be announced at least a week in advance.

<b>Week 1</b> <b>Aug. 20</b>	<b>Topics:</b>	<b>Intellectual Property Fundamentals: Introduction to IP</b> <ul style="list-style-type: none"><li>• <u>Origin of IP</u><ul style="list-style-type: none"><li>○ Early Roots</li><li>○ Origins of United States IP Rights</li><li>○ The Growth of IP in the United States</li></ul></li><li>• <u>IP Today: Why Is It Relevant?</u><ul style="list-style-type: none"><li>○ Fueling our Economic Engine</li><li>○ Protecting our Global Competitive Edge</li><li>○ Promoting Social Welfare</li></ul></li></ul>
	<b>Guest Speaker:</b>	Marshall Phelps   <i>IBM &amp; Microsoft</i>
	<b>Reading:</b>	<i>The Intangible Advantage</i> : Preface, 1.1, 1.3, 3.1, 3.3, 3.9, 4.1, 4.2, 4.3, 5.1.
	<b>Deliverable:</b>	N/A
<b>Week 2</b> <b>Aug. 27</b>	<b>Topics:</b>	<b>Intellectual Property Fundamentals: Patents and Trade Secrets Basics</b> <ul style="list-style-type: none"><li>• <u>Patents</u><ul style="list-style-type: none"><li>○ The bargain: public disclosure in exchange for a limited right to exclude</li><li>○ The structural elements of the patent</li><li>○ The legal requirements of the patent</li></ul></li><li>• <u>Trade Secrets</u><ul style="list-style-type: none"><li>○ Deriving value from a secret</li><li>○ Legal requirements of a protectable trade secret</li><li>○ Employment issues: “Non-compete” clauses and other restrictions</li></ul></li></ul>
	<b>Reading:</b>	<i>The Intangible Advantage</i> : 1.6 - 1.7 – 5 pages; 5.1 - 5.4 – 5 pages
	<b>Deliverable</b>	Week 1 Take-Away Submission
<b>Week 3</b> <b>Sept. 3</b>		<b>LABOR DAY -- NO CLASS</b>
<b>Week 4</b> <b>Sept. 10</b>	<b>Topics:</b>	<b>Intellectual Property Fundamentals: Copyright and Trademark Basics</b> <ul style="list-style-type: none"><li>• <u>Copyrights</u><ul style="list-style-type: none"><li>○ Eligible works</li><li>○ Rights conferred</li><li>○ Terms and Limits</li><li>○ Fair use</li></ul></li><li>• <u>Trademark</u></li></ul>

	<p><b>Guest Speaker:</b></p> <p><b>Reading:</b></p> <p><b>Deliverable</b></p>	<ul style="list-style-type: none"> <li>○ Protecting a distinctive indicator of source of origin</li> <li>○ Types and subject matter of trademarks</li> <li>○ Registering a trademark</li> </ul> <p>Diana M. Torres, Esq. Kirkland &amp; Ellis LLP.</p> <p><i>The Intangible Advantage</i>: 3.1 - 3.3 – 5 pages, 3.5 - 3.6 – 4 pages; 3.8 – 3 pages ; 4.1 - 4.8 – 9 pages</p> <p>Week 2 Take-Away Submission</p>
<p><b>Week 5</b> <b>Sept. 17</b></p>	<p><b>Topics:</b></p> <p><b>Reading:</b></p> <p><b>Deliverable:</b></p>	<p><b>Intellectual Property Fundamentals: How is IP created and regulated?</b></p> <ul style="list-style-type: none"> <li>● <u>The United States Patent and Trademark Office</u> <ul style="list-style-type: none"> <li>○ Granting a patent: the patent examination process</li> <li>○ “Post-grant” reviews</li> <li>○ Trademark registration and review</li> </ul> </li> <li>● <u>The United States Copyright Office</u></li> <li>● <u>The United States Courts</u> <ul style="list-style-type: none"> <li>○ An introduction to the Federal Circuit</li> </ul> </li> </ul> <p><i>The Intangible Advantage</i>: 1.3 - 1.4 – 7 pages; 1.9 – 3 pages; Review <a href="http://www.uspto.gov">www.uspto.gov</a>, <a href="http://www.copyright.gov">www.copyright.gov</a>, <a href="http://www.CAFC.uscourts.gov">www.CAFC.uscourts.gov</a></p> <p>Week 4 Take-Away Submission</p>
<p><b>Week 6</b> <b>Sept. 24</b></p>	<p><b>Topics:</b></p> <p><b>Guest Speaker:</b></p>	<p><b>IP Enforcement</b></p> <ul style="list-style-type: none"> <li>● <u>The Litigation Process</u> <ul style="list-style-type: none"> <li>○ Federal District Court</li> <li>○ International Trade Commission</li> <li>○ Appeals to the U.S. Court of Appeals for the Federal Circuit</li> </ul> </li> <li>● <u>Remedies</u> <ul style="list-style-type: none"> <li>○ Damages</li> <li>○ Injunctions</li> <li>○ Special Remedies</li> </ul> </li> <li>● <u>Alternatives to Litigation</u> <ul style="list-style-type: none"> <li>○ Challenges associated with litigation</li> <li>○ Mediation</li> <li>○ Arbitration</li> </ul> </li> </ul> <p>The Honorable S. James Otero United States District Court Judge</p>

