



Copyright Law (Law 431)

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Marquette University Law School

Spring 2003

- 1. SESSIONS.** The course meets every Monday and Wednesday from 11:30 to 12:45 from January 6 to April 30, except January 20 (MLK Holiday) and March 10 and 12 (Spring Break).
- 2. CASEBOOK.** We will use [Copyright in a Global Information Economy](#) by Cohen, Loren, Okediji and O'Rourke (ISBN 0-7355-2430-0). In addition, there is a course supplement.
- 3. FINAL EXAM.** The final exam will be held May 1 at 8:30 am. The course is graded 100% based on the final exam. I intend to follow the standard law school curve. The final exam probably will be 2½ hours long with 3-4 essay questions and possibly some short-answer questions.
- 4. EMAIL.** I will create and maintain a course email list, which I will use to send administrative emails and other emails of interest. Therefore, I need an email address for you that you actually check. **YOU MUST GET ME A WORKING EMAIL ADDRESS NO LATER THAN JANUARY 17 OR I MAY DROP YOU FROM THE COURSE.** I would prefer if you email me a note from the email account you'd like me to use with the subject line "Copyright—Use this Email Address." Please include your name with the email and make sure I know you're in this course as opposed to Cyberlaw.
- 5. OFFICE HOURS.** I don't have regularly scheduled office hours, but I am on campus most days (usually between 9:30-6:30) and I invite you stop by my office (Room 110E) at your convenience. Or, email me to arrange a scheduled time to talk. Also, I use email extensively, so I am also happy to answer questions by email.
- 6. SCHEDULE.** Except as otherwise noted, references to "Sections" are references to the [Copyright Act](#), Title 17 of USC. I have also included the text of the [TEACH Act](#) and the [Small Webcaster Settlement Act of 2002](#) in your supplement.

Week 1—Introduction and background on copyright law

- Overview of copyright law
- Distinction from other IP doctrines (patents, trademarks, trade secrets, mask works, database rights, rights of publicity and privacy, trespass)
- Purpose of copyrights
- International

Read Casebook, pages 3-60 and Section 104

Weeks 2 and 3—What is copyrightable?

- Fixation
- Originality
- Idea/expression dichotomy
- Derivative works and compilations

Read Casebook, pages 63-127 and Sections 102 and 103

Weeks 4 and 5—Special types of works

- Pictorial, graphic and sculptural works
- Software
- Characters
- Databases

Read Casebook, pages 215-314 [SKIP pages 273-284] and Sections 113 and 117

Week 6—Ownership and authorship

Read Casebook, pages 127-152 and Sections 105, 201(a)-(c) and 202

Week 7—Formalities

- Notices
- Deposits
- Registration
- Duration (including renewals)
- Transfers

Read Casebook, pages 153-214 [SKIP pages 167-185 and 187-190] and Sections 104A, 201(d)-(e), 203-205, 302, 305 and 401-412

Weeks 8, 9 and 10—Benefits of ownership

- Infringement
- 106 Rights
- Moral rights
- Secondary Infringement
- Criminal Infringement
- Misuse

Read Casebook, pages 317-489 [SKIP pages 343-353, 402-410 and 420-427]; pages 671-677; Sections 106, 106A, 501, 506, 512 and 602; and Title 18, 2318-2319A (included in the supplement). Coverage of the material on pages 427-452 depends on our schedule.

Weeks 11 and 12—Fair use

Read Casebook, pages 491-571 and Section 107

Week 13—Technological protection; Preemption

Read Casebook, pages 573-629 and Sections 1201-1205 and 301

Week 14—Remedies

Read Casebook, pages 712-741 and Sections 502-505 and 507-509

7. CONTACT INFORMATION.

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More course-related materials, including an electronic copy of this syllabus, are available at http://eric_goldman.tripod.com.