

## SYLLABUS for COPYRIGHT



Prof. D. A. Hughes

Spring 2008  
Law School

Capital University

### Required Texts:

- (1) Cases on Copyright, Unfair Competition, and Related Topics, by Ralph Brown and Robert Denicola (9th ed. 2005). (=Text)
- (2) Also required is the 2007 Statutory Supplement (=Supp.)

### Course Requirements:

I expect that students will complete all assigned readings prior to class; I cannot emphasize too strongly the importance of reading before class. Students should be ready to participate in class discussion in a meaningful fashion. Those students who are not writing their upper-class papers in this course will have a three-hour, in-class exam, which is currently scheduled for Friday, April 25, 2008, at 1:30 p.m. I do not permit my students to use laptops on this exam. Those students writing their upper-class papers normally do so in lieu of the exam.

### Class Attendance and Participation:

Attendance is mandatory, both for those taking the final and for those completing the upper-class writing requirement. The instructor expressly reserves the right to augment or to reduce a student's written grade in order to reflect class attendance and participation. More than three unexcused absences may, at the instructor's discretion, be sufficient reason to lower a student's grade. Further, writing requirement students may be asked to sit for the examination, should their attendance or participation fall below acceptable limits.

I expect that you will pay close attention in class and will be quiet when you are not participating in the discussion. It is not permissible for students to answer cell-phones or pagers during class, absent a medical emergency. Nor is it permissible for students to carry on side-conversations in class. Please note that I expressly reserve the right to eject students from my classroom for improper conduct. Students who are asked to leave will be considered absent

without an excuse for the purposes of the attendance policy.

Upper-class Writing Requirement:

Up to five students may seek to write their "upper-class" papers in this course in lieu of the final examination. Any student who would like to write his or her upper-class paper must contact me for specific permission in this matter. (As of November 27, 2007, only Mr. Mancine has received permission to write in the Spring of 2008.) Please note that I reserve the right to deny those paper topics which seem to me for some reason to be problematic. Please also note that for those students doing their writing requirement, the timely completion of an outline, a first draft, and the final draft is prerequisite to any grade being assigned in the course for the paper.

For the writing requirement my expectation is that students will prepare a researched paper of between forty and fifty pages (exclusive of notes). Students will also be responsible, of course, for the material covered in the regular course of the class. When students are preparing their papers under my supervision, I require not only that each student choose a thesis (that I subsequently approve), then create a very detailed outline of the arguments to be addressed, next write a first draft in sufficient detail for me to be able to make comments and criticisms, and then at last produce a final version sufficient to satisfy the requirement--taking care to incorporate the comments and criticisms from the first draft, but I also require that students do so according to a fixed schedule. If a student does not meet each of these requirements in timely fashion as the semester progresses, no paper--no matter how superlative it might be on its own merits--will be sufficient to garner credit for the writing requirement from me. The outline is due in class on Feb.11th, the first draft in class on March 13th, and the final draft in my office by 5:00 p.m. on May 2nd. Please also review my specific links about the [writing requirement](#) and [footnotes](#).

Office:

My office is Room 456 in the library; my email address is [dhughes@law.capital.edu](mailto:dhughes@law.capital.edu); my webpage is <http://users.law.capital.edu/dhughes/law.htm>, and my office telephone number is 236-6476; I tend to use email primarily to communicate with students. Office hours are by appointment. The best way to set up an appointment is to email me.

READING SCHEDULE

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N.B. Always check for new matters in Appendix M of the Supplement  
for any corresponding pages in the main text!

