

LAW 141

Intellectual Property: Copyright, Trademark, and Patent Law

Course Description

Mickey Mouse, McDonald's, and Microsoft. These easily recognizable names conjure up globally recognized brands. There is immense value to trademarks - a word, name, symbol or device (think of the Golden Arches) that identify a brand; to copyright - protection for original works such as books, music, and film (think of Mickey Mouse); and to patents - the ability to prevent others from using your invention (think of the iPad). Collectively, these protected rights are called "intellectual property." These rights are and will continue to be a critical part of a business's and individual's rights to profit from what they produce as a work of the mind, as opposed to the work of the body. All three of these areas are heavily regulated by the federal government to balance the rights of the creators with the rights of the public. This course will review the scope of these three areas, show how they are protected, and give you hands-on experience in how you can preserve your client's right to their valuable intellectual property.

We will use online lectures, videos, homework assignments, and hypotheticals designed to illustrate how to identify and resolve issues related to trademark, patent, and copyright law.

Student Learning Outcomes

- Research and analyze whether a trademark or service mark is protected
- Perform trademark searches and report on trademark availability options
- Prepare documents to submit a trademark or service mark registration to the United States Patent and Trademark
- Describe the types and requirements for a patent
- Analyze the copyright protection and trademark protection applicable to a given work

Professor's Name, Contact Information, and Office Hours

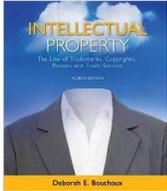


This course is taught by Associate Professor Susan Jaworowski. My email is susanjaw@hawaii.edu. My office hours are Tuesday from 3-4 in Kopiko 207, and by appointment. Please feel free to e-mail me to set up a meeting. If sending me an e-mail, please put "Law 141" at the start of the subject line to alert me that your message is for this class. You may also call me at 734-9102, but email will get you a faster response.

Class Meeting Schedule

This class will meet from January 10 to May 1. Our final exam will be the week of May 3-9 in a face-to-face proctored testing center, as described below under “final exam.” As noted in the “Get Ready for LAW 141 Online” site at <https://sites.google.com/site/law141prep/>, this is an **asynchronous** class. Our class “week” starts and ends on Thursday at 10 a.m.

Textbook



Bouchoux, D. E. (2013) *Intellectual Property: The Law of Trademarks, Copyrights, Patents, and Trade Secrets* (4th ed.) Delmar Cengage.

You will also need to be able to access materials on our course website on Laulima. **The location for Laulima is <https://laulima.hawaii.edu>**, and you can access it with your UH user name and password.

What will we do?

This course is comprised of online lectures, assignments, quizzes, discussion boards, and a final exam. There will be no midterm.

Weekly Outline

Class #	Topic	Read	Homework
1	Course introduction	Chapter 1	Q1 & Q2
2	Trademark - introduction	Chapters 2 & 3	Q3
3	Trademark - registration	Chapter 4 & 5	Q4
4	Trademark - actions	Chapter 6	Q5
5	Trademark – unusual TMs	Chapter 7 & 8	Q6 and assnmt 1
6	Patent - intro	Chapter 17	Q7
7	Patent - application	Chapter 18	Q8
8	Patent -nonobviousness	Chapter 19	Q9
9	Patent - infringement	Chapter 20 & 21	Q10 and assnmt 2
10	Trade secrets	Chapter 22	Q11
11	Copyright - intro	Chapter 9 & 10	Q12
12	Copyright - duration	Chapter 11 & 12	Q13
13	Copyright - registration	Chapter 13 & 14	Q14 and assnmt 3
14	Copyright - infringement	Chapter 16	Q15
15	Copyright - wrapup	Chapter 15	
16	Final exam		

I retain the option of modifying this syllabus, provided reasonable notice is given to students.

Attendance

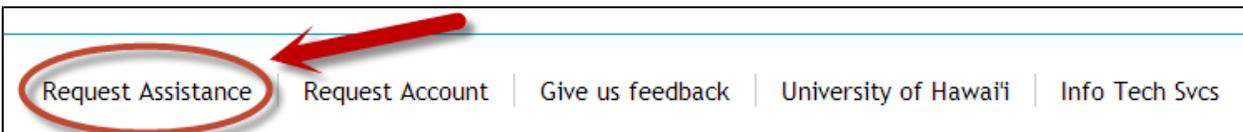
While there is no attendance as there is in a face to face classroom, it is very important that you come to the Laulima site often each week to view the PowerPoints and videos, do the readings, participate in the discussion board, and take the quizzes. Laulima will automatically lock the discussion boards (total of 150 points) and the quizzes (total of 150 points) at the end of our “week,” 10 am on Thursday.

To be successful in this course, you should set up three or more specific days each week to come to the Laulima site to see each week’s work. For last year’s students, everyone who got an A or a B in the course came to the Laulima site 5 – 6 times per week (this statistic counts each visit as a separate time, so a morning visit and an evening visit on the same day counts as two visits).

