

Course Title: LAW 630 - Intellectual Property (3 credit hours)

Tuesdays & Thursdays, 4:45pm – 6:00pm, Room 204

Fall 2025

Instructor: Joshua Bradley

Office Room: Adjunct Instructors Room

Office Hours: 3:45pm – 4:45pm, Tuesday and Thursday (before class), or by appointment

Office Phone: TBA

Email Address: TBA

Overview: Course Description and Learning Objectives

This course examines the role and design of intellectual property in the digital and information age. It begins with an analysis of the competing policies underlying the intellectual property laws, before covering the basics of patent, copyright, trademark, and trade secret law. Some of the salient controversies in intellectual property law will be addressed, including patent protection for software, business methods, and biotechnology; patent suits brought by non-practicing entities; copyright enforcement challenges posed by the Internet age, the role and difficulties of protecting trademarks on the Internet; and the application of common law intellectual property doctrines to the Internet.

Students will learn the basics of intellectual property law, both in its main areas and some of its more obscure corners. Students should also learn some of the policy and social levers that underlie intellectual property and how these impact society.

Required Resources

The book for this class is “*Intellectual Property in the New Technological Age: 2025*,” by Peter Menell, Rober Merges, Mark Lemley, and Shyamkrishna Balganesh, published by Clause 8 Publishing (<https://clause8publishing.com/ipnta>). The first two chapters (i.e., the first two weeks of required reading) are available at the following link if you have trouble accessing your full copy: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5344140. Additional readings and other material may be posted to the course’s D2L page. The reading schedule is included below.

Attendance Policy

As required by SIU Law Rules, attendance is mandatory. If you miss more than six classes, you will not be eligible to take the final exam.

Participation

Students are expected to be prepared for class—this includes any reading, problems, or other assigned work. As it follows, participation in class is mandatory as it is important to help me gauge how well the material is being absorbed and where I should focus my attention.

Grading

Your grade will be determined by a combination of the final exam (75%), a writing assignment (15%), and your participation in class (10%). The final exam will be open book (no access to the Internet). To the extent possible, grading will be anonymous, and this course will follow the grading system defined under Simmons Law School rules and policies.

ChatGPT/Other AI/LLM Models

Students are strongly discouraged from using these resources as a substitute for reading, participating, writing, etc. These resources will not be available during the exam.

Workload Expectations

ABA Standards for accrediting law schools contain a formula for calculating the amount of work that constitutes one credit hour. According to ABA Standard 310, a “credit hour” is an amount of work that reasonably approximates: (1) not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student per week for fifteen weeks, or the equivalent amount of work over a different amount of time. This class is a three-credit hour class, meaning that we will spend two 75-minute blocks of time together each week. The amount of assigned reading and out-of-class preparation should take you about six (6) hours for the week. Altogether, applying the ABA Standard to the number of credits offered for this class, you should plan to spend a total of 9 hours per week (3 in class and 6 preparing for class) on course-related work.

Emergency Procedures

We ask that you become familiar with **Emergency Preparedness @ SIU**. Emergency response information is available on posters in buildings on campus, on the Emergency Preparedness @ SIU website, and through text and email alerts. To register for alerts, visit <http://emergency.siu.edu/>.

Disability Policy

SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. The Office of Access and Accommodations, formerly Disability Support Services, coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval, please contact OAA immediately at 618-453-5738 or disabilityservices.siu.edu. You may request accommodations at any time, but timely requests help to ensure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty. Please send approved accommodations to your faculty through the DSS online portal.

Saluki Cares and Counseling & Psychological Services (CAPS)

The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students, and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-2461, or siucares@siu.edu, <https://salukicare.siu.edu/>. Associate Dean Shelia Simon ssimon@siu.edu or (618) 536-8321 is available at the Simmons Law School to help students access university resources. Additionally, counseling services are available through CAPS ([Counseling and Psychological Services \(CAPS\)](#))

[| Student Health Services | SIU](#)). A counselor is at the law school every Wednesday from noon until 4:30pm in Room 268 for drop-in appointments.

