



About this Course

Intellectual Property Survey
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Intellectual Property

- How you can use it in your career ...
- What's rewarding about it ...

Slides

- I don't always use slides, but when I do ...
- My practice is to read every word on every slide.
- And I will post all slides with text content* to the class website after the class in which they are used.
 - *Unless it's incidental text captured in a photo, or the like
- Therefore, I strongly urge you not to try to read the slides in class. Just listen. Then, look at the slides later to review things.

Class Website

- The home for information about the course is the course website:
http://www.ericjohnson.com/courses/ip_22_fall/
- It's where to find the syllabus and chart of assignments. It's also where I'll post slideshows, handouts, info about the exam, links to supplemental reading, etc.
- I have no plans to use Canvas. But if I do, I'll let you know by e-mail or by instruction on the chart of assignments.

Old slides and other stuff on the web

- The following information is not secret ...
- I've taught this class many, many times, going back maybe 14 years.
- I adjust things every year, but most of the slides, handouts, exercises, etc. that I'll be using is stuff I've used in years past.
- Those prior-year materials are findable, because I keep all my old course pages up on the web as an archive.
- So if you really want, for instance, to see slides before I post them – or if you want to see what could be ahead, you can probably find stuff look through my old course webpages.
- That's why I leave that stuff up – so that everyone has access to it if they want it.
- But I try really hard to be transparent and clear and straightforward and organized with information you need for this semester, putting that on this semester's webpage. So I don't recommend digging around through the archives. But you can if you want; it's not doing anything sneaky.

Book

- Last semester, I adopted a new book for this class that is open source. (Open source means it's free and customizable.)
- It was a fantastic book. But in response to student suggestions, there was a lot of useful customizing I could do.
- So what I'm doing is using parts of the book from last semester, making some changes within that text, using other parts of other books, and creating some new chapters myself.
- I'm calling the new book "Intellectual Property Surveyor."
- I am rolling out the book during the semester. The Orientation volume is out now. The Copyright volume will be out in the next couple of days.
- You can read the book on a device. You can print it out. You can mark it up on your device and print it out later. I will try to make arrangements to allow you to purchase a printed copy at cost.
- Assuming we have a normal exam, a portion of it will be open book, with any printed materials allowed, but no accessing digital materials. So you may at least want a printed copy at the end of the semester.

Basic outline

We'll cover things in this order:

- Preliminaries (overview, theory)
- Copyright
- Patent
- Trade secrets
- Trademark
- Other doctrines

Syllabus

- Read the syllabus!
- I will post it by Friday, 8/26.
- You will be assumed to be on notice for everything in it.
- It is long, but reading it is worth it.
- It is your guide to how to do well in class.
- It is my guide to what I've committed to, how I grade, handle any problems, etc.
- You'll find it on the class website.

Selected in-class rules:

- No audio or video recording.
 - But I'll be recording.
 - And it's possible some students have gotten authorization to record.
- No eating. Keep down smells and noise.
- No electronic communications with others in class (except through Zoom if we have to do that again).
- Read the syllabus for more in-class rules.

Grading

- Read the syllabus, it will provide information about grading in detail! What follows are highlights.
- Regular letter grades will be given for this course (A+, A, A-, B+, etc.).
- Based mostly on a final exam
- Also can affect your course grade:
 - things set out in the syllabus, including:
 - attendance
 - possibly class participation (incl. classroom conduct) (haven't made a final determination about this as of now)
 - academic misconduct

Grading

- There is no pre-determined grade-point average or grade distribution for the class. So you are not in competition with your fellow students for a limited pool of grades! Favor cooperation.
- The initial assignment of grades will be done by seeing the raw point totals from the exam and inserting cut-offs based on clumps and my sense of how performance corresponds to letter grades.
- Alternative minimum grading: According to the schedule in the syllabus. E.g., if you got 87% of max possible points, then you can't get lower than an B+ for the exam grade.
- You get the higher grade of the two methods.

Grading

- The exam grade is your course grade, unless it is adjusted up or down.
- Discretionary adjustments: (*but I'm not sure I'm doing class participation grading this semester*)
 - Can go one step up (e.g., B+ to A-) for class participation. In unusual situations, two steps up.
 - Could possibly be adjusted downward the same way—one or two steps.
- Deficient attendance can lower the course grade (or lead to administrative withdrawal or an F).
- Expect that cheating, dishonesty, and serious academic misconduct will result in an F. Note that failing to follow final exam instructions in a way that might give a student an advantage—even without intent to gain such an advantage and even if inadvertent—constitutes, in my judgment, serious academic misconduct.

Attendance Policy

- I am required to have an attendance policy. It has to be enforceable. And I want to make sure it is fair.
- I'm sorry it's long and detailed – but it's the result of a lot of work (and experience) in trying to make it both enforceable and fair.
- It's § 9 in the syllabus. Read it.
- What follows are only highlights ...

Attendance Policy

- Arriving late is half an absence.
- 9 absences is a step-down in grade.
- 10 absences is another step-down.
- 11 absences is another step-down.
- 12 absences is an F for the course or administrative withdrawal.
- If you hit 12 absences, you must immediately give me written notice according to § 9-5.
- **Note:** All of this is extra generous because of covid (cf. IP '19: steps down at 6, 7, and 8, with F at 9).

Attendance Policy

- If you claim special extenuating circumstances and/or excuse for religious observance, you must file an End-of-Semester Attendance Mitigation Statement according to § 9-6.
- It must be filed not earlier than the last day of class, nor later than the day after the last scheduled day of final exams for OU Law.
- Take a moment now to calendar this.

Masks

- I might or might not wear a mask on any given day.
- You should feel totally welcome to wear a mask if you want – and to wear a mask one day but not the next.
- Based on my travels and people-watching over the past few months, it seems to me it might be a reasonable idea for people to wear a mask if they're coughing – even if they know its allergies or a cold and not covid. A mask on a cougher might give bystanders a bit of peace of mind. Help the classroom dynamics a bit. But I'm not a public health expert or social psychologist, so I'll just float that idea out there and leave it at that.
- Also, I might put on a mask after class when students come up to me to ask questions and there's less distance.
- And I might ask people in my office to wear a mask. We'll see.
- Tomorrow we'll firm up the seating chart. So tomorrow you need to sit in the seats you want to keep. If we want to have a masked-expectation side of the class, let's talk about that ...



About this Course

continued ...

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Attendance Policy

- Never ask me how many absences you've accumulated. You need to keep track yourself.
- If you take at least some notes in class, and you date your notes, you'll always know.
- Look. I don't add up attendance on a day-by-day basis. The only time I do it is after the semester when I'm doing grades. Then I make sure no one has gone over the incredibly generous number of absences I allow before doing grading deductions.
- Bottom line, it's just not reasonable to ask me to calculate how many absences you have during the semester. So I won't do it. Sorry if that sounds harsh.
- I really want to spend time outside of class on my students! Discussing students' questions, talking about legal careers, looking over your résumé, chit chatting about your hometown ...
- But calculating your interim attendance record? That's just not quality time.

Law school pep talk

Law school pep talk

- Look around. These people are not your competition. They are your future support and referral network.
- You will never have another opportunity to make so many friendships with so many people who might be in a position to help you in the future.
- So be kind, be generous, don't be a %\$#€!£.