TRADE SECRET LAW - SPRING 2017

Professor Elizabeth Rowe

Law # 6930 (Section 1298)
2 Credits

Required Text
The required text for this course is Rowe and Sandeen, Cases and Materials on Trade Secret Law (Second Edition). For additional reference you may also consult our Trade Secret Law in a Nutshell, but this is not required. Other handouts or materials may be assigned during the semester. You may access supplemental materials and view other course related information on the course TWEN® page. You are required to register on TWEN® by the end of the drop/add period for the semester.

Classes
Classes will be held on Mondays and Tuesdays from 11:00-11:50 a.m. in Room 345. The final exam is tentatively scheduled for May 1st at 1:00 p.m.

Office Hours
My office hours are on Tuesdays from 1:00 p.m.-2:00 p.m. While you should feel free to stop by without an appointment during office hours, I highly recommend that you make an appointment to reserve the amount of time that you need, and eliminate wait time. If you are unable to meet with me during my regularly scheduled office hours please send me an e-mail and I’ll be happy to arrange another mutually convenient time.

Contact Information
My office is in Room 312E and the telephone number is (352) 273-0927. My e-mail address is rowe@law.ufl.edu. I strongly encourage you to contact me regularly during the semester and to ask any questions that you may have about the course or even more generally about the practice of law.

Course Description
This course addresses the law and theory applicable to the protection of confidential and proprietary business information ranging from formulas to customer lists. It includes coverage of trade secret protection and misappropriation in the employment context, such as issues regarding confidentiality and non-competition agreements, and the inevitable disclosure doctrine. Litigation strategies in trade secret misappropriation cases, as well as procedures and requirements for preserving trade secret protection are also covered. Finally, the course touches on relevant comparisons between trade secret law and other forms of intellectual property protection, such as patent law. The specific topics to be covered are listed in the assignment chart provided at the end of this syllabus.
Class Preparation, Participation, and Attendance

A. Class Preparation and Participation
Preparation for class is mandatory. Before each class you must complete the assigned reading and be prepared to provide thoughtful answers to questions that I pose during class. (Do not substitute commercial study aids for my assignments.)

I expect you to participate meaningfully, professionally, and effectively in this course. Exceptionally strong participation may lead to an adjustment of your grade by up to 1 letter grade (i.e. from a B to an A). Conversely, those who are consistently unprepared and/or who do not participate meaningfully and professionally in class could suffer a deduction of up to one letter grade. My assessment of the strength of your participation in the course includes, but is not limited to, such factors as the quality of classroom comments, the amount of interest demonstrated in the subject, degree of preparation for class and willingness to respond to questions, demonstration of active engagement of the material via application to contemporaneous events, class attendance, disruptive, distracting, or unprofessional behavior in the classroom, and observance of course policies.

Please note that while I encourage the free exchange of ideas and opinions in class, expressions of disagreement must be made in a professional manner that is respectful of your classmates.

Conducting yourselves in a professional manner also means not engaging in any behavior during class that may distract me or your classmates. This includes, but is not limited to, playing computer games, surfing the web, sending e-mails, and any other use of your computers during class that does not involve note taking. Your failure to comply with this policy may be subject to the grade deduction for participation described above, your removal from the classroom, and/or loss of your privilege to use a laptop in the classroom.

B. Class Attendance
Attendance is mandatory and you are expected to be on time. You must be punctual to class; habitual lateness may result in a grade deduction. It is your responsibility to locate and initial the sign-in sheet for each class session. By signing your initials you affirm that you are physically present in class during that

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1 Only students who are registered in the course are permitted to attend class. Guests are not permitted without my express consent.
class period. It will be considered a violation of the course rules and the Honor Code to falsely indicate that you were present in class, or to assist a classmate in such misrepresentation.

If you have six (6) or more absences\(^2\), you will be barred from taking the final exam, and will automatically fail this course. Four (4) to five (5) absences may result in a reduction of your grade as described above in the section describing grade adjustments for course participation.

Policy related to Make-up exams or other work
The law school policy on delay in taking exams can be found at: [http://www.law.ufl.edu/students/policies.shtml#12](http://www.law.ufl.edu/students/policies.shtml#12).

Statement related to accommodations for students with disabilities
Students requesting classroom accommodation must first register with the Office of Disability Resources. The UF Office of Disability Resources will provide documentation to the student who must then provide this documentation to the Law School Office of Student Affairs when requesting accommodation.

**Grading**

Your final course grade will be based principally on a two hour in-class final examination, and will be subject to modification based upon course participation and attendance as described above.

After course grades have been posted, you may review your exam beginning after the first week of the following semester and during a specified period. All exam reviews will be conducted in my office, and you may arrange an appointment by e-mail.

For further information on the University’s grading policies and calculation of grade points please see [http://www.registrar.ufl.edu/catalog/policies/regulationgrades.html](http://www.registrar.ufl.edu/catalog/policies/regulationgrades.html). The law school grading policy is available at: [http://www.law.ufl.edu/students/policies.shtml#9](http://www.law.ufl.edu/students/policies.shtml#9).

**Recording Devices and Cell Phones**

Use of any recording devices (including audio and/or video) is not permitted in the classroom without my express permission. Cellular telephones should not be used during class, and ringers must be silenced.

\(^2\) University recognized religious holidays are exempt. Please provide me with advance notification of such absences.
Assignments
Below are the reading assignments for the first five weeks of the course. I reserve the right to modify the assignments from time to time, and to utilize additional handouts and materials. All assignments are from the required text unless otherwise noted. Where problems are included in the assignment, be prepared to discuss them in class. On occasion, however, time may not permit such discussion. Your review and preparation of the problems will nevertheless be a helpful exercise.