

IL STUDENT HANDBOOK

UNIVERSITY OF CALIFORNIA, BERKELEY, SCHOOL OF LAW

FALL 2011

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LAW & TECHNOLOGY PROGRAM



The mission of the Berkeley Center for Law & Technology (BCLT) is to foster the beneficial and ethical understanding of intellectual property (IP) law and related fields as they affect public policy, business, science, and technology.

Established in 1995 with a focus on intellectual property, BCLT has expanded over the years to encompass privacy law, electronic commerce, digital entertainment law, cleantech, telecommunications regulation, cyberlaw, and many other areas of constitutional, regulatory, and business law that are affected by new technologies.

BCLT's research and programs enable Berkeley Law to attract the very best students and offer them the world's most comprehensive instructional program in law and technology, featuring four essential components: 1) strong foundational courses taught by Berkeley Law faculty using their own leading casebooks; 2) diverse, challenging and regularly updated advanced courses taught by leading faculty and practitioners; 3) closely supervised analytic writing- and research-oriented courses with a specific emphasis on law and technology issues, and 4) a twice-weekly series of lunchtime presentations from practicing attorneys covering the practical implications of current developments on their technology law practice.

BCLT also works closely with students on the *Berkeley Technology Law Journal* (BTLJ) in producing its Annual Review and Symposium issues, as well as the lunchtime presentation series. BCLT provides administrative and financial support for many student groups related to law and technology, including BTLJ, Patent Law Society (PLS), boalt.org, Healthcare and Biotech Law Society, Berkeley Energy & Resources Collaborative (BERC), Sports and Entertainment Law Society (SELS), Universities Allied for Essential Medicines (UAEM), and Berkeley Consumer Advocacy and Protection Society (CAPS). BCLT also provides primary funding to Moot Court for its Intellectual Property Law, Technology Law, and Entertainment Law Competitions.



<http://bclt.berkeley.edu>

AUGUST 2011						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24 Instruction Begins	25 12:45 -1:45 IL Law & Tech Orientation Rm. 105	26	27
28	29 12:45 -1:45 BERC mtg. Rm. 105	30 12:45 -1:45 Healthcare/Biotech Room 12	31 12:45 -1:45 BERC@Boalt mtg. Rm. 244			

SEPTEMBER 2011						
S	M	T	W	T	F	S
				1 12:45 -1:45 Student Activities Fair	2	3
4	5 Labor Day HOLIDAY!	6 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	7 12:45 -1:45 BTLJ Gen. Mtg.	8 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	9	10
11	12	13 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	14	15 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	16	17
18	19	20 12:45 -1:45 BCLT/BTLJ lunch featuring Fenwick	21	22 12:45 -1:45 BCLT/BTLJ lunch featuring Covington	23	24
25	26	27 Rosh Hashannah 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	28 12:45 -1:45 Boalt.org Lunch	29 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	30	

Lunches are scheduled for 12:45-1:45 in Boalt 100.
Please check the BCLT website for updates.

OCTOBER 2011						
S	M	T	W	T	F	S
						1
2	3	4 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	5	6 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	7 Yom Kippur	8
9	10	11 12:45 -1:45 BCLT/BTLJ lunch featuring Dewey LeBocuf	12 12:45 -1:45 BTLJ Gen. Mtg.	13 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	14 Defense 2.0 Conference	15
16	17	18 12:45 -1:45 BCLT/BTLJ lunch featuring White & Case	19	20 12:45 -1:45 BCLT/BTLJ lunch featuring WilmerHale	21	22
23	24	25 12:45 -1:45 BCLT/BTLJ lunch featuring Latham	26	27 12:45 -1:45 BCLT/BTLJ lunch featuring Skadden	28	29
30		31				

NOVEMBER 2011						
S	M	T	W	T	F	S
		1 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	2	3 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	4	5
6	7	8 12:45 -1:45 BCLT/BTLJ lunch featuring Knobbe	9	10 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	11 Veteran's Day	12
13	14	15 12:45 -1:45 BCLT/BTLJ lunch featuring McDermott	16 12:45 -1:45 BTLJ Gen. Mtg.	17 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	18	19
20	21	22 12:45 -1:45 BCLT/BTLJ Law Firm Lunch	23	24 Thanksgiving Holiday →	25	26
27	28	29 Fall Career Fair (tent.)	30			

Lunches are scheduled for 12:45-1:45 in Boalt 100.
Please check the BCLT website for updates.

