

TEXAS TECH UNIVERSITY SCHOOL OF LAW
Introduction to Intellectual Property
Fall 2012

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FINAL EXAMINATION

Write your exam number here: _____

All exam materials (including this booklet and your response) must be turned in at the end of the period. You will not receive credit unless you return this booklet with your exam number written above. Do not turn the page until instructed to begin.

Notes and Instructions

1. Assume that today's date is December 13, 2012.
2. You may write anywhere on the examination materials – e.g., for use as scratch paper. Only answers and material recorded in the proper places, however, will be graded.
3. Your goal is to show your mastery of the material presented in the course and your skills in analyzing legal problems. It is upon these bases that you will be graded.
4. During the exam: You may not consult with anyone – necessary communications with the proctors being the exception. You may not view, attempt to view, or use information obtained from viewing materials other than your own.
5. The only material to which you may refer during the exam, other than this exam booklet, scratch paper provided as part of the exam administration, and any special references specifically authorized by the School of Law administration for you as an accommodation, is a “reference sheet,” consisting of a single 8.5-inch-by-11-inch sheet of paper, upon which anything may be written and/or printed, including on both sides, front and back. You may not consult or access any other piece of paper. No materials may be shared during the exam.
6. After the exam: You may discuss the exam with anyone, except that you may not communicate regarding the exam with any enrolled member of the class who has not yet taken the exam, and you must take reasonable precautions to prevent disclosure of exam information to the same.
7. This exam will be graded anonymously. You may not waive anonymity. Do not write your name on any part of the exam response or identify yourself in any way, other than to use your examination I.D. number appropriately. Self-identification on the exam will, at a minimum, result in a lower grade, and may result in disciplinary action.
8. All facts take place in the United States, and all questions refer to United States law, unless otherwise noted. Except where a question (including the responses offered therefor) specifically identifies a real state (e.g., by mentioning “Texas,” “New York,” etc.), you must answer the questions based on the federal law, prevailing common law, and typical state statutory law in the United States, including all rules, procedures, and cases as presented in class, as well as, where appropriate, the theory and history discussed in class.
9. A reference to a “patent” is a reference to a utility patent, unless otherwise specified.
10. All exam materials, including this booklet, any scratch paper you use, and your answer sheet, must be turned in at the conclusion of the period for taking this exam.

For multiple-choice questions:

11. **The multiple-choice portion is worth approximately 1/3 of the overall grade.**
12. Each correct answer is worth one point. There is no penalty for incorrect answers.
13. Choose the most correct answer based on the materials assigned and presented in class. Each question has only one most correct answer. For example, where choices (a) through (d) are correct and choice (e) is "All of the above," the last choice (e) would be the most correct answer and the only answer that will be accepted. Where two or more choices are correct, the most correct answer is the answer that refers to each and every one of the correct choices.
14. Subsequent to the exam's administration, in the sole discretion of the instructor, if error or irregularity is discovered, any affected question may be thrown out, or alternative answers may be given credit.

For the essay portion:

15. **The essay portion is worth approximately 2/3 of the overall grade.**
 16. Note all issues you see. More difficult issues will require more analysis. Spend your time accordingly.
 17. Organization counts.
 18. Read all exam question subparts before answering any of them – that way you can be sure to put all of your material in the right place.
 19. Be complete, but avoid redundancy. By way of example, do not repeat the exact same analysis with substituted parties. Computer users should probably not use the cut-and-paste function. Instead, to the extent called for, you may incorporate analysis by reference to another portion of your answer.
 20. Feel free to use reasonable abbreviations.
 21. **The word limit for your response for the entire essay portion of the exam is 2,500 words. Do not exceed the word count.** You are responsible for ensuring that you do not exceed the word count, whether you are handwriting or typing on a computer. Material written in excess of the word count will not receive credit.
 22. Bluebooks: Make sure your handwriting is legible. I cannot grade what I cannot read.
 23. Computers: Please clearly label each subpart of your answer.
24. **Good luck!**