

University of Calgary
Department of Communication, Media and Film

**COMS 401 (L01): Special Topics in Communication and Media Studies –
Communication and Intellectual Property**

WINTER 2020: January 14 to April 14 (excluding February 18 and 20)

Lectures: Tuesdays 12:30 to 1:45

Tutorials: Thursdays 12:30 to 1:45

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Office Hours:	Mondays and Tuesdays 10:30 to 11:30 or by appointment.

Course Description

Much of the technology and content of modern communications is shaped and controlled by Intellectual Property Rights in the form of copyrights, patents, registered designs and trademarks. The course will review the history, theory and practice of defining and protecting intellectual property, and explore the implications for how humans communicate in a technologically mediated society.

Through lectures and weekly scheduled student-led tutorials aimed at contextualizing IPR in the contemporary communications milieu, students will explore complex interrelationships between the “immaterial” dimensions of communication content, and the “material” dimensions of communication technology. Although the course will cover the institutions, structures and practices of the global IPR regime, the focus will be upon the socio-economic issues that the protection of intellectual property raises in contemporary societies. For example, regarding the nature and status of property, economic performance, science knowledge and learning, cultural production and social organization.

Additional Information

NOTE: As from 16 March 2020, all Lectures and Tutorials will be delivered online via D2L and Zoom. Office hour appointments will also be scheduled on Zoom for the remainder of the Term. All assignments are due on the dates originally specified and should be uploaded to the designated dropbox on D2L.

Objectives of the Course

The objectives of the course are to:

- acquaint the student with the complex history and evolving socio-economic significance of intellectual property as a legal, economic, political and social concept,

- acquaint the student with the legal basis, institutions and practices pertaining to the protection of intellectual property,
- make students aware of the controversies surrounding IPR and how they affect the contemporary communications landscape,
- develop critical thinking skills that will equip students to deal with complex legal, economic and social theories and arguments that pertain to IPR.

Textbooks and Readings

Textbook (available electronically on D2L):

May, Christopher and Susan Sell (2006) *Intellectual Property Rights: A Critical History*, Boulder CO: Lynne Reinner Publishers.

<https://ebookcentral-proquest-com.ezproxy.lib.ucalgary.ca/lib/ucalgary-ebooks/detail.action?docID=3328971>

Additional readings (available electronically on D2L):

Bekkers, R., G. Duysters and B. Verspagen (2002); Intellectual property rights, strategic technology agreements and market structure The case of GSM, *Research Policy*, 31, 1141-1161.

Boldrin, M. and D. Levine (2013) What's Intellectual Property Good For?, *Revue economique* 64, 29-53.

Burk, D. (2007) Intellectual Property in the Context of e-Science, *Journal of Computer-Mediated Communication*, 12, 600–617.

Caraway, B. (2011) Audience labor in the new media environment: A Marxian revisiting of the audience commodity, *Media, Culture & Society*, 33 (5), 693–708.

Harvie, D., G. Lightfoot, S. Lilley and K. Weir (2013) Publisher, be damned! From price gouging to the open road, *Prometheus*, 31 (3), 229–239.

Kahin, B. (2001) The expansion of the patent system: Politics and Political Economy, *First Monday*, 6 (8), (online journal).

MacDonald, S. (2011) Seducing the goose: Patenting by UK Universities, *Intellectual Property Quarterly*, 4, 2011, pp.323-44.

May, C. (1998) Capital, knowledge and ownership: The 'information society' and intellectual property, *Information, Communication & Society*, 1:3, 246-269,

McIntyre; P. (2007) Copyright and Creativity: Changing Paradigms and the Implications for Intellectual Property and the Music Industry, *Media International Australia, incorporating Culture and Policy*, 123, 82 – 94.

Menard, G. (2016) Copyright, digital sharing, and the liberal order: sociolegal constructions of intellectual property in the era of mass digitization, *Information, Communication & Society*, 19 (8), 1061-1076.

Mokyr, J. (2009) Intellectual Property Rights, the Industrial Revolution, and the Beginnings of Modern Economic Growth, *American Economic Review: Papers & Proceedings*, 99 (2), 349–355.

