Academic Regulations

Article I. Requirements for the Degree of Master of Laws in Intellectual Property Law

Boston University confers the degree of Master of Laws (LL.M.) in Intellectual Property Law on candidates recommended by the Faculty of the School of Law and approved by the President and Trustees of the University.

Requirements for the Degree

To qualify for the degree of Master of Laws in Intellectual Property Law, a candidate must satisfy the following requirements:

Credit Requirements

Complete not less than 24 credits in courses taken in the LL.M. in Intellectual Property Law Program (the Program) curriculum or elsewhere if approved as provided in these regulations

Enroll in at least 10 credit hours in each semester

Academic Requirements

Complete three of the following four core courses: Intellectual Property; Copyright; Patents; and Trademark and Unfair Competition

Participate in a three-credit Intellectual Property LL.M. Workshop Series during the spring semester of study

If foreign-trained, complete two introductory two-credit classes: Introduction to American Law and a Legal Research and Writing Seminar

Complete each course for which he or she is registered, including any additional courses beyond the required 24 credits, unless the course has been dropped as provided in these regulations

Grade Requirements

Achieve a passing grade in all required courses

Receive not more than one grade below C in elective classes

Upon completing 24 or more credits, have a final weighted cumulative Grade Point Average of 2.3 or better

Timing Requirements

Complete all requirements in the same academic year that he/she begins the Program. Upon petition, the Director may extend this time period for good cause.

Honors

The Program does not currently award honors distinctions with the degree.
Failure to satisfy degree requirements

Any student who, at the end of his or her program of study, has failed to satisfy one or more of the requirements for the LL.M. degree shall petition the Director with a specific proposal for completing outstanding requirements. The Director shall report the matter to the Faculty with a recommendation. Upon receipt of the Director’s report and recommendation, the Faculty may direct either that the student be dropped from the Program or, where appropriate, that the student complete specified work to satisfy degree requirements.

Article II Registration and Course Selection

Registration

Every student must register by the end of the official registration period for each semester. The University reserves the right to require an earlier completion of registration by means of preregistration and prepayment of tuition and fees.

Late Registration

A late registration fee will be charged if a student registers after the official period. In no event may a student register later than one week immediately following the official registration period without the Director’s written approval.

Course Selection

All students must have their individual course selections approved in writing by the Director before the end of the registration period for each semester.

Waivers

The Director may in his/her discretion waive the requirement that a student takes one or more required courses. A student who wishes to request such a waiver shall submit a written request to the Director.

Drop and Add Period

Students may drop and add courses at the beginning of each semester during the "drop/add" period, which generally takes place during the first two weeks of each semester. Students must submit requested changes by completing drop/add forms, available at the Program’s office. The Director shall approve all requested changes in writing. In no event may changes result in a program of less than 10 or more than 18 credit hours in any one semester. Late adds or drops may be authorized only by the Director. Unless the student demonstrates that, under the circumstances, the delay should be excused, a course that the Director permits to be dropped after the relevant deadline will appear with a notation of “W/D” (indicating “withdrawal”) on the student’s transcript.

Course Priority

Students desiring to add courses or seminars that have been announced as closed should request that they be put on a wait-list. To the extent that space becomes available, assignments to such courses or seminars will be made at the close of the drop/add period in each semester. LL.M. students will have priority over second-year J.D. students in such assignments, but third-year J.D. students will have priority over LL.M. students.
Electives

Prior to the commencement of each academic year, the Director, the Associate Dean of Graduate Programs and the Associate Dean for Academic Affairs, in consultation with the intellectual property law faculty, shall approve a list of elective courses and seminars (Electives) which qualify for the degree. Students may petition the Director to receive credit for courses other than those on the list of Electives. The Director, upon consultation with the student’s Faculty Advisor, may grant permission to take such class(es) if the course(s) are related to intellectual property and would further the student’s educational objectives.

Auditing Classes

Students may audit classes only upon receiving the instructor's written permission, in his or her sole discretion, indicated on an official Audit Form (available at the Program’s offices). Audited classes shall count towards the 18-credit semester limit, but shall not count towards the Program's 24-credit requirement. Students may not audit required courses. At the end of each term, a student who wishes to include an audited class on his/her transcript is responsible for obtaining the instructor’s written certification, on an official Audit Form, that he/she satisfactorily audited the class.

