

# INTELLECTUAL PROPERTY (INTPROP)

While every effort is made to ensure course lists are accurate, change is inevitable and courses may show alternate program restrictions at the time of scheduling. Courses used to satisfy graduation requirements must be designated as such at the time of registration. Not all courses are offered each year.

## **INTPROP 901-0 Intellectual Property Fundamentals (1.5 Credit Hour)**

This course will introduce the laws that create and delimit property rights in intangible goods such as inventions, expressive works, brand identifiers, or information. Collectively, these laws are known as "intellectual property law," an umbrella term which includes patent law, copyright law, trademark law, trade secret law, among other areas. The course will cover the fundamentals of several specific areas of IP law: the subject matter protected, the threshold requirements for protection, the rights granted to IP owners, the ways of enforcing those rights, and the many exceptions to and limitations on IP protection. The course will emphasize both the commonalities and the contrasts among the various branches of IP. Students will learn about some of the specialized language of IP and the government and private institutions that are practically important in each area. Developing a familiarity with IP fundamentals-getting the lay of the land-is the main goal of the course. An important secondary goal is for students to see how IP law generates both constraints and opportunities from the perspective of business strategy. *Additional Course Information:* MSL Students Only, Course required for MSL degree

**INTPROP 905-0 Patent Law (1.5 Credit Hour)** This course provides an introduction to the basic principles of U.S. patent law. We will cover the function of the U.S patent system; subject matter eligible for patenting; the requirements for obtaining a patent; patent entitlements and remedies for patent infringement; and current debates in patent law, including the patentability of software and the problem of non-practicing entities. Course instruction will be conducted through a combination of lectures, including guest lectures from practicing patent attorneys, and exercises designed to simulate problems likely to arise in patent law practice. *Additional Course Information:* MSL Students Only

**INTPROP 910-0 Patent Preparation & Prosecution Workshop (1.5 Credit Hour)** The Patent Preparation and Prosecution Workshop is focused practically on preparing and obtaining issued patents having both broad coverage and sufficient detail for contingencies which may arise at the patent office, in licensing, and in litigation. Students will participate, in small groups of 2-3 students, in conducting invention disclosure sessions with university scientists and engineers, generally within the students' technical or scientific fields. Using information from the invention disclosure session and other materials provided by the inventors, each group of students will then apply the core applicable laws and regulations in preparing an actual patent application. The course will focus on how to "engineer" a patent application within the legal "structural" constraints, including patent claim drafting, patent claim mechanics and legal interpretation, preparation of a patent specification (written description, enablement, best mode), amendments and responses to office actions from the USPTO, additional foreign requirements for international protection. If time permits, we will review new approaches for preparing software patents in light of new US patent office guidelines and recent precedent. Drafts of sections (claims, specification) of each group's patent application will be submitted at regular intervals, with opportunities to meet with and receive feedback

from the professor and revise the application accordingly. Regular and much shorter assignments will also include claim drafting and brief specification drafting from inventions provided in class, which will be submitted by each student, reviewed in class, and reviewed individually. Students will also meet regularly in small groups with the professor for individualized feedback on course assignments and drafts of their actual patent applications. Evaluation will be based on each group's patent application prepared during the course, along with individual class participation, class presentations, and regular course assignments. Prerequisite: Patent Law. *Additional Course Information:* MSL Students Only

