

**UNIVERSITY OF BALTIMORE SCHOOL OF LAW
SEMESTER YEAR**

Course:

Patent Law
Law 761
Section 511

Assignment for First Week of Class:

Tuesday, August 22, 2017: Introduction to Patent Law

- CRAIG ALLEN NARD, THE LAW OF PATENTS 1-6, 16-40 (4th ed. 2016)
- Read syllabus carefully¹
- Enroll in the TWEN site

Thursday, August 24, 2017: Understanding the Patent Document

- *Id.* at 40-60

Instructor:

Professor William Hubbard

Email: whubbard@ubalt.edu

Note that if you email me from an email account other than your University of Baltimore account, the University's spam filter may prevent me from getting your email. To be on the safe side, always use your University of Baltimore email account to contact me.

Office Hours: By appointment or Wednesday 1:00 p.m. to 3:00 p.m.
Office: Room 508

Phone: Please do not call with questions. Coming in person is always better.

Days/Time:

Usual Schedule: Tuesday & Thursday 1:30, p.m. to 2:45 p.m.

Added Class:

- Saturday, August 26: 1:30 p.m. to 2:45 p.m.²
- Saturday, September 9: 1:30 p.m. to 2:45 p.m.³

Removed Classes:

¹ The irony of putting this in the syllabus is not lost on me, but the Administration requests that I put my first assignments in my syllabus.

² This class will be recorded. You must either attend the class in person or watch the recording before the class on Tuesday, August 29, 2017, or you will be counted as absent.

³ This class will be recorded. You must either attend the class in person or watch the recording before the class on Tuesday, September 12, 2017, or you will be counted as absent.

- November 7, 2017
- November 9, 2017

Location:

Check the Law School class schedule for the room assignment. (I'd tell you the room number if I could, but these things change right up until the term starts.)

Course Description:

This course covers the basic principles of U.S. patent law. The course will examine issues that arise in the acquisition and assertion of patent rights, including patent validity requirements, the elements of a claim of patent infringement, affirmative defenses to such a claim, and remedies for infringement.

Course Materials:

CRAIG ALLEN NARD, THE LAW OF PATENTS (4th ed. 2016)

Student Learning Outcomes:

By the end of this course, the successful student will be able to:

- Identify claims and defenses arising under patent law in factual scenarios,
- State the legal elements of these claims and defenses,
- Cite authority in support of statements of patent law,
- Construct arguments using the facts to demonstrate that the elements of claims and defenses are satisfied,
- Construct arguments regarding interpretations of law based on other legal sources, theory, and policy,
- Assess the strengths of the claims and defenses,
- In light of this analysis, recommend litigation strategies including potential approaches to forum selection, discovery, and settlement.

Grades:

Your grade will be based on the following three components.

- Quizzes (25%): Each week, there will be a graded on-line quiz that you must take before 11:59 p.m. on the next Sunday after class. Questions will be multiple choice and will test your comprehension of basic features of patent law.
- Claim Drafting Assignment (5%): You will draft an independent and dependent claim for the mystery device that I will distribute during class. This assignment will be graded pass/fail.
- Final Exam (70%): There will be an open book, take home final exam.
- Class participation: I may adjust your grade one grade step to reflect outstanding contribution to the class or egregious lack of contribution,

e.g., raising a grade from a B+ to an A- for great participation, lowering a grade from an A- to a B+ for poor participation.

Course Expectations:

American Bar Association Accreditation Standards establish guidelines for the amount of work students should expect to complete for each credit earned. Students should expect approximately 1 hour of classroom instruction and 2 hours of out-of-class work for each credit earned in a class, or an equivalent amount of work for other academic activities, such as simulations, externships, clinical supervision, co-curricular activities, and other academic work leading to the award of credit hours. For our class, this means that you should expect to spend about 6 hours each week (3 per class) preparing for class by reading, taking notes, and thinking.

In this course and in any interactions outside of class, I also expect you to behave like graduate students and professionals. That means you should be prompt, prepared, and polite. For example, you are expected to complete all reading assignments and to consistently participate in class discussion.

