FLORIDA ATLANTIC

COURSE CHANGE REQUEST Undergraduate Programs

Department Accounting

UUPC Approval 10/9/2023
UFS Approval
SCNS Submittal
Confirmed
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Catalog

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			conservatively estimated to compose 42% of the GDP of the U.S. Economy? It is therefore essential that business			
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				pre/corequisites, specify AND passing grade (default is D-).		
Effective Term/Year Spring 2024			Terminate course? Effective Term/Year			
for Changes: Faculty Contact/		". Or	for Termination:			
	Email/Phone _{Julia} L. Higgs	s; jniggs@fau	.edu; February 28, 2022	_		
Approved by	DBa .			Date		
Department Chair				8/30/23		
College Curriculum Chair Chile Nigo			4-21-23			
College Dean My MM			9.21-23			
UUPC Chair Korey Sorge				10/9/2023		
Undergraduate Studies Dean Dan Meeroff				10/9/2023		
UFS President						
Provest						

Email this form and syllabus to mjenning@fau.edu seven business days before the UUPC meeting.



BUL 4514 ARFLIN INTELLECTUAL PROPERTY LAW

Fully Online | Spring 2024 | 3 Credit Hours
Professor Cheryl Arflin
Office Hours available thru WebEx by Appointment
Students may contact Professor by phone at (561)685-3139 or by email at ckimbrel@fau.edu

Welcome to BUL 4514!

Abraham Lincoln, President of the U.S. said of our patent system, "... Secured to the inventor for a limited time the exclusive use of his inventions, and thereby added the fuel of interest to the fire of genius in the discovery and production of new and useful things."

Welcome to Intellectual Property where we will equip ourselves to recognize and use trademarks, patents, copyrights, and trade secrets. Intellectual Property currently represents a significant part of the GDP of the U.S. Companies who choose to ignore intellectual property opportunities will never reach their full potential. So, we will explore the public policy rationales for creating the system of intellectual property rights as well as the methodologies for extracting value from intellectual property.

Feel free to contact me by phone or email if you have questions, my email address and phone number are on the syllabus. I look forward to working with you this semester.

I am looking forward to meeting you All!

Prof. Arflin

Instructor: Cheryl K. Arflin, J.D. **Office Location:** Online thru WebEx

Office Hours: Please contact me via FAU email or via Canvas to set up an appointment. I am

available for virtual meetings via Cisco Webex.

Phone Number: 561.685.3139 Email: ckimbrel@fau.edu

FAU Faculty Profile: Prof. Cheryl Arflin

COURSE DESCRIPTION

Intellectual Property Law (BUL 4514)

Do you know that Intellectual Property has been conservatively estimated to compose 42% of the GDP of the U.S. Economy? It is therefore essential that business leaders of today understand what these property rights are, as well as how to manage and commercialize them. This course explores the components of copyrights, patents, trademarks, and trade secrets. It describes how and why they are of significant value to business. The course will also examine how these rights are impacted by international treaties.

COURSE PREREQUISITES

There are no official course requirements, but an understanding of the American jurisprudential system and constitutional structure is needed. Also, the ability to use critical thinking skills will be a component of this course. Finally, students must have the ability to use Canvas and its tools.

COVID-19 Statement

Due to the status fo the COVID-19 pandemic in our service areas, wearing a mask indoors is currently a personal preference but please be thoughtful of the concerns of those around you. Students experiencing flu-like symptoms (fever, cough, shortness of breath), or students who have come in contact with confirmed positive cases of COVID-19, should immediately contact FAU Student Health Serices (561-297-3512). Symptomatic students will be asked to leave the classroom to support the safety and protection of the university community. For additional information visit https://www.fau.edu/coronovirus/.

In classes with face-to-face components, quarantined students should notify the instructor immediately as you will not be able to attend. The instructor will not be able to offer an online version of the class but will make reasonable efforts to assist students in making up the work.

COURSE OBJECTIVES

Upon successful completion of this course, students will be able evaluate and analyze the Intellectual Property system in terms of economics, fiscal assets, and opportunities presented.

Intellectual Property represents a significant component of business assets in the U.S. In this course you will learn to identify intellectual property, spot issues relevant to securing and maintaining intellectual property rights and explore ways to use intellectual property rights. We will address trademark, copyright, patent, and trade secret uses in the commercial environment. There will be an opportunity to experience applying for copyright protection and doing the initial inquiries concerning patent applications. We will cover the basic rules of law governing intellectual property rights, strategies for using those rights, as well as social and ethical consequences.

- 1. Identify the rule of law that applies to intellectual property.
- 2. Describe the public policies underlying the creation and maintenance of the intellectual property system.
- 3. Analyze the effect intellectual property has on our economic system.
- 4. Demonstrate analytical critical thinking by applying the legal rules to hypothetical intellectual property business scenarios.
- 5. Integrate the rule of law components, the public policy values, and the new realities confronting the U.S. Intellectual Property (IP) systems: regarding the internet, privacy, and use of data as the basis for understanding any changes that should be made to the US IP system.

COURSE DELIVERY MODE

This is a fully online course accessible only through FAU's learning management system, Canvas. You must log into Canvas with your FAU ID and Password to access the materials and assignments in this course. If you do not know your FAU ID or Password, contact OIT for help.

The course is organized into modules with due dates. The course begins with the Start Here module, which will familiarize you with the organization and navigation of the course. Then begin the Introductory Unit, followed by Unit 2 – Copyrights, Unit 3 – Patents, Unit 4 – Trademarks, Unit 5 – Trade Secrets, Unit 6 – Commercialization, and Unit 7 – International Issues. You will open a new learning module to access the assigned reading materials, videos, presentations or lectures, and other relevant materials for each subsequent module.

TIME COMMITMENT PER CREDIT HOUR

This course has three (3) credit hours. For traditionally delivered courses, not less than one (1) hour of classroom or direct faculty instruction each week for fifteen (15) weeks per Fall or Spring semester, and a minimum of two (2) hours of out-of-class student work for each credit hour. Equivalent time and effort are required for Summer Semesters, which usually have a shortened

timeframe. Fully Online courses, hybrid, shortened, intensive format courses, and other non-traditional modes of delivery will demonstrate equivalent time and effort.