Setting up your computer and troubleshooting

By now, you should have set up your computer to access our course materials through the class prep site at <https://sites.google.com/site/law141prep/>. If not, go there now.

As you set your own time to do the class work, you need to schedule it to be done far enough in advance so that if you have computer issues, you can fix them before the assignment, quiz, or discussion board is due. That is one of the responsibilities of taking an online course. I **cannot** troubleshoot your computer issues. Contact Laulima tech support for issues with Laulima access. There is a link on the bottom of every Laulima page that allows you to request assistance from them.



Grading

Final grades will be based on the following point schedule:

Weekly quizzes	= 150 (15 at 10 points each)
Assignments	= 75 (3 at 25 points each)
Class discussions	= 150 (15 at 10 points each)
Final exam	<u>= 125</u>
Maximum points	= 500

A	450 and above
B	400-449
C	350-399
D	300-349
F	299 and below

Note: To pass this class, you must take the final exam. Failure to take the final will result in a grade of D, even if the total number of points exceeds 350.

Assignments

You will have one week to do each assignment. There is a 48-hour extension period after that week with an automatic 20% deduction. No assignments will be accepted after that: do NOT email them to me if the Assignment tool has locked you out.

Final exam

The final exam must be taken in a proctored environment at any UH campus. Proctoring for exam is offered free of charge at every UH campus, but if you are taking the final at a place other than KCC, you would need to notify me two weeks before the exam so I can ensure that the proctoring form and exam password is sent to the other campus. The link for information about all proctoring centers is at <http://www.hawaii.edu/dl/testcenters>

I will send out more information about the proctored final exam in April. If you are not in Hawaii, you would need to contact me to set up an alternative proctoring situation.

Office hours

In order to be responsive to student questions, I will do the following. All general questions should be posted to our Q&A discussion board. Specific questions, such as those relating to your grades, can be emailed to me, and I will respond within 24 hours M-F, excluding holidays. If you want to talk with me instead of communicate in writing, email me to set up a time to come by in person or to talk via phone or Skype.

Class expectations

Legal professionals are expected to follow a code of professional responsibility. As paralegals-in-training, you are expected to follow these standards of conduct in this class. Your behavior should be comparable to what would be appropriate in a law office or in court, so be courteous and professional to all in your participation in this course. Avoid disruptive behavior. Any student whose speech or actions are intentionally disrespectful, offensive, and/or threatening; interferes with the learning activities of others; impedes the delivery of College services; or has a negative impact in any learning environment will be directed to leave the class and may be subject to additional disciplinary action by the College. For more information, please refer to “Student Conduct Code,” Kapi`olani Community College General Catalog.

Important Student Information

Business, Legal & Technology (BLT) Department

STUDENT RIGHTS AND RESPONSIBILITIES

In instructional activities, students are responsible for meeting all of the instructor's attendance and assignment requirements. Failure to do so may affect their final grade. In all college related activities, including instruction, they must abide by the college's codes and regulations, refraining from behavior that interferes with the rights and safety of others in the learning environment. Finally, if they decide to file a grievance, they are fully responsible for providing proof that they have been wronged.

ELECTRONIC COMMUNICATION

For the consideration of classmates, cell phones must be turned off. Check your messages between classes or during the break.

EMAIL--University of Hawai'i Policy on Email Communication

The electronic communications policy adopted in December 2005 establishes the University of Hawai'i internet service as an official medium for communication among students, faculty, and staff. Every member of the system has an @hawaii.edu address, and the associated username and password provide access to essential web announcements and email. You need to regularly log in to UH email and web services for announcements and mail. Failing to do so will mean missing critical information from academic and program advisors, instructors, registration and business office staff, classmates, student organizations, and others. For more information go to MyUH at <http://myuh.hawaii.edu>.

CLASSROOMS

In consideration of other classroom users, please restart computers, clear workstation area of all rubbish, and return chairs to their proper position at the end of each class session.

FOOD AND DRINK

Food and drink are not permitted in the classrooms.

UNINVITED GUESTS/CHILDREN

As a courtesy to your classmates as well as to your instructor, uninvited guests and children are not allowed in the classroom. Please make special arrangements for childcare. For childcare information, see Single Parents and Displaced Homemakers Program under "STUDENT SUPPORT SERVICES."

WITHDRAWAL

The last day to withdraw from this class is noted on the academic calendar and deadlines at the Kapi`olani CC website, www.kcc.hawaii.edu. Please check this site for the latest updates. It is your responsibility to withdraw via the web or obtain the withdrawal form from the Kekaulike Information and Service Center (KISC), formerly Admission, Records, and Financial Aid offices, or from your counselor. It is to your advantage to consult with your counselor for available options. Note: If you are enrolled in only one course at the College, withdrawing from that course also withdraws you from the College.

STUDENT CONDUCT CODE

The University expects students to maintain standards of personal integrity that are in harmony with the educational goals of the institution; to respect the rights, privileges, and property of others; and to observe national, state, and local laws and University regulations. For more information, please refer to "Student Conduct Code," Kapi`olani Community College General Catalog.