Moser, P. (2013) Patents and Innovation: Evidence from Economic History, *The Journal of Economic Perspectives*, 27 (1), 23-44.

Munger, M. (2016) Tomorrow 3.0: The Sharing Economy, *The Independent Review*, 20 (3), 391-395.

Nadel, M. (2004) How current copyright law discourages creative output: The overlooked influence of marketing, *Berkeley Technology Law Journal*, 19 (2), 786-856.

Phillips, T. and J. Street (2015) Copyright and musicians at the digital margins *Media, Culture & Society*, 37 (3), 342–358.

Powell, A. (2015) Open culture and innovation: integrating knowledge across boundaries, *Media, Culture & Society*, 37 (3), 376–393.

Tang, P (2005) Digital copyright and the “new” controversy: Is the law moulding technology and innovation?, *Research Policy*, 34, 852-871.

Towse, R. (2010) Creativity, Copyright and the Creative Industries Paradigm, *Kyklos*, 63 (3), 461–478.

Policy on the use of Electronic Communication Devices

Except for purposes of direct relevance to the conduct of the seminar – e.g. note taking and reference to course materials, assignments and readings – the use of electronic devices in class is not permitted. Upon prior notification, exceptions may be granted in the case of expected important or emergency communications. No audio or video recording is allowed in any class without the instructor’s permission.

Assignments and Evaluation

Weight	Assignments	Due
20%	Tutorial discussion panel (each student prepares and participates in one panel)	As scheduled
20%	Mid-term exam (60 Minutes)	In class March 3
40%	Term paper (10-12 pages excluding bibliography)	Due March 26 to the D2L dropbox
20%	Take-home exam	Questions given on D2L April 14 (receipt deadline is noon, April 20)

Registrar-scheduled Final Examination: No

Note: You must complete all assignments and exams or a course grade of F may be assigned at the discretion of the instructor.

If you miss a required course component, please contact your instructor as soon as possible.

Submission of Assignments

Assignments are due on or before the date specified. Late submission is discouraged. Deferments will be granted only in the case of legitimate illness or emergency.

For assignments due after March 15, please use the designated dropbox in D2L.

Please hand in your term papers directly to your instructor. If this is not possible, a daytime drop box is available in SS320; a date stamp is provided for your use. A night drop box is also available for after-hours submission. Assignments will be removed the following morning, stamped with the previous day's date, and placed in the instructor's mailbox. The Final take home exam is to be delivered to a D2L Drop Box. Details will be provided as required.

Be prepared to provide photo ID to pick up assignments in SS 320. Private information related to individual students is treated with the utmost regard by University of Calgary faculty. Student assignments will be accessible only by the authorized course faculty, and personal information is collected in accordance with the ***Freedom of Information and Protection of Privacy (FOIP) Act***. Please note that instructors may use audio or video recorded for lesson capture, assessment of student learning, and self-assessment of teaching practices.

Note: It is the student's responsibility to keep a copy of each submitted assignment and to ensure that the proper version is submitted (particularly in courses requiring electronic submission). Including a version date in your file name may be useful.

Policy for Late Assignments

Assignments submitted after the deadline may be penalized with the loss of 5% or a partial letter grade (e.g.: A- to B+) for each day late.

Student Accommodations

Students seeking an accommodation based on disability or medical concerns should contact Student Accessibility Services (SAS); SAS will process the request and issue letters of accommodation to instructors. For information on support services and accommodations for students with disabilities, visit www.ucalgary.ca/access/. Students who require an accommodation based on a protected ground other than disability should communicate this need in writing to their Instructor. The full policy on Student Accommodations is available at <http://www.ucalgary.ca/policies/files/policies/student-accommodation-policy.pdf>.

