



## **International Legal Studies Program LLM Specialization in Intellectual Property**

Dear Prospective LLM Student:

The Washington College of Law is proud to offer an ISLP LLM specialization in intellectual property in which students study a wide range of current topics in international and comparative law. This memorandum provides guidance for students choosing their course of study to complete the program. A total of 16 credits in courses or independent studies described in this guide are required to receive the specialization. Students may also petition for credit in a non-listed course, for example because the course covers international or comparative IP material or the student may complete a paper on an international or comparative topic for the course.

Our core IP course offerings cover patent, copyright and trademark law, and include a survey course open exclusively to LLM students. We teach a broad range of international and comparative intellectual property law classes, and students choose from a large number of advanced and related course offerings on topics such as internet law and regulation, space-based communications, international trade, and the intersection of intellectual property and healthcare. The international or comparative aspects covered in each class are described below. Students may also obtain credit toward the specialization by writing international or comparative focused papers in seminars or independent studies and by completing externship placements at international organizations.

### **Paper classes**

Many classes involve the completion of a research paper on the intellectual property subject of the student's choice. In any of these courses, students may obtain credit for the international and comparative IP specializing by focusing the paper topic on one of international or comparative IP law. In addition, in many courses that require a test for the final grade, students may substitute a paper on an international topic with the instructor's permission.

### **Independent studies**

Students may obtain credit for independent study papers on a topic of the student's choosing with approval of a sponsoring faculty member. Our IP faculty have broad experience in international IP topics: Peter Jaszi on international and comparative copyright, fair use and traditional cultural expressions; Christine Farley on international and comparative trademark law, visual arts and historical artifacts; Michael Carroll on international cyberlaw; Wendy Seltzer on electronic civil liberties; Joshua Sarnoff on international and comparative patent law and its relation to genetic resources; Victoria Phillips on mass media communications, and Sean Flynn on intellectual property and human rights and access to medicines.

## **Externships**

WCL students may obtain credit for work experience through its externship program. Externs are required to take a seminar in conjunction with work experience and receive a number of credits depending on the number of hours worked. Externships with organizations focusing on international or comparative IP law may be credited toward the IP specialization.

## **Core Classes in Intellectual Property**

- Patent Law and Regulation
- Trademark Law
- Copyright
- Intellectual Property Survey

It is recommended that all IP specialization students take at least one of the IP core courses. These classes are primarily focused on US law, the basic principles of which are common to other countries' IP systems. Each class also covers applicable provisions in international trade agreements and each has some discussion of comparative IP law and enforcement between nations. In addition, the U.S. market (and intellectual property protections associated with providing goods and services in that market) is increasingly important for foreign rights holders and applicants, and U.S. law is increasingly being used as a baseline for multilateral and bilateral trade agreements that are globalizing U.S.-style IP standards. Thus, a firm grasp of US law is often necessary for doing worldwide business and interpreting international agreements.

## **International and Comparative IP Classes**

- International and Comparative Copyright
- International and Comparative Patent Law
- International and Comparative Trademark Law
- International Contracts & the Transfer of IP Rights
- Intellectual Property & Human Rights
- International Telecommunications

WCL's international and comparative IP classes cover the treaties on copyright, patents, trademark, contracts and *sui generis* intellectual property protections covered under international law. These classes compare and contrast key aspects of IP laws in various national legal systems. Students study and produce papers on current controversies and trends towards or away from harmonization of differing legal structures. Both the relevant legal texts and the enforcement of laws and regulations are considered. PIJIP includes the International Telecommunications course in our course listings because it is a primary field for the regulation of the exchange of information, although it is not technically an IP course.

## **Advanced and Supplemental Courses with International and Comparative Material**

- Information Privacy

- Law and the Internet
- Intellectual Property in Cyberspace
- Intersection of Intellectual Property and Healthcare
- Advanced Issues in IP: Licensing and Legal Entrepreneurship
- IP Protection and Enforcement
- Media Law
- Intellectual Property Management
- Law and the Visual Arts
- Telecommunications Law & Regulation
- Food and Drug Law
- Space law and Satellite Communications

All of the above advanced and supplemental IP courses include coverage of international and comparative material. Students in these classes study current hot topics in intellectual property, such as the trade of counterfeit goods, telecommunications and media regulations, and access to medicines and other innovative products. The table below briefly describes the international material found in the curriculum of each of these classes:

<b>Class</b>	<b>Why it is relevant to international LLM</b>
Information Privacy	Studies IP as employed in the US and abroad to defend privacy claims. It considers international privacy laws and compare regimes of privacy and data protection with intellectual property.
Law and the Internet	Investigates the legal regulation of conduct through the internet, which involves study of public international law (jurisdiction to prescribe) to the extent that it applies and a comparative perspective essential to any company that seeks to do business over the Internet, particularly in the context of regulation of ISPs, where the US, EU, and China all have taken different approaches.
Intellectual Property in Cyberspace	Studies copyright and trademark law that applies to the internet. The trademark unit covers use of marks in domain names and by search engines and the study of ICANN as a sui generis global regulatory body. The copyright unit include specific comparison of the regulation of Internet service providers under the US Act and regulation of information society providers under the EC E-Commerce Directive.
Intersection of Intellectual Property and Healthcare	Survey of current issues in intellectual property and healthcare, including WTO rules on patents and the protection of clinical test data, intellectual property provisions of bilateral and regional free trade agreements, and overviews of specific trade disputes over use of generic pharmaceuticals.
Advanced Issues in IP: Licensing and Legal Entrepreneurship	This seminar permits and encourages students to write papers on topics investigating innovative licensing solutions to problems created by law. The reading will take an historical perspective and focus on moments such as the creation of collective rights organizations in Europe and the US and the rise of public licensing in software and creative works.
IP Protection and	This course examines customs laws, regulations, and international

Enforcement	standards to look at the intellectual property as protected assets of any venture.
Media Law	Includes the study of the difference between US and European approach to media regulation
Intellectual Property Management	International issues are addressed include international registration, confidentiality, employee education and other IP protection issues.
Law and the Visual Arts	Involves reading and discussion of the UNESCO treaties and of specific international cases involving litigation both in the US and abroad. Other international topics include the plundering of artifacts, counterfeit goods and the trade in stolen art. Students write seminar papers on the topic of their choice.
Telecommunications Law & Regulation	Explores how US regulators are adapting to the expansion of the telecommunications industry into the international arena through the internet and wireless technologies.
Food and Drug Law	Includes study of imports of food and drugs, as well as trade agreements that relate to the imports. The course also highlights the differences of various regulatory structures throughout the world.
Space Law and Satellite Communications	Provides an overview of international law applicable to satellite communications, includes treaty interpretation and licensing procedures for satellites and launch vehicles.

### **Other Important Intellectual Property and IP Industry-Related Classes**

- Patent Prosecution
- Antitrust, Innovation and Intellectual Property
- Advanced Copyright Law and Policy
- Computer Crime
- Entertainment Law
- Communications law

The above classes are also important for LLM students planning to represent foreign entities which participate in the US intellectual property arena. As future practitioners in high-technology and entertainment industries, LLM students will reacquire extensive knowledge of the US system and US rights acquisition and enforcement in particular contexts. Further, US laws often drive trade negotiations and international norms. Although the subject matter in the above courses is US-focused, each class examines general theories and subject matter that are generally applicable in any system. In addition, students may write papers focused on international law issues to meet the course work requirements.