

INTELLECTUAL PROPERTY, ENTERTAINMENT, AND TECHNOLOGY LAW

Intellectual property law - the framework of laws governing the rights arising from intellectual creation, invention, or discovery - is becoming an increasingly important area of study as intellectual property comes to constitute a larger and larger proportion of this country's assets and gross national product, and to account for a growing volume of international trade. The enormous economic importance of intellectual property and the rapid pace of technological innovation have created pressures to make intellectual property protection more comprehensive and effective. Congress has enacted major new intellectual property legislation in eight of the last twelve years. In addition, rapid advances in computer, communications, and biomedical technology have spurred other types of legislation and regulation, and have raised questions about the applicability of existing laws to new problems. As a result of all this activity, there are growing numbers of transactions, disputes, and regulatory policy problems that require the attention of attorneys with specialized legal training and experience. Finally, recent expansions of intellectual property protection have spurred attention to the constitutional and public interest implications of laws granting ownership rights in information.

Broadly speaking, intellectual property law seeks to encourage private investment in technological, artistic, and other types of information-related innovation. As an incentive, the law confers certain rights on the producers of valuable innovations. Because absolute monopolies in information and ideas are perceived to be against the public interest, however, intellectual property rights are limited in scope; many intellectual property-related disputes concern the nature and extent of these limitations. Intellectual property law has four central components: patent, trade secrecy, copyright, and trademark/unfair competition law. Each protects a different species of intellectual creation: Patent protection is available for functional or utilitarian processes, methods of operation, or products; trade secrecy law protects a wide range of other useful information that bestows commercial advantage on its owner; copyright protects the expressive content of original works of authorship; and trademark/unfair competition law protects the commercial value of information regarding the source of goods or services.

The issues encompassed by "entertainment law" and "technology law" are even more varied. Entertainment law practice is heavily centered around intellectual property law, particularly copyright and trademark/unfair competition law, but also requires considerable familiarity with communications law and labor/employment issues. Technology law practice may focus on any number of issues, ranging from intellectual property to computer crime to communications or biomedical regulatory policy to civil rights/civil liberties problems raised by genetic research or by efforts to regulate internet use.

A common misconception among students is that one cannot have a career in intellectual property and/or technology law without a scientific or technical background. In fact, although such a background is required for patent drafting and prosecution, it is not required for many other types of intellectual property careers. Neither copyright law, which governs rights in artistic expression, nor trademark and unfair competition law, which governs rights in trademarks and against deceptive trade

practices, requires a technical background. Nor is a technical background necessary to work in many other areas of technology law and policy.

A. Basic Intellectual Property and Technology-Focused Courses

The Law Center offers basic courses covering the core disciplines of intellectual property law. In some years, the Law Center also offers a survey course designed to give a broad overview of the entire field. The survey course, however, is not intended for the student who wishes to specialize in intellectual property or entertainment law practice. Although students are permitted to take the survey class and one or more of the other introductory classes, that decision is not recommended because of the high degree of overlap between them.

JD Courses

Copyright Law
Intellectual Property
Patent Law
Trademark and Unfair Competition Law

B. Specialized Areas of Practice

There are many different types of intellectual property and technology practices, each requiring different skills. The following subsections are designed to give students some idea of the different types of law practice opportunities available, and to indicate the law school background that would be helpful for each. The faculty would like to stress, however, that this information is intended to be suggestive rather than prescriptive. In particular, students who are not sure which aspect of intellectual property and technology practice most appeals to them are encouraged to sample courses from within several (or all) of these areas.

1. Obtaining Intellectual Property Rights

Obtaining a copyright requires few formalities; obtaining patents and trademarks is more complicated. "Patent prosecution" (obtaining a patent) requires some scientific or technical background (for more information, see www.uspto.gov (<http://www.uspto.gov>)), admission to a specialized bar, and knowledge of the art of claim drafting. Trademark prosecution does not require technical background or a specialized bar admission, but does require mastery of some special procedures and vocabulary. Recommended general background courses include the course in Administrative Law, which will introduce students to the basic statutes and doctrines that govern the creation and operation of administrative agencies such as the Department of Commerce, which includes the United States Patent & Trademark Office. The faculty also recommends the basic course in Legislation, which will enhance students' understanding of the process by which intellectual property rights are created and defined.

JD Courses and Seminars

Intellectual Property Legislative Process Seminar
Intellectual Property in World Trade
Law of Advertising
Trademark Prosecution
Patent Prosecution and Enforcement Seminar

Related Courses

Administrative Law
Legislation

Graduate Courses

International Protection of Intellectual Property through the WTO

2. Intellectual Property Litigation

Many attorneys who specialize in intellectual property law work primarily as litigators, helping their clients to bring or defend infringement lawsuits. Intellectual property litigators require a thorough understanding of the rules of evidence and the law of federal jurisdiction (the federal district courts have exclusive subject matter jurisdiction of patent and copyright disputes). In addition, they should have a working knowledge of administrative law, antitrust law and (for those whose interest lies in the areas of copyright, trademark, and unfair competition) first amendment law. Attorneys representing clients in the broadcast and cable industries also need to familiarize themselves with certain aspects of the federal communications laws. Finally, since an increasing number of intellectual property disputes have an international flavor, students may wish to gain some exposure to the laws governing resolution of international business disputes.

JD Courses and Seminars

Advanced Copyright Law Seminar
 Advanced Patent Law Seminar
 Antitrust and Intellectual Property Seminar
 Biotechnology and Patent Law Seminar
 Computer Crime Seminar
 Copyright Law: Advanced
 Intellectual Property and Computer Software Seminar
 Intellectual Property in World Trade
 Intellectual Property Litigation: Pretrial Skills
 Patent Trial Practice

Related Courses

Administrative Law
 Antitrust and Regulation Seminar
 Antitrust Law/Antitrust Economics and Law
 Communications Law and Policy
 Constitutional Law II: Individual Rights and Liberties
 Constitutional Law: Theories of Free Speech
 Evidence
 Federal Courts and the Federal System
 International Law II
 International Telecommunications Regulation Seminar
 Telecommunications and Cable Law

Litigation Skills Courses

Alternative Dispute Resolution Seminar
 Appellate Practice Seminar
 Civil Discovery Seminar
 Civil Litigation Practice
 Negotiations and Mediation Seminar
 Negotiations Seminar
 Trial Practice
 Trial Practice: Working with Expert Witnesses

JD Clinics

Institute for Public Representation

Graduate Courses

Global Communications Policy and Regulation
 International Civil Litigation
 International Commercial Arbitration
 International Protection of Intellectual Property through the WTO
 International Trade Law and Regulation

U.S. and International Customs Law

C. Intellectual Property Licensing

Many attorneys who specialize in intellectual property, entertainment, and technology matters spend the bulk of their time licensing materials covered by patent, trade secret, copyright, and trademark law for manufacture, marketing, franchising, movie development, multimedia development, and so on. Attorneys who specialize in transactional intellectual property work must be familiar with commercial law and basic principles of contract drafting, as well as with intellectual property statutes and doctrines. In addition, a working knowledge of antitrust law is essential to understanding the relation between the limited monopolies granted by the intellectual property laws and the general ban on monopolistic practices. Finally, if intellectual property rights are to be licensed across national borders, the attorney must understand the law governing international business transactions.

JD Courses and Seminars

Antitrust and Intellectual Property Seminar
 Patent Licensing Seminar

Related Courses

Antitrust Law/Antitrust Economics and Law
 Commercial Law: Secured Transactions
 Commercial Law: Secured Transactions and Payment Systems
 Government Contracts
 International Business Transactions
 International Law II
 International Negotiations Seminar
 International Trade

Transactional Skills Courses

Drafting and Negotiating Commercial Transactional Documents
 Negotiations and Drafting Seminar

Graduate Courses:

International Business Transactions
 International Commercial Arbitration
 International Negotiations Seminar
 International Trade Law and Regulation
 U.S. and International Customs Law

D. Entertainment and Sports Law

Issues of copyright, trademark, and unfair competition arise often in the specialized practice area of representing entertainers, athletes, motion picture and television companies, and other entertainment-related companies. The courses in entertainment and sports law are designed to give the student exposure to these and other legal issues that lawyers practicing in these industries must understand. In addition, the faculty recommends a working knowledge of antitrust law and labor and employment law. Finally, students who wish to practice in industries regulated by the Federal Communications Commission should gain exposure to communications law.

JD Courses and Seminars

Art and Cultural Property Law Seminar: Indiana Jones and the Elgin Marbles
 Antitrust and Intellectual Property Seminar
 Copyright Law: Advanced
 Entertainment Law Seminar
 Intellectual Property in World Trade

Labor Law in the Professional Sports Industry

Related Courses

Administrative Law
 Antitrust and Regulation Seminar
 Antitrust Law/Antitrust Economics and Law
 Communications Law and Policy
 Constitutional Law II: Individual Rights and Liberties
 Constitutional Law: Theories of Free Speech
 Employment Law
 Labor Arbitration Seminar
 Labor Law
 Telecommunications and Cable Law

Skills Courses

Negotiations Seminar
 Negotiations and Drafting Seminar

E. Advising and Structuring High Technology Ventures

Intellectual property rights increasingly serve as the sole basis for startup businesses. Particularly in the high-technology area, there is opportunity for attorneys who have both a specialized knowledge of intellectual property law and an understanding of how to structure and finance new corporate or partnership ventures. These businesses need to attract the necessary funding and locate licensing partners. Biotechnology ventures, and some computer-related ventures as well, may need to understand the laws governing any potential environmental hazards that their operation may create. Biotechnology ventures also must navigate the requirements imposed by the food and drug laws; computer-related ventures into telecommunications markets will need to understand applicable Federal Communications Commission rules. Finally, a successful business that wishes to "go public" will need attorneys who can shepherd it through an initial public offering of stock.

JD Courses and Seminars

Emerging Growth Companies and Their Venture Capital Financing Seminar: Principles and Practice

Related Courses

Administrative Law
 Business Planning Seminar
 Communications Law and Policy
 Comparative Antitrust Law Seminar
 Corporations
 Corporate Finance
 Entrepreneurship
 Environmental Law
 Food and Drug Law
 Land Use Law
 Securities Regulation
 Structuring Venture Capital and Entrepreneurial Transactions
 Telecommunications and Cable Law

Graduate Courses

Takeovers, Mergers, and Acquisitions
 Taxation of Intellectual Property
 Venture Capital and Technology Transactions

F. Intellectual Property and Technology Policy

The rapid evolution of digital and biomedical technologies is creating a variety of exciting practice opportunities - with congressional committees, federal agencies, political action committees and industry lobbying associations, private think tanks, and a variety of other nonprofit organizations.

JD Courses and Seminars

Antitrust and Intellectual Property Seminar
 Communications Law: Law, Policy, and Politics in the Internet Age
 Computer Crime Seminar
 Deterring Computer Crime Seminar
 Global Cybercrime Law
 Information Privacy Law Seminar
 Intellectual Property in World Trade
 Intellectual Property Legislative Process Seminar
 Law of Cyberspace
 Securities Law and the Internet

Related Courses

Antitrust and Regulation Seminar
 Antitrust Law/Antitrust Economics and Law
 Communications Law and Policy
 Comparative Media Law Seminar
 Constitutional Law: Theories of Free Speech
 Constitutional Law II: Individual Rights and Liberties
 Law and Economics Workshop
 Law and Science Seminar
 Legislation
 Telecommunications and Cable Law

JD Clinics

Institute for Public Representation

Graduate Courses

Dispute Resolution Under International Trade and Investment Agreements
 Export Controls for National Security: Non-Proliferation and Counter-Terrorism
 Global Communications Policy and Regulation

Search Intellectual Property Entertainment and Technology Law Courses (http://curriculum.law.georgetown.edu/course-search/?cluster=cluster_14)

LAW 1623 v00 Advanced Legal Writing: Intellectual Property and Technology Transactions Workshop (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201623%20v00>)

J.D. Seminar | 3 credit hours

This three-credit seminar offers an opportunity for J.D. students interested in transactional practice to hone their legal writing, negotiating, and “real world” transactional skills in a small workshop environment. Students will negotiate and write a variety of transactional documents – including full-length contracts, deal memos, unique contractual provisions, and related correspondence – and will develop individualized goals for improving their writing, negotiating and transactional skills throughout the semester. While this course will teach drafting, deal-structuring, negotiation and related skills that are generally applicable for any type of deal or transactional practice, it will teach those skills through a focus on intellectual property and technology transactions. Students will build on skills in legal discourse introduced in the first year Legal Practice course, including crafting effective written analysis, recognizing the importance of precise drafting to ensure that the various provisions of contracts fit together in a synchronized way, understanding and meeting the expectations of the audience, organizing documents to enhance clarity, applying those skills to new forms of legal writing, and developing effective time management strategies. The course will also focus on improving students’ abilities to critically assess their own and others’ legal writing and to provide helpful feedback to colleagues in a professional setting. This transactional practice workshop includes in-class writing, simulated transactions and mock negotiations based on actual deals. Students will receive peer critique during most classes, as well as individualized feedback from the professor on most drafts of documents.

Professor permission is not required. Background in intellectual property or technology is not required.

Participation in the in-class exercises and simulations will be a key component of student evaluation.

