

Grading Form for Software Law Course Fall Term 2003

Question 1 (40 pts)

Definition of Trade Secret	4	
Did the publication of the blog breach the nondisclosure agreement	8	
What impact would the publication of the blog have on trade secret protection	8	
What would the impact be, if any, on the decompiling of Annie's code?	8	
Did the decompiling of the software breach the nondisclosure agreement?	8	
Miscellaneous	4	
Total (of 40 points)		

Question 2 (40 pts)

Statutory matter, utility, novelty, nonobviousness and disclosure rules	4	
Would the hardware fit within statutory matter?	8	
Would the software fit within statutory matter?	8	
How would the prior claims affect requirements of novelty and nonobviousness	8	
What is the scope of patent protection here – literal infringement, equivalents?	8	
Miscellaneous	4	
Total (of 40 points)		

Question 3 (40 pts)

Copyright: standards for copyrightability	4	
Copyright: what aspects of software are protected under Altai analysis	8	
Copyright: herein of protection of visual elements; impact of fair use doctrine	8	
Trademark: the octopus – what category of mark? what protection available?	8	
Private Licensing Agreement: terms and "agreement" (shrink wrap, click)	8	
Miscellaneous	4	
Total (of 40 points)		

Comments: