First Professional Programs
Informational Items
November 2014

School of Law
Change in Courses

LAW 7113. Administrative Law.

Credit hours
  From: (3-0). Credit 3.
  To: Credit 2 to 3.


Credit hours
  From: (2-0). Credit 2.
  To: Credit 2 to 3.


Credit hours
  From: (2-0). Credit 2.
  To: Credit 2 to 3.
INFORMATIONAL ITEM

SCHOOL OF LAW
CHANGE IN COURSES
Texas A&M University
Departmental Request for a Change in Course
Undergraduate • Graduate • Professional
• Submit original form and attachments •

Form Instructions:
1. Course request type:
   - [ ] Undergraduate
   - [ ] Graduate
   - [X] Professional (M.S., M.D., Ph.D., or LMFT)
2. Request submitted by (Department or Program Name):
   - School of Law
3. Course prefix, number and complete title of course:
   - LAW 213 Administrative Law

4. Change requested:
   a. Prerequisite(s):
      - From: ____________________________
      - To: ____________________________
   b. Withdrawal (reason):
   c. Cross-list with:

   Cross-listed courses require the signatures of both department heads.

   d. Change in course title and description:
      - Enter complete current course title and current course description in item 10.
      - Enter proposed course title and proposed course description in item 9.
      - If item 9 is completed, list all changes in item 10. Attach a course syllabus.

5. Is this an existing core curriculum course?
   - [ ] Yes
   - [ ] No

6. If grade type is changing for existing course, indicate the new grade type:
   - [ ] Grade
   - [ ] Credit
   - [ ] Pass/Fail

7. If this course will be stacked, please indicate the course number of the stacked course:
   - [ ] Yes
   - [ ] No

8. I verify that I have reviewed the FAQ for Export Control Basics for Distance Education
   (http://www.tamu.edu/resources/export-controls/export-control-basics-for-distance-education).

9. Complete current course title and current catalog course description:
   - Administrative Law

10. Complete proposed course title and proposed catalog course description (not to exceed 50 words):
   - Administrative Law

11. a. As currently in course inventory:
    - LAW 213 Admin Law
    - Course Title: Administrative Law

    | Lecture | Lab | Other | SCH | CIP and Fund Code | Admin Unit | GEC Code | Level |
    |---------|-----|-------|-----|------------------|------------|---------|-------|
    | 3.00    |     |       | 3.00| 2201010008       | 1710       | 0 0 3 6 3 2 7 |

    b. Change to:
    - LAW 213 Admin Law
    - Course Title: Administrative Law

    | Lecture | Lab | Other | SCH | CIP and Fund Code | Admin Unit | Acad Year | GEC Code |
    |---------|-----|-------|-----|------------------|------------|-----------|----------|
    | 2.00    |     |       | 3.00| 2201010008       | 1710       | 14 15 0 3 6 3 2 |

   Approval recommended by:
   - [Signature]

   Department Head or Program Chair (Type Name & Sign)

   Date:

   Chair, College Review Committee
   Date:

   Dean of College
   Date:

   Submitted to Coordinating Board by:
   - Chair, GC or UCC
   - Date:

   Effective Date:

   Questions regarding this form should be directed to Sandra Williams at 845-8201 or sandra.williams@tamu.edu.
   Curricular Services - 08/14
Administrative Law Course 7113-601
Spring 20xx

Professor:
Huyen Pham
Room 122
Office phone: 817-212-3953
E-mail: bpham@law.tamu.edu
Office hours: M: 12-2:30 PM
Tuesday: 10 AM-12 PM and by appointment

Course Description: A study of the legal principles and procedures to which an unelected bureaucracy must conform to achieve legitimacy. The course reviews the problems inherent in a relatively disunited body of law derived from disparate sources, but concentrates on the Constitution and other federal law as the primary sources of organizing principles for administrative law and procedure. Topics addressed may include the constitutional underpinnings of the federal bureaucracy, judicial review of agency fact finding and legal interpretation, extra-statutory administrative common law, the grounds for dividing administrative actions into adjudication and rule making, the essential components of due process in agency adjudication, and the availability of judicial review of agency action. Prerequisite: One year of law school in the full-time or part-time program.

Course Goals:
Administrative law is a fascinating and complex area of law. Because so many important decisions are made by agencies, it is essential to know what agencies are and how they operate. In this course, we consider the sources of agency authority, the statutory and constitutional constraints on that authority, and the role of the judiciary in reviewing agency decisions. We focus on federal administrative law but discuss principles applicable to state administrative agencies as well.

Required Text:

Course Web Site:
This course will make use of TWEN through Westlaw. The syllabus, reading assignments, and other class materials will be posted to the site. Also, I will occasionally send e-mail messages to the e-mail account that you designate when you register with TWEN. It is your responsibility to check this account regularly (i.e., daily) and to make sure that the account remains functional.

Technology Use:
After consideration and consultation, I am banning the use of laptops in class. Additionally, you are not permitted to use any other device in class to access the Internet or any other network for web browsing, communication, or any other purpose without prior authorization from me.
Course Grade:

Your grade will be based on a final examination, as modified by your attendance and participation (see below). The final exam will be a limited open book exam for which you may consult your notes (including powerpoint slides used during lectures) and the textbook.

Attendance and Participation:

Active and engaged participation is expected. Participation includes daily attendance and involvement in classroom discussion. At my discretion, your examination grade may be adjusted to reflect the quality of your contributions to the class.

You are required to attend all classes. The Law School has a mandatory attendance policy. Pursuant to that policy, any student who misses more than 25% of classes will be withdrawn from the class. Tardy arrivals or early departures may be considered absences.

Occasionally, I may need to schedule a make-up class during one of the official make-up times. I will announce the make-up class at least one week in advance. Attendance will be taken at make-up classes.

Aggie Code of Honor:

"An Aggie does not lie, cheat or steal, or tolerate those who do." For more information, please read the Law School's Honor Council Rules and Procedures: 
http://law.tamu.edu/Portals/0/docs/cnoriega/TAMU%20Law%20School%20Honor%20System%20%285%22%29.pdf

Law School Disability Policy:

Texas A&M School of Law adheres to a disability policy that is in keeping with relevant federal law. The law school will provide reasonable accommodations as determined by the Assistant Dean of Student Affairs, Rosalind Jeffers, in consultation with the University's disability services. Students must notify Dean Jeffers of any permanent or temporary disabilities and must provide documentation regarding those disabilities prior to the granting of an accommodation. Due to the law school's policy of testing anonymity, students should not discuss their disabilities with professors. For assistance, students should consult with Dean Jeffers.
Syllabus:

Week 1: Introduction to Constitutional Issues

Jan. 13 (lecture 1): Introduction
Agencies: Their Origins, Forms, and Functions
pp. 1-34
Be prepared to discuss a recent instance when a government agency (federal or state) has made the news. Also, be prepared to discuss how a government agency has recently affected your life.

Jan. 15 (lecture 2): Introduction (cont’d)

Week 2: The Constitution and the Administrative State

Jan. 22 (lecture 3): Theories of Agency Behavior
pp. 34-40
The Constitution and the Administrative State (begin)
Concepts of Separated Powers
pp. 41-48

Week 3: The Constitution and the Administrative State

Jan. 27 (lecture 4): Concepts of Separated Powers
pp. 48-59
Agencies and Article I
pp. 59-61, 69-85, 107-114

Jan. 29 (lecture 5): Agencies and Article I (cont’d)
pp. 114-115 (stop at INS v. Chadra), 124 (bottom)-131
Agencies and Article II
pp. 140-152, 159-178

Week 4: The Constitution and the Administrative State (cont’d) & Statutory Constraints on Agency Procedure

Feb. 3 (lecture 6): The Constitution and the Administrative State
Agencies and Article II
pp. 178-215 (removal)
Feb. 5 (lecture 7): Finish removal
Agencies and the Separation of Powers
pp. 243-255

Week 5: Statutory Constraints on Agency Procedure

Feb. 10 (lecture 8): Introduction: The APA
pp. 256-263

Feb. 12 (lecture 9): Formal Rulemaking
pp. 263-288

Week 6: Statutory Constraints on Agency Procedure

Feb. 17 (lecture 10): Formal Adjudication
pp. 288-306

Feb. 19 (lecture 11): Informal Rulemaking
pp. 306-332

Week 7: Statutory Constraints on Agency Procedure

Feb. 24 (lecture 12): Informal Rulemaking
pp. 332-365

Feb. 26 (lecture 13): Informal Rulemaking
pp. 365-390, 403-405

Week 8: Statutory Constraints on Agency Procedure

March 3 (lecture 14): Informal Adjudication
pp. 413-426

March 5 (lecture 15): Choice between Rulemaking and Adjudication
pp. 426-456

Week 9: Scope of Review of Agency Action

March 17 (lecture 16): Choice between Rulemaking and Adjudication (finish)
Scope of Review of Agency Action: Introduction
pp. 457-464
Review of Findings of Fact in Formal Proceedings
pp. 464-475
March 19 (lecture 17): Review of Findings of Fact in Informal Proceedings
pp. 492-501

