



SPRING 2026 COURSE SYLLABUS

Course Number: Law 367

Course Title: Introduction to Intellectual Property

Credit Hours: 3.0

Grading Mode: Letter grade

Meeting Time(s): 6:05 PM – 9:00 PM, Wednesdays

Meeting Mode: In Person

Exam Time(s): TBD

Exam Mode: On campus final exam

Prerequisite(s): N/A

Corequisite(s): N/A

Instructor(s):

Christian Hannon & Gordon Klancnik

Contact Information and Office Hours:

channon@gmu.edu, gklancnik@outlook.com

Reading(s) & Supplement(s):

Students are expected to read assigned cases prior to class. Book readings are not mandatory, but will help your understanding of topics covered.

Required textbook: Understanding Intellectual Property Law (“UIP”), Fourth Edition, Tyler T. Ochoa,

Shubha Ghosh, Mary LaFrance. ISBN-13: 978-1531015671

Assigned cases and statutes are available online.

Course Overview:

This is an introductory course. It will provide an overview of basic principles of patent, trademark, copyright, design, and trade secret law as well as pertinent statutes, cases, and policies.

Course Learning Outcomes:

At the end of the course, students will be able to:

- demonstrate knowledge of basic information about the covered IP rights (each of patents, copyrights, trademarks, designs, and trade secrets);
- recite the policy rationales behind each of the rights and the interrelations between them; and,
- cite leading court cases relevant to each right.

Grading Policies:

Participation %: 10

Final Exam/ Paper %: 90

Classroom Policies:

Attendance: Per AR 3-1.4, “maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student’s program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements.”

Absences: Per AR 4-1.1, “if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session.”

Participation & Preparation:

Since class discussion is important to the learning process, class participation will be taken into account for 10% of the final grade.

Use of Technology & AI:

Open Use Policy: Students are encouraged to explore generative AI tools in this course, and are authorized to use AI for any purpose during this course except during the final exam. Students must use AI tools responsibly, verify facts presented by AI, disclose when AI tools are used—including when used in a Socratic dialog—to create course work product, properly cite any AI tools utilized, and should be prepared to produce the transcript of prompts and responses upon request. Misuse will be treated as a violation of academic standards.

Use of Electronic Text Books During Exams:

Students are permitted one laptop computer for exam taking purposes. Additional laptop computers or any other electronic data storage devices are not allowed in an exam room, unless permitted by the course instructor's *written* exam instructions. Electronic text books (e-books) may be used during exams that are designated as open book by the instructor, and the instructor allows text books to be used during the exam and allows access to a student's computer files during the exam (open exam). E-books may not be used in exams where the instructor does not allow students to access their computer files during the exam (secure exam) even if the instructor permits access to text books. If the instructor has blocked access to the internet or computer files, you must bring a hard copy of the allowed text book(s) you wish to consult. Students will need to borrow or otherwise locate a hard copy of the e-book or print resources needed from the e-book to take into the exam room. The instructor determines the length of the examination and whether or not it is secure or open and what, if any, study materials are permitted during the exam. Students are responsible for adhering to the instructor's standards for all examinations, which are included in the examination materials.

Course Schedule & Assignments

Week 1:

Date: January 14, 2026

Topic: Introductory Class

Assignment(s): Understanding Intellectual Property Law (UIP): Pp. 5-9 & 43-54;
U.S. Const. Art. I, § 8, cl. 8

Week 2:

Date: January 21, 2026

Topic: Patent Eligibility

Assignment(s): 35 USC § 101; *Mayo v. Prometheus*, 566 U.S. 66 (2012); *Ass'n for Molecular Pathology v. Myriad Genetics*, 569 U.S. 576 (2013); *Alice v. CLS Bank*, 573 U.S. 208 (2014)

UIP: Pp. 54-67

Week 3:

Date: January 28, 2026

Topic: Patentability Requirements: Utility, Novelty, & Non-obviousness

Assignment(s): 35 U.S.C. §§ 102, 103; *In re Robertson*, 169 F.3d 743 (Fed. Cir. 1999); *Juicy Whip, Inc. v. Orange Bang, Inc.*, 185 F.3d 1364 (Fed. Cir. 1999); *Graham v. John Deere*, 383 U.S. 1 (1966); *KSR v. Teleflex*, 550 US 398 (2007)

UIP: Pp. 69-81

Week 4:

Date: February 4, 2026

Topic: Patent Disclosure Requirement; Plant Patents

Assignment(s): 35 U.S.C. § 112; *Ariad v. Eli Lilly*, 598 F.3d 1336 (Fed. Cir 2010) (en banc) (Majority opinion only); *In re Wands*, 858 F.2d 731 (Fed. Cir. 1988), *Williamson v. Citrix Online, LLC* 792 F.3d 1339 (Fed. Cir. XXXX) [I. A & II.C.1. Only]; *J.E.M. Ag Supply, Inc. v. Pioneer Hi-Bred International, Inc.*, 534 U.S. 124

