Journal of Legal Education
June, 1999

*203 THE INTELLECTUAL PROPERTY CURRICULUM: FINDINGS OF PROFESSOR AND PRACTITIONER SURVEYS

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When I began teaching at DePaul College of Law in 1983, I distinctly remember the then dean asking me to teach Property Law. Having "fond" memories of future interests, I replied that I would gladly teach Property, but that I also very much wanted to teach a course in intellectual property, the area I had practiced in for a couple of years. To this request he seemed relatively indifferent, as long as I would teach Property-not a particularly surprising response, given that even fifteen years ago Intellectual Property was considered a backwater of the law curriculum. At that time DePaul's only IP courses were Patent Law and Unfair Trade Practices. I taught my IP course as a seminar. Students were expected to grapple with the Lanham Act and the copyright statute, in addition to all the relevant case law-*and* write a law review article of publishable quality.

Now our curriculum boasts more than 25 courses in IP and related areas. Similar curricular growth is taking place at law schools across the country, because IP is one of the most viable and lucrative areas of practice. One need only open a newspaper or turn on the television to see the impact of IP upon our lives.

The IP Section of the AALS held its first workshop in March 1999. Among the many topics discussed was the state of the IP curriculum at law schools across the country. Having been asked to speak about this topic at the workshop, I developed a questionnaire for law teachers and one for practicing attorneys. I mailed the professor questionnaire to every IP teacher listed in the AALS Directory. It requested information on the introductory or survey course specifically and on courses in the IP curriculum generally. In addition, teachers were asked their personal opinions on a number of issues, including the level of support for IP at their particular institution, whether IP should be part of the first-year curriculum, and whether the survey course is a useful ***204** pedagogical vehicle. I received responses from 69 schools representing all tiers in the infamous *U.S. News and World Report* rankings. [FN1]

Part I of this article discusses the results of the professor questionnaire as they pertain to the IP curriculum generally. Part II discusses the findings on one course in particular-the IP survey, which is the foundation of many IP curriculums. The IP survey is somewhat controversial because it requires professors to teach, and students to learn, the rudiments of the three core IP regimes-patents, trademarks, and copyrights-in one semester. Part III treats the findings of the attorney questionaire, which I mailed to hundreds of IP attorneys across the country, eliciting their views on the most important law courses for an IP practice. Part IV provides some suggestions for major curricular reform in IP based on the recent successful introduction of ten new courses into the DePaul program.

I. The IP Curriculum Generally

The focus of the professor survey was on courses available to J.D. (rather than LL.M.) candidates. But where LL.M.

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courses are available to J.D. candidates, these courses are reflected in the groupings below. I examined all the offerings at the responding schools and grouped them into several major categories, as indicated below. (Note that I reserve discussion of the survey course for part II.) Where offerings overlapped, I placed them in more than one category, except where otherwise noted. Some schools sent me descriptions of the various courses, which helped in categorizing the more obscure offerings. On the other hand, I used my own judgment in categorizing certain courses; this was particularly true for the Licensing and Technology categories, where the course names, by themselves, often were not particularly helpful in indicating the subject matter covered. Where the names of specific courses differ somewhat from the major category under which they are listed, I have noted the course names in parentheses.

The above methodology suggests that the tabulation of responses is by no means exact. Still, given the large number of schools that did respond, I ***205** believe the results are useful for providing a general overview of IP offerings across the country. I apologize in advance for any inadvertent inaccurate reporting of an institution's offerings.

Art Law/Cultural Property: 20 schools reported offering an Art Law course.

1 school-John Marshall-offers a 1-credit course.

10 schools offer a 2-credit course: Brooklyn (seminar), Columbia (2), Miami (Art & Entertainment Law, and a 2-credit seminar), New England, Nova, Pennsylvania, Southwestern (Museum & Art Law Seminar), Utah (taught once), Valparaiso (seminar), Yeshiva.

4 schools offer a 3-credit course: Chicago (seminar), Connecticut (Legal Regulation of Art & Public Culture Seminar), DePaul (seminar; also International & Comparative Aspects of Law & Arts Seminar, 3), Whittier.

5 schools did not report the number of course credits: Boston University, Chicago-Kent, Lewis & Clark, NYU, Texas (International Art Law).

9 schools offer Art Law in a seminar format: Brooklyn (2), Chicago (3), Columbia (2; also a 5-credit clinical seminar), Connecticut (3), DePaul (3; also International & Comparative Aspects of Law & Arts Seminar, 3), Lewis & Clark, Miami (Art & Entertainment Law, 2), Southwestern (Museum & Art Law Seminar, 2), Valparaiso. Also Yeshiva (Freedom & Censorship of Literature, Art & Film Seminar, 2).

1 school (Miami) combines art law with entertainment law in a single 2-credit course, also offered as a seminar.

3 schools offer courses in cultural property: DePaul (seminar, 3), Washington University, Yeshiva (Cultural Property: Selected Celebrated Disputes, 2).

Biotechnology: 10 schools offer a course in biotechnology or a related area.

4 schools offer a 2-credit course: Berkeley (Proprietary Rights in Biotech), George Mason (Chemical & Biotech Patent Practice), George Washington (Chemical & Biotech Patent Law; Biotech Law Seminar), Suffolk (Biotech Patent Seminar; Medical Technology Transfer).

2 schools offer a 3-credit course: DePaul, Seattle.

4 schools did not specify the number of credits: Seton Hall, South Texas, Texas, University of Washington.

3 schools offer biotech courses as seminars: DePaul, George Washington, Suffolk.

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Communications/Media Law: 23 schools reported a course in this area.

7 schools offer a 2-credit course: Brooklyn, Franklin Pierce (Publications & Multimedia), Marquette, New England, Southwestern, Suffolk (Mass Media), Texas Tech (Mass Communications).

9 schools offer a 3-credit course; Arizona State (largely First Amendment), DePaul, Saint Louis, Santa Clara, Syracuse, Tulane, Washington & Lee, Wayne State, Yeshiva (Entertainment & Media Law).

***206** 6 schools did not report the number of credits: Boston University, Mississippi, NYU, South Texas, Texas (Communications Torts; Mass Communications).

Toledo's course, offered infrequently, carries 2 or 3 credits.

Computer Law: 32 schools reported a course in computer law.

14 schools offer a 2-credit course: Brooklyn, Columbia, Dayton, George Washington, Loyola-Chicago, Loyola-New Orleans, New England, Nova, Saint Louis, Southwestern, Suffolk (also Computer Law & High Technology Seminar), Texas Tech, Wake Forest, Whittier.

