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MASSACHUSETTS SCHOOL OF LAW at ANDOVER

INTELLECTUAL PROPERTY

Fall 2020

Professor Thomas H. Martin

Course meets Tuesdays and Thursdays

6:00 P.M. – 7:15 P.M.

Three Credits

Casebook: R. Merges et al, Intellectual Property in the New Technological Age (sixth ed. 2013, or more recent edition).

This survey course on intellectual property covers the following topics:

Patents (six weeks);

Trade secrets (one week);

Trademarks (one week); and

Copyright (six weeks).

Patents, copyright and trademarks are all subjects the parameters of which are defined by federal statutes. An important purpose of this course is to enhance students' ability to work with statutory material. To that end, part of the first class on Tuesday, August 18, will be a library exercise in statutory research.

If you habitually do legal research online instead of in books, bring your laptop to class.

There will be three mini-tests, each counting for ten per cent of the final grade. The final examination will count for seventy per cent of the final grade.

Prior experience with intellectual property is not a prerequisite for this course. The only prerequisites are Torts and Contracts.

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SUGGESTED OUTLINE FORMAT FOR ALL INTELLECTUAL PROPERTY SUBJECTS

- I. Procedure for securing protected rights;
- II. Conditions that a party seeking protected rights must meet in order to secure them;
- III. Conditions that disqualify a party from protected rights;
- IV. What constitutes infringement of protected rights;
- V. Defenses to claims of infringement of protected rights;
- VI. Remedies for infringement.