REQUIRED TEXTS & MATERIALS

Required Texts/Materials

Textbook | *Commercializing Intellectual Property*, by Cheryl Arflin, Kendall Hunt Publisher, ISBN 9781792492143, https://he.kendallhunt.com/arflin

Title: Commercializing Intellectual Property

Author: Cheryl Arflin

Publisher: Kendall Hunt Publisher

Copyright: 2021

ISBN: 9781-7924-9214-3

Website: https://he.kendallhunt.com/arflin.

Note: This is a digital text. It may be purchased at the FAU bookstore, Booksmart, Follett, or by the direct publisher link at Commercializing Intellectual Property

MINIMUM TECHNOLOGY & COMPUTER REQUIREMENTS

HARDWARE & SOFTWARE REQUIREMENTS

Hardware

- Dependable computer
- Computer speakers
- Headset with microphone
- Webcam

Software

- Microsoft 365 Suite
- Reliable web browser (recommended Chrome or Firefox)
- Canvas mobile app: Download instructions for iOS device or Android device
- Adobe Reader
- Adobe Flash Player

Internet Connection

- Recommended: Broadband Internet connection with a speed of 4 Mbps or higher.
- To function properly, Canvas requires a high-speed Internet connection (cable modem, DSL, satellite broadband, T1, etc.). The minimum Internet connection speed to access Canvas is a consistent 1.5 Mbps (megabits per second) or higher.
- Check your Internet speed here.

COMPUTER REQUIREMENTS

Basic Computer Specifications for Canvas

- Operating system: Windows 10 or macOS Sierra (or higher).
- Specifications

Peripherals

• A backup option should be available to minimize the loss of work. This can be an external hard drive, a USB drive, cloud storage, or your folder on the FAU servers.

Software

- Once logged in to Canvas make sure your Internet browser is compatible.
- Other software may be required for specific learning modules. If so, the necessary links to download and install will be provided within the applicable module.

Recommended Browsers

- Canvas supports the latest two versions of the most widely used browsers. We have learned that Canvas works better with Google Chrome and Mozilla Firefox than with Internet Explorer. If Internet Explorer is currently your only browser, consider installing Chrome or Firefox.
- We highly recommend updating to the **newest version** of whatever browser you are using as well as updating to the most recent Flash plug-in.
- For more details, see Which Browsers Does Canvas Support?

MINIMUM TECHNICAL SKILLS REQUIREMENTS

The general and course-specific technical skills you must have to succeed in the course include but are not limited to:

- Accessing Internet.
- Using Canvas (including taking tests, attaching documents, etc.).
- Using email with attachments.

- Creating and submitting files in commonly used word processing program formats such as Microsoft Office Tools.
- Copying and pasting functions.
- Downloading and installing software.
- Using presentation, graphics, and other programs.
- Posting and commenting in an online discussion.
- Searching the FAU library and websites.

TECHNICAL SUPPORT

In the online environment, technical issues are always possible (e.g., lost connection, hardware or software failure). Many of these can be resolved relatively quickly, but if you wait until the last minute before due dates, the chances of these glitches affecting your success are greatly increased. Please plan appropriately. If a problem occurs, it is essential you take immediate action to document the issue so your instructor can verify and take appropriate action to resolve the problem. Most issues in Canvas can be resolved by clicking on the "Help" tab located on the menu bar.

When a problem occurs, click "Help" to:

- Report a Problem
- Live Chat with Canvas Support
- Search Canvas Guides

Additional Technical Support

- 1. Contact the eLearning Success Advisor for assistance: (561) 297-3590
- 2. If you can, make a Print Screen of the monitor when the problem occurs. Save the Print Screen as a .jpg file. If you are unfamiliar with creating a Print Screen file, see <u>Print Screen instructions</u>.
- 3. Complete a <u>Help Desk ticket</u>. Make sure you complete the form entirely and give a full description of your problem so the Help Desk staff will have the pertinent information in order to assist you properly. This includes:
 - a. Select "Canvas (Student)" for the Ticket Type.
 - b. Input the Course ID.
 - c. In the Summary/Additional Details section, include your operating system, Internet browser, and Internet service provider (ISP).
 - d. Attach the Print Screen file, if available.
- 4. Send a message within Canvas to your instructor to notify him/her of the problem. Include all pertinent information of the incident (2b-d above).
- 5. If you do not have access to Canvas, send an email to your instructor with all pertinent information of the incident (2b-d above).
- 6. If you do not have access to a computer, call your instructor with all pertinent information of the incident. If he/she is not available, make sure you leave a detailed message.

7. If you do not hear back from the Help Desk or your instructor within a timely manner (48 hours), it is your responsibility to follow up with the appropriate person until you obtain a resolution.

COURSE ASSESSMENTS, ASSIGNMENTS & GRADING POLICY

GRADING CRITERIA

Student Introduction and Syllabus & Course Agreement Quiz (total 0%; required)

You will post an introduction in the student introduction discussion board (and reply to at least two others' posts) and take a syllabus and course agreement quiz. You can take the quiz as many times as necessary to achieve 100%.

Course Evaluation Method and Grading Scale

- Read the chapter(s) of the text, all handouts, and course materials before submitting the assignment.
 - o Note the due dates for each assignment within the course module, and study accordingly.
- As a team collaboration, we will be creating Primer pages and you will be given an opportunity to sign up for different sections. There will be approximately 4 Primer Page Assignments. Please note that group projects require interdependence and a fair division of labor among the group members.
- Read the assigned material to be prepared to discuss the material with your group and classmates.
- There will be some independent Internet research to contribute to your knowledge and participation on this course.
- There are no makeup opportunities for these assignments.
- Please note: There will be no extra credit offered. It is important that the student plan to fully participate in the course and meet the assignment requirements from the beginning to the end.
- I round grades up when the decimal point is above .5 and below when the number is below .5. Please note that because of the complexity of the grading system, I do not let Canvas, assign percentages. But when the grades are complete for that particular part of the grading system, I will supply the appropriate percentage grade.