11 schools offer a 3-credit course: Boston College, Cincinnati, Connecticut (as both course and seminar), DePaul, Franklin Pierce, Houston, Loyola-Los Angeles, John Marshall, Santa Clara, Syracuse (also Computers, Crime & Privacy), Temple.

7 schools did not specify the number of credits: Boston University (Business Aspects of Computer Law), Chicago-Kent, John Marshall, Seton Hall, South Texas, Texas, University of Washington (Legal Protection of Software).

7 schools offer seminars: Brooklyn (2), Columbia (2; also Computers, Privacy & the Constitution Seminar, 2), Connecticut (3), Saint Louis (2), Santa Clara (3), Suffolk (Computer Law & High Technology Seminar, 2), Whittier (2).

Copyright Law: 54 schools offer an independent course in copyright law.

7 offer a 2-credit course: Franklin Pierce, Indiana-Bloomington, New England, Northern Illinois, Pepperdine, Seattle, William & Mary.

29 offer a 3-credit course: Arizona State, Boston College, Brooklyn, Chicago-Kent, Cincinnati, Columbia, Connecticut, George Mason, Georgia, Houston, Iowa, Loyola-Los Angeles, Loyola-New Orleans, Marquette, John Marshall, Miami, Nova, NYU, Santa Clara, Southern California, Southwestern, Syracuse, Temple, Toledo, Tulane, Wayne State, Whittier, Widener (Delaware campus; historically taught at Harrisburg, although not currently), Yeshiva.

2 schools offer a 4-credit course: Chicago, Pennsylvania.

4 schools teach Copyright Law as a seminar: Nebraska, Utah (2, every other year), Valparaiso (2), Wake Forest (2).

9 schools did not report the number of credits: Boston University, Colorado, Indiana-Indianapolis, Lewis & Clark, Mississippi, Seton Hall, South Texas, Texas, Washington University.

3 schools reported either 2- or 3-credit courses: George Washington (3 day, 2 evening), Saint Louis, Texas Tech.

8 schools offer a course in Copyrights & Trademarks: Berkeley (4), Buffalo (3), Cornell, Dayton (3), DePaul (3),

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John Marshall (3), Notre Dame (2), University of Washington.

Washington & Lee offers a 3-credit Copyrights & Patents. Suffolk offers a 3-credit Copyright & Unfair Competition.

***207** 9 schools offer an advanced copyright course, 4 of which are specifically designated as seminars: Arizona State (Advanced Topics in Copyright Seminar, 2 or 3 credits), Connecticut (seminar, 3), Georgia (2), Houston (planned for 99-00), NYU (2), Pennsylvania (seminar, offered sometimes, 3), Southwestern (seminar, 2), William & Mary (3), Yeshiva (2 or 3). Also, Texas offers a course in Tort, Copyright, History & Biography.

Cyberlaw: 34 schools offer courses in cyberlaw, under varying names.

16 schools offer 2-credit courses: Berkeley, Chicago-Kent (Internet Law), Dayton, George Mason, George Washington, Iowa, Loyola-Los Angeles, Marquette, John Marshall, Miami (Law & the Internet), Pennsylvania, Pepperdine, Santa Clara, Suffolk (Advanced Technical Seminar: Legal Issues, Research & Practice in Cyberspace), Washington & Lee, William & Mary (On-Line Communication).

11 schools offer 3-credit courses: Connecticut (also offers Law & Culture of Cyberspace Seminar, 3), DePaul, Florida State, Franklin Pierce (Information Torts), North Carolina, Saint Louis, Seattle, Temple, Toledo, Wayne State, Yeshiva (Federal Regulation of Electronic Media; Law of Cyberspace).

6 schools did not report the number of credits: Houston (planned for 99-00), Lewis & Clark, Nebraska (planned for 99-00), NYU (Information Law & Policy in the Digital Environment), Seton Hall (Law & the Internet), Texas (Regulation of Internet; Internet Resources for Lawyers), University of Washington (Internet Law).

10 of these courses are offered as seminars: Connecticut (Law & Culture of Cyberspace, 3), Marquette (2), John Marshall (2), Miami (Law & the Internet, 2), North Carolina (3), Santa Clara (2), Suffolk (Advanced Technical Seminar: Legal Issues, Research & Practice in Cyberspace, 2), Temple (3), Toledo (3), Washington & Lee (2).

3 schools offer courses called Digital Works: Chicago-Kent (3), Colorado, Cornell (Copyright & Digital Works).

Entertainment Law: 42 schools offer courses in entertainment law; this area represents the largest number of offerings aside from the core IP regimes of copyrights, patents, and trademarks.

13 of these courses are 2-credit: Nova (respondent unsure but thinks 2 credits), Berkeley, Brooklyn, Cincinnati, Franklin Pierce, George Washington, Georgia, Houston, John Marshall, Miami, New England, Pepperdine, Suffolk.

16 are 3-credit: Boston College, DePaul, Loyola-Chicago, Loyola-Los Angeles, Loyola-New Orleans, Northern Illinois, North Carolina Central, Seattle, Southern California, Southwestern, Syracuse (also as seminar), Tulane, Valparaiso, Whittier, William & Mary, Yeshiva.

10 schools did not report the number of credits: Boston University (seminar), Indiana-Indianapolis, Lewis & Clark, Mississippi, NYU, Seton Hall, South Texas, Texas, Washington University (Sports/Entertainment Planning ***208** & Drafting), Widener (listed in catalog but respondent not familiar with course).

3 schools reported varying credits: Iowa (1 or 2), Texas Tech (Entertainment I & II, 2 or 3 credits each), Toledo (2 or 3, offered infrequently).

5 schools combine entertainment law with sports law: Indiana-Indianapolis, Mississippi, Loyola-Chicago, Northern

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Illinois, Washington University.

Miami combines entertainment law with art law (2, also as seminar); Yeshiva combines entertainment law with media law (3).

4 courses are offered as seminars: Boston University, Miami (2), Northern Illinois (Sports & Entertainment, 3), Syracuse (3).

Texas Tech offers a 2-semester course (2 or 3 credits each semester).