Learning Objectives:

My primary goal for the course is to give you real world transactional experience that you can use on day one out of law school. In addition, this course aims to expose you to new and emerging technologies and complex intellectual property licensing constructs, and give you the ability to analyze and negotiate different types of deals from both a legal and business perspective.

Prerequisite: Legal Practice: Writing and Analysis or the equivalent first year legal writing course.

Mutually Excluded Courses: Students may not receive credit for both this course and the Advanced Legal Writing Workshop; Advanced Legal Writing: Transactional Practice; or Information Technology Transactions: Strategy, Negotiations and Drafting.

LAW 040 v01 Advanced Patent Law Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20040%20v01>)

J.D. Seminar | 3 credit hours

This advanced seminar presumes knowledge of patent law fundamentals and examines various specific topics, including the Hatch-Waxman Act, patent administration, claim interpretation, the doctrine of equivalents, the experimental use privilege, and comparative and international patent law. Students will write papers on some specific aspect of patent law, not limited to those topics covered in class.

Prerequisite: Patent Law or equivalent experience.

LAW 308 v01 Advertising Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20308%20v01>)

J.D. Course | 3 credit hours

This course covers legal regulation of advertising in the United States, with some comparison to other countries. Private causes of action by consumers and competitors, state attorneys general, and the Federal Trade Commission all form part of the law of advertising. Topics will include falsity, substantiation, surveys, product placement, “green” marketing claims, disclosures and disclaimers, and First Amendment aspects of advertising regulation. There will be a final take-home exam.

LAW 1628 v00 Artificial Intelligence, Robotics, and the Law: A Comparative Analysis Between the EU and the U.S. (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201628%20v00>)

J.D. Seminar (cross-listed) | 1 credit hour

The increasing role of technology in humanity raises constant major challenges to law in a variety of moral, theoretical and doctrinal dimensions. The purpose of this course is to analyze current developments in the fields of Artificial Intelligence ('AI') and robotics through the prism of legal regulation and/or vice versa (analyzing legal regulation through the prism of AI and robotics). Along with discussing the interface of law and technology through a variety of critical theoretical perspectives, the course will focus on specific topics and case studies as "laboratories" for assessing contemporary approaches to law & technology. The topics to be discussed include a new generation of AI crimes, risk regulation in the fields of autonomous vehicles and data protection, up to the current debate on the legal personhood of robots and AI systems. The main objective of this course is to make students aware of the connections between technology and the legal environment and keep them up-to-date with the current discussions worldwide. It is a unique opportunity to further develop technical knowledge on state-of-the-art topics, such as machine learning, neural networks, and 'black boxes.'

The course is worth 1 credit.

Students will write a paper of 2,500-3,000 words, excluding footnotes. This final paper will consist of a case study along the lines of the main topics discussed and analyzed during the course.

Note: WEEK ONE COURSE. This seminar will meet for one week only, on the following days: Monday, January 7, 2019, through Friday, January 11, 2019, 9:00 a.m. - 11:35 a.m. This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of JD Academic Services. Withdrawals are permitted up until the last class for this specific course.

LAW 056 v00 Biotechnology and Patent Law Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20056%20v00>)

J.D. Seminar (cross-listed) | 2-3 credit hours

This course examines a variety of legal and policy issues associated with the intellectual property protection available to biotechnological innovations, with an emphasis on patents.

Specific issues that will be examined within this framework include legal utility; conception and reduction-to-practice of biological molecules; anticipation and obviousness of nucleic acids; written description and enablement requirements for biological processes and molecules; experimental use; export and import issues; infringement; and potentially developments outside the US.

Course readings rely primarily on cases, statutes, and regulations. A biotechnology background is not necessary.

Prerequisite: Patent Law or patent law experience.

Note: J.D. students must register for the three-credit section of the course if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. A take home exam is required for the two-credit section.

LAW 1291 v00 Communications and Technology Policy: Advocacy in the Public Interest (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201291%20v00>) (Fieldwork Practicum)

J.D. Practicum | 4 credit hours

In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. In this course, students will learn from a seminar instructor with decades of experience in government (FCC, White House, Congress), non-profits, and the private sector. For fieldwork, students will work at a range of public interest advocacy organizations engaged in cutting-edge policy issues in Washington, D.C.

These days are to technology and telecommunications policy what the 1960s were to voting rights or the 1930s were to administrative law. Internet governance, privacy, cybersecurity, broadband adoption, competition policy and copy protection decisions at the FCC, FTC, Congress, and the Administration are having a lasting impact on the technology ecosystem. Consumer advocacy therefore is more critical than ever, while the tactics and strategy deployed by consumer advocates must be facile and creative in a rapidly changing political environment.

This fieldwork practicum course will focus on the aforementioned and related issues. Students will be exposed to legislation and rulemaking across a broad spectrum of actors including Congress, the White House, federal agencies, industry, public interest advocates, and the press. Students will participate in a two hour/week seminar and carry out 10 hours/week of fieldwork at a number of participating non-profit, public interest advocacy groups, including Public Knowledge, Consumers Union, Common Cause, National Consumers League, Center for Democracy and Technology, and others (list subject to change).

SEMINAR: In the two-credit, graded, seminar portion of the practicum, students will examine the legislative, regulatory, and administrative policy-making process in communications and technology. With public policy rapidly evolving in the communications and technology sectors, legal practitioners must understand how such policy is made and can be influenced. Some case studies will be preceded by overviews of subject areas critical to such policy. Using case studies from the debates involving wireless spectrum allocation, open Internet, video competition, digital copyright protection, corporate mergers and consumer advocacy initiatives, students will learn how Congress, the White House, and the Executive branch shape policy directly impacting the technology and communications sectors. Students will also learn how public interest groups, corporate interests, political interest groups, and the press intersect to influence policy.

FIELDWORK: In the two-credit, mandatory pass/fail, fieldwork portion of the practicum, students will apply the concepts discussed in seminar to current debates in spectrum policy, open Internet policy, and video competition policy through a field placement at a participating advocacy organization. Students will work with seasoned practitioners and apply in real-world settings the advocacy tools discussed in the seminar.

Prerequisite: J.D. students must complete the required first-year program prior to enrolling in this course (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective).

Recommended: Communications Law, Copyright Law, Antitrust Law.

Mutually Excluded Courses: Students may not concurrently enroll in this practicum and an externship or a clinic or another practicum course. Students may not receive credit for both this practicum and Technology Policy and the Practice of Law in the Digital Age.

Students taking this practicum are not precluded from enrolling in the Institute for Public Representation: Communications and Technology Law clinic either before or after this course

LAW 073 v02 Communications Law and Policy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20073%20v02>)

J.D. Course | 3 credit hours

This course is intended to help students understand the policy issues that underlie the regulation of communications industries, become familiar with the fundamental approaches to communications regulation and judicial review of that regulation, and evaluate the successes and failures of recent reforms. The course will address regulation of broadcasting, cable, wireline and wireless telephony, and broadband and Internet communications. Sections begin with a brief history of communications regulation and discuss the fundamental legal and policy decisions that have evolved through the present day. The course seeks to understand in what instances the government should intervene in the marketplace. When intervention occurs, the course seeks to evaluate government's most appropriate role in broadcast regulation, telephone regulation, wireless spectrum issues, cable television regulation and broadband regulation. We will discuss the powers of local, state, and federal regulators and attempt to identify the jurisdictional boundaries among them. The course explores the regulatory theory underlying the Communications Act of 1934 and the Telecommunications Act of 1996 and attempts to predict the regulatory models that should govern the 21st century.

LAW 200 v01 Communications Law: Law and Policy in the Internet Age (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20200%20v01>)

J.D. Seminar (cross-listed) | 2-3 credit hours

The advent of the Internet has spawned massive leaps in technology and the way Americans use communications services to reach that technology. This course examines how courts, legislatures, and regulatory agencies react to constant change in communications technologies. We will focus on specific technological advances to explore the way legal, economic, social, and technological forces shape and are harnessed by legal systems faced with challenges to the status quo. The course will draw on leading communications law cases, statutes, and FCC and FTC actions. Students will explore the legal and lobbying battles raging today in Washington and across the world that are fueled by technological change, in areas such as net neutrality, privacy, free speech and broadcast indecency, competition, and spectrum policy. We will try to focus in particular on questions currently before the courts, the FCC and Congress. The goal is to deepen each student's understanding of major communications law topics, to determine if a comparison of these topics reveals a set of common legal, policy, and political reactions to technological change, and to provide future policymakers with the tools to respond to change more effectively.

The class will meet for two hours once per week. Grades will be based on class participation (25%) and a final paper/oral presentation (75%). There are no course prerequisites. While students who have taken Communications Law and Policy will find it useful, we will cover the basic background on the law and policy needed to understand the issues addressed.

Learning Objectives:

- Deepen each student's understanding of major communications policy topics in dispute.
- Determine if a comparison of these topics reveals a set of common legal, policy, and political reactions to technological change.
- Provide future policymakers with the tools to respond to change more effectively.
- Provide insight to the role legal constraints play in policy debates and policy plays in legal challenges.
- Improve oral and written advocacy skills through writing and presenting an advocacy white paper.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 080 v00 Computer Crime Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20080%20v00>)

J.D. Course (cross-listed) | 3 credit hours

Explores the legal issues that judges, legislators, prosecutors, and defense attorneys are confronting as they respond to the recent explosion in computer-related crime. In particular, the course considers how crimes on the Internet will challenge traditional approaches to the investigation, prosecution, and defense of crime that have evolved from our experience with crimes in physical space. Topics will include: the Fourth Amendment online, the law of electronic surveillance, computer hacking and other computer crimes, cyberterrorism, the First Amendment in cyberspace, and civil liberties online. Although much of this class involves computer and internet technology, no prior technical background or knowledge is required.

Mutually Excluded Courses: Students may not receive credit for both this course and Computer Crime Seminar or the graduate course, Global Cybercrime Law.

LAW 1384 v00 Computer Programming for Lawyers: An Introduction
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201384%20v00>)

J.D. Course (cross-listed) | 3 credit hours

This class provides an introduction to computer programming for law students. The programming language taught may vary from year-to-year, but it will likely be a language designed to be both easy to learn and powerful, such as Python or Javascript. There are no prerequisites, and even students without training in computer science or engineering should be able successfully to complete the class.

The course is based on the premise that computer programming has become a vital skill for non-technical professionals generally and for future lawyers and policymakers specifically. Lawyers, irrespective of specialty or type of practice, organize, evaluate, and manipulate large sets of text-based data (e.g. cases, statutes, regulations, contracts, etc.) Increasingly, lawyers are asked to deal with quantitative data and complex databases. Very simple programming techniques can expedite and simplify these tasks, yet these programming techniques tend to be poorly understood in legal practice and nearly absent in legal education. In this class, students will gain proficiency in various programming-related skills.

A secondary goal for the class is to introduce students to computer programming and computer scientific concepts they might encounter in the substantive practice of law. Students might discuss, for example, how programming concepts illuminate and influence current debates in privacy, intellectual property, consumer protection, antidiscrimination, antitrust, and criminal procedure.

This is a hands-on class. Each student will spend most class sessions using his or her own computers, reading, writing, and debugging code. Every student must bring to every class a computer, on which free software will be provided to be installed. Students will be required to complete problem sets between class meetings. To obtain a passing grade, students must complete problem sets and larger coding assignments, participate in class sessions, and demonstrate they have learned the assigned skills.

At the completion of this class, students should be able to write simple to moderately complex computer programs that can automate text-handling and data-handling tasks that would be difficult or impossible to perform without programming skill. Students will also gain a solid foundation of programming knowledge and skills they can build upon to progress toward mastering more advanced programming techniques and other programming languages.

Mutually Excluded Courses: Students who have completed at least one computer programming course in college or graduate school or who have mastered at least one computer programming language are not eligible for this course.

Note: FIRST CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class.

This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students. Note: This course will meet twice each week. There will be one two-hour lecture with all enrolled students, followed later in the week by a second class session consisting of one-hour lab sections broken into small groups of 15 students. Students will be enrolled in only one small lab section. In preregistering for this course, students should select the section that best meets their schedule in terms of the one-hour lab session.

LAW 1499 v00 Computer Programming for Lawyers: Intermediate
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201499%20v00>)

J.D. Course | 3 credit hours

This class builds on Computer Programming for Lawyers: An Introduction by introducing students to intermediate-level concepts of computer programming and computer science relevant to legal practice. The students in this course will serve as the Teaching Assistants for the introductory course, which will always be taught concurrently. In addition, students in this course will complete at least one substantial programming term project.

Enrollment in this course is by prior permission of the Professor only. All students must have prior computer programming experience. Students who have successfully completed the introductory course meet this requirement. Other students must demonstrate comparable prior experience, but this experience need not be formal training or professional experience. Students need not possess a technical degree, and self-taught programmers are welcome.

The course is based on the premise that computer programming has become a vital skill for non-technical professionals generally and for future lawyers and policymakers specifically. Lawyers, irrespective of specialty or type of practice, organize, evaluate, and manipulate large sets of text-based data (e.g. cases, statutes, regulations, contracts, etc.) Increasingly, lawyers are asked to deal with quantitative data and complex databases. Programming techniques can expedite and simplify these tasks, yet these programming techniques tend to be poorly understood in legal practice and nearly absent in legal education. In this class, students will gain proficiency in various programming-related skills.

A secondary goal for the class is to introduce students to computer programming and computer scientific concepts they might encounter in the substantive practice of law. Students might discuss, for example, how programming concepts illuminate and influence current debates in privacy, intellectual property, consumer protection, antidiscrimination, antitrust, litigation and criminal procedure.

This is a hands-on class. Each student will spend most class sessions using his or her own computers, reading, writing, and debugging code. Every student must bring to every class a computer, on which free software will be provided to be installed.

Note: THIS COURSE REQUIRES PROFESSOR PERMISSION TO ENROLL. Interested students should contact Professor Ohm at (ohm@law.georgetown.edu).

Withdrawal Policy: Students in Computer Programming: Intermediate serve as Teaching Assistants (TAs) to students enrolled in Computer Programming for Lawyers: An Introduction. Because the introductory class cannot operate without a minimum and stable number of TAs, it is essential we ensure a fixed enrollment for the intermediate class, by adopting special rules for dropping the class. A student enrolled in Computer Programming for Lawyers: Intermediate may drop the class no later than 3pm on Wednesday, October 31 and only by notifying Professor Ohm in writing.

LAW 458 v00 Contract Law Seminar: Franchising (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20458%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

Franchised businesses account for approximately 40 percent of retail sales in the U.S., more than a trillion dollars a year, and have about 10 million employees. Franchising is growing: a new franchise opens in the U.S. roughly every eight minutes of every working day. Although most people may associate franchising with “fast food restaurants,” franchising is prevalent in many areas of the economy, including automotive, hotel, various retail establishments, and numerous business services, among others. With the explosive growth of franchising, which really began in the 1950s, has come the development of franchise law as a separate discipline during the past 60 or so years and significant growth in the number of lawyers who practice in this field. Thus, franchising and the evolving practice of franchise law have a great practical impact on the U.S. and global economy.

Franchise law is a combination of contract and statutory law and is heavily influenced by trademark, antitrust and other areas of business law. Franchise agreements tend to be lengthy multi-year trademark licensing agreements. Because franchising involves distribution of goods and services, antitrust and other competition law considerations must be taken into account. Franchising is also regulated at both the federal and state level. Franchise sales are regulated by state and federal disclosure requirements, analogous to SEC requirements. Automotive, petroleum and certain other franchise relationships are regulated by specific statutes, while various states generally regulate aspects of the franchise relationship, such as termination or renewal of the relationship. There is a substantial amount of litigation in franchising, involving not only disputes between franchisors and franchisees, but also consumers and others. Many common law contract concepts, such as the “implied covenant of good faith and fair dealing,” have evolved and continue to evolve in the context of franchise law. Franchising is also growing rapidly outside the U.S.; accordingly, a variety of laws and regulations of other countries are relevant.

This course will cover the legal and practical business basics of franchising, including, structuring of the franchise relationship and the analysis of franchise agreements; the sales process and disclosure requirements; the relationship of franchising, employment, trademark and antitrust law; contract and other common law concepts that affect the franchise relationship; statutes regulating the franchise relationship at the state and federal level; automobile, petroleum and international franchising; and franchise-related litigation. Students will be evaluated on the basis of a paper and class participation, including mock negotiations at the end of the semester.

Learning Objectives:

My principal goal is for you to gain a general understanding of franchise law. In addition, I want you to become comfortable reading complex contracts, specifically franchise agreements, and to be able to analyze and negotiate a franchise dispute.

Prerequisite: Contracts (or Bargain, Exchange, and Liability) or, for foreign-educated LL.M. students, Foundations of American Law, Introduction to U.S. Legal Systems or a Contracts equivalent course from the home country.

LAW 110 v03 Copyright Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20110%20v03>)

J.D. Course (cross-listed) | 3 credit hours

This course examines the law of copyright and its role within the overall framework of intellectual property law. Topics covered include the subject matter requirements for copyrightability; the rules that govern determination of authorship, the rights that copyright law confers on authors and the limitations and exceptions to those rights; the rules governing indirect liability of intermediaries and liability for circumvention of technological protections; and the scope of copyright preemption.

Learning goals for this course:

Critical mastery of the existing copyright statutory, doctrinal, and policy landscapes; critical mastery of strategic considerations in copyright licensing and litigation, in technology ventures that implicate copyrights, and in copyright policymaking.

Note: This course will not meet on Thursday, January 31, 2019. On March 28 and April 2, class will meet from 9:00 am - 11:00 to make up for the missed class on January 31.

LAW 110 v07 Copyright Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20110%20v07>)

J.D. Course (cross-listed) | 3 credit hours

This course examines copyright law, providing a basic understanding of its objectives and principles. Topics covered include subject matter requirements for copyrightability; rules that govern determination of authorship; rights copyright law confers on authors; rules governing indirect liability of intermediaries and liability for circumvention of technological protections; and scope of copyright preemption. The course will also consider the tensions between copyright holders and technology that threatens traditional content business models.

LAW 1409 v00 Cyber Threats and Technological Insecurity: Emerging Legal, Policy, and Operational Challenges (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201409%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

This seminar will focus on significant legal, operational and policy issues arising from evolving global cyber threats and related technological issues, such as the Darkweb, encryption, and cybersecurity. The course will be taught by two instructors who work as federal prosecutors and policy advisors and collectively have hands-on experience investigating cybercrime, providing guidance to law enforcement investigators on technology issues, participating in the interagency policy process, developing and evaluating legislative proposals, and training foreign law enforcement partners. While the course will focus on challenges to federal law enforcement, it will also include in-depth perspectives from other significant stakeholders. Throughout the seminar, students will gain expertise in the legal framework and technical background that is necessary for effective advocacy – whether from a policy or litigation perspective – on the most challenging and controversial issues at the intersection of cyber threats, technology and security.

The course will consist of four components:

1. **Technology and Threat Landscape.** The current cybercrime threat landscape, with a necessary focus on technological architecture and recent permutations.
2. **Legal Framework.** The relevant constitutional and statutory legal framework attendant to combatting cybercrime and technological threats.
3. **Operational Case Studies.** How cybercrime investigations are currently conducted, with a focus on tactics and practical considerations.
4. **Policy Challenges.** Novel and emerging policy challenges relating to evolving technological trends.

Grading will be determined primarily based on a final paper. Significant weight will also be given to an in-class presentation and class participation.

Prerequisite: Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

Note: Laptops may not be used during class sessions.

LAW 067 v08 Cyber Threats, Information Security and Technology in the Practice of Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20067%20v08>)

J.D. Seminar | 2 credit hours

For all practical purposes, nearly every substantially-sized legal matter presents critical challenges that require attorneys to embrace and understand how to handle significant volumes of data and documents and to advise clients on the security risks threatening that information. Today's lawyers need to be prepared to handle the increasing levels of vital threats and risks posed against their clients and their data.

This hands-on seminar will take students through an exciting, practical exploration of the ways in which the use of powerful technology-based tools is fundamentally transforming the practice of law as we know it. Data and information security as concerns are creating a 'new normal' in terms of how lawyers can be best prepared to help their clients, through an important understanding of technology-based solutions, to augment traditional legal representation.

In this course, we will examine some fascinating dynamics of the legal practice, as shaped by 'information as risk' as a new fundamental principle, with a focus on the importance of handling those concerns and evaluating how they could impact client risks and affect case outcomes.

This seminar will visit an expansive range of subtopics including data forensics, data analytics, cyber security, data privacy, Internet of Things, deep/dark web, social media, cloud computing, structured and unstructured data, and the emerging roles of lawyers as data and information-risk experts.

From an exploration of essential electronic discovery principles through non-traditional evidentiary concepts, for in-house, government, and outside lawyers alike, this seminar will prepare students to enter the job market with an enhanced understanding of what organizations require of lawyers, especially from technology and information-risk advisory perspectives.

Through a series of lectures and demonstrations that will feature industry-recognized experts, this seminar will provide valuable insights that will illuminate the fascinating interplay of technology and law, with particular focus on how case outcomes can be shaped by leveraging an understanding of data, security, and technology.

Recommended: Evidence; Civil Procedure (or Legal Process and Society).

Mutually Excluded Courses: Students may not receive credit for both this seminar and Information Technology and Modern Litigation; or Electronic Discovery; or Topics in Electronic Discovery.

LAW 1626 v00 Cyberlaw (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201626%20v00>)

J.D. Course | 3 credit hours

From commerce to speech, internet companies intermediate our daily activities. At the same time, internet companies are remaking our existence. Facebook has been blamed for facilitating Russian election interference, yet credited for sparking the Jasmine Revolutions that felled dictatorships across North Africa. What laws govern the borderless domains of cyberspace? Is the internet a free speech zone protected by the U.S. Constitution's First Amendment, or does it bend to hate speech or political speech regulations from abroad? Can copyright law survive the worldwide copying machine of the internet? Is privacy dead when corporations know where you are and what you are doing nearly 24/7? Are there any limits on electronic surveillance by the government? This course examines the evolving law regulating internet enterprises.

LAW 219 v00 Emerging Growth Companies and Venture Capital Financings (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20219%20v00>)

J.D. Seminar | 2 credit hours

This course covers the legal and business issues that arise in the context of representing emerging growth companies and the venture capital investors who provide an important source of capital to such companies. In particular, the course will focus on the legal issues typically encountered by private companies at formation, financing, operation and key corporate events, including acquisition transactions and public offerings. Topics covered include corporate formation and governance, venture capital financing, employment and equity compensation matters, protection of intellectual property, securities laws compliance, debt financing and exit strategies through merger, acquisition or initial public offering. The course will offer an introduction to these topics through the eyes of attorneys who practice in a Silicon Valley-based law firm active in the East Coast technology and life sciences market and will also include guest presentations by industry participants, such as venture capitalists, angel investors and entrepreneurs. The course will include a practice exercise designed to introduce students, working in practice teams, to the process of structuring and executing venture capital transactions.

Prerequisite: Corporations.

Recommended: Securities Regulation.

Mutually Excluded Courses: Students may not receive credit for both this seminar and Venture Capital, Private Equity, and Entrepreneurial Transactions.

LAW 1197 v00 Emerging Law Governing Digital Information (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201197%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

This course responds to the compelling need for lawyers to help companies navigate the rules for managing and governing digital information assets in the 21st century. Students will explore the growing portfolio of laws and regulations that control how digital information assets and systems are developed and maintained, as well as the impact of digital records on the ability of companies to operate within existing legal frameworks. Readings, discussions, and student contributions will illuminate the strategies required for navigating through legal, technology, and compliance risks. Both domestic and international legal materials will be examined, to enable the comparative challenges of global online business.

Topics include the structure and governance of information systems and markets; the corporate duties to preserve digital information; the regulation of information systems and networks; information sharing and security between the private and public sectors; and future trends in information governance.

The course is highly interactive, emphasizing in-class student analyses, rapid-fire group collaboration, and the use of innovative visual tools enabling students to navigate the complexity of legal and technology rules. In completing this course, students will have enhanced their abilities to work in diverse career tracks, including in-house compliance, risk management, and regulatory counsel roles.

The grade will be based on class preparation and participation, as well as a final take-home examination.

Prerequisite: Prerequisites: Contracts or Bargain, Exchange, and Liability (or for foreign-educated LL.M. students, Foundations of American Law, Introduction to U.S. Legal Methods or a Contracts equivalent course from the home country).

Recommended: One or more of Evidence, Commercial Law: Payment Systems, or Commercial Law: Sales Transactions.

No special technology background or experience is required; however, students will be expected to prepare and submit work electronically.

Note: Students in this course will be charged a course materials fee to cover commercial materials that the Law Center purchases at the faculty's request on behalf of enrolled students. This additional fee will be placed directly on a student's account on February 25, 2015. Students who drop the course will not be charged, but students who are approved to withdraw from the course after add/drop will not be refunded. Courses that start after the Spring add/drop deadline (January 20, 2015) have until the beginning of the second class session to drop the course.

LAW 137 v01 Entertainment Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20137%20v01>)

J.D. Course | 3 credit hours

This course will provide an in-depth overview of the many facets that comprise entertainment law, including copyright, contracts and anti-trust issues. We will primarily examine the music, film and television industries and explore how the various players use contracts to protect their rights and interests; how digital innovation and technology has dramatically transformed the production, distribution and discovery of talent; discuss the intersection of law, public policy and business as it pertains to a variety of copyright and intellectual property issues that confront these industries. We will examine the roles of agents, managers, promoters and others who are responsible for connecting talent with projects and with the public, including the ethical concerns for practitioners who are sometimes drawn into more than simply practicing law.

Class participation is encouraged and will form some part of the grade.

The text will be Biederman et. al., *Law and Business of the Entertainment Industries*, Praeger/Greenwood, 5th Edition, CY-2007 along with supplemental materials. Both case law and other readings will be included, as well as redacted licensing, recording and other personal services agreements.

Prerequisite: Prior enrollment in one or both of the following courses: Copyright Law or Trademark and Unfair Competition Law.

LAW 137 v03 Entertainment Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20137%20v03>)

J.D. Course | 3 credit hours

This course will explore legal and business issues that arise in connection with the development, production and exploitation of entertainment product, with a primary focus on theatrical motion pictures, television and digital content. Topics will include contracts and contractual relations in the entertainment industry; individual and publicity rights; protection of literary material; the protection of ideas; representation of clients in the entertainment industry; issues raised by exploitation of entertainment works in the distribution chain; the roles of agents, managers and creative executives; and so-called "backend" participation accounting. We will explore how digital innovation and technology has dramatically transformed the production and distribution of content and how relevant law, public policy and business principles apply to this industry (including the role of copyright and antitrust throughout the history of the business). The class will strive to emphasize real-world lawyering and how to advance a client's interests through careful business analysis, the crafting of contract language and legal interpretation.