BOALT LAW & TECH FACULTY



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BCLT Research Fellows

STUDENT GROUPS

Berkeley Technology Law Journal (BTLJ)

<http://www.btlj.org>
Student Center, Suite 3
membership@btlj.org

The Berkeley Technology Law Journal is a student-run publication of Berkeley Law. We started in March 1985, published our first issue in Spring 1986, and have since covered emerging issues of law in the areas of intellectual property, high-tech and biotech. BTLJ strives to keep judges, policymakers, practitioners, and the academic community abreast of this dynamic field. The Journal's membership of approximately 150 students publishes three issues of scholarly work each year, as well as the Annual Review of Law and Technology. In addition to the Journal's primary mission of publishing quality articles on the relationship between technology and the law, BTLJ organizes an annual symposium in conjunction with BCLT on a variety of topics. If you have any questions, please contact the Managing Editor, Michelle Ma, at membership@btlj.org

BERC @ Boalt

BERC is a student led organization which aims to connect and develop the UC Berkeley energy and resources community. See BERC Flier - Lindsay Anne Rasel at Irasel@berkeley.edu

Universities Allied for Essential Medicines (UAEM)

Universities Allied for Essential Medicines (UAEM) is an initiative linking members of universities in the US, the UK, and Canada who are concerned that the research, patenting, and licensing policies of academic institutions are restricting access to medicines in poor countries. In cooperation with top experts in international medicine access and technology transfer, UAEM has created a unique contract that universities can adopt to increase access to medical innovations in developing countries while maintaining or even improving drug development. UAEM chapters are forming at universities across the country to advocate for policy change. Here at Berkeley, students from law, medicine, business and public health have started a chapter and are looking for other interested students to join..

boalt.org

Boalt.org is an independent student organization that functions as the public interest arm of the Law & Technology Program at Berkeley Law. Boalt.org was founded on the beliefs that our traditional civil liberties should be maintained in the context of new technologies and that laws regarding innovation are primarily intended to serve the public. Our primary mission is to promote the public interest in technology law at Berkeley Law, across campus, and in the world. Students, academics, and nonprofit technology organizations gather at boalt.org-sponsored events to discuss leading issues at the intersection of law, technology, and public policy, including online privacy and free speech, copyright and fair use, and internet architecture and innovation. Additionally, boalt.org lobbies and advises the law school administration for improved and smarter computing resources and instructional technology.

Patent Law Society

The Boalt Hall Patent Law Society functions as a focus group for students interested in practicing patent law, provides a forum for students to have in-depth discussions regarding patent law, engages patent law practitioners to share their experiences with the students, and provides opportunities for students to interact, network and exchange ideas. For more information please contact: ebby.abraham@berkeley.edu; amyhayden@berkeley.edu; samantak@berkeley.edu; ysilee@gmail.com.

Consumer Advocacy and Protection Society (CAPS)

The Consumer Advocacy and Protection Society (CAPS) is dedicated to fostering research, discussion, and advocacy in the field of Consumer Protection Law. We are committed to strengthening ties between consumer law groups and the Berkeley Law community. We work to: create networks between consumer law attorneys, advocacy organizations, and the Berkeley Law student body in order to promote the field of consumer protection law and provide training opportunities for students; foster community among student advocates whose interests intersect with consumer protection; and encourage and maintain consumer protection curriculum and clinic opportunities at Berkeley Law. For more information please contact: Mimi Vu, mimi.vu@berkeley.edu or Charlie Carriere, Charlie.Carriere@gmail.com.

Healthcare and Biotech Law Society

The Healthcare and Biotech Law Society is a group of law students who are interested in examining and analyzing the intersection between law, society, policy, and science. Our mission is to stimulate the intellectual and professional development of Berkeley Law students interested in health and/or biotech law. We provide a forum for students with a broad range of interests. For more information please contact: David Vernon, djvernon@berkeley.edu.

Sports and Entertainment Law Society

The mission of Berkeley Law's Sports and Entertainment Law Society (SELS) is to educate the community about legal opportunities and issues in the entertainment and sports industries. SELS also strives to facilitate opportunities for students to network not only with each other, but also with legal professionals in these industries. As a relatively new and expanding organization, new members are particularly welcome with their ideas, efforts and enthusiasm. Additionally, SELS seeks to develop its strength as a resource for students to connect with alumni and seek employment opportunities in the sports and entertainment industries. For more information please contact: Amir Abadi, amirabadi@berkeley.edu or Kiley Wong, kileywong@berkeley.edu.