7 schools offer additional workshops or courses in more specific aspects of entertainment law: Brooklyn (Entertainment Workshop, 2), Columbia (Law & Film Industry Seminar, 2), Loyola-Los Angeles (seminars & clinics), Pepperdine (Seminar in Film, 2; Seminar in TV, 2), Seton Hall (Advanced Entertainment Law; Entertainment Negotiation), Southwestern (Collective Bargaining Agreements & Arbitrations in the Entertainment Industry, 2; Fundamentals of Theatrical Motion Picture Industry, 2; Television Production Law Seminar, 2), Yeshiva (Contract Drafting & Negotiation for Entertainment, 2).

Intellectual Property Seminar: 14 schools offer an Intellectual Property Seminar or a seminar-type course. The focus of these courses appears to vary. For example, the course at Lewis & Clark is a Clinical Internship Seminar; the course at DePaul is a senior Research & Writing Seminar in which students are expected to produce an article of law review quality.

4 of these schools designate their courses as "advanced" (and it is possible that some other schools do too): DePaul (Advanced Concepts in IP Seminar, 3), Loyola-Chicago (Advanced IP, 2), Houston (Advanced Topics, 3), Iowa (Advanced Issues, 1).

1 school (Iowa) offers a 1-credit course.

7 schools offer a 2-credit course: Columbia, Dayton, Georgia, Franklin Pierce (Selected Topics in IP parts I & II, each 2 credits), Indiana-Bloomington, Loyola-Chicago (Advanced IP), Widener (Foundations of IP).

4 schools offer a 3-credit course: Boston College, DePaul (Advanced Concepts in IP Seminar), Franklin Pierce (IP Research Colloquia I & II, 3 credits each), Houston (Advanced Topics).

3 schools did not report the number of credits: Lewis & Clark (Clinical Internship Seminar), Seton Hall (Advanced IP Seminar), University of Washington.

International: 19 schools offer general courses in international IP.

9 schools offer 2-credit courses: Brooklyn, Columbia (seminar), George Mason, Indiana-Bloomington, Loyola-Los Angeles (seminar), Marquette (seminar), Saint Louis, Suffolk, Syracuse.

***209** 5 schools offer 3-credit courses: Chicago (seminar), Chicago-Kent, Cincinnati, John Marshall, Miami.

5 schools did not report the number of credit hours: Boston University, Nebraska (planned for 99-00), South Texas, Texas, Tulane.

5 courses are offered as a seminar: Chicago (3), Columbia (2), Loyola-Los Angeles (2), Marquette (2), Suffolk (2).

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Cincinnati offers a 3-credit seminar, Advanced Problems in International IP.

5 schools offer separate courses in international patent law: DePaul (Domestic & International Advanced Patent Practice, which incorporates International Patent Law, 2), Franklin Pierce (2), George Washington (International Patent Law, 2; Japanese Patent Law, 2), John Marshall (2), Wayne State (3).

5 schools offer separate courses in international copyright law: Franklin Pierce (1), John Marshall (1), Miami (3), Wayne State (3), Yeshiva (2 or 3).

The University of Washington offers an international course combining patent and copyright law.

6 schools offer separate courses in international trademark law: DePaul (Domestic & International Advanced Trademark Practice, which incorporates International Trademark Law, 3), Franklin Pierce (2), Dayton (2), John Marshall (1), Temple (2), University of Washington.

2 schools offer courses in international art law: DePaul (International & Comparative Aspects of Law & and the Arts Seminar, 3), Texas.

4 schools offer additional miscellaneous courses in international IP: Franklin Pirece (IP & Competition in the European Union, 1), John Marshall (Unfair Competition & International Trade Competition, 2), Texas (NAFTA), University of Washington (IP in East Asia; International Contracting).

Licensing: 14 schools reported separate courses in licensing intellectual property. The names of these courses vary considerably, and I have double-listed many of them in the Technology category.

6 schools offer 2-credit courses: Dayton, George Mason (Patent & Know-How Licensing), George Washington, Marquette, Temple (seminar), Santa Clara (Technology Licensing).

5 offer 3-credit courses: Arizona State (High Technology Licensing Seminar), Franklin Pierce, Houston (Licensing & Technology Transfer), John Marshall, Suffolk (Licensure of IP Rights).

4 schools did not report the number of credits: Boston University, Texas (Software Licensing), Suffolk (Advanced Licensing Practicum; Licensure of IP Rights, 3), University of Washington (IP & High Technology Planning & Drafting).

2 of these courses are taught as seminars: Arizona State (3), Temple (2).

3 schools offer a 2-credit course on franchising: Franklin Pierce, John Marshall, Yeshiva.

Litigation: 7 schools offer general litigation or trial advocacy courses in IP: Boston University (Trial Advocacy: IP), DePaul (Litigation Strategy: Intellectual***210** Property, 3), Franklin Pierce (IP Pretrial Practice, 3), John Marshall (Trial Advocacy for IP, 3), Santa Clara (Litigating IP, 2), Suffolk (Litigating Technology Disputes, 2), Washington University.

9 schools offer patent litigation courses: Arizona State (seminar, 3), Chicago-Kent (Patent Litigation; Patent Trial Advocacy; 2 credits each), George Mason (Patent Litigation & Dispute Resolution, 2), Loyola-Los Angeles (2), Marquette (2), John Marshall (2), Suffolk (2), Texas, Tulane (Prosecution & Litigation).

2 schools offer trademark litigation classes: Marquette (2), John Marshall (2).

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Marquette offers a 2-credit Copyright Litigation course.

Music: 5 schools reported offering separate courses relating to the music industry, all of which carry 2 credits: Columbia (Music Industry Contracts), Miami (Music Copyright Seminar), Pepperdine (Seminar in Music), Southwestern (Record Contract Negotiation & Drafting), Yeshiva (Contract Drafting & Negotiation in the Music Industry).

Patent Law: 56 schools offer a basic course in patent law, more than any other category listed.

30 schools offer a 3-credit course: Arizona State, Berkeley, Boston College, Buffalo, Chicago-Kent, Cincinnati, Connecticut (Patent Law & Procedure), DePaul, Franklin Pierce (Patents & Trade Secrets), George Washington, Houston, Iowa, Loyola-Chicago, Loyola-Los Angeles, Marquette, John Marshall (Patents I & II, 3 each), Miami, North Carolina Central, Notre Dame, Ohio Northern, Saint Louis, Santa Clara, Southwestern, Southern California, Suffolk, Syracuse (Patents & Trade Secrets), Temple, Wayne State, Whittier, Yeshiva.