Class participation is encouraged and will form some part of the grade.

Recommended: Copyright Law or Trademark and Unfair Competition Law.

LAW 530 v00 Federal Legislation Clinic (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20530%20v00>)

J.D. Clinic | 10 credit hours

Please see the Federal Legislation Clinic website (<http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/our-clinics/FLAC>) for more detailed information about the program.

For registration-specific supplemental materials, please see the Federal Legislation Clinic PDF (<http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/clinic-applications/upload/FLC-2018-Info-Sheet-v2.pdf>).

For information about clinic registration generally, please see the Clinic Registration Handbook (<http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/clinic-applications/upload/Clinic-Registration-Handbook-v2.pdf>).

Mutually Excluded Courses: Students may not concurrently enroll in this clinic and an externship or a practicum course.

LAW 1442 v00 Fintech Law and Policy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201442%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

Technology-driven disruption has upended many industries – retail, entertainment, transportation, to name just a few – and now we are seeing it redefine financial services. The rise of Fintech is perhaps the most interesting industry transformation to study from a legal perspective because of the way it impacts complex financial services regulations. Regulatory frameworks that were created decades ago are being challenged by the rise of Internet and mobile-driven financial services providers. This course will hone in on a few areas where the US financial regulatory structure is being challenged by technological innovation and may require fresh thinking.

Financial services can be broken down into three distinct subsectors:

1) Insurance; 2) Retail Banking; and 3) Investment/Advisory Banking. This course will focus on how technology is transforming both retail and investment/advisory banking. Retail banking law was designed for a world of brick and mortar banks that accepted deposits and leveraged those deposits to provide commercial and personal loans. Investment/advisory banking law was designed for a world of a relatively small number of sophisticated investors. This traditional schema is being transformed, rapidly.

The smartphone is replacing the retail bank as the method by which a small business or consumer conducts their day-to-day banking activity. A 2015 report by Goldman Sachs found that 33% of millennials do not think they will need a traditional bank in the next five years. In fact, 73% of millennials reported that they are more excited about new offerings in the financial services space from the likes of Google, Apple and Amazon.

Moreover, in the financial services industry lines are blurring – financial tech companies are expanding financial services ecosystems and traditional financial services companies are expanding their digital capabilities. New business models are being created that leverage the data and capabilities afforded by the Internet, and seemingly diverse industries ranging from telecom to traditional banks are competing over similar financial services activities.

Crowdfunding, mobile payments, online lending, robo-advisors, and Bitcoin are new phenomenon that challenge existing regulatory structures. The SEC, Treasury Department, Office of Comptroller of Currency, Financial Industry Regulatory Authority, Federal Deposit Insurance Commission, Federal Reserve Bank, Consumer Financial Protection Bureau, and Federal Trade Commission are just a few of the regulatory bodies that are increasingly exploring Fintech developments. Moreover, the courts have been faced with challenges to several federal and state laws that were written before modern technological innovations took hold and challenged existing concepts of Federalism. This class will focus in on these particular challenges, will question existing regulatory bodies, approaches and standards, as well as discuss the practicalities of alternative regulatory structures and rules.

The class will proceed in 4 parts. Part 1 will be an introduction to retail banking law and disruptions that are occurring due to Fintech. Part 2 will be an introduction to investment/advisory banking law and disruptions that are occurring due to Fintech. Part 3 will address cross-cutting horizontal disruptions. And, finally Part 4 will involve a high-level assessment of regulatory structures and approaches for Fintech. After this course, students should have a strong baseline knowledge of the myriad of legal and policy issues that exist in the Fintech arena.

LAW 2007 v02 Global Cybercrime Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202007%20v02>)

LL.M Seminar (cross-listed) | 2 credit hours

This course will examine the key legal and policy issues associated with cybercrime – i.e., crimes in which computers and the Internet serve as targets, as storage devices, and as instrumentalities of crime – as a global phenomenon. As the Internet has become a truly global medium for commerce and communication, nations are gradually recognizing that new technology can not only expand the reach and power of traditional crimes, but foster new forms of criminal activity as well, throughout the world. The course will adopt an explicitly comparative legal approach to the problem of cybercrime, focusing principally on nations in North America, Europe, and Asia, and address pertinent international legal issues where appropriate. It will first address basic issues in comparative criminal law, as well as background information on computing and Internet technology. It will then address some of the most prominent topics in the substantive law of cybercrime (e.g., pornography and obscenity, "hate speech," cyberstalking, hacking, fraud, intellectual property offenses such as software piracy and economic espionage, and other issues associated with privacy and anonymity on the Internet). It will then turn to major issues in the procedural law of cybercrime (e.g., surveillance technologies such as Carnivore and legal standards for interception of electronic communications). Given the rapid pace of developments in computing and Internet law, the course will incorporate the most current materials available online and in hard copy. Students will be expected to use the Internet for intraclass communications and access to certain course materials, but need not have a detailed knowledge of computing or the Internet.

Prerequisite: Criminal Law.

Mutually Excluded Courses: Students may not receive credit for both this course and the J.D. seminar, Computer Crime Seminar, or the J.D. course, Computer Crime.

LAW 1434 v00 Governing Automated Decisions (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201434%20v00>)

J.D. Seminar | 2-3 credit hours

Many important decisions historically made by people are now made by computers. Software influences people's life chances in a growing range of contexts, impacts access to basic rights, and mediates core mechanisms of justice. Algorithms control access to welfare and healthcare benefits, target citizens or neighborhoods for police scrutiny, inform bail and sentencing decisions, select taxpayers for IRS audit, and grant or deny immigration visas, among a growing list of other key decisions.

The legal standards and accountability mechanisms to govern decisions like these have not kept pace with changing technology. In this seminar, we will explore how automated decisions are made, the unique governance challenges that they pose, and the emerging suite of legal and policy responses to these new challenges. We will focus on automated decisions that wield state power, because it is in these decisions that the unmet need for public understanding, and democratic governance, is most acute.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1403 v00 Hot Topics in Antitrust (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201403%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

Antitrust is dynamic. In regulating business strategy, competition law is only as effective as its understanding of each industry's idiosyncrasies. Novel business practices reflect changing technologies, market conditions, and strategies. Antitrust lawyers do not simply master doctrine. Fluent in the basic principles of antitrust law and economics, they understand industry conditions and the enforcement agencies' agendas. Above all, they stay abreast of cutting-edge developments in the law.

This seminar bestows that understanding. We will discuss today's most hotly debated antitrust questions, explore how foreign jurisdictions' competition laws and enforcement ideals deviate from U.S. practice, and delve into the industry-specific issues that arise in fields ranging from healthcare to wireless technology.

Major points of focus include the evolving relationship between antitrust law and intellectual-property rights. We shall discuss post-Actavis issues in the pay-for-delay space, including no-authorized-generic promises by pioneer-drug manufacturers and whether the continuation of infringement litigation immunizes a reverse payment. Outside of the life sciences, urgent questions involve antitrust limits on IP aggregation by patent-assertion entities and practicing firms. Further, when does a "privateering" agreement between a practicing entity and a PAE implicate competition law? Does the owner of a standard-essential patent violate antitrust law in seeking to enjoin a technology user despite its prior assurance to license on reasonable and nondiscriminatory terms? We shall also address antitrust limits on patent licensing and refusals to deal. Agency guidelines overseas, such as in China, and enforcement actions in Asia more broadly hint at the direction of international antitrust in this area.

In the larger field of antitrust and technology, some commentators argue that big data and privacy may implicate competition policy. In 2016, Germany's Federal Cartel Office accused Facebook of abusing its dominance based on privacy and big-data theories. Do those allegations hold water? A recurring problem in antitrust, which has emerged anew in the pharmaceutical industry, is predatory innovation. A separate development goes to the nature of actionable conspiracies where the lines between vertical and horizontal agreements become blurred. The Apple e-Books saga, which came to an end in March 2016 when the Supreme Court denied cert., has important repercussions for the law in this space. We shall also address the ongoing debate about the reach of Section 5 of the FTC Act, which allows the FTC to reach beyond the Sherman Act to condemn unfair methods of competition. The FTC's controversial 2015 statement of enforcement principles on Section 5 features here, and we shall ask whether it makes sense that the Justice Department and FTC can subject firms to distinct liability standards. We shall touch on pending legislation, the SMARTER Act, which touches upon those issues. A critical antitrust issue that remains unresolved is the scope of Noerr-Pennington immunity. Finally, we will discuss contemporary issues in healthcare-merger oversight.

Recommended: Prior or concurrent enrollment in a basic antitrust course.

LAW 342 v02 Information Privacy Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20342%20v02>)

J.D. Course (cross-listed) | 2 credit hours

This course examines "information privacy," an individual's right to control his or her personal information held by others. The aim of the course is to understand how courts and the Congress seek to protect information privacy as new technologies and new institutional practices emerge. The course traces the origins of the right to information privacy in American law, through Constitutional law, tort law, and modern statutory law. Case studies of landmark privacy legislation illustrate how expectations of privacy are translated into legal frameworks. The course looks at recent controversies involving domestic surveillance, identification systems, social network sites, DNA databases, locational privacy, and drones. The course also considers the impact of the European data protection law, new business practices and investigative techniques, and the availability of cryptography and other Privacy Enhancing Technologies on the future of privacy law in the United States. Guest speakers include leading privacy officials from government and practitioners from the private sector. More information is available at the Privacy Law and Society website.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 342 v03 Information Privacy Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20342%20v03>)

J.D. Course (cross-listed) | 3 credit hours

This course provides an introduction to information privacy law both on the books and on the ground. Topics covered include the common law, constitutional, and statutory foundations of U.S. information privacy law; information privacy compliance, enforcement, and regulatory practice; international approaches to information privacy law; philosophical bases for privacy protection; and "privacy by design."

Note: This course will not meet on Thursday, October 4, Thursday, October 11 or Thursday, November 29. To make up for the cancelled classes, this course will meet from 9:00 a.m. - 11:00 a.m. on the following dates: 9/18, 10/2, 10/16, 11/8, 11/13, and 11/27.

In addition to the final take-home exam, there will be a mid-term take-home exam.

LAW 342 v04 Information Privacy Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20342%20v04>)

J.D. Course (cross-listed) | 3 credit hours

This course provides an introduction to information privacy law both on the books and on the ground. Topics covered include the common law, constitutional, and statutory foundations of U.S. information privacy law; information privacy compliance, enforcement, and regulatory practice; international approaches to information privacy law; philosophical bases for privacy protection; and "privacy by design."

In addition to the final take-home exam, there might be a mid-term take-home exam.

LAW 295 v00 Information Technology Transactions: Strategy, Negotiations and Drafting (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20295%20v00>)

J.D. Seminar | 3 credit hours

This class will consider commercial transactions structured around the transfer of information technology ("IT"), focusing primarily upon the software industry and data-centric businesses. Whereas traditional curricula have approached this subject matter as a species of intellectual property licensing, this course will emphasize the multi-disciplinary approach that tech lawyers must adopt in order to represent tech clients effectively, drawing upon from *inter alia*, contract law, commercial law/ UCC and intellectual property law (but also from corporate law, consumer protection law, privacy law, antitrust, bankruptcy, accounting, export regulation and several international accords). The class is organized around archetypal models of commercial IT transfer; with each such model, students will study the interplay among statutory, regulatory and case law frameworks (as well as industry standard practices) that are relevant to shaping and structuring particular tech deals. At a practical level, key contractual provisions and negotiation strategies will be explored, and class assignments will include contract negotiation and drafting exercises.

Recommended: A basic intellectual property course or Copyright Law.

LAW 233 v01 Intellectual Property and Medicines (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20233%20v01>)

J.D. Seminar (cross-listed) | 3 credit hours

This course examines the special legal and policy issues arising from the use of intellectual property rights in the pharmaceutical and biotechnology fields. The course will cover: (1) U.S. case law impacting intellectual property, patents, trademarks and copyrights in the pharmaceutical and biotechnological arts; (2) the interplay of the regulatory approval process for therapeutic and diagnostic products with intellectual property rights; (3) the Hatch-Waxman Act and its impact on how patent rights for pharmaceuticals are procured and enforced; and (4) major legislative developments affecting the use of intellectual property rights in the drug, biotechnology and medical device fields, such as the Biologics Price Competition and Innovation Act of 2009 and the America Invents Act of 2011. Other topics may be included depending on current judicial or legislative developments. A background in biologics or pharmaceuticals is not required, although completion of a basic patent law or a food and drug law course is recommended.

Students will have the option of taking this course for either two or three credits. The three credit option will require a paper that satisfies the upperclass legal writing requirement in compliance with Law Center regulations. The two credit option will require completion of several shorter legal writing samples on student-selected or assigned topics.