More information about these student groups can be found at:
<http://www.law.berkeley.edu/5258.htm>



Berkeley Energy & Resources Collaborative

BERC @ Boalt, UC Berkeley School of Law

<http://berc.berkeley.edu>

The Berkeley Energy & Resources Collaborative (BERC) is the multidisciplinary network that connects all aspects of energy and resources at the University of California, Berkeley. Our members come from the many departments, programs, and labs at the University; including the Colleges of Chemistry, Engineering, Environmental Design, and Natural Resources; Energy and Resources Group; Goldman School of Public Policy; Haas School of Business; Lawrence Berkeley National Laboratory; and the School of Law. Since its founding in 2005, BERC has grown to become one of the UC Berkeley's largest and most active student organizations.

BERC's mission is to connect, educate, and engage students in order to foster innovation and action. To this end, BERC:

- *Connects* over 2500 members as part of a broad network of students, alumni, and professionals in the fields of energy and resources;
- *Educates* students about the most cutting edge work in energy and resources through organizing events, brownbag lectures, and field trips;
- *Engages* members by providing opportunities to address global energy and resource issues and to create applications for cutting-edge research and technology.



Cleantech to Market

C2M matches multi-disciplinary student teams with inventors from Lawrence Berkeley National Labs in order to bridge the gap from lab to market for commercially viable clean technologies.

BERC Innovative Solutions

BIS offers public and private sector clients the opportunity to engage student consulting teams to address energy and resource issues on semester-long engagements.

Speaker Series

BERC @ Boalt brings in a range of speakers to discuss the day-to-day practice of cleantech law; explain the application of cutting edge technologies and the policy issues surrounding them

Mentorship Program

BERC @ Boalt matches interested students with practicing attorneys across the spectrum of cleantech practice areas – IP, project finance, government – to foster mentor-mentee relationships.

UC Berkeley Energy Symposium

The Energy Symposium brings together more than 600 students, world-class researchers from UC Berkeley and Lawrence Berkeley National Laboratory, entrepreneurs, policy makers, and venture capitalists for a full day event. The Symposium fosters dialogue among diverse audience members through multiple panels, keynotes, and a poster competition. Past keynotes include Steven Chu, US Secretary of Energy (2007), John Doerr, Partner at Kleiner Perkins (2008), and Mary Nichols, Chairman of the California Air Resources Board (2009).

BERC @ Boalt is the law school's arm of BERC. Our goal is to make UC Berkeley the premier school at which to study energy and resources law in the nation through continued curriculum development, an expanding alumni and professional network, and the promotion of energy and resources-related events and discussions. Our members have diverse interests, including environmental law, climate change, intellectual property, venture capital, project finance, and clean technologies. BERC @ Boalt has also become a one-stop-shop for students seeking job opportunities in the rapidly emerging fields of energy, clean technology, and resource management law through our career guide and. We also offer a student-alumni mentoring program, host regular student-professional social events, and sponsor panel discussions and speakers that focus on provocative issues related to the fields. As California and the federal government seek to implement ambitious global warming legislation, legal practitioners who have expertise in energy trading, carbon markets, alternative energy technologies, and energy regulation will be in high demand. BERC @ Boalt is committed to staying at the forefront of this new frontier. Email lrasel@berkeley.edu to join the mailing list and stay connected!

CURRICULUM



As BCLT has grown, it has broadened its mission beyond the intellectual property core to encompass electronic commerce, entertainment law, telecommunications regulation, cyberlaw, privacy, and many other areas of constitutional and business law that are affected by new information technologies.

BCLT has developed the world's most comprehensive and innovative program in law and technology. This program features three essential components:

- strong foundational courses taught by Boalt faculty using their own leading casebooks;
- diverse, challenging and regularly updated advanced courses taught by leading faculty and practitioners; and
- closely supervised analytic writing- and research-oriented courses with a specific emphasis on law and technology issues.

Other opportunities for students to develop their skills include working with the Samuelson Law, Technology and Public Policy Clinic and the *Berkeley Technology Law Journal*, the first student-edited journal to focus on the intersection of law and technology. Each year, the *Berkeley Technology Law Journal* and BCLT publish the *Annual Review of Law and Technology*, which includes two dozen student articles on the leading developments of the prior year.

Many students go beyond these curricular opportunities, working with BCLT to organize important educational, public policy and research events throughout the academic year. The Center provides students with many opportunities to meet leading practitioners in the law and technology field. More than 30 law firms and companies sponsor BCLT and participate in a wide variety of events at Boalt Hall.

