

**INTERNATIONAL INTELLECTUAL PROPERTY LAW
LAW 6574 SECTION 65WZ
UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW
PROFESSOR WENTONG ZHENG
SPRING 2020**

SYLLABUS

(Updated January 6, 2020)

Course Information

Class meeting time and place: Mon/Wed, 10:30-11:55 am, Classroom 355D
Office hours: Mon/Wed, 12:00-2:00 pm or by appointment
Office: Holland Hall 312M
Phone: 352-273-0936
Email: wtzheng@law.ufl.edu

Course Description

This course deals with international conventions and treaties in the field of intellectual property rights, including copyright and neighboring rights, patents, trademarks, unfair competition and trade secrets. We will also discuss the international enforcement of intellectual property rights, with a particular focus on how international IP intersects with national IP. The international institutions administering the international IP conventions and treaties will also form part of the course.

Course Objectives

After completing this course, students should be able to:

1. Understand the major concepts of international intellectual property rights;
2. Analyze and apply the major provisions of international intellectual property conventions and treaties;
3. Counsel clients on international intellectual property issues.

Course Workload

It is anticipated that you will spend approximately 2 hours out of class reading and/or preparing for in class assignments for every 1 hour in class.

Required Course Materials

International Intellectual Property: Problems, Cases, and Materials (West, 3rd Edition)
By Daniel C.K. Chow and Edward Lee

Documents Supplement to International Intellectual Property: Problems, Cases, and
Materials (West, 3rd Edition)
By Daniel C.K. Chow and Edward Lee

Course Website

You must register on the course's website on The West Education Network (TWEN) at <http://lawschool.westlaw.com/twen>. If you are a law student and do not have a Westlaw account, please contact your student Westlaw representative. If you are not a law student, please ask me to register you as a guest user and I will obtain a temporary Westlaw account for you.

Class Attendance

Attendance is mandatory and you are expected to be on time. Beginning in the second week of the semester, you will be required to sign an attendance sheet for every class. However, I understand that circumstances beyond your control may cause you to miss classes. Therefore, each student is allowed to have two (2) absences with no negative consequences. Provided that your total number of absences does not exceed two (2), you do NOT have to notify me of the absences in advance or provide any justifications for them.

If you expect your total number of absences to exceed two (2), however, please do notify me in advance of the anticipated absences. If the circumstances causing the anticipated absences are extraordinary—a determination to be made by me alone—I may exempt you from the class attendance policy for the absences. Extraordinary circumstances include, but are not limited to, medical emergency (with doctor's note), protracted illness (with doctor's note), and job interviews (with interviewer's note). Absences due to observance of religious holidays are exempted from the class attendance requirement, too.

If your total number of absences in the semester exceeds two (2) and you did not obtain advance approval from me, I reserve the right to lower your final grade by one level (A to A-, A- to B+, and so on). If your total number of absences in the semester exceeds six (6) and you did not obtain advance approval from me, I reserve the right to lower your final grade by two levels (A to B+, A- to B, and so on).

Final Examination

Date: May 6, 2020, Wednesday, 1 pm

The final exam for this course will be a three-hour open book exam consisting of 10 short-answer questions and two essay questions. Your performance in the final exam will account for ninety (100) points in the calculation of your final grade.

Grading

The composition of your final grade for this course is as follows:

Final Exam: 100 points

As explained above in Class Attendance, I reserve the right to adjust your final grade based on your class attendance record.

The Levin College of Law's mean and mandatory distributions are posted on the College's website and this class adheres to that posted grading policy. The following chart describes the specific letter grade/grade point equivalent in place:

Letter Grade	Point Equivalent
A (Excellent)	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C (Satisfactory)	2.0
C-	1.67
D+	1.33
D (Poor)	1.0
D-	0.67
E (Failure)	0.0

The law school grading policy is available at: <http://www.law.ufl.edu/student-affairs/current-students/academic-policies#9>.

Generally, I will grant grade change requests only for calculation errors. Substantive review and re-grading of answers to specific questions will not be granted unless answers to ALL questions are reviewed and re-graded.

