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University of Dayton. Academic Policies Committee

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PROPOSAL TO THE ACADEMIC SENATE

TITLE: Graduate Program in Intellectual Property and Technology Law in Cooperation with Nanjing University, PRC.

SUBMITTED BY: Academic Policies Committee

DATE: December 12, 2003

ACTION: Legislative

Reference:

Overview

The University of Dayton School of Law (UDSL) proposes to offer two new graduate degree programs:

1. A “Master of Laws in Intellectual Property and Technology Law,” an LL.M. degree, for students who already possess a first degree in law from a U.S. law school or from a foreign university authorized to confer such a degree by the government of the country in which it is located.

2. A “Masters in the Study of Law (Intellectual Property and Technology Law),” a M.S.L. degree, for students who possess a baccalaureate degree in an area other than law from a U.S. college or university or from a foreign university authorized to confer such a degree by the government of the country in which it is located.

The programs will require students who possess a first degree in law from a U.S. law school to complete a minimum of 24 course credits over two consecutive full-time semesters of study at UDSL (August through May). Students who do not possess a first degree in law from a U.S. law school must complete a minimum of 30 course credits over two consecutive full-time semesters of study at UDSL (August through May). With the permission of the Associate Dean and the Director of Graduate Programs of the School of Law, the program may also be completed on a part-time basis over the course of no more than four years. Upon satisfactory completion of the program, candidates will receive either the LL.M. or M.S.L. degree from the University of Dayton School of Law.

Requirements

1. For LL.M. Candidates with a U.S. Law Degree:
A. Completion of a minimum of 24 course credits.

B. Students must complete a minimum of 6 course credits from the “Core” Intellectual Property and Technology courses listed below. While students may fulfill this requirement by demonstrating that they have satisfactorily completed substantially equivalent courses at another law school, credit for such equivalent courses will not be counted toward the 24 credit requirements for the LL.M. degree.

1) Intellectual Property Law -- Law 790: 3 credits
2) Patent Law -- Law 792: 2 Credits
3) Cyberspace Law -- Law 774: 2 Credits
4) Electronic Commerce -- Law 770: 2 Credits
5) Copyright Law -- Law 811: 2 Credits

C. Students may fulfill the remainder of their 24 course credit requirements from the elective courses listed below as part of the Intellectual Property and Technology Curriculum:

1) Licensing Intellectual Property -- Law 798: 2 credits
2) Patent Practice and Procedure -- Law 793: 3 credits
3) Protection of Computers and Software -- Law 797: 2 credits
4) International Intellectual Property -- Law 772: 2 credits
5) Intellectual Property Law in the Digital Economy -- Law 773: 2 credits
6) Civil Trial Practice - Law and Technology -- Law 825: 3 credits
7) Criminal Law Seminar (Cybercrimes On-Line) -- Law 806: 3 Credits
8) Law, Technology & the Workplace -- Law 844: 2 credits
9) Seminar in Intellectual Property -- Law 777: 2 credits
10) Seminar in Cyberspace Law -- Law 776: 2 credits
11) Externship in Law and Technology -- Law 799: 2 credits
12) Directed Readings for Graduate Students -- Law 645: 1-2 Credits
13) Independent Study for Graduate Students -- Law 607: 1-2 Credits
14) Administrative Law -- Law 700: 3 credits
15) Federal Taxation of Business Entities & Owners -- Law 814: 4 credits
16) Business Planning -- Law 805: 3 credits
17) Commercial & Business Drafting -- Law 881: 2 credits
18) Antitrust Law -- Law 685: 3 credits
19) International Law -- Law 795: 3 Credits
20) International Business Transactions -- Law 845: 3 credits
21) International Tax Problems -- Law 860: 3 credits
22) **Comparative Law** B Law 771: 3 credits

D. Students may allocate a maximum of 6 credit hours of course work from non-Intellectual Property elective courses from UDSL, approved courses in related fields from other departments of the University of Dayton or approved courses in related fields from another educational institution with the approval of the Associate Dean and the Director of Graduate Programs at UDSL.

2. For LL.M. Candidates with a Foreign Law Degree:

A. Completion of a minimum of 30 course credits.

B. Completion of the following two required courses:

1) **Introduction to the U.S. Legal System & U.S. Legal Research for Graduate Students** -- 3 credits (Required Course)

This course will introduce graduate students without a degree in law from a U.S. law school to the basic structure and content of the U.S. legal system, examining how the three branches of government at the state and federal levels make law and legal policy in the United States. Students will be introduced to the nature and relationship between both case law and laws enacted by legislatures and administrative entities. Students will also become familiar with the methods and techniques employed in legal research in the United States.

2) **Intellectual Property Law for Graduate Students** -- Law 790: 3 credits (Required Course) (special section of existing course for graduate students without a law degree from a U.S. law school)

An introduction to copyrights, trademarks, trade secrets, and related subjects for graduate students. Examines the legal protection for the creative work of authors and artists and the proprietary information of businesses, the acquisition and duration of protection, and the rights granted and remedies available for infringement.

C. Students must complete a minimum of 6 course credits from the “Core” Intellectual Property and Technology courses listed below. While students may fulfill this requirement by demonstrating that they have satisfactorily completed substantially equivalent courses at another law school, credit for such equivalent courses will not be counted toward the 30 credit requirements for the LL.M. degree.

1) **Patent Law** -- Law 792: 2 Credits
2) **Cyberspace Law** -- Law 774: 2 Credits
3) **Electronic Commerce** -- Law 770: 2 Credits
4) **Copyright Law** -- Law 811: 2 Credits

D. Students must fulfill the remainder of their 30 course credit requirements from the elective courses listed above as part of the Intellectual Property and Technology Curriculum.

E. Students may allocate a maximum of 6 credit hours of course work from non-Intellectual Property elective courses from UDSL, approved courses in related fields from other departments of the University of Dayton or approved courses in related fields from another educational institution with the approval of the Associate Dean and the Director of Graduate Programs at UDSL.

F. Students admitted to the UDSL Graduate LL.M. program pursuant to an International Academic Cooperation Agreement between UDSL and an educational institution in a foreign country may be subject to different degree requirements in accordance with that Agreement. While such Agreements may not alter the 30 credit hour minimum degree requirement or the need to take the two required courses for students without a U.S. law degree listed above in 2B, such Agreements may, for example, require that certain additional courses be taken by the students or permit study *in absentia* at the foreign educational institution which is party to the Agreement.

3. For M.S.L. Candidates with a U.S. Baccalaureate Degree:

A. Completion of a minimum of 30 course credits.

B. Completion of the following two required courses:

1) **Introduction to the U.S. Legal System & U.S. Legal Research for Graduate Students** -- 3 credits (Required Course)

2) **Intellectual Property Law for Graduate Students** -- Law 790: 3 credits (Required Course) (special section of existing course for graduate students without a law degree from a U.S. law school)

C. Students must complete a minimum of 6 course credits from the “Core” Intellectual Property and Technology courses listed below.

1) **Patent Law** -- Law 792: 2 Credits
2) **Cyberspace Law** -- Law 774: 2 Credits
3) **Electronic Commerce** -- Law 770: 2 Credits
4) **Copyright Law** -- Law 811: 2 Credits
D. Students may fulfill the remainder of their 30 course credit requirements from the elective courses listed above as part of the Intellectual Property and Technology Curriculum.

E. Students may allocate a maximum of 6 credit hours of course work from non-IP elective courses from UDSL, approved courses in related fields from other departments of the University of Dayton or approved courses in related fields from another educational institution with the approval of the Associate Dean and the Director of Graduate Programs at UDSL.

4. For M.S.L. Candidates with a Foreign Baccalaureate Degree:

A. Students must fulfill the same requirements as students with a U.S. baccalaureate degree seeking an M.S. L. degree. See section 3A, B, C, D, and E, above.

