

# ISOM2030 Business Protections for Innovation

## Course Syllabus and Outline (Spring 2023)

Class Details: Monday 03:00PM - 04:20PM /Friday 10:30AM - 11:50AM

Instructor: Prof. Ted CLARK, School of Business & Management, tclark@ust.hk, 9640-4400 (Mobile)

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Course Website: <http://canvas.ust.hk/>

### Objective and Learning Methodology

Intellectual property rights (IPR) has a great impact on innovation development and society. In Science, Engineering, and Business, we seek to create wealth through innovation in products, designs, manufacturing processes, and business systems or models. However, innovation leaders often FAIL to benefit from their discoveries and inventions when they are unable to adequately protect those innovations. This negative impact can have negative inertia on new innovations and the future development of entrepreneurship. In this course, we explore approaches that companies (and individual inventors also) can use to effectively protect and capitalize on their innovative ideas for creating value for society. We also examine ways that firms can get around barriers to innovation protection in order to quickly copy or reverse engineer new product or process innovations. Finally, students will be more aware of IP rights and their impact on society, citizens, and business.

This course combines a business case discussion approach with readings on the basic aspects of business innovation protection to illustrate strategic and legal issues and challenges in business related to protection of business innovations. Using case studies from business and law with fundamental software innovation and technology introduction, we examine protections for engineering products, biotechnology, semiconductor protection laws, computer hardware, microcode, software licenses, encryption, trademark, copyright, music downloading and entertainment laws, personal privacy, business process patents, and reverse engineering issues.

This course will help students in applying legal and strategic approaches to protecting and encouraging business innovation, as well as in understanding and communicating key social and ethical issues related to innovation protection. Professor Clark has degrees in Engineering (BS), Law (JD), Business (Harvard MBA) and IS Management (Harvard DBA), and has taught multiple MBA and MSc ISM courses in the past. Professor Clark also has extensive consulting experience with McKinsey & Company, involving sourcing, strategy, and operations.

### Grading Policy

The course grade consists of 5 components. The weight of each is shown below:

Assessment	Percentage	Details
Attendance	10%	Attend Friday class discussion; 1 pt per lecture(10pts max)
Participation	20%	Actively participate in Friday class discussions
Quizzes	30%	13 quizzes; drop 3 lowest scores, 3% per quiz
Comprehensive Quiz	20%	In-class quiz on <b>Monday, May 8</b>
Final Assignment	20%	Due <b>Tuesday, May 9</b>

Participation in discussions or asking questions is strongly encouraged.

Studying the assigned course reading materials will be an important part of the overall learning experience.

**Books Used** (Assigned reading excerpts posted online in CANVAS)

**[Nutshell]** Miller, A., & Davis, M. (2012). *Intellectual property: Patents, trademarks, and copyright in a nutshell* (5th ed.). St. Paul, MN: Thomson/West.

**[Intellectual Property]** Dreyfuss, R., & Kwall, R. (1996). *Intellectual property: Trademark, copyright, and patent law: Cases and materials*. Westbury, N.Y.: Foundation Press.

**[Software]** Lemley, M. (2000). *Software and Internet law*. Gaithersburg, Md.: Aspen Law & Business.

**Course Schedule**

WK	F2F Class	Lecture Videos / Optional F2F Class	Reading Assigned	Submissions Deadline
0	[Feb 3] Introduction	[Feb 6] Copyright 1	No readings assigned before the first class	[Feb 9] Quiz 1
1	[Feb 10] Introduction to Copyright	[Feb 13] Copyright 2	Nutshell pp. 303-313 (11 pages)	[Feb 16] Quiz 2
2	[Feb 17] Copyright Limitations	[Feb 20] Copyright 3	Nutshell pp. 375-397 (23 pages)	[Feb 23] Quiz 3
3	[Feb 24] Derivative Work & Parody	[Feb 27] Copyright 4	Software pp. 97-112 (15 pages)	[March 2] Quiz 4
4	[March 3] Protecting Software Innovations	[March 6] Trademark 1	Nutshell pp. 39-50 (12 pages) Nutshell pp. 71-82 (12 pages)	[March 9] Quiz 5
5	[March 10] Introduction to Trademark	[March 13] Trademark 2	Intellectual Property pp. 6-23 (18 pages)	[March 16] Quiz 6
6	[March 17] Trademark Global Issues & Challenges	[March 20] Trademark 3	Intellectual Property pp. 118-134 (17 pages)	[March 23] Quiz 7
7	[March 24] Trademark Infringement Cases	[March 27] Patent 1	Software pp. 149-153, 214-218 (10 pages) Software pp. 891-901 (11 pages)	[March 30] Quiz 8
8	[March 31] Introduction to Patents	[April 3] Patent 2	Nutshell pp. 10-20 (11 pages) Nutshell pp. 21-29 (9 pages)	[April 6] Quiz 9
9	[April 7] Mid-Term Break Holiday	[April 14] Patent 3(No F2F Class)	Nutshell pp. 105-119 (15 pages) Nutshell pp. 121-135 (15 pages)	[April 20] Quiz 10
10	[April 14] No F2F Class- Online Lecture Video →	[April 17] Patent 4	Nutshell pp. 105-119 (15 pages) Nutshell pp. 121-135 (15 pages)	[April 20] Quiz 11
11	[April 21] Process of Getting a Patent & Utility Patent Requirements	[April 24] Strategy 1	Nutshell pp. 452-460 (9 pages)	[April 27] Quiz 12
12	[April 28] Resource-Based Strategy	[May 2, Tuesday] Strategy 2	Software pp. 49-68 (19 pages)	[May 4] Quiz 13
13	[May 5] Move Fast or Get Passed			