

**International Intellectual Property**  
**Professor Maureen B. Fitzmahan, JD**  
**January – April 2003**





## Webpage

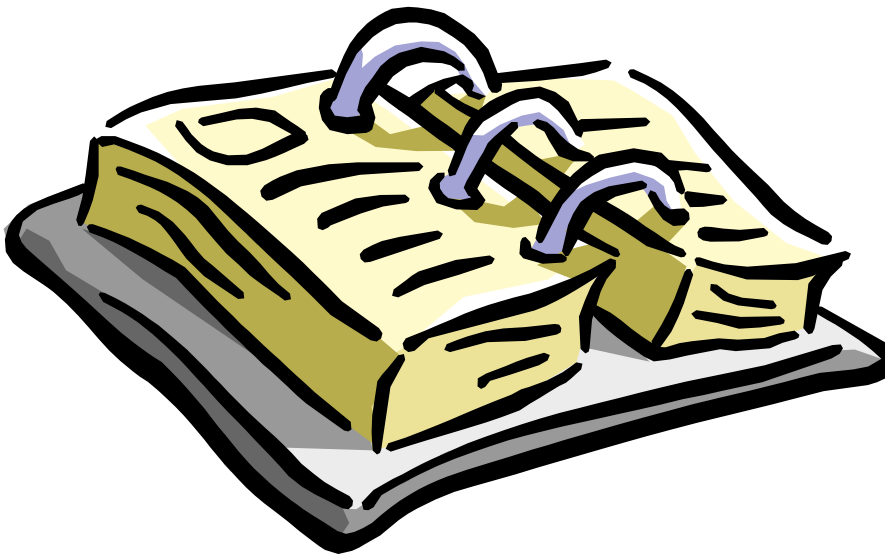
- Webpage:  
[www.fitzmahan.com/Law](http://www.fitzmahan.com/Law)  
prof. (Follow links to  
Intellectual Property  
Law.)

✓ Check - Webpage every week  
before class -assignments may be  
posted on the Webpage, but not  
given during class meetings.

## Materials

Internet materials

Copies of handout materials  
available at the bookstore (?)





**COURSE ASSESSMENT (The ratio of credit may change. A larger piece of work may be required and given credit.)**

**Daily work (25%)** Type all assignments (unless instructed otherwise), double-spaced.

- In-class participation
- reading and outlines of readings
- briefs on hypothetical legal problems
- other assignments

📅 Assignments - due at the beginning of class, unless instructed otherwise.

Late assignments will not be accepted.

🚫 Daily assignments cannot be emailed!  
They must be handed in personally in class.  
Work not handed in will result in a 0 for that assignment.

🔊 No exceptions, medical or otherwise.

**Final Exam (75%)**

There will be one final exam on the last day of class.



**ABSENCES: Absences will affect your final grade.**

12 meetings - each class is especially important.

Failure to miss one class may result in a lowering of your grade.

Missing more than one class will result in a lowering of your grade.

**INCOMPLETES:**

I seldom give incompletes—**for any reason.** Plan your time well.

**THE HONOR CODE:**

**Concordia's policy on academic honesty will be strictly enforced.** Any violation of the honor code will be treated as cheating. Cheating on the final exam will result in a 0 in the class – NO EXCEPTIONS, NO EXCUSES!



### Class Schedule - 4 sessions







**The professor reserves the rights to change the schedule depending on the needs of the class.**

Date	Topic(s)	Other Assignments
☞ Friday, January 24	Orientation; Syllabus and Schedule (W)  Intellectual Property – what is it?  Industrial property	
☞ Sat. January 25	Industrial property	Complete a patent application to be filed for your Estonian client's invention. Adhere to Estonian law. Refer to the WIPO handbook for guidance. Be sure that you have complied with the requirements of Regional and International law. Complete the application and ready for presentation to all relevant Patent Offices.
☞ Sun. January 26	Industrial Property	Bring in: 1. 3 examples of international trademarks 2. 3 examples of local trademarks