Strongly Recommended: Prior or concurrent enrollment in a basic patent law course or food and drug law course is highly recommended.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1295 v00 Intellectual Property Appellate Advocacy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201295%20v00>)

J.D. Seminar | 2 credit hours

This course combines the study of appellate advocacy with the study of substantive intellectual property law. After an initial introduction to the principles of appellate advocacy and an overview of copyright law and patent law, we will conduct four in-depth case studies (four classroom hours each), of recent Supreme Court and en banc Federal Circuit cases in the areas of copyright and patent law. For each case, we will study the underlying substantive law and precedent, and how the advocates used that law to make their case, both in writing and at oral argument. Then, with the benefit of hindsight (provided by the decision in the case), we will discuss what the advocates could have done better. The remaining three or four class periods will be devoted to student presentations. Each student will be required to do a case study of a Supreme Court or en banc Federal Circuit case (chosen from a list provided by the faculty), present that study to the class, and then present 15 minutes of oral argument on behalf of the losing side to the class. The case study should be submitted as a draft prior to the class presentation, and in final form by the paper deadline announced by the Office of the Registrar.

Prerequisite: At least one course in Patent Law or Copyright Law, or instructors' approval.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 1471 v00 Intellectual Property for Start-ups (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201471%20v00>)

J.D. Course | 1 credit hour

This seminar focuses on key concepts of intellectual property law as they pertain to the start-up business environment. We initially cover the basics of patent, trademark, copyright, and trade secret law. We discuss stages of a start-up business cycle and evaluate intellectual property goals relevant to each stage. We review best practices and common mistakes of start-ups in intellectual property. The seminar also focuses on client communication skills, including the clear articulation of complex intellectual property problems to a start-up client.

Note: This course is mandatory pass/fail and will not count toward the 7 credit pass/fail limit for J.D. students.

Attendance at all class sessions is mandatory and all enrolled students must attend the first class in order to remain enrolled. Students on the wait list must attend the first class in order to be admitted off the wait list. Enrolled students will have until the beginning of the second class session to request a drop by contacting the Office of the Registrar. Once the second class session begins, students may only seek a withdrawal by contacting an academic advisor in the Office of JD Academic Services. Withdrawals are permitted up until the last class for this specific course. This course will not fulfill the prerequisite for advanced courses that require prior enrollment in a course in intellectual property.

LAW 226 v00 Intellectual Property in World Trade (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20226%20v00>)

J.D. Course (cross-listed) | 3 credit hours

The knowledge, technological inventions, creative works and accumulated experience and expertise of the professional workforce increasingly drives the global economy. Unlike physical capital, this intellectual capital cannot readily be confined to the territorial setting of its origin. The development of cohesive norms to protect intellectual properties on a global basis has thus proven to be an enormous challenge. This course considers this effort by addressing the core international agreements governing intellectual property; norms and norm-making in the international intellectual property rights system; dispute settlement and the enforcement of rights; and tensions arising between intellectual property rights and distinct legal and cultural values.

Mutually Excluded Courses: Students may not receive credit for this course and International Intellectual Property and Development and the graduate course, International Protection of Intellectual Property Through the WTO.

LAW 293 v01 Intellectual Property Litigation: Pretrial Skills (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20293%20v01>)

J.D. Seminar | 2 credit hours

The objective of this course is to help students develop the skills necessary to handle intellectual property (patent/trademark/copyright) disputes in the federal courts and administrative agencies. By focusing on pretrial activities, the course provides the opportunity to examine a dispute from its beginning, including the types of investigations and filings that are made and consideration of alternative forums, through discovery and the filing of a summary judgment motion. By covering this period of the litigation cycle, students will have the opportunity to develop both written and oral skills necessary for a trial lawyer. The emphasis on the pretrial aspects of a case is beneficial because most new associates spend far more time in their first few years dealing with these aspects of litigation than they do participating in actual trials. The course includes practice in drafting pleadings, discovery and motions, as well as the opportunity to hone oral skills through taking discovery depositions. Because this course focuses on pretrial activities, it also is a good companion course to the patent trial advocacy course, which focuses on the trial phase of a proceeding.

Prerequisite: Civil Procedure (or Legal Process and Society) and Evidence.

Mutually Excluded Courses: Students may not receive credit for both this course and Civil Litigation Practice or Civil Litigation Practice: From the Complaint to the Courthouse Steps.

LAW 1451 v00 International Intellectual Property and Development

(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201451%20v00>)

J.D. Course (cross-listed) | 3 credit hours

Intellectual property is increasingly a global phenomenon, as creators seek to distribute their work and inventions across borders, while consumers seek access to creative products and innovations, from books to life-saving medicines. The scope of intellectual property rights set out in international treaties and national laws affect innovation and creativity worldwide. Exceptions to intellectual property rights determine rights to critique and learn. At stake in the balance between rights and exceptions are access to medicines and to knowledge. In an age driven by both technology and fashion, intellectual property is central to the global economy. This course will examine international trade law, national customs law, intermediary liability rules, claims for rights in traditional knowledge and genetic resources, protections for geographical indications, technology transfer, and intellectual property piracy. The central question will be: how can international intellectual property law be designed to help the world's poor?

Mutually Excluded Courses: Students may not receive credit for this course and Intellectual Property in World Trade.

LAW 820 v01 International Protection of Intellectual Property Through the WTO (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20820%20v01>)

LL.M Course | 2 credit hours

This course deals with international protection of intellectual property through the World Trade Organization (WTO) and the WTO agreements which cover intellectual property: the TRIPS Agreement, The Paris Convention and the Berne Convention. The course will also cover the General Agreement on Tariffs and Trade (GATT) and the Dispute Settlement Understanding, which are essential in enforcing these agreements.

The course examines in detail the relevant U.S. law and how the extraterritorial application of these laws effects international enforcement of intellectual property. These laws are Section 337 of the Tariff Act of 1930 which prohibits the importation of articles into the United States which infringe U.S. patents, trademarks, or copyrights, and Section 301 of the Trade Act of 1974 which allows retaliation against foreign countries which impose unjustifiable or unreasonable restrictions against U.S. commerce.

The main WTO cases in intellectual property will be read and analyzed. These will include the cases on Sections 337 and 301, which have limited the United States' ability to unilaterally affect intellectual property law. Other cases will include the U.S. – Cuba Havana Club case, the Indian Pharmaceutical case, the Internet Gaming case, the U.S. Musical Copyright case, the European Geographical Indication (GI) case, the Canada Pharmaceutical patent case, and the China Intellectual Property Violation case. The course will study the Doha Agreement, which allows the compulsory licensing of pharmaceutical patents to fight pandemic diseases particularly HIV/AIDS. Finally, the course will review any significant changes in trade law or existing trade agreements, particularly as relates to intellectual property, that may occur under the new Trump administration.

Mutually Excluded Courses: Students may not receive credit for both this course and Intellectual Property in World Trade (LAWG/J-226).

LAW 708 v00 International Trade, Intellectual Property Rights, & Public Health (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20708%20v00>)

LL.M Seminar (cross-listed) | 2 credit hours

This course will cover the interface between the intellectual property rights, international trade and public health, focusing in particular on the WTO TRIPS Agreement and subsequent agreements. It will provide an introduction to the law and economics relating to this subject, and cover the provisions of the TRIPS Agreement relevant to public health, including disputes settled in the WTO, such as the India mailbox and the Canada regulatory exception cases. It will examine the background, content and implications of the Doha Declaration on the TRIPS Agreement and Public Health and of the subsequent decisions at the WTO implementing compulsory licenses for exports. It will also discuss the relevance of bilateral or regional free trade area agreements to the subject.

The course would study relevant national/regional implementing legislation, for example on compulsory licenses, and discuss use of the WTO export compulsory license provisions, namely the Rwanda-Canada case. Students will be asked to participate in class presentations and/or group exercises on the topics covered, for example on a hypothetical case study of exports, taking up the role of advisors based in either the importing country or the exporting country.

Finally, the course will also cover recent work on trade, intellectual property and public health in other intergovernmental organizations, in particular in the World Health Organization.

Recommended: Coursework in International Trade, Intellectual Property Rights, or Public Health.

Note: ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety.

A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Students may not withdraw from this class after the start of the second class session without the permission of the professor.

LAW 251 v00 Internet Copyright Legislation Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20251%20v00>)

J.D. Seminar | 2 credit hours

This course examines the increasingly contentious legislative battles concerning copyright, in the context of ongoing debates about reforms to U.S. copyright law. Initiated in part by a 2013 speech by the Register of Copyrights referring to "The Next Great Copyright Act," Congress has held 20 hearings, and government agencies have conducted numerous proceedings, held hearings, and issued reports.

The course has three objectives. First, the course will familiarize students with the process by which modern copyright law is enacted: the development of a legislative strategy, the formation of competing coalitions, the search for political allies, the drafting of legislation, the negotiation of compromises. Second, the course will attempt to provide the students with a critical perspective on IP policymaking via legislation, particularly in contrast to the more familiar process of case law evolution. Third, the course will provide students with an in-depth substantive understanding of several of today's most significant copyright issues, underscoring the conflicts inherent in IP policy. These three objectives are interrelated; one can best understand a legal doctrine if one understands how the doctrine evolved. Although the course will focus on copyright legislation related to the Internet, comparisons will be made to patent and trademark legislation. Students will participate in classroom simulations and write several short advocacy papers relating to legislation discussed in the course. Grading will be based on classroom participation and the papers. Students may take the course on a pass/fail basis.

Recommended: Prior or concurrent registration in at least one course in intellectual property law is suggested, but not required.

LAW 1400 v00 Law and Business of Television (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201400%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

An in-depth study of television industry legal concepts, contracts, business structures and economic models, focusing on the role of the attorney in the development and production of television programs; the relationships among attorneys, agents and entertainment executives that govern television; the legal issues innate in the of development and production of television programs; and topics involving the distribution of television product in ancillary markets (such as digital media and the role of so-called "backend" profit accounting). Class will focus both on academic and theoretical underpinnings of legal and business concepts as well as practical practitioner/clinical points-of-view (including negotiations).

Recommended: Entertainment Law is recommended, but not required.

LAW 267 v04 Law of Cyberspace (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20267%20v04>)

J.D. Course (cross-listed) | 3 credit hours

This course examines legal and policy issues arising from the Internet, with an emphasis on three broad areas: (1) the impact of the Internet on traditional legal causes of action; (2) government regulation of the Internet; (3) international aspects of the Internet and the interplay among United States and foreign jurisdictions.

Specific areas that will be examined within this framework include: constitutional issues raised by cyberspace speech and content; privacy issues; torts occurring in cyberspace; contract and other issues related to cyberspace commerce; and the protection of intellectual property in cyberspace.

Course readings rely primarily on cases, pleadings, statutes, and regulations. However, short articles and commentaries will also be used for background and supplementary information. There are no prerequisites for the course, and a computer background is not necessary.

LAW 1289 v00 Law of Robots (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201289%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

Robots, artificial intelligence, and autonomous systems have long been the realm of science fiction, but they are increasingly a part of contemporary life as well. Computers fly airplanes, play Jeopardy, drive cars, trade stocks, and fight in wars. Autonomous systems are no longer a thing of the future, but a fact of modern life, and Moore's Law suggests that these changes will increase not incrementally, but exponentially. This course will examine whether or when we need a Law of Robots to regulate these autonomous agents, or where it is more appropriate to reason by analogy and regulate these systems by existing statute, regulation, or common law. The course will examine emerging issues across the spectrum of tort law, property law, copyright law, the laws of war, laws of agency, criminal law, and international law. The class will not be a survey of existing law, but instead an examination of how to regulate emerging issues in law – how to extrapolate and reason by analogy, in robotics and beyond. Paper required.

Recommended: Property (or Property in Time), Torts (or Bargain, Exchange and Liability), Copyright Law, and Criminal Law.

LAW 1616 v00 Legal and Policy Aspects of Countering Terrorist Recruiting and Online Propaganda in the Digital Age Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201616%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

Rapidly evolving technological advances over the past decade have created powerful mechanisms to instantly and directly reach billions of information consumers around the world. Although the latest information revolution has fostered tremendous progress by connecting people in every corner of the planet, it has also been accompanied by governmental and non-governmental efforts to spread propaganda, particularly through social media platforms. This course will review the legal and policy aspects of addressing these challenges, focusing on the rise of terrorist recruiting and other organized online propaganda efforts.

As governments intensify their extensive counterterrorism initiatives, terrorist recruiting continues to evolve and poses a more complex threat than perhaps at any time in history. Terrorists no longer require in-person recruiting to spread their ideology and to inspire attacks in other countries. Domestic and international extremist groups have become more adept at using online platforms and other tools to “crowd source” their recruiting in a decentralized attempt to attract and inspire disaffected individuals by exploiting grievances and offering a sense of purpose, belonging, adventure, and obligation. At the same time, governments and other organizations are themselves using social media platforms to reach audiences in their countries and around the world. They have done so not only to increase public support for their political leaders, but also to attempt to impact public debates on major issues, influence policy formulation, and even to sow discord between groups domestically and abroad. These propaganda efforts have raised questions about whether social media companies, governments, and international organizations should play a larger role in determining how such information is disseminated, and how they can implement solutions without undermining freedom of expression and other legal protections.

In addressing online propaganda, this course will focus on legal and policy challenges and strategies in three main areas: (1) assessing and countering methods to spread propaganda online, including terrorists’ efforts to recruit followers and to inspire attacks; (2) examining innovative NGO and private sector cooperation in developing counter-propaganda initiatives; and (3) utilizing existing law enforcement tools and crafting new governmental and non-governmental prevention and intervention programs to disengage, redirect, and rehabilitate those who are radicalized online.