11 schools offer a 2-credit course: Brooklyn, Dayton, Georgia, Indiana-Bloomington, Loyola-New Orleans, New England, NYU (Patents I & II, 2 credits each), Nova, Pepperdine, Wake Forest, William & Mary.

Washington & Lee reported a 3-credit course in Patents & Copyrights. Florida State reported a 3-credit course in Patents & Trademarks.

The remaining 13 schools did not report credits or reported varying credit hours: Boston University, Colorado, Cornell, George Mason, Indiana-Indianapolis (called IP but mostly patents), Mississippi (not taught in the last few years), Nebraska (planned for 99-00), Pepperdine, South Texas, Texas (Patents & Trade Secrets), Toledo (2 or 3), Washington University, Widener (historically taught at Harrisburg campus although not currently, 3 credits; Delaware campus, 2).

2 schools reported a 2-semester substantive patent law class: John Marshall (3 credits each semester), NYU (2 credits each semester).

32 schools offer at least one advanced course in patent law, excluding Patent Litigation and International Patents, which are reported under separate categories. The course names and credit hours vary considerably.

***211** 15 schools offer a 2-credit advanced class: Columbia (Advanced Patents Seminar), Dayton, DePaul (Domestic & International Advanced Patent Practice), Franklin Pierce, George Mason (PTO Practice), George Washington (Prosecution), Houston (Procurement), Loyola-Los Angeles (PTO Practice), Marquette, Ohio Northern (only on demand), Pennsylvania, Temple (Advanced Patents Seminar), Texas (Patent Prosecution Workshop), Southwestern, Suffolk (PTO Practice), Utah (every other year).

9 schools offer a 3-credit advanced course: Cincinnati (seminar), Chicago-Kent (PTO Practice), John Marshall (PTO Practice), North Carolina (Patent Drafting), North Carolina Central, Santa Clara, Syracuse, Tulane (Prosecution & Litigation), Wayne State (Patent Enforcement).

Chicago reported a 4-credit class.

7 additional schools offer advanced patent classes but did not report the credits or reported varying credit hours: Lewis & Clark (Patent Rights & Enforcement), Seton Hall (Patent Application & Prosecution), South Texas, Toledo (2 or 3), University of Washington, Washington University, Yeshiva (2 or 3).

2 schools offer what appear to be patent prosecution classes in more than one discipline. Franklin Pierce offers an in-

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troductory patent prosecution class and then separate courses in specific subject areas, each for 2 credits. George Mason offers PTO Practice, Electrical & Mechanical Patent Practice, and Chemical & Biotechnology Patent Practice, each for 2 credits.

9 schools offer more than one advanced class in the area, excluding patent litigation and purely international patent courses, which are reported under separate categories:

DePaul-Domestic & International Advanced Patent Practice (2), Advanced Legal Writing: Patents (3)
George Mason-PTO Practice (2), Electrical & Mechanical Patent Practice (2), Chemical & Biotechnology Patent Practice (2), Patent Writing Theory & Practice (2), Patent Infringement (1), Patent Infringement Damages (1), Patent Interference Law & Practice (1)
George Washington-Prosecution (2), Enforcement (2)
Houston-Procurement (2), Patent Remedies & Defenses (2)
Lewis & Clark-Advanced Patents, Patent Rights & Enforcement
John Marshall-PTO Practice (3), Interference, Reissue & Reexamination Practice (2), Advanced Patent Application Preparation (2), Advanced Claim Drafting Workshop (2)
Seton Hall-Patent Application & Prosecution, Patent Claim Drafting
Suffolk-PTO Practice, Counseling the Patent Client
Wayne State-Advanced Patent Seminar (3), Patent Enforcement (3)

Sports Law: 26 schools offer a course in sports law.

2 courses are 1-credit: Buffalo, Tulane (IP Issues in Sports Law, minicourse).

***212** 12 are 2-credit: Arizona State (seminar), Columbia, Franklin Pierce, George Washington, Georgia, John Marshall, New England, Pennsylvania, Wayne State, William & Mary, Valparaiso (seminar), Yeshiva.

6 are 3-credit: Connecticut (seminar), DePaul (both course and seminar), North Carolina Central, Northern Illinois (seminar), Loyola-Chicago, Whittier.

5 schools did not report the number of credits: Indiana-Indianapolis (Sports & Entertainment Law), Mississippi, NYU, Seton Hall, Washington University (Sports & Entertainment Law Planning & Drafting).

Toledo's course, offered infrequently, carries 2 or 3 credits.

5 courses are taught as seminars: Arizona State (2), Connecticut (3), DePaul (3), Northern Illinois (3), Valparaiso (2). DePaul offers Sports Law as both a course and a seminar, and students can take both for credit.

Five courses combine sports law with entertainment law: Indiana-Indianapolis, Loyola-Chicago (3), Mississippi, Northern Illinois (seminar, 3), Washington University (Sports & Entertainment Law Planning & Drafting).

Technology: this was the most difficult category because it encompasses many different types of courses. Below is a list of schools that appear to offer courses specifically designated as “Technology,” along with the names of these courses and the number of credits where available. Note that many offerings at other schools involving technology are listed under other categories such as Biotechnology, Computer Law, Cyberlaw, Licensing, Patent Law, and Telecommunications.

Arizona State-High Technology Licensing Seminar (3)
Berkeley-Law & Technology Writing Seminar, 2; Mergers & Acquisitions in High Technology (2)

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Brooklyn (2); also Information Privacy (3)
Chicago-Kent-Emerging Technologies (2)
Columbia-Technological Properties (3); Advanced Seminar (2)
Dayton-Externship in Law & Technology (2)
Franklin Pierce-Information Technologies (2)
Houston-Information Law (3)
George Mason-Law, Science & Technology (2)
George Washington-Law, Science & Technology Seminar (2)
Georgia (2)
John Marshall-Contemporary Technology & IP Law (3)
North Carolina-Technology & IP (3)
Santa Clara-Technology (3); Technology Licensing (2)
South Texas
Suffolk-Computer Law & High Technology Law Seminar (2), Counseling Technology (2), High Technology Practicum (2), High Technology Thesis (2)
***213** Syracuse-Technology Transfers (6), Technology Transfer Resource Center (6; the respondent noted that this course is similar to an externship).
Tulane-Law & Technology Seminar, Law & Emerging Technologies Seminar (3)
University of Washington-Legal Protection of Technology I & II
Washington University-IP & High Technology Planning & Drafting

Telecommunications: 15 schools offer a course in telecommunications.