Assessment	Percentage (%)
Course Orientation	1%
• Student Introduction - Worth up to 10 points.	
• Syllabus & Course Agreement Quiz - Worth up to 10 points.	
Critical Thinking Questions	9%
Seven (7) Discussions worth up to 100 points each.	
Primer Assignments	30%
Four (4) worth up to 100 points each.	
Discussion Scenarios	20%
Four (4) worth up to 100 points.	
Test 1 and Test 2	40%
Two (2) Tests worth up to 100 points.	
TOTAL:	100%

GRADE SCALE

A 94-100	B+	88-89	C+	78-79	D	65-70
A- 90-93	В	84-87	C	74-77	F	0-64
	B-	80-83	C-	70-73		

MISSING ASSIGNMENTS POLICY

Every effort should be made to take exams as scheduled in the course schedule. Any excusable absence (official university event, religious holiday, job interview, etc.) must be documented by a verifiable source and be submitted at least one week prior to the exam. If you are absent from an exam due to an illness or emergency, you must notify the professor by e-mail within 24 hours after the exam, and documentation is required. Unexcused and non-documented absences are not eligible for make-up. Unexcused absences include the inability to leave work on time, oversleeping, lack of transportation, minor illnesses, fatigue, and so forth.

LATE ASSIGNMENTS POLICY

Students cannot be penalized for absences due to participation in University-approved activities, including athletic or scholastics teams, musical and theatrical performances, and debate activities. However, it is important these students contact the professor before missing deadlines in order to schedule a plan to make up missed work without any reduction in the student's final course grade. Reasonable accommodation is also available for students participating in a religious observance.

General Rule: No make-up exams. Exception to the rule: In dire circumstances at the instructor's discretion and ONLY if student has made arrangements with the instructor prior to the exam.

MAKE-UP POLICY FOR TESTS

Please note that the University Provost, in order to identify and assist students at academic risk, requests that courses with freshmen have graded assignments well before midterm. If applicable, also note the minimum grade required to pass the course (if not a "D-").

Students are responsible for arranging to make up work missed because of legitimate absence, such as illness, family emergencies, military obligation, court-imposed legal obligations or participation in University-approved activities. Examples of University-approved reasons for absences include participating on an athletic or scholastic team, musical and theatrical performances and debate activities. It is the student's responsibility to give the instructor notice prior to any anticipated absences and within a reasonable amount of time after an unanticipated absence, ordinarily by the next scheduled class meeting. Instructors must allow each student who is absent for a University-approved reason the opportunity to make up work missed without any reduction in the student's final course grade as a direct result of such absence.

INCOMPLETE GRADE POLICY

The University policy states that a student who is passing a course but has not completed all work due to exceptional circumstances, may, with consent of the instructor, temporarily receive a grade of incomplete ("I"). The assignment of the "I" grade is at the discretion of the instructor but is allowed only if the student is passing the course.

A student who is passing a course but has not completed all work due to exceptional circumstances, may, with consent of the instructor, temporarily receive a grade of incomplete ("I"). The assignment of the "I" grade is at the discretion of the instructor but is allowed only if the student is passing the course.

The specific time required to make up an incomplete grade is at the discretion of the instructor. However, the College of Business policy on the resolution of incomplete grades requires that all work required to satisfy an incomplete ("I") grade must be completed within a period of time not exceeding one calendar year from the assignment of the incomplete grade. After one calendar year, the incomplete grade automatically becomes a failing ("F") grade.

COURSE POLICIES

CODE OF ACADEMIC INTEGRITY POLICY STATEMENT

Students at Florida Atlantic University should endeavor to maintain the highest ethical standards. Academic dishonesty is a serious breach of these ethical standards because it interferes with the University mission to provide a high-quality education in which no student enjoys an unfair advantage over any other. Academic dishonesty is also destructive to the university community, which is grounded in a system of mutual trust and places high value on personal integrity and individual responsibility. Harsh penalties are associated with academic dishonesty. For more information, see <u>University Regulation 4.001</u>.

PLAGIARISM

<u>Plagiarism</u> is unacceptable in the University community. Academic work must be an original work of your own thought, research, or self-expression. When students borrow ideas, wording, or organization from another source, they must acknowledge that fact in an appropriate manner. Plagiarism is the deliberate use and appropriation of another's work without identifying the source and trying to pass off such work as one's own. Any student who fails to give full credit for ideas or materials taken from another has plagiarized. This includes all discussion board posts, journal entries, primers, and other written and oral presentation assignments. If in doubt, cite your source.

Anti-plagiarism Software

Written components of any assignment or project may be submitted to anti-plagiarism software to evaluate the originality of the work. Any students found to be submitting work that is not their own will be deemed in violation of the University's honor code discussed above.

ONLINE ATTENDANCE POLICY

Since the course is online, you should access the course **at least three times per week** to ensure you do not miss pertinent postings, messages, or announcements. It is imperative that you meet course deadlines and stay active in discussion boards, group projects, etc. If you are experiencing major illness, absences due to University duties, or other large-scale issues, contact the instructor immediately to formulate a resolution.

NETIQUETTE

Due to the casual communication common in the online environment, students are sometimes tempted to relax their grammar, spelling, and/or professionalism. Please remember that you are adult students and professionals—your communication should be appropriate. For more in-depth information, please see the <u>FAU statement on netiquette</u>.

Example:

It is important to keep in mind that although we are in a "virtual" environment, we still need to interact properly with each other and maintain an appropriate level of etiquette. The term **netiquette** is used to refer to online etiquette. By following these rules, you will improve the

readability of your messages and you will help others handle the large volume of information in an online classroom:

- **Be inclusive.** It's important to be intentional about making sure we "see" each other in an online community.
 - o You can do this by making sure that everyone has at least one response.
 - Tip: If you are unsure who to respond to, try looking for posts that have not yet received a reply.
 - Also, be sure to reply back to people who post questions or comments to you.
- **Be on time.** Your contributions to our discussions are important, but our learning community will not benefit from them unless you post on time.
 - Tip: Set calendar reminders to make sure you contribute on time.
- **Disagree respectfully.** Disagreement and different ideas are essential parts of learning, problem-solving, and creativity. However, in order for different ideas to be heard and shared, it is important to maintain a respectful stance even through vehement disagreement; otherwise communication may break down.
 - o Tip: You might start the conversation with a question to clarify or get more information before you explain your different perspective.
 - For example, "Nathan, can you tell me more about what you meant when you said that recycling programs are a waste of public resources?"
 - o Tip: Refrain from using judgmental evaluations of what someone posted, and instead present your own perspective supported by factual information.
 - For example, instead of "Jamal, your analysis makes no sense," you can say, "Jamal, I interpreted the results of the study differently. As I see it, there was no statistically significant difference in the children's test scores, which implies that the new program is not working."
- **Be concise.** Lengthy paragraphs are difficult for readers to digest. Keep your paragraphs short and your writing concise.
 - o Tip: Consider using bullet points to help highlight your main points or headings if your post needs to be lengthy.
- Stay on topic. Off-topic comments can derail our conversation. You can post off-topic comments in our open discussion forum or one of the other communication modes we are using in the course.
- **NO YELLING.** When you write in upper case letters in online communication, it is usually interpreted as yelling.
- Add some emotion:-) Sometimes it helps communicate the tone of your message when you add an emoticon. However, only do so as necessary for it can end up being annoying to readers if you have too many (which is probably the opposite of your intention).
- Use humor carefully. Sarcasm in particular does not translate well in an online environment. It's best to avoid the potential pitfalls of misunderstood messages.