LAW 1215 v00 Legal Delivery System in Transition: Changes, Challenges, New Models and Opportunities (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201215%20v00>)

J.D. Seminar | 1 credit hour

The legal market is undergoing a radical transformation. Several key factors driving change are: (1) financial convulsions following the 2008 economic crisis; (2) global change in legal regulation; (3) information technology; and (4) “unbundling” of legal services. New legal service delivery models are emerging in response.

This course will examine the reasons for and responses to change in the legal vertical market. Professor Mark Cohen, CEO of Legal Mosaic, a Legal Business Consulting Firm, and a Co-Founder and former Managing Director of Clearspire, acknowledged widely as a highly innovative and disruptive law firm and legal service provider, is in the vanguard of that change. He also has a weekly column in Bloomberg Big Law Business. His first-hand knowledge of the marketplace, coupled with readings, class discussion, and individual reflection of students, is intended to identify opportunities open to those who understand the new landscape and who can reposition themselves to navigate its topography by drawing upon their skills and passions.

Note: This class will meet for two days of intensive sessions on the following dates in the Fall 2016 semester: 10/1 and 10/2 from 9:00 a.m. - 4:30 p.m.

ATTENDANCE IS MANDATORY AT ALL CLASS SESSIONS. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety.

A student will be permitted to drop a course that meets for the first time after the add/drop period, without a transcript notation, if a student submits a written request to the Office of the Registrar prior to the start of the second class meeting. Withdrawals are permitted up until the last class for this specific course.

LAW 372 v02 Music Law Seminar: Changing Landscapes in the Music Industry and the Law that Governs It (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20372%20v02>)

J.D. Seminar | 2-3 credit hours

This course will engage in an in-depth exploration of legal issues that arise in the music industry and the complex ways in which the law has shaped the evolution of the industry and the industry has shaped the development of the law. We will begin with a historical unit that traces the manner in which copyright and other laws affected the development of the music industry (and vice versa) in the 20th century. Our second main unit will cover a cross-section of the current legal issues faced by the music industry and the business practices that have been and are being developed to address those legal issues. We will end the semester with a discussion of the future of the music industry and the role that law and public policy will likely play in that future.

While the specific issues covered will vary in light of ongoing developments in the law and music industry business practices, some of the likely topics of discussion and analysis include the distinct “bundles” of rights in music and how the industry developed to exploit them; music licensing and statutory royalty regimes; illegal Internet downloading, its effect on the industry, and the industry’s response; the changing power relationships among the players in the industry and the contractual and legal issues that emerge from those changing relationships; deregulation and the effects of horizontal and vertical integration in the industry; new distribution models and new models of consumption for music and how the law is developing to accommodate them; the changing conceptions of what it means to “own” music in light of technological innovations in the industry; payola prohibitions and their impact on the industry; the future of performance royalties for sound recordings; legislative developments affecting the music industry; and the role of social networking sites, blogs, and other newly-developing avenues for marketing new music.

Some of the issues will be discussed using hypothetical case studies, with students assigned to represent/argue the interests of the various affected parties, such as recording label executives, musicians, songwriters, radio broadcasters, Internet radio operators, and concert promoters. The assigned materials will include a selection of cases, statutes, scholarly articles, and trade publication articles relevant to each of the issues discussed, as well as sample licenses and contracts. Students will be graded based upon their class participation and submission of a final paper for the course.

Learning goals for this course:

This course is designed to be a discussion-based seminar in which we explore issues of music law and policy from both historical and forward-looking perspectives. During the course of the semester, we expect that you will:

- Gain an understanding of how the music industry is structured and how the law has impacted that structure
- Become familiar with and be able to recognize legal themes and issues that have recurred throughout the history of the music industry in the United States
- Be able to identify potential contractual and legal issues that arise when new technology is introduced for reproducing, distributing, and/or performing music
- Develop in-depth knowledge and critical analysis of a narrow area of music law or policy in connection with the paper(s) written for the course
- Enhance legal research skills by researching and critically analyzing materials relating to current legal issues in the music industry
- Learn how to produce a piece of scholarly writing (whether the longer

LAW 1429 v00 Patent Appeals at the Federal Circuit (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201429%20v00>)

J.D. Seminar | 3 credit hours

This seminar will teach you the mechanics, strategy, and process of filing, briefing, and arguing a patent appeal before the United States Court of Appeals for the Federal Circuit, from the initial notice of appeal through requests for rehearing. We will also provide an in-depth look at the Court, common issues that arise during appeals, and best practices for crafting effective briefs and presenting oral argument. In lieu of an exam, each student will write an appellate brief and present an oral argument before a panel of appellate judges and/or practitioners, for an invaluable hands-on opportunity to practice the skills and theories we discuss. As part of the process, we will meet with you one-on-one to provide feedback on your draft briefs, which will total between 6,500 and 7,500 words and are intended to fulfill the upper-level writing requirement.

Prerequisite: Patent Law; Civil Procedure or Legal Process and Society.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 332 v04 Patent Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20332%20v04>)

J.D. Course (cross-listed) | 3 credit hours

The patent law is a regime of private regulation, initiated by individual inventors and resulting in proprietary interests in an increasingly ambitious range of human endeavor. This course provides a thorough review of the requisites of patentability, including eligible subject matter, utility, novelty, nonobviousness and disclosure. It then turns to patent enforcement issues, including claim interpretation, the doctrine of equivalents and remedies. Most inventors seek to obtain proprietary rights in multiple jurisdictions, so the course includes considerable coverage of comparative and international patent law. A traditional technological background is neither required nor recommended as a prerequisite to enroll in this course.

LAW 332 v05 Patent Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20332%20v05>)

J.D. Course (cross-listed) | 3 credit hours

This course is designed for those who intend to specialize in the intellectual property field. It includes an analysis of trade secret law, inventorship and ownership of inventions, subject matter eligible for patenting, requirements for valid and enforceable patents, patent claim construction and direct and indirect patent infringement. The Advanced Patent Law Seminar is recommended to complete the student’s overview of patent law.

Recommended: A scientific or engineering background is helpful, but not a requirement.

LAW 333 v01 Patent Licensing Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20333%20v01>)

J.D. Seminar (cross-listed) | 2 credit hours

Patent licenses achieve different business objectives in a range of settings. This seminar first covers patent licensing and related agreements in establishing a company's intellectual property from start-up through later growth phases. We then probe the role of patent licensing to transfer technology in and out of a company or university and in relations with others in the marketplace. We examine the elements of a patent license in detail. Limits on patent licensing and practice imposed by supply chain considerations, antitrust law, misuse, and connections with settlements are analyzed. Finally, we look at legal principles and strategies that impact patent licensing in several sectors of a knowledge-based economy. These sectors include biotechnology, software, standards setting, and patent assertion entities in the secondary IP market. We look at patent licensing in current open innovation and IP-enabled business models too. Guest speakers will also be drawn upon for specific topics. Students will complete an in-class negotiation and license drafting assignment. A cumulative final take-home exam will be given.

Recommended: Prior or concurrent enrollment in Patent Law.

LAW 387 v01 Patent Prosecution Practice and Strategy (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20387%20v01>)

J.D. Seminar (cross-listed) | 2 credit hours

This skills and writing course will focus on the practical and strategic aspects of patent preparation and prosecution before the United States Patent and Trademark Office, and the effects of prosecution decisions on patent enforceability. Claim drafting and responding to Office Actions with an eye towards enforcement will be a primary focus, and both will be addressed with short practical writing assignments. Coverage of the appeal process will include preparing a final written Appeal Brief (in compliance with 37 CFR § 41.37) and making oral arguments before a mock panel of Administrative Law Judges. Among other topics, the strategic use of the post issuance reissue and reexamination procedures, especially in anticipation of litigation, will also be addressed. Given the range of competencies covered and type of work assigned, this course is recommended for students who intend to practice patent or IP law.

Prerequisite: Patent Law.

LAW 334 v00 Patent Trial Practice (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20334%20v00>)

J.D. Seminar | 3 credit hours

This course introduces students to the elements of a typical patent trial through mock trial experiences and classroom demonstration and discussion. Topics to be covered include: developing a persuasive and comprehensive theme for your case; opening statements; direct and cross examination techniques; impeachment and rehabilitation of witnesses; qualifying and examining expert witnesses; laying the proper foundation for the introduction of evidence and using exhibits in examination to help present technical information; closing arguments; and preparing for and presenting arguments at Markman Hearings. The course will also introduce students to the use of current computer graphics and information technology in trial. The course will be taught using hypothetical fact patterns common to patent litigation. During the semester students will receive individual feedback on their individual performances.

Prerequisite: Evidence; Patent Law.

Mutually Excluded Courses: Students may not receive credit for both this course and Trial Practice or Trial Practice and Applied Evidence.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 1360 v00 Policing in the 21st Century: Law Enforcement, Technology and Surveillance (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201360%20v00>)

J.D. Seminar | 2 credit hours

This seminar will explore the intersection of contemporary surveillance practices with the need to safeguard civil liberties, and investigate how new technologies are being used to manage and control populations of people, in particular racial and religious minorities and immigrant communities. The course will place special emphasis on the evolving right to privacy in an increasingly cyber- and technology-oriented world, the expansion of government surveillance following the attacks of 9/11 and emergence of global terrorism, and the implications of new law enforcement technologies on civil liberty protections. Our texts will include a variety of sources ranging from case law, legal scholarship, government manuals and congressional testimony to congressional letters, TED Talks, and digital publications.

We will investigate more widely-known electronic surveillance and lesser known non-electronic surveillance, including social media monitoring, stop and frisk, license plate readers, drones, suspicious activity reporting, predictive policing, countering violent extremism, and NSA data collection. Throughout the course, we will specifically discuss how these technologies can be used to stifle dissent and protest, using the recent events in Ferguson, Missouri; Baltimore, Maryland; and Charlottesville, Virginia as just the latest examples.

We will discuss how judges and legislators have responded to these surveillance technologies, and pay special attention to the legal tools, doctrines, and defenses available to the government in surveillance-related matters. We will simultaneously investigate the different avenues through which today's surveillance practices can be challenged, including lobbying, litigation, and private industry innovation. Specific reforms that will be discussed include encryption, informed consent, body cameras, diversity, community policing, and abolition.

Recommended: Prior or concurrent enrollment in Criminal Justice (or Democracy and Coercion) or Criminal Procedure.

LAW 611 v03 Privacy, Civil Liberties and Face Recognition: Legislating Privacy Protections for 21st Century Tracking Technology (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20611%20v03>)

J.D. Course | 1 credit hour

For decades, American law enforcement has tracked our technology – our phones, our cars, and our computers. The latest generation of law enforcement technology tracks our *bodies*. And unlike fingerprint technology – the legacy biometric of law enforcement – the latest generation of biometric technology can be captured remotely and in secret. At the center of that drive is face recognition technology. Recently the FBI revealed that it had access to a network of 411 million photos, roughly a third of which are drawn from state driver's license photo databases. Meanwhile, private companies are not sitting on the sidelines. Instead, major brick-and-mortar retailers like Wal-Mart are deploying face recognition technology to identify shoplifters, "complainers," and "known litigious individuals" the moment they set foot inside a store. At the same time, enterprising app developers are bringing this ability to identify anyone with the touch of a button to the hands of private citizens. Despite the advanced deployment, the Supreme Court has yet to recognize a right to privacy in public – and only two of fifty states regulate commercial use of face recognition. If there was ever a time to pass legislation to regulate face recognition, it is now. This Week One simulation will teach students the nuts and bolts of privacy advocacy – with a focus *not* in the courtroom, but in Congress and in state legislatures around the country. Students will learn about how face recognition technology works and how it is being deployed by both law enforcement and commercial actors. Then, they will debate the evolving Fourth Amendment doctrine around tracking in public and develop amendments to existing state legislation to regulate commercial use. Once the students have established a familiarity with the law and the technology, the core challenge of the course will begin – students will draft legislation and legislative amendments and engage in a prolonged negotiation that mirrors the actual legislative process. In addition to teaching students the law and technology surrounding face recognition, students will learn legislative drafting, strategy, and presentation skills. They will also work collaboratively in teams to complete a time-consuming and complex challenge.

Note: FIRST-YEAR WEEK ONE COURSE: This course will meet on the following days: Monday, January 8, 2018, through Thursday, January 11, 2018. This course is mandatory pass/fail, and does NOT count against the 7-credit pass/fail limit for J.D. students.

This optional, elective course is for first-year J.D. students only, who are enrolled through a lottery process. ATTENDANCE AT ALL CLASS SESSIONS IS MANDATORY. All enrolled and waitlisted students must be in attendance at the start of the first class session in order to be eligible for a seat in the class and must attend each class session in its entirety. For more information see the Week One website (<http://www.law.georgetown.edu/go/weekone>). Due to the intensive nature of the course, the small-group, team, and individual work that is involved, and the preparation that is necessary to ensure a positive student experience, students who wish to drop the course after they have accepted a seat must drop by **Friday, December 1, at 3:00 p.m.** After that point, permission from the course professor and Assistant Dean for Experiential Learning is required.