Externships and Clinics

Students are not permitted to participate in externships for credit or enroll in the school’s civil or criminal clinics, with the following exceptions: Domestic students may enroll in the Intellectual Property Trial Advocacy Program and all students may enroll in the Intellectual Property Legislation Clinic.

Credit for Graduate Level Courses Outside the School of Law

Credit Allowed. LL.M. in Intellectual Property Law students may earn credits for graduate level courses taken at Boston University outside the School of Law. Credit towards the Intellectual Property Law degree shall be limited to three credits per course; to one course per semester, unless otherwise permitted by the Director, and to a maximum of six credits for the entire year; and, in all instances, to courses which further the educational objectives of the Program. Students seeking to obtain such credit shall petition the Director, who shall determine whether the proposed class furthers the Program’s educational objectives.

Completion and Grades. Grades received for non-School of Law classes are recorded on the student’s transcript but are not included in the student’s average. It is the student’s responsibility to see that a grade received from another school within Boston University is conveyed to the School of Law’s Registrar’s office in time to meet the School of Law’s deadlines. A student who receives a failing grade in a course taken outside the School of Law shall not receive credit for such course unless the school or department in which the course is taken grants credit for failed courses.

Maximum Credits for Full-Time Students

Boston University does not charge any additional tuition to full-time students whose total course load in a semester, including audited courses, does not exceed 18 credits.

Article III Faculty Advisors; Supervised Research and Writing

Faculty Advisors
Each student shall be appointed a faculty advisor (Faculty Advisor) from the School of Law’s full-time intellectual property faculty. The Faculty Advisor shall be responsible for certifying that the student successfully completes the program requirements.

Credit for Independent Supervised Research and Writing

Research and Writing Supervised by a School of Law Faculty Member: A student who has prepared a detailed statement of a proposed study and has obtained the written approval of the Director and a full-time intellectual property law faculty member (or, with the approval of the Dean or his/her designate, a part-time faculty member) agreeing to supervise the work, may register for up to three semester credits for independent supervised research and writing. The study must involve a substantial investment of time and effort and result in written work that meets a high standard of academic performance. The student’s final grade will be based solely upon the written work submitted, and will be included in the student’s grade point average.

Research and Writing Supervised by an Outside Faculty Member: A student who has prepared a detailed proposal for intellectual property law-related research and writing to be supervised by a person holding professorial rank outside the School of Law may petition the Dean or his/her designate in advance for permission to register for up to three credits for such work. The petition must be presented prior to beginning such work and must include the proposed supervisor’s written agreement to oversee the work. Such a petition may be granted if the Dean or his/her designate finds that (1) the work to be done is equivalent in time and quality of a course carrying such credit, and (2) the supervisor is an expert in the area of study who will set high standards of academic performance. The grade received will be recorded on the student’s transcript but will not be included in the student’s average.

Article IV: Program, Calendar and Schedule Changes

The School of Law, including the Program, reserves the right in its sole judgment to make changes of any nature in its program, calendar, or academic schedule, whenever it is deemed necessary and desirable. Such changes may include variation in course content, the rescheduling of classes with or without extending the actual academic term, cancellation of scheduled classes and other academic activities, and requiring or affording alternatives for scheduled classes or other academic activities, in any such case giving such notice thereof as is reasonably practicable under the circumstances.

Article V: Attendance, Preparation and Classroom Participation

Attendance

Regular attendance is expected in all courses and seminars for which a student is registered. Students must notify the Director, in advance if possible, of extended absences. A student who misses a seminar’s first meeting without the instructor’s permission may be administratively dropped from the class.

Preparation and Classroom Participation

Preparation of class assignments and informed participation in class discussion are expected of every student.

Effect on final grades

Failure to attend classes
The following sanctions may be imposed without warning to the student:

1. A student whose cumulative absences from a course or seminar are the equivalent of four weeks of instruction in any semester may be excluded from the final examination or any other further participation in the course or seminar. Such a student will receive a failing grade.

2. A student who, without permission of the Director or his designate, has not attended any of his or her classes in a four-week period may be administratively dropped from the Program.

**Warnings of excessive absences**

A student who has been warned by an instructor of excessive absences and whose absences continue may be excluded from the final examination or any other further participation in the course or seminar. Such a student will receive a failing grade. A "warning" under this section may be communicated orally or in writing. A written warning will be deemed adequate if mailed to the student's address on file in the Registrar's office.