B. Students admitted to the UDSL Graduate M.S. L. program pursuant to an International Academic Cooperation Agreement between UDSL and an educational institution in a foreign country may be subject to different degree requirements in accordance with that Agreement. While such Agreements may not alter the 30 credit hour minimum degree requirement or the need to take the two required courses for students without a U.S. law degree listed above in 3B, such Agreements may, for example, require that certain additional required courses be taken by the students or permit limited study in absentia at the foreign educational institution which is party to the Agreement.

Admissions

1. Admission Requirements for the LL.M. Program

A. All candidates for LL.M. program are required to have a first degree in law from a U.S. law school or from a foreign university authorized to confer such a degree by the government of the country in which it is located.

B. All candidates for the LL.M. program must be fluent in the English language. For foreign students whose native language is not English, this requirement may be met:

1) By having completed their basic legal studies in an English speaking country in a university where instruction was in English.

2) By taking the Test of English as a Foreign Language (TOEFL) test administered by the Educational Testing Service and attaining a score of at least 600 (paper-based) or 250 (computer-based).
Scores from TOEFL tests more than two years prior to application to the program will not be accepted.

C. All candidates will be evaluated for admission on academic and personal criteria including law school transcripts, other academic records, employment experience and other personal accomplishments. Recommendations from past instructors, employers and others with personal knowledge of the candidate’s past academic or personal accomplishments will be considered.

D. Students admitted to the UDSL Graduate LL.M. program pursuant to an International Academic Cooperation Agreement between UDSL and an educational institution in a foreign country may be subject to different admission requirements in accordance with that Agreement. While such Agreements may not alter the basic requirements of a first degree in law or the required fluency in English, such Agreements may, for example, require a minimum GPA for admission or the successful completion of a foreign graduate school entrance examination or may permit a candidate to satisfy the English fluency requirement with a lower TOEFL score together with supplemental instruction in English as a foreign language at the University of Dayton.

2. Admission Requirements for the M.S. L. Program

A. All candidates for M.S. L. program are required to have a baccalaureate degree from a U.S. college or university or from a foreign university authorized to confer such a degree by the government of the country in which it is located.

B. All candidates for the M.S. L. program must be fluent in the English language. For foreign students whose native language is not English, this requirement may be met:

1) By having completed their basic baccalaureate studies in an English speaking country in a university where instruction was in English.

2) By taking the Test of English as a Foreign Language (TOEFL) test administered by the Educational Testing Service and attaining a score of at least 600 (paper-based) or 250 (computer-based). Scores from TOEFL tests more than two years prior to application to the program will not be accepted.

C. All candidates for the M.S.L. program must submit test results from one of the following tests: the Law School Admission Test (LSAT), the Graduate Record Examination (GRE), the Graduate Management Admissions Test
(GMAT), the Medical College Admission Test (MCAT) or other similar test. Tests for admission to graduate programs administered by foreign countries or institutions may, in the discretion of the Associate Dean and the Director of Graduate Programs at UDSL, be considered in lieu of the above listed tests. Applicants need not have taken the LSAT for admission to the program. The Associate Dean, the Director of Graduate Studies and the PL&T Graduate Studies Committee at UDSL will consult with the appropriate offices at the University of Dayton when interpreting and evaluating the results of admissions tests other than the LSAT. The Dean and Associate Dean of UDSL may waive this requirement concerning standardized admissions tests only in extraordinary circumstances.

D. All candidates will be evaluated for admission on academic and personal criteria including university or college transcripts, other academic records, employment experience and other personal accomplishments. Recommendations from past instructors, employers and others with personal knowledge of the candidate’s past academic or personal accomplishments will be considered.

