**Dr. TyAnna Herrington**

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Office hours mw 11-12 & by arrangement

**LMC 3414: Intellectual Property**

**Course Prerequisites:** English 1102

**Core Areas Fulfilled by this Class**: None

**Course Description:**

Intellectual property policy and law provides a forum for examining constitutionally informed policy and pragmatic legal issues in intellectual property law, focusing on the effects of power structures and information digitization.

**Learning Outcomes**:

* Students will demonstrate proficiency in the process of articulating and organizing rhetorical arguments in written, oral, visual, and nonverbal modes, using concrete support and conventional language.
* Textual/Visual Analysis: Students will learn to read, analyze, and interpret not only cultural projects such as film, literature, art, and new media, but also scientific and technical documents.
* Interpretive Frameworks: Students will become familiar with a variety of social, political, and philosophical theories and be able to apply those theories to creative and scientific texts, as well as to their own cultural observations.
* Communication Skills: Students will be able to gather, organize, and express information clearly and accurately, with sensitivity to audience. They will be able to do so both by using traditional media and by tapping the potential of new digital media.

**[Course Texts:](http://www.lmc.gatech.edu/~herrington/iparts/)**

1. *[Intellectual Property on Campus: Students' Rights and Responsibilities.](http://www.lmc.gatech.edu/~herrington/iparts/)* [Herrington, TyAnna. SIU Press, 2010.](http://www.lmc.gatech.edu/~herrington/iparts/)
2. [[Herrington, TyAnna K. "The Interdependency of Fair Use and the First Amendment." Computers and Composition Special Issue: Intellectual Property, vol. 15, no. 2. 125-143. (1998).](http://www.lmc.gatech.edu/~herrington/iparts/)](http://www.lmc.gatech.edu/~herrington/iparts/herrington2.pdf)
3. [[---. "Work For Hire for Non-academic Creators." Journal of Business and Technical Communication. v. 13, no. 4, October 1999.](http://www.lmc.gatech.edu/~herrington/iparts/)](http://www.lmc.gatech.edu/~herrington/iparts/herrington.pdf)[[HR 2391](http://www.lmc.gatech.edu/~herrington/iparts/)](http://www.lmc.gatech.edu/~herrington/iparts/HR%202391.pdf)
4. [[i-safe posts](http://www.lmc.gatech.edu/~herrington/iparts/)](http://www.lmc.gatech.edu/~herrington/iparts/i-safe.html)[.](http://www.lmc.gatech.edu/~herrington/iparts/)
5. [[Patterson, T. Ray, and Stanley W. Lindberg. The Nature of Copyright. Ch. 2. Athens: U of Georgia P, 1991.](http://www.lmc.gatech.edu/~herrington/iparts/)](http://www.lmc.gatech.edu/~herrington/iparts/ch_2.pdf)[.](http://www.lmc.gatech.edu/~herrington/iparts/)
6. [---.](http://www.lmc.gatech.edu/~herrington/iparts/)[[Ch. 9. The Nature of Copyright. Athens: U of Georgia P, 1991.](http://www.lmc.gatech.edu/~herrington/iparts/)](http://www.lmc.gatech.edu/~herrington/iparts/ch_9.pdf)
7. [[Public Domain Day Post](http://www.lmc.gatech.edu/~herrington/iparts/)](http://www.lmc.gatech.edu/~herrington/iparts/pubdomainday.htm)
8. [[Slater, Don. excerpts from Consumer Culture and Modernity. Polity Press, 1997.](http://www.lmc.gatech.edu/~herrington/iparts/)](http://www.lmc.gatech.edu/~herrington/iparts/slater.html)
9. [[Woodmansee, Martha, and Peter Jaszi. "The Law of Texts: Copyright in the Academy." College English. 57(1995): 769-787.](http://www.lmc.gatech.edu/~herrington/iparts/)](http://www.lmc.gatech.edu/~herrington/iparts/woodmansee.pdf)

**Description of Assignments:**

**Readings/participation**

Students are responsible for all course readings on the day assigned. Failure to complete the readings can severely hinder ability to understand the information covered and negatively impact grades. Students must complete all assignments to gain a passing grade in the class and must amass no more than 4 absences to complete course requirements for a passing grade.

To meet course objectives, students will demonstrate an accurate understanding of basic intellectual property policy and legal issues as they reflect and are reflected in legal/social context. Students will demonstrate ability to apply conceptual understanding of intellectual property law in various contexts, demonstrating that they understand the inherent flexibility in law and policy that accommodates contextual variety. Students will also be able to communicate the intellectual processes behind their legal reasoning to support conclusions and projections rationally, clearly, and with solid research from both legal and other appropriately applicable fields.

**External reading responses**

Students will locate, summarize, and present material from 10 external article readings during the semester. These readings should form the basis of their analytical projects and provide the rest of the class with a database of sources from which to draw information.

Students must submit these in MS Word-compatible format, by email, to me at ty@gatech.edu and to the class communication space prior to each class in which they will be presented.

**Analytical Artifact**

Students will produce final analytical projects that will answer specific, focused questions of their choice in intellectual property. They may submit an analysis in a more traditional print-based medium or may choose to submit a project in a digital medium or combination of media. All projects must provide documentation to explain their theoretical bases, reasoning for technological media choices, a clear synthesis of their ideas and choices, and a final artifact that answers the question asked.

