



**Class 2: Justifications For IP**

**Admin**

Next Time: (No Class Labor Day)  
Wednesday, 9/3: 33-39;  
49-57; 62-66

**More Administrative**

Course Materials

- Return your Supplements
- Handouts on paulohm.com
- Other Books (On Reserve)

Participation Policies

- Everybody On-Call
- Except
  - E-mail One Hour Before Class
  - Note on Podium BEFORE class
  - Can use three times.
- Seating Chart Next time -- sit where you want.

No Office Hours Today

**Walk Through Syllabus**

- Trade Secrets
- Patent
- Trademark
- Copyright
- Cross-IP and State Law Doctrine

News Wednesdays iPhone Hacking

**Last Time**

Covered Thirteen Themes  
PDF with Themes available at paulohm.com

**1. Locke and Natural Rights**

Basic Definition

You own the fruits of your labor. ↗ Commons ↗ Enclosure  
Lockean Proviso: Enough and as good left for others.

How well does this justify IP?

- Arguments for "good justification"
- Arguments for "flawed justification"

**2. Hegel and Personhood Rights**

Basic Definition

Identity of self occurs when you act upon external world--those things upon which you're acting become your property.

How well does this justify IP?

**3. Utilitarianism**

Basic Definition

How well does this justify IP?

Balance is Required

- Economic Incentive Benefit (14)
- Costs of Limiting Diffusion (14-15)

**4. Ensuring Marketplace Integrity**