E. Students admitted to the UDSL Graduate M.S.L. program pursuant to an International Academic Cooperation Agreement between UDSL and an educational institution in a foreign country may be subject to different admission requirements in accordance with that Agreement. While such Agreements may not alter the basic requirements of a baccalaureate degree or the required fluency in English, such Agreements may, for example, require a minimum GPA for admission or the successful completion of a foreign graduate school entrance examination or may permit a candidate to satisfy the English fluency requirement with a lower TOEFL score together with supplemental instruction in English as a foreign language at the University of Dayton.

3. During the first year of its operation the graduate program in law is expected to enroll no more than 10 students. At its maturity, graduate enrollment is not expected to exceed 30 students given the need to avoid any adverse impact upon UDSL’s regular J.D. program.

Miscellaneous Provisions

1. Part-Time Program: With the permission of the Associate Dean and the Director of Graduate Programs of the School of Law, the program may be completed on a part-time basis over the course of no more than four years.

2. Faculty

All courses in the graduate program taught at UDSL will be taught by full-
time or adjunct faculty at UDSL. As a result, 3-4 full-time faculty members who are identified with the field of intellectual property and technology law will be instructors in the program. Given the fact that the graduate program envisions the integration of a small number of graduate students into the regularly scheduled intellectual property/technology law courses currently offered to J.D. students, establishment of the program should not necessitate the hiring of new faculty or cause any appreciable adverse impact upon the faculty serving UDSL generally or the PL&T program specifically.

The addition of two new courses reserved specifically for graduate students will, of course, require finding a qualified faculty member to teach those courses. However, a number of current full-time and adjunct faculty have considerable experience teaching similar courses and some have already indicated a desire to teach those courses. The use of these faculty for these two courses should not have an adverse impact upon the availability of courses for J.D. students.

3. Classroom Integration of Graduate and J.D. Students

UDSL’s enrolled classes have routinely reflected an array of students with widely diverse backgrounds and characteristics. The profile of the 2002 entering class shows a range in ages from 20-48, a minority enrollment of 14.2%, and students from over 100 colleges and universities representing 68 different majors. Among the entering class were students whose baccalaureate degrees were from three foreign universities. In addition, UDSL has in the past permitted non-J.D. post-baccalaureate students from the U.S. and a number of foreign countries to enroll in one or more J.D. classes on an ad hoc basis where circumstances warranted. To date, these experiences with students of differing backgrounds and qualifications have not had any adverse impact upon the academic environment of the classroom.

Of course, some graduate students will not have had the benefit of attending the first year of a U.S. law school before beginning to take instruction in the upper-level intellectual property and technology law courses that make up the graduate curriculum. While this may present some challenges for the faculty and the graduate and J.D. students in those classes, we believe that those challenges can be reduced and that the benefits of having graduate students in those classes will outweigh any remaining challenges.

While there will be obvious language differences between some of our foreign graduate students and J.D. students, admission into the graduate program is only permitted to foreign students with a TOEFL score of at least 600 (paper-based) or 250 (computer-based) and whose admissions writing sample indicates a sufficient proficiency in English to benefit from the program. In addition, the University of Dayton is home to the English Language and Multicultural Institute (ELMI) which provides both basic and supplemental language instruction and
support for foreign students taking courses at UD, assistance that will be available to foreign students during the entire year.

Finally, the different legal, social, and cultural perspectives that graduate candidates will bring to the classroom has the potential to enrich class discussion and enhance the intellectual atmosphere of the classes, providing international and interdisciplinary perspectives that will benefit both the graduate and the J.D. programs.

4. Grading Standards

In order to insure that a lack of prior comparable legal education experience does not have an adverse academic impact upon students in the graduate program (or such an impact upon J.D. students in a course with graduate students), graduate students in a class will be graded upon a different standard than the J.D. students in the class. After the initial raw score grading of each student in the class, faculty members will be asked to assign grades to graduate students on the “graduate school standard” employed at the University of Dayton rather than the normal “law school standard” employed by UDSL for its J.D. students. Alternatively, graduate students may be enrolled in UDSL courses on one of UDSL’s “Credit/No Credit” Grading Options. In addition, the graduate students in any integrated class will not be taken into account for purposes of determining the applicability of a grading curve in the class to avoid an impact upon the academic standing of the J.D. students in the class. In addition, students in the graduate program will not be permitted to transfer into the J.D. program at UDSL and academic credit earned in the graduate program will not be credited toward a J.D. degree at UDSL.

