

**EGRMGMT 520: Intellectual Property, Business Law, and Entrepreneurship**  
**Duke University, Master of Engineering Management Program**  
**SYLLABUS – SPRING 2025**

**Meeting Times & Place**

**Tuesdays, 3:05 – 5:50 PM ET, starting 14 January 2025. FITZPATRICK SCHICIANO A**

Please note: **Attendance is required** starting w/ Class 1, and students should plan to remain on campus a week after the last class is scheduled to take the final quiz.<sup>1</sup>

**Online students** need not be available at these times, as they will review & engage with materials on a flexible schedule after each class session. Online students, please see the note sent to you.

**Course Faculty and Contact Information for All Three (3) Segments of the Course**

**Jeff Ward**

**Segment 1 (Classes 1, 2, 3, 4, and 5)**

Contact: [ward@law.duke.edu](mailto:ward@law.duke.edu)



**SEGMENT 1**

Week 1 - Tuesday 1/14 – Segment I  
Week 2 - Tuesday 1/21 – Segment I  
Week 3 - Tuesday 1/28 – Segment I  
Week 4 - Tuesday 2/4 – Segment I  
Week 5 - Tuesday 2/11 – Segment I

**Bryan McGann**

**Segment 2 (Classes 6, 7, and 8  
and online discussion boards)**

Contact: [bryan.mcgann@lawnet.duke.edu](mailto:bryan.mcgann@lawnet.duke.edu)



**SEGMENT 2**

Week 6 - Tuesday 2/18 – Segment II  
Week 7 - Tuesday 2/25 – Segment II  
Week 8 - Tuesday 3/4 – Segment II

*– Spring Break – No classes March 10-14*

**Seth Watkins<sup>2</sup>**

**Segment 3 (Classes 9, 10, 11, 12, and 13)**

Contact: [seth.watkins@duke.edu](mailto:seth.watkins@duke.edu)

or text 703-622-0328



**SEGMENT 3**

Week 9 - Tuesday 3/18 – Segment III  
Week 10 - Tuesday 3/25 – Segment III  
Week 11 - Tuesday 4/1 – Segment III  
Week 12 - Tuesday 4/8 – Segment III  
Week 13 - Tuesday 4/15 – Segment III  
Reading Per. – Tu 4/22 optional Seg. III review

**Professor McGann / Online Course Discussions**

In addition to teaching Segment II, Prof. McGann will facilitate the online discussion boards. Even though Prof. McGann will serve as the primary facilitator and a common connection in the online forum throughout all Segments of the course, all faculty will be engaged with and review online discussions. Please participate actively.

**Course Materials for Each Segment**

All materials for each Segment of the course will be available online via publicly available links or materials that will be posted at the course Canvas site. There is no need to buy a text.

**Reading Assignments for Each Segment and Class**

Reading assignments for each Segment will be provided separately by each faculty member before the class meetings for that Segment. Please look to your email and the course Canvas site for assignment information.

<sup>1</sup> Clarifications on end-of-semester schedule should be taken up with Prof. Watkins, as he handles this final part of the course.

<sup>2</sup> My personal views expressed in this course should not be ascribed to the law firm at which I work or its clients.

## Course Content – 3 Segments

### Segment I – Engineers as Managers (Classes 1, 2, 3, 4, and 5)

This first segment of EGRMGMT 520 focuses on basic business law understandings important for engineers as managers. As engineers advance into managerial (as opposed to strictly technical) roles, they are responsible for understanding the relationships among many parties and for managing the risks associated with their companies' endeavors. Many of these relationships are defined by **contract**, and many of these risks are best understood through the lenses of **contract law**, **tort law**, and **ethics**. In this first part, then, we will focus on understanding:

- Some very basic fundamentals of the US legal system (to provide context for all 3 Segments of the course);
- The basic **law of contract** (contract formation, terms, termination/breach, remedies) and its application to engineering management;
- The basic **law of tort** (especially negligence and products liability) and its role in overall risk assessment and management; and
- Issues of **ethics** and how the professional responsibilities of engineers shape individual actions and industry standing.