7 courses are 2-credit: Brooklyn, George Washington, Houston (Network Law), Saint Louis, Southwestern (seminar, 2), Suffolk, Yeshiva (Telecommunications Workshop).

4 courses are 3-credit: Berkeley, Columbia, DePaul (offered as both course and seminar), Miami (Broadcast Regulation).

4 schools did not report the number of credits: Boston University (seminar), Colorado, Indiana-Indianapolis, Lewis & Clark.

3 of these courses are designated as seminars: Boston University, DePaul (3), Southwestern (2). (DePaul offers both a 3-credit course and a seminar in telecommunications; students can get credit for both.) Yeshiva calls its 2-credit course a workshop.

Trademark Law: 47 schools offer a separate course in trademark law.

Buffalo offers Trademarks as a 1-credit course.

15 schools offer a 2-credit course: Brooklyn, George Washington, Indiana-Bloomington (Trademarks & Unfair Competition), New England (Trademarks & Unfair Competition), NYU, Pennsylvania (Trademarks & Unfair Competition), Pepperdine, Saint Louis, Seattle, Southwestern, Suffolk, Temple, Wake Forest (seminar), Washington & Lee (Unfair Trade Practices & Trademarks), William & Mary.

22 schools offer a 3-credit course: Boston College, Chicago-Kent (Trademarks & Unfair Competition), Cincinnati, Columbia, Connecticut (seminar), George Mason, Houston (Trademarks & Unfair Competition), Iowa (Trademarks & Unfair Competition), Loyola-Los Angeles, Loyola-New Orleans, Marquette, John Marshall, Nebraska (Unfair Competi-

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tion), Nova, Santa Clara (Unfair Competition), Southern California, Syracuse (Unfair Competition), Tulane (Trademarks & Unfair Competition), Toledo, Wayne State, Whittier, Yeshiva.

9 schools did not report the number of credits: Boston University (Trademarks & Unfair Competition), Chicago, Colorado, Indiana-Indianapolis (Unfair Trade Practices), Lewis & Clark (Unfair Competition), Seton Hall, South Texas, Texas, Washington University (Unfair Trade Practices).

2 schools designate the course as a seminar: Connecticut (3), Wake Forest (2).

***214** In addition, 8 schools offer Trademarks & Copyrights: Berkeley (4), Buffalo (3), Cornell, Dayton (3), DePaul (3), John Marshall (3), Notre Dame (2), University of Washington.

Suffolk offers a 3-credit course in Copyright & Unfair Competition. Florida State offers Trademarks & Patents for 2 or 3 credits.

Of those schools that offer a separate course in trademarks, 6 also offer a course in business torts or unfair trade practices: Chicago-Kent (Unfair Trade Practices, 3), George Mason (Unfair Trade Practices, 3), George Washington (Unfair Competition, 3), Marquette (Business Torts, 2), Suffolk (Business Torts, 2), Yeshiva (Misappropriation, Unfair Competition & State Law, 2).

3 schools that do not offer a basic course in trademarks offer a course in business torts: North Carolina Central (Relational Injuries, 3), Texas Tech (2 or 3 credits), Widener (Harrisburg campus, not currently offered).

6 schools offer an advanced trademarks course: Cincinnati (2), Franklin Pierce (3), DePaul (3), NYU (2), Marquette (2), Yeshiva (2 or 3 credits).

DePaul offers Advanced Legal Writing: Trademarks (3).

Trade Secrets: 5 schools offer a separate course in trade secrets.

George Mason offers a 1-credit course; 4 schools offer a 2-credit course: Berkeley, Houston, John Marshall, Marquette (seminar). Marquette's is the only seminar.

Miscellaneous Substantive Courses. These are courses offered at the responding schools that do not fit into any of the categories above.

Aerospace-Saint Louis (2)

Advertising-related: [FN2]

Regulation & Protection of IP in Advertising-Franklin Pierce (2)
Advertising-John Marshall (2); NYU (sometimes)
Consumer Protection-DePaul (3; both course and seminar)

Bankruptcy & Secured Interests in IP-John Marshall (1)

European Community Law: IP-Connecticut (3)

Federal Circuit-George Washington (2, seminar), Chicago-Kent (2), Marquette (3)

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Innovation Policy Colloquium-NYU

IP Antitrust (apparently distinct from Antitrust)-Berkeley (2), George Washington (2), John Marshall (3)

IP management & transactions:

Financing & Valuation of IP-Franklin Pierce (2)
IP Transactions-Berkeley (2), Boston University
IP for Corporate Transactional Lawyers-DePaul (3)
IP Management-Franklin Pierce (2), Toledo (seminar, 3)

***215** Media Globalization, Private Transactions & Regulatory Responses-Yeshiva (2)

Nonprofit Organizations-DePaul (3)

Publicity & Privacy-John Marshall (3)

Taxation of IP-George Washington (but not within the past 2 years), John Marshall (1)

Theory courses:

Legal & Economic Theory of IP-George Mason (2)
IP Theory-Texas, Boston University (seminar), Marquette (seminar, 2)
Philosophical & Constitutional Issues in IP-Chicago-Kent (2)

Miscellaneous Skills Courses. These courses pertain to IP generally, and not to specific areas of IP. (Skills courses pertaining to specific areas are listed under a specific category such as Patents or Trademarks.)

Advanced Research in IP-Chicago-Kent (2), Texas

Clinical Education in IP-John Marshall (2)

IP Dispute Resolution-DePaul (3, offered every other year)

First-Year Legal Writing IP Section-DePaul (4), Franklin Pierce (3)

IP Legal Drafting-Chicago-Kent (2)

Legal Writing for IP Practice-John Marshall (2)

IP Research Tools-Franklin Pierce (2)

Miscellaneous Seminars

Equitable Issues in IP-George Washington (2)

Financial & Industrial Innovation Seminar-Texas

Government Contracts/IP Seminar-George Washington (2, not offered within past 2 years)

IP Legislation-George Washington (2)

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Law & Popular Culture-DePaul (3)

Publicity-Marquette

II. The IP Survey Course Specifically

Thirty-three schools offer a "true" survey course that includes components of copyrights, trademarks, and patents: Arizona State (Commercial Torts, 3 credits), Berkeley (3), Boston College (4), Boston University (4), Chicago-Kent (3), Cincinnati (3), Franklin Pierce (3), Georgia (3), Houston (2), Indiana-Bloomington (3), Lewis & Clark, Loyola-Chicago (3), Mississippi, NYU, North Carolina (3), Northern Illinois (3), Santa Clara (Introduction to IP, 3, Protection of IP, 3), Seattle (3), Seton Hall, Southern California (3), Southwestern (3), Suffolk (2), South Texas, Syracuse (3), Temple (3), Texas, Toledo (3), Tulane (3), Utah (3), Valparaiso (3), Wake Forest (3), Widener (Harrisburg, 3), William & Mary (3).