5. Class Enrollment Priorities

Should competition for enrollment in classes arise, students in the J.D. program will be given priority in enrollment over graduate students for all courses offered in any semester at UDSL. However, graduate students admitted to the program pursuant to an International Academic Cooperation Agreement between UDSL and a foreign educational institution may be given priority over other non-J.D. students seeking to enroll in any course offered at UDSL. While these enrollment priorities seem a prudent way to avoid an adverse impact upon UDSL’s J.D. program, it is not anticipated that such enrollment prioritization will be needed in most instances. J.D. students will not be permitted to enroll in the special courses offered only to graduate students and enrollment in the intellectual property and technology courses in the Fall and Spring semesters is seldom large enough to require enrollment restrictions at the present time. Should graduate students seek to enroll in courses outside the area of intellectual property and technology law, the enrollment priorities noted above would be applicable. As such, competition for enrollment in upper-level courses between graduate and J.D. students is unlikely and will be avoided should it ever occur.
6. Impact of the Graduate Program upon UDSL Resources

It is not anticipated that the operation of the graduate program will have an adverse impact upon the resources or facilities available to the J.D. program.

The enrollment of graduate students at UDSL should have little, if any, impact upon the facilities available to the current J.D. program. During the regular academic year, when graduate students will be integrated into the J.D. student population, the addition of graduate students into the upper level classes dealing with intellectual property or technology law will not tax the classroom resources available at UDSL. UDSL has 4 large classroom seating 50-100 students, 5 professional skills rooms seating 25-30 students, three seminar rooms of various sizes, group study rooms (5-20 students), a Computer Training Center (30 students), and 1,400 data and power outlets for students. These capabilities, together with the relatively smaller enrollments in the classes in which the majority of graduate students are expected to enroll, should prove more than ample.

Interpretation 308-1 to ABA Approval Standard 308, which governs the ABA’s acquiescence process with respect to Post- and Non-J.D. degree programs, indicates that the ABA may withhold acquiescence due to the “lack of an adequate law library to support both a J.D. and an advanced degree program.” Given the small size and integrated nature of the proposed program it is not anticipated that the program will in any way adversely tax the law library’s physical facilities or the nature or use of its collection. To the extent that the library’s collection has been tooled to provide a more than adequate collection to support the current J.D.-level PL&T Program, it should more than suffice to support the proposed graduate program as well.

One full-time faculty member will serve as the administrator for the graduate program. While these administrative responsibilities will, of necessity, have an impact on the ability of that faculty member to engage in other service tasks at UDSL, especially in the first few years of the program, it is anticipated that, as the program matures, the burden associated with those administrative responsibilities will diminish. This seems likely given the fact that the Dean of UDSL has established a faculty “PL&T Graduate Studies Committee” which will assist the director in making the small number of admissions decisions that the program will entail and in general oversight of the program. In addition, as will be discussed in more detail below, the International Services Office (ISO) of the University’s Center for International Programs will be providing invaluable assistance to the graduate program and its students in the form of orientation, insurance and immigration assistance and special services for international students. Finally, the addition of graduate students to the current student body will not place any untoward burden on the highly efficient computer-based systems currently in place for registration of students and the processing of
student transcripts nor require the addition of any new secretarial assistance.

7. Integration of Foreign Graduate Students into Dayton and the UDSL Community

For international students, extended stays in a foreign country, while exciting and fascinating, can often lead to a culture shock that can be quite wearisome and frustrating before a full adjustment to the new environment is made. The foreign graduate students can be expected to experience the same cycle of fascination/culture shock/adjustment during their stay in Dayton. An important part of the adjustment phase for these students will be the extent to which we can fully integrate these students into the UD community and, more particularly, the Law School community.

