

LAW 7822: ADVANCED SEMINAR ON COPYRIGHT LAW

SYLLABUS

Prof. Bell
Spring 2015

COURSE DESCRIPTION AND OBJECTIVES

This course offers an in-depth analysis of the rights and remedies afforded to copyright holders under U.S. law. Although we will discuss theoretical aspects of copyright law, we will also engage in a number of practical exercises, such as preparing mock copyright registrations, client letters, and legal memoranda. The quality of your writing and analysis will affect your grade in this course. Notably, it will also affect your performance on the Bar exam and your success as a practicing attorney.

This course should prepare you to analyze a variety of copyright law issues at a fairly specific level. Dealing with related topics, such as contract or entertainment law, may require additional, specialized study. This class should also help to polish your public speaking and legal reasoning skills and introduce you to some of the practical and ethical concerns of working attorneys.

GRADING

All of your your grade will come from the written work that you prepare for the course. That writing will satisfy the school's practical writing requirement if it totals more than 20 substantive pages, total, measured on a per capita basis. Please note that course grades will conform to the mandatory curve, described in the Student Handbook.

So as to better simulate the actual practice of law, some writing projects may require you to work with a team of students. I will allocate grades and page counts from written work prepared as part of any such joint effort on a *pro rata* basis. If you get a B+ on a six-page memo with another student, for instance, each of you will receive a B+ for that exercise and credit for having written three pages. Though you will probably enjoy many aspects of working in teams, it may pose some particular challenges. Please note, therefore, that I leave it to and your team to figure out how to share your work fairly and efficiently.

Your class participation may also affect your grade. I will throughout the semester call on students at random to ask questions about the assigned materials and various related hypothetical problems. If you are not prepared to engage in such a discussion you may elect to pass. There is no penalty for passing once, but any student who elects to pass more than once, or who fails to pass but exhibits inadequate preparation, will lose .1 points from his or her final grade for each such infraction.

You should expect to lead a class discussion, alone or with your team, sometime during the semester, an opportunity that will help you develop the sort of speaking skills that good lawyers so often find useful.

HOW TO CONTACT ME

I encourage you to contact me if you have questions or comments about what we discuss in class or about law school in general. Look for me in my office, room 438, each Monday and Wednesday from 10 a.m. until 1:00 pm. I welcome you to drop by and chat at those times or at other times by appointment or chance. You can also call me at 714/628-2503 or email me at tbell@chapman.edu. Email usually reaches me more quickly. On the appropriate Blackboard site and at www.tomwbell.com/teaching.html you can find course documents and study materials.

READING ASSIGNMENTS

This compact syllabus sets forth the readings assigned for Advanced Seminar: Copyright Law from the course's primary text, JOYCE, ET AL., COPYRIGHT LAW (LexisNexis 9th ed. 2013) (hereinafter "Text"). You should read the supplement, JOYCE, ET AL., COPYRIGHT LAW: 2014 CUMULATIVE SUPPLEMENT (LexisNexis 2014) (hereinafter ("Supp.") and applicable portions of the statute as we progress; if the text cites part of the Copyright Act, look it up. While I will make a good faith effort to follow this syllabus, I reserve the right to change it.

<u>class #</u>	<u>reading</u>	
I.	Introduction and Overview	
	Classes 1 & 2: Text pp. 1-64	(64)
II.	Prerequisites for Copyright Protection	
	Classes 3 & 4: Text pp. 65-138	(72)
III.	Works of Authorship	
	Class 5: Text pp. 139-54, 171-79	(23)
	Class 6: Text pp. 189-209, 214-20	(23)
	Class 7: Text pp. 220-48	(28)
	Class 8: <u>Registration Exercise</u> , Monday, Feb. 9	
	Text pp. 248-59	(11)

IV. Ownership and Transfers		
Classes 9 & 10:	Text pp. 261-322	(61)
V. Duration, Renewal, and Terminations of Transfers		
Class 11:	Text pp. 323-44, 355-71	(38)
VI. Publication and Formalities		
Class 12:	Text pp. 399-403, 416-37	(25)
VII. Exclusive Rights and their Limitations		
Class 13:	Text pp. 453-65, 474-90	(28)
Class 14:	Text pp. 490-526	(35)
Class 15:	Text pp. 526-28, 532-58	(28)
Class 16:	Text pp. 562-73, 580-88, 597-605	(28)
VIII. Infringement Actions		
Class 17:	Text pp. 607-10, 613 (last partial ¶)-21, 629 (n. 5)-37, 641-52	(33)
Class 18:	Text pp. 652-70, 676-83, 712 (n. 4)-14	(27)
Class 19:	<u>Demand Letter Exercise</u> , Wednesday, March 25 Text pp. 714-15 (to "Factual and Procedural Background"), 721-24, 729-32	(8)
IX. Secondary Liability		
Class 20:	Text pp. 733-51, 755-56 (to "I A"), 760 ("C"), 764-70	(26)
Class 21:	Text pp. 770-92	(22)
X. Fair Use and Affirmative Defenses		
Class 22:	Text pp. 809-35	(26)
Class 23:	Text pp. 835-60	(25)
Class 24:	<u>Reply Letter Exercise</u> , Monday, April 20 Text pp. 860-64, 872-91, 897-903	(27)
XI. Remedies, Preemption, and Related Bodies of Law		
Class 25:	Text pp. 905-23, 931-35	(22)
Class 26:	Text pp. 936-47	(11)
Class 27:	Text pp. 952-58, 990-1002	(18)
Class 28:	<u>Bench Memo Exercise</u> , Friday, May 15	

LAW SCHOOL AND UNIVERSITY ADMINISTRATIVE NOTICES

Learning Outcome Assessment: The law school has designated three learning outcomes as important for all students: legal analysis, legal writing, and client representation. This course focuses on legal analysis (of statutes, cases, persuasive codifications, and uniform laws) and legal writing (including government forms, memoranda, and letters to and on behalf of clients). Under the heading of “client representation,” the course also includes consideration of how to practice law professionally and ethically. For other, more general descriptions of the course’s learning outcomes, please see above under “Course Description and Objectives.”

Accommodations: In compliance with ADA guidelines, students who have any condition, either permanent or temporary, that may affect their ability to perform in this class are encouraged to contact Associate Dean of Student Affairs and Administration Jayne Kacer or the University Disability Services Office. Dean Kacer is located in the law school Dean's Suite and can be reached at kacer@chapman.edu or 714-628-2641. You also may contact the Office of Disability Services at 714-516-4520 or www.chapman.edu/disabilities. If your request for an accommodation is granted, please discuss with your professor *only* those accommodations that relate to classroom learning, e.g., the need to sit in a special location, audio taping, etc. Because exam grading is anonymous, please do not discuss with your professors any accommodations related to exams. These accommodations will be handled by the Registrar's Office. The granting of any accommodation will not be retroactive and cannot jeopardize the academic standards or integrity of the course.

Equity and Diversity Notification: Chapman University is committed to ensuring equality and valuing diversity. Students and professors are reminded to show respect at all times as outlined in Chapman’s Harassment and Discrimination Policy: <http://tinyurl.com/CUHarassment-Discrimination>. Any violations of this policy should be discussed with the professor, the Dean of Students, and/or otherwise reported in accordance with this policy.