Week 10: Scope of Review of Agency Action

March 24 (lecture 18): Review of Agency Legal Conclusions
pp. 527-541, 551-569

March 26 (lecture 19): Review of Agency Legal Conclusions
pp. 569-592
Week 11: Judicial Review of Agency Legal Conclusions

March 31 (lecture 20): Review of Agency Legal Conclusions
pp. 592-610, 628-640

April 2 (lecture 21): Review of Agency Legal Conclusions
pp. 665-685
Review of Agency Discretion and Policymaking
pp. 697-706

Week 12: Judicial Review of Agency Policymaking and Due Process Constraints

April 7 (lecture 22): Applying the Hard Look Doctrine
pp. 706-727
The Convergence of Substantive Review and Procedural Adequacy
pp. 752-763

April 9 (lecture 23): Constitutional Constraints on Agency Procedure
Overview
pp. 802-806
“Life, Liberty, or Property”
pp. 833-842, 846-854, 859-871

Week 13: Due Process Constraints on Agencies

April 14 (lecture 24): Review “Life, Liberty, or Property” reading
“Due Process of Law”
pp. 895-923

April 16 (lecture 25): Overview & Standing
pp. 936-942, 945-954 (background)
pp. 989-991, 1016-1029

Week 14: Timing & Availability of Judicial Review

April 21 (lecture 26): Standing (cont’d)
pp. 1030-1042
Exhaustion
pp. 1053-1069

April 23 (lecture 27): Finality and Ripeness
pp. 1069-1098
Week 15: Review

April 28 (lecture 28): Review
Texas A&M University
Departmental Request for a Change in Course
Undergraduate • Graduate • Professional
- Submit original form and attachments -

Form Instructions
1. Course request type:
   - Undergraduate □
   - Graduate □
   - First Professional ( DDS, MD, JD, PharmD, DVM)

2. Request submitted by (Department or Program Name): School of Law

3. Course prefix, number and complete title of course: LAW-7351 International Intellectual Property

4. Change requested
   a. Prerequisite(s): From: ____________________________ To: ____________________________
   b. Withdrawal (reason): ____________________________
   c. Cross-list with: ____________________________

   Cross-listed courses require the signature of both department heads.

   d. Change in course title and description: Enter complete current course title and current course description in item 9; enter proposed course title and proposed course description in item 10. Complete item 11a and b for a change in title.

   e. Change in course number, contact hours (lab & lecture), and semester credit hours. Complete item 11a and b. Attach a course syllabus.

5. Is this an existing core curriculum course?
   - Yes □
   - No □

6. If grade type is changing for existing course, indicate the new grade type:
   - Grade □
   - S/U □
   - P/F (CLM) □

7. If this course will be stacked, please indicate the course number of the stacked course:
   □ I verify that I have reviewed the FAQ for Export Controls Basics for Distance Education at http://www.tamu.edu/centers/export-controls/export-controls-basics-for-distance-education.

8. Complete current course title and current catalog course description:

9. Complete proposed course title and proposed catalog course description (not to exceed 50 words):
   International Intellectual Property. Credit 2 to 3.

10. As currently in course inventory:

    Prefix □ Course # □ Title (excluding punctuation)

    LAW 7204 7351 Internat’l Intellectual Property

    Lect. Lab Other SCH CIP and Fund Code Admin Unit FICE Code Level

    2.00 2.00 2201010008 1710 0 0 3 6 3 2 7

    b. Change to:

    Prefix □ Course # □ Title (excluding punctuation)

    LAW 7306 7351 Internat’l Intellectual Property

    Lect. Lab Other SCH CIP and Fund Code Admin Unit Acad. Year FICE Code Level

    3.00 3.00 2201010008 1710 0 0 3 6 3 2

    Approval recommended by:

    Maxine M. Harrington □ Neil Newman □ Andrew P. Moritas □

    Department Head or Program Chair (Type Name & Sign) Date

    Chair, College Review Committee Date

    Dean of College Date

    Department Head or Program Chair (Type Name & Sign) (If cross-listed course)

    Submitted to Coordinating Board by:

    Chair, GC or UCC Date

    Effective Date

Questions regarding this form should be directed to Sandra Williams at 845-8201 or sandra_williams@tamu.edu.
Curricular Services – 08/14
International Intellectual Property
Course Information and Syllabus
Spring 20xx

