
New Challenges to Intellectual Property Teaching

*Inter-Regional Symposium on Teaching IP in Universities in Countries
in Transition,*



המרכז למשפט וטכנולוגיה
Haifa Center for Law & Technology

Outline

- Goals and Objectives
- Various levels of Training
- Defining a Curriculum
- Teaching Methodologies
- Academic Research

Defining the Objectives

Why provide training in IP?

- Raising General Awareness
- Training Lawyers
 - General training for the Information Economy
 - Training IP specialists
 - Training judges and policy makers
- Training Patent Attorneys
 - Patent Agents/IP managers
- Facilitating research in IP

General Training

General Training

- Intended audience
 - Law students, students of business schools, scientists and engineers
- How?
 - Incorporating IP in mandatory courses: civil law, property law, corporate law
 - Incorporating introductory courses into the curriculum
 - IP Survey course , Law and IT
 - Continuing education

General Training (con't)

- Raising General Awareness, Why?
 - Better enforcement?
 - IP has no physical boundaries and therefore compliance requires self restraint and education
 - Empowerment?
 - Learning how to extract value from intangibles
 - Learning about the limits of IP
 - Legitimacy
 - A growing gap between law and social norms

IP and Social Norms

The largest BitTorrent site
(index of .torrent files which
contain metadata on Torrent
Trackers)

- The Court in Sweden:
operators were sentenced to a
one year in prison and a fine
- But, a political win: two sits
in the European Parliament



General Training (con't)

- What should be the core of training?
 - Basic toolkit
 - What could be protected and how?
 - Learning how to use IP strategically
 - How does IP is affect our daily life and human rights?
 - But also,
 - Facilitating a conversation
 - Exploring the limits of IP
 - Exploring alternatives to IP

DECEMBER 23, 2006 / JANUARY 1, 2007

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TIME

PERSON OF THE YEAR



You.

Yes, you. You control the Information Age.
Welcome to your world.



What is the best way to create software?

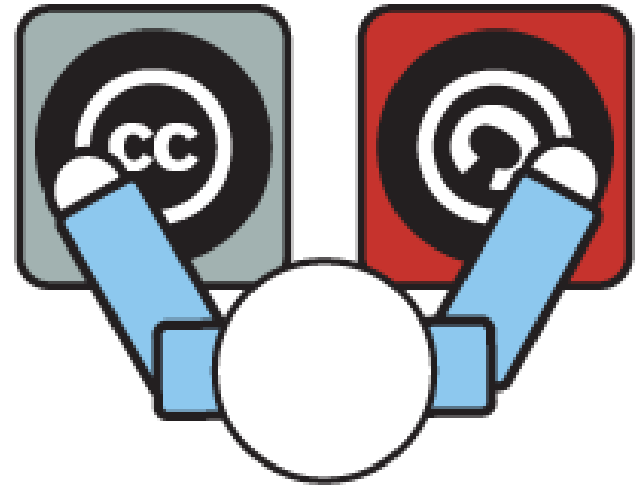
Social production



Proprietary model



Open Licensing: Creative Commons, GPL, Open Source



Training IP Specialists

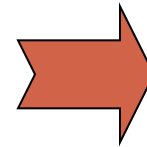
Degree Programs

- Major in IP B.A/LL.B
- Advance Degrees
 - LL.M in IP/Law and Innovation
 - Master in IP for Non-lawyers
 - Business and Business Administration
 - Patent Attorneys: specialty for Scientists and Engineers