Students seeking accommodation for transient illnesses (e.g., the flu) or another legitimate reason should contact their instructors. Whenever possible, students should provide supporting documentation to support their request; however, instructors may not require that a medical note be presented. For the policy on supporting documentation the use of a statutory declaration, see Section M.1 of the *University Calendar*: <https://www.ucalgary.ca/pubs/calendar/current/m-1.html>. Also see FAQs for Students: <https://www.ucalgary.ca/registrar/registration/appeals/student-faq>

Expectations for Writing

Department policy directs that all written assignments and, to a lesser extent, written exam responses be assessed at least partly on writing skills. Writing skills include not only surface correctness (grammar, punctuation, sentence structure, etc.) but also general clarity and organization and proper documentation of research sources. For further information, please

refer to the *University of Calgary Calendar* section on writing across the curriculum:
<http://www.ucalgary.ca/pubs/calendar/current/e-2.html>

Grading & Department of Communication, Media and Film Grade Scale

The following table outlines the grade scale percentage equivalents used in the Department of Communication, Media and Film. Final grades are reported as letter grades. For components graded using percentages or numerical scores, those values will be used directly in calculating the final course grade, while for components graded using letter grades, the letter grades will be converted to the midpoint values listed in the final column of the table below in calculating the final course grade.

In this course, final grades are reported as letter grades. Each assignment will be marked in percentage (out of 100). Each assignment will be weighted according to its allocated percentage of the final grade.

Grade Point Value	Description	Grade	Dept of CMF grade scale equivalents*	Letter grade % equivalent for calculations*
4.00	Outstanding performance	A+	96 - 100%	98.0%
4.00	Excellent performance	A	90 - 95.99%	93.0%
3.70	Approaching excellent performance	A -	85 - 89.99%	87.5%
3.30	Exceeding good performance	B+	80 - 84.99%	82.5%
3.00	Good performance	B	75 - 79.99%	77.5%
2.70	Approaching good performance	B-	70 - 74.99%	72.5%
2.30	Exceeding satisfactory performance	C+	65 - 69.99%	67.5%
2.00	Satisfactory performance	C	60 - 64.99%	62.5%
1.70	Approaching satisfactory performance	C-	55 - 59.99%	57.5%
1.30	Marginal pass. Insufficient preparation for subsequent courses in the same subject	D+	53 - 54.99%	54.0%
1.00	Minimal pass. Insufficient preparation for subsequent courses in the same subject	D	50 - 52.99%	51.5%
0.00	Failure. Did not meet course requirements.	F	0 - 49.99%	0%

* Column 4: If percentages are used to calculate final grades, then grades falling within these ranges will be translated to the corresponding letter grades. Column 5: These percentage equivalents will be used for calculating final grades unless an alternative method of final grade calculation is outlined above.

Plagiarism

Using any source whatsoever without clearly documenting it is a serious academic offense. Consequences include failure on the assignment, failure in the course and possibly suspension or expulsion from the university. These requirements apply to all assignments and sources, including those in non-traditional formats such as Web pages or visual media.

You must document not only direct quotations but also paraphrases and ideas where they appear in your text. A reference list at the end is insufficient by itself. **In-text citations must be provided, and readers must be able to tell exactly where your words and ideas end and other people's words and ideas begin.** Wording taken directly from a source must be enclosed within quotation marks (or, for long quotations, presented in the format prescribed by the documentation style you are using). Paraphrased information must not follow the original wording and sentence structure with only slight word substitutions here and there.

For information on citation and documentation styles (MLA, APA, Chicago, IEEE, etc.), visit the Student Success Centre resource links at <https://ucalgary.ca/student-services/student-success/writing-support> or the Purdue Online Writing Lab (OWL) Research and Citation Resources at https://owl.purdue.edu/owl/research_and_citation/resources.html

If you need help with your writing or have questions about citing sources, please consult your instructor or visit the Student Success Centre, 3rd floor, Taylor Family Digital Library. To book an appointment, go to https://ucalgary.ca/student-services/student-success?utm_source=ssc&utm_medium=redirect&utm_campaign=redirect

Instructor Intellectual Property & Copyright Legislation

Course materials created by the instructor (including course outlines, presentations and posted notes, labs, case studies, assignments and exams) remain the intellectual property of the instructor. These materials may NOT be reproduced, redistributed or copied without the explicit consent of the instructor. The posting of course materials to third party websites such as note-sharing sites without permission is prohibited. Sharing of extracts of these course materials with other students enrolled in the same course section and term may be allowed under fair dealing. Check with the instructor if you have any questions about sharing materials with classmates.