Fortunately, the International Services Office (ISO) of the University’s Center for International Programs has offered to assist the Law School in this endeavor. The ISO provides a broad array of on-going services to over 250 undergraduate and graduate students who study at UD each year. These services range from picking students up at the airport to providing vital information and assistance on immigration matters, health insurance, housing, class registration and finding one’s way around UD and Dayton.

Before students begin to seek admission to the graduate program, UDSL will work closely with the ISO to design and implement an orientation and student services program tailored to the needs of the incoming international students.

Benefits of a Graduate Program in Intellectual Property and Technology Law

1. To The School of Law

   A. The proposed Graduate Program will reflect the unique nature of UDSL’s Program in Law & Technology and enhance its growing reputation.

      The Program in Law & Technology (PL&T) at the School of Law was begun in 1989 and has become recognized internationally as one of the premier programs of its kind in the United States. That burgeoning international reputation is due to its unique program focus, the diverse expertise of its faculty and its success in building innovative academic, business and public sector partnerships for the study and development of intellectual property and technology law.

      The scope and focus of the proposed graduate program represents a logical continuation and enhancement of PL&T’s innovative approach to the study and development of intellectual property and technology law. According to the American Bar Association, of the 188 accredited law schools in the United States,
only 16 schools offer a post-JD degree in areas related to intellectual property and technology law. Only 13 law schools offer any kind of legal studies for non-lawyers. And only 1 law school, John Marshall Law School of Chicago, offers an integrated program in legal studies for both lawyers and non-lawyers and does so in an area different from UDSL’s proposal. Thus, the proposed graduate program will be the first program in the nation to offer an integrated program in the study of intellectual property and technology law to U.S. and foreign lawyers and non-lawyers.

And unlike other graduate law programs that focus merely upon intellectual property or computer law, UDSL’s program has a broader focus that more accurately and realistically reflects the multifaceted challenges that face entrepreneurs and their attorneys as the technological revolution spreads across the globe. UDSL’s proposed graduate program, like its PL&T Program, focuses on the application of law and public policy not only to foster creativity, invention and innovation but also to facilitate the transformation of those creative efforts into economic development and competitive business advantage. To those ends, the graduate program offers instruction not only in intellectual property law and computer-related and cyberspace law, but also in the business dimensions of intellectual property and the intricacies of electronic commercial transactions.

As the goals, influence and expertise of UDSL’s PL&T program expand and mature it seems logical that its pedagogical programs expand as well. This innovative and unique graduate program has the potential to greatly enhance the Law School’s national and international status.

B. The proposed Graduate Program will attract a wide variety of new students to UDSL by offering an educational “product” that, in some respects, is virtually unavailable anywhere else in the United States.

While 16 U.S. law schools currently offer an LL.M. program in some aspect of Intellectual Property Law or Technology Law, only one other law school in the U.S. offers a Master’s degree to non-lawyers and that program is much more narrow in its scope (“information technology”) than UDSL’s proposal. In addition, only 1 law school in Ohio offers any kind of degree program in legal studies to non-lawyers: OSU is currently planning a generic Master’s program in legal studies, but only to students who already possess a post-graduate degree.

The technological revolution and the globalization of the world’s economy have greatly increased the influence and importance of U.S. law concerning intellectual property and technology. Certainly, graduate students from the U.S. and abroad who have already received a legal degree and who wish to focus their current or future legal careers on Intellectual Property and Technology Law can be expected to find the program attractive. However, the program is also expected to interest students in other fields as well. Students
whose careers lie in business or corporate management, international economic
development and trade, the sciences, engineering, political science or public
administration may also have an interest in the program even though they may not
be seeking to pursue a career in law. The endeavors associated with the creation
and management of intellectual assets and advanced technology are multi-
disciplinary in nature and an educational program which provides knowledge of
the domestic and international legal framework in which those endeavors will
operate can be expected to be relevant and beneficial to students in a wide array
of fields.