A student upon whom either of the above sanctions has been imposed may petition the Director for readmission to the course or seminar, or to the Program generally, but there will be a heavy presumption against readmission, especially in cases in which the student did not communicate with the Director, the instructor or the Registrar's Office about the absences, before or during the period in which the absences occurred.

**Lowering final grades**

An instructor shall announce any policy, apart from the provisions of paragraphs (a) and (b) of this section, of lowering a student's grade on account of classroom attendance, preparation and participation. Such a policy shall not preclude enforcement of paragraph's (a) and (b) of this section.

**Raising final grades**

An instructor in any course or seminar, without any advance notice, may adopt and apply a policy of raising final grades by one increment (e.g., from B to B+) to reflect a student's preparation or classroom participation.

**Special case of courses without a final examination**

With advance notice, an instructor who requires a paper or papers in lieu of an examination may adopt and apply a policy of assigning a specified weight to classroom preparation or participation. The weight that preparation or participation will receive may be specified either as a percentage of the final grade or in terms of grade increments.

**Article VI: Examinations**

**Examination Schedule**

Students must take examinations according to the Registrar's announced schedule unless they have obtained permission otherwise under these regulations.

**Reports of Absences from Examinations**
Any student who is unable for any reason to take an examination as scheduled must promptly report the facts to the Director.

**Excused absences from examination due to religious holiday or examination schedule**

A student will be excused from an examination that is scheduled to take place on a religious holiday that the student observes or an examination that is part of a schedule of:

a. three examinations on three consecutive days of the examination period's first calendar week;
b. three examinations on three consecutive days of the examination's second calendar week, if the third examination concludes no later than forty-eight hours after commencement of the first;
c. two examinations on one calendar day; or
d. four examinations on four consecutive calendar days.

In the circumstance (a) or (b) above, the middle examination will be rescheduled. In circumstance (c), either examination may be rescheduled. In circumstance (d), either the second or third examination may be rescheduled. The date of the rescheduled examination will be as close to the originally scheduled date as possible, and ordinarily it will be no more than five days later than the originally scheduled date.

**Excused failure to take or submit an examination on time**

Failure to take an in-class examination at the scheduled or rescheduled time, or failure to submit a take-home examination on time, will be excused only if serious illness, or other compelling cause beyond the student's control, caused the student's failure. Requests for excuse made prior to, or during, the time set for the examination are determined by the Director or his designate. Requests for excused absences made after the time set for the examination are determined by the Academic Standards Committee. Ordinarily, requests for excuse should be made prior to the scheduled time of the examination.

When illness is the cause, the student's request must normally be supported by a statement from a physician who examined the student on the day of the academic examination for which an excuse is being sought. The physician's statement must show the date, nature, and severity of the illness, and give the physician's judgment as to the ability of the student to take the examination as scheduled. If the Director or the Academic Standards Committee decides that the student's failure to take or submit an exam on time is excused, the appropriate remedy will ordinarily be to reschedule the examination for the earliest date consistent with the reason for recognizing the excuse. If that date is beyond the end of the spring semester examination period, then the student must obtain Faculty approval under Article I, section 4.

**Unexcused failure to take or submit an examination on time**

If the Director or the Academic Standards Committee, as the case may be, determines that a student, without compelling cause, has failed to take an in-class examination on time or has failed to submit a take-home examination on time, then the Director or the Academic Standards Committee, as the case may be, may allow the student to take and submit the examination, provided that the student does so immediately. If the Director or Committee so allows, a penalty will be imposed that reflects both the student's fault and any benefit the student might have obtained from delay. Ordinarily, this penalty will be a substantial reduction of the student's examination grade.

**Examination rules**
The following rules apply to the conduct of examinations. Additional rules may be prescribed either by the Program, the School or by an instructor.

1. Unless otherwise authorized by the Academic Standards Committee, all final examinations will be at least two hours duration. LL.M. in Intellectual Property Law Students shall be entitled to an extra hour to complete in-class examinations, with the following exception: students whose native language is English and who completed their first degree in law in English in a country where the native language is English shall not be entitled to an extra hour. There shall be no additional time granted for take-home exams.

2. All final examinations, including take-home examinations, shall be evaluated on an anonymous basis, with students' papers identified to the instructor only by a number that the Registrar has assigned. Take-home examinations shall be issued by and returned to the Registrar. During take-home exams, students may not consult other persons unless expressly authorized by the instructor.

