

Course Outline

COURSE:	LAWS 3202 A – Intellectual Property
TERM:	Winter 2010-11
PREREQUISITES:	1.0 credit from LAWS 2003 [1.0] (no longer offered), LAWS 2005 [1.0] (no longer offered), LAWS 2201, LAWS 2202, LAWS 2501, LAWS 2502.
CLASS:	Mondays- 8:35-11:25 Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Saleh Al-Sharieh
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"Students with disabilities requiring academic accommodations in this course must contact a coordinator at the Paul Menton Centre for Students with Disabilities to complete the necessary Letters of Accommodation. After registering with the PMC, make an appointment to meet and discuss your needs with me in order to make the necessary arrangements as early in the term as possible, but no later than two weeks before the first assignment is due or the first test requiring accommodations. For further information, please see: <http://www2.carleton.ca/pmc/students/accommodations/> . If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by March 11, 2011. For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: www.carleton.ca/equity

COURSE DESCRIPTION

Intellectual property is a major asset in today's economy; it generally refers to the fruits of humans' intelligence, such as literary, artistic and musical works; scientific inventions; trade-secrets; marks used to distinguish businesses; new varieties of plants; and ornamental designs of useful articles. This course will provide an overview of the fundamentals of intellectual property protection in Canada. It will discuss the underlying philosophy of intellectual property, the history of its protection, and the guiding policy for regulating its multiple categories in Canada. The Course will examine the Canadian law of copyrights, trade-marks, patents, confidential Information, industrial designs, plant varieties, and integrated circuit topographies. The course will further examine the impact of the protection of the different categories of intellectual property on Canadians' culture, economy, and essential rights and freedoms. Finally, this course will outline the basics of the international intellectual property system and its relation with Canadian intellectual property law.

REQUIRED TEXTS

Elizabeth F. Judge & Daniel Gervais, Intellectual Property: The Law in Canada (Toronto: Carswell, 2005). The lectures and class discussions form an integral part of the required readings for this course and shall be considered examinable material.

EVALUATION (All components must be completed in order to get a passing grade)

Mid-term examination 40% (February 7)

Final Examination 60% (it will take place during the final examination period: "April 7–21").

SCHEDULE**(The following schedule is subject to revision)**

Class	Date	Topic	Required Readings
1	January 3	Welcome & outline discussion	N/A
2	January 10	Intellectual Property: General Introduction <ol style="list-style-type: none"> 1) The concept, 2) Categories, 3) Philosophy, policy, and history. Copyrights: <ol style="list-style-type: none"> 1) The source 2) The civil law and common law traditions, 3) The principle of balance 	Chapter 1: pp. 1–5 Chapter 2: pp. 7–13
3	January 17	Copyrights: <ol style="list-style-type: none"> 1) The essential concepts 2) Database protection 3) Registration 	Chapter 2: pp. 13–38 pp.127–128 pp.113–114
4	January 24	Copyrights: <ol style="list-style-type: none"> 1) Ownership, assignment/transfer of copyrights, and term of protection 2) Infringement 	Chapter 2: pp.38–48 Robertson v. Thomson Corp., [2006] 2 S.C.R. 363 http://scc.lexum.umontreal.ca/en/2006/2006scc43/2006scc43.html pp. 48–72
5	January 31	Copyrights: <ol style="list-style-type: none"> 1) Infringement (cont), 2) Remedies, criminal sanctions, 3) Related rights 4) Collective management 5) Points of Attachment and foreign works 	Chapter 2: pp. 72–98 pp.98–112 pp.114–116 pp.116–126 pp.126–127
6	February 7	Mid-term Exam (40%) Industrial Designs	Chapter 1, Chapter 2, Lectures, and Class Discussions Chapter 3: pp.141–164

7	February 14	Trade-marks: 1) Object of the protection	Chapter 4: pp. 192–203; pp.212–258 Kirkbi AG v. Ritvik Holdings Inc., [2005] 3 S.C.R. 302 < http://scc.lexum.umontreal.ca/en/2005/2005scc65/2005scc65.html >; Mattel, Inc. v. 3894207 Canada Inc., [2006] 1 S.C.R. 772 < http://scc.lexum.umontreal.ca/en/2006/2006scc22/2006scc22.html >; Veuve Clicquot Ponsardin v. Boutiques Cliquot Ltée, [2006] 1 S.C.R. 824 < http://scc.lexum.umontreal.ca/en/2006/2006scc23/2006scc23.html >
8	February 21	No class/ Statutory Holiday	
9	February 28	Trade-marks: 1) use 2) Registration 3) License and assignment 4) Infringement Patents: 1. Introduction	Chapter 4: p.275–279 pp.279–284 pp.284–285 pp.285–317 Chapter 5: pp.339–347
10	March 7	Patents: 1) Object of protection 2) Term of protection	Chapter 5: pp. 347–413 pp.425–426
11	March 14	Confidential Information: Plant Varieties: Integrated Circuit Topographies:	Chapter 6: pp. 485–518 Chapter 7: pp.519–525 Chapter 8: pp.527–528
12	March 21	International Intellectual Property	Chapter 9: pp. 529–573
13	March 28	Intellectual Property Overlaps	Chapter 10: pp. 575–614
14	April 4	Review	Chapters 1–10
	April 7–21	Final examination period.)	