(Part One)

GRADUATE INSTITUTE OF INTELLECTUAL PROPERTY
MBA PROGRAM
COLLEGE OF COMMERCE
NATIONAL CHENGCHI UNIVERSITY

INTELLECTUAL PROPERTY LAW

FALL 2010

A. Instructor: Assistant Professor, Wang, Wei-Lin
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  Class Hours: Thursday: 14:10-17:00
  Office Hours: by appointment

B. Books and Reading Materials
  1. Liu, Paul C. B.、Huang, Jun-Ying，General Principles on Intellectual Property Management (Hwa-Tai, 2004)
  2. Liu, Paul C. B., Cases Analysis of Intellectual Property Law Management I (Hwa-Tai, Oct. 2003) (edited)
  3. Liu, Paul C. B., Cases Analysis of Intellectual Property Law Management II (Hwa-Tai, Oct. 2004) (edited)
  4. Liu, Paul C. B., Cases Analysis of Intellectual Property Law Management III (Hwa-Tai, Oct. 2005) (edited)
  5. George Chen, Online Service Providers: International Law & Regulations (Co-author), Oceana Publications, Inc., Dobbs Ferry NY, 2003
  6. 著作權科技保護措施(智慧財產局計畫)，2004 年
  7. 著作權法解讀(月旦法學)，元照出版社，2005 年
  8. 公平法與智財權—以專利追索為中心，五南出版社，1999 年
  9. 從網路電子交易評我國首宗 P2P 著作權重製與傳輸之 ezPeer 案判決，月旦法學雜誌 130 期，2006 年 3 月
  10. 從臺北地院 KURO 案判決談 P2P 網站著作權爭議，全國律師，2005 年 12 月
  11. 台灣廠商面對美商專利追索之教戰守則，智慧財產季刊，2004 年 1 月

Cases laws

1. A&M v. Napster.com(239 F.3d 1004 (9th Cir. 2001), affirming A&M Records, Inc. v. Napster, Inc., 114 F. Supp. 2d 896 (N.D. Cal. 2000));

2.. MGM/Arista v. Grokster & StreamCast(Morpheus)(Metro-Goldwyn-Mayer Studios, Inc. v. Grokster, 259 F. Supp. 2d 1029 (C.D. Cal. 2003), aff'd, 380 F.3d 1154 (9th Cir. 2004); Metro-Goldwyn-Mayer Studios, Inc. v. Grokster, 380 F.3d 1154 (9th Cir. 2004));

3. Universal Music Australia v. Sharman License Holdings (KaZaa)(Universal Music Australia Pty Ltd v Sharman License Holdings Ltd (includes summary) [2005] FCA 1242 (5 September 2005)

C. Course Objectives

This course would cover the following subjects:

1. Fundamental history and concepts of intellectual property

2. Introduction of Patent, Copyright, and Trade Secret laws includes the purpose of legislation, the range of protection, the condition, the infringement, the remedy and the compensation.

3. Issues of hi-technology intellectual property protection of computer software, hardware, internet

4. Piracy, counterfeit, privacy and computer crime

5. Licensing & International negotiation of Intellectual Property includes 301/WTO/WIPO

6 .IP protection between Taiwan and U.S.

Graduate students who have studied law, management, and science are preferred. This course emphasizes not only theories but also cases studies. The class requires textbooks, papers and related materials in Chinese and English. Occasionally, experts and scholars from all over the world are invited as guest lecturers.

D. Grading Policy

    Class Participation -------------------20%
    Case Analysis   -------------------30%
    Final Exam   -------------------50%
    Total   100%

CLASS SCHEDULE

No. Date	Subjects and Assignments

1	09/16	Introduction
2	09/23	Fundamental Concepts of Intellectual Property laws
3	09/30	Copyright Law
4	10/07	Patent Law-1
5	10/14	Patent Law-2
6	10/21	Trademark Law
7	10/28	Trade Secret, Know-how and Espionage
8	11/04	Fair Trade Law & Intellectual Property
9	11/11	Piracy, Counterfeit and IP Infringement
10	11/18	High-tech Intellectual Property Protection-1
11	11/25	High-tech Intellectual Property Protection-2
12	12/02	Legal System in Different Jurisdiction & Special Topic 301/WTO
13	12/09	Licensing of Intellectual Property laws
14	12/16	International Negotiation of Intellectual Property
15	12/23	Seminar Intellectual Property Right Case Study-1
16	12/30	Seminar Intellectual Property Right Case Study-2
17	01/06	Seminar Intellectual Property Right Case Study-3
18	01/13	Final Exam

● Temporary schedule

請老師依據以下智財所的 Mission Statement 及 Learning Goal，圈選以下表格)

Mission Statement

To provide multidisciplinary and diverse curricula and to foster outstanding talents in integrated disciplines; integrate with the international norms, and balance between theories and practices, in order to foster the most outstanding and professionally talents capable of effectively resolving intellectual property disputes and managing intellectual assets.

Learning Goal

Students will gain access to the following elements indispensable to the management of intellectual property-management skills from the College of Commerce, NCCU, and moreover, expertise on law and technology.

ASSURANCE OF LEARNING

期初檢核表

Adherence to Mission	
■ Technology 科技	■ Globalization 國際
□ Innovation 創新	□ Humanity 人文

Adherence to Program Learning Goals	

(請各單位助教把系、所、學程英文學習目標貼上，以利老師圈選

Students will gain access to the following elements indispensable to the management of intellectual property-management skills from the College of Commerce, NCCU, and moreover, expertise on law and technology.

Pedagogical Methodologies	
■ Lecture	□ e-Learning
■ Study Group	■ Seminar
■ Case Study	□ Internship
■ Project	□ Independent Learning
□ Role-Playing	■ Seminar
□ Theater Learning	□ Others

Student Abilities Enhancement	
□ Quantitative analysis 數量分析能力	□ Sympathy 同理心
■ Theory Development and Conceptual	■ Teamwork

Thinking 邏輯思考分析	團隊合作
■ Strategic Thinking 策略性思考	□ Acceptance of Others 接受意見
■ Critical Thinking 評論性思考	□ Confidence 自信心
□ Quick Thinking 敏捷性思考	□ Self—management 自我管理
□ Flexibility 彈性反應與適應力	■ Professional Knowledge 專業知識
□ Creativity 創造力	□ Others: _____ 其他能力:_____
□ Persistency 堅持力	□ Others: _____ 其他能力:_____
□ Communication 溝通表達能力	□ Others: _____ 其他能力:_____
□ Comprehension Ability 聆聽能力	□ Others: _____ 其他能力:_____

(Optional)

Class Presentation	
Rules	*Court Cases Analysis presentation 3-4 persons as one group, 30 minutes for presentation, 15 minutes for critics (Q&A)*
Presentation Score Sheet	*~~~suggested grading criterion~~~* ● *Presentation skills (PowerPoint aesthetics, complementarities of oral and visual communication)* ● *Language and clarity* ● *Handling of Q&A(attitude toward criticism and the way of answering)* ● *The content (richness in information, the structure, value-added in analysis, relevance to the subject)*