**INTPROP 912-0 Patent Preparation & Prosecution Workshop II: Advanced Topics (1 Credit Hour)** The Patent Preparation II: Advanced Topics course will build on the Patent Preparation and Prosecution Workshop of Spring 1, and is also focused practically on preparing and obtaining issued patents having both broad coverage and sufficient detail for contingencies which may arise at the patent office, in licensing, and in litigation. Students will participate, in small groups of 2 - 3 students, in conducting invention disclosure sessions with university scientists and engineers, generally within the students' technical or scientific fields. Using information from the invention disclosure session and other materials provided by the inventors, each student will then apply the core applicable laws and regulations in preparing an actual patent application. The course will focus on how to "engineer" a patent application within the legal "structural" constraints, including patent claim drafting, patent claim mechanics and legal interpretation, and preparation of a patent specification (written description, enablement, best mode). Additional topics which will be covered include processor-based (e.g., computer-based, medical devices, mobile devices, etc.), software and biotechnology inventions (Section 101, Alice, Mayo and their progeny); analysis of office actions with rejections and objections; actual amendments and responses to office actions from the USPTO; doctrine of equivalents and prosecution history estoppel; claim construction, claim charts and infringement analysis; and additional foreign requirements for international protection. We will review new approaches for preparing software and biotechnology patents in light of US patent office guidelines and recent precedent. Optionally, we will also review topics suggested by students for greater analysis and discussion from the Spring 1 Patent Preparation and Prosecution Workshop. Drafts of sections (claims, specification) of each student's patent application will be submitted at regular intervals, with opportunities to meet with and receive feedback from the professor and revise the application accordingly. Regular and much shorter assignments will also include office action responses; and claim drafting and claim amendments from inventions provided in class, which will be submitted by each student, reviewed in class, and reviewed individually. Although not required and at the student's option, students can also meet regularly in small groups and individually with the professor for individualized feedback on course assignments and drafts of their actual patent applications. Evaluation will be based on each student's patent application prepared during the course, along with individual class participation, class presentations, and regular course assignments. Prerequisites: Patent Preparation and Prosecution Workshop. " *Additional Course Information:* MSL Students Only

**INTPROP 922-0 Patenting Software Inventions (0.5 Credit Hour)** This course covers current topics relating to patenting software inventions, with a particular emphasis on patent eligibility. While software-related inventions continue to increase in significance, they also face particular challenges relating to eligibility, scope, and enforcement. The legal landscape has also shifted drastically since the Supreme Court's Alice Corp. v. CLS Bank Int'l decision in 2014, leading to uncertainty regarding

the extent and strength of patent protection for software inventions. Students will learn to identify and evaluate software-specific issues relating to subject matter eligibility, prior art, and enforceability. *Additional Course Information:* MSL Students Only

**INTPROP 935-0 Introduction to IP Licensing (1 Credit Hour)** This course will cover the structure and function of license agreements with a focus on what a business professional needs to understand about licensing. Group exercises will be performed on how to use a term sheet in a negotiation of a license. While patent rights will be the dominant IP right used for the examples, we will briefly explore how the license terms change if you are licensing copyrights, trade secrets, trademarks and/or tangible materials. The course will conclude with the students drafting a term sheet for a license based on a set of real-world facts. Prerequisite: IP Fundamentals. *Additional Course Information:* MSL Students Only

**INTPROP 940-0 IP Strategy & Management (1.5 Credit Hour)** This course covers the principles of why companies and individuals create or acquire intellectual property; how intellectual property fits into the overall business objectives, as well as the operational aspects of managing an IP portfolio in sync with the business strategy. It will include a number of case studies examining the context of why companies do certain things with their IP, the consequences of good and bad decisions, as well as scenario projects that take a current IP-related situation in the market and postulate on its potential outcomes and merits. IP analysis as a competitive intelligence tool and how it fits into the overall strategy framework of a business will also be examined, incorporating the hands-on use of patent analytics software in one or more case studies. Students will become familiar with the practical aspects of IP portfolio management, including the IP Pipeline, as well as the processes, tools, and systems needed to maintain alignment with business objectives and create value opportunities. Leverage opportunities will be discussed, including evaluation of enforcement opportunities as good business investments. The course will be conducted through a series of short lectures and class discussions that frame specific IP knowledge domains, papers and articles, court rulings, video clips, web-based analysis tools, the USPTO website and student presentations. IP Fundamentals is a pre-req for this course. *Additional Course Information:* MSL Students Only

**INTPROP 945-0 IP Valuation (1.5 Credit Hour)** MSL students stand at the intersection of law, business and technology, and are situated to play an active and leading role in advancing innovation, and commercializing ideas and technology. IP Valuation is the hands-on course that provides the theory, methods, and tools for estimating the value of IP, regardless of the technology, industry or business situation. Through a combination of in-class discussion, individual and group exercises, and a capstone small group project, students will learn to use the valuation method(s) that are best for valuing IP in a variety of real-world contexts, including licensing, M&A, JVs and other collaborations, IP purchase / sale, investing, financing, and litigation. Students will learn to conduct due diligence using knowledge from other MSL courses and their own STEM backgrounds to identify situation-specific IP value-drivers and make better business decisions. Pre-req: Intro into Accounting is a pre-req for this course. *Additional Course Information:* MSL Students Only

**INTPROP 950-0 International & Comparative IP (1 Credit Hour)** This course focuses on the global patent system. It will survey national patents in the most important countries and regional patent conventions. It also will survey the major international agreements concerning patents. The course will also introduce students to patent enforcement around the world. This course may touch briefly on other intellectual property rights,

namely, copyrights and trademarks. IP Fundamentals is a pre-req for this course. *Additional Course Information:* MSL Students Only

**INTPROP 951-0 Intellectual Property Internship (5 Credit Hours)** MSL students may participate in an internship in the field of intellectual property as part of their MSL academic program. There are a variety of possible placements, including educational institutions, non-profits, government agencies, or companies. The work done in the internship will further the educational goals of the MSL program, develop the MSL student's skills, and provide real world and practical training for the student. Internships are supervised by an on-site supervisor and by an MSL faculty member. Registration Requirement: Once the student has identified and been accepted at an approved placement, the student will apply to the MSL Program Director for permission to enroll in the internship; approved students will be given permission to enroll in the course. Evaluation Method: Internship performance will be evaluated by the student's on-site supervisor, in conjunction with the MSL faculty supervisor, on a credit/no credit basis. The on-site supervisor will complete two written evaluations of the student's work - one mid-way through the internship and a final evaluation. *Additional Course Information:* MSL Students Only

**INTPROP 955-0 Intellectual Property Investments and Capital Markets: A Global Perspective (1 Credit Hour)** Developed world corporations today are focused on an innovation heavy, tangible asset-lite model while exporting manufacturing, a lower margin enterprise. The trend is demonstrated by increased levels of R&D in innovation-driven industries, a doubling of issued patents outstanding and material, concentrated changes in the underlying IP law. While IP valuation, implementation and technological trends are coming to dominate many forms of investing, optimal risk adjusted returns morph with levels in the equity and credits markets and changes in IP law. This course will review these trends, explain the range of IP investment types (liquid/illiquid, public/private, cash/derivative) and illustrate how insight into IP can drive investment and capital market decision making. *Additional Course Information:* MSL Students Only

**INTPROP 960-0 Monetizing Patents: Fundamentals of Patent Assertion (1 Credit Hour)** Patents are an emerging asset class that is the foundation for innovation in the U.S. and throughout the world. As our economy has shifted from being predominantly product-based, to service-based, to now knowledge-based, patents have increased in significance and importance; to the point of being referred to as "the currency of the modern economy." Patent Monetization is a general term used to describe the generation of revenue from a patented invention. Patent Assertion is a specialized subset of Patent Monetization, where the patent owner seeks to derive revenue from the unauthorized use of his/her patented invention. This course will cover the fundamentals of patent assertion including: patent basics (what is a patent and what is patentable subject matter); patent evaluation (validity and infringement); patent assertion strategies; patent litigation; and patent assertion licensing. Students will work with an issued United States Patent and be asked to analyze prior art, identify potential infringers, formulate a patent assertion strategy. The impact on future innovation from recent patent legislation, changing case law, and administrative procedures at the USPTO will also be discussed. Pre-req: IP Fundamentals is a pre-req for this course. Completion of Patent Law is recommended. For Spring 2016, the class will meet on the following dates and times: Friday, April 8 11:00am-1:00pm Friday, April 22 11:00am-1:00pm Friday, April 29 2:00pm-6:00pm Saturday, April 30 1:00pm-5:00pm. *Additional Course Information:* MSL Students Only