CLASSROOM ETIQUETTE/DISRUPTIVE BEHAVIOR POLICY STATEMENT

Disruptive behavior is defined in the FAU Student Code of Conduct as "... activities which interfere with the educational mission within classroom." Students who disrupt the educational experiences of other students and/or the instructor's course objectives in a face-to-face or online

course are subject to disciplinary action. Such behavior impedes students' ability to learn or an instructor's ability to teach. Disruptive behavior may include but is not limited to non-approved use of electronic devices (including cellular telephones); cursing or shouting at others in such a way as to be disruptive; or, other violations of an instructor's expectations for classroom conduct.

For more information, please see the FAU Office of Student Conduct.

COMMUNICATION POLICY

EXPECTATIONS FOR STUDENTS

Announcements

You are responsible for reading all announcements posted by the instructor. Check the course announcements each time you log in.

Email/Video Conferencing

You are responsible for reading all your course email and responding in a timely manner.

Course-Related Questions

Post course-related questions to the FAQ discussion board. This allows other participants with the same question to benefit from the responses. Also, make sure you review this forum prior to posting a question. Someone may have already asked and answered the question in previous posts. If you have a personal question that you need to address with Professor Arflin, simply email her or you may also phone her.

INSTRUCTOR'S PLAN FOR CLASSROOM RESPONSE TIME & FEEDBACK

Email/Video Conferencing Policy

Except for weekends and holidays, the instructor will typically respond to email (Canvas inbox or FAU email) within 48 hours. Questions that are course related and that you want to address with other students may be submitted in the FAQ discussion board. If you have questions of a personal nature, you should email the instructor. Please note that lectures for each unit are available within each Unit's Module. Video conferencing is available using WebEx Office visits. These should be scheduled in advance.

Assignment Feedback Policy

The instructor will provide feedback on submitted assignments within one week of the submission date. Some assignments may require a longer review period, which the instructor will

communicate to you.

Course-Related Questions Policy

Except weekends and holidays, the instructor will generally answer questions within 48 hours.

Electronic Communication Policy

In addition to the University's policy, please consider the following:

- Privacy, confidentiality, and security in all electronic communications.
- All electronic communication resources must be used for the course and in alignment with to the University mission.
- Prohibited use of false identity, false identity pseudonyms, or anonymous (sender's name or electronic identification is hidden).
- Access without consent.
- Disruption of services including introducing computer contaminants (viruses).
- Harassment of any kind.

Please see the Office of Information Technology's policies on Cyber Security Awareness.

SUPPORT SERVICES & ONLINE RESOURCES

- Center for eLearning and Student Success
- Counseling and Psychological Services Life as a university student can be challenging physically, mentally and emotionally. Students who find stress negatively affecting their ability to achieve academic or personal goals may wish to consider utilizing FAU's Counseling and Psychological Services (CAPS) Center. CAPS provides FAU students a range of services individual counseling, support meetings, and psychiatric services, to name a few offered to help improve and maintain emotional well-being. For more information, go to http://www.fau.edu/counseling/
- <u>Disability Policy</u> In compliance with the Americans with Disabilities Act Amendments Act (ADAAA), students who require reasonable accommodations due to a disability to properly execute coursework must register with Student Accessibility Services (SAS) and follow all SAS procedures. SAS has offices across three of FAU's campuses Boca Raton, Davie and Jupiter however disability services are available for students on all campuses. For more information, please visit the SAS website at www.fau.edu/sas/.
- FAU Libraries
- Freshmen Academic Advising Services
- Math Learning Center
- Office of Information Technology Helpdesk
- Office of International Programs and Study Abroad
- Office of Undergraduate Research and Inquiry
- Student Accessibility Services
- University Center for Excellence in Writing

- Code of Academic Integrity Students at Florida Atlantic University are expected to maintain the highest ethical standards. Academic dishonesty is considered a serious breach of these ethical standards, because it interferes with the university mission to provide a high quality education in which no student enjoys an unfair advantage over any other. Academic dishonesty is also destructive of the university community, which is grounded in a system of mutual trust and places high value on personal integrity and individual responsibility. Harsh penalties are associated with academic dishonesty. For more information, see University Regulation 4.001.
- Religious Accommodation Policy Statement In accordance with rules of the Florida Board of Education and Florida law, students have the right to reasonable accommodations from the University in order to observe religious practices, observances, and beliefs with regard to admissions, registration, class attendance and the scheduling of examinations and work assignments. For further information, please see FAU Regulation 2.007 at: FAU Regulation 2.007.

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FACULTY RIGHTS & RESPONSIBILITIES

Florida Atlantic University respects the rights of instructors to teach and students to learn. Maintenance of these rights requires classroom conditions that do not impede their exercise.

To ensure these rights, faculty members have the prerogative to:

- Establish and implement academic standards.
- Establish and enforce reasonable behavior standards in each class.
- Recommend disciplinary action for students whose behavior may be judged as disruptive under the *Student Code of Conduct*.

SELECTED UNIVERSITY & COLLEGE POLICIES

ACCESSIBILITY POLICY STATEMENT

In compliance with the Americans with Disabilities Act (ADA), students who require special accommodations to properly execute coursework due to a disability, must register with Student Accessibility Services (SAS) located in the Boca Raton, Davie, and Jupiter campuses and follow all SAS procedures. For additional information, please consult <u>Student Accessibility Services</u>.