Three schools offer a "modified survey," treating two of the three core IP regimes in addition to miscellaneous topics such as publicity rights and trade ***216** secrets: Ohio Northern (3, no patents but includes trade secrets and idea protection), North Carolina Central (3, no patents but includes trade secrets and privacy/publicity), Connecticut (Introduction to IP, covers trademarks & copyrights).

Several other schools offer "combination" courses that cover two of the three core IP regimes and thus are somewhat similar to "modified survey" courses. Seven schools offer a combination Copyrights & Trademarks: Berkeley (4), Buffalo (3), Cornell, Dayton (3), DePaul (3), Notre Dame (2), University of Washington. Washington & Lee offers a 3-credit course in Copyrights & Patents. Suffolk offers a 3-credit course in Copyright & Unfair Competition. Florida State offers a 2- or 3-credit course in Trademarks & Patents.

One possible difference between the modified survey courses and the combination courses might be in the extent to which miscellaneous topics are covered, although it is difficult to verify this assumption without more information than I received.

The vast majority of schools teaching a survey course allow students to take both the survey course and more advanced IP courses for credit. [FN3] A few schools qualify credit for the survey course when students want to take both this class and more specialized courses in IP. For example, at Southwestern and South Texas students who have taken the survey can take the more advanced courses, but generally those who have taken the more advanced courses cannot subsequently take the survey course. [FN4]

An overwhelming majority of IP teachers believe the survey is a valuable component of the IP curriculum: 52 respondents affirmed the survey's value while only 7 disagreed; 3 were unsure.

The reasons supporting the survey course can be grouped into four categories.

1. Pedagogical advantages. Many believe the survey course is valuable because it facilitates an exploration of the relationship between different types of IP and an examination of the convergence of IP regimes through protections for subject matter such as computer programs. Similarly, many believe the survey course is interesting from a teaching standpoint because it enables students to examine more thoroughly the policy bases for protecting information and intangible products. Many regard the survey as an excellent vehicle for teaching theory and policy because it contains a unique blend of policies ***217** and rationales that includes constitutional concerns, the economics of information, and theories of property law. In addition, the survey course provides a broad exposure to statutory materials.

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2. Reasons pertaining to students interested in IP. Respondents observed that the survey course is a good foundation for the more advanced IP courses and that it lays the conceptual groundwork for the adjunct-taught practical skills courses. They also indicated that, for students who are curious about IP but inexperienced, the survey provides a valuable opportunity to determine whether IP is an area of interest. They noted the high student interest accompanying the survey course; it has the ability to reawaken interest and enthusiasm in the law in upper-division students, who have often lost a lot of interest after the first year.

3. Reasons pertaining to students not specifically interested in IP. The survey course is deemed important because it allows all students to learn the basics of an area that is absolutely critical for practice in the next century. The survey is seen as a necessity for students intending to practice in the corporate/transactional areas and for students desiring to specialize in either antitrust or general litigation.

4. Reasons pertaining to a school's allocation of resources. One respondent noted that small law schools need to move very carefully from the general to the specific, and the survey course makes more curricular sense than numerous specialized courses. Similarly, a survey is the only feasible option for small law schools without resources to offer more advanced courses. This is especially true for schools located in communities lacking experienced IP attorneys who might serve as adjuncts. It was also noted that the survey course is useful in law schools training many solo practitioners; it helps future lawyers identify legal issues that may best be referred to a specialist.

A small minority of respondents strongly opposed the survey course, primarily because they believe it incorporates too much material to teach effectively in one course. One respondent said that in-depth statutory interpretation requires examination of one topic at a time. Some said that although a survey may be a good vehicle for general practitioners, it is insufficient for students with a serious interest in IP. Several respondents said that a survey course does not make pedagogical sense for their school's particular program. (For example, one respondent noted that a survey is not really useful in a quarter system with only 10 weeks per term; another observed that if a school provides three 2-credit courses in the key disciplines, students receive a solid and substantial treatment for 6 credits rather than a hasty review.)

As to whether the IP survey should be part of the first-year curriculum, the majority of respondents (49) did not favor such an option. Two additional respondents said “probably no.” Twelve favored IP as an option in the first year. Interestingly, two schools already have elected to include an IP course as a first-year option. [FN5] Eight other respondents suggested incorporating some IP ***218** into existing first-year courses, principally Property, Contracts, and Torts. When asked if their faculties would ever consider IP as an option in the first-year curriculum, 33 respondents said no, and 4 more said probably no. Three respondents replied maybe.

Those respondents who favored incorporating an IP survey course into the first-year curriculum made the following comments.

> Given the growing importance of technology, the sophisticated analysis required, and the unique policy issues raised, a first-year IP survey course is highly desirable.
>
> IP touches upon, and pervades, many other areas of practice.
>
> Interested students will have an opportunity to enroll in more elective IP courses if they are exposed to IP in their first year.
>
> IP is easily as important as torts or real property.

Those respondents who opposed incorporating an IP survey in the first-year curriculum gave the following reasons.

> There is no room in the first year for IP.
>
> IP concepts build on the first-year curriculum, and students should start by learning the basics in the context

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of tangibles.

Basic courses like Property, Contracts, and Torts enable students to understand these issues in an IP context.

Schools should not encourage early specialization.

Not enough students are interested.

IP is not that critical.

Students who take introductory survey courses do less well in advanced courses.

IP is not a necessary foundation for other areas of the law and does not become a first-year priority.

Students who have taken just a survey IP course would then assume they are minimally competent to practice in this area.

IP is too intensive a statutory course for the first year; a survey is difficult enough for upper-level students who must learn three different statutes in addition to case law.

IP is conceptually too difficult and would require too much background (i.e., federal preemption issues).

Schools should not mandate a survey for those students who will continue to specialize in IP.

It is difficult to justify IP more than other courses such as Business Organizations or Environmental Law.

First year works well-we don't need to "fix what ain't broke."