### Segment II – Engineers as Entrepreneur (Classes 6, 7, and 8)

Engineers will typically possess the skills to develop new inventions and technologies that, if properly curated, can lead to the next highly successful companies. New businesses face innumerable decisions and look to lawyers and other professionals for guidance and counsel on a range of legal and business issues. The more astutely entrepreneurial engineers can identify the most critical of these issues and “speak the language” of start-up law, the more likely a new venture will secure funding, avoid obstacles, and be positioned for long-term success. Beyond the critical intellectual property considerations that you will cover in Segment III, we'll discuss:

- Basic choice of entity considerations;
- An overview of the “the venture capital cycle” and other ways we fund our ventures;
- The basics of business associations (structure, agency, fiduciary duties, etc.);
- Some fundamental considerations when leaving a current employer;
- Building a team and the importance of management and expertise; and
- Recognizing and navigating risk in all of its forms, most importantly, financial, legal and regulatory risk.

In addition to a general framework for understanding the law in critical areas, this section of instruction will frequently offer practical advice from two key perspectives:

1. The perspective of a resource-limited start-up; and
2. The perspective of an early-stage investor or potential acquiror of the venture.

Understanding both of these perspectives can enhance your ability to play a role—whether as founder, technical advisor, employee, etc.—in the launch of a new company.

### Segment III – Intellectual Property (“IP”) (Classes 9, 10, 11, 12, and 13)

Whether involving technological innovations, branding of products, or artistic expression, IP is valued and protected under U.S. law. This final segment of the course will introduce you to IP in a manner permitting you to develop some basic **legal intuition** concerning how IP can be identified, protected, and leveraged. We'll study four primary types of IP:

- **patents** including how they are used to exclude others from making, having made, using, selling, offering for sale, and importing products or services related to the claimed inventions;
- **trade secrets** including the challenges of maintaining them;
- **copyrights** including how readily they are created and how important they are to our electronic/software-driven world; and
- **trademarks** including their central role in designating the source of goods and services.

Each of these types of IP differ in the protection they offer, and sometimes the same good or service can be covered by multiple types of IP (even all four!). Each also differs in the duration of protection, enforcement mechanisms, and transactional aspects such as licensing.

By studying the different types of IP, we seek to develop an appreciation for the role of IP in business strategies such as how IP embodies value and risk for the entrepreneur.

This course will delve into the practical and real-world aspects of IP. We will not be discussing legal theory *per se*, but instead will learn from examples of actual businesses relying on IP or caught in disputes about it. IP is treated so seriously in the U.S. legal system that when a dispute arises, billions of dollars and/or a company's very existence and/or even personal freedom may be at stake for alleged wrongdoing. Patent, copyright, or trademark **infringement**, trade secret **misappropriation**, and **unfair competition** carry serious consequences in the form of monetary damages, injunctions, and even imprisonment. We will use case studies as a means of studying deals and tech industry/entrepreneur behavior.

### Assignments, Quizzes, and Grading

Each Segment of the course will constitute **1/3** of your final grade, as follows:

- Segment I – **1/3** - Classes 1, 2, 3, 4, and 5
- Segment II – **1/3** - Classes 6, 7, and 8
- Segment III – **1/3** - Classes 9, 10, 11, 12, and 13

Strong participation in online discussion boards during the full semester may be recognized in your final course grade at the professors' sole discretion.

In addition to materials covered in the readings and class sessions, materials posted to the Canvas discussion board are likely to be used directly in the quizzes, so students should make sure that they are actively participating on the discussion boards between classes. Please keep in mind that you will have multiple assessments during each segment, and final grades in the course will be curved according to overall class performance. Thus, it is important to note:

**There is *never* a reason to grow overly concerned about a single grade. Why? First, there will be *multiple opportunities* for you to demonstrate high success. Second, in the past the *grading curve* has resulted in overall favorable grades.**

Exceptional class participation and engagement also may be further recognized at the professors' sole discretion.