Contact

• **Boca Raton:** (561) 297-3880 Fax: (561) 297-2184, TTY: 711

• **Davie:** (954) 236-1222

Fax: (954) 236-1123, TTY: 711

• **Jupiter:** (561) 799-8721

Fax: (561) 799-8721, TTY: 711

GRADE APPEAL PROCESS

You may request a review of the final course grade when you believe that one of the following conditions apply:

- There was a computational or recording error in the grading.
- The grading process used non-academic criteria.
- There was a gross violation of the instructor's own grading system.

<u>Chapter 4 of the University Regulations</u> contains information on the grade appeals process.

ATTENDANCE POLICY STATEMENT

Students are expected to attend all of their scheduled University classes and to satisfy all academic objectives as outlined by the instructor. The effect of absences upon grades is determined by the instructor, and the University reserves the right to deal at any time with individual cases of non-attendance. Students are responsible for arranging to make up work missed because of legitimate class absence, such as illness, family emergencies, military obligation, court-imposed legal obligations or participation in University-approved activities. Examples of University-approved reasons for absences include participating on an athletic or scholastic team, musical and theatrical performances and debate activities. It is the student's responsibility to give the instructor notice prior to any anticipated absences and within a reasonable amount of time after an unanticipated absence, ordinarily by the next scheduled class meeting. Instructors must allow each student who is absent for a University-approved reason the opportunity to make up work missed without any reduction in the student's final course grade as a direct result of such absence.

RELIGIOUS ACCOMMODATION POLICY STATEMENT

In accordance with rules of the Florida Board of Education and Florida law, students have the right to reasonable accommodations from the University in order to observe religious practices and beliefs regarding admissions, registration, class attendance, and the scheduling of examinations and work assignments. For further information, please see <u>Academic Policies and Regulations</u>.

UNIVERSITY APPROVED ABSENCE POLICY STATEMENT

In accordance with rules of the Florida Atlantic University, students have the right to reasonable accommodations to participate in University approved activities, including athletic or scholastics teams, musical and theatrical performances and debate activities. It is your responsibility to notify the instructor at least one week prior to missing any course assignment.

DROPS/WITHDRAWALS

You are responsible for completing the process of dropping or withdrawing from a course. Please click on the following link for more information on dropping and/or withdrawing from a course. Please consult the FAU Registrar Office for more information.

* * *

The instructor reserves the right to adjust this syllabus as necessary.

Course Schedule | Spring 2022

To Do Before Unit 1

Note: You must sign up for each of the 4 Primer Group Assignments (you will find Primer Sign-Ups in the Course Modules). Only one Question per team, though each question has multiple parts. Team members are expected to research the issues presented, then the team assembles the research into one document, placing the citations at the end of the document. For the citations, use this format when possible: author, title, publication, date, url. One member for each team must submit the Primer Research assignments by emailing it to Professor Arflin at ckimbrel@fau.edu. Please remember to include each participant's name on the file. Also, very important: the document must be a word.doc – no other format will work.

UNIT 1 | Intro to Intellectual Property Rights | January 8 - 16

Read the Syllabus, access the Welcome page on Canvas to view/ read the Faculty Welcome Video, Course Orientation, and Requirements.

Assignments:

- Jan. 8 Submit the Course Agreement Syllabus Quiz and Student Introduction Discussion due on Jan. 8th at 11:59 PM. Please follow the assignment guidelines and deadlines as stated on Canvas.
- Jan. 14- Submit the answers to the Foundation-Critical Thinking Questions by uploading to Canvas Assignment due on Jan. 14, at 11:59 PM. Please follow the assignment guidelines and deadlines on Canvas.

Read Unit 1 of textbook,

- view Faculty presentation,
- Identifying intellectual property rights

- Public policy issues
- Business Strategies

There are WebEx videos of past lectures covering our powerpoints, as well as some YouTube videos. The YouTube videos are included for those of you who prefer videos for your learning style. It is important that you view the lectures but the YouTube videos are optional, you may use them as they suit your need. I will be glad to schedule WebEx office hours with you, but please let me know of your need a few days in advance. WebEx lecture videos are titled by the subject matter and date the live lecture was delivered in the summer 2021: Recorded Introductory lectures dated May 18 and 20th, 2021.

Other videos:

- TED Blog Video | 6 talks about problems with patents Presented by Ellen t' Hoen (2012) | 11:09 mins. URL https://blog.ted.com/6-talks-about-problems-with-patents/
- TED Video | Re-examining the remix Presented by Lawrence Lessig (2010) | 18:30 mins. URL https://www.ted.com/talks/lessig_nyed
- YouTube Video | Introduction to Intro to Intellectual Property Rights by DardenMBA (2009) | 49:20 mins. URL https://www.youtube.com/watch?v=qFRaamWjYGo
- TED Video | The era of open innovation (Links to an external site.) Presented by Charles Leadbeater (2005) | 18:43 mins. URL
 https://www.ted.com/talks/charles_leadbeater_on_innovation

Unit 2 | Copyrights | January 17 – Feb. 7

Read Unit 2 of textbook, view Faculty presentation, read/view collateral readings and viewings.

Assignments:

- Jan. 19 Submit the answers to the Copyright Critical Thinking Questions by uploading to Canvas Assignment due on Jan. 19 at 11:59 PM.
- Jan. 28 Submit the responses to the Copyright Primer questions due on Jan. 28 at 11:59pm. You must sign up for each of the 4 Primer Group Assignments. Only one Question per team, though each question has multiple parts. Team members are expected

to research the issues presented, then the team assembles the research into one document, placing the citations at the end of the document. For the citations, use this format when possible: author, title, publication, date, url. One member for each team must submit the Primer Research assignments, please remember to include each participant's name on the file. Also, very important: the document must be emailed to me at ckimbrel@fau.edu and it must be a word.doc.

• The Copyright Scenarios Discussion are due on **Feb. 4** at 11:59 pm. Please answer each of the Scenario questions in one document and either upload it or paste it onto the Discussion Board on the Canvas site. Then please respond to at least 2 of your classmates' analysis of the Scenario Questions. You do not have to respond to all of the answers they post, but choose two different classmates and one of their questions to respond to. This provides an opportunity to understand the nuances of the rules.

