

Department of Economics, University of Hawai'i-Mānoa
Professor Sumner La Croix
ECON 476—LAW and ECONOMICS

Oral Intensive Course--Satisfies O Focus Requirement

Spring 2009
MW 3-4:15 pm
Crawford 115

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W 9-10 and by appointment

LEARNING OBJECTIVES

- Understand and apply core principles of property and intellectual property law.
- Learn how to read, analyze, and present federal and state court decisions.
- Understand the factors leading to an expansion in the use and scope of eminent domain (government taking of private property) in the United States since WWII.
- Develop critical perspectives regarding the theories and bodies of evidence used to evaluate how changes in U.S. eminent domain laws have affected welfare.
- Identify factors leading to the passage and repeal of land reforms laws in Hawaii allowing owners of condos and homes on leased land to force a sale of the land.
- Develop critical perspectives regarding the debate over pharmaceutical patents and access to essential medicines in both developed and developing countries.
- Use economic theory to consider how copyright piracy affects the music industry.
- Learn how to present arguments and to counter opposing arguments on key issues in property and intellectual property law.

REQUIRED TEXTS AND READINGS

(1) Suzanne Scotchmer, *Innovation and Incentives* (paperback, MIT Press, 2004).

(2) Richard Epstein, *Supreme Neglect: How to Revive Constitutional Protection for Private Property* (Oxford University Press, paperback, 2008).

(3) Occasional short articles from the *New York Times*, the *Wall Street Journal*, and the *Economist*. Selected journal articles from the fields of law, economics, and political science are also assigned. All are available from UH libraries. I will distribute a diskette to the classes students; all articles on the diskette are available to the students from the UH Hamilton Library on-line systems; I will also, for the students' convenience post the articles on the course's password protected web site at myuhportal.hawaii.edu.

(4) Selected property rights and intellectual property legal cases, most of which are opinions of U.S. federal and state courts. The instructor will provide students with a list of cases and links to the cases on the web.

The instructor reserves the right to change (add/delete) required readings and adjust the classes academic calendar as the semester progresses. Newspaper articles from *New York Times* web site will be assigned periodically. Early in the semester, please visit the *Times* web site and obtain a user name and password. Enrollment is free; go to <http://www.nytimes.com>.

ECON 476 AND THE LAW AND SOCIETY CERTIFICATE PROGRAM

The UH-Mānoa College of Social Sciences offers an interdisciplinary certificate in the area of Law and Society to qualified undergraduate students who complete 15 hours of designated course work. The Certificate Program allows Econ 476 to be applied to the Certificate's requirement of 12 elective credits. For more information about the Law and Society certificate, go to <http://www2.soc.hawaii.edu>.

COURSE PREREQUISITES

Students must complete Econ 301 prior to the Spring 2009 semester to enroll in Econ 476. Students from the Law and Society Certificate Program may enroll if they complete Econ 130 or Econ 131 prior to the Spring 2009 semester.

LAW AND ECONOMICS CALENDAR (subject to change)

1/12 Introduction, overview	1/14 Contracts
1/19 Martin Luther King Day Holiday	1/21 Contracts
1/26 Contracts	1/28 Property Rights
2/2 Property Rights	2/4 Property Rights
2/9 Property Rights; How to Summarize and Present a Court Decision	2/11 Property Rights; and Effective Use of PowerPoint in Short Presentations
2/16 Presidents Day Holiday	2/18 Student Reports on Court Decisions
2/23 Student Reports on Court Decisions	2/25 Student Reports on Court Decisions
3/2 Eminent Domain	3/4 Eminent Domain
3/9 Eminent Domain	3/11 Eminent Domain
3/16 Eminent Domain	3/18 Eminent Domain
3/23-3/27 Spring Break	3/30 Introduction to IPRs
4/1 Patents	4/3 Patents
4/8 Patents	4/10 Midterm Examination
4/15 Patents	4/17 Copyrights
4/22 Copyrights	4/24 Copyrights; Effective Debate
4/30 Copyrights	5/1 Hearings: Property Rights in Land
5/4 Hearings: Copyright and Piracy	5/6 Hearings: Patent Buy-Outs
Final Exam: Hearings and written legal case report satisfy final exam requirement.	

COURSE REQUIREMENTS

Your course grade is based on the following requirements:

Report on a Court Decision	15%
Mid-term Examination	35%
Current Event Presentation	5%
Hearings Testimony	30%
Classroom Participation & Attendance	15%

Grading of the court decision report, current event presentation, and the hearing testimony award 50 percent of the grade to oral presentation and 50 percent to the written submission. Grading of the court decision report and hearing testimony will be through written peer evaluation using assessment forms that can be downloaded from the class website. Peer evaluation will be anonymous to fellow students but will be known to the course instructor.

ATTENDANCE REQUIREMENTS

It is expected that students will attend ALL classes; be familiar with assigned readings prior to class; participate in class discussions, hearings, presentations, and peer reviews; will reserved the scheduled class time period to attend class; and will not double-book the time. Students who miss (unexcused for sickness or approved University events/travel) more than 2 classes will have their attendance/participation grade marked down by 1% for each additional class missed. If you are missing more than 2 classes, you are going to have problems attaining a good final grade in this class—period. Please see me to discuss any extended absences.

REPORT ON AN IMPORTANT COURT DECISION IN PROPERTY LAW

Each student will select a court decision from a list distributed by the instructor. The objective of the report on the court decision is to convince the class that the issue is important, summarize the dispute and its resolution, and document and critique the court's reasons for deciding the case. The presentation will consist of no more than 3-4 PowerPoint slides. Each student will present a unique case, i.e., two students cannot write reports on the same case. The report will be prepared in Microsoft PowerPoint and students will make an oral presentation of not more than 5 minutes. A written copy of the PowerPoint presentation must be submitted on the day of the presentation. Students will be graded on both the content of the report and the presentation. At the end of each presentation, approximately 3 minutes will be devoted to questions from class members.

A portion of the lecture on February 9 will discuss how to summarize and present a court decision. A portion of the lecture on February 11 will be devoted to presentation skills and to preparing a power point presentation. Please familiarize yourself with the PowerPoint Office program prior to these lectures.

TOTALLY CONFUSED BY LEGAL TERMS?!!!! Relax, start with a search of the term on google or the search engine of your choice. OK, now panic.

CURRENT EVENT PRESENTATION

At the beginning of each class after the case law reports, one or two students will make a 3-4 minute presentation on an important property law or intellectual property law topic based on an article in *The Economist*, the *New York Times*, the *Wall Street Journal*, *Science*, *Nature* or a similar publication. The student will be allowed to use a PowerPoint presentation that consists of a single slide.

CLASS HEARINGS ON THREE PUBLIC POLICY ISSUES

Three sets of hearings will be held at the end of the semester on the following issues:

<i>Pro</i>	<i>Con</i>
National or international governments should BUY-OUT PATENTS on widely used pharmaceutical products.	National or international governments should NOT BUY-OUT PATENTS on widely used pharmaceutical products.
Property rights in land should CHANGE over time in response to social, economic, and political changes.	Property rights in land should NOT CHANGE over time in response to social, economic, and political changes.
Corporations generally profit when their copyrights are PIRATED by students.	Corporations generally profit when their copyrights are NOT PIRATED .

Hearings will be organized in the form of a debate. The *pro* team will present followed by the con team. Six minutes per presentation will be allowed. Teams will consist of three or four students. Each student will make an individual presentation, but presenters are expected to coordinate closely with other team members to reduce duplication and to achieve a more comprehensive coverage of the issues.

Each student will also serve on a panel of *Senators* with one student serving as *Committee Chair*. The panel will receive the testimony, keep time, ask questions of those who are testifying, and call on class members to ask questions. The Patent panel will chair the Copyright debate; the Copyright panel will chair the Property Rights in Land debate; and the Property Rights in Land panel will chair the Patent debate.

The debates will be graded based on the class presentation through peer evaluation (50%) and through instructor evaluation of the written presentation (50%). Each student will submit a written copy of his or her presentation. The evaluations will emphasize both the effectiveness and the content of the presentation. Presentations must use economic analysis and pay careful attention to documentation of sources of information.

A portion of the lecture on April 24 will be devoted to debating skills, presentation, and rejoinder.

HOW TO FIND THE CLASS WEBSITE: myuhportal.hawaii.edu

Login with your username and password (the same one used to access UH email).

Click on "My Tools" tab (at the top)

Select econ 476

At the left there are course tools. Select "Files".

A directory for the course will appear. Various course readings, the syllabus, and some handouts are contained in the various folders.

STUDENTS WITH DISABILITIES

Students with disabilities who may need disability-related classroom accommodations are encouraged to make an appointment to see me as soon as possible.