	<p><b>Reading:</b></p> <p>United States District Court for the Central District of California</p> <p><i>The Intangible Advantage</i>: 2.3 - 2.9 – 15 pages  Review Federal Judicial Center jury patent video – 17 minutes  <a href="https://www.youtube.com/watch?v=ax7QHQTbKQE">https://www.youtube.com/watch?v=ax7QHQTbKQE</a> ;<i>The Intangible Advantage</i>: 3.7 – 2 pages; 4.9 - 4.10 – 3 pages; 5.5 - 5.6 – 4 pages  Report of the Commission on the Theft of American Intellectual Property, Chapter 1</p> <p><b>Deliverable:</b></p> <p>Week 5 Take-Away Submission</p>
<p><b>Week 7</b> <b>Oct. 1</b></p>	<p><b>Topics:</b></p> <p><b>Intellectual Property in Practice: Life Sciences</b></p> <ul style="list-style-type: none"> <li>● <u>Patents</u>: <ul style="list-style-type: none"> <li>○ A few more basics</li> </ul> </li> <li>● <u>The Right to Exclude</u> <ul style="list-style-type: none"> <li>○ Improve or impede healthcare?</li> </ul> </li> <li>● <u>Pharmaceutical Industry</u> <ul style="list-style-type: none"> <li>○ Innovation and pricing</li> </ul> </li> </ul> <p><b>Guest Speaker:</b></p> <p>Morgan Chu, Esq. Irell &amp; Manella LLP; Theresa Wen</p> <p><b>Reading:</b></p> <p><i>Diamond v. Chakrabarty</i> Supreme Court Decision – 11 pages  <i>The Intangible Advantage</i>: 1.8 – 2 pages</p> <p><b>Deliverable</b></p> <p><b>MIDTERM Group Project Due</b>  Week 6 Take-Away Submission</p>
<p><b>Week 8</b> <b>Oct. 8</b></p>	<p><b>Topics:</b></p> <p><b>Intellectual Property in Practice: Entertainment</b></p> <ul style="list-style-type: none"> <li>● <u>Copyrights</u> <ul style="list-style-type: none"> <li>○ A few more basics</li> </ul> </li> <li>● <u>Talent and Business: a complicated relationship</u></li> <li>● <u>The Digital Age</u> <ul style="list-style-type: none"> <li>○ Pirating and other challenges</li> </ul> </li> </ul> <p><b>Guest Speaker:</b></p> <p>A.J. Bedel, Senior Counsel, Litigation &amp; Intellectual Property, Hulu</p> <p><b>Reading:</b></p> <p><i>Eldred v. Ashcroft</i> Supreme Court decision – 27 pages  <i>The Intangible Advantage</i>: 3.4 – 3 pages; 3.9 - 3.12 – 6 pages  <u>Article</u>: “Online Copyright Infringement and Counterfeiting: Legislation in the 112th Congress,” Congressional Research Service, January 10, 2012. – 31 pages</p>