There are WebEx videos of past lectures covering our powerpoints, as well as some YouTube videos. The You Tube videos are included for those of you who prefer videos for your learning style. It is important that you view the Lectures but the YouTube videos are optional, you may use them as they suit your need. I will be glad to schedule WebEx Office Hours with you, but please let me know of your need a few days in advance. WebEx Lecture Videos are titled by the subject matter and date the live lecture was delivered in the Summer 2021: Recorded Lectures for Copyrights, dated May 25, 27, June 1, 3, and 8th, 2021.

- Professor Arflin, Introduction to Copyrights Video: Subject Matter, Registration, Duration, Exclusive statutory rights, Reproduction, Distribution, Copyright Act of 1976
 Other:
- Cyber Ethics | Cyber Ethics Second Edition, Terry Halbert, J.D., and Elaine Ingulli, J.D., Thomson South-Western, 2005; | PDF file attached *Authorized by TERRY A. HALBERT from Temple.Edu to use the textbook material for educational purposes without commercial values, dated September 13, 2019. (Faculty secures the release)*
- III. How do you get a copyright? | New Media Rights (2017) Frequently Asked Questions about Copyright law (2017) URL
 https://www.newmediarights.org/business-models/artist/iii-how-do-you-get-copyright
- National Basketball Association v. Motorola, Inc. | Berkeley Technology Law Journal | The National Basketball Association and National Basketball Association v. Motorola, Inc., 105 F.3d 841 (1998) URL https://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1155&context=btlj
- Reader's Digest Association, Inc. v. Conservative Digest, Inc. | Justia US Law | Reader's Digest Association, Inc. v. Conservative Digest, Inc., et al., Appellants.reader's Digest Association, Inc., Appellant v. Conservative Digest, Inc., et al, 821 F.2d 800 (D.C. Cir. 1987) URL https://law.justia.com/cases/federal/appellate-courts/F2/821/800/255560/
- TED Video | Lessons from fashion's free culture | Presented by Johanna Blakley (2010) |
 15:21 mins. URL
 https://www.ted.com/talks/johanna blakley lessons from fashion s free culture

Public Policy

• YouTube Video | Laws that choke creativity by Larry Lessig (2007) | 19:07mins. URL https://www.youtube.com/watch?v=7Q25-S7jzgs

Infringement

- o Theories of liability for Copyright infringement
 - Direct Infringement
 - Contributory Infringement
 - Vicarious Infringement
- YouTube Video | Window to the Law: How to Avoid Copyright Infringement by National Association of REALTORS (2018) | 5:13 mins. URL https://www.youtube.com/watch?v=6HQHsLpdBqo

Exclusive rights and restriction rights – CA

Limitations on rights: Fair Use Doctrine, First Sale Doctrine, Work for Hire, Public Domain

• TEDBlog | 6 Talks about problems with patents | Presented by Ellen 'T Hoen (2012) | 11:09 mins. URL https://blog.ted.com/6-talks-about-problems-with-patents/

Federal Registration v. Common Law Registration

Commercializing Copyrights; Licensing, royalties and/or assignment

• YouTube Video | New Media Rights. How do I get a Copyright for my work? (2012) | 3:03 mins. URL https://www.youtube.com/watch?time_continue=2&v=qgaOdrm5vRU

UNIT 3 | Patents | Feb. 8 - 27

Read Unit 3 of textbook, view Faculty lectures, read/view collateral readings and viewings.

Assignments:

- **Feb. 10** Submit the answers to the Patents Critical Thinking Questions by uploading to the Canvas Assignment by **Feb. 10** at 11:59 PM.
- **Feb. 18** Submit the responses for Patents Primer questions due on **Feb. 18** at 11:59 PM. You must sign up for each of the Primer Group Assignments. Only one Question per team, though each question has multiple parts. Team members are expected to research the issues presented, then the team assembles the research into one document, placing the citations at the end of the document. For the citations, use this format when possible: author, title, publication, date, url. One member for each team must submit the Primer Research assignments, please remember to include each participant's name on the file. Also, very important: the document must be emailed to me at ckimbrel@fau.edu and it must be a word.doc.
- Feb. 26 The Patent Scenarios Discussion are due Feb. 26 at 11:59 PM. Please answer each of the Scenario questions in one document and either upload it or paste it onto the Discussion Board on the Canvas site. Then please respond to at least 2 of your classmates' analysis of the Scenario Questions. You do not have to respond to all of the answers they post, but choose two different classmates and one of their questions to respond to. This provides an opportunity to understand the nuances of the rules.

There are WebEx videos of past lectures covering our powerpoints, as well as some YouTube videos. The You Tube videos are included for those of you who prefer videos for your learning style. It is important that you view the Recorded Lectures but the YouTube videos are optional, you may use them as they suit your need. I will be glad to schedule WebEx Office Hours with you, but please let me know of your need a few days in advance. WebEx Lecture Videos are titled by the subject matter and date the live lecture was delivered in the Summer 2021: Patents Recorded Lectures on June 10, 15, 17, 22, 24, 29, 2021.

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View | FAU Students Panel Discussion

Patent System Trends | FAU protects the authorization form granted by each student appearing in the video.

- uspto | United States Pattern and Trademark Office | Patent Proces Overview, An overview of a patent application and maintenance Step 1 8. (2019) URL https://www.uspto.gov/patents-getting-started/patent-process-overview#step3
- In re Bilski | Wikipedia Case history Claims Rejected, Ex parte Bilski (BPAI 2006), appealed to CAFC, en banc hearing ordered sua sponte. (2010) URL https://en.wikipedia.org/wiki/In re Bilski
- Harvard Business Review | Intelectual Property Patent Sharks by Joachim Henkel and Markus Reitzig (2008) URL https://hbr.org/2008/06/patent-sharks
- Duke Law | IN RE BILSKI AND THE "MACHINE -OR TRANSFORMATION" TEST: RECEDING BOUNDARIES FOR PATENT-ELIGIBLE SUBJECT MATTER (In Re Bilski, 545 F.3d 943 (Fed. Cir. 2008) – URL https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1200&context=dltr
- State Street Bank & Trust Co. v. Signature Financial Group, Inc. | Wikipedia Case history Finding for the plaintiff, 927 F. Supp. 502, 38 U.S.P.Q.2d 1530 (D. Mass. 1996) (finding U.S. Patent No. 5,193,056 invalid for lack of statutory subject matter). URL https://en.wikipedia.org/wiki/State_Street_Bank_%26_Trust_Co._v._Signature_Financial_Group, Inc.
- YouTube Video | Presented by the University of Washington (UW) and Publish by UM
 CoMotion | America Invents Act, America Invents Act Highlights of Changes to US Patent
 Law (2013) 4:29 mins. URL https://www.youtube.com/watch?v=aSCQiFehO78
- YouTube Video | Published by Howcast How to Apply for a Patent (2010) 2:27mins. URL https://www.youtube.com/watch?v=I3sLRLmKhNc
- Podcast | EPN Enterprise Podcast Network: Patent Success Strategies for Inventors, Entrepreneurs, and Startups (2018) (12:25), https://epodcastnetwork.com/invention-guru-and-ted-talk-speaker-gives-patent-success-strategies-for-investors-entrepreneurs-and-startups/
- YouTube Video | Presented by Patent Basics | Patent Basics (1) Understanding a Claim (2013) 11:53 mins. URL https://www.youtube.com/watch?v=11Z3g7Hb01M