**INTPROP 965-0 Infringement Risk Assessments: Driving Early Resolution of Patent Disputes (0.5 Credit Hour)** Patent infringement lawsuits are being filed at a record pace in 2015. Imagine your company has received an infringement claim and license demand from a patent owner along with a copy of a draft Complaint that the patent owner intends to file if a quick settlement is not reached. What are your company's options? How can your company most efficiently evaluate and mitigate this risk? This course will explore best practices for conducting initial risk assessments of patent infringement claims - from an in-house perspective. We will study how quantitative risk assessments may be used to drive proactive strategies for early settlement and/or mediation of patent disputes. Registration Requirements: Completion of IP Fundamentals is required for enrollment in this class. Completion of Patent Law is recommended, but not required. Evaluation Method: No final exam. Group exercises in risk assessment and determining strategic case approaches to promote early resolution of patent disputes. *Additional Course Information:* MSL Students Only

**INTPROP 970-0 Intellectual Property & Business Strategy (1.5 Credit Hour)** This course covers the broad agenda of using intellectual capital in a strategic manner to achieve business advantage. With increased globalization, intangible assets such as human capital, intellectual property, brands, and relationships have become the dominant proportion of a firm's market value. Most firms, however, do a poor job of strategically managing these assets for long-term sustainable competitive advantage. To better prepare you as a strategic manager of knowledge-based assets, this course adopts a lifecycle approach that covers the creation of an asset, its codification and protection as intellectual property rights, leveraging through contracts and other strategic techniques such as litigation, data mining and administrative proceedings. The course also approaches intellectual property strategy from a stakeholder perspective. The effective and strategic management of intellectual property and other knowledge-based rights considers various important constituents that include: external regulators, the courts, administrative agencies, inter-firm departments, top management, partners, customers, competitors, the media and public at large. Registration Requirements: IP Fundamentals is a pre-requisite. Evaluation method: Weekly discussion memos and a final exam. Class Materials: Required readings will be posted online in Canvas. *Additional Course Information:* MSL Students Only

**INTPROP 972-0 Patent Life Cycle Management at the Intersection of Regulatory & Patent Law (0.5 Credit Hour)** In this course, we will look at how patent laws and regulatory laws intersect to shape patent life cycle management decisions. We will utilize several case studies to illustrate creative strategies that patent holders have used for patent life cycle management. These involve tactical and strategic techniques to extend both the term and scope of patent protection. The case studies will span across industries, with an emphasis on pharmaceutical patents. We will teach practical skills that will enable the students to use publicly available resources, such as USPTO PAIR and the Global Dossier, to understand and assess patent portfolios. We will also utilize a claim drafting exercise to crystallize the importance and nuances of claim structure and wording. It will be helpful if students taking this course already have a basic understanding of patent law from IP Fundamentals or a similar course. Prerequisites: IP Fundamentals, Legal & Regulatory Processes Recommended: Patent Law. *Additional Course Information:* MSL Students Only

**INTPROP 975-0 Business Foundations of Design and Trademarks (1.5 Credit Hour)** Consumers increasingly demand the most satisfying and engaging customer experiences and value expressed and captured through branding. Businesses must, therefore, differentiate in an already

crowded space to provide a unique source of advantage and stay ahead of competitors from a marketing and customer experience perspective. To achieve these goals, managers must become experts in the art of marketing and business strategy to achieve market leadership and generate sustainable value. The legal system provides incentives and various means through which companies can achieve brand-based sources of differentiation and capture consumer's loyalty and mindshare. This course will assess cutting-edge practices companies engage the intellectual property system to invest in unique differentiators such as design, branding and effective messaging. Legal concepts will also be assessed in relation to the broader non-market strategy environment comprised of litigation, administrative proceedings, negotiations and ethics. *Additional Course Information:* MSL Students Only