

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

Tuesdays & Thursdays, 1:30pm – 2:45pm, Room 202

Spring 2026

Instructor: Joshua Bradley

Office Room: Room 216

Office Hours: Immediately following class or by appointment

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Course Description

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.

Learning Objectives

At a minimum, students should:

1. learn the basics of intellectual property law, both in its main areas (trade secrets, patents, copyrights, and trademarks) and some of its more obscure corners,
2. learn some of the policy and social levers that underlie intellectual property and how these impact society,
3. critique the effects of intellectual property and its relationship with society,
4. apply intellectual property law to identify legal issues contained within a fact pattern and determine a proper resolution of such legal issues, and
5. actively engage with the instructor and other students while in class and during groupwork, employing the strategies of active listening, empathy, and effective allyship.

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 under Rule III.5(f), attendance is mandatory. If you miss more than six classes, the Associate Dean’s Office may impose penalties under Rule III.5(g). You can access these rules at:

https://law.siu.edu/_common/documents/rules-code/rule-excerpts/2024-2025/attendance-24-25.pdf.

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 a final exam (90%) and your participation in class (10%). A non-graded written task may be assigned partway through the course. 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>.

The instructor reserves the right to amend the syllabus as needed during the semester.

Provisional Reading (Problems may be assigned during class.)

<u>DATE</u>	<u>READING</u>
Tuesday, January 13	Course Introduction, 1-38
Thursday, January 15	NO CLASS
Tuesday, January 20	Introduction to Trade Secret Law, 42-80
Thursday, January 22	Misappropriation of Trade Secrets, 80-112 Remedies, 143-160
Tuesday, January 27	Patent Overview, 166-179 Novelty, 179-204
Thursday, January 29	Novelty (Priority Rules and AIA), 204-216 Nonobviousness, 216-243
Tuesday, February 3	Utility, 243-253 Disclosure, 253-279
Thursday, February 5	Patentable Subject Matter, 279-322 Inventorship, 322-331
Tuesday, February 10	Claim Construction, 339-374 Infringement, 382-398
Thursday, February 12	Defenses, 416-427 Remedies, 446-463
Tuesday, February 17	Design Patents, 472-503
Thursday, February 19	Copyright Introduction, 518-527 Requirements, 527-561
Tuesday, February 24	Limitations, 571-577, 593-616
Thursday, February 26	Ownership, 621-645 Duration, 649-659
Tuesday, March 3	Rights/Infringement, 662-689, 702-707
Thursday, March 5	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
March 7 – March 15	SPRING BREAK
Tuesday, March 17	Indirect Liability, 771-797 Defenses (Fair Use), 798-819
Thursday, March 19	Defenses (Fair Use, con't), 819-844, 860-863, 879-895
Tuesday, March 24	Digital Copyright: <ul style="list-style-type: none">- Anticircumvention Right, 765-771- Defenses (OSP Safe Harbor), 895-914
Thursday, March 26	Other Defenses, 915-916 Civil Remedies, 916-927
Tuesday, March 31	Trademark Introduction, 949-961
Thursday, April 2	Establishing Trademark Protection, 962-976, 989-1019
Tuesday, April 7	Priority, 1019-1033 Trademark Office Procedures, 1021-1051 Incontestability, 1051-1055

Thursday, April 9	Infringement, 1056-1073, 1083-1086, 1096-1098
Tuesday, April 14	Dilution, 1100-1115 Domain Names and Cybersquatting, 1116-1118
Thursday, April 16	Indirect Infringement, 1118-1130 Defenses, 1130-1148, 1153-1167 Remedies, 1173-1186
Tuesday, April 21	Right of Publicity, 1265-1309
Thursday, April 23	Review/Catch-up/Make-up
<i>April 28th – May 08th</i>	<i>Scheduled Final Exam Window per SIU Law</i>

Syllabus Attachment

Spring 2026

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:01/12/2026
Last day to add full-term course (without Dean's signature):01/16/2026
Last day to withdraw from the University with a full refund:01/23/2026
Last day to drop a full-term course for a credit/refund:01/23/2026
Last day to drop a full-term course (W grade, no refund):.....03/27/2026
Final examinations:05/04/2026–05/08/2026

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>

SPRING SEMESTER HOLIDAYS:

Martin Luther King, Jr.'s Birthday 01/19/2026
Spring Break 03/07/26 - 03/15/26

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>.

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/>.

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>.

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](http://caps.siu.edu) 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/>