Prof. H. Brian Holland

Office: Room 125
Office Phone: (817) 212-3923
Email: hbholland@law.tamu.edu

COURSE DESCRIPTION

This course provides a basic foundation for thinking about intellectual property problems that arise in an international context. The course will focus primarily on the major treaties and other international agreements providing protection for patents, trademarks, copyrights, and other forms of intellectual property, with a focus on World Trade Organization (WTO) TRIPS Agreements, US free trade agreements, and World Intellectual Property Organization (WIPO) treaties. Prerequisites: (1) One year of law school in the full-time or part-time program; (2) Intellectual Property, Copyrights, Patent Law, Trademark and Unfair Competition Law, or similar course with permission of the instructor.

COURSE MATERIALS

- Additional required materials will be posted to the course website.

COURSE REQUIREMENTS

Course Website: We have a course web site on LexisNexis Web Course, available at www.lexisnexis.com/lawschool. You are required to register for the site and check it regularly. During the course of the semester, I will post course materials on our LexisNexis Web Course site, so it is important that you register as soon as possible. Periodically, I will send emails to the class through LexisNexis Web Course. Therefore when you register, use an email address that you will check frequently. I encourage students to use our LexisNexis Web Course site to complement our readings and in-class discussions. Feel free to post links to news stories or articles or your own comments or discussions relevant to the material we are covering this session. If you have questions about LexisNexis Web Course, you should contact the law school’s LexisNexis representative.

Class Preparation: Class preparation is required. If you do not regularly prepare for class meetings, you will have difficulty mastering the material. Adequate preparation includes, but is not limited to, a careful briefing and analysis of the cases, statutes, problems and other assigned materials.

Attendance: The law school attendance policy will be enforced. ABA Standards require regular class attendance. A student who exceeds the maximum number of absences will be administratively withdrawn from the course. You are deemed absent if you are not in the classroom when class is scheduled to begin or if you leave the classroom before class is dismissed. Failure to be adequately prepared may also result in a designated absence. You are responsible for signing the attendance roster during class and for keeping track of your absences. Please refer to the law school’s Academic Standards for pertinent information regarding the law school’s attendance policy.

Participation: Participation in class dialogues and discussion is required. Special attention will be given to the casebook problems presented in that week’s reading. You should expect to be called on at random during class. Your final grade may be adjusted to reflect the quality of your participation and your preparation. Failure to be prepared when called upon or disruptive classroom behavior may result in a penalty such as dismissal of the student from the class meeting and/or a deduction of one grade increment from the student’s final grade for each such occurrence.
Grading

Your grade in this course will be based on a final exam. Your grade may be adjusted up or down, at the sole discretion of the professor, based on the quality of your class preparation and participation.

Use of Electronic Devices

As a courtesy to your classmates and me, please make sure your cell phone, pager or similar electronic device is turned off at the beginning of class. If you are expecting an emergency call, please use the vibrate or text message feature on your cell phone and leave class before answering any call. In addition, please be certain that your computer is silent. During class meetings, your use of any electronic devices must be solely for purposes directly related to the class. Your use of electronic devices for any other purpose is prohibited. Examples of prohibited uses of electronic devices include surfing the internet, updating your Facebook page, playing games of any kind, and reading or sending electronic messages.

Law School Disability Policy

Texas A&M University School of Law adheres to a disability policy that is in keeping with relevant federal law. The law school will provide appropriate accommodation as determined by the Assistant Dean of Student Affairs, Rosalind Jeffers. Students must notify Dean Jeffers of any permanent or temporary disabilities and must provide documentation regarding those disabilities prior to the granting of an accommodation. Due to the law school's policy of testing anonymity, students should not discuss their disabilities with professors. For assistance, students should consult with Dean Jeffers.

Law School Honor System

All students are bound by the Law School Honor System. Details are available here.

ASSIGNMENTS

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Texas A&M University
Departmental Request for a Change in Course
Undergraduate • Graduate • Professional
- Submit original form and attachments -

Form Instructions
1. Course request type:
   - Undergraduate
   - Graduate
   - First Professional (DDS, MD, JD, PharmD, DVM)
   - School of Law

2. Request submitted by (Department or Program Name):
   [Blank]

3. Course prefix, number and complete title of course:
   LAW-7452 Patent Law

4. Change requested
   - Prerequisite(s): From: [Blank] To: [Blank]
   - Withdrawal (reason): [Blank]
   - Cross-list with: [Blank]
   - Crow-listed courses require the signatures of both department heads.
   - Change in course title and description. Enter complete current course title and current course description in item 9, enter proposed course title and proposed course description in item 10. Complete item 11a and b for a change in title.
   - Change in course number, contact hours (lab & lecture), and semester credit hours. Complete item 11a and b. Attach a course syllabus.