AUDIO AND VISUAL RECORDINGS

Prior permission of the instructor is required for audio and/or visual recordings of lectures or class presentations. Student-initiated recording(s) and use of any electronic means of capturing or transmitting lectures or class presentations are prohibited and may be subject to disciplinary action by the College. For more information, please refer to "Student Conduct Code," Kapi`olani Community College General Catalog.

PLAGIARISM/CHEATING

Any student, including collaborators, who cheats or plagiarizes on any quiz, exam, or assignment will receive a "zero score" and will be asked to withdraw from class. If you turn in someone else's work or reformat another person's work as your own, it is cheating. You may not share disks, files, or printouts. Be honest with yourself and with others. If you have concerns, please discuss them with your instructor. For more information, please refer to "Student Conduct Code," Kapi`olani Community College General Catalog.

DISRUPTIVE BEHAVIOR

Any student whose speech or actions intentionally are disrespectful, offensive, and/or threatening; interferes with the learning activities of other students; impedes the delivery of College services; or has a negative impact in any learning environment may be subject to disciplinary action by the College. For more information, please refer to "Student Conduct Code," Kapi`olani Community College General Catalog.

ILLEGAL DRUGS AND ALCOHOL ABUSE

In conformance with existing law, students are not permitted to manufacture, distribute, possess, use dispense or be under the influence of illegal drugs and/or alcohol as prohibited by State and federal law on campus. Students found in violation of this shall be subject to the provisions of the "Student Conduct Code." The university will cooperate with law enforcement agencies. For more information, please refer to "Student Conduct Code," Kapi`olani Community College General Catalog.

FINAL COURSE GRADE

Final course grades are usually posted on the web within a week after grades are due. Grade reports are not mailed to students. Check MyUH at <http://myuh.hawaii.edu> to view grades.

HOW TO CONTACT THE DEPARTMENT

The department chair, Prof. Estelle Ogawa, may be reached at 734-9100 or estelle@hawaii.edu. The Paralegal Program Coordinator, Prof. Susan Jaworowski, may be reached at 734-9102 or susanjaw@hawaii.edu.

STUDENT SUPPORT SERVICES

For more information, please refer to "Student Support Services," Kapi`olani Community College General Catalog.

Academic Advising counselors assist students with course selection and planning towards graduation.

Melvin Jadulang advises BLT students with last names A-L, Kopiko 111, email melvinj@hawaii.edu,

phone 734-9017. Cynthia Kimura advises BLT students with last names M-Z, Kopiko 109, email ckimura@hawaii.edu, phone 734-9107. BLT counselors email declared accounting, information technology, marketing, and paralegal majors important program/departmental/counseling information.

Please read your @hawaii.edu email and use your @hawaii.edu email when contacting the counselors.

Disability Services provides support services to students with documented disabilities. Extended time in a distraction-free environment is an appropriate accommodation based on a student's disability. If you are a student with a documented disability and have not voluntarily disclosed the nature of your disability and the support you need, you are invited to contact the Disability Support Services Office, `Iliahi 113, email kapdss@hawaii.edu, or phone 734-9552 for assistance.

Kahikoluamea counselors and peer advisors encourage and support first-year students in their transition to college and toward the successful completion of their academic courses. Services provided include peer counseling, tutoring, academic counseling, financial aid application assistance, and connections to programs and services, `Iliahi building, phone 734-9341.

Kekaulike Information and Service Center (KISC) (formerly the Admission, Records, and Financial Aid offices) assists students regarding registration concerns, transfer credits, financial obligations, scholarships/ grants/loans, on campus employment, etc., `Ilima 102, email kapinfo@hawaii.edu, phone 734-9555.

Malama Hawai`i assists all Native Hawaiian students as well as students enrolled in Hawaiian Language, Hawaiian Studies, & Pacific Island Studies with academic, social, and cultural success. Visit them in the Manele building, phone 734-9700, or check out their Facebook (Malama Hawaii).

The Native Hawaiian Career & Technical Education Project helps Native Hawaiian students in Business, Legal & Technology Education; Culinary; Emergency Medical Services; Health Sciences; Nursing; and Hospitality and Tourism with academic, financial, career, and cultural success. Visit them in the Manele building, email nhctep@hawaii.edu, phone 734-9554.

Single Parents and Displaced Homemakers Program assists eligible single parents and displaced homemakers to gain marketable skills. Services include academic, career and personal counseling; referral networks; career/life planning seminars; financial aid; childcare information; and workshops/club activities. You are invited to contact the program in `Iliahi 201, email spdh@hawaii.edu, phone 734-9504.

TRIO-Student Support Services helps qualified low-income, first-generation students and/or students with disabilities to succeed in academics, attain their educational goals, or transfer to a four-year educational institution. You are invited to contact TRIO in `Iliahi 113, email kaptrio@hawaii.edu, phone 734-9553.

This and all other course materials are available in alternative formats upon request.