This seminar will explore the extent to which the criminal law is or should be used to protect against the non-consensual appropriation of information, including information protected by copyrights, trademarks, and trade secrets. This exploration will involve thinking about the nature of intellectual property rights, the effects of criminalization on incentives to innovate and on access to knowledge, and the costs and benefits of using the institutions of criminal enforcement instead of, or in addition to, civil liability.

Course materials: Course materials (other than hyperlinked-materials) are posted on NYU Classes under Course Materials/Readings. Please read the posted versions rather than downloading different ones.

Writing requirements: Students are required to write a research paper. Each student must submit a thesis statement of the topic (including a preliminary bibliography), a first draft, and a final paper. Papers fulfilling the substantial writing requirement must be approximately 30-40 pages. Other papers may be approximately 20-25 pages. You are free to pursue a topic of your own choosing that is within the scope of the seminar.

Submission dates: Your topic choice is due September 23. The thesis statement (including preliminary bibliography) is due October 14. The first draft is due November 4; the final paper is due December 19. Please submit everything by email to Nicole Arzt. No extensions will be given.

Grades: The first draft will count for 20 percent of the grade; the final draft will count for 50 percent. The remainder of the grade will be based on participation and performance in the seminar.

Make-up classes: Classes will be canceled on September 30 and November 25. Make-up classes will be on Friday, October 11, at 2pm, and Friday, November 22, at 2pm.

Administrator for the course: Ms. Nicole Arzt (VH 336; nicole.arzt@nyu.edu) will be the administrator for the course.
SEMINAR CLASS SCHEDULE

Class 1: September 4
Topic 1—Introduction to Intellectual Property Crimes

Class 2: September 9
Topic 1—Introduction (continued)

Class 3: September 16
Topic 2—Copyright and Trademark Crime

Class 4: September 23
Topic 2—Copyright and Trademark Crime (continued)

Class 5: October 7
Topic 3—Hacking: Improper Access to Computers

Class 6: October 11
Topic 4—Economic Espionage and Trade Secret Theft

Class 7: October 14
Topic 4—Economic Espionage and Trade Secret Theft (continued)

Class 8: October 21
Topic 5—Insider Trading: Bad acts or good incentives to create information?

Class 9: October 28
Topic 6—Sanctions

Class 10: November 4
Guest Speaker: Brian Levine, former Senior Counsel, US Department of Justice, Computer Crime and Intellectual Property Section

Class 11: November 11
Student Presentations

Class 12: November 18
Student Presentations

Class 13: November 22
Student Presentations

Class 14: Dec. 2
Student Presentations