		<p>Trademark: Read – ECJ cases</p> <p><b>Procter &amp; Gamble v Office for Harmonization in the Internal Market</b> (5 April 2001):  <a href="http://curia.eu.int/jurisp/cgi-bin/form.pl?lang=en&amp;Submit=Submit&amp;docrequire=alldocs&amp;numaff=&amp;datefs=&amp;datefe=&amp;nomusuel=&amp;domaine=INTE&amp;mots=fair+use&amp;resmax=100">http://curia.eu.int/jurisp/cgi-bin/form.pl?lang=en&amp;Submit=Submit&amp;docrequire=alldocs&amp;numaff=&amp;datefs=&amp;datefe=&amp;nomusuel=&amp;domaine=INTE&amp;mots=fair+use&amp;resmax=100</a></p> <p><b>Hershey Foods Corporation v. OHIM</b> (5 June 2000):  <a href="http://curia.eu.int/jurisp/cgi-bin/form.pl?lang=en&amp;Submit=Submit&amp;docrequire=alldocs&amp;numaff=&amp;datefs=&amp;datefe=&amp;nomusuel=&amp;domaine=INTE&amp;mots=&amp;resmax=100">http://curia.eu.int/jurisp/cgi-bin/form.pl?lang=en&amp;Submit=Submit&amp;docrequire=alldocs&amp;numaff=&amp;datefs=&amp;datefe=&amp;nomusuel=&amp;domaine=INTE&amp;mots=&amp;resmax=100</a></p>
<p>♥ Friday, February 14</p>		<p>Bring in</p> <ol style="list-style-type: none"> <li>1. ' Jurassic Park' Author Wins Cybersquatting Case - 12-3-02:  <a href="http://story.news.yahoo.com/news?tmpl=story&amp;u=/nm/20021203/wr_nm/internet_cybersquatting_dc_4">http://story.news.yahoo.com/news?tmpl=story&amp;u=/nm/20021203/wr_nm/internet_cybersquatting_dc_4</a></li> <li>2. Internet Libel Fence Falls – 12-11-02:  <a href="http://www.washingtonpost.com/ac2/wp-dyn/A37437-2002Dec10?language=printer">http://www.washingtonpost.com/ac2/wp-dyn/A37437-2002Dec10?language=printer</a></li> <li>3. Music piracy 'great' says Robbie – 1-10-03.</li> </ol>



		<a href="http://news.bbc.co.uk/2/hi/entertainment/2673983.stm">http://news.bbc.co.uk/2/hi/entertainment/2673983.stm</a>
♥ Sat. February 15		<p><a href="http://www.unesco.org/culture/copy/">http://www.unesco.org/culture/copy/</a> for access to national copyright laws</p> <p><a href="http://www.copyright.gov/title17/">http://www.copyright.gov/title17/</a> for access to US Copyright Office</p> <p><a href="http://www4.law.cornell.edu/uscode/17/107.html">http://www4.law.cornell.edu/uscode/17/107.html</a> for access to US Title VII – US federal copyright law</p>
♥ Sun. February 16		<p>Hypothetical: Your client is Ima Smart Guy, an intellectual property law professor at CIUE. He wishes the students in his class to read the book, INTERNATIONAL COPYRIGHT: PRINCIPLES, LAW AND PRACTICE by Paul Goldstein (2001). No copies of the book are available in Tallinn. Professor Guy would like to have each student make a copy of the book for her/himself to use in the class. Professor Guy is asking you whether he can take his copy of the book to the copy shop and have each student buy a copy at the shop. Does it matter if the copy shop and Professor Guy</p>

		<p>intend to make no money off of the book? Does it matter if Professor Guy will receive a 10% cut of the copying costs for his bringing the business to the copy shop?</p> <p>Write a legal memo for Professor Guy. Be sure to address all the legal issues. Refer to international and local law</p>
<p> Fri. March FRI. 21</p>		<p>Bring in:</p> <ol style="list-style-type: none"> <li>copy of Berne Convention : <a href="http://www.wipo.int/clea/docs/en/wo/wo001en.htm">http://www.wipo.int/clea/docs/en/wo/wo001en.htm</a></li> <li>TWIN BOOKS v DISNEY (1996): <a href="http://caselaw.findlaw.com/scripts/getcase.pl?navby=search&amp;case=/uscircs/9th/9515250.html">http://caselaw.findlaw.com/scripts/getcase.pl?navby=search&amp;case=/uscircs/9th/9515250.html</a></li> </ol>
<p> Sat. March 22</p>		
<p> Sun. March 23</p>		
<p> Friday, April 4</p>		Copyright law in other country: choose one – solve hypothetical
<p> Sat. April 5</p>		
<p> Sun., April 6</p>	FINAL EXAM	