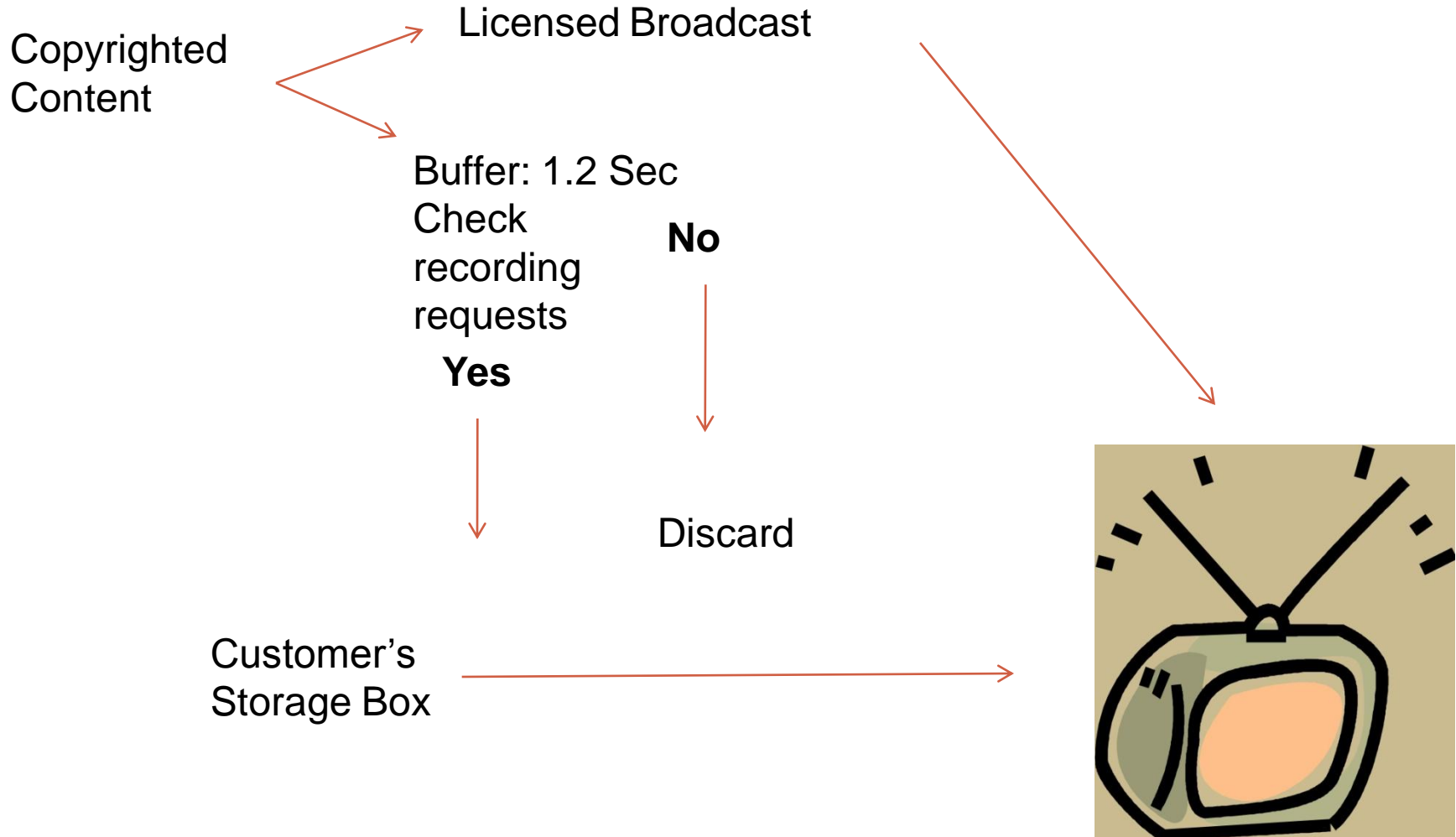
An IP Lawyer for the 21 Century

- IP Law
- Understanding the business function of IP
- IP, Civil Rights and Human Rights
- Familiarity with the technology
 - An understanding of the interconnection between law and technology
 - Law is dynamic: must address technological changes
 - How does law shape technology?
 - Which technological solutions are available?