As a result, just as UDSL’s current PL&T program draws students with a
myriad of backgrounds to the study of Intellectual Property and Technology Law,
it can be expected that the proposed M.S.L. program will have a similar broad
appeal. That attractiveness will be enhanced by the fact that the M.L.S. degree is
a one-year program which should appeal to students whose careers may benefit
from a background in intellectual property and technology law but who do not
wish to commit the necessary three years to obtain a J.D. degree. No other law
school in the country offers such an alternative to such students.

C. The proposed Graduate Program will provide all students at UDSL with
the important benefits that can be derived from interdisciplinary and
international perspectives on the law.

The expected multi-disciplinary and international appeal of and enrollment
in the proposed graduate program promises to provide all students at UDSL new
and important perspectives during their study of law at UDSL. As noted earlier,
graduate students will be integrated into the J.D. program at UDSL and that
integration will provide J.D. students with the varied perspectives on the study of
law that their international and non-lawyer graduate colleagues will provide
during classroom discussions and other less formal interaction.

2. To the University of Dayton

A. The proposed Graduate Program is an integral part of UD’s “China
Initiative.”

This graduate program in law is one of several components of the
University of Dayton’s China Initiative, a strategy designed to “increase the
internationalization and enhance the intellectual climate of the University by
pursuing opportunities in a country of substantial and growing influence” in the
world. That initiative has four primary goals:

1) the establishment of educational partnerships with top Chinese universities,
2) the creation of programmatic affiliations with rising new universities in China,
3) the provision of educational programs for Chinese and U.S. employees of
major U.S. corporations doing business in China, and
4) the establishment of UD as a leading provider of educational services to the corporations doing business in the Suzhou Industrial Park, a joint economic and technological project of the Chinese and Singapore governments in which numerous high-profile U.S. and foreign companies have made substantial financial investments.

While certainly relevant to all four of these goals, the proposed graduate program in law is currently seen by UD’s administration as a major component of the first and fourth goals. NJU is one of the PRC’s top five universities and, in discussions with officials at NJU, great interest was expressed in the establishment of a graduate degree in intellectual property and technology law. In addition, NJU has received permission from the PRC’s Ministry of Education to provide educational services in the Suzhou Industrial Park in partnership with U.S. universities. UDSL hopes to assist NJU in these efforts.

B. The proposed Graduate Program may serve as one component of UD’s response to Gov. Robert Taft’s “Third Frontier Project.”

Gov. Taft’s proposed “Third Frontier Project” would create partnerships between state and local governments, Ohio’s universities and Ohio businesses to promote high-tech research and to develop new products and jobs in the state of Ohio. Money from the “Third Frontier Project” would support university research into and the commercial development of new products in the fields of bioscience, information technology, advanced materials, power and propulsion, and advanced manufacturing.

The proposed graduate program, together with other components of UDSL’s PL&T, could play an important role in UD’s response to the “Third Frontier Project” by providing the needed research into the legal aspects of protecting innovative products and manufacturing processes and by providing both consultative and educational services for companies developing these new products and processes. The proposed graduate program promises to provide a opportunity for “Third Frontier” researchers and company executives, as well as their lawyers, to obtain the needed legal background to both protect and commercially develop these innovative products and processes at a lower cost and in a shorter term than the traditional 3-year J.D. degree program.

C. The proposed Graduate Program may provide enhanced educational opportunities for faculty and graduate students in the College and other Schools of the University.

In the past, a UD faculty member or graduate student outside of the law school whose area of expertise could be enhanced by a basic understanding of the law governing that area had little opportunity to obtain that legal background short of attending the 3-year J.D. program at the School of Law. Few such faculty or students could afford to make such a commitment of time and resources. The
proposed graduate program may help to alleviate this dilemma. The proposed one-year M.S. L. program, particularly if taken part-time, could provide these members of UD’s community with a lower-cost and shorter-term opportunity to obtain the legal background they need without enrolling in the full-time J.D. program at UDSL.