5. Is this an existing core curriculum course?
   - Yes
   - No

6. If grade type is changing for existing course, indicate the new grade type:
   - Grade
   - S/U
   - P/F (CLAS)

7. If this course will be stacked, please indicate the course number of the stacked course:
   [Blank]

8. I verify that I have reviewed the FAQ for Export Control Basics for Distance Education (http://prc.tamu.edu/resources/export-controls/export-control-basics-for-distance-education/)

9. Complete current course title and current catalog course description:
   Patent Law. Credit 2 to 3.

10. Complete proposed course title and proposed catalog course description (not to exceed 50 words):
    Patent Law. Credit 2 to 3.

11. a. As currently in course inventory:
    Prefix: LAW  
    Course #: Z452  
    Title (excluding punctuation): Patent Law
    Lect.  Lab  Other  SCH  CIP and Fund Code  Admin. Unit  HCL Code  Level
    2.00  2.00  2201010008  1710  0  3  6  3  2  7
    b. Change to:
    Prefix: LAW  
    Course #: Z452  
    Title (excluding punctuation): Patent Law
    Lect.  Lab  Other  SCH  CIP and Fund Code  Admin. Unit  Acc. Year  HCL Code  Level
    3.00  3.00  2201010008  1710  3  6  3  2

Approval recommended by:
Maxine M. Harrington
Department Head or Program Chair (Type Name & Sign) Date

Dean of College
Date

Submitted to Coordinating Board by:
Chair, GC or UCC Date

Associate Director, Curricular Services Date

Effective Date

Questions regarding this form should be directed to Sandra Williams at 845-8201 or sandra.williams@tamu.edu.
Curricular Services – 08/14
PATENT LAW
SYLLABUS
Texas A&M Law School
Spring 20xx

Course No. LAW-7452  Prerequisite: One year in law school in the full-time or part-time program.

Course Description: The study of how proprietary interests in technology are protected by patent law, with a focus on issues relating to validity, the nature of the subject matter protected, and enforcement of proprietary rights. Prerequisite: One year of law school in the full-time or part-time program.

Welcome to Patent Law! In this course, we will explore the fundamentals of Patent Law. The course will meet over four Saturdays for six hours each day. The meeting dates will be January 25, February 8, March 1, and April 12. The class will meet from 9 am to 4 pm with a one hour for lunch. If there are any questions, I can be reached at ghosh7@wisc.edu. I can arrange for meetings at the law school based on the schedule of individual students.

The grade will be based exclusively on a take-home exam that I will distribute on April 12 and will be due the last day of final exams. Readings will be taken from Ghosh et al., Intellectual Property (2nd Edition Thomson West 2011) (referred to as below as “Book”). I will also hand out some additional cases as described below.

You are required to attend all class meetings. Attendance is required in accordance with the policy of the TAMU School of Law. Your signature on the attendance roster verifies that you were present during the entire class session. I reserve the right to mark you absent if you arrive significantly late for class or if you leave early from class.

The goal of this course is to teach you the basics of patent law doctrine in preparation for more advanced patent law offerings. No intellectual property course serves as a prerequisite for this course. The only requirements are that you have a basic understanding of how to read cases and statutes and how to engage in legal analysis. These legal skills are critical for your development as a professional, whether in the field of patent law or in other areas of concentration.

The Honor Code of the University applies to all activities in this course. An Aggie does not lie, cheat, or steal, or tolerate those who do. I will expect that you meet a standard of professionalism in addition to the Aggie Honor Code. What does it mean to be a professional? According to Professor Roscoe Pound, the term refers to a group . . . pursuing a learned art as a common calling in the spirit of public service — no less a public service because it may incidentally be a means of livelihood. Pursuit of the learned art in the spirit of public service is the primary purpose.

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   Read Book, page 258-302.
   Read Mayo (handout), Myriad (handout), Ariosa (handout).
February 8: Novelty & Nonobviousness
   Read Book, pages 302 to 365.
March 1: Claims—Enablement and Patent Infringement
   Read Book, pages 365-442.
April 12: Infringement, Remedies and Special Topics
   Read Book, pages 442-503.