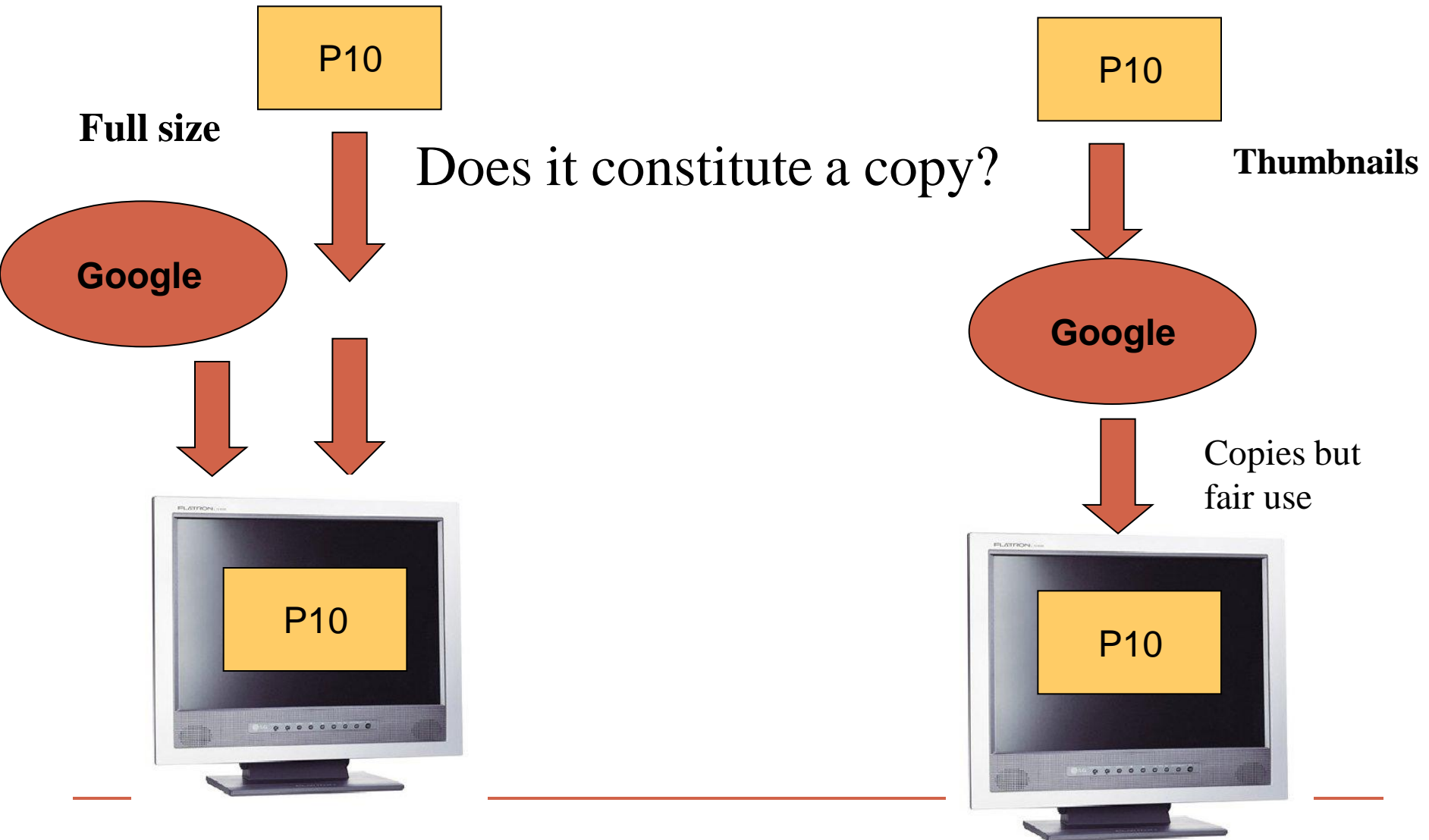
Digitization: does it make a difference?



Cartoon Network v. Cablevision (2nd Cir 2008)



Perfect10 v. Google (9th Cir. 2007)



Audio ID and Video ID

Block, Monetize, or Track Viewing Metrics – It's Automated, and It's Free



Overview

YouTube has created an advanced set of copyright policies and content management tools to give rights holders control of their content. YouTube provides content management solutions for rights holders of all sizes across the world, and provides tools to cater to the specific needs of various rights owners.