Characteristics of patents – Professor Arflin

- Trends in Patent Law slides 78-87 & Issues facing the courts slides 47-48
- Issues facing the courts slides 47-48

- Commercialization slides 64 70, 75-76
- YouTube Video | Presented by Bold Patents Patent & Intellectual Property Law The Difference between Provisional and Non-Provisional Patent Applications (2018) 4:28mins. https://www.youtube.com/watch?v=0uVVXFbKz U
- "Drew Curtis: How I beat a patent troll,"(6:33), https://blog.ted.com/6-talks-about-problems-with-patents/

Infringement

• YouTube Video | Presented by Dunlap Bennett & Ludwig | Patent Infringement (2016) - 3:18mins. https://www.youtube.com/watch?v=o5nlV9OSgyg

ASSIGNMENT | TEST 1 Intro, Copyrights, Patents | **Due on March 1 by 11:59 PM.** Please note that the test will be available from 12:01 am until 11:59 pm. It will be available for one hour and a half. Very important: you may access the test only once, you may not leave and then return later to finish the test. You may use a Help Sheet that you prepare yourself. It can be an 8.5 x 11 sheet of paper, front & back, hand-written or typed. No other resources are to be used to take the test. Make sure you have downloaded the Lockdown Browser.

UNIT 4 | Trademarks | March 2 - 28

Read Unit 4 of textbook, view Faculty lectures, read/view collateral readings and viewings.

Assignments:

- **March 4** Submit the answers to the Trademark Critical Thinking Questions by uploading to the Canvas Assignment due on **March 4** at 11:59 PM.
- March 18- Submit the responses to the Trademarks Primer questions due on March 18 at 11:59 PM. You must sign up for the Trademark Primer Group Assignment. Only one Question per team, though each question has multiple parts. Team members are expected to research the issues presented, then the team assembles the research into one document, placing the citations at the end of the document. For the citations, use this format when possible: author, title, publication, date, url. One member for each team must submit the Primer Research assignments, please remember to include each participant's name on the file. Also, very important: the document must be emailed to me at ckimbrel@fau.edu and it must be a word.doc.
- The Trademark Scenarios Discussion are due on March 25 at 11:59 PM. Please answer each of the Scenario questions in one document and either upload it or paste it onto the Discussion Board on the Canvas site. Then please respond to at least 2 of your classmates' analysis of the Scenario Questions. You do not have to respond to all of the answers they post, but choose two different classmates and one of their questions to respond to. This provides an opportunity to understand the nuances of the rules.

There are WebEx videos of past lectures covering our powerpoints, as well as some YouTube videos. The You Tube videos are included for those of you who prefer videos for your learning style. It is important that you view the Lectures but the YouTube videos are optional, you may use them as they suit your need. I will be glad to schedule WebEx Office Hours with you, but please let me know of your need a few days in advance. WebEx Lecture Videos are titled by the subject matter and date the live lecture was delivered in the Summer 2021: Recorded Lectures on Trademarks dated July 6, 8, 13 and 15th, 2021.

Introduction to Trademarks Video

 YouTube Video | Published by CrashCourse, Presented on Trademarks and Avoiding Consumer Confusion: Crash Course Intellectual Property #5 (2015) - 11:19 mins. – URL https://www.youtube.com/watch?v=3gWaAJR5L18

Common law v. Federally registered

• YouTube Video | Published by Trademark Factory, TM vs. ® - Unregistered and Registered Trademarks (2014) - 2:23 mins. – URL https://www.youtube.com/watch?v=kPCfNC8ak0w

Infringement

- YouTube Video | Published by The Business Professor (2016), What is Trademark Infringement? 3.38 mins. URL https://www.youtube.com/watch?v=pHWZtsoQ1wQ
- YouTube Video | Published by Mark Cenite (2016), Trademark infringement & dilution 6.41 mins. URL https://www.youtube.com/watch?v=1S6uqaKaz7M

Tools used to Protect Trademarks

 YouTube Video | Published by the trademark lawyer (2012), Trademark Basics: How to Protect Your Name as a Trademark - 9:34 mins. – URL https://www.youtube.com/watch?v=x6pnbACiUlw

UNIT 5 | Trade Secrets | March 29 – April 10

Read Unit 5 of textbook, view Faculty lectures, read/view collateral readings and viewings.

Assignments:

- March 31 Submit the answers to the Trade Secret Critical Thinking Questions by uploading to the Canvas Assignment due on March 31 at 11:59 PM.
- April 7 Submit the responses to the Trade Secrets Primer due on April 7 at 11:59 PM. You must sign up for the Trademark Primer Group Assignment. Only one Question per team, though each question has multiple parts. Team members are expected to research the issues presented, then the team assembles the research into one document, placing the citations at the end of the document. For the citations, use this format when possible: author, title, publication, date, url. One member for each team must submit the Primer Research assignments, please remember to include each participant's name on the file.

- Also, very important: the document must be emailed to me at ckimbrel@fau.edu and it must be a word.doc.
- The Trademark Scenarios Discussion are due on **April 10** at 11:59 PM. Please answer each of the Scenario questions in one document and either upload it or paste it onto the Discussion Board on the Canvas site. Then please respond to at least 2 of your classmates' analysis of the Scenario Questions. You do not have to respond to all of the answers they post, but choose two different classmates and one of their questions to respond to. This provides an opportunity to understand the nuances of the rules.