Safety Awareness Facts and Education

Title IX makes it clear that violence and harassment based on sex and gender is a Civil Rights offense subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here: <http://safe.siu.edu>.

Provisional Reading

Please take note of the below tentative reading schedule. Problems may be assigned during class.

<u>DATE</u>	<u>READING</u>
Tuesday, August 19	Course Introduction, 1-38
Thursday, August 21	Introduction to Trade Secret Law, 42-80
Tuesday, August 26	Misappropriation of Trade Secrets, 80-112 Remedies, 143-160
Thursday, August 28	Patent Overview, 166-179 Novelty, 179-204
Tuesday, September 2	Novelty (Priority Rules and AIA), 204-216 Nonobviousness, 216-243
Thursday, September 4	Utility, 243-253 Disclosure, 253-279
Tuesday, September 9	Patentable Subject Matter, 279-322 Inventorship, 322-331
Thursday, September 11	Claim Construction, 339-374 Infringement, 382-398
Tuesday, September 16	Defenses, 416-427 Remedies, 446-463
Thursday, September 18	Design Patents, 472-503
Tuesday, September 23	Copyright Introduction, 518-527 Requirements, 527-561
Thursday, September 25	Limitations, 571-577, 593-616
Tuesday, September 30	Ownership, 621-645 Duration, 649-659
Thursday, October 2	Rights/Infringement, 662-689, 702-707
Tuesday, October 7	Rights/Infringement: <ul style="list-style-type: none">- Derivative Works Right, 707-719- Distribution Right, 721-724- Public Performance & Public Display Rights, 735-736, 747-752
Thursday, October 9	Indirect Liability, 771-797 Defenses (Fair Use), 798-819
Tuesday, October 14	Defenses (Fair Use con't), 819-844, 860-863, 879-895
Thursday, October 16	Digital Copyright: <ul style="list-style-type: none">- Anticircumvention Right, 765-771- Defenses (OSP Safe Harbor), 895-914
Tuesday, October 21	Other Defenses, 915-916 Civil Remedies, 916-927
Thursday, October 23	Trademark Introduction, 949-961
Tuesday, October 28	Establishing Trademark Protection, 962-976, 989-1019
Thursday, October 30	Priority, 1019-1033 Trademark Office Procedures, 1021-1051 Incontestability, 1051-1055
Tuesday, November 4	Infringement, 1056-1073, 1083-1086, 1096-1098

Thursday, November 6	Dilution, 1100-1115 Domain Names and Cybersquatting, 1116-1118
Tuesday, November 11	<i>Veteran's Day – Required make-up class, TBA</i>
Thursday, November 13	Indirect Infringement, 1118-1130 Defenses, 1130-1148, 1153-1167 Remedies, 1173-1186
Tuesday, November 18	Right of Publicity, 1265-1309
Thursday, November 20	Review/Catch-up
12/2-12/6 & 12/8-12/12	<i>Scheduled Final Exam Window per SIU Law</i>

Syllabus Attachment

Fall 2025

MISSION STATEMENT FOR SOUTHERN ILLINOIS UNIVERSITY CARBONDALE

SIU embraces a unique tradition of access and opportunity, inclusive excellence, innovation in research and creativity, and outstanding teaching focused on nurturing student success. As a nationally ranked public research university and regional economic catalyst, we create and exchange knowledge to shape future leaders, improve our communities, and transform lives.

IMPORTANT DATES:

Semester Classes Begin:08/18/2025
Last day to add full-term course (without Dean's signature):08/24/2025
Last day to withdraw from the University with a full refund:08/29/2025
Last day to drop a full-term course for a credit/refund:08/31/2025
Last day to drop a full-term course (W grade, no refund):.....10/26/2025
Final examinations:12/08/2025–12/12/2025

Note: Please verify the above dates with the Registrar calendar and find more detailed information on deadlines at <http://registrar.siu.edu/calendars>. For add/drop dates that apply to shorter-than-full-term courses, please look at the Schedule of Classes search results at <http://registrar.siu.edu/schedclass/index.php>

FALL SEMESTER HOLIDAYS:

Labor Day 09/01/2025
Fall Break 10/10/2025
Veterans Day 11/11/2025
Thanksgiving Break 11/22/2025 - 11/30/2025

DIVERSITY: Southern Illinois University Carbondale's goal is to provide a welcoming campus where all of our students, faculty and staff can study and work in a respectful, positive environment free from racism and intimidation. For more information visit: <http://diversity.siu.edu>. Additional [informational flyer](#).

