Fundamentals of Intellectual Property
Syllabus
ENG T 595R, section 001
Alternate Wednesdays, 4-5:50 pm,
Room 254, Clyde Building

Instructor: Steven L. Nichols, Esq.
(801) 572-0185, (801) 414-0750
sln@raderfishman.com
Managing Partner, Utah Office
Rader, Fishman & Grauer PLLC
www.raderfishman.com

Introduction:
Many employers and business managers in the technology age expect their engineers, designers and
scientists to be a source of innovation that can be protected as a valuable asset of the company. Additionally,
the prestige and career advancement of an engineer, scientist or business manager can be greatly enhanced by
a history of successfully obtaining patents on inventions. Many engineers are lead by their ideas to found
technology-based companies the principal assets of which are intellectual property. Consequently, engineers
and scientists can benefit from an increased understanding of the mechanics of obtaining and maintaining
intellectual property rights.

Similarly, business managers must understand how to develop, use and protect the intellectual
property assets of their company. Doing so can result in great rewards, while not doing so can contribute to
significant lost opportunities. Business managers must also understand how to avoid infringing the
intellectual property rights of others. Consequently, business managers can also benefit from an increased
understanding of the mechanics of obtaining and maintaining intellectual property rights.

Course Text:
The text for the course is “Fundamentals of Intellectual Property” by Steven L. Nichols and can be
purchased from the bookstore. The text is optional, but strongly recommended.

Grading:
The grade in the class will be based on the mid-term assignment (25%) and the final exam (75%).

Mid-term Assignment:
At the class session on November 11th, instructions will be given for the mid-term
assignment. This assignment will consist of taking an invention idea, searching the prior art and
producing a 1-2 page written analysis of whether the prior art presents any issues with regard to the
patentability of the idea. This assignment must be submitted by email no later than noon on
November 24th.

Final Exam:
The final examination for the course will have a multiple choice and short answer format.
The final will be given in the classroom, 254 CB, on Wednesday, 6-7 pm, December 16, 2009. The
material tested will be the material covered in the text and our class discussions. Students are
couraged to attend and participate in all class sessions.

Schedule and Readings:
Following are the assigned readings for each class. The assigned readings are in the course text. The
additional readings are provided merely as a suggested resource for additional information on a topic of
particular interest. The MPEP is the Manual of Patent Examining Procedure. The MPEP can be accessed in
1st Class—September 2, 2009: Introduction to intellectual property & recognizing patentable subject matter
   Assigned readings: Chapters 1 and 2
   Additional readings:
   http://www.uspto.gov/web/offices/pac/doc/general/whatis.htm
   MPEP, Chapter 2100, Secs. 2105, 2106

2nd Class—September 16, 2009: Non-disclosure agreements & the anatomy of a patent
   Assigned readings: Chapters 3 and 4
   Additional readings:

3rd Class—September 30, 2009: Patent infringement & designing around a patent
   Assigned readings: Chapters 5 and 6
   Additional readings:

4th Class—October 14, 2009: Inventorship & establishing inventorship
   Assigned readings: Chapters 7 and 8
   Additional readings:
   MPEP, Chapter 2300, Sec. 2301.01

5th Class—October 28, 2009: Ownership & International patent protection
   Assigned readings: Chapters 9 and 10
   Additional readings:
   MPEP, Chapter 300, Secs. 301, 302
   http://www.wipo.int/pct/en/treaty/about.htm

6th Class—November 11, 2009: Working with a patent attorney & patent examination
   Assigned readings: Chapters 11 and 12
   Additional readings:
   MPEP, Chapter 400, Sec. 402
   MPEP, Chapter 700; MPEP, Chapter 2000, Secs. 2000, 2001

Mid-term assignment—November 24, 2009: Noon: Mid-term assignment due by email.

7th Class—December 9, 2009: Copyrights & Trademarks
   Assigned readings: Chapters 13 and 14
   Additional readings:
   http://www.copyright.gov/circs/
   http://tess2.uspto.gov/tmdb/tmep/0100.htm
   http://tess2.uspto.gov/tmdb/tmep/0900.htm
Honor Code Standards

In keeping with the principles of the BYU Honor Code, students are expected to be honest in all of their academic work. Academic honesty means, most fundamentally, that any work you present as your own must in fact be your own work and not that of another. Violations of this principle may result in a failing grade in the course and additional disciplinary action by the university.

Students are also expected to adhere to the Dress and Grooming Standards. Adherence demonstrates respect for yourself and others and ensures an effective learning and working environment. It is the university’s expectation, and my own expectation in class, that each student will abide by all Honor Code standards. Please call the Honor Code Office at 422-2847 if you have questions about those standards.

Preventing Sexual Discrimination or Harassment

Sexual discrimination or harassment (including student-to-student harassment) is prohibited both by the law and by Brigham Young University policy. If you feel you are being subjected to sexual discrimination or harassment, please bring your concerns to the professor. Alternatively, you may lodge a complaint with the Equal Employment Office (D-240C ASB) or with the Honor Code Office (4440).

Students with Disabilities

If you have a disability that may affect your performance in this course, you should get in touch with the office of Services for Students with Disabilities (1520 WSC). This office can evaluate your disability and assist the professor in arranging for reasonable accommodations.