



Trademark Law, 327-001 Fall 2021, M & W, 6:05 p.m. – 7:30 p.m., Hazel Hall Room TBA

Instructor: Adj. Professor Brian Edward Banner - The Banner Firm, LLC (202) 255-4737

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Required Text: Hilliard, et al., *Trademarks and Unfair Competition* (12th Edition); “Read” refers to text pages. Significant cases, federal trademark statutes and the federal registration

procedures from the US Patent and Trademark Office will be assigned and discussed. The first day of our class is August 23 and the last day of class is Tuesday November 22. Prompt attendance and participation in class is **mandatory**. Class discussion of the reading materials is an important part of learning. If you cannot read the text (around 50 pages per class), prepare for class and actively participate and contribute to that process, please do not take this course.

Goal: The goal of this course is to equip you with an initial understanding of trademark and unfair competition law and the ability to apply that law and practice to real world situations. Every attorney should know something about Intellectual Property (IP) law. Copyrights, patents and trademarks are major parts of IP law. Unlike patents and copyrights, a brand has an **indefinite** potential life when properly used, enforced and maintained. In class “Case reporting” should include a) *Procedural History*; b) *Facts*; c) *Issue(s)*; d) *Holding with reasoning* and e) *Whether or not you agree* with the opinion. Quizzes will be given covering the materials read and discussed. I reserve the right to grant up to 3 points to a student’s final numerical grade for class preparation and participation.

Grading: Final letter grades are determined based on numerical grades placed on a distribution curve according to GMU policy. Final numerical grades are determined by a combination of your final examination performance score, plus class participation. The 3-hour closed book final examination consists of two or three essay questions worth 50 points and multiple-choice questions worth 2 points each for a total of 50 points. This arrives at 100 possible points.

Date	Reading assignments and cases
Aug 23	Skim the Lanham Act beginning on page 1021 of the text which will be referred to throughout the course. Page 11 to page 21 (N.B. Apln of E.I. Dupont DeNemours & Co) and page 25 to 50
Aug 25	Page 51 to page 97
Aug 30	Page 98 to page 148
Sep 1	Page 149 to page 199
Sep 6	Labor Day – No Class
Sep 8	Page 200 to 250
Sep 13	Page 251 to page 300
Sep 15	Page 301 to page 350
Sep 20	Page 351 to page 400

Sep 22	Page 401 to 450
Sep 27	Page 451 to 500
Sep 29	Page 501 to 550
Oct 4	Page 551 to 600
Oct 6	Page 601 to 650
Oct 12	Page 651 to 700
Oct 13	Page 701 to 750
Oct 18	Page 751 to 800
Oct 20	Page 801 to 850
Oct 25	Page 851 to 900
Oct 27	Pages 901 to 950
Nov 1	Page 951 to 1000
Nov 3	Page 1001 to 1020 & review types of final exam issues previously raised
Nov 8	review Lanham Act Section 2(a); (b); (c)
Nov 10	review Lanham Act Section 2(d); (e); (f)
Nov 15	review Lanham Act Section 43 and remedies
Nov 17	Review course materials in text to prepare for final
Nov 22	Monday - LAST CLASS Questions and Review
Dec	FINAL EXAM SCHEDULE