LAW 1520 v00 Race to Risk Assessment (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201520%20v00>)

J.D. Seminar | 2-3 credit hours

This seminar will examine how the law historically and contemporaneously constructs race in America, focusing in particular on the way race has been used (and abused) in the criminal justice system in supposedly scientific methods for measuring risk. We will begin the seminar by examining the explicit constructions of race, including naturalization cases from the 19th and 20th centuries, as well as more notable cases, such as *Dred Scott* and *Plessy*, involving restrictions on the rights of enslaved and formerly enslaved Black Americans. We will then turn our attention to constructions of race in the wake of *Brown v. Board of Education*, particularly the rise of 'colorblind' interpretations of the Equal Protection Clause, which limit legal interventions and remedies to incidents of intentional racist acts, rather than facilitating remedies to address systemic manifestations of racial hierarchy.

In the second half of the seminar, we will turn our attention to the criminal justice system and how the colorblind doctrine has facilitated the use of crime as a proxy for race. Specifically, we will examine how risk assessments—predictions of a defendant's future dangerousness or risk to public safety—can participate in and obfuscate continued constructions of race under the law, and efforts at the local, state, and national levels to ensure these predictions do not replicate the biases we have come to associate with our system of criminal justice.

Learning Objectives:

Students will learn how the courts have traditionally been called upon to define race, how these constructions persist into the present, and how interpretations of the Constitution as 'colorblind' can obfuscate courts' continued role and involvement in these constructions. By turning our attention to the criminal justice system, students will be able to assess the nexus between the colorblind rhetoric of the courts and mass incarceration. Students will leave the seminar with substantive knowledge of: the federal Bail Reform Acts of 1966 and 1984, the responsibility of judges to "predict" whether people charged with crimes are a risk to public safety, and increasing concerns from the public regarding the role such predictions play in continued constructions of race.

Beyond the knowledge gained from exploration of the aforementioned laws and cases, students should depart the seminar with a healthy skepticism of the law as inherently neutral or unbiased. Further, through robust class discussion and satisfaction of the writing requirement, students will sharpen their analytical skills, as well as their ability to clearly and concisely articulate themselves in verbal and written formats.

LAW 940 v00 Securities Law and the Internet (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20940%20v00>)

LL.M Course (cross-listed) | 2 credit hours

The Internet has become more important than ever to today's investors. Similar to the change ATM machines brought to retail banking, the Internet has now given investors the ability to trade without human interaction. Over the last several decades this change has dramatically reduced transaction costs (commission and time), but securities regulators have not kept pace. Consequently, in the area of securities, investments, finance and commerce, the Internet can often seem akin to the Wild West, with the pioneers and entrepreneurs struggling within an uncharted territory of the securities laws. This course focuses on four important areas of concern for the securities lawyer: offerings conducted over the Internet and the impact of the 2012 JOBS Act; trading facilities and market centers operating over the Internet and the increasingly dark market; giving investment advice over the Internet and the importance of social media; and SEC Enforcement issues and the Internet. This course covers the nuts and bolts of the securities laws in each of the areas, and then applies existing statutes, rules and regulations to ongoing Internet activities.

Prerequisite: Securities Regulation.

Note: DISTANCE STUDENTS REGISTER FOR CRN#: 13878. This course is only open on a distance basis to students enrolled in the Executive LL.M. in Taxation, the Executive LL.M. in Securities & Financial Regulation, and the MSL programs. All J.D. students and resident LL.M. students may not enroll in this course on a distance basis.

LAW 417 v09 Sports Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20417%20v09>)

J.D. Course (cross-listed) | 3 credit hours

Sports law is hard. A sports lawyer knows something about torts, contracts, antitrust, labor law, intellectual property, and telecommunications/internet law. A sports lawyer's practice consists of litigation, transactional work, and regulatory work. A sports lawyer knows the law, legal strategy, and ethics. A sports lawyer is incredibly specialized in her knowledge and, yet, winning and losing comes down to good lawyering.

Sports lawyering is not what you saw in the movie *Jerry Maguire*. The agent-player relationship is just a tiny fraction of sports lawyering. This class seeks to broaden the concept of sports law to anything related to the business, law, and regulation of sport.

Be prepared to learn a lot of antitrust and labor law and a lot of doctrine. But also be prepared to look at many issues in the national news – from Tom Brady's suspension for deflating footballs to the NLRB's ruling that Northwestern football players cannot unionize – through the lens of the law. The issues are hot off the presses (or espn.com, deadspin.com, or si.com). The class will be a lot of fun. Where else do you get to talk about sports in class, argue cases and issues, and learn some black letter law while you are doing it?

This class will combine doctrinal concepts with how to be a real sports lawyer by arguing cases, either pending or already decided, in class. Each student will be assigned a five-minute oral argument to introduce a case. The class will serve as the judges. *These arguments are mandatory.*

Recommended: Antitrust Law (or Antitrust Economics and Law.)

LAW 1634 v00 Sports, Media and Intellectual Property Law Seminar
(<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201634%20v00>)

J.D. Seminar | 1 credit hour

This class will explore the interface of sports, media, and intellectual property (IP) from a comparative perspective. Sporting events attract significant public attention, broadcasting rights for the major leagues and tournaments are purchased for vast amounts, and famous athletes frequently commercialize their names and likenesses. The course will examine the central legal aspects of this interface between sports, media and intellectual property law. It will highlight the social attributes of sports and will critically explore their implications for various legal questions. The analysis will concentrate on the legal regime in the United States, with occasional comparisons to equivalent arrangements in Europe, Canada, and Israel.

Discussion will cover a range of cutting-edge topics, such as the nature of broadcasting rights to sporting events and the protection afforded to such rights under various intellectual property laws; media regulation of broadcasting exclusivity and access to sports broadcasts; access to sports highlights; athletes' "right of publicity" in the age of new media; the use of symbols of teams and tournaments; "big data" and sports data analytics, as well as additional technological developments and their implications for this field.

Note: This course will meet on Tuesdays and Thursdays, 10:00 a.m. - 12:00 p.m. in Spring 2019 on the following dates: 4/2, 4/4, 4/9, 4/11, 4/16, 4/18, and 4/23.

LAW 1630 v00 Strategic Responses to Data Breach: "We've Been Hacked!" (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201630%20v00>)

J.D. Course (cross-listed) | 2 credit hours

This hands-on course will explore the fast-paced, high-stakes field of data breach response. Data breaches wreak havoc at organizations of all shapes and sizes in both the public and private sectors. From hospitals and financial institutions to military installations and civilian government agencies, entities face sophisticated adversaries and a diverse range of threats. Few organizations are prepared to manage and respond to an incident. This lack of preparation and experience can turn an already high-pressure event into a full-scale crisis.

Legal experts who can provide clients with sound advice and pragmatic guidance are in high demand but there remains a dearth of lawyers with the relevant training and experience to navigate the barrage of issues that surface following an incident. This course examines the full range of challenges and questions that counsel may face, from legal compliance to risk mitigation and reputational damage.

The course will introduce the subject, focusing on the types of breaches organizations may experience and some basic technical issues. The overview is followed by a deep dive into the myriad legal issues that arise. Most notably, we'll explore how different governments regulate breach response activities and the challenging patchwork of requirements. Other issues include: mitigating the risk of liability and potential litigation; coordinating with law enforcement; working with human resources; and examining contractual and other obligations of third parties. The course then turns to a dizzying array of policy and strategic issues: public relations and communications; government affairs; managing the investigation; coordinating with technical teams; assessing risk to potentially impacted individuals; and effective breach notification. Real world scenarios and actual data breaches will be used and referenced throughout the course to illustrate different points. By the end of the course students should be able to enter the job market prepared to develop and execute a comprehensive data breach response strategy.

Learning Objectives:

- Understand the legal and regulatory framework that governs data breach response in the United States and other jurisdictions.
- Appreciate the importance of establishing and following clear policies for addressing a data breach.
- Be prepared to pivot back and forth between the legal and practical functions necessary to address a serious incident.
- Be able to manage a data breach response team composed of a range of stakeholders with potentially inconsistent priorities.
- Tailor response strategies to different types of data breaches from a lost laptop or an insider threat to the exfiltration of sensitive data by organized crime.
- Learn how to identify, assess, and mitigate the risk of harm to potentially impacted individuals as well as to the organization itself.
- Become comfortable with making high-stakes decisions in short time frames and with incomplete information.

LAW 1348 v00 Strategically Managing Intellectual Property (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201348%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

The class will address the need for companies and individual creators to strategically manage their intellectual property assets. Students will study approaches to managing patents, copyrights, trademarks and trade secrets through the spectrum of activities including creation and ownership of intellectual property; its acquisition, sale and license; due diligence and disclosure issues; protection and enforcement of rights; and litigation. The class will cover case law and real world business dynamics and provide students with insights into the role and responsibilities of in-house counsel and outside lawyers in this process. As part of the course, there will be an assignment of a corporate case study project to teams of at least two students. It will involve communication with legal representatives from the companies in the study project who have agreed to be available to the students.

Students will be evaluated based on class attendance and individual class participation; team participation and completion of team written and oral presentations related to the corporate case studies; and written assignments including a final individual paper to be submitted through the Registrar's Office.

Learning Objectives:

By the conclusion of the course, students will have the ability to apply intellectual property law effectively in business situations and also gain experience with some of the skills necessary in counseling business executives, inventors and others about their intellectual property assets.

Prerequisite: A basic course in Patent Law, Copyright Law or Trademark and Unfair Competition Law.

LAW 1496 v00 Tech Law Scholars Seminar I (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201496%20v00>)

J.D. Seminar | 0 credit hours

This year-long seminar is the mandatory introductory course for students in the Technology Law and Policy Scholars program. The seminar will introduce Tech Scholars to key institutions and organizations that shape technology law and policy, through visitor presentations and site visits to federal agencies, Congress, the Federal Circuit, and private sector and non-profit organizations. Student preparation for each session will include readings relevant to that week's class, and submission of a written question ahead of class that draws on the reading, current events, and/or topics explored over the semester.

Learning Objectives:

Exposure to key institutions and organizations that shape technology law and policy; ability to engage on contemporary topics with leaders and experts in the field.

Note: This course is open only to first year Technology Law and Policy Scholars.

Enrollment is by professor permission. This course is offered on a mandatory pass/fail basis. This course does not count toward the seven credit pass/fail limit.

LAW 1516 v00 Tech Law Scholars Seminar II (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201516%20v00>)

J.D. Seminar | 2 credit hours

This year-long seminar is the mandatory second-year course for students in the Technology Law and Policy Scholars program. The seminar takes a deep dive into current ethical, constitutional and policy issues relating to technology through bi-weekly sessions taught by members of Georgetown's technology law faculty.

Student preparation for each session will include readings relevant to that week's class, and submission of a written reflection paper ahead of class that draws on the reading, current events, and/or topics explored over the semester.

Learning Objectives:

Exposure to key issues and academic approaches in technology law and policy; ability to engage on contemporary topics with leaders and experts in the field.

Note: This course is open only to second year Technology Law and Policy Scholars.

Enrollment is by professor permission. This course is offered on a mandatory pass/fail basis. This course does not count toward the seven credit pass/fail limit.

LAW 1605 v00 Technology and the Free Press Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201605%20v00>)

J.D. Seminar | 3 credit hours

In the past two decades, technology has dramatically changed the American press. The Internet and mobile devices have revolutionized the creation and consumption of news. The economic structure supporting the press, and newspapers in particular, has crumbled. Readers are finding more of their news through platforms like Google, Facebook, and YouTube. Even though these companies have disavowed the “media” label, they play editorial roles—deciding what speech is allowed into the new public square and even shaping that speech.

These rapid changes lead to numerous legal questions: What is the “free press” in an era when journalists are pushed to amass clicks? Who is a journalist when access to publication technology has been democratized? Are reporter shield laws still relevant when technology allows the government to covertly spy on journalists? Does law have a role to play in combatting so-called “fake news”? Can and should the First Amendment (or other law) protect the press from being squeezed by technology platforms? More generally, what is law’s role in protecting journalists, the press, or the journalistic process? This course aims to encourage deep thinking, discussion, and writing about the answers to these questions.

Among the learning objectives for this course are: developing an understanding of how the law conceives of the press, journalists, and the audience for news; determining what legal questions arise as a result of how technology is impacting the press; creatively considering whether and how law can address these questions; improving legal research techniques as well as the ability to closely read and analyze both scholarly work and legal authorities; developing, organizing, and writing a seminar paper that is not merely descriptive but sets forth a thesis and defends it; and refining the ability to give and receive feedback as we workshop drafts.

Prerequisite: Constitutional Law II: Individual Rights and Liberties.