(2001); *In re Beineke*, 690 F.3d 1344 (Fed. Cir. 2012); *Imazio Nursery, Inc. v. Dania Greenhouses*, 69 F.3d 1560 (Fed. Cir. 1995)

UIP: Pp. 102-106, 112-115, 117-118

Week 5:

Date: February 11, 2026

Topic: USPTO Pre/Post Grant Procedure | Patent Infringement & Defenses

Assignment(s): *Oil States Energy Services, LLC v. Greene's Energy Group, LLC*, 584 U.S. 325 (2018); *Regents of the Univ. of Minn. v. LSI Corp.*, 926 F.3d 1327 (Fed. Cir. 2019)

35 U.S.C. § 271; *Markman v. Westview Instruments, Inc.*, 517 U.S. 370 (1996); *Phillips v. AWH Corp.*, 415 F.3d 1303 (Fed. Cir. 2005);

UIP: Pp. 98-102, 131-139, 152-180

Week 6:

Date: February 18, 2026

Topic: Introduction to Trade Secrets, Trade Secret Misappropriation, and Defenses

Cases: 18 U.S.C. §§ 1831-1839; *Kewanee Oil Co. v. Bicron Corp.*, 416 U.S. 470 (1974); *U.S. v. Williams*, 526 F.3d 1312 (11th Cir. 2008) (Section I only); *PleasrDAO v. Shkreli*, 1:24-cv-04126 (E.D.N.Y. September 25, 2025); *Motorola Solutions, Inc. v. Hytera Communications Corporation Ltd.*, No. 22-2413 (7th Cir. 2024) (Introduction and Section I only)

UIP: Pp. 197-235

Week 7:

Date: February 25, 2026

Topic: Introduction to Trademarks | Trademarks: Requirements for Protection

William R. Warner & Co. v. Eli Lilly & Co., 265 U.S. 526 (1924); *Qualitex Co. v. Jacobson Prods. Co., Inc.*, 514 U.S. 159 (1995); *Security Center, Ltd. v. First National Security Centers*, 750 F.2d 1295 (5th Cir. 1985); 15 U.S.C. § 1127 (definitions of trademark and service mark)

King-Seeley Thermos Co. v. Aladdin Industries. Inc., 321 F.2d 577 (2d Cir. 1963); *In re Budge Manufacturing, Co.*, 857 F.2d 773 (Fed. Cir. 1988); *In re California Innovations Inc.*, 329 F.3d 1334 (Fed. Cir. 2003); 15 U.S.C. § 1052

UIP: Pp. 462-467, 476-490, 491-501

Week 8:

Date: March 4, 2026

Topic: Trademarks: Scope of Rights; Infringement; Dilution | Trademarks: Limitations on Rights; Trade Dress

Assignment(s): UIP: §§ 5F[1]-[3][b], 5G[1]-[3][e], pp. 537-555, 583-592 • Cases: *Dawn Donut Co. v. Hart's Food Stores, Inc.*, 267 F.2d 358 (2d Cir. 1959); *McGregor-Doniger Inc. v. Drizzle Inc.*, 599 F.2d 1126 (2d Cir. 1979); *Starbucks v. Wolfe's Borough Coffee*, 736 F.3d 198 (2d Cir. 2009)

UIP: §§5I, 5J[1]-[5], 5C[2][d], pp.606-630, 490-491 • Cases: *New Kids on the Block v. News America Publishing, Inc.*, 971 F.2d 302 (9th Cir. 1992); *Louis Vuitton Malletier S.A. v. Haute Diggity Dog, LLC*, 507 F.3d 252 (4th Cir. 2007); *VIP Products LLC v. Jack Daniel's Properties, Inc.*, 599 U.S. 140 (2023); *Tiffany (NJ) Inc. v. eBay Inc.*, 600 F.3d 93 (2nd Cir. 2010); *Two Pesos, Inc. v. Taco Cabana, Inc.*, 505 U.S. 763 (1992); *Wal-Mart Stores, Inc. v. Samara Brothers, Inc.*, 529 U.S. 205 (2000)

Week 9:

Date: March 18, 2026

Topic: Designs: Introduction; Historical Development; Patentability Requirements | Designs: Infringement; Remedies

Assignment(s): UIP: § 6B[1]-[2], pp. 665-671 • Cases: *In re Maatita*, 900 F.3d 1369 (Fed. Cir. 2018); *In re SurgiSil*, 14 F.4th 1380 (Fed. Cir. 2021); *Curver Luxembourg, SARL v. Home Expressions Inc.*, 938 F.3d 1334 (Fed. Cir. 2019); *LKQ Corp. v. GM Global Tech. Operations LLC*, 102 F.4th 1h280 (Fed. Cir. 2024) • 35 U.S.C. § 171