If anything happens in our class that makes you feel less inclined to participate or learn, please let me know.

Attendance:

Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor. A student who exceeds the maximum allowed absences (generally 20% of class sessions) as illustrated below may be compelled to withdraw from the course, or may be barred from sitting for the final exam. Students who are forced to withdraw for exceeding the allowed absences may receive a grade of FA (failure due to excessive absence). This policy is consistent with American Bar Association Standards for Law Schools.

Regular Semester Hours		
Credit Hours	Meetings Per Week	
	1	2
2	2 absences	5 absences
3	2 absences	5 absences
4	--	5 absences

Attendance will be taken each class. If you do not sign in, you will not be counted as present. If you have not signed in when the attendance sheet is

collected, it may count as an absence. A student who is present but unprepared for class may be treated as absent.

Pro tip: Missing class almost surely will lower your grade. Conversely, the more engaged you are in any class the more you will learn and the better you will perform. Law is not a spectator sport.

Course Web Site:

This course has a TWEN webpage with links to this syllabus, announcements, class assignments, and other materials. You are responsible for self-enrolling in the TWEN page and for checking it regularly for course information. I might accidentally post answers to the exam. You never know. The TWEN webpage will also be a forum for you to ask questions and for me to post answers.

Computers and the Internet:

Students may use laptop computers for class related purposes.

Students may not, however, use the internet in my class. I don't have anything against the internet. To the contrary, I love the internet truly, madly, deeply. I think it makes all of our lives better. If I could, I would hug it. I would send it a present every year on its birthday. I would give the internet a pony.

Unfortunately, in my experience internet use during class does not help students learn. Almost always, a student who surfs learns less and participates less in class discussions. Online activities are also distracting to the people around you. Online social networking (e.g., a chat room) is even worse, as it adds peer pressure to online distractions.

As a result, during our class we will take a break from the information superhighway. When you come to class, please turn off your wi-fi altogether. If you have trouble figuring out how to do this, you can ask me, call OTS (x6262), or find a 13-year-old kid to do it for you.

Class Cancellation:

If the instructor must cancel a class, notices will be sent to students via email and posted on the classroom door. If there is inclement weather, students should visit the University of Baltimore web site or call the University's Snow Closing Line at (410) 837-4201. If the University is open, students should presume that classes are running on the normal schedule. Also, there is no such thing as a "10-minute rule."

Academic Integrity:

Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the

University and/or the School of Law. Violations of academic integrity include, but are not limited to: cheating; plagiarism; misuse of library materials; use of another's book or study materials without consent; unapproved multiple submissions; material misrepresentation of one's academic history or standing; misrepresentation of any academic matter; intentionally giving another student false or inaccurate information about class requirements; inappropriate discussion of exams; and misrepresenting or falsifying class attendance reports. For more information on the School of Law Honor Code, go here: https://law.ubalt.edu/academics/policiesandprocedures/honor_code/index.cfm.

Title IX Sexual Harassment and Sexual Misconduct Policy:

The University of Baltimore's Sexual Harassment and Sexual Misconduct policies are compliant with Federal laws prohibiting discrimination. Title IX requires that faculty, student employees and staff members report to the University any known, learned or rumored incidents of sex discrimination, including sexual harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence or sexual exploitation and/or related experiences or incidents. Policies and procedures related to Title IX and UB's nondiscrimination policies can be found at: <http://www.ubalt.edu/titleix>.

Disability Policy:

If you are a student with a documented disability who requires an academic accommodation, please contact Leslie Metzger, Director of Student Services at 410-837-5623 or via email at lmetzger@ubalt.edu.

Assignments:

- On average, there will be about 25 pages of reading assigned for each class.
- Please read this material carefully and to think about it before class.
- I have done my best to balance the schedule, but from time to time the discussions of some reading assignments might extend beyond the class for which that material was assigned. I have tried to assign the reading in a fashion that will help you pace yourself.