LAW 1395 v00 Technology Colloquium: Edge Technologies (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201395%20v00>)

J.D. Seminar (cross-listed) | 3 credit hours

Edge Technologies, the 2017 Tech Colloquium, will provide students with an opportunity to examine the impact of new and emerging technologies on existing doctrinal, statutory, and regulatory structures. The focus of the course will be on flexibility of mind and creativity in applying the existing regimes to new questions that are coming down the pike. Towards this end, the colloquium will invite twelve technologists and lawyers to come to Georgetown Law, to present on different new and innovative technologies and the related legal concerns. Potential topics include:

- Network Investigative Techniques (law enforcement use of hacking to access suspects’ computers)
- Automated Weapons Systems (a.k.a., “killer robots”)
- Drones 1: from LE to NSL (currently used by LE for surveillance purposes as well as to arrest individuals)
- Drones 2: Private power (currently used for commerce, hunting, delivering contraband & weapons, and stalking)
- 3-D printing
- Remote Identification Techniques (e.g., iris scanning, vascular patterns, hormone sniffing, and gait recognition)
- Synthetic Biology
- Network convergence
- Cloud computing
- Algorithmic data analysis
- Auto-driving cars
- Dark Web & Encryption

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1457 v00 Technology Law and Policy Colloquium: Information Platforms (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201457%20v00>)

J.D. Seminar | 3 credit hours

At this colloquium, outside speakers (typically faculty members or researchers from other institutions) will present their current works-in-progress. The focus of this year's colloquium will be the legal and policy issues surrounding information platforms. The research presented will explore current issues surrounding the governance and legal regulation of information platforms, including the information privacy concerns that accompany access to platforms; issues relating to fairness and competition in search and advertising; the viral spread of fake news, hate speech, and revenge porn; the scope of the legal immunity that platforms enjoy under section 230 of the Communications Decency Act; and the rise of the gig economy and related regulatory issues. Students are responsible for reading the speakers' papers, preparing short (2-3 page) weekly response memoranda that will be provided to the speakers in advance of the colloquium session, and attending each session prepared to ask at least one question. Students taking the seminar for WR credit additionally will write a 25-page research paper.

Learning goals for this course: Close reading and critical interrogation of scholarly analysis and policy proposals regarding cutting-edge legal topics; refinement of analytical and writing skills.

Note: This seminar requires a paper. J.D. students must register for the 3-credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

LAW 1625 v00 Technology Policy and the Practice of Law in the Digital Age (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201625%20v00>)

J.D. Seminar | 2 credit hours

Science fiction is becoming our reality. The 21st Century lawyer must navigate highly disruptive and innovative technologies – from driverless cars and artificial intelligence to drones, smart devices and blockchain encryption technology – with traditional, and sometimes outdated, legal tools. In this class, we will ask if our laws are malleable enough to keep up and whether and how they could be improved to both foster innovation and protect individual freedoms. We will also explore various means to implement these proposed changes within our legal system.

This legal seminar is an experiential class using cutting-edge technology issues to teach practical writing, legal, legislative and policy making skills that can be applied to any legal and policy matter (e.g., competition, national security, health, tax policy). Students can expect to leave with an understanding of key technology legal and policy issues and having acquired “skills of the trade” for legislative advocacy, including: persuasive advocacy for policy issues, formation of policy campaigns, legislative strategic planning, drafting of policy documents, and stakeholder politics. Specifically, students will develop practical legal and policy making skills, such as drafting talking points, creating a strategic legislative campaign, and learning the art of an elevator pitch, to help students pursue a wide-array of careers, from a law firm to the White House.

There is no prerequisite course required. Each class will incorporate pre-class preparations and an in-class skill building exercise.

Learning Objectives:

Goals:

- Receive substantive knowledge of legal issues related to Internet and Technology Law
- Develop skills for successful legislative advocacy and policy making with a focus on stakeholder perspectives and Internet policy issues
- Develop legislative strategy skills needed for planning and implementing legislative advocacy/policy campaigns
- Develop oral and written skills specific to policy making

Outcomes:

- Students will gain substantive knowledge of technology policy issues.
- Students will develop practical written advocacy skills through drafting advocacy papers, talking points and testimony to Congress.
- Students will develop practical written advocacy skills for drafting testimony from the perspective of a Congressperson or policy maker.
- Students will develop legislative strategy skills - such as how to coalition build, critically review a lobbying strategy plan, evaluate a media plan and other crucial aspects of policy campaign.
- Students will develop oral advocacy skills for delivering prepared testimony to Congress.
- Students will develop oral advocacy skills for delivering an elevator pitch.
- Students will develop oral advocacy skills for preparing and implementing an effective meeting for policy making.

LAW 1285 v00 The Internet and International Trade Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201285%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

In 1995, the World Trade Organization was created to “to develop an integrated, more viable and durable multilateral trading system.” It was a major step forward in formalizing the rules and procedures around the global trading system of the late 20th Century and globalization, which at the time was dominated by large multinational corporations moving large shipments of products across international borders. The policies in the General Agreement on Trade and Tariffs (GATT), the General Agreement on Trade in Services (GATS), and regional trade agreements that have followed were largely designed to further this traditional model of trade.

In 1995, the National Science Foundation divested its final piece of its computer science network (NSFNET) marking the official commercialization of the Internet, at the time the Internet had a user base of less than 20 million. The Internet was designed to facilitate communication between individual desktop users sitting on independent networks, and was largely used by academics at the time. The policies that shaped the modern Internet were the creation of national governments and a multi-stakeholder process involving engineers, businesses, non-profits, and government.

In 1995, there was not much thought given to the world of trade intersecting with the burgeoning Internet.

It is more than 20 years later, and the worlds of global trade and the Internet are rapidly overlapping. In 2011-2012, the US census bureau reported that 49.3% of manufacturing trade was conducted through electronic means; McKinsey found that the Internet accounted for 21% of GDP growth in mature economies; and, the Organization for Economic Cooperation and Development (OECD) reported that the only 5.7% of small firms in the EU25 were not accessing the Internet. There is a divergence of opinion, though on whether the Internet is revolutionizing the players, method, and function of international trade. Moreover, despite the increased importance of the Internet to doing business in the modern world, trade policymakers struggle to understand the individual policy issues of the Internet and Internet-enabled commerce.

This class will bring together the divergent worlds of Internet and trade policy. Students will analyze the macro questions around trade through the lens of the Internet revolution. Moreover, students will delve into a number of unique trade issues that are being created as a result of the global Internet. Students will also analyze national laws on the Internet and why they are difficult to globalize. The class will challenge students to understand the unique issues of the Internet, to think about classical trade and development issues in new ways, and to challenge the efficacy of global policy solutions to global Internet problems.

The class will be divided into three parts: Part 1 will provide background on the Internet and trade and will lay out the foundational questions that underlie the rest of the class; Part 2 will delve into a number of specific Internet policy issues through the lens of trade; and Part 3 will be forward looking and will ask students for solutions to difficult policy questions.

Recommended: Prior or concurrent enrollment in an international trade law course.

LAW 1517 v00 The New EU Privacy Law—The GDPR: Background, Development and Consequences (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201517%20v00>)

J.D. Seminar | 1 credit hour

The General Data Protection Regulation of the European Union went into force in May 2018. The GDPR is the most comprehensive privacy law ever enacted and it will have immediate impact on firms and consumers all around the world. This course provides an intensive introduction to the GDPR, drawing on the text of the Regulation, background materials, and related EU law developments. It explores the development of privacy law in the modern democratic state, assesses the strengths and weaknesses of the Regulation, and examines the challenges ahead for implementation and compliance. The General Data Protection Regulation of the European Union went into force in May 2018. The GDPR is the most comprehensive privacy law ever enacted and it will have immediate impact on firms and consumers all around the world. This course provides an intensive introduction to the GDPR, drawing on the text of the Regulation, background materials, and related EU law developments. It explores the development of privacy law in the modern democratic state, assesses the strengths and weaknesses of the Regulation, and examines the challenges ahead for implementation and compliance.

Learning Objectives:

The aim of this class is to provide:

- An in-depth understanding of the provisions of the General Data Protection Regulation
- A general understanding of the historical and political circumstances that gave rise to the adoption of the GDPR
- A general understanding of current developments related to the GDPR
- A focused understanding of key provisions in the GDPR and its significance for the development of modern privacy law, including collective actions, data protection impact assessments, algorithmic transparency, supervisory authorities, and the European Data Protection Board
- An introduction to related issues in transborder data flows, including cross-border access to information sought by law enforcement agencies
- A brief introduction to regulatory theory, the “ratcheting up of standards” and the “California/Brussels effect”
- Authoritative reference materials that will aid students as they undertake future work on the GDPR

Recommended: Information Privacy Law.

Note: Students may not withdraw from this class after the add/drop period ends without the permission of the professor.

LAW 1327 v00 The Technology of Privacy Seminar (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201327%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

Information Privacy is one of the most pressing and debated topics in law and policy today. Most of this debate has been spurred by the breakneck pace of changes to technology, and particularly of changes to Internet and mobile technology. Lawyers interested in practicing information privacy law or technology policy more broadly defined need to understand the past, present, and likely future of the technology of privacy, the topic of this course.

This is not a typical law school course. Students will be expected to engage the technology thoroughly, not at arm's length. Some of the class sessions will take place in a computer lab, with each student directly controlling cutting-edge technologies of privacy and privacy invasion, such as tools for encryption, wiretapping, onion routing, facial recognition, and more. Each student will develop a substantial project exploring the intersection of technology and privacy. There are no prerequisites for the course. Students of any technical ability and background are welcome to enroll, but students with some familiarity with computer and network technology will likely find the material easier to master.

Recommended: Students are strongly encouraged to have taken or be concurrently enrolled in Information Privacy Law (LAWJ-342).

LAW 433 v00 Trademark and Unfair Competition Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20433%20v00>)

J.D. Course (cross-listed) | 3 credit hours

This course will introduce students to the federal Lanham Act and related common law doctrines designed to protect against consumer confusion and appropriation of commercial goodwill. In addition to the technical requirements for trademark eligibility, registration, and infringement, we will consider the constitutional and economic underpinnings of trademark protection and evaluate current trends toward the "propertization" of trademark law. The course also will include material on the trademark treatment of Internet domain names, metatags, and links.

Learning Objectives for Professors Madhavi Sunder and Julie Cohen:

Critical mastery of the existing statutory, doctrinal, and policy landscapes; critical mastery of strategic considerations in trademark and brand licensing and litigation, in technology ventures that implicate trademarks, and in trademark and unfair competition policymaking.

Mutually Excluded Courses: Students may not receive credit for this course and the Trademarks and Brands Seminar.

LAW 1466 v00 Trademarks and Brands (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201466%20v00>)

J.D. Course (cross-listed) | 2 credit hours

This course studies basic issues in Trademark Law, including trademark subject matter, the acquisition and loss of trademark rights, infringement, dilution, and trademark defenses, including trademark fair use. The course is an introductory trademark class. Additionally, the course will have a particular emphasis on the role of trademarks in the age of brands, considering how trademark law is being challenged and stretched in response to the rise of brands. Where trademarks have long protected marks that signal the source of a good or service to consumers, increasingly today customers value logos in and of themselves. Starbucks is "everything but the coffee;" it is an experience, an identity, and a place to connect with others. Furthermore, branding is ubiquitous. Every charity, organization, and university seeks to brand itself, that is, to cultivate and trade off its distinct identity. Students will consider whether traditional trademark law is well-suited to protect today's brands.

Grades will be based on class participation and the final exam. Students will take a take-home final exam in March 2018, which will be graded.

No prerequisites.

Mutually Excluded Courses: Students may not receive credit for this course and Trademark and Unfair Competition Law.

Note: In Spring 2018 this course will meet 1/19-1/21 and 1/26-1/28. On Fridays the course will meet from 10:00 am - 2:00 pm and on Saturdays and Sundays it will meet from 10:00 am - 2:30 pm.

LAW 780 v01 U.S. and International Customs Law (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20780%20v01>)

LL.M Course (cross-listed) | 2 credit hours

As international trade and commerce have increased over the years, customs law has become increasingly more internationalized, important and complex. This course will examine and provide a basic introduction to the rules and principles relating to both U.S. and international customs law. This will include an examination of those rules and principles relating to tariff classification, customs valuation, rules of origin, border enforcement of intellectual property rights and regional trading arrangements. International efforts to facilitate trade and to harmonize and simplify customs laws and procedures will also be examined together with international organizations dealing with customs laws and procedures (such as the World Trade Organization and the World Customs Organization).

Customs authorities are the guardians of national borders. The role of customs authorities in combating terrorism and criminal activity and in securing and safeguarding national borders will also be examined.

No prerequisites.

Mutually Excluded Courses: Students may not receive credit for both this course and Customs Law.

LAW 1477 v00 Video Games in the 21st Century: Creativity and Innovation in Action (<http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201477%20v00>)

J.D. Seminar (cross-listed) | 2 credit hours

This course is devoted to current legal and policy issues specifically relevant to the video game industry, a business sector that generated over \$35 billion in revenue in the United States, and over \$100 billion worldwide, in the last year alone. In class, we will look at video games as both software and audiovisual works and examine how intellectual property, contracts, and the Internet help shape and drive their creation and distribution. Current issues in First Amendment jurisprudence, communications law, international trade, privacy, and the online marketplace will be discussed. A wide range of novel issues associated with new developments in media and technology, (i.e. esports, virtual reality, location-based gaming, and artificial intelligence) will be highlighted. This class will show how video games, which combine innovation with creativity, and are considered subjects of both commerce and art, continue to contribute to American life and culture.

Class participation is critical and counts as 25% of your grade.

Recommended: Courses that cover Communications Law, Entertainment Law, and Antitrust.

Strongly Recommended: Copyright Law and Constitutional Law II: Individual Rights and Liberties.

Note: Gamers wanted!

Full-Time Faculty

Julie E. Cohen
Michael Gottesman
Paul Ohm
Julia L. Ross
Howard Shelanski
Brad Snyder
John R. Thomas