### Class Attendance

MEM's policy is that campus students are expected to attend class regularly and **in person**, adhering to Duke's Academic Calendar. Attending MEM classes is mandatory. MEM follows the Graduate dates within the calendar when applicable.

It is especially important that students attend the first day and the last day of class for **all** courses in which they are enrolled. Unless and until **all** coursework and examinations (whether comprehensive final exams, quizzes, or otherwise) have been completed for **all** courses in which a student is enrolled, a student is expected to remain at Duke **in person** through the end of final exam week as set forth on Duke's Academic Calendar.

In their first classes, faculty set course goals and standards, frame the course's subject matter, form student teams and begin to create the class community.

At the conclusion of the first class of each course, the faculty will report any unexcused absences to the MEM

program administration. Thereafter, such students shall be dropped from the course. If students miss the first classes of the semester, they detract from their own educational experience and undermine that of their classmates. Furthermore, they create additional work for the professors and TAs.

Responsibility for regular and punctual class attendance rests with individual students. The course faculty shall refer a student to MEM's administrators in the event of excessive absences.

A student seeking an "excused" absence must work directly with her or his course faculty and must initiate the request in advance and as soon as possible. A student may be excused from attendance due to truly extenuating circumstances such as significant illness, personal/family emergency, or important religious observance.

Whether an absence is excused or not, a student will be held fully accountable for any in-class graded participation or assignments an absence caused the student to miss.

Attendance will be taken at least once per class. Students will be given instructions regarding how to indicate attendance, and when doing so confirm the following:

By acknowledging attendance at class today, I understand that: (1) I am confirming my personal attendance at class today only for myself and no other student; (2) "delegated authority" from another student to report his or her attendance is not accepted; (3) transmitting the attendance QR code or other link to any student not attending class in person is prohibited; and (4) the Duke Community Standard, obligations associated with it, and disciplinary consequences for non-compliance apply to reporting attendance (see Pratt's Professional Master's Programs Bulletin which is available at <https://prattprofessional.bulletins.duke.edu/>).

**Attendance Note for Segment 1** - Most days (including Class 1) we will start immediately with an attendance/reading quiz. You must be on time and in your seat **by 3:05** to take the quiz. See further notes in the directions for Segment 1.

**Attendance Note for Segment 2** – Grade penalties may be assessed for non-attendance.

**Attendance Note for Segment 3** - The second IP quiz will have two parts, the first counting 70% and the second counting 30%. To be eligible for the points associated with part two (30 out of 100 points), you must have attended at least 4 out of 5 of the IP classes (before and after the break) (unless you have excused absences beyond one class).

#### **Panopto Recordings of Classes Not Generally Available**

"Campus students" will not have access to Panopto recordings of the classes for this course. The only exception to this policy will be for student illness or other truly extenuating circumstance (as determined solely at the discretion of the faculty member teaching the applicable segment), that is reported by email to the faculty member, copying the course teaching assistant, in advance and with reasonable explanation for an absence. An excused student will receive special access to the recording of the specific class that was missed.

#### **Professionalism During Classes**

Your participation is encouraged during classes. Please, however, refrain from holding personal conversations with other students during class time. Murmur (background noise) heard across the classroom during class not only distracts the faculty member and your fellow students, but also reflects poorly on your professionalism if you are the one creating the noise. We also encourage you to actively take notes by hand or on your computer or device, and at times when instructed by your professor, to use your device to access outside information that pertains to a specific lesson. However, using your computer or device for any other purpose (email, chat, browsing, etc.) not only distracts those behind and next to you, but diverts your attention away from the lesson.

Faculty reserves the right to reduce participation grades for students disrupting class with tardiness, chatter, etc.

## Honesty & Integrity

The Duke Community Standard embodies the governing principles for this course. Please know and embrace this standard:

- I will not lie, cheat, or steal in my academic endeavors;
- I will conduct myself honorably in all my endeavors; and
- I will act if the Standard is compromised.