Date	Assignment
M 1-7	Chap. 1, Secs. 1 & 2, Boundaries of copyright, Text 1-15; Statute of Anne, Supp. 283-87; First U.S. Copyright Act, Supp. 279-81.
R 1-10	Chap.1, Sec. 3, Text 15-35; 1976 Copyright Act, Chap. 1, § 101, Supp. 2-9.
M 1-14	Chap.1, Sec. 4, Text 35-48; 1976 Copyright Act, Chap. 1, § 102, Supp. 9.
R 1-17	Chap. 2, Sec. 1, Subject Matter, Text 49-70; 1976 Copyright Act, Chap. 1, § 103 & 105, Supp. 9-10; 18.
M 1-21	***** Martin Luther King Day. No Class Meeting.*****
R 1-24	Chap. 2 Sec. 1, Cont'd., Text 70-90; 1976 Copyright Act, Chap. 1, § 106, Supp. 18-20.
M 1-28	Chap. 2, Sec. 1, Cont'd., Text 90-107. 1976 Act, Chap. 1, § 106A, Supp. 11-18.
R 1-31	Chap. 2, Sec. 2, Limits on Subject Matter, Text 107-144. 1976 Act, Chap. 1, § 107, Supp. 21.
M 2-4	Chap. 2, Sec. 2, Cont'd., Text 144-182; 1976 Act, Chap. 1, § 108, Supp. 21-24.

R 2-7	Chap. 2, Sec. 2, Cont'd., Text 182-200. 1976 Act, Chap. 1, § 109, Supp. 24-27.
M 2-11	Chap. 3, Infringement, Sec. 1, Text 201-219. 1976 Act, Chap. 1, § 110, Supp. 27-33.
R 2-14	Chap. 3, Infringement, Sec. 2 & 3, Text 219-250. 1976 Act, Chap. 1, § 111, Supp. 33-42.
M 2-18	Chap. 3, Infringement, Sec. 4, Text 251-272. 1976 Act, Chap. 1, § 112, Supp. 42-47.
R 2-21	Chap. 3, Infringement, Secs. 5 & 6, Text 272-300. 1976 Act, Chap. 1, § 113, Supp. 47-48.
M 2-25	Chap. 3, Infringement, Secs. 6 & 7, Text 300-317. 1976 Act, Chap. 1, § 114, Supp. 48-66.
R 2-28	Chap. 3, Infringement, Sec. 8, Text 317-335. 1976 Act, Chap. 1, § 115, Supp. 67-72.
M 3-3	Chap. 3, Infringement, Sec. 9, Text 335-359. 1976 Act, Chap. 1, § 116, Supp. 72-74.
R 3-6	Chap. 4, Sec. 1, Fair Use, Text 360-388; 1976 Act, Chap. 1, § 117, Supp. 74.
M 3-10	Chap. 4, Sec. 1, Fair Use, Text 388-420. 1976 Act, Chap. 1, § 118, Supp. 75-77.
R 3-13	Chap. 4, Sec. 1, Fair Use, Text 420-451. 1976 Act, Chap. 1, § 119, Supp. 77-98.
M 3-17	***** Spring Break. No Class Meeting. *****
R 3-20	***** Spring Break. No Class Meeting. *****
	*****Not Spring Break But Still No Class

M 3-24	not Spring break, but still NO class Meeting*****
R 3-27	Chap. 4, Secs. 2 & 3, Text 452-477. 1976 Act, Chap. 1, § 120, Supp. 98.
M 3-31	Chap. 4, Sec. 3, Text 477-493. 1976 Act, Chap. 1, § 121, Supp. 98-100.
R 4-3	Chap. 4, Sec. 3, Text 494-514. 1976 Act, Chap. 1, § 122, Supp. 100-04.
M 4-7	Chap. 5, Calculus of Rights, Sec. 1, Text 515-542. 1976 Act, Chap. 2, §§ 201-205, Supp. 104-09.
R 4-10	Chap. 5, Secs. 2-4, Text 542-574; 1976 Act, Chap. 3, §§ 301-305, Supp. 109-17.
M 4-14	Chap. 5, Secs. 5-6, Text 574-602; 1976 Act, Chap. 4, §§ 401-412, Supp. 117-28.
R 4-17	Chap. 6, Jurisdic. & Remed., Secs. 1-3, Text 603-624; 1976 Act, Chap. 5, §§ 501-513, Supp. 128-47.
M 4-21	Chap 11, Int'l Matters, Secs. 1-4, Text 864-882; 1976 Act, Chap. 12, §§ 1201-1205, Supp. 206-21.

