Intellectual Property (IN104)

Course for Grade 1, International Bachelor Program in Informatics (3 credits)
When & Where: Thur. 13:10~16:00 at R1109
Professor: Chih-Liang Yeh (#2765) chyeh@saturn.yzu.edu.tw
Office hours: Mons & Weds 10:00~12:00 or by appointment

09/11/2024

Syllabus

I.   Course objective

For enabling students to understand the development of intellectual property, the aim of the course is to discuss the basic concept of law and intellectual property and introduce the IP system of trademark, patent, copyright and trade secrets, so as to train students to equip with basic ability to analyze intellectual property law.

II.   Prerequisite

None.

III. Outline

1. Basics of Intellectual Property
2. Legal Protection of Trademarks
3. Legal Protection of Patents
4. Legal Protection of Copyright
5. Legal Protection of Trade Secrets
6. Internet Issues and IP Strategies

IV. Textbook

Stephen Johnson (2015). *Guide to Intellectual Property: What it is, how to protect it, how to exploit it*. UK: Profile Books Ltd.

V.   Reference

James Boyle & Jennifer Jenkins (2021). *Intellectual Property: Law & the Information Society Cases and Materials*. 5th ed. (***Free download***. Licensed under Creative Commons 4.0.)

VI. Teaching Approach

Preparation, lecturing, case studies, midterm paper, final exam, movie(s) and/or speech.

VII. Handout: YZU Portal.

Course Schedule

Basics of Intellectual Property		
Week 01 – 9/12	Syllabus and Introduction	
Week 02 – 9/19-9/26	Basic Concept of Law Introduction to Intellectual Property **(Ch.1)**	
Legal Protection of Trademark		
Week 03 – 9/26	Trademark Law (I): Basics **(Ch.3, 8)**	
Week 04 – 10/3	Trademark Law (II): Protection **(Ch.3, 9)**	**Group 1**
Week 05 – 10/10	National Day (Double Tenth Holiday, no class)	
Week 06 – 10/17	Trademark Law (III): Domain Name **(Ch.7)**	**Group 2**
Legal Protection of Patent		
Week 07 – 10/24	Patent Law (I): Types & Procedure **(Ch.2, 5, 8)**	**Group 3**
Week 08 – 10/31	Movie (I): Flash of Genius (靈光乍現)	
Week 09 – 11/7	Midterm Exam Week, no class. Prepare midterm report.	
Week 10 – 11/14	Patent Law (II): Examination & Effects **(Ch.2, 5, 9)** *** Midterm Report due Today before 23:59**	**Group 4**
Week 11 – 11/21	Patent Law (III): Protection & Management **(Ch.2, 9, 10, 11)** **Group 5**	
Legal Protection of Copyright		
Week 12 – 11/28	Copyright (I): Rights & Licensing **(Ch.4, 8, 12)**	**Group 6**
Week 13 – 12/5	Copyright (II): Fair Use **(Ch.4)**	**Group 7**
Week 14 – 12/12	Copyright (III): Copyright & Piracy **(Ch.4, 7, 10)**	**Group 8**
Week 15 – 12/19	Movie (II): The Current War (電流大戰)	
Trade Secrets		
Week 16 – 12/26	Trade Secrets **(Ch.6)**	**Group 9**
Internet and Global Issues, IP Strategies & Final Exam		
Week 17 – 1/2	Internet and Global Issues on IP **(Ch.7)** IP Strategies **(Ch.16)** & Review Session for Final Exam	**Group 10**
Week 18 – 1/9	Final Exam	

Grading

Attendance 15% (using **YZU APP** to sign in)

Case study (group) 25% (**computer lottery to divide into 10 groups**, announcement in class)

Midterm report 25% (submit via YZU Portal **before 23:59 on class day of 11/14**)

Final exam 35% (exam date **January 9**, 2025) (absent from the exam without justifiable
       reasons will not allowed to make up the exam)

Notice for the Case Study Discussion

I. This notice is for students to understand how to conduct a case study. Through discussion on the assigned cases, students can understand the contents of course and have ability to solve problems. Students should read the notice before conducting the case study.

II. **Ten teams for ten topics.** Every student should participate in team works. The teams for each topic will be decided by computer drawing lots. Each team should find out assigned cases (or at least one case) to present the assigned topic. Each team should elect a team leader be responsible for work assignments and submitting the presentation file (by email) to Professor **three days before** the case study class.

