TEXTBOOK


MEETING TIME AND PLACE

Monday and Wednesday, 10:30 a.m. to 12:00p.m.
Wm. H. Gates Hall, Room 207

ASSIGNMENTS

March 28—Course Overview and Learning Objectives; Overview of Licensing Transactions and Law
Readings:
Preface (Text xxv-xxvi)
Overview of Licensing Transactions and Law (Text 3-22)

March 30—Licensing Transactions (and Alternatives)
Readings:
Creative Commons License Deed and Attribution 4.0 International Public License (Text 23-29)
17 U.S.C. §109(a) and (b) (including Historical and Statutory Notes); 17 U.S.C. §201(d) (Text 29-32)
Mallinckrodt, Inc. v. Medipart, Inc., 976 F.2d 700 (Fed. Cir. 1992) (Text 32-34)
ProCD, Inc. v. Zeidenberg, 86 F.3d 1447 (7th Cir. 1996) (Text 34-35)
Vernor v. AutoDesk, Inc., 621 F.3d 1102 (9th Cir. 2010) (Text 36-45)
Problems 1, 2, 10, and 11 will be discussed in class. 2 Problems due for grading--turn in either Problem 1 or 2; turn in either Problem 10 or 11.

April 4—Common License Provisions
Readings:
Text 69-87
Problems 1-9 will be discussed in class. 1 Problem due for grading, your choice of which one.

April 6—Common License Provisions Cont.
Readings:
Text 88-98
Problems 10-19 will be discussed in class. 1 Problem due for grading, your choice of which one.
Also, submit via Canvas 1 Drafting Exercise from Chapter 3 (pages 115-116) by no later than 4:00P.M. April 7 (Thursday).
April 11— Overview of Drafting Licenses; Drafting Lab
Readings:
Re-read the License Agreement in Chapter 2 (Text 69-75)
Text 103-115
Drafting Exercises 1-10 will be discussed in class.

April 13— Trademark Licensing
Readings:
Text 119-130
Barcamerica Int’l v. Tyfield Importers, Inc., 289 F. 3d 589 (9th Cir. 2002) (Text 148-152)
Eureka Water Co. v. Nestle Waters, N.A., 690 F.3d 1139 (10th Cir. 2012) (Text 158-165)
Problems 2, 3, 4 will be discussed in class.
Submit via Canvas Drafting Exercises 3, 4, and 6 by no later than 4:00P.M. April 14 (Thursday).

April 18— Trademark License Drafting Lab
Drafting Exercises 3, 4, and 6 will be discussed in class.

April 20— Trade Secret Licensing
Readings:
Text 295-309
Submit via Canvas Drafting Exercises 3 and 4 by no later than 4:00P.M. April 21 (Thursday).

April 25— Trade Secret License Drafting Lab
Drafting Exercises 3 and 4 will be discussed in class.

April 27— Patent Licensing
Readings:
Text 227-237
Princo v. Int’l Trade Com’n, 616 F. 3d 1318 (Fed. Cir. 2010) (Text 237-249)
Intel Corp. v. Negotiated Data Solutions, Inc., 703 F.3d 1360 (Fed. Cir. 2012) (Text 264-269)
Antitrust Guidelines from DOJ and FTC (Text 283-290) (skim)
Problem 4 will be discussed in class.
Submit via Canvas Drafting Exercises 2 and 4 by no later than 4:00P.M. April 28 (Thursday).

May 2— Patent License Drafting Lab
Drafting Exercises 2 and 4 will be discussed in class.

May 4— Software Licensing
Readings:
Text 393-406
Specht v. Netscape Communications Corp., 306 F. 3d 17 (2d Cir. 2002) (Text 443-448)
Source Code Agreement (Text 413-416)
Open Source Definition (Text 434-435)
Problems 2, 3.1, and 3.2 will be discussed in class. Turn in Problem 3.2 for grading.
Submit via Canvas Drafting Exercises 1 and 2 by no later than 4:00P.M. May 5 (Thursday).
May 9—Software License Drafting Lab
Drafting Exercises 1 and 2 will be discussed in class.

May 11—Multimedia Licensing
Readings:
Text 531-538
Trademark License Between Apple Computer and Apple Corps (Text 571-583)
Problem 1 will be discussed in class.

May 16—Multimedia License Agreement Negotiation Capstone Project: Term Sheet

May 18—Multimedia License Agreement Negotiation Capstone Project: License Agreement
Turn in the Term Sheet and License Agreement for grading at the end of class today.

GRADING
This course will be graded on a “Credit” or “No Credit” basis. To earn the grade of “Credit” you must satisfactorily complete the following:
• 10 Drafting Exercises
• 5 Problems
• 5 Drafting Lab Expert Presentations
• Capstone Term Sheet and License Agreement
Professor Gomulkiewicz will distribute a separate memorandum which describes these assignments in detail, including the grading criteria.