To enhance the learning of all course participants, students will present their findings in class. These assignments must be submitted to me in digital form, when applicable, to ty@gatech.edu by 11:59pm on the specified deadline. Analytical projects with no digital structure must be submitted to me in class by the specified deadline.

**Grading:**

1. Readings/participation 10%
2. External reading responses 10% due 10.10.12 for class discussion, 2 per class day until 10 are submitted
3. Analytical artifact 80%, broken down as follows:

* -proposal (final draft) 20%, due 11.14.12
* -final artifact 50%, due 12.7.12
* -presentation 10%, due 11.19.12-12.5.12

Note that students must also receive a mark of "+" on all case situation analyses and other info assessments to pass the class.

**Students with Disabilities**

should self-report to the Access Disabled Assistance Program for Tech Students (ADAPTS) at:

Smithgall Student Services Building, Suite 210  
404-894-2563 (V)  
404-894-1664 (TDD)  
[adaptsinfo@gatech.edu](mailto:adaptsinfo@gatech.edu)

**Scholastic Dishonesty and Academic Misconduct**:

all of the work you submit for this course must be your own. If I suspect academic misconduct, I will submit your name to the Dean of Students, who will then take the appropriate disciplinary action. The Georgia Tech honor code (at [www.honor.gatech.edu/plugins/content/index.php?id=9](http://www.honor.gatech.edu/plugins/content/index.php?id=9)) defines academic misconduct as:

* Possessing, using, or exchanging improperly acquired written or verbal information in the preparation of any assignment included in an academic course;
* Unauthorized collaboration with a student in the commission of academic requirements;
* False claims of performance or work that has been submitted by the claimant;
* Alteration or insertion of any academic grade so as to obtain unearned academic credit;
* Deliberate falsification of a written or verbal statement of fact to a member of the faculty so as to obtain unearned academic credit;
* Forgery, alteration, or misuse of any document relating to the academic status of a student.

**Week-by-Week Schedule of Classes**

v = virtual class day

**August**

m 20- introduction to course

w 22- epistemologies

f 24- ideology and law constitutional basis, balance, law and policy; read 1-18 IP on Campus

m 27- assessment of foundational material

w 29- read and discuss [Patterson & Lindberg ch 2](http://www.lcc.gatech.edu/~herrington/iparts/ch_2.pdf)

f 31- Patterson and Lindberg ch 2 cont’d

**September**

m 3- labor day holiday

w 5- history, read [Patterson and Lindberg ch 9](http://www.lcc.gatech.edu/~herrington/iparts/ch_9.pdf)

f 7- protections, generally; read 18-33 IP on Campus

m 10- protections, generally, cont

w 12- copyright

f 14- virtual day- copyright, cont’d; discuss online from individual student perspectives

m 17- copyright, cont’d

w 19- copyright, cont’d, begin fair use; read 51-72 IP on Campus

f 21- fair use, cont’d

m 24- fair use, cont’d; plagiarism; read 73-103 IP on Campus

w 26- virtual day- view [Larry Lessig's TED talk](http://www.ted.com/index.php/talks/larry_lessig_says_the_law_is_strangling_creativity.html)and respond online in virtual discussion

f 28- virtual day- virtual discussion cont’d

**October**

m 1- plagiarism, cont’d; work for hire; read 34-50 IP on Campus

w 3- proposal discussion, discussion of potential topics

f 5- - proposal, cont’d

m 8- wrap up general content area; read 104-119 IP on Campus; read Jaszi and Woodmansee

w 10- begin article summaries and discussion- responses due as they're discussed in class

f 12- virtual day- [case situation due](http://www.lmc.gatech.edu/~herrington/iparts/ipcasesit.html)

m 15- fall break

w 17- article summaries and discussion

f 19- article summaries and discussion, read Slater

m 22- article summaries and discussion- proposal explanation, see [proposal info](http://www.lcc.gatech.edu/~herrington/baseweb/ipprop.html)

w 24- q&a day

f 26- continue work with articles

m 29- continue work with articles

w 31- informal progress reports begin, proposal \*draft\* due

**November**

f 2- virtual day- continue informal progress reports

m 5- continue informal progress reports, read [Herrington "The Interdependency of Fair Use and the First Amendment"](http://www.lcc.gatech.edu/~herrington/iparts/ff.html)

w 7- proposal revisions due, article summaries and discussion, discussion of oral presentation

f 9- DMCA, TEACH Act; read IP on Campus 48-49

m 12- DMCA cont’d, [case situation due](http://www.lmc.gatech.edu/~herrington/iparts/ipcasesit.html) broad case situation- in-class case assessment

w 14- continue article summaries and discussion, final proposals due

f 16- continue article summaries and discussion- presentation questions

m 19- final article summaries and discussion

w 21- v- online review of all material and q&a throughout the break-

f 23- Thanksgiving Break

m 26- presentations

w 28- presentations

f 30- presentations

**December**

m 3- presentations

w 5- presentations

f 7- last day of class - final projects, all work due