

LAW 7822: ADVANCED SEMINAR ON COPYRIGHT LAW

SYLLABUS

Prof. Bell
Fall 2011

COURSE DESCRIPTION AND OBJECTIVES

This course offers an in-depth analysis of the rights and remedies afforded to copyright holders under U.S. law. Although we will discuss theoretical aspects of copyright law, we will also engage in a number of practical exercises, such as preparing mock copyright registrations, client letters, and legal memoranda. The quality of your writing and analysis will affect your grade in this course. Notably, it will also affect your performance on the Bar exam and your success as a practicing attorney.

This course should prepare you to analyze a variety of copyright law issues at a fairly specific level. Dealing with related topics, such as contract or entertainment law, may require additional, specialized study. This class should also help to polish your public speaking and legal reasoning skills and introduce you to some of the practical and ethical concerns of working attorneys.

GRADING

All of your your grade will come from the written work that you prepare for the course. That writing might satisfy either the school's practical or scholarly writing requirement if it totals more than 25 substantive pages, total, measured on a per capita basis, and if it receives a grade of 2.6 or more. Please note that course grades will conform to the mandatory curve, described in the Student Handbook. Contingent on faculty approval, this course may also offer you the opportunity to satisfy your skills requirement. Details on that count will follow.

So as to better simulate the actual practice of law, some writing projects may require you to work with a team of students. I will allocate grades and page counts from written work prepared as part of any such joint effort on a *pro rata* basis. If you get a B+ on a six-page memo with another student, for instance, each of you will receive a B+ for that exercise and credit for having written three pages. Though you will probably enjoy many aspects of working in teams, you should also expect some stresses. Please note, therefore, that I leave to your team the job of figuring out how to work together.

Your class participation may also affect your grade. I will throughout the semester call on students at random to ask questions about the assigned materials and various related hypothetical problems. If you are not prepared to engage in such a discussion you may elect to pass. There is no penalty for passing once, but any student who elects to pass

more than once, or who fails to pass but exhibits inadequate preparation, will lose .1 points from his or her final grade for each such infraction.

You should expect to lead a class discussion, alone or with your team, sometime during the semester, an opportunity that will help you develop the sort of speaking skills that good lawyers so often find useful.

HOW TO CONTACT ME

I encourage you to contact me if you have questions or comments about what we discuss in class or about law school in general. Look for me in my office, room 438, each Tuesday and Thursday from 9:15 until 10 a.m., again from 11:35 a.m. to 12:55 p.m., and also from 2:35 until 4:35 each Tuesday. I welcome you to drop by and chat at those times or at other times by appointment or chance. You can also call me at 714/628-2503 or email me at tbell@chapman.edu. I prefer email. On the appropriate Blackboard site and at www.tomwbell.com/teaching.html you can find course documents and study materials.

READING ASSIGNMENTS

This compact syllabus sets forth the readings assigned for Advanced Seminar: Copyright Law from the course's primary text, JOYCE, ET AL., COPYRIGHT LAW (LexisNexis 8th ed. 2010) (hereinafter "Text"). You should read the supplement, JOYCE, ET AL., COPYRIGHT LAW: 2011 CUMULATIVE SUPPLEMENT (LexisNexis 2011) (hereinafter ("Supp.") and applicable portions of the statute as we progress; if the text cites part of the Copyright Act, look it up. Please note that while I will make a good faith effort to follow this syllabus, I reserve the right to change it.

<u>class #</u>	<u>reading</u>	
I.	Introduction and Overview	
	Classes 1a-b: Text pp. 1-63	(63)
II.	Prerequisites for Copyright Protection	
	Classes 2a-b: Text pp. 65-138	(73)
III.	Works of Authorship	
	Class 3a: Text pp. 139-53, 171-79	(22)
	Class 3b: Text pp. 188-208, 215-20	(24)
	Class 4a: Text pp. 220-59	(39)
	Class 4b: <u>Registration Exercise</u> , Thurs. Sept. 15	

IV. Ownership and Transfers		
Classes 5a, b:	Text pp. 261-320	(59)
V. Duration, Renewal, and Terminations of Transfers		
Class 6a:	Text pp. 321-43, 354-61	(30)
VI. Publication and Formalities		
Class 6b:	Text pp. 393-97, 409-29	(25)
VII. Exclusive Rights and their Limitations		
Class 7a:	Text pp. 445-457, 466-83	(29)
Class 7b:	Text pp. 483-519	(26)
Class 8a:	Text pp. 519-21, 525-49	(25)
Class 8b:	Text pp. 554-65, 572-80, 589-97	(28)
VIII. Infringement Actions		
Class 9a:	Text pp. 599-602, 605 (last partial ¶)-612, 620 (n. 5)-27, 632-43	(31)
Class 9b:	Text pp. 644-62, 668-76, 705 (n. 5)-07, 714-17 (to “Background”), 717-25	(34)
Class 10a:	<u>Demand Letter Exercise</u> , Tues, Oct. 25	
IX. Secondary Liability		
Class 10b:	Text pp. 727-46	(19)
Class 11a:	Text pp. 750-79	(29)
X. Fair Use and Affirmative Defenses		
Class 11b:	Text pp. 797-824	(28)
Class 12a:	Text pp. 824-51	(27)
Class 12b:	Text pp. 852-56, 864-85, 891-98	(31)
XI. Remedies, Preemption, and Related Bodies of Law		
Class 13a:	Text pp. 899-929	(30)
Class 13b:	<u>Reply Letter Exercise</u> , Thursday, Nov. 17	
Class 14a:	Text pp. 929-41, 944-50, 984-97	(31)
Class 14b:	<u>Bench Memo Exercise</u> , Tuesday, Nov. 29	