III. **Topics of discussion:**
1. (10/03) NFT and trademark infringement (*MetaBirkins* case)
2. (10/17) Keyword advertisements
3. (10/24) Is software patentable?
4. (11/14) Can an AI machine be recognized as an inventor?
5. (11/21) After-market and the right to repair
6. (11/28) Copyright issues of generative AI
7. (12/05) Fair use on API? (*Oracle* case)
8. (12/12) Plagiarism: music and games
9. (12/26) Poaching and leaking
10. (01/02) Online piracy and site blocking

IV. **Work distribution**
1. Before oral presentation, the leader should notify Professor about the theme and content of the case and take charge on the work assignment.
2. **Time for oral presentation is about 25 minutes**, and at least three people should be present on stage.
3. Each team is free to make the oral presentation but cannot use illegal way to make your presentation (such as defamation or harms to others' intellectual property). Contents of the presentation can include but not limit to the following:
    (1) Introduction of the topic;
    (2) Introduction to the chosen case;
    (3) Pros and cons / how you value the case
    (4) Conclusion

V. Submission and evaluation:

    In principle, each student is awarded the same scores but Professor has privilege to add points to the one who does excellent jobs on the reporting (such as the responsive leader, good performance of oral presentation or responsive acts). Team members can decide the score of the person who does not get involved in the reporting.

VI. This notice is subject to change. Amendments will be posted on YZU Portal.

Notice for the mid-term reading report (read carefully)

I. This notice is for students to understand how to read an assigned book and to write an intensive and structured reading reflection. Because the mid-term reading report is the crucial way to appraise the performance of students at this semester, every student should read the notice carefully before write the reading report.

II. Pick one of the following seven assigned books and write down your reflection. You can buy one yourself or borrow it from the library. It is recommended to read the entire book. **Students can use generative AI tools to assist in organizing the report, but students shall ensure that the AI-generated content used in assignments is correct.**

    (1) (Elec.) Matthew Ball (2022). ***The Metaverse: And How It Will Revolutionize Everything***. Liveright. Full text of book can be found at
https://dl.shipdf.com/files/The%20Metaverse%20By%20Unknown.pdf

    (2) (Elec.) Carey Gillam (2017). ***Whitewash: The Story of a Weed Killer, Cancer, and the Corruption of Science***. Island Press. Full text of book can be found at campus
https://link.springer.com/book/10.5822/978-1-61091-833-6

    (3) (Paper) Michael D. Smith & Rahul Telang (2016). ***Streaming, Sharing, Stealing: Big Data and the Future of Entertainment***. The MIT Press.

    (4) (Paper) Stephen Witt (2015). ***How Music Got Free: A Story of Obsession and Invention***. Penguin.

    (5) (Elec.) David R. Koepsell (2015). ***Who Owns You? Science, Innovation, and the Gene Patent Wars***. John Wiley & Sons. Full text of book can be found at campus online: http://onlinelibrary.wiley.com/book/10.1002/9781118948439

    (6) (Elec.) Cory Doctorow (2014). ***Information Doesn't Want to be Free: Laws for the Internet Age***. San Francisco: Mcsweeney's. Full text of book can be found at:
https://archive.org/download/InformationDoesntWantToBeFree/Information%20Doesnt%20Want%20To%20Be%20Free.pdf

    (7) (Elec.) Lawrence Lessig (2008). ***Remix: Making Art and Commerce Thrive in the Hybrid Economy***. Full text of book can be found at:
https://ia802306.us.archive.org/24/items/LawrenceLessigRemix/Remix-o.pdf

III. There is no fixed format for reading report. The content, in general, contains two parts:

    1. **<u>Summarizing the impressive passages / paragraphs.</u>** Summarize about **<u>500 words in one page</u>** and indicate the title of book, chapter and pages of the quotes.

    2. **<u>Structured analysis and extended reflection.</u>** Explain why you choose this passage or chapter and **write down your own thoughts**. In addition, you can quote the viewpoints from other works and **make clear citation in a proper way**. The grade of report will be higher if the report is well written in a structured and intensive way.

IV. **Format**.

1. The report should be written in A4 format, single or 1.5 spacing (typing). The order of the report is: **cover, summary of the book, main content of your reflection; each starts on new page**. The cover should specify 【**1131 Mid-Term Report for Intellectual Property**】**, the title of report, name and student ID**. Any content referring to other's work **should indicate the source at the end of report**.

2. **The words of report (main content only) should be more than 800.** Indicate the total number at the end of your report. *E.g.*: (1,352 words).

V. **Standard of Appraisal.**

1. **Late submission will not be accepted** except reasonable cause(s) and prior notification.

2. Unfinished report or irrelevant content with assigned book will not be accepted.

3. Co-authoring is not allowed.

VI. **Due Date.** Students should upload the report **via Portal** by 23:59 on the class day of **11/14**. **ANY LATE SUBMISSION IS NOT ALLOWED!!**