OFFICE FOR ACCESS AND ACCOMMODATIONS: SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Office for Access and Accommodations coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval please contact OAA immediately at (618) 453-5738 or <https://access.siu.edu>. You may request accommodations at any time, but timely requests help to ensure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty.

MILITARY COMMUNITY: There are complexities of being a member of the military community and also a student, and military and veteran related developments can complicate academic life. If you are a member of the military community and in need of accommodations please visit Veterans Services at <http://veterans.siu.edu/>.

STUDENT MULTICULTURAL RESOURCE CENTER: The Student Multicultural Resource Center serves as a catalyst for inclusion, diversity and innovation. As the Center continues its work, we are here to ensure that you think, grow and succeed. We encourage you to stop by the Center, located in the Student Services Building Room 140, to see the resources available and discover ways you can get involved on the campus. Visit us at <https://smrc.siu.edu/>.

SALUKI CARES: The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students and their families, SIUC will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For information on Saluki Cares: Call (618) 453-2461, email siucares@siu.edu, or <http://salukicare.siu.edu/>.

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PREGNANCY: Title IX makes it clear that students who are pregnant or have a related condition may contact the Title IX Coordinator to request accommodations or to report any allegations of discrimination. The Title IX Coordinator may be contacted at: Nick Wortman, Associate Vice Chancellor for Human Resources, Southern Illinois University Carbondale, 0135 Woody Hall, 900 S. Normal Avenue, Mail Code 6520, Carbondale, IL 62901, (618) 453-6667, equity@siu.edu.

SIU COUNSELING AND PSYCHOLOGICAL SERVICES (CAPS): Mental health counseling services are available by calling [CAPS](#) at (618) 453-5371. CAPS offers confidential same-day services and ongoing counseling. For after hours crisis care, students are encouraged to call 988, 911, or present to their nearest emergency room.

WITHDRAWAL POLICY (Undergraduate Only): Students who officially register for a session must officially withdraw from that registration in a timely manner to avoid being charged as well as receiving a failing grade for those classes. An official withdrawal must be initiated by the student, or on behalf of the student through the academic unit, and be processed by the Registrar's office. For the proper procedures to follow when dropping courses and when withdrawing from SIUC visit: <https://registrar.siu.edu/students/withdraw.php>.

SIUC'S EARLY WARNING INTERVENTION PROGRAM (EWIP): Students enrolled in courses participating in SIUC's Early Warning Intervention Program might be contacted by University staff during a semester. More information can be found at the University Core Curriculum's Overview webpage: <https://corecurriculum.siu.edu/for-faculty/>.

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CATALOGS:

catalog.siu.edu
gradcatalog.siu.edu - Graduate policies often vary from Undergraduate policies. To view the applicable policies for graduate students, please refer to the graduate catalog.

CENTER FOR LEARNING AND SUPPORT SERVICES:

Tutoring: <https://clss.siu.edu/>
Math Labs: <http://math.siu.edu/courses/course-help.php>

WRITING CENTER: <http://write.siu.edu/>

PLAGIARISM: See the Student Conduct Code: <http://srr.siu.edu/student-conduct-code/>

INCOMPLETE POLICY (Undergraduate Only): <http://registrar.siu.edu/grades/incomplete.php>

REPEAT POLICY: <http://registrar.siu.edu/students/repeatclasses.php>

MORRIS LIBRARY HOURS: <https://libcal.lib.siu.edu/hours/>

ADVISEMENT: <http://advisement.siu.edu/>

SIU ONLINE: <https://online.siu.edu/>