BCLT holds at least one major conference and multiple smaller roundtable events each year. Recent conferences included: *Technology: Transforming the Regulatory Endeavor* (2011), *Copyright @*

300 (2010), *Security Breach Notification 6 Years Later* (2009), *Intellectual Property & Entrepreneurship* (2008), *Copyright, DRM Technologies, and Consumer Protection* (2007), *California's Stem Cell Initiative* (2006), and *Spyware: The Latest Cyber-Regulatory Challenge* (2005). In addition, the Center works closely with the Federal Judicial Center to provide educational conferences for Federal Judges.

Courses and Seminars

To help you plan your schedule, the list below sets forth the Law & Technology courses and seminars Berkeley Law expects to offer for the 2011-12 academic year. You should always check the Law School website for the most current course offerings.

There are good resources to help you think about your classes. First, you should talk with students who have taken the classes and the faculty members scheduled to teach the classes. Second, the web site for current students provides current course descriptions, faculty profiles, teaching evaluations, and – in some instances – syllabi. For a full list of courses (with schedules back to Fall 1998) please go to: www.law.berkeley.edu/5254.htm

Fall 2011

Telecommunications, Broadcast, and Internet Law
 Introduction to Intellectual Property
 Intellectual Property Strategy
 Antitrust & IP
 Patent Law
 Copyright Law
 Entertainment Law: TV and Film
 Computer Crime Law
 Energy and Cleantech Research Seminar I
 Wine Law
 Intellectual Property Transactions
 Law & Technology Writing Workshop
 Antitrust
 Samuelson Clinic Seminar
 Advanced Samuelson Clinic

Spring 2012 (SAMPLE COURSE LIST)

Playing by the Rules: Video Game Law
 Introduction to Intellectual Property
 Cyberlaw
 Biotechnology Law
 Protecting Products of Place
 Patent Prosecution
 Information Privacy Law
 Trade Secrets
 Patent Litigation
 Art and Cultural Property Law
 Trademark Law
 Advanced IP: Theory & Policy of Property in Information, Knowledge & Culture
 Music Entertainment Law

CERTIFICATE PROGRAM

Berkeley Law developed the nation's leading program in law and technology for students interested in concentrating their studies in this area. To receive the certificate upon graduation, students need to fulfill both curricular and extracurricular requirements. The curricular requirements emphasize depth and breadth of coverage

and afford students substantial flexibility in adapting their course of study toward a range of career paths at the growing intersection of law and technology. In their second year, students may submit an interim application to the program so they may inform prospective employers of their



participation in the program.

The Law and Technology Program requires satisfactory completion of six courses and a research paper, as well as participation in law and technology organizations. The program includes three parts:

A. COURSE COMPONENT:

1. Completion of the core course *Introduction to Intellectual Property*.
2. Completion of at least two courses from the following list of core courses:

- Copyright
- Information Privacy Law
- Cyberlaw
- Patent Law

3. Completion of at least three additional Law & Technology courses (that do not duplicate the two courses used to fulfill the above requirement). A list of the law and technology course offerings can be found here:

<http://www.law.berkeley.edu/5256.htm>

Some courses offered by other Berkeley graduate schools, such as the Haas School of Business or the School of Information Management and Systems (SIMS), may be allowed as a substitute for one of the above certificate-qualifying courses. Examples of classes outside the law school that might qualify can be found at the certificate page.

For questions about specific courses please send an email to <bclt@law.berkeley.edu> with information about the course you would like to substitute.

B. WRITING COMPONENT:

A writing component, fulfilled by completing a paper of publishable

quality through the Law and Technology Writing Seminar or the Entertainment Law and New Media Writing Seminar; undertaking a supervised writing project in a law and technology seminar class that results in a paper of publishable quality; completing a supervised independent study writing course that results in a paper of publishable quality; or preparing substantial written work as part of the Samuelson Law, Technology, and Public Policy Clinic.

C. ACTIVITY COMPONENT:

An activity component, fulfilled by substantial participation in at least one approved activity for two semesters, or two approved activities for one semester. This requirement is designed to encourage students to develop collaborative working skills and to complement the substantive knowledge derived from course-related work. The list of approved activities will be reviewed periodically by the faculty administering the program. Participating in the following activities satisfies the activity component: *Berkeley Technology Law Journal*; Samuelson Law, Technology and Public Policy Clinic; BERC @ Boalt; boalt.org; UAEM; the Patent Law Society; Consumer Advocacy and Protection Society; the Healthcare and Biotech Law Society; and the Sports and Entertainment Law Society. Students may request to have another law and technology-related activity approved, such as a moot court competition relating to intellectual property.