Commercial partnerships

Use of YouTube's copyright tools is free, and does not require any commercial partnership with YouTube. Content partners who would like to monetize their content can apply to join our [YouTube Partner Program](#).

Google Book Search Project

Author's Guild v. Google 2005



Total number of times this search term appears in this book. You can only view three instances for each term

The search term that led you to this book is highlighted

Enter new keywords to conduct more searches within the book

If a book is out of print, search for a used copy

Find this book in a local library

Find related information on the web

The screenshot shows a Google Book Search result for the book "The Role of GATT in Relation to Trade and Development" by The Contracting Parties to the General Agreement on Tariffs and Trade. The search term "gatt" is entered in the search box and highlighted in the text. The page shows three instances of the search term. The first instance is on page 4, where "GATT publications are sold by:". The second instance is on page 7, where "GATT is a multilateral treaty embodying reciprocal rights and obligations designed to achieve certain objectives. These objectives are set out in the preamble to the Agreement where the CONTRACTING PARTIES". The third instance is on page 7, where "Article XXXIII provides that governments possessing full autonomy in the conduct of their external commercial relations may accede to the GATT on terms to be agreed between such governments and the CONTRACTING PARTIES". The page also includes related information, bibliographic information, and a "Where's the rest of this book?" link.

The screenshot shows a Google Book Search result for the book "Mastering Digital Photography" by David D. Busch. The page displays a list of "Some Final Tips" and a photograph of several colorful peppers. The page also includes a "Where's the rest of this book?" link and a "Find this book in a library" link.

Goals and Measures

- Acquire knowledge
 - Legal knowledge: what rights and privileges?
 - Business knowledge: how to incorporate IP into a business strategy?
 - International training: develop an international strategy
- Develop skills
 - Dynamic field requires creative thinking
 - Hands on experience
 - Trademarks and branding, patents and the registration process

Example: a major in IP

■ Curriculum

□ Introductory courses

- IP Survey, Information Law, IP and Competition

□ Advance Courses

- Patents, Trademarks, IP Licensing, IP Enforcement, Neighboring Rights, Entertainment Law
- Software Laws, Regulation of the Drugs Industry, Media & Communications, Patents in Biotechnology

□ Seminars

- Open Access, Hi-tech Entrepreneurship, Digital Copyright, ODR, Patents & Innovation, Law and Culture, IP theories

□ International Treaties and Comparative Law

A Master in Law for Non-lawyers

Patent School: Vision

- Transforming the Training
 - Systematic
 - Comprehensive training
 - Law
 - International
 - Practice
 - Business
- Transforming the profession
 - From technicians to IP Strategists
- Transforming Patent Research

Curriculum

- **Introduction to Law**
 - Jurisprudence , Contract law, Public law, labor law, corporate law
- **Basic Intellectual Property**
 - Survey IP course, Patent law
- **Advanced Courses**
 - IP Licensing and Competition Law
 - International treaties
 - IP Litigation and Enforcement
 - IP and Business Entrepreneurship
- **Seminars**
 - Legal research ,Empirical research
- **Patent Drafting**

Patent Drafting

- A systematic approach
 - Practical aspects of patent preparation and prosecution
 - Strategic aspects: How drafting and prosecution decisions affect the patent enforceability
- Practical aspects
 - Claim drafting
 - Due diligence investigations
 - IP valuation
 - Patent Search
 - Global filing strategies

Teaching Methodologies

Teaching Methodologies

■ For studying Law

- Lectures
- Critical analysis
- Writing assignments

■ For acquiring skills

- Hands on experience
- Case studies
- Projects & Road Show
- Meetings with VCs, entrepreneurs, legal counsels

■ For research

How to facilitate Research in IP?

Facilitating Research

- Traditional legal research
- Empirical legal studies
- Interdisciplinary research
 - Interdisciplinary training: sociology of science, media studies, computer sciences, information system,
 - Collaboration
- Research skills
 - Colloquium: critical analysis of work in progress
 - Research seminars