Many who teach a survey course often wonder how to allocate their time between the three core IP regimes, which are federal in scope, and the remaining state law topics. I received information on this point from 28 schools offering "true" survey courses (and from 5 other schools as well). Almost half of these courses (12) allocate roughly equal time to all three regimes; many courses also include trade secrets and some miscellaneous additional material. More detailed analysis reveals the following patterns.

• 4 schools allocate more time to copyright than the other two regimes.

***219** • 1 school allocates far less time to copyright than the other two regimes (but this school also appears to offer an advanced class only in copyrights).

• 2 schools allocate more time to trademarks than the other two regimes.

• 1 school allocates slightly more time (half a week) to patents than the other two regimes (1/2 week).

• 5 schools allocate the least amount of time to patents.

• 3 schools allocate the least amount of time to trademarks.

• 15 respondents specifically mentioned coverage of trade secrets-from two-thirds of a week to a third of the course (the latter along with other state doctrines). The average was about 2 weeks on trade secrets.

• 3 schools specifically mentioned a period of time (1 to 3 weeks) spent on a combination of the three regimes, usually through the topic of computer programs.

Two survey courses revealed particularly atypical allocations. One course covers state theories (idea protection, unfair competition, trade secrets, publicity) for a third of the course; copyright for a third; with the remaining third devoted to trademarks and patents (the teacher noted that only minimal time is spent on patents). Another atypical time allocation: general materials (1 week), trade secrets (2), trademark (4), copyright (3), patents (1), publicity (1), combined analysis of each (2).

In sum, the data received on the survey course reveal wide support for including this course in the IP curriculum, although not necessarily in the first year. Although the amount of time spent on each of the core IP regimes varies, roughly half of the "true" survey courses gave relatively equal coverage.

III. The Attorney Survey

The main point of the attorney survey was to get information about which courses IP practitioners think are important

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in the IP curriculum. Although I sent the survey to hundreds of attorneys nationally, [FN6] I received only 33 formal responses. But I spoke personally with almost 200 IP lawyers in Chicago during the summer of 1998 as part of an effort to reshape and strengthen the IP program at DePaul. These oral responses, where noted, are reflected in the findings below. Thus, although the attorney survey is not a large representative sampling, the results are nonetheless instructive.

Of the 33 responding attorneys, 18 identified their firms as boutiques practicing exclusively or primarily IP; 9 practice at general firms with IP departments. The following is the breakdown by size of firm:

1-9 attorneys	2 respondents
10-24	2
25-49	6
50-74	1
75-150	8
over 150	9

***220** Many of the responding attorneys are fairly senior: 24 have been in practice more than twenty years and therefore were in school before IP courses proliferated. Eleven of the respondents do not have a technical background.

The courses noted as the most helpful in law school were Civil Procedure (19 respondents), Contracts (15), Antitrust (11), Copyright Law (11), Patent Law (10), Legal Writing (10), Torts (9), Trademarks (8), Trial Practice (8), Evidence (6), Unfair Trade Practices (7), all IP classes (4), Federal Courts (4), Corporations (3), Property (3), Remedies (3), Moot Court (3), Constitutional Law (2), Computer Technology (2). The following courses were mentioned by only one respondent: Accounting, Administrative Law, the IP survey, Ethics, Jurisprudence, Tax, Conflicts, UCC.

When asked which advanced IP courses should be taught in law school (other than the basic courses in patents, trademarks, and copyrights), respondents mentioned the following courses (listed alphabetically):

Advanced courses in trademarks, copyrights & patents (2 respondents)
CAFC practice (2)
Employee departure issues, including trade secret law, invention assignment agreements, noncompetition agreements, all legal issues regarding the mobility of high-tech employees-essential to practice in Silicon Valley (1)
Entertainment law (1)
International IP (1)
Internet (2)
Litigation practice (4)
Patent bar review course (1)
Patent prosecution (6)
Technology transfer (3)
Trademark prosecution (1)

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Trade secrets (4)

In general the practitioners indicated a preference for skills-oriented courses, particularly writing courses. I also found this to be the view of many practitioners with whom I talked about IP curriculums. This preference was demonstrated by practitioners at both IP boutiques and large general firms. Not surprisingly, several respondents said that no IP course was as beneficial as on-the-job training, because of the large gulf between practice and law school.

In my conversations with Chicago IP practitioners, those in the large elite firms typically expressed the view that no single IP course is critical and a good ***221** basic general legal education is the most desirable route. Some firms actually advise students against taking too many IP classes. This view was echoed by a few lawyers in boutique firms, typically those regarded as more elite, but many boutique lawyers believed that students should take as many specialized IP courses as possible.

The concept of a law-school-sponsored patent bar review class also appeared to be fairly controversial among the attorneys with whom I spoke. Some thought that such a course would be a great asset because students who pass the patent bar before beginning practice offer firms an additional important credential. Others said they preferred to train their lawyers and have them take the exam while in their employ.

IV. Lessons from a Recent Model of IP Curricular Expansion

In 1998 DePaul began considering major expansion of its IP curriculum because of tremendous student interest and the burgeoning IP job market in Chicago. The dean, Teree Foster, appointed an IP Ad Hoc Strategic Planning Committee, which I chaired. In just one year the committee was successful in introducing ten new IP courses into the curriculum. Four were skills-oriented classes. DePaul is one of the few schools in the country to offer a first-year section of Legal Writing devoted to IP as well as Advanced Legal Writing in both trademarks and patents. In addition, DePaul introduced Litigation Strategy: IP. Subsequently the committee recommended the addition of six more courses: Advanced Domestic & International Patent Practice, Advanced Domestic & International Trademark Practice, Biotechnology Patent Strategies for the New Millennium, Cyberlaw, Entertainment Law, and IP for Corporate Transactional Lawyers. When the committee's proposal came before the full faculty, our recommendation met with virtually unanimous approval. In the sixteen years I have been teaching at DePaul, I do not remember the faculty's ever approving such a large package of courses in any area at one time.

For those schools contemplating an expansion of the IP curriculum, I can point to several factors that influenced my faculty's decision to approve this large a number of offerings. First, DePaul's dean is strongly supportive of IP as a major area of the school's focus. Second, the IP committee spent much time getting to know the job market in Chicago and educating attorneys, both locally and across the country, about our program. Third, the committee carefully considered which courses were essential to our program and focused its efforts on additions which we regarded as vital given the nature of the program we were striving to create. Fourth, the committee adopted an approach that was inclusive of both faculty and staff. The balance of this section will elaborate on these themes.

