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MASSACHUSETTS SCHOOL OF LAW at ANDOVER

## INTELLECTUAL PROPERTY

Fall 2021

Professor Thomas H. Martin

Course meets Tuesdays and Thursdays

6:00 P.M. – 7:15 P.M.

Three Credits

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Casebook: P. Menell, et al, Intellectual Property in the New Technological Age: 2020 (“IPNTA 2020”) (2 vols. paperbound);

Vol. I: Perspectives, Trade Secrets and Patents;

Vol II: Copyrights, Trademarks and State IP Protections.

Statutory Supplement: Intellectual Property Statutes: 2020 (paperbound).

These three paperbound volumes can be purchased together from Amazon for \$83.00.

### A NOTE ON THE PAPERBOUND CASEBOOK

Please read the brief preface which is printed in each of the two volumes of this casebook at pp. i-iii. In this preface, Professor Peter Menell and the other editors explain how and why they self-published this new edition of their casebook in a paper binding and why they are selling it at a dramatic reduction in price from that of older hardbound editions.

Your instructor hopes that this edition of IPNTA will prove financially rewarding to its editors and will stimulate the editors of other casebooks to publish likewise, at last freeing students from paying prices commanded by the casebook publishing monopolies.

Note well, however, the copyright dimensions of the story. Menell and his colleagues were able to seize control of the new edition only because they had retained the copyright in the first edition and, with the copyright, the right to control the preparation of derivative works. You will learn more about copyrights, derivative works, and much else, in this Intellectual Property course.

This survey course covers the following topics:

Trade secrets (one week);

Patents (six weeks);

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 24, will be an 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.