Academic Honesty

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <http://www.dso.ufl.edu/students.php>.

Accommodation

Students requesting accommodation for disabilities must first register with the Disability Resource Center (<http://www.dso.ufl.edu/drc/>). Once registered, students will receive an accommodation letter which must be presented to the Assistant Dean for Student Affairs (Dean

Mitchell) when requesting accommodation. Students with disabilities should follow this procedure as early as possible in the semester.

Online Course Evaluation Process

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.aa.ufl.edu/students/>. Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals in their Canvas course menu under GatorEvals or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>.

Class Schedule and Assignments

The following table sets out the class schedule along with the assignment for each class. “CB” in the “Assignment” column stand for “Case Book.” Unless explicitly indicated, you are not responsible for reading the “Notes and Questions” and “Note on [fill in subject]” sections on the assigned pages. Both the schedule and the assignments are subject to change. It is essential that you register at the course website on TWEN so that you can download the most up-to-date assignment information.

Dates	Topic	Assignment
Module I		
Jan. 13	Overview of US IP Laws; Territoriality of National IP Laws	CB 1-4 (stop before Section B), 94-100; Supplemental reading; CB 18 (start with Section a)-25 (stop before Section b)
Jan. 15	International IP System	CB 4-12 (stop before Section 2), 28-29, 53-84
Jan. 22	National Treatment and MFN	CB 32-43
Module II: Copyright and Neighboring Right		
Jan. 27	Rights of Authors; International Agreements; Points of Attachment and National Treatment for Copyright; Berne Prohibition on Formalities	CB 101-121
Jan. 29	Berne Retroactivity; Points of Attachment and National Treatment for Neighboring Rights	CB 123-145
Feb. 3	Ownership and Transfer of Copyrights; Subject Matter-Protected Works, Originality of Creativity Requirements	CB 146-165
Feb. 5	Database Protection; Folklore and Traditional Cultural Expression	CB 166-189
Feb. 10	Exclusive Rights of Copyright; Exceptions to Exclusive Rights	CB 190-196, 212-231
Feb. 12	Copyright Term and Neighboring Right Term; Moral Rights	CB 235-264

Module III: Patents		
Feb. 17	Introduction; Period of Paris Priority; Filing an International Application Under the PCT	CB 291-296, 315-332
Feb. 19	Priority Disputes; Working Requirements; Ownership; Patentable Subject Matter	CB 332-350, 356-364
Feb. 24	Patentable Subject Matter	CB 367-388
Feb. 26	Utility or Capable of Industrial Application; Novelty; Nonobviousness or Inventive Step	CB 395-412, 422-435
Mar. 9	Exclusive Rights	CB 448-477
Mar. 11	Compulsory Licenses; Patent Term	CB 480-496, 503-504
Module III: Trademarks		
Mar. 16	Introduction; International Agreements; Formalities, Registration, and Use Requirements; Paris Priority and Registering Trademarks in Different Countries	CB 505-534
Mar. 18	Paris Priority and Registering Trademarks in Different Countries; Ownership and Transfer of Trademarks	CB 534-562
Mar. 23	Subject Matter and Distinctiveness	CB 563-592
Mar. 25	Exclusive Rights	CB 593-624
Mar. 30	Dilution Claims; Exceptions to Exclusive Rights	CB 624-656
Module IV: Unfair Competition, Trade Secrets, and Design Protection		
Apr. 1	Unfair Competition; Protection for Trade Secrets	CB 711-744
Apr. 6	Protecting Trade Secrets Internationally; Design Protection	CB 746-768
Module V: International Enforcement of Intellectual Property Rights		
Apr. 8	Introduction; Commercial Piracy	CB 773-808
Apr. 13	Enforcement Obligations Under TRIPs	CB 809-827
Apr. 15	Standard Essential Patents and FRAND (I)	Supplemental reading
Apr. 20	Standard Essential Patents and FRAND (II)	Supplemental reading