3. Requests to type an in-class examination must be presented to the Registrar in advance, according to deadlines set by the Registrar.

4. Students may have in their possession only those materials permitted by the instructor, and they may consult books, notes, other material, or other persons, only as authorized by the instructor. Possession of cell phones, or other communication and/or recording devices, is forbidden unless authorized specifically by the school in advance. Foreign-trained LL.M. students whose native language is not English shall be entitled to bring into their examinations a non-legal dictionary in their native language and English, and an English-language dictionary.

5. Except in case of emergency, students taking an in-class examination may leave the examination room only as necessary to use the restrooms.

6. Students must stop writing or typing and turn in their in-class examinations when time is called.

7. No student may retake an examination for any purpose, except as otherwise permitted under these regulations.

8. Students may review essay portions of their examinations after final grades have been released.

Article VII: Papers

Deadline for submitting papers

For students in their final semester, the deadline for submitting papers is 5:00 p.m. on the last day of the examination period, unless the instructor has prescribed an earlier deadline. For other students, the deadline is 5:00 p.m., on the 14th calendar day after the end of the examination period, unless the instructor has prescribed an earlier or later deadline. Fall semester deadlines may be no later than the next February 1.

Reporting an inability or failure to submit a timely paper

Any student unable to submit a paper by a deadline established consistent with paragraph 1 above must report the facts promptly. Students whose papers will be graded anonymously should file a petition with the
Director. Students whose papers will not be graded anonymously should report to the supervising faculty member. (See paragraphs 3 and 4 below, respectively.) Students unsure whether their papers will be graded anonymously should ask the Director. Students in their final semester are subject to the requirements of Article I, section 4.

Late submission of papers that will be graded anonymously

If a paper is to be graded anonymously, the Director will excuse late submission only if the student demonstrates that serious illness, or other compelling cause beyond the student's control, prevents or has prevented the paper's timely submission. If illness is the cause, the student's request must be supported by a statement from an examining physician that shows the date, nature, and severity of the illness, as relevant to the student's submission of the paper. If the Director excuses a paper's late submission, the Director may set a new deadline. If the Director denies a student's request for excuse, and if the paper is not submitted by a deadline established consistent with section 1 above, the Director shall inform the instructor of the relevant facts. The instructor then shall have discretion to determine any penalty for the late submission.

Late submission of papers that will not be graded anonymously

If a student reports an inability or failure to submit on time a paper that is not to be graded anonymously, the instructor may either extend the deadline for the paper, subject to the limits stated in section 1 above, or impose a penalty for the student's lateness. Instructors may require the student to submit supporting documentation to the Director. For students in their final semester, extensions beyond the limits stated in section 1 above are subject to the provisions of Article I, section 4. Extensions for other students may be authorized only by the Director. The Director may authorize such extensions only after consulting with the instructor and only if serious illness, or other compelling cause beyond the student's control, prevents or has prevented the paper's earlier submission. If illness is the asserted cause, the student must produce the documentation described in section 3 above.

Article VIII: Failed Courses

Except as otherwise provided in section 1, below, when a student fails a course, the student will receive credit for that course. The failing grade, however, will be included on the student's transcript and will be included in the student's grade point average, weighted by the number of credit hours which would normally have been granted.

If a student fails the required Introduction to American Law class, the student will have the option to be re-examined on a pass-fail basis. If the student elects to be reexamined and passes, he/she will receive a passing notation on his/her transcript. The student's transcript will indicate that the failing grade was replaced on re-examination with a passing grade. If the student fails the reexamination, he/she will be dropped from the Program.

Unexcused failure to take an examination

A student who fails to take an examination without excuse and who has not been allowed to take the exam at a rescheduled time pursuant to Article VI, section 5 will receive a failing grade of F on the examination and will receive no credit for the course. The failing grade will be included on the student's transcript, and in the student's grade point average, weighted by the number of credit hours assigned to the course.

Article IX: Grades, transcripts, class rank

Grading scale and procedures
The Program has a letter grading system. The minimum passing grade in each course or seminar is C.