	<b>Guest Speakers</b>	TBA
	<b>Reading:</b>	TBA
	<b>Deliverable</b>	Week 10 Take-Away Submission
<b>Week 12 Nov. 5</b>	<b>Topics:</b>	<b>Selling IP Rights: Building Value and Attracting Investment</b> <ul style="list-style-type: none"> <li>• <u>Commercial Motivations</u></li> <li>• <u>How to do it: The Nuts-and-Bolts</u> <ul style="list-style-type: none"> <li>○ Selling</li> <li>○ Licensing</li> <li>○ Practical Implications</li> </ul> </li> <li>• <u>Valuing IP</u></li> </ul>
	<b>Guest Speaker:</b>	Andy Sherman, Executive Vice President, General Counsel and Corporate Secretary, Dolby Labs
	<b>Reading:</b>	<i>The Intangible Advantage: 2.1 - 2.2 – 2 pages</i> “The Patent Process: An Overview for Jurors” <a href="https://www.fjc.gov/publications/patent-process-overview-jurors">https://www.fjc.gov/publications/patent-process-overview-jurors</a>
	<b>Deliverable:</b>	Week 11 Take-Away Submission
<b>Week 13 Nov. 12</b>	<b>Topics:</b>	<b>Intellectual Property in Practice: Manufacturing</b> <ul style="list-style-type: none"> <li>• <u>Trademarks and Trade Secrets Basics</u> <ul style="list-style-type: none"> <li>○ A few more basics</li> </ul> </li> <li>• <u>Trademarks</u> <ul style="list-style-type: none"> <li>○ The power of branding</li> </ul> </li> <li>• <u>Trade Secrets</u> <ul style="list-style-type: none"> <li>○ Increasingly important and vulnerable</li> </ul> </li> </ul>
	<b>Guest Speaker:</b>	Brian Fogarty, Senior Director, Global Intellectual Property Litigation, Jack Schechter, Assistant General Counsel, Global IP Litigation, NIKE, Inc.
	<b>Reading:</b>	<i>The Intangible Advantage: 4.11</i>

	<b>Deliverable</b>	<p><u>Article</u>: “Protection of Trade Secrets, Overview of Current Law and Legislation,” Congressional Research Service, April 22, 2016. – 24 pages</p> <p>Week 12 Take-Away Submission</p>
<b>Week 14 Nov. 19</b>	<p><b>Topics:</b></p> <p><b>Guest Speaker:</b></p> <p><b>Reading:</b></p> <p><b>Deliverable</b></p>	<p><b>IP and Globalization</b></p> <ul style="list-style-type: none"> <li>• <u>Enforcing US IP interests abroad</u> <ul style="list-style-type: none"> <li>○ Territorial limits of US laws</li> <li>○ International treaties and trade agreements</li> <li>○ Cross-border cooperation</li> </ul> </li> <li>• <u>How others go about IP protection</u> <ul style="list-style-type: none"> <li>○ China</li> <li>○ European Union</li> <li>○ India</li> </ul> </li> </ul> <p>Peng (Paul) Lin, Vice President, Xiaomi IP Strategy</p> <p>Congressional, Research Service, Ilias and Ferguson: Intellectual Property Rights and International Trade. April 4, 2014 -- 22 pages  Congressional Research Service, Fever, Akhtar, Morrison : Digital Trade and US Trade Policy January 13, 2017 -- 47 pages</p> <p>Week 13 Take-Away Submission</p>
<b>Week 15 Nov. 26</b>	<p><b>Topics:</b></p> <p><b>Guest Speaker:</b></p> <p><b>Reading</b></p> <p><b>Deliverable:</b></p>	<p><b>IP Choices: deciding how best to create and leverage IP assets in a diversified, global environment.</b></p> <ul style="list-style-type: none"> <li>• <u>Choosing form of IP protection</u></li> <li>• <u>Share or keep exclusivity?</u></li> <li>• <u>License or Sell?</u></li> <li>• <u>Litigate or not?</u></li> </ul> <p>James J. Trussell  Associate General Counsel and Chief Intellectual Property Counsel BP America Inc.</p> <p><i>TBA</i></p> <p>Week 14 Take-Away Submission</p>

<b>FINAL Dec. 11</b>	<b>Deliverable:</b>	<b>FINAL Paper Due</b>
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