All students are required to read the University of Calgary policy on Acceptable Use of Material Protected by Copyright (www.ucalgary.ca/policies/files/policies/acceptable-use-of-material-protected-by-copyright.pdf) and requirements of the copyright act (<https://laws-lois.justice.gc.ca/eng/acts/C-42/index.html>) to ensure they are aware of the consequences of unauthorized sharing of course materials (including instructor notes, electronic versions of textbooks etc.). Students who use material protected by copyright in violation of this policy may be disciplined under the Non-Academic Misconduct Policy.

Academic Misconduct

For information on academic misconduct and its consequences, please see the *University of Calgary Calendar* at <http://www.ucalgary.ca/pubs/calendar/current/k.html>

Research Ethics

Whenever you perform research with human participants, including surveys, interviews, or observations as part of your university studies, you are responsible for obtaining research ethics approval and for following university research ethics guidelines. In some cases, your instructors may apply for course-based research ethics approval for certain assignments, and in those cases, they must review and approve your research plans and supervise your research. For more information about your research ethics responsibilities, please see <https://arts.ucalgary.ca/research/arts-researchers/resources-researchers-and-instructors/ethics>

Deferrals of Course Work and Requests for Reappraisal

For university regulations and procedures related to deferrals of exams and course work, requests for reappraisals, and other matters, please see the relevant sections in the *University Calendar*: <https://www.ucalgary.ca/pubs/calendar/current/academic-regs.html>

Student Support Services and Resources

Please visit <https://www.ucalgary.ca/registrar/registration/course-outlines> for information about student support services and resources, including Wellness and Mental Health Resources, Student Success programs and services, the Student Ombuds Office, the Student Union, and Safewalk. For resources on D2L, visit <http://elearn.ucalgary.ca/desire2learn/home/students>. IT support is available at itsupport@ucalgary.ca or by calling 403-220.5555.

Schedule of Lecture Topics and Readings

	Date	Topic	Readings
1a	Tu Jan 14	Introduction to the course	N/A
1a	Th Jan 16	Organizational workshop	N/A
Module One: History, basic concepts and mechanisms of intellectual property			
2a	Tu Jan 21	The practice and significance of IPR in contemporary society	May & Sell Chapter 1; May (1998)
2b	Th Jan 23		
3a	Tu Jan 28	The foundations of IPR as a concept	May & Sell Chapters 2, 3;
3b	Th Jan 30	Tutorial	
4a	Tu Feb 4	Creators, commerce and the economy	May & Sell Chapter 4; Towse
4b	Th Feb 6	Tutorial	
5a	Tu Feb 11	IPR and technological progress	May & Sell Chapter 5, 6; Mokyr
5b	Th Feb 13	Tutorial	
Reading Week: 17-21 February			
6a	Tu Feb 25	The IPR system	May & Sell Chapter 7; 8; Kahin
6b	Th Feb 27	Tutorial	
7a	Tu Mar 3	Mid-term Exam (In Class)	
7b	Th Mar 5	Post Mid-term review and workshop	
Module Two: Intellectual property and the evolution of contemporary communications			
8a	Tu Mar 10	IPR and the communications infrastructure	Bekkers et al.; Powell
8b	Th Mar 12	Tutorial	
9a	Tu Mar 17	IPR and the advancement knowledge	Burk; MacDonald; Harvie et al.
9b	Th Mar 19	Tutorial	
10a	Tu Mar 24	IPR and the sharing society	Munger; Menard; Caraway; Tang
10b	Th Mar 26	Tutorial Term papers due in class	

11a	Tu Mar 31	IPR and the production of culture	Nadel; McIntyre; Phillips & Street
11b	Th Ap 2	Tutorial	
12a	Tu Ap 7	A world without IPR?	Boldrin & Levine; Moser
12b	Th Ap 9	Tutorial	
13a	Th Ap 14	Final Take-Home Exam questions disclosed	