COURSE NAME: Advanced Trademark

COURSE NUMBER: Law 8907

PROFESSOR: Jasmine Abdel-khalik

ESSENTIAL PREREQUISITES: Intellectual Property (survey) or Business Torts

DESIRABLE PREREQUISITES: N/A

COURSE BOOKS AND MATERIALS: The course material will be composed of readings compiled for each class. The documents will be available from Sherry Schley, the Hughes Suite Administrative Assistant, before the semester starts.

METHOD OF GRADING & APPRAISAL OF STUDENT FOR GRADE: This will be a graded class. There will be one class project comprised of two assignments, which should be 35-40% of the total grade. Each student will start with the same initial material but will not be allowed to work in groups. 10% of the grade will be in class participation, and the remainder will be a final paper, expected to be around 15-20 pages, on any topic related to trademark law, and a presentation to the class on your paper topic, which you will present towards the end of the semester.

SUMMARY DESCRIPTION OF COURSE: This course exposes students to advanced trademark topics not covered in other intellectual property courses or treated in greater depth than other courses, which can include extraterritorial and international concerns, unique issues raised by the Internet, and criminalizing trademark infringement. It will also provide an in-depth exposure to the administrative process for trademarks. The course will have some flexibility in topics to address issues of interest to the class.

COURSE CONTENT: The course content will be broken into three sections. The first section will explore the federal trademark registration process in greater detail, including the regulations and rules used by the United States Patent and Trademark Office. We will be using the USPTO database and the two USPTO manuals for trademark registrations – the Trademark Manual of Examining Procedure and the Trademark Trial and Appellate Board Manual of Procedure. This section is where students will get experience in practical skills related to trademark registration, likely to be a client letter on the trademarkability of a proposed trademark and a response to an Office Action from the USPTO.

The second section is where we will explore substantive topics that are, for the most part, not discussed in the basic Intellectual Property or Business Torts class. The topics could include counterfeiting, criminalization of trademark, international agreements such as the Madrid Protocol/Agreement, famous marks, grey market goods, and other similarly discrete topics. The precise topics will be flexible to address any new issues that arise or in response to hot topics that the class may want to include in any given year.
The third section will be based upon the students’ papers. Students will have to write a paper related to trademark law. The last section of the class would be presentations from the class regarding their research.

**COURSE OUTCOMES:** By the end of the course, students should achieve the following outcomes:

- A deeper understanding of the federal trademark administrative process and requirements;
- Experience in responding to some common trademark practice issues, such as discussing trademarkability for a company’s proposed trademark
- Exposure to enforcement of US law in transactional contexts, such as grey market goods or counterfeiting, which has increasing importance in light of our increasingly global commerce.
- Have an in depth understanding of a trademark issue of their choice, which allows for a more developed understanding of trademark law as a whole

**RELEVANCY OF COURSE FOR CAREER PURPOSES:** Because this course will focus on trademark topics, it will be useful for any student who intends to have intellectual property as part of their practice. In addition and because trademarks are not an essential asset for nearly all businesses, this course is relevant for students who anticipate a practice in corporate law (particular advising start-up or new commercial entities) or commercial litigation.

**RELEVANCY OF COURSE FOR MO/MULTI-STATE BAR EXAMINATION:** The course material is not directly tested on the Multi-state Bar Examination.