Strong administrative support is vital for the creation and continuing implementation of a strong specialty program. Creating such a nationally visible program entails not only additional curricular offerings but also expanded extracurricular offerings such as lectures, seminars, and other student events. Naturally, all these extracurricular offerings require funding. Unless a school's administration is willing to provide financial support, the school will ***222** have a much more difficult time educating both its students and the IP bar that IP is an area of major focus.

In addition, the dean can support a burgeoning IP program by being generous with her time. When the DePaul IP

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committee met with some 200 attorneys in the Chicago area to discuss our plans for expansion in IP, the dean accompanied us and gave a short presentation as to why IP is a logical area of focus for DePaul. In many ways, her presence at these meetings, more than anything the committee could have said, manifested to the Chicago legal community DePaul's strong commitment to IP.

Before considering a serious expansion in IP, it is essential to do a critical assessment of the IP job market in the geographic area where many of your graduates will be practicing. Further, you should undertake an assessment of whether your school's students will be competitive for these positions. I think the one most critical element that persuaded the DePaul faculty to expand our IP offerings is the fact that a large number of DePaul students were, in fact, finding jobs in IP. Many, although not all, of DePaul's students practice in Chicago, which is one of the major IP job markets in the country. The committee learned that overall DePaul's reputation in the legal community is sufficiently strong that our students are competitive at every large firm and boutique IP firm in the city. In fact, the committee was even able to persuade a number of firms to hold slots open in their summer associate programs for first-year DePaul students in the IP Legal Writing section. We also were able to persuade a number of firms and organizations to create a special IP position for these first-year students. DePaul's rate of success in placing summer associates and graduates in IP is equally strong. Part of the reason is that the committee has been able to track virtually all DePaul alumni practicing in IP in Chicago and across the country. These alumni contacts have provided our students invaluable assistance.

The IP committee also spent much time speaking with local practitioners about what courses they think are important in an IP program specifically and in a high-quality legal education generally. The committee also had the benefit of the results of both surveys discussed in this article. We isolated several courses we felt were essential to our IP program and focused our attention on developing these courses. In assessing course priorities, the committee considered the full-time faculty's strengths and teaching loads, levels of student interest, other areas of the DePaul curriculum with high priority, and the likelihood of finding appropriate adjunct teachers. For schools in areas without a vital IP practice community, the staffing of new IP courses will present much more of a challenge.

The IP committee also tried hard to be inclusive of the DePaul faculty as a whole. Although DePaul has four full-time faculty members who teach in IP and related areas, we tried to incorporate perspectives from other faculty. We spoke with all members of the faculty about our progress in creating the IP program and elicited input from everyone. All faculty are invited to the many special events sponsored by the IP program. In fact, the committee also received input from members of the DePaul staff and invited them to various ***223** IP events. One of DePaul's librarians with strong ties to the Chicago theater community was instrumental in securing a student externship at the renowned Steppenwolf Theatre. We think our inclusive approach created good will and a spirit of camaraderie.

One final caveat about the mechanics of creating a vital IP program. The process is rewarding, challenging, and inordinately time consuming. I strongly believe that spearheading this type of program is a job for tenured faculty who have already established themselves as scholars. Anyone who directs a successful IP program will attest to the endless meetings with current students, prospective students, lawyers, the school's administration, the development office, and the admissions staff. Personally, I believe that scholarship is the cornerstone of both innovative teaching and curricular development. Devoting massive efforts to IP curricular reform at too early a stage in one's teaching career can negatively affect one's scholarly endeavors.

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cinnati, Colorado, Columbia, Connecticut, Cornell, Dayton, DePaul, Franklin Pierce, Florida State, George Mason, George Washington, Georgia, Houston, Indiana-Bloomington, Indiana-Indianapolis, Iowa, Lewis & Clark, Loyola-Chicago, Loyola-Los Angeles, Loyola-New Orleans, Marquette (2), John Marshall, Miami, Mississippi, Nebraska, New England, New York-Buffalo, New York University, North Carolina, North Carolina Central (2), Northern Illinois, Notre Dame, Nova Southeastern, Ohio Northern, Pennsylvania, Pepperdine, Saint Louis, Santa Clara, Seattle, Seton Hall, South Texas, Southern California, Southwestern, Suffolk, Syracuse, Temple, Texas (2), Texas Tech, Toledo, Tulane, Utah, Valparaiso, Wake Forest, Washington University, Washington & Lee, University of Washington, Wayne State, Whittier, Widener (Wilmington & Harrisburg), William & Mary (2), Yeshiva (Cardozo).

At some schools, two teachers replied to the survey, as indicated by (2).

It may be worth noting that 28 of the respondents said their school was "very supportive" of IP and that IP was a "high-profile area" at the school; 6 said their school was "very supportive" but IP was not an especially high-profile area; 21 said their school was "fairly supportive" and indicated varying levels of profile; 3 said their school was "marginally supportive"; 9 said their school was "not especially supportive."

[FN2]. This listing may be incomplete because some respondents may not have included such courses.

[FN3]. These 31 schools give credit for both the survey and more advanced courses: Arizona State, Berkeley, Boston College, Boston University, Chicago-Kent, Cincinnati, Franklin Pierce, Georgia, Houston, Indiana-Bloomington, Lewis & Clark, Loyola-Chicago, John Marshall, Mississippi, NYU, North Carolina, North Carolina Central (no overlap), Northern Illinois, Seattle, Seton Hall, Southern California, Suffolk, Syracuse, Temple, Texas, Toledo, Tulane, Utah, Valparaiso, Wake Forest, William & Mary.

[FN4]. Other schools that qualify credit include Connecticut, where students can get credit for the survey course in addition to one other IP core subject covered in the survey; and Santa Clara, where students can take the survey and more advanced courses for credit, but the survey course does not qualify for the High Technology Certificate. At DePaul, in those years when the survey was offered in addition to Trademarks & Copyrights, students could not take both of these courses for credit (although they could audit one after taking the other for credit).

[FN5]. Connecticut requires a statutory/regulatory course as an option during the second semester of the first year and in 1998-99 offered an IP survey as such an elective. At Franklin Pierce the introductory course is a first-year spring-semester option.

[FN6]. I mailed the survey to all attorneys on the "national" mailing list of the DePaul IP program. No surveys were mailed to Chicago-area attorneys because I had elicited their opinions orally during meetings and focus group sessions.
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