To check on the latest requirements, please visit the certificate page: <http://www.law.berkeley.edu/5256.htm>

LL.M. & CLEANTECH

CLEANTECH CERTIFICATE

Students may undertake a specialization in clean technology law. The specialized curricular program ensures students develop a broad background in fundamental areas of law while receiving advanced training in environmental, energy, finance, and intellectual property law. Students who meet the requirements are awarded a Certificate of Specialization in Clean Technology Law at graduation. Students who wish to earn the certificate must take Administrative Law, Energy Regulation and the Environment, Environmental Law and Policy, and Introduction to Intellectual Property; complete four other advanced or more specialized courses in the areas of Finance & Energy Business, IP / Entrepreneurship & Energy Science / Technology, and Environmental Law & Energy Policy; participate in one extra-curricular activity; and write a research paper relating to energy or clean technology law or policy.

Details and application: <http://www.law.berkeley.edu/8881.htm>

LL.M. CERTIFICATE

BCLT is offering a specialized certificate program for Boalt's LL.M. students. To receive the certificate upon graduation, students need to fulfill both curricular and extracurricular requirements.

Details are here: <http://www.law.berkeley.edu/8897.htm>

STUDENT ACTIVITIES



Students at Berkeley Law have a unique opportunity to participate in a diverse set of activities and to explore IP and Technology Law from experts in the field by attending these unique networking programs:

- Lunch presentations by attorneys from law firms and corporations
- Law Firm receptions
- Fall and Spring Career Fairs
- Technology Conferences, Meetings and Roundtables.

Berkeley Law provides access to a wide range of technology practices through the 7 technology related student groups referenced on a earlier page. Each of these groups works closely with the BCLT to provide a broad spectrum of perspectives for the Berkeley Law student body.

CAREERS

Career Development Office

The Career Development Office, located in 290 Simon Hall, has a variety of resources to assist students looking for jobs in Law & Technology related fields. For more information: <http://www.law.berkeley.edu/careers.htm>

Law & Technology Career Information

Located outside of 355 Boalt the Law and Technology Career Information Lounge has an extensive selection of resources for students. Updated and exclusive BCLT offerings are posted and information on the top 30 IP firms is available.

SAMUELSON CLINIC

Founded in 2001, the Samuelson Law, Technology and Public Policy Clinic (SLTPPC) provided the first opportunity in legal academia for students to represent public interest clients, concerns and constituencies in key debates and litigation concerning the fundamental public policies at the intersection of law and technology. Covering topics as diverse as access to knowledge, privacy, life sciences, consumer rights, free speech, and intellectual property. SLTPPC students participate in all aspects of technology policy at both the state and national levels- from litigation and counseling clients to drafting legislation to injecting public policy considerations into technology research and development- working together with clinic faculty and staff as well as the University of California's preeminent computer science, life science, public health and engineering faculty.

California's preeminent computer science, life science, public health and engineering faculty. SLTPPC students have represented clients in legal matters before federal agencies, federal district and appellate courts, the California Supreme Court, the U.S. Supreme Court, the California Assembly and Senate, and in technical standard-setting committees. In addition, clinic students have written and contributed to research reports and white papers on behalf of clients, on a broad range of topics related to intellectual property and technology law and policy. Through these diverse projects, SLTPPC students and faculty work to fulfill the Clinic's dual mission: to provide a voice for the public interest in law and technology issues, and to teach law students, via real work for live clients, how to develop and apply the fundamental skills of lawyering to the public policy questions of our time.

EVENTS/DEVELOPMENTS

- The first Fall Reception will be held in Spring 2012. At the receptions partners, associates, and recruiters from leading law firms will come to speak informally about life at the firm and their practice.
- On September 6, 2011 the first of our Fall Lunch Series was held. Typically on each Tuesday and Thursday during the Fall and Spring semesters, BCLT/BTLJ features a lunch presentation on a current legal issue or case told from the practitioners' perspective.
- More than 30 leading IP and technology firms will attend BCLT's Fall Career Fair at Boalt Hall at the end of November, check BCLT calendar and enews for scheduling.
- The Law & Technology Mentor Program, which begins in the Fall, matches up law students with practitioners.
- BCLT is planning its Fifteenth Annual Symposium (co-sponsored by the Berkeley Technology Law Journal). This year's topic is Governance by Technology. The conference will be held at the UC Berkeley campus on April 12-13, 2012.

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