RARITAN VALLEY COMMUNITY COLLEGE
ACADEMIC COURSE OUTLINE

INTELLECTUAL PROPERTY LEGL-125

I. **Basic Course Information**

A. Course Title and Number: Intellectual Property LEGL-125

B. New or Modified Course: Modified

C. Date of Proposal: Spring 2011

D. Sponsoring Department: Business & Public Service

E. Semester Credit Hours: 3

F. Weekly Contact Hours: Lecture: 3
Lab: 0

G. Prerequisites: None

H. Laboratory Fees: None

I. Name/Email of Coordinator: Maria M. DeFilippis, Esq.
   mdefilip@raritanval.edu

II. **Catalog Description**

This course will provide students with an overview and practical understanding of the various Intellectual Property disciplines including copyright, trade secret, trademark and patent laws. Students will develop an understanding of the terminology associated with, and the searching approaches to trademarks, patents and copyrights. Practical assignments will familiarize students with researching, applying for, acquiring and protecting Intellectual Property rights.

III. **Statement of Course Need**

This course would fulfill the need for additional electives within the Paralegal AAS degree and the Paralegal Certificate. During the last accreditation evaluation of the RVCC Paralegal Studies program by the American Bar Association, the Site Team recommended that the program
expand its course offerings, and the addition of this elective follows this ABA recommendation.

The Paralegal Studies Program Advisory Committee has recommended and endorsed the addition of an Intellectual Property course due to the abundance of pharmaceutical and technology companies in the immediate vicinity of RVCC and their expressed demand for paralegals trained in the IP area. In addition, current students and alumni have consistently requested such a course in their student and graduate survey responses.

There are limited post-graduate opportunities to develop the skills necessary for success as an IP paralegal. This course would enable students to gain the skills necessary for entry-level positions in this field, and may interest alumni and working paralegals looking to broaden their employment prospects.

IV. **Place of Course in College Curriculum**

A. The course is an elective in the following programs: Paralegal Studies, AAS Degree and Certificate.

B. This course will transfer to any school with a Paralegal Studies four year degree, which includes Montclair, Thomas Edison, and St. Elizabeth College in New Jersey. It will also transfer to any four year institution offering an ABA approved paralegal program of study.

V. **Outline of Course Content**

I. **Intellectual Property Rights & Methods of Acquisition**

   A. **Introduction & Overview** (3 hours)
      1. Preview of law
      2. Paralegal Role in IP
      3. Ethical Obligations of IP Paralegal

   B. **Copyright Law** (6 hours)
      1. Sources
      2. What is Protectable & What is Not
         a. Categories of works of authorship
         b. Derivative works & compilations
      3. Copyright Ownership
      4. Copyright Formalities & Registration
         a. Notice & omission of notice
         b. Registration
         c. Preparing & filing applications
         d. Special Situation applications
         e. International copyright law

   C. **Trademarks** (6 hours)
1. Principles of Trademarks
   a. Unfair competition issues
   b. Types of marks
   c. What is not protectible & why
2. Selection, Evaluation & Registration
   a. Registration process
   b. International trademark laws
D. Patents (6 hours)
   1. Patent Rights & Limitations
      a. Sources & subject matter
      b. Rights & requirements
      c. Patent ownership limitations
   2. Patent Search & Application Process
   3. International Patent Law

II. Protection & Enforcement of Intellectual Property Rights
A. Trade Secrets (3 hours)
   1. What is Protectable
   2. Maintaining Trade Secrets
   3. Protecting a Submission
B. Protection of Trademark Rights (3 hours)
   1. Protection & Maintenance
   2. Ownership Rights & Limitations
C. Infringement (6 hours)
   1. Copyright Infringement
      a. Elements of & liability for
      b. Defenses to & remedies for
   2. Trademark Infringement
      a. Likelihood of confusion
      b. Related claims
      c. Defenses to & Remedies for
   3. Patent Infringement
D. Litigation (3 hours)
   1. Copyright Litigation
   2. Trade Secret Litigation
   3. Trademark Litigation
   4. Patent Litigation

III. Nuts & Bolts of Managing an IP Portfolio
A. Docketing (2 hours)
B. Managing Licenses & Co-existence Agreements (2 hours)
C. Available Software Management Programs (5 hours)

VI. Educational Goals and Learning Outcomes
A. Education Goals
Students will:

1. Produce written works that reflect critical and creative thought, utilizing fact pattern scenarios. (GE NJ 1)

2. Communicate and collaborate with others in a clear, logical manner, both in the writing of IP applications and in the presentation of group projects. (GE NJ 1)

3. Apply technological tools to research trade names, analyze information found and retrieved from governmental IP sources to solve client IP problems, assist in IP decision-making to create IP applications and produce IP portfolio management systems. (GE NJ 4)

B. Learning Outcomes

Upon completion of this course, students will be able to:

1. Converse in and understand the terminology associated with IP law and practice.

2. Research IP issues using conventional and web-based resources.

3. Assist attorneys in the acquisition of, application for and protection of client IP rights.


5. Draft a trademark application from a fact pattern.

6. Apply for copyright protection for a fictitious work.

7. Analyze fact situations relating to international IP protection.

8. Utilize current software for IP portfolio management.

VII. Modes of Teaching and Learning

This course will employ the following methods of teaching:

A. lecture/discussion
B. small-group work
C. computer-assisted instruction & assignments
D. guest speakers
E. student collaboration & oral presentations
F. simulations

VIII. Papers, Examinations, and other Assessment Instruments

This course will employ the following methods of assessment:
   A. Examinations & Quizzes
   B. Written Research Assignments on Fact Patterns
   C. Group Learning Assignment
   D. Oral Presentations

IX. Grade Determinants

Written exams, quizzes, fact-pattern research, oral presentations and group assignments will be used to assess the students according to the general education goals and learning outcomes listed above.

X. Text and Materials

B. web sources
C. other computer-based and software-specific legal sources

XI. Resources

The course will require the use of a CATT room or similar set-up to access IP sources on the internet and to utilize and demonstrate software specific material to students.