UIP: § 6B[4], pp. 672-674 • Cases: *Egyptian Goddess, Inc. v. Swisa, Inc.*, 543 F.3d 665 (Fed. Cir. 2008); *Samsung Elecs. Co. v. Apple Inc.*, 580 U.S. 53 (2016) • 35 U.S.C. § 289

Week 10:

Date: March 25, 2026

Topic: Copyrights: Subject Matter of Copyright; Originality; Fixation; Idea/Expression Dichotomy | Copyrights: Issues of Copyrightability; Useful Articles; Edicts of Government

Assignment(s): UIP: §§4B-4C[3], pp. 248-265 • Cases: *Baker v. Selden*, 101 U.S. 99 (1879); *Bleistein v. Donaldson Lithographic Co.*, 188 U.S. 239 (1903); *Feist Publications, Inc. v. Rural Telephone Service Co.*, 499 U.S. 340 (1991) • U.S. Const. Art. I, § 8; 17 U.S.C. §§ 102-103

UIP: §§ 4[C][4]-[6], pp. 266-287 • Cases: *Star Athletica, LLC v. Varsity Brands, Inc.*, 580 U.S. 405 (2017); *Georgia v. Public.Resource.org*, 590 U.S. 255 (2020); *Veeck v. So. Bldg. Code Cong. Int'l, Inc.*, 293 F.3d 791 (5th Cir. 2002)

Week 11:

Date: April 1, 2026

Topic: Copyrights: Ownership of Copyright; Works Made for Hire; Joint Works; Collective Works; Transfer | Copyrights: Duration of Copyright; Formalities; Moral Rights

Assignment(s): UIP: § 4F, pp. 307-329 • Cases: *Community for Creative Non-Violence v. Reid*, 490 U.S. 730 (1989); *Erickson v. Trinity Theatre, Inc.*, 13 F.3d 1061 (7th Cir. 1994); *New York Times Co., Inc. v. Tasini*, 533 U.S. 483 (2001) • 17 U.S.C. §§ 201-202, 204

UIP: §§ 4D-4E, 4G[8], pp. 287-307, 357-360 • Cases: *Eldred v. Ashcroft*, 537 U.S. 186 (2003); *Dastar Corp. v. Twentieth Century Fox Film Corp.*, 539 U.S. 23 (2003); *Castillo v. G&M Realty LP*, 950 F.3d 155 (2d Cir. 2020) • [Berne Convention Art. 5\(2\)](#).

Week 12:

Date: April 8, 2026

Topic: Copyrights: Exclusive Rights of the Copyright Owner (Reproduction, Derivative Works, Distribution, Public Performance, Public Display) | Copyrights: Exclusive Rights of the Copyright Owner (Public Performance, Public Display)

Assignment(s): UIP: § 4G[1]-[3], pp. 329-345 • Cases: *Cartoon Network LP, LLLP v. CSC Holdings, Inc.*, 536 F.3d 121 (2nd Cir. 2008); *London-Sire Records, Inc.*

v. Doe 1, 542 F. Supp. 2d 153 (D. Mass. 2008); *Lee v. A.R.T. Co.*, 125 F.3d 580 (7th Cir. 1997) • 17 U.S.C. § 106

UIP: § 4G[4]-[10], pp. 345-356, 361-362 • Cases: *American Broadcasting Companies, Inc. v. Aereo, Inc.*, 573 U.S. 431 (2014); *Perfect 10, Inc. v. Amazon.com, Inc.*, 508 F.3d 1146 (9th Cir. 2007); *Goldman v. Breitbart News Network, LLC*, 302 F. Supp. 3d (S.D.N.Y. 2018) • 17 U.S.C. § 107

Week 13:

Date: April 15, 2026

Topic: Copyrights: Fair Use

Assignment(s): UIP: § 4J[1], pp. 415-434 • Cases: *Sony Corp. of America v. Universal City Studios, Inc.*, 464 U.S. 417 (1984); *Harper & Row, Publishers, Inc. v. Nation Enterprises*, 471 U.S. 539 (1985); *Campbell v. Acuff-Rose Music, Inc.*, 510 U.S. 569 (1994); *Andy Warhol Foundation for the Visual Arts, Inc. v. Goldsmith*, 598 U.S. 508 (2023)

Week 14:

Date: April 22, 2026

Topic: Final Exam Review Class

Assignment(s): Students should prepare questions on aspects of the course for which they require supplemental instruction. This class is driven by student questions.

Student Resources

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730, or emailing titleix@gmu.edu.

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-991-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[Student Conduct](#)

[University Life](#)