LL.M. in Intellectual Property Law students are graded as a separate group from J.D. and other LL.M. students. Thus, IP LL.M. students enrolled in the same course as J.D. or LL.M. in American Law Program students will be considered separately for purposes of determining whether the 25-student threshold is satisfied for making the grading curve mandatory for any group. In those courses in which there are more than 25 IP LL.M. students, the following upper-level curve (set forth in Article IX of the J.D. Academic Regulations) is mandatory:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Percentage</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>A+, A, A-</td>
<td>20-30% (A+ subject to 5% limitation above)</td>
<td></td>
</tr>
<tr>
<td>B+ and above</td>
<td>40-60% (subject to limitations on A range above)</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>10-50% (subject to limitations above and below)</td>
<td></td>
</tr>
<tr>
<td>B- and below</td>
<td>10-30% (subject to limitations below on ranges C+ and below)</td>
<td></td>
</tr>
<tr>
<td>C+ and below</td>
<td>0-10%</td>
<td></td>
</tr>
<tr>
<td>D, F</td>
<td>0-5%</td>
<td></td>
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</tbody>
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In those courses in which there are 25 or fewer IP LL.M. students, the curve is not mandatory but a median of B+ for the IP LL.M. students is recommended.

Final grades will be released to students by the Registrar as soon as possible after the close of the examination period. Final grades will not be released to students directly by instructors under any circumstances.

Except for clerical error, final grades may not be changed, except by vote of the faculty meeting. Students may be required to retake specified courses as a condition of reinstatement in the Program.

Transcripts and other student records

A student's transcript and record will be made available to the Dean, his representative, the Director, his delegate, members of the faculty, the student, and others to the extent permitted by law. No other persons may have access to a student's transcript and record without the written consent of the student.

Class Rank

Class rank is only issued at the Director's discretion at the end of the academic year and is based upon the cumulative averages of all students graduating in that academic year.

Article X: Reinstatement

Petitions for reinstatement

A student who is dropped from the Program for failure to maintain the minimum requirements for graduation or otherwise, may petition the Director for reinstatement. Such petitions must clearly state all circumstances leading to the student's deficient performance, and must be accompanied by supporting statements or documents as appropriate. Grounds or circumstances omitted from such a petition will not afford a basis for
reconsideration of a petition that has been denied. Where a student's medical condition has been a contributing factor, a full statement from the attending physician must accompany the petition.

Relief available

Petitions for reinstatement in cases of academic deficiency will normally be granted only when the Director is satisfied that the student's academic deficiency resulted from serious illness or other compelling cause beyond the student's control. When such a petition is granted, the reinstatement may be made subject to such conditions as the Director concludes are appropriate in the circumstances. Such conditions may include, but are not limited to, the student's

- passing all courses and seminars
- maintaining a specified average in future work
- non-participation in specified activities or programs
- disqualification from taking courses for credit outside the Program

Article XI: Withdrawal and leaves of absence

Withdrawal in good standing

Withdrawal in good standing becomes effective only upon submission of an official withdrawal form to the Director, whatever the reason for withdrawal, and whether or not the student seeks leave to return. No student may withdraw in good standing until all obligations to the University have been paid. Tuition refunds may be sought in accordance with University regulations.

Readmission of students who withdraw without leave to return

Students who withdraw from the Program without leave to return may petition the Director for readmission. Such petitions must explain the circumstances of the withdrawal, the reasons for not requesting leave to return, and the events leading to the request for readmission. After considering the petition and the student's record, the Director may grant readmission, with any conditions deemed appropriate, or may require the student to reapply through the ordinary admissions process.

Leaves of Absence

A student seeking a temporary interruption of study may petition the Director to request a leave of absence. The request must be a written statement of the reasons for the leave, the activities in which the student expects to be engaged during the leave, and the semester in which the student intends to return. In addition to any special conditions imposed, the following rules apply to all leaves.

- Length. Leaves ordinarily will not be granted for periods longer than one academic year.

- Extension. A student seeking to extend a leave must petition the Director before the leave has expired. Students ordinarily may not extend a leave for more than one additional year, and the total length of a leave may not exceed two years except in exceptional circumstances.

- Return. A student returning from a leave must inform the Director by the date specified in the letter approving the leave. A student failing to give such notice may not return for that semester without the Director’s permission. If a leave was granted for medical reasons, the notice of return must
include medical documentation showing that the student is able to undertake full-time law study. A student may return before a leave’s expiration only with advance permission

Article XII The Academic Standards Committee

The composition, authority and procedures of the Academic Standards Committee are set forth in Article XII of the J.D. Academic Regulations.