There are WebEx videos of past lectures covering our powerpoints, as well as some YouTube videos. The You Tube videos are included for those of you who prefer videos for your learning style. It is important that you view the Lectures but the YouTube videos are optional, you may use them as they suit your need. I will be glad to schedule WebEx Office Hours with you, but please let me know of your need a few days in advance. WebEx Lecture Videos are titled by the subject matter and date the live lecture was delivered in the Summer 2021: recorded lectures from July 20 and 22, 2021.

- Uniform Trade Secrets Act | Online Sunshine; The 2019 Florida Statutes, Chapter 688,
 Uniform Trade Secrets Act; URL
 http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0600-0699/0688/0688.html
- Paramanandam v. Herrmann | casetext, Paramanandam v. Herrmann, 827 N.E.2d 1173 (Ind. Ct. App. 2005). URL https://casetext.com/case/paramanandam-v-herrmann
- Learning Curve Toys, Inc. v. PlayWood Toys | casetext Learning Curve Toys, Inc.
 v.PlayWood Toys, Inc., 342 F.3d 714 (7th 2003); URL https://casetext.com/case/learning-curve-toys-inc-v-playwood-toys

Introduction Video to Trade Secrets

 YouTube Video | Produced by Kauffman FoundersSchool | Intellectual Property: Trade Secrets presented by Peter McDermott (2014) - 3.32 mins. https://www.youtube.com/watch?v=qUms654mK4w

Infringement, Misappropriation, Right of Publicity, False Advertising, Product Disparagement, Dilution

 YouTube Video | Sponsored by Lawyer Fights For You, presented by Attorney Reed Bloodworth (2019) - 2.59 mins. URL https://www.youtube.com/watch?v=NuETFC0-qs4

Tools to establish and maintain trade secret protection Covenants

 YouTube Video | Sponsored by Ed Alexander, Guide to Non-Disclosure Agreements (NDA) and Confidentiality Agreements (2012) - 9.37mins. – URL https://www.youtube.com/watch?v=nnRK5hGyKTk

Business Policies and Processes

YouTube Video | Sponsored by Inventor's Quick Tips (view Inventor's Quick Tips channel on YouTube). Patents v. Trade Secrets (2016) - 8:51 mins.
 URL https://www.youtube.com/watch?v=oF OaF xvvg&pbjreload=10

UNIT 6 | The Commercial Aspects of Intellectual Property | April 11 - 22

Read Unit 6 of the textbook. See Collateral Reading #s 3, 4, and 5. Also view Faculty lectures, and read/view collateral readings and viewings.

Assignment:

- **April 13** Submit the answers to the Commercial Aspects of Intellectual Property Critical Thinking Questions by uploading to Canvas Assignment due on July 29 at 11:59 PM.
- There are WebEx videos of past lectures covering our powerpoints, as well as some YouTube videos. The You Tube videos are included for those of you who prefer videos for your learning style. It is important that you view the Lectures but the YouTube videos are optional, you may use them as they suit your need. I will be glad to schedule WebEx Office Hours with you, but please let me know of your need a few days in advance. WebEx Lecture Videos are titled by the subject matter and date the live lecture was delivered in the Summer 2021: Commercialization Recorded Lecture from July 27 and 29th, 2021.
- The Business of Intellectual Property by Christopher M Arena and Eduardo M. Carreras | "Linking Innovation, Business, and Intellectual Property" PDF file attached | Authorized by the author, Christopher M Arena to use the chapter 7, collateral #6 textbook material for educational purposes without commercial values, dated on September 25, 2019. (Faculty secures the release).

Introduction Video to Commercialization

- YouTube Video | Produced by Canadian Intellectual Property Office, Commercializing your intellectual property (2018) 1:56 mins. URL https://www.youtube.com/watch?v=jKENG-zxcw4
- YouTube Video | Sponsored by TedEx Talks, Technology Transfer in the 21st Century | presented by Helge Seetzen & Bob Lucky | TEDxNavesink (2016) 13:39mins. URL https://www.youtube.com/watch?v=RoDEjiGOldc
- YouTube Video | Intellectual Property: Licensing. Sponsored by Kauffman FoundersSchool.
 Presented by Peter McDermott (2013) 10:08mins. URL
 https://www.youtube.com/watch?v=q5uDRIH eFo
 - o Developing a strategy
 - Intellectual Property Audits
- YouTube Video | Sponsored by BaxterIPAttorneys, Patent Commercialisation Avenues Greg Gering. Presented by attorney Greg Gering (2012) 6:19mins. URL
 https://www.youtube.com/watch?v=PBkNAuqwdkA

UNIT 7 | International Intellectual Property Systems | April 23 - 28

Read Unit 7 of the textbook, and view Faculty lectures, and read/view collateral readings [Collateral Readings #6] and viewings.

Assignment:

- **April 25** Submit the answers to the Commercial Aspects of Intellectual Property Critical Thinking Questions by uploading to Canvas Assignment due on **April 25** at 11:59 PM.
- There are WebEx videos of past lectures covering our powerpoints, as well as some YouTube videos. The You Tube videos are included for those of you who prefer videos for your learning style. It is important that you view the Lectures but the YouTube videos are optional, you may use them as they suit your need. I will be glad to schedule WebEx Office Hours with you, but please let me know of your need a few days in advance. WebEx Lecture Videos are titled by the subject matter and date the live lecture was delivered in the Summer 2021: Commercialization Recorded Lecture from Aug. 3, 2021.

Introduction to International IP Systems

- YouTube Video | Sponsored by CrashCourse, presented by Stan Muller International IP Law: Crash Course Intellectual Property #6 (2015) - 9:59 mins. URL https://www.youtube.com/watch?v=0pgEPKAKrtQ
 - Global challenges
 - o Recorded Lectures International Issues from Aug. 3, 2021

ASSIGNMENT | Test 2 Trademarks, Trade Secrets, Commercial Aspects of IP and International Systems | **Due on May 2 by 11: 59 PM.** Please note that the test will be available from 12:01 am until 11:59 pm. It will be available for one hour and a half. Very important: you may access the test only once, you may not leave and then return later to finish the test. You may use a Help Sheet that you prepare yourself. It can be an 8.5 x 11 sheet of paper, front & back, hand-written or typed.