



UNIVERSITY OF WESTERN ONTARIO - FACULTY OF
ENGINEERING

ES 9010L - INTELLECTUAL PROPERTY FOR ENGINEERS

COURSE OUTLINE (Summer 2018)

OBJECTIVES

Intellectual property is important as intangible assets replace traditional capital expenditures in modern information-based economies. Whether dealing with issues such as the patentability of software or how digital locks control copyrighted materials, engineers today must be aware of how their careers will be impacted by this changing landscape. This course is designed to provide engineers with a comprehensive overview of intellectual property law, including a deep understanding of the core areas of copyright, trademark, and patent law. Other intellectual property issues will also be discussed with a particular focus on how the ongoing interaction between law and technology will change daily life for engineers.

COURSE SCHEDULE

Fridays: 10:00 am to 1:00 pm, May 4, 2018 – July 13, 2018

Midterm and final tentatively scheduled during class time for June 1, 2018, and July 13, 2018, respectively

COURSE LOCATION: Health Science Building, Room 35

PREREQUISITES: None

PROFESSORS

Liz Afolabi, B.A. (Hons.), LL.B., J.D. eafolabi@bereskinparr.com

James (Jim) Hinton, B.Eng. (Mech. Eng.), J.D. jhinton@bereskinparr.com

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Consultation Hours: Note that Liz and Jim live and work in Waterloo Region, and will be available briefly before and after class, and by telephone and email at other times.

TOPICS

- 1) INTRODUCTION TO INTELLECTUAL PROPERTY LAW
- 2) PATENTS
 - a. Patentable Subject Matter
 - b. Utility
 - c. Novelty

- d. Non-obviousness
 - e. Ownership, Duration, and Assignment
 - f. Enforcing a Patent
- 3) TRADE-MARKS
- a. Registrability
 - b. Confusion
 - c. Ownership, Duration, and Assignment
 - d. Enforcement
 - e. Well-known Marks
 - f. Passing Off
 - g. Distinguishing Guise
- 4) DOMAIN NAMES
- 5) COPYRIGHT AND RELATED RIGHTS
- a. Conditions for Copyright
 - b. Moral Rights
 - c. Fair Dealing
 - d. Ownership, Assignment and Licensing
 - e. Duration
 - f. Infringement
- 6) INDUSTRIAL DESIGN and DESIGN PATENTS
- 7) CONFIDENTIAL INFORMATION
- 8) INTERNATIONAL ISSUES IN INTELLECTUAL PROPERTY
- 9) INTELLECTUAL PROPERTY STRATEGY

REFERENCE MATERIALS

References will be made to various resources, statutes and treaties, such as the *Copyright Act*, the *Patent Act*, and the *Trademarks Act*, as well various other articles, most of which should be available free online. Specific materials and/or links to specific materials will be provided where applicable.

EVALUATION

To pass the course, a student must obtain a passing grade in each component. A student who fails any component shall receive a final grade not greater than 48%. The approximate weight for each component is shown below:

- 30% Midterm Examination
- 70% Final examination

POLICY ON REPEATING ALL COMPONENTS OF THE COURSE

Students who are required to repeat an Engineering course must repeat all components of the course. No special permissions will be granted enabling a student to retain laboratory, assignment, or test marks from previous years. Previously completed assignments and laboratories cannot be resubmitted for grading by the student in subsequent years.

ATTENDANCE

Any student, who in the opinion of the instructor is absent too frequently from class periods may be reported to the Dean (after due warning has been given). On the recommendation of the Department concerned, and with the permission of the Dean, the student will be barred from taking the regular examination in the course.

PLAGIARISM

University Policy states that cheating, *including plagiarism* is a scholastic offence. The commission of a scholastic offence triggers academic penalties that might include expulsion from your program. If you are caught cheating, there will be no second warning! (for more details please review the Scholastic Offence Policy in the Western Academic Calendar).

PLAGIARISM CHECKING

All required papers may be subject to submission for textual similarity review to Commercial plagiarism detection software under license or otherwise used by the University to detect plagiarism. All papers submitted may then be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com.