All students are subject to the University's policies on Academic Dishonesty. THE BULLETIN OF DUKE UNIVERSITY, THE PRATT SCHOOL OF ENGINEERING PROFESSIONAL MASTER'S PROGRAMS includes discussions concerning the Duke Community Standard as well as "Academic Integrity" and the "Academic Standard Resolution Process." The Bulletin is available at <https://prattprofessional.bulletins.duke.edu/>.

Students are encouraged to work together in study groups and prepare joint notes or study guides (jointly authoring and editing a shared document on software like Google Docs is permitted).

**NOTE: The use of generative AI (e.g. LLM-based tools such as ChatGPT, Gemini, Co-Pilot, Claude.ai, etc.) is strictly prohibited for any class purposes unless expressly permitted ahead of time by faculty for that specific use. Unauthorized use will be considered a violation of this honesty and integrity policy.**

Each student will be asked to confirm the Honor Pledge at the inception of each assessment, which states clearly that **"I will neither give nor receive aid on this assessment."** This means quite plainly that there can be absolutely no discussion, collaboration, or assistance with or involving any other person or use of any unapproved resource in connection with the assessments.

## Availability and Submission of Assignments/Assessments

When an assignment/assessment is provided, all students will typically either have time in class to complete it or more likely have several days to log in and complete it online. Beyond the assignments/assessments for each Segment, there will be no additional final exam or cumulative assessment for this course. Most assignments/assessments should be submitted via Canvas by every student (even if the work was completed in a group) by the specifically stated time or by the end of the announced due date (11:59 p.m. EST). For approval of a late submission, please send an email in advance of the due date. We will try to accommodate any reasonable request, understanding that you have many burdens on your time.

## Wellness of all Participants

Let's ensure that we work together this semester to prioritize **wellness**—taking care of ourselves and making special efforts to enhance connections. Please feel free to make suggestions about how to make our learning environment work best for you. Your efforts to engage with the materials, the professor, and with each other are important and valued. As a student, you may experience personal or academic stress at any point throughout the semester. Please communicate and seek support.

Student mental health and wellness are of primary importance at Duke, and the university offers resources to support students in managing daily stress and self-care. Duke offers several resources for students to seek assistance on coursework and to nurture daily habits that support overall well-being, some of which are:

- **The Academic Resource Center (ARC)**, (919) 684-5917, [theARC@duke.edu](mailto:theARC@duke.edu), or [arc.duke.edu](http://arc.duke.edu). The ARC offers services to support students academically during their undergraduate careers at Duke. The ARC can provide support with time management, academic skills and strategies, course-specific tutoring, and more. ARC services are

available free to any Duke undergraduate student, studying any discipline.

- **DuWell**, (919) 681-8421. This resource provides Moments of Mindfulness (stress management and resilience building) and meditation programming (Koru workshop) to assist students in developing a daily emotional well-being practice. To view schedules for programs please see <https://studentaffairs.duke.edu/duwell>. All are welcome and no experience is necessary.

If your mental health concerns and/or stressful events negatively affect your daily emotional state, academic performance, or ability to participate in your daily activities, many resources are available to help you through difficult times. Duke encourages all students to access these resources, some of which are:

- **DukeReach** provides comprehensive outreach services to identify and support students in managing all aspects of well-being. For concerns about a student's behavior or health, visit this website for resources and assistance: <https://students.duke.edu/wellness/dukereach/>.
- **Counseling and Psychological Services (CAPS)**, (919) 660-1000, <https://students.duke.edu/wellness/caps/>. Services include individual and group counseling services, psychiatric services, and workshops. To initiate services, walk-in/call-in 9-4 M, W, Th, F and 9-6 Tuesdays. CAPS also provides referral to off-campus resources for specialized care.
- **TimelyCare (formerly known as Blue Devils Care)**, [bluedevilscore.duke.edu](https://bluedevilscore.duke.edu). This is an online platform that is a convenient, confidential, and free way for Duke students